

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 11, 2022

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, October 11, 2022, at 9:00 a.m.

Councilmembers:

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

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

Approved:

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 11, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, October 11, 2022, at 10:30 a.m., for the regular meeting.

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

Pastor Christopher Williams, Yorktown Baptist Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes for the meeting of October 4, 2022, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

James Barber, Chief of Staff, on behalf of Mayor Stimpson, stated the following:

The Carnival Ecstasy will be making its final voyage and the City will welcome the Carnival Spirit in October 2023.

In honor of the 100th anniversary of Fire Prevention Week, there will be a fire and life safety expo on October 14, 2022, at Langan Park, beginning at 9:00 a.m.

On October 14, 2022, Art Walk will celebrate Hispanic Heritage Month, with Mobile Latin Fest at Cathedral Square. This will also be the last Roll Mobile event for 2022.

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James Barber announced Market in the Park will start Saturday, October 15, 2022, at Cathedral Square from 7:30 a.m. – 12:00 p.m.

PRESENTATIONS TO THE COUNCIL:

Marc Vassallo, Director of Public Services, recognized Carl Clanton as the Public Services “Employee of the Month” for September 2022.

Dan Otto, Parks & Recreation Department, Parks Superintendent, recognized Denise Ellison as the Parks and Recreation “Employee of the Month” for September 2022.

Cliff Thomas, Building Maintenance Superintendent, recognized Terry Reed as the Public Works at Large “Employee of the Month” for September 2022.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

Request of Elaine Henderson for a waiver of the Noise Ordinance at Cathedral Square on March 25, 2022, from 10:00 a.m. – 2:00 p.m. (District 2).

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

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

Nays: None

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

Request of Mariah Moore for a waiver of the Noise Ordinance at Medal of Honor Park on October 15, 2022, from 3:00 p.m. – 6:00 p.m. (District 6).

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

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

Nays: None

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

Request of John Shell for a waiver of the Noise Ordinance at 3725 Calderwood Drive on October 29, 2022, from 6:00 p.m. – 10:00 p.m. (District 7).

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

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO DAVID MATHEWS, D/B/A GULF COAST PEDAL TOURS, LLC, TO OPERATE A PEDAL TROLLEY SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider approval of a Certificate of Public Convenience and Necessity to David Mathews, d/b/a Gulf Coast Pedal Tours, LLC, to operate a trolley service and asked if there was anyone present to speak for or against this matter.

Roy Clark, 1959 Myrtle Avenue, shared additional information regarding Gulf Coast Pedal Tours, LLC.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2657 HAYLES STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2657 Hayles Street 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 DECLARE THE STRUCTURE AT 9 1/2 NORTH CEDAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 9 1/2 North Cedar Street 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 DECLARE THE STRUCTURE AT 1212 SENECA STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1212 Seneca Street 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 DECLARE THE STRUCTURE AT 111 SOUTH CODY ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 111 South Cody Road a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

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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:

NON-AGENDA ITEMS:

Reverend Cleveland McFarland, 1525 Carlisle Drive West, shared comments about annexation.

Reggie Hill, 1007 Center Street, spoke about budget amendments to improve public safety and recommendations to amend Chapter 38 of the Mobile Municipal Code and Resolution 08-875.

ORDINANCES HELD OVER:

ORDINANCE TO DEFINE THE CITY OF MOBILE “CENTRAL BUSINESS DISTRICT.”

The following ordinance which was introduced and read at the regular meeting of September 20, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

ORDINANCE: 01-043-2022

Sponsored by: Councilmember Carroll

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Chapter 1, Article 1 of the Mobile City Code, 1991, is hereby amended to add a new section defining the City’s “Central Business District” as follows:

Sec. 1-10. – Central Business District.

(a) The “Central Business District” of the City of Mobile is hereby defined and established as follows: That area bounded by Interstate 65 on the North and West, Interstate 10 on the South and East, the Mobile River on the East, and Alternate U.S. Highway 90/Bay Bridge Road and Interstate 165 on the North, but excluding any lands within said area not lying within the corporate limits of the City of Mobile.

(b) The City Council may in its discretion from time to time re-define and re-determine the boundaries of the City’s “Central Business District” as circumstances may require.

Miscellaneous.

(a) Any ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

(b) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(c) This Ordinance shall take effect after its adoption and publication as required by law on the effective date of the Unified Development Code as provided therein in section 64-9-4 thereof.

The ordinance was read by the City Clerk; whereupon Councilmember Carroll moved that the ordinance be held over until the regular meeting of November 1, 2022, which was seconded by Councilmember Penn, and the vote was as follows:

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

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Nays: None

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

REZONE PROPERTY LOCATED AT 712, 716 AND 718 DAUPHIN ISLAND PARKWAY, FROM R-3 AND B-3 TO R-3. The following ordinance which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

ORDINANCE: 64-046-2022

Sponsored by: Councilmember Carroll

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

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

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

BEGINNING AT THE NORTHEAST CORNER OF LOT 2, CARMELITE NUNS DISCALCED, A SUBDIVISION RECORDED IN MAP BOOK 129, PAGE 117, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA, SAID POINT LYING AND BING ON THE WEST RIGHT OF WAY LINE OF DAUPHIN ISLAND PARKWAY, (62-FOOT PUBLIC R/W, FORMERLY FULTON SPEEDWAY); THENCE S00°47'33"W, ALONG THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY, FOR 281.00 FEET; THENCE S01°01'37"W, CONTINUING ALONG THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY, FOR 134.67 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY AND AROUND A NON-RADIAL CURVE TO THE RIGHT HAVING A RADIUS OF 453.54 FEET AND A DELTA ANGLE OF 24°04'46", THE CHORD OF WHICH BEARS S21°32'36"W FOR 189.12 FEET, FOR AN ARC DISTANCE OF 190.52 FEET TO A POINT AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF SAID DAUPHIN ISLAND PARKWAY WITH THE NORTHWEST RIGHT OF WAY LINE OF HALLS MILL ROAD, (VARIABLE WIDTH PUBLIC R/W); THENCE S47°17'57"W, ALONG THE WEST RIGHT OF WAY LINE OF SAID HALLS MILL ROAD, FOR 201.26 FEET; THENCE WESTERLY, ALONG THE WEST RIGHT OF WAY LINE OF SAID HALLS MILL ROAD, AND AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 73°42'15" FOR AN ARC DISTANCE OF 32.16 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY LINE OF GOSSON STREET, (60-FOOT PUBLIC R/W); THENCE n58°59'48"W, ALONG THE NORTHEAST RIGHT OF WAY LINE OF SAID GOSSON STREET, FOR 465.46 FEET; THENCE NORTHWESTERLY, ALONG THE NORTHEAST RIGHT OF WAY LINE OF SAID GOSSON STREET AND AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 104°29'01" FOR AN ARC DISTANCE OF 45.49 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF JOHNSTON AVENUE, (60-FOOT PUBLIC R/W); THENCE N45°29'13"E, ALONG THE EAST RIGHT OF WAY LINE OF SAID JOHNSTON AVENUE, FOR 212.65 FEET; THENCE NORTHEASTERLY, ALONG THE EAST RIGHT OF WAY LINE OF SAID JOHNSTON AVENUE AND AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 649.13 FEET AND A DELTA ANGLE OF 27°03'56", THE CHORD OF WHICH BEARS N-31°57'15"E FOR 303.80 FEET, FOR AN ARC DISTANCE OF 306.64 FEET TO A POINT AT THE NORTHWEST CORNER OF LOT 1, AFORESAID CARMELITE NUNS DISCALCED, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 6, BLOCK 28 OF BON AIR ESTATES AS RECORDED IN DEED BOOK 156, PAGE 37, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE ALONG THE NORTH LINE OF SAID LOT, FOR 194.04 FEET TO A POINT ON THE WEST INE OF AFORESAID LOT 2; THENCE N00°47'07"E, ALONG THE WEST LINE OF SAID LOT

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2, FOR 45.26 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE S89°59'37"E, ALONG THE NORTH LINE OF SAID LOT 2, FOR 150.01 FEET TO THE POINT OF BEGINNING, AND CONTAINING 7.108 ACRES, MORE OR LESS.

The classification of said property is hereby changed from R-3, Multi-Family Residential District and B-3, Community Business District to R-3, Multi-Family Residential District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in R-3, Multi-Family Residential 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 R-3, Multi-Family Residential District until all of the conditions set forth below have been complied with: 1) Completion of the Subdivision process; and 2) Full compliance with all other codes and ordinances.

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

The ordinance was read by the City Clerk; whereupon Councilmember Reynolds moved that the ordinance be adopted, which was seconded by Councilmember Jones, and the vote was as follows:

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

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

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 753 REBECCA DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of August 9, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 40-660-2022

Sponsored by: Councilmember Penn

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 753 REBECCA 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. 3, 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 753 REBECCA DRIVE described as:

LOT 2 2ND ADD TO CECELIA COURT MBK 8 P 93 #SEC 44 T4S R1W #MP29 02 44 0 024

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Parcel Number: 29 02 44 0 024 462

Last Assessed to: A & K PROPERTY SOLUTIONS LLC

Is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be 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 Penn moved that the resolution be tabled, which was seconded by Councilmember Reynolds and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 1101 S. BROAD STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of July 12, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 40-586-2022

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 1101 Broad Street South 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, 5, 6, 7, and 8; 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 1101 Broad Street South described as:

LOTS 1 & 2 & W 10 FT(S) LOT 3 RESUB MC QUILLAN TRT DBK 156/318 GRT SEC 37 T4S R1W #SEC 37 T4S R1W #MP29 10 37 0 007

Parcel Number: 29 10 37 0 007 151

Last assessed to: EVANS RUBY KENNEDY

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

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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 Penn moved that the resolution be adopted, the motion was seconded by Councilmember Jones and the vote was as follows:

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

The Presiding Officer declared the resolution adopted.

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH TELEPAK NETWORKS, INC. FOR MCGREGOR AVENUE WIDENING (AIRPORT BOULEVARD TO DAUPHIN STREET). The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 01-872-2022

Sponsored by: Councilmember Daves and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an agreement, and any necessary amendments thereafter, between Telepak Networks Inc. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Telepak Networks Inc.

Project name: McGregor Ave Widening from Airport Blvd to Dauphin Street and Installation of Roundabout at Dauphin Street COM Project No. 2013-202-07 STPMB-7508(600)

Agreement: Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

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

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

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

APPROVE PURCHASE ORDER TO TRANE US, INC. FOR AIR CONDITIONING CONDENSING AND AIR HANDLING UNITS FOR SPRINGHILL RECREATION CENTER; \$66,816.00. The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

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RESOLUTION: 08-874-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15179</u>	2022	(3035) FACILITY MAINTENANCE	TRANE AIR CONDITIONING CONDENSING AND AIR HANDLING UNITS FOR SPRINGHILL REC CENTER (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$66,816.00	<u>(293908) TRANE US INC</u>

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

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

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

APPROVE PURCHASE ORDER TO STIVERS CHRYSLER DODGE JEEP RAM FOR EIGHT (8) DODGE DURANGO PATROL VEHICLES; MPD; \$345,298.88. The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-875-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12156</u>	2022	(F7000) MOTOR POOL	8 DODGE DURANGO PURSUIT PATROL VEHICLES FOR MPD (AL STATE CONTRACT)	\$345,298.88	<u>(298035) STIVERS CHRYSLER DODGE JEEP RAM</u>

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

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

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

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES, INC. FOR DIGGER-DERRICK TRUCK; TRAFFIC ENGINEERING; \$297,819.00. The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-876-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>14679</u>	2022	(F7000) MOTOR POOL	DIGGER-DERRICK TRUCK FOR TRAFFIC ENGINEERING (SEALED BID 5723)	\$297,819.00	<u>(208560) TRUCK EQUIPMENT SALES INC</u>

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

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

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

APPROVE PURCHASE ORDER TO QUICK BUILDINGS, LLC FOR ROOF, CEILING, WINDOW AND FLOOR UPGRADES TO FIRE DEPARTMENT DRILL CENTER; \$48,672.00. The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 08-877-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>15084</u>	2022	(3032) ARCHITECTURAL ENGINEERING	ROOF, CEILING, WINDOW, AND FLOOR UPGRADES TO MFRD DRILL CENTER PORTABLE BUILDING (SEALED BID 5683)	\$48,672.00	<u>(290398) QUICK BUILDINGS LLC</u>

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH JOHN G. WALTON CONSTRUCTION COMPANY FOR 2018 PAY GO N. MCGREGOR AVENUE RECONSTRUCTION; \$1,767,061.96. The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 21-878-2022

Sponsored by: Councilmember Gregory and Mayor Stimpson

WHEREAS, bids for sidewalks, curbing, drainage, utilities, road, construction, asphalt paving for district 7 were received and opened on August 17, 2022.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from John G. Walton Construction Company Inc., in the amount of \$1,767,061.96.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by John G. Walton Construction Company, Inc.

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

Name of Company: John G. Walton Construction Company, Inc.

Project Name: 2018 PAYGO North McGregor Ave. Reconstruction

Project Number: 2019-3005-19

Amount: \$1,767,061.96

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

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

Nays: None

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

APPROVE CONTRACT WITH JENNIE BROWN FOR COURT REPORTING SERVICES.

The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 21-879-2022

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 Professional Services Agreement between the City of Mobile and Jennie Q. Brown, to provide all necessary court reporting services for any matter assigned to the Honorable Charles Allen Graddick, Sr., to last for a period of twelve months and the total amount not to exceed SEVENTY-EIGHT THOUSAND DOLLARS (\$78,000.00), for services as outlined in said Agreement made a part hereof by reference. A copy of said Agreement is on file in the office of the City Clerk.

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

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

Nays: None

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

APPROVE A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO DOG TEAM PEDI CAB TO OPERATE A PEDI CAB SERVICE.

The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 37-881-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Dog Team Pedi Cab for a Certificate of Public Convenience and Necessity to operate pedi-cab service is hereby approved.

A copy of said application is on file in the office of the City Clerk.

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

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

Nays: None

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; SIEGESMUND.

The following resolution which was introduced and read at the regular meeting of October 4, 2022, and held over until the regular meeting of October 11, 2022, was called upon by the Presiding Officer.

RESOLUTION: 60-882-2022

MINUTES OF OCTOBER 11, 2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Brian Alfred Siegesmund, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

Ayes: Penn, Carroll, Reynolds, Jones, 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 Carroll moved for the suspension of the rules to consider Consent Resolutions 31-885 through 37-890, 37-892 through 40-894, and 40-896 through 37-909 being introduced for the first time. The motion was seconded by Councilmember Gregory, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

AUTHORIZE A GRANT APPLICATION TO STATE FARM FOR THE GOOD NEIGHBORHOOD CITIZENSHIP GRANT TO ASSIST MPD'S BRIDGING THE GAP PROGRAM; \$20,000.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 31-885-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, the Mayor is authorized to apply, accept, and receive from State Farm, a Notice of Award for grant assistance in the amount of \$20,000.00 for the FY22 State Farm Good Neighborhood Citizenship Grant. There is no match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by State Farm. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

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

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

MINUTES OF OCTOBER 11, 2022

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 SPECIAL EVENTS RETAIL LIQUOR LICENSE TO LIT CIGAR LOUNGE FOR SATRUDAYS AT THE COOP (10/15/22); COOPER RIVERSIDE PARK. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-886-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail License

Submitted by: Lit Cigar Lounge, Inc.

Location: Saturdays at the Coop
1 Government Street
Mobile, AL 36602

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

Ayes: Penn, Carroll, Reynolds, Jones, 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 SPECIAL EVENTS RETAIL LIQUOR LICENSE TO LIT CIGAR LOUNGE FOR SATRUDAYS AT THE COOP (11/12/22); COOPER RIVERSIDE PARK. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-887-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail License

Submitted by: Lit Cigar Lounge, Inc.

Location: Saturdays at the Coop
1 Government Street
Mobile, AL 36602

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

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

MINUTES OF OCTOBER 11, 2022

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 SPECIAL EVENTS RETAIL LIQUOR LICENSE TO LIT CIGAR LOUNGE FOR SATURDAYS AT THE COOP (12/10/22); COOPER RIVERSIDE PARK. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-888-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail License

Submitted by: Lit Cigar Lounge, Inc.

Location: Saturdays at the Coop
1 Government Street
Mobile, AL 36602

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

Ayes: Penn, Carroll, Reynolds, Jones, 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 SPECIAL EVENTS RETAIL LIQUOR LICENSE TO LIT CIGAR LOUNGE FOR SIP N PAINT (12/02/22); MARDI GRAS PARK. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-889-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail License

Submitted by: Lit Cigar Lounge, Inc.

Location: Sip N Paint
104 S. Royal Street
Mobile, AL 36602

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

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

MINUTES OF OCTOBER 11, 2022

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 SPECIAL EVENTS RETAIL LIQUOR LICENSE TO RONALD MCDONALD HOUSE CHARITIES OF MOBILE, INC.; 205 GOVERNMENT STREET. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-890-2022

Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail License

Submitted by: Ronald McDonald House Charities of Mobile, Inc.

Location: 205 Government Street
Mobile, AL 36644

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

Ayes: Penn, Carroll, Reynolds, Jones, 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 RESTAURANT RETAIL LIQUOR LICENSE TO KOMA BISTRO, 216 ST. FRANCIS STREET. The following resolution was held over until the regular meeting of October 19, 2022.

RESOLUTION: 37-891-2022

Sponsored by: Councilmember Carroll

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

Type of application: Restaurant Retail License

Submitted by: Koma Bistro, LLC

Location: Koma Bistro
216 St. Francis Street
Mobile, AL 36602

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO GULF COAST, LLC; 4659 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-892-2022

MINUTES OF OCTOBER 11, 2022

Sponsored by: Councilmember Jones

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

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

Submitted by: Buta Singh, LLC

Location: Gulf Coast, LLC
4659 Airport Boulevard
Mobile, AL 36608

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

Ayes: Penn, Carroll, Reynolds, Jones, 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 SPECIAL RETAIL-MORE THAN 30 DAYS LICENSE TO FUSE KITCHEN, LLC; 1000 GAILLARD DRIVE. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-893-2022

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: Special Retail – More than 30 Days License

Submitted by: Fuse Kitchen, LLC

Location: Fuse Kitchen, LLC
1000 Gaillard Drive
Mobile, AL 36608

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

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

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

DECLARE THE STRUCTURE AT 2657 HAYLES STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-894-2022

Sponsored by: Councilmember Penn

MINUTES OF OCTOBER 11, 2022

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 2657 Hayles 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, 5, 8, 9, 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 2657 Hayles Street described as:

H & LOT 11 BLK 2 SOUTH MILLVILLE DBK 128 P 253 #SEC 23 T4S R1W #MP29 07 23 0 002

Parcel Number: 29 07 23 0 002 103

Last assessed to: HALL LEOTHA L C/O HERBERT HALL

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances.”

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

DECLARE THE STRUCTURE AT 9 1/2 NORTH CEDAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-895-2022

Sponsored by: Councilmember Carroll

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances” adopted December 5, 2017, the accessory structure at 9 1/2 NORTH CEDAR STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the

MINUTES OF OCTOBER 11, 2022

structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 2, 3, 4, 5, 6, 8, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 9 1/2 NORTH CEDAR STREET described as:

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

Parcel Number: 29 06 40 0 010 070.02

Last assessed to: QUIMBY WENDELL

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances.”

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Carroll moved that the resolution be held over for 60 days, which was seconded by Councilmember Jones, and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over until the regular meeting of December 13, 2022.

DECLARE THE STRUCTURE AT 1212 SENECA STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Jones.

RESOLUTION: 40-896-2022

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 1212 SENECA STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 2, 3, 4, 5, 6, 7, 8, and 15; and

MINUTES OF OCTOBER 11, 2022

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 1212 SENECA CEDAR STREET described as:

LOT 7 BLK 17 BASCOMBR TRT DBK 128 P 1 SD LOT BEG AT PT ON N/S SENECA ST 50 FT ELY OF NE COR BASCOMBE & SENECA STS TH RUN ELY ALG N/S OF SENECA ST 50 FT FOR FRONT & EXTENDING BACK NLY & PAR WITH BASCOMBE ST 150 FT FOR DEPTH WITH EQUAL WIDTH IN READ AS IN FRONT #SEC 37 T4S R1W #MP29 10 37 0 006

Parcel Number: 29 10 37 0 006 052

Last assessed to: JAMES BEVERLY MARIA

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 Jones moved that the resolution be adopted, which was seconded by Councilmember Penn, and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 111 SOUTH CODY ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Jones.

RESOLUTION: 40-897-2022

Sponsored by: Councilmember Gregory

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 111 SOUTH CODY ROAD has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 4, 5, 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 111 SOUTH CODY ROAD described as:

MINUTES OF OCTOBER 11, 2022

BEG AT PT ON N/L OF DICKENS FERRY RD 20 FT E OF THE INTER OF THE SD N/L OF SD RD WITH W/L OF SEC 20 T4S R2W & RUN TH NLY & PAR TO W/L OF SD SEC 20 396 FT TO PT TH RUN E & PAR TO N/L OF SD SEC 20 115 FT TO A PT TH RUN S & PAR TO W/L OF SAID SEC 20 387 FT TO PT ON THE N/L OF DICKENS FERRY RD TH RUN WLY ALG N/L OF DICKENS FERRY RD 115 FT TO POB LESS RW OF CODY ROAD #SEC 20 T4S R2W #MP28 04 20 2 000

Parcel Number: 28 04 20 2 000 007

Last assessed to: AGHADAVOUDI RASOUL & ROSHANAK AGHADAVOUDI

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 Jones moved that the resolution be adopted, which was seconded by Councilmember Penn, and the vote was as follows:

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

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

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

RESOLUTION: 60-898-2022

Sponsored by: Mayor Stimpson

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

Name: Denise Ellison (Employee #14695) Parks & Recreation (Parks Division)
Date: October 11, 2022

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

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

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

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

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

RESOLUTION: 60-899-2022

Sponsored by: Mayor Stimpson

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

October 2022 – Terry Reed (Employee # 18245) Public Works at Large (Facilities Maintenance)

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

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

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

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

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

RESOLUTION: 60-900-2022

Sponsored by: Mayor Stimpson

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

October 2022 – Carl Clanton (Employee #15724 – Sanitation)

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

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

Ayes: Penn, Carroll, Reynolds, Jones, 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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DETERMINE AN APPROPRIATION TO THE TOULMINVILLE CRICHTON COMMUNITY DEVELOPMENT CORPORATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Jones.

RESOLUTION: 60-901-2022

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate \$1,500.00, to the Toulminville Crichton Community Development Corporation, from his discretionary funds; and

WHEREAS, the Toulminville Crichton Community Development Corporation, is a/an non-profit which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to the Toulminville Crichton Community Development Corporation, will be used to assist with the 1st Annual Harvest/Fall Festival to be held on October 22, 2022, and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,500.00 to the Toulminville Crichton Community Development Corporation, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

APPOINT ERIC PEEBLES TO THE ADVISORY COMMISSION ON THE DISABLED. The following resolution was introduced by Councilmember Jones.

RESOLUTION: 03-908-2022

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Eric Peebles is appointed to the Advisory Commission of the Disabled effective immediately for a term ending October 11, 2024.

The resolution was read by the City Clerk; whereupon Councilmember Jones moved that the resolution be adopted, which was seconded by Councilmember Penn. Following comments by Councilmember Gregory, and the vote was as follows:

Ayes: Penn, Carroll, Reynolds, Jones, 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 SPECIAL EVENTS RETAIL LIQUOR LICENSE TO TIM MANESS; MOBILE HISTORIC

MINUTES OF OCTOBER 11, 2022

DEVELOPMENT COMMISSION; SPANISH PLAZA. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-909-2022
Sponsored by: Councilmember Carroll

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

Type of application: Special Events Retail Liquor License
Submitted by: Tim Maness
Mobile Historic Development Commission
Location: Fundraising Gala
Spanish Plaza Park
401 Government Street
Mobile, AL 36602

The resolution was read by the City Clerk; whereupon Councilmember Jones moved that the resolution be adopted, which was seconded by Councilmember Penn. Following comments by Councilmember Gregory, and the vote was as follows:

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

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

CIP RESOLUTIONS BEING INTRODUCED

AUTHORIZE CONTRACT WITH TRP CONSTRUCTION GROUP, LLC FOR CITYWIDE ROADWAY STRIPING AND MARKINGS; \$1,205,912.50. The following resolution was held over until the regular meeting of October 19, 2022.

RESOLUTION: 21-902-2022
Sponsored by: City Council and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile, and the company listed below; 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 change order will be on file in the office of the City Clerk.

Name of Company: TRP Construction Group, LLC
City of Mobile Project Name: Citywide Roadway Striping and Markings
Capital Project No.: RWS08
Contract Amount: \$1,105,912.50

RESOLUTIONS BEING INTRODUCED

AUTHORIZE CHANGE ORDER WITH JAMES H. ADAMS & SON CONSTRUCTION CO., INC. FOR ANN STREET REHABILITATION PROJECT; \$38,666.14. The following resolution was held over until the regular meeting of October 19, 2022.

MINUTES OF OCTOBER 11, 2022

RESOLUTION: 13-903-2022

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, Change Order No. 2 to the contract, by and between the City of Mobile and the company listed below, for work as outlined in the Change Order attached hereto and made a part hereof as set forth in full, subject to the company signing the Change Order. A copy of said executed Change Order will be on file in the office of the City Clerk.

Name of Company: James H. Adams & Son Construction Company Inc.

Project Name: Ann Street Rehabilitation

Project No.: 2011-202-10(B1) Change Order No. 2

Estimated Cost: \$38,666.14 (Add)

AUTHORIZE CONTRACT WITH BILL SMITH ELECTRIC, INC. FOR COMBO ATHLETIC FIELD LIGHTING AT MICHAEL FIGURES PARK; \$50,500.00. The following resolution was held over until the regular meeting of October 19, 2022.

RESOLUTION: 21-904-2022

Sponsored by: Councilmember Penn 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: BILL SMITH ELECTRIC, INC.

Project Name: MICHAEL FIGURES PARK –
COMBO ATHLETIC FIELD LIGHTING

Project Number: PR-038-22

Amount: \$50,500.00

AUTHORIZE CONTRACT WITH DIVERSIFIED MAINTENANCE-RWS, LLC FOR JANITORIAL SERVICES; GULFQUEST MARITIME MUSEUM; \$47,721.00 PER YEAR (\$143,163.00 3-YEAR TOTAL). The following resolution was held over until the regular meeting of October 19, 2022.

RESOLUTION: 21-905-2022

Sponsored by: Councilmember Carroll 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: DIVERSIFIED MAINTENANCE – RWS LLC

MINUTES OF OCTOBER 11, 2022

Project Name: GULFQUEST MARITIME MUSEUM –
JANITORIAL SERVICES
3-YEAR SERVICE CONTRACT

Project Number: SC-041-22

Amount: \$ 47,721.00 YEAR ONE
\$ 47,721.00 YEAR TWO
\$ 47,721.00 YEAR THREE
\$143,163.00 TOTAL CONTRACT AMOUNT

AUTHORIZE LEASE AGREEMENT WITH MOBILE COUNTY FOR CITY OWNED PROPERTY LOCATED AT 6449 MOFFETT ROAD. The following resolution was held over until the regular meeting of October 19, 2022.

RESOLUTION: 35-906-2022

Sponsored by: Councilmember Gregory 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, the Lease Agreement by and between the City of Mobile, a municipal corporation, and Mobile County, Alabama, a body corporate and politic and a political subdivision of the State of Alabama, for the use and benefit of the Sheriff of Mobile County, Alabama, to lease the Southwest Portion of property owned by the City of Mobile, thereof for use by the Sheriff for non-equestrian purposes, as described in Exhibit A and as shown in Exhibit B and as outlined in the Lease Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Lease Agreement is on file in the office of the City Clerk.

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO DAVID MATHEWS, D/B/A GULF COAST PEDAL TOURS, LLC, TO OPERATE A PEDAL TROLLEY SERVICE. The following resolution was held over until the regular meeting of October 19, 2022.

RESOLUTION: 37-907-2022

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER ORDINANCE TO AMEND PROPOSED AMENDMENT TO SECTION 64.3.I, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE, CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND PROPOSED AMENDMENT TO APPENDIX A, DOWNTOWN DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022. The following resolution was introduced by Councilmember Jones.

RESOLUTION: 41-910-2022

BE IT RESOLVED by the City Council of the City of Mobile, Alabama, that the City Clerk be, and she hereby is, instructed to publish in a newspaper of general circulation in Mobile County the attached NOTICE OF PUBLIC HEARING AND CONSIDERATION OF ORDINANCE TO AMEND PROPOSED AMENDMENT TO SECTION 64.3.1, DOWNTOWN DEVELOPMENT DISTRICT, OF THE CURRENT ZONING ORDINANCE,

MINUTES OF OCTOBER 11, 2022

CHAPTER 64 OF THE MOBILE CITY CODE, 1991, AND PROPOSED AMENDMENT TO APPENDIX A, DOWNTOWN DEVELOPMENT CODE, CHAPTER 64 OF THE MOBILE CITY CODE, 2022, in the time and manner as set forth in said notice.

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

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

Nays: None

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

ANNOUNCEMENTS

Lisa C. Lambert, City Clerk, announced that the next City Council meeting will be held on Wednesday, October 19, 2022.

Councilmember Reynolds announced that the District 4 Community meeting will be held at Cypress Shores Baptist Church on October 20, 2022, from 5:00 – 7:00 p.m.

Councilmember Penn shared that the Entitlement Committee meeting will be held on October 25, 2022, after the City Council meeting.

Councilmember Penn thanked the Parks and Recreation Department for a successful Family Fun Day and Kids Day.

Councilmember Penn announced that Scarborough Middle School vs Booker T. Washington High School football game will be held on October 13, 2022, at 5:00 p.m.

Councilmember Carroll reminded citizens that the City initiated a texting service to receive information from the City and the City Council. If you are in District 2, text MOBILECD2 to 91896.

Councilmember Jones thanked Traffic Engineering and Public Works Departments for their promptness in responding to citizens.

Councilmember Jones shared that the University of South Alabama's Homecoming game will be played on October 15, 2022, at 6:00 p.m.

Councilmember Jones announced that the Pinehurst Community meeting will be held on October 25, 2022, and a District meeting will be held at the Connie Hudson Senior Center on October 27, 2022.

Councilmember Gregory thanked the Public Works department for cutting the grass in District 7.

Councilmember Gregory shared that the City is encouraging citizens to list them on their property. This is a requirement of the City.

Councilmember Gregory announced that if you are in need of an extra garbage can or your garbage can needs repairs, call 311.

Councilmember Gregory invited citizens to come out to the Greater Gulf State Fair from October 28 – November 6, 2022.

Councilmember Gregory mentioned that the Mobile Fire-Rescue department will host an expo in Langan Park on October 15, 2022, from 9:00 a.m. – 1:00 p.m.

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

MINUTES OF OCTOBER 11, 2022

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:38 a.m.

Adopted:

COUNCIL VICE PRESIDENT

CITY CLERK