MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 3, 2018

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 Thursday, January 3, 2018, at 9:00 a.m.

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

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

The Presiding Officer adjourned the meeting.

Approved: January 8, 2019

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 3, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Thursday, January 3, 2019, at 10:30 a.m., in regular meeting.

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

Father Andrew Jones, Parochial Vicar of Little Flower Catholic Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

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

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

1) Any person desiring to address the Council must register upon entering the meeting area. When addressing the Council, the speaker must state his/her name and address.

2) Each speaker is allowed five minutes to address the Council. A bell will sound to indicate the end of 4 minutes. One minute is allowed for summarizing. The second bell indicates the time has expired.

3) To maintain decorum, there will be no undue applause and/or public outcry allowed.

4) When addressing the Council, there is to be no personal address to any individual Councilmember. All statements are to be made to the Chair who will recognize any Councilmember who wishes to respond.

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting. The subject he/she wishes to address must be identified. Any person attending the

meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

6) Those persons desiring to speak on agenda items must indicate the resolution, ordinance, appeal, or public hearing item on arrival when signing in for the meeting.

APPROVAL OF MINUTES:

The minutes of the meeting of December 18, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

None

REPORTS OF COMMITTEES:

None.

ADOPTION OF THE AGENDA:

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

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

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

APPEALS:

The Council considered the request of Lieutenant Kay Taylor, Mobile Police Department, for a waiver of the Noise Ordinance at Cathedral Square, Conti Street, on January 19, 2019, from 11:30 a.m. until 2:30 p.m. (District 2).

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

Ayes: Manzie, Richardson, Small, Williams, Daves, Rich 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 APPROVE THE APPLICATION OF SANDRA PAIGE D/B/A PAIGE INDEPENDENT TRANSPORTATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to approve the application of Sandra Paige d/b/a Paige Independent Transportation for a Certificate of Public Convenience and Necessity to operate a shuttle service and asked if there was anyone present to speak for or against this matter.

Sandra Paige, 6009 Mission Hill Court, spoke in support of her application.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

Herb Wagner, 732 Jemison Street, expressed his support for the Council with regards to Resolution 60-015.

NON-AGENDA ITEMS:

None

ORDINANCES HELD OVER:

REZONE PROPERTY AT 2503, 2505 AND 2507 OLD SHELL ROAD AND 35 AND 37 HURLBERT STREET (SOUTH SIDE OF OLD SHELL ROAD, 60’ ± WEST OF HURLBERT STREET EXTENDING TO THE WEST SIDE OF HURLBERT STREET, 100’ ± SOUTH OF OLD SHELL ROAD), FROM B-2 AND R-1 TO B-1 (DISTRICT 1). The following ordinance, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

ORDINANCE: 64-035-2018

Sponsored by: Councilmember Richardson

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

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

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

LOTS 3, 4 AND 7 OF HOMER PLACE, BLOCK 1, AS RECORDED IN DEEDBOOK 116, PAGE 241, RECORDED BY THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA (PROPOSED TO BE LOT A CLARK'S OLD SHELL ROAD SUBDIVISION).

LOT 1 J.C. LAWRENCE SUBDIVISION, MAPBOOK 117, PAGE 36, RECORDED BY THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA (PROPOSED TO BE LOT A CLARK'S OLD SHELL ROAD SUBDIVISION).

The classification of said property is hereby changed fi-om B-2, Neighborhood Business District, and R-1, Single-Family Residential District, to B-1, Buffer Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a B-1, Buffer 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-1, Buffer-Business District, until all of the conditions set forth below have been complied with: 1) Provision of an 8-foot high opaque (wood or synthetic wood) fence along the South property line, to end in-line with the facade of the house to the South, and the provision of a 10 ft wide evergreen vegetative buffer; 2) the curb cut to Old Shell Road is to have separate right and left turn exit lanes, in addition to the entry lane; 3) the curb cut to Hulbert Street is to only allow for right in/left out from the site; 4) provision of appropriate signage as it relates to ingress and egress; 5) the dumpster is to be located on the West boundary of the site; 6) Funding a second traffic calming device for Hurlbert Street upon determination of necessity by the City; 7) completion of the Subdivision process; and 8) full compliance with all municipal codes and ordinances.

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

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

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

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

ORDINANCE DEEMING PROPERTY AT 650 ST. ANTHONY STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PUPORSES AND AUTHORIZING THE SALE TO ACTIVATION MAINTENANCE, LLC. The following ordinance, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

ORDINANCE: 88-036-2018

Sponsored by: Mayor Stimpson

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

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to Activation Maintenance, LLC.

SEE ATTACHED EXHIBIT “A”

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Sales Agreement for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

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

SECTION SIX: The proceeds from this sale to be placed in a Capital Building Acquisition Fund.

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

**EXHIBIT A**

**Legal Description**

Parcel ID: RO2290640000322

BEGINNING AT THE SOUTHWEST CORNER OF STATE STREET AND DEARBORN STREET, RUN THENCE SOUTH 68° - 09' – 49" WEST ALONG THE SOUTH LINE OF STATE STREET, 215.13 FEET TO A POINT; THENCE SOUTH 21° - 50' – 15" EAST ALONG THE EAST LINE OF WASHINGTON AVENUE, 150.11 FEET TO A POINT; THENCE NORTH 67° - 54' – 20" EAST 80.00 FEET TO A POINT; THENCE SOUTH 21° - 50' – 15" EAST 70.11 FEET TO A POINT ON THE NORTH LINE OF ST. ANTHONY STREET; THENCE NORTH 67° - 54' – 20" EAST ALONG SAID NORTH LINE 135.17 FEET TO A POINT; THENCE NORTH 21° - 50' – 50" WEST ALONG THE WEST LINE OF DEARBORN STREET, 219.25 FEET TO THE POINT OF BEGINNING.

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

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

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

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT FOR USE OF RIGHT-OF-WAY AT 3153 DAUPHIN STREET. The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-878-2018

Sponsored by: Councilmember Richardson and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, hereby finds the following description property is no longer needed for municipal purposes, and 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 Right-of-Way Agreement for 3153 Dauphin St., Mobile, AL 36606 by and between the City of Mobile and B Co., LLC, an Alabama limited liability company; Patricia M. Lyon, Marguerite Mudd Walter and Regions Bank as trustees of the Trust for the Benefit of Robert H. Mudd, Jr. created under Article Twelve of the Last Will and Testament of Emelil Mudd Williams, deceased; Ezra Bouchelle Trice, Jr.; David Thornton Trice; James Crawford Trice; Daniel Hall Trice; and Richard Radcliff Trice as outlined in the agreement attached hereto and made a part hereof as though set forth in full herein. A copy of said agreement is on file in the office of the City Clerk.

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

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

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

RE-ALLOCATE $1,244.00 FROM CAPITAL PROJECT (C0029) FACILITY MAINTENANCE: PUBLIC BUILDINGS (FUND 2000) TO GENERAL FUND 10043034-44020 FACILITY MAINTENANCE: PUBLIC BUILDINGS OPERATING SUPPLIES GENERAL FUND FOR REIMBURSEMENT FOR THE PURCHASE OF STAIR TREADS FOR HANK AARON STADIUM. The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 09-879-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $1,244.00 be re-allocated from Capital Project (C0029) Facility Maintenance: Public Buildings (Fund 2000) to General Fund 10043035-44020 Facility Maintenance: Public Buildings Operating Supplies General Fund, for reimbursement for the purchase of stair treads for Hank Aaron Stadium.

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

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

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

AUTHORIZE CONTRACT WITH SOS/AAA IRON WORKS, INC. FOR FIRE STATION #28-ELECTRIC CANTILEVER SLIDE GATE INSTALLATION, $17,400.00 (FD-075-18; C0109). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-880-2018

Sponsored by: Councilmember Williams and Mayor Stimpson

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

Name of company: SOS/AAA iron Works, Inc.

Project name: Fire Station #28 - Electric Cantilever Slide Gate Installation

Project number: FD-075-18

Amount: $17,400.00

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

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

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

AUTHORIZE CONTRACT WITH THOMAS INDUSTRIES, INC. FOR GULFQUEST MARITIME MUSEUM-ROOF REPAIRS, $120,116.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-881-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Thomas Industries, Inc.

Project name: GulfQuest Maritime Museum - Roof Repairs

Project number: MU-027-18

Amount: $120,116.00

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

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

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

AUTHORIZE CONTRACT WITH ROB'T J. BAGGETT, INC. FOR CITY OF MOBILE, ALABAMA CRUISE TERMINAL PARKING DECK REPAIRS-PHASE 2, $88,187.00 (CT-004-19; C0259). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-882-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MQBILE, 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: Rob't J. Baggett, Inc.

Project name: City of Mobile, Alabama Cruise Terminal
Parking Deck Repairs - Phase 2

Project Number: CT-004-19

Amount: $88,187.00

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

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

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

AUTHORIZE CONTRACT WITH S & O ENTERPRISES, INC. FOR CRUISE TERMINAL OFF-SITE PARKING SECURITY SYSTEM-MOBILE CIVIC CENTER PARKING LOT, $14,475.00 (SR-009-19; C0259). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-883-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: S & O Enterprises, Inc.

Project name: Cruise Terminal Off Site Parking Security System Mobile Civic Center Parking Lot

Project number: SR-009-19

Amount: $14,475.00

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

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

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

AUTHORIZE CONTRACT WITH JIM BOOTHE CONTRACTING AND SUPPLY COMPANY, INC. FOR POLICE ACADEMY-CLASSROOM ACOUSTICAL TREATMENT, $8,401.00 (PD-084-18). The following resolution, which was introduced and read at the regular meeting of Tuesday, December 18, 2018 and held over until the regular meeting of January 3, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-884-2018

Sponsored by: Councilmember Small and Mayor Stimpson

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

Name of company: Jim Boothe Contracting and Supply Company, Inc.

Project name: Police Academy - Classroom Acoustical Treatment

Project number: PD-084-18

Amount: $8,401.00

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 03-001 – 60-015 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

CONCUR IN THE APPOINTMENT OF CHARLES E. STORY TO THE MOBILE COUNTY DEPARTMENT OF HUMAN RESOURCES. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 03-001-2019

Sponsored by: City Council and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the City Council concurs in the appointment of Charles E. Story to the Mobile County Department of Human Resources Board for a term effective immediately and ending September 30, 2024.

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

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

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

RE-APPOINT STEVE STONE TO THE ARCHITECTURAL REVIEW BOARD. The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 03-014-2019

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Steve Stone is re-appointed to the Architectural Review Board effective immediately for a term ending December 31, 2021.

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR PURPLE COW 303, 6585 RANGELINE ROAD. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 037-002-2019

Sponsored by: Councilmember Williams

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 (Off Premises Only) License

Submitted by: AJ and BJ, Inc.

Location: Purple Cow 303
6585 Rangeline Road
Theodore, AL 36582

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (ON/OFF PREMISES) LICENSE FOR HAMPTON INN MOBILE BREAKFAST, 5478 INN ROAD. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 37-003-2019

Sponsored by: Councilmember Williams

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: ALA 4 Licensee, LLC

Location: Hampton Inn Mobile Breakfast
5478 Inn Road
Mobile, AL 36619

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

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

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

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR CONTRIBUTION TO THE COURTYARD AT MAGNOLIA GROVE HOMEOWNERS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 60-004-2019

Sponsored by: Councilmember Gregory

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

WHEREAS, Councilmember Gregory wishes to donate $8,000.00 to The Courtyard at Magnolia Grove Homeowners Association from her discretionary funds; and

WHEREAS, The Courtyard at Magnolia Grove Homeowners Association is an Alabama nonprofit corporation which provides landscaping and upkeep of Magnolia Grove Parkway; and

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

WHEREAS, the Mobile City Council determines that this contribution to The Courtyard at Magnolia Grove Homeowners Association will be used to cover the cost to add MAWSS water line, irrigation system and extensive landscaping for Magnolia Grove Parkway project and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to The Courtyard at Magnolia Grove Homeowners Association serves a public purpose and further approves and directs the payment of same.

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

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

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

ADHERE TO ORDINANCE 14-034, NOTWITHSTANDING THE OBJECTIONS OF THE MAYOR. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 60-015-2019

Sponsored by: Councilmember Richardson

A RESOLUTION ADHERING TO ORDINANCE 14-034 NOTWITHSTANDING THE OBJECTIONS OF THE MAYOR

Due consideration having been given to the “Disapproval of Ordinance 14-034 and Objections” dated December 27, 2018 received from Mayor William S. Stimpson and reported by the City Clerk with respect to Ordinance 14-034, pursuant to Section 11-44C-28 the City Council, by the required majority vote of the members elected to the Council taken by yeas and nays and spread upon the minutes, hereby adheres to Ordinance 14-034 notwithstanding said objections. Ordinance 14-034, attached hereto, shall take effect immediately upon the adoption of this Resolution which constitutes passage of Ordinance 14-034 over the said Disapproval of Ordinance 14-034 and Objections by the Mayor.

AN ORDINANCE TO AMEND AND RESTATE CHAPTER 14 OF THE CODE OF ORDINANCES FOR THE CITY OF MOBILE, ALABAMA ENTITLED "CONTRACTS" TO PROVIDE FOR FILING, DISCLOSURE AND OTHER REQUIREMENTS FOR CERTAIN CITY CONTRACTS; AND TO IDENTIFY OFFICERS AUTHORIZED TO EXECUTE CONTRACTS ON BEHALF OF THE CITY

BE IT ORDAINED by the City Council of the City of Mobile, Alabama as follows:

Section One. Chapter 14 of the Code of Ordinances for the City of Mobile, Alabama, 1991 is hereby amended and restated to read as follows:

"Sec. 14-1 Findings

(a) The City of Mobile is an Alabama Class 2 municipality created pursuant to the Zoghby Act, Ala. Code §11-44C-1 ef seq. and vested with a portion of the State's sovereign power to protect the public health, safety and welfare. Ala. Code §11-45-1.

(b) All powers of the City are "vested in the council, which is authorized to enact ordinances, adopt budgets and determine policies." All powers "shall be exercised in the manner prescribed [by the Zoghby Act] or if the manner be not prescribed, then in such manner as may be prescribed by law or by ordinance." Ala. Code §11-44C-10-11.

(c) In addition to the powers enumerated in the Zoghby Act, the Council has all of the powers granted to municipal corporations by the constitution and laws of the State of Alabama, Together with "all the implied powers necessary to carry into execution alt the powers granted." Ala. Code §11-44C-12.

(d) The power to contract is specifically vested in the Council by Ala. Code §11-40-1: "All municipal organizations are "bodies politic and corporate" with the power to "contract and be contracted with."

(e) The Council is charged with the "management and control of the finances and all of the property, real and personal, belonging to the City." Ala. Code §11-43-56. To be valid, all contracts of the City must be in writing, serve a public purpose, and be executed in the name of the City by the officers authorized by law or ordinance. Ala. Code §11-47-5. The Council has previously authorized the Mayor to execute certain contracts without council approval, see e.g. §2-66, Mobile City Code.

(f) The purpose of this ordinance is to promote transparency in the contracting purpose; to adopt reasonable regulations with respect thereto; to require full disclosure of the City’s contractual obligations; and to specify the officers authorized to contract on behalf of the City. Sec. 14-2 Disclosure and Other Requirements.

(a) Definitions. As used in this chapter, the term “contract” means a written agreement, by whatever name, that imposes a financial obligation on the City; or that affects, or may affect, any property rights of the City. The term does not include deeds, contracts or bonds required in judicial proceedings, as set forth in Ala. Code §11-43-83.

(b) Disclosure Requirements. Not later than 30 days from the effective date of this ordinance, the Mayor shall cause to be filed with the City Clerk a true and correct copy of the following:

1) grant agreements that are or will be in effect for the 2018-19 fiscal year;

2) retainer agreements, engagement letters or other contracts for legal services with attorneys whether hired pursuant to Ala. Code §11-44C-38(b) or otherwise;

3) all contracts, letters or other communications setting out or describing the terms of the employment of the City Attorney; any firm with which he is affiliated as City Attorney or chief legal advisor to the Mayor; or any in any other capacity compensated or funded by the City of Mobile; and

4) appointment letters or agreements to employ any person who is not in the “classified service” as defined by Act 470, Section II (otherwise known as the Mobile County Personnel Law), and any person whom the Mayor has appointed to a position pursuant to Ala. Code §11-44C-40 or any other authority. Such disclosures shall identify the person’s title, department, salary, supervisor, length of service and all other terms of employment.

Sec. 14-3 Contract Procedures

(a) Execution. All contracts shall be in writing, serve a public purpose, and be executed in the name of the City by the officers authorized by law or ordinance. The Mayor shall have no authority to execute any contract that has not first been approved by the City Council, except for deeds and bonds required in judicial proceedings, and as may be authorized by this Chapter.

(b) Bid Awards. All bids shall be awarded by resolution duly adopted by the Council.

(c) Settlements. No payment shall be made to settle, adjust, or compromise any litigation, claim, debt, account, dispute, demand for or against the City, unless the agreement is first reduced to writing, presented to and approved by the Council, except for settlements with a monetary value of less than $5,000 and which have been approved by the Mayor and the City Attorney. All settlements, in any amount, shall be promptly filed with the City Clerk.

(d) Performance Contracts. All commitments to fund organizations, regardless of funding source, shall require a performance contract and resolution of the council finding a public purpose for the expenditure.

(e) Budgeted Performance Contracts. Not later than 30 days after the effective date of this ordinance, the Mayor shall prepare performance contracts for all organizations that are itemized in the annual budget, and shall submit such contracts to the council for approval. Thereafter, such performance contracts shall be prepared and submitted to the Council for approval not later than 30 days after the effective date of the general fund budget.

Sec. 14-4 Change Orders.

The Mayor is authorized to approve change orders to city construction contracts subject to at least one (1) of the following criteria. All change orders shall be filed in the Clerk's office.

1) Minor changes for a total monetary value less than required for competitive bidding under the State competitive bid laws.

2) Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of the work.

3) Emergencies arising during the course of the work on the contract.

4) Changes or alternates provided for in the original bidding where there is no difference in price on the change order from the original best bid on the alternate.

5} Changes of relatively minor items not contemplated when the plans and specifications were prepared and the project was bid which are in the public interest and which do not exceed ten (10) percent of the contract price. This shall mean that the total of all change orders on each contract shall not exceed ten (10) percent of the contract price for each project.

Sec. 14-5 Leases

If a new lease or lease-purchase requires funding which will overlap into the subsequent budget year, Council approval will be required.

Sec. 14-6 Contracts Requiring Budget Amendments.

All contracts requiring a budget amendment for funding must come before the Council in order to appropriate funds.

Sec. 14-7 Contract Implementing Major Programs

Contracts which implement major programs for the City should come before the Council for the purpose of full disclosure. This includes but is not limited to contracts which exceed seven thousand five hundred dollars ($7,500.00) for construction, consultants, training, lease purchases, privatized services, and other contracts for services.

Sec. 14-8 Contracts for Routine Purchases

For the purposes of this chapter, a contract shall be deemed for routine purchases if the total amount of the contract is less than seven thousand five hundred dollars ($7,500.00). Pursuant to Ala. Code §ll-44C-72, the purchasing agent may execute contracts for routine purchases so long as it is pursuant to a written requisition from the head of the office, department or agency whose appropriation will be charged; and no contract or order shall be issued to any vendor unless and until the director of finance certifies that there is a sufficient unencumbered appropriation balance to pay for the supplies, materials, equipment or contractual service for which the contract or order is to be issued.

Sec. 14- 9 Nondiscrimination provisions to be included in municipal contracts.

All municipal contracting agencies shall include in every municipal contract hereafter entered into the following provisions:

"During the performance of this contract the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin or disability. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, national origin or disability. Such action shall include but not be limited to the following: Employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting agency of the municipality setting forth the provisions of this nondiscrimination clause.

2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualifying applicants will receive consideration for employment without regard to race creed, color, national origin or disability.

3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the municipal contracting agency, advising the labor union or worker's representative of the contractor's commitments under this section, and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

4. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract, this contract may be canceled, terminated or suspended In whole or in part and the contractor may be declared ineligible for further municipal contracts.

5. The contractor will include the provisions of this section in every subcontract or purchase order unless exempted by written orders of the governing body of the City of Mobile so that such provisions will be binding upon each subcontractor or vendor.

6. Each contractor will agree to the above in writing, including the contractor's commitment to follow the Americans with Disabilities Act of 1990."

Sec. 14-10 Participation by socially and economically disadvantaged contractors.

(a) All contracts or agreements entered into by the City or any entity thereof for any service of any kind, whether by bid or otherwise, including but not limited to professional services and bond issues, shall make every reasonable effort to require that the contractor, firm or company to which any such contract is awarded must have at least fifteen (15) percent participation by socially and economically disadvantaged individuals, or the City shall make every reasonable effort to ensure that at least fifteen (15) percent of the total value of all such contracts or agreements described above shall be awarded to qualified contractors or professionals who are socially and economically disadvantaged.

(b) The City will hire a consultant to provide technical assistance and recommend regulations to the City to ensure every reasonable effort is made to implement this section.

Section Two. This Ordinance repeals Section 2-66(e), 2-66(f), 2-66(g), 2-66(h), 2-66(1), 2-66{j), 2-66(k), 2-66(1), and 2-66(m).

Section Three. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation In this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

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

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

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

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

Councilmember Richardson moved for the suspension of the rules to consider CIP Resolution 21-006 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CHANGE ORDER #1 TO CONTRACT WITH MCELHENNEY CONSTRUCTION COMPANY, LLC FOR GRAND BOULEVARD-2016 DRAINAGE IMPROVEMENTS, ADD $75,938.40 (COM PROJECT NO. 2016-202-03; C0195). The following resolution was held over until the regular meeting of Tuesday, January 8, 2019.

RESOLUTION: 13-005-2019

Sponsored by: Councilmember Richardson and Mayor Stimpson

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

Name of company: McElhenney Construction Company, LLC

Project name: Grand Blvd. -2016 Drainage Improvements

Change order amount: $75,938.40 (Increase)

COM project no.: 2016-202-03

AUTHORIZE CONTRACT AMENDMENT WITH MOTT MACDONALD FOR GRAND BOULEVARD-2016 DRAINAGE IMPROVEMENTS, ADD $15,983.92 (COM PROJECT NO. 2016-202-03; C0195). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 21-006-2019

Sponsored by: Councilmember Richardson and Mayor Stimpson

WHEREAS, the City entered into a contract dated October 13, 2015 with Hatch Mott MacDonald for engineering services on the project known as Grand Blvd. - 2016 Drainage Improvements, C.O.M. Project No. 2016-202-03.

WHEREAS, Hatch Mott MacDonald is now known as Mott MacDonald.

WHEREAS, the fees for the engineering services are based on a percentage of the total project cost, with the fee percentage for contracts between $250,000.00 and $500,000.00 being 6.9% for the design stage and 5.5% for the construction stage; and

WHEREAS, at the time the contract was entered into it was estimated that the contract cost would be $500,000.00, and engineering fees based on that contract amount, would have been $65,000.00; and

WHEREAS, the final project cost is $704,208.00, with the fee percentage for contracts between $500,000.00 and $750,000.00 being 6.5% for the design stage and 5.0% for the construction stage, the professional engineering fees have been adjusted to properly compensate Mott MacDonald, thereby Increasing professional engineering fees by $15,983.92 to a total of $80,983.92; and

WHEREAS, the contract provides on Page 12 (V, If) that the Total fees for professional engineering services for this contract shall not exceed $65,000.00 unless authorized by the COUNCIL;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of $15,983.92, for a total of $80,983.92, to be paid to Mott MacDonald for engineering services on the Grand Blvd. - 2016 Drainage Improvements Project.

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

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

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH ROBERT J. BAGGETT, INC. FOR GANGWAY PREVENTATIVE MAINTENANCE & INSPECTIONS-TECHNICIANS-MOBILE, ALABAMA CRUISE TERMINAL, $132,872.00 3-YEAR CONTRACT (SC-008-19; 60206020-42200). The following resolution was held over until the regular meeting of Tuesday, January 8, 2019.

RESOLUTION: 21-007-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Robert J. Baggett, Inc.

Project name: Gangway Preventative Maintenance &
Inspections - Technicians
Mobile, Alabama Cruise Terminal

Project number: SC-008-19

Amount: $43,240.00 (1st Year - Initial Term)
$44,292.00 (2nd Year – 1st Additional Term)
$45.340.00 (3rd Year – 2nd Additional Term)
$132,872.00 3 Year Contract

AUTHORIZE CONTRACT WITH ROB'T J. BAGGETT, INC. FOR CITY OF MOBILE, ALABAMA CRUISE TERMINAL FIXED GANGWAY STAIR IMPROVEMENTS, $45,500.00 (CT-009-19; C0259). The following resolution was held over until the regular meeting of January 8, 2019.

RESOLUTION: 21-008-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Rob't J. Baggett, Inc.

Project name: City of Mobile, Alabama Cruise Terminal
Fixed Gangway Stair Improvements

Project number: CT-009-19

Amount: $45,500.00

AUTHORIZE CONTRACT WITH A & M PORTABLES, INC. FOR MARDI GRAS 2019-PORTABLE TOILETS VARIOUS CITY OF MOBILE LOCATIONS, $44,913.00 (PS-001-19; 100043037-42140). The following resolution was held over until the regular meeting of January 8, 2019.

RESOLUTION: 21-009-2018

Sponsored by: Mayor Stimpson

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

Name of company: A & M Portables, Inc.

Project name: Mardi Gras 2019 - Portable Toilets
Various City of Mobile Locations

Project number: PS-001-19

Amount: $44,913.00

AUTHORIZE CONTRACT WITH JUBILEE LANDSCAPE MANAGEMENT, INC. D/B/A JUBILEESCAPE FOR LANDSCAPING MAINTENANCE MOBILE MUSEUM OF ART, $53,928.00 3-YEAR CONTRACT (SC-045-19; 10040560-42140). The following resolution was held over until the regular meeting of January 8, 2019.

RESOLUTION: 21-010-2019

Sponsored by: Councilmember Gregory and Mayor Stimpson

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

Name of company: Jubilee Landscape Management, Inc.

d/b/a JubileeScape

Project name: Landscaping Maintenance
Mobile Museum of Art

Project number: SC-045-19

Amount: $17,976.00 (Year 1 - Initial Term)
$17,976.00 (Year2 -1st Additional Term)
$17.976.00 (Year 3 – 2nd Additional Term)
$53,928.00 3 Year Contract

AUTHORIZE PROFESSIONAL SERVICES CONTRACT WITH GOODWYN, MILLS & CAWOOD, INC. FOR PROGRAMMING AND SPACE PLANNING SERVICES, $32,050.00 (20002000-42200). The following resolution was held over until the regular meeting of January 8, 2019.

RESOLUTION: 21-011-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE. AU\BAMA, 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: GOODWYN, MILLS & CAWOOD INC.

Project name: PROFESSIONAL SERVICES AGREEMENT FOR PROGRAMMING AND SPACE PLANNING SERVICES

Project number: N/A

Amount: $32,050.00

APPROVE THE APPLICATION OF SANDRA PAIGE D/B/A PAIGE INDEPENDENT TRANSPORTATION, FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of Tuesday, January 8, 2019.

RESOLUTION: 37-012-2019

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, pursuant to the provisions of Ordinance #59-073-2005, that the application of Sandra Paige, d/b/a Paige Independent Transportation, for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

CALL FOR PUBLIC HEARINGS:

CALL FOR PUBLIC HEARING TO REZONE PROPERTY AT 5560 TODD ACRES DRIVE (NORTH SIDE OF TODD ACRES DRIVE, 2/10 MILE ± WEST OF COMMERCE BOULEVARD WEST), FROM B-5 TO I-1 (DISTRICT 4). The following resolution was introduced by Councilmember Williams.

RESOLUTION: 41-013-2019

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

NOTICE OF HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE

Notice is hereby given that the City Council of Mobile proposes to consider the adoption of the attached amendment to the Ordinance adopted on the 16th day of May, 1967, and known as the "Zoning Ordinance." The adoption of such amendment will be considered by the City Council of Mobile in the Auditorium of the Mobile Government Plaza located at 205 Government Street, Mobile, Alabama, on the 29th day of January, 2019, at 10:30 a.m. At such time and place all persons who desire shall have an opportunity to be heard in opposition to, or in favor of the amendment. Furthermore, the City Council, at this public hearing, may consider zoning classification ns other than that sought by the applicant for this property.

This notice is published pursuant to a resolution of the City Council of Mobile adopted on the 3rd day of January, 2019.

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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as January 29, 2019.

ANNOUNCEMENTS:

Each Councilmember articulated that the Mayor and Council are resolved to work together.

Councilmember Rich wished everyone a happy New Year.

Councilmember Richardson recounted the Moon Pie Drop and thanked all that attended and participated in organizing the event.

Councilmember Small requested that next year’s Moon Pie Drop headline act be announced sooner.

Councilmember Small encouraged district three residents to join their community action group.

Councilmember Manzie wished citizens a happy New Year and encouraged community involvement.

Councilmember Manzie commended Reverend Charlotte Greene and the Interdenominational Ministerial Alliance (IMA) for hosting the Emancipation Proclamation Service at the Toulminville Warren Street Church.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:05 p.m.

Approved: January 8, 2019

COUNCIL VICE PRESIDENT

CITY CLERK