

MUNICIPAL BUILDING, MOBILE, ALABAMA, MAY 21, 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, May 21, 2024, at 9:00 a.m.

Councilmembers:

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

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, MAY 21, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Tuesday, May 21, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the Assistant City Clerk, Lana P. Gauthier.

Public Safety Chaplain, Tony Leggart, 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:

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 of the meetings of May 14, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

James Barber, Chief of Staff, presented a proclamation declaring May 19 -24 as “Public Works Week” in Mobile.

James Barber presented a proclamation to the Coast Guard declaring May 2024 as “National Safe Boating Week” in Mobile.

Fire Chief Johnny Morris presented Fire Driver Michael T. Allman as Firefighter of the Month.

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Interim Chief William Jackson, Mobile Police Department, presented Jonathan Kriss as Officer of the Month of April.

ADOPTION OF THE AGENDA

Councilmember Penn 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 motion to adopt the agenda adopted.

APPEALS

Request of Ebony Tabb for a waiver of the Noise Ordinance at Tricentennial Park on July 4, 2024, from 10:00 a.m. – 7:00 p.m. (District 1).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Elizabeth Ervin for a waiver of the Noise Ordinance at James Seals Park on May 25, 2024, from 3:00 p.m. – 6:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Elijah Splitt for a waiver of the Noise Ordinance at Cathedral Square on May 25, 2024, from 7:00 p.m. – 10:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Aarif Bradley for a waiver of the Noise Ordinance at Cathedral Square on May 26, 2024, from 12:00 p.m. – 2:00 p.m. (District 2).

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

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

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

Request of Tammy Burchfield for a waiver of the Noise Ordinance at 1410 Government Street on May 31, 2024, from 5:00 p.m. – 10:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Lionel McDonald for a waiver of the Noise Ordinance at 554 Marine Street, Apt. B on June 1, 2024, from 3:00 p.m. – 8:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Nakia Hollis for a waiver of the Noise Ordinance at 2705 Griffith Circle on May 25, 2024, from 6:30 p.m. – 11:00 p.m. (District 3).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Mobile Symphonic Pops Band for a waiver of the Noise Ordinance at Medal of Honor Park on May 25, 2024, from 7:00 p.m. – 9:00 p.m. (District 6).

Councilmember Daves moved to grant the waiver, which move 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 waiver granted.

Request of Catherine Taylor for waiver of the Noise Ordinance at Medal of Honor Park on June 1, 2024, from 7:30 a.m. – 10:00 a.m. (District 6).

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

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

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

PUBLIC HEARINGS

PUBLIC HEARING TO CONSIDER THE MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 145, 151, 176, 195, 350, AND 400 DUNLAP DRIVE.

The Presiding Officer announced that today was the day for the public hearing to consider modification of a previously approved planned unit development for property located at 145, 151, 176, 195, 350, and 400 Dunlap 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 DECLARE THE STRUCTURE AT 601 TITI STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 601 Titi Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Alisha Lewis, the property owner, requested an extension to fix the property.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 550 WILLIAMS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 550 Williams Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Timothy Shepard, Attorney for Mr. Griffith, requested an extension to fix property.

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

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 2859 RALSTON ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 5).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2859 Ralston Road a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1324 JESSIE STREET; \$2,800.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1324 Jessie Street and asked if there was anyone present to speak for or against this matter.

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No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 609 S. WILSON AVENUE; \$10,000.00 (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 609 S. Wilson Avenue and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 1163 GHENT STREET; \$2,200.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1163 Ghent Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 1555 PLOVER STREET; \$3,800.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1555 Plover Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 515 YUKERS STREET.; \$2,700.00 (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 515 Yukers Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 1567 ROBERT E. LEE STREET.; \$3,200.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1567 Robert E. Lee Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 1575 ROBERT E. LEE STREET.; \$2,700.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1575 Robert E. Lee Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 1353 WINDSOR AVENUE; \$2,000.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1353 Windsor Avenue and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 5450 COCA COLA ROAD; \$24,475.00 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 5450 Coca Cola Road and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE 7272 14th STREET; \$3,200.00 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 7272 14TH Street and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE APPLICATION OF NAISA POPE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A NONE-EMERGENCY MEDICAL TRANSPORT SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Naisa Pope for a certificate of public convenience and necessity to operate a none-emergency medical transport service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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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:

Lisa Teggart, 116 Providence Street, Asked questions about who received money from the opioid settlement funds. How can she apply?

Katie Herndon, 205 De Sales Avenue, Offered comments about the enforcement of City ordinances in Historic Districts.

Sabrina Mass, 1050 Belvedere Circle W., Asked questions about the Kenyen Brown report.

Robert Clopton, 2612 Charlotte Oaks Drive, Shared information about Project Wear Orange to stop gun violence.

AGENDA ITEMS:

Eileen Corkern, 2001 Sandalwood Drive, Gave comments about resolution #60-473.

ORDINANCES HELD OVER

REZONE PROPERTY LOCATED AT 1100 SPRING HILL AVENUE FROM R-2, B-1, AND B-3 TO B-3. The following ordinance which was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-030-2024

Sponsored by: Councilmember Carroll

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

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

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

BEGINNING AT THE NORTHWEST CORNER OF SPRINGHILL A VENUE AND PINE STREET, THENCE NORTH 18°08'16" EAST ALONG THE WEST LINE OF PINE STREET 221.79 FEET, THENCE NORTH 67°54'46" WEST 120.00 FEET, THENCE SOUTH 17°18'45" WEST 50.40 FEET, THENCE SOUTH 18°22'36" WEST 49.75 FEET, THENCE SOUTH 17°44'00" EAST 6.30 FEET, THENCE SOUTH 17°55'00" WEST 131.00 FEET TO A POINT ON THE NORTH LINE OF SPRINGHILL AVENUE, THENCE SOUTH 72°18'48" EAST 112.39 FEET TO THE POINT OF BEGINNING; BEING LOTS 14, 15, 16, AND PART OF LOT 17, BLOCK 4 OF THE CAMPGROUND TRACT.

The classification of said property is hereby changed from R-2, Two-Family Residential Urban District, B-1, Buffer Business Urban District, and B-3, Community Business Urban District, to B-3, Community Business Urban District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-3, Community Business Urban District,

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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 Urban District until all of the conditions set forth below have been complied with: 1. Completion of the Subdivision process; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in 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.

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

CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3201 AIRPORT BOULEVARD AND 410 & 450 BEL AIR BOULEVARD. The following ordinance which was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-031-2024

Sponsored by: Councilmember Daves

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 November 4, 2021 to allow multiple buildings on a single building site and shared access and parking between multiple building sites on property located at 3201, Airport Boulevard and 410 & 450 Bel Air Boulevard and described as follows:

LOTS 3 AND 4, BEL AIR MALL SUBDIVISION AS RECORDED IN MAP BOOK 133,, PAGE 10 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; LOTS 1, 2 AND 3, RESUBDIVISION OF LOT 2, BEL AIR MALL SUBDIVISION AS RECORDED IN INSTRUMENT#2021076191 OF SAID RECORDS.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on January 12, 2024 allowing multiple buildings on a single building site, and shared access and parking between multiple building sites.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on March 21, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the site plan, including the legal description, to clearly depict all parcels included in the Modification of the PUD;
2. Provision of a note on the recorded site plan stating future development, redevelopment, or any changes to the use and/or scope of operations of an existing use of the site may

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require additional modification of the Planning Approval to be approved by the Planning Commission and City Council;

3. Revision of the site plan to clearly label adjacent lots and their associated Subdivision names as well as map book and page or instrument number;
4. Compliance with all Engineering comments noted in the staff report;
5. Provision of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
6. Compliance with all Urban Forestry comments noted in the staff report;
7. Compliance with all Fire Department comments noted in the staff report; and,
8. Submittal to and approval by Planning and Zoning of the Major Modification of the Planned Unit Development site plan prior to recording in Probate Court, and the provision of a copy of the recorded site plan (hard copy and . pdf) to Planning and Zoning.

WHEREAS, the City Council finds that the proposed modification:

- a. Is consistent with all applicable requirements of this Chapter;
- b. Is compatible with the character of the surrounding neighborhood;
- c. Will not impede the orderly development and improvement of surrounding property;
- d. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- e. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads; and
- f. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas.

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, including the legal description, to clearly depict all parcels included in the Modification of the PUD;
2. Provision of a note on the recorded site plan stating future development, redevelopment, or any changes to the use and/or scope of operations of an existing use of the site may require additional modification of the Planning Approval to be approved by the Planning Commission and City Council;
3. Revision of the site plan to clearly label adjacent lots and their associated Subdivision names as well as map book and page or instrument number;
4. Compliance with all Engineering comments noted in the staff report;
5. Provision of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
6. Compliance with all Urban Forestry comments noted in the staff report;
7. Compliance with all Fire Department comments noted in the staff report; and,
8. Submittal to and approval by Planning and Zoning of the Major Modification of the Planned Unit Development site plan prior to recording in Probate Court, and the provision of a copy of the recorded site plan (hard copy and .pdf) to Planning and Zoning.

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 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 ordinance adopted.

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CONSIDER A MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3674 AND 3680 DAUPHIN STREET.

The following ordinance which was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-033-2024

Sponsored by: Councilmember Gregory

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

Notice of Public Hearing for the Proposed Modification of a Previously Approved Planned Unit Development for Property Located at 3674 and 3680 Dauphin Street

Pursuant to Resolution of the Mobile, Alabama City Council adopted September 6, 2022, a public hearing will be held on the 7th day of May, 2024, at 10:30 a.m., to consider adoption of an ordinance for the proposed modification of a previously approved Planned Unit Development for property located at 3674 and 3680 Dauphin Street to allow shared access parking between multiple building sites.

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

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

WHEREAS, Planned Unit Developments (PUD) were approved on March 9, 1999 and February 13, 2007 to accommodate, in general, new construction and changes to parking and shared access on property located at 3674 & 3680 Dauphin Street and described as follows:

LOT 1-A-1

THAT CERTAIN PIECE OR PORTION OF LAND, DESIGNATED AS LOT 1-A-1 ON PLAT SHOWING RESUBDIVISION OF LOTS 1-A AND 1-B OF COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2 INTO LOTS 1-A-1 AND 1-B-1, SITUATED IN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 2 WEST, ST. STEPHENS MERIDIAN, CITY OF MOBILE, COUNTY OF MOBILE, STATE OF ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1-A, COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2, AS PER PLAT RECORDED IN MAP BOOK 70, PAGE 85, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF DU RHU DRIVE, ALSO BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY S27°20'20"E A DISTANCE OF 364.10 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 960.16 FEET, ARC LENGTH OF 84.04 FEET AND CHORD BEARING S63°41'07"W A DISTANCE OF 84.01 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE N27°20'20"W A DISTANCE OF 358.47 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE N59°50'54"E A

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DISTANCE OF 84.10 FEET TO A 5/8" CAPPED IRON ROD SET AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED TRACT CONTAINS 0.696 ACRES AS SHOWN ON SURVEY BY DUPLANTIS DESIGN GROUP, PC, DATED AUGUST 29, 2023, PROJECT NO. 23-1448, AND IS SUBJECT TO ANY SERVITUDES, EASEMENTS, AND RESTRICTIONS OF RECORD.

LOT 1-B-1

THAT CERTAIN PIECE OR PORTION OF LAND, DESIGNATED AS LOT 1-B-1 ON PLAT SHOWING RESUBDIVISION OF LOTS 1-A AND 1-B OF COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2 INTO LOTS 1-A-1 AND I-B-1, SITUATED IN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 2 WEST, ST. STEPHENS MERIDIAN, CITY OF MOBILE, COUNTY OF MOBILE, STATE OF ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1-A, COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2, AS PER PLAT-RECORDED IN MAP BOOK 70, PAGE 85, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF DU RHU

WHEREAS, the owner of said property applied for a Major Modification of a previously approved Planned Unit Development on December 5, 2023 allowing shared access and parking between multiple building sites.

WHEREAS, the Planning Commission held a public hearing on the requested modification on January 18, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

- 1.Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
- 2.Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
- 3.Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
- 4.Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
- 5.Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;
6. Provision of the building sizes in square feet on the Final PUD site plan;
7. Retention of the rights-of-way along all streets on the Final PUD site plan;
- 8.Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
- 9.Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. The request is consistent with all applicable requirements of this Chapter;
- B. The request is compatible with the character of the surrounding neighborhood;
- C. The request will not impede the orderly development and improvement of surrounding property;
- D. The request will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood:

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- i. In making this determination, the Planning Commission and City Council considered the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
 - ii. Includes adequate public facilities and utilities; ·
- E. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;

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

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

1. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
2. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
4. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
5. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;
6. Provision of the building sizes in square feet on the Final PUD site plan;
7. Retention of the rights-of-way along all streets on the Final PUD site plan;
8. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. 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 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 ordinance adopted.

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 550 OSAGE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution which was introduced and read at the regular meeting of March 19, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-235-2024

Sponsored by: Councilmember Carroll

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,

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the accessory structure at 550 OSAGE STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A -No. 3, 4, 5, 6, 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 **550 OSAGE STREET** described as:

N 150 FT OF LOT 46 BLK 1 NE ESES 2ND ADD TO TOULMINVILL E MBK 4/250 #SEC 44 T4S R1W #MP29 02 44 0 022

Parcel Number: 29 02 44 0 022 072

Last Assessed to: WATTS PATRICIA J

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 Carroll moved to table 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 tabled.

RESOLUTIONS HELD OVER

AUTHORIZE EXTENSION OF PURCHASE AND SALE AGREEMENT FOR 720 MUSEUM DRIVE. The following resolution which was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-428-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

WHEREAS, the City of Mobile, as Seller, and Burton Property Group, LLC, as Purchaser, and with consent of the Mobile City Council via Ordinance Number 88-027, did enter into a certain Purchase and Sale Agreement for the property located at 720 Museum Drive, Mobile, Alabama; and

WHEREAS, pursuant to Section 5.4 of that Agreement, defining Inspection Period shall be extended until May 24, 2025.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mobile that the Seller and Purchaser are hereby authorized to extend the deadline until May 24, 2025, and that the Mayor is authorized to execute the attached Extension of Purchase and Sale Agreement to effect the same.

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 CDW GOVERNMENT, LLC FOR ANNUAL SUBSCRIPTION RENEWAL FOR NETWORK PROTECTION SOFTWARE FOR MIT; \$36,502.05. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-429-2024

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
<u>8768</u>	2024	(5000) INFORMATION TECHNOLOGY	ANNUAL SUBSCRIPTION RENEWAL FOR SONICWALL NETWORK PROTECTION SOFTWARE AND SERVICES FOR MIT (BID EXEMPT AS SOFTWARE, SOURCEWELL COOPERATIVE PURCHASING AGREEMENT)	\$36,502.05	<u>(272932) CDW GOVERNMENT LLC</u>

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 CLYDE ARMORY, INC. FOR 12-GAUGE SHOTGUNS FOR MPD; \$18,964.50. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

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RESOLUTION: 08-430-2024

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
<u>8040</u>	2024	(1530) POLICE ADMIN SERVICES	50 MOSSBERG 590 12GAUGE 7SHOT SHOTGUNS FOR MPD (SEALED BID 5880)	\$18,964.50	<u>(295574) CLYDE ARMORY INC</u>

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 9MM PISTOLS FOR MPD; \$28,630.00. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-431-2024

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
<u>8036</u>	2024	(1530) POLICE ADMIN SERVICE	70 GLOCK 17 GEN 5 9MM PISTOLS FOR MPD (SEALED BID 5880)	\$28,630.00	<u>(070105) GT DISTRIBUTORS OF GEORGIA INC</u>

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

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

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

APPROVE PURCHASE ORDER TO MILLCREEK MANUFACTURING FOR FIELD TOP DRESSER FOR PARKS DEPARTMENT; \$38,495.00. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-432-2024

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
<u>2287</u>	2024	(F7000) MOTOR POOL	MILLCREEK 4300 FIELD TOP DRESSER FOR PARKS DEPARTMENT (SEALED BID 5857)	\$38,495.00	(299089) MILLCREEK MANUFACTURING

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 SUNBELT FIRE, FOR FIRE BUNKER GEAR FOR MFRD; \$170,500.00. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-433-2024

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8793</u>	2024	(1510) FIRE ADMINISTRATION	44 SETS FIRE BUNKER GEAR (COAST AND PANTS) FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$170,500.00	<u>(198904)</u> <u>SUNBELT FIRE INC</u>

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 CONTRACT WITH DOUBLE AA CONSTRUCTION COMPANY, LLC FOR REROOFING FOR TOULMINVILLE LIBRARY; \$759,500.00. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-434-2024

Sponsored by: Mayor Stimpson and Councilmember Penn

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: Double AA Construction Company, LLC

Project Name: Mobile Public Library Toulminville Branch – Re-Roofing

Project Number: BG-064D-21

Amount: \$759,500.00

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 COVENANT OF PURPOSE, USE, AND OWNERSHIP WITH THE U.S. DEPARTMENT OF THE TREASURY FOR THE AFRICATOWN WELCOME CENTER. The following resolution was introduced and read at the regular meeting of May 14, 2024, and held over until the regular meeting of May 21, 2024, was called up by the Presiding Officer.

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RESOLUTION: 31-435-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk are authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile the Covenant of Purpose, Use, and Ownership between the City of Mobile and the U.S. Department of the Treasury in support of Grant No. RDCGR010111-01-02: Africatown Welcome Center: Phase I and II.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to sign any agreements or other documents and provide any information required by the U.S. Treasury Department or the Alabama Department of Conservation and Natural Resources. All agreements, together with the exhibits, shall be filed with the City Clerk after execution.

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

CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 145, 151, 176, 195, 350, AND 400 DUNLAP DRIVE. The following ordinance was held over until the regular meeting of May 28, 2024.

ORDINANCE: 64-034-2024

Sponsored by: Councilmember Carroll

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

WHEREAS, a Planned Unit Development (PUD) was approved on July 20, 2023 to allow shared parking between multiple building sites and to allow multiple buildings on multiple building sites on property located 145,151,176,195,350, & 400 Dunlap Drive and described as follows:

PARCEL "A"

PLATTED LOT, AUSTAL USA SHIPBUILDING COMPLEX, AS RECORDED IN MAP BOOK 87, PAGE 05 IN THE OFFICE OF THE JUDGE OF PROBATE MOBILE COUNTY, ALABAMA.

PARCEL "B"

PLATTED LOT, AUSTAL USALLC AS RECORDED IN MAP 109, PAGE 62 IN THE OFFICE OF THE JUDGE OF PROBATE MOBILE COUNTY, ALABAMA.

PARCEL "C" (LEASE PARCEL)

COMMENCING AT THE INTERSECTION OF THE PRESENT NORTHERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL WITH THE EASTERN RIGHT-OF-WAY OF DUNLAP DRIVE; THENCE N71°48'04"E ALONG THE NORTHERN RIGHT OF WAY

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LINE OF BANKHEAD TUNNEL, 232.43 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE N17°53'26"W 50.00 FEET TO A POINT; THENCE N71°57'53"E, 153.98 FEET, MORE OR LESS, TO A POINT; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 1528.74 FEET) 68 FEET, MORE OR LESS, TO A POINT; THENCE S71°48'04"W, 175 FEET, MORE OR LESS, TO A POINT; THENCE N17°53'26"W, 14 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 0.241 ACRES, MORE OR LESS.

PARCEL "D" (LEASE PARCEL)

BEGINNING AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY LINE OF THE BANKHEAD TUNNEL WITH THE EASTERN LINE OF THE 100 FOOT RIGHT-OF-WAY OF DUNLAP DRIVE; THENCE N71°48'04"E, 232.43 FEET; THENCE S17°53'26"E 13 FEET, MORE OR LESS, TO A POINT; THENCE SOUTHWESTERLY, 233 FEET, MORE OR LESS, TO THE EASTERN RIGHT-OF-WAY OF DUNLAP DRIVE; THENCE N18°10'32"W ALONG THE EASTERN LINE OF DUNLAP DRIVE, 20 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 0.097 ACRES, MORE OR LESS.

PARCEL "E" (LEASE PARCEL)

COMMENCING AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL WITH THE EASTERN RIGHT-OF-WAY OF DUNLAP DRIVE; THENCE S18°10'32"E ALONG THE EASTERN RIGHT-OF-WAY OF DUNLAP DRIVE, 50 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE N71°48'04"E, 105 FEET, MORE OR LESS, TO A POINT; THENCE S18°10'32"E, 85 FEET, MORE OR LESS, TO A POINT; THENCE S71°48'04"W 105.00' TO A POINT ON THE EASTERN RIGHT-OF-WAY LINE OF DUNLOP DRYE, THENCE N18°10'32"W ALONG THE EASTERN RIGHT-OF-WAY LINE OF DUNLAP DRIVE, 85 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, CONTAINING 0.205 ACRES, MORE OR LESS.

PARCEL "F" (LEASE PARCEL)

COMMENCING AT A CONCRETE MONUMENT FOUND ON THE NORTHERN RIGHT-OF-WAY LINE OF INTERSTATE 10; THENCE S72°18'38"W ALONG SAID NORTHERN RIGHT OF WAY LINE, 154.08 FEET, TO A POINT; THENCE S17°41'22"E ALONG SAID NORTHERN RIGHT OF WAY LINE, 35 FEET, MORE OR LESS, TO A POINT; THENCE S72°18'38"W ALONG SAID NORTHERN RIGHT OF WAY LINE, 279.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S72°18'38"W ALONG SAID NORTHERN RIGHT OF WAY LINE, 175 FEET, MORE OR LESS, TO A POINT; THENCE S17°41'22"E, 170 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERN RIGHT OF WAY LINE OF INTERSTATE 10; THENCE N72°18'38"E ALONG SAID SOUTHERN RIGHT OF WAY LINE, 175 FEET, MORE OR LESS, TO A POINT; THENCE N17°41'22"W, 170 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND CONTAINING 0.683 ACRES, MORE OR LESS.

PARCEL "G" (LEASE PARCEL)

COMMENCING AT A CONCRETE MONUMENT FOUND ON THE NORTHERN RIGHT-OF-WAY LINE OF INTERSTATE 10; THENCE N18°10'32"W, 333.43 FEET, MORE OR LESS, TO THE SOUTHERN RIGHT OF WAY LINE OF THE BANKHEAD TUNNEL; THENCE S71°47'43"W ALONG SAID PRESENT SOUTHERN RIGHT OF WAY LINE OF BANKHEAD TUNNEL 94.56 FEET, MORE OR LESS; THENCE N18°10'32"W ALONG THE WESTERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL 130.26 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE N71°47'43"E ALONG THE WESTERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL 30.00 FEET, MORE OR LESS; THENCE S26°48'36"W, 42.44 FEET, MORE OR LESS, TO A POINT ON THE WESTERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL; THENCE N18°10'32"W ALONG THE WESTERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL 30.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND CONTAINING 0.010 ACRES, MORE OR LESS.

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PARCEL "H" (LEASE PARCEL)

COMMENCING AT A CONCRETE MONUMENT FOUND ON THE NORTHERN RIGHT-OF-WAY LINE OF INTERSTATE-10; THENCE N18°10'32"W, 333.43 FEET, MORE OR LESS, TO THE SOUTHERN RIGHT OF WAY LINE OF THE BANKHEAD TUNNEL; THENCE S71°47'43"W ALONG SAID SOUTHERN RIGHT OF WAY LINE OF THE BANKHEAD TUNNEL 64.56 FEET, TO THE POINT OF BEGINNING; THENCE S71°47'43"W, ALONG SAID SOUTHERN RIGHT OF WAY LINE OF THE BANKHEAD TUNNEL 30.00 FEET MORE OR LESS TO A POINT; THENCE N18°10'32"W ALONG THE WESTERN RIGHT-OF-WAY LINE OF THE BANKHEAD TUNNEL 30.00 FEET, MORE OR LESS, TO A POINT; THENCE S63°11'25"E 42.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND CONTAINING 0.010 ACRES, MORE OR LESS.

MMF PARCEL

LOTS A, B, AND C AUSTAL USA MMF ADDITION AS RECORDED IN MAP BOOK 125, PAGE 110 IN THE OFFICE OF THE JUDGE OF PROBATE MOBILE COUNTY, ALABAMA.

MMF ADDTION PARCEL

LOT 1 OF AUSTAL OUTFIT YARD, AS RECORDED IN MAP BOOK 125, PG 119, IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

HARRISON PROPERTY LEGAL DESCRIPTION
(TO BE ACQUIRED FROM ALDOT)

COMMENCING AT A FOUND IRON CAP AT THE INTERSECTION OF THE WEST R/W LINE OF DUNLAP DRIVE AND THE EAST LINE OF PROPERTY DESCRIBED IN LR 7223, PG 1303 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE NORTHWESTERLY AND ALONG SAID R/W LINE 13 FEET, MORE OR LESS, TO A POINT ON SAID R/W LINE; THENCE NORTHEASTERLY AND ALONG SAID R/W LINE 582 FEET, MORE OR LESS, TO A POINT ON SAID R/W LINE; THENCE SOUTHEASTERLY AND ALONG SAID R/W LINE 19 FEET, MORE OR LESS, TO A POINT ON SAID PRESENT R/W LINE; THENCE NORTHEASTERLY AND ALONG SAID R/W LINE 731 FEET, MORE OR LESS, TO THE POINT OF BEGINNING; THENCE S70°17'53"W, 416.24 FEET TO A POINT; THENCE S70°17'53"W, 277.12 FEET TO A POINT; THENCE N19°40'41"W, 228.30 FEET TO A POINT; THENCE N19°40'41"W, 40.09 FEET TO A POINT; THENCE N6°42'3"S"E, 74.78 FEET TO A POINT; THENCE N10°48'S0"W, 511.53 FEET TO A POINT; THENCE N72°18'8"E, 551.06 FEET TO A POINT; THENCE S17°41'52"E, 65.00 FEET TO A POINT; THENCE N72°18'8"E, 156.13 FEET TO A POINT; THENCE S19°16'11"E, 199.63 FEET TO A POINT; THENCE FOLLOWING THE CURVATURE THEREOF AN ARC DISTANCE OF 122.95 FEET TO A POINT, (SAID ARC HAVING A CHORD BEARING OF S13°57'44"E, A CHORD DISTANCE OF 122.93 FEET AND A RADIUS OF 1887.71 FEET); THENCE FOLLOWING THE CURVATURE THEREOF AN ARC DISTANCE OF 276.65 FEET, (SAID ARC HAVING A CHORD BEARING OF S7°53'49"E, A CHORD DISTANCE OF 276.40 FEET AND A RADIUS OF 1889.14 FEET); THENCE FOLLOWING THE CURVATURE THEREOF AN ARC DISTANCE OF 167.30 FEET, (SAID ARC HAVING A CHORD BEARING OF S1°9'31"E, A CHORD DISTANCE OF 167.25 FEET AND A RADIUS OF 1893.61 FEET) TO THE POINT OF BEGINNING, CONTAINING 13.85 ACRES, MORE OR LESS,

WHEREAS, the owner of said property applied for a Major Modification of the PUD on February 23, 2024 to allow multiple buildings on multiple parcels, with shared access and parking.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on March 21, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

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1. Approval from Traffic Engineering and Engineering-for the 99 parking spaces within the right-of-way along Dunlap Drive;
2. Placement of a note on the recorded site plan stating that full compliance with the UDC landscaping and tree planting requirements for the Outfit Yard, including but not limited to the provision of adequate parking with required safety aisles, landscaping and tree plantings, surfacing and bicycle parking will be provided when the level of improvements exceed 50% of the existing site (at the time of recording);
3. Placement of a note on the recorded site plan stating that complaint parking calculations for the over-all site will be provided as each proposed building is submitted for approval (based on the square footage of office space and the number of manufacturing/warehousing employees);
4. Revision of the site plan to provide pedestrian safety aisles (64-3-12.A.5.(i) and (j)) within all parking areas;
5. Revision of the site plan to provide bicycle parking as per 64-3-12.A.9.(b);
6. Revision of the site plan to indicate compliant dumpsters, or the placement of a note on the site plan stating that dumpsters will not be utilized and refuse collection will be either via curbside service or private can collection;
7. Compliance with all Engineering comments noted in the staff report;
8. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
9. Compliance with all Urban Forestry comments noted in the staff report;
10. Compliance with all Fire Department comments noted in the staff report;
11. 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
12. 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. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;
- D. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- E. Will minimize traffic hazards and traffic congestion on the public roads;
- F. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- G. Shall not be detrimental or endanger the public health, safety or general welfare; and
- H. Benefits Consideration. The request will be in the City's and the larger community's best interests.

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

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

1. Approval from Traffic Engineering and Engineering for the 99 parking spaces within the right-of-way along Dunlap Drive;
2. Placement of a note on the recorded site plan stating that full compliance with the UDC landscaping and tree planting requirements for the Outfit Yard, including but not limited to the provision of adequate parking with required safety aisles, landscaping and tree plantings, surfacing and bicycle parking will be provided when the level of improvements exceed 50% of the existing site (at the time of recording);
3. Placement of a note on the recorded site plan stating that complaint parking calculations for the over-all site will be provided as each proposed building is submitted for approval (based on the square footage of office space and the number of manufacturing/warehousing employees);
4. Revision of the site plan to provide pedestrian safety aisles (64-3-12.A.5.(i) and G)) within all parking areas;

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5. Revision of the site plan to provide bicycle parking as per 64-3-12.A.9.(b);
6. Revision of the site plan to indicate compliant dumpsters, or the placement of a note on the site plan stating that dumpsters will not be utilized and refuse collection will be either via curbside service or private can collection;
7. Compliance with all Engineering comments noted in the staff report;
8. Placement of a note on the recorded site plan stating the Traffic Engineering comments noted in the staff report;
9. Compliance with all Urban Forestry comments noted in the staff report;
10. Compliance with all Fire Department comments noted in the staff report;
11. 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
12. 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 AMEND CHAPTER 34 “LICENSES AND TAXATION” OF THE MOBILE CITY CODE. The following ordinance was held over until the regular meeting of May 28, 2024.

ORDINANCE: 34-035-2024

Sponsored by: Mayor Stimpson

WHEREAS, the City of Mobile (“City”) wishes to amend Chapter 34 – LICENSES AND TAXATION, ARTICLE III. – BUSINESS LICENSE CODE AND SCHEDULE OF LICENSES, of the Mobile City Code;

WHEREAS, the City wishes to amend the SCHEDULE OF LICENSES contained in Chapter 34, Article III, with regard to Automobile Dealers to decrease the License Rate for the year 2024, and increase the License Rate for Automobile Dealers for the year 2025 and thereafter; and

WHEREAS, this Ordinance is enacted to accomplish said goals.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the following Ordinance is adopted to amend the “Schedule of Licenses” located in Chapter 34, of the Code of the City of Mobile, Alabama, 1991, as follows:
The following provisions located in the Schedule of Licenses currently reads as follows:

The following provisions located in the Schedule of Licenses currently reads as follows:

NAICS	Title	License Rate
441120	RETAIL – Automobile Dealers, used only	0.002090
441110	RETAIL – Automobile Dealer (new and used) whether Owned by the dealer or not, except dealers in Motorcycles.	0.002090

The above provisions of the Chapter 34, Schedule of Licenses, shall be amended to provide the rate for year 2024, to read as follows:

NAICS	Title	License Rate
441120	RETAIL – Automobile Dealers, used only	0.001427
441110	RETAIL – Automobile Dealer (new and used) whether Owned by the dealer or not, except dealers in Motorcycles.	0.000790

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The above provisions of the Chapter 34, Schedule of Licenses, shall be amended to provide the rate for year 2025, to read as follows:

NAICS	Title	License Rate
441120	RETAIL – Automobile Dealers, used only	0.001427
441110	RETAIL – Automobile Dealer (new and used) whether Owned by the dealer or not, except dealers in Motorcycles.	0.001400

The above provisions of the Chapter 34, Schedule of Licenses, shall be amended to provide the rate for year 2026, and subsequent years, to read as follows:

NAICS	Title	License Rate
441120	RETAIL – Automobile Dealers, used only	0.002090
441110	RETAIL – Automobile Dealer (new and used) whether Owned by the dealer or not, except dealers in Motorcycles.	0.002090

All other sections of Chapter 34 remain in effect. No other provision of the Schedule of Licenses is altered by this amendment.

Severability. In the event that any subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally a part thereof 2024, to read as follows:

Repealer. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Effective Date. This Ordinance shall be in full force and effect within the City of Mobile and its police jurisdiction from and after its adoption and publication as required by law.

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 37-437 through 37-472 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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LICENSE TO SOUTHEASTERN COMBAT CHAMPIONSHIPS; 7701 HITT ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-437-2024

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.

MINUTES OF MAY 21, 2024

Type of application: Special Events Retail License
Submitted by: Eminence Promotions, LLC
Location: Southeastern Combat Championships
7701 Hitt Road
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.

DECLARE THE STRUCTURE AT 601 TITI STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-438-2024

Sponsored by: Councilmember Carroll

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 601 TITI STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 1, 3, 4, 5, 6, 7, 8 and 14; 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 **601 TITI STREET described as:**

LOTS 8 & 9 BLK 23 FISHER TRACT KNOWN AS TISDALE DBK 75/260 #SEC 13 T4S R1W #MP29 0613 0 003

Parcel Number: 29 0613 0 003 217

Last Assessed to: LEWIS FELECIA BURRELL

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.

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The resolution was read by the Assistant City Clerk, whereupon Councilmember Carroll moved to hold the resolution over for thirty days, 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 thirty days until the regular meeting of June 25, 2024.

DECLARE THE STRUCTURE AT 550 WILLIAMS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-439-2024

Sponsored by: Councilmember Carroll

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 550 WILLIAMS STREET has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: **Nuisance Abatement Inspection Checklist/Exhibit A - No. 3, 4, 7, 8 and 14; 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 **550 WILLIAMS STREET** described as:

BEG AT NE COR LOT 41 BLK 25 BON AIR ESTS DKB 156/374 RUN TH S ALG W/L WILLIAMS ST 51 FT TO CONC MONU PT PT BEING 1 FT S OF SE COR OF LOT 41 TH WITH DEFL ANG TO RT 90 DEG 28 MIN 50 SEC RUN WLY & ALG BDRY/L BET LOTS 41-42 AS ESTAB BY CT DECREE 3-1-67 CIRCUIT CT CASE #35292 C DIS 150 FT M/L TO PT ON W /L LOT 41 PT BEING 1 FT N OF NW COR OF LOT 42 TH N & ALG W /L LOT 41 DIS 49 FT TO NW COR LOT 41 TH E ALG N/L LOT 41 DIS 150 FT TO POB BEING ALL THAT PT OF LOTS 41-42 BLK 25 BON AIR ESTS LYING N OF BDRY/L BET LOTS 41-42 AS ESTAB BY DECREE OF CIRCUIT CT 67/03/01 CASE # 35292-C SHOWN ON SURVEY BY BEDSOLE SURVEYING CO #SEC 28 T4S R1W #MP29 10 28 2 002

Parcel Number: 29 10 28 2 002 072

Last Assessed to: GRIFFIN DAN E

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.

MINUTES OF MAY 21, 2024

The resolution was read by the Assistant City Clerk, whereupon Councilmember Carroll moved to hold the resolution over for thirty days, 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 thirty days until the regular meeting of June 25, 2024.

DECLARE THE STRUCTURE AT 2859 RALSTON ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-440-2024

Sponsored by: Councilmember Daves

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 2859 RALSTON ROAD has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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. 3, 4, 5, 6, 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 **2859 RALSTON ROAD described as:**

LOT 14 BLK D RESUB OF WESTLAWN MBK4 P 516#SEC 19T4S R1W #MP29 08 19 4 003

Parcel Number: 29 08 19 4 003 027

Last Assessed to: T EWS ASHLEY CASTLE

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 adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

MINUTES OF MAY 21, 2024

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1324 JESSIE STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-441-2024

Sponsored by: Councilmember Penn

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolitio¹¹ of the structure at 1324 Jessie Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1324 Jessie Street to be \$2,800.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,800.00 shall constitute a special assessment against the property at structure 1324 Jessie Street and being that property more particularly described as follows:

LOT 16 BLK 4 LA FARGUE PL 2ND S/D DBK 121/511 #SEC 44 T4S R1W #MP29 02 44 0 013

Parcel No.: 29 02 44 0 013 143

Owner: DOUGLAS ZAD & IDA BELL
5205 FERNDAL AVENUE
MOBILE, AL 36618-2334

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

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

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

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

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 609 S. WILSON AVENUE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-442-2024

Sponsored by: Councilmember Penn

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WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 609 S. Wilson Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure ,609 S. Wilson Avenue to be \$10,000.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$10,000.00 shall constitute a special assessment against the property at structure 609 S. Wilson Avenue and being that property more particularly described as follows:

PARCEL A-ALL THAT PT OF LOTS 17 & 16 BLK I WILSONS 3RD ADD DBK 102 NS P 499 & MORE PARTIC DESC AS FOLLS BEG AT NE COR OF LOT 17 RUN SLY ALG E/LOF LOTS 17 & 16 DIS OF 75 FT TO PT TH WITH ENCL ANG OF 90 DEG RUN WLY PAR WITH N/L OF LOT 17 DIS OF 204.20 FT TO PT TH WITH ENCL ANG OF 98 DEG 57 MIN RUN NLY 75.92 FT TO PT ON N/L OF LOT 17 TH WITH ENCL ANG OF 81 DEG 03 MIN RUN ELY ALG N/L OF LOT 17 DIS OF 216 FT TO POB PARCEL B-ALL THAT PT OF LOTS 15 & 16 BLK 1 WILSONS 3RD ADD DBK 102 NS P 449 & MORE

Parcel No.: 29 02 44 0 015 404.xxx

**Owner: CAMPBELL LAGRETTA
1714 S ATMORE AVENUE
MOBILE, AL 36612-1713**

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

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

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

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

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1163 GHENT STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-443-2024

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1163 Ghent Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

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WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1163 Ghent Street to be \$2,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,200.00 shall constitute a special assessment against the property at structure 1163 Ghent Street and being that property more particularly described as follows:

BEG ON E/S OF GHENT ST 306 FT S OF S/L OF DOMINICK ST TH RUN E & PAR TO DOMINICK ST 75 FT TO A PT TH RUNS & PAR TO GHENT ST 46 FT TO A PT TH RUN W & PAR TO DOMINICK ST 76 FT TO A PT ON E/S OF GHENT ST TH N ALG EIS OF GHENT ST 46 FT TO POB BEING PT OF LOTS 11 & 12 IN BLK 13 OF TOULMIN TRT #SEC 28 T4S R1W #MP29 10 28 4 003

Parcel No.: 29 10 28 4 003 008.xxx

**Owner: HOB DY DARLENE, BERTRAND DENNIS
& ANTHONY DENNIS
1163 GHENT STREET
MOBILE, AL 36605-4864**

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

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

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

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

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1555 PLOVER STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-444-2024

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1555 Plover Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1555 Plover Street to be \$3,800.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$3,800.00 shall constitute a special assessment against the property at structure 1555 Plover Street and being that property more particularly described as follows:

LOT 40 COLGIN ADD TO OAKDAL E DBK 115 P 361 #SEC 28 T4S 1W #MP29 10 28 4 005

Parcel No.: 29 10 28 4 005 061.xxx

**Owner: MIXON EDWARD & JESSIE MAE
111 S CATHERINE STREET, APT 1A
MOBILE, AL 36604-1701**

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

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

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

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

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 515 YUKERS STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-445-2024

Sponsored by: Councilmember Carroll

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 515 Yukers Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 515 Yukers Street to be \$2,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,700.00 shall constitute a special assessment against the property at structure 515 Yukers Street and being that property more particularly described as follows:

LOT 8 DOSS S/D MBK 76/85 #SEC 44 T 4S R1W #MP29 02 44 0 022

Parcel No.: 29 02 44 0 022 379.004

Owner: STEPHENS GEORGE & JOYCE S

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**1733 HIGHLANDS VW SE
SMYRNA, GA 30082**

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

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

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

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

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1567 ROBERT E. LEE STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-446-2024

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1567 Robert E. Lee Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1567 Robert E. Lee Street to be \$3,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$3,200.00 shall constitute a special assessment against the property at structure 1567 Robert E. Lee Street and being that property more particularly described as follows:

**LOT 9 SQ 6 OLINGER & STEIN SUB OF PART OF SQ 5 MANDERVILLE TRT DBK 128
P 101 #SEC 36 T4S R1W #MP29 11 36 0 004**

Parcel No.: 29 11 36 0 004 177.xxx

**Owner: LEWIS FREDIA MAE ELDRIDGE
C/O RONALD LEWIS
BIRMINGHAM, AL 35261-0745**

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

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

MINUTES OF MAY 21, 2024

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

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

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1575 ROBERT E. LEE STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-447-2024

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1575 Robert E. Lee Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1575 Robert E. Lee Street to be \$2,700.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,700.00 shall constitute a special assessment against the property at structure 1575 Robert E. Lee Street and being that property more particularly described as follows:

PPTY AT 1575 ROBERT E LEE STREET DESC AS FOLL LOT 13 BLK 6 OLLINGER & STEIN SUB OF PT OF SQ 5 MANDEVILLE TRT DBK 128 NS PG 101 LOT IS 40 X 150 #SEC 36 T4S R1W #MP29 11 36 0 004

Parcel No.: 29 11 36 0 004 173.xxx

**Owner: AUGUSTA EDDIE
30941 MILLS LANE
STE G PMB 106
SPANISH FORT, AL 36527-5457**

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

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

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

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

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1353 WINDSOR AVENUE.

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-448-2024

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1353 Windsor Avenue and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1353 Windsor Avenue to be \$2,000.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$2,000.00 shall constitute a special assessment against the property at structure 1353 Windsor Avenue and being that property more particularly described as follows:

**LOT 10 BLK 4 BR9OKLEY HGTS 1ST SECTOR MBK 3/677 #SEC 37 T5S R1W #MP32
02 37 0 001**

Parcel No.: 32 02 37 0 001 115.xxx

Owner: **SALTER JAZZMINE ROSHENE
3380 SHADY ACRES DRIVE E
MOBILE, AL 36618-4206**

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

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

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

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

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

FIX COSTS FOR SECURING THE STRUCTURE AT 5450 COCA COLA ROAD. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-449-2024

Sponsored by: Councilmember Reynolds

MINUTES OF MAY 21, 2024

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the securing of the structure at 5450 Coca Cola Road and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the securing of the structure 5450 Coca Cola Road to be \$24,475.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF .MOBILE, ALABAMA, as follows: \$24,475.00 shall constitute a special assessment against the property at structure 5450 Coca Cola Road and being that property more particularly described as follows:

COM AT NE COR OF NW 1/4 OF SEC 27 T5S R2W RUN TH S 00 DEG 42 MIN 19 SEC E ALG E/L OF SD NW 1/4 DIS OF 1110.75 FT TH RUNS 89 DEG 02 MIN 16 SEC W 558.42 FT TO POB TH CONT S 89 DEG 02 MIN 16 SEC W 755.24 FT TO PT ON N RWL OF COCA COLA RD SD PT BEING P C OF 164 FT RAD CUR CONC SWL Y TH ALG SD N/L OF COCA COLA RD RUN SEL Y ALG ARC OF SD CUR 186.05 FT TO P T OF SD CUR TH CONT ALG SD N/L OF COCA COLA RD RUN S 25 DEG 57 MIN 44 SEC E 49.93 FT TOP C OF CURVE TO LT HAV CNTRL ANG OF 65 DEG 00 MIN & RAD OF 1

Parcel No.: 33 08 27 2 000 004.001

**Owner: KNA FAMILY LLC GEORGIA LIMITED
C/O HOTEL HOLDING LLC
2730 WASHINGTON BLVD, UNIT 6231
OGDEN, UT 84402-5090**

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

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

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

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

Nays: None

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 7272 14TH STREET. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 40-450-2024

Sponsored by: Councilmember Gregory

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 7272 14th Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

MINUTES OF MAY 21, 2024

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 7272 14th Street to be \$3,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: \$3,200.00 shall constitute a special assessment against the property at structure 7272 14th Street and being that property more particularly described as follows:

LOTS 25 & 26 BLK 29 MOBILE TERRACE DBK 156 NS PG 540 #SEC 18 T4S R2W #MP28 04 18 1 001

Parcel No.: 28 04 18 1 001 062.xxx

**Owner: JORDAN SUDIE B
6804 BAYBORO CT
MOBILE, AL 36608-4203**

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

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

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

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH; ALLMAN. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-451-2024

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 each to the following employee(s):

Fire Service Driver Michael T. Allman (Emp #6747)

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

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

MINUTES OF MAY 21, 2024

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 OFFICER OF THE MONTH; KRISS.

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-452-2024

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 each to the following employee:

April 2024: Officer Jonathan Kriss

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

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

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

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

DETERMINE AN APPROPRIATION TO WEST SIDE ATHLETIC ASSOCIATION OF MOBILE, AL, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.

The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-453-2024

Sponsored by: Councilmember Woods

WHEREAS, Councilmember Woods wishes to appropriate **\$1,500.00** to West Side Athletic Association of Mobile, Alabama Inc., from their discretionary funds; and

WHEREAS, West Side Athletic Association of Mobile, Alabama 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 West Side Athletic Association of Mobile, Alabama Inc., will be used to assist with the baseball team's equipment, training practice facilities, and tournament fees.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$1,500.00** to West Side Athletic Association of Mobile, Alabama Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes

MINUTES OF MAY 21, 2024

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 Gregory moved to adopt the resolution, which was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL MORE THAN 30 DAYS LICENSE TO OVATIONS FOOD SERVICES; CIVIC CENTER. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-470-2024

Sponsored by: Councilmember Carroll

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 License

Submitted by: Ovations Food Services, LP

Location: Mobile Convention Center
1 South Water Street
Mobile, Al 36602

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

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

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL MORE THAN 30 DAYS LICENSE TO OVATIONS FOOD SERVICES; CONVENTION CENTER. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-471-2024

Sponsored by: Councilmember Carroll

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 License

Submitted by: Ovations Food Services, LP

MINUTES OF MAY 21, 2024

Location: Mobile Convention Center
1 South Water Street
Mobile, Al 36602

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL RETAIL MORE THAN 30 DAYS LICENSE TO OVATIONS FOOD SERVICES; SAENGER THEATRE. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 37-472-2024

Sponsored by: Councilmember Carroll

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 License

Submitted by: Ovations Food Services, LP

Location: Saenger Theatre
6 South Joachim Street
Mobile, Al 36602

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

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

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CIP RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider CIP resolutions 08-454 and 21-456 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.

CIP RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO DENNIS ALUMINUM PRODUCTS FOR DECORATIVE ALUMINUM SIGNPOSTS FOR PARKS DEPARTMENT; \$16,660.00.
The following resolution was introduced by Councilmember Gregory.

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RESOLUTION: 08-454-2024

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
<u>7825</u>	2024	(2012) PARKS MAINTENANCE	28 DECORATIVE ALUMINUM SIGN POSTS FOR PARKS DEPT (SEALED BID 5766)	\$16,660.00	<u>(44605) DENNIS ALUMINUM PRODUCTS</u>

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

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

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

TRANSFER FUNDS FROM CAPITAL PROJECT GREENWAY TRAIL TO GRANT FUND GREENWAY TRAIL; \$200,000.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 09-455-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$200,000.00 be transferred from capital project C0526 (20002000.94070) CIP Greenway Trail Sec 1 & 2 to Project G-TAP3MC (50015001.93030). These funds will be reallocated and used as a match for the FY25 TAP Grant.

AUTHORIZE CONTRACT WITH H & H ELECTRIC COMPANY, INC. FOR ELECTRICAL UPGRADES TO AZALEA CITY GOLF COURSE IRRIGATION PUMP FACILITY; \$49,880.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 21-456-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

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

Name of Company: H & H Electric Company, Inc.

Project Name: Azalea City Golf Course – Pump House Repairs
Electrical Upgrades

MINUTES OF MAY 21, 2024

Project Number: PR-023-24

Amount: \$49,880.00

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

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

Nays: None

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

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH COMMUNITY OF MOBILE, INC. FOR CIP OLD SHELL ROAD OVERPASS (D1) \$250,000.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 01-457-2024

Sponsored by: Mayor Stimpson and Councilmember Penn

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, by and between the City of Mobile and the company listed below, for work as outlined in the agreement attached hereto and made a part hereof as set forth in full, subject to the company signing the agreement and furnishing the required bonds and insurance. A copy of said executed agreement will be on file in the office of the City Clerk.

Name of Company: Community of Mobile, Inc.

Project Name: CIP Old Shell Road Overpass
(A.K.A Cooperative Cost Sharing Agreement for Improvement
of Public Right of Way)
COM Project # 2024-3005-15

Amount: \$250,000.00

AMEND AGREEMENT WITH FIRST TRANSIT, INC. FOR MANAGEMENT OF WAVE TRANSIT, INC.; \$3,011,631.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 01-458-2024

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 to execute and attest, respectively, for and on behalf of the City of Mobile, an amendment to an agreement dated July 1, 2018, by and between the City of Mobile and First Transit, Inc, for management of the Wave transit system, to set management fees and insurance rates for the final two renewal years in a total amount of \$3,011,631.00, as outlined in the contract amendment attached hereto and made a part hereof as though set forth in full. A Copy of said contract amendment is on file in the Office of the City Clerk.

APPROVE PURCHASE ORDER TO AUTONATION FORD MOBILE FOR 5 FORD BRONCO SUVS FOR MUNICIPAL ENFORCEMENT; \$151,450.00. The following resolution was held over until the regular meeting of May 28, 2024.

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RESOLUTION: 08-459-2024

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
<u>7128</u>	2024	(F7000) MOTOR POOL	5 2024 FORD BRONCO SPORT 4X4 SUVS FOR MUNICIPAL ENFORCEMENT (SEALED BID 5878)	\$151,450.00	(270013) AUTONATION FORD MOBILE

APPROVE PURCHASE ORDER TO DANA SAFETY SUPPLY, INC. FOR 18 CHEVROLET TAHOE SUVS FOR MFRD; \$180,746.64. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 08-460-2024

Sponsored by: Mayor Stimpson and Councilmember Penn

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>9115</u>	2024	(1510) FIRE ADMINISTRATIO	OPERATIONAL UPFIT OF 18 CHEVROLET TAHOE PPV SUVS FOR MFRD (AL STATE CONTRACT)	\$180,746.64	(290980) DANA SAFETY SUPPLY INC

APPROVE PURCHASE ORDER TO GRAYBAR ELECTRIC COMPANY, INC. FOR 100 LUMINAIRES FOR TRAFFIC ENGINEERING; \$103,208.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 08-461-2024

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:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>8664</u>	2024	(2060) TRAFFIC ENGINEERING	100 NAVION ROADWAY LUMINAIRES FOR TRAFFIC ENGINEERING (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$103,208.00	(75199) <u>GRAYBAR ELECTRIC CO INC</u>

APPROVE PURCHASE ORDER TO GULF COAST TRUCK & EQUIPMENT COMPANY, INC. FOR 3 TRASH SHUTTLE TRUCKS; \$342,114.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 08-462-2024

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
<u>7624</u>	2024	(F7000) MOTOR POOL	3 TRASH SHUTTLE TRUCKS FOR TRASH AND GARBAGE (SEALED BID 5877)	\$342,114.00	(77800) <u>GULF COAST TRUCK & EQUIPMENT CO INC</u>

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT COMPANY, INC. FOR STREET SWEEPERS FOR PUBLIC SERVICES; \$665,156.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 08-463-2024

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:

MINUTES OF MAY 21, 2024

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
<u>8968, 8970</u>	2024	(F7000) MOTOR POOL	ONE ELGIN BROOM BEAR AND ONE ELGIN PELICAN STREET SWEEPER FOR PUBLIC SERVICES MAINTENANCE (SOURCEWELL COOPERATIVE PRUCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$665,156.00	(190715) <u>SANSOM EQUIPMENT CO INC</u>

APPROVE PURCHASE ORDER TO SUNBELT FIRE, INC. FOR LEATHER FIRE BOOTS AND FIRE HELMETS FOR MFRD; \$23,010.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 08-464-2024

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
<u>8351</u>	2024	(1510) FIRE ADMINISTRATION	20 PAIR LEATHER FIRE BOOTS, 30 FIRE HELMETS FOR MFRD (HGAC COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$23,010.00	(198904) <u>SUNBELT FIRE INC</u>

APPROVE PURCHASE ORDER TO TRUCK EQUIPMENT SALES, INC. FOR FORD F250 EXTENDED-CAB TRUCKS FOR FACILITIES MAINTENANCE; \$238,080.00. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 08-465-2024

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:

MINUTES OF MAY 21, 2024

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7103</u>	2024	(F7000) MOTOR POOL	4 FORD F250 EXTENDED-CAB TRUCKS WITH UTILITY BODIES FOR FACILITIES MAINTENANCE (SEALED BID 5876)	\$238,080.0	<u>(208560) TRUCK EQUIPMENT SALES INC</u>

AUTHORIZE CONTRACT WITH JOHN G. WALTON CONSTRUCTION COMPANY, INC. FOR WESTERN BAYFRONT RESURFACING; \$1,569,107.77. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 21-466-2024

Sponsored by: Mayor Stimpson and Councilmember Carroll

WHEREAS, bids for street resurfacing for district 2 were received and opened on April 24, 2024.

WHEREAS, the City Engineer has recommended an award to the lowest bid meeting specifications from John G. Walton Construction Company, Inc., in the amount of \$1,569,107.77.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by John G. Walton Construction Company, Inc.

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

Name of Company: John G. Walton Construction Company, Inc.

Project Name: Western Bayfront Resurfacing (D2)

Project Number: 2024-3005-04

Amount: \$1,569,107.77

AUTHORIZE CONTRACT WITH COURTNEY NALL-MCCULLEY TO PROVIDE PSYCHOLOGICAL AND FITNESS-FOR-DUTY EVALUATIONS; \$20,000.00 PER YEAR. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 21-467-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABMA, that the Mayor and City Clerk be, and they herby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Courtney Nall-McCulley, MA, to provide psychological and fitness-for-duty evaluations, for five years, then to continue month-to-month, without further approval required by Council, in an amount as needed not to exceed \$20,000.00 per year, 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.

CONSIDER THE APPLICATION TO NASIA POPE FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A NON-EMERGENCY MEDICAL TRANSPORT SERVICE. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 37-468-2024

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

SET THE SCOPE AND TOPICS FOR INVESTIGATION INTO PUBLIC ALLEGATIONS MADE BY MOBILE POLICE CHIEF PAUL PRINE AND NAMING SPECIAL CONSEL TO CONDUCT INVESTIGATION. The following resolution was held over until the regular meeting of May 28, 2024.

RESOLUTION: 60-473-2024

Sponsored by: City Council

WHEREAS, on April 30, 2024, the Mobile City Council passed Resolution 60-372 authorizing an investigation into public allegations made by former Mobile Police Department Chief Paul Prine ("Chief Prine"); and

WHEREAS, that resolution appointed the Council Committee of the Whole to direct said investigation; and

WHEREAS, the Council Committee of the Whole met on May 7, 2024 to discuss topics including the scope and specific topics for any third-party outside Special Counsel to investigate; and

WHEREAS, time being of the essence, the Council Committee of the Whole has solicited and reviewed proposals for outside third-party attorneys licensed in the State of Alabama to conduct said investigation;

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

1. There will be four basic factual areas for a third-party retained Special Counsel to investigate and report back to the City Council on:

(a) the circumstances regarding the engagement of 321z Insights by the City of Mobile, the City of Mobile Police Department, and/or the Gulf Coast Technology Center ("GCTC") to conduct a review of the "EchoStop" program, including how and why the contract for same was solicited and presented to the Council and any internal or "peer" review as to same done by or at the request of GCTC;

(b) issues related to the "chain of command" at GCTC (also often referred to as MPD Cyber) and allegations that the Chief of Police was improperly cut out of or else unable to use GCTC resources;

(c) the circumstances surrounding the alleged breakdown of relations between the City Administration and Chief Prine on or about November 2023 and leading up to and including discussions between the City Administration and Chief Prine on or about April 2024 regarding his proposed retirement or resignation; and

2. In investigating any and all of these factual areas, the Special Counsel shall only investigate those matters which, if true, would constitute illegal, unethical, or out-of-policy behavior. In doing so, the Special Counsel should in every instance, in accord with best investigatory practices, identify anyone who: (a) committed an alleged violation; (b)

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precisely what the violation allegedly was; (c) precisely what law, regulation, procedure, standard or practice, or City policy was allegedly violated; and (d) precisely when and where any such alleged violation occurred.

3. The Special Counsel's factual scope and remit is limited to the matters contained above in paragraphs one and two. Should the Special Counsel in the course of conducting its investigation uncover additional allegations or issues that do not fit within the scope of the investigation as described herein, the Special Counsel is not to pursue or report to the Council on any such allegations. The Special Counsel however, consistent with its legal and ethical duties, shall separately report any such allegations or issues to the proper investigatory authorities, State or Federal, in the event said allegations or issues would constitute illegal or unethical behavior.

4. The total budget for the investigation described herein shall be one-hundred thousand dollars (\$100,000.00).

5. The investigation and written report of the Special Counsel shall be completed and submitted to the Council within forty-five (45) days of the Special Counsel being named. If for any reason at any time within that forty-five (45) day period either the budget or timeline for the investigation and report turns out to be inadequate in the opinion of the Special Counsel, he shall inform the Council Committee of the Whole immediately so that the Council may consider same and take additional action if warranted.

(d) any allegations made by Chief Prine that written grievances filed or submitted by him were not properly addressed or investigated.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO ASSENT TO THE VACATION OF A PORTION OF A SERVICE ROAD AND RIGHT-OF-WAY LOCATED AT KNOLLWOOD DRIVE AND MEDICAL PARK DRIVE (SCHEDULED FOR JUNE 25, 2024) (DISTRICT 6). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-469-2024

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 VACATION OF A PORTION OF A SERVICE ROAD AND CITY RIGHT-OF-WAY LOCATED AT KNOLL WOOD DRIVE AND MEDICAL PARK DRIVE

Notice is hereby given that the Mobile City Council proposes to consider adoption of a resolution assenting to the vacation of a portion of a service road and City right-of-way located at Knollwood Drive and Medical Park Drive.

The adoption of such resolution will be considered by the Mobile City Council on the 25th day of June, 2024, at 10:30 a.m., in the Mobile Government Plaza Auditorium, 205 Government Street.

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

WHEREAS, GK Land Holdings, LLC, an Alabama limited liability company, as the owner of all of the land abutting a portion of Medical Park Drive located in the City of Mobile, Alabama, has requested the Mobile City Council to assent to the vacation and closing by it as the owner of such portion of Medical Park Drive hereinafter described;

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WHEREAS, it has been shown to the satisfaction of the Mobile City Council that GK Land Holdings, LLC owns all of the land abutting along said portion of Medical Park Drive, that the same is not needed as a public road in the City of Mobile, Alabama, that the vacation of same will not deprive any other property owners of such right as such property owners may have to convenient and reasonable ingress and egress to and from such other property, and that it would be to the best interest of the Mobile City Council to vacate the same;

WHEREAS, said owner has consented to this vacation;

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council that its assent be, and it is hereby given to GK Land Holdings, LLC, as owner of all of the land abutting a portion of Medical Park Drive, to the vacation and closing by it of the following described right of way, more particularly described as follows:

See Exhibit A attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, by the Mobile City Council, that its assent be and the same hereby is, given to vacate and annul the herein described service road and right of way located Mobile, Alabama, subject, however, to the following conditions:

1. The declaration of vacation and this resolution assenting to the vacation of said property, upon adoption by the Mobile City Council, be recorded in the Probate Court of Mobile County, Alabama, and a certified copy of the resolution shall be immediately delivered to the Tax Assessor's Plat Room so that this property may be reassessed in the name of the new owners;
2. An easement is excepted from this vacation and is retained in favor of Spire Gulf, Inc. to operate and maintain its existing service line within the easement.
3. An easement is excepted from this vacation and is retained in favor of AT&T to operate and maintain its existing service line within the easement.
4. Alabama Power Company and AT&T are reserved all rights and privileges necessary and convenient for full enjoyment of use of its facilities within and adjacent to the area to be vacated; including the right of ingress and egress to and from said facilities, the right to cut and/or trim trees/limbs which, in their sole opinion would interfere with said facilities, and the right to prohibit use of the land vacated in a manner which violates the National Electric Safety Code.

EXHIBIT A

LEGAL DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF LOT 4, SOUTHWEST COMMUNITY HOSPITAL SUBDIVISION, AS RECORDED IN MAP BOOK 34 PAGE 68, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA; THENCE NORTH 00° 30' 45" WEST ALONG THE EAST LINE OF MEDICAL PARK DRIVE 245.00 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 00° 30' 45" WEST 75.15 FEET; THENCE NORTH 89° 50' 11" EAST 201.90 FEET; THENCE NORTH 38° 40' 45" EAST 25.81 FEET TO THE WEST LINE OF KNOLLWOOD DRIVE; THENCE SOUTH 51° 19' 15" EAST ALONG SAID WEST LINE 75.00 FEET TO THE P.C. OF A 25 FOOT RADIUS CURVE; THENCE WESTWARDLY TO THE LEFT AND ALONG THE ARC OF SAID CURVE 39.27 FEET (CHORD: SOUTH 83° 40' 45" WEST 35.36 FEET) TO THE P.T. THEREOF; THENCE SOUTH 38° 40' 45" WEST 24.75 FEET; THENCE SOUTH 89° 50' 11" WEST 200.38 FEET TO THE P.C. OF A 25 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTWARDLY ALONG THE ARC OF SAID CURVE 39.42 FEET (CHORD: SOUTH 44° 39' 43" WEST 35.46 FEET) TO THE POINT OF BEGINNING.

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The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves 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 June 25, 2024.

ANNOUNCEMENTS

Councilmember Penn encouraged citizens to text MOBILECD1 to 91896 to sign receive important District 1 updates via text.

Councilmember Penn announced that a District 1 Rally promoting peace will be held at LeFlore High School’s stadium on June 1, 2024, at 9:00 a.m.

Councilmember Carroll thanked the Mobile Police Department for apprehending the suspect that was responsible for the recent rash of burglaries.

Councilmember Carroll stated that he would attend the 2024 Lawn Festival at Prince of Peace Catholic Church on June 1, 2024.

Councilmember Woods encouraged citizens to attend the Memorial Day Concert hosted by the Mobile Symphonic Pops Band at Medal of Honor Park on May 25, 2024, from 7:00 p.m. – 9:00 p.m.

Councilmember Small thanked the Administration for installing speed bumps on Baltimore Street.

Councilmember Small informed citizens that he would be the guest speaker at the 5th grade crossover ceremony at Pillans Middle School on Wednesday, May 22, 2024.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 12:01 p.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK