

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 30, 2019

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, April 30, 2019, at 9:00 a.m.

Present:

Chairman: Manzie

Councilmembers: Small, Williams, Daves and Rich

Absent: Richardson and 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.

The Presiding Officer adjourned the meeting.

Approved: May 7, 2019

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 30, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, April 30, 2019, at 10:30 a.m., in regular meeting.

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

Reverend Leroy Lampkins, Berean Baptist 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 PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meeting of April 23, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson named Captain Timothy Spyрка as "Officer of the Month" for April 2019.

Mayor Stimpson presented a proclamation on the occasion of the 150th anniversary of the Mobile Bar Association.

Mayor Stimpson provided details regarding the City's plans for alternative facilities to accommodate Mardi Gras balls.

Mayor Stimpson spoke in support of Resolutions 33-398 and 60-416.

ADOPTION OF THE AGENDA:

MINUTES OF APRIL 30, 2019

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

Ayes: Richardson, Manzie, Small, Daves, Williams, 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 Michelle Cutts, Hargrove Engineers & Constructors, for a waiver of the noise ordinance at Cooper Riverside Park on May 9, 2019, from 5:30 p.m. until 8:30 p.m. (District 2).

Councilmember Daves moved to grant the appeal, 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request Shantell Scott for a waiver of the Noise Ordinance at 2850 Wyattwood Lane on May 18, 2019, from 3:00 p.m. until 8:00 p.m. (District 4).

Councilmember Daves moved to grant the appeal, 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request William H. Miller for a waiver of the Noise Ordinance at 254 St. Anthony Street on May 4, 2019, from 3:00 p.m. until 7:00 p.m. (District 2).

Councilmember Daves moved to grant the appeal, 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request Gloria Sullivan for a waiver of the Noise Ordinance at 82 Burtonwood Drive on July 4, 5, 6 and 7, 2019, from 2:00 p.m. until 10:00 p.m. (District 7).

Councilmember Daves moved to grant the appeal, 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

MINUTES OF APRIL 30, 2019

The Council considered the request Marlee Brannan for a waiver of the Noise Ordinance at the Bragg Mitchell Mansion, 1906 Spring Hill Avenue, on June 8, 2019, from 6:00 p.m. until 10:00 p.m. (District 1).

Councilmember Daves moved to grant the appeal, 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request Johnnie L. Robinson for a waiver of the Noise Ordinance at 4791 Lesure Drive on May 11, 2019, from 8:00 p.m. until 1:30 a.m. (District 4).

Councilmember Daves moved to grant the appeal, 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the appeal of Kenneth O'Hanlon concerning the Architectural Review Board's denial of the application for a stained wooden fence 7' in height at 52 South Julia Street.

Kenneth O'Hanlon, 52 South Julia Street, spoke in support of his appeal.

Councilmember Richardson moved to hold the appeal over for three (3) weeks until the regular meeting of Tuesday, May 21, 2019, which motion was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

The vote was then announced by City Clerk, whereupon the Presiding Officer declared the appeal held over.

The Council considered the appeal of Mike Rogers, Porch Light, LLC, concerning the Architectural Review Board's denial of the application regarding new construction at 405 Chatham Street.

Councilmember Daves moved to hold the appeal over for two (2) weeks until the regular meeting of Tuesday, May 14, 2019, 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 City Clerk, whereupon the Presiding Officer declared the appeal held over.

PUBLIC HEARINGS:

PUBLIC HEARING TO CONSIDER APPROVAL OF THE APPLICATION OF WAYNE E. MCKATHAN AND MICHAEL R. MARTIN D/B/A PORT CITY PEDICAB, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A PEDICAB SERVICE.

MINUTES OF APRIL 30, 2019

The Presiding Officer announced that today was the day for the public hearing to consider the application of Wayne E. McKathan and Michael R. Martin d/b/a Port city Pedicab for a Certificate of Public Convenience and Necessity to operate a pedicab service and asked if there was anyone present to speak for or against this matter.

Michael R. Martin, 8331 Holloway Drive, North, spoke in support of the 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 LOCATED AT 4059 HALLS MILL ROAD (SOUTH SIDE OF HALLS MILL ROAD, 325' ± EAST OF AZALEA ROAD) FROM B-1 TO I-1 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 4059 Halls Mill Road from B-1 to I-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 ordinance authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1915 ST. STEPHENS ROAD IS A PUBLIC NUISANCE AND ORDER IT SECURED AND THAT DEBRIS BE REMOVED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1915 St. Stephens Road is a public nuisance and order it secured and debris removed 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 DETERMINE IF THE STRUCTURE AT 1330 STEWART ROAD IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1330 Stewart Road is a public nuisance and order 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 DETERMINE IF THE STRUCTURE AT 405 FLINT STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 405 Flint Street is a public nuisance and order 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.

MINUTES OF APRIL 30, 2019

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

- 1. Jennifer English, 258 N. Claiborne Street, spoke in support of a Waiver of the Noise Ordinance at 254 St. Anthony Street.

NON-AGENDA ITEMS:

- 1. Dr. Raoul Richardson, 650 Clinic Drive, provided information regarding the Mobile River Food and Music Festival. Proceeds will benefit “A Servants Love.”
- 2. Eddie Irby, 1116 Richard Road, expressed his concerns regarding safety issues at the corner of Holt Road and Cemetery Lane.

ORDINANCES HELD OVER:

ORDINANCE DEEMING PROPERTY AT 3200 MOFFETT ROAD NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE. The following ordinance, which was introduced and read at the regular meeting of Tuesday, April 23, 2019 and held over for one (1) week until the regular meeting of Tuesday, April 30, 2019, was called up by the Presiding Officer.

ORDINANCE: 88-019-2019

Sponsored by: Mayor Stimpson

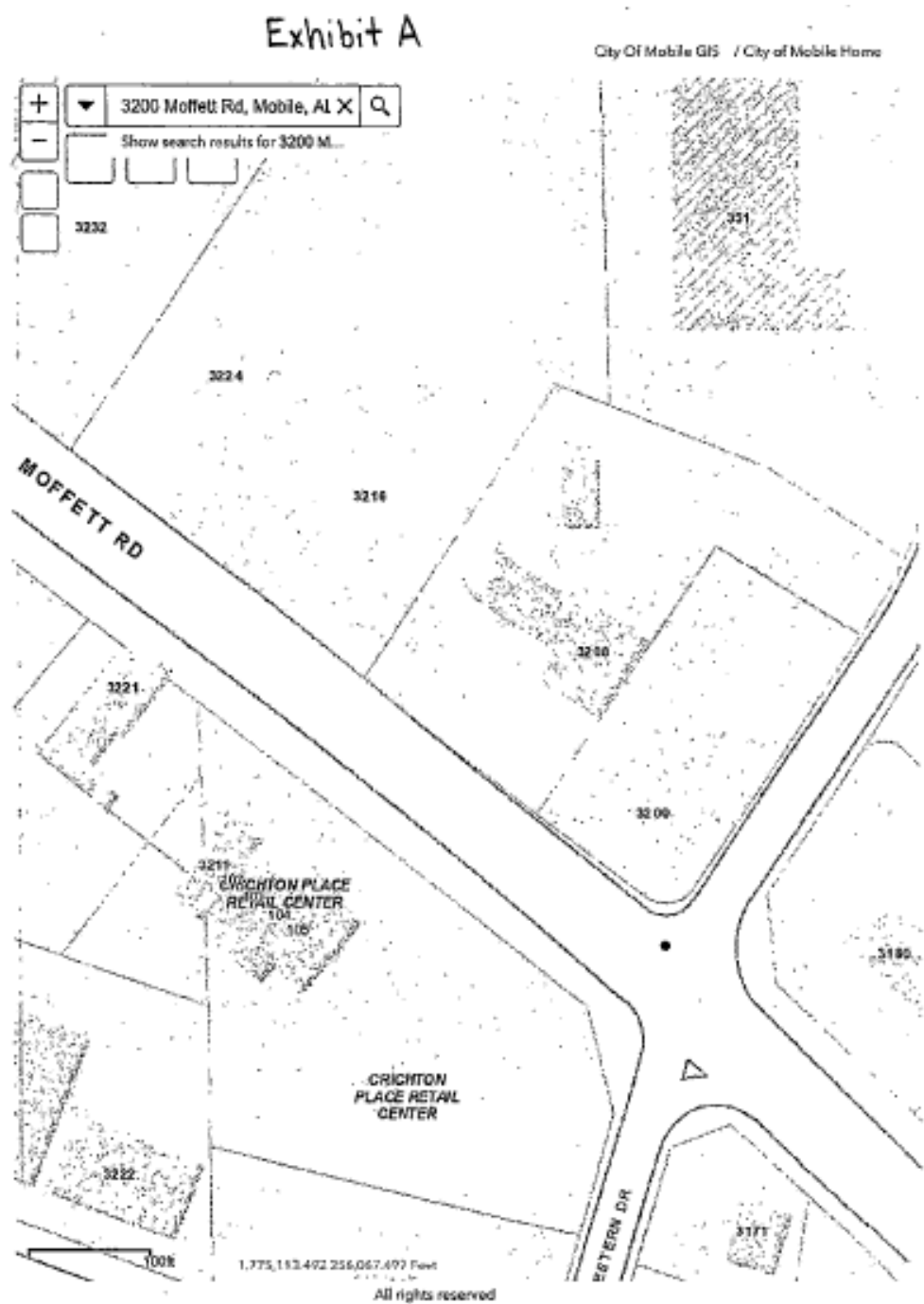
AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF

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

It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the vacant parcel of real property located at 3200 Moffett Road and hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold and any and all proceeds shall be placed in the Public Facility Improvement Fund.

LOT 1 MOFFETT WESTERN S/D MBK 135/33.

SEE ALSO ATTACHED EXHIBIT 'A'



The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of Tuesday, June 4, 2019, 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 ordinance held over.

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 959 GORGAS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution, which was introduced and read at the regular meeting of March 14, 2019 and held over until the regular meetings of Tuesday, March 26, 2019, April 2, 2019, April 23, 2019 and April 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 40-234-2019

Sponsored by: Councilmember Small

MINUTES OF APRIL 30, 2019

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 959 GORGAS 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 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 959 GORGAS STREET as:

THAT CERTAIN LOT OF LAND ON S/S GORGAS ST FLORIDA ST BET MARINE & GAYLE STS DESC AS BEG AT PT QN S/S GORGAS ST 388 FT E-LY OF SE COR GAYLE & GORGAS STS RUN TH E-LY AIG S/S GORGAS ST 40 FT TO PT TH S-LV & PAR WITH MARINE ST 136.5 FT TO PTTH W-LY PAR WITH GORGAS ST 40 FT TO PTTH NLY 136.5 FT TO POB #SEC 37 T4S RIW #MP2910 37 0 007

Parcel number: 2910 37 0 007 133

Last assessed to: ROVENA WELLS

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 Richardson moved that the resolution be adopted, which was seconded by Councilmember Daves.

Councilmember Small moved to amend the resolution as follows:

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 959 GORGAS 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 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 959 GORGAS STREET as:

MINUTES OF APRIL 30, 2019

THAT CERTAIN LOT OF LAND ON S/S GORGAS ST FLORIDA ST BET MARINE & GAYLE STS DESC AS BEG AT PT ON S/S GORGAS ST 388 FT E-LY OF SE COR GAYLE & GORGAS STS RUN TH E-LY ALG S/S GORGAS ST 40 FT TO PT TH S-LY & PAR WITH MARINE ST 136.5 FT TO PT TH W-LY PAR WITH GORGAS ST 40 FT TO PT TH N-LY 136.5 FT TO POB #SEC 37 T4S R1W #MP29 10 37 0 007

Parcel number: 29 10 37 0 007 133

Last assessed to: ROVENA WELLS

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 partially demolished (rear addition) and remaining original structure secured 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 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 by the City Clerk, whereupon the Presiding Officer declared the amendment adopted.

Presiding Officer then called for the vote on the resolution as amended 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 as amended.

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH MCCRORY & WILLIAMS FOR 2019 CIP DRAINAGE-GROUP E \$180,000.00 (2019 CIP #2017-83, 87, 1123, 2017-188, 189, 190, 193, 317, 434) (D2, 3, 5 AND 7). The following resolution, which was introduced and read at the regular meeting of Tuesday, April 23, 2019 and held over for one (1) week until the regular meeting of April 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-396-2019

Sponsored by: Councilmembers Manzie, Small, Daves, 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: McCrory & Williams, Inc.

MINUTES OF APRIL 30, 2019

Project name: 2019 CIP 2019 Drainage - Group E
(D2, 3, 5 and 7) (#2017-83, 87, 1123, 2017-188,189,
190, 193, 317,434)

Estimated cost: \$180,000.00

COM project co.: 2019-3005-08

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

RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH GOVDEALS, INC. FOR SURPLUS-PROPERTY ONLINE AUCTION SERVICES, 7.5% OF SALE AMOUNT (APPROXIMATELY \$56,250.00 PER YEAR). The following resolution, which was introduced and read at the regular meeting of Tuesday, April 23, 2019 and held over for one (1) week until the regular meeting of April 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-394-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and GovDeals, Inc., for surplus -property auction services as outlined in the contract attached hereto and made a part hereof as though set forth in full.

A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the 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.

TERMINATE THE NON-EXCLUSIVE FRANCHISE FOR USE OF CITY STREETS, SIDEWALKS AND RIGHTS-OF-WAY PREVIOUSLY GRANTED TO NEUTRON HOLDINGS, INC. D/B/A LIMEBIKE. The following resolution, which was introduced and read at the regular meeting of Tuesday, April 23, 2019 and held over for one (1) week until the regular meeting of April 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 33-397-2019

Sponsored by: Mayor Stimpson

RESOLUTION TERMINATING THE NON-EXCLUSIVE FRANCHISE FOR USE OF CITY STREETS, SIDEWALKS, AND RIGHTS-OF-WAY PREVIOUSLY GRANTED TO NEUTRON HOLDINGS, INC. DBA LIMEBIKE

MINUTES OF APRIL 30, 2019

WHEREAS, the City of Mobile granted a non-exclusive franchise for the use of the City's streets, sidewalks, and public ways to Neutron Holdings, Inc. DBA LimeBike for the operation of a bike share program effective March 12, 2018; and

WHEREAS, without prior consultation or discussion with the City, Lime sent the City a letter dated February 19, 2019, providing notice that the last day of Lime's pedal bicycle services would be no later than March 15, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the non-exclusive franchise granted to Neutron Holdings, Inc. DBA LimeBike for the use of city streets, sidewalks, and rights-of-way for the operation of a bike share program is hereby terminated.

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.

AUTHORIZE A NON-EXCLUSIVE FRANCHISE FOR USE OF CITY STREETS AND RIGHTS-OF-WAY TO GOTCHA MOBILITY, LLC. The following resolution, which was introduced and read at the regular meeting of Tuesday, April 23, 2019 and held over for one (1) week until the regular meeting of April 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 33-398-2019

Sponsored by: Mayor Stimpson

RESOLUTION AUTHORIZING AND APPROVING NON-EXCLUSIVE FRANCHISE FOR USE OF CITY STREETS AND RIGHTS-OF-WAY TO GOTCHA MOBILITY, LLC

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 Non-Exclusive Franchise Agreement with Gotcha Mobility, LLC to provide for the use of City streets, sidewalks, and rights-of-way for bike sharing and other shared mobility services. A copy of the Franchise Agreement is on file in the office of the City Clerk.

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 ORDINANCE BEING INTRODUCED FOR THE FIRST TIME

Councilmember Richardson moved for the suspension of the rules to consider Ordinance 88-021 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

MINUTES OF APRIL 30, 2019

Nays: None

The Presiding Officer declared unanimous consent granted for the item.

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY LOCATED AT 4059 HALLS MILL ROAD (SOUTH SIDE OF HALLS MILL ROAD, 325' ± EAST OF AZALEA ROAD) FROM B-1 TO I-1 (DISTRICT 4).

The following ordinance was held over for one (1) week until the regular meeting of Tuesday, May 7, 2019.

ORDINANCE: 64-020-2019

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:

COMMENCING AT THE CENTER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, RUN SOUTH 88°-50'-00" WEST, 44.1 FEET TO A POINT IN A FENCE; THENCE RUN NORTH 00°-11'-00" WEST, ALONG THE LINE OF SAID FENCE, 1193.61 FEET; THENCE RUN NORTH 40°-29'-00" WEST, ALONG THE LINE OF SAID FENCE, 430.21 FEET TO A POINT ON THE SOUTH LINE OF HALLS MILL ROAD; THENCE RUN SOUTH 46°-01'-00" WEST, ALONG SAID SOUTH LINE OF HALLS MILL ROAD, 240.0 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING SOUTH 46°-01'-00' WEST, ALONG SAID SOUTH LINE OF HALLS MILL ROAD, RUN 240.0 FEET; THENCE RUN SOUTH 40°-29'-00" EAST, 272.76 FEET; THENCE RUN NORTH 46°-01'-00" EAST, 240.0 FEET; THENCE RUN NORTH 40°-29'-00" WEST, 272.76 FEET TO THE POINT OF BEGINNING. CONTAINING 1.5 ACRES, MORE OR LESS.

The classification of said property is hereby changed from B-1, Buffer Business District to I-1, 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 a I-1, 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-1, Light Industry District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; 2) compliance with Section 64-4.D of the Zoning Ordinance including a 10' wide vegetative buffer along the East side of the property; 3) subject to the Engineering comments: Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance Mobile City Code, Chapter 57, Article VIII), 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property, A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of

MINUTES OF APRIL 30, 2019

the construction work, 3, Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control): the City of Mobile, Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control 4, Each Lot Owner shall be required to submit a Land Disturbance Permit application with the initial construction of a single family dwelling or other impervious surface (shed, driveway, slab, asphalt, gravel, etc.). The application shall include a site grading and drainage plan, details, and calculations, all of which are to be signed by a licensed Alabama Professional Engineer, 5, any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy, 6. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit The (Owner/Developer is responsible for acquiring all of the necessary permits and approvals, 7, The proposed development must comply with all Engineering Department design requirements and Policy Letters.]; and 4) 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.

ORDINANCE DEEMING PROPERTY AT 105 AND 107 JEFFERSON STREET IS NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE. The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 88-021-2019

Sponsored by: 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 properties at 809 Government Street, 105 Jefferson Street, and 107 Jefferson Street hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said properties be sold to FIGURES INVESTMENTS, INC.:

809 Government Street

Beginning at the Southeast corner of Government and Jefferson Street and run thence eastwardly along the south line of Government Street 56.25 feet to a point, thence with an interior angle of 89 degrees 27 minutes run southwardly 52.9 feet to a point, thence deflecting 5 degrees 37 minutes to the left, with an exterior angle of 174 degrees 23 minutes, run southwardly 69.37 feet to a point, thence with an interior angle of 84 degrees 56 minutes run westwardly 56.4 feet to a point on the east side of Jefferson Street, thence with an interior angle of 93 degrees 2 minutes run northwardly along the east side of Jefferson Street 122.17 feet to the point of beginning. All being according to plat of survey by Nordan Engineering Company, dated June 7th, 1950. (Parcel ID R002906400010324)

105 Jefferson Street

Commencing at the Southeast corner of Government Street and South Jefferson Street; thence run southwardly along the east line of South Jefferson Street

MINUTES OF APRIL 30, 2019

151.30 feet to the point of beginning of the property herein described, thence with a deflection angle to the left 87 degrees, 11 minutes, 30 seconds run eastwardly 104.8 feet; thence run southwardly and parallel to South Jefferson Street 29 feet; thence run westwardly and parallel to the north property line 104.8 feet to a point on the east right of way line of South Jefferson Street, thence run northwardly along the east right of way line of South Jefferson Street 29 feet to the point of beginning. (Parcel ID R002906400010322)

107 Jefferson Street

That certain lot of land on the east side of Jefferson Street between Church and Government Street bounded by a line described as follows: Begin at a point on the east side of Jefferson Street 140 feet north of the northeast corner of Church and Jefferson Streets; thence north along the east line of Jefferson Street 30 feet for a front extending back eastwardly from Jefferson Street to a point equi-distant between Jefferson and Bayou Street; said property being bounded on the north by property now or formerly of Thomas L. Holly; on the east by a line dividing said Square bounded by Government, Bayou, Church and Jefferson Streets in half; on the south by property now or formerly of Crawford-Whiting, Inc., on the west by Jefferson Street.

SECTION TWO: The Mayor and the 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 Purchase Agreement when prepared for the property shown above.

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

SECTION FOUR: Said Purchase Agreement and Warranty 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 Officer of the City of Mobile, 4th floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over for two (2) weeks until the regular meeting of June 4, 2019 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 ordinance held over.

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 08-403 – 60-416 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:

MINUTES OF APRIL 30, 2019

APPROVE PURCHASE ORDERS FOR REQUISITIONS OVER \$7,500.00 FOR THE WEEK OF APRIL 22, 2019, \$91,644.47. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 08-403-2019

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, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10097</u>	2019	(1510) FIRE ADMINISTRATION	245 TONS DELIVERED LIMESTONE (SEALED BID 5198)	\$8,575.00	(228600) VULCAN CONSTRUCTION MATERIALS LP
<u>10056</u>	2019	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$16,987.50	(279229) PETROLEUM TRADERS CORPORATION
<u>9970</u>	2019	(5000) INFORMATION TECHNOLOGY	20 HP G4 PRODESK DM INTEL i3-8100T, 500 GB HDD, 4GB DDR4, MINI DESKTOP COMPUTERS (AL STATE CONTRACT)	\$11,160.00	(279402) TSA
<u>9956</u>	2019	(1545) POLICE CYBER DIVISION	AXIOM FORENSIC COMPUTER SOFTWARE LICENSE RENEWALS FOR TCI/GCTC (SOLE SOURCE)	\$34,808.41	(295509) MAGNET FORENSICS USA, INC.
<u>9165</u>	2019	(1510) FIRE ADMINISTRATION	DIGITAL DASHBOARD SOLUTION FIRESTATION ALERTING SOFTWARE - ONE	\$10,649.00	(295865) FIRST ARRIVING LLC
			YEAR 19 STATION LICENSES, ASUS CHROMEBIT, IMPLEMENTATION FEE (PROFESSIONAL SERVICE, PRICE QUOTE)		
<u>9924</u>	2019	(2060) TRAFFIC ENGINEERING	TIMECLOCK PLUS TIMEKEEPING SYSTEM – 34 ANNUAL LICENSES, 2 BIOTOUCH MODULES, IMPLEMENTATION & TRAINING (NATIONAL COOPERATIVE PURCHASING ALLIANCE COOPERATIVE PURCHASING AGREEMENT)	\$9,464.56	(295232) DATA MANAGEMENT INC DBA TIMECLOCK PLUS

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

MINUTES OF APRIL 30, 2019

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.

DECLARE THE STRUCTURE AT 1915 ST. STEPHENS ROAD A PUBLIC NUIANCE AND ORDER IT SECURED AND THAT DEBRIS BE REMOVED (DISTRIST 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-404-2019

Sponsored by: Councilmember Richardson

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 1915 St. Stephens Rd. 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 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 1915 St. Stephens Rd. as:

BEG AT PI ON W/S OF ST STEPHENS RD OR CRAFT HWY1 FT S OF SW COR OF ST STEPHENS RD & PAYNES IN OR ANDREWS ST WHICH PI IS SE COR OF PPTY COIMVEYED TO MATTIE V DAVIS TR BY DEED DTD 6-2-36 DBK 260 NS & ACC TO SD DEED PT IS 107 FT FR ANDREWS ST FR TH RUN SLY ON W/S OF ST STEPHENS RD 80 FT TH WLY ALG A FENCE 185 FT TO W/S OF A PECAN TREE TH IMLY ALG E/S OF A IN 73 FT TO SW COR OF PPTY CONVEYED TO MATTIE V DAVIS TR TH ELY ALG S/S OF SD DAVIS PPTY 200 FT TO POB TOGETHER WITH RT TO USE IN COMMON WITH OTHERS A LD LOC IMMEDIATELY W OF SD PPTY & RUN NLY TO PAYNES LN OR ANDREWS ST #SEC 44 T4S RIW #MP29 02 44 0 033

Parcel number: 29 02 44 0 033 040.01

Last assessed to: KELVIN BUCHANON

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 secure/debris removal 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 Daves 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

MINUTES OF APRIL 30, 2019

Nays: None

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

DECLARE THE STRUCTURE AT 1330 STEWART ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-405-2019

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52 Articled II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1330 Stewart Road has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFOR, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1330 Stewart Road as:

LOTS 118 & 119 BLK A BAY RIDGE ESTATES MBK 3 P 249 #SEC 40 T5S RIW #MP32 05 40 0 004

Parcel number: 32 05 40 0 004 050

Last assessed to: LUCIUS J BOONE JR

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 Daves 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.

DECLARE THE STRUCTURE AT 405 FLINT STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

MINUTES OF APRIL 30, 2019

RESOLUTION: 40-406-2019

Sponsored by: Councilmember Manzie

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 405 Flint 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 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 405 Flint Street as:

LOT 16 BLK 16 GLENDALE PARK DBK 61/316 #SEC 27 T4S RIW #MP29 10 27 2 001

Parcel number: 29 10 27 2 001084

Last assessed to: DOROTHY GROVE ANDRY

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 Daves 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 REMOVAL OF WEEDS, GROUP #1590. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-407-2019

A RESOLUTION 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

MINUTES OF APRIL 30, 2019

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 21 described in the resolution adopted on the 26th day of March, 2019, 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 21, as described in the resolution adopted on the 26th day of March, 2019, 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. 1590, 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.

MINUTES OF APRIL 30, 2019

WEED LIEN					
GROUP 1590					Res. No.
3/26/2019 LOTS TO BE DECLARED					58-
4/30/2019 LOTS FOR PUBLIC HEARING					58-
//2019 LOTS TO BE ASSESSED FOR COST					58-
No.	Address	SRO No.	CASE #	Amount Assessed	Dis N/A CBO
1	3614 The Cedars	894189	917		7
2	1069 State St	905840	918		2
3	460 Weinacker Ave	905411	919		2
4	1615 Midway Ave	906220	920		2
5	1607 Midway Ave	906219	921		2
6	1580 Polk St	905821	923		3
7	1582 Polk St	905820	924		3
8	1859 Butler St	905999	925		1
9	1813 St. Charles Ave	906097	945		1
10	Mount Island Dr E	897682	946		5
Parcel No. (29 08 20 4 000 093.011)					
11	1152 Chinquepin St	908715	978		2
12	1155 Chinquepin St	908721	979		2
13	1157 Chinquepin St	908713	980		2
14	961 Texas St	908826	981		2
15	1815 St Charles Ave	906098	982		1
16	405 Flint St	908658	983		2
17	3001 Berkley Ave	909289	984		1
18	1355 Linwood Dr	912242	985		3
19	907 Kendrick Dr	909227	986		7
20	1405 Stewart Rd	906339	987		3
21	200 Cuba St	913886	1005		2
Total				\$ -	
District total for this group		Numbers of lots cut			
1	4		1		
2	10		2		
3	4		3		
4	0		4		
5	1		5		
6	0		6		
7	2		7		
	21		0		
*ADD Added In from other Groups		*CBC Cut By Contractor			
*CBO Cut By Owner		*UDL Undeveloped Lot			
*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 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.

ASSESS COST FOR REMOVAL OF WEEDS, GROUP #1587. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-408-2019

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 cutting such weeds, and the City Council being of the opinion that such report in all respects be confirmed:

MINUTES OF APRIL 30, 2019

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 No. 1587 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.

WEED LIEN					
GROUP 1587					Res. No.
12/4/2018	LOTS TO BE DECLARED				58-838
1/8/2019	LOTS FOR PUBLIC HEARING				58-030
4/30/2019	LOTS TO BE ASSESSED FOR COST				58-
No.	Address	SRO No.	CASE #	Amount Assessed	Dis N/A
1	1307 Congress St	891790	643	\$ -	2 CBD
2	1950 McGough Dr	894360	644	\$ 168.75	3
3	1209 Hercules St	889870	645	\$ 50.00	2 CBO
4	1321 Adams St	890057	646	\$ 50.00	2 CBO
5	3901 Moffett Rd	889703	647	\$ 139.00	7
6	1901 Riverside Dr	886669	648	\$ -	3 FL
7	1263 St. Madar St	894690	649	\$ 50.00	2 CBO
8	3917 Dauphin Island Pkwy	895415	650	\$ 50.00	3 CBO
9	1632 Prairie Ave	895151	651	\$ 200.73	3
10	1312 Windsor Ave	895193	652	\$ -	3 CBD
11	87 Macks St	891364	653	\$ 50.00	1 CBO
12	89 Macks St	891596	654	\$ 50.00	1 CBO
13	859 Kuffske Lane	890263	655	\$ 50.00	1 CBO
14	2008 Belle Rose Dr	892877	656	\$ -	1 CBD
15	1617 Lincoln St	882577	657	\$ -	1 CBD
16	205 Rylands St	897723	658	\$ 132.00	2
17	2665 Emogene St	893921	659	\$ 50.00	5 CBO
18	2656 Pleasant Valley Rd	891821	660	\$ 50.00	5 CBO
19	1615 Cheshire	895435	661	\$ -	4 CBD
20	2067 Zula Lane	896403	662	\$ 139.00	3
21	652 Pillans St	896252	663	\$ 153.00	3
22	862 Charles St	896230	664	\$ 50.00	3 CBO
23	2608 Fairway Dr	899031	665	\$ 319.74	5
Total				\$ 1,752.22	
District total for this group		Numbers of lots cut			
1	5	1	0		
2	5	2	1		
3	8	3	4		
4	1	4	0		
5	3	5	1		
6	0	6	0		
7	1	7	1		
23			7		
*ADD Added in from other Groups		*CBD Cut Before Declared			
*CBO Cut By Owner		*CBC Cut By Contractor			
*N/A Taken out by Inspector		*FL Fenced Lot			

The resolution was read by the City Clerk; whereupon Councilmember Daves 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.

MINUTES OF APRIL 30, 2019

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, TIMOTHY SPYRKA, \$500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-409-2019

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 marked as Exhibit A.

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.

Firefighter of the Month			
Last Name	First Name	Award	Date
Spyrka	Timothy	Firefighter of the Month	Apr-19

The resolution was read by the City Clerk; whereupon Councilmember Daves 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.

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE NEW BIRTH COMMUNITY CHURCH TO ASSIST IN OPERATING THE OVERLOOK SWIM CLUB SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-410-2019

Sponsored by: Councilmember Gregory

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Gregory wishes to donate \$500.00 to the New Birth Community Church from her discretionary funds, and

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

WHEREAS, the Mobile City Council determines that this contribution to the New Birth Community Church, will be used to assist in operating the Overlook Swim Club for the 2019 summer season and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the New Birth Community Church serves a public purpose and further approves and directs the payment of same.

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

MINUTES OF APRIL 30, 2019

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.

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO LEGACY 166 SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-411-2019

Sponsored by: Councilmember Manzie

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Manzie wishes to donate \$1,500.00 to the Legacy 166 from his discretionary funds, and

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

WHEREAS, the Mobile City Council determines that this contribution to the Legacy 166, will be used to sponsor and support the art show "The Art of Perception" to be held in downtown Mobile on Sunday, May 26, 2019 and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Legacy 166 serves a public purpose and further approves and directs the payment of same.

The resolution was read by the City Clerk; whereupon Councilmember Daves 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.

RESOLUTION OPPOSING HOUSE BILL 418 REGARDING SELLER'S SALES AND USE TAX (SSUT). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-416-2019

Sponsored by: City Council

RESOLUTION OPPOSING HOUSE BILL 418 REGARDING SELLER'S SALES AND USE TAX (SSUT)

Findings.

1. House Bill 418 (HB 418], sponsored by Rep. Rod Scott, is an expansion of the Seller's Sales and Use Tax [SSUT] law, the effect of which is to redirect taxes paid by Mobile citizens to the Alabama Department of Revenue, which then redistributes a small portion back to the City;

MINUTES OF APRIL 30, 2019

2. According to the City's Director of Finance, HB 418 would have a devastating impact on Mobile because the proposed rules would decrease the effective rate of tax on affected sales from 5% to approximately 2.8%;

3. The loss of those rightful tax revenues, generated by sales to Mobile citizens, would not only cause reductions in essential city services like police, fire and solid waste, it could also curtail major infrastructure projects that are integral to economic development efforts;

4. HB 418 is particularly unfair to Mobile's small business retailers who must compete against large companies, especially the big box retailers;

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

1. That the City Council does hereby voice its formal objection to this legislation;

2. That HB 418 legislation unduly benefits the large, out of state corporations at the expense of local small-business retailers and the Mobile citizens who pay these taxes;

3. That HB 418 is imprudent and unnecessary given the recent decision of the United States Supreme Court Case in the Wayfair case;

4. That the City Clerk is hereby directed to promptly send a certified copy of this Resolution to the Mobile local legislative delegation.

The resolution was read by the City Clerk; whereupon Councilmember Daves 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.

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 Consent Resolution 21-413 being introduced for the first time. The motion was seconded by Councilmember Rich, 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 TINDLE CONSTRUCTION, LLC FOR AUTOMATIC SLIDING DOOR AND CURTAINWALL REPLACEMENTS-WEST REGIONAL LIBRARY AND MOORER BRANCH LIBRARY (LI-140-17), \$60,652.00 (\$30,716.00 WEST REGIONAL LIBRARY; 2017 CIP #296, D4) (\$29,936.00 MOORER BRANCH LIBRARY; 2017 CIP #488, D7). The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 7, 2019.

RESOLUTION: 21-412-2019

Sponsored by: Councilmembers Williams and Gregory and Mayor Stimpson

MINUTES OF APRIL 30, 2019

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: Tindle Construction, LLC

Project name: Automatic Sliding Door and Curtainwall Replacements
West Regional Library (LI-140-17)
and Moorer Branch Library (LI-141-17)

Amount: \$30,716.00
\$29,936.00
\$60,652.00

AUTHORIZE CONTRACT WITH AEIKER CONSTRUCTION CORPORATION FOR MEDAL OF HONOR PARK-FIELD CONDITION IMPROVEMENTS-SOD, \$36,550.00 (2017 CIP #399, D6; PR-167B-17; C0063). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-413-2019

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: Aeiker Construction Corporation

Project name: Medal of Honor Park - Field Condition Improvements- Sod

Project number: PR-167B-17

Amount: \$36,550.00 (2017 CIP# 399, D6)

The resolution was read by the City Clerk; whereupon Councilmember Daves 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 THOMPSON ENGINEERING, INC. FOR MOBILE, ALABAMA CRUISE TERMINAL-NEW 150 TON MOORING BOLLARD, \$16,714.00 (CT-043-19; C0259). The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 7, 2019.

RESOLUTION: 21-414-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

MINUTES OF APRIL 30, 2019

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: Thompson Engineering, Inc.

Project name: Mobile, Alabama Cruise Terminal
New 150 Ton Mooring Bollard

Project number: CT-043-19

Amount: \$16,714.00

APPROVE THE APPLICATION OF WAYNE E. MCKATHAN AND MICHAEL R. MARTIN D/B/A PORT CITY PEDICAB, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A PEDICAB SERVICE. The following resolution was held over for one (1) week until the regular meeting of Tuesday, May 7, 2019.

RESOLUTION: 37-415-2019

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073, 2005, that the application of Wayne E. McKathan and Michael R. Martin d/b/a Port City Pedicab for a Certificate of Public Convenience and Necessity to operate a pedicab service is hereby approved. A copy of said application is on file in the office of the City Clerk.

ANNOUNCEMENTS:

Councilmember Small provided remarks regarding the success of the Crepe Myrtle Trail Ride and the Art & Paddle Peninsula Style events that took place in district three last weekend.

Councilmember Small urged citizens to report overgrown property to Mobile 311.

Councilmember Richardson invited the public to attend an event Friday, May 3, 2019, at 9:30 a.m. to unveil new welcome signs celebrating the historic Toulminville and Crichton Communities.

Councilmember Daves cautioned residents to observe signage related to street improvements on McGregor Avenue.

Councilmember Rich announced that the Public Services Committee meeting has been rescheduled for Tuesday, May 14, 2019, at 1:30 p.m. Discussion will focus on Ordinance 63-012 regarding tow trucks and wreckers.

Councilmember Gregory reported that the tire recycling event was well received and she hopes to see more events like this in the future.

Councilmember Daves moved to adjourn the meeting, 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 regular meeting adjourned at approximately 11:49 p.m.

Approved: May 7, 2019

MINUTES OF APRIL 30, 2019

COUNCIL VICE PRESIDENT

CITY CLERK