MUNICIPAL BUILDING, MOBILE, ALABAMA, MAY 29, 2018

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, May 29, 2018, at 9:00 a.m.

Present:	
Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Daves and Rich
Absent:	Gregory

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. on Tuesday, May 29, 2018.

The Presiding Officer adjourned the meeting.

Approved: June 5, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNCIPAL BUILDING, MOBILE, ALABAMA, MAY 29, 2017

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, May 29, 2018, at 10:30 a.m., in regular meeting.

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

Reverend Jim Flowers, All Saints Episcopal Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman:	Manzie
Councilmembers:	Richardson, Small, Williams, Daves, Rich and Gregory
Absent:	None

STATEMENT OF RULES BY COUNCIL VICE PRESIDENT:

The Presiding Officer stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

1) Any person desiring to address the Council must register upon entering the meeting area. When addressing the Council, the speaker must state his/her name and address.

2) Each speaker is allowed five minutes to address the Council. A bell will sound to indicate the end of 4 minutes. One minute is allowed for summarizing. The second bell indicates the time has expired.

3) To maintain decorum, there will be no undue applause and/or public outcry allowed.

4) When addressing the Council, there is to be no personal address to any individual Councilmember. All statements are to be made to the Chair who will recognize any Councilmember who wishes to respond.

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting. The subject he/she wishes to address must be identified. Any person attending the

meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

6) Those persons desiring to speak on agenda items must indicate the resolution, ordinance, appeal, or public hearing item on arrival when signing in for the meeting.

APPROVAL OF MINUTES:

The minutes of the meeting of May 22, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson presented a proclamation to the Special Needs Athletic Program, Inc. (SNAP) to recognize the members of their bowling team as official Special Needs Sports Ambassadors of the City of Mobile.

Mayor Stimpson commented that the Mobile Fire-Rescue Department eagerly anticipates moving into the new Crichton Fire Station this week.

Mayor Stimpson advised that an assessment will be made to determine if the City's fire department will be rated as an ISO1 city. Only 350 fire departments in the nation hold this rating. The Mobile Fire-Rescue Department is currently rated as a three (3).

NEW COMMITTEE ASSIGNMENTS:

Vice President Manzie announced the formation of an ad hoc Public Transportation Committee to study Resolution 01-347, the management services agreement with First Transit, Inc. Councilmember Daves will chair the committee with Councilmembers Richardson and Manzie as members.

ADOPTION OF THE AGENDA:

Councilmember Gregory moved to adopt the agenda, which motion was seconded by Councilmember Small, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

APPEALS:

The Council considered the request of Greater Gulf State Fair, Inc.-Funk Fest for a waiver of the Noise Ordinance at 1035 Cody Road North on June 2, 2018, from 5:00 p.m. – 11:00 p.m. (District 7).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

The Council considered the request of Gloria Sullivan for a waiver of the Noise Ordinance at 82 Burtonwood Drive on June 30 and July 1, 2018, from 2:00 p.m. – 10:00 p.m. (District 7).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

The Council considered the request of Vivian Davis Figures for a waiver of the Noise Ordinance at 852 Springhill Avenue on June 5, 2018, from 6:00 p.m. – 10:00 p.m. (District 2).

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. Joaquin Holloway, 2206 DeKruif Court, thanked the Council for their support of the Special Needs Athletic Program, Inc. (SNAP).

2. Eddie Irby, 1116 Richard Road, presented certificates to City Public Works employees and the Mobile Police Department in appreciation for their efforts to improve the conditions in and around Oaklawn Cemetery.

3. John Goss, Chairman of the Law Enforcement Awards Committee for the Sons of the American Revolution, presented the Law Enforcement Commendation medal to the family of Officer Justin Billa who was recently killed in the line of duty.

NOTE: At approximately 11:04 a.m. Councilmember Gregory excused herself from the meeting.

ORDINANCES HELD OVER:

REZONE PROPERTY AT THE SOUTH SIDE OF KOOIMAN ROAD, 375' ± EASTOF U. S. HIGHWAY 90 WEST, FROM R-1 TO B-1 (DISTRICT 4). The following ordinance which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

ORDINANCE: 64-013-2018

Sponsored by: Councilmember Williams

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:

LOTS 9, MANDRELL'S SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 253, OF THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA LESS AND EXCEPT THE RIGHT OF WAY GRANTED FOR PUBLIC ROAD, AS RECORDED IN REAL PROPERTY BOOK 1777, PAGE 0793, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from R-1, Single-Family Residential District, to B-1, Buffer 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 a B-1, Buffer 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-1, Buffer 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 Williams moved that the ordinance be adopted, which was seconded by Councilmember Small, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH C & H CONSTRUCTION SERVICES, LLC FOR 2018 CIP CITY-WIDE GUARDRAIL REPAIR, $148,048.30. The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

RESOLUTION: 21-333-2018

Sponsored by: City Council and 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, 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: C&H Construction Services, LLC

Project name: 2018 CIP City-wide Guardrail Repair

Estimated cost: $148,048.30

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

AUTHORIZE CONTRACT WITH H. O. WEAVER & SONS, INC. FOR 2018 CIP CITY-WIDE RESURFACING, $3,767,084.32. The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

RESOLUTION: 21-334-2018

Sponsored by: City Council and 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, 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: H.O. Weaver & Sons, Inc.

Project name: 2018 CIP City-wide Resurfacing

Estimated cost: $3,767,084.32

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

AUTHORIZE CONTRACT AMENDMENT WITH MCCRORY & WILLIAMS, INC. FOR ENGINEERING SERVICES-MCGREGOR AVENUE SIDEWALK (DAUPHIN STREET TO APPROXIMATELY 550' SOUTH OF OLD SHELL ROAD), ADD $14,247.90 (CITY OF MOBILE PROJECT NO. 2016-202-06). The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

REOSLUTION: 21-336-2018

Sponsored by: Councilmembers Daves and Gregory and Mayor Stimpson

WHEREAS, the City entered into a contract dated October 20, 2015 with McCrory & Williams, Inc. for engineering services on the project known as McGregor Avenue Sidewalk - Dauphin Street to approx. 550 ft. south of Old Shell Road, City of Mobile Project No. 2016-202-06; and

WHEREAS, the fees for the engineering services are based on a percentage of the total project cost, with the fee percentage for contracts between $500,000 and $750,000 being 6.5% for the design stage and 5.0% for the construction stage; and

WHEREAS, at the time the contract was entered into the estimated construction contract cost was $500,000, and the engineering fees were estimated to be $62,000.00 based on that contract amount; and

WHEREAS, the final project construction cost is $663,025.18 and professional engineering fees are to be adjusted to properly compensate McCrory & Williams, Inc. in accordance with the standard fee schedule used in City of Mobile Professional Services Contracts, thereby increasing professional engineering fees by $14,247.90 to a total of $76,247.90; and,

WHEREAS, the contract provides on Page 19 that the "Total fees (design and construction phases) to be paid the Engineer shall not exceed $62,000 unless authorized by the City";

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of $14,247.90, for a total of $76,247.90, to be paid to McCrory & Williams, Inc. for engineering services on the McGregor Avenue Sidewalk Project.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

AUTHORIZE CONTRACT WITH HUTCHINSON, MOORE & RAUCH, LLC FOR 2018 MISCELLANEOUS SIDEWALKS-NAVCO ROAD, LINCOLN BOULEVARD AND STEIN STREET, $45,400.00 (COM PROJECT NO. 2018-3005-05). The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

REOSLUTION: 21-337-2018

Sponsored by: Councilmembers Small and Gregory and 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, 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: Hutchinson, Moore & Rauch, LLC

Project name: 2018 Miscellaneous Sidewalks-Navco Road,
Lincoln Boulevard and Stein Street
(COM Project No. 2018-3005-05)

Estimated cost: $45,400.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Rich, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH YOUNGBLOOD-BARRETT CONSTRUCTION & ENGINEERING, LLC FOR ARTHUR R. OUTLAW CONVENTION CENTER-DISHWASHER REPLACEMENT, $149,278.00 (CN-024-18; CO261). The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

REOSLUTION: 21-338-2018

Sponsored by: Councilmember Manzie and 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, 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: Youngblood-Barrett Construction & Engineering, LLC

Project name: Arthur R. Outlaw Convention Center-
Dishwasher Replacement

Project number: CN-024-18

Amount: $149,278.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

ACCEPT FEE SIMPLE WARRANTY DEEDS, RIGHT OF ENTRY AND TEMPORARY CONSTRUCTION EASEMENTS NEEDED FOR ZEIGLER BOULEVARD ADD LANES FROM SCHILLINGER ROAD TO CODY ROAD PROJECT. The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

REOSLUTION: 25-339-2018

Sponsored by: Councilmember Gregory and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts the following documents, when prepared, as needed for the

Zeigler Boulevard Add Lanes from Schillinger Road to Cody Road Project# STPMB-7550 (601) CPMS # 1000046893 (CR-565):

1. Fee Simple Warranty Deed and Right of Entry from George B. Lewis, III.

2. Fee Simple Warranty Deed and a Temporary Construction Easement from Russ, Ltd.

3. Fee Simple Warranty Deed and two Temporary Construction Easements from Mobile County Emergency Management Agency.

SAID DOCUMENTS are by reference made a part of this resolution as fully as set forth herein and copies will be on file in the office of the City Clerk and in the office of the Real Estate Officer of the City of Mobile.

BE IT FURTHER RESOLVED THAT:

The Real Estate Officer 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 forms necessary to complete the transactions and pay the Grantors the amounts approved and authorized and pay all approved closing costs. All approved and funded by State of Alabama Department of Transportation.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves and Rich
Nays: None

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

NOTE: At approximately 11:09 a.m. Councilmember Gregory re-joined the meeting.

DEDICATE WESTSIDE PARK AS A CITY PARK TO BE FOREVER HELD AND RESERVED FOR PUBLIC USE. The following resolution which was introduced and read at the regular meeting of Tuesday, May 22, 2018 and held over for one (1) week until the regular meeting of May 29, 2018 was called up by the Presiding Officer.

REOSLUTION: 46-340-2018

Sponsored by: Councilmember Rich

RESOLUTION DEDICATING WESTSIDE PARK AS A CITY PARK TO BE FOREVER HELD AND RESERVED FOR PUBLIC USE

WHEREAS, the City of Mobile, Alabama owns property commonly known as Westside Park that is located within the police jurisdiction, as depicted in Exhibit A, which has been and is currently used for recreational activities by the citizens and visitors to Mobile; and

WHEREAS, Alabama Code section 11-47-19 (1975) authorizes cities to create and maintain public parks for the use and benefit of its citizens;

WHEREAS, Westside Park has never been formally dedicated as a City Park by the City Council;

WHEREAS, The City Council has determined that it is in the best interest of the city and its citizens to formally dedicate the herein described property as a City Park in so much as the park is forever preserved for the use and enjoyment of future generations in accordance with Alabama Code section 35-4-410 (1975);

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

1. That the following described property is hereby dedicated for the exclusive use as a public park or other public recreational facility:

DESCRIPTION OF PARCEL C-1:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP-4-SOUTH, RANGE-2-WEST, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 00°01'47" EAST A DISTANCE OF 1315.07 FEET TO A POINT; THENCE RUN NORTH 89° 26'10" WEST A DIST ANCE OF 1460.69 FEET TO A POINT; THENCE RUN NORTH 00°06'55" WEST A DISTANCE OF 658.09 FEET TO A POINT; THENCE RUN SOUTH 89°18'29" EAST A DISTANCE OF 763.74 FEET TO A POINT; THENCE RUN NORTH 00°12'54" WEST A DISTANCE OF 659.28 FEET TO A POINT; THENCE RUN SOUTH 89°23'25" EAST A DISTANCE OF 700.10 FEET TO THE POINT OF BEGINNING, CONTAINING 32.61 ACRES, MORE OR LESS

2. That the Council hereby declares that the herein described property shall be dedicated to the public for their recreational use and enjoyment, and that the park shall be known as "Westside Park";

3. That a copy of this Resolution be recorded in the land records of the Mobile County Probate Office.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be tabled, which was seconded by Councilmember Williams. Following comments from Councilmember Rich the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-341 through 58-343 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT THOMAS ZOGHBY TO THE WATER AND SEWER BOARD OF COMMISSIONERS. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-341-2018

Sponsored by: Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Thomas Zoghby is appointed to fill an un-expired term to the Water and Sewer Board of Commissioners effective immediately for a term ending October 1, 2020.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR-CLASS I LICENSE FOR WEST END WATERING HOLE, 5821 OLD SHELL ROAD, SUITE D. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-342-2018

Sponsored by: Councilmember Rich

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: WEWH, LLC

Location: West End Watering Hole
5821 Old Shell Road, Suite D
Mobile, AL 36608

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE REMOVAL OF WEEDS, GROUP #1579. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-343-2018

DETERMINING WHAT OBJECTIONS SHALL BE ALLOWED AND WHAT OBJECTIONS SHALL BE OVERRULED TO THE REMOVAL OF NOXIOUS OR DANGEROUS WEEDS ON OR IN FRONT OF CERTAIN PARCELS OF LAND.

WHEREAS, notice has been duly given and posted at least five days prior to the date of this resolution in the manner provided by law offering full opportunity to all interested parties to object to the removal of noxious or dangerous weeds on the hereinafter described parcels of land, and the City Council of Mobile having held such public hearing in connection with the notices given and no objections having been filed or made by any of the interested parties; and

WHEREAS, Parcels Nos. 1 through 23 described in the resolution adopted on the 24th day of April, 2018, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, as follows:

SECTION 1. It is hereby ascertained and determined that the dangerous and noxious weeds growing on the hereinafter described parcels of real property are public nuisances, and it is hereby ordered and directed that the employees of the City of Mobile assigned to that work promptly remove the weeds on such parcels of property:

PARCELS OR PIECES OF PROPERTY ON WHICH NOXIOUS OR DANGEROUS WEEDS ARE TO BE REMOVED:

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 23, as described in the resolution adopted on the 24th day of April, 2018, and entitled: "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, Group No. 1579, on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds in front of or in front of or on each separate lot or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

	WEED LIEN				
	GROUP 1579			Res. No.	
4/24/2018	LOTS TO BE DECLARED			58-	
5/29/2018	LOTS FOR PUBLIC HEARING			58-	
//2018	LOTS TO BE ASSESSED FOR COST			58-	
No.	Address	SRO No.	Amount Assessed	Dis	N/A CBO
1	2855 Pages Lane	862399		1	
2	1606 Sharon Dr	862400		1	
3	200 Parkway Dr E	862402		7	
4	176 Third Ave	862403		7	
5	1823 Blackman St	862404		1	
6	1852 Calmes St	862405		2	
7	851 Washington Ave S	862406		2	
8	798 Gorgas St	862407		3	
9	354 St Charles Ave	862409		2	
10	5200 S Border Dr	862414		7	
11	2522 Muriel Ave	866355		1	
12	1014 Dauphin St	866357		2	
13	361 Cherry St	866360		2	
14	1360 St. Madar St	866363		2	
15	2505 Morningside Dr	866365		4	
16	758 Lawrence St	867504		2	
17	170 Sage Ave	867507		1	
18	700 Montclaire Way	867508		5	
19	2814 Warsaw Ave	867509		1	
20	2812 Warsaw Ave	867510		1	
21	2806 Warsaw Ave	867512		1	
22	2660 Atoll Dr	867513		4	
23	2704 Reaves St	867514		1	
	Total		$ -		

District total for this group		Numbers of lots cut	
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
	0		0
*ADD Added in from other Groups			
*CBO Cut By Owner			
*N/A Taken out by Inspector			

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the 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 Richardson moved for the suspension of the rules to consider CIP Resolution 13-344 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the item.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CHANGE ORDER FOR THE CONTRACT WITH J. HUNT ENTERPRISES, GENERAL CONTRACTORS, LLC, FOR HEROES' (THEODORE) PARK-SITE DRAINAGE & FIELD CONDITIONS IMPROVEMENTS, ADD $17,751.70 (PR-247-17; 2017 CIP #281; D4; 20002000-48010). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 13-344-2018

Sponsored by: Councilmember Williams and 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, Change Order No. one (1) to the Contract with J Hunt Enterprises, General Contractors, LLC, whereby the sum of $17,751.70 is added to the original contract amount. A copy of said change order is on file in the office of the City Clerk.

Project name: Heroes' (Theodore) Park Site
Drainage & Field Conditions Improvement

Project number: PR-247-17

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Small, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH TAG/THE ARCHITECTS GROUP, INC. FOR MEDAL OF HONOR PARK-SPLASH PAD AND RESTROOM IMPROVEMENTS, $73,250.00 (2018 CIP #2017-400, SPLASH PAD; 2018 CIP #2017-407, RESTROOM) (PR-045-18C0332). The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 5, 2018.

RESOLUTION: 21-345-2018

Sponsored by: Councilmember Rich and 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, 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: TAG/The Architects Group, Inc.

Project name: Medal of Honor Park - Splash Pad and
Restroom Improvements

Project number: PR-045-18

Amount: $73,250.00 (2018 CIP #2017-400 - Splash Pad)
(2018 CIP #2017-407 - Restroom)

AUTHORIZE CONTRACT WITH HUGHES PLUMBING & UTILITY CONTRACTORS, INC. FOR ESLAVA CREEK DRAINAGE IMPROVEMENTS AND REPAIRS, $897,320.00 (COM PROJECT NO. 2016-202-07). The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 5, 2018.

RESOLUTION: 21-348-2018

Sponsored by: Councilmember Daves and 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, 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: Hughes Plumbing & Utility Contractors, Inc.

Project name: Eslava Creek Drainage Improvements and Repairs

COM project no.: 2016-202-07

Estimated cost: $897,320.0

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE LICENSE AGREEMENT WITH RICKY BREEK PALACIOS TO USE CITY CONCESSION STAND FACILITIES TO PROVIDE FOOD AND BEVERAGE CONCESSION SERVICES IN HERNDON-SAGE AND MEDAL OF HONOR PARKS. The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 5, 2018.

RESOLUTION: 01-346-2018

Sponsored by: Councilmembers Richardson and Rich and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and 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 license agreement, by and between the City of Mobile and Ricky Breek Palacios, in the amount of $300 per month per location, to be paid to the City of Mobile, for twelve months, and renewable for two additional twelve-month periods, to use the Herndon-Sage Park and Medal of Honor Park concession facilities for concession operations, 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 MANAGEMENT SERVICES AGREEMENT WITH FIRST TRANSIT, INC. FOR OPERATION AND MANAGEMENT OF THE WAVE TRANSIT, $396,215.28. The following resolution was held over for one (1) week until the regular meeting of Tuesday, June 5, 2018.

RESOLUTION: 01-347-2018

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 and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Management Services Agreement, by and between the City of Mobile and FIRST TRANSIT, INC, in the amount of approximately $396, 215.28, for operation and management of the Wave Transit, 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.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 2720 GOVERNMENT BOULEVARD (NORTHWEST CORNER OF GOVERNMENT BOULEVARD AND

FAIRWAY DRIVE) FROM B-2 TO B-3 (DISTRICT 5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-349-2018

Sponsored by: Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to publish the attached proposed amendment to the Zoning Ordinance at least once a week for two consecutive weeks in a newspaper of general circulation within the municipality, together with the attached notice stating the time and place that said proposed amendment 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 such amendment.

NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the attached amendment to the Ordinance adopted on the 16th day of May, 1967, and known as the "Zoning Ordinance." The adoption of such amendment will be considered by the City Council of Mobile in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama, on the 26th day of June, 2018, 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 amendment. Furthermore, the City Council, at this public hearing, may consider zoning classifications other than that sought by the applicant for this property.

This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 29th day of May, 2018.

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:

LOTS 9, 10, 11 & 12, AND ALL THAT PART OF LOTS 7 & 8, WEST OF GOVERNMENT BOULEVARD, FARNELL'S FIRST ADDITION

The classification of said property is hereby changed from B-2, Neighborhood 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 a 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.

Councilmember Daves then moved to call for the public hearing, which move was seconded by Councilmember Williams, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as June 26, 2018.

ANNOUNCEMENTS:

Councilmember Daves announced the ad hoc Public Transportation Committee will meet Tuesday, June 5, 2018, 2:00 p.m., in the Council conference room to discuss Resolution 01-347.

Councilmember Rich stated the Mobile Pops Band concert that was postponed due to inclement weather will be rescheduled.

Councilmember Gregory thanked members of the firefighters union for volunteering their time to work on projects in Langan Park and at Fire Station #18.

Councilmember Gregory encouraged all to visit the Market in the Park at Lavretta Park from 3:00 – 6:00 p.m. on Thursdays, May 31 through July 31, 2018.

Councilmember Small announced the Mobile Police and Fire-Rescue Departments will host a job fair at Revelation Missionary Baptist Church on Monday, June 4, 2018, at 6:00 p.m.

Councilmember Richardson provided an update on the progress of installing lights for the basketball courts at Herndon Sage Park.

Councilmember Richardson reported he attended the grand opening of the new Crichton Fire Station. The Crichton Community Action Group will meet at the new fire station on Monday, June 11, 2018.

Councilmember Richardson stated that the Toulminville Community Action Group will meet at the Toulminville Library on Wednesday, June 6, 2018 at 6:00 p.m.

Councilmember Richardson indicated that the Police Citizens' Community Relations Advisory Council will meet at the Dotch Community Center on Thursday, June 21, 2018 at 6:00 p.m.

Councilmember Williams encouraged the public to attend the Ice Age Imperials exhibit at the History Museum of Mobile.

Councilmember Williams advised anyone interested in attending Troy University to attend the Mobile Trojan Tour on Wednesday, May 30, 2018, 6:00 – 8:00 p.m. at Café Del Rio.

Councilmember Williams assured citizens that the Council is aware of the problems with trash pick-up, but they are restricted by law from directing City employees.

Councilmember Manzie introduced recent McGill-Toolen Catholic High School graduate Christian Williams who is shadowing City Attorney Ricardo Woods today.

Councilmember Manzie announced upcoming dedications for the new playground at the Harmon Thomas Recreation Center and the new basketball court and renovations at Rickarby Park.

Councilmember Manzie requested the Administration's assistance with a problematic residence in the Oakleigh Garden District.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:286 a.m.

Approved: June 5, 2018

COUNCIL VICE PRESIDENT

CITY CLERK