

MUNICIPAL BUILDING, MOBILE, ALABAMA, FEBRUARY 4, 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 4, 2020, at 9:00 a.m.

Present:

Chairman: Manzie
Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory
Absent: None

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 11, 2020

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, FEBRUARY 4, 2020

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, February 4, 2020, at 10:30 a.m., in regular meeting.

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

Reverend Sandy McQueen, Truevine Baptist Church, offered the invocation.

Present on Roll Call:

Chairman: Manzie
Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory
Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER:

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

APPROVAL OF MINUTES:

The minutes of the meetings of January 28, 2020 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson named Officer Blake Duke “Officer of the Month.”

Mayor Stimpson mentioned that City employees joined him in collecting litter in blighted neighborhoods.

Mayor Stimpson provided an overview of bills before the State Legislature that could impact Mobile.

Mayor Stimpson invited the public to attend the lighting of Mobile’s first Mardi Gras tree.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

The Council considered the request of Wanda Thomas, Bethesda COB Outreach, for a waiver of the Noise Ordinance in Lyons Park on March 7, 2020, from 8:00 a.m. until 1:00 p.m. (District 2).

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

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

Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 605 TEXAS PLACE (NORTHEAST CORNER OF TEXAS PLACE AND TEXAS STREET, EXTENDING TO THE EAST TERMINUS OF TEXAS PLACE) FROM R-1 TO B-2 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 605 Texas Place from R-1 to B-2 and asked if there was anyone present to speak for or against this matter.

The following people spoke in favor of the proposed rezoning:

1. Phi Vo, 320 Wynnfield Drive, W.
2. Deborah Calhoun, 6103 Apaloosa Drive
3. Scott Griffith, 4336 Furman Drive

The following people spoke in opposition of the proposed rezoning:

1. Beverly Crandell, 513 S. Scott Street
2. Pastor James Murphy, 5089 Government Street

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 DECLARE THE STRUCTURE AT 707 MARINE STREET (PARCEL 1) 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 a 707 Marine Street a (Parcel 1) public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 707 MARINE STREET (PARCEL 2) A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

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The Presiding Officer announced that today was the day for the public hearing to declare the structure a 707 Marine Street a (Parcel 2) public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 670 DAUPHIN ISLAND PARKWAY 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 a 670 Dauphin Island Parkway public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2157 GROVE COURT A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure a 2157 Grove Court public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1550 ROBERT E. LEE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure a 1550 Robert E. Lee Street public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 7426 FOURTH STREET A/K/A 7412 FOURTH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to declare the structure a 7426 Fourth Street, a/k/a 7412 Fourth Street public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

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PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

- 1. Carolyn Smoke, 405 Old Shell Road, requested additional time to renovate the structure at 1354 St. Madar Street.
- 2. The following people spoke in favor of Resolution 60-1147:
 - a. Joaquin Holloway, 2206 De Kruif Court
 - b. Stephen McNair, 65 S. Ann Street
 - c. Sabrina Mass, 1050 Belvedere Circle, West
 - d. Bill Boswell, 1609 Government Street
 - e. Jane Covington, 1835 Barn Staple Lane, Brentwood Tennessee
 - f. Herbert Pair, 357 Congress Street
- 3. The following people spoke in opposition of Resolution 60-1147:
 - a. Sylvia Reed, 1783 Princeton Woods Drive, W.
 - b. Clifford Melton, 126 Industrial Canal Road, E., Daphne, Alabama

NON-AGENDA ITEMS:

Reggie Hill, 1007 Center Street, spoke about eliminating gun violence in Mobile, Chapter 38 of the Municipal Code, Resolution 60-1147 and ongoing youth initiatives.

ORDINANCES HELD OVER:

ORDINANCE DEEMING PROPERTY AT 418 DONALD STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO JOHN WILLIS. The following ordinance, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

ORDINANCE: 88-002-2020

Sponsored by: Councilmember Richardson and Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF

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 real property hereinafter described 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 sold to John Willis.

SEE ATTACHED EXHIBIT ‘A’

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.

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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: The 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: The proceeds from this sale to be placed in a Public Facility Improvement Fund.

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

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

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

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

ORDINANCE TO AMEND AND RESTATE CHAPTER 38, ARTICLE II OF THE CITY CODE PROVIDING FOR THE APPOINTMENT AND QUALIFICATION OF MUNICIPAL JUDGES. The following ordinance, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

ORDINANCE: 38-003-2020

Sponsored by: City Council

AN ORDINANCE TO AMEND AND RESTATE CHAPTER 38, ARTICLE II OF THE MOBILE, ALABAMA CITY CODE, 1991 PROVIDING FOR THE APPOINTMENT AND QUALIFICATION OF MUNICIPAL JUDGES

Be it ordained by the City Council of the City of Mobile, Alabama that Chapter 38, Article II of the Mobile City Code (1991) is hereby amended and restated as follows:

ARTICLE II. - JUDGES Sec. 38-41. - Number; term; adjunct judges

(a) Number. The municipal court shall consist of five (5) judges: three (3) full-time judges, and two (2) part-time judges. The full-time and part-time judges of the municipal court shall be appointed by the City Council by a vote of the majority of its members.

(b) Term. The term of office of each full-time municipal judge shall be for a term of four (4) years. The term of office of each part-time municipal judge shall be for a term of two (2) years. The term of either full-time or part-time municipal judges shall continue until a successor has been appointed and qualified. The municipal judges shall be eligible for reappointment upon the expiration of their terms.

(c) Adjunct Judges. The Council may, from time to time, appoint up to five (5), part-time adjunct judges who shall comprise a roster of judges willing and able to undertake individual docket assignments as deemed necessary by the Presiding Judge. The term of office of each adjunct judge shall be for a term of two (2) years, and the term shall continue until a successor has been appointed and qualified. Adjunct municipal judges shall be eligible for reappointment upon the expiration of their terms.

Sec. 38-42. - Qualification; other employment.

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(a) Qualifications. Each municipal judge shall: 1) be licensed to practice law in the State of Alabama; 2) be a qualified elector of the State of Alabama and the City of Mobile; and, 3) be a resident of the City of Mobile.

(b) Other Employment. No municipal judge shall be otherwise employed in any capacity by the city during his or her term of office.

2 Sec. 38-43. - Vacancy.

The office of a municipal judge shall be vacant if he or she dies, resigns, or is removed; and vacancies shall be filled by the City Council in the same manner as original appointments are made.

Sec. 38-44. - Oath.

Each municipal judge shall, before assuming office, take and sign the oath provided by the Constitution of the State, and a copy thereof shall be filed in the office of the Secretary of State, the Administrative Director of Courts, and the City Clerk; provided, however, that failure to file as required by this section shall not render invalid any act, order, or judgment of said judge.

Sec. 38-45. - Presiding judge.

(a) Designation. The Mayor shall designate one of the full-time judges to serve as presiding judge.

(b) Duties. The presiding judge is the chief judicial officer of the municipal court and bears primary responsibility for court administration, and for insuring that all cases that are properly brought before the court are heard and determined as expeditiously as possible. The presiding judge's duties shall include:

(1) establishing a court calendar of cases, setting dockets and assigning cases for trial and disposition to such municipal judges as deemed necessary for the efficient administration of the court;

(2) the authority to prescribe and publish reasonable rules and regulations for the dispatch of the business of the court;

(3) the authority to hold, or direct to be held, such sessions of court as shall be necessary. All sessions of court shall be presided over by the presiding judge or by a judge assigned by the presiding judge; and

(4) designating and authorizing other municipal officers to approve appearance and appeal bonds.

(e) Reports. The presiding judge shall make quarterly reports to the city council and mayor on the operation of the municipal court. The quarterly report shall include, at a minimum, information stating the number of new cases filed during the quarter, the number of cases still pending at the end of the quarter, the number of cases resolved or disposed of during the quarter, the number of cases that were appealed to the circuit court during the quarter, the presiding judge's recommendations for improving access to justice and the operations of the court, and any other information or statistics that the presiding judge determines to be pertinent. The information concerning the number of cases filed, pending, resolved or disposed of, and appealed shall be arranged to separately reflect the number of traffic offenses initiated by issuance of a uniform traffic ticket and complaint, the number of non-traffic offenses initiated 3 by issuance of a uniform non-traffic citation and complaint, the number of offenses initiated by arrest, and any other categorization of offenses as the presiding judge shall deem necessary to fully and accurately report on the operations of the municipal court.

Sec. 38-46. - Disqualification on specific cases.

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Each municipal judge shall be subject to all grounds of disqualification from hearing specific cases that are applicable to circuit court judges.

Sec. 38-47. - Full-time municipal judges not to engage in the practice of law.

No full-time municipal judge shall, during his or her continuance in office, engage in the practice of law or receive any remuneration for judicial service, except the salary and allowances authorized by ordinance.

Sec. 38-48. - Acting municipal judge.

In the event of the absence from the city, death, disability or disqualification of a municipal judge, for any reason, the mayor shall have the authority to designate persons, licensed to practice law in the state and who are qualified electors of the state, not otherwise employed in any capacity by the city, to serve as acting municipal judges with all the power and authority of a duly appointed municipal judge. No such acting judge may serve for more than thirty (30) successive days or a total of sixty (60) days in any calendar year; provided, that when the duly appointed municipal judge is disqualified pursuant to the constitution, the time of service limitations for acting judges shall not apply during such disqualification.

Sec. 38-49. - Compensation.

The salary of the municipal judges shall be fixed by resolution of the Council. This salary shall not be diminished during the judges' term of office. Any general increase in the compensation of all or substantially all City employees shall be applied proportionately to the salary of the municipal judges. The council may provide for the retirement of municipal judges, with such conditions, retirement benefits and pensions for them and their dependents as the Council may prescribe by resolution.

Sec. 38-51. - Time and place of holding court.

(a) The full-time municipal judges shall work five (5) days per week, Monday through Friday at Mobile Government Plaza or at such other places as may be convenient or necessary for the transaction of official court business.

(b) Part-time judges (both regular and adjunct) shall preside over dockets and perform other duties as may be assigned by the presiding judge, including dockets held at the county metro jail and at such other places as may be convenient or necessary for the transaction of official court business. 4 Secs. 38-52—38-60. - Reserved.

This ordinance shall be effective upon adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Gregory moved that the ordinance be held over until the regular meeting of February 18, 2020, which move was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

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

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 1354 ST. MADAR STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution, which was introduced and read at the regular meeting of December 3, 2019 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 40-1092-2019

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Sponsored by: Councilmember Manzie

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 1354 St. Madar 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, 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 1354 St. Madar Street as:

LOT 23 BLK 22 TISDALE SUB OF FISHER TRT DBK 75 P 260 #SEC 13 T4S RIW #MP29 06 13 0 003

Parcel number: 29 06 13 0 003 253.01

Last assessed to: SMOKE MCOWEN CAROLYN

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be held over until the regular meeting of May 5, 2020, which was seconded by Councilmember Rich and the vote was as follows:

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

Nays: Daves

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

AUTHORIZE LETTER OF SUPPORT TO THE U. S. DEPARTMENT OF TRANSPORTATION FOR THE GRANT APPLICATION OF THE SOUTHERN RAILROAD COMMISSION TO RESTORE PASSENGER RAIL SERVICE. The following resolution, which was introduced and read at the regular meeting of December 17, 2019 and held over until the regular meetings of December 31, 2019, January 28, 2020 and February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 60-1147-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

WHEREAS, the Southern Rail Commission is applying for grant funds from the U.S. Department of Transportation for its "FY18-19 Restoration and Enhancement (RE) Program" in order to facilitate the return of daily passenger rail services to the Gulf Coast;

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WHEREAS, if successful, the grant will provide funding for the restoration of daily Gulf Coast passenger rail service between the cities of Mobile and New Orleans;

WHEREAS, the grant requires a match from non-federal sources;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that:

1. The City of Mobile supports the Southern Rail Commission ("Commission") in its effort to secure grant funding from the U.S. Department of Transportation;
2. the Mayor, Council President and City Clerk are hereby authorized and directed to execute and attest, respectively, the attached letter of support to the Department of Transportation; and
3. in the event the Commission's application is granted, the Mayor and the Council commit to appropriate funds sufficient to meet the City's proportional match requirements of the grant, in an amount not to exceed \$3.048 million dollars.

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

Councilmember Manzie moved to amend the resolution as follows:

A RESOLUTION IN SUPPORT OF THE SOUTHERN RAIL COMMISSION'S GRANT APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION RESTORATION AND ENHANCEMENT PROGRAM

Findings

1. The Southern Rail Commission is applying for grant funds from the U.S. Department of Transportation for its "FY18-19 Restoration and Enhancement (RE) Program" in order to facilitate the return of daily passenger rail services to the Gulf Coast.
2. If successful, the grant will provide funding for the restoration of daily Gulf Coast passenger rail service between the cities of Mobile and New Orleans.
3. Restoration of passenger rail service support economic development of the region, offer transportation choices and further benefit residents and businesses in Mobile.

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

1. The City of Mobile supports the Southern Rail Commission ("Commission") in its effort to secure grant funding from the U.S. Department of Transportation;
2. The City's support is contingent on the Commission procuring funds from other sources to construct a passenger rail station and to undertake necessary capital improvements to the rail corridor in order to successfully accommodate freight and passenger rail.
3. That the City of Mobile's financial commitment be limited to no more than \$3,048 million in expense over a three-year period beginning in 2022 and concluding in 2024. That the City's support is contingent upon completion of a freight rail study assessing the full impact that passenger rail service will have on freight activity and the City's determination that the impact can be mitigated. That the study should include an evaluation of the impact of how freight is moved and its operability within the Port of Mobile. This evaluation should factor in the planned growth of the Port including the impact of the widening and deepening of the Mobile ship channel. That under no circumstances does the City make any commitment to find any portion of improvements to the rail lines which may be required to mitigate any current or future impact that restoring passenger rail service will have on freight activity.

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4. The Mayor, Council President and City Clerk are hereby authorized and directed to execute and attest, respectively, the attached letter of support to the Department of Transportation; and

5. in the event the Commission's application is granted, and the above-stated contingencies have been met, the Mayor and the Council will provide funds sufficient to meet the City's proportional match requirements of the grant, in an amount not to exceed \$3,048 million dollars.

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

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

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

The Presiding Officer called for the vote on the original resolution as amended. Following comments from each Councilmember the vote was as follows:

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

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

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, INC. FOR AZALEA CITY GOLF COURSE - GRADING AND DRAINAGE IMPROVEMENTS, \$208,643.00. The following meeting, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-088-2020

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: McElhenney Construction Company, LLC

Project name: Azalea City Golf Course –
Grading and Drainage Improvements

Project number: PR-060-19

Amount: \$208,643.00

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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.

AUTHORIZE CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, INC. FOR TRAFFIC SAFETY IMPROVEMENTS 2019, \$125,612.60. The following meeting, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-089-2020

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 contract, by and between the City of Mobile, and the company listed below; for the construction of handicap ramps, sidewalks, and traffic calming 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: COM 2019-2060-04 Traffic Safety Improvements 2019

Capital project no.: C0488

Amount \$125,612.60

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

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

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

AUTHORIZE CONTRACT WITH J. HUNT ENTERPRISES GENERAL CONTRACTORS, LLC FOR MEDAL OF HONOR PARK – NATURAL TURF ATHLETIC FIELDS, \$927,658.00. The following meeting, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 21-090-2020

Sponsored by: Councilmember Rich 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: J Hunt Enterprises General Contractors, LLC

Project name: Medal of Honor Park - Natural Turf Athletics Fields

Project number: PR-015-19

Amount: \$927,658.00

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

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

Nays: None

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

RESOLUTIONS HELD OVER:

ACCEPT DEEDS FOR THE ACQUISITION OF LAND LOCATED ALONG PERCH CREEK AND DIP (NFWF – MOBILE BAY SHORE HABITAT CONSERVATION AND ACQUISITION INITIATIVE PH. II). The following meeting, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 23-091-2020

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and hereby are, authorized to execute Purchase and Sale Agreements and to accept Deeds for the acquisition of approximately 102 acres of land consisting of three parcels located along Perch Creek and Dauphin Island Parkway as set out in the instruments attached hereto for the price of \$848,000.00.

Said property is being conveyed to the City of Mobile by One More, LLC, The Estate of Elizabeth Frakes Haskell, and Winston F. Groom, Jr. and is to be used to accommodate conservation habitat goals and public recreational space in accordance with that certain Project Funding Agreement between the National Fish and Wildlife Foundation (NFWF) and the City of Mobile (NFWF Project ID#58042), and otherwise known as the Mobile Bay Shore Habitat Conservation and Acquisition Initiative, as adopted by Resolution #31-502 on May 28, 2019.

Be it resolved that the Executive Director of Finance be and is authorized and directed to request acquisition funds from NFWF in the amount of the sales price less prorated share of property taxes payable to Brock Title Company of Mobile.

Be it further resolved that the Deputy Director of Real Estate Asset Management of the City of Mobile is hereby authorized and directed to execute for and in the name and on behalf of the City of Mobile what ever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

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

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

Nays: None

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

AUTHORIZE THE MAYOR TO ACCEPT GRANT FUNDING FOR PUBLIC SERVICES EQUIPMENT, \$427,667.00. The following meeting, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 31-092-2020

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Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to accept and receive from the Alabama Department of Economic and Community Affairs, a Notice of Award for grant assistance in the amount of \$427,667.00 for the acquisition of a new fuel transport truck and an electric-powered garbage truck.

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

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

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

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

ESTABLISH THE COMPENSATION OF MUNICIPAL COURT JUDGES. The following meeting, which was introduced and read at the regular meeting of January 28, 2020 and held over until the regular meeting of February 4, 2020, was called up by the Presiding Officer.

RESOLUTION: 60-093-2020

Sponsored by: City Council

A RESOLUTION ESTABLISHING THE COMPENSATION OF MUNICIPAL COURT JUDGES

FINDINGS.

1. The Council has previously established a municipal court as allowed by Ala. Code § 12-14-1, and has appointed individuals to serve as municipal court judges in accordance with Ala. Code § 12-14-30.
2. In 2006, the Council adopted an Ordinance fixing the compensation for municipal judges as allowed by Ala. Code § 12-14-33 and § 38-49 of the Mobile City Code.
3. The Council deems it necessary and proper to set the compensation for the Presiding Judge, full-time judges, and newly created positions of adjunct judges.
4. The Council also deems it necessary and proper to increase the compensation for the current judges serving in municipal court.

Now, therefore, BE IT RESOLVED by the City Council of the City of Mobile, Alabama, as follows:

1. Compensation—adjunct judges. Part-time adjunct judges shall be compensated at the rate of four hundred dollars (\$400) for each docket held.
2. Salary increase. The salaries of individuals currently serving as full or part-time judges (including the Presiding Judge) shall be increased as follows:
 - (a) \$20,000 for full time judges; and

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(b) \$10,000.00 for part time judges.

3. Benefits; Salary increases. Any general increase in the compensation of all or substantially all city employees shall be applied proportionately to the salary of the full-time and part-time judges. Full-time and part-time judges shall be also eligible to participate in the City’s health insurance plan, retirement plan, and other such programs on the same basis as other City employees. Adjunct municipal judges shall not be eligible for benefits afforded to full and part-time judges.

4. This resolution shall be effective on and after its adoption by the City Council; provided, however, the salary increases provided for in paragraph 2 shall be retroactive to October 1, 2019 and shall remain in place for the remainder of each judge’s term.

The resolution was read by the City Clerk; whereupon Councilmember Richardson moved that the resolution be held over until the regular meeting of February 18, 2020, which was seconded by Councilmember Daves and the vote was as follows:

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

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

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY LOCATED AT 605 TEXAS PLACE (NORTHEAST CORNER OF TEXAS PLACE AND TEXAS STREET, EXTENDING TO THE EAST TERMINUS OF TEXAS PLACE) FROM R-1 TO B-2 (DISTRICT 2). The following ordinance was held over until the regular meeting of April 7, 2020.

ORDINANCE: 64-004-2020
Sponsored by: Councilmember Manzie

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:

LOTS 6, 7, 8, 9,10,11,12,13,14,15 AND 16 BLOCK 30 D ACCORDING TO THE LAND DISPOSAL MAP UNIT 18 MAP 1, CENTRAL TEXAS STREET AREA, PROJECT ALA. R-38, RECORDED IN MAP BOOK 25 PAGE 108 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE COURT, MOBILE COUNTY, ALABAMA.

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 a 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

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Business District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; and 2) full compliance with all 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 Small moved for the suspension of the rules to consider Consent Resolutions 03-096 through 60-105 being introduced for the first time. The motion was seconded by Councilmember Daves and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

APPOINT PATRICIA LOFTON (D2) AND TIMOTHY MILLS (D3) TO THE BLUE RIBBON AFFORDABLE HOUSING AND NEIGHBORHOOD REVITALIZATION COMMISSION OF THE CITY OF MOBILE. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-096-2020

Sponsored by: Councilmembers Manzie and Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Patricia Lofton (D2) and Timothy Mills (D3) are appointed to the Blue Ribbon Affordable Housing and Neighborhood Revitalization Commission of the City of Mobile effective immediately for a term ending February 4, 2022.

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

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

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

APPOINT BONNIE BATES (D1) AND RE-APPOINT PATRICIA EDINGTON (D3) TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-111-2020

Sponsored by: Councilmembers Richardson and Small

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Bonnie Bates (D1) is appointed and Patricia Edington (D3) is reappointed to the History Museum of Mobile Board effective immediately for a terms ending December 31, 2021.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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.

DECLARE THE STRUCTURE AT 707 MARINE STREET (PARCEL 1) A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-097-2020

Sponsored by: Councilmember Manzie

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 707 Marine 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. 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 707 Marine Street as:

THE S 50 FT OF POLL: LOT E/S OF MARINE ST 100 FT NLY OF VIRGINIA ST & RUN NLY ALG E/L OF MARINE ST 100 FTTH ELY 85 FT TH SLY 100 FT TH WLY 85 FT TO FOB BEING PT UNNUIVIBERED LOT IN BLK 278 BERNOUDY TRT MBK 1 P 7 & ALSO BEG SE COR MARINE & MARYLAND STS ELY 135 FT SLY 69.8 FT WLY 135 FT NLY 69,8 FT BEING PT UNNUMBERED LOT BLK 278 SOUTHERN DIV BERNOUDY TRT MBK1 P 7 & ALSO COMG ON E/S MARINE ST 200 FT NLY OF NE COR MARINE & VIRGINIA STS TH NLY ALG SD E/S 39.75 FT TH ELY & PAR TO VIRGINIA ST 135 FT TH SLY 85 FT TH WLY 50 FT TH NLY 46 FT(S) TH WLY 85 FT TO POB BEING PT LOT 2 & PT UNNUMBERED LOT BLK 278 SOUTHERN DIV BERNOUDY TRT MBK1P7

Parcel number: 29 10 38 0 004109

Last assessed to: THUBLIN HENRY PAUL JR

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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.

DECLARE THE STRUCTURE AT 707 MARINE STREET (PARCEL 2) A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-098-2020

Sponsored by: Councilmember Manzie

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 707 Marine 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. 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 707 Marine Street as:

BEGINNING ON THE EAST SIDE OF MARINE STREET 150 FT NORTHERLY OF VIRGINIA STREET THEN RUN NORTHERLY 50 FT THEN EASTERLY 85 FT THEN SOUTHERLY 50 FT THEN WESTERLY 85 FT TO THE POINT OF BEGINNING.

Parcel number: 29 10 38 0 004 109.01

Last assessed to: THUBLIN HENRY PAUL JR

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 670 DAUPHIN ISLAND PARKWAY A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-099-2020

MINUTES OF FEBRUARY 4, 2020

Sponsored by: Councilmember Manzie

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 670 Dauphin Island Parkway 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 870 Dauphin Island Parkway as:

LOT 7 & 8 IN BLK 27 OF BON AIR DBK 156/374 #SEC 28 T4S RIW #MP29 10 28 3 003

Parcel number: 29 10 28 3 003 008

Last assessed to: BANK JOSEPH L and BANKS REGINA K

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 2157 GROVE COURT A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-100-2020

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52. Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances." adopted December 5, 2017. The accessory structure at 2157 Grove Court 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;

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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. 7, 8, 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 2157 Grove Court as:

LOTS 13 & 14 RIVERSIDE SUB RESUB OF LOTS 34-38 BLK D RIVERSIDE SUB MBK 3 PGS 412-413 #SEC 40 T5S RIW #MP32 06 40 0 003

Parcel number: 32 06 40 0 003 010

Last assessed to: HEIRS OF DAVID G STOUT BRYAN

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 1550 ROBERT E. LEE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3). The following resolution was introduced by Councilmember Rich.

RESOLUTIN: 40-101-2020

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 1550 Robert E. Lee Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 6, 7, 8,14 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 1550 Robert E. Lee Street as:

LOTS 36 & 37 BLK 3 OLLINGER & STEINS SUB OF A PART OF SQR 5 MANDEVILLE TRT DBK128 P101 #SEC 36 T4S RIW #MP291136 0 004

Parcel number: 29 1136 0 004 003

Last assessed to: HEIRS OF CLARA HUDSON KING

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich 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 7426 FOURTH STREET, AKA 7412 FOURTH STREET, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-102-2020

Sponsored by: Councilmember Gregory

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the accessory structure at 7426 4th 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. 6, 7, 14 and 15 and;

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 7426 4th Street as:

LOT 12 BLK B DIXIE LAND BABY FARMS MBK 5 PG 649 #SEC 18 T4S R2W #MP28 0418 4 002

Parcel number: 28 0418 4 002 080

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Last assessed to: HEIRS AT LAW OF JESSE MCCALL

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

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

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

APPROVE PURCHASE ORDERS FOR FUEL. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 08-103-2020

Sponsored by: Mayor Stimpson

MINUTES OF FEBRUARY 4, 2020

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>5392</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER MOTOR POOL UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5394</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER GARAGE UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5395</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER GARAGE UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5396</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$15,024.00	(279229) PETROLEUM TRADERS CORPORATION
<u>5397</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$15,024.00	(279229) PETROLEUM TRADERS CORPORATION
<u>5398</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER MOTOR POOL UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5399</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER MOTOR POOL UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5401</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER LANGAN PARK UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5402</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER 4 th PRECINCT UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC
<u>5403</u>	2020	(2050) EQUIPMENT SERVICES	PRE-ORDER 4 th PRECINCT UNLEADED FUEL (SEALED BID 5216)	\$15,114.00	(042474) DAVISON OIL COMPANY INC

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

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

Nays: None

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

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #37. The following resolution was introduced by Councilmember Rich.

MINUTES OF FEBRUARY 4, 2020

RESOLUTION: 58-104-2020

A 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 Repeat Weed Lien Group #37 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby In all respects confirmed.

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

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		REPEAT WEED LIEN						
		GROUP 37					Res. No.	
10/8/2019		1st REPEAT WEED LIEN LETTERS SENT					11-058	
2/4/2020		REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST						
			SRO		Initial	Times	Amount	CBD
Item		Dis	Repeat	Case	Nuisance	cut within	Assessed	CBO
No.								
1	1554 Duval St	2	941681	1619	10/9/2018	1	\$ 389.00	
2	307 Stocking St	2	941031	1620	1/15/2019	1	\$ 474.73	
3	2056 Gen. Gorgas	1	941980	1621	7/18/2017	2	\$ 480.00	
4	700 Whitney St	2	942128	1622	6/12/2018	1	\$ 282.00	
5	1157 Chinquepin St	2	942768	1623	3/26/2019	1	\$ 344.30	
6	0 Midway Ave	2	942506	1624	3/26/2019	1	\$ 294.00	
	Parcel NO.(29 10 28 1 003 073.XXX)							
7	1215 Wellington St	1	942110	1625	1/16/2018	1	\$ 50.00	CBO
8	1863 Mott Dr S	1	939029	1626	1/15/2019	1	\$ 282.00	
9	1951 St. Stephens Rd	1	944814	1627	12/5/2017	2	\$ 404.10	
10	1458 McVay Dr	3	943058	1628	8/15/2017	2	\$ 389.00	
11	1106 Ross St	3	939296	1629	3/20/2018	1	\$ 282.00	
12	2918 Berkley Ave	1	942133	1630	12/5/2017	2	\$ 403.00	
13	5050 Washington Blvd	4	931939	1631	10/16/2018	1	\$ 340.00	
14	1314 Pecan St	2	944101	1632	9/25/2018	1	\$ 303.00	
15	1319 Pecan St	2	944113	1633	7/25/2017	1	\$ 275.00	
16	0 O'Sage F/k/a Craft Hwy	1	941692	1634	2/14/2017	1	\$ 344.73	
	Parcel NO.(29 02 44 0 015 527.XXX)							
17	2505 Morningside Dr	4	943893	1635	4/24/2018	1	\$ 302.00	
18	968 Duval St	3	945054	1636	1/24/2017	1	\$ 310.00	
19	2822 Diamond Dr	1	945912	1637	1/15/2019	1	\$ 282.00	
20	8 Le Moyne Pl	2	945203	1638	10/24/2017	3	\$ 482.00	
21	2463 Boyette St	1	944640	1639	2/14/2018	1	\$ 307.00	
		Total					\$ 7,019.86	
District total for this group			Numbers of lots cut					
1	8		1	7				
2	8		2	8				
3	3		3	3				
4	2		4	2				
5	0		5	0				
6	0		6	0				
7	0		7	0				
21			20					
*CBO Cut By Owner			*CBC Cut By Contractor					
*N/A Taken out by Inspector			*UDL Undeveloped Lot					
*ADD Added in from other Groups			*Fka Formerly known as					

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

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

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

DETERMINE CONTRIBUTION TO THE MOBILE MEDICAL MUSEUM SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,000.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-105-2020

Sponsored by: Councilmember Rich

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

MINUTES OF FEBRUARY 4, 2020

WHEREAS, Councilmember Rich wishes to donate \$1,000.00 to the Mobile Medical Museum, from her discretionary funds; and

WHEREAS, the Mobile Medical Museum 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 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 Mobile Medical Museum will be used for the educational programming The Black Bag Story Time, their Junior MedCamp program and a special exhibit "Where Does it Hurt? The Enduring Mystery of Pain"; 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 Mobile Medical Museum serves a public purpose and further approves and directs the payment of same.

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

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

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

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, INC. FOR HACKMEYER PARK – DRAINAGE AND SITE AMENITIES IMPROVEMENTS, \$721,015.00. The following resolution was held over until the regular meeting of February 11, 2020.

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CHANGE ORDER TO THE CONTRACT WITH MOFFATT & NICHOL, INC. FOR NFWF PHASE II GRANT PROJECT MANAGEMENT SUPPORT, \$20,000.00. The following resolution was held over until the regular meeting of February 11, 2020.

RESOLUTION: 13-107-2020

MINUTES OF FEBRUARY 4, 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.

Name of company: Moffatt & Nichol, Inc.

Project name: NFWF Phase II Grant Project Management Support

Project number: G-NFWFII

Amount: \$20,000.00
(Original Contract Amount: \$242,500.00)

AUTHORIZE CONTRACT WITH HUNTER SECURITY, INC. FOR MOBILE MUSEUM OF ART – SECURITY SYSTEM UPGRADES, \$16,988.00. The following resolution was held over until the regular meeting of February 11, 2020.

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

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 was held over until the regular meeting of February 11, 2020.

RESOLUTION: 21-209-2020

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.

MINUTES OF FEBRUARY 4, 2020

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

AUTHORIZE CONTRACT WITH BAGBY & RUSSELL ELECTRIC COMPANY, INC. FOR
FIRE TRAINING FACILITY – PAD MOUNTED TRANSFORMER INSTALLATION,
\$44,700.00. The following resolution was held over until the regular meeting of February
11, 2020.

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

ANNOUNCEMENTS:

Councilmembers Rich and Daves reported on the recent meeting of the Council’s ad hoc committee that is reviewing the proposed ordinance to withdraw public safety services from the Police Jurisdiction.

Councilmember Gregory announced that additional candidates for the Council Attorney position will be interviewed today.

Councilmember Gregory stated that a Council ad hoc committee will meet on Tuesday, February 11, 2020, following the CIP committee meeting, to discuss salaries for Municipal Court judges.

Councilmember Gregory mentioned that the McGregor Avenue round-a-bout received an award from the Mobile Area Council of Engineers.

Councilmember Small announced the CIP committee will meet at 1:00 p.m. on Tuesday, February 11, 2020.

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

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

MINUTES OF FEBRUARY 4, 2020

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 1:13 p.m.

Adopted: February 11, 2020

COUNCIL PRESIDENT

CITY CLERK