

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 8, 2022

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, March 8, 2022, at 9:00 a.m.

Present:

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

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, MARCH 8, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, March 8, 2022, at 10:30 a.m., in the regular meeting.

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

Pastor Alexander Johnson, Midway Missionary Baptist Church, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meeting of March 2, 2022, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson presented Kane Wommack, University of South Alabama Head Football Coach, with the "Exceptional Citizenship Award."

Mayor Stimpson announced that he will give an update on the "Coopertown Baseball Hall of Famers" project today at 1:30 p.m., at the Convention Center.

Mayor Stimpson read a passage from the book entitled "Here's to You Jackie Robinson." This book was written about baseball in Mobile and references the Prichard Mohawks.

Mayor Stimpson announced that the current Carnival Cruise ship in Mobile will be leaving in October and will be replaced a year later with the Spirit Carnival ship.

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PRESENTATIONS TO THE COUNCIL:

Allen Reed, Landscape Services Supervisor, Parks & Recreation, presented Darrin Packard as the “Employee of the Month” for the month of February 2022.

Jeff Deese, Public Works Supervisor, presented Michael Beech as the “Public Services Employee of the Month” for February 2022.

Cassie Boatwright, Director of Real Estate & Asset Management, and Cliff Thomas, Mechanical Maintenance Supervisor, presented Myra Jackson as the “Public Works at Large Employee of the Month” for February 2022.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

Request of Mary Carter for a waiver of the Noise Ordinance at 1906 Spring Hill Avenue on March 26, 2022, from 7:00 p.m. – 11:00 p.m. (District 1).

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

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

Nays: None

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

Request of O’Daly’s Irish Pub for a waiver of the Noise Ordinance at 564 Dauphin Street on March 11 and 12, 2022, from 6:00 p.m. – 12:00 a.m. (District 2).

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

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

Nays: None

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

Appeal of the Planning Commission’s approval for a Planned Unit Development (PUD) to allow multiple buildings on a single building site at 1867 Prichard Avenue, W. and 100-110 Joel Court (District 1).

Gwendolyn S. Smith 2613 St. Stephen Road, expressed concerns with the new construction on 1867 Prichard Avenue West.

Esther Beasley, 1907 W. Prichard Avenue, supported the proposed plans for the new development.

Nicky Isaac, President/CEO of Nicky’s Investment Group, expressed her willingness to work with the residents to address their concerns with the proposed project.

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Alexia Ringold, 3357 Brooklyn's Way, Semmes, AL 36575, spoke in support of the project.

Llewellyn Isaac, 2206 Division Street, spoke in support of the project.

Councilmember Penn moved to hold over the waiver until the regular meeting of March 22, 2022, which was seconded by Councilmember Gregory. Following comments by Chris Arledge, City Council Attorney, Councilmembers Carroll, Jones, Gregory, and Penn the vote was as follows:

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 1451 CEDAR CRESCENT DRIVE FROM R-3 TO R-3 TO REMOVE CONDITIONS OF THE EXISTING ZONING AMENDMENT (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 1451 Cedar Crescent Drive from R-3 to R-3 to remove conditions of the existing zoning amendment, 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 REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ZEIGLER BOULEVARD AND NORTH UNIVERSITY BOULEVARD FROM R-1 TO B-2 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the southwest corner of Zeigler Boulevard and North University Boulevard from R-1 to B-2, and asked if there was anyone present to speak for or against this matter.

Robert Cook, 4104 Ridgelawn Drive, spoke in support of the rezoning.

Lisa Lambert, City Clerk, read the following e-mail from Elizabeth Levins, 871 Imperial Drive:

MAY THE WORDS ON THIS PAGE SPEAK FOR ME!

My name is Elizabeth Levins. I am asking that you PLEASE allow my words on this page to be read aloud, at the Public Hearing on March 8, 2022, in my absence. My husband is a liver transplant patient. He is immune suppressed and highly susceptible to COVID-19. I am high risk and very susceptible, as well, with several medical conditions. I am the primary care partner for him and myself! We cannot and do not take chances with our lives, at this point, as we have already been through a great deal. If you would, please grant this humble request!

My husband, George and I have been residents of the Imperial Woods South Subdivision for 43 years. By no means are we the longest living residents in this area either. I feel that I can speak on the behalf of all, if not, most of the people, who reside in the Imperial Woods Subdivision, North and South, about our neighborhood. We love this area and we do not want to see it destroyed for us or any future individuals who may come to reside, in our

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part of the city. Our beautiful Municipal Park, named after former beloved Mayor, Joseph Langham, is visited by people all over Mobile County!

Our family is in no way an anomaly in this area of Mobile. We are the norm! Change happens everywhere, but this is an area of living, the building of individuals and families to place their roots for many years to come! This is NOT a business area. We do not need to be rezoned for the selfishness of someone from another state or anywhere else, who just wants to make more money at our expense and hasten the demise of our lives and homes. We do not want our homes value to be depleted. Nor, do we want our properties to become poisonous cesspools because of leaking gas tanks into the ground! WE HAVE ENOUGH GAS STATIONS SURROUNDING US IN EVERY DIRECTION, up and down University and Zeigler. Besides in a few short years, ELECTRIC CARS, will become the way of the world!

We, the residents of this area are great neighbors and citizens of the City of Mobile! We are law-abiding and supportive of positive things going on in our area and around our Great City. No, we are not in the million dollar area of town, but we love this haven of Mobile and want the best for everyone!

My husband and I, as well as other individuals out here, worked hard to buy our homes, while we raised our family. We educated our children from elementary school through College and raised them to be great Christians and respectful individuals to this community and beyond! We paid taxes and attempted to support most things that the City of Mobile put forth for the well-being of our City. PLEASE DO NOT DESTROY WHAT WE HAVE BUILT FOR THE GREED OF ANOTHER PERSON WHO REALLY DOES NOT CARE ABOUT US OR THIS CITY!

YES, this is one proposal that we CANNOT support or accept! This rezoning is not good for any of the people who live off of Zeigler Boulevard. There are 4 other large subdivisions, on Ziegler, within two miles of each other. You will be negatively affecting the lives of over 1000 families, if you vote yes!

Gas stations of this magnitude will attract and bring an element into our area that is not desirable. Robbery, theft, injury, abduction and possibly murders will be one time too many, anytime and anywhere, but especially in a family residential area. A station similar to this one has had two women assaulted within 6 months of each other, here in Mobile. The assaulters were trying to steal cars. One female was picked up and dropped on her head. The other one was pregnant, coming out of the convenience store and saw someone attempting to steal her car and then the thief hit her with it! The CEFCO on Spring Hill/Mobile St. that is owned by the same company who is requesting the rezoning had a theft attack, in February, at that station that involved a scuffle/injury to the employee on duty.

In addition, the local residents, school children, of this area and other unsuspecting Mobilians traveling these two streets will be subjected to many more accidents, at University and Ziegler Blvds., because the owner of this proposed rezoning request has a plan to build an additional exit from the station, directly unto University, right beyond where the two streets intersect! This exit from the station will add insult to injury that already exists. Car wrecks currently occur at an alarming rate at the intersection of these two Boulevards on a very regular basis. There will be more car wrecks waiting to happen because University has become a speedway over the years, since its expansion! Cars zoom at a very high rate of speed like they are on an interstate. People exiting the gas station at this proposed new exit, will be attempting to cross all the way over to the opposite side of University to head the opposite way, too!

We beg of you to not destroy what ALL of the residents in this area have been able to Achieve! Please Vote No to Rezoning Zeigler And University From Our Residential Area To That Of Business! In the recent past, last year, a No Vote was given to a business that wanted to build a large animal clinic in the Spring Hill/Sandtown Area. I was proud of the Council for standing with what was best for the residential community. The building of a large animal clinic and a huge gas station/convenience store should be in a true business area, so as not to ruin the

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**lives of the current residents and the sub-division of homes of Mobile Citizens!
Please VOTE NO for another group of great citizens of Mobile, AL.**

Thanking you so much in advance for standing up for tried, tested and true citizens of Mobile, AL!

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 256 CLAY 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 256 Clay 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 1162 CONGRESS 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 1162 Congress 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 106 MICHAEL DONALD AVENUE 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 106 Michael Donald Avenue 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 67 ST. MICHAEL 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 67 St. Michael 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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

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THE FOLLOWING SPOKE REGARDING THE URBAN CAMPING ORDINANCE:

1. Elizabeth Chiepalich, 1860 Government Street
2. Susan Comeaux, 256 Roper Street
3. Hank Caddell, 1321 Dauphin Street
4. Robert Clopton, 2612 Charlotte Oaks Drive
5. Tonny Algood, 214 A De Sales Avenue
6. Sabrina Mass, 1050 Belvedere Circle West
7. Lori Bone, 2889 Sollie Road Apt 703

NON-AGENDA ITEMS:

1. Nija Hill, 604 McDonough Street, asked that Allison Street be honorarily named after her son, Chavan Scruggs, who was murdered in that location.
2. Reggie Hill, 1007 Center Street, offered recommendations for the legislative committee and fiscal spending in the City of Mobile.

THE FOLLOWING SPOKE REGARDING THE REDISTRICTING OF COUNCIL DISTRICTS:

1. Reverend Marvin Lue, 1252 Dr. Martin Luther King, Jr. Avenue
2. Reverend Jim Flowers, 151 S. Ann Street
3. Trevor Woolridge, 354 PH Lewis Place

ORDINANCES HELD OVER:

ORDINANCE REGARDING URBAN CAMPING AND IMPROPER USE OF PUBLIC PLACES. The following ordinance, which was introduced and read at the regular meeting of January 18, 2022, held over until the regular meetings of January 25, 2022, and February 1, 2022, was called up by the Presiding Officer.

ORDINANCE: 39-003-2022

Sponsored by: Councilmembers Reynolds and Daves

AN ORDINANCE REGARDING URBAN CAMPING AND IMPROPER USE OF PUBLIC PLACES

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

Section 1. Amendment of Chapter 39, Article IV.

Chapter 39, Article IV, of the Mobile City Code, 1991, is hereby amended to add a new Sec. 39-102 to be stated as follows:

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

"Bridge" means a structure, including the approaches thereto, erected in order to afford passage over any obstruction in any public road, railroad, or other right-of-way; or to afford passage under or over existing public roads, railroads, or other rights-of-way. As used in this section the definition of "Bridge" shall include a controlled access highway overpass as defined herein.

"Camp" or "Camping" means the use of a street, sidewalk, other right-of-way, any area underneath a Bridge, any city-owned park, and/or any Public property, as defined herein, within the City of Mobile for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or Storing Personal Property, or making a fire, or carrying on cooking activities,

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or using a tent or other structure for habitation. These activities constitute camping if, in light of all the circumstances, it reasonably appears that in conducting one or more of these activities, the participant is in fact using the area as a living accommodation, regardless of the intent of the participant or the nature of any other activities in which s/he may also be engaging.

"City" means the City of Mobile.

"Controlled access highway overpass" means a crossing of two controlled access highways or of a controlled access highway and other public road, pedestrian path, railroad or public right-of-way at different levels where clearance to traffic on the lower level is obtained by elevating the higher level.

"Interference (or "Interfere") with Ingress and Egress" means standing, sitting, lying down, using personal property, or performing any other activity on public property and/or in a City-owned park, where such activity: a) materially interferes with the ingress into and egress from buildings, driveways, streets, alleys, or any other real property that has a limited number of entrances/exits, regardless of whether the property is owned by the City, a private owner or another public entity; b) reasonably appears, in light of all of the circumstances, to have the purpose of blocking ingress and egress; and c) occurs without the express written permission of the owner of the property at issue. Where written permission has been granted, the individuals interfering with ingress and egress must have possession of the permission at the time of the activity in question.

"Park" or "Parks" means any City-owned park.

"Public Property" means any street, sidewalk, other right-of-way, and/or any City-owned real property within the City of Mobile.

"Storing (or "Store") Personal Property" means leaving one's personal effects unattended on Public Property, in any area underneath a Bridge, and/or in a Park, such as but not limited to clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks. This term does not include parking a bicycle or other mode of transportation in an area clearly designate for such parking.

(b) It shall be unlawful for any person to Camp without a permit issued by the City's Executive Director of Public Works or his/her designee.

(c) It shall be unlawful for any person to Interfere with Ingress and Egress.

(d) The prohibitions set forth in subsection (c) above shall not apply to City-permitted or approved construction, excavation or other work in a public right-of-way or on Public Property or in a Park.

(e) The prohibitions set forth in this section shall not apply to city, state, or county officials or employees acting in their official capacity, performing the activities as part of their official city duties.

(f) The prohibitions set forth in this section shall not apply to city, state, or county contractors or subcontractors where said activities are associated and performed in conjunction with the scope of work set forth in the city contract.

(g) It shall be unlawful for any person to violate any of the provisions of this section. Any person or entity found guilty of violating any provision of this section shall, upon conviction for such violation, be punished by a fine up to and not to exceed five hundred dollars (\$500.00), and may be imprisoned for a period up to and not exceeding six (6) months.

Section 2. Miscellaneous.

(a) All other provisions and sections of the Mobile City Code, 1991, not amended herein shall remain in full force and effect, and it is intended that this Ordinance be read in pari materia with all other existing City Ordinances.

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

(c) This Ordinance shall be effective within the City of Mobile immediately upon its adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Carroll moved that the ordinance be tabled, which was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

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

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 456 ELMWOOD DRIVE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution, which was introduced and read at the regular meeting of January 11, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 40-033-2022

Sponsored by: Councilmember Daves

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 456 ELMWOOD DRIVE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 456 ELMWOOD DRIVE described as:

LOT 23 BLK G BERKSHIRE HILLS PART A MBK 6 P 595 #SEC 38 T4S R2W #MP28 08 38 4 003

Parcel Number: 28 08 38 4 003 095

Last Assessed to: LEE MARY ELIZABETH WILLIAMS
C/O WILLIAM E WILLIAMS

is found and determined by the Mobile City Council too 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 Gregory moved that the resolution be held over for one week, which was seconded by Councilmember Jones, the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Scott, and Gregory

Nays: None

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

RESOLUTIONS HELD OVER

ASSENT TO THE VACATION OF PORTIONS OF PEARL STREET, LYONS STREET, HOSPITAL STREET, AND BASIL STREET. The following resolution, which was introduced and read at the regular meeting of February 15, 2022, and held over until the regular meetings of February 22, 2022, and March 2 & 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 47-169-2022

Sponsored by: Councilmember Carroll

RESOLUTION ASSENTING TO THE VACATION OF PORTIONS OF PEARL STREET, LYONS STREET, HOSPITAL STREET AND BASIL STREET

WHEREAS, Bishop State Community College ("Bishop State"), the Alabama Community College System ("ACCS"), and the Board of School Commissioners of Mobile County ("School Board"), (Bishop State, ACCS, and School Board are sometimes hereinafter collectively referred to as "Petitioners"), have submitted a Petition to the Mobile City Council to vacate portions of streets Pearl Street (Parcel A), Lyons Street (Parcel B), and Hospital and Basil Street (Parcel C) (collectively referred to herein as the "Streets"), described more particularly herein, as public streets lying within the city limits of Mobile, Alabama, pursuant to Section 23-4-20 of the Alabama Code, *et seq.*; and

WHEREAS, such portions of the Streets to be vacated are more particularly described as follows:

Parcel A (Pearl Street Vacation)

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 2, DAVIS AVENUE COMMUNITY DEVELOPMENT PROJECT, UNIT ONE, MAP ONE AS PER PLAT RECORDED IN MAP BOOK 34 PAGE 90 IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA; SAID POINT LYING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BASIL STREET (50' RIGHT OF WAY) AND THE EAST RIGHT OF WAY LINE OF PEARL STREET (50' RIGHT OF WAY); THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE N67° 45' 31"W 49.35 FEET TO A POINT LYING AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND THE WEST RIGHT OF WAY LINE OF SAID PEARL STREET; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE N19° 20' 23"E 88.08 FEET TO A POINT; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN S70° 30' 24"E 49.53 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID PEARL STREET; THENCE RUN ALONG SAID EAST RIGHT OF WAY LINE S19° 29' 36"W 90.44 FEET TO THE POINT OF BEGINNING.

SAID ABOVE DESCRIBED PROPERTY LYING AND BEING SITUATED IN GRANT SECTION 40, TOWNSHIP 4 SOUTH, RANGE 1 WEST, MOBILE COUNTY, ALABAMA AND CONTAINING 4,410.59 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.

Parcel B (Lyons Street Vacation)

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BEGINNING AT THE NORTHWEST CORNER OF BLOCK 2, DAVIS AVENUE COMMUNITY DEVELOPMENT PROJECT, UNIT ONE, MAP ONE AS PER PLAT RECORDED IN MAP BOOK 34 PAGE 90 IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA; SAID POINT LYING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF LYONS STREET (RIGHT OF WAY VARIES) AND THE EAST RIGHT OF WAY LINE OF PEARL STREET (50' RIGHT OF WAY); THENCE LEAVING SAID EAST RIGHT OF WAY LINE, RUN N19° 29' 36"E 50.13 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID LYONS STREET; THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE AS FOLLOWS: S67° 08' 39"E 203.41 FEET TO THE SOUTHWEST CORNER OF BLOCK 1 OF THE AFOREMENTIONED DAVIS AVENUE COMMUNITY DEVELOPMENT PROJECT, UNIT ONE, MAP ONE; THENCE RUN S67° 01' 54"E 284.25 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 1; THENCE RUN N22° 58' 06"E 10.00 FEET TO A POINT; THENCE RUN S67° 01' 54"E 201.30 FEET TO A POINT LYING AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND THE WEST RIGHT OF WAY LINE OF BROAD ST-BEAUREGARD ST CONNECTION (120' RIGHT OF WAY); THENCE LEAVING SAID NORTH RIGHT OF WAY LINE, RUN S31° 32' 59"W 70.69 FEET TO A POINT LYING AT THE SOUTH RIGHT OF WAY LINE OF SAID LYONS ST AND SAID WEST RIGHT OF WAY LINE; SAID POINT ALSO BEING THE NORTHEAST CORNER OF BLOCK D OF THE LAND DISPOSAL SURVEY PLAT OF THE BROAD STREET BEAUREGARD STREET CONNECTION AS RECORDED ON MAP BOOK 13, PAGE 33 IN SAID OFFICE; THENCE RUN ALONG SAID SOUTH RIGHT OF LINE AND THE NORTH LINE OF SAID BLOCK D N67° 01' 54"W 366.58 FEET TO THE NORTHWEST CORNER OF SAID BLOCK D; SAID POINT ALSO LIES AT THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE AND EAST RIGHT OF WAY LINE OF HOSPITAL STREET (50' RIGHT OF WAY); THENCE LEAVING SAID INTERSECTION, RUN N55° 51' 13"W 51.45 FEET TO A POINT LYING AT THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE AND THE WEST RIGHT OF WAY OF SAID HOSPITAL STREET; THENCE RUN ALONG SAID SOUTH RIGHT OF WAY LINE N67° 08' 47"W 258.32 FEET TO THE POINT OF BEGINNING.

SAID ABOVE DESCRIBED PROPERTY LYING AND BEING SITUATED IN GRANT SECTION 40, TOWNSHIP 4 SOUTH, RANGE 1 WEST, MOBILE COUNTY, ALABAMA AND CONTAINING 40,004.63 SQUARE FEET OR 0.92 ACRES, MORE OR LESS.

Parcel C (Hospital Street and Basil Street Vacation)

BEGINNING AT THE NORTHWEST CORNER OF BLOCK D OF THE LAND DISPOSAL SURVEY PLAT OF THE BROAD STREET-BEAUREGARD STREET CONNECTION AS RECORDED ON MAP BOOK 13, PAGE 33 IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY; SAID POINT ALSO LIES AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF LYONS STREET (RIGHT OF WAY VARIES) AND THE EAST RIGHT OF WAY LINE OF HOSPITAL STREET (50' RIGHT OF WAY); THENCE RUN ALONG THE EAST RIGHT OF WAY LINE OF SAID HOSPITAL STREET S20° 30' 46"W 390.13 FEET TO THE PC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT AND HAVING A CENTRAL ANGLE OF 091° 40' 47"; THENCE RUN SOUTHWESTWARDLY ALONG THE ARC OF SAID CURVE 80.01 FEET TO THE PT OF SAID CURVE (CHORD BEARS S66° 21' 09"W 71.74 FEET); SAID PT LIES ON THE SOUTH RIGHT OF WAY LINE OF BASIL STREET (50' RIGHT OF WAY); THENCE RUN ALONG SAID SOUTH RIGHT OF WAY LINE AS FOLLOWS: N67° 48' 28"W 191.18 FEET TO A POINT LYING AT THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE AND THE EAST RIGHT OF WAY LINE OF LOCUST STREET (50' RIGHT OF WAY); THENCE RUN N67° 39' 16"W 50.15 FEET TO A POINT LYING AT THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE AND THE WEST RIGHT OF WAY LINE OF SAID LOCUST STREET; SAID POINT ALSO BEING THE NORTHEAST CORNER OF BLOCK 3 OF DAVIS AVENUE COMMUNITY DEVELOPMENT PROJECT, UNIT ONE, MAP TWO AS PER PLAT RECORDED IN MAP BOOK 38 PAGE 71 IN SAID OFFICE; THENCE CONTINUING ALONG SAID SOUTH RIGHT WAY LINE AND THE NORTH LINE OF SAID BLOCK 3 AND BLOCK 4, RUN N67° 45' 31"W 305.70 FEET TO A POINT; THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, RUN N22° 14' 29"E 49.86 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SAID BASIL STREET; THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE, RUN S67° 45' 31"E 246.64 FEET TO A POINT LYING AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND

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THE WEST RIGHT OF WAY LINE OF PEARL STREET (50' RIGHT OF WAY); THENCE RUN S67° 45' 31"E 49.35 FEET TO A POINT LYING AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND THE EAST RIGHT OF WAY LINE OF SAID PEARL STREET; SAID POINT ALSO BEING THE SOUTHWEST CORNER OF BLOCK 2 OF DAVIS AVENUE COMMUNITY DEVELOPMENT PROJECT, UNIT ONE, MAP ONE AS PER PLAT RECORDED IN MAP BOOK 34 PAGE 90 IN SAID OFFICE; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, RUN S67° 48' 28"E 251.00 FEET TO A POINT LYING AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE AND THE WEST RIGHT OF WAY LINE OF THE AFOREMENTIONED HOSPITAL STREET; SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID BLOCK 2; THENCE RUN ALONG SAID WEST RIGHT OF WAY LINE, RUN N20° 30' 46"E 402.26 FEET TO A POINT LYING AT THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE AND THE SOUTH RIGHT OF WAY LINE OF THE AFOREMENTIONED LYONS STREET; SAID POINT BEING THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, RUN S55° 51' 13"E 51.45 FEET TO THE POINT OF BEGINNING.

SAID ABOVE DESCRIBED PROPERTY LYING AND BEING SITUATED IN GRANT SECTION 40, TOWNSHIP 4 SOUTH, RANGE 1 WEST, MOBILE COUNTY, ALABAMA AND CONTAINING 49,113.49 SQUARE FEET OR 1.13 ACRES, MORE OR LESS.

WHEREAS, the Petitioners have petitioned the City Council of Mobile, Alabama, to assent to the vacation of such public rights-of-way owned by the City of Mobile; and

WHEREAS, it has been shown to the satisfaction of the Mobile City Council that the Petitioners are the sole owners of the real property abutting the Streets; and

WHEREAS, the vacation of the Streets will not deprive any other property owner of such rights as such property owner may have to convenient and reasonable ingress and egress to and from their property; and

WHEREAS, notice of the hearing on the Petition was provided to all utility providers with utility lines or facilities in the Streets in accordance with Section 23-4-2(a) of the Alabama Code, and such utility providers have issued their written consent to said vacation; and

WHEREAS, pursuant to Section 23-4-2(b) of the Alabama Code, entities with utility lines, equipment or facilities in place at the time of vacation, shall have the right to continue to maintain, extend, and enlarge their lines, equipment and facilities to the same extent as if the vacation had not occurred; and

WHEREAS, notice of the hearing on the Petition was provided in accordance with Section 23-4-2(a) of the Alabama Code, including publication in a newspaper of general circulation in Mobile, Alabama; and

WHEREAS, the City Council finds that the Streets are not needed as public rights-of-way in the City of Mobile, Alabama; and

WHEREAS, the City Council finds that vacation of the Streets is in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Mobile City Council that, upon hearing all parties and considering all information presented, that the portions of the Streets, more particularly described above, are hereby vacated. Be it further resolved that the right-of-way fee provided for in Alabama Code section 11-49-6 and City of Mobile Ordinance No. 57-029-2020 is hereby waived.

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

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

Nays: None

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

APPROVE ITEM BASED BID FOR CLASS 3 RAIN SUITS. The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-200-2022

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 Awards, to the designated vendors for the specified items at the unit prices indicated, for the time periods and renewal options as indicated below and attached herein, and, further, that the Purchasing Agent is authorized to issue said orders without further approval or other action by the City Council. All Bid Awards may be extended at the discretion of the Purchasing Agent for a total award period not to exceed three years.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
<u>5634</u>	CLASS 3 HI-VIZ RAINSUITS	15	SEE BID TAB FOR UNIT PRICES	One year, renewable for two additional one-year periods.	<u>(295873) BRUCE BENDER INC DBA SAFETY WEAR HOUSE; (297644) BREWER & ASSOCIATES LLC</u>

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

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

Nays: None

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

APPROVE PURCHASE ORDER FOR FUEL AT VARIOUS LOCATIONS. The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-201-2022

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>5982</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>5983</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>5984</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>5987</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION
<u>5988</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION
<u>5989</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION

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<u>5990</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION
<u>5993</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION
<u>5994</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$20,307.56	(279229) PETROLEUM TRADERS CORPORATION
<u>5995</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$20,307.56	(279229) PETROLEUM TRADERS CORPORATION
<u>5996</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$20,307.56	(279229) PETROLEUM TRADERS CORPORATION
<u>5997</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$20,307.56	(279229) PETROLEUM TRADERS CORPORATION
<u>5999</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$20,307.56	(279229) PETROLEUM TRADERS CORPORATION
<u>6000</u>	2022	(2050) EQUIPMENT SERVICES	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>6002</u>	2022	(2050) EQUIPMENT SERVICES	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>6003</u>	2022	(2050) EQUIPMENT SERVICES	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>6004</u>	2022	(2050) EQUIPMENT SERVICES	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>6006</u>	2022	(2050) EQUIPMENT SERVICES	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>6008</u>	2022	(2050) EQUIPMENT SERVICES	4 TH PRECINCT UNLEADED FUEL (SEALED BID 5624)	\$23,498.30	(279229) PETROLEUM TRADERS CORPORATION
<u>6010</u>	2022	(2050) EQUIPMENT SERVICES	4 TH PRECINCT DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION
<u>6011</u>	2022	(2050) EQUIPMENT SERVICES	4 TH PRECINCT DIESEL FUEL (AL STATE CONTRACT)	\$24,773.70	(279229) PETROLEUM TRADERS CORPORATION

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

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

Nays: None

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

APPROVE PURCHASE ORDER FOR ANNUAL RENEWAL OF FORENSIC SOFTWARE, MPD; \$184,326.87. The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-202-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>6569</u>	2022	(1545) POLICE CYBER DIVISION	ANNUAL RENEWAL OF FORENSIC EXTRACTION SOFTWARE LICENSES, PLUS STORAGE AND HARDWARE (SOLE SOURCE)	\$184,326.87	<u>(293683)</u> <u>FORENSIC</u> <u>SOFTWARE</u> <u>VENDOR</u>

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR TRAFFIC ENGINEERING SERVICES ON SCHILLINGER ROAD; \$95,000.00. The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-203-2022

Sponsored by: Councilmembers Jones and Gregory

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 the engineering service associated with traffic signal upgrades on Schillinger Road, as outlined in the contract attached hereto

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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: Kimley-Horn and Associates, Inc.

Project Name: Schillinger Road Signal Improvements

Project No.: C0662

Amount: \$95,000.00

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

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

Nays: None

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

AUTHORIZE CONTRACT WITH NATALIE BONNER AS CYBER SPECIALIST; \$40,000.00 PER YEAR, FOR THREE (3) YEARS, FUNDING FROM THE AMERICAN RESCUE PLAN (ARP). The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-204-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a professional services contract, by and between the City of Mobile and Natalie Bonner, for services as a Cyber Specialist – Analytics and Intelligence for the Gulf Coast Technology Center, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A Copy of said contract is on file in the office of the City Clerk.

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

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

Nays: None

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

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; SMITH. The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 60-205-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of

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the claim of Larry Smith, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

Ayes: Penn, Carroll, Small, Reynolds, Jones, 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 FRIENDS OF MUNICIPAL PARK SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution, which was introduced and read at the regular meeting of March 2, 2022, and held over until the regular meeting of March 8, 2022, was called up by the Presiding Officer.

RESOLUTION: 60-207-2022

Sponsored by: Councilmember Gregory

WHEREAS, the City Council of the City of Mobile wishes to appropriate the already budgeted amount of \$200,000.00 to Friends of Municipal Park from District 7 allocated CIP funds; and

WHEREAS, Friends of Municipal Park 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 Friends of Municipal Park will be used to renovate the bathrooms and concession stands, replace all broken lights and repair fields and batting cages at the Municipal Park baseball and football fields, 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 \$200,000.00 to Friends of Municipal Park for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution by the Mayor and attestation by the City Clerk of a standard form City of Mobile performance contract or such other contract document as may be determined appropriate by the City of Mobile Legal Department with said Friends of Municipal Park for the amount and to perform the work as set forth herein; and the City Council further authorizes the Mayor or his designee to take all such other actions as are necessary to effectuate such contract.

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

Councilmember Reynolds moved to amend the resolution as follows:

WHEREAS, the City Council of the City of Mobile wishes to appropriate the already budgeted amount of \$200,000.00 to Friends of Municipal Park from District 7 allocated CIP funds; and

WHEREAS, Friends of Municipal Park is an Alabama non-profit corporation which provides a service to the community; and

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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 Friends of Municipal Park will be used to enhance Langan (Municipal) Park in accordance with the attached Agreement between the parties for same, 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 \$200,000.00 to Friends of Municipal Park for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution by the Mayor and attestation by the City Clerk of the attached Agreement with said Friends of Municipal Park for the amount and to perform the work as set forth therein; and the City Council further authorizes the Mayor or his designee to take all such other actions as are necessary to effectuate such Agreement.

The move was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

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

The Presiding Officer then call for a vote on the resolution as amended and the vote was as follows:

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

Nays: None

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

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY LOCATED AT 1451 CEDAR CRESCENT DRIVE FROM R-3 TO R-3 TO REMOVE CONDITIONS OF THE EXISTING ZONING AMENDMENT (DISTRICT 3). The following ordinance was held over until the regular meeting of March 15, 2022.

ORDINANCE: 64-010-2022

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

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

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

BEGINNING AT THE SOUTHWEST CORNER OF BRI-CORD SUBDIVISION AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA, IN MAP BOOK 8, PAGE 234; THENCE NORTH 12 DEGREES 43 MINUTES EAST 895.85 FEET TO A POINT ON THE SOUTH LINE OF CEDAR CRESCENT DRIVE; THENCE NORTH 44° - 03' - 00" EAST ALONG THE SOUTH LINE OF CEDAR CRESCENT DRIVE 75.12 FEET TO A POINT ON THE WESTERLY LINE OF BRI-CORD NORTH DRIVE; THENCE SOUTH 31° - 40' - 15" EAST ALONG THE WESTERLY LINE OF BRI-CORD NORTH DRIVE 177.76 FEET; THENCE NORTH 58° - 19' - 45" EAST 60.0

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FEET TO A POINT ON THE EASTERLY LINE OF BRI-CORD NORTH DRIVE, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 18, BLOCK A OF SAID BRICORD SUBDIVISION; THENCE NORTH 75° - 14' - 35" EAST AND ALONG THE NORTHERLY LINE OF SAID BRI-CORD SUBDIVISION, 2260.0 FEET TO A POINT ON THE EAST LINE OF LINDSEY AVENUE; THENCE NORTH 14° - 40' - 55" WEST AND ALONG THE EAST LINE OF LINDSEY AVENUE 337.50 FEET TO A POINT ON THE SOUTH LINE OF SOUTH DRIVE; THENCE NORTH 75° - 14' - 35" EAST AND ALONG THE SOUTH LINE OF SOUTH DRIVE 707.50 FEET; THENCE SOUTH 14° - 40' - 55" EAST 345.92 FEET; THENCE NORTH 75° - 14' - 35" EAST 625.36 FEET; THENCE SOUTH 05° - 58' - 35" WEST 363.56 FEET TO A POINT ON THE SOUTH LINE OF BRICORD NORTH DRIVE; THENCE NORTH 84° - 01' - 25" WEST 50.0 FEET; THENCE SOUTH 05° - 58' - 35" WEST 80.0 FEET; THENCE SOUTH 84° - 01' - 25" EAST 50.0 FEET; THENCE SOUTH 05° - 58' - 35" WEST 274.0 FEET TO THE SOUTHEAST COMER OF SAID BRI-CORD SUBDIVISION; THENCE SOUTH 75° - 14' - 35" WEST AND ALONG THE SOUTH LINE OF SAID BRI-CORD SUBDIVISION 3926.72 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from R-3, Multi-Family Residential District to R-3, Multi-Family Residential District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in R-3, Multi-Family Residential District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land hereinabove described shall be used for any use allowed in a R-3, Multi-Family Residential District until all of the conditions set forth below have been complied with; 1) provision of a privacy fence 8' in height along the East property line, parallel to Bay Front Road; 2) compliance with the remaining conditions of approval of the 1970 Rezoning (the provision of a storm fence and the planting of a compliant vegetative buffer around the remaining property lines, with the exception of the South property line); 3) a limit on the number of mobile dwellings as stipulated in the application (133 mobile homes); and, 4) compliance with all other codes and ordinances.

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

REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ZEIGLER BOULEVARD AND NORTH UNIVERSITY BOULEVARD FROM R-1 TO B-2 (DISTRICT 7). The following ordinance was held over until the regular meeting of March 15, 2022.

ORDINANCE: 64-011-2022

Sponsored by: Councilmember Gregory

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

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

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

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 10, TOWNSHIP-4-SOUTH, RANGE-2-WEST, MOBILE COUNTY, ALABAMA, THENCE NORTH 00° - 15' - 40" WEST 2080.20 FEET; THENCE NORTH 70° - 20' EAST 408.52 FEET TO THE P.C. OF A 1006.32 FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTWARDLY ALONG

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THE ARC OF SAID CURVE 231.18 FEET; THENCE SOUTH 11° - 52' - 40" EAST 38.79 FEET TO A POINT ON THE SOUTH LINE OF ZEIGLER BOULEVARD FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE SOUTH 72° - 52' - 27" EAST 19.09 FEET TO THE P.C. OF A 875.59 FOOT RADIUS CURVE TO THE RIGHT; THENCE EASTWARDLY ALONG THE SOUTH LINE OF ZEIGLER BOULEVARD AND ALONG THE ARC OF SAID CURVE 351.83 FEET (CHORD BEARS : SOUTH 84° - 23' - 40" EAST 349.47 FEET) TO THE P.C.C. OF A 59.34 FOOT RADIUS CURVE TO THE RIGHT; THENCE SOUTHWARDLY ALONG THE ARC OF SAID CURVE 117.88 FEET; THENCE SOUTH 04° - 18' - 42" WEST 39.01 FEET TO A POINT ON THE NORTHWEST LINE OF UNIVERSITY BOULEVARD; THENCE SOUTH 43° - 12' - 02" WEST ALONG THE NORTHWEST RIGHT OF WAY LINE OF UNIVERSITY BOULEVARD 190.23 FEET; THENCE SOUTH 73° -12' - 29" WEST 30.00 FEET; THENCE SOUTH 43° -12' - 02" WEST AND CONTINUING ALONG THE NORTHWEST RIGHT OF WAY LINE OF UNIVERSITY BOULEVARD 193.69 FEET; THENCE NORTH 11° - 52' - 40" WEST 473.33 FEET TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from R-1, Single-Family Residential District to B-2, Neighborhood 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 B-2, Neighborhood 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-2, Neighborhood Business District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; 2) provision of a six (6)-foot high, concrete masonry wall on the west property line, dropping down to three (3) feet within the required 25- foot front yard setback along both Zeigler and University Boulevards; 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.

ORDINANCE AUTHORIZING ACQUISITION OF REAL PROPERTY (LOTS 1 & 2 MUNICIPAL PARK) FROM MAWSS. The following ordinance was held over until the regular meeting of March 15, 2022.

ORDINANCE: 88-012-2022

Sponsored by: Mayor Stimpson

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the City seeks to acquire that certain real property known as Lots 1 and 2 of the MAWSS/Municipal Park Subdivision (see attached Exhibit "A") and that Lot 2 of said subdivision is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be granted to the Mobile Area Water and Sewer Service.

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Purchase, and Sale Agreement for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

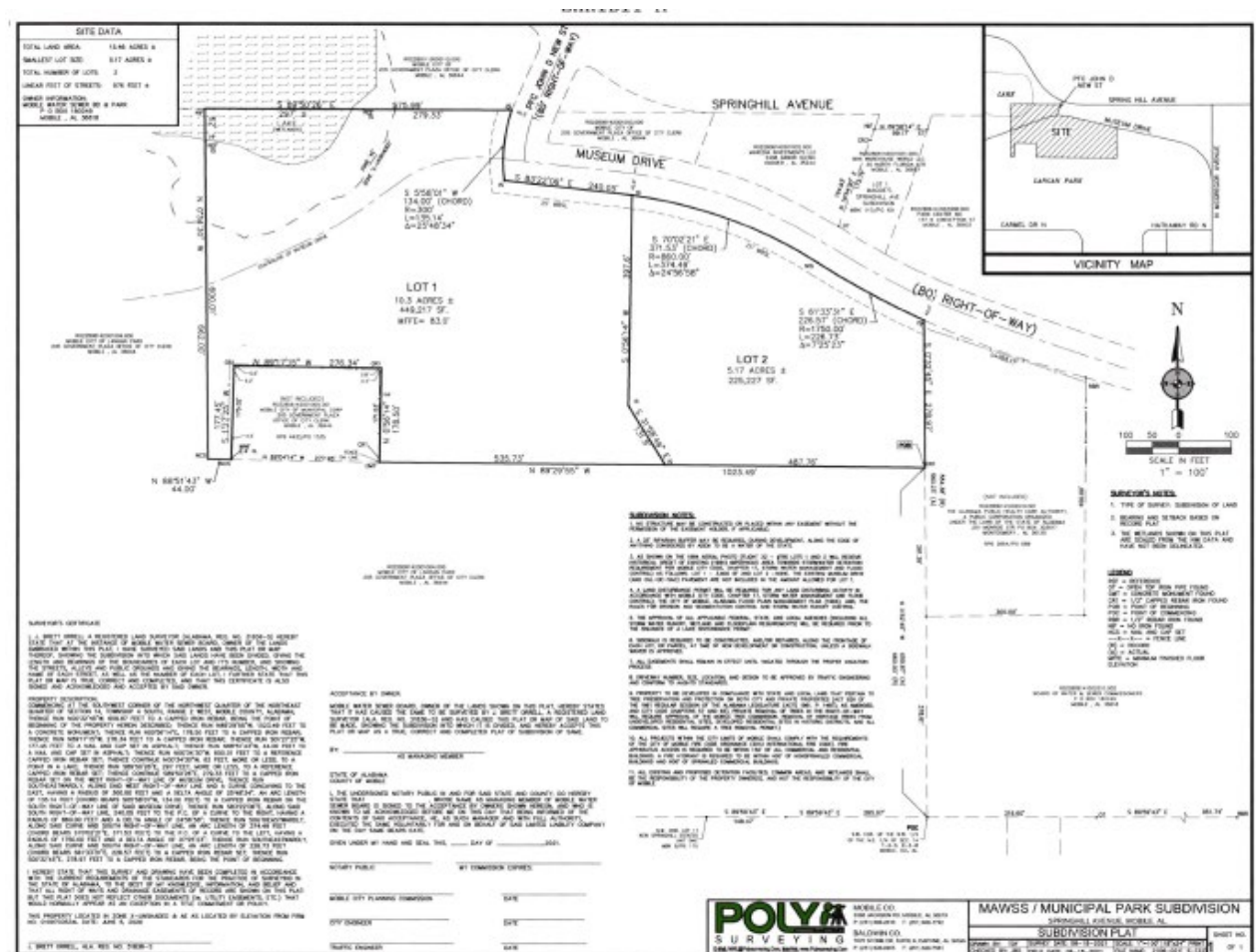
MINUTES OF MARCH 8, 2022

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

SECTION FIVE: Carleen Stout, Real Estate Officer, of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

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

EXHIBIT "A"



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 40-208 through 37-223, being introduced for the first time. The motion was seconded by Councilmember Reynolds and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, Scott, and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

DECLARE THE STRUCTURE AT 256 CLAY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-008-2022

Sponsored by: Councilmember Carroll

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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 256 Clay 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 256 Clay Street described as:

BEG ON E/S 146 FT N OF NE COR CLAY & CONGRESS STS TH NLY ALG E/S CLAY ST 20 FT TH ELY 122.58 FT TH SLY 22.17 FT TH WLY 122.58 FT T BEG BEING PT LOT 9 BLK 25 CAMP GROUND TRT MBK 1/12 #SEC 40 T4S R1W #MP29 06 40 0 004

Parcel Number: 29 06 40 0 004 459

Last Assessed to: ISERAL RHODEN, C/O MELVIN 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 Reynolds moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

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

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

DECLARE THE STRUCTURE AT 1162 CONGRESS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-009-2022

Sponsored by: Councilmember Carroll

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 1162 Congress 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

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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 1162 Congress Street described as:

PT LOT 1 & 2 BLK 25 CAMP GROUND TRT MBK 1/12 BEG 25 FT E OF NE INT CONGRESS ST & TH CONT E 39 FT N 125 FT W 39 FT(S) S 125 FT TO PT OF BEG #SEC 40 T4S R1W #WP29 06 40 0 004

Parcel Number: 29 06 40 0 004 456

Last Assessed to: STANMORE HINDS SR., C/O SYLVIA HINDS REID

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 106 MICHAEL DONALD AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-010-2022

Sponsored by: Councilmember Carroll

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 106 Michael Donald Avenue has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 106 Michael Donald Avenue described as:

BEG AT PT ON E/L OF HERNDON AVE 151 FT 6 IN N OF OLD SHELL RD TH RUN EWLY & NEARLY PAR WITH OLD SHELL RD 111 FT 5 IN M/L TO A PT ON THE W/L OF PPTY OF JAMES B SLADE TH NWLY & PAR WITH HERNDON AVE & ALG SLADE PPTY 37 FT TO A PT TH WWLY & NEARLY PAR WITH OLD SHELL RD 111 FT 4 IN M/L TO THE E/L OF HERNDON AVE TH SWLY ALG THE E/L OF HERNDON AVE 37 FT 6 IN TO THE POB BDY ON THE W BY HERNDON AVE S BY PPTY OF S R SCHERMA E BY PPTY OF JAMES B SLADE & N BY PPTY OF V M DENNIS BEING A PT OF LOT 13 HERNDON AVE ADD IN DBK 75 N S PG 56 BEING THE SAME PPTY AS REC RPBK 3333 PG 144-145 #SEC 40 T4S R1W #MP29 06 40 0 009

Parcel Number: 29 06 40 0 009 108

Last Assessed to: State of Alabama

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

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

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

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

Nays: None

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

DECLARE THE STRUCTURE AT 67 ST. MICHAEL STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 40-011-2022

Sponsored by: Councilmember Carroll

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 67 St. Michael 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;

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NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 67 St. Michael Street described as:

COMM AT SE COR OF N ROYAL ST & ST MICHAEL ST & RUN ELY ALG S/L OF ST MICHAEL ST 186.8 FT TO POB TH CONT ELY ALG S/L OF ST MICHAEL ST 38.2 FT TH RUN SLY 76.9 FT TH RUN WLY 38.9 FT TH RUN NLY 75.7 FT TO POB #SEC 40 T4S R1W #MP29 06 40 0 002

Parcel Number: 29 06 40 0 002 182.001

Last Assessed to: HOLDEN I LLC, C/O DARRYL D. SMITH

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

Ayes: Penn, Carroll, Small, Reynolds, Jones, 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, WEED LIEN GROUP 1615. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 58-012-2022

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

WHEREAS, an itemized report in writing has been made to the City Council of Mobile, showing the costs of removing noxious or dangerous weeds on or in front of the hereinafter described parcels of land, a copy of such report having first been posted on the Council Chamber door more than three days prior to the meeting at which the report was received, and the City Council having heard the report, together with any objections which may have been raised by any of the property owners liable to be assessed for the work of 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 Weed Lien Group 1615 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

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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.

EXHIBIT “A”

WEED LIEN						
1615						Res. No.
6/29/2021	LOTS TO BE DECLARED					58-492
8/3/2021	LOTS FOR PUBLIC HEARING					58-611
3/8/2022	LOTS TO BE ASSESSED FOR COST					58-
		OLD CASE/		Amount	Dis	N/A
No.	Address	SRO#	CASE #	Assessed		CBO
1	301 Laurel Dr	11061	12674	\$ 175.00	2	
2	2118 Bucker Place	7853	12675	\$ 230.00	3	
3	1353 Hill Ave/0 Hill Ave Par No. (29 06 13 0 003 206.XXX)	10719	12677	\$ 380.00	2	
4	750 Susie Ansley St	1906	12678	\$ 217.00	2	
5	2776 LeCren St	11718	12679	\$ 245.00	1	
6	1364 St Medar St	10855	12680	\$ 248.00	2	
7	459 Sunnyvale Ln W	11105	12681	\$ 455.00	5	
8	2418 Redmond St	11189	12682	\$ 50.00	1	CBO
9	1203 Oak Lane Cir W	9678	12683	\$ 252.15	1	
10	701 Montclair Way	11444	12685	\$ 50.00	5	CBO
11	3919 Moffett Ct	12232	12686	\$ 528.00	7	
12	570 Dauphin Island Pkwy	11012	12687	\$ 218.00	2	
13	1353 Spruce St	11055	12688	\$ -	2	CBD
14	5602 Central Blvd	11069	12689	\$ 228.61	7	
15	1113 Forest Dale Dr	11082	12690	\$ 741.00	7	
16	1215 Cottrell St	12376	12691	\$ 386.00	3	
17	1258 Skywood Dr	12420	12692	\$ 50.00	4	CBO
18	955 Kentucky St	12607	12693	\$ -	3	CBD
				\$ 4,453.76		
District total for this group		Numbers of lots cut				
1	3	1	3			
2	6	2	5			
3	3	3	2			
4	1	4	1			
5	2	5	2			
6	0	6	0			
7	3	7	3			
	18		16			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector		*CBD Cut By Declared				

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PARKS & RECREATION EMPLOYEE OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM; PACKER. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-213-2022

Sponsored by: Mayor Stimpson

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

March 2022 – Darren Packer (Employee # 17963) Parks & Recreation (Parks Maintenance)

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

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

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

Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC WORKS AT LARGE EMPLOYEE OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM; JACKSON. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-214-2022

Sponsored by: Mayor Stimpson

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

March 2022 – Myra Jackson (Employee # 2145) Public Works at Large (REAM: Facilities Maintenance)

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

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

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

Nays: None

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

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APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC SERVICES EMPLOYEE OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM; BEECH. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-215-2022

Sponsored by: Mayor Stimpson

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

March 2022 – Michael Beech (Employee # 5348 Sanitation - Public Services)

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

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

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

Nays: None

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

AMEND RESOLUTION 60-953-2021 TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 60-216-2022

Sponsored by: Councilmember Gregory

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

WHEREAS, Councilmember Gregory wish to appropriate \$7,000.00 to The Grande at Magnolia Grove Property Owners Association, Inc., from her discretionary funds; and

WHEREAS, The Grande at Magnolia Grove Property Owners Association, 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 Grande at Magnolia Grove Property Owners Association, Inc., will be used to edge, blow, line trim and landscape Magnolia Grove Parkway from Moffett Road to the Robert Trent Jones golf course entrance as well as help with upgrading the landscaping beautification project (planting flowers, grass, shrub and island trees), 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 \$7,000.00 to The Grande at Magnolia Grove Property Owners Association, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes

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execution of a standard form City of Mobile council discretionary fund performance contract and amendment thereto with said entity, group or individual for the amount set forth herein;

BE IT FURTHER RESOLVED that this Resolution amends and replaces Council Resolution 60-953-2021 adopted October 26, 2021;

BE IT FURTHER RESOLVED that the attached performance contract amendment is authorized to be executed to amend the existing performance contract between the parties first executed on February 4, 2022.

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

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

Nays: None

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH ALTAPOINTE HEALTH SYSTEMS, INC. FOR EVALUATION WORK ON THE FY21 COLLABORATIVE CRISIS RESPONSE TRAINING PROGRAM GRANT; \$31,500.00. The following resolution was held over until the regular meeting of March 15, 2022.

RESOLUTION: 01-217-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with AltaPointe Health Systems, Inc., in the amount of \$31,500.00 for the FY21 Collaborative Crisis Response Training Program Grant, 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.

AUTHORIZE AGREEMENT WITH HARGROVE & ASSOCIATES, INC., D/B/A HARGROVE ENGINEERS + CONTRACTORS, FOR BIENVILLE SQUARE FOUNTAIN IMPROVEMENTS AND SITE AMENITIES; \$34,220.00. The following resolution was held over until the regular meeting of March 15, 2022.

RESOLUTION: 01-218-2022

Sponsored by: Councilmember Carroll and Mayor Stimpson

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

Name of Company: HARGROVE AND ASSOCIATES, INC. d/b/a
HARGROVE ENGINEERS + CONTRACTORS

Project Name: BIENVILLE SQUARE –
FOUNTAIN & SITE AMENITIES IMPROVEMENTS

MINUTES OF MARCH 8, 2022

Project Number: PR-021-22

Amount: \$34,220.00

APPROVE PURCHASE ORDER TO ALABAMA PIPE & SUPPLY, INC. FOR CONCRETE MEDIAN BARRIERS; \$16,440.00. The following resolution was held over until the regular meeting of March 15, 2022.

RESOLUTION: 08-219-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1772</u>	2022	(2086A) ASPHALT	30 CONCRETE MEDIAN BARRIERS (SEALED BID 5651)	\$16,440.00	(012940) <u>ALABAMA PIPE & SUPPLY INC</u>

AUTHORIZE CONTRACT WITH ALABAMA POWER COMPANY FOR SERVICE IN TELEMETRY, TECHNOLOGY, DEPLOYMENT, NETWORKING, AND SOFTWARE; NOT TO EXCEED \$525,574.20, FUNDING FROM THE AMERICAN RESCUE PLAN (ARP). The following resolution was held over until the regular meeting of March 15, 2022.

RESOLUTION: 21-220-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an agreement, by and between the City of Mobile and Alabama Power Company, in an amount not to exceed \$525,574.20 over a period of five years (60 months), to begin upon execution, renewable, as a professional service provider with expertise in telemetry capabilities, technology deployment, networking, and software. A copy of said contract is on file in the office of the City Clerk.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; MATTHEWS. The following resolution was held over until the regular meeting of March 15, 2022.

RESOLUTION: 60-221-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Lajaia Matthews, 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.

CALL FOR PUBLIC HEARINGS:

MINUTES OF MARCH 8, 2022

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO JULY ENTERPRISES, INC., D/B/A COASTAL EXPRESS SHUTTLE, TO OPERATE A SHUTTLE SERVICE. The following resolution was introduced by Councilmember Small.

RESOLUTION: 41-222-2022

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

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 July Enterprises, Inc., d/b/a Coastal Express Shuttle, 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 March 22, 2022, at 10:30 a.m. At such time and place, all persons who desire shall have a opportunity to be heard in opposition to or in favor of the proposed resolution.

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

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

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as March 22, 2022.

ANNOUNCEMENTS:

Councilmember Carroll announced that the District 2 community meeting will be held at the Hope Center on March 15, 2022.

Councilmember Carroll shared that there will be five meetings scheduled to discuss redistricting.

Councilmember Carroll stated that the City of Mobile has a surplus of \$67 million that could be allocated to revitalizing communities.

Councilmember Penn thanked the City employees for making the Trinity Gardens Parade a success.

Councilmember Penn reminded citizens that the District 1 community meeting will be held tonight at Ashland Place UMC at 6:00 p.m.

Councilmember Penn announced the Mind, Body, Spirit, Wellness, Empowerment Expo will be held at the Michael Dow Amphitheatre on March 14, 2022, from 5:00 p.m. – 8:00 p.m.

Councilmember Penn shared that the three-on-three basketball tournament will be held on April 27, 2022, at the Michael Figures Center.

Councilmember Penn announced that he and David Caffey are sponsoring a program called "Focus" for teens interested in fishing.

MINUTES OF MARCH 8, 2022

Councilmember Gregory shared that the annual motorcade for the Mobile Terrace community was a success.

Councilmember Gregory announced that the Festival of Flowers will have a Preview Party on Thursday evening, March 10, 2022, and Friday and Saturday sales.

Councilmember Gregory reminded the Plantasia Spring Plant Sale at Mobile Botanical Gardens will begin with a preview party on March 17, 2022.

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

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

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 12:54 p.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK