

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 26, 2021

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, January 26, 2021, at 9:00 a.m.

Present:

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

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 VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 26, 2021

The City Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, January 26, 2021, at 10:30 a.m., in regular meeting.

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

Council President, Levon Manzie, District 2, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

NOTE: Councilmember Richardson asked for a moment of silence in honor of Henry “Hank” Aaron and Ms. Markie Thomas. Council President Manzie asked for a moment of silence in honor of Ms. Cora Reed.

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, to include special provisions to facilitate social distancing because of the Covid-19 virus.

APPROVAL OF MINUTES:

The minutes of the meeting of January 19, 2021, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson reported that he was joined by Cleon Jones, World Series Champion, and Councilmember Williams to unveil plans for a future “Hall of Fame” courtyard.

Mayor Stimpson announced that a comprehensive plan to abate litter is being developed.

Mayor Stimpson spoke in favor of Resolution 08-043.

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PRESENTATION BY THE COUNCIL:

Councilmember Gregory read a Proclamation declaring January 2021, as “Mentoring Month.” Aimee Risser, President and CEO of Big Brothers Big Sisters of South Alabama accepted the Proclamation.

Councilmember Richardson read a Resolution honoring the life of Henry “Hank” Louis Aaron.

MONTHLY FINANCE REPORTS

Celia Sapp, Interim Executive Director of Finance, presented the Council with the monthly finance report for December 2020.

ADOPTION OF THE AGENDA:

Councilmember Daves moved to adopt the agenda and to declare the items on the agenda Essential/Covid-19 related, 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 and all items declared Essential/Covid-19 related.

APPEALS

Request of Tony Pope for a waiver of the Noise Ordinance in Public Safety Memorial Park every Sunday in January & February from 3:00-8:00 p.m. (District 5).

Councilmember Daves moved to grant the waiver, which 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

Request of Gaillard Teague, 14 Warwick Road, for a waiver of the Noise Ordinance on February 6, 2021, from 3:00-6:00 p.m. (District 5).

Councilmember Daves moved to grant the waiver, which 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 City Clerk, whereupon the Presiding Officer declared the waiver granted.

Request of Ryan S. Tillman for a waiver of the Noise Ordinance at 9 S. Washington Avenue on February 14, 2021, from 10:00 a.m.-10:00 p.m. (District 2).

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

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

Nays: None

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

PUBLIC HEARINGS

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 707 MARINE STREET, \$4,700.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 707 Marine Street and asked if there was anyone present to speak for or against this matter.

Jessica Seematter, 1605 Abbeywood Drive, stated she does not own the property any longer.

Samuel Warren, 1813 La Pine Drive, advised that he is the current property owner, but he has not received any correspondence regarding this property.

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

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 2353 OCTAVIA DRIVE, \$2,675.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 2353 Octavia Drive and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1413 WINDSOR AVENUE, \$1,700.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1413 Windsor Avenue and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 5050 WASHINGTON BOULEVARD, \$3,000.00 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 5050 Washington Boulevard and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 7156 MOBILE STREET, \$1,400.00 (DISTRICT 4).

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The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 7156 Mobile Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2766 LECREN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 2766 Lecren Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1551 KELLOGG STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1551 Kellogg Street and asked if there was anyone present to speak for or against this matter.

Glenn Thornton, 800 S. Broad Street, requested time to repair the property.

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 6991 BELLINGRATH, F/K/A 5620 PEARY ROAD, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition/secured of the structure at 6991 Bellingrath, f/k/a 5620 Peary Road, 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 4770, F/K/A 117 CAMPANELLA DRIVE SOUTH, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 4770, f/k/a 117 Campanella Drive South, 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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

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None.

NON-AGENDA ITEMS:

None.

ESSENTIAL/COVID-19 ITEMS HELD OVER:

ORDINANCE DEEMING VACANT PROPERTY ALONG DOG RIVER ROAD NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSE AND AUTHORIZING THE SALE TO MJM, LLC. The following ordinance, which was introduced and read at the regular meeting of January 19, 2021, and held over until the regular meeting on January 26, 2021, was called up by the Presiding Officer.

ORDINANCE: 88-002-2021

Sponsored by: Mayor Stimpson

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the 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 MJM, LLC, an Alabama limited liability company.

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.

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.

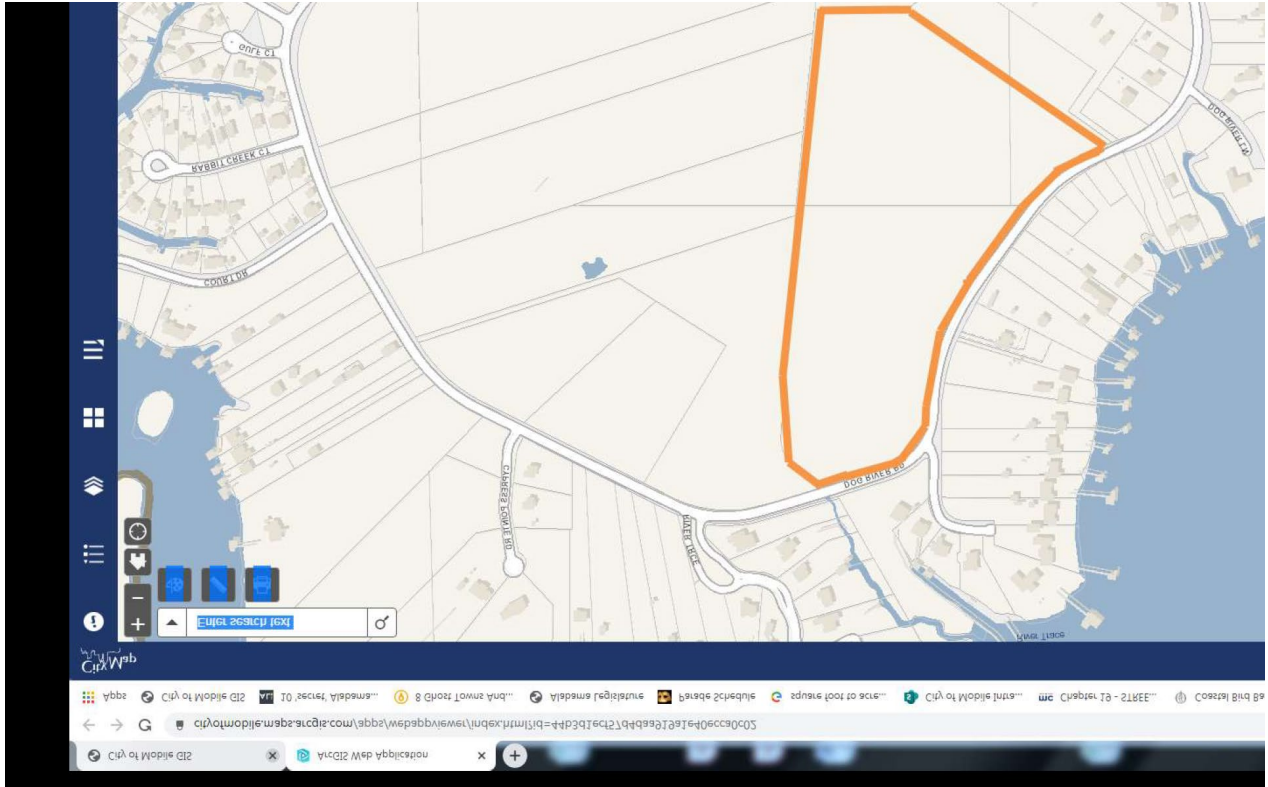
SECTION FIVE: The Deputy Director of Real Estate and Asset Development of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms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

SECTION SIX: The proceeds from this sale are to be placed in the 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.

SECTION EIGHT: The City Council of the City of Mobile, Alabama, finds that this ordinance is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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Commencing at the southwest corner of Section 1, T5S-R1W, said section being the northeastern Division of the Private Claim of Mary Rochon on Hollingers Island, Mobile County, Alabama; thence run south 89 degrees 35 minutes 46 seconds east 30 feet to a point; thence run north 00 degrees 24 minutes 14 seconds east 18.82 feet to a point on the east right of way line of Old Range Line Road; thence along said east line of Old Range Line Road run north 00 degrees 24 minutes 14 seconds east 6241.02 feet to the P.C. of a curve to the left having a central angle of 45 degrees 39 minutes 28 seconds and a radius of 872.46 feet; thence continuing along said east line of Old Range Line Road run northwestwardly along the arc of said curve 695.24 feet to the P.T. of said curve; thence continuing along said east line of Old Range Line Road run north 45 degrees 15 minutes 14 seconds west 243.75 feet to the P.C. of a curve to the right having a central angle of 61 degrees 00 minutes and a radius of 400 feet; thence continuing along said east line of Old Range Line Road and along the east right of way line of Dog River Road run northwardly along the arc of said curve 425.86 feet to the P.T. of said curve; thence continuing along said east line of Dog River Road run north 15 degrees 44 minutes 46 seconds east 362.03 feet to the P.C. of a curve to the right having a central angle of 14 degrees 48 minutes 14 seconds and a radius of 1194.02 feet; thence continuing along said east line of Dog River Road run northwardly along the arc of said curve 308.51 feet to the P.T. of said curve; thence continuing along said east line of Dog River Road run north 30 degrees 33 minutes east 574.04 feet to the P.C. of a curve to the right having a central angle of 33 degrees 00 minutes and a radius of 783.99 feet; thence continuing along said east line of Dog River Road run northeastwardly along the arc of said curve 451.55 feet to the P.T. of said curve; thence along the south right of way line of said Dog River Road run north 63 degrees 33 minutes east 950.0 feet to the P.C. of a curve to the right having a central angle of 42 degrees 15 minutes and a radius of 457.64 feet; thence continuing along said south line of Dog River Road run eastwardly along the arc of said curve 337.46 feet to the P.T. of said curve; thence continuing along said south line of Dog River Road run south 74 degree 12 minutes east 327.25 feet, more or less, to the approximate centerline of a low area; said point being the point of beginning of the property herein described; thence continuing south 74 degrees 12 minutes east along said south line of Dog River Road run 290 feet, more or less, to the P.C. of a curve to the right having a central angle of 70 degrees 49 minutes 16 seconds and a radius of 276.62 feet, thence continuing along said south line of Dog River Road run southeastwardly along the arc of said curve 341.92 feet to the P.T. of said curve; thence along the west right of way line of said Dog River Road run south 03 degrees 22 minutes 44 seconds east 25 feet to the P.C. of a curve to the left having a central angle of 32 degrees 36 minutes 53 seconds and a radius of 1078.95 feet; thence continuing along said west line of Dog River Road run southeastwardly along the arc of said curve 614.18 feet to the P.T. of said curve; thence continuing along said west line of Dog River Road run south 35 degrees 59 minutes 37

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seconds east 376.28 feet to the P.C. of a curve to the left having a central angle of 28 degrees 58 minutes 04 seconds and a radius of 816.61 feet; thence continuing along said west line of Dog River Road run southeastwardly along the arc of said curve 412.86 feet to the P.T. of said curve; thence continuing along said west line of Dog River Road run south 64 degrees 57 minutes 41 seconds east 53.87 feet to a point on the northwest boundary of the property now or formerly of Hargrove; thence along said northwest boundary of Hargrove property run south 55 degrees 17 minutes 46 seconds west 1088.58 feet to the northwest corner of said Hargrove property; thence run west 409.14 feet to a point; thence run north 04 degrees 58 minutes 49 seconds west 1834.15 feet to the approximate centerline of a low area; thence run northeastwardly along the meanderings of said centerline of low area 380 feet, more or less, to the point of beginning. Containing 40.00 acres, more or less.

The ordinance was read by the City Clerk; whereupon Councilmember Rich moved that the ordinance 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 ordinance adopted.

APPROVE PURCHASE ORDER TO EMERGENCY EQUIPMENT PROFESSIONAL, INC. FOR THREE BRAUN LIBERTY AMBULANCES, \$740,394.00. The following resolution, which was introduced and read at the regular meeting of January 12 & 19, 2021, and held over until the regular meeting of January 26, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-029-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3650</u>	2021	(1510) FIRE ADMINISTRATION	3 BRAUN LIBERTY AMBULANCES ON FORD F-450 CHASSIS W/PREPAY DISCOUNT (H-GAC BUY COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$740,394.00	<u>(294963) EMERGENCY EQUIPMENT PROFESSIONAL, INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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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 ORDER TO UJ CHEVROLET CO. INC. FOR TWO 4X4 EXTENDED CAB PICKUP TRUCKS, \$54,983.68. The following resolution, which was introduced and read at the regular meeting of January 19, 2021, and held over until the regular meeting of January 26, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-030-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4295</u>	2021	(F7000) MOTOR POOL	2 CHEVROLET SILVERADO 1500 4X4 EXTENDED CAB PICKUP TRUCKS. (SEALED BID 5473)	\$54,983.68	<u>(210000) UJ CHEVROLET CO INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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 ORDER TO UJ CHEVROLET CO. INC. FOR THREE 4X2 PICKUP TRUCKS, \$82,323.24. The following resolution, which was introduced and read at the regular meeting of January 19, 2021, and held over until the regular meeting of January 26, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-031-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4299</u>	2021	(F7000) MOTOR POOL	3 CHEVROLET SILVERADO 1500 4X2 PICKUP TRUCKS (1 CREW, 2 EXTENDED CAB) (SEALED BID 5473)	\$82,323.24	<u>(210000) UJ CHEVROLET CO INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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.

RE-ALLOCATE \$132,185.24 FROM CAPITAL PROJECT (C0110), OLD SHELL SIDEWALKS FROM UNION TO HYLAND TO GRANT FUND (G-TAPHYLAN) TO TAPMB-TA16(947) OLD SHELL ROAD SIDEWALKS FROM UNION TO HYLAND, 50015001.48010. The following resolution, which was introduced and read at the regular meeting of January 19, 2021, and held over until the regular meeting of January 26, 2021, was called up by the Presiding Officer.

RESOLUTION: 09-032-2021

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$132,185.24 be reallocated from Capital Project (C0110) Old Shell Sidewalks from Union to Hyland 20002000.48050 Architectural to Grant Fund (G-TAPHYLAN) Transportation Alternative Project TAPMB-TA16(947) – Old Shell Road Sidewalks from Union to Hyland 50015001.48010 Construction.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Daves. Following remarks by Councilmember Richardson 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 YAMAHA MOTOR FINANCE CORPORATION USA FOR LEASING OF GOLF CARTS, \$67,000.00. The following resolution, which was introduced and read at the regular meeting of January 19, 2021, and held over until the regular meeting of January 26, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-033-2021

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, for and on behalf of the City of Mobile, a contract by and between the City of Mobile and Yamaha Motor Finance Corporation, U.S.A., financing agent of Yamaha Golf Car Company, in an amount not to exceed \$67,000.00 per year, for three years, for Leasing of Golf Carts, as outlined in the contract attached hereto and made a part thereof as though set forth in full.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember 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.

AUTHORIZE CONTRACT WITH GOODWYN, MILLS & CAWOOD, INC. FOR OLD SHELL ROAD TAP SIDEWALK FROM UNION AVENUE TO HYLAND AVENUE, \$42,120.57 (G-TAPHYLAN). The following resolution, which was introduced and read at the regular meeting of January 19, 2021, and held over until the regular meeting of January 26, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-041-2021

Sponsored by: Councilmember Richardson

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject this resolution is either necessary to respond to COVID 19, or necessary to perform essential minimum functions of the Council.

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; to provide construction engineering and inspection services for the construction of sidewalks along Old Shell Road, 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: Goodwyn, Mills & Cawood, inc.

Project Name: TAPMB-TA16(947) Old Shell TAP Sidewalk

Capital Project No.: G-TAPHYLAN

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Amount: \$42,120.57

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.

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF ESSENTIAL/COVID-19 ITEMS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Daves moved for the suspension of the rules to consider Essential/Covid-19 items 03-042, 40-048 – 60-059 being introduced for the first time. The motion was seconded by Councilmember Williams 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.

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

ORDINANCE TO AMEND CHAPTER 34 OF THE CITY CODE TO INCLUDE THE REAL PROPERTY BUSINESS PRIVILEGE TAX APPLICABLE TO LESSORS OF RESIDENTIAL BUILDINGS AND DWELLINGS TO THE SCHEDULE OF LICENSES. The following resolution was held over until the regular meeting of February 2, 2021.

ORDINANCE: 34-003-2021

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile, by and through its City Council, has heretofore adopted Ordinance 34-074, AN AMENDMENT TO ARTICLE VII OF CHAPTER 34 (LICENSES) OF THE MOBILE CITY CODE OF 1965, adopted October 6, 1987; Ordinance 34-091, AN ORDINANCE TO AMEND ORDINANCE NO. 34-074 (1987), TO PROVIDE FOR A BUSINESS LICENSE UNDER ARTICLE VII OF CHAPTER 34 OF THE MOBILE CITY CODE OF 1965, adopted November 24, 1987; Ordinance 34-033, AN ORDINANCE TO AMEND ORDINANCE 34-091 ADOPTED November 24, 1987, ENTITLED "AN ORDINANCE TO AMEND ORDINANCE NO. 34-074 (1987) TO PROVIDE FOR A BUSINESS LICENSE UNDER ARTICLE VII OF CHAPTER 34 OF THE MOBILE CITY CODE OF 1965," adopted March 8, 1988, and; Ordinance 34-070, AN ORDINANCE TO AMEND SECTION 3 OF ORDINANCE 34-033 ADOPTED MARCH 8, 1988 "ENTITLED AN ORDINANCE TO AMEND ORDINANCE NO. 34-074 ADOPTED OCTOBER 6, 1987 TO PROVIDE FOR A BUSINESS LICENSE UNDER ARTICLE VII OF CHAPTER 34 OF THE MOBILE CITY CODE OF 1965," adopted June 21, 1988; and,

WHEREAS, the City wishes to clarify the license fees and requirements for persons engaging in the business of leasing residential buildings and dwellings by adding to the Schedule of Licenses in Mobile City Code, Chapter 34, a listing for Lessors of Residential Buildings and Dwellings; and,

WHEREAS, the City desires to revoke the current exemption for owners of ten or less dwelling units that do not qualify for an owner-occupied exemption; and,

WHEREAS, this Ordinance is enacted to accomplish said goals.

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NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following Ordinance is adopted to amend the "2008 Schedule of Licenses" found in the Mobile City Code, Chapter 34 as follows:

(1) Change the title of "2008 Schedule of Licenses" as follows:

The title of "2008 Schedule of Licenses" found in the Mobile City Code, Chapter 34, shall be deleted and replaced by the following:

"Schedule of Licenses"

(2) To levy a license fee on and against lessors of residential buildings and dwellings by amending the Schedule of Licenses located in Mobile City Code, Chapter 34, to include the following section:

NAICS	Code	Title	License Rate
531110	412	Lessor of Residential Buildings and Dwellings	0.002672
531110	412	All owners of real property who engage in renting or leasing of ten or more dwelling units for residential purposes, in addition to any other applicable taxes or fees imposed for owning, renting, or leasing such property. If any location has more than one owner, each owner is jointly and severally responsible for the license fee. A license is required for each separate location. Lessor of Residential Building and Dwellings: All owners of real property who engage in renting or leasing <u>less than ten</u> dwelling units for residential purposes, in addition to any other applicable taxes or fees imposed for owning, renting, or leasing such property. If any location has more than one owner, each owner is jointly and severally responsible for the license fee. A license is required for each separate location. Definitions for the purposes of this license: "dwelling unit" is a single-family residence and each separate family apartment or housing accommodation in multiple-family building. "location" is a parcel as assessed for ad valorem taxes. "owner" is any person who is the holder of record title of any real property, and any assignee thereof. "residential purposes" is a residential occupancy for hire not subject to City Lodging Tax under Article IV of this Chapter. Exemptions: (1) Owner-occupied buildings or owner-occupied dwellings in which there are not more than three (3) dwelling units offered for rent or lease at the same location. A building or	 \$25.00 per dwelling unit

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		dwelling is owner-occupied only if it is the principal residence of the owner. (2) Residential properties assessed to the Mobile Housing Board Authority. Any owner claiming an exemption under the owner-occupied status, the Mobile Housing Board Authority exemption, or an exemption pursuant to Section 34-65(b), shall file an affidavit with the City Revenue Department which provides the name and address of the owner and property manager (if applicable) for said property, along with a detailed factual basis for the exemption.	

Repealer. The City hereby repeals Ordinance 34-074 adopted October 6, 1987; Ordinance 34-091 adopted November 24, 1987, Ordinance 34-033 adopted March 8, 1988, and Ordinance 34-070 adopted June 21, 1988. Additionally, all other City Code Sections and ordinances or part of any City Code Sections and ordinances in conflict are hereby repealed.

Conflicts. All ordinances and laws, or parts thereof, that are in conflict with the provisions of this Ordinance, are hereby repealed.

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

Publication. That the City Clerk of the City of Mobile is hereby authorized and directed to advertise the adoption of this Ordinance as required by law.

Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law

CONCUR IN THE APPOINTMENT OF MARGO GILBERT AND APPOINT ALETA GREENSPAN (D6) AND EARL GOCHHEY (D7) TO THE SHORT-TERM RENTAL CITIZENS' ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 03-042-2021

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Aleta Greenspan (D6) and Earl Gochee (D7) are appointed and that the City Council concurs in the Mobile Convention and Visitors Corporation's, a/k/a Visit Mobile, appointment of Margo Gilbert to the ad hoc Short-Term Rental Citizens' Advisory Committee.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

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

APPROVE PURCHASE ORDER TO EMERGENCY EQUIPMENT PROFESSIONAL, INC. FOR FOUR PIERCE FIRE PUMPER TRUCKS, \$2,306,628.00. The following resolution was held over until the regular meeting of February 2, 2021.

RESOLUTION: 08-043-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4792</u>	2021	(1510) FIRE ADMINISTRATION	4 PIERCE FIRE PUMPER TRUCKS (H-GAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$2,306,628.00	<u>(294963) EMERGENCY EQUIPMENT PROFESSIONAL, INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

APPROVE PURCHASE ORDER TO NXTWALL, LLC FOR ARCHITECTURAL WALL SYSTEM FOR WEST REGIONAL LIBRARY TEEN ROOM, \$47,043.87. The following resolution was held over until the regular meeting of February 2, 2021.

RESOLUTION: 08-044-2021

Sponsored by: Mayor Stimpson

MINUTES OF JANUARY 26, 2021

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>2539</u>	2021	(3032) ARCHITECTURAL ENGINEERING	ARCHITECTURAL WALL SYSTEM FOR WEST REGIONAL LIBRARY TEEN ROOM (GSA CONTRACT)	\$47,043.87	<u>(296786) NXTWALL, LLC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

APPROVE PURCHASE ORDER TO PERSONS SERVICES CORP. FOR 14 ROOM DECONTAMINATION SYSTEMS, \$244,059.26. The following resolution was held over until the regular meeting of February 2, 2021.

RESOLUTION: 08-045-2021

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>887</u>	2021	(1530) PPOLICE ADMIN SERVICES	14 AEROCLAVE MODEL 3110 ROOM DECONTAMINATION SYSTEMS (SEALED BID 5498)	\$244,059.26	<u>(296938) PERSONS SERVICES CORP</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

AUTHORIZE CONTRACT WITH SPIRE, LLC FOR MARKETING SERVICES FOR THE PARKS & RECREATION DEPARTMENT, NTE \$50,000.00. The following resolution was held over until the regular meeting of February 2, 2021.

RESOLUTION: 21-046-2021

Sponsored by: Mayor Stimpson

MINUTES OF JANUARY 26, 2021

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 SPIRE, LLC, in an amount not to exceed \$50,000.00, for a one-year period, for marketing services, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

A copy of said contract is on file in the Office of the City Clerk.

AUTHORIZE CONTRACT WITH MID-WESTERN COMMERCIAL ROOFERS, INC., FOR PUBLIC SAFETY MEMORIAL PARK BUILDING RE-ROOFING, \$72,720.00. The following resolution was held over until the regular meeting of February 2, 2021.

RESOLUTION: 21-047-2021

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, that is necessary to perform essential minimum functions of the Council, 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: Mid-Western Commercial Roofers, Inc.

Project Name: Public Safety Memorial Park Building – Re-Roofing

Project Number: PR-075-20

Amount: \$72,720.00

FIX THE COSTS FOR DEMOLITION OF THE STRUCTURE AT 707 MARINE STREET, \$4,700.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-048-2021

Sponsored by: Councilmember Manzie

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 707 Marine Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 707 Marine Street to be \$4,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

MINUTES OF JANUARY 26, 2021

Section 1. The amount of \$4,700.00 shall constitute a special assessment against the property at 707 Marine Street and being that property more particularly described as follows:

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 No.: 29 19 38 0 004 109.01

Owner: SEEMATTER JESSICA ELIZABETH
1605 ABBEYWOOD DR
MOBILE, AL 36695

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

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

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

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 2353 OCTAVIA DRIVE SOUTH, \$2,675.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-049-2021

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 2353 Octavia Drive South and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 2353 Octavia Drive South to be \$2,675.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$2,675.00 shall constitute a special assessment against the property at 2353 Octavia Drive South and being that property more particularly described as follows:

LOT 37 GULF MANOR SUB MBK 6 PGS 451-452 #SEC 36 T5S RIW #MP32 03 36 0 001

Parcel No.: 32 03 36 0 001 141

MINUTES OF JANUARY 26, 2021

Owner: SMITH RANITA
100 MICHAEL DONALD AVE
MOBILE, AL 36604

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

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

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

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1413 WINDSOR AVENUE, \$1,700.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-050-2021

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1413 Windsor Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1413 Windsor Avenue to be \$1,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$1,700.00 shall constitute a special assessment against the property at 1413 Windsor Avenue and being that property more particularly described as follows:

LOT 18 BLK 4 BROOKLEY HGTS 1ST SECTOR MBK 3/677 #SEC 37 TSS RIW #MP32
02 37 0 001

Parcel No.: 32 02 37 0 001 124

Owner: GUARDIAN TAX AL LLC
13575 LYNAM DR
OMAHA, NE 68138

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

MINUTES OF JANUARY 26, 2021

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

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

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 5050 WASHINGTON BOULEVARD, \$3,000.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-051-2021

Sponsored by: Councilmember Williams

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 5050 Washington Boulevard and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 5050 Washington Boulevard to be \$3,000.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$3,000.00 shall constitute a special assessment against the property at 5050 Washington Boulevard and being that property more particularly described as follows:

TO FIND POB BEG AT SE COR OF SEC 3 T6S R2W BEING LOC IN CNTR OF WASHINGTON BLVD TH RUN N 20 FT TO A PT TH RUN W 378 FT TO POB TH CONT W 68 FT(S) TO A PT TH RUN N 140 FT(S) TO A PT TH RUN E 68 FT(S) TO A PT TH RUN S 140 FT(S) TO POB PPTY LIES ON N/S OF WASHINGTON BLVD #SEC 3 T6S R2W #MP38 R2W 02 03 4 000

Parcel No.: 38 02 03 4 000 023

Owner: STATE OF ALABAMA
MONTGOMERY, AL 36130

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

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

MINUTES OF JANUARY 26, 2021

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

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 7156 MOBILE STREET, \$1,400.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-052-2021

Sponsored by: Councilmember Williams

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 7156 Mobile Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 7156 Mobile Street to be \$1,400.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$1,400.00 shall constitute a special assessment against the property at 7156 Mobile Street and being that property more particularly described as follows:

E 1/2 OF FOLL DESC PPTY BEG AT PT ON W/L OF STEGALL ST 105 FT N OF SE COR OF LOT 17 BLK 4 OF E A SMITH SUB NEAR THEODORE ALL SEC 10 T6S R2W MBK 2 NS P 14 & RUN TH N ALG E/L OF SAID LOT 42 FT TO PT TH W 268 FT TO W/L OF SAID LOT TH S 42 FT M/L M/L TO LOT HERETOFORE SOLD RICHARD NAPLES TH E ALG N/L N/L OF NAPLES 237 FT M/L TO E/L OF SAID LOT 17 TO POB #SEC 10 T6S R2W #MP38 02 10 2 000

Parcel No.: 38 02 10 2 000 052

Owner: QUINNIE CARRIE M
P.O. BOX 892
THEODORE, AL 36590

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

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

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

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

MINUTES OF JANUARY 26, 2021

Nays: None

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

DECLARE THE STRUCTURE AT 2766 LECREN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-053-2021

Sponsored by: Councilmember Richardson

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 2766 LECREN 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, 6, 7, 8, 12, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2766 LECREN STREET as:

LOT 7 SHRINER & MCKEON SUB DBK 99 P 353 #SEC 18 T4S R1W #MP29 08 18 4 002

Parcel Number: 29 08 18 4 002 094

Last Assessed to: STATE OF ALABAMA C/O RHODEN HARDY & ANNIE B

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 Richardson moved that the resolution be held over until the regular meeting of February 23, 2021, which 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 resolution held over.

DECLARE THE STRUCTURE AT 1551 KELLOGG STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-054-2021

MINUTES OF JANUARY 26, 2021

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 1551 KELLOGG 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, 6, 7, 8, 12, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1551 KELLOGG STREET as:

LOT 27, 28 and 29 BLK 4 ARLINGTON TERRACE EXC THE S 4 FT OF DBK 156 P 256 #SEC 36 T4S R1W #MP29 11 36 0 003

Parcel Number: 29 11 36 0 003 078

Last Assessed to: THORNTON, GLENN B

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 Small moved that the resolution be tabled until the regular meeting of March 23, 2021, 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 tabled.

DECLARE THE STRUCTURE AT 6991 BELLINGRATH, F/K/A 5620 PEARY ROAD, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-055-2021

Sponsored by: Councilmember Williams

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 6991 BELLINGRATH, F/K/A 5620 PEARY ROAD, 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;

MINUTES OF JANUARY 26, 2021

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, 6, 7, 8, 12, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 6991 BELLINGRATH, F/K/A 5620 PEARY ROAD, as:

COM AT THE SW COR OF SEC3 T6S R2W TH RUN N 87 DEG 44 MIN 00 SEC E 158.00 FT ALG TH S/L OF SD SEC 3 TO A PT ON THE C/L OF THE CSX RAILROAD ROW TH RUN N 32 DEG 00 MIN 00 SEC E 604.70 FT ALG SD CL TO A PT TH RUN S 59 DEG 00 MIN 00 SEC E 109.32 FT T A PT ON THE E/L OF PEARY RD TH POB OF THE PPTY HEREIN DES TH CONT S 59 DEG 00 MIN 00 SEC E 216.98 FT TO A PT TH RUN N 32 DEG 00 MIN 00 SEC E 90.00 FT TO A PT TH RUN S 59 DEG 00 MIN 00 SEC E 50.00 FT TO A PT TH RUN S 30 DEG 32 MIN 36 SEC W 419.20 FT TO PT ON TH N/L OF BELLINGRATH RD TH RUN N 52 DEG 53 MIN 05 SEC W 249.17 FT ALG SD N/L TO TH PC OF A CURVE TO THE RGHT HAVING A RADIUS OF 25.00 FT AND A DELTA ANGLE OF 90 DEG 00 MIN 00 SEC TH RUN NWLDY AN ARC DIST OF 39.27 FT ALG SD CURVE TO A PT ON THE AFOREMENTIONED E/L OF PEARY RD THE PT THEREOF CURVE HAS A CHORD BEARING OF N 12 DEG 43 MIN 24 SEC W AND A DIS OF 35.36 FT TH RUN NEWLY ALG SD E/L OF TH FOLL COURSES N 32 DEG 16 MIN 36 SEC E 66.78 FT N 57 DEG 43 MIN 24 SEC W 10.00 FT N 32 DEG 58 MIN 30 SEC E 210.47 FT TO THE POB #SEC03 T6S R2W #MP38 02 03 3 000

Parcel Number: 38 02 03 3 000 028.002

Last Assessed to: PARNELL SUE 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 and/or secured in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

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

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Williams 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 4770, F/K/A 117 CAMPANELLA DRIVE SOUTH, A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-056-2021

Sponsored by: Councilmember Williams

MINUTES OF JANUARY 26, 2021

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 4770, F/K/A 117 CAMPANELLA DRIVE SOUTH, has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 4, 6, 7, 8, 12, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 4770, F/K/A 117 CAMPANELLA DRIVE SOUTH, as:

LOT 23 CAMPANELLA ESTS MBK 25 P 81 #SEC 11 T6S R2W #MP38 01 11 3 000

Parcel Number: 38 01 11 3 000 063

Last Assessed to: MARTIN, GEORGE W

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 Williams 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 WEEDS NOXIOUS, WEED LIEN GROUP 1610. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 58-057-2021

A RESOLUTION DECLARING WEEDS GROWING UPON THE STREETS OR SIDEWALKS AND UPON PRIVATE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF MOBILE TO BE NOXIOUS OR DANGEROUS AND TO BE PUBLIC NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES.

WHEREAS, a survey has been made to determine the properties upon which or in front of which noxious or dangerous weeds are growing and the agents or employees of the City of Mobile have obtained the legal description of parcels of property in the City of Mobile upon which or in front of which such weeds are growing, and it has been determined to follow the provisions of Act No. 329 of the Legislature of the State of Alabama, approved on April 28, 1988, and to have caused such weeds to be cut or otherwise abated as public nuisances:

MINUTES OF JANUARY 26, 2021

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as Group #1610 under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances, The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile Alabama, on the 2nd day of March, 2021, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all objections will be heard and given due consideration by the City Council of Mobile, and it is directed that there shall be conspicuously posted in front of each parcel of property a notice headed "NOTICE TO DESTROY WEEDS." such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29. 1988.

SECTION 3. The City Council finds this resolution is necessary to perform essential minimum functions of the Council.

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	WEED LIEN					
	1610				Res. No.	
1/26/2021	LOTS TO BE DECLARED				58-	
3/2/2021	LOTS FOR PUBLIC HEARING				58-	
//2021	LOTS TO BE ASSESSED FOR COST				58-	
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	3519 Keeling Rd	8239	8828		3	
2	2919 Halls Mill Rd	5522	8829		3	
3	1300 Greenwood Ave	7619	8830		3	
4	1151 Alba St	6753	8831		3	
5	2504 Courtney St	6946	8832		3	
6	4212 Zack Logan Ave N	6875	8833		4	
7	604 Graham St (VL)	7396	8834		1	
8	2909 Frederick St (VL)	8048	8835		1	
9	1158 Newman Ln (VL)	7323	8836		2	
10	2663 Faure Dr S	7259	8837		4	
11	2665 Faure Dr S	7258	8838		4	
12	0 Edwards St	7793	8839		2	
	Parcel No. (22 08 44 0 020 070.XXX)					
13	1026 Front St	8186	8840		2	
14	3710 Bay Front Rd	7996	8841		3	
15	1109 Kelly St	6675	8842		3	
16	900 Cherry St (VL)	7351	8843		2	
17	1011 Jessie St (VL)	7240	8844		1	
18	1150 Newman Lane	8264	8845		2	
19	1358 Dr Martin Luther King Ave	8149	8846		2	
20	0 Northwest Dr/3000 Northwest Dr (VL)	8267	8847		1	
				\$ -		
District total for this group		Numbers of lots cut				
1	4		1			
2	6		2			
3	7		3			
4	3		4			
5	0		5			
6	0		6			
7	0		7			
	20		0			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Williams 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, WEED LIEN GROUP 1608. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 58-058-2021

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as Weed Lien Group #1608 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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WEED LIEN						
1608						Res. No.
10/13/2020	LOTS TO BE DECLARED					58-789
11/17/2020	LOTS FOR PUBLIC HEARING					58-848
1/26/2021	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	5324 Noble Dr S.	6658	7918	\$ 50.00	4	CBO
2	2308 Holland St, # 16	6909	7919	\$ 350.00	1	
3	1214 Satchel St (VL)	6765	7920	\$ 175.00	1	
4	2468 Second Ave	6378	7921	\$ 50.00	1	CBO
5	3718 Alba Club Rd	4652	8054	\$ 50.00	3	CBO
6	526 Helveston St	5994	7922	\$ 50.00	1	CBO
7	2809 Gaslight Ln E, # 117	6308	7923	\$ 50.00	4	CBO
8	1754 Dr. Martin Luther King Dr (VL)	5990	7924	\$ 665.00	2	
9	315 Burton Ave	6535	7925	\$ 50.00	1	CBO
10	2665 Murrell Ln	6727	7926	\$ 2,950.00	1	
11	1460 Chatague Ave	7111	7927	\$ 546.88	2	
12	2304 Burma Ct	7534	8055	\$ 2,418.39	4	
13	416 Driver (VL)	7064	7928	\$ 321.00	1	
14	324 Lexington Ave	6642	7929	\$ 50.00	2	CBO
15	3201 Lees Ln	6538	7930	\$ 364.00	4	
16	3158 Lees Ln	6537	7931	\$ 586.28	4	
17	4128 Yorkshire Ln	6516	7932	\$ 50.00	4	CBO
18	4025 Hillcrest Ln W	6091	7933	\$ 50.00	4	CBO
19	1705 Belfast St	7013	7935	\$ 50.00	3	CBO
20	564 Michigan Ave	6837	7934	\$ 525.00	2	
21	1560 GreenLawn Dr	7068	7936	\$ 50.00	3	CBO
				\$ 9,451.55		
District total for this group		Numbers of lots cut				
1	7	1	4			
2	4	2	3			
3	3	3	0			
4	7	4	3			
5	0	5	0			
6	0	6	0			
7	0	7	0			
	21		10			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Williams 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 AN APPROPRIATION TO THE CLOTILDA DESCENDANTS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$2,000.00.
The following resolution was introduced by Councilmember Rich.

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RESOLUTION: 60-059-2021

Sponsored by: Councilmembers Richardson, Manzie & Gregory

WHEREAS, Councilmember Richardson, Manzie and Gregory wish to appropriate \$2,000.00 (Richardson is giving \$500.00; Manzie is giving \$1,000.00 and Gregory is giving \$500.00) to Clotilda Descendants Association, from their discretionary funds; and

WHEREAS, Clotilda Descendants Association, 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 Clotilda Descendants Association will be used for the celebration of the 110 slaves who survived the transatlantic smuggling crime of the slaver Clotilda. Due to the pandemic, this year's virtual event will be held on February 13, 2021, 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 \$2,000.00 to Clotilda Descendants Association 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.

BE IT FURTHER RESOLVED that the Mobile City Council finds this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND CHAPTER 64 OF THE CITY CODE REGARDING TREE PROTECTION REQUIREMENTS. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 41-060-2021

WHEREAS, the Planning Commission held a Public Hearing on January 7, 2021, to consider recommending that the Zoning Ordinance be amended by deleting therefrom section 64-4.H, Tree Protection Requirements; and,

WHEREAS, following the Public Hearing the Planning Commission recommended that section 64-4.H, Tree Protection Requirements, be deleted from the Zoning Ordinance and that the City Council create a new City Code Chapter for Tree Protection and Management.

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

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1. That the City Council will hold a public hearing and take public comment in the Auditorium of Government Plaza in Mobile, Alabama on the 23rd day of February, 2021, at 10:30 a.m., on whether the Zoning Ordinance should be amended by deleting therefrom section 64-4.H, Tree Protection Requirements; provided, however, that if the Mobile City Council is still meeting remotely at that time as authorized by the March 18, 2020, Proclamation of the Governor of Alabama, the public hearing will be held on said date at said time via Zoom video conference and participants will be invited to participate directly in the Zoom meeting remotely or via a video and audio station set up outside the Council Chambers at 205 Government St., 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.

AN ORDINANCE TO AMEND CHAPTER 64 OF THE MOBILE CITY CODE, COMMONLY KNOWN AS THE ZONING ORDINANCE

WHEREAS, the Planning Commission held a Public Hearing on January 7, 2021, to consider recommending that the Zoning Ordinance be amended by deleting therefrom section 64-4.H, Tree Protection Requirements; and,

WHEREAS, following the Public Hearing the Planning Commission recommended that section 64-4.H, Tree Protection Requirements, be deleted from the Zoning Ordinance and that the City Council create a new City Code Chapter for Tree Protection and Management; and,

WHEREAS, the Council has adopted an Ordinance that creates Chapter 65 of the Mobile City Code, entitled Tree Protection and Management; and,

WHEREAS, the newly created Chapter 65 contains the provisions and tree protection requirements that are currently in section 64-4.H of the Zoning Ordinance; and,

WHEREAS, the newly created Chapter 65 establishes an Urban Forestry Department, defines clearer roles and responsibilities of the Urban Forester, increases tree protection requirements to meet nationally recognized ANSI standards, expands the list of Heritage Trees requiring permits for removal, simplifies City regulations making tree protection easier to understand and administer, aligns Tree Protection and Tree Maintenance requirements with the proposed Unified Development Code, and makes the City Council the first step for appeals of decisions by both the Urban Forester and the Tree Commission to reflect recent changes in State law.

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

Section One. That Chapter 64 of the Mobile City Code, commonly known as the Zoning Ordinance, be, and the same hereby is, amended by deleting therefrom the entirety of section 64-4.H, Tree Protection Requirements.

Section Two. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Councilmember Rich then moved to call for the public hearing, which move was seconded by Councilmember Daves. Following comments by Peter Toler, Urban Forester, and the vote was as follows:

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

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as February 23, 2021.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 704 LAKESIDE DRIVE WEST (WEST SIDE OF LAKESIDE DRIVE WEST, 150' SOUTH OF COTTAGE HILL ROAD) FROM B-1 AND B-2 TO B-3 (DISTRICT 4).

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RESOLUTION: 41-061-2021

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.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

Notice of Public Hearing for the Proposed Rezoning of Property Located at 704 Lakeside Drive West from B-1 and B-2 to B-3

Pursuant to Resolution of the Mobile, Alabama City Council adopted January 26, 2021, a public hearing will be held on February 23, 2021, at 10:30 a.m., to consider adoption of the following ordinance to rezone property located at 704 Lakeside Drive West (west side of Lakeside Drive West, 150'+ south of Cottage Hill Road) from B-1, Buffer Business District and B-2, Neighborhood Business District, to B-3, Community Business District.

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 opposition to, or In favor of, the proposed zoning amendment. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

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

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

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

PARCEL A:

Lot 4, Lakeside Commercial Park Twelfth Addition as recorded In Map Book 37, Page 122, Probate Court Records, Mobile County, Alabama.

TOGETHER WITH:

PARCEL B:

Beginning at the Westernmost corner of Lot 4 Lakeside Commercial Park Twelfth Addition as recorded in Map Book 37, Page 122, Probate Court Records, Mobile County, Alabama, run thence south 37 degrees 40 minutes 25 seconds east, along the western line of said Lot 4, a distance of 43.07 feet; thence south 50 degrees 59 minutes 54 seconds west, 17.06 feet; thence north 37 degrees 28 minutes 20 seconds west, 43.45 feet to a north line of Lot 5, said Lakeside Commercial Park Twelfth Addition; thence north 52 degrees 16 minutes 30 seconds east, along said north line, a distance of 16.90 feet to the Point of Beginning.

The classification of said property is hereby changed from B-1, Buffer Business District, and B-2, Neighborhood Business District, to B-3, Community Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-3, Community Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of

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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 an B-3, Community Business District until all of the conditions set forth below have been complied with: (1) Compliance with the Engineering Comments: 1. Any work performed in the existing ROW (right-of-way) such as driveways, sidewalks, utility connections, grading, drainage, irrigation, or landscaping will require a ROW permit from the City of Mobile Engineering Permitting Department (208-6070) and must comply with the City of Mobile Right-of-Way Construction and Administration Ordinance (Mobile City Code, Chapter 57, Article VIII). 2. A Land Disturbance Permit application shall be submitted for any proposed land disturbing activity with the property. A complete set of construction plans including, but not limited to, drainage, utilities, grading, storm water detention systems and paving will need to be Included with the Land Disturbance permit. This Permit must be submitted, approved, and issued prior to beginning any of the construction work. 3. Any and all proposed land disturbing activity within the property will need to be submitted for review and be in conformance with Mobile City Code, Chapter 17, Storm Water Management and Flood Control: the City of Mobile. Alabama Flood Plain Management Plan (1984); and, the Rules For Erosion and Sedimentation Control and Storm Water Runoff Control. 4. Any existing or proposed detention facility shall be maintained as it was constructed and approved. The Land Disturbance Permit application for any proposed construction includes a requirement of a Maintenance and Inspection Plan (signed and notarized by the Owner) for the detention facility. This Plan shall run with the land and be recorded in the County Probate Office prior to the Engineering Department issuing their approval for a Final Certificate of Occupancy. 5. The approval of all applicable federal, state, and local agencies (including all storm water runoff, wetland and floodplain requirements) will be required prior to the issuance of a Land Disturbance permit. The Owner/Developer is responsible for acquiring all of the necessary permits and approvals. 6. The proposed development must comply with all Engineering Department design requirements and Policy Letters.; (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.

Councilmember Rich then moved to call for the public hearing, 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 whereupon the Presiding Officer set the date for the public hearing as February 23, 2021.

ANNOUNCEMENTS:

Councilmember Williams expressed excitement about plans for a “Hall of Fame Courtyard” that will honor the five Mobilians inducted into the National Baseball Hall of Fame.

Councilmember Rich reminded everyone that the Public Services Committee will meet today at 2:00 p.m., to discuss abandoned utility poles in City rights of way.

Councilmembers Rich, Small, Gregory and Manzie commended Councilmember Williams for introducing the idea of an open podium for a future Hall of Famer at the proposed “Hall of Fame Courtyard.”

Each Councilmember expressed their condolences to the family of Hank Aaron.

Councilmember Small stated that a community meeting with the developer and citizens will be held on February 2, 2021, at 2 p.m., regarding the rezoning of property on Hurtel Street.

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Councilmember Daves announced that the Finance Committee will meet on Tuesday, February 2, 2021, immediately after the Council meeting, to discuss possible regulations for food trucks.

Councilmember Richardson congratulated General Lloyd Austin (retired) on his appointment to the position of Secretary of Defense.

Councilmember Richardson reported a successful memorial event on January 19, 2021, at Tricentennial Park remembering those who lost their lives to Covid-19.

Councilmember Gregory provided updates regarding Phase 2 of the Zeigler Boulevard widening project which is underway.

Councilmember Gregory announced that Fire Station 18 crews have moved in. A grand opening ceremony will be announced at a later date.

Councilmember Manzie announced District 2 is busy with several projects going on at this time.

Councilmember Manzie reminded citizens to be vigilant when it comes to Covid-19.

Councilmember Williams moved to adjourn the meeting, 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 regular meeting adjourned at approximately 11:46 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK