

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 26, 2023

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, September 26, 2023, at 9:00 a.m.

Councilmembers:

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

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 PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 26, 2023

The City Council of the City of Mobile, Alabama, met in the Multipurpose Room of the Mobile Government Plaza on Tuesday, September 26, 2023, at 10:30 a.m., for the regular meeting.

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

Councilmember Cory Penn, District 1, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Carroll, Reynolds, Daves, and Woods
Absent:

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 of the meetings of September 12 & 19, 2023 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson announced that garbage and trash pickup will begin next week in the newly annexed areas.

The following employee was presented as employee of the month:

Kimberly, Zirlott - Administrative Services

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Mayor Stimpson read a proclamation declaring September 23 – 30, 2023 as “Blue Star Welcome Week” in Mobile.

Nancy Hudson, State Director of “Operation Lifesaver,” gave a presentation addressing safety at railroad crossings.

MONTHLY FINANCE REPORT

Celia Sapp, Deputy Finance Director, provided the monthly finance report for August, 2023.

NOTE: Councilmember Gregory read a proclamation declaring September 25 – 30, 2023 as “Diaper Needs Awareness Week” in Mobile.

ADOPTION OF THE AGENDA:

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

APPEALS

Request of Emily Naron for a waiver of the Noise Ordinance at 3404 Moffett Road, Suite 1 on December 1, 2023, from 6:00 p.m. – 9:00 p.m. (District 1).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

Request of Nicole Moore for a waiver of the Noise Ordinance at Cathedral Square on October 12, 2023, from 5:00 p.m. – 7:30 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

Request of Bill Moore for a waiver of the Noise Ordinance at 911 Dauphin Street on February 11, 2024, from 6:00 p.m. – 12:00 a.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

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Request of Elaine Henderson for a waiver of the Noise Ordinance at Cathedral Square on March 23, 2024, from 10:00 a.m. – 2:00 p.m. (District 2).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

Request of Luis Alvarez for a waiver of the Noise Ordinance at 1051 Aberdeen Court N. on October 28, 2023, from 5:00 p.m. – 10:00 p.m. (District 6).

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

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 2258 AIRPORT BOULEVARD AND 267 SEMINOLE STREET FROM R-1 AND B-2 TO B-2 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 2258 Airport Boulevard and 267 Seminole Street from R-1 and B-2 to B-2 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 411 MARSHALL 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 411 Marshall 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 1555 PLOVER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1555 Plover Street a public nuisance and order it demolished/secured 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 at a future meeting.

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PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1575 ROBERT E. LEE 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 1575 Robert E. Lee 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 at a future meeting.

PUBLIC HEARING TO ASSENT TO THE VACATION OF A PORTION OF AN ALLEY LOCATED BETWEEN 1010 AND 1012 OLD SHELL ROAD (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to assent to the vacation of a portion of an alley located between 1010 and 1012 Old Shell Road and asked if there was anyone present to speak for or against this matter.

Nicki Patterson, owner, requested that the fee be waived.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a future meeting.

PUBLIC HEARING CONSIDER A VACATION RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A PORTION OF AN ALLEY LOCATED BETWEEN 1010 AND 1012 OLD SHELL ROAD.

The Presiding Officer announced that today was the day for the public hearing to consider a vacation right-of-way fee as a condition of the vacation of a portion of an alley located between 1010 and 1012 Old Shell Road 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 at a future meeting.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Michael Pierce, Chief Executive Officer of the Mobile Housing Authority, 151 S. Claiborne Street, provided an update on Thomas James Place and RV Taylor Plaza tenant relocations, municipal offense tickets and LIPH units preservation.

Christine Dallas, 10523 Beverly Road, Irvington, Al, requested the release of the body cam footage concerning the death of Jawan Dallas.

Sylvester Cheatham, 6955 Simpson Road, requested the release of the body cam footage concerning the death of Jawan Dallas.

Carrie Williams, 2854 Thornhill Drive, asked for the release of the body cam footage concerning the death of Jawan Dallas.

Robert Kennedy, Jr., 1102 Government Street, requested \$1,350,000.00 for the Boys & Girls Club 's Pointe Academy, LLC.

AGENDA ITEMS:

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Reggie Hill, 1007 Center Street, gave comments regarding the following resolutions: 08-1062, 21-1064, 08-1084, 09-1085, 21-1066, 21-1087, 31-1067, and 60-1093.

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 7138 ELEVENTH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of July 24, 2023, and held over until the regular meeting of September 26, 2023 was called up by the Presiding Officer.

RESOLUTION: 40-798-2023

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 7138 Eleventh 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, 8,12,14 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 **7138 Eleventh Street** described as:

LOTS 18 & 19 BLK 24 MOBILE TERRACE SUB DBK156/540 #SEC 18 T4S R2W MP28 04 18 1 002

Parcel Number: 28 0418 1 002 104

Last Assessed to: BROWN LEDELL JR, C/O ANTOINETTE BROWN

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent it 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 Gregory moved to table the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 557 ST. LOUIS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the

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regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023 was called up by the Presiding Officer.

RESOLUTION: 40-1036-2023

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 557 ST LOUIS 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. 3, 4, 5, 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 **557 ST. LOUIS STREET** described as:

THAT LOT OF LAND BDED BY A LINE DESC AS BEG AT SE COR OF ST LOUIS & WARREN STS & RUN TH ELY ALG S/L OF ST LOUIS ST 111.3 FT TO W/L OF PPTY NOW OR FORMERLY OF J B DORTCH TH RUN SLY ALG SD W/L 110 FT TO A PT TH RUN WLY & PAR OR NEARLY SO WITH ST LOUIS ST 111.3 FT TO A PT ON E/L OF WARREN ST TH RUN NLY ALG E/L OF WARREN ST 110 FT TO POB SD LOT BEING BDED ON N BY ST LOUIS ST E BY PPTY S BY PPTY OF SD FRANCIS A POGGI & ON W BY WARREN ST #SEC 40 T4S R1W #MP29 06 40 0 003

Parcel Number: 29 06 40 O 003 323.01

Last Assessed to: BRINGHURST DONALD L C/O HUDSON LAND 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 Carroll moved to hold the resolution over until November 14, 2023, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 November 14, 2023.

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO TABLET COMMAND, INC. FOR INCIDENT MANAGEMENT SOFTWARE FOR MFRD; \$32,500.00. The following resolution which

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was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1056-2023

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>11901</u>	2023	(1510) FIRE ADMINISTRATION	TABLET COMMAND INCIDENT MANAGEMENT SOFTWARE FOR MFRD (BID EXEMPT – AL CODE 41-16-51(A)(8))	\$32,500.00	<u>(298024) TABLET COMMAND INC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 MOBILE BAY HARLEY-DAVIDSON, INC. FOR 6 POLICE PACKAGE MOTORCYCLES; \$212,983.26. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1057-2023

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>10793</u>	2023	(F7000) MOTOR POOL	6 FLHTP ELECTRA GLIDE POLICE-PACKAGE HARLEY-DAVIDSON MOTORCYCLES FOR MPD (SEALED BID 5837)	\$215,983.26	<u>(134774) MOBILE BAY HARLEY-DAVIDSON INC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

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Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 SHI INTERNATIONAL CORP. FOR ANNUAL RENEWAL OF CITIZEN ENGAGEMENT SOFTWARE; \$51,275.99. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1058-2023

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>14692</u>	2023	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF ROCK SOLID CITIZEN ENGAGEMENT SOFTWARE (BID EXEMPT AL CODE 41-16-51(A)(8))	\$51,275.99	<u>(272641) SHI INTERNATIONAL CORP</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

APPROVE PURCHASE ORDER TO GREENVIEW SOLUTIONS, LLC FOR TREE TRIMMING, REMOVAL AND STUMP GRINDING; \$80,499.50. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1059-2023

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>14978</u>	2023	(2018) FORESTRY	TREE TRIMMING AND REMOVAL AND STUMP GRINDING ON AIRPORT BLVD (SEALED BID 5832)	\$80,499.50	<u>(298700)</u> <u>GREENVIEW SOLUTIONS LLC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 ASPLUNDH TREE EXPERT, LLC FOR TREE TRIMMING, STUMP GRINDING AND REMOVAL; \$97,765.00. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1060-2023

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>14980</u>	2023	(2018) FORESTRY	TREE TRIMMING AND REMOVAL AND STUMP GRINDING ON OLD SHELL ROAD (SEALED BID 5832)	\$97,765.00	<u>(295712)</u> <u>ASPLUNDH TREE EXPERT LLC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

APPROVE PUCHASE ORDER TO ASPLUNDH TREE EXPERT, LLC FOR TREE TRIMMING, STUMP GRINDING AND REMOVAL; \$259,194.00. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1061-2023

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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>14754</u>	2023	(2018) FORESTRY	TREE TRIMMING AND REMOVAL AND STUMP GRINDING (SEALED BID 5832)	\$259,194.00	(295712) <u>ASPLUNDH TREE EXPERT LLC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 LONG LEWIS FORD OF THE SHOALS, INC. FOR 5 FORD PASSENGER VANS FOR PARKS & REC. DEPARTMENT; \$300,000.00. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1062-2023

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>14259</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	5 FORD TRANSIT 15-PASSENGER VANS FOR MPRD (AL STATE CONTRACT)	\$300,000.00	(290649) <u>LONG LEWIS FORD OF THE SHOALS, INC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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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APPROVE PURCHASE ORDER TO MODEL 1 COMMERCIAL VEHICLES, INC., D/B/A CREATIVE BUS SALES, INC., FOR PASSENGER BUS WITH WHEELCHAIR LIFT FOR PARKS & REC. DEPARTMENT; \$129,207.02. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-1063-2023

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>14254</u>	2023	(2050) FLEET MANAGEMENT GARAGE	22FT STARCRAFT 12-PASSENGER BUS WITH WHEELCHAIR LIFT FOR MPRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$129,207.02	<u>(00000) MODEL 1 COMMERCIAL VEHICLES, INC DBA CREATIVE BUS SALES, INC</u>

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH JAGET, INC., D/B/A WETLAND RESOURCES ENVIRONMENTAL CONSULTING, FOR INVASIVE SPECIES CONTROL AT BROOKLEY BY THE BAY; \$22,500.00. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-1064-2023

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 contract, by and between the City of Mobile and JAGET, for work as outlined in the contract attached hereto and made a part hereof as set forth in full. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: JAGET, Inc.

Project Name: Invasive Species Control from Arlington to Brookley by the Bay2023

Project Number: 2023-2045-11

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Amount: \$22,500.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH INTEGRITY MAINTENANCE, LLC FOR RESTROOM RENOVATIONS AT THE ARTHUR R. OUTLAW CONVENTION CENTER; \$554,000.00.

The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-1066-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: INTEGRITY MAINTENANCE L.L.C.

Project Name: ARTHUR R. OUTLAW CONVENTION CENTER –
UPPER & LOWER RESTROOM RENOVATIONS

Project Number: CN-021-23

Amount: \$554,000.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

ACCEPT AN INCREASE IN ADECA CDBG PROJECT BUDGET ALLOCATION BY \$805,288.00.

The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 31-1067-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile receives grant funds from the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program under Title I of the Housing and Community Development Act of 1974, as amended. The CDBG Program is designed to develop viable communities by providing decent housing, a suitable living environment, and expanded economic opportunities; and

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WHEREAS, the Alabama Department of Economic and Community Affairs (ADECA) has been awarded Community Development Block Grant-Disaster Recovery (CDBG-DR) funds under the Disaster Relief Supplemental Appropriations Act of 2022 (Public Law 117-43); and

WHEREAS, ADECA has been directed by HUD to utilize the majority of their CDBG-DR funds in designated locations that have been identified as most impacted and distressed areas with regard to hurricanes Sally and Zeta in 2020; and

WHEREAS, the Administration of the City of Mobile requested ADECA review and possibly recalculate the amount of grant award based on the recent annexation of 19,789 residents that formerly resided in unincorporated Mobile County and are now City of Mobile residents;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City of Mobile accepts the determination by ADECA that it be awarded an increase in its project allocation by \$805,288, updating the total award to \$53,149,038 in CDBG-DR funds.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

AUTHORIZE A GRANT APPLICATION TO THE NATIONAL ARCHIVES / NATIONAL HISTORICAL PUBLICATIONS & RECORDS COMMISSION FOR DIGITIZATION OF HISTORICAL DOCUMENTS; \$75,000.00 (25 % LOCAL MATCH). The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 31-1068-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the National Archives/National Historical Publications & Records Commission (NHPRC) an Archival Projects Grant in the amount of \$75,000.00 for digitization of historic documents.

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

BE IT FURTHER RESOLVED that the Council authorizes the expenditure of 25% matching funds in the amount of \$18,750.00 in the event this grant is received.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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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TRANSFER FUNDS FROM POLICE ADMIN FUEL TO CITY HALL OVERHEAD; \$400,000.00. The following resolution which was introduced and read at the regular meeting of September 19, 2023, and held over until the regular meeting of September 26, 2023, was called up by the Presiding Officer.

RESOLUTION: 09-1070-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$400,000.00 in General Fund line items #10041530.45020 Police Admin Fuel (Fund 1000) be transferred to the following line items within City Hall Overhead:

Electrical	#10049000.46020	\$200,000.00
Annexation Election	#10049000.49250	\$200,000.00

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

ORDINANCES BEING INTRODUCED

REZONE PROPERTY LOCATED AT 2258 AIRPORT BOULEVARD AND 267 SEMINOLE STREET FROM R-1 AND B-2 TO B-2. The following ordinance was held over until the regular meeting of October 3, 2023.

ORDINANCE: 64-046-2023

Sponsored by: Councilmember Penn

AN ORDINANCE AMENDING THE ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF MOBILE ON THE 12TH DAY OF JULY, 2022, SAID ORDINANCE BEING COMMONLY KNOWN AS THE UNIFIED DEVELOPMENT CODE.

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

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

LOT 1 MWP20 SUBDIVISION, AS RECORDED IN MAP BOOK 92, PAGE 50 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA

ALONG WITH LOT 6 & THE WEST 23 FEET OF LOT 26 BLOCK 7 DUBROCA TRACT DEEDBOOK 141 PAGE 39 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from R-1, Single-Family Residential Urban District and B-2, Neighborhood Business Urban District to B-2, Neighborhood Business Urban . District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-2, Neighborhood Business Urban District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in

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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 Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-2, Neighborhood Business Urban District until all of the conditions set forth below have been complied with: 1. Completion of the Subdivision process; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and, 3. Full compliance with all municipal codes and ordinances.

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

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

Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 40-1072 through 09-1096 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

DECLARE THE STRUCTURE AT 411 MARSHALL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1072-2023

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 411 Marshall 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, 12, 14 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 **411 Marshall Street** described as:

THAT CERTAIN LOT OF LAND BDED BY LINE DESC AS FOLL TO WIT BEG AT PT ON W/L OF MARSHALL ST DIS OF 175.3 FT N OF NW INT OF GLENNON AVE & MARSHALL ST & WHICH PT IS MARKED BY OLD FENCE/L WHICH PT IS NE COR OF THE PPTV NOW OR FORMERLY OF REBECCA F MITCHELL AS EST BY A BDRY/L AGREEMENT BY & BET CLARA EARLEY LEE & HUSBAND & REBECCA F MITCHELL & HUSBAND DTD 7/3/ 45 DBK3 78 NS P 543 & FROM SD POB RUN NLY ALG W/L OF MARSHALL ST DIS OF 92.7 FT WHICH PT IS THE NE COR OF PPTV CONVEYED TO CLARA EARLEY LEE BY CHARLOTTE MITCHELL 12/9/16 DBK 171 NS P 255 RUN TH WLY PAR WITH N/L OF GLENNON AVE OR NLY SD DIS OF 107 FT TO PT ON E/L OF TERRILL SUB OF THE KEARNEY TRT RUN TH SLY ALG THE KEARNEY TRT DIS OF 92.7 FT TO PT IN THE AFOREMENTIONED OLD FENCE/L TH

**ELY DIS OF 107 FT TO PTON W/L OF MARSHALL ST TO POB BEING PTGRT SEC40T
4S R1W #SEC 40 T4S R1W #MP29 06 40 0 004**

Parcel Number: 29 10 37 0 006 017

Last Assessed to: BRENDA 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 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 to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

DECLARE THE STRUCTURE AT 1555 PLOVER STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1073-2023

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 1555 Plover 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, 12, 14 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 **1555 Plover Street** described as:

**LOT 40 COLGIN ADD TO OAKDAL E DBK 115 P 361 #SEC 28 T4S R1W #MP29 10 28
4005**

Parcel Number: 29 10 28 4 005 061

Last Assessed to: HEIR OF EDWARD M & JESSIE M MIXON, C/O BRANDON MIXON

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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/secured** in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

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

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 1575 ROBERT E. LEE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-1074-2023

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 1575 Robert E Lee 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, 12, 14 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 **1575 Robert E Lee Street** described as:

PPTY AT 1575 ROBERT E LEE STREET DESC AS FOLL LOT 13 BLK 6 OLLINGER & STEIN SUB OF PT OF SQ 5 MANDEVILLE TRT DBK 128 NS PG 101 LOT IS 40 X 150 #SEC 36 T4S R1W #MP29 11 36 0 004

Parcel Number: 29 11 36 0 004 173

Last Assessed to: KELVIN LEWIS

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

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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 to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

AUTHORIZE REMOVAL OF WEEDS, GROUP 1646. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-1075-2023

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

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

WHEREAS, Parcels Nos. 1 through 20 described in the resolution adopted on the 22nd day of August 2023, have not been cleared of noxious and dangerous weeds and continue to be public nuisances.

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

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

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

Parcels of real property located in the City of Mobile and more particularly described as Parcels Nos. 1 through 20, as described in the resolution adopted on the 22nd day of August, 2023, and entitled: "A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES."

(Lot Cleaning Liens, **Group No.1646** on file in the office of the City Clerk).

SECTION 2. The employees of the City of Mobile assigned to the work required by this resolution are hereby expressly authorized to enter upon such described pieces of property for the purpose of removing the weeds authorized by this resolution to be removed. The owner of any of the above described pieces of property shall have the right to remove the weeds ordered by this resolution to be removed from this property provided such removal is done prior to the arrival of the employees of the City of Mobile against his property by reason of any action taken hereunder. An accurate account of the costs with respect to each piece of property shall be kept by the employees of the City of Mobile covering the costs of removing such weeds in front of or in front of or on each separate lot

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or parcel of land where the work is done by the City of Mobile or its employees, and promptly thereafter an itemized report in writing shall be made to the City Council showing such costs with respect to each separate lot or parcel of land but before the report is submitted to the City Council a copy of the itemized costs with respect to each such lot or parcel of land shall be posted for at least three days prior to such report on the door of the Council Chamber at the City Hall of Mobile, Alabama, together with a notice of the time when the report will be submitted to the City Council for confirmation.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 ADMINISTRATIVE SERVICES EMPLOYEE OF THE MONTH; ZIRLOTT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1076-2023

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:

**AUGUST 2023 – Kimberly Zirlott (Employee #13266)
Department of Professional Responsibility - Executive Assistant**

This employee is to be commended for his 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 Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO PILLANS MIDDLE SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1077-2023

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate **\$2,500.00** to Pillans Middle School, from his discretionary funds; and

WHEREAS, Pillans Middle School, is public school in Mobile, Alabama, which the Council may support pursuant to Code of Alabama § 16-13-36; and

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WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds 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 Pillans Middle School will be used to assist with PMS scholars in attending the 2023 Alabama State University Connection Day and Equal Justice Initiative on September 30, 2023, which will serve a public purpose benefiting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,500.00** to Pillans Middle School 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 Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Nays: None

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

DETERMINE AN APPROPRIATION TO MARCHING COUGARS BAND BOOSTER CLUB SERVES A PUBLIC PUROSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1078-2023

Sponsored by: Councilmembers Small and Woods

WHEREAS, Councilmember Small wishes to appropriate **\$5,000.00** and Councilmember Josh Woods wishes to appropriate **\$1,500.00**, (**TOTAL: \$6,500.00**) to Marching Cougars Band Booster Club, from her discretionary funds; and

WHEREAS, Marching Cougars Band Booster Club, is an Alabama non-profit corporation 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 Marching Cougars Band Booster Club, will be used to assist with the purchase of a Baritone horn, trumpets, and other operational expenses.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$6,500.00** to Marching Cougars Band Booster Club, 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 Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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.

DETERMINE AN APPROPRIATION TO THE CHILD ADVOCACY CENTER, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1079-2023

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate **\$2,500.00** to The Child Advocacy Center, Inc., from his discretionary funds; and

WHEREAS, The Child Advocacy Center, Inc., is an Alabama non-profit corporation 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 Child Advocacy Center, Inc., will be used to assist with the SERVE IT UP WITH LOVE Charity Tennis tournament on April 7th and April 9th, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,500.00** to The Child Advocacy Center, Inc., 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 Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

DETERMINE AN APPROPRIATION TO THE LITTLE SISTERS OF THE POOR, HOME FOR THE AGED, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1080-2023

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Sandy Stimpson wishes to appropriate **\$2,240.90** to The Little Sisters of the Poor, Home for the Aged, Inc., from his discretionary funds; and

WHEREAS, The Little Sisters of the Poor, Home for the Aged, Inc., is an Alabama non-profit corporation 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 Little Sisters of the Poor, Home for the Aged, Inc., will be used to assist with serving the neediest elderly

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in the community but providing assistance that is not covered with Medicaid and small pension reimbursements, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$2,240.90** to The Little Sisters of the Poor, Home for the Aged, Inc., 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 Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

DETERMINE AN APPROPRIATION TO AFRICATOWN COMMUNITY DEVELOPMENT CORPORATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-1095-2023

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate \$2,500.00 to Africatown Community Development Corporation from his discretionary funds; and

WHEREAS, Africatown Community Development Corporation is an Alabama non-profit corporation 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 Africatown Community Development Corporation, will be used to assist with the installation of a safety fence around the Robert Hope Community Center, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,500.00 to Africatown 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 Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

TRANSFER FUNDS FROM GENERAL FUND TO CAPITAL IMPROVEMENTS FUND.

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-1096-2023

Sponsored by: Councilmembers Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following transfers be made from the General Fund (Fund 1000) to the Capital Improvements Fund (Fund 2000):

•Councilmember Cory Penn (District 1) – Transfer \$2,329.23 from District 1 Discretionary Project DSC-01 (10041020) to District 1 Priority Project Capital Project D0013 (20002000)

•Councilmember William Carroll (District 2) – Transfer \$7,746.05 from District 2 Discretionary Project DSC-02 (10041020) to District 2 Priority Project Capital Project D0014 (20002000)

•Councilmember C.J. Small (District 3) – Transfer \$17,488.96 from District 3 Discretionary Project DSC-03 (10041020) to District 3 Priority Project Capital Project D0015 (20002000)

•Councilmember Ben Reynolds (District 4) – Transfer \$30,796.48 from District 4 Discretionary Project DSC-04 (10041020) to District 4 Priority Project Capital Project D0016 (20002000)

•Councilmember Joel Daves (District 5) – Transfer \$19,379.80 from District 5 Discretionary Project DSC-05 (10041020) to District 5 Priority Project Capital Project D0017 (20002000)

•Councilmember Josh Woods (District 6) – Transfer \$35,972.50 from District 6 Discretionary Project DSC-06 (10041020) to District 6 Priority Project Capital Project D0018 (20002000)

•Councilmember Gina Gregory (District 7) – Transfer \$0.00 from District 7 Discretionary Project DSC-07 (10041020) to District 7 Priority Project Capital Project D0019 (20002000)

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Small and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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 RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 46-1091 and 46-1092 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH SOUTH ALABAMA REGIONAL PLANNING COMMISSION TO PROVIDE SERVICES FOR PARKS AND RECREATION

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DEPARTMENT; NTE \$50,000.00. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 01-1081-2023

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, an Agreement with the South Alabama Regional Planning Commission to perform all necessary services provided under this contract for Parks and Recreation Department. The Planning Agency agrees to pay the contractor(The City of Mobile) as provided in the statement of work but in no event shall exceed \$50,00.00 as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

APPROVE PURCHASE ORDER TO INVERIS TRAINING SOLUTIONS, INC. FOR QUICK-TURN TARGETS, PLATES, AND CONTROLLER TO MPD SHOOTING RANGE; \$174,907.17. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 08-1082-2023

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>4747</u>	2023	(1530) POLICE ADMIN SERVICES	24 QUICK-TURN TURNING TARGETS, PLATES, AND CONTROLLER FOR MPD SHOOTING RANGE (BID EXEMPT 41-16-51(A)(13) SOLE SOURCE FOR SYSTEM MATCHING EXISTING, (3) PROFESSIONAL SERVICES,(15) SAFETY/SECURITY, (8)SOFTWARE)	\$!74,907.17	<u>(298257)</u> <u>INVERIS</u> <u>TRAINING</u> <u>SOLUTIONS INC</u>

APPROVE PURCHASE ORDER TO TRACTOR & EQUIPMENT COMPANY FOR 1 COMPACT EXCAVATORS FOR PUBLIC SERVICES DEPARTMENT; \$216,700.00. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 08-1083-2023

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

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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>14806</u>	2023	(F7000) MOTOR POOL	KOMATSU PC88MR-11 COMPACT EXCAVATOR WITH ATTACHMENTS FOR PUBLIC SERVICES (SEALED BID 5826)	\$216,700.00	<u>(206760) TRACTOR & EQUIPMENT COMPANY</u>

APPROVE PURCHASE ORDER TO GULF COAST FITNESS SERVICE, LLC FOR EXERCISE MACHINES FOR THE CONNIE HUDSON SENIOR CENTER; \$38,500.00.

The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 08-1084-2023

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>11937</u>	2023	(2040) SENIOR AND THERAPEUTICS	TRUE FITNESS EXERCISE MACHINES FOR HILLCREST SENIOR CENTER (SEALED BID 5836)	\$38,500.00	<u>(292197) GULF COAST FITNESS SERVICE LLC</u>

APPROPRIATE FUNDS IN THE MUNICIPAL GOVERNMENT CAPITAL IMPROVEMENT FUND TO VARIOUS CAPITAL PROJECTS; \$1,742,530.00.

The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 09-1085-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$1,742,530.00 be appropriated in the Municipal Government Capital Improvement Fund (Fund 2010; Revenue Code CAR01 Annual Capital Trust Revenue) to the following Capital Projects:

_____	Police-JOC Video Wall Equipment	\$376,530.00
_____	Police-To Pave Range Shooting Areas	80,000.00
_____	Citywide Drainage Repairs	300,000.00
_____	Citywide Bridge Repairs	300,000.00
_____	Conv Ctr-Railway Corridor Sprinkler Piping	325,000.00
_____	IT-Improvements & Upgrades	31,000.00
_____	IT-Fiber Expansions, Relocations & Repairs	80,000.00

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_____GIS Equipment &Technology Upgrades	100,000.00
_____Cruise-Hardware on Docks Certification	150,000.00

AUTHORIZE CONTRACT WITH SPIRE, LLC FOR MARKETING SERVICES; \$70,000.00. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 21-1086-2023

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 SPIRE, LLC, in an amount not to exceed \$70,000.00, for a one-year period, for marketing services, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is necessary to perform essential functions of the Council.

AUTHORIZE CONTRACT WITH INTEGRITY MAINTENANCE, LLC FOR ELEVATOR RENOVATIONS AT THE ARTHUR R. OUTLAW CONVENTION CENTER; \$281,180.00. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 21-1087-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: INTEGRITY MAINTENANCE L.L.C.

Project Name: ARTHUR R. OUTLAW CONVENTION CENTER –
ELEVATOR INERIOR RENOVATIONS

Project Number: CN-024-23

Amount: \$281,180.00

AUTHORIZE CONTRACT WITH CLARK GEER LATHAM & ASSOCIATES FOR TRAFFIC ENGINEERING EQUIPMENT BUILDING; \$23,500.00. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 21-1088-2023

Sponsored by: Mayor Stimpson and Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALA BAMA, 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: Clark Greer Latham and Associates, Inc.

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Project Name: Traffic Engineering Equipment Building

Project Number: BG-088-23

Amount: \$23,500.00

AUTHORIZE CONTRACT WITH JOHN G. WALTON CONSTRUCTION CO., INC. FOR U.S. HWY 45 STREETSCAPE IMPROVEMENT; \$3,148,747.77. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 21-1089-2023

Sponsored by: Mayor Stimpson and Councilmember Penn

WHEREAS, bids for street resurfacing, curb and gutter, and sidewalk improvement for district 1 were received and opened on August 2, 2023.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from John G. Walton Construction Company, Inc., in the amount of \$3,148,747.77.

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: U.S. Hwy 45 Streetscape Improvement (D #1)

Project Number: 2022-3005-06

Amount: \$3,148,747.77

AUTHORIZE CONTRAT WITH MIKE HOFFMAN’S EQUIPMENT SERVICE, INC., FOR REMOVAL OF FUEL SYSTEM AND UNDERGROUND STORAGE TANKS AT MOTOR POOL; \$102,091.50. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 21-1090-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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: Mike Hoffman’s Equipment Service, Inc.

Project Name: Removal of Fuel System and Underground Storage Tanks Motor Pool

Project Number: 2023-3005-20

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Bid Number: 0002

Estimated Cost: \$102,091.50

ASSENT TO THE VACATION OF PORTION OF AN ALLEY LOCATED BETWEEN 1010 AND 1012 OLD SHELL ROAD. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 46-1091-2023

Sponsored by: Councilmember Carroll

WHEREAS, Daniel L. McCleave, Nicki Patterson, Raymond Pelt, and Deborah A. Pelt (the "Owners"), as owners of all the land abutting and affected by the alley as more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference, have petitioned to the Mobile City Council to assent to the vacation by them as abutting and affected property owners of the alley; and

WHEREAS, it is the intention of Owners, that upon said vacation, Owners will own all of the alley and will own all remaining interest in the vacated alley; and

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council, that its assent be and hereby is given to the vacating of the alley which is described on Exhibit "A", provided that the procedure for vacation shall be in strict compliance with the law, and further subject to the following: (a) an easement be excepted from this vacation and be retained in favor of Mobile Area Water and Sewer System to operate and maintain existing facilities until they are either relocated or abandoned; (c) an easement be excepted from this vacation and be retained in favor of Mobile Gas Service Corporation to operate and maintain existing facilities until they are either relocated or abandoned; and (d) Alabama Power Company and AT&T Alabama are reserved all rights and privileges necessary and convenient for full enjoyment of use of its facilities within and adjacent to the area to be vacated; including the right of ingress and egress to and from said facilities, the right to cut and/or trim trees/limbs which, in their sole opinion would interfere with said facilities, and the right to prohibit use of the land vacated in a manner which violates the National Electric Safety Code.

The City Clerk of Mobile is hereby authorized, empowered and directed to certify a true copy of this resolution and attach such certified copy to the written declaration of vacation of the alley and to deliver said documents to Owners, the owners of the real property abutting said alley, hereby vacated.

EXHIBIT "A"

WOLFES ALLEY

COMMENCING AT THE NORTHEAST CORNER OF PINE STREET AND OLD SHELL ROAD; THENCE SOUTH 85° - 00' EAST ALONG THE NORTH LINE OF OLD SHELL ROAD 213.50 FEET TO THE SOUTHWEST CORNER OF WOLFES ALLEY FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE SOUTH 85° - 00' EAST 12.00 FEET TO THE SOUTHEAST CORNER OF WOLFES ALLEY; THENCE NORTH 05° - 49' - 46" EAST ALONG THE EAST LINE OF WOLFES ALLEY 108.24 FEET; THENCE NORTH 87° - 11' - 19" WEST 12.04 FEET; THENCE SOUTH 05° - 49' - 01" WEST ALONG THE WEST LINE OF WOLFES ALLEY 107.78 FEET TO THE POINT OF BEGINNING.

The resolution was read by the City Clerk, whereupon Councilmember Carroll moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, 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.

CONSIDER A VACATION RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A PORTION OF AN ALLEY LOCATED BETWEEN 1010 AND 1012 OLD SHELL ROAD. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 46-1092-2023

Sponsored by: Councilmember Carroll

BE IT RESOLVED by the City Council of the City of Mobile that the right-of-way fee for the vacation of a portion of an alley located between 1010 and 1012 Old Shell Road, by the Council as per Resolution VACATION RESOLUTION# is hereby set at \$6,207.84.

The resolution was read by the City Clerk, whereupon Councilmember Carroll moved to table the resolution, which was seconded by Councilmember Reynolds, following comments from Councilmembers Daves, Reynolds, and Carroll the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory

Nays: None

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; HARMON. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 60-1093-2023

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 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 Gloria Harmon, 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.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; MCCARROLL. The following resolution was held over until the regular meeting of October 3, 2023.

RESOLUTION: 60-1094-2023

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 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 Kierra Lashaun McCarroll, 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.

ANNOUNCEMENTS

Councilmember Woods said that the meeting date for the first community meeting in District 6 will be in his newsletter.

Councilmember Penn stated that the home of Hank Aaron has been moved back to Toulminville.

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Councilmember Penn said he was excited about the U.S. Highway 45 streetscape improvements coming soon.

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

Ayes: Penn, Carroll, Reynolds, Daves, Woods, and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 12:28 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK

