MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 20, 2024

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 20, 2024, at 9:00 a.m.

Councilmembers:

Present:	Penn, Carroll, Small, Reynolds, Daves, Woods, and Gregory
Absent:	None

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

Approved:

____
COUNCIL PRESIDENT

____
ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, AUGUST 20, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, August 20, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by Assistant City Clerk.

Dr. Reverend Bobby Morton, 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
Absent:	None

STATEMENT OF RULES BY PRESIDING OFFICER

The Presiding Officer provided an overview of the City Council's Rules of Procedure.

APPROVAL OF MINUTES

The minutes from the meeting of August 13, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, provided information about the "Celebration of Life" event to commemorate the Civic Center's demolition.

Cassie Boatwright, Director of Real Estate Asset Management, presented Trevor Taite as the Public Works Employee of the Month.

ADOPTION OF THE AGENDA

Councilmember Daves moved to adopt the agenda, which was seconded by Councilmember Woods 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 agenda adopted.

APPEALS

Request of David Galloway for a waiver of the Noise Ordinance at the Bragg-Mitchell Mansion on September 21, 2024, from 7:30 p.m. – 11:00 p.m. (District 1).

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

Request of Robert Soto for a waiver of the Noise Ordinance at Cathedral Square Park on August 24, 2024, from 10:00 a.m. – 4:00 p.m. (District 2).

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

Request of Ashley Montgomery for a waiver of the Noise Ordinance at 1608 St. Stephens Road on August 24, 2024, from 2:00 p.m. – 10:00 p.m. (District 2).

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

Request of Ethan Hubbell for a waiver of the Noise Ordinance at Mobile Skate Plaza on October 24, 2024, from 7:00 p.m. – 9:30 p.m. (District 5).

Councilmember Daves moved to hold the waiver over for one (1) week, 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver held over for one (1) week until the regular meeting of August 27, 2024.

Request of Brieyanna Cotten for a waiver of the Noise Ordinance at 3370 Sheringham Drive on September 7, 2024, from 2:00 p.m. – 6:00 p.m. (District 5).

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

PUBLIC HEARINGS

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE SOUTH SIDE OF KOOIMAN ROAD, 1,237' WEST OF TODD ACRES DRIVE (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the south side of Kooiman Rod, 1,237' west of Todd Acres Drive and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE APPLICATION OF JOHNSON & JOHNSON WAY TO GO TO OPERATE A SEDAN AND SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Johnson & Johnson Way to Go to operate a sedan and shuttle service and asked if there was anyone present to speak for or against this matter.

Aneesah Johnson 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 later in the meeting.

PUBLIC HEARING TO CONSIDER THE APPLICATION OF COMMUNITY CARE & TRANSPORTATION, LLC TO OPERATE A SEDAN SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Community Care & Transportation, LLC to operate a sedan service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Melissa Gates, 1280 Rigby Road, gave comments in opposition to annexing the Big Creek Lake area.

AGENDA ITEMS:

Reggie Hill, 1007 Center Street, Ordinances 87-046 & 88-047 and Resolutions 08-773, 14-775, and 60-787.

ORDINANCES HELD OVER:

CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 5800 SOUTHLAND DRIVE. The following ordinance, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-045-2024

Sponsored by: Councilmember Woods

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

WHEREAS, a Planned Unit Development (PUD) was approved on January 16, 2014 to allow multiple buildings on a single building site on property located at 5800 Southland Drive and described as follows:

LOT 1, CHARTER SOUTHLAND HOSPITAL, RESUBDIVISION OF LOT 1, RESUBDIVISION OF LOTS 1 AND 2, ACCORDING TO THE PLAT THEROF AS RECORDED IN MAP BOOK 128, PAGE 76, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on April 22, 2024 allowing multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on June 20, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC for parking lot lighting requirements and bicycle parking, or placement of notes on the site plan stating the site will comply with these development requirements;
2. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report;
6. Compliance with all Fire Department comments noted in the staff report;
7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning; and
8. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

A. Is consistent with all applicable requirements of this Chapter;
B. Will not impede the orderly development and improvement of surrounding property;
C. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
D. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas; and

E. Shall not be detrimental or endanger the public health, safety or general welfare.

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

Section One: That the modification of the PUD is hereby approved with the following required conditions:

1. Revision of the site plan to reflect compliance with the development standards of Article 3 of the UDC for parking lot lighting requirements and bicycle parking, or placement of notes on the site plan stating the site will comply with these development requirements;
2. Placement of a note on the revised site plan stating future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
3. Compliance with all Engineering comments noted in the staff report;
4. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
5. Compliance with all Urban Forestry comments noted in the staff report;
6. Compliance with all Fire Department comments noted in the staff report;
7. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning; and
8. Full compliance with all municipal codes and ordinances.

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

The ordinance was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the ordinance, which was seconded by Councilmember Woods 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 ordinance adopted.

ORDINANCE TO AUTHORIZE LEASE AGREEMENT WITH MOBILE COMMUNITY ACTION FOR CITY-OWNED PROPERTY LOCATED AT 1600 BOYKIN BOULEVARD.
The following ordinance, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

ORDINANCE: 87-046-2024

Sponsored by: Councilmember Small and Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE GRANT OF A LEASE FOR A PUBLIC PURPOSE

Sponsored by: Councilmember C. J. Small and Mayor William S. Stimpson

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the property +/- 14,000 sf located in Buildings A and D, of 1600 Boykin Boulevard, during the length of this lease, hereinafter described in Exhibit “A”, 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 leased to Mobile Community Action, Inc., a non-profit corporation.

See Exhibit "A" attached hereto

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

SECTION THREE: The Deputy Director of Real Estate Asset Management 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 Lease of said property.

SECTION FOUR: Said Lease 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 and in the office of the Real Estate Department of the City of Mobile, 4th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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

"EXHIBIT A"

LEASE DESCRIPTION: Buildings A and D, carpool parking adjacent to Boykin Boulevard, and playground adjacent to Building A, of 1600 Boykin Boulevard.

The ordinance was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the ordinance, which was seconded by Councilmember Woods. Following comments from Councilmember Small, 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 ordinance adopted.

AUTHORIZE CONVEYANCE OF CITY-OWNED LAND LOCATED AT 260 N. FRANKLIN STREET NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES.
The following ordinance, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

ORDINANCE: 88-047-2024

Sponsored by: Councilmember Carroll and Mayor Stimpson

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

Sponsored by Mayor William S. Stimpson and Councilmember William Carroll

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 in Exhibit "A", with an address of 260 N. Franklin Street, 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 conveyed to Congress-Franklin Development Company LLC by Quit Claim Deed.

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 Quit Claim Deed associated with the conveyance of the property shown above.

SECTION THREE: The Deputy Director, Real Estate Asset Management, 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, instruments, affidavits, closing statements, or other ancillary forms necessary to complete the conveyance of said property.

SECTION FOUR: Said deed 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.

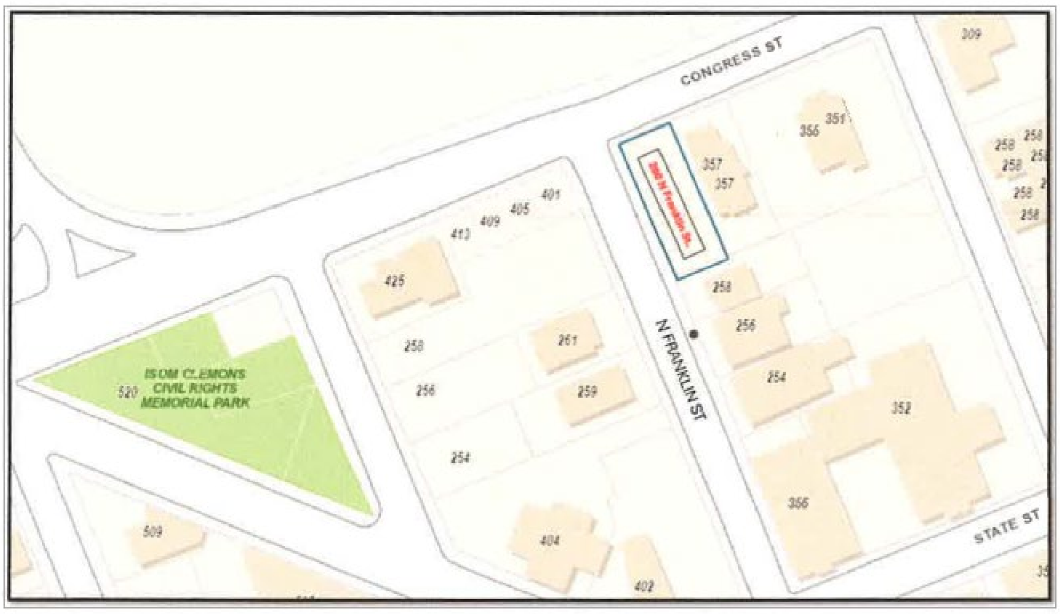
SECTION FIVE: That certain Warranty Deed of the above-described property made by City of Mobile to Herbert Pair and Earl Minor in 1998, recorded in Real Property Book 4544, Page 1690 of the records in the office of the Judge of Probate of Mobile County, Alabama. Said warranty Deed included a reversionary interest stating that title was to automatically revert back to the City if the Property was not developed as required in the Purchase agreement dated December 4, 1996 within 12 months. The reversionary interest is to be released with the Quit Claim Deed to Congress-Franklin Development Company LLC.

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

EXHIBIT "A"

LEGAL DESCRIPTION: 260 N. Franklin Street

Beginning at the Southeast comer of Congress and Franklin Streets, and run South on the East side of Franklin Street 120 feet; thence East 45 feet; thence North 120 feet to the South line of Congress Street; thence West 45 feet to the point of beginning.



The ordinance was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the ordinance, which was seconded by Councilmember Woods 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 ordinance adopted.

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 102 BORDER DRIVE WEST A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution, which was introduced and read at the regular meeting of June 18, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-536-2024

Sponsored by: Councilmember Gregory

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 102 BORDER DRIVE WEST has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 102 BORDER DRIVE WEST described as:

LOT 387 BLK P COUNTRY CLUB VILLAGE MBK 4/87-92 #SEC 15 T4S R2W #MP28 05 15 4 0 003

Parcel number: 28 05 15 4 003 090

Last assessed to: WATTS HELEN

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

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to table the resolution, which was seconded by Councilmember Daves. Following comments from Councilmember Gregory, the vote was as follows:

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

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

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH MOBILE COUNTY AND SPRING HILL COLLEGE TO EXPAND AND EQUIP EXISTING CAMPUS WITH HEALTH AND SCIENCE INNOVATION CENTER. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-761-2024

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 Project Agreement by and among Mobile County, the City of Mobile and Spring Hill College, as outlined in the Project 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 Assistant City Clerk, whereupon Councilmember Gregory moved to hold the resolution over for one (1) 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 (1) week until the regular meeting of August 27, 2024.

AUTHORIZE AGREEMENT WITH SPIRE GULF FOR DAUPHIN STREET IMPROVEMENTS FROM SPRING HILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-762-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between Spire Gulf. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Spire Gulf

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of
Utility Facilities on Private or Public Right-of-Way
to be Performed by State Contractor

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.

AUTHORIZE AGREEMENT WITH COMCAST CABLE COMMUNICATIONS OF ALABAMA FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-763-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between Comcast Cable Communications of Alabama. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Comcast Cable Communications of Alabama

Project name: Dauphin Street Improvements from Sage Avenue

to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

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.

AUTHORIZE AGREEMENT WITH TELEPAK NETWORKS, INC. FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-764-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between Telepak Networks, Inc. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Telepak Networks, Inc.

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

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.

AUTHORIZE AGREEMENT WITH AT&T ALABAMA FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-765-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between AT&T Alabama. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: AT&T Alabama

Project name: Dauphin Street Improvements from Sage Avenue to west of 1-65 at Springhill Memorial Hospital COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

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.

AUTHORIZE AGREEMENT WITH UNITI FIBER FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE.
The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-766-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between Uniti Fiber. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Uniti Fiber

Project name: Dauphin Street Improvements from Sage Avenue to west of 1-65 at Springhill Memorial Hospital COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

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.

AUTHORIZE AGREEMENT WITH ALABAMA POWER COMPANY FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-767-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between Alabama Power Company. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Alabama Power Company

Project name: Dauphin Street Improvements from Sage Avenue
to west of 1-65 at Springhill Memorial Hospital
COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of
Utility Facilities on Private or Public Right-of-Way
to be Performed by State Contractor

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.

AUTHORIZE AGREEMENT WITH CENTURY LINK COMMUNICATIONS, LLC FOR DAUPHIN STREET IMPROVEMENTS FROM SPRINGHILL MEMORIAL HOSPITAL TO SAGE AVENUE. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-768-2024

Sponsored by: Councilmembers Penn, Daves, & 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, an agreement, and any necessary amendments thereafter, between Century Link Communications, LLC. A copy of said executed contract will be on file in the office of the City Clerk.

Name of company: Century Link Communications, LLC

Project name: Dauphin Street Improvements from Sage Avenue to west of 1-65 at Springhill Memorial Hospital COM Project No. 2018-3005-26 STPMB-7533(601)

Agreement: Non-Reimbursable Agreement for Relocation of Utility Facilities on Private or Public Right-of-Way to be Performed by State Contractor

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 PURCHASE ORDER TO MUSCO SPORTS LIGHTING, LLC FOR SPORTS LIGHTING FOR MEDAL OF HONOR PARK; $460,000.00 The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-769-2024

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
13364	2024	(3032) ARCHITECTURAL ENGINEERING	SPORTS LIGHTING FOR MEDAL OF HONOR PARK: BASEBALL FIELDS 3 & 4, AND 10 TENNIS COURTS (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$460,000.00	(278697) MUSCO SPORTS LIGHTING LLC

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 PURCHASE ORDER TO GT DISTRIBUTORS OF GEORGIA, INC. FOR BALLISTIC VESTS AND ARMOR FOR MPD K9 HANDLERS; $28,482.60. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-770-2024

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
11069	2024	(1530) POLICE ADMIN SERVICES	BALLISTIC VESTS AND ARMOR FOR MPD K9 HANDLERS (PRICE BELOW BID REQUIREMENT; COMPETITIVE QUOTES)	$28,482.60	(70105) GT DISTRIBUTORS OF GEORGIA INC

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 PURCHASE ORDER TO DONOHOO CHEVROLET, LLC FOR CHEVROLET 4500 CREW CAB TRUCK FOR PARKS DEPT.; $60,105.50. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-771-2024

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
13361	2024	(F7000) MOTOR POOL	2024 CHEVROLET SILVERADO 4500 CREW CAB TRUCK CHASSIS FOR PARKS DEPARTMENT (SEALED BID 5889)	$60,105.50	(293039) DONOHOO CHEVROLET LLC

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 PURCHASE ORDER TO TERMINIX SERVICES FOR ANNUAL RENEWAL OF TERMITE BOND FOR CITY FACILITIES; $16,675.00. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-772-2024

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
13364	2024	(3037) BUILDING SERVICES	ANNUAL RENEWAL OF TERMITE BOND FOR CITY FACILITIES (PRICE BELOW BID REQUIREMENT)	$16,675.00	(201952) TERMINIX SERVICES

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 PURCHASE ORDER TO LCM MOTORCARS, LLC FOR SPORT SEDANS, AND PICKUP TRUCKS FOR MPD; $235,700.00. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-773-2024

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 requisitions as indicated below and attached herein:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
9901, 9902, 9909, 9914	2024	(1530) POLICE ADMIN SERVICES	TWO 2024 SEDANS, AND TWO 2024 PICKUP TRUCKS FOR MPD (SEALED BID 5888)	$235,700.00	(297939) LCM MOTORCARS LLC

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.

TRANSFER FUNDS FROM CAPITAL PROJECT GRANT MATCH-TRAFFIC ENGINEERING TO PROJECT GRANT MATCH HOLDING ACCOUNT TO BE USED AS MATCH FOR SIGNAL IMPROVEMENTS ON DAUPHIN STREET; $30,000.00. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 09-774-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $30,000.00 be transferred from capital project C0338 (20002000.94070) GRANT MATCH-TRAFFIC ENGINEERING to Project G-OGMMATCH(50005000.93030) GRANT MATCH HOLDING ACCOUNT. These funds will be used as match for future MPO funding for signal improvements on Dauphin St.

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 AN APPLICATION SEEKING PERMISSION TO INCORPORATE A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT AND AUTHORIZING SUCH INCORPORATION. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 14-775-2024

Sponsored by: Councilmember Carroll

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

Section 1: That the City Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of the City of Mobile, that such application was signed by not less than three (3) natural persons, and that each of said persons is over the age of twenty-one (21) years and is a duly qualified elector of Mobile County, Alabama.

Section 2: That the City Council has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that it is wise, expedient, and necessary that the district be formed.

Section 3: That the City Council does hereby approve the proposed form of certificate of incorporation of the district attached to the foregoing application as hereinabove set forth.

Section 4: That the City Council does hereby grant permission to incorporate the district and does hereby authorize the persons making such application to form such district and file the attached certificate of incorporation in the Probate Court of Mobile County, Alabama.

Section 5: Upon proper incorporation and formation of the district, the City Council and the Mayor shall appoint directors for the district as set forth in the application and certificate of incorporation.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Carroll moved to hold the resolution over for one (1) 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 (1) week until the regular meeting of August 27, 2024.

AUTHORIZE PERMISSION TO LEASE ± 14,000 SQUARE FEET OF BUILDINGS A AND D, OF CITY-OWNED PROPERTY, LOCATED AT 1600 BOYKIN BOULEVARD. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 35-776-2024

Sponsored by: Councilmember Small and Mayor Stimpson

WHEREAS, Mobile Community Action (hereinafter called "MCA") has assisted the community with social services since 1965 and continues to do so today. MCA entered into a lease agreement with the Board of School Commissioners of Mobile County in 2011.

WHEREAS, City has assisted the community with the Parkway Senior Center AKA Senior Assistance for Independent Living Center (SAIL) in Building B since 2011.

WHEREAS, the City entered into a lease from MCA May 24, 2011 and an amended lease entered into January 9, 2019; and,

WHEREAS, the City acquired real property known as 1600 Boykin Boulevard, from the Board of School Commissioners on April 22, 2024, and any previous lease agreements are no longer in full force and effect; and

WHEREAS, the City is not utilizing +/- 14,000 sf of the subject property, within Buildings A & D, which is owned by the City is not needed for public or municipal purposes, formerly leased to Mobile Community Action, Inc. by the Board of School Commissioners of Mobile County, depicted in Exhibit A (attached); and

WHEREAS, the City would benefit from a lease of the described property under favorable terms and conditions;

NOW, THEREFORE, the City Council of the City of Mobile hereby RESOLVES:

That it does not object to offering the +/- 14,000 sf of the subject property for lease. The lease agreement will be presented to the Council for consideration, and the Council may, if it deems appropriate, adopt an ordinance declaring the property not needed for public or municipal purposes and authorizing the execution of the lease agreement.

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.

AUTHORIZE ADDITIONAL EXPENSE FOR SPECIAL COUNSEL INVESTIGATION. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-777-2024

Sponsored by: Councilmembers Small, Reynolds, and Woods

WHEREAS, on May 28, 2024, the Mobile City Council passed Resolution 60-473 authorizing an investigation into public allegations made by former Mobile Police Department Chief Paul Prine, appointing a Special Counsel to conduct said investigation, and setting a forty-five day deadline for the Special Counsel to report to the Committee of the Whole, and setting a budget for said investigation; and

WHEREAS, the Special Counsel has now completed his investigation and made his report to the Committee of the Whole; and

WHEREAS, the Special Counsel incurred additional unforeseen and unbudgeted charges during the course of the investigation, and specifically, the need to retain an expert witness from Setec Investigations to analyze and report on certain technical issues that arose during the investigation;

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

1. The attached invoice from Setec Investigations in the amount of $1,963.40 is hereby approved as an additional expense in excess of the budget for the Special Counsel investigation and the City Clerk is authorized to process same for payment.

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.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; YOUNG. The following resolution, which was introduced and read at the regular meeting of August 13, 2024 and held over until the regular meeting of August 20, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-778-2024

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 Tacarra Young, 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 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.

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY LOCATED AT THE SOUTH SIDE OF KOOIMAN ROAD, 1,237' WEST OF TODD ACRES DRIVE. The following ordinance was held over until the regular meeting of August 27, 2024.

ORDINANCE: 64-048-2024

Sponsored by: Councilmember Reynolds

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:

A PARCEL OF LAND BEING SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND 1 INCH CRIMP PIPE, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT A, MINING SUBDIVISION, AS RECORDED IN PLAT BOOK 130, PAGE 116, IN THE OFFICE OF THE JUDGE OF PROBATE OF MOBILE COUNTY, ALABAMA, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE RUN SOUTH 89 DEGREES 53 MINUTES 24 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT A AND THE NORTH LINE OF SAID QUARTER – QUARTER LINE FOR A DISTANCE OF 1325.39 FEET TO A FOUND CAPPED REBAR STAMPED LOVITTE, SAID POINT BEING THE NORTHEAST CORNER OF SAID LOT A, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINES RUN NORTH 02 DEGREES 17 MINUTES 52 SECONDS EAST ALONG THE WEST LINE OF SAID QUARTER – QUARTER LINE FOR A DISTANCE OF 1266.16 FEET TO A FOUND CAPPED REBAR STAMPED ROWE, SAID POINT LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF KOOIMAN ROAD (60’ R.O.W.); THENCE LEAVING SAID WEST LINE RUN SOUTH 89 DEGREES 56 MINUTES 35 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR A DISTANCE OF 1324.24 FEET TO A FOUND CAPPED REBAR STAMPED BSI, SAID POINT LYING ON THE EAST LINE OF SAID SECTION 34; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE RUN SOUTH 02 DEGREES 14 MINUTES 21 SECONDS WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1123.20 FEET TO A SET CAPPED REBAR STAMPED GSA CA-560-LS, SAID POINT LYING ON THE NORTHWESTERLY RIGHT OF WAY LINE OF CSX RAILROAD (100’ R.O.W.); THENCE LEAVING SAID EAST LINE RUN SOUTH 28 DEGREES 35 MINUTES 08 SECONDS WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE FOR A DISTANCE OF 163.65 FEET TO A POINT LYING ON THE SOUTH LINE OF SAID QUARTER – QUARTER LINE; THENCE LEAVING SAID NORTHWESTERLY RIGHT OF WAY LINE RUN NORTH 89 DEGREES 53 MINUTES 55 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 1252.82 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1,671,685 SQUARE FEET OR 38.38 ACRES MORE OR LESS.

The classification of said property is hereby changed from R-A, Residential Agriculture District, to B-5, Office Distribution 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 a B-5, Office Distribution 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 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 B-5, Office Distribution District until all of the conditions set forth below have been complied with: 1. Completion of a 1-lot Subdivision; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the 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.

ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF MOBILE. The following ordinance was held over until the regular meeting of August 27, 2024.

ORDINANCE: 83-049-2024

Sponsored by: Mayor Stimpson

WHEREAS, KD Tillmans Corner, LLC, an Alabama Limited Liability Company, is the owner of real property situated in the County of Mobile located at 4589 Hermitage Avenue and 5344 Highway 90 W, said property being described as follows:

THE WESTERN PORTION OF LOTS 6 & 7, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA AND THE WESTERN PORTION OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°-56'-02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 177.47 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF LOT 2 OF SAID RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS; THENCE RUN NORTH 00°-58'-21" EAST A DISTANCE OF 299.53 FEET TO THE NORTH LINE OF LOT 6, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 89°-55'-33" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 126.31 FEET TO A 60d NAIL IN A ROOT; THENCE RUN SOUTH 89°-55'-49" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 199.76 FEET TO A 1" OPEN TOP PIPE AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN SOUTH 00°-05'-56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HERMITAGE AVENUE (50' R/W) AND ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF LOT 7, BLOCK 1 OF SAID SUBURBAN GARDENS A DISTANCE OF 199.86 FEET TO A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89°-53'-32" EAST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 143.23 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUN SOUTH 00°-02'-00" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 99.68 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 1.90 ACRES, MORE OR LESS.

WHEREAS, KD Tillmans Corner, LLC has submitted a Petition for Annexation asking that the above-described property be annexed to and become a part of the City of Mobile; and,

WHEREAS, said Petition contained the signatures of all of the owners of the described property and a map of said property showing its relationship to the corporate limits of the City of Mobile; and,

WHEREAS, the property that is the subject of the Petition for Annexation is contiguous to the corporate limits of the City of Mobile, and does not lie within the corporate limits of any other municipality; and,

WHEREAS, the City Council of the City of Mobile has determined that it is in the public interest that said property be annexed to the City of Mobile and the Council has further determined that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24 of the Code of Alabama.

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

1. That the City Council of the City of Mobile finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in paragraph 2 of this Ordinance into the corporate limits of the City of Mobile.

2. That the boundary lines of the City of Mobile be, and the same hereby are, altered and rearranged so as to include all the property heretobefore encompassed by the corporate limits of the City, and in addition thereto the following described property, to-wit:

THE WESTERN PORTION OF LOTS 6 & 7, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA AND THE WESTERN PORTION OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

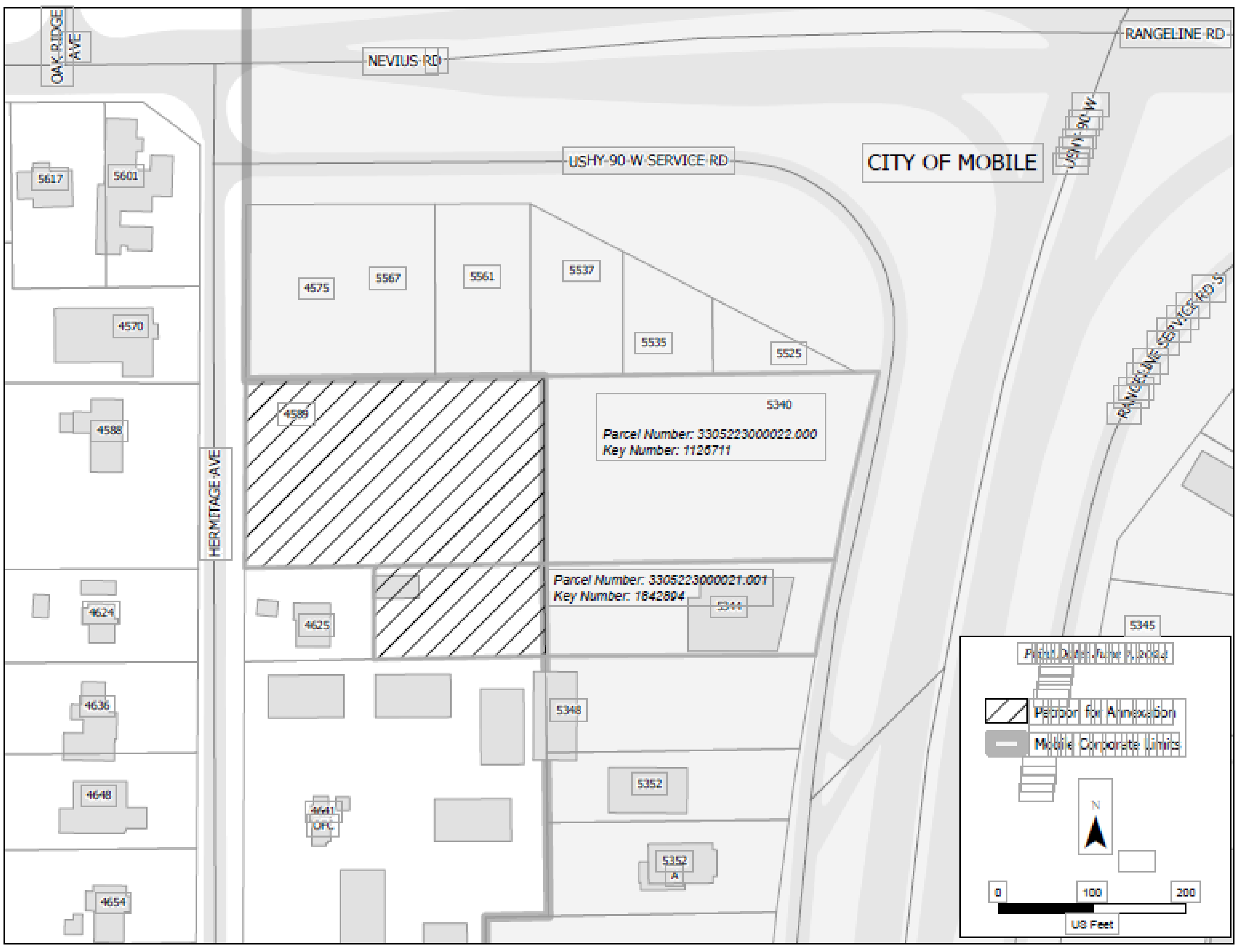
BEGINNING AT A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN ARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°-56'-02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 177.47 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF LOT 2 OF SAID RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS; THENCE RUN NORTH 00°-58'-21" EAST A DISTANCE OF 299.53 FEET TO THE NORTH LINE OF LOT 6, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 89°-55'-33" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 126.31 FEET TO A 60d NAIL IN A ROOT; THENCE RUN SOUTH 89°-55'-49" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 199.76 FEET TO A 1" OPEN TOP PIPE AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN SOUTH 00°-05'-56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HERMITAGE AVENUE (50' R/W) AND ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF LOT 7, BLOCK 1 OF SAID SUBURBAN GARDENS A DISTANCE OF 199.86 FEET TO A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN NORTH 89°-53'-32" EAST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 143.23 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUN SOUTH 00°-02'-00" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 99.68 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 1.90 ACRES, MORE OR LESS.

Property address:	4589 Hermitage Avenue Mobile, Alabama 36619
Parcel number:	3305223000022.000
Key number:	1126711

A map depicting the property to be annexed is attached hereto and incorporated herein. In the event of a conflict between the attached map and the written description of the property described above, the depiction of the property on the attached map shall control and be given effect.

3. This Ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the Petition of the property owner, shall be filed with the Probate Judge of Mobile County, Alabama.

4. The property described in this Ordinance shall become a part of the corporate limits of the City of Mobile upon publication of this Ordinance as set forth in paragraph 3.



SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 09-779 through 60-793 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

TRANSFER FUNDS FROM DISTRICT 7 GENERAL FUND DISCRETIONARY TO MPD TRAFFIC SAFETY UNIT TO ASSIST THE ON-DUTY TRAFFIC PERSONNEL FOR MOBILE TERRACE COMMUNITY PARADE; $500.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 09-779-2024

Sponsored by: Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $500.00 be transferred from the District 7 General Fund, Discretionary Account DSC-07, from General Fund Account 10041020-42080 to the MPD Traffic Safety Unit 10041534-43130, it will be used to assist the On-Duty Traffic personnel for Mobile Terrace Community Parade.

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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO FULTON CONVENIENCE STORE; 1288 DAUPHIN ISLAND PARKWAY. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-780-2024

Sponsored by: Councilmember Small

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: Martha's Sons, LLC

Location: Fulton Convenience Store
1288 Dauphin Island Parkway
Mobile, AL 36605

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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS II (PACKAGE STORE) LICENSE TO REDDS DISCOUNT 10; 960 SCHILLINGER ROAD, SOUTH. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-781-2024

Sponsored by: Councilmember Woods

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: Lounge Retail Liquor – Class II (Package Store)

Submitted by: BKS of AL Inc.

Location: Redds Discount 10
960 Schillinger Road South, Suite A
Mobile, AL 36695

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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL-MORE THAN 30 DAYS LICENSE TO AZALEA CITY BAR AND GRILL; 1000 GAILLARD DRIVE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-782-2024

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.

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: Special Retail - More Than 30 Days

Submitted by: DORIES INC.

Location: Azalea City Bar and Grill
1000 Gaillard Drive
Mobile, AL 36608

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory. Following comments from Councilmember Greogory, 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 DELTA THETA OMEGA CHAPTER FOUNDATION OF ALPHA KAPPA ALPHA SORORITY, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-783-2024

Sponsored by: Mayor Stimpson

WHEREAS, Mayor Stimpson wishes to appropriate $2,500.00 to DTO Foundation (Delta

Theta Omega Chapter Foundation of Alpha Kappa Alpha Sorority, Inc.), from his discretionary funds; and

WHEREAS, OTO Foundation (Delta Theta Omega Chapter Foundation of Alpha Kappa Alpha Sorority, 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 OTO Foundation (Delta Theta Omega Chapter Foundation of Alpha Kappa Alpha Sorority, Inc.), will be used to assist with the 92nd South Eastern Conference Regional Conference of Alpha Kappa Alpha, Inc., 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 OTO Foundation (Delta Theta Omega Chapter Foundation of Alpha Kappa Alpha Sorority, 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 MOBILE LAW ENFORCEMENT FOUNDATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-784-2024

Sponsored by: Councilmembers Carroll, Small, Reynolds, and Woods

WHEREAS, Councilmember Carroll wishes to appropriate $1,500.00, Councilmember Small wishes to appropriate $1,500.00, Councilmember Reynolds wishes to appropriate $1,500.00, and Councilmember Woods wishes to appropriate $1,500.00, (Total: $6,000.00) to Mobile Law Enforcement Foundation, Inc., Inc. from his discretionary funds; and

WHEREAS, Mobile Law Enforcement Foundation, Inc., 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 Mobile Law Enforcement Foundation, Inc., Inc. will be used to assist with the 2024 Annual Luncheon in November, 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 $6,000.00 to Mobile Law Enforcement Foundation, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the 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 ST. STEPHENS ROAD LOVE MINISTRIES SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-785-2024

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate $500.00 to St. Stephens Road Love Ministries from his discretionary funds; and

WHEREAS, St. Stephens Road Love Ministries 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 St. Stephens Road Love Ministries will be used to assist with the back-to-school event on July 27, 2024, at Figures Park, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $500.00 to St. Stephens Road Love Ministries, 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 FLORENCE HOWARD ELEMENTARY SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-786-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate $1,500.00 to Florence Howard Elementary School, from his discretionary funds; and

WHEREAS, Florence Howard 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 Florence Howard Elementary School will be used to assist with restocking the uniform closet for students that are most in need, 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 $1,500.00 to Florence Howard 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

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

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

RESOLUTION: 60-787-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate $1,500.00 to Calloway-Smith Middle School, from his discretionary funds, and

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

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

WHEREAS, the Mobile City Council determines that this appropriation to Calloway-Smith Middle School will be used to assist with restocking the uniform closet for students that are most in need, 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 $1,500.00 to Calloway-Smith Middle School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

The resolution was read by the 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 LOAVES AND FISH COMMUNITY MINISTRIES, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-788-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate $2,000.00 to Loaves and Fish Community Ministries, Inc. from his discretionary funds; and

WHEREAS, Loaves and Fish Community Ministries, 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 Loaves and Fish Community Ministries, Inc. will be used to assist with the purchase of uniforms and operational expenses, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $2,000.00 to Loaves and Fish Community Ministries, 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 MAITRE PARK ATHLETIC ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-789-2024

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate $700.00 to Maitre Park Athletic Association from his discretionary funds; and

WHEREAS, Maitre Park Athletic Association is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Maitre Park Athletic Association will be used to assist with a one-year membership for two youth, 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 $700.00 to Maitre Park Athletic Association, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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 CRESTVIEW COMMUNITY PATROL, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-790-2024

Sponsored by: Councilmember Reynolds

WHEREAS, Councilmember Reynolds wishes to appropriate $5,530.00 to Crestview Community Patrol, Inc., from their discretionary funds; and

WHEREAS, Crestview Community Patrol, Inc., is a non-profit corporation operating in Alabama and providing 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 Crestview Community Patrol, Inc., will be used to assist with revitalizing the Highway 90 Corridor.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $5,530.00 to Crestview Community Patrol, 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 COMMUNITY OF MOBILE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-791-2024

Sponsored by: Councilmember Daves

WHEREAS, Councilmember Daves wishes to appropriate $500.00, to Community of Mobile, Inc., Inc. from his discretionary funds; and

WHEREAS, Community 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 Community of Mobile, Inc., Inc. will be used to assist with the Underpass Project, 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 $500.00 to Community of Mobile, Inc., 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 SUGAR CREEK HOMEOWNERS ASSOCIATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-792-2024

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate $7,000.00 to Sugar Creek Homeowners Association, Inc., from his discretionary funds; and

WHEREAS, Sugar Creek Homeowners Association, 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 Sugar Creek Homeowners Association, Inc., will be used to assist with the beautification project, to improve the Crystal entrance to the neighborhood through the construction of a new brick entrance marker, landscaping, and irrigation.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of $7,000.00 to Sugar Creek Homeowners Association, 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.

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

RESOLUTION: 60-793-2024

Sponsored by: Mayor Stimpson

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

August 2024 -Trevor Taite (Employee# 14187) Public Works (Facilities Maintenance)

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

The resolution was read by the 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 PARTEN SMITH, INC. FOR PARKING & ADA

IMPROVEMENTS AT WESTSIDE PARK; $260,000.00. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 21-794-2024

Sponsored by: Councilmember Woods 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: Parten Smith, Inc.

Project name: CIP Westside Park – Parking & ADA Improvements

Project number: PR-009-23

Amount: $260,000.00

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT FOR GRANT PARTICIPATION FROM SOUTHWEST ALABAMA REGIONAL HIGHWAY SAFETY OFFICE FOR COMMUNITY TRAFFIC SAFETY PROGRAM. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 01-795-2024

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 for grant participation with the Southwest Alabama Regional Highway Safety Office, Community Traffic Safety Program (CTSP) for traffic grants as outlined in the agreement attached hereto and made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept any grant funds, if offered, and to sign any agreements or other documents in connection with Community Traffic Safety Program (CTSP) and to provide any information required by the Southwest Alabama Regional Highway Safety Office. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

APPROVE PURCHASE ORDER TO CDW GOVERNMENT, LLC FOR ANNUAL RENEWAL OF NETWORK SERVER MANAGEMENT SOFTWARE FOR MIT; $34,682.88. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 08-796-2024

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
13462	2024	(5000) INFORMATION TECHNOLOGY	ANNUAL RENWAL OF VMWARE VIRTUAL NETWORK SERVER MANAGEMENT SOFTWARE FOR MIT (AL STATE CONTRACT)	$34,682.88	(272932) CDW GOVERNMENT LLC

APPROVE PURCHASE ORDER TO GT DISTRIBUTORS OF GEORGIA, INC. FOR RESPIRATOR KITS FOR MPD; $33,640.00. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 08-797-2024

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
11065	2024	(1530) POLICE ADMIN SERVICES	20 AVON FM54 RESPIRATOR KITS FOR MPD (SEALED BID 5893)	$33,640.00	(70105) GT DISTRIBUTORS OF GEORGIA INC

APPROVE PURCHASE ORDER TO SHAW INTEGRATED AND TURF SOLUTIONS, INC. TO REPLACE FLOORING FOR CRUISE TERMINAL LOBBY AREAS; $44,537.41. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 08-798-2024

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 requisitions as indicated below and attached herein:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
11837, 12431	2024	(3032) ARCHITECTURAL ENGINEERING	REPLACEMENT FLOORING FOR CRUISE TERMINAL 1ST FLOOR LOBBY AREAS (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$44,537.41	(299207) SHAEW INTEGRATED AND TURF SOLUTIONS, INC

APPROVE PURCHASE ORDER TO TRANTEX TRANSPORTATION PRODUCTS OF TEXAS, INC. FOR TRAFFIC SPEED CUSHIONS FOR TRAFFIC ENGINEERING; $79,805.25. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 08-799-2024

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
9766	2024	(2060) TRAFFIC ENGINEERING	TRAFFIC SPEED CUSHIONS FOR TRAFFIC ENGINEERING (BUYBOARD COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$79,805.25	(297168) TRANTEX TRANSPORTATION PRODUCTS OF TEXAS INC

APPROVE PURCHASE ORDER TO SUNBELT FIRE, INC. FOR FIRE BUNKER GEAR FOR MFRD; $69,750.00. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 08-800-2024

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
13257	2024	(1510) FIRE ADMINISTRATION	18 SETS OF FIRE BUNKER GEAR FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	$69,750.00	(198904) SUNBELT FIRE INC

CONSIDER THE APPLICATION OF JOHNSON & JOHNSON WAY TO GO TO OPERATE A SEDAN AND SHUTTLE SERVICE. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 37-801-2024

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Johnson & Johnson Way To Go for a Certificate of Public Convenience and Necessity to operate a sedan and shuttle service is her by approved. A copy of said application is on file in the office of the City Clerk.

CONSIDER THE APPLICATION OF COMMUNITY CARE & TRANSPORTATION, LLC TO OPERATE A SEDAN SERVICE. The following resolution was held over until the regular meeting of August 27, 2024.

RESOLUTION: 37-802-2024

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Community Care & Transportation, LLC for a Certificate of Public Convenience and Necessity to operate a sedan service is her by 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 CONSIDER ADOPTION OF THE 2024-2025 GENERAL FUND, CAPITAL IMPROVEMENT FUND, AND CONVENTION CENTER FUND BUDGETS. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-803-2024

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

NOTICE OF HEARING TO CONSIDER ADOPTION OF THE 2024-2025 GENERAL FUND, CAPITAL IMPROVEMENT FUND, AND CONVENTION CENTER FUND BUDGETS

Pursuant to Resolution of the Mobile, Alabama City Council adopted on August 20, 2024, a public hearing will be held on September 3, 2024, at 10:30 a.m., to consider adoption of the 2024-2025 General Fund, Capital Improvement Fund and Convention Center Fund budgets for the City of Mobile, Alabama. The public hearing will be held in the auditorium of Government Plaza, 205 Government Street, Mobile, Alabama. Public comments will be allowed.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to call for the public hearing, which was seconded by Councilmember Woods 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 set the date for the public hearing as September 3, 2024.

CALL FOR PUBLIC HEARING TO CONSIDER THE PRE-ZONING OF PROPERTY LOCATED AT 4589 HERMITAGE AVENUE AND 5340 U. S. HIGHWAY 90 WEST TO B-3. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-804-2024

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

Pursuant to Resolution of the Mobile, Alabama City Council adopted August 6, 2024, a public hearing will be held on the 24th day of September, 2024, at 10:30 a.m., to consider adoption of an ordinance to pre-zone property located at 4589 Hermitage Avenue and 5340 U. S. Highway 90 West to B-3.

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

Lisa C. Lambert
City Clerk

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:

THE WESTERN PORTION OF LOTS 6 & 7, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE

OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA AND THE WESTERN PORTION-OF LOT 1, RESUBDIVISION OF LOT AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF LOT 1, RESUBDIVISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 113, PAGE 77 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°-56'-02" EAST ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 177.47 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF LOT 2 OF SAID RESUBD!VISION OF LOT 8 AND A PORTION OF LOT 9, BLOCK 1, SUBURBAN GARDENS; THENCE RUN NORTH 00° -58'-21" EAST A DISTANCE OF 299.53 FEET TO THE NORTH LINE OF LOT 6, BLOCK 1, SUBURBAN GARDENS, AS RECORDED IN MAP BOOK 5, PAGES 295-300 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN SOUTH 89°-55'-33" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 126.31 FEET TO A 60d NAIL IN A ROOT; THENCE RUN SOUTH 89°-55'-49" WEST ALONG THE NORTH LINE OF SAID LOT 6 A DISTANCE OF 199.76 FEET TO Al" OPEN TOP PIPE AT THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN SOUTH 00°-05'-56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF HERMITAGE AVENUE (50' R/W) AND ALONG THE WEST LINE OF SAID LOT 6 AND ALONG THE WEST LINE OF LOT 7, BLOCK 1 OF SAID SUBURBAN GARDENS A DISTANCE OF 199.86 FEET TO A CAPPED REBAR (POLY) AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE RUN·NORTH 89°-53'-32" EAST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 143.23 FEET TO A CAPPED REBAR (POLY) AT THE NORTHWEST CORNER OF SAID LOT l; THENCE RUN SOUTH 00°-02'-00" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 99.68 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 1.90 ACRES, MORE OR LESS.

The classification of said property is hereby changed to B-3, Community Business Suburban 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 a B-3, Community Business Suburban 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 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 B-3, Community Business Suburban District, until all of the conditions set forth below have been complied with: 1. Compliance with Traffic Engineering comments noted in the staff report, amended as follows: There is an existing traffic impact study for this site that was previously required by ALDOT. The improvements shown in the traffic impact study will be required. Speak to ALDOT, City of Mobile, and Mobile County about any additional requirements. Traffic control will need to be added for where the one-way section around the building shown on the site plan meets the two-way section. Driveway number, size, location, and design to be approved by City of Mobile Traffic Engineering, ALDOT (where applicable), and Mobile County (where applicable) and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code. 2. Full compliance with the Subdivision Regulations and all municipal codes and ordinances.

Section Two: This Ordinance shall become effective upon the date that the aforesaid described property is annexed into the corporate limits of the City of Mobile and shall thereafter be in force and effect from and after its adoption and publication; provided that it shall be null and void as to any portion of the aforesaid described property that is not annexed into the corporate limits of the City of Mobile within 180 days of the initiation of annexation proceedings as provided by law.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Reynolds moved to call for the public hearing, which was seconded by Councilmember Woods 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 set the date for the public hearing as September 24, 2024.

ANNOUNCEMENTS

Councilmember Penn recounted a successful fishing event held this past weekend at the Fredrick D. Richardson, Jr. Tricentennial Park.

Councilmember Penn announced the Entitlement Committee will meet at 1:00 p.m. today to discuss Resolution 14-775.

Councilmember Carroll encouraged the public to attend the Stop the Violence event being held on August 22, 2024, 3:00 p.m., at 1251 Spring Hill Avenue.

Councilmember Daves offered the schedule of events that will lead up to the vote on the Fiscal Year 2025 budget and encouraged citizens to review the proposed budget on the City's website.

Councilmember Reynolds moved to adjourn the meeting, which was seconded by Councilmember Woods 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 regular meeting adjourned at approximately 11:05 a.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK