

MUNICIPAL BUILDING, MOBILE, ALABAMA, FEBRUARY 11, 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 Tuesday, February 11, 2020, at 9:00 a.m.

Present:

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

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: February 18, 2020

COUNCIL PRESIDENT

ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, FEBRUARY 11, 2020

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, February 11, 2020, at 10:30 a.m., in regular meeting.

The meeting was called to order by Assistant City Clerk Mary Ann Merchant.

Pastor Charles Reeves, St. Paul A.M.E. Church, 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 in memoriam of Michelle Andrews Foster and Maggie Bumpers Yates.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

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

NOTE: Students of Revelation Christian School gave a musical presentation.

APPROVAL OF MINUTES:

The minutes of the meetings of February 4, 2020 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson presented Louis Pope, Mobile Museum of Art, with a Certificate of Recognition to commend his work performance.

Mayor Stimpson announced that funds have been secured for the widening and dredging of the Mobile Ship Channel.

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Mayor Stimpson stated that he was recently interviewed by Anderson Cooper for a story about the Clotilda that will air on 60 Minutes.

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, Manzie, Williams, Daves, Rich and Gregory

Nays: None

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

APPEALS:

The Council considered the request of Debra Chapman for a waiver of the Noise Ordinance at the Bragg Mitchell Mansion on May 16, 2020, from 6:00 p.m. until 10:00 p.m. (District 1).

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

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

Nays: None

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

The Council considered the request of Lindsey Morgan for a waiver of the Noise Ordinance in Cathedral Square on February 16, 2020, from 2:00 p.m. until 6:00 p.m. (District 2).

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

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

Nays: None

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

The Council considered the request of Carrie B. Coats for a waiver of the Noise Ordinance in Lyons Park on August 30 - September 13, 2020, from 7:00 a.m. until 9:00 p.m., for their 15th Annual Unity Event (District 2).

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

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

Nays: None

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

The Council considered the request of Danielle Pledger for a waiver of the Noise Ordinance at Mitternight Park on February 29, 2020, from 1:00 p.m. until 3:00 p.m. (District 7).

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

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

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Nays: None

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

The Council considered the request of Dannie Pledger, Jr. for a waiver of the Noise Ordinance in Cathedral Square on June 19, 2020, from 6:00 p.m. until 10:00 p.m. (District 2).

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

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

Nays: None

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

The Council considered the request of Casi Callaway, Mobile Baykeeper, for a waiver of the Noise Ordinance at Cooper Riverside Park on March 25, 2020, from 5:00 p.m. until 9:00 p.m. (District 2).

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

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 2989 DAUPHIN STREET (SOUTH SIDE OF DAUPHIN STREET, 200' EAST OF SAGE AVENUE) FROM B-2 TO LB-2 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 2989 Dauphin Street from B-2 to LB-2 and asked if there was anyone present to speak for or against this matter.

Larry Smith, 880 Fulton Boulevard, Fairhope, Alabama, spoke in support of the rezoning.

The Presiding Officer declared the hearing concluded and that the necessary ordinance authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 2955 DAUPHIN STREET (SOUTHEAST CORNER OF DAUPHIN STREET AND SOUTH SAGE AVENUE) FROM B-2 TO LB-2 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 2955 Dauphin Street from B-2 to LB-2 and asked if there was anyone present to speak for or against this matter.

Larry Smith, 880 Fulton Boulevard, Fairhope, Alabama, spoke in support of the rezoning.

The Presiding Officer declared the hearing concluded and that the necessary ordinance authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO FIX COSTS FOR SECURING OF THE STRUCTURE AT 2801 HAAS AVENUE, \$3,700.00 (DISTRICT 1).

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The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of the structure at 2801 Haas Avenue and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 405 FLINT STREET, \$4,427.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 405 Flint Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR SECURING OF THE STRUCTURE AT 1258 BALTIMORE STREET, \$3,700.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of the structure at 1258 Baltimore Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR SECURING OF THE STRUCTURE AT 1910 BELLE COUR DRIVE, \$4,700.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for securing of the structure at 1910 Belle Cour Drive and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 7335 BOWERS LANE, \$2,440.00 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 7335 Bowers Lane and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE VACATION/CLOSING OF A PORTION OF SOUTH RICHARDSON DRIVE NEAR ITS INTERSECTION WITH FARNELL LANE IN ROSSWOOD SUBDIVISION (DISTRICT 5).

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The Presiding Officer announced that today was the day for the public hearing to consider the vacation/closing of a portion of South Richardson Drive and asked if there was anyone present to speak for or against this matter.

The following people spoke in support of the vacation/closing of a portion of South Richardson Drive:

1. Kip Sharpe, 550 E. Richardson Drive
2. Brent Keith, Rosswood subdivision
3. Cicone Prince, 2817 Richardson Drive, S.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. Michael Gewin, 131 Silverwood Street, requested more consistency in the enforcement of traffic laws.
2. Reggie Hill, 1007 Center Street, offered his opinions regarding various Council committees and economic development in Mobile.
3. David B. Chaillot, 4651 Carlile Drive, offered suggestions for improvements to traffic infrastructure.
4. Joseph Seymour Jones, 1464 St. Stephens Road, provided documents for City issued tickets he has received for inoperable vehicles.

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 and February 11, 2020, 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.

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(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.

(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 Assistant City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of March 12, 2020, which was seconded by Councilmember Gregory. Following comments from Councilmember Rich the vote was as follows:

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

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Nays: None

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, INC. FOR HACKMEYER PARK – DRAINAGE AND SITE AMENITIES IMPROVEMENTS, \$721,015.00. The following resolution, which was introduced and read at the regular meeting of February 4, 2020 and held over until the regular meeting of February 11, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-106-2020

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 though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: McElhenney Construction Company, LLC

Project name: Hackmeyer Park - Drainage and Site Amenities Improvements

Project number: PR-060-18

Amount: \$721,015.00

The resolution was read by the Assistant City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Richardson. Following comments from Councilmember Daves the vote was as follows:

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

Nays: None

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

RESOLUTIONS HELD OVER:

AUTHORIZE CHANGE ORDER TO THE CONTRACT WITH MOFFATT & NICHOL, INC. FOR NFWF PHASE II GRANT PROJECT MANAGEMENT SUPPORT, \$20,000.00. The following resolution, which was introduced and read at the regular meeting of February 4, 2020 and held over until the regular meeting of February 11, 2020, was called up by the Presiding Officer.

RESOLUTION: 13-107-2020

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 Change Order, by and between the City of Mobile and Moffatt & Nichol, Inc. as outlined in the Change Order Number One (1), attached hereto and made a part hereof as though set forth in full, to increase their contract dated March 6, 2019 in total contract sum from \$242,500.00 to \$262,500.00, with the \$20,000.00 being specifically allocated to Task 6. A copy of said Change Order and Justification is on file in the office of the City Clerk.

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Name of company: Moffatt & Nichol, Inc.
Project name: NFWF Phase II Grant Project Management Support
Project number: G-NFWFII
Amount: \$20,000.0)
(Original Contract Amount: \$242,500.00)

The resolution was read by the Assistant 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, Manzie, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH HUNTER SECURITY, INC. FOR MOBILE MUSEUM OF ART – SECURITY SYSTEM UPGRADES, \$16,988.00. The following resolution, which was introduced and read at the regular meeting of February 4, 2020 and held over until the regular meeting of February 11, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-108-2020

Sponsored by: Councilmember Gregory and Mayor Stimpson

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

Name of company: Hunter Security, Inc.
Project name: Mobile Museum of Art - Security System Upgrades
Project number: MU-085-19
Amount: \$16,988.00

The resolution was read by the Assistant 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, Manzie, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH THOMPSON ENGINEERING, INC. FOR CRUISE TERMINAL – MOORING HARDWARE INSPECTION SERVICES AND MOORING HARDWARE REMEDIATION DESIGN SERVICES, \$15,000.00. The following resolution, which was introduced and read at the regular meeting of February 4, 2020 and held over until the regular meeting of February 11, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-209-2020

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Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Thompson Engineering, Inc.

Project name: Mobile, Alabama Cruise Terminal
Mooring Hardware Inspection Services and
Mooring Hardware Remediation Design Services

Project number: CT-025-20

Amount: \$15,000.00

The resolution was read by the Assistant 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, Manzie, Williams, Daves, Rich and Gregory

Nays: None

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

AUTHORIZE CONTRACT WITH BAGBY & RUSSELL ELECTRIC COMPANY, INC. FOR FIRE TRAINING FACILITY – PAD MOUNTED TRANSFORMER INSTALLATION, \$44,700.00. The following resolution, which was introduced and read at the regular meeting of February 4, 2020 and held over until the regular meeting of February 11, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-110-2020

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, 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: Bagby & Russell Electric Company, Inc.

Project name: Fire Training Facility - Pad Mounted transformer Installation

Project number: FD-004B-20

Amount: \$44,700.00

The resolution was read by the Assistant 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, Manzie, Williams, Daves, Rich and Gregory

Nays: None

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

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY LOCATED AT 2989 DAUPHIN STREET (SOUTH SIDE OF DAUPHIN STREET, 200' EAST OF SAGE AVENUE) FROM B-2 TO LB-2 (DISTRICT 1).

The following ordinance was held over until the regular meeting of Tuesday, February 18, 2020.

ORDINANCE: 64-004-2020

Sponsored by: Councilmember Richardson

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 2 OF THE GRAF DAIRY SUBDIVISION AS RECORDED IN MAPBOOK 119, PAGE 77, JUDGE OF PROBATE'S OFFICE, MOBILE COUNTY ALABAMA.

The classification of said property is hereby changed from B-2, Neighborhood Business District, to LB-2, Limited-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 a LB-2, Limited-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 LB-2, Limited-Neighborhood Business District, until all of the conditions set forth below have been complied with: 1) Completion of the Subdivision process including the recording of the Final Plat; and 2) 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.

REZONE PROPERTY LOCATED AT 2955 DAUPHIN STREET (SOUTHEAST CORNER OF DAUPHIN STREET AND SOUTH SAGE AVENUE) FROM B-2 AND LB-2 TO LB-2 (DISTRICT 1).

The following ordinance was held over until the regular meeting of Tuesday, February 18, 2020.

ORDINANCE: 64-005-2020

Sponsored by: Councilmember Richardson

AN 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:

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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 3 OF THE GRAF DAIRY SUBDIVISION AS RECORDED IN MAFBOOK119, PAGE 77, JUDGE OF PROBATE'S OFFICE, MOBILE COUNTY ALABAMA.

The classification of said property is hereby changed from B-2, Neighborhood Business District, and LB-2, Limited-Neighborhood Business District, to LB-2, Limited-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 a LB-2, Limited-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 LB-2, Limited-Neighborhood 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 Daves moved for the suspension of the rules to consider Consent Resolutions 03-112 through 60-137, with the exception of 60-138, being introduced for the first time. The motion was seconded by Councilmember Richardson and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

RE-APPOINT RAYMOND BELL TO THE PORT CITY MEDICAL CLINIC BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-112-2020

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Raymond Bell is re-appointed to the Port City Medical Clinic Board effective immediately for a term ending November 20, 2025.

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

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

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

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APPROVE PURCHASE ORDER TO PETROLEUM TRADERS CORPORATION FOR FUEL FOR WAVE TRANSIT, \$15,100.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 08-113-2020

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>6034</u>	2020	(F6060) WAVE TRANSIT SYSTEM	PRE-ORDER DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT))	\$15,100.00	(279229) PETROLEUM TRADERS CORPORATION

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

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

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

FIX COSTS FOR SECURING OF THE STRUCTURE AT 2801 HAAS AVENUE, \$3,700.00 (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-114-2020

Sponsored by: Councilmember Richardson

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF THE STRUCTURE AT 2801 Haas Avenue

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 2801 Haas Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure at 2801 Haas Avenue to be \$3,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

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Section 1. The amount of \$3,700.00 shall constitute a special assessment against the property at 2801 Haas Avenue and being that property more particularly described as follows:

LOTS 29 30 & E 1/2 LOT 31 HAAS PLACE DBK 153 PG 266 #SEC 18 T4S RIW #MP29 08 18 4 002

Parcel no.: 29 08 18 4 002 015.XXX

Last assessed to: BRIGMAN RALPH G & MERIUM W
9470 SKY VISTA DR
SEMMES AL 36575-5453

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 405 FLINT STREET, \$4,427.00 (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-115-2020

Sponsored by: Councilmember Manzie

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 405 FLINT STREET

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 405 Flint Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 405 Flint Street to be \$4,427.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$4,427.00 shall constitute a special assessment against the property at 405 Flint Street and being that property more particularly described as follows:

LOT 16 BLK 16 GLENDALE PARK DBK 61/316 #SEC 27 T4S RIW #MP29 10 27 2 001

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Parcel no.: 29 10 27 2 001084.XXX

Last assessed to: STATE OF ALABAMA
MONTGOMERY AL 36130

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the demolition of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX COSTS FOR SECURING OF THE STRUCTURE AT 1258 BALTIMORE STREET, \$3,700.00 (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-116-2020

Sponsored by: Councilmember Small

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF THE STRUCTURE AT 1258 BALTIMORE STREET

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 1258 Baltimore Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure at 1258 Baltimore Street to be \$3,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$3,700.00 shall constitute a special assessment against the property at 1258 Baltimore Street and being that property more particularly described as follows:

LOT 5 SQR 19 BASCOMBE TRT SAID LOT OF LAND DESC AS BEG AT A PT ON N/W OF BALTIMORE ST 200 FT W OF NW COR OF BALTIMORE & BASCOMBE STS THEN RUN WLY ALG N/L OF BALTIMORE ST 50 FT FOR FRONT OF SAID LOT & EXT NLY BET PAR LINES WITH BASCOMBE TRT 129 FT FOR DEPTH OF SAID LOT#SEC 27 T4S RIW #MP29 10 27 3 001

Parcel no.: 29 10 27 3 001015.XXX

Last assessed to: PERRYMAN COLBY

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2060 OCONNOR ST
MOBILE AL 36617

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

Nays: None

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

FIX COSTS FOR SECURING OF THE STRUCTURE AT 1910 BELLE COUR DRIVE NORTH, \$4,700.00 (DISTRICT 3). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-117-2020

Sponsored by: Councilmember Small

A RESOLUTION FIXING THE COSTS FOR THE SECURING OF THE STRUCTURE AT 1910 BELLE COUR DRIVE NORTH

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 1910 Belle Cour Drive North and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure at 1910 Belle Cour Drive North to be \$4,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$4,700.00 shall constitute a special assessment against the property at 1910 Belle Cour Drive North and being that property more particularly described as follows:

LOT 6 BELLE COUR SUB MBK 4 p 693 #SEC 33 T4S RIW #MP29 11 33 3 000

Parcel no.: 29 1133 3 000 111.xxx

Last assessed to: FEDERAL HOME LOAN MORTGAGE CORPORATION
13575 LYNAM DR
OMAHA, NE 68138

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this

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body of the costs for the securing of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 7335 BOWERS LANE, \$2,449.00 (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-118-2020

Sponsored by: Councilmember Williams

A RESOLUTION FIXING THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 7335 BOWERS LANE

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 7335 Bowers Lane and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure at 7335 Bowers Lane to be \$2,449.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$2,449.00 shall constitute a special assessment against the property at 7335 Bowers Lane and being that property more particularly described as follows:

LOT 1 BOWERS EST MBK 50/1 #SEC 11T6S R2W #MP38 0111 2 000

Parcel no.: 38 01112 000 007.XXX

Last assessed to: BRENDA & JAN BOWERS
1889 SEDGWICK AVE #14F
BRONX NY 10453

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the demolition of the structure upon said property is hereby in all respects confirmed.

Section ,2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

Nays: None

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

AUTHORIZE AWARD OF \$500 TO THE FIRE SERVICE DRIVER FREDERICK J. VAUGHN, FIREFIGHTER OF THE MONTH. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-119-2020

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 each to the following employee(s):

Fire Service Driver Frederick J. Vaughn

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

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

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

Nays: None

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

HONORARILY RE-NAME ADAMS STREET, BETWEEN CUBA STREET AND RYLANDS STREET, "CORINE TARTT WESLEY WAY." The following resolution was introduced by Councilmember Daves.

RESOLUTION: 46-136-2020

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Adams Street, between Cuba Street and Rylands Street, be given the honorary name of "Corine Tartt Wesley Way."

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

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

Nays: None

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

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DETERMINE DONATION TO THE DETONTI SQUARE NEIGHBORHOOD ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$5,000.00.

The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-120-2020

Sponsored by: Councilmember Manzie

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

WHEREAS. Councilmember Manzie wishes to donate \$5,000.00 to the DeTonti Square Neighborhood Association, from his discretionary funds; and

WHEREAS, the Attorney General of the State of Alabama has opined that payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the DeTonti Square Neighborhood Association will be used to assist in purchasing, installing and replacing their gas lantern and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Detonti Square Neighborhood Association serves a public purpose and further approves and directs the payment of same.

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

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

Nays: None

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

RESOLUTION IN SUPPORT OF PROPOSED CONSTITUTIONAL AMENDMENT CONCERNING CONDITIONS FOR PRE-TRIAL RELEASE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-137-2020

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

A RESOLUTION IN SUPPORT OF A PROPOSED CONSTITUTIONAL AMENDMENT CONCERNING CONDITIONS FOR PRETRIAL RELEASE OF PERSONS CHARGED WITH CERTAIN CRIMINAL OFFENSES

Findings.

1. The Alabama Constitution as currently written allows pre-trial bail in all criminal cases except capital offenses.
2. There is a prevailing danger that violent offenders are likely to reoffend when released leading to retaliation and a continuation of violence which jeopardizes public safety and welfare.
3. Public safety is fundamental to the health and well-being of the citizens of the City of Mobile, Alabama.

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4. The City Council of Mobile, Alabama firmly believes that an amendment to the Alabama Constitution is needed so that judges may deny bail in criminal cases that could result in a life sentence in order to reasonably protect community safety and welfare.

Now, therefore, Be it Resolved by the City Council of the City of Mobile, Alabama that:

1. The City of Mobile, Alabama fully supports the passage of the attached proposed Constitutional amendment, which would permit judges to deny bail in certain criminal cases when the offense charged is capital or carries a punishment of life imprisonment, and the State presents the court with sufficient evidence that there are no conditions of release that can ensure the safety of the accused or the public, the presence of the accused at trial, or the integrity of the judicial process.

2. The City Clerk is hereby directed to send a certified copy of this resolution to the Mobile Legislative Delegation.

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

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

Nays: None

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

RESOLUTION APPOINTING THE ATCHISON, FIRM, P. C. TO PROVIDE LEGAL SERVICES TO THE CITY COUNCIL. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 60-138-2020

Sponsored by: Councilmembers Manzie, Daves and Gregory

WHEREAS, Code of Alabama § 11-44C-38(c) provides for the Council to obtain legal counsel; and,

WHEREAS, the Council has determined that a need exists to retain the services of a law firm, and that The Atchison Firm, P.C., is qualified to provide legal services to the Council and has agreed to serve on the terms and conditions set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mobile, Alabama as follows:

(a) The Atchison Firm, P.C. ("Council Attorneys") is hereby retained to provide legal services to the Council and shall serve at the pleasure of the Council.

(b) The Council Attorneys shall:

1) Advise. Advise the City Council and its members and committees on all matters relating to their official powers, duties and functions.

2) Prepare/Review Ordinances, etc. Be responsible for the preparation and/or review of all ordinances and resolutions and other documents requiring Council consideration or action.

3) Give Opinions. Render legal opinions upon any question of law submitted by a Council member.

4) Attend Council Meetings. Attend in person or by Council-approved designee all meetings of the Council and its committees.

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- 5) Assistance with Council Inquiries and Investigations. Upon request of the Council inquire into the conduct of any office, department or agency of the City and assist in any Council Investigation as to municipal affairs, as set forth in the Code of Alabama.
- 6) Reports. Periodically, and upon the request of any member of the Council, summarize the ongoing legal work, and promptly report the outcome of any litigation.
- 7) Records. For the matters on which the Council Attorneys work, keep a complete record of all suits in which the council had or has an interest, giving the names of the parties, the court where brought, the nature of the action, the disposition of the case, or its condition if pending. The Council Attorneys shall also keep a complete record of all written opinions furnished to the Council by the Council Attorneys.
- 8) Deliver Records to Successor. Deliver all records, documents and property of every description in their possession belonging to the Council to the City Clerk upon disengagement.
- 9) Professional Assistance. With the consent of the Council President, the Council Attorneys may engage such other attorneys as are in their judgment needed to provide assistance in the representation of the Council. All retainer agreements and fee arrangements for such other attorneys shall be approved in advance by the Council President.
- 10) Special Counsel. In any case where the Council Attorneys by reason of a conflict of interest cannot represent the Council, the Council shall appoint special counsel and fix their compensation.
- (c) Compensation. The Council Attorneys shall be paid Two Hundred Dollars (\$200.00) per hour, to be billed in quarter-hour increments, for all services performed.
- (d) Costs. The Council shall pay all reasonable and customary out of pocket costs incurred by Council Attorneys in conformance with Council policy.
- (e) Payment. All statements shall be paid within 30 days of submission.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH AECOM TECHNICAL SERVICES, INC. FOR ST. STEPHENS ROAD STREET RESTORATION (SURVEYING & PRELIMINARY DESIGN) (ST. STEPHENS ROAD FROM ANN STREET TO CRAFT HIGHWAY), \$99,950.00. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 21-121-2020

Sponsored by: Councilmembers Manzie and Richardson
and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City 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: AECOM Technical Services, Inc.

Project name: St. Stephens Rd. Street Restoration, 1164, D#1
COM Project No. 2019-3005-10

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Estimated cost: \$99,950.00

RESOLUTIONS BEING INTRODUCED:

APPROVE PURCHASE ORDER TO LYTX, INC. FOR ANNUAL SUBSCRIPTION FOR 50 DRIVECAMs, \$19,894.00. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-122-2020

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>5486</u>	2020	(2050) EQUIPMENT SERVICES	ANNUAL SUBSCRIPTION FOR 50 DRIVECAMs PLUS FLEET TRACKING (GSA CONTRACT)	\$19,894.00	((291836) LYTX, INC.

APPROVE PURCHASE ORDER TO E-BUILDER, INC. FOR ANNUAL SOFTWARE LICENSE, \$55,574.36. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-123-2020

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>5379</u>	2020	(3005) ENGINEERING	E-BUILDER ANNUAL SOFTWARE LICENSE (GSA CONTRACT))	\$55,574.36	((295201) E-BUILDER, INC.

APPROVE PURCHASE ORDER TO J & R SYSTEMS INTEGRATORS, LLC FOR 16 LPR CAMERAS, \$16,304.32. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-124-2020

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Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>5428</u>	2020	(1545) POLICE CYBER DIVISION	16 AXIS Q1700LE LPR CAMERAS PLUS MOUNTING KITS (SEALED BID 5364)	\$16,304.32	(294206) J&R SYSTEMS INTEGRATORS LLC.

APPROVE PURCHASE ORDER TO J & R SYSTEMS INTEGRATORS, LLC FOR 16 SURVEILLANCE CAMERAS, \$65,628.38. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-125-2020

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>5883</u>	2020	(1545) POLICE CYBER DIVISION	16 AXIS Q6000E SURVEILLANCE CAMERAS, 16 AXIS Q6055E CAMERAS, 5 AXIS Q1700LE LPR CAMERAS PLUS MOUNTING KITS (SEALED BID 5364)	\$65,628.38	(294206) J&R SYSTEMS INTEGRATORS LLC.

APPROVE PURCHASE ORDER TO ALABAMA CORRECTIONAL INDUSTRIES FOR FURNITURE FOR POLICE ADMIN. SERVICES, \$16,917.00. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-126-2020

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, 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>5897</u>	2020	(1530) POLICE ADMIN SERVICES	13 DESKS, 2 HUTCHES, 1 CREDENZA, 15 CHAIRS (AL STATE AGENCY)	\$16,917.00	(282370) ALABAMA CORRECTIONAL INDUSTRIES

APPROVE PURCHASE ORDER TO BAGBY & RUSSELL ELECTRICAL CO., INC. FOR WORK ORDER TO PROVIDE/INSTALL 100 LED FIXTURES, JUNCTION BOXES, ETC., \$129,025.00. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-127-2020

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>5970</u>	2020	(2060) TRAFFIC ENGINEERING	WORK ORDER TO PROVIDE/INSTALL 100 LED FIXTURES, 21 JUNCTION BOXES, 40 HR BUCKET TRUCK RENTAL, 1650 FT CONDUIT, 20 CU YD CONCRETE (MOBILE COUNTY BID 133-19)	\$129,025.00	(20320) BAGBY & RUSSELL ELECTRICAL CO. INC.

APPROVE PURCHASE ORDER TO SYNTECH SYSTEMS, INC. FOR EXTENDED MAINTENANCE PLAN FOR FUELMaster FUEL CONTROL SYSTEM, \$16,637.50. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-128-2020

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, 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>6178</u>	2020	(2050) EQUIPMENT SERVICES	ONE-YEAR EXTENDED MAINTENANCE PLAN FOR FUELMASTER FUEL CONTROL SYSTEM (SOLE SOURCE- PROPRIETARY SYSTEM)	\$16,637.50	<u>SYNTECH SYSTEMS INC</u>

APPROVE PURCHASE ORDER TO SOUTHERN LIGHTING & TRAFFIC SYSTEMS FOR 24 LED LIGHT FIXTURES, \$19,128.00. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 08-129-2020

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>5134</u>	2020	(2062) ELECTRICAL	24 EATON STREETWORKS LED LIGHT FIXTURES (SEALED BID 5375)	\$19,128.00	<u>(278464) SOUTHERN LIGHTING & TRAFFIC SYSTEMS</u>

AUTHORIZATION FOR ASSIGNMENT, ASSUMPTION AND AMENDMENT OF LEASE BETWEEN TEKLINKS, THE CITY OF MOBILE AND GREBE LLC FOR OFFICE SPACE LOCATED AT 455 ST. LOUIS STREET FOR THE CYBER DIVISION-MPD. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 35-130-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Assignment, Assumption, and Amendment of Lease by and between TekLinks, Inc., a Delaware Corporation ("Assignor"), City of Mobile, a municipal corporation ("Assignee"), and Grebe,

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LLC, an Alabama limited liability company (the "Landlord"), to lease approximately 2,771 square feet located on the second floor within the two story building known as "The Buick Building" located at 455 St Louis Street, as outlined in the Lease Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Memorandum of Understanding is on file in the office of the City Clerk.

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

Councilmember Daves moved for the suspension of the rules to consider Resolution 47-131 being introduced for the first time. The motion was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the item.

APPROVE THE VACATION/CLOSING OF A PORTION OF SOUTH RICHARDSON DRIVE NEAR ITS INTERSECTION WITH FARNELL LANE IN ROSSWOOD SUBDIVISION. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 47-131-2020

Sponsored by: Councilmember Daves

WHEREAS, the City Council of the City of Mobile received a petition to vacate the following described right-of-way, a certain portion of South Richardson Drive, located in the municipal limits of the City of Mobile; and,

WHEREAS, the Petition for Vacation was filed in accordance with the provisions of Section 23-4-20 of the Code of Alabama 1975 which provides that any street or alley may be vacated, in whole or in part, by the owner or owners of the land abutting the street or alley or abutting that portion of the street or alley desired to be vacated; and,

WHEREAS, Rosswood Neighborhood Association, (an unincorporated nonprofit association under 10A-17-1.01, Code 1975), Loring (Buddy) and Donna Kay Wilder, and Tania Thomas, as the owners of land abutting that certain portion of right-of-way proposed to be vacated have joined in the petition to vacate said right-of-way; and,

WHEREAS, the Petition for Vacation of that certain portion of South Richardson Drive states that no property owner will be deprived of any right they may have to convenient and reasonable means of ingress and egress to and from their property as a result of the requested vacation, and, in furtherance of that assertion, a 100% of the lot owners in the Rosswood Subdivision have signed a petition in support of the Petition for Vacation; and,

WHEREAS, a public hearing was conducted by the Mobile City Council on February 11, 2020, at which time all persons were given an opportunity to be heard in favor of or in opposition to the proposed right-of-way vacation; and,

WHEREAS, public notice of the public hearing was provided in accordance with Section 23-4-2 of the Code of Alabama 1975; and,

WHEREAS, the City Council of the City of Mobile has determined that it is in the best interest of the City to vacate the right-of-way of that certain portion of South Richardson Drive as more accurately described in the Petition for Vacation (and as restated in Exhibit A, attached hereto) and that the right-of-way should be returned to the abutting landowners.

NOW THEREFORE, BE IT RESOLVED that the City of Mobile, Alabama, does hereby assent to the right-of-way vacation of that certain portion of South Richardson Drive as described in the Petition for Vacation and restated in Exhibit A, attached hereto.

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BE IT FURTHER RESOLVED that the City of Mobile, Alabama, does hereby remise, release, quitclaim whatever right, tide and interest the City of Mobile may have acquired in the property to the abutting property owners as stated above: Rosswood Neighborhood Association, (Loring (Buddy) and Donna Kay Wilder and Tania Thomas;

SUBJECT TO THE FOLLOWING:

(1) A non-exclusive easement in favor of the City of Mobile over and under the vacated area for drainage and any other 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

(2) Alabama Power Company and AT & T are reserved 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 all other rights, title and interests held by the Companies with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/ or trim trees or limbs which, in the sole opinion of said Companies, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electrical Safety Code.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed on behalf of the City of Mobile to attest to the foregoing resolution and that the Clerk shall cause a copy of this resolution to be filed in the Office of the Judge of Probate of Mobile County, Alabama, and shall further cause a copy of this resolution to be published once in a newspaper in Mobile County no later than 14 days after its adoption. The filing of this Resolution in said Office shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the street, alley or highway vacated. Title and all public rights, including the right to close the street, alley or highway vacated shall vest in the abutting landowners, pursuant to Code of Alabama (1975), Sections 23-4-20 and 23-4-2.

Exhibit "A"

**DECLARATION OF VACATION OF A PORTION OF SOUTH RICHARDSON DRIVE
NEAR ITS INTERSECTION WITH FARNELL LANE IN ROSSWOOD SUBDIVISION**

WHEREAS, Loring (Buddy) and Donna Kay Wilder and Tania Thomas are the owners of all the land abutting the following described portion of South Richardson Drive near its intersection with Farnell Lane in Rosswood Subdmsion located within the City of Mobile, Alabama, also shown on Exhibit "A", which is attached hereto and made a part hereof and described as follows:

The West a' of Richardson Drive South, as shown on Rosswood Subdivision, recorded in Map Book 8 Page 248 on file in the records, in the office of the Judge of Probate Court, Mobile County, Alabama; more particularly described as follows; Commencing at the Southwest corner of Lot 25, Block C of Rosswood Subdivision as recorded in Map Book 8, Page 248 on file in the records, in the office of the Judge of Probate Court, Mobile County, Alabama and being 011 the east right of way line of Farnell Lane (a 50 foot right of way); thence run north 04 degrees 51 minutes west along the west line of said Lot 25, Block C of Rosswood Subdivision and the east right of way line of Farnell Lane a distance of 125.13 feet to the POINT OF BEGINNING of the property herein described. Thence continue north 04 degrees 51 minutes west, and along the said east right of way line of Farnell Lane and the west end of Richardson Drive South (a 50 foot right of way), a distance of 100.00 feet to a point, said point being the southwest corner of Lot 1, Block A of Rosswood Subdivision as recorded in Map Book 8. Page 248 on file in the records, in the office of the Judge of Probate Court, Mobile County, Alabama, and the northwest

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corner of said Richardson Drive South, being the point of curve to the southeast. Thence run southeastwardly along said curve to the southeast and the north right of way of Richardson Drive South, having a radius of 25.97 feet, tangent of 4.23 feet, an arc length of 8.39 feet, a Del ta Angle of 18 degrees 30 minutes 44 seconds, a Chord Bearing of south 18 degrees 42 minutes 02 seconds east, and a Chord Distance of 8.35 feet to a point. Thence run south 04 degrees 51 minutes east and parallel with the east right of way line of Farnell Lane, a distance of 81.87 feet to a point on the south right of way line of Richardson Drive South, and on a curve to the southwest. Thence run southwest along the said south right of way line and curve to the southwest having a radius of 26.07 feet. tangent of 5.21 feet, arc length of 10.28 feet, Del ta Angle of 22 degrees 35 minutes 26 seconds, a Chord Bearing of south 06 degrees 26 minutes 38 seconds west, and a Chord Distance of 10.21 feet to the POINT OF BEGINNING. This description was based on the recorded subdivision of Rosswood Subdivision Map Book 8, Page 248 and without benefit of an accrual survey. Said description encloses 176 square feet more or less.

WHEREAS, Loring (Buddy) and Donna Kay Wilder and Tania Thomas, as the sole owners of all of the land abutting the portion of the road described hereinabove and as show on Exhibit "A", have requested the City of Mobile, Alabama to assent to the vacation and closing thereof; and

WHEREAS, said road is located solely within the City of Mobile; and

WHEREAS, the City Council of Mobile, Alabama has given its assent to the closing and vacating thereof; and

WHEREAS, said assent was given by Resolution duly adopted by the City Council of Mobile, Alabama, a certified copy of which Resolution is attached hereto and made a part hereof, as though set forth fully herein; and

WHEREAS, the same is filed for record herewith;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that Loring (Buddy) and Donna Kay Wilder and Tania Thomas, who are the owners of all of the lands abutting that portion of the road described above and as shown on Exhibit "A", hereby declare the same to be vacated under the authority of §23-4-20, Code of Alabama (1975), as amended. This Declaration of Vacation is filed strictly in accordance with said statute and, having been so filed, the portion of the road described hereinabove and as shown on Exhibit "A", is hereby declared VACATED.

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

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

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

APPROVE OFFERING OF 1350 WEST MONTLIMAR DRIVE FOR SALE. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 60-132-2020

Sponsored by: Councilmember Daves and Mayor Stimpson

WHEREAS, the City of Mobile owns 1350 Montlimar Dr., Mobile, AL 36602 (the subject property), vacant land at the corner of Montlimar Dr. and Pleasant Valley with two (2) parcels totaling 9.96 acres; and

WHEREAS, the City is not utilizing the property and the current zoning for the property, Lot 1 is business (B-3) and Lot 2 is residential (R-1); and

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WHEREAS, the City would benefit from a sale of the property under favorable terms and conditions;

NOW, THEREFORE, the City Council of the City of Mobile hereby RESOLVES:

That it does not object to offering the subject property for sale. In the event that the City receives an offer to purchase under favorable terms and conditions, the purchase agreement will be presented to the Council for consideration, and the Council may, if it deems appropriate, adopt an ordinance declaring the property not needed for public purpose and authorizing the execution of the purchase agreement.

APPROVE OFFERING OF 2318 ST. STEPHENS ROAD FOR SALE. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 60-133-2020

Sponsored by: Councilmember Richardson and Mayor Stimpson

WHEREAS, the City of Mobile owns 2318 St. Stephens Rd. -AKA- Old Toulminville Library (the subject property), a vacant 17,741 ± square ft. masonry building, located on a 75,316± square ft. parcel; and

WHEREAS, the City is not utilizing the property and the current zoning for the property is community business district (B-1); and

WHEREAS, the City would benefit from a sale of the property under favorable terms and conditions;

NOW, THEREFORE, the City Council of the City of Mobile hereby RESOLVES:

That it does not object to offering the subject property for sale, in the event that the City receives an offer to purchase under favorable terms and conditions, the purchase agreement will be presented to the Council for consideration, and the Council may, if it deems appropriate, adopt an ordinance declaring the property not needed for public purpose and authorizing the execution of the purchase agreement.

APPROVE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS – DORIS BAKER. The following resolution was held over until the regular meeting of February 18, 2020.

RESOLUTION: 60-134-2020

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, the Settlement Agreement and Release of Claims arising out of the injury of Doris Baker, suffered on October 14, 2016, requiring the City to pay \$10,000.00, in return for a release of all of the Plaintiff s respective claims, as outlined in the Settlement Agreement and Release of Claims attached hereto and made apart hereof as though set forth in full. A copy of said Settlement Agreement and Release of Claims is on file in the office of the City Clerk.

CALL FOR PUBLIC HEARINGS:

CALL FOR 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 following resolution was introduced by Councilmember Daves.

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RESOLUTION: 41-135-2020

Sponsored by: Councilmember Daves

RESOLUTION DIRECTING THE CITY CLERK TO SCHEDULE A PUBLIC HEARING ON THE PROPOSED REZONING OF PROPERTY LOCATED AT 758 DOWNTOWNER BOULEVARD AND 4312 MIDMOST DRIVE IN MOBILE, ALABAMA

WHEREAS, the City of Mobile Planning Commission has recommended approving an application 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, Neighborhood Business District and B-3, Community Business District to B-3, Community Business District

1. As required by section 64-9(B)(6) of the Mobile City Code, 1991, the Commission has furnished to Council a copy of its report, recommendation and in supporting documents.
2. The Council has considered the information provided and finds it necessary and desirable to schedule the rezoning for a public hearing.

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

1. That the date and time set for the public hearing shall be March 12, 2020, at 10:30 a.m. in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama;
2. That the City Clerk shall publish in full the proposed ordinance for one insertion and an additional insertion of a synopsis of the proposed ordinance one week after the first insertion in a newspaper of general circulation published within the municipality as required by Ala. Code §11-52-77.
3. That at the hearing, all persons who desire shall have an opportunity to be heard in opposition to or in favor of such ordinance.
4. That after the close of the public hearing, the Council may approve the proposed ordinance with or without conditions; deny the proposed ordinance; consider zoning classifications other than those sought by the applicant; and take any other action allowed by law.

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

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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.

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

Ayes: Richardson, Manzie, 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 12, 2020.

ANNOUNCEMENTS:

Councilmember Gregory stated that the Council ad hoc committee meeting scheduled for this afternoon has been re-scheduled for Tuesday, February 18, 2020, at 1:30 p.m., to discuss salaries for Municipal Court judges.

Councilmember Richardson invited district one residents to a community meeting on Thursday, February 20, 2020, 6:00 p.m., at the Dumas Wesley Community Center.

Councilmember Richardson offered remarks in honor of Black History Month.

Councilmember Rich mentioned that she attended a luncheon hosted by the American Heart Association.

Councilmember Rich extended her condolences for the passing of Hal Pierce.

Councilmembers Rich and Manzie wished everyone a happy Valentine's Day.

Councilmember Manzie announced that this Thursday will be the inaugural District Two Pastors Luncheon.

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

Ayes: Richardson, Manzie, 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 12:34 p.m.

Adopted: February 18, 2020

COUNCIL PRESIDENT

ASSISTANT CITY CLERK