MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 8, 2023

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, August 8, 2023, at 9:00 a.m.

Councilmembers:

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

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

Approved:

____
COUNCIL PRESIDENT

____
CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 8, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, August 8, 2023, at 10:30 a.m., for the regular meeting.

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

Bobbie Brown, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER

The minutes from the meeting of July 18, 2023 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, gave comments in lieu of Mayor Stimpson's absence.

James Barber, stated that the administration is now seeking input on possible exterior finishes, wall coverings and other design elements that will be incorporated inside the Africatown Welcome Center. A second community survey is now open for public input through August 11, 2023.

James Barber, said that Mobile 311 will be offline by telephone on Wednesday, August 9, 2023, between 2:00 p.m. – 5:00 p.m.

Shonnda Smith, Deputy Executive Director of Public Works, recognized the following employees of the month:

- Tony Seals – Parks and Recreation Department

- Marine Karapetyan – Public Works at Large
- Glenda Bryant – Public Services

NOTE: Councilmember Gregory presented a resolution to Jo Bonner, President of the University of South Alabama, celebrating the University's 60- year anniversary.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS

Request of Josiah Chester for a waiver of the Noise Ordinance at 300 N. Joachim Street on August 26, 2023, from 7:00 p.m. – 9:30 p.m. (District 2).

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

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

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

Request of Kristin Bracy for a waiver of the Noise Ordinance at 2563 Windmill Drive on August 19, 2023, from 1:00 p.m. – 5:00 p.m. (District 4).

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

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

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

Request of Gloria Sullivan for a waiver of the Noise Ordinance at 82 Burtonwood Drive on September 2, 3, and 16, 2023, from 2:00 p.m. – 9:00p.m. (District 2).

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

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

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

PUBLIC HEARINGS

PUBLIC HEARING TO CONSIDER THE APPLICATION OF OPHIR TRANSIT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Ophir Transit, Inc. for a certificate of public convenience and necessity to operate a non-emergency medical transportation service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Eddie Irby, Jr., 1116 Richard Road, requested each councilmember provide him with the name of one of their residents to join him in forming a committee to support the Mobile Police Department.

Patricia Law, 162 S. Broad Street, discussed damage to her property caused by the round-a-bout, the driveway and sidewalk.

Reggie Hill, 1007 Center Street, commented on amendments to ordinance 02-032, invoking citizens in City business without notification, surplus funds to Fitness for Duty Assessment for all elected municipal officers and their attorneys.

AGENDA ITEMS:

Timothy Hollis, 1924 Seale Street, gave comments regarding resolutions 21-836, 08-829, 60-838, and 03-843.

CIP RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC CO., INC. FOR TRAFFIC SIGNAL LED LIGHTS, VISOR AND CABLES FOR VARIOUS CIP PROJECTS; $155,149.97. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-817-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
11902, 11908, 11911, 11915	2023	(2060) TRAFFIC ENGINEERING	TRAFFIC SIGNALS, LED LIGHTS, VISORS, AND CABLES FOR VARIOUS CIP PROJECTS FOR TRAFFIC ENGINEERING (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$155,149.97	(075199) GRAYBAR ELECTRIC CO INC

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

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

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

AUTHORIZE APPROVAL FOR CHANGE ORDER WITH CHRIS BREWER CONTRACTING, INC. FOR HILLWOOD ROAD SIDEWALK PROJECTS; $70,000.00 INCREASE. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-818-2023

Sponsored by: Mayor Stimpson and Councilmember Daves

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, Change Order No. 1 to the contract, by and between the City of Mobile and the company listed below, for work as outlined in the Change Order attached hereto and made a part hereof as set forth in full, subject to the company signing the Change Order. A copy of said executed Change Order will be on file in the office of the City Clerk.

Name of Company: Chris Brewer Contracting, Inc.

Project Name: Hillwood Rd. Sidewalk Project
City of Mobile Project No. 2023-3005-07
Change Order No. 1

Estimated Cost: $70,000.00

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

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

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

AUTHORIZE CONTRACT WITH JAMES H. ADAMS & SON CONSTRUCTION CO. FOR 2023 CIP MISCELLANEOUS DRAINAGE REPAIRS, GROUP A; $944,444.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-836-2023

Sponsored by: Mayor Stimpson and Councilmembers Carroll, Small, Reynolds, District 6, and Gregory

WHEREAS bids for drainage repairs for districts 2,3,4,6 and 7 were received and opened on June 21, 2023.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from James H. Adams & Son Construction Co., in the amount of $944,444.00.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by James H. Adams &. Son Construction Co,

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

Name of Company: James H. Adams & Son Construction Co.

Project Name: 2023 CIP Miscellaneous Drainage Repairs Group A (D#2,3,4,6&7)

Project Number: 2023-3005-08

Amount: $944,444.00

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

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

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

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT BETWEEN THE CITY AND ALABAMA DEPARTMENT OF TRANSPORTATION FOR ZEIGLER BLVD., FROM ATHEY ROAD TO FOREST HILL DRIVE; $18,299,308.65. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 01-819-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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

Name of Company: Alabama Department of Transportation

Project Name: Zeigler Boulevard from Athey Road to Forrest Hill Drive
Mobile County STPMB-7550 (600)

Estimated Total Cost: $18,299,308.65

Estimated City Funds: $3,639,254.42

The resolution was read by the City Clerk; whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Penn, following comments from Councilmember Gregory the vote was as follows:

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

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

ACCEPT FUNDS FROM THE VILLAGE OF SPRING HILL, INC. FOR HILLWOOD ROAD SIDEWALKS; $70,000.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 04-820-2023

Sponsored by: Mayor Stimpson and Councilmember Daves

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that sum of $70,000.00 appropriated by The Village of Spring Hill, Inc. for the Hillwood Project a sidewalk project in the City of Mobile be accepted and allocated to Hillwood Road Project 2023-3005-07.

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

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

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

APPROVE PURCHASE ORDER TO KUCERA INTERNATIONAL, INC. FOR GIS BASE MAP UPDATE SERVICES; $33,250.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-821-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12137	2023	(5010) GEOGRAPHIC INFO SYSTEMS	GIS BASE MAP UPDATE SERVICES (PROFESSIONAL SERVICE, GIS RFP)	$33,250.00	(298600) KUCERA INTERNATIONAL INC

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

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

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

APPROVE PURCHASE ORDER TO CHARGEPOINT, INC. FOR ANNUAL RENEWAL OF ELECTRIC VEHICLE CHARGING STATION SOFTWARE AND SUPPORT SERVICES; $16,500.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-822-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12347	2023	(2300) ADMINISTRATIVE SERVICES	ANNUAL RENEWAL OF ELECTRIC VEHICLE CHARGING STATION SOFTWARE AND SUPPORT SERVICES (SOLE SOURCE UNDER CURRENT CONTRACT WHEN CHARGING STATIONS TRANSFERRED TO CITY FROM ALA POWER)	$16,500.00	(296780) CHARGEPOINT INC

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

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

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

APPROVE PURCHASE ORDER TO ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. FOR ANNUAL MAINTENANCE FOR MAPPING SOFTWARE FOR GIS; $103,380.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-823-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12718	2023	(5010) GEOGRAPHIC INFO SYSTEMS	ANNUAL MAINTENANCE FOR ARCGIS MAPPING SOFTWARE FOR GIS (SOLE SOURCE)	$103,380.00	(50080) ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE INC

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

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

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

APPROVE PURCHASE ORDER TO DEERE & COMPANY FOR 4 JOHN DEERE UTILITY TRACTORS FOR PARKS DEPARTMENT; $252,830.04. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-824-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12612, 12808	2023	(2034) ATHLETICS, (2050) FLEET MANAGEMENT-GARAGE	FOUR JOHN DEERE 5095M UTILITY TRACTORS FOR PARKS DEPARTMENT (ALABAMA STATE CONTRACT)	$252,830.04	(295477) DEERE & COMPANY

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

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

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

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR REAR LOAD GARBAGE TRUCK ON PETERBILT CHASSIS; $221,839.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-825-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12557	2023	(2050) FLEET MAINTENANCE-GARAGE	20YD NEW WAY COBRA REAR LOAD GARBAGE TRUCK ON PETERBILT CHASSIS FOR SANITATION DEPT (OMNIA SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$221,839.00	(190715) SANSOM EQUIPMENT CO INC

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

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

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

APPROVE PURCHASE ORDER TO BEST PRICE SERVICES, LLC FOR CLEARING OF STORM DITCHES, CODY TO UNIVERSITY, ZEIGLER TO OLD SHELL; $575,000.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-826-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12742	2023	(2086F) FLOOD CONTROL	CLEAR STORM DITCHES: CODY TO UNIVERSITY, ZIEGLER TO OLD SHELL, FOR PUBLIC SERVICES (SEALED BID 5809)	$575,000.00	(292420) BEST PRICE SERVICES LLC

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

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

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

APPROVE PURCHASE ORDER TO TOTER, LLC FOR GARBAGE CART LIDS, WHEELS, AND HINGES; $79,650.16. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-827-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12707	2023	(2090B) GARBAGE COLLECTION	GARBAGE CART LIDS, WHEELS, AND HINGES FOR GARBAGE COLLECTION (OMNIA NATIONAL IPA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$79,650.16	(205975) TOTER LLC

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

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

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

APPROVE PURCHAE ORDER TO NORTH AMERICAN FIRE EQUIPMENT CO., INC. FOR FIRE HOSE AND REPLACEMENTS FOR MFRD; $26,360.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-828-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12181	2023	(1510) FIRE ADMINISTRATION	REPLACEMENT 1.75IN, 2.5IN, AND 5IN FIRE HOSE FOR MFRD (NPP GOV COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$26,360.00	(149290) NORTH AMERICAN FIRE EQUIPMENT CO INC

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

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

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

APPROVE PURCHASE ORDER TO CLASSIC PAINT & BODY, INC. FOR REPAIR DAMAGE TO CHEVROLET TAHOE; $17,995.35. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-829-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12076	2023	(2050) FLEET MANAGEMENT - GARAGE	REPAIR WRECK DAMAGE TO 2021 CHEVROLET TAHOE (SEALED BID 5825)	$17,995.35	(294881) CLASSIC PAINT & BODY INC

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

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

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

APPROVE PURCHASE ORDER TO JACOBS TECHNOLOGY, INC. FOR ELECTRONIC EQUIPMENT AND INSTALLATION FOR MPD CYBER; $161,040.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-830-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12486	2023	(1545) POLICE CYBER DIVISION	ELECTRONIC EQUIPMENT AND INSTALLATION FOR MPD CYBER (SECURITY EXEMPT AL CODE 41-16-51(A)(15))	$161,040.00	(297478) JACOBS TECHNOLOGY, INC

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

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

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

APPROVE PURCHASE ORDER TO 1 SOURCE POWER & EQUIPMENT FOR TILT TRAILER FOR FACILITIES MAINTENANCE DEPARTMENT; $37,315.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 08-831-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
10463	2023	(F7000) MOTOR POOL	30FT 22.5-TON TILT TRAILER FOR FACILITY MAINTENANCE (SEALED BID 5820)	$37,315.00	(295928) 1 SOURCE POWER & EQUIPMENT

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

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

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

AUTHORIZE CONTRACT WITH VOLKERT, INC. FOR PROFESSIONAL SERVICES AT HEREOS PLAZA; $148,914.35. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-832-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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

Name of Company: VOLKERT, INC.

Project Name: HEROES PLAZA PROFESSIONAL SERVICES (CONSULTANT)

Project Number: PR-022-22

Amount: $148,914.35

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

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

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

AUTHORIZE CONTRACT WITH LEXISNEXIS DESK OFFICER REPORTING SYSTEM; $63,900.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-834-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and LexisNexis Coplogic Solutions, Inc., for two years, renewable for one additional year without further Council approval required, for $63,900.00, for Desk Officer Reporting System citizen online incident reporting software and services for the Mobile Police Department, as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the Office of the City Clerk.

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

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

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

AUTHORIZE 3-YEAR SERVICE CONTRACT WITH FIRE & SAFETY COMMODITIES, INC. FOR FIRE EXTINGUISHER INSPECTION, SERVICING, AND MAINTENANCE AT VARIOUS CITY LOCATIONS; $57,135.00 TOTAL. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-835-2023

Sponsored by: 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: VOLKERT, INC.

Project Name: HEROES PARK PROFESSIONAL SERVICES (CONSULTANT)

Project Number: PR-022-22

Amount: $148,914.35

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

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

Nays: None

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

AUTHORIZE 3-YEAR SERVICE CONTRACT WITH PROFESSIONAL FIRE PROTECTION SERVICES, LLC FOR FIRE SUPPRESSION SYSTEMS INSPECTIONS AT VARIOUS CITY LOCATIONS; $28,660.00 TOTAL. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-837-2023

Sponsored by: 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: PROFESSIONAL FIRE PROTECTION SERVICES, LLC

Project Name: 3-YEAR SERVICE CONTRACT -
FIRE SUPPRESSION SYSTEMS INSPECTIONS @
VARIOUS CITY OF MOBILE LOCATIONS

Project Number: SC-021-23

Amount: **$28,660.00 COMBINED TOTAL**

$8,830.00 FIRST YEAR ONLY
$9,890.00 SECOND YEAR ONLY
$9,940.00 THIRD YEAR ONLY

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

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

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

AUTHORIZE CONTRACT WITH GEOTECHNICAL ENGINEERING TESTING, INC. TO ADMINISTER THE CONSTRUCTION, GEOTECHNICAL/MATERIALS TESTING OF THE THREE MILE CREEK GREENWAY TRAIL; $23,828.00. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 21-841-2023

Sponsored by: 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, 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. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: Geotechnical Engineering Testing, Inc.

Project Name: Three Mile Creek Greenway Trail – 6N
COM Project No. 2022-2045-02

Cost: $23,828.00

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

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

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; BLACKWELL. The following resolution which was introduced and read at the regular meeting of August 1, 2023, and held over until the regular meeting of August 8, 2023, was called up by the Presiding Officer.

RESOLUTION: 60-838-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized and directed to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Allstate Insurance Company as Subrogee of their insured Stephanie Blackwell, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

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

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

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

Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 03-843 through 03-866 being introduced for the first time, with the exception of 03-865. The motion was seconded by Councilmember Penn, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT ELLIS FOSTER AND ANTHONY JAMES TO THE MOBILE DOWNTOWN REDEVELOPMENT AUTHORITY. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-843-2023

Sponsored by: Councilmembers Penn and Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Anthony James and Ellis Foster are appointed to the Mobile Downtown Redevelopment Authority effective immediately, with terms ending August 8, 2029.

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

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

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

APPOINT BRUCE HELBIG TO THE GOLF COURSE ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-844-2023

Sponsored by: Councilmembers Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Bruce Helbig is appointed to the Golf Course Advisory Committee effective September 11, 2023 for a term ending September 11, 2026.

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

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

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

HONORARILY RENAME A PORTION OF GAYLE STREET "DR. JONATHAN L. YATES STREET". The following resolution was introduced by Councilmember Daves.

RESOLUTION: 46-845-2023

Sponsored by: Councilmembers Small

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, THAT a portion of Gayle Street, between Baltimore Street and Cottrell Street, be honorarily renamed "Dr. Jonathan L. Yates Street".

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC SERVICES EMPLOYEE OF THE MONTH; BRYANT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-846-2023

Sponsored by: Mayor Stimpson

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

- **August 2023 – Glenda Bryant (Employee # 15773) Maintenance (Public Services)**

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

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PUBLIC WORKS AT LARGE EMPLOYEE OF THE MONTH; KARAPETYAN. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-847-2023

Sponsored by: Mayor Stimpson

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

- **August 2023 – Marine Karapetyan (Employee #15834) Public Works at Large (Planning & Zoning)**

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

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PARKS & RECREATION EMPLOYEE OF THE MONTH; SEALS. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-848-2023

Sponsored by: Mayor Stimpson

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

- **August 8, 2023 – Name: Tony Seals (Employee #14400) Parks & Recreation (Parks Maintenance Division)**

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

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

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

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

DETERMINE APPROPRIATION TO AFRICATOWN COMMUNITY TEACH AND OUTREACH, NON-PROFIT ORGANIZATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-849-2023

Sponsored by: Councilmembers Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **$500.00** to African Town Community Teach and Outreach, Non-Profit Organization., from his discretionary funds; and

WHEREAS, African Town Community Teach and Outreach, Non-Profit Organization, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to African Town Community Teach and Outreach, Non-Profit Organization, will be used to assist with entertainment for the 8th Annual Africatown Community Heritage Day, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$500.00** to African Town Community Teach and Outreach, Non-Profit Organization, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

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

RESOLUTION: 60-850-2023

Sponsored by: Councilmembers Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **$2,500.00** to Calloway-Smith Middle School, from his discretionary funds; and

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

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

WHEREAS, the Mobile City Council determines that this appropriation to Calloway-Smith Middle School will be used to assist with carpets for the school, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$2,500.00** to Calloway-Smith Middle School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

DETERMINE AN APPROPRIATION TO JAPANESE GARDEN FOUNDATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-851-2023

Sponsored by: Councilmembers Reynolds

WHEREAS, Councilmember Reynolds wishes to appropriate **$2,500.00** to the Japanese Garden Foundation, Inc., from his discretionary funds; and

WHEREAS, Japanese Garden Foundation, Inc., is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Japanese Garden Foundation Inc., will be used to assist with their MISCA Ambassador exchange to cover partial cost of airfare, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$2,500.00** to the Japanese Garden Foundation, Inc. for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

DETERMINE AN APPROPRIATION TO VIA HEALTH, FITNESS AND ENRICHMENT CENTER SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.
The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-852-2023

Sponsored by: Councilmembers Reynolds

WHEREAS, Councilmember Reynolds wishes to appropriate **$2,500.00** to Via Health, Fitness and Enrichment Center, from his discretionary funds; and

WHEREAS, Senior Citizens Services, Inc. dba Via Health, Fitness and Enrichment Center, is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that the granting of public funds to private groups or corporations is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this appropriation to Via Health, Fitness and Enrichment Center, will be used in support of its annual "Cheers to the Years" Gala, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **$2,500.00** to Via Health, Fitness and Enrichment Center, Incorporated for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

APPOINT TAYLOR ATCHISON TO THE BOARD OF ADJUSTMENT. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 03-865-2023

Sponsored by: Councilmembers Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Taylor Atchison is appointed as a supernumerary member to the Board of Adjustment effective immediately for a term ending August 8, 2026.

APPOINT DRAGEN WILLIAMSON TO THE MOBILE CITY-COUNCIL YOUTH COUNCIL. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-866-2023

Sponsored by: Councilmembers Reynolds

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Dragen Williamson is appointed to the Mobile City-County Youth Council effective immediately.

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

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

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

CIP RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO TRANTEX TRANSPORTATION PRODUCTS OF TEXAS, INC. FOR TRAFFIC CALMING DEVICES FOR TRAFFIC ENGINEERING; $103,840.50. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 08-853-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
12360, 12805	2023	(2060) TRAFFIC ENGINEERING	SPEED CUSHION TRAFFIC CALMING DEVICES FOR TRAFFIC ENGINEERING (BUY BOARD COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$103,840.50	(297168) TRANTEX TRANSPORTATION PRODUCTS OF TEXAS, INC

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO PPM CONSULTANTS, INC. TO PREPARE ADEM PRELIMINARY REPORT ON MUNICIAPL GARAGE; $23,697.65. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 08-854-2023

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
13389	2023	(2050) FLEET MANAGEMENT-GARAGE	PREPARE ADEM PRELIMINARY REPORT ON MUNICIPAL GARAGE UST RELEASE (PROFESSIONAL SERVICE)	$23,697.65	(276679) PPM CONSULTANTS INC

ALLOCATE UNASSIGNED FUNDS IN THE CAPITAL IMPROVEMENT FUND TO CAPITAL PROJECTS FOR VARIOUS CAPITAL PROJECTS; $200,000.00. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 09-855-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $200,000.00 of unassigned funds in the Capital Improvement Fund (2000) be allocated to the following Capital Projects within the Capital Improvement Fund:

C0259 Cruise Terminal Equipment & Miscellaneous $100,000.00

These funds will be used to purchase steel tables needed to organize and stage luggage for disembarking passengers.

C0851 Fire Boat Drydock $100,000.00

These funds will be used to supplement construction costs.

AUTHORIZE CONTRACT WITH RELLIM CONTRACTING, LLC FOR CLUBHOUSE RESTROOM IMPROVEMENTS AT AZALEA CITY GOLF COURSE; $220,050.00. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 21-856-2023

Sponsored by: Mayor Stimpson and Councilmember Gregory

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: RELLIM CONTRACTING, LLC

Project Name: AZALEA CITY GOLF COURSE – CLUBHOUSE RESTROOMS

Project Number: PR-029-21

Amount: $220,050.00

AUTHORIZE CONTRACT WITH H & H ELECTRIC CO., FOR EXTERIOR LIGHTING AT GULF COAST EXPLOREUM, TELECOMMUNICATIONS BUILDING, AND THE HISTORY MUSUEM OF MOBILE; $78,435.00 COMBINED. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 21-857-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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

Name of Company: H & H ELECTRIC COMPANY, INC.

Project Name: GULF COAST EXPLOREUM AND THE HISTORY MUSEUM OF MOBILE – EXTERIOR LIGHTING REPLACEMENTS

Project Number: MU-066-23

Amount: $78,435.00 COMBINED CONTRACT SUM

$34,800.00 GULF COAST EXPLOREUM (C0878)
$12,235.00 TELECOMMUNICATIONS BUILDING (C0879)
$31,400.00 HISTORY MUSEUM OF MOBILE (C0880)

AUTHORIZE CONTRACT WITH GORAM AIR CONDITIIONING CO., INC. FOR COOLING TOWER REPLACEMENT AT THE MOBILE CIVIC CENTER; $59,200.00. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 21-858-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

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

Name of Company: GORAM AIR CONDITIONING COMPANY, INC.

Project Name: MOBILE CIVIC CENTER -
COOLING TOWER REPLACEMENT INSTALLATION LABOR

Project Number: CC-031-23 REBID

Amount: $59,200.00

CONSIDER THE APPLICATION OF OPHIR TRANSIT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A NON-EMERGENCY MEDICAL TRANSPORTATION SERVICE. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 37-859-2023

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Ophir Transit, Inc. for a Certificate of Public Convenience and Necessity to operate a non-emergency medical transportation service is hereby approved. A copy of said application is on file in the office of the City Clerk.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; WIGGINS. The following resolution was held over for one week until the regular meeting of August 15, 2023.

RESOLUTION: 60-860-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Paul Wiggins, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED MODIFICATION OF A PLANNED UNIT DEVELOPMENT LOCATED AT 2609 CAMERON STREET (SCHEDULED FOR SEPTEMBER 5, 2023) (DISTRICT 1).

RESOLUTION: 41-861-2023

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

Notice of Public Hearing for the proposed modification of a Planned Unit Development located at 2609 Cameron Street.

Pursuant to Resolution of the Mobile, Alabama City Council adopted September 6, 2022, a public hearing will be held on the 5th day of September, 2023, at 10:30 a.m., to consider adoption of an ordinance for the proposed modification of a Planned Unit Development located at 2609 Cameron Street.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider further modifications other than the ones sought by the applicant, and may take other actions allowed by the law.

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

WHEREAS, a Planned Unit Development (PUD) was approved on January 21, 2010 to allow multiple buildings on a single building site and allow off-site parking on a separate building site for the property located at 2609 Cameron Street and 22 Tacon Street and described as follows:

LOT A, EBM MIDTOWN SUBDIVISION, AS RECORDED IN MAP BOOK 123 PAGE 89, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA

AND

LOT 84, TACON PLACE, AS RECORDED IN DEED BOOK 116 PAGE 242, PROBATE RECORDS, MOBILE COUNTY, ALABAMA

WHEREAS, the owner of said property applied for a Major Modification of the PUD on June 22, 2023 to be consistent with the proposed subdivision.

WHEREAS, the Planning Commission held a public hearing on the requested modification on July 20, 2023 and recommended approval of the Major Modification of &e PUD subject to the following conditions:

1. Provision of a note on a recorded site plan stating future development or development of the site may require additional modification of the PUD to be approved by the Planning Commission and City Council;

2. Retention of at least the 10-foot minimum building setback line along Cameron Street and Alexander Street, as required by Section 64-2-13,E. of the Unified Development Code;

3. Revision of the site plan to illustrate the existing garage with carport addition;

4. Revision of the site plan to illustrate compliance with the conditions of approval for rezoning ordinance 64-044 (adopted June 18, 2002 by the Mobile City Council, or provision of a note on the recorded site plan stating .the site must comply with the rezoning conditions;

5. Placement of a note on the recorded site plan stating the subdivision is denied direct access to Alexander Street;.

6. Compliance with all Engineering comments noted in the staff report;

7. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;

8. Compliance with all Urban Forestry comments noted in the staff report;

9. Compliance with all Fire Department comments noted in the staff report;

10. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pd^ to Planning and Zoning; and,

11. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

WHEREAS, the City Council finds that the proposed modification:

A. The request is consistent with all applicable requirements of this Chapter;

B. The request is compatible with the character of the surrounding neighborhood;

C. The request will not impede the orderly development and improvement of surrounding property;

D. The request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:

1. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and

2. Includes adequate public facilities and utilities; The request will minimize hazards and traffic congestion on the public roads;

E. The request will minimize traffic hazards and traffic congestion on the public roads;

F. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;.

G. The request shall not be detrimental or endanger the-public health, safety or general welfare; and

H. Benefits Consideration. The request will be in the City's and the larger community's best interests.

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

<u>Section One</u>: That the Major Modification of the PUD is hereby approved with the following required conditions:

1. Provision of a note on a recorded site plan stating future development or development of the site may require additional modification of the PUD to be approved Planning Commission and City Council;

2. Retention of at least the 10-foot minimum building setback line along Cameron Street and Alexander. Street, as required by Section 64-2-13.E. of the Unified Development Code;

3. Revision of the site plan to illustrate the existing garage with carport addition;

4. Revision of the site plan to illustrate compliance with the conditions of approval for rezoning ordinance 64-044 (adopted June 18, 2002 by the Mobile City Council), or provision of a note on the recorded site plan stating the site must comply with the rezoning conditions;

5. Placement of a note on the recorded site plan stating the subdivision is denied direct access to Alexander Street;

6. Compliance with all Engineering comments noted in the staff report;.

7. Placement of a note on the Final' Plat stating the Traffic Engineering comments noted in the staff report;-

8. Compliance with all Urban Forestry comments noted in the staff report;

9. Compliance with all Fire Department comments noted in the staff report;

10. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf to Planning and Zoning; and,

11. 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 Gregory and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as September 5, 2023.

CALL FOR PUBLIC HEARING TO CONSIDER APPROVAL OF A PROPOSED MODIFICATION OF A PLANNED UNIT DEVELOPMENT AT 350, 400, 530, AND 660 DUNLAP DRIVE (SCHEDULED FOR SEPTEMBER 5, 2023) (DISTRICT 2).

RESOLUTION: 41-862-2023

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

Notice of Public Hearing for the Proposed Modification of a Planned Unit Development located at 350,400,530, and 660 Dunlap Drive.

Pursuant to Resolution of the Mobile, Alabama City Council adopted September 6, 2022, a public hearing will be held on the 5th day of September, 2023, at 10:30 a.m., to consider adoption of an ordinance for the proposed modification of a Planned Unit Development located at 350,400, 530, and 660 Dunlap Drive.

The public hearing will be held in the Auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. All persons who desire shall have an opportunity to be heard in favor of or in opposition to the proposed amendment at such time and place. Further, the City Council may consider further modifications other than the ones sought by the applicant, and may take other actions allowed by the law.

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

WHEREAS, a Planned Unit Development (PUD) was approved on March 23, 2007 to allow multiple buildings on multiple parcels with shared parking and access located at 350,400,530, & 660 Dunlap Drive and described as follows:

Lots 1 and 3 as shown on the subdivision plat of Pinto Island Industrial Park recorded on March 30, 2023 as Instrument #2023019114 in the public records of the Office of the Judge of Probate of Mobile County, Alabama.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on June 16, 2023 to allow the construction of four (4) ship assembly bays for an existing shipyard in an 1-2, Heavy Industry District.

WHEREAS, the Planning Commission held a public hearing on the requested modification on July 20, 2023 and recommended approval of the Major Modification of the PUD subject following conditions:

1. Full compliance with the UDC, including but not limited to the provision of adequate parking with required safety aisles, landscaping and tree plantings, surfacing and bicycle parking;

2. Obtaining of the required height variances from the Board of Zoning Adjustment;

3. Compliance with all Engineering comments noted in the staff report;

4. Placement of a note on die Final Plat stating the Traffic Engineering comments noted in the staff report;

5. Compliance with all Urban Forestry comments noted in the staff report;

6. Compliance with all Fire Department comments, noted in the staff report;

7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision) of a copy of the recorded site plan (hard copy and pdf to Planning; and,

8. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

A. The request is consistent with all applicable requirements of this Chapter;

B. The request is compatible with the character of the surrounding neighborhood;

C. The request will not impede the orderly development and improvement of surrounding property;

D. The request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:

1. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and

2. Includes adequate public facilities and utilities; The request will minimize traffic hazards and traffic congestion on the public roads;

E. The request will minimize traffic hazards and traffic congestion on the public roads;

P. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;

G. The request shall not be detrimental or endanger the public health, safety or general welfare; and I

H. Benefits Consideration. The request will be in the City's and the larger community's best interests.

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

Section One: That the Major Modification of the PUD is hereby approve with the following required conditions:

1. Full compliance with the UDC, including but not limited to the provision of adequate parking with required safety aisles, landscaping and tree plantings, surfacing and bicycle parking;

2. Obtaining of the required height variances from the Board of Zoning Adjustment;

3. Compliance with all Engineering comments noted in the staff report;

4. Placement of a note' on the Final Plat stating the Traffic Engineering comment: noted in the staff report;

5. Compliance with all Urban Forestry comments noted in the staff report;

6. Compliance with all Fire Department comments noted in the staff report;

7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning; and,

8. 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 Gregory and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as September 5, 2023.

CALL FOR PUBLIC HEARING TO ASSENT TO A VACATION OF A 40' UNDEVELOPED PORTION OF A SERVICE ROAD BORDERING 3812 AND 3820 COTTAGE HILL ROAD (SCHEDULED FOR SEPTEMBER 12, 2023) (DISTRICT 5).

RESOLUTION: 41-863-2023

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

NOTICE OF HEARING TO CONSIDER VACATION OF A PORTION OF A PORTION OF A 40' UNDEVELOPED PORTION OF A SERVICE ROAD BORDERING 3812 AND 3820 COTTAGE HILL ROAD.

Notice is hereby given that the Mobile City Council proposes to consider adoption of a resolution assenting to the vacation of a 40’ undeveloped portion of a service road bordering 3812 and 3820 Cottage Hill Road.

The adoption of such resolution will be considered by the Mobile City Council on the 12th day of September, 2023, ad 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street.

Any citizen alleging to be affected by the proposed vacation may submit a written objection or may speak at the public hearing.

AMENDED RESOLUTION ASSENTING TO THE VACATION OF CERTAIN PUBLIC RIGHT-OF-WAY

WHEREAS, it has been shown to the satisfaction of the City Council of the City of Mobile ("City Council") that **Gregory J. Darling** and **Ann M. Darling** and **Jeffrey L. Byrd** and **Susan A. Byrd**, constitute all landowners owning property abutting a portion of the public right-of-way known as undeveloped forty foot (40') "service road" more particularly described as follows:

Commencing at the Southwest Comer of Lot 1, Plotka Subdivision, as per Map Book 20, Page 70, as recorded in the Office of the Judge Probate Mobile County, Alabama; thence N 52° 27' 00" E 182.98’ along the South line of said Lot 1, Plotka Subdivision to the POINT OF BEGINNING of the property herein described; thence N 37° 28' 33" W 40.00’ to a point; thence N 52° 31' 22" E 133.18' to a point on the West line of Lot 1, Darling Oaks, as per Map Book 106, Page 52, as recorded in the Office of the Judge Probate Mobile County, Alabama; thence S 37° 36' 15" E 39.83' along the West line of said Lot 1, Darling Oaks to a point; thence S 52° 27' 00" W 133.27' back to the POINT OF BEGINNING, containing .012 acres, more or less;

WHEREAS, Gregory J. Darling and Ann M. Darling and Jeffrey L. Byrd and Susan A. Byrd desire that said right-of-way be vacated, have submitted a Petition to the City Council requesting that it assent to the vacation of same pursuant to Code of Alabama § 23-4-20," as amended, and have provided notice of such request to vacate to all utility providers with utility lines or facilities within the' area to be vacated in accordance with the Code of Alabama; provided, however, that entities with utility lines, equipment or facilities in place within said right-of-way at the time of vacation shall have the right to continue to access, maintain, extend, and enlarge their lines, equipment and facilities to the same .extent as if the vacation had not occurred; and,

WHEREAS, all utility providers have issued their written consent to the aforesaid vacation; and,

WHEREAS, a public hearing as to the proposed vacation has been held, and, if necessary, a public hearing as to the right-of-way vacation fee to be determined has been held, with all necessary notice to interested parties having been provided for such hearing(s), all as required by law and ordinance; and,

WHEREAS, the above-described right-of-way is not needed as a public right-of-way in the City of Mobile, Alabama, and the proposed vacation of said right-of-way is in the interest; and,

WHEREAS, no other property owners own any land within or abutting the areas affected by this proposed vacation, except for those who have joined in said Petition, and thus will not be denied means of ingress and egress to and from their property or be otherwise affected by the vacation of said right-of-way; and,

WHEREAS, the square footage of the area sought to be vacated and abutting tracts is as follows:

Area sought to be vacated:	5227.2 square feet
Darling tract (3820 Cottage Hill):	27007 (estimated)

Darling tract (3812 Cottage Hill):	12631.82
Byrd tract (3759 Cottage Hill Road):	19166 (estimated);

NOW THEREFORE, the premises - considered, BE IT RESOLVED by the City Council of the city of Mobile, pursuant to Code of Alabama § 23-4-20, as amended, that, contingent upon pre-payment of the right-of-way vacation fee stated below, by **Gregory J. Darling, Ann M. Darling, Jeffrey L. Byrd, Susan A. Byrd**, having quitclaimed their interest in the right-of-way to be vacated as stated in the Amended Declaration of Vacation dated May 30, 2023, the following described public right-of-way is and shall be vacated:

Commencing m the Southwest Comer of Lot 1, Plotka Subdivision, as per Map Book 20, Page 70, as recorded in the Office of die Judge Probate Mobile County, Alabama; thence N 52° 27' 00" E 182.98’ along the South line of said Lot 1, Plotka Subdivision to the POINT OF BEGINNING of the property herein described; thence N 37° 28' 33" W 40.00' to a point; thence N 52° 31' 22" E 133.18' to a point on the West line of Lot 1, Darling Oaks, as per Map Book 106, Page 52, as recorded in the Office of the Judge Probate Mobile County, Alabama; thence S 37° 36' 15" E 39.83' along the West line of said Lot 1, Darling Oaks to a point; thence S 52° 27' 00" W 133.27' back to the POINT OF BEGINNING, containing .012 acres, more or less;

BE IT FURTHER RESOLVED that the right-of-way fee provided for in Code of Alabama § fl-49-69 and the City of Mobile Ordinance No. 57-029-2020 is hereby determined and established to be $10,924.85.

BE IT FURTHER RESOLVED that entities with utility lines, equipment or facilities in place within, said right-of-way at the time of vacation shall have the right to continue to access, maintain, extend, and enlarge their lines, equipment and facilities to the same extent as if the vacation had not occurred, including the right to cut and/or trim trees which interfere with said facilities and the right to prohibit the use of the land vacated in a manner which violates the National Electric Safety Code.

Notice of this Resolution shall be published in a newspaper in Mobile County no later than fourteen (14) days after its adoption. This Resolution shall also be recorded in the records of the Mobile County Probate Court.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as September 12, 2023.

CALL FOR PUBLIC HEARING TO CONSIDER A VACATION OF RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A 40’ UNDEVELOPED PORTIONI OF A SERVICE ROAD BORDERING 3812 AND 3820 COTTAGE HILL ROAD (SCHEDULED FOR SEPTEMBER 12, 2023) (DISTRICT 5).

RESOLUTION: 41-864-2023

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

NOTICE OF HEARING TO CONSIER A VACATION OF RIGHT OF WAY FEE AS A CONDITION OF THE VACATION OF A 40’ UNDEVELOPED PORTION OF A SERVICE ROAD BORDERING 3812 AND 3820 COTTAGE HILL ROAD.

The City of Mobile has been requested by the Gregory J. Darling, Ann M. Darling, Jeffrey L. Byrd, and Susan A. Byrd to vacate a 40' undeveloped portion of a service road bordering 3812 and 3820 Cottage Hill Road.

The City of Mobile may require abutting landowners who will directly benefit from such vacation to pay a vacation of right-of-way fee equal to the fair market value of the land. The fair market value shall be determined by the Mobile City Council after a public hearing which will be held on Tuesday, September 12, 2023, at 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama.

Any citizen who desires will be allowed to speak for or against this matter at the public hearing.

Cottage Hill Road Vacation

Adjoining Properties	Tax assessor Fair Unimproved Mkt Value 2023	Sq. Ft.	FMV / SF
Lot 1, Key No. 571624	$ 15,000.00	27,007	$0.56
Lot 2, Key No. 571615	$ 50,700.00	12,631.82	$4.01
Lot 3, Key No. 571991	$ 32,500.00	19,166	$1.70
			6.27/3 = 2.09

$ 2.09 / SF AVERAGE X 5227.2 (SF TO BE VACATED) = $10,924.85 Real Estate Department Assessment

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as September 12, 2023.

ANNOUNCEMENTS

Councilmember Carroll stated a community meeting was held at the Hope Center in Africatown on last night in reference to the fire that happened at Merchants Transfer Warehouse and citizens requested that they re-initiate the program with the Mobile Fire Department to put smoke detectors into the older homes in the area.

Councilmember Carroll congratulated Josh Woods on winning the District 6 Special Election.

Councilmember Carroll asked the Council to develop operating procedures so that the Downtown Redevelopment Board can begin to have meetings.

Councilmember Reynolds identified the following volunteer opportunities coming up in District 4 with Dog River Clearwater Revival:

- "Wood duck house build" on September 9, 2023, from 9:00 a.m. – 11:00 a.m.
- "Coastal Clean-Up" on September 16, 2023, 9:00 a.m. – 11:00 a.m.
- 13th Annual Dog River Fishing Tournament on October 7, 2023, 1:00 p.m. – 3:00 p.m.
- Holiday party on December 6, 2023

Councilmember Woods thanked the residents of District 6 for electing him as their representative.

Councilmember Woods encouraged citizens to sign up for the District 6 newsletter and to download the Mobile 311 app to receive and find out information about District 6.

Councilmember Gregory stated that there has been an ongoing discussion about possibly expanding the Downtown Redevelopment Authority Board.

Councilmember Gregory said that she is looking for a high school student in her district to serve on the Mobile City-County Youth Council.

Councilmember Greogry gave an update on the progress of the Zeigler Widening project.

Councilmember Greogry stated that the work on N. McGregor is ahead of schedule and expected to be back open by the end of August.

Councilmember Gregory thanked the Sand Town community for hosting the Back-to-School event at the Springhill Fire Station on last Saturday.

Councilmember Small mentioned that on last Thursday he had the opportunity to go to Gilliard Elementary School and provide lunch to welcome the teachers back for the new school year.

Councilmember Small encouraged citizens to attend the following community action group meetings on tonight:

- Oakdale community action group at 5:00 p.m. at Dairy Queen on Government Street

- DIP Riverside community action group at 6:30 p.m. at the Mobile Police Department, Precinct 1 on Dauphin Island Parkway

Councilmember Small shared that he will be speaking at El Bethel Primitive Baptist Church on Sunday, August 13, 2023, to help celebrate Pastor Jonathan Yates 50-year anniversary.

Councilmember Carroll extended his condolences to the Anthony and Lewis families on the loss of their family members during a tragic boating accident on Dog River on this past Sunday.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:39 a.m.

Adopted:

____
COUNCIL PRESIDENT

____
CITY CLERK