MUNICIPAL BUILDING, MOBILE, ALABAMA, MAY 15, 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 15, 2018, at 9:00 a.m.

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

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m. on Tuesday, May 15, 2018.

The Presiding Officer adjourned the meeting.

Approved: May 22, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNCIPAL BUILDING, MOBILE, ALABAMA, MAY 15, 2017

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, May 15, 2018, at 10:30 a.m., in regular meeting.

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

Sister Pam Irby, Licentiate, Bethel AME 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 8, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

The City Attorney advised that Mayor Stimpson was in Washington, D. C. to work on economic development issues.

PRESENTATIONS BY THE COUNCIL:

None.

NEW COMMITTEE ASSIGNMENTS:

None.

ADOPTION OF THE AGENDA:

Councilmember Daves moved to adopt the agenda, which motion was seconded by Councilmember Rich 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 David Sanders for a waiver of the Noise Ordinance at the Bragg-Mitchell Mansion, 1906 Spring Hill Avenue, on June 23, 2018, from 6:00 p.m. – 10:00 p.m. (District 1).

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 Wanda Dumas for a waiver of the Noise Ordinance at 654 Elmira Street on May 19, 2018, from 4:00 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.

The Council considered the request of Carlos Steele for a waiver of the Noise Ordinance at 2067 Foster Lane on May 19, 2018, from 2:00 p.m. – 10:00 p.m. (District 3).

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 Sherry Farrell for a waiver of the Noise Ordinance at 2208 Knollwood Drive on May 26, 2018, from 5:00 p.m. – 10:00 p.m. (District 6).

Councilmember Richardson moved to grant the waiver, which motion was seconded by Councilmember Daves. Following comments from Councilmember Rich the vote was as follows:

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

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

The Council considered the request of Pastor Wayne Nickerson, The Potter's House Christian Fellowship, for a waiver of the Noise Ordinance at Langan Park, 4901 Zeigler Boulevard, on June 1 and June 2, 2018, from 1:00 p.m. – 5:00 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 William Murphy, Homie's Foundation, for a waiver of the Noise Ordinance at Walsh Park, 1401 Windsor Avenue, on May 19, 2018, from 11:00 a.m. – 7:00 p.m. (District 3).

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.

PUBLIC HEARINGS:

PUBLIC HEARING TO CONSIDER THE APPLICATION OF DORAL A. EDWARDS AND DANA MARIE JOLLY-EDWARDS D/B/A ANGEL WINGS LIFT SERVICE, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Doral A. Edwards and Dana Marie Jolly-Edwards d/b/a Angel Wings Lift Service, LLC for a Certificate of Public Convenience and Necessity and asked if there was anyone present to speak for or against this matter.

Doral A. Edwards, 7221 Ashmoor Drive, North, provided information to the Council pertinent to his application.

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 REZONE PROPERTY AT THE NORTH SIDE OF MOFFETT ROAD SERVICE ROAD, 790' ± WEST OF GASH LANE, FROM R-1 TO B-1 TO ALLOW THE CONSTRUCTION OF A SINGLE-STORY OFFICE BUILDING (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to rezone property at the north side of Moffett Road Service Road west of Gash Lane from R-1 to B-1 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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

Lula Scott Jones, 1504 John Campbell, Sr. Way, voiced her concerns regarding programs and transportation for senior citizens at the Thomas Sullivan Community Center.

ORDINANCES HELD OVER:

DEEM PROPERTY LOCATED ON THE EAST SIDE OF BROAD STREET, SOUTH OF TEXAS STREET AND NORTH OF VIRGINIA STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF TO BROAD STREET RESTORATION SOCIETY, $96,750.00. The following ordinance which was introduced and read at the regular meeting of Tuesday, May 8, 2018, and held over for one (1) week until the regular meeting of May 15, 2018, was called up by the Presiding Officer.

ORDINANCE: 88-011-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the property hereinafter described in Exhibit "A", is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to Broad Street Restoration Society, Inc.

See Exhibit "A" attached hereto

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

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

SECTION FOUR: 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 ancillary forms necessary to complete the transfer of said property.

SECTION FIVE: Said Purchase Agreement and Deed are by reference made a part of this ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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

EXHIBIT “A”

LOT 2-A BLK 42-D RESUB OF LOT 2 UNIT 23 MAP 1 CENTRAL TEXAS ST AREA MBK 28/77, KEY NO. 00946748; PARCEL NO. R022910380002104.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be adopted, which was seconded by Councilmember Gregory 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 ordinance adopted.

RESOLUTIONS HELD OVER:

RE-ALLOCATE $350.00 FROM GENERAL FUND DISTRICT 03, 04, 05, 06 AND 07 TO THE BUREAU OF FIRE PREVENTION DEPARTMENT 1514 TO BE USED TO PROVIDE REFRESHMENTS DURING THE FIRE SAFETY EXPO ON MAY 12, 2018 AT THE DOTCH COMMUNITY CENTER. The following resolution which was introduced and read at the regular meeting of Tuesday, May 8, 2018, and held over for one (1) week until the regular meeting of May 15, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-319-2018

Sponsored by: Councilmembers Small, Williams, Daves, Rich and Gregory

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following transfers be made within the General Fund 1000:

Transfer $350.00 from the General Fund District Three Discretionary Account DSC-03, General Ledger Number 10041020 42080, to the Bureau of Fire Prevention Department 1514, General Ledger Account 10041514 44020. The funds are to be used to provide refreshments during the Fire Safety Expo that will be held May 12, 2018 at the Dotch Community Center.

Transfer $350.00 from the General Fund District Four Discretionary Account DSC-04, General Ledger Number 10041020 42080, to the Bureau of Fire Prevention Department 1514, General Ledger Account 10041514 44020. The funds are to be used to provide refreshments during the Fire Safety Expo that will be held May 12, 2018 at the Dotch Community Center.

Transfer $350.00 from the General Fund District Five Discretionary Account DSC-05, General Ledger Number 10041020 42080, to the Bureau of Fire Prevention Department 1514, General Ledger Account 10041514 44020. The funds are to be used to provide refreshments during the Fire Safety Expo that will be held May 12, 2018 at the Dotch Community Center.

Transfer $350.00 from the General Fund District Six Discretionary Account DSC-06, General Ledger Number 10041020 42080, to the Bureau of Fire Prevention Department 1514, General Ledger Account 10041514 44020. The funds are to be used to provide refreshments during the Fire Safety Expo that will be held May 12, 2018 at the Dotch Community Center.

Transfer $350.00 from the General Fund District Seven Discretionary Account DSC-07, General Ledger Number 10041020 42080, to the Bureau of Fire Prevention Department 1514, General Ledger Account 10041514 44020. The funds are to be used to provide refreshments during the Fire Safety Expo that will be held May 12, 2018 at the Dotch Community Center.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Rich 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.

<u>AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR MICHAEL A. FIGURES PARK-BASKETBALL COURT, $243,700.00 (PR-015-18; CO197; 20002000-48010).</u> The following resolution which was introduced and read at the regular meeting of Tuesday, May 8, 2018, and held over for one (1) week until the regular meeting of May 15, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-320-2018

Sponsored by: Councilmembers Richardson 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: Aeiker Construction Corporation

Project name: Michael A. Figures Park - Basketball Court

Project number: PR-015-18

Amount: $243,700.00

The resolution was read by the City Clerk; whereupon Councilmember Richardson moved that the resolution be adopted, which was seconded by Councilmember Gregory. Following comments from Councilmember Richardson 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 ARENA FIRE PROTECTION, INC. FOR FIRE SPRINKLER SYSTEM REPAIRS-VARIOUS LOCATIONS, $8,500.00 (SR-005-18; CO018; 20002000-48010). The following resolution which was introduced and read at the regular meeting of Tuesday, May 8, 2018, and held over for one (1) week until the regular meeting of May 15, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-321-2018

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, 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: Arena Fire Protection Inc.

Project name: Fire Sprinkler System Repairs
Various Locations

Project number: SR-005-18

Amount: $8,500.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, 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 resolution adopted.

ASSENT TO THE VACATION OF UNOPENED RIGHT-OF-WAY AT WIMBLEDON DRIVE AT BYRNES BOULEVARD (DISTRICT 5). The following resolution which was introduced and read at the regular meeting of Tuesday, May 8, 2018, and held over for one (1) week until the regular meeting of May 15, 2018, was called up by the Presiding Officer.

RESOLUTION: 47-322-2018

Sponsored by: Councilmember Daves

WHEREAS, Frazier Properties, LLC, Sisters of Mercy of the Americas South Central Community, Inc., and Hubert H. Parker, IV and Pamela Perry Parker as the abutting property owners of the following described right-of-way known as Wimbledon Drive, have requested the Mobile City Council to assent to the vacation and closing by them as the abutting property owners of the right-of-way hereinafter described;

WHEREAS, it has been shown to the satisfaction of the Mobile City Council that Frazier Properties, LLC, Sisters of Mercy of the Americas South Central Community, Inc., and Hubert H. Parker, IV and Pamela Perry Parker own all of the property abutting-along said right-of-way, that the same is not needed as a public road in the City of Mobile, Alabama, that the vacation of same will not deprive any other property owners of such right as such property owners may have to convenient and reasonable ingress and egress to and from such other property, and that it would be to the best interest of the Mobile City Council to vacate the same;

WHEREAS, said abutting property owners have consented to this vacation;

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council that its assent be, and it is hereby given to Frazier Properties, LLC and Sisters of Mercy of the Americas South Central Community, Inc., the abutting property owners, to the vacation and closing by them of the following described right-of-way, more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, by the Mobile City Council, that its assent be and the same hereby is, given to vacate and annul the herein described right-of-way Wimbledon Drive, Mobile, Alabama, subject, however, to the following conditions:

EXHIBIT "A"

STATE OF ALABAMA

MOBILE COUNTY

A PART OF WIMBLEDON DRIVE RIGHT-OF-WAY TO BE VACATED BEING DESCRIBED AS FOLLOWS:

Begin at the Westerly most corner of Lot 8, New Country Club Estates, Fourth Unit, as recorded in Map Book 6, Page 142 in the office of the Probate Judge of Mobile County, Alabama, and run north 28 degrees 30 minutes 15 seconds west, along the westerly most end of the Wimbledon Drive right-of-way and along its common line with Lot 7, New Country Club Estates, Fourth Unit, as recorded in Map Book 6, Page 142 in the office of the Probate Judge of Mobile County, Alabama, a distance of 80.28 feet to a point on the northerly right-or-way of said Drive, the point of beginning of a curve having a chord bearing of north 66 degrees 02 minutes 04 seconds east that is concave to the north having a central angle of 8 degrees 26 minutes 05 seconds to the right, and a radius of 1999.24 feet; thence continue along the arc of the last described right-of-way curve in a northeasterly direction a distance of 294.31 feet to a point; thence departing said existing right-of-way continue south 15 degrees 39 minutes 00 seconds west a distance of 150.32 feet to a point on the northerly right-of-way of Byrnes Boulevard and the southerly right-of-way said Drive, the point of beginning of a curve having a chord bearing of north 48 degrees 40 minutes 30 seconds west that is concave to the northeast having a central angle of 128 degrees 39 minutes 00 seconds to the left, and a radius of 25.00 feet; thence continue along the arc of the last described right-of-way curve in a northerly to southwesterly direction a distance of 56.13 feet to a point of beginning of a curve having a chord bearing of south 64 degrees 24 minutes 55 seconds west that is concave to the northwest having a central angle of 5 degrees 10 minutes 10 seconds to the left, and a radius of 1919.24 feet; thence continue along the arc of the last described right-of-way curve in a southwesterly direction a distance of 173.16 feet, more or less to the point of beginning, containing 21,338 square feet, more or less.

SOUTHERLY SPLIT OF VACATED RIGHT-OF-WAY TO FRAZIER PROPERTIES, LLC

Begin at the westerly most corner of Lot 8, New Country Club Estates, Fourth Unit, as recorded in Map Book 6, Page 142 in the office of the Probate Judge of Mobile County, Alabama, and run north 28 degrees 30 minutes 15 seconds west, along the westerly most end of the Wimbledon Drive vacated right-of-way and along its common line with Lot 7, New Country Club Estates, Fourth Unit, as recorded in Map Book 6, Page 142 in the office of the Probate Judge of Mobile County, Alabama, a distance of 40.14 feet to a point, the point of beginning of a curve having a chord bearing of north 65 degrees 36 minutes 55 seconds east that is concave to the north having a central angle of 7 degrees 35 minutes 47 seconds to the right, and a radius of 1959.11 feet; thence continue along the arc of the last described curve in a northeasterly direction a distance of 259.74 feet to a point; thence south 15 degrees 39 minutes 00 seconds west a distance of 100.83 feet to a point on the northerly right-of-way of Byrnes Boulevard and the northeast most corner of said Lot 8 of said subdivision, the point of beginning of a curve having a chord bearing of north 48 degrees 40 minutes 30 seconds west that is concave to the northeast having a central angle of 128 degrees 39 minutes 00 seconds to the left, and a radius of 25.00 feet; thence continue along the arc of the last described curve in a northerly to southwesterly direction a distance of 56.13 feet to a point of beginning of a curve having a chord bearing of south 64 degrees 24 minutes 55 seconds west that is concave to the northwest having a central angle of 5 degrees 10 minutes 10 seconds to the left, and a radius of 1919.24 feet; thence continue along the arc of the last described curve in a southwesterly direction a distance of 173.16 feet, more or less to the point of beginning, containing 0.24 acres, more or less.

NORTHERLY SPLIT OF RIGHT-OF-WAY TO SISTERS OF MERCY

Commence at the westerly most corner of Lot 8, New Country Club Estates, Fourth Unit, as recorded in Map Books, Page 142 in the office of the Probate Judge of Mobile County, Alabama, and run north 28 degrees 30 minutes 15 seconds west, along the westerly most end of the vacated Wimbledon Drive right-of-way and along its common line with Lot 7, New Country Club Estates, Fourth Unit, as recorded In Map Book 6, Page 142 in the office of the Probate Judge of Mobile County, Alabama, a distance of 40.14 feet to the POINT OF BEGINNING; thence continue along the last described course a distance of 40.14 feet to a point on the northerly right-of-way of said vacated right-of-way, the point of beginning of a curve having a chord bearing of north 66 degrees 02 minutes 04 seconds east that is concave to the north having a central angle of 8 degrees 26 minutes 05 second to the right, and a radius of 1999.24 feet; thence continue along the arc of the last described curve in a northeasterly direction a distance of 294.31 feet to a point; thence departing said vacated right-of-way continue south 15 degrees 39 minutes 00 seconds west a distance of 49.49 feet to a point, the point of beginning of a curve having a chord bearing of south 65 degrees 36 minutes 55 seconds west that is concave to the northeast having a central angle of 7 degrees 35 minutes 47 second to the left, and a radius of 1959.11 feet; thence continue along the arc of the last described curve in a southwesterly direction a distance of 259.74 feet, more or less, to the point of beginning, containing 0.26 acres, more or less.

ACCESS EASEMENT FROM FFP TO SOM

Commence at the westerly most corner of Lot 8, New Country Club Estates, Fourth Unit, as recorded in Map Book 6, Page 142 in the office of the Probate Judge of Mobile County, Alabama, and run north 28 degrees 30 minutes 15 seconds west, along the westerly most end of the Wimbledon Drive vacated right-of-way and along its common line with Lot 7, New Country Club Estates, Fourth Unit, as recorded In Map Book 6, Page 142 In the office of the Probate Judge of Mobile County, Alabama, a distance of 40.14 feet to a point; the point of beginning of a curve having a chord bearing of north 64 degrees 56 minutes 21 seconds east that is concave to the north having a central angle of 6 degrees 14 minutes 38 seconds to the right, and a radius of 1959.11 feet; thence continue along the arc of the last described curve in a northeasterly direction a distance of 213.39 feet to a point; the POINT OF BEGINNING OF SAID ACCESS EASEMENT and the point of beginning of a curve having a chord bearing of north 68 degrees 44 minutes 14 seconds east that is concave to the north having a central angle of 1 degree 21 minutes 09 seconds to the right, and a radius of 1959.11 feet; thence continue along the arc of the last described curve in a northeasterly direction a distance of 46.25 feet to a point on the northerly right-of-way of Byrnes Boulevard; thence south 15 degrees 39 minutes 00 seconds west a distance of 61.62 feet to a point; thence north 31 degrees 52 minutes 55 seconds west a distance of 50.13',more or less, to the point of beginning.

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Williams.

**NOTE:** At approximately 10:50 a.m. Councilmember Williams excused himself from the meeting.

Following comments from Councilmembers Daves, Rich and Richardson the vote was as follows:

Ayes: Rich
Nays: Richardson, Manzie, Small, Daves and Gregory

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

APPROVE A VACATION OF RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF UNOPENED RIGHT-OF-WAY AT WIMBLEDON DRIVE AT BYRNES BOULEVARD (DISTRICT 5). The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 15, 2018.

RESOLUTION: 47-323-2018

Sponsored by: Councilmember Daves

RESOLUTION ESTABLISHING A VACATION OF RIGHT OF WAY FEE AS A CONDITION OF THE VACATION OF UNOPENED RIGHT OF WAY AT WIMBLEDON DRIVE AT BYRNES BOULEVARD BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, as follows:

That the Council, after conducting a public hearing on May 8, 2018, does hereby determine that the right-of-way fee for the vacation of an unopened right of way at Wimbledon Drive at Byrnes Boulevard to be vacated pursuant to Resolution 47-322, is set at $$5,988.64 and that such amount is due to be assessed as the reasonable fee for the vacation of such right-of-way.

The payment of the fee set in this Resolution is and shall be a condition precedent to the exercise of the power to vacate the right-of-way, such that payment of such fee is required before the vacation of the right-of-way shall become effective.

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: Rich
Nays: Richardson, Manzie, Small, Daves and Gregory

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

**NOTE:** At approximately 10:52 a.m. Councilmember Williams re-joined the meeting.

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY AT THE NORTH SIDE OF MOFFETT ROAD SERVICE ROAD, 790' ± WEST OF GASH LANE, FROM R-1 TO B-1 TO ALLOW THE CONSTRUCTION OF A SINGLE-STORY OFFICE BUILDING (DISTRICT 1). The following ordinance was held over for one (1) week until the regular meeting of Tuesday, May 22, 2018.

ORDINANCE: 64-012-2018

Sponsored by: Councilmember Richardson

AN 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:

MOBILE COUNTY

ALABAMA

LOTS 3, 4, 5, 6, 19, AND 20, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY.

ALONG WITH A PORTION OF THE 60' INGRESS & EGRESS RIGHT OF WAY, BEING A PART OF KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTH WEST CORNER OF LOT 20, KOOIMAN DAIRY ESTATES, UNIT ONE, AS RECORDED IN MAP BOOK 31, PAGE 43, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY; THENCE NORTH 89°52'00" EASTALONG THE SOUTH MARGIN OF A 60 FOOT INGRESS AND EGRESS RIGHT OF WAY A DISTANCE OF 394.80 FEET TO A POINT; THENCE DEPARTING SAID SOUTH MARGIN; NORTH 00°09'00" WEST A DISTANCE OF 60.00 FEET TO A POINT; THENCE NORTH 89°52'00" EAST A DISTANCE OF 60.00 FEET TO A POINT ON THE EXTENSION OF THE EAST MARGIN OF SAID RIGHT OF WAY; THENCE NORTH 00°09'00" WEST ALONG SAID EXTENSUION AND SAID EAST MARGIN A DISTANCE OF 326.23 FEET TO A POINT AT THE INTERSECTION OF SAID EAST MARGIN WITH THE SOUTH MARGIN OF THE RIGHT OF WAY OF KOOIMAN DAIRY ROAD; THENCE SOUTH 89°46'42" WEST ALONG SAID SOUTH MARGIN A DISTANCE OF 85.03 FEET TO A POINT ON THE WEST MARGIN OF SAID INGRESS AND EGRESS RIGHT OF WAY, SAID POINT BEING THE POINT OF CURVATURE OF A NON-TANGENTIAL CURVE OF A 25.00' RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST MARGIN A DISTANCE OF 39.30 FEET (CHORD BEARS SOUTH 45°11'09" EAST, 35.38') TO A POINT: THENCE CONTINUE ALONG SAID WEST MARGIN, SOUTH 00°09'00" EAST A DISTANCE OF 276.10 FEET TO THE POINT OF CURVATURE OF A 25.00' RADIUS CURVE TO THE RIGHT; THENCE CONTINUE ALONG SAID WEST MARGIN AND ALONG THE ARC OF SAID CURVE A DISTANCE OF 39.28 FEET (CHORD BEARS SOUTH 44°51'30" WEST, 35.36') TO A POINT ON THE NORTH MARGIN OF SAID RIGHT OF WAY; THENCE SOUTH 89°52'00" WEST ALONG SAID NORTH MARGIN A DISTANCE OF 369.79 FEET TO A POINT; THENCE SOUTH 00°09'00" EAST A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

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 fi-om and after its adoption and publication.

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 37-325 – 60-332 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:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR MARRIOTT MOBILE, 3101 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-325-2018

Sponsored by: Councilmember Daves

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: Restaurant Retail Liquor License

Submitted by: Mobile, LLC

Location: Marriott Mobile
3101 Airport Boulevard
Mobile, AL 36606

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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 RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR SCHILLINGER QUICK STOP, 225 SCHILLINGER ROAD NORTH. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-326-2018

Sponsored by: Councilmember Gregory

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

Type of application: Retail Beer/Table Wine (Off Premises Only) License

Submitted by: Rohini, LLC

Location: Schillinger Quick Stop

225 Schillinger Road North
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 Gregory 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.

APPROVE AWARD OF SPECIAL BONUS TO THE POLICE OFFICER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, JESSE SLUDER, $500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-332-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the 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 each to the employees on the attached list.

These employees are 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.

"Exhibit A"

Officer of the Month

| Last Name | First Name | Award Month |
|---|---|---|
| Sluder | Jesse | Officer of the Month April 2018 |

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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 21-327 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 CONTRACT WITH NEEL-SCHAFFER, INC. FOR 2018 CIP PROJECT #2017-424 AIRPORT BOULEVARD SIDEWALKS, $19,515.00 (2018-2060-01; CO340). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-327-2018

Sponsored by: Councilmember Rich and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY 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; to provide design engineering services for the construction of sidewalks along Airport Boulevard, 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: Neel-Schaffer, Inc.

City of Mobile project no.: 2018-2060-01

Capital project no.: CO340

Amount: $19,515.00

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be adopted, which was seconded by Councilmember Rich. 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 adopted.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH S & O ENTERPRISES, INC. FOR SECURITY AND FIRE ALARM MONITORING-VARIOUS CITY OF MOBILE FACILITIES, $32,886.00 3-YEAR CONTRACT (1$^{ST}$ YEAR $10,854.OO; 2$^{ND}$ YEAR $11,016.00; 3$^{RD}$ YEAR $11,016.00) (SC-035-18; 20002000-42210). The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 22, 2018.

RESOLUTION: 21-328-2018

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, 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: S & O Enterprises, Inc.

Project name: Security and Fire Alarm Monitoring
Various City of Mobile Facilities

Project number: SC-035-18

Amount: $10,854.00 1$^{st}$ Year Cost
$11,016.00 2$^{nd}$ Year Cost

$11.016.00 3rd Year Cost

$32,886.00 3 Year Contract

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH PYROTECNICO FIREWORKS, INC. FOR JULY 4, 2018 FIREWORKS SHOW, $25,000.00 (10049000). The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 22, 2018.

RESOLUTION: 21-329-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNGIL OF THE CITY 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 with Pyrotecnico Fireworks, Inc. for services as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT AND RECEIVE FUNDING FROM THE DHS FY17 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER), $2,143,836.00 (GRANT FUNDS, $1,322,033.00; LOCAL MATCH, $821,803.00). The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 22, 2018.

RESOLUTION: 31-330-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), a Notice of Award and Memorandum of Agreement for grant assistance in the approximate amount of $2,143,836.00 for FY 2017 Staffing for Adequate Fire and Emergency Response (SAFER) Grant.

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

APPROVE THE APPLICATION OF DORAL A. EDWARDS AND DANA MARIE JOLLY-EDWARDS D/B/A ANGEL WINGS LIFT SERVICE, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE. The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 22, 2018.

RESOLUTION: 37-331-2018

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Doral A. Edwards and Dana M. Jolly-Edwards d/b/a Angel Wings Life Service, LLC for a Certificate of Public Convenience and Necessity for a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

ANNOUNCEMENTS:

Councilmember Richardson announced a district one meeting will be held this Thursday, at 6:00 p.m., at Forest Hill Elementary School.

Councilmember Richardson suggested residents call Mobile 311 to report overgrown or blighted property.

Councilmember Richardson commented that Creek Fest and the Mobile Fire Expo were enjoyed by many.

Councilmember Richardson stated that he will be the commencement speaker at the Remington College and Hillcrest High School graduations.

Councilmember Gregory reminded the public that Market in the Park at Lavretta Park will be held from 3:00 – 6:00 p.m. on Thursdays, May 31 through July 31, 2018.

Councilmember Gregory provided an update on the progress of the widening of Zeigler Boulevard.

Councilmember Gregory thanked all involved with the purchase and installation of shade structures at the Copeland-Cox Tennis Center.

Councilmember Small stated he attended the Riverside and Oakdale Community Action Group meetings last week and conveyed the residents' concerns about recent shootings.

Councilmember Small mentioned several events that will be held to commemorate the $109^{th}$ anniversary of Revelation Missionary Baptist Church.

Councilmember Small announced the Capital Improvement Committee will meet immediately after the Council meeting.

Councilmember Williams encouraged citizens to attend Bay Bears games.

Councilmember Williams requested assistance from the Administration with late trash pickup.

Councilmember Rich remarked that she has received numerous calls regarding widespread late trash pickup.

Councilmember Rich announced that the Justin Billa Foundation will host an event at Medal of Honor Park this Saturday, from 12:00 a.m. until 3:00 p.m.

Councilmember Rich advised that the Public Safety Committee will meet at 3:00 p.m. today to discuss Ordinance 52-010. The proposed ordinance addresses the abatement of inoperable and junk vehicles.

Councilmember Daves invited the public to attend a law enforcement memorial service at Public Safety Memorial Park on Thursday, at 10:00 a.m.

Councilmember Manzie said he will attend the Lafayette Heights community meeting this week.

Councilmember Manzie announced that summer dates for a series of district two community meetings will be announced soon.

Councilmember Manzie congratulated Most Pure Heart of Mary Catholic Church on the occasion of the church's $110^{th}$ anniversary.

Councilmember Richardson moved to adjourn the meeting, 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 regular meeting adjourned at approximately 11:23 a.m.

Approved: May 22, 2018

COUNCIL VICE PRESIDENT

CITY CLERK