

MUNICIPAL BUILDING, MOBILE, ALABAMA, JUNE 11, 2024

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, June 11, 2024, at 9:00 a.m.

Councilmembers:

Present: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Absent: None

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JUNE 11, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, June 11, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the Assistant City Clerk, Lana Gauthier.

Public Safety Chaplain, Tony Legear, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Carroll, Reynolds, Daves and Woods
Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER

The Presiding Officer provided an overview of the City Council’s Rules of Procedure.

APPROVAL OF MINUTES

The minutes of the meetings of May 28 and June 4, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Councilmember Gina Gregory read and presented a proclamation to John Shell in recognition and celebration of him receiving the 2024 National Eagle Scout Service Project of the Year.

Mayor Stimpson presented a proclamation to Michael Ledger, President of Feeding the Gulf Coast, declaring June 13, 2024 as “Summer Meals for Kids Day” in Mobile.

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Mayor Stimpson thanked the City's Office of Supplier Diversity Department, Volkert, and Norman Hill Consulting for hosting the Business Opportunity Fair last week.

Mayor Stimpson stated that the Architectural Review Board voted in favor of the application for demolition of the Civic Center.

Mayor Stimpson gave comments about the following:

Mobile Police Officers participation in the Mississippi Law Enforcement Association 2024 motorcycle training.

Park and Recreation Departments' Youth Track and Field team won medals in Wetumpka at the State track meet.

ADOPTION OF THE AGENDA

Councilmember Penn moved to adopt the agenda, which was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the motion to adopt the agenda adopted.

APPEALS

Request of Miran Powell for a waiver of the Noise Ordinance at Tricentennial Park on July 13, 2024, from 11:00 a.m. – 3:00 p.m. (District 1).

Councilmember Daves moved to grant the waiver, which move was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Brieyanna Cotton for a waiver of the Noise Ordinance at 3370 Sheringham Drive on June 22, 2024, from 9:00 a.m. – 10:00 p.m. (District 5).

Councilmember Daves moved to deny the waiver, which move was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver denied.

Request of Marcus Mitchell for a waiver of the Noise Ordinance at Langan Park on August 31, 2024, from 11:00 a.m. – 4:00 p.m. (District 7).

Councilmember Daves moved to grant the waiver, which move was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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The vote was then announced by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

PUBLIC HEARINGS

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 613 WELLINGTON STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 613 Wellington Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 4591 CYPRESS SHORES DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 4591 Cypress Shores Drive a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

John Rousson, Mobile, Al, requested an extension to repair the property.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 3931 POINT ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 3931 Point Road a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Michael Joseph, Mobile, Al, asked for an extension to fix the property.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced later in the meeting.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Reggie Hill, 1007 Center Street, Offered comments about fitness for duty, Parks and Recreation Department, and Downtown parking.

AGENDA ITEMS:

Stephen Harvey, 11 N. Water Street, Gave comments regarding Resolutions 47-512 and 47-513.

ORDINANCES HELD OVER

CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1109, 1111, AND 1113 WEST I-65 SERVICE ROAD N. The following ordinance which was introduced and read at the regular meeting of June 4, 2024, and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

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ORDINANCE: 64-037-2024

Sponsored by: Councilmember Penn

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Planned Unit Development (PUD) was approved on June 4, 2013 to allow multiple buildings on a single building site with shared access and parking on property located at 1109, 1111, & 1113 West I-65 Service Road North and described as follows:

LOT 2, SMITHS BAKER HARRIS SUBDIVISION, AS RECORDED IN MAP BOOK 76, PAGE 95

WHEREAS, the owner of said property applied for a Major Modification of the PUD on January 17, 2024 allowing multiple buildings on a single building site with shared parking and access.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on February 22, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Retention of a note on the final PUD site plan stating no structures shall be constructed in any easement without permission from the easement holder;
2. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
3. Retention of the 25-foot minimum building setback line along West I-65 Service Road North, as required by Section 64-2-21.E. of the Unified Development Code;
4. Retention of the lot size labels in both square feet and acres, or provision of a table on the final PUD site plan with the same information;
5. Provision of the building sizes in square feet on the final PUD site plan;
6. Retention of the right-of-way along West I-65 Service Road North on the final PUD site plan;
7. Provision of a note on the final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
8. Submittal to, and approval by, Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
9. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. Is consistent with all applicable requirements of this Chapter;
- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;
- D. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the modification of the PUD is hereby approved with the following required conditions:

1. Retention of a note on the final PUD site plan stating no structures shall be constructed in any easement without permission from the easement holder;

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2. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
3. Retention of the 25-foot minimum building setback line along West I-65 Service Road North, as required by Section 64-2-21.E. of the Unified Development Code;
4. Retention of the lot size labels in both square feet and acres, or provision of a table on the final PUD site plan with the same information;
5. Provision of the building sizes in square feet on the final PUD site plan;
6. Retention of the right-of-way along West I-65 Service Road North on the final PUD site plan;
7. Provision of a note on the final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
8. Submittal to, and approval by, Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
9. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

The ordinance was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to adopt the ordinance, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

CONSIDER A MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 4464 AND 4474 HALLS MILL ROAD.

The following ordinance which was introduced and read at the regular meeting of June 4, 2024, and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-038-2024

Sponsored by: Councilmember Reynolds

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE

WHEREAS, a Planned Unit Development (PUD) was approved on March 4, 2021 allowing multiple buildings on multiple building sites with shared access and reduced landscaping on property located at 4464 and 4474 Halls Mill Road and described as follows:

LOTS A, B, AND C, RESUBDIVISION OF PAUL PERSONS SUBDIVISION AS RECORDED IN MAP BOOK 120, PAGE 102, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA.

TOGETHER WITH COMMENCING AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, RUN SOUTH 89°-48'-01" WEST AND ALONG THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 1389.8 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE NORTH 89°00'6"-37" EAST, 139.58 FEET TO A POINT ON THE EASTERN LINE OF LOT A, RESUBDIVISION OF PAUL PERSONS SUBDIVISION, AS RECORDED IN MAP BOOK 120, PAGE 102, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE SOUTH 00°-13'-26" WEST AND ALONG THE EAST

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LINE OF SAID LOT A, A DISTANCE OF 716.03 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF HALLS MILL ROAD (OLD U.S. HIGHWAY 90) (RIGHT-OF-WAY VARIES); THENCE NORTH 66°-28'-40" EAST AND ALONG SAID NORTH RIGHT-OF-WAY LINE, 149.52 FEET; THENCE NORTH 23°-41 '-03" WEST, 144.96 FEET; JHENCE NORTH 06°-17'-14" EAST, 528,95 FEET TO THE POINT OF BEGINNING.

WHEREAS, the owner .of said property applied for a Major Modification of the PUD on January 16, 2024 allowing multiple buildings on multiple building sites and reduced landscaping.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on February 22, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision-request;
2. Completion of the Use Variance process to amend a previously approved Use Variance, prior to issuance of development permits;
3. Placement of a note on the Final PUD Site Plan stating that, upon development of the site, as proposed, the entirety of Lot A-1 must comply with current UDC Landscaping & Tree standards as detailed in Article 3 Section 64-3-7 of the Unified Development Code;
4. Revision of the Final PUD Site Plan to remove Tree Planting, Landscaping, and Parking data and calculations as they are currently depicted;
5. Provision of a note stating that all proposed and future development must comply with current UDC requirements;
6. Revision of the Final PUD Site Plan such that notes referencing sections from the previous Zoning Ordinance are updated to their corresponding Sections in the Unified Development Code;
7. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
8. Revision of the site plan to illustrate compliance with the off-street loading facilities standards of Section 64-3-12.B;
9. Revision of the site plan to illustrate compliance with the on-site pedestrian safety standards of Section 64-3-3;
10. Provision of a revised tree and landscape plan at the time of permitting illustrating compliance with the City Council's decision, or in compliance with Section 64-3-7;
11. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
12. Provision of a note on the site plan stating that all proposed and future protection buffers must comply with Section 64-3-8 of the UDC;
13. Retention of all easements, as illustrated;
14. Provision of a note on the site plan stating no structures shall be constructed in any easement without permission from the easement holder;
15. Provision of a note on the site plan stating future development or redevelopment of the site may require additional modification of the PUD to be reviewed and approved by the Planning Commission and City Council;
16. Compliance with all Engineering comments noted in .the staff report;
17. Compliance with all Traffic Engineering comments noted in the staff report;
18. Compliance with all Urban Forestry comments noted in the staff report;
19. Compliance with all Fire Department comments noted in the staff report;
20. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
21. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;

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- D. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- E. Will minimize traffic hazards and traffic congestion on the public roads;
- F. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- G. Shall not be detrimental or endanger the public health, safety or general welfare; and
- H. Benefits Consideration. The request will be in the City's and the larger community's best interests.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS:

Section One: That the modification of the PUD is hereby approved with the following required conditions:

1. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
2. Completion of the Use Variance process to amend a previously approved Use Variance, prior to issuance of development permits;
3. Placement of a note on the Final PUD Site Plan stating that, upon development of the site, as proposed, the entirety of Lot A-1 must comply with current UDC Landscaping & Tree standards as detailed in Article 3 Section 64-3-7 of the Unified Development Code;
4. Revision of the Final PUD Site Plan to remove Tree Planting, Landscaping, and Parking data and calculations as they are currently depicted;
5. Provision of a note stating that all proposed and future development must comply with current UDC requirements;
6. Revision of the Final PUD Site Plan such that notes referencing sections from the previous Zoning Ordinance are updated to their corresponding Sections in the Unified Development Code;
7. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
8. Revision of the site plan to illustrate compliance with the off-street loading facilities standards of Section 64-3-12.B;
9. Revision of the site plan to illustrate compliance with the on-site pedestrian safety standards of Section 64-3-3;
10. Provision of a revised tree and landscape plan at the time of permitting illustrating compliance with the City Council's decision, or in compliance with Section 64-3-7;
11. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
12. Provision of a note on the site plan stating that all proposed and future protection buffers must comply with Section 64-3-8 of the UDC;
13. Retention of all easements, as illustrated;
14. Provision of a note on the site plan stating no structures shall be constructed in any easement without permission from the easement holder;
15. Provision of a note on the site plan stating future development or redevelopment of the site may require additional modification of the PUD to be reviewed and approved by the Planning Commission and City Council;
16. Compliance with all Engineering comments noted in the staff report;
17. Compliance with all Traffic Engineering comments noted in the staff report;
18. Compliance with all Urban Forestry comments noted in the staff report;
19. Compliance with all Fire Department comments noted in the staff report;
20. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
21. Full compliance with all municipal codes and ordinances.

Section Two: This Ordinance shall be in force and effect from and after its adoption and publication.

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The ordinance was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to adopt the ordinance, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the ordinance adopted.

RESOLUTIONS HELD OVER

APPROVE AWARED OF ITEM-BASED BID FOR MEDICAL EQUIPMENT. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-507-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Awards, to the designated vendors for the specified items at the unit prices indicated, for the time periods and renewal options as indicated below and attached herein, and, further, that the Purchasing Agent is authorized to issue said orders without further approval or other action by the City Council. All Bid Awards may be extended at the discretion of the Purchasing Agent for a total award period not to exceed three years.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
<u>5881</u>	Medical Equipment	51	See bid tab	Through 20 DEC 2024, then renewable for three additional eight-month periods	<u>Various, see bid tabulation</u>

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO CARAHSOFT FOR ANNUAL SUBSCRIPTION FOR CONCUR TRAVEL MANAGEMENT SOFTWARE; \$17,571.33. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-508-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required for the following requisition as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>9756</u>	2024	(2510) ACCOUNTING	ANNUAL SUBSCRIPTION RENEWAL FOR CONCUR TRAVEL MANAGEMENT SOFTWARE FOR ACCOUNTING (BID EXEMPT AS SOFTWARE, PRICE BELOW BID REQUIREMENT)	\$17,571.33	(295556) <u>CARAHSOFT</u>

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO KIMBALL INTERNATIONAL MARKETING, INC. FOR GUEST CHAIRS FOR SULLIVAN AND HILLSDALE RECREATION CENTERS; \$46,252.50. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-509-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisitions as indicated below and attached herein:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
<u>9339, 9440</u>	2024	(2032) COMMUNITY CENTERS	105 MESH GUEST CHAIRS SPLIT BETWEEN SULLIVAN AND HILLSDALE REC CENTERS (AL STATE CONTRACT)	\$46,252.50	(282081) <u>KIMBALL INTERNATIONAL MARKETING INC</u>

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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AUTHORIZE CONTRACT WITH VITALEXAM, LLC FOR WELLNESS EXAMS FOR MFRD; NTE \$225,000.00 PER YEAR. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-510-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and VITALExam, LLC, to provide wellness exams for firefighters, for three years, renewable for an additional three years, without further approval required by Council, in an amount as needed not to exceed \$225,000.00 per year, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

ASSENT TO THE VACATION OF A PORTION OF RIGHT-OF-WAY ON MEADOR DRIVE. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 47-512-2024

Sponsored by: Councilmember Penn

WHEREAS, a Declaration of Vacation and Petition for Vacation signed by Alabama Export Railroad, Inc., an Alabama corporation ("Petitioner"), as owner of all of the land abutting the below described portion of the public right of way known as Meador Drive, situated in the City of Mobile, County of Mobile, State of Alabama, has been duly presented to the City Council of the City of Mobile, Alabama, for the assent and approval of said governing body, said Declaration of Vacation being attached hereto Exhibit A and made part hereof; and

WHEREAS, said portion of said public right of way is more particularly described as follows:

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Beginning at the Southeast corner of Lot 2, Central Business Park, Phase One as recorded in Map Book 29, Page 76 in the office of the Judge of Probate Mobile County, Alabama said point being a point on the North right-of-way of Meador Drive and the West right-of-way of Illinois Central Gulf Railroad; thence run S-31°00'57"-W along said West right-of-way of Illinois Central Gulf Railroad, 5.30 feet to a point; thence run Southwesterly along said West right-of-way of Illinois Central Gulf Railroad and a curve to the right having a radius 4900.00 feet, a chord of which bears S-31°20'05"-W, 54.54 feet, an arc distance of 54.54 feet to a point on the South right-of-way of Meador Drive; thence run Northwesterly leaving said West right-of-way of Illinois Central Gulf Railroad, along said South right-of-way of Meador Drive and a non-tangent curve to the left having a radius of 185.87 feet, a chord of which bears N-86°54'29"-W, 175.89 feet, an arc distance of 183.22 feet to a point; thence run S-64°51'07"-W along said South right-of-way of Meador Drive, 144.81 feet to a point; thence run N-25°08'53"-W leaving said South right-of-way of Meador Drive, 140.02 feet to a point; thence run Southeasterly along a non-tangent curve to the left having a radius of 40.00 feet, a chord of which bears S-70°10'23"-E, 56.83 feet, an arc distance of 63.20 feet to a point on said North right-of-way of Meador Drive; thence run N-64°50'19"-E along said North right-of-way of Meador Drive, 79.96 feet to a point; thence run Southeasterly along said North right-of-way of Meador Drive and a curve to the right having a radius of 242.11 feet, a chord of

which bears S-86°55'08"-E, 229.13 feet, an arc distance of 238.68 feet to a point; thence run S-58°40'36"-E along said North right-of-way of Meador Drive, 49.97 feet to the Point of Beginning, containing 32,365.63 square feet, more or less.

WHEREAS, it appears to the City Council of the City of Mobile, Alabama, that said portion of said right of way is bounded on each side by property owned only by the Petitioner and that the vacation of said right of way is in order and said vacation will not deprive any other property owners of such right as they may have to convenient and reasonable means of ingress and egress to and from their property, and that no other property owner will be adversely affected by such vacation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the vacation of the hereinabove described portion of said right of way is assented to and approved and the same is hereby vacated pursuant to the provisions of § 23-4-20, Code of Alabama, 1975, and Section 57-17 of the Code of Ordinances of the City of Mobile, subject, however, to following:

An easement over, under and across the aforesaid portion of said street and right of way is excepted from this vacation and is retained in favor of the Board of Water and Sewer Commissioners of the City of Mobile, Spire Gulf Inc. and AT&T (the "Utilities") in order to allow said Utilities to maintain, service and operate their respective existing lines, drains, systems and facilities located across, over and under the aforesaid portion of said street and right of way.

BE IT FURTHER RESOLVED THAT the City of Mobile further waives any fee to be paid to the City of Mobile for said portion of said right of way pursuant to Ala. Code § 11-49-6 (1975), said Section 57-17 of the Code of Ordinances, or otherwise.

The City Clerk of the City of Mobile is authorize and directed to certify true copies of this Resolution and attach such certified copies to the written Declaration of Vacation of the aforesaid portion of said public street and right of way and to deliver said documents to the aforesaid owner of real property abutting that portion of said public street and right of way hereby vacated.

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The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

CONSIDER A VACATION OF RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A PORTION OF MEADOR DRIVE RIGH-OF-WAY. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 47-513-2024

Sponsored by: Councilmember Penn

BE IT RESOLVED by the City Council of the City of Mobile that the right-of-way fee for the vacation of a portion of a portion of Meador Drive right-of-way, by the Council as per Resolution 47-512 is hereby set at \$42,722.63.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE ISSUANCE OF SUBPOENAS BY SPECIAL COUNSEL. The following resolution which was introduced and read at the regular meeting of June 4, 2024 and held over until the regular meeting of June 11, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-514-2024

Sponsored by: City Council

WHEREAS, on May 28, 2024, the Mobile City Council passed Resolution 60-473 setting the scope and topics for an investigation into allegations made by former Mobile Police Department Chief Paul Prine and hiring a Special Counsel to conduct same; and

WHEREAS, that resolution authorized the issuance of subpoenas by the Special Counsel upon application for same to the City Council pursuant to ALA. CODE § 11-44C-87 or other applicable authority;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

1. The subpoenas attached hereto are APPROVED by the City Council. The Special Counsel is hereby AUTHORIZED to take all reasonable and appropriate steps to issue, serve, execute, and/or enforce same, including but not limited to the use of the courts of the State of Alabama, as may be necessary, as well as the use of the courts and judicial systems of other states where witnesses or evidence may be located to the extent allowed by applicable law.

MINUTES OF JUNE 11, 2024

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to table the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution tabled.

ORDINANCES BEING INTRODUCED

ORDINANCE DEEMING PROPERTY LOCATED AT 5842, A/K/A 5850, CAROL PLANTATION ROAD NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO D.R. HORTON, INC. The following ordinance was held over until the regular meeting of June 18, 2024.

ORDINANCE: 88-039-2024

Sponsored by: Mayor Stimpson

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property at 5842 (AKA 5850) Carol Plantation Road, Theodore, Alabama 36582, hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to DR Horton, Inc.

SEE ATTACHED EXHIBIT 'A'

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Purchase and Sale Agreement for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

SECTION FIVE: The Deputy Director of Real Estate and Asset Management of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION SIX: The proceeds from this sale are to be placed in a Public Facility Improvement Project Account.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Exhibit A

5842 (AKA 5850) Carol Plantation Road, Theodore, AL 36582

KEY NO. - 2840741
PARCEL NO - 2330833200001

Legal Description: Lot 1 Boykin Park Subdivision and recorded in Real Property Book 77, Page 105
Probate Court Records Mobile, County, AL



SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider consent resolutions 31-515 through 60-523 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT FROM THE ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR THE SCRAP TIRE MARKETING PROGRAM (\$1,000,000.00) (NO LOCAL MATCH). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-515-2024

Sponsored by: Mayor Stimpson

MINUTES OF JUNE 11, 2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Alabama Department of Environmental Management (ADEM), grant assistance in the amount of \$1,000,000.00 in support of the Scrap Tire Marketing Program. There is no match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the Alabama Department of Environmental Management, Scrap Tire Marketing Program. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LIQUOR LICENSE TO ROCK THE COUNTRY; 1035 CODY ROAD, N. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-516-2024

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

Type of application: Special Events Retail Liquor License

Submitted by: Facility Concession Services, LLC

Location: Rock the Country
1035 Cody Road North
Mobile, AL 36608

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DECLARE THE STRUCTURE AT 613 WELLINGTON STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-517-2024

Sponsored by: Councilmember Penn

MINUTES OF JUNE 11, 2024

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 613 Wellington Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the, determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 12, 14 and 15; and**

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **613 Wellington Street described as:**

LOT 20 BLK 2 SUMMERVILLE PLACE MBK 3 P 632 #SEC 44 T 4S R1W #MP29 02 44 0 029

Parcel Number: 29 02 44 0 029 047

Last Assessed to: JONES BEATRICE, C/O SONIA KNIGHT

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolished** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DECLARE THE STRUCTURE AT 4591 CYPRESS SHORES DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-518-2024

Sponsored by: Councilmember Reynolds

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 4591 Cypress Shores Drive (fka Road) has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the

MINUTES OF JUNE 11, 2024

structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 12, 14 and 15; and**

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **4591 Cypress Shores Drive (fka Road) described as:**

LOT 6 BLK A UNIT 3 CYPRESS SHORES SUBD MBK 10 PG 153 #SEC 24 T5S R2W #MP33 06 24 3 001

Parcel Number: 33 06 24 3 001 035.001

Last Assessed to: SOMERS REGINA C

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolished** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to hold the resolution over for sixty days, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution held over for sixty days until the regular meeting of August 13, 2024.

DECLARE THE STRUCTURE AT 3931 POINT ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-519-2024

Sponsored by: Councilmember Reynolds

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 3931 Point Road has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance; WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 12, 14 and 15; and**

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

MINUTES OF JUNE 11, 2024

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **3931 Point Road described as:**

LOT 12 BLK G CYPRESS SHORES ESTATES 1ST UNIT MBK 11 PG 83 #SEC 39 TSS R2W #MP33 06 39 0 005

Parcel Number: 33 06 39 0 005 037

Last Assessed to: PNC BANK NATIONAL ASSOCIATION

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be **demolished** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to hold the resolution over for sixty days, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution held over for sixty days until the regular meeting of August 13, 2024.

DETERMINE APPROPRIATIONS TO TOULMINVILLE-CRICHTON COMMUNITY DEVELOPMENT CORPORATION SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-520-2024

Sponsored by: Councilmember Penn and Small

WHEREAS, Councilmembers Penn and Small wishes to appropriate **\$1,000.00 each (\$2,000 total)** to Toulminville-Crichton Community Development Corporation, from their discretionary funds; and

WHEREAS, Toulminville-Crichton Community Development Corporation, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Toulminville-Crichton Community Development Corporation, will be used to assist with the Non-Partisan Voter Education Picnic Rally that will be held at USS Alabama Battleship Park on August 10, 2024, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,000.00** to Toulminville-Crichton Community Development Corporation, for the purposes described hereinabove serves a public

MINUTES OF JUNE 11, 2024

purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO TOULMINVILLE-CRICHTON COMMUNITY DEVELOPMENT CORPORATION SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-521-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **\$1,000.00** to Toulminville-Crichton Community Development Corporation, from his discretionary funds; and

WHEREAS, Toulminville-Crichton Community Development Corporation, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Toulminville-Crichton Community Development Corporation, will be used to assist with the Non-Partisan Voter Education Picnic Rally that will be held at USS Alabama Battleship Park on August 10, 2024, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$1,000.00** to Toulminville-Crichton Community Development Corporation, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO DODGE ELEMENTARY SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-522-2024

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Sponsored by: Councilmember Reynolds

WHEREAS, Councilmember Reynolds wishes to appropriate **\$500.00** to Dodge Elementary School from his discretionary funds; and

WHEREAS, Dodge Elementary School, is public school in Mobile, Alabama, which the Council may support pursuant to Code of Alabama § 16-13-36; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Dodge Elementary School will be used to assist with the school's Robotic Team travel arrangements to the VEX IQ Alabama State Championship in Auburn, AL, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$500.00** to Dodge Elementary School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO DISTINGUISHED YOUNG WOMEN OF MOBILE COUNTY, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-523-2024

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate **\$2,000.00**, and to Distinguished Young Women of Mobile County, Inc., from her discretionary funds; and

WHEREAS, Distinguished Young Women of Mobile County, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Distinguished Young Women of Mobile County, Inc., will be used to assist with the 67th National Finals on June 26-29, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,000.00** to Distinguished Young Women of Mobile County, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CIP RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider CIP resolution 21-524 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CIP RESOLUTIONS BEING INTRODUCED

AUTHORIZE CONTRACT WITH GEOTECHNICAL ENGINEERING TESTING, INC. FOR 2024 CIP RESURFACING; DISTRICTS 6 & 7; \$50,000.00. The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 21-524-2024

Sponsored by: Mayor Stimpson and Councilmembers Reynolds, Woods and Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as set forth in full, subject to the company signing the contract and furnishing the required bonds and insurance. A copy of said executed contract will be on file in the office of the City Clerk.

Name of Company: Geotechnical Engineering Testing, Inc.

Project Name: 2024 CIP Resurfacing City Council Districts 6 & 7
COM Project # 2024-3005-03

Estimated Cost: \$50,000.00

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider resolution 60-531 being introduced for the

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first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO DADE PAPER COMPANY FOR PORTABLE RESTROOM CLEANERS FOR PARKS DEPARTMENT; \$30,068.15. The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 08-525-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8231</u>	2024	(2012) PARKS MAINTENANCE	7 KAIVAC 1250 PORTABLE RESTROOM CLEANERS FOR PARKS DEPARTMENT (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$30,068.15	<u>(161125) DADE PAPER CO</u>

APPROVE PURCHASE ORDER TO JHCC HOLDINGS, LLC FOR REPAIR TO CHEVY TAHOE; \$16,313.60. The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 08-526-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>9835</u>	2024	(2050) FLEET MAINTENANCE-GARAGE	WRECK REPAIR FOR 2021 CHEVY TAHOE PPV SUV (PRICE BELOW BID REQUIREMENT; VENDOR SELECTED FROM BODY WORK ROTATION POOL)	\$16,313.60	<u>(299101) JHCC HOLDINGS LLC</u>

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APPROVE PURCHASE ORDER TO PIONEER MANUFACTURING COMPANY FOR PORTABLE VOLLEYBALL POLES, BASES, PADS, AND NETS FOR PARKS DEPARTMENT; \$17,040.00. The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 08-527-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>9242</u>	2024	(2032) COMMUNITY CENTERS	8 SETS OF PORTABLE VOLLEYBALL POLES, BASES, PADS AND NETS FOR PARKS DEPARTMENT (PRICE BELOW BID REQUIREMENT, PRICE QUOTES)	\$17,040.00	<u>(163867) PIONEER MANUFACTURING CO</u>

APPROVE PURCHASE ORDER SA-SO FOR TRAFFIC SIGN SOLAR FLASHING BEACONS FOR TRAFFIC ENGINEERING; \$19,600.00. The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 08-528-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8316</u>	2024	(2060) TRAFFIC ENGINEERING	10 AMBER AND 4 RED TRAFFIC-SIGN SOLAR FLASHING BEACONS FOR TRAFFIC ENGINEERING (PRICE BELOW BID REQUIREMENT, PRICE QUOTES)	\$19,600.00	<u>(190380) SA-SO</u>

AUTHORIZE CONTRACT AMENDMENT WITH OSPREY INITIATIVE, LLC; \$75,000.00 INCREASE. The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 21-529-2024

Sponsored by: Mayor Stimpson

MINUTES OF JUNE 11, 2024

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, an amendment to a contract, by and between the City of Mobile and Osprey Initiative, LLC, to increase the amount of the contract to not exceed \$75,000.00, and to extend the contract for an additional year through May 31, 2025, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE FY 2024 PORT SECURITY GRANT PROGRAM; \$901,122.64 (\$222,250.95 MATCH REQUIREMENT). The following resolution was held over until the regular meeting of June 18, 2024.

RESOLUTION: 31-530-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), a Notice of Award and Memorandum of Agreement for grant assistance in the amount of \$901,122.64 for the Department of Homeland Security's FY 2024 Port Security Grant Program pending approval of the transfer of funds.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U. S. Department of Homeland Security and any other federal agency.

BE IT FURTHER RESOLVED that the Council authorizes the expenditure of \$222,250.95 in matching funds in the event this grant is received in full.

AUTHORIZE ISSUANCE OF SUBPOENAS BY SPECIAL COUNSEL. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-531-2024

Sponsored by: Councilmembers Small, Reynolds, and Woods

WHEREAS, on May 28, 2024, the Mobile City Council passed Resolution 60-473 setting the scope and topics for an investigation into allegations made by former Mobile Police Department Chief Paul Prine and hiring a Special Counsel to conduct same; and

WHEREAS, that resolution authorized the issuance of subpoenas by the Special Counsel upon application for same to the City Council pursuant to ALA. CODE § 11-44C-87 or other applicable authority;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

1. The subpoenas attached hereto are APPROVED by the City Council. The Special Counsel is hereby AUTHORIZED to take all reasonable and appropriate steps to issue, serve, execute, and/or enforce same, including but not limited to the use of the courts of the State of Alabama, as may be necessary, as well as the use of the courts and judicial systems of other states where witnesses or evidence may be located to the extent allowed by applicable law.

MINUTES OF JUNE 11, 2024

SUBPOENA RECIPIENT	DOCUMENTS	TESTIMONY/RETURN DATE
Paul Prine	1. Any and all documents relating to an agreement executed between the City of Mobile, AL and 321z Insights, LLC 2. Any and all documents related to the chain of command of the GCTC, including allegations that you were improperly cut out of or unable to use GCTC resources. 3. Any and all documents relating to an alleged breakdown of relations between you and the Administration of the City of Mobile. 4. Any and all written grievances filed or submitted by you to the City of Mobile.	To be determined.
Custodian of Records, 321z Insights, LLC	1. Any and all documents relating to an agreement executed between the City of Mobile, AL and 321z Insights, LLC, including but not limited to: a. material submitted to the City of Mobile or any representative regarding the qualifications, experience or capabilities of 321z Insights, LLCX b. documents of information received from the City of Mobile, AL or any agent thereof c. draft or modified versions of the agreement executed between the City of Mobile, AL and 321z, Insights, LLC d. draft or modified versions of a document entitled "Final Report and Analysis of Operation Echo Stop Peer Review" e. draft or modified version of a letter from Jonni Baker to the City of Mobile, AL Police Department, Attention Cmdr. Kevin R. Levy enclosing a "peer review" of Operation Echo Stop.	To be determined.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves, following comments from Councilmembers Carroll, Woods, and Gregory the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

ANNOUNCEMENTS

Councilmember Penn offered comments about the Old Shell Road underpass project.

Councilmember Woods thanked the Animal Services Department for handling a loose dog issue in his district.

Councilmember Gregory said that the annual Makers Market and Open House at the Mobile Museum of Art this past Saturday was well attended.

Councilmember Small thanked Bishop Antonio Jackson and Christ Temple Apostolic Church for inviting him to bring greetings as they celebrated their 35th Anniversary on Sunday June 9, 2024.

Councilmember Small stated that a ribbon cutting ceremony for the new splashpad at Duval Street Park will be held on June 17, 2024 at 12:00 p.m.

Councilmember Penn announced that an Entitlement Committee meeting will be held today at 1:00 p.m.

Councilmember Reynolds moved to adjourn the meeting, which was seconded by Councilmember Woods and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:24 p.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK