

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 16, 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 16, 2019, 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.

The Presiding Officer adjourned the meeting.

Approved: April 23, 2019

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 16, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, April 16, 2019, at 10:30 a.m., in regular meeting.

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

Pastor John C. George, Episcopal Church of the Good Shepard, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Council Vice President Manzie asked everyone to remain standing for a moment of silence to reflect on the recent fire at the Notre Dame Cathedral in Paris, France and for the recent burning of three historical black churches in Louisiana.

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 9, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson named Officer Tiffany Monte as “Officer of the Month” for March 2019.

Mayor Stimpson announced that Frontier Airlines will begin direct flights from Brookley Aeroplex to Denver, Colorado and Chicago, Illinois in May.

ADOPTION OF THE AGENDA:

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Councilmember Richardson moved to adopt the agenda and amend it by taking Resolutions 21-355 and 46-367 out of order, which move was seconded by Councilmember Daves, 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 as amended.

AUTHORIZE A PERFORMANCE CONTRACT WITH THE UNITED METHODIST INNER CITY MISSION TO OPERATE TAYLOR PARK RECREATION CENTER, PLAYGROUND, SWIMMING POOL AND WADING POOL, \$123,500.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, April 9, 2019 and held over for one (1) week until the regular meeting of April 16, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-355-2019

Sponsored by: Councilmember Small 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 facilities operation contract with The United Methodist Inner City Mission of Mobile, Inc., for maintenance and operation of the Taylor Park Recreation Center, Playground, Swimming Pool and Wading Pool in the amount of \$30,875.00 quarterly during the term of this Agreement, for a total annual payment of \$123,500.00 thereafter, 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 Small 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.

NAME THE WALKING TRAIL IN TAYLOR PARK THE "REVEREND TONNY ALGOOD WALKING TRAIL." The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 46-367-2019

Sponsored by: Councilmember Small

WHEREAS, Rev. Tonny H. Algood has dedicated himself to serving the disenfranchised, poor and vulnerable communities across our city through both his work and ministry; and

WHEREAS, as the Director of the Mobile Inner City Mission, Rev. Algood has touched the lives of countless citizens. The organization has played an instrumental role in the community with programs for our homeless neighbors, seniors and young people, which provide them the resources to succeed inside and outside the classroom; and

WHEREAS, he also served for many years as the Mobile Bar Association's Pro-Bono Program-Director and as an attorney - especially for those in underserved communities; and

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WHEREAS, as a leader in the organized labor movement, he has fought tirelessly representing our working men and women including those working in poultry processing, marine and ship building, and education industries; and

WHEREAS, Rev. Algood, after graduating from Millsaps College in Jackson, MS, went on to study at Springhill College here in Mobile before completing law school at Jones School of Law in Montgomery and continues to pursue his studies at Millsaps College; and

WHEREAS, Rev. Algood, who is married to Sharon, has two daughters, Jenea and Rachel, and one son, Eric, and one granddaughter, Cecilia.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the walking trail at Taylor Park be named after "Rev. Tonny Algood" in honor of his dedicated service to the citizens of Mobile.

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

Councilmember Small presented Reverend Algood with a proclamation naming the walking trail at Taylor Park in his honor.

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.

APPEALS:

The Council considered the request of Dr. Henry W. Roberts, II, The Life Center CDC, for a waiver of the noise ordinance on May 25, 2019, at Michael Figures Park, 658 Donald Street, from 3:00 p.m. until 6:00 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 Thomas Naman, Naman's Catering, for a waiver of the Noise Ordinance at 911 Dauphin Street on June 1, 2019, from 7:00 p.m. until 12:00 a.m. (midnight) (District 2).

Councilmember Daves moved to grant the waiver, 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.

PUBLIC HEARINGS:

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 703 EUCLID AVENUE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5).

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The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 703 Euclid Avenue is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 730 BANKHEAD PLACE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 730 Bankhead Place is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 614 MOHAWK STREET IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 614 Mohawk Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1004 ALBA STREET 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 1004 Alba Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1611 DUVAL STREET 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 1611 Duval Street is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DETERMINE IF THE STRUCTURE AT 1561 GREENLAWN DRIVE IS A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

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The Presiding Officer announced that today was the day for the public hearing to determine if the structure at 1561 Greenlawn Drive is a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Sylvia Reed, 1783 Princeton Woods Drive, West, offered commentary regarding Resolution 60-297.

NON-AGENDA ITEMS:

1. Timothy Hollis, 1924 Seale Street, asked when the lights would be turned on at Michael Figures Park.

2. Reggie Hill, 1007 Center Street, expressed his concerns about public safety.

3. David Preston, 4161 Winchester Drive, spoke about gun violence.

ORDINANCES HELD OVER:

ORDINANCE DEEMING VACANT PROPERTY ON DURANDE DRIVE NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO JPV-BTS, LLC. The following ordinance, which was introduced and read at the regular meeting of March 6, 2019 and held over until the regular meetings of March 14, 2019 and April 16, 2019, was called up by the Presiding Officer.

ORDINANCE: 88-010-2019

Sponsored by: Councilmember Daves 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 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 JPV-BTS, LLC.

SEE ATTACHED EXHIBIT "A"

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 and Sale Agreement for the property shown above.

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

SECTION FOUR: Michelle Melton, Deputy Director, Real Estate and Asset Management, of the City of Mobile, is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting

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documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION FIVE: Said Purchase and Sale 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, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION SIX: The proceeds from this sale to be placed in The Public Facility Improvement Fund.

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

EXHIBIT "A"

Legal Description

3.4 acres on Durande Drive, Key # 870249, **METES AND BOUNDS:** BEG NW COR LOT 22 DELWOOD SUB MBK 5/429 TH S ALG W/L SD SUB & W/L DELCAMP PPTY MBK 23/90 1490 FT(S) TH W 100 FT TH N ALG E/L DURANDE DR 1095 FT(S) TH W 10 FT(S) TH N 318 FT(S) TO S/L GRANT ST TH ALG S/L 109 FT(S) TO POB EXEMPT FOR CITY OF MOBILE #SEC 29 T4S R1W #MP29 09 29 2 000

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

AMEND CHAPTER 63 OF THE MOBILE CITY CODE PERTAINING TO RATES FOR WRECKER SERVICES. The following ordinance, which was introduced and read at the regular meeting of Tuesday, March 26, 2019 and held over until the meetings of April 2, 2019 and April 16, 2019, was called up by the Presiding Officer.

ORDINANCE: 63-012-2019

Sponsored by: Mayor Stimpson

AN ORDINANCE TO AMEND MOBILE CITY CODE CHAPTER 63 PERTAINING TO WRECKER SERVICE

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

I. Chapter 63, Wrecker Service, Article I-Rates, Section 13, Rates, of the Municipal Code of the City of Mobile is hereby amended to read in its entirety as follows:

The following provisions apply to wrecker companies dispatched by the City police department to respond to traffic hazards or to tow a vehicle to the city impound lot:

(1) The rates for towing services provided:

a. One hundred twenty-five dollars (\$125.00) for each vehicle towed from one (1) point in the city to any other point within the city with a gross vehicle weight of less than ten thousand (10,000) pounds, plus an additional charge of fifteen dollars (\$15.00) after the first one and one-half (1/2) hours.

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b. In addition to the tow charge, each wrecker company shall be permitted to charge not more than fifteen dollars (\$15.00) for each tire required to be changed at the scene of any wreck; fifteen dollars (\$15.00) for pulling the drive shaft of any vehicle should the same be required; and thirty dollars (\$30.00) for the use of any dolly used on any vehicle if required.

(1) In addition to the tow charge, each wrecker shall be permitted to charge not more than ten dollars (\$10.00) per bag for use of oil absorbent material used at the scene of any wreck.

c. Each wrecker company may charge fifteen dollars (\$15.00) per full hour if its vehicle is required to remain at the scene of an accident for more than one (1) hour, at the direction of MFD, and no wrecker business is performed.

d. Whenever the owner of a wrecked or disabled vehicle has directed at the scene that the vehicle be towed to a certain place within the city, then then the wrecker company shall not make any additional charge for moving the vehicle to the destination selected by the owner.

e. A charge of one hundred fifty dollars (\$150.00) per hour may be charged by the wrecker company when it is necessary to use a large wrecker as defined in this chapter to remove the wrecked or disabled vehicle; and an additional charge of one hundred fifty dollars (\$150.00) per hour for each additional large wrecker requested by or consented to by the police officer in charge of the scene may be charged.

f. Wrecker company may charge \$10.00 per bag for the use of oil absorbent material used at the scene of a wreck.

Sec. 63-32. - Application.

Each application for a wrecker permit issued hereunder shall be accompanied by an administrative fee to cover the cost of the application investigation in an amount as may be determined, from time to time, by the Chief of Police and shall be made upon blank forms prepared and made available by the City and shall state:

(1) The name, home address and proposed business address of the applicant.

(2) The location, description and hourly availability of the wreckers owned, or to be operated, by the applicant.

(3) A description by street number and the outside dimensions of the space that the applicant has available which must be able to accommodate the storage of vehicles in a secure area.

(4) The number and types of wreckers, including a description thereof, to be operated by the applicant.

(5) Such other information as the city shall find reasonably necessary to effectuate the purposes of this chapter.

Chapter 63, Wrecker Service, Article II - Permit, Section 33, Standards for Issuance, of the Municipal Code of the City of Mobile is hereby amended to read in its entirety as follows:

Sec. 63-33. - Standards for issuance.

Every wrecker proposed to be used by the applicant shall meet the following minimum standards:

(1) Factory recommended three-quarter-ton capacity dual wheels. Dummy dual wheels are prohibited.

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(2) A power winch, winch line and boom with a factory rated lifting capacity or a tested capacity of not less than eight thousand (8,000) pounds' single line capacity. The wrecker company shall provide documentation of lifting capacity from the factory or qualified testing facility.

(3) A rubber cradle or cradles attached to the wrecker in order to prevent any vehicle being hauled or towed from being further damaged by coasting, rocking, swinging or slamming into the wrecker or any part thereof.

(4) Tow bars, safety chains, a fire extinguisher mounted in an accessible location, wrecking bars, minimum of three (3) flares, brooms, shovel and an axe. There shall be further proof furnished that the wrecker company has one (1) dolly available for its wreckers when and if necessary, and that the name or number of the wrecking company be permanently affixed to the dolly.

(5) A flashing yellow or amber light shall be affixed above the top of the cabin of the wrecker; however, sirens are prohibited.

(6) A minimum of one hundred (100) feet of three-eighths-inch cable.

(7) A sufficient amount of oil absorbent material to completely remove the petroleum products that might be discharged from or by at least two full-sized motor vehicles.

(8) The name, address and telephone number of the wrecker company permanently affixed and displayed in letters clearly visible from one hundred (100) feet on both sides. The letters for the name shall be at least four (4) inches high and letters for the address and telephone numbers shall be at least two (2) inches high.

(9) Nothing on vehicles, buildings, equipment, clothing or correspondence implying any official relationship between the wrecker company and any law enforcement agency.

(10) Clearance and marker lights and all other equipment as required by law.

(11) Dual rear adjustable floodlights with a minimum of twenty thousand (20,000) candlepower each.

(12) In addition to the above requirements of subsections (1) through (7), large wreckers shall be required to be equipped with the following additional items in order to be issued a permit from the chief of police as set forth herein:

a. Air control valve for the purpose of providing braking capability for the vehicle or trailer being towed or removed.

b. Two (2) metal chock blocks to prevent rolling, or slippage of the wrecker. These chock blocks should have the capability of being tied to the wrecker and of a width equal to that of the dual wheels of the wrecker.

c. A minimum of two hundred (200) feet of cable on each drum at least five-eighths inch in diameter.

d. Air brakes so constructed as to lock the rear wheels automatically upon failure and to supply air to disabled vehicles.

e. One (1) pair of bolt cutters with a minimum one-half-inch opening; two (2) fire extinguishers mounted in an accessible location; external air hookups and hoses; at least six (6) safety cones or triangle reflectors; and fifty (50) pounds of sand or suitable equivalent.

(13) Wrecker operators or wrecker companies who wish to remove cars and light trucks may have a "flatbed," "roll-back," or "slide-back" carrier with specifications and equipment as follows. These are wreckers which are used to pick up burned vehicles,

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sports vehicles (to prevent damage to plastic front ends), small trailers and boats and to transport cargo from an accident scene:

- a. A minimum of a one-ton truck with a sixteen-foot bed, dual wheels and one (1) power winch with an eight thousand-pound capacity.
- b. A minimum of fifty (50) feet of three-eighths-inch cable.
- c. A brake lock device.
- d. A minimum of two (2) safety tie down chains ten (10) feet in length.
- e. One (1) fire extinguisher.
- f. The requirements of subsections (5), (7), (8), (9), (11), and any other section of this chapter which would apply to wreckers or wrecker companies in a general fashion.

(14) The deposit of the following insurance policies with the revenue department of the City:

- a. A garage keeper's legal liability policy covering fire, windstorm, theft and explosion which includes collision coverage for non-owned vehicles and "on hook" coverage in the minimum amount of one hundred thousand dollars (\$100,000.00), subject to a deductible clause of no more than two hundred fifty dollars (\$250.00).
- b. A garage liability policy or policies covering the operation of applicant's business equipment or vehicles, and premises liability for any bodily injury or property damage to third parties from vehicle use or on premises. This policy shall be in the amount of one hundred thousand dollars (\$100,000.00) for any one (1) person killed or injured, three hundred thousand dollars (\$300,000.00) for more than one (1) person injured or killed in any one (1) accident, and fifty thousand dollars (\$50,000.00) for all property damage arising out of any one (1) accident. The requirements of this provision may be met with a single limit policy or policies of at least three hundred fifty thousand dollars (\$350,000.00).
- c. Each policy required hereunder shall contain an endorsement providing for thirty (30) days' notice to the revenue officer of the City and the chief of police or his designated representative prior to any material change therein or cancellation thereof.

Sec. 63-35

All permits will be valid for two (2) years. New applications must be submitted every two (2) years to MPD to be eligible to participate on the wrecker list.

III. Chapter 63, Wrecker Service, Article III - Permit, Section 33, Requirements for placement on rotation lists, of the Municipal Code of the City of Mobile is hereby amended to read in its entirety as follows:

Sec. 63-52. - Requirements for placement on rotation lists.

(a) The police department shall maintain three (3) wrecker rotation lists. One list shall include all qualified wrecker companies operating large wreckers as defined in this chapter. A second list shall include all qualified wrecker companies operating certified hazardous materials wreckers as defined in this chapter. The third list shall include all qualified, wrecker companies operating wreckers other than large or hazardous materials wreckers.

Inclusion in one list shall not mandate exclusion from either of the other two lists. In order for a company to qualify for inclusion in any of these rotation lists it must meet all the requirements of this chapter and, in addition thereto, must meet the requirements set out in paragraph (b) herein below.

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(b) To qualify for inclusion on a rotation list, a wrecker company must:

(1) Maintain a duly licensed business within the city's limits or its police jurisdiction with a separate business license for each and every geographic location out of which the wrecker company will house and/or dispatch wreckers.

(2) Complete and execute an application form supplied by the police department, which form may be amended from time to time at the discretion of the police department.

(3) Maintain twenty-four-hour wrecker service seven (7) days per week, with a wrecker operator and wrecker on call at all times at its place of business. Answering services shall not be permitted because time is of the essence in responding to wrecker calls.

(4) All wreckers and towing vehicles dispatched in response to calls or requests for tows shall depart from the company's place of business (as defined in section 63-2 above).

(5) Respond to all calls for tows using vehicles and equipment which belong to the called company. No subcontracted, substitute or replacement vehicles will be allowed, unless approved in advance in writing by the City's chief of police.

(6) When dispatched as the closest wrecker, arrive on the scene within the times specified in section 63-59 herein.

(7) Be active participants in good standing on the lists of companies that tow impounded vehicles pursuant to section 61-101 et seq., of the City Code, and execute the form entitled "Conditions for Participating in the City of Mobile Wrecker/Towing Call List(s)."

(8) Pick up, remove from the scene (including the roadway and any road shoulder or gutter) and properly dispose of all debris, including but not limited to all glass and plastic fragments, at the time of towing.

(9) Wrecker companies must submit a picture of oil absorbent material used on scene attached to the invoice for payment.

IV. Article V.-Miscellaneous.

DIVISION I.-Invoices

All invoices must be submitted for payment within thirty (30) days of service rendered. Any invoices submitted after ninety (90) days of service shall be considered delinquent and will not be paid by the City of Mobile.

DIVISION 2.-REPOSSESSION WRECKERS

Sec. 63-63. Exemption.

Wreckers which are solely used for the purpose of repossessing vehicles for credit or financing agencies shall be exempt from the provisions of this chapter, but in no event shall such a wrecker be allowed to be on any wrecker rotation list of the City.

DIVISION 3. - HAZARDOUS MATERIALS REQUIREMENTS

Sec. 63-64. - Emergency Response Guidebook.

It shall be the duty of each wrecker company owner listed on the hazardous materials wreckers list to ensure that each wrecker responding pursuant to the terms of this chapter is properly certified by DOT and has the proper insurance riders for hazardous materials in accordance with federal guidelines along with a copy of the current edition of the U.S. Department of Transportation Emergency Response Guidebook contained within the cab of the wrecker. Also, the owner of the wrecker company shall have a duty to ensure that all personnel who may respond to an incident pursuant to the terms and

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provisions of this chapter shall receive hazardous materials training on an annual basis regarding the Department of Transportation's guidelines on the following topics:

- (1) Awareness/operational level training;
- (2) Incident command systems and procedures;
- (3) DOT'S Emergency Response Guidebook (Current Edition).

V. Remaining provisions are unchanged.

Except as hereinabove specifically stated, the remaining terms and provisions of the Chapter 63, Wrecker Service, of the Municipal Code of the City of Mobile remain in full force and effect, unchanged by these Amendments.

The ordinance was read by the City Clerk; whereupon Councilmember Rich moved that the ordinance be held over until the regular meeting of May 7, 2019, 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 ordinance held over.

REZONE PROPERTY AT 3801 MOFFETT ROAD (WEST SIDE OF MOFFETT ROAD AT THE WEST TERMINUS OF STIMPSON LANE), FROM R-1, B-2 AND B-3 TO B-3 (DISTRICT 7). The following ordinance was held over for one (1) week until the regular meeting of Tuesday, April 16, 2019.

ORDINANCE: 64-017-2019

Sponsored by: Councilmember Gregory

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, (SAH) 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:

LOT 15 FRY TRACT AS RECORDED IN DEED BOOK 156 PAGE 268-270 PROBATE COURT RECORDS, MOBILE COUNTY ALABAMA.

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

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

The ordinance was read by the City Clerk; whereupon Councilmember Gregory moved that the ordinance 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 ordinance adopted.

STATE OF ALABAMA)
COUNTY OF MOBILE)

I, Lisa C. Lambert, City Clerk of Mobile, Alabama, hereby certify that Ordinance No. 02-015 Series 2019 was published in the Lagniappe, a newspaper of general circulation in the City and County of Mobile, Alabama, on April 24, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand on this 24th day of April, 2019.



City Clerk

CONSENT RESOLUTIONS HELD OVER:

URGE LEGISLATIVE DELEGATION TO ADOPT REGULATIONS TO PERMIT CLASS 2 MUNICIPALITIES TO ADOPT REASONABLE REGULATIONS TO PREVENT THE THEFT OF FIREARMS FROM UNLOCKED VEHICLES. The following resolution, which was introduced and read at the regular meeting of Tuesday, March 26, 2019 and held over until the regular meetings of April 9, 2019 and April 16, 2019, was called up by the Presiding Officer.

RESOLUTION: 60-297-2019

Sponsored by: Councilmember Small

Whereas, people in Mobile experience a high number of automobile burglaries; and

Whereas, a significant number of the auto burglaries that occur in Mobile result in guns or ammunition being stolen from vehicles; and

Whereas, the Mobile Police Department estimates that there were approximately 1200 firearms reported stolen during auto burglaries in 2018 and, of those, 80% of the firearms were taken from vehicles that were unlocked; and

Whereas, stolen weapons are often used to commit crimes in the city; and

Whereas, in the last year the City of Mobile has suffered the loss of two police officers, who were both killed with firearms stolen from vehicles; and

Whereas, the Alabama legislature has preempted local regulation of firearms (Ala. Code §13A-11-61.3) so that the City Council is unable to take any legislative action to insure the safety and welfare of its citizens; and

Whereas, the rights guaranteed by the Second Amendment to the United States Constitution to keep and bear arms carries with it the obligation to be responsible with such weapons; and

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the local legislative delegation is requested and urged to prepare and support legislation that would permit Class 2 municipalities to adopt reasonable regulations to prevent the theft of firearms from unlocked vehicles such as mandatory reporting requirements when weapons are stolen; declaring weapons left in unsecured vehicles as public nuisance; requiring all gun owners to secure their weapons in a responsible manner; authorizing the imposition of civil penalties for failure to properly secure weapons in a vehicle, and other measures that would protect the public.

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

Councilmember Daves then moved to amend the ordinance as follows, which move was seconded by Councilmember Richardson.

Whereas, people in Mobile experience a high number of automobile burglaries; and

Whereas, a significant number of the auto burglaries that occur in Mobile result in guns or ammunition being stolen from vehicles; and

Whereas, the Mobile Police Department estimates that there were approximately 1200 firearms reported stolen during auto burglaries in 2018 and, of those, 80% of the firearms were taken from vehicles that were unlocked; and

Whereas, stolen weapons are often used to commit crimes in the city; and

Whereas, in the last year the City of Mobile has suffered the loss of two police officers, who were both killed with firearms stolen from vehicles; and

Whereas, the Alabama legislature has preempted local regulation of firearms {Ala. Code §13A-11-61.3) so that the city council is unable to take any legislative action to insure the safety and welfare of its citizens; and

Whereas, the rights guaranteed by the Second Amendment to the United States Constitution to keep and bear arms carries with it the obligation to be responsible with such weapons; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the local legislative delegation is requested to speedily enact HB 375 and HB 282; and urged to prepare and support legislation that would permit Class 2 municipalities to adopt reasonable regulations to prevent the theft of firearms from unlocked vehicles.

The Presiding Officer called for a vote on the amendment 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.

The Presiding Officer then called for a vote on the original motion as amended. Following comments from Councilmembers Manzie, Richardson, Small and Williams 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.

MINUTES OF APRIL 16, 2019

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A MANUFACTURER LICENSE FOR OLD MAJESTIC BREWING 656 ST. LOUIS STREET. The following resolution, which was introduced and read at the regular meeting of Tuesday, April 9, 2019 and held over for one (1) week until the regular meeting of April 16, 2019, was called up by the Presiding Officer.

RESOLUTION: 37-343-2019

Sponsored by: Councilmember Manzie

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: Manufacturer License

Submitted by: Old Majestic Brewing Company, LLC

Location: Old Majestic Brewing
656 St. Louis Street
Mobile, AL 36602

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 CRUISE AND PORT ADVISORS, INC. TO PROVIDE CONSULTING SERVICES REGARDING THE CRUISE SHIP INDUSTRY, \$68,400.00 PLUS INCENTIVES. The following resolution, which was introduced and read at the regular meeting of Tuesday, April 9, 2019 and held over for one (1) week until the regular meeting of April 16, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-353-2019

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 Cruise and Port Advisors, Inc., for consulting 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. 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.

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AUTHORIZE CONTRACT WITH TRANE US, INC. FOR DDC CONTROLS SYSTEM INSPECTION AND PREVENTATIVE MAINTENANCE AT THE WEST REGIONAL PUBLIC LIBRARY AND THE BEN MAY (MAIN) PUBLIC LIBRARY (1-YEAR SERVICE CONTRACT); \$10,123.00; FM-107-19 (10043035.42150). The following resolution, which was introduced and read at the regular meeting of Tuesday, April 9, 2019 and held over for one (1) week until the regular meeting of April 16, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-354-2019

Sponsored by: Councilmembers Rich and Manzie and Mayor Stimpson

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

Name of company: TRANE U.S. INC.

Project name: WEST REGIONAL PUBLIC LIBRARY and
BEN MAY (MAIN) PUBLIC LIBRARY
DDC CONTROLS SYSTEM INSPECTION AND
PREVENTATIVE MAINTENANCE
(1-YEAR SERVICE CONTRACT)

Project number: FM-107-19

Amount: \$10,123.00

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 CONTRACT WITH MCCRORY & WILLIAMS, INC. FOR 2018 PAYGO-NORTH MCGREGOR AVENUE RECONSTRUCTION FROM OLD SHELL ROAD TO SPRINGHILL AVENUE, \$125,000.00 (C0435). The following resolution, which was introduced and read at the regular meeting of Tuesday, April 9, 2019 and held over for one (1) week until the regular meeting of April 16, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-356-2019

Sponsored by: Councilmember 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.

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Project name: 2018 PAYGO - N. McGregor Ave. Reconstruction from
Old Shell Road to Springhill Ave., District 7

COM project co.: 2019-3005-19

Estimated cost: \$125,000.00

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory. Following comments from Councilmember Gregory 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 CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-358 – 60-389 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT TERESA TESSNER TO THE MOBILE TREE COMMISSION. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-358-2019

Sponsored by: Councilmember Williams

BE IT RESOLVED BY THE. CITY COUNCIL OF MOBILE, ALABAMA, that Teresa Tessner is hereby appointed to the Mobile Tree Commission effective immediately.

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

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

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

APPROVE REQUISITIONS OVER \$7,500.00 FOR THE WEEK OF APRIL 8, 2019. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 08-359-2019

Sponsored by: Mayor Stimpson

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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>9328</u>	2019	(F6060) WAVE TRANSIT SYSTEM	PRE-ORDER DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$16,987.50	(279229) PETROLEUM TRADERS CORPORATION
<u>9008</u>	2019	(1510) FIRE ADMINISTRATION	5 MOBILE FIRE-HOSE DRYERS, MODEL GRMHD-80 (PRICE QUOTE)	\$7,700.00	(291663) FELD FIRE
<u>8480</u>	2019	(2084) SOLID WASTE	588 Toter TRASH CARTS AND LIDS (NATIONAL IPA COOP PURCHASING AGREEMENT)	\$64,435.96	(205975) TOTER LLC
<u>8206</u>	2019	(2012) PARKS MAINTENANCE	SUMMER 2019 ANNUAL BEDDING PLANTS: 750 SUNFLOWERS, 2000 ORNAMENTAL PEPPERS, 1500 WHITE ZINNAS, 1500 SLAMON ZINNAS, 2000 VINCA CORA, 1000 OSTEOSPERMUM, 1000 ORNAMENTAL MILLET (PRICE QUOTE)	\$8,868.75	(293956) COACH'S CEDAR CREEK FARM INC

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR-CLASS 1 LICENSE FOR BUBBLE LOUNGE, 5546 OLD SHELL ROAD, SUITES B & C. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-360-2019

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: Lounge Retail Liquor-Class 1 License

Submitted by: Twilight Industries, Inc.

Location: Bubble Lounge
5546 Old Shell Road, Suites B & C
Mobile, AL 36602

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

Ayes: Richardson, Manzie, Small, Williams, Daves, 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 703 EUCLID AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-361-2019

Sponsored by: Councilmember Daves

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 structure at 703 Euclid Avenue 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. 7, 8 and 15;

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 703 Euclid Avenue described as:

LOT 2 BIK 14 BON AIR ESTS DBK 156 P 374 #SEC 29 T4S RIW #MP29 09 29 4 001

Parcel number: 29 09 29 4 GDI 105

Last assessed to: RONNIE L. MCBRIDE

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 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.

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DECLARE THE STRUCTURE AT 730 BANKHEAD PLACE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-362-2019

Sponsored by: Councilmember Daves

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 structure at 730 Bankhead Place 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. 7, 8 and 15;

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 730 Bankhead Place described as:

LOT 11 BANKHEAD PL MBK 6 P 515 #SEC 29 T4S RIW #MP29 09 29 4002

Parcel number: 29 09 29 4 002 015

Last assessed to: MILFRED E. HOWARD

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 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.

DECLARE THE STRUCTURE AT 614 MOHAWK STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-363-2019

Sponsored by: Councilmember Daves

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,

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the structure at 614 Mohawk 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. 7, 8 and 15;

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 614 Mohawk Street described as:

LOT 18 & PART OF LOT 17 DESC AS FOIL C0M6 PT WHERE BP LINE BEG SD LOT 17 & 18 IIMT WITH MOHAWK ST AS POB TH SWLY DIR ALG FRONT LINE OF SD LOT 17. 20 FT M/L TO PT TH RUN IN NWLY DIR PAR TO SD BP LINE BET LOTS 17 & 18 TO PT ON REAR LINE OF LOT 17 TH RUN IN NELY DIR ALG REAR LINE OF LOT 17. 20 T M/L TO PT ON SD BP LINE LOT 17 & 18 TH RUN IN SELY DIR ALG BP LINE OF LOT 17 & 18 TO POB BEING IN BLK 5 BON AIR ESTS DBK156/374 #SEC 29 T4S RIW #MP29 09 29 1003

Parcel number: 29 09 29 1 003 008

Last assessed to: WILLIE E. AND LAKEYSHIA G. KNIGHT

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 62, 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 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.

DECLARE THE STRUCTURE AT 1004 ALBA STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DITRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-364-2019

Sponsored by: Councilmember Small

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 1004 Alba 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;

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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, 6, 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 1004 Alba Street as:

THE S 1/2 OF LOT 26 COWAN SUB DBK 77 N S PG 357 DESC AS BEG AT SE COR OF LOT 26 RUN THEM WLY ALG N/L OF (FRANKLIN ST) ALBA ST 47 FT TO PT RUN THEN MLY ALG W/L OF SAID LOT 55 TO Pt THEN RUN ELY & PAR WITH SAID FRANKLIN ST) ALBA ST 47 FT TO E/L OF LOT & RUN THEN SLY ALG E/L 55 FT TO PT OF BEG #SEC34 T4S RIW #MP29 11 341001

Parcel number: 29 11341001045

Last assessed to: HABITAT FOR HUMANITY OF SOUTHWEST ALABAMA

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 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.

DECLARE THE STRUCTURE AT 1611 DUVAL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTIN: 40-365-2019

Sponsored by: Councilmember Small

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 1611 Duval 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

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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 1611 Duval Street as:

LOTS 5 & 6 BLK 2 OLLINGER & STEIN SUB PART OF SQR 5 MANDEVILLE TRT DBK 128 P 101 #SEC 36 T4S RIW #MP29 11 36 0 004

Parcel number: 29 1136 0 004 039

Last assessed to: DARLECHA CATRINIA SOLOMON

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 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.

DECLARE THE STRUCTURE AT 1561 GREENLAWN DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-366-2019

Sponsored by: Councilmember Williams

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 1561 Greenlawn Drive has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8 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 1561 Greenlawn Drive as:

LOT 88 MORNINGSIDE MANOR 1ST UNIT MBK 6 P 431r32 #SEC 5 T5S RIW #MP32 02 05 0 001

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Parcel number: 32 02 05 0 001066

Last assessed to: MICHAEL LAI

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 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.

APPROVE AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH, TIFFANY MONTE, \$500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-368-2019

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
Monte	Tiffany	Officer of the Month	March 2019

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

Ayes: Richardson, Manzie, Small, Williams, Daves, 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 THE SUGAR CREEK HOMEOWNERS ASSOCIATION SERVES A PUBLIC PURPOSE AND

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APPROVE PAYMENT, \$3,500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-369-2019

Sponsored by: Councilmember Rich

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

WHEREAS, Councilmember Rich wishes to donate \$3,500.00 to the Sugar Creek Homeowners Association, Inc., 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 Sugar Creek Homeowners Association, Inc., will be used to assist with installation of security cameras with license plate reader integrated with the Mobile Police Dept., Project Shield 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 Sugar Creek Homeowners Association, Inc., 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 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.

NOMINATE THE FOLLOWING FOR CONSIDERATION AS MEMBERS OF THE MOBILE COUNTY BOARD OF EQUALIZATION: DR. ARNOLD LUTERMAN, KIRK MATTEI AND DR. MILTON E. SAFFOLD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-370-2019

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following persons are hereby nominated for consideration as members of the Mobile County Board of Equalization:

Dr. Arnold Luterman

Kirk Mattel

Dr. Milton E. Saffold

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

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

Nays: None

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

OPPOSE SENATE BILL 264 RELATING TO THE MANAGEMENT AND CONTROL OF LOCAL RIGHTS-OF-WAY. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-389-2019

Sponsored by: City Council

A RESOLUTION IN OPPOSITION TO SENATE BILL 264 RELATING TO THE MANAGEMENT AND CONTROL OF LOCAL RIGHTS OF WAY

WHEREAS, in order to provide for the health, safety and well-being of its citizens, as well as to ensure the structural integrity of its streets, the City strives to keep its streets, sidewalks, and other rights-of-way in a state of good repair and free from unnecessary encumbrances;

WHEREAS, the City holds the rights-of-way within its geographical boundaries as an asset in trust for its citizens. The City and other public entities have invested millions of dollars in public funds to build and maintain the rights-of-way;

WHEREAS, a fundamental role of local government is to manage and control its rights-of-way;

WHEREAS, Chapter 57 of the Mobile City Code prescribes reasonable regulations that permit a variety of users of public rights of way to provide services within the city;

WHEREAS, Senate Bill 264, which is now pending the legislature, unnecessarily usurps local control of public rights of way and:

- allows the installation of utility poles and wireless facilities within City owned rights-of-way as a matter of right;
- preempts the ability of local governments to adopt ordinances in conflict with this legislation or to fashion different legislation to address this subject matter at the local level;
- does not strike an appropriate balance between the need for deployment of wireless broadband infrastructure and the need for local governments to manage its own rights-of-way;
- exempts power utility companies from the collocation requirements thereby creating an incentive for the placement of new poles in local government right-of-way;
- imposes exacting and unrealistic application review, processing, and permit issuance standards on local governments;
- prohibits local governments from charging in excess of \$100 per pole, per year, for the placement of new wireless infrastructure poles in local government rights-of-way;
- allows utility poles in the right-of-way to be as high as 50 feet from grade or 10 percent taller than any existing pole within 500 feet; may result in a proliferation of aesthetically objectionable utility poles in city-owned right-of-way.

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

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

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2. This legislation unduly benefits the wireless industry at the expense of local government's ability to manage its rights-of-way;
3. This legislation needs to be restructured with greater deference given to local governments and local control of rights-of-way; and
4. A copy of this Resolution be provided to the Mobile local legislative delegation as soon as possible.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, 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 Resolutions 01-371 – 21-375 being introduced for the first time. The motion was seconded by Councilmember Small, 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.

Councilmember Williams moved to except Resolutions 01-371 and 21-372 from immediate consideration, which move 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 Resolutions 01-371 and 21-372 excepted from immediate consideration.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR AIRPORT BOULEVARD INTERSECTION IMPROVEMENT/CONGESTION MANAGEMENT (UNIVERSITY TO HILLCREST), \$500,000.00 (CITY MATCH-\$125,000.00). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 01-371-2019

Sponsored by: Councilmember Rich and Mayor Stimpson

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

That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Intersection improvements-congestion management process-Airport Boulevard from University Boulevard to Hillcrest Road; Project # STPIV1B-4918(); CPMS # 100066707;

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Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on file by the City.

AUTHORIZE CONTRACT WITH CHRIS BREWER CONTRACTING, INC. FOR 2019 CIP 2019 CITY WIDE ANNUAL SIDEWALK REPAIR & MAINTENANCE, \$714,040.00 (2019 CIP #2017-30, 98, 201, 266, 337, 393, 449) DISTRICTS 1-7. The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-372-2019

Sponsored by: City Council and Mayor Stimpson

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

Name of company: Chris Brewer Contracting, Inc.

Project name: 2019 CIP 2019 City Wide Annual Sidewalk Repair & Maintenance (D1-7, #2017-30, 98, 201, 266, 337, 393, 449)

COM project no.: 2019-3005-02

Estimated cost: \$714,040.00

AUTHORIZE CONTRACT WITH LOWER ALABAMA HEATING, COOLING & REFRIGERATION FOR VAULT COOLING SYSTEM REPLACEMENT AT THE MOBILE PUBLIC LIBRARY-LOCAL HISTORY & GENEALOGY BRANCH; \$14,700.00; MP-104-19 (C0154, 20002000-48010; 2018 CIP ID#2017-166 DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-373-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: LOWER ALABAMA HEATING, COOLING AND REFRIGERATION, LLC

Project name: MOBILE PUBLIC LIBRARY - LOCAL HISTORY AND GENEALOGY BRANCH
VAULT COOLING SYSTEM REPLACEMENT

Project number: MP-104-19

Amount: \$14,700.00
(2018 CIP ID #2017-166 DISTRICT 2)

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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, 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 MAYHALL SERVICE GROUP, INC. D/B/A SERVPRO OF SOUTH MOBILE COUNTY, FOR ENVIRONMENTAL REMEDIATION AT THE GYMNASTICS FACILITY AT MEDAL OF HONOR PARK; \$14,000.00; SR-027-19 (C0454, 20002000-42200, 2019 CIP ID #1059 D6). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-374-2019

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: MAYHALL SERVICE GROUP INC D/B/A
SERVPRO OF SOUTH MOBILE COUNTY

Project name: MEDAL OF HONOR PARK - GYMNASTICS FACILITY
ENVIRONMENTAL REMEDIATION

Project number: SR-027-19

Amount: \$14,000.00
(2019 CIP ID#10.59 DISTRICT 6)

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, 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 SOUTHERN EARTH SCIENCES, INC. FOR TRINITY GARDENS AREA-2018 STREET AND DRAINAGE IMPROVEMENTS (WARSAW AVENUE, ESAU AVENUE, HARPER AVENUE, GREENBACK DRIVE AND RIDGEWAY STREET) (D1, #1013). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-375-2019

Sponsored by: Councilmember 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

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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: Southern Earth Sciences, Inc.

Project name: 2019 CIP Trinity Gardens Area-2018 Street and Drainage Improvements (Warsaw Ave, Esau Ave, Harper Ave, Greenback Dr. and Ridgeway St.) D1, #1013)

COM project no.: 2018-3005-16

Estimated cost: \$15,500.00

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, 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 AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR DAUPHIN STREET INTERSECTION IMPROVEMENT CONGESTION MANAGEMENT PROJECT (SAGE AVENUE TO SPRINGHILL HOSPITAL), \$500,000.00 (CITY'S SHARE \$125,000.00). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 01-376-2019

Sponsored by: Councilmembers Richardson and Daves and Mayor Stimpson

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

That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Intersection Improvements-congestion management process-Dauphin Street from Sage Avenue to Springhill Hospital; Project # STPMB-4918(); CPMS # 100066705;

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on file by the City.

TRANSFER \$390.00 FROM MAYOR STIMPSON'S AND COUNCILMEMBER RICHARDSON'S DISCRETIONARY ACCOUNTS FOR THE ANNUAL TRINITY GARDENS COMMUNITY FESTIVAL (TOTAL \$780.00). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 09-377-2019

Sponsored by: Councilmember Richardson and Mayor Stimpson

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$780.00 to be transferred from the:

- General Fund (\$390.00), Mayor William Stimpson Discretionary Account DSC-08, General Fund Account #10040580-42080 to the Parks & Recreation Department, General Fund Account 10002032-34497, to be used to help pay for the rental fees charged to the Bay Area Women Coalition, Inc. for the Annual Trinity Gardens Community Festival 2019 to be held on April 13, 2019 from 10:00 am to 4:00 pm and,
- General Fund (\$390.00), District 1 - Councilmember Fred Richardson Discretionary Account DSC-01, General Fund Account 10041020-42080 to the Parks & Recreation Department, General Fund Account 10002032-34497, to be used to help pay for the rental fees charged to the Bay Area Women Coalition, Inc. for the Annual Trinity Gardens Community Festival 2019 to be held on April 13, 2019 from 10:00 am to 4:00 pm.

AUTHORIZE A PERFORMANCE CONTRACT WITH THE MOBILE CITY YOUTH ATHLETIC BOARD, \$100,410.73. The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-378-2019

Sponsored by: 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 performance contract, by and between the City of Mobile and Mobile City Youth Athletic Board. A copy of said contract is on file in the office of the City Clerk.

AUTHORIZE CONTRACT WITH ALLEN SOUTHERN ELECTRIC MOTOR SERVICES, INC. FOR REMOVAL, REPAIR AND RE-INSTALLATION OF 40-HP MOTOR AND VERTICAL TURBINE PUMP AT THE MOBILE CIVIC CENTER; \$15,643.00; MP-114-19 (C0040, 20002000-42150). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-379-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: ALLEN SOUTHERN ELECTRIC MOTOR SERVICES INC

Project name: MOBILE CIVIC CENTER REMOVE, REPAIR & RE-INSTALL 40-HP MOTOR & VERTICAL PUMP

Project number: MP-114-19

Amount: \$15,643.00

AUTHORIZE A PERFORMANCE CONTRACT WITH THE MOBILE AREA EDUCATION FOUNDATION, \$73,500.00. The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-380-2019

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Sponsored by: 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 performance contract, by and between the City of Mobile and Mobile Area Education Foundation. A copy of said contract is on file in the office of the City Clerk.

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH WILLIAM SHAW, CYBER-ANALYST/CYBER-INTELLIGENCE SPECIALIST (DEPARTMENT OF JUSTICE SEXUAL ASSAULT KIT INITIATIVE). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-381-2019

Sponsored by: 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 professional services contract, by and between the City of Mobile and WILLIAM SHAW. A Copy of said contract is on file in the office of the City Clerk.

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH TRAVIS DANNELEY, CYBER-ANALYST/CYBER-INTELLIGENCE SPECIALIST (DEPARTMENT OF JUSTICE SEXUAL ASSAULT KIT INITIATIVE). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-382-2019

Sponsored by: 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 professional services contract, by and between the City of Mobile and TRAVIS DANNELEY. A Copy of said contract is on file in the office of the City Clerk.

AUTHORIZE PERFORMANCE CONTRACT WITH THE MOBILE MUSEUM BOARD, \$1,150,000.00. The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-383-2019

Sponsored by: 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 performance contract, by and between the City of Mobile and Mobile Museum Board, Inc. A copy of said contract is on file in the office of the City Clerk.

AUTHORIZE CONTRACT WITH LEWIS ENGINEERING & ASSOCIATES, INC. FOR CONSULTING SERVICES-CHILLER REPLACEMENT AT THE POLICE SPECIAL OPERATIONS OFFICE; \$19,050.00; MP-118-19 (CO455, 20002000-42200). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-384-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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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: LEWIS ENGINEERING & ASSOCIATES, INC.

Project name: POLICE SPECIAL OPERATIONS
850 ST ANTHONY STREET
CHILLER REPLACEMENT - CONSULTANT SERVICES

Project number: MP-118-19

Amount: \$19,050.00

AUTHORIZE CONTRACT WITH TINDLE CONSTRUCTION, LLC FOR SAENGER THEATER-VORTEK HOIST DRIVE REPLACEMENT & PROGRAMMING, \$18,160.00 (CL-044-19; C0061). The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 21-385-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Tindle Construction, LLC

Project name: Saenger Theater
Vortek Hoist Drive Replacement & Programming

Project number: CL-044-19

Amount: \$18,160.00

ADOPT THE TITLE VI UPDATE FOR THE CITY OF MOBILE PARKS AND RECREATION DEPARTMENT AND THE WAVE TRANSIT SYSTEM. The following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 60-386-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA hereby adopts the Title VI Update for the City of Mobile Parks and Recreation Department and the Wave Transit System.

A copy of the said Title VI Update is attached hereto and made a part hereof as though set forth in full.

RESOLUTION AUTHORIZING EXECUTION OF COMPROMISE SETTLEMENT PETITION ARISING OUT OF ON THE JOB INJURY OF ZACKARY DAVIS. The

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following resolution was held over for one (1) week until the regular meeting of Tuesday, April 23, 2019.

RESOLUTION: 61-387-2019

Sponsored by: 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, the Compromise Settlement Petition arising out of the on-the-job injury of Zackary Davis, suffered on April 1, 2016, requiring the City to pay \$28,000.00, in return for a release of all of the Plaintiffs respective claims excluding future medical benefits, as outlined in the Compromise Settlement Petition attached hereto and made a part hereof as though set forth in full. A copy of said Compromise Settlement Petition is on file in the office of the City Clerk.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO 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 introduced by Councilmember Rich.

RESOLUTION: 41-388-2019

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

NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A PEDICAB SERVICE

Notice is hereby given that the City Council of Mobile, Alabama, proposes 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 in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on Thursday, the 30th day of April, 2019, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Rich then moved to call for the public hearing, which move 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 whereupon the Presiding Officer set the date for the public hearing as April 30, 2019.

ANNOUNCEMENTS:

Councilmember Rich announced that the Public Services Committee will meet on Tuesday, April 30, 2019, at 2:30 p.m., in the Council conference room to discuss Ordinance 63-012.

Councilmember Richardson stated he will hold a community meeting on Thursday, April 25, 2019, 6:00 p.m., at Forest Hill Elementary School.

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Councilmember Richardson reported that the Trinity Gardens festival was enjoyed by all in attendance.

Councilmember Richardson provided an overview of capital projects planned for district one.

Councilmember Williams announced various congregations will gather for “Down by the Riverside,” at 7:00 a.m. on Easter Sunday on Lloyd Station Road.

Councilmember Williams advised that based on a report from the Mobile Police Department, he will recommend revoking the business license for a business on Halls Mill Road.

Councilmember Daves conveyed that a recent report indicates the City’s financial condition has greatly improved over the last five years.

Councilmember Small reminded residents that the district three Easter egg hunt will be held at Taylor Park on Saturday, April 20, 2019 from 3:00 p.m. – 5:00 p.m.

Councilmember Small mentioned that an Easter sunrise service will also be held at Pinecrest Cemetery.

NOTE: At approximately 12:20 p.m. Councilmember Gregory excused herself from the meeting.

Councilmember Small stated that the Crepe Myrtle Trail Ride has been rescheduled for this Saturday.

Councilmember Manzie said he will visit several nursing homes to deliver goods for Easter.

Councilmember Manzie noted that he will attend 30th Pastoral Anniversary Banquet for Pastor Cleveland McFarland.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:30 p.m.

Approved: April 23, 2019

COUNCIL VICE PRESIDENT

CITY CLERK