

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 12, 2020

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 Thursday, March 12, 2020, at 12:00 p.m.

Present:

Chairman: Small
Councilmembers: Richardson, Daves, Rich and Gregory
Absent: Manzie, Williams

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 1:00 p.m.

Approved: March 17, 2020

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 12, 2020

The City Council of the City of Thursday, March 12, 2020, at 1:00 p.m., in regular meeting.

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

Minister Paul Wisdom, Youth & Family Minister of University Church of Christ, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: The Presiding Officer asked everyone to remain standing for a moment of silence as a sign of respect for the victims of the Tennessee tornado, the recent shooting of a Birmingham police officer and for Council President Manzie's quick recovery.

Present on Roll Call:

Chairman: Small
Councilmembers: Richardson, Williams, Daves, Rich and Gregory
Absent: Manzie

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meetings of March 3, 2020 were approved as submitted.

PRESENTATIONS BY THE COUNCIL:

Councilmembers Rich and Gregory presented a proclamation declaring March 12, 2020 as "League of Women Voters Mobile Day" to commemorate their 100th anniversary and the passage of the 19th Amendment.

COMMUNICATIONS FROM THE MAYOR:

MINUTES OF MARCH 12, 2020

Mayor Stimpson reported that he is communicating with State and Federal officials regarding protocol recommendations for the Covid-19 virus.

Mayor Stimpson assured the public that the delay of the Carnival Cruise ship's return to port was caused by fog.

Mayor Stimpson read a proclamation declaring March 12, 2020 as "Terry Curtis Day" in Mobile to honor Mr. Curtis's contributions to athletics.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

The Council considered the request of Earl Smith, Sr. for a waiver of the Noise Ordinance at 3369 Bristlecone Drive on April 3, 2020, from 10:00 a.m. until 7:00 p.m. (District 6).

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

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

Nays: None

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

The Council considered the request of Lewis H. Golden for a waiver of the Noise Ordinance for the South Monterey Block Party on April 25, 2020, from 6:00 p.m. until 10:00 p.m. (District 2).

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

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

Nays: None

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

The Council considered the request of John Thompson for a waiver of the Noise Ordinance at 916 Charleston Street on March 14, 2020, from 11:00 a.m. until 10:30 p.m., for a St. Patrick's Day party (District 2).

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

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

Nays: None

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

MINUTES OF MARCH 12, 2020

The Council considered the amended request of Carrie R. Coats, Kingdom Covenant Connections, for a waiver of the Noise Ordinance on August 30-September 10, 2020, from 4:00 p.m. until 8:30 p.m., at Lyons Park (District 2).

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

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

Nays: None

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

The Council considered the amended request of Carrie R. Coats, Kingdom Covenant Connections, for a waiver of the Noise Ordinance on September 11-13, 2020, from 6:00 a.m. until 8:00 p.m., at Lyons Park for the 15th annual walk (District 2).

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

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

Nays: None

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

The Council considered the request of Rogery Perine for a waiver of the Noise Ordinance on March 14, 2020, from 11:00 a.m. until 9:00 p.m., at 7024 Champions Run (District 7).

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

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 758 DOWNTOWNER BOULEVARD AND 4312 MIDMOST DRIVE (WEST SIDE OF DOWNTOWNER BOULEVARD, 130' NORTH OF MIDMOST DRIVE, EXTENDING TO THE NORTH SIDE OF MIDMOST DRIVE, 157' WEST OF DOWNTOWNER BOULEVARD) FROM B-2 AND B-3 TO B-3 (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 758 Downtowner Boulevard and 4312 Midmost Drive from B-2 and B-3 to B-3 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 at a later date.

AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, spoke in opposition of Ordinance 02-045.

NON-AGENDA ITEMS:

MINUTES OF MARCH 12, 2020

1. Angie Jordan, Muscular Dystrophy Association, presented the “Golden Ax” award to the Mobile Fire Rescue Department in appreciation for the “Fill the Boot” campaign.
2. Dr. Bert Eichold, Mobile County Health Department, provided information and updates related to the Covid-19 virus.
3. Carol Hunter, Downtown Mobile Alliance, 261 Dauphin Street, gave an update on the impact the New Year’s Eve Moon Pie Drop had on Mobile.

ORDINANCES HELD OVER:

ORDINANCE TO TERMINATE ALL CITY SERVICES WITHIN THE POLICE JURISDICTION; TO REPEAL CERTAIN BUSINESS LICENSE TAXES AND TO PROVIDE FOR AN ORDERLY TRANSITION. The following ordinance, which was introduced and read at the regular meeting of December 31, 2019 and held over until the regular meetings of January 7, 2020, February 11, 2020 and March 12, was called up by the Presiding Officer.

ORDINANCE: 02-045-2019

Sponsored by: Councilmember Daves

AN ORDINANCE TO TERMINATE ALL CITY SERVICES WITHIN THE POLICE JURISDICTION; TO REPEAL CERTAIN BUSINESS LICENSE TAXES LEVIED IN THE POLICE JURISDICTION; AND TO PROVIDE FOR AN ORDERLY TRANSITION

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

Section One. Findings.

- (a) Mobile is an Alabama Class 2 municipality vested with a portion of the state’s sovereign power to protect the public health, safety and welfare. Ala. Code §§ 11-45-1, 11-44C-1 et seq.
- (b) All legislative powers of the City, and the determination of all matters of legislative policy, is vested in the City Council. Ala. Code § 11-44C-21.
- (c) As allowed by Ala. Code § 11-40-10, the City has established a police jurisdiction, an area of land which extends three miles beyond the corporate limits.
- (d) The City has provided services to the police jurisdiction since 1947. Sections 46-3 and 22-11 of the Mobile City Code currently requires the City to provide police protection and fire suppression services to the police jurisdiction.
- (e) Beginning in 2016, as required by Ala. Code § 11-51-206 and Ala. Code § 11- 51-91, the City has calculated revenues received from businesses located in the police jurisdiction and has also calculated the cost of services that are provided in the police jurisdiction.
- (f) According to the reports filed by the City’s Executive Director of Finance with the Alabama State Department of Public Examiners, the City expended approximately \$26,642,581 in the police jurisdiction for fiscal year 2018.
- (g) In contrast, the City collected approximately \$2,136,893 in business license fees.
- (h) The City Council believes that it is in the best interest of the City to eliminate the financial burden caused by providing services in the police jurisdiction, and desires to terminate all City services provided therein.
- (i) The decision to curtail expenditures in the police jurisdiction is left to the legislative discretion of the Council; however, the termination of services must coincide with the repeal of certain tax revenues that are collected in the police jurisdiction.

MINUTES OF MARCH 12, 2020

(j) The purposes of this ordinance are to set a date for the elimination of services to the police jurisdiction; to repeal certain taxes collected therein; and to provide such additional measures as may be required to insure an orderly transition.

(k) It is the policy of the City to coordinate, cooperate and otherwise assist Mobile County in the orderly transition of services from the City to the County or other appropriate agency or fire district as the case may be.

Section Two. Elimination of City Services in the Police Jurisdiction.

No later than 12:00 a.m. January 1, 2022 the City shall no longer provide any City services in the police jurisdiction.

Section Three. Elimination of Taxes in the Police Jurisdiction Concurrently with the withdrawal of City services from the police jurisdiction the City shall no longer collect business license taxes in the police jurisdiction.

Section Four. Transitional Rules. The actual date of withdrawal of City services shall be in accord with a schedule and arrangements determined by the Mayor in consultation with the Mobile County Commission, but in no event may be later than 12:00 a.m. January 1, 2022.

Section Five. Effective Date. This ordinance shall be in full force and effect on and after its adoption and publication as required by law.

Section Six. General Repealer. Any ordinances or parts of ordinances in conflict with this ordinance is hereby repealed.

The ordinance was read by the City Clerk; whereupon Councilmember Rich moved that the ordinance be held over until the regular meeting of April 21, 2020, which was seconded by Councilmember Daves.

Councilmember Richardson stated:

"I want the record to show that I am ready to vote now.

Following additional comments from Councilmembers Rich and Small the vote was as follows:

Ayes: Williams, Daves, Rich and Gregory

Nays: Richardson, Small

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the motion to hold over until April 21, 2020 denied.

Councilmember Daves moved to adopt the ordinance, which move was seconded by Councilmember Williams. Following comments from Councilmembers Daves, Rich, Richardson, Williams and Gregory the vote was as follows:

Ayes: Williams, Daves and Gregory

Nays: Richardson, Small

Abstained: Rich

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

Councilmember Daves moved to amend the ordinance by removing collection of any taxes, at the time the transition is complete, from the area where the Police Jurisdiction is withdrawn. The motion was seconded by Councilmember Williams and the vote was as follows:

MINUTES OF MARCH 12, 2020

Ayes: Williams, Daves and Gregory
Nays: Richardson, Small
Abstained: Rich

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

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 1355 S. CLOVERLEAF CIRCLE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution, which was introduced and read at the regular meeting of January 7, 2020 and held over until the regular meeting of March 12, 2020, was called up by the Presiding Officer.

RESOLUTION: 40-004-2020

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 1355 Cloverleaf Circle 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. 6, 7, 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 1355 Cloverleaf Circle South as:

LOT 15 CLOVER LEAF PARK MBK 3/559 #SEC 27 T4S RIW #MP29 10 27 3 002

Parcel number: 29 10 27 3 002 101

Last assessed to: Heirs at Law of KELLY JOHNNY AKA KELLEY JOHNNIE

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

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

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

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

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

MINUTES OF MARCH 12, 2020

RESOLUTIONS HELD OVER:

APPROVE PURCHASE ORDER TO THE FLORIDA-CARIBBEAN CRUISE ASSOCIATION, INC. FOR ANNUAL MEMBERSHIP, \$15,000.00. The following resolution, which was introduced and read at the regular meeting of March 3, 2020 and held over until the regular meeting March 12, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-179-2020

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>7146</u>	2020	(F6020) CRUISE TERMINAL	ANNUAL MEMBERSHIP IN FLORIDA-CARIBBEAN CRUISE ASSN (SOLE SOURCE))	\$15,000	<u>(294038)</u> <u>FLORIDA-</u> <u>CARIBBEAN</u> <u>CRUISE</u> <u>ASSOCIATION</u> <u>INC</u>

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

Ayes: Richardson, Small, Daves, Rich 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 CALLYO 2009 CORP. FOR LICENSE RENEWAL FOR INVESTIGATIVE SOFTWARE, \$16,450.00. The following resolution, which was introduced and read at the regular meeting of March 3, 2020 and held over until the regular meeting March 12, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-180-2020

Sponsored by: Mayor Stimpson

MINUTES OF MARCH 12, 2020

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>6659</u>	2020	(1530) POLICE ADMIN SERVICES	ONE YEAR LICENSE RENEWAL FOR CALLYO DIAMOND PACKAGE PRO INVESTIGATIVE SOFTWARE WITH 15 ADD LINES AND 4 ADD UNIT GROUPS (SOLE SOURCE)	\$16,450.00	<u>(294761) CALLYO 2009 CORP</u>

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

Ayes: Richardson, Small, Daves, Rich 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 GRAYBAR ELECTRIC COMPANY, INC. FOR ELECTRICAL AND TRAFFIC SUPPLIES. The following resolution, which was introduced and read at the regular meeting of March 3, 2020 and held over until the regular meeting March 12, 2020, was called up by the Presiding Officer.

RESOLUTION: 08-181-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Award, to the designated vendor, for the indicated time period, and if renewable, renewable without further action by Council, for the specified item(s) at the unit prices indicated.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
5373	ELECTRICAL AND TRAFFIC SUPPLIES	21	Various, see bid tab	Various, for up to 3 total years.	GRAYBAR ELECTRIC CO INC, TRAFFIC PARTS, INC.

MINUTES OF MARCH 12, 2020

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

Ayes: Richardson, Small, Daves, Rich 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 758 DOWNTOWNER BOULEVARD AND 4312 MIDMOST DRIVE (WEST SIDE OF DOWNTOWNER BOULEVARD, 130' NORTH OF MIDMOST DRIVE, EXTENDING TO THE NORTH SIDE OF MIDMOST DRIVE, 157' WEST OF DOWNTOWNER BOULEVARD) FROM B-2 AND B-3 TO B-3 (DISTRICT 5).

The following ordinance was held over until the regular meeting of March 17, 2020.

ORDINANCE: 64-007-2020

Sponsored by: Councilmember Daves

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: LOT 13 DOWNTOWNER WEST, UNIT ONE AS RECORDED IN MAP BOOK 17 PAGE 118 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY ALABAMA. The classification of said property is hereby changed from B-2, Neighborhood Business District, and B-3, Community Business District, to B-3, Community Business District, and it shall hereafter be lawful to" construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a B-3, Community Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business District, until all of the conditions set forth below have been complied with: 1) Full compliance with all municipal codes and ordinances.

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 Williams moved for the suspension of the rules to consider Consent Resolutions 03-184 – 60-189 being introduced for the first time. The motion was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

MINUTES OF MARCH 12, 2020

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT MERI BETH SLAUGHTER TO THE MOBILE HISTORIC DEVELOPMENT COMMISSION. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-184-2020

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Meri Beth Slaughter is appointed to the Mobile Historic Development Commission effective immediately for a term ending April 14, 2023.

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

Ayes: Richardson, Small, Daves, Rich and Gregory

Nays: None

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

CONCUR IN THE RE-APPOINTMENT OF DR. LEIDA JAVIER-FERRELL, HERMAN J. TINSLEY AND CASSAUNDRA I. BURKS TO THE MOBILE COUNTY BOARD OF HUMAN RESOURCES. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-197-2020

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Council concurs in the following re-appointments to the Mobile County Board of Human Resources for terms specified below:

Name:	Term expires:
Dr. Leida Javier-Ferrell	September 30, 2025
Herman J. Tinsley	September 30, 2025
Cassandra I. Burks	September 30, 2027

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

Ayes: Richardson, Small, Daves, Rich and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR LUCKY 99, 763 SUMMERVILLE STREET. The following resolution was introduced by Councilmember Daves.

MINUTES OF MARCH 12, 2020

RESOLUTION: 37-185-2020

Sponsored by: Councilmember Richardson

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)

Submitted by: MCAR, LLC

Location: Lucky 99 763 Summerville Street

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of March 24, 2020, which was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Daves, Rich and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LICENSE FOR THE DOWNTOWN GETDOWN, CATHEDRAL SQUARE PARK. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-186-2020

Sponsored by: Councilmember Manzie

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

Type of Application: Special Events Retail

Submitted by: Top Shelf Bar Services, LLC

Location: Downtown Getdown
300 Conti Street, Cathedral Square Park
Mobile, AL 36602

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

Ayes: Richardson, Small, Daves, Rich and Gregory

Nays: None

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

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #38. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-187-2020

RESOLUTION ASSESSING THE COST OF REMOVAL OF NOXIOUS OR DANGEROUS WEEDS IN FRONT OR OF ON CERTAIN PARCELS OF LAND IN THE CITY OF MOBILE, ALABAMA.

MINUTES OF MARCH 12, 2020

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of culling such weeds, and the City Council being of the opinion that such report in all respects be confirmed:

IT IS THEREFORE RESOLVED BY THE CITY COUNCIL OF MOBILE as follows:

Section 1. The amount set opposite each described parcel of real property contained in exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Repeat Weed Lien Group #38 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

MINUTES OF MARCH 12, 2020

REPEAT WEED LIEN								
GROUP 38							Res. No.	
12/17/2019	1st REPEAT WEED LIEN LETTERS SENT						11-058	
3/10/2020	REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST							
Item		Dis	SRO	Case	Initial	Times	Amount	CBD
No.			Repeat		Nuisance	cut within	Assessed	CBO
1	1454 Butler St	1	945911	1700	10/30/2018	1	\$ 275.00	
2	6404 Biloxi Ave	7	945887	1701	4/18/2017	1	\$ 336.69	
3	606 Youngs Alley	2	946620	1702	8/15/2017	1	\$ 303.00	
4	607 Youngs Alley	2	946623	1703	8/15/2017	2	\$ 389.00	
5	2656 Pleasnt Valley Rd	5	940730	1704	12/4/2018	1	\$ 50.00	CBO
6	1205 Peabody Dr	7	941846	1705	2/14/2017	1	\$ 324.46	
7	716 Shannon St	5	948166	2290	6/20/2017	3	\$ 515.58	
8	924 Bay Ave	3	946864	2291	1/10/2017	1	\$ 275.00	
9	661 Patton Ave	2	948146	2292	6/12/2018	1	\$ 289.00	
10	1710 Prince St	1	948096	2293	3/7/2017	1	\$ 50.00	CBO
11	2063 Kentwood Lane	1	947969	2294	10/16/2018	1	\$ 275.00	
12	906 Marine St	3	949205	2295	8/15/2017	3	\$ 50.00	CBO
13	3507 Keeling Rd	3	1933	2296	5/14/2019	1	\$ 275.00	
14	1919 St Stephens Rd	1	1919	2297	10/30/2018	1	\$ 282.00	
15	2956 Pages Lane	1	1745	2298	10/16/2018	1	\$ 50.00	CBO
16	2954 Pages Lane	1	1921	2299	10/16/2018	1	\$ 50.00	CBO
17	1101 Bay Ave	3	1921	2300	6/5/2018	2	\$ 389.00	
18	2410 Denmark St	1	2022	2301	10/9/2018	2	\$ 375.00	
19	704 Rice St	1	1918	2312	3/20/2018	1	\$ 50.00	CBO
20	1101 Sutton Ave	3	2038	2437	6/25/2019	1	\$ 339.79	
21	2126 Johns Lane	3	2259	2438	5/14/2019	1	\$ 833.30	
22	1504 Terrell Rd	3	2211	2439	5/28/2019	1	\$ 372.16	
23	1508 Adams St	2	2514	2516	6/12/2018	1	\$ 275.00	
Total							\$ 6,423.98	
District total for this group			Numbers of lots cut					
1	8		1	4				
2	4		2	4				
3	7		3	6				
4	0		4	0				
5	2		5	1				
6	0		6	0				
7	2		7	2				
	23			17				
*CBO Cut By Owner			*CBC Cut By Contractor					
*N/A Taken out by Inspector			*UDL Undeveloped Lot					
*ADD Added in from other Groups			*Fka Formerly known as					

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

Ayes: Richardson, Small, Daves, Rich and Gregory

Nays: None

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

DETERMINE APPROPRIATION TO OPPORTUNITY 4 ENTERTAINERS & PERFORMING ARTS FOR THE ALABAMA HIP HOP WEEK MUSIC FESTIVAL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$3,500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-188-2020

Sponsored by: Councilmembers Richardson, Manzie, Small, Daves, Rich and Gregory

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

MINUTES OF MARCH 12, 2020

WHEREAS, Councilmember Richardson is giving \$1,000.00; Councilmember Manzie is giving \$750.00; Councilmember Small is giving \$250.00; Councilmember Daves is giving \$500.00; Councilmember Rich is giving \$500.00 and Councilmember Gregory is giving \$500.00 (TOTAL OF \$3,500.00) wishes to donate, to the Opportunity 4 Entertainers & Performing Arts, from their discretionary funds; and

WHEREAS, Opportunity 4 Entertainers & Performing Arts, 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 Opportunity 4 Entertainers & Performing Arts, will be used to sponsor and support the "Alabama Hip Hop Week Music Festival" to be held on July 10 – 19, 2020 at various location in downtown Mobile and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$3,500.00 to the Opportunity 4 Entertainers & Performing Arts 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 that the resolution be adopted, which was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Daves, Rich and Gregory

Nays: None

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

DETERMINE APPROPRIATION TO THE CHILD ADVOCACY CENTER SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$8,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-189-2020

Sponsored by: Councilmembers Williams and Gregory

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

WHEREAS, Councilmember Williams wishes to appropriate \$3,000.00 and Councilmember Gregory wishes to appropriate \$5,000.00 (TOTAL OF \$8,000.00) wishes to donate, to The Child Advocacy Center, from their discretionary funds; and

WHEREAS, The Child Advocacy Center, 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 Child Advocacy Center, will be used to assist with their "SERVE IT UP WITH LOVE" Charity Tennis Tournament to be held on April 2-5, 2020 at the Copeland-Cox Tennis Center and thus serves a public purpose.

MINUTES OF MARCH 12, 2020

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$8,000.00 to The Child Advocacy Center 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 that the resolution be adopted, which was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Daves, Rich 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 MCCRORY WILLIAMS, INC. FOR THE HALLS MILL ROAD AND DEMETROPOLIS ROAD INTERSECTION IMPROVEMENT PROJECT DESIGN, \$53,045.10. The following resolution was held over until the regular meeting of March 17, 2020.

RESOLUTION: 21-190-2020

Sponsored by: Councilmember Williams 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 contract will be on file in the office of the City Clerk.

Name of company: McCrory Williams, Inc.

Project name: Halls Mill Road and Demetropolis Road
Intersection Improvement
Project Design 2020-2060-01

Capital project no.: C0478

Contract amount: \$53,045.10

AUTHORIZE CONTRACT WITH SPEAKS & ASSOCIATES CONSULTING ENGINEERS, INC. TO PERFORM ENGINEERING SERVICES FOR 2020 CIP ESLAVA CREEK DRAINAGE IMPROVEMENTS CONSTRUCTION AND ENGINEERING INSPECTION, \$59,700.00. The following resolution was held over until the regular meeting of March 17, 2020.

RESOLUTION: 21-191-2020

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, 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

MINUTES OF MARCH 12, 2020

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: Speaks & Associates Consulting Engineers, Inc.

Project name: 2020 CIP Eslava Creek Drainage Improvements, D5
COM project no.:2020-3005-03

Estimated Cost: \$59,700.00

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH THE BARTON ACADEMY FOUNDATION TO REHABILITATE AND RESTORE BARTON ACADEMY, \$5,000.00. The following resolution was held over until the regular meeting of March 17, 2020.

RESOLUTION: 01-192-2020

Sponsored by: Councilmember Rich

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 Barton Academy Foundation, in the amount of \$5,000.00, for renovating Barton Academy, as outlined in the agreement 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.

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC CO., INC. FOR DECORATIVE ALUMINUM LIGHT POLES, \$17,835.40. The following resolution was held over until the regular meeting of March 17, 2020.

RESOLUTION: 08-193-2020

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>2703</u>	2020	(2062) ELECTRICAL	10 DECORATIVE ALUMINUM LIGHT POLES (SEALED BID 5376)	\$17,835.40	<u>(075199)</u> <u>GRAYBAR</u> <u>ELECTRIC CO INC</u>

ACCEPT DEED FROM THOMAS AND ELEESHA NEESE FOR 3 PARCELS FOR THE THREE MILE CREEK GREENWAY (DONATION). The following resolution was held over until the regular meeting of March 17, 2020.

RESOLUTION: 23-194-2020

Sponsored by: Councilmembers Richardson and Gregory

MINUTES OF MARCH 12, 2020

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 hereby are, authorized to accept the conveyance of a Warranty Deed from Thomas W. and Eleesha P. Neese for three (3) parcels of land located along Three Mile Creek for the purposes of acquiring property for the Three Mile Creek Greenway.

GRANT SEWER EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS TO MAWSS FOR THREE MILE CREEK SEWER TRUNK LINE. The following resolution was held over until the regular meeting of March 17, 2020.

RESOLUTION: 25-195-2020

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, 6 Permanent Sanitary Sewer Easements and 5 Temporary Construction Easements, for the Three Mile Creek Sewer Trunk Line to the BOARD OF WATER AND SEWER COMMISSIONERS of the City of Mobile, a copy of which is attached hereto and make a part thereof as though fully set forth herein, for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLARS.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SHANREK L. WATSON, D/B/A TRUSTING RELIABLE TRANSPORTATION TO OPERATE A SHUTTLE SERVICE. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 41-196-2020

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

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

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Shanrek L. Watson, d/b/a Trusting Reliable Transportation, to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on the 24th day of March, 2020, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

Councilmember Williams then moved to call for the public hearing, which move was seconded by Councilmember Gregory and the vote was as follows:

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as March 24, 2020.

ANNOUNCEMENTS:

MINUTES OF MARCH 12, 2020

Councilmember Gregory announced that she will participate Saturday in the League of Women Voters Mobile walk to commemorate the passage of the 19th Amendment.

Councilmember Gregory stated that the “Political Engagement in Uncertain Times” event has been rescheduled for April 27, 2020, because of concerns regarding the Covid-19 virus.

Councilmember Gregory encouraged the public to attend the Plantasia plant sale being held March 20-22, 2020. Proceeds will benefit Mobile Botanical Gardens.

Councilmember Rich thanked Dr. Eichold for providing information on the Covid-19 virus.

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 8:41 p.m.

Adopted: March 17, 2020

COUNCIL VICE PRESIDENT

CITY CLERK