

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 15, 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 15, 2023, at 9:00 a.m.

Councilmembers:

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

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

Approved:

COUNCIL VICE- PRESIDENT

ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 15, 2023

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, August 15, 2023, at 10:30 a.m., for the regular meeting.

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

Father Dan Good, 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 meetings of July 24, 2023 and August 1 & 8, 2023 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson congratulated Councilmember Josh Woods on winning the Special Election for District 6 and stated that he looked forward to working with him.

Mayor Stimpson announced that the following meetings will be held to inform the newly annexed citizens in Mobile about City services that will be provided to them:

- August 22, 2023 at Creekwood Church at 5:15 p.m.
- August 24, 2023 at Creekwood Church at 5:15 p.m.
- August 31, 2023 at Creekwood Church at 5:15 p.m.

Mayor Stimpson said that the Mobile Film Office will be hosting a creative industry expo on August 26, 2023, at the Expo Hall at the Civic Center from 10:00 a.m. – 4:00 p.m.

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Chief Paul Prine, Mobile Police Department, presented Dylan Van Sickle as Officer of the Month for July.

Chief Jeremy Lami, Mobile Fire and Rescue, presented the following Firefighters of the Month:

- Buck D. Hicks for June
- Damonique M. Evans for July

ADOPTION OF THE AGENDA:

Councilmember Reynolds 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 Mobile Sports Authority for a waiver of the Noise Ordinance at Herndon-Sage Park on September 1, 2023, from 5:30 p.m. – 8:30 p.m. (District 1).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Mobile Sports Authority for a waiver of the Noise Ordinance at Herndon-Sage Park on September 2, 2023, from 8:00 a.m. – 10:00 p.m. (District 1).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Mobile Sports Authority for a waiver of the Noise Ordinance at Herndon-Sage Park on September 3, 2023, from 8:00 a.m. – 8:00 p.m. (District 1).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Dearborn YMCA for a waiver of the Noise Ordinance at Tricentennial Park on September 24, 2023, from 5:00 p.m. – 8:00 p.m. (District 1).

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Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Emily Naron for a waiver of the Noise Ordinance at 3404 Moffett Road, Suite 1 on October 6, 2023, from 6:00 p.m. – 9:00 p.m. (District 1).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Matthew LeMond for a waiver of the Noise Ordinance at 564 Dauphin Street on August 26, 2023, from 6:00 p.m. – 12:00 a.m. (District 2).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Eliot Woodworth for a waiver of the Noise Ordinance at Mardi Gras Park on September 22 – 24, 2023, from 10:00 a.m. – 7:00 p.m. (District 2).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Shonnda Smith for a waiver of the Noise Ordinance at the 150 Block of St. Francis Street on December 31, 2023 – January 1, 2024, from 8:00 p.m. – 1:00 a.m. (District 2).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

Request of Caracher Small for a waiver of the Noise Ordinance at Arlington Park, Old Bayfront Road on October 21, 2023, from 11:00 a.m. – 5:00 p.m. (District 3).

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

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

Nays: None

Abstain: Small

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

Request of Becky Lindemann for a waiver of the Noise Ordinance at 4201 Michael Boulevard on September 2, 2023, from 4:00 p.m. – 10:00 p.m. (District 5).

Councilmember Penn moved to grant the waiver, which motion 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 waiver granted.

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE NORTH SIDE OF GOVERNMENT STREET 140'+/- EAST OF SOUTH ANN STREET FROM B-1 AND B-2 TO B-2 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the North side of Government Street 140'+/- East of South Ann Street from B-1 and B-2 to B-2 and asked if there was anyone present to speak for or against this matter.

Jarrold White, 104 St. Francis Street, spoke in favor of rezoning the property.

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

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 258 N. HAMILTON STREET AND 263 N. FRANKLIN STREET FROM T-4 AND T-5.1 TO T-4 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 258 N. Hamilton Street and 263 N. Franklin Street from T-4 and T-5.1 to T-4 and asked if there was anyone present to speak for or against this matter.

Zeke Hudson, 3502 Laughlin Drive, gave comments in favor of rezoning the property.

Elizabeth Stevens, Mobile, Al, expressed her support for the rezoning.

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

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MONDAY STREET AND ST. MADAR STREET, EXTENDING TO THE NORTHWEST CORNER OF HERCULES STREET AND MONDAY STREET FROM R-2 TO R-3 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the Southwest corner of Monday Street and St. Madar Street, extending to the Northwest corner of Hercules Street and Monday Street from R-2 to R-3 and asked if there was anyone present to speak for or against this matter.

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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.

PUBLIC HEARING TO FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1253 GLENNON AVENUE; \$8,700.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 1253 Glennon Avenue; \$8,700.00 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 310 HOSFELT LANE; \$9,800.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 310 Hosfelt Lane; \$9,800.00 and asked if there was anyone present to speak for or against this matter.

Steven Bush, Mobile, Al, owner, requested an extension to pay.

Reggie Hill, 1007 Center Street, gave comments regarding the property.

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

PUBLIC HEARING TO FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1413 CHINQUAPIN STREET; \$9,800.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 1413 Chinquapin Street; \$9,800.00 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 122 MICHAEL DONALD AVENUE; \$8,700.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 122 Michael Donald Avenue; \$8,700.00 and asked if there was anyone present to speak for or against this matter.

Donald Wolverton, Mobile, Al, requested an extension to pay the lien.

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

PUBLIC HEARING TO FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 962 BERNICE HUDSON AVENUE; \$4,400.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 962 Bernice Hudson Avenue; \$4,400.00 and asked if there was anyone present to speak for or against this matter.

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No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1212 SENECA STREET; \$3,200.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 1212 Seneca Street; \$3,200.00 and asked if there was anyone present to speak for or against this matter.

Beverly Townser, 1862 Lewis Avenue, owner, expressed her concerns about not being able to pay this fee.

Sabrina Mass, 1050 Belvedere Circle S., gave comments regarding this property.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 111 S. CODY ROAD; \$7,700.00 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to fix costs for the demolition of the structure at 111 S. Cody Road; \$7,700.00 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO ASSENT TO THE VACATION OF A PORTION OF AN ALLEY ADJACENT TO 2411 WILSON AVENUE (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to assent to the vacation of a portion of an alley adjacent to 2411 Wilson 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 later in the meeting.

PUBLIC HEARING TO ASSENT TO THE VACATION OF A PORTION OF A U.S. HIGHWAY 90 WEST SERVICE ROAD (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to assent to the vacation of a portion of a U.S. Highway 90 West Service 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 later in the meeting.

PUBLIC HEARING TO CONSIDER A VACATION OF RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A PORTION A U.S. HIGHWAY 90 WEST SERVICE ROAD (DISTRICT 4).

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The Presiding Officer announced that today was the day for the public hearing to consider a vacation or right-of-way fee as a condition of the vacation of a portion a U.S. Highway 90 West Service Road and asked if there was anyone 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:

Reggie Hill, 1007 Center Street, continued his remarks from last week, FY 24 Budget, and response time for citizen inquiries.

Dr. Raoul Richardson, Mobile, Al, provided information about the Arts & Culture Community Development Project.

CONSENT RESOLUTIONS HELD OVER

APPOINT TAYLOR ATCHISON TO THE BOARD OF ADJUSTMENT. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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.

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

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

Nays: None

Abstain: Carroll

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

CIP RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO TRANTEX TRANSPORTATION PRODUCTS OF TEXAS, INC. FOR TRAFFIC CALMING DEVICES FOR TRAFFIC ENGINEERING; \$103,840.50. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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:

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

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO PPM CONSULTANTS, INC. TO PREPARE ADEM PRELIMINARY REPORT ON MUNICIAPL GARAGE; \$23,697.65. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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
<u>13389</u>	2023	(2050) FLEET MANAGEMENT-GARAGE	PREPARE ADEM PRELIMINARY REPORT ON MUNICIPAL GARAGE UST RELEASE (PROFESSIONAL SERVICE)	\$23,697.65	<u>(276679) PPM</u> <u>CONSULTANTS</u> <u>INC</u>

The resolution was read by the Assistant 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

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

ALLOCATE UNASSIGNED FUNDS IN THE CAPITAL IMPROVEMENT FUND TO CAPITAL PROJECTS FOR VARIOUS CAPITAL PROJECTS; \$200,000.00. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH RELLIM CONTRACTING, LLC FOR CLUBHOUSE RESTROOM IMPROVEMENTS AT AZALEA CITY GOLF COURSE; \$220,050.00. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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

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The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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 which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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)	

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH GORAM AIR CONDITIONING CO., INC. FOR COOLING TOWER REPLACEMENT AT THE MOBILE CIVIC CENTER; \$59,200.00. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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,

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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

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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 which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; WIGGINS. The following resolution which was introduced and read at the regular meeting of August 8, 2023, and held over until the regular meeting of August 15, 2023, was called up by the Presiding Officer.

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

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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.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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

Councilmember Gregory moved for the suspension of the rules to consider Ordinances 64-036 through 64-038 being introduced for the first time, with the exception of 64-038. The motion was seconded by Councilmember Daves, 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.

ORDINANCES BEING INTRODUCED

REZONE PROPERTY LOCATED AT THE NORTH SIDE OF GOVERNMENT STREET 140'+/- EAST OF SOUTH ANN STREET FROM B-1 AND B-2 TO B-2. The following ordinance was introduced by Councilmember Carroll.

ORDINANCE: 64-036-2023

Sponsored by: Councilmember Carroll

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

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

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

COMMENCING AT THE NORTHEAST CORNER OF ANN STREET AND GOVERNMENT STREET; THENCE NORTH 70° - 53' - 43" EAST ALONG THE NORTH LINE OF GOVERNMENT STREET 140.28 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 70° - 53' - 43" EAST 171.90 FEET TO A POINT THAT IS 130.05 FEET WEST OF THE NORTHWEST CORNER OF GOVERNMENT STREET AND GEORGIA AVENUE; THENCE NORTH 06° - 03' - 32" EAST 205.77 FEET; THENCE NORTH 84° - 14' - 58" WEST 56.94 FEET; THENCE SOUTH 06° - 29' - 00" WEST 77.22 FEET TO THE NORTHEAST CORNER OF LOT 1, GRIFFITH SUBDIVISION AS RECORDED IN MAP BOOK 40, PAGE 107, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE NORTH 83° - 25' - 46" WEST 48.20 FEET TO A CORNER OF LOT 1 WHICH IS ON THE SOUTH LINE OF A 10 FOOT ALLEY; THENCE SOUTH 63° - 30' - 14" WEST ALONG THE SOUTH LINE OF SAID ALLEY AND ALONG THE NORTH LINE SAID LOT 1A DISTANCE OF 48.87 FEET TO THE NORTHWEST CORNER OF LOT 1; THENCE CONTINUE SOUTH 08° - 53' - 35" WEST 175.67 FEET TO THE POINT OF BEGINNING.

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The classification- of said property is hereby changed from B-1, Buffer Business District, and B-2, Neighborhood Business District, to B-2, Neighborhood Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-2, Neighborhood Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-2, Neighborhood Business District until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process; 2) full compliance with all municipal codes and ordinances; and 3) compliance with the Voluntary Conditions & Use Restrictions submitted by the applicant.

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Carroll moved to adopt the resolution, which 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

REZONE PROPERTY LOCATED AT 258 N. HAMILTON STREET AND 263 N. FRANKLIN STREET FORM T-4 AND T-5.1 TO T-4. The following ordinance was introduced by Councilmember Carroll.

ORDINANCE: 64-037-2023

Sponsored by: Councilmember Carroll

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.

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

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on July 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

Commencing at the Southeast intersection of Congress Street and North Hamilton Street in the City of Mobile, run South 22°-04'-02" East and along the East right-of-way line of said North Hamilton Street (50 foot right-of-way), a distance of 70.00 feet to the Point of Beginning of the property described herein; thence continue South 22°-04'-02" East and along said East right-of-way line, 39.96 feet to the Northwest corner of property conveyed by instrument recorded in Real Property Book 2395, Page 559, Probate Court Records, Mobile County, Alabama; thence North 67°40'-47" East and along the North line of said property, 201.51 feet to the Northeast corner of property conveyed by instrument recorded in Red Property Book 4911, Page 574, said Probate Records; thence North 20°-30'-36" West and doing the West right-of-way line of North Franklin Street (50 foot right-of-way), a distance of 69.60 feet to a point on the South line of property conveyed by instrument recorded in Land Records Book 7654, Page 568, said Probate Records; thence South 68°-35'-12" West and along the South line of said property, 107.00 feet to a point on the Eastern line of by property conveyed instrument recorded in Red Property Book 5523,

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Page 683, said Probate Records; thence South 22@-04'-12" East and along said East property line, 30.00 feet to the Southeast corner of said property; thence South 67°-39'-25" West and along the South line of said property, 94.50 feet to the Point of Beginning.

The classification of said property is hereby changed from T-4, a mixed-use district of low intensity and T-5.1, a mixed-use district of medium intensity to T-4, a mixed-use district of low intensity in the Downtown Development District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in T-4, a mixed-use district of low intensity, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a T-4, a mixed-use district of low intensity until all of the conditions set forth below have been complied with 1) Completion of the Subdivision process; 2) Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in this staff report; and, 3) Full compliance with all municipal codes and ordinances.

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Carroll moved to table 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution tabled.

REZONE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF MONDAY STREET AND ST. MADAR STREET, EXTENDING TO THE NORTHWEST CORNER OF HERCULES STREET AND MONDY STREET FROM R-2 TO R-3. The following ordinance was held over until the regular meeting of August 22, 2023.

ORDINANCE: 64-038-2023

Sponsored by: Councilmember Carroll

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.

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

Section One: That the Ordinance commonly known as the Unified Development Code and adopted on My 12, 2022, together with the Zoning Map of the City of Mobile, be, and the same hereby is amended in respect to that certain property in the City of Mobile, State of Alabama, described as follows to-wit:

THE EAST HALF OF LOT 7, AND ALL OF LOTS 8, 9, 10, AND 11, BLOCK 12, FISHER TRACT, AS PER PLAT RECORDED IN DEED BOOK 22 PAGES 332-333, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 1" OPEN TOP IRON FOUND AT THE NORTHWEST CORNER OF LOT 11, BLOCK 12, FISHER TRACT, AS PER PLAT RECORDED IN DEED BOOK 22 PAGES 332-333, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF ST. MADAR STREET; THENCE ALONG SAID SOUTH

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RIGHT OF WAY LINE OF ST. MADAR STREET, RUN S67° 38' 12"E 102.68 FEET TO A CAPPED (ROWE) REBAR FOUND AT THE INTERSECTION OF SAID SOUTH RIGHT OF WAY LINE OF ST. MADAR STREET AND THE WEST RIGHT OF WAY LINE OF MONDAY STREET; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF MONDAY STREET, RUN S22° 19' 11"W 274.04 FEET TO A CAPPED (ROWE) REBAR FOUND AT THE INTERSECTION OF SAID WEST RIGHT OF WAY LINE OF MONDAY STREET AND THE NORTH RIGHT OF WAY LINE OF HERCULES STREET; THENCE ALONG SAID NORTH RIGHT OF WAY LINE OF HERCULES STREET, RUN N67°44'19"W 76.05 FEET TO A CAPPED (ROWE) REBAR THENCE RUN N22°14'20"E 110.10 FEET TO A CAPPED (ROWE) REBAR FOUND ON THE SOUTH BOUNDARY OF LOT 9 OF SAID BLOCK 12, FISHER TRACT; THENCE ALONG SAID SOUTH BOUNDARY OF LOT 9, BLOCK 12, FISHER TRACT. RUN N67°49'11"W 73.95 FEET TO A CAPPED (UNKNOWN) REBAR FOUND AT THE SOUTHWEST CORNER OF SAID LOT 9, BLOCK 12, FISHER TRACT; THENCE ALONG THE WEST BOUNDARY OF SAID LOT 9, BLOCK 12, FISHER TRACT, RUN N22°21'14"E 54.04 FEET TO A NAIL & FLAG WITH CAP FOUND AT THE NORTHWEST CORNER OF SAID LOT 9, BLOCK 12, FISHER TRACT; THENCE ALONG THE NORTH BOUNDARY OF SAID LOT 9, BLOCK 12, FISHER TRACT, RUN S67°51'25"E 47.75 FEET TO A CRIMP TOP IRON FOUND AT THE SOUTHWEST CORNER OF LOT 11 OF SAID BLOCK 12, FISHER TRACT; THENCE ALONG THE WEST BOUNDARY OF SAID LOT 11, BLOCK 12, FISHER TRACT, RUN N22°09'40"E 110.08 FEET TO THE POINT OF BEGINNING. CONTAINING 27,774 SQUARE FEET OR 0.64 ACRES, MORE OR LESS.

The classification of said property is hereby changed from R-2, Two-Family Residential Urban District to R-3, Multi-Family Residential Urban District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in R-3, Multi-Family Residential Urban District, provided, however, that the plans for any structure or building south to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a R-3, Multi-Family Residential Urban District until all of the conditions set forth below have been complied with: 1) Completion of the Subdivision process; 2) Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in this staff report; and, 3) Full compliance with all municipal codes and ordinances.

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

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 Ordinances 03-866 through 60-885 being introduced for the first time. The motion was seconded by Councilmember Daves, 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 GREY REDDITT, JR. TO THE MOBILE MUSEUM OF ART BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-866-2023

Sponsored by: Councilmember Daves

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Grey Redditt, Jr. is appointed to the Mobile Museum of Art Board effective January 1, 2022 for a term ending December 31, 2024.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPOINT JOSH WOODS TO THE PLANNING COMMISSION. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-865-2023

Sponsored by: Councilmember Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Josh Woods is appointed as an Ex Officio member of the Mobile Planning Commission effective immediately for a term ending November 2, 2025.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPOINT MEMBERS TO THE MOBILE HISTORIC DEVELOPMENT COMMISSION. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 03-867-2023

Sponsored by: Mayor Stimpson

WHEREAS, William S. Stimpson, Mayor, pursuant to Mobile City Code Section 44- 72(c), has nominated the below named individuals to serve on the Mobile Historic Development Commission;

BE IT RESOLVED THAT THE CITY COUNCIL FOR THE CITY OF MOBILE hereby appoints the following individuals to serve on the Mobile Historic Development Commission, as follows:

Virginia Behlen (Ashland Place) for a term ending August 2026

Virginia Edington (Church Street East) for a term ending August 2026

Alison Henry (Leinkauf) for a term ending August 2026

Jamie Betbeze (Oakleigh Garden) for a term ending August 2026

Stephen McNair (Old Dauphin Way) for a term ending August 2026

Jean Dodge (At Large) for a term ending August 2026

Joan Hoffman (At Large) for a term ending August 2026

Tim Maness (At Large) for a term ending August 2026

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Jessica Fairley (At Large) for a term ending August 2025

Kimberly Knowles (At Large) for a term ending August 2025

Jeff Hartley (Lower Dauphin Street Commercial) for a term ending August 2025

Lynn Stewart (At Large) for a term ending August 2024

Peters Drey (DeTonti Square) for a term ending August 2024

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to hold the resolution over for one week, 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of August 22, 2023.

APPOINT BRODERICK MCPHERSON TO THE MOBILE CITY-COUNTY YOUTH COUNCIL. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 03-907-2023

Sponsored by: Councilmember Gregory

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to adopt the resolution, which 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (ON /OFF PREMISES) LICENSE TO TAZIKIS MEDITERRANEAN CAFÉ; 9 DU RHU DRIVE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-868-2023

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

Type of application: Retail Beer/Table Wine (On/Off Premises) License

Submitted by: Taz Mobile, Inc.

Location: Tazikis Mediterranean Café
9 Du Rhu Drive
Ste. 300
Mobile, Al 36608

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The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1253 GLENNON AVENUE; \$8,700.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-869-2023

Sponsored by: Councilmember Penn

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 1253 Glennon 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 1253 Glennon Avenue to be \$8,700.00 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 **\$8,700,00** shall constitute a special assessment against the property at structure **1253 Glennon Avenue** and being that property more particularly described as follows:

LOT 8 TERRILL SUB OF KEARNEY TRT DBK 77 P 507 BEING 100 X 50 FT #SEC 40 T4S R1W #MP29 06 40 0 004

Parcel No.: 29 06 40 0 004 198

Owner: **BRAGGS CAROL G & PAMELA T JONES
1253 GLENNON AVE
MOBILE AL 36603-5224**

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

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

**FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 310 HOSFELT LANE;
\$9,800.00.** The following resolution was introduced by Councilmember Penn.

RESOLUTION: 40-870-2023

Sponsored by: Councilmember Penn

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 310 Hosfelt Lane and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 310 Hosfelt Lane to be \$9,800.00 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 **\$9,800.00** shall constitute a special assessment against the property at structure **310 Hosfelt Lane** and being that property more particularly described as follows:

THE W 120 FT OF LOTS 19 & 20 IN BURTONS SUB IN CREIGHTON ALA SEC 18 T4S R1W #SEC 18 T4S R1W MP29 08 18 1 003

Parcel No.: 29 08 18 1 003 063

Owner: **SAMPSON JUANDA L C/O BUSH STEPHEN
1257 DABNEYDR
MOBILE AL 36605-1960**

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

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Penn moved to hold the resolution over for one week, which 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of August 22, 2023.

**FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1413 CHINQUAPIN STREET;
\$9,800.00.** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-871-2023

Sponsored by: Councilmember Carroll

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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 Chinquapin 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 1413 Chinquapin Street to be \$9,800.00 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 **\$9,800.00** shall constitute a special assessment against the property at structure **1413 Chinquapin Street** and being that property more particularly described as follows:

LOT 7 BLK 5 OF STRAUSS SEC ADD TO WOLFF HGTS MBK 2/53 #SEG 13 T4S R1W #MP29 0613 0 003

Parcel No.: 29 0613 0 003157

**Owner: BUTLER ERIC
112 CATHERINE ST
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 Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 122 MICHAEL DONALD AVENUE; \$8,700.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-872-2023

Sponsored by: Councilmember Carroll

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 122 Michael Donald 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 122 Michael Donald Avenue to be \$8,700.00 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

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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 **\$8,700.00** shall constitute a special assessment against the property at structure **122 Michael Donald Avenue** and being that property more particularly described as follows:

COMM AT A PT ON THE E/S OF HERNDON AVE DIS 300 FT S OF THE SE COR OF SPRING HILL & HERNDON AVE TH RUN E 110 FT TO A PT TH RUN S 55 FT TO A PT TH RUN W FT TO THE E/L OF HERNDON AVE TH N ALG THE E/L OF HERNON AVBE 55 FT TO A PT TH POB BDED ON THE N BY PPTY NOW OR FORMERLY OF JETT E BY PPTY NOW OR FORMERLY OF COWLES S BY PPTY NOW OR FORMERLY OF WATKINS & ON THE W BY HERNDON AVE #SEC 40 T4S R1W #MP29 06 40 0 009

Parcel No.: 29 06 40 0 009 115

**Owner: PEEBLES LYNDORA
C/O WOLVERTON DONALD
122 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 Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 962 BERNICE HUDSON DRIVE; \$4,400.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-873-2023

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 962 Bernice Hudson Drive 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 962 Bernice Hudson Drive to be \$4,400.00 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;

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

Section 1. The amount of **\$4,400.00** shall constitute a special assessment against the property at structure **962 Bernice Hudson Drive** and being that property more particularly described as follows:

LOT 18 BLK 1 WILSONS 1st ADDN DBK 73 P 171 #SEC 37 T4S R1W #MP29 10 37 0 007

Parcel No.: 29 10 37 0 007 308
Owner: SAMPSON ARTHUR & DWIGHT C/O
TERRICA SAMPSON
2181 PHILSDALE LANE
SEMMES, ALABAMA 36575-3320

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

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1212 SENECA STREET;
\$3,200.00. The following resolution was introduced by Councilmember Small.

RESOLUTION: 40-874-2023
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 1212 Seneca 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 1212 Seneca Street to be \$3,200.00 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:

\$3,200.00 shall constitute a special assessment against the property at structure **1212 Seneca Street** and being that property more particularly described as follows:

LOT 7 BLK 17 BASCOMBR TRT DBK 128 P 1 SD LOT BEG AT PT ON N/S SENECA ST 50 FT ELY OF NE COR BASCOMBE & SENECA STS TH RUN ELY ALG N/S OF

MINUTES OF AUGUST 15, 2023

SENEA ST 50 FT FOR FRONT & EXTENDING BACK NLY PAR WITH BASCOMBE ST 150 FT FOR DEPTH WITH EQUAL WIDTH IN READ AS IN FRONT #SEC 37 T4S R1W MP29 10 37 0 006

Parcel No.: 29 10 37 0 006 052.xxx

**Owner: JAMES BEVERLY MARIA
PO BOX 50923
MOBILE AL 36605-0923**

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

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Small moved to hold the resolution over for one week, which 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution held over for one week until the regular meeting of August 22, 2023.

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 111 S. CODY ROAD; \$7,700.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-875-2023

Sponsored by: Councilmember Gregory

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 structure at 111 S. Cody Road and the City Council of the City of Mobile having held such 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 111 S. Cody Road to be \$7,700.00 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:

\$7,700.00 shall constitute a special assessment against the property at structure **111 S. Cody Road** and being that property more particularly described as follows:

BEG AT PT ON N/L OF DICKENS FERRY RD 20 FT E OF THE INTER OF THE SD N/L OF SD RD WITH W/L OF SEC 20 T4S R2W & RUN TH NLY & PAR TO W/L OF SD SEC 20 396 FT PT TH RUN E & PAR TO N/L OF SD SEC 20 115 FT TO A PT TH RUN S & PAR TO W/L OF SAID SEC 20 387 FT TO PT ON THE N/L OF DICKENS FERRY RD TH RUN WLY ALG N/L DICKENS FERRY RD 115 FT TO PB LESS R/W OF CODY ROAD #SEC 20 T4S R2W #MP28 04 20 2 000

Parcel No.: 28 04 20 2 000 007

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Owner: AGHADAVOUDIRASOUL & ROSHANAK AGHADAVOUDI

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

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DECLARE WEEDS NOXIOUS, GROUP 1645. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-876-2023

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:

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 #1645** 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 **19th day of September 2023**, 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

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words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

ASSESS COSTS FOR REMOVAL OF WEEDS, WEED LIEN GROUP 1641. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-877-2023

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Repeat Weed Lien Group 1641** 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.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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APPROVE AWARD OF SPECIAL BONUS TO THE OFFICER OF THE MONTH; VAN SICKLE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-878-2023

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 each to the following employee:

- July 2023: Officer Dylan Van Sickle

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTERS OF THE MONTH; HICKS AND EVANS. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-879-2023

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 each to the following employee:

- Firefighter Buck D. Hicks (employee #15390)
- Firefighter Damonique M. Evans (employee #19510)

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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

RESOLUTION: 60-880-2023

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Sponsored by: Mayor Stimpson

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

- September 2023 – Jimmie Davis (Employee #19498) Sanitation Division (Public Services)

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

CONCUR IN THE ACCEPTANCE OF THE MISSION, VISION, AND VALUES STATEMENTS FOR THE CITY'S PUBLIC WORKS DEPARTMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-881-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Council concurs in the acceptance of the Mission, Vision, and Values Statements as established and set forth by the Public Works Department;

BE IT FURTHER RESOLVED this shall be deemed an endorsement limited to accreditation and not construed as a directive of the City Council.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO FRANKLIN STREET BAPTIST CHURCH OF MOBILE, ALABAMA SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-882-2023

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate **\$2,500.00** to Franklin Street Baptist Church of Mobile, Alabama, from his discretionary funds; and

WHEREAS, Franklin Street Baptist Church of Mobile, Alabama, is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Franklin Street Baptist Church of Mobile, Alabama, will be used to assist with the "Back-to-School" event, funds will cover school supplies, food, and entertainment, 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 Franklin Street Baptist Church of Mobile, Alabama, 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 Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO W.H. LEINKAUF ELEMENTARY SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-883-2023

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **\$2,500.00** to W.H. Leinkauf Elementary School, from his discretionary funds; and

WHEREAS, W.H. Leinkauf Elementary 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 W.H. Leinkauf Elementary School will be used to assist with needed items and achievement awards for students, as well as teacher appreciation incentives, 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 W.H. Leinkauf Elementary 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 Assistant 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

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

DETERMINE AN APPROPRIATION TO UNITED METHODIST INNER CITY MISSION OF MOBILE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-884-2023

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Gregory wishes to appropriate **\$2,500.00** to United Methodist Inner City Mission of Mobile, Inc., from his discretionary funds; and

WHEREAS, United Methodist Inner City Mission of Mobile, 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 United Methodist Inner City Mission of Mobile, will be used to assist with the purchase of tubas and operational expenses, which will serve a public purpose benefiting 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 United Methodist Inner City Mission of Mobile, 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 Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO SAND TOWN COMMUNITY ACTION GROUP SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-885-2023

Sponsored by: Councilmember Gregory

WHEREAS, Councilmember Gregory wishes to appropriate **\$500.00** to Sand Town Community Action Group, from her discretionary funds; and

WHEREAS, Sand Town Community Action Group, 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

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WHEREAS, the Mobile City Council determines that this appropriation to Sand Town Community Action Group, will be used to assist with Sand Town’s 1st Annual Community Day/Back to School event.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$500.00** to Sand Town Community Action Group, 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 Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

CIP RESOLUTIONS BEING INTRODUCED

AUTHORIZE CONTRACT WITH MICOR, INC., D/B/A MDS CONSTRUCTION, INC. FOR PLAYGROUND DEMOLITION AT FRY & MILL STREET PARKS; \$35,177.00 COMBINED. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 21-886-2023

Sponsored by: Mayor Stimpson and Councilmembers Penn and Small

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: MICOR, INC. D/B/A MDS CONSTRUCTION, INC.

Project Name: FRY PARK & MILL STREET PARK –
PLAYGROUND DEMOLITION

Project Number: PR-038-23

Amount: \$35,177.00 combined

AUTHORIZE CONTRACT WITH BAGBY & RUSSELL ELECTRIC COMPANY, INC. FOR TRAFFIC SIGNAL UPGRADES AT HILLCREST & COTTAGE HILL ROADS; \$458,146.00. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 21-887-2023

Sponsored by: Mayor Stimpson

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

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the contract and furnishing the required bonds and insurance. A copy of said executed change order will be on file in the office of the City Clerk.

Name of Company: Bagby & Russell Electric Company, Inc
Project Name: Traffic Signal Upgrades at Hillcrest Rd and Cottage Hill Rd

Capital Project No.: CO442

Contract Amount: \$458,146.00

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION, FOR U.S. HWY 45 STREETScape IMPROVEMENTS; \$375,000.00. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 01-888-2023

Sponsored by: Mayor Stimpson and Councilmember Penn

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Resurfacing on US-45 (SR-17) from Prichard Ave. to South Wilson Ave.; Project # ST-049-017-007; CPMS Ref # 100077133.

for the maintenance of the traffic control signal at the intersection of US Highway 90 and Alabama State Highway 193.

BE IT FURTHER RESOLVED that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

BE IT FURTHER RESOLVED that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City.

I, the undersigned qualified and acting Clerk of the City of Mobile, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City named therein, at a regular meeting of such Council held on the _____ day of , 20____ , and that such resolution is on file in the City Clerk's Office.

AUTHORIZE AGREEMENT WITH BRENDAN CHARLES TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS AND RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 01-889-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Brendan Charles to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

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AUTHORIZE AGREEMENT WITH SEBASTIEN TORRES TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS AND RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 01-890-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Sebastien Torres to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

AUTHORIZE AGREEMENT WITH HANS LAUB TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS AND RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 01-891-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Hans Laub to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

AUTHORIZE AGREEMENT WITH ELAINE CAMPBELL TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS AND RECREATION DEPARTMENT; NTE \$80,000.00 PER YEAR. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 01-892-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Elaine Campbell to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$80,000 per year 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.

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

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APPROVE PURCHASE ORDERS FOR FUEL FOR VARIOUS CITY DEPARTMENTS.

The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 01-893-2023

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, purchase orders to the indicated vendors in the approximate amount stated, and to approve the supporting bid award if required, for the following requisitions as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>13481</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION
<u>13482</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION
<u>13483</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION
<u>13484</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION
<u>13485</u>	2023	(2050) FLEET MANAGEMENT GARAGE	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION
<u>13486</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION

<u>13487</u>	2023	(2050) FLEET MANAGEMENT GARAGE	LANGAN PARK UNLEADED FUEL (SEALED BID 5624)	\$22,346.64	(279229) PETROLEUM TRADERS CORPORATION
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APPROVE PURCHASE ORDER TO DENNIS ALUMINUM PRODUCTS FOR DECORATIVE ALUMINUM SIGNPOSTS FOR TRAFFICE ENGINEERING; \$19,150.00.

The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 08-894-2023

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:

MINUTES OF AUGUST 15, 2023

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>10320</u>	2023	(2060) TRAFFIC ENGINEERING	DECORATIVE ALUMINUM SIGN POSTS FOR TRAFFIC ENGINEERING (SEALED BID 5766)	\$19,150.00	<u>(44605) DENNIS ALUMINUM PRODUCTS</u>

APPROVE PURCHASE ORDER TO INTERFACE SERVICES, INC. FOR CARPETING FOR OFFICE SPACES ON THE 5TH FLOOR OF GOVERNMENT PLAZA; \$84,240.42.

The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 08-895-2023

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
<u>10726</u>	2023	(3032) ARCHITECTURAL ENGINEERING	CARPETING FOR GOVT PLAZA 5 TH FLOOR OFFICE SPACES (OMNIA SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$84,240.42	<u>(297869) INTERFACE SERVICES INC</u>

APPROVE PURCHASE ORDER TO JUBILEE DÉCOR, LLC FOR HOLIDAY DECORATIONS FOR PARKS & RECREATION DEPARTMENT; \$24,260.00.

The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 08-896-2023

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
<u>11363</u>	2023	(4010) SPECIAL EVENTS	COMMERCIAL HOLIDAY DECORATIONS FOR MPRD (PRICE QUOTE)	\$24,260.00	<u>(296063) JUBILEE DÉCOR LLC</u>

APPROVE PURCHASE ORDER TO KRONOS INCORPORATED FOR ANNUAL RENEWAL OF TELESTAFF WORKFORCE MANAGEMENT SOFTWARE FOR MFRD;

MINUTES OF AUGUST 15, 2023

\$24,242.36. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 08-897-2023

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
<u>13388</u>	2023	(1510) FIRE ADMINISTRATION	ANNUAL RENEWAL OF KRONOS TELESTAFF WORKFORCE MANAGEMENT SOFTWARE FOR MFRD (OMNIA/US COMMUNITIES COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$24,242.36	<u>(294306) KRONOSs INCORPORATED</u>

APPROVE PURCHASE ORDER TO VERTIV CORPORATION FOR ANNUAL RENEWAL OF MAINTENANCE SERVICES FOR MIT DATA CENTER COOLING SYSTEM; \$15,588.00. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 08-898-2023

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
<u>13493</u>	2023	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF MAINTENANCE SERVICES FOR MIT DATA CENTER VERTIV LIEBERT UPS COOLING SYSTEM (SOLE SOURCE/PRICE QUOTE)	\$15,588.00	<u>(295869) VERTIV CORPORATION</u>

AUTHORIZE CONSULTANT CONTRACT WITH BARTER & ASSOCIATES, INC. FOR CONSTRUCTION ADMINISTRATION FOR CATHODIC PROTECTION SYSTEM FOR BULKHEADS AT GULFQUEST AND THE CRUISE TERMINAL; \$64,000.00. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 21-899-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

MINUTES OF AUGUST 15, 2023

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: BARTER & ASSOCIATES, INC.

Project Name: CITY OF MOBILE, ALABAMA -
CONSTRUCTION PHASE SERVICES FOR THE
CATHODIC PROTECTION SYSTEM OF BULKHEADS
AT THE MOBILE, ALABAMA CRUISE TERMINAL &
GULFQUEST MARITIME MUSEUM

Project Number: CT-018b-21

Amount: \$64,000.00

**AUTHORIZE CONTRACT WITH ALLIED CORROSION INDUSTRIES, INC. FOR
INSTALLATION OF CATHODIC PROTECTION SYSTEM FOR BULKHEADS AT
GULFQUEST AND THE CRUISE TERMINAL; \$1,697,046.00.** The following resolution
was held over until the regular meeting of August 22, 2023.

RESOLUTION: 21-900-2023

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: ALLIED CORROSION INDUSTRIES, INC.

Project Name: CITY OF MOBILE, ALABAMA -
CATHODIC PROTECTION SYSTEM OF BULKHEADS
AT THE MOBILE, ALABAMA CRUISE TERMINAL &
GULFQUEST MARITIME MUSEUM

Project Number: CT-018b-21

Amount: \$1,697,046.00

**AUTHORIZE CONTRACT WITH VOLKERT & ASSOCIATES, INC. FOR
PROFESSIONAL PROGRAM MANAGEMENT SERVICES FOR THE CIVIC CENTER;
\$945,259.47.** The following resolution was held over until the regular meeting of August
22, 2023.

RESOLUTION: 21-901-2023

Sponsored by: Mayor Stimpson and Councilmember Carroll

BE IT RESOLVED by the City Council of Mobile, Alabama, that the Mayor and the City Clerk by, 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, subject to the company signing the contract, A copy of said executed agreement will be on file in the office of the City Clerk.

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Name of company: Volkert, Inc.

COM project name: Agreement for Professional Program Management Services Between City of Mobile and Volkert, Inc.

COM project number: CC-034D-22

Contract amount: \$945,259.47

ADOPT THE ALLOCATION PROVIDED BY ADECA FOR THE CDBG-DR PLANNING AWARD. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 31-902-2023

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile receives grant funds from the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program under Title I of the Housing and Community Development Act of 1974, as amended. The CDBG Program is designed to develop viable communities by providing decent housing, a suitable living environment, and expanded economic opportunities; and

WHEREAS, the Alabama Department of Economic and Community Affairs (ADECA) has been awarded Community Development Block Grant-Disaster Recovery funds under the Disaster Relief Supplemental Appropriations Act of 2022 (Public Law 117-43); and

WHEREAS, ADECA has been directed by HUD to utilize the majority of their CDBG-DR funds in designated locations that have been identified as most impacted and distressed areas with regard to hurricanes Sally and Zeta in 2020; and

WHEREAS, the City of Mobile was identified by ADECA through its disaster needs analysis as being the most concentrated area impacted and distressed by these storms and the City staff that administers HUD funds has been verified to have the capacity to carry out CDBG-DR programs and projects directly; and

WHEREAS, prior to the distribution of project and program funds to the City of Mobile, ADECA requires all subrecipients to participate in a Local Recovery Planning Program to further assess local disaster recovery needs and plan for potential project types for implementation; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the CDBG-DR Planning Budget is hereby adopted. Said Planning Budget shall direct resources to identify disaster related needs of affected vulnerable and potentially vulnerable populations as they relate to hurricanes Sally, Zeta, and other potential storms of this nature. All CDBG-DR funds provided for recovery from hurricanes Sally and Zeta shall be adopted locally into the City of Mobile’s Comprehensive HUD Action Plan as part of its first installment within the City’s overall five-year 2023-2027 Consolidated Housing and Community Development Plan. This adoption will include all HUD and City Council approved Citizen Participation and Substantial Amendment requirements.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is to act on behalf of the City of Mobile in the filing of the Local Recovery Plan with the Alabama Department of Economic and Community Affairs, and that this authorization extends to the execution of all required certifications and to all other actions required to obtain referenced Federal funds through ADECA. The Mayor, or his designee, is further authorized to execute Subrecipient Agreements, Administrative Agreements, and associated security documents on behalf of the City in accordance with the table below to reflect the planning allocation:

Line Item	<u>Cost Type</u>	Total
Salaries and Fringe Benefits	<u>Planning</u>	\$237,986.58

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Operating Costs	Planning	\$8,905.00
Professional Services	Planning	\$749,288.64
Other (Travel Costs)	Planning	\$3,819.78
Total	Planning	\$1,000,000.00

A copy of this Amendment shall remain on file in the office of the City Clerk.

AUTHORIZE THE PURCHASE OF 4231 SHIPYARD ROAD WITH GOMESA GRANT FUNDS; \$775,000.00. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 40-903-2023

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and hereby are, authorized to execute Purchase and Sale Agreement and to accept the Deed for the acquisition of 6.09± acres of land, a small cottage and workshop/shed, commonly known as 4231 Shipyard Road, Mobile, Alabama 36619, and more particularly described on Exhibit A, attached hereto and made a part hereof, as set out in the instruments attached hereto for the price of \$775,000.00.

Said property is being conveyed to the City of Mobile by CHARLES C. HINTON, JR., a single man, individually, and as Co-Personal Representative under the Last Will and Testament of Charles C. Hinton, Sr., deceased, and JOSEPH LEE HINTON, a single man, individually, and as Co-Personal Representative under the Last Will and Testament of Charles C. Hinton, Sr., deceased, and SHARON HINTON ANDERSON, a married woman, individually, and as Co-Personal Representative under the Last Will and Testament of Charles C. Hinton, Sr., deceased, and DANE ERIC HINTON, a married man, individually, and as Co-Personal Representative under the Last Will and Testament of Charles C. Hinton, Sr., deceased. and is to be used to accommodate conservation habitat goals and public recreational space in accordance with that certain Project Funding Agreement between State of Alabama Department of Conservation and Natural Resources hereinafter, referred to as "ADCNR", and the City of Mobile.

BE IT RESOLVED THAT THE EXECUTIVE DIRECTOR OF FINANCE be and is authorized and directed to request acquisition funds from the Gulf of Mexico Energy Security Act of 2006 (GOMESA) in the amount of the sales price less prorated share of property taxes payable to Title Company, Pierce Ledyard, PC.

BE IT FURTHER RESOLVED THAT THE DEPUTY DIRECTOR OF REAL ESTATE ASSET MANAGEMENT OF THE CITY OF MOBILE is hereby authorized and directed to execute for and in the name and on behalf of the City of Mobile whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the purchase of said property.

Exhibit A

4231 Shipyard Road Mobile, AL 36619

KEY NO. - 001136087
PARCEL NO - 33 06 39 0 003 025

LEGAL DESCRIPTION: FROM A POINT WHERE THE EAST AND WEST HALF SECTION LINE OF SECTION 23, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, INTERSECTS THE WEST LINE OF THE L&N RAILROAD RIGHT-OF-WAY RUN NORTH 28 DEGREES 21' 47" EAST, ALONG SAID WEST LINE, 3,054.65 FEET; THENCE SOUTH 61 DEGREES 38' 13" EAST, 100 FEET TO AN OLD IRON PIN ON THE EAST LINE OF THE L&N RAILROAD FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED, SAID POINT BEING LOCATED APPROXIMATELY 2,800 FEET NORTHEASTWARDLY FROM THE INTERSECTION OF THE EAST LINE OF THE L&N RAILROAD WITH THE SOUTH LINE OF THE ELEPHANT BEEBE TRACT; THENCE SOUTH 28 DEGREES 21' 47" WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF THE L&N RAILROAD, 198.55 FEET TO A POINT; THENCE NORTH 67 DEGREES 48' EAST, ALONG THE NORTHERLY LINE OF THE LONG PROPERTY, 373.83 FEET TO A POINT; THENCE SOUTH 82 DEGREES 30' EAST, ALONG THE NORTHERLY LINE OF THE LONG PROPERTY, 87.95 FEET; THENCE NORTH 65 DEGREES 29' 35" EAST, ALONG THE NORTHERLY LINE OF THE LONG PROPERTY, 160 FEET, MORE OR LESS, TO THE SOUTHWESTERLY MARGIN OF HALLS MILL CREEK; THENCE NORTHWARDLY AND WESTWARDLY, ALONG THE MEANDERS OF THE CREEK 1320 FEET MORE OR LESS TO THE EAST LINE OF THE L&N RAILROAD RIGHT-OF-WAY; THENCE SOUTHWARDLY ALONG SAID EAST LINE, 1026 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.



ASSENT TO THE VACATION OF A PORTION OF AN ALLEY ADJACENT TO 2411 WILSON AVENUE. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 47-904-2023
Sponsored by: Councilmember Penn

RESOLUTION OF A PORTION OF A ASSENTING TO VACATION UNUSED ALLEY RIGHT-OF-WAY

WHEREAS, it having been made known to the City Council of the City of Mobile that:

The WHEREAS, JORDAN YEAGER VALLAS, ELIZABETH S, DAVID L WALTERS, CHELSEA LAUREN FENTON, and DANIEL JOSEPH LAWRENCE, constitute all of the abutting landowners surrounding an unused alley right-of-way in the City of Mobile, Mobile County, Alabama, said alley right-of-way being more particularly described as follows, to-wit:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, MIDTOWN MOBILE SUBDIVISION AS RECORDED IN MAP BOOK 135, PAGE 2, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE SOUTH 10°-11'-16"- WEST

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ALONG THE EAST LINE OF LOT 2 A DISTANCE OF 62.50 FEET TO A POINT ON THE WESTWARD EXTENSION OF THE NORTH LINE OF LOT 2, BLOCK 5, JACKSON PLACE AS RECORDED IN DEED BOOK 85, PAGE 178-179 OF THE AFORESAID RECORDS FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE EASTWARDLY ALONG SAID WESTWARD EXTENSION 10.00 FEET TO THE CENTERLINE OF AN ALLEY; THENCE SOUTHWARDLY AND PARALLEL WITH THE EAST LINE OF LOT 2, MIDTOWN MOBILE SUBDIVISION 65.62 FEET; THENCE WESTWARDLY 10.00 FEET TO THE SOUTHEAST CORNER OF LOT 2, MIDTOWN MOBILE SUBDIVISION; THENCE NORTH 10° - 11' - 16" EAST 65.62 FEET TO THE POINT OF BEGINNING.

WHEREAS, said right-of-way constitutes an unused alley that serves no public purpose since a portion of said alley abutting the lands described herein has previously been vacated and is not open to the public; and,

WHEREAS, it has been shown to the satisfaction of the Mobile City Council JORDAN YEAGER VALLAS, ELIZABETH S, DAVID L WALTERS, CHELSEA LAUREN FENTON, and DANIEL JOSEPH LAWRENCE are the only owner of lands abutting said abandoned alley portion; and,

JORDAN YEAGER VALLAS, ELIZABETH S, DAVID L WALTERS, CHELSEA LAUREN FENTON, and DANIEL JOSEPH LAWRENCE desire to vacate said unused alley portion described above, have requested the City of Mobile to vacate same, and have provided notice of their 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, JORDAN YEAGER VALLAS, ELIZABETH S, DAVID L WALTERS, CHELSEA LAUREN FENTON, and DANIEL JOSEPH LAWRENCE have now submitted a request to the City of Mobile to vacate said unused alley portion more particularly described herein, being a public street lying within the city limits of the City of Mobile, Alabama, pursuant to Code of Alabama § 23-4-20, as amended; and,

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

WHEREAS, the said unused alley portion more particularly described herein is not needed as a public right-of-way in the City of Mobile, Alabama, and the aforesaid vacation is the public interest; and,

WHEREAS, no other property owners own any land within or abutting the areas affected by this vacation 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: 345 SF – area to be vacated; 7814 SF – Vallas tract; 9319 SF – Walters tract; 6443 SF – Fenton tract; and the current year assessed values as determined by the Mobile County Revenue Commissioner on all tracts that abut the right-of-way sought to be vacated are as follows: \$31,500 – Vallas tract; \$42,000 – Walters tract; \$42,000 – Fenton tract; and,

NOW, THEREFORE, the premises considered, BE IT RESOLVED by the City Council of the City of Mobile, pursuant to § 23-4-20 of the Code of Alabama (1975), as amended, that the following described right of way of Royal Street is hereby vacated:

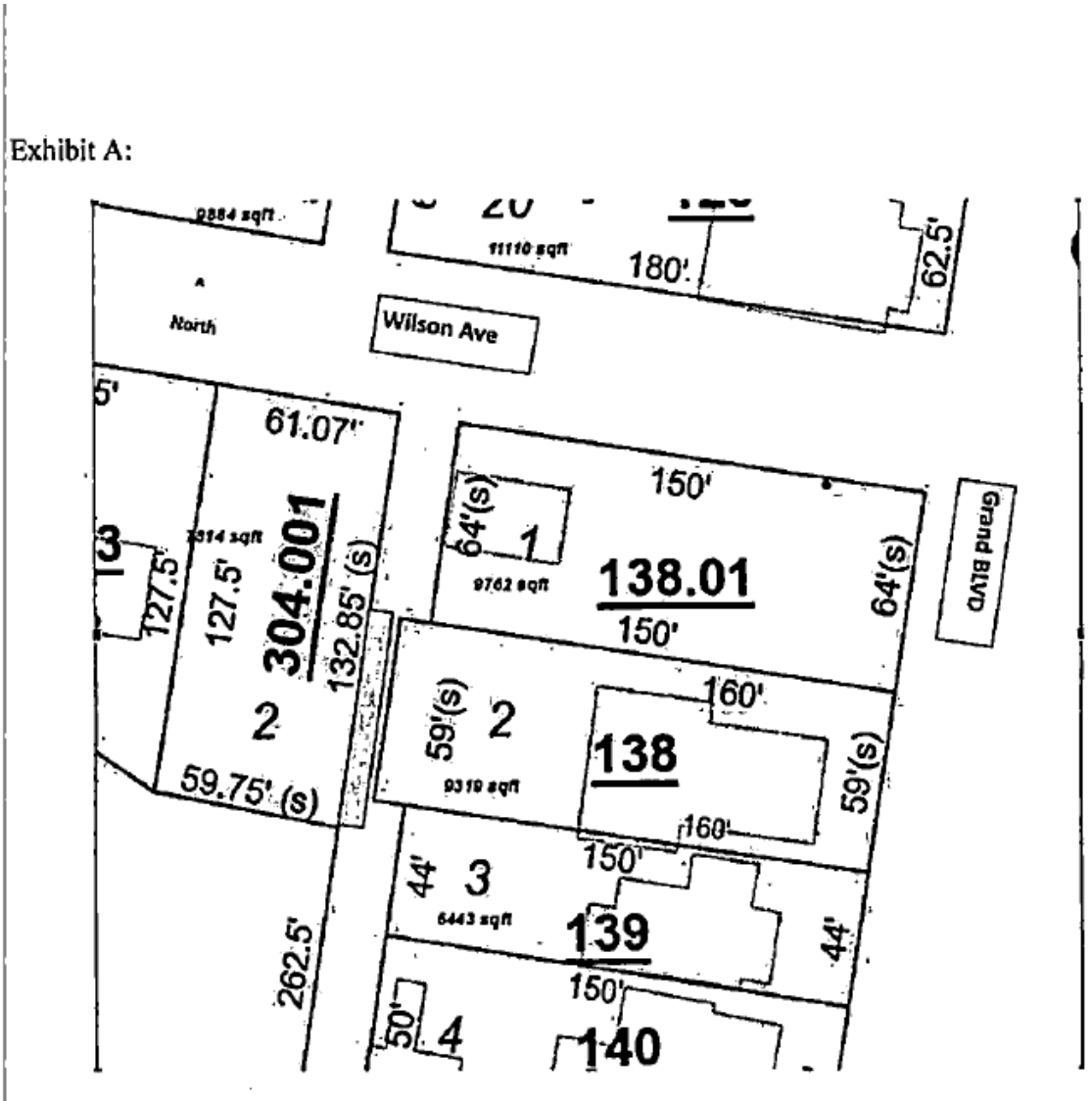
COMMENCING AT THE NORTHEAST CORNER OF LOT 2, MIDTOWN MOBILE SUBDIVISION AS RECORDED IN MAP BOOK 135, PAGE 2, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE SOUTH 10° - 11' - 16" WEST ALONG THE EAST LINE OF LOT 2 A DISTANCE OF 62.50 FEET TO A POINT ON THE WESTWARD EXTENSION OF THE NORTH LINE OF LOT 2, BLOCK 5, JACKSON

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PLACE AS RECORDED IN DEED BOOK 85, PAGE 178-179 OF THE AFORESAID RECORDS FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE EASTWARDLY ALONG SAID WESTWARD EXTENSION 10.00 FEET TO THE CENTERLINE OF AN ALLEY; THENCE SOUTHWARDLY AND PARALLEL WITH THE EAST LINE OF LOT 2, MIDTOWN MOBILE SUBDIVISION 65.62 FEET; THENCE WESTWARDLY 10.00 FEET TO THE SOUTHEAST CORNER OF LOT 2, MIDTOWN MOBILE SUBDIVISION; THENCE NORTH 10° - 11' - 16" EAST 65.62 FEET TO THE POINT OF BEGINNING.

Notice of this Resolution shall be published once in a newspaper in Mobile County no later than fourteen (14) days after its adoption.

ADOPTED this the _____ day of _____, 2023, in Mobile, Alabama.



COMMENCING AT THE NORTHEAST CORNER OF LOT 2, MIDTOWN MOBILE SUBDIVISION AS RECORDED IN MAP BOOK 135, PAGE 2, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE SOUTH 10° - 11' - 16" WEST ALONG THE EAST LINE OF LOT 2 A DISTANCE OF 62.50 FEET TO A POINT ON THE WESTWARD EXTENSION OF THE NORTH LINE OF LOT 2, BLOCK 5, JACKSON PLACE AS RECORDED IN DEED BOOK 85, PAGE 178-179 OF THE AFORESAID RECORDS FOR THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE EASTWARDLY ALONG SAID WESTWARD EXTENSION 10.00 FEET TO THE CENTERLINE OF AN ALLEY; THENCE SOUTHWARDLY AND PARALLEL WITH THE EAST LINE OF LOT 2, MIDTOWN MOBILE SUBDIVISION 65.62 FEET; THENCE WESTWARDLY 10.00 FEET TO THE SOUTHEAST CORNER OF LOT 2, MIDTOWN MOBILE SUBDIVISION; THENCE NORTH 10° - 11' - 16" EAST 65.62 FEET TO THE POINT OF BEGINNING.

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ASSENT TO THE VACATION OF A PORTION OF A U.S. HIGHWAY 90 WEST SERVICE ROAD. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 47-905-2023

Sponsored by: Councilmember Reynolds

WHEREAS, TVH FARMS LLC, ("Petitioner"), is the owner of certain lands which abut a portion of a right of way situated in the City of Mobile, Alabama, hereinafter described;

WHEREAS, Petitioner has filed a Petition with the City Council of the City of Mobile (the "City requesting that the City Council adopt a resolution to vacate a portion of said right of way on;

WHEREAS, it has been shown to the satisfaction of the City Council that Petitioner is the sole property owner abutting said City of Mobile right of way, that the same is not needed as a right of way in the City Alabama, that the vacation of same will not deprive any other property owner a right to convenient and ingress and egress to and from any other property, and that it would be to the best interest of the City Council to vacate the same;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that its assent be and it is hereby given to TVH FARMS LLC, to the vacation and closing by them of the portion of the right of way of the City of Mobile, Alabama more particularly described as follows:

Beginning at the Southwest corner of Lot 21, Plantation Commercial Park, as recorded in Map Book 95, page 50 of the Probate Court Records, Mobile County, Alabama; Thence N-89°-49'-17"-W, along a westward extension of said Lot 21, for 50.23 feet to a point on the East right of way line of U.S. Highway 90, 174' public R/W; Thence N-05°-41'-43"-E, along the East right of way line of said U.S. Highway 90, for 104.82 feet; Thence S-84°-18'-17"-E, leaving the East right of way line of said U.S. Highway 90, for 50.00 feet to a point on the West line of aforesaid Lot 21; Thence S- 05°-41'-43"-W, along the West line of said Lot 21, for 100.00 feet to the Point of Beginning and containing 5120 square feet or 0.1175 acres, more or less.

CONSIDER A VACATION OF RIGHT-OF-WAY FEE AS A CONDITION OF THE VACATION OF A PORTION OF U.S. HIGHWAY 90 WEST SERVICE ROAD. The following resolution was held over until the regular meeting of August 22, 2023.

RESOLUTION: 47-906-2023

Sponsored by: Councilmember Reynolds

RESOLUTION ESTABLISHING FAIR MARKET VALUE OF PROPERTY TO BE VACATED PURSUANT TO RESOLUTION 47-904-2023 AND REQUIRING PAYMENT OF SUCH FAIR MARKET VALUE AS A CONDITION PRECEDENT TO THE VACATION

WHEREAS, Section 11-49-6 of the Code of Alabama provides that prior to the exercise of the power to vacate a public right-of-way, the City may, as a condition of the exercise of such power to vacate, require those landowners who will directly benefit from such vacation to pay the City a vacation of right-of-way fee equal to the fair market value of the land which will be added to the holdings of such landowners; and,

WHEREAS, Section 11-49-6 requires that such fair market value is to be determined after a public hearing; and,

WHEREAS, a public hearing was held before the Mobile City Council on the 15th day of August, 2023, with regards to the fair market value to be determined for the vacation of a portion of a U. S. Highway 90 West Service Road.

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

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Section One: That the Council, after conducting the public hearing required by Section 11-49-6, does hereby determine that the fair market value of the public right-of-way being a portion of a U.S. Highway 90 West Service Road to be vacated pursuant to Resolution 47-904-2023 is \$7,014.40 and that such amount is due to be assessed as the reasonable fee for the vacation of such right-of-way.

Section Two: That payment of the fee set forth in Section One of this Resolution is and shall be a condition precedent to the exercise of the power to vacate the right-of-way, such that payment of such fee is required before the vacation of the right-of-way shall become effective.

ANNOUNCEMENTS

Councilmember Woods thanked the administration for hosting annexation community meetings throughout the new annexed portions of the city.

Councilmember Small stated that the 50-year Pastoral anniversary celebration for Reverend Jonathan Yates at El Bethel Primitive Baptist Church was a great success on this past Sunday.

Councilmember Small announced that Gayle Street was honorarily renamed, “Dr. Jonathan L. Yates Street” this weekend.

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 11:51 a.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK