

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 13, 2022

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, December 13, 2022, at 9:00 a.m.

Councilmembers:

Present: Carroll, Small, Reynolds, Daves, Jones, and Gregory
Absent:

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

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, DECEMBER 13, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, December 13, 2022, at 10:30 a.m., for the regular meeting.

The meeting was called to order by City Clerk, Lisa C. Lambert.

Pastor Josh Sparkman, Christ Presbyterian Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Councilmembers: Penn, Carroll, Reynolds, Daves, Jones, and Gregory
Absent:

STATEMENT OF RULES BY PRESIDING OFFICER

The Presiding Officer provided an overview of the City Council's rules of procedure.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson stated the groundbreaking for the Mobile International Airport at Brookley Field was a success last Friday.

Mayor Stimpson reported that 800 scrap tires were collected on Saturday for "Tire Amnesty Day."

Mayor Stimpson said the Lending Tree Bowl game between Southern Miss and Rice University will be held at the Hancock Whitney Stadium on Saturday, December 17, 2022.

Mayor Stimpson stated the Greer's Markets Mardi Gras style parade will be on Friday, December 16, 2022, at 6:30 p.m.

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Mayor Stimpson informed citizens that Parks and Recreation Department will be hosting its first Christmas pageant on December 15, 2022, at the Harmon Park and Recreation Center from 6:30 p.m. to 8:00 p.m.

Mayor Stimpson announced that Parks and Recreation Department will be hosting a Holiday Extravaganza and Toy Giveaway on December 17, 2022, at James Seals Park from 10:00 a.m. to 2:00 p.m.

Shonnda Smith, Deputy Executive Director of Public Works, presented the following employees of the month:

1. Anthony Morris, Public Works at Large
2. Dexter Peoples, Public Services
3. Monteil Fluker, Sr., Parks and Recreation

Mayor Stimpson presented Monteil Fluker, Sr. the Award of Excellence.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS

Request of Justine Bixler for a waiver of the Noise Ordinance at 4513 Old Shell Road on December 22, 2022, from 7:00 p.m. – 10:00 p.m. (District 5).

Councilmember Small moved to grant the waiver, which motion was seconded by Councilmember Jones and the vote was as follows:

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

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

NOTE: Lisa C. Lambert, City Clerk, said the following: "Council, in accordance with the rules and regulations of the Rebuild Alabama Act, I would like to acknowledge that I have received the annual report from the City of Mobile."

PUBLIC HEARINGS

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 906 DONALD STREET A PUBLIC NUISANCE AND ORDER IT SECURED/DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 906 Donald Street a public nuisance and order it secured/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 1812 LEGRANDE DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

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The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1812 Legrande Drive a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Nathaniel Oakley, 1812 Legrande Drive, requested 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.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1705 NORTHVIEW DRIVE, 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 1705 Northview Drive 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 CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOUTHWEST CHAPTER OF THE ALABAMA COALITION OF CITIZENS WITH DISABILITIES TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing consider approval of a certificate of public convenience and necessity to Southwest Chapter of the Alabama Coalition of Citizens with Disabilities to operate a shuttle service and asked if there was anyone present to speak for or against this matter.

Randy Stradford, 5505 Cortes Drive, gave comments in support of this application.

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:

AGENDA ITEMS:

1. Mary Ann Merchant, 401 Arrosser Drive, Saraland, AL, offered comments in support of ordinance 83-068.
2. Barbara Caddell, 1321 Dauphin Street, gave comments in support of ordinance 83-068.

The following speakers gave comments in opposition of ordinance 01-062:

1. Timothy Jensen, 5150 A Albert Evans Road S., Wilmer, AL
2. Madeline Blancher, 412 Dauphin Street, Apt. H
3. Samson Sinclair, 10708 Southern Oaks Court, Grand Bay, AL
4. Cathy Odom, 2520 Cedar Point Road
5. Carol Wilson, 489 Bartlett Avenue, Fairhope, AL
6. Melissa Gates, 1280 Rigby Road
7. Linh Nguyen-Hoach, 6113 Appaloosa Drive
8. Linda Poiroue, 13095 Tanner Williams Road
9. Pete Riehm, 3904 Camellia Drive

The following speakers gave comments in support of ordinance 01-062:

1. Michael C. Dow, 1012 Palmetto Street
2. Mark Minnaert, 312 N. Joachim Street

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3. Sarah McCoy, 1401 Dauphin Street
4. Zach Huey, 516 Polo Trace, Daphne, AL

NON-AGENDA ITEMS:

1. David Clark, 1 S. Water Street, informed the Council about DestinationNEXT study of tourism in Mobile.
2. Michelle Simons, 1106 Havana Street, had questions and concerns regarding annexation.
3. John Arendall, 370 Charleston Street, thanked the Council for their support of the Mobile Law Enforcement Foundation and the Mobile Police Department.
4. Dale Pfeiffer, 107 Providence Street, provided an update on Driftwood Housing for the homeless.

ORDINANCES HELD OVER

ORDINANCE TO AUTHORIZE THE OPERATION OF MEDICAL CANNABIS DISPENSING SITES WITHIN THE CITY LIMITS OF THE CITY OF MOBILE. The following ordinance which was introduced and read at the regular meeting of November 29, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

ORDINANCE: 01-062-2022

Sponsored by: Councilmembers Penn, Carroll, Small, Daves, and Gregory

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA as follows:

Section 1. Definitions of Capitalized Terms.

(a) For purposes of this Ordinance, the following terms have the following meanings:

(i) **Act** means Chapter 2A of Title 20 of the Code of Alabama 1975.

(ii) **City** means the City of Mobile, Alabama.

(iii) **Commission** means the Alabama Medical Cannabis Commission created pursuant to the Act.

(iv) **State** means the State of Alabama.

(b) For purposes of this Ordinance, the following terms have the meanings assigned thereto in the Act:

(i) Dispensary;

(ii) Dispensing Site;

(iii) Integrated Facility;

(iv) Medical Cannabis.

Section 2. Findings and Determinations

The City has heretofore, upon evidence duly presented to and considered by it, found and determined, and does hereby find, determine and declare that:

(a) The Act authorizes the:

(1) use of Medical Cannabis in the State by certain patients with qualifying medical conditions meeting the requirements of the Act;

(2) regulation by the Commission of all aspects of the use, cultivation, processing, dispensing and transportation of Medical Cannabis from seed to sale in the State; and

(3) Commission to grant licenses to Medical Cannabis Licensees in the manner prescribed in the Act.

(b) Section 20-2A-51(c) of the Act provides that:

(1) the Commission shall not permit the operation of a Dispensing Site in any municipality in the State unless the governing body of said municipality, by ordinance, has authorized the operating of Dispensing Sites within its corporate limits;

(2) any municipality that adopts an ordinance authorizing the operation of Dispensing Sites within its corporate limits shall notify the Commission not more than seven calendar days after adopting said ordinance; and

(3) the Act does not prohibit a municipality from adopting zoning ordinances restricting the operation of Dispensing Sites within its corporate limits.

(c) The location and operation of Dispensing Sites within the City will generate employment opportunities in and local revenues for the City and is therefore desirable and in the best interests of the taxpayers and citizens of the City.

Section 3. Authorization of Medical Cannabis Licensees and Dispensing Sites

In accordance with Section 20-2A-51(c)(1) of the Act, the City hereby authorizes the location and operation of Dispensing Sites for state-licensed Dispensaries and Integrated Facilities in the corporate limits of the City, subject to the provisions of the Act, the rules and regulations promulgated thereunder, and applicable city tax ordinances, zoning ordinances and all laws, resolutions and ordinances, as may be amended at any time and from time to time.

Section 4. Notification of the Commission

In accordance with Section 20-2A-51(c)(2) of the Act, the City Clerk is hereby authorized and directed to forward a copy of this Ordinance to the Commission within seven calendar days following its adoption.

Section 5. General.

(a) All ordinances, resolutions, orders, or parts thereof in conflict or inconsistent with any provision herein hereby are, to the extent of such conflict or inconsistency, repealed.

(b) Each and every provision of this Ordinance is hereby declared to be severable so that if a provision is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other provision, for the City Council declares that it is its intent that it would have enacted this Ordinance without such invalid or unconstitutional provision(s).

(c) This Ordinance shall take effect upon publication as provided by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved to adopt the ordinance, which was seconded by Councilmember Carroll.

Councilmember Reynolds moved to hold the ordinance over until Valentine's Day, which was seconded by Councilmember Jones.

Councilmember Carroll called Councilmember Reynolds motion out of order due to a procedural error.

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Councilmember Reynolds stated that his motion was to hold the ordinance over until February 14, 2023.

Councilmember Carroll stated that another motion cannot supersede the current motion on the floor, therefore the motion made by Councilmember Reynolds should be held as out of order.

Following comments from Councilmember Reynolds and Councilmember Daves, Councilmember Reynolds made a motion to amend to hold the ordinance over until February 14, 2023, which was seconded by Councilmember Jones.

Councilmember Carroll stated that the motion to amend made by Councilmember Reynolds was not changing the structure of the ordinance but amending the process. According to Robert's Rules of Order, he was still out of order.

Councilmember Small called for a short recess at approximately 12:36 p.m.

Councilmember Small called the meeting back in session at approximately 12:45 p.m.

Councilmember Daves withdrew the motion to adopt ordinance 01-062 and asked the City Clerk to recall the item.

The ordinance was read by the City Clerk; whereupon Councilmember Reynolds made a motion to postpone the ordinance over indefinitely, which was seconded by Councilmember Jones, following comments from Councilmember Reynolds and Jones, the vote was as follows:

Ayes: Reynolds and Jones

Nays: Penn, Carroll, Small, Daves, and Gregory

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the motion to postpone the ordinance over indefinitely failed.

Councilmember Daves moved to adopt ordinance 01-062, which was seconded by Councilmember Carroll, and the vote was as follows:

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

Nays: Reynolds and Jones

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

REZONE PROPERTY LOCATED AT 3200 AND 3202 OLD SHELL ROAD FROM R-1 AND B-3 TO B-3. The following ordinance which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

ORDINANCE: 64-067-2022

Sponsored by: Councilmember Penn

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, SAID ORDINANCE BEING COMMONLY KNOWN AS THE ZONING ORDINANCE.

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

Section One: That the Ordinance commonly known as the Zoning Ordinance and adopted on May 16, 1967, together with the Zoning Map of the City of Mobile, 1967, be, and the same hereby is changed and altered in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

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BEGINNING AT THE SOUTHEAST CORNER OF LOT I, BLOCK 2, INGATE PLACE AS RECORDED IN DEED BOOK 106 PAGE 86 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA, THENCE NORTH 73° - 58' - 35" WEST ALONG THE NORTH LINE OF OLD SHELL ROAD 116.89 FEET; THENCE NORTH 00° - 09' - 28" EAST 175.00 FEET; THENCE SOUTH 73° - 43' - 52" EAST 116.53 FEET TO A POINT ON THE WEST LINE OF ABRAMS STREET; THENCE SOUTH ALONG SAID WEST LINE 174.62 FEET TO THE POINT OF BEGINNING; BEING A PORTION OF LOTS 1 AND 2, BLOCK 2, INGATE PLACE.

The classification of said property is hereby changed from R-1, Single-Family Residential District, and B-3, Community Business District, to B-3, Community Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-3, Community Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and, 2) 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 City Clerk; whereupon Councilmember Small moved to adopt the ordinance, which was seconded by Councilmember Penn, and the vote was as follows:

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

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

ORDINANCE TO AMEND CHAPTER 1 OF THE MOBILE CITY CODE TO ADD NEW ARTICLE III "ALTERATION OF CORPORATE LIMITS". The following ordinance which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

ORDINANCE: 83-068-2022

Sponsored by: Councilmembers Penn, Carroll, and Small

BE IT ORDAINED by the City Council for the City of Mobile, Alabama as follows:

Section One. Chapter 1, of the Mobile City Code 1991 is hereby amended to add a new Article III entitled "Alteration of Corporate Limits" as follows:

1. FINDINGS

A. The decision to increase or decrease the land area of a city is primarily a legislative decision, to be exercised in accordance with the procedures set forth in the Code of Alabama.

B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

i. by local legislative act;

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- ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §11-42-1 through §11-42-6;
- iii. by unanimous consent, as set out in Ala. Code §11-42-20 through §11-42-24; or,
- iv. by special election initiated by council resolution. Ala. Code § 11-42- 40 through §11-42-88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits.

- i. by local legislative act; or
- ii. by resolution of the council as set out in Ala. Code §11-42-200 through §11-42-213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., to sustain a reasonable level of service over the long term. To do so, the City must have revenues that meet and exceed its expenses. It is therefore prudent that the council be provided sufficient information to ensure that its decision is informed, transparent, and fact-based.

2. PROCEDURE

A. Feasibility Study required. Annexations shall require a feasibility study which shall include the following minimum information:

- i. A map of the area being considered for annexation (“study area”) that illustrates the existing and proposed boundaries of the corporate limits and police jurisdiction.
- ii. A parcel map illustrating the current boundaries of properties in the study area and showing the contiguous parcels within the corporate limits. The following information shall also be provided:
 - a. Current land use and/or zoning for each parcel (e.g. residential, business, unimproved, parkland or agricultural).
 - b. Stormwater facilities, water and sewer availability, septic systems.
 - c. Identification of lands that are environmentally sensitive, wetlands, wildlife habitat, or that contain historic and cultural resources.
 - d. Identification of all non-conforming uses that will be created by the annexation.
 - e. Proposed land uses including type and density of residential areas
- iii. An inventory of services that are currently being provided to the study area and the identity of the service provider, including utilities, police, fire and 911 emergency response, subdivision approval, building permits and inspections, libraries, parks, trails, and open space.
- iv. Identification of services that will be assumed by the City of Mobile and provided and a projected timetable of the provision of such services.
- v. Linear feet of public roads, condition of existing streets, and whether such roads have sidewalks or otherwise meet City engineering standards.
- vi. Current revenue generated, including taxes, business licenses and other fees.

B. COST BENEFIT ANALYSIS

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A cost benefit analysis shall be provided showing whether the City has the current capability to provide services, and the costs of assuming the service over the next fifteen years, including:

- i. The projected revenues, taxes, and fees.
- ii. The anticipated expenses including expected new employees and equipment for City police and fire, building inspections, public works, stormwater management, libraries, parks and recreational facilities.
- iii. The cost of street maintenance, trash and solid waste removal.
- iv. The tax consequences to the property owners in the area to be annexed, as well as the property owners within the city, including increased fees for such services planning, zoning and code enforcement.
- v. Where assumptions are made, the source data supporting such assumptions shall be provided.

3. OTHER INFORMATION

Additional information shall be provided showing whether the proposed annexation:

- i. will eliminate or avoid creating islands and peninsulas of incorporated territory;
- ii. will consolidate overlapping functions of government;
- iii. will encourage equitable distribution of community resources and obligations;
- iv. will promote efficient delivery of services;
- v. will have a negative impact due to the condition of existing roads and habitable structures that are below city standards.

4. DEMOGRAPHICS

Information on projected demographic changes for the city in its entirety shall be provided.

5. COMMUNITY MEETINGS

A. In order to actively seek public participation and maximize public input, the Council and or the Administration will conduct a community meeting in each of the seven council districts (the "Community Meetings").

B. The Community Meetings will be held at a time and place determined by the Council and/or the Administration; provided, however, all Community Meetings shall begin no sooner than 5 p.m. except when requested by a significant number of citizens to hold the meeting during regular business hours.

C. Community Meetings will be open to the public so that all citizens may provide comments about the proposed annexation.

Section Two. This ordinance shall be in full force and effect on and after its adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Carroll moved to hold the ordinance over for one week, which was seconded by Councilmember Small, following comments by Councilmember Jones, the vote was as follows:

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

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The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance held over for one week until the regular meeting of December 20, 2022.

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 9 ½ N. CEDAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of October 11, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 40-895-2022

Sponsored by: Councilmember Carroll

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 9 1/2 NORTH CEDAR 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. 2, 3, 4, 5, 6, 8, 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 9 1/2 NORTH CEDAR STREET described as:

PARCEL C TO FIND PT OF BEG OF PPTY HEREIN DESC COM AT PT ON W/S OF CEDAR ST A DIS OF 181 FT N FROM DAUPHIN ST RUN THEN WLY & PAR WITH DAUPHIN ST 75 FT M/L TO PT ON E/L OF BRICK BLDG POB OF PPTY HEREIN DESC THEN RUN W 33 FT M/L TO W/L OF SD BRK BLDG TH RUN N ALG W/L OF SD BRK BLDG A DIS OF 62.9 FT M/L TO A PT AT NW COR OF SD BRK BLDG THEN RUN E ALG N/L OF SD BRK BLDG 33 FT M/L TO NE COR THEREOF THEN RUN S ALG E/L OF SD BRK BLDG A DIS OF 62 FT M/L TO THE POB #SEC 40 T4S R1W #MP29 06 40 0 010

Parcel Number: 29 06 40 0 010 070.02

Last assessed to: QUIMBY WENDELL

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 City Clerk; whereupon Councilmember Carroll moved to table the resolution, which was seconded by Councilmember Daves, and the vote was as follows:

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

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

RESOLUTIONS HELD OVER

AUTHORIZE AGREEMENT WITH SPIRE GULF, INC. FOR ADDITION OR REMOVAL OF GAS LIGHTS. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 01-1074-2022

Sponsored by: Mayor Stimpson

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, an agreement, and any necessary amendments thereafter, between Spire Gulf Inc. A copy of said executed contract will be on file in the office of the City Clerk.

Name of Company: Spire Gulf Inc.

Project Name: Gas Light Services Agreement

Agreement: Agreement for Gas Light Services,
Addition or Removal of Gas Lights

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

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

Nays: None

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

AUTHORIZE PURCHASE ORDER TO DOGWOOD PRODUCTIONS, INC. FOR WEBSITE HOSTING, MAINTENANCE AND LIVESTREAMING SERVICES (JANUARY – SEPTEMBER 2023): \$37,125.00. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1075-2022

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>2117</u>	2023	(5000) INFORMATION TECHNOLOGY	WEBSITE HOSTING AND MAINTENANCE AND LIVESTREAM SERVICES, JAN-SEP 2023 (PROFESSIONAL SERVICE)	\$37,125.00	<u>(0470690 DOGWOOD PRODUCTIONS INC</u>

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

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

Nays: None

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

APPROVE PURCHASE ORDER TO D3, INC., D/B/A 9 TO 5 SEATING, FOR FURNITURE FOR LAFAYETTE ST. CITY RESOURCE CENTER; \$22,298.76. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1076-2022

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>1736</u>	2023	(3500) NEIGHBORHOOD DEVELOPMENT	FURNITURE FOR LAFAYETTE ST CITY RESOURCE CENTER (AL STATE CONTRACT)	\$22,298.76	<u>(294654) D3 INC, DBA 9 TO 5 SEATING</u>

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

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

Nays: None

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

APPROVE PURCHASE ORDER TO ADELTE PORTS & MARITIME S.L.U. FOR PASSENGER BOARDING BRIDGE FOR CRUISE TERMINAL; \$4,890,000.00. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1077-2022

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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>2544</u>	2023	(F6020) CRUISE TERMINAL	PASSENGER BOARDING BRIDGE FOR MOBILE AL CRUISE TERMINAL (RFP 5704)	\$4,890,000.00	<u>(294094) ADELTE PORTS & MARITIME S.L.U</u>

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

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

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

APPROVE PURCHASE ORDER TO INTTERRA FOR ONE-YEAR SUBSCRIPTION TO OPERATIONS SITUATIONAL AWARENESS SOFTWARE FOR MFRD; \$24,671.28.

The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1078-2022

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>1693</u>	2022	(1510) FIRE ADMINISTRATION	IMPLEMENTATION FEE AND ONE-YEAR SUBSCRIPTION TO INTTERRA OPERATIONS SITUATIONAL AWARENESS SOFTWARE FOR MFRD (GSA CONTRACT)	\$24,671.28	<u>(0000) INTTERRA</u>

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

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

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Nays: None

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

APPROVE ITEM BASED BID FOR PRINTING AND MAILING OF REVENUE DEPARTMENT BUSINESS LICENSE FORMS. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-1079-2022

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>5741</u>	PRINTING & MAILING OF REVENUE DEPT BUSINESS LICENSE FORMS	3	See bid tab	One year, renewable for two additional one-year periods.	<u>(79615) Gwins Stationery and Engraving, Inc</u>

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

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

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

AUTHORIZE CONTRACT WITH DORSEY & DORSEY ENGINEERING, INC. FOR 2022 PAYGO RESURFACING; (D4-7); \$350,000.00. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-1080-2022

Sponsored by: Mayor Stimpson and Councilmembers Reynolds, Daves, Jones, 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: Dorsey & Dorsey Engineering, Inc.

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Project Name: 2022 PAYGO Resurfacing Commission District 2
COM Project No. 2023-3005-05

Estimated Cost: \$350,000.00

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

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

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

AUTHORIZE CONTRACT WITH GEOTECHNICAL ENGINEERING TESTING, INC. FOR 2022 PAYGO RESURFACING; (D4-7); \$66,000.00. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-1081-2022

Sponsored by: Mayor Stimpson and Councilmembers Reynolds, Daves, Jones, 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: 2022 PAYGO Resurfacing Commission District 2
COM Project No. 2023-3005-05

Estimated Cost: \$66,000.00

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

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

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

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BETHEL NON-EMERGENCY MEDICAL TRANSPORTATION, LLC TO OPERATE A NON-EMERGENCY MEDICAL TRANSPORT SERVICE. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 37-1082-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Bethel Non-Emergency Medical Transportation, LLC, for a Certificate of Public Convenience and Necessity to

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operate a nonemergency medical transport service is hereby approved. A copy of said application is on file in the office of the City Clerk.

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

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

Nays: None

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

PROPOSE STUDY OF “ALTERATION OF CORPORATE LIMITS”. The following resolution which was introduced and read at the regular meeting of December 6, 2022, and held over until the regular meeting of December 13, 2022, was called up by the Presiding Officer.

RESOLUTION: 02-1086-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council for the City of Mobile, Alabama as follows:

1. FINDINGS

A. Annexation increases the land area of a city according to the procedures set out in the Code of Alabama.

B. State law authorizes four different methods by which cities may annex, or increase, the boundaries of its corporate limits:

i. by local legislative act;

ii. by consent of persons owning at least 60 percent of the acreage of the platted or unplatted land to be annexed, Ala. Code §11-42-1 through §11-42-6;

iii. by unanimous consent, as set out in Ala. Code §11-42-20 through §11-42-24; or,

iv. by special election initiated by council resolution. Ala. Code § 11-42-40 through §11-42-88.

C. There are two different methods by which municipalities may de-annex, or reduce, the boundaries of its corporate limits.

i. by local legislative act; or

ii. by resolution of the council as set out in Ala. Code §11-42-200 through §11-42-213.

D. The decision to alter the corporate limits will necessarily involve weighing of benefits and burdens. A key consideration is whether the City will be able to function, i.e., to sustain a level of services comparable to existing services. To do so, the City projected revenues should meet or exceed projected expenses. It is therefore prudent that the council decision is informed, transparent, and fact-based.

2. PROCEDURE

A. Feasibility Study required. Annexations require a feasibility study which shall include the following minimum information:

i. A map of the area being considered for annexation (“study area”) that illustrates the existing and proposed boundaries of the corporate limits and police jurisdiction.

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ii. A parcel map illustrating the current boundaries of properties in the study area and showing the contiguous parcels within the corporate limits. The following information shall also be provided:

a. Current land use for each parcel as provided in the tax assessment records of the Mobile County Revenue Commissioner (e.g. residential, business, unimproved, parkland or agricultural).

b. Areas serviced by MAWSS

c. FEMA Flood Maps for the study area

iii. An inventory of services that are currently being provided to the study area and the identity of the service provider, including police, fire and 911 emergency response.

iv. Identification of services the City of Mobile will provide and a projected timetable of the provision of such services.

v. Miles of public roads in study area

Current revenue generated, including taxes and business licenses

B. COST BENEFIT ANALYSIS

A cost benefit analysis shall be provided showing whether the City has capability to provide services, and the estimated costs of assuming the service over the next ten years, including:

i. The projected revenues, taxes, and fees.

ii. The anticipated expenses including expected new employees and equipment for City police and fire, building permits, and stormwater management.

iii. The cost of street maintenance, trash and solid waste removal.

iv. The tax consequences to the property owners in the area to be annexed, as well as the property owners within the city.

v. Where assumptions are made, the source data supporting such assumptions shall be provided.

3. OTHER INFORMATION.

Additional information shall be provided showing whether the proposed annexation:

i. will eliminate or avoid creating islands and peninsulas of incorporated territory;

ii. will consolidate overlapping functions of government;

iii. will encourage equitable distribution of community resources and obligations;

iv. will promote efficient delivery of services;

v. will have a negative impact due to the condition of existing roads and habitable structures that are below city standards.

4. DEMOGRAPHICS

Information on projected demographic changes for the city in its entirety shall be provided.

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The resolution was read by the City Clerk; whereupon Councilmember Carroll moved to hold the resolution over for one week, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of December 20, 2022.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF ORDINANCE BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Gregory moved for the suspension of the rules to consider Ordinance 64-069 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, Jones, and Gregory

Nays: None

The Presiding Officer declared unanimous consent granted for the item

ORDINANCES BEING INTRODUCED

CONSIDER AN ORDINANCE TO AMEND SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. The following ordinance was introduced by Councilmember Carroll.

ORDINANCE: 64-069-2022

Sponsored by: Councilmembers Carroll and Jones

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the “DDD Code” set forth in the Zoning Ordinance, Chapter 64, Section 64 -3.I. of the Mobile City Code, and in Appendix A of the Unified Development Code adopted by the Mobile City Council on July 12, 2022 (Ordinance 64-017-2022), and the Regulating Plan and Maps that show the zoning sub-districts and street hierarchy associated with the districts and sub-districts within the Downtown Development District, be, and the same hereby are, amended so that they now read in full as set forth in the attached.

This amendment of the DDD Code set forth in the Zoning Ordinance, Chapter 64, Section 64-3.I shall be effective upon adoption and publication as required by law. The amendment of Appendix A of the Unified Development Code, Ordinance 64-017-2022) shall become effective on the date that the Uniform Development Code becomes effective, as set forth therein.

NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE. 1991, AND AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT, OF THE UNIFIED DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022

NOTICE is hereby given that at 10:30 a.m. on January 3, 2023, in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama 36644, and pursuant to Code of Alabama § 11-52-77, the City Council for the City of Mobile will hold a public hearing on, take public comment on, and consider an ordinance to AMEND SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, and AMEND APPENDIX A, DOWNTOWN DEVELOPMENT DISTRICT. OF THE UNIFIED DEVELOPMENT CODE,

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CHAPTER 64 OF THE MOBILE CITY CODE, 2022. All persons may be heard in opposition to or in favor of the said ordinance at the said time and place, Government Plaza, 205 Government Street, Mobile, Alabama 36644, which serves as the City Hall for the City of Mobile.

Written comments may be submitted. Those desiring to submit written comments may email them to cityclerk@cityofmobile.org or may mail them to City of Mobile, City Clerk, P.O. Box 1827, Mobile, Alabama 36633, or may deliver them to the City Clerk's Office, Mobile Government Plaza, Ninth Floor, 205 Government Street, Mobile, Alabama 36644. Written comments must be received by noon on Thursday, December 29, 2022.

The proposed Downtown Development District (DDD) amendments will modify the Regulating Plan map, amend certain development standards for the Civic Center site, add development standards for two existing sub-districts and correct text errors.

The Civic Center site is bounded to the north by Civic Center Drive, to the east by South Claiborne Street, to the south by Canal Street, and to the west by South Lawrence Street.

The proposed amendments will guide the redevelopment of the Civic Center site and are intended to revitalize the existing entertainment venue and add office, retail, lodging, residential and related supporting facilities as allowable uses on the site.

The amendment of the Regulating Plan map will establish T-3 and T-5.2 subdistricts on the Civic Center site. Modifications to the development standards for these sub-districts specific to the Civic Center site are proposed. Changes to the allowed uses for these sub-districts specific to the Civic Center site are also proposed.

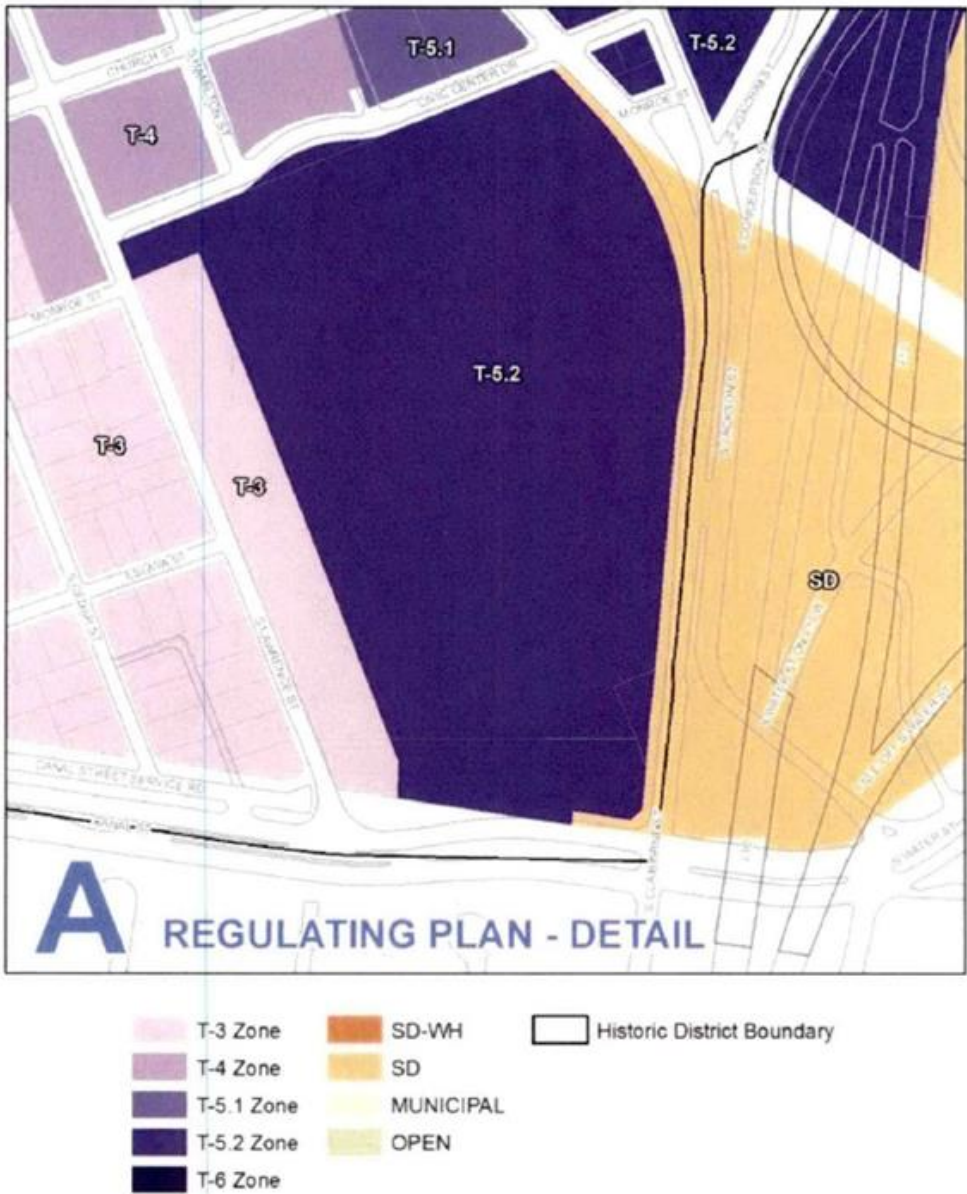
Additional proposed amendments will further define existing Municipal and Open sub-districts, establishing use and development criteria.

Amendments are proposed to the following Sub-sections of the Downtown Development District Code and the associated tables:

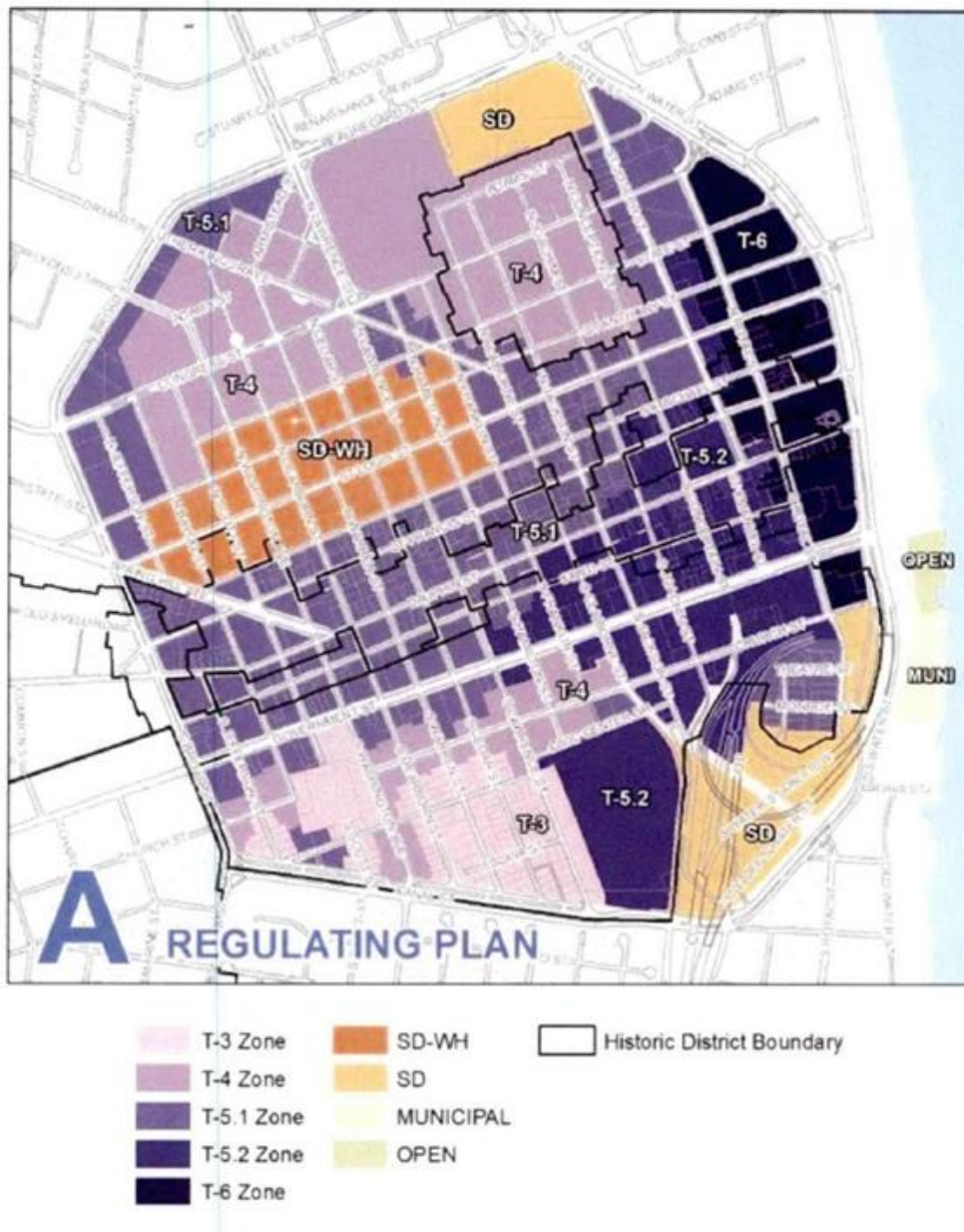
- Establishment of sub-districts.
- Property standards.
- Property Use restrictions.
- Parking standards.
- Building and parking deck height standards.
- Building materials standards.
- Frontage standards.
- Signage standards.
- Definitions.

proposed DDD amendments can be viewed on the City of Mobile's website at <https://www.cityofmobile.org/ddd/>. Amendments are also proposed to the Regulating Plan maps, published herewith.

Copies of the proposed DDD amendments and hard copies of the maps are available for public inspection in the Office of the Mobile City Clerk on the 9th floor of Mobile Government Plaza, South Tower, 205 Government Street, Mobile, Alabama 36602, during normal business hours.







The ordinance was read by the City Clerk; whereupon Councilmember Carroll moved to hold the ordinance over until January 3, 2023, which was seconded by Councilmember Daves, and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the ordinance held over until January 3, 2023.

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 37-1087 through 60-1105 being introduced for the first time with the exception of 40-1089. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS I LICENSE TO CLUB ELEGANCE; 208 N. LAFAYETTE STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-1087-2022

Sponsored by: Councilmember Carroll

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: Lounge Retail Liquor Class I License

Submitted by: Club Elegance, LLC

Location: Club Elegance
208 North Lafayette Street
Mobile, AL 36604

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 906 DONALD STREET A PUBLIC NUISANCE AND ORDER IT SECURED/DEMOLISHED. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-1088-2022

Sponsored by: Councilmember Penn

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 **906 Donald 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 906 Donald Street described as:

TO FIND PT OF BEG COMG NE INT DONALD ST FORMERLY MCANDERS ST & WRIGHT ST MBK 156 FT 457 THEN RUN N-LY ALG E/L DONALD ST 134 FT TO POB OF PPTY DESC THEN CONT NLY ALG E/L DONALD ST 55 FT TO PT THEN DEFL TO RT ANG 95 DEG 34 MIN RUN E 120.35 FT TO PT THEN DEFL TO RT 86 DEC 26 MIN RUN SLY 50 FT TO PT THEN DEFL TO RT 95 DEG 34 MIN RUN WLY 120 FT M/L TO POB OF PPTY #SEC 44 T4S R1W #MP29 02 44 0 024

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Parcel Number: 29 02 44 0 024 008

Last Assessed to: UNIQUE ENTERPRISES WORLDWIDE, LLC

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 **secured/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 City Clerk; whereupon Councilmember Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

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

DECLARE THE STRUCTURE AT 1812 LEGRANDE DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-1089-2022

Sponsored by: Councilmember Penn

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 **1812 LeGrande Drive** 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 1812 LeGrande Drive described as:

LOT 75 BEAU TERRA SUB 2ND UNIT MBK 8 PG 94 #SEC 1 T4S R2W #MP28 01 01 2 003

Parcel Number: 29 01 01 2 003 067

Last Assessed to: NATHANIEL & SHIRLEY OAKLEY

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."

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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 City Clerk; whereupon Councilmember Penn moved to hold the resolution over for 60 days, which was seconded by Councilmember Gregory and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over for 60 days until the regular meeting of February 7, 2023.

DECLARE THE STRUCTURE AT 1705 NORTHVIEW DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-1090-2022

Sponsored by: Councilmember Penn

WHEREAS, under the provisions of Chapter 52, Article 11 of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 1705 Northview Drive 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 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 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 1705 Northview Drive described as:

N ½ OF LOT 4 NORTHVIEW SUB EXC N 3 FT MBK 4 P 604 #SEC 02 T4S

Parcel Number: 28 01 02 4 001 052

Assessed to: TYMON DANETT WALLACE

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

MINUTES OF DECEMBER 13, 2022

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

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

ASSESS COST FOR REMOVAL OF WEES, WEED LIEN GROUP 1629. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-1091-2022

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OF OR ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA.

WHEREAS, an itemized report In writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of culling such weeds, and the City Council being of the opinion that such report in all respects be confirmed.

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Weed Lien Group 1629** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC WORKS AT LARGE EMPLOYEE OF THE MONTH; MORRIS. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1092-2022

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

• **December 2022 – Anthony Morris (Employee #18319) Public Works at Large (Engineering)**

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC SERVICES EMPLOYEE OF THE MONTH; PEOPLES. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1093-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

• **December 2022 – Derrick Peoples (Employee #14520 – Public Services Maintenance)**

This employee is to be commended for their exemplary work performance or innovations that significantly reduce costs or result in an outstanding improvement in service to the public.

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PARKS & RECREATION EMPLOYEE OF THE MONTH; FLUKER. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-1105-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it

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authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

- **Date December 13, 2022 – Name: Monteil Fluker, Sr. (Employee # 11834) Parks & Recreation (Athletics Division)**

This employee is to be commended for her exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

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

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

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

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO STONS, INC. FOR ONE YEAR SUBSCRIPTION FOR WORKFLOW MANAGEMENT SOFTWARE FOR MPD; \$49,476.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 08-1094-2022

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>2777</u>	2023	(1545) POLICE CYBER DIVISION	ONE YEAR SUBSCRIPTION FOR MONDAY.COM WORKFLOW MANAGEMENT SOFTWARE FOR MPD CYBER (GSA CONTRACT)	\$49,476.00	<u>(297526) STONS INC</u>

APPROVE PURCHASE ORDER TO MIKE HOFFMAN EQUIPMENT SERVICES, INC. FOR DEMOLITION, REMOVAL, AND REPLACEMENT FOR FUEL LEAK IDENTIFICATION AND REPAIR AT CITY GARAGE; \$48,989.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 08-1095-2022

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>2960</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	CONCRETE DEMOLITION, REMOVAL, REPLACEMENT FOR FUEL LEAK IDENTIFICATION AND REPAIR AT CITY GARAGE FUEL STATION (PUBLIC WORKS UNDER \$50K, SAFETY AND ENVIRONMENTAL EMERGENCY REMEDIATION)	\$48,989.00	<u>(85814) MIKE HOFFMAN EQUIPMENT SERVICES INC</u>

APPROVE PURCHASE ORDER TO MIKE HOFFMAN EQUIPMENT SERVICES, IN. FOR 2 NEW FUEL DUAL-HOSE DISPENSERS AT CITY GARAGE; \$21,005.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 08-1096-2022

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>2916</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	FURNISH AND INSTALL TWO NEW FUEL DUAL-HOSE DISPENSERS AT CITY GARAGE (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT)	\$21,005.00	<u>(85814) MIKE HOFFMAN EQUIPMENT SERVICES INC</u>

AUTHORIZE PURCHASE ORDER TO KASEWARE FOR ANNUAL SUBSCRIPTION FOR KASEWARE INVESTIGATION MANAGEMENT SOFTWARE FOR MPD; \$36,000.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 08-1097-2022

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>2743</u>	2023	(1530) POLICE ADMIN SERVICES	ANNUAL SUBSCRIPTION FOR KASEWARE INVESTIGATION MANAGEMENT SOFTWARE FOR MPD (SEALED BID 5567)	\$36,000.00	<u>(297346)</u> <u>KASEWARE</u>

APPROPRIATE \$1,700,000.00 IN THE MUNICIPAL GOVERNMENT CAPITAL IMPROVEMENT FUND TO VARIOUS CITY PROJECTS. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 09-1098-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$1,700,000.00 be appropriated in the Municipal Government Capital Improvement Fund (Fund 2010; Revenue Code CAR01 Annual Capital Trust Revenue) to the following Capital Projects:

C0642 Cruise Term-Parking Deck Repairs	\$300,000.00
C0641 Cruise Term-Rollup Doors	\$50,000.00
C0645 Cruise Term-Replace Roof/Parapet	\$25,000.00
NEW Cruise Term-Mooring Upgrades	\$200,000.00
E0046 Fire Station Upgrades	\$200,000.00
NEW Tennis-Electrical Poles & Panels	\$95,000.00
C0634 Police New Training Ctr-Mounting Unit	\$233,000.00
C0048 Citywide Bridge Repairs	\$300,000.00
NEW Police Headquarters-Elevator	\$297,000.00

AUTHORIZE CONTRACT WITH TOUCHDOWN CLEANING SERVICES, INC. FOR JANITORIAL SERVICES AT THE MOBILE ALABAMA CRUISE TERMINAL; \$34,430.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 21-1099-2022

Sponsored by: Mayor Stimpson and Councilmember Carroll

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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of Company: TOUCHDOWN CLEANING SERVICES INC d/b/a
PERSONAL TOUCH CLEANING SERVICES LLC

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Project Name: MOBILE ALABAMA CRUISE TERMINAL –
JANITORIAL SERVICES

Project Number: SC-040-22 REBID

Amount: \$34,430.00

AUTHORIZE CONTRACT WITH TTL INC., FOR 2023 MISCELLANEOUS DRAINAGE GROUP A; (D2, 3, 4, 6, 7); \$79,000.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 21-1100-2022

Sponsored by: Mayor Stimpson and Councilmembers Carroll, Small, Reynolds, Jones, 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: TTL, Inc.

Project Name: 2023 Miscellaneous Drainage Group A
COM Project No. 2023-3005-08

Estimated Cost: \$79,000.00

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SOUTHWEST CHAPTER OF THE ALABAMA COALITION OF CITIZENS WITH DISABILITIES TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 37-1101-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Southwest Chapter of the Alabama Coalition of Citizens with Disabilities, for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

AUTHORIZE PAYMENT TO THE MOBILE AREA CHAMBER OF COMMERCE FOUNDATION FOR CONTRIBUTION TOWARD COMMISSIONING OF A BRONZE BUST; \$10,000.00. The following resolution was held over until the regular meeting of December 20, 2022.

RESOLUTION: 60-1102-2022

Sponsored by: Mayor Stimpson

WHEREAS, the Mobile Area Chamber of Commerce Foundation, an Alabama domestic non-profit corporation, commissioned a bronze bust of Senator Richard Shelby to display at the southeast side of the Arthur R. Outlaw Mobile Convention Center along the Mobile Riverfront; and

WHEREAS, in recognition of Senator Shelby's extraordinary promotion of and support for the Mobile area, Mobile County by and through the Mobile County Commission, contributed Ten Thousand Dollars (\$10,000.00) to the Mobile Area Chamber of Commerce Foundation towards the cost of the bust; and

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WHEREAS, the City of Mobile desires to recognize Senator Shelby's promotion of and support for the City and its citizens by contributing the same amount, Ten Thousand Dollars (\$10,000.00), towards the cost of the bust; and

WHEREAS, City funding is available in the unallocated funds in the Convention Center Fund #6080; and

WHEREAS, the City Council for the City of Mobile determines that honoring Senator Shelby serves a public purpose;

NOW, THEREFORE, BE IN RESOLVED that the City Council for the City of Mobile hereby finds and determines that payment to the Mobile Area Chamber of Commerce Foundation in the amount of Ten Thousand Dollars (\$10,000.00) towards the commissioning of a bronze bust of Senator Richard Shelby for public display serves a public purpose and the Council further approves that said payment be made from the unallocated funds in the Convention Center Fund #6080.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BABY B'S TRANSPORTATION TO OPERATE A SHUTTLE SERVICE (SCHEDULED FOR DECEMBER 20, 2022). The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 41-1103-2022

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed resolution is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed resolution.

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Baby B's Transportation to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on January 3, 2023, at 10:30 a.m. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Baby B's Transportation for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 3516 AND 3526 HALLS MILL ROAD FROM R-1 TO I-1 (SCHEDULED FOR JANUARY 10, 2023). The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 41-1104-2022

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation within the municipality the attached notice stating the time and place a proposed amendment to the Zoning Ordinance is to be considered by the City Council and further stating that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the proposed amendment.

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Notice of Public Hearing for the Proposed Rezoning of Property Located at 3516 and 3526 Halls Mill Road (North side of Halls Mill Road, 735' ± west of the south terminus of west 1-65 Service Road South) Pursuant to Resolution of the Mobile, Alabama City Council adopted December 13, 2022, a public hearing will be held on the 1st day of January, 2023, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at Located at 3516 and 3526 Halls Mill Road (north side of Halls Mill Road, 735' ± west of the south terminus of west 1-65 Service Road South) from R-1, Single-Family Residential District, to I-I, Light Industry District.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider zoning classifications other than the ones sought by the applicant and may take other actions allowed by law.

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, SAID ORDINANCE BEING COMMONLY KNOWN AS THE ZONING ORDINANCE. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE AS FOLLOWS: Section One: That the Ordinance commonly known as the Zoning Ordinance and adopted on May 16, 1967, together with the Zoning Map of the City of Mobile, 1967, be, and the same hereby is changed and altered in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit: RESUBDIVISION OF A PORTION OF LOTS 2, 3, & 4 OF GOLDEN GLOW FARM AS RECORDED IN MB 4, PG 59-61 IN THE OFFICE OF JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA. BEING MORE PARTICULARLY AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 , RESUBDIVISION OF LOT I GOLDEN GLOW FARMS FIRST ADDITION, AS RECORDED IN MAP BOOK 52, PAGE 71 IN THE OFFICE OF JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA; THENCE RUN N60°20'09"W, 307.10 FEET TO A POINT; THENCE RUN N02°51'58"E, 230.20 FEET TO A POINT; THENCE RUN S52°01'23"E, 421.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HALLS MILL ROAD; THENCE RUN ALONG SAID ROAD S31°55'05"W, 144.72 FEET TO THE POINT OF BEGINNING CONTAINING 1.42 ACRES

The classification of said property is hereby changed from R-1, Single-Family Residential District to I-I, Light Industry District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in I-I, Light Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-I, Light Industry District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) 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.

ANNOUNCEMENTS

Lisa C. Lambert, City Clerk, announced that the next City Council meeting will be held at the History Museum of Mobile at 10:30 a.m. There will be no meeting on December 27, 2022.

Councilmember Carroll announced a Christmas Extravaganza will be held at the Texas Street Recreation Center on Saturday from 10:00 a.m. to 2:00 p.m.

Councilmember Penn stated the Toulminville Toolkit meeting was a success yesterday and thanked the Administration for its support.

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Councilmember Penn noted that STEM Mobile will be held at the Dotch Community Center, for kindergarten through twelfth-grade students, on December 17, 2022, from 9:00 a.m. to 12:30 p.m.

Councilmember Small announced a Committee of the Whole meeting will be held on December 19, 2022, at 1:00 p.m. to discuss ordinance 83-068 and resolution 02-1086.

Councilmember Small stated that the District 3 holiday meeting will be at 6:00 p.m. tonight at Maryvale Elementary School.

Councilmember Small shared that the "Parade of Threes" will be on Saturday, December 17, 2022, at 2:00 p.m.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 12:58 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK