

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 10, 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, September 10, 2024, at 9:00 a.m.

Councilmembers:

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

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.

Ricardo Woods, City Attorney, stated:

“My name is Ricardo Woods and I’m an attorney licensed to practice law in the state of Alabama. I certify that we have an issue that qualifies to be discussed in an executive session because it is a matter of economic development and commerce involving trade secrets. I ask that you take a roll call vote to go into executive session and reconvene at the 10:30 a.m. meeting.

Councilmember Gregory moved to enter into executive session, which move was seconded by Councilmember Penn and the roll call vote was as follows:

Penn: Aye
Carroll: Aye
Small: Aye
Reynolds: Aye
Woods: Aye
Gregory: Aye

The Presiding Officer declared the motion adopted and the Council entered into executive session at approximately 10:05 a.m.

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, SEPTEMBER 10, 2024

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

The meeting was called to order by the City Clerk.

Patricia Evans, Public Safety Chaplain, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

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NOTE: Vice President Gregory requested a moment of silence in memoriam of Katherine Ashley Smith, previous Mobile Area Mardi Gras Association Queen, who was recently killed by a drunk driver.

Present on Roll Call:

Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Carroll, Reynolds, and Woods
Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER

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

APPROVAL OF MINUTES

The minutes from the meeting of September 3, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson provided updates for the demolition schedule for the Civic Center.

Mayor Stimpson announced that the Supplier Diversity Department will host an informational meeting for businesses interested in engaging in the new Arena construction.

Mayor Stimpson read and presented a proclamation declaring September, 2024 as “Suicide Prevention Month” in Mobile.

Mayor Stimpson read and presented a proclamation declaring September, 2024 as “Sickle Cell Disease Awareness Month” in Mobile.

Mayor Stimpson introduced seniors from Faith Academy High School who were shadowing him for the day.

ADOPTION OF THE AGENDA

Councilmember Penn moved to adopt the agenda, which was seconded by Councilmember Reynolds and the vote was as follows:

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

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

APPEALS

Request of Shelisskia Melton for a waiver of the Noise Ordinance at Mardi Gras Park on October 19, 2024, from 8:00 a.m. – 2:00 p.m. (District 2).

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

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

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

PUBLIC HEARINGS

PUBLIC HEARING TO CONSIDER THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1480 SACHEL PAIGE DRIVE (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to consider the proposed modification of a previously approved Planned Unit Development for property located at 1480 Satchel Paige Drive and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE PROPOSED CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 6411 HOWELLS FERRY ROAD (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to consider the proposed Conditional Use Permit for property located at 6411 Howells Ferry 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 ordinance authorizing the proper action would be introduced later in the meeting.

PUBLIC HEARING TO CONSIDER THE PROPOSED REZONING OF PROPERTY LOCATED AT 6411 HOWELLS FERRY ROAD FROM R-3 TO R-3 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to consider rezoning of property located at 6411 Howells Ferry Road from R-3 to R-3 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 505 CHIN 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 505 Chin Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Sandra Mosley, property owner, requested additional time.

Reggie Hill, 1007 Center Street, spoke about the matter.

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 1267 CONGRESS 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 1267 Congress Street a public nuisance and order it demolished 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 DECLARE THE STRUCTURE AT 1289 CARLTON ACRES, E. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1289 Carlton Acres, E. a public nuisance and order it demolished/secured 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 DECLARE THE STRUCTURE AT 2010 VICTORY DRIVE, W. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 2010 Victory Drive, W. 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 DECLARE THE STRUCTURE AT 1009 WASHINGTON AVENUE, S. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1009 Washington Avenue, S. a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

Reggie Hill, 1007 Center Street, spoke about the matter.

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 4885 DAN WILLIAMS ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 4885 Dan Williams 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 DECLARE THE STRUCTURE AT 5937 WESTHAVEN DRIVE, S. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 5937 Westhaven Drive, S. a public nuisance and order it demolished 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:

Rena Chapa, 5725 Old Pascagoula Road, provided comments about public safety in Mobile.

Charles Williams, 1004 Susie Ansley Street, expressed his concerns about drag racing on Paper Mill Road.

Melissa Gates, 1280 Rigby Road, spoke about books available at the Mobile Public Library.

Christopher Williams, Sr., 851 East Street, provided information about drag racing on Paper Mill Road.

Ramsey Sprague, 63 S. Fulton Street, voiced his concerns about drag racing on Paper Mill Road.

NOTE: At approximately 11:42 a.m., Lisa Lambert, City Clerk, excused herself from the meeting. Lana Pafenbach, Assistant City Clerk, proceeded to conduct the remainder of the meeting.

Sabrina Mass, 1050 Belvedere Circle, W., talked about housing, ARPA funds, mismanagement of funds, and public safety.

Toni Keener, 7255 Bull Pen Circle, spoke about City funding to the Mobile Public Library.

AGENDA ITEMS:

Reggie Hill, 1007 Center Street, offered comments about Resolutions 08-857 and 09-859.

ORDINANCES HELD OVER

REZONE PROPERTY LOCATED AT THE SOUTH SIDE OF KOOIMAN ROAD, 1,237' WEST OF TODD ACRES DRIVE. The following ordinance, which was introduced and read at the regular meeting of August 20, 2024 and held over until the regular meetings of August, 27, and September 10, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-048-2024

Sponsored by: Councilmember Reynolds

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

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

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

A PARCEL OF LAND BEING SITUATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 WEST,

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MOBILE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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

The classification of said property is hereby changed from R-A, Residential Agriculture District, to B-5, Office Distribution District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-5, Office Distribution District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-5, Office Distribution District until all of the conditions set forth below have been complied with: 1. Completion of a 1-lot Subdivision; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and, 3. Full compliance with all municipal codes and ordinances.

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

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

Ayes: Penn, Carroll, Small, Reynolds, 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 ordinance adopted.

CIP RESOLUTIONS HELD OVER:

AUTHORIZE CONTRACT WITH WATERMARK DESIGN GROUP, LLC FOR TAYLOR PARK COMMUNITY CENTER IMPROVEMENTS; \$470,000.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-850-2024

Sponsored by: Councilmember Small and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement, 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: Watermark Design Group, LLC

Project name: CIP Taylor Park – Community Center Improvements

Project number: PR-003-24

Amount: \$470,000.00

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

Ayes: Penn, Carroll, Small, Reynolds, 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 CHRIS BREWER CONTRACTING, INC. FOR 2024 CITY WIDE CIP SIDEWALK REPAIRS & MAINTENANCE; \$926,724.66. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-851-2024

Sponsored by: Councilmembers Penn, Carroll, Small, Reynolds, Daves, Woods, & Gregory and Mayor Stimpson

WHEREAS, bids for sidewalk repairs for districts 1, 2, 3, 4, 5, 6, and 7 were received and opened on July 24, 2024.

WHEREAS, the City Engineer has recommended award to the lowest bid of \$745,920.00 meeting specifications from Chris Brewer Contracting, Inc., contract in the amount of \$926,724.66.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by HCL Contracting, LLC.

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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: Chris Brewer Contracting, Inc.
Project name: 2024 City Wide CIP Sidewalk Repairs & Maintenance
Project number: 2024-3005-14
Amount: \$926,724.66

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

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

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

RESOLUTIONS HELD OVER:

AUTHORIZE AGREEMENT WITH JAGUAR CONSULTING, LLC FOR HISTORY MUSEUM OF MOBILE CHILLER REPLACEMENT; \$22,000.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-852-2024
Sponsored by: Councilmember Carroll and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement, 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: Jaguar Consulting, LLC
Project name: History Museum of Mobile – Chiller Replacement
Project number: MU-013-24
Amount: \$22,000.00

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

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

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

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AUTHORIZE SUBAWARD GRANT AGREEMENT AMENDMENT #2 WITH THE STATE OF ALABAMA FOR MOBILE AREA STORM WATER MAPPING & RESILIENCY PLANNING. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-853-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a Subaward Agreement, between the City of Mobile and the Alabama Department of Conservation and Natural Resources (ADCNR), or one worded substantially the same, for Amendment No. 2 of an existing grant for Mobile Area Storm Water Mapping & Resiliency Planning, and to take all actions necessary to effectuate said Agreement, as outlined in the Agreement attached hereto and made a part hereof as though set forth in full. A copy of said Agreement will be on file in the office of the City Clerk.

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

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

Nays: None

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

AUTHORIZE AGREEMENT WITH ALABAMA DEPARTMENT OF TRANSPORTATION FOR THE DAUPHIN STREET CONGESTION MANAGEMENT PROJECT FROM SAGE AVENUE TO SPRINGHILL HOSPITAL. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-854-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory and Mayor Stimpson

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

That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Intersection improvements-congestion management process-Dauphin Street from Sage Avenue to Springhill Hospital; Project # STPMB-7533(602); CPMS # 100079159;

Which agreement is before this Council, and that the agreement be executed in the name of the City, by the Mayor for and on its behalf and that it be attested by the City Clerk and the official seal of the City be affixed thereto.

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

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

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

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

AUTHORIZE AMENDMENT TO AGREEMENT WITH COMMUNITY OF MOBILE, INC. FOR OLD SHELL OVERPASS; \$25,000.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-855-2024

Sponsored by: Councilmember Penn and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Amendment to Agreement, by and between the City of Mobile and the company listed below, for work as outlined in the Amendment to Agreement attached hereto and made a part hereof as set forth in full, subject to the company signing the contract and furnishing the required bonds and insurance. A copy of said executed contract 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 (Amendment to Agreement for Improvement of Public Right-of-Way)
D1 COM Project #2024-3005-15

Estimated cost: \$25,000.00

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

Ayes: Penn, Carroll, Small, Reynolds, 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 PLACER LABS, INC. FOR SUBSCRIPTION TO PLACER.AI DATA SERVICES STRATEGIC INITIATIVES; \$35,000.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-856-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>13580</u>	2024	(0590) OFFICE OF STRATEGIC INITIATIVE	ONE-YEAR SUBSCRIPTION TO PLACER.AI LOCATION ANALYTICS DATA SERVICES FOR STRATEGIC INITIATIVES (PROFESSIONAL SERVICE)	\$35,000.00	<u>(299238) PLACER LABS INC</u>

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

Ayes: Penn, Carroll, Small, Reynolds, 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 SAVANT LEARNING SYSTEMS, D/B/A VIRTUAL ACADEMY, FOR SUBSCRIPTION FOR VITUAL PEACE OFFICER TRAINING FOR MPD; \$20,000.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-857-2024

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>13226</u>	2024	(1530) POLICE ADMIN SERVICES	ONE YEAR SUBSCRIPTION RENEWAL FOR VIRTUAL PEACE OFFICER TRAINING SERVICES FOR MPD (PROFESSIONAL SERVICE)	\$20,000.00	<u>(297293) SAVANT LEARNING SYSTEMS DBA VIRTUAL ACADEMY</u>

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

Ayes: Penn, Carroll, Small, Reynolds, 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 FARO TECHNOLOGY FOR SUBSCRIPTION FOR 3D VISUAL SOFTWARE, EQUIPMENT, AND SUPPORT SERVICES FOR MPD: \$16,280.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-858-2024
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>13556</u>	2024	(1530) POLICE ADMIN SERVICES	THREE-YEAR SUBSCRIPTION RENEWAL FOR FARO SCENE 3D VISUALIZATION SOFTWARE AND EQUIPMENT SUPPORT SERVICES FOR MPD (PRICE BELOW BID REQUIREMENT, BID EXEMPT AS SOFTWARE)	\$16,280.00	<u>(295540) FARO TECHNOLOGY</u>

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

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

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

ADOPT THE 2024-2025 GENERAL FUND, CAPITAL IMPROVEMENT FUND, AND CONVENTION CENTER FUND BUDGETS. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

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RESOLUTION: 09-859-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the 2024-2025 General Fund, Capital Improvements Fund, and Convention Center Fund budgets are adopted.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to hold the resolution over until the regular meeting of September 10, 2024, which was seconded by Councilmember Woods and the vote was as follows:

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

Nays: None

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

AUTHORIZE CONTRACT AMENDMENT NO. 2 WITH MOTT MACDONALD ALABAMA, LLC FOR DAUPHIN STREET ALDOT PROJECT; INCREASE OF \$68,011.00. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-860-2024

Sponsored by: Councilmembers Penn, Daves, & Gregory,
and Mayor Stimpson

WHEREAS, the City entered into a contract dated September 25, 2018 with Mott MacDonald Alabama, LLC for engineering services on the project known as Dauphin Street (from Sage Avenue to west of I-65 at Springhill Memorial Hospital) Project, City of Mobile Project No. 2018-3005-26, ALDOT Project No. STPMB-7533(601); and

WHEREAS, the design fee cost is to be shared between the City of Mobile (20%) and the Federal Highway Administration (FHWA)- Federal Aid funds (80%); and

WHEREAS, the Contract amount for the engineering services are based on fee negotiations between the City of Mobile & Alabama Department of Transportation with Mott MacDonald Alabama, LLC; and whereas, the current contract amount includes the original contract and Supplemental Agreement (No. 1) and totals \$863,960.00; and

WHEREAS, the contract provides on Page 3, Exhibit C that additional services may become necessary or desirable and "payment for extra work will be negotiated by supplemental agreement", and Supplemental Agreement (No. 2), approved by the Alabama Department of Transportation, for professional engineering fees for design to adjust the amount of compensation to Mott MacDonald Alabama, LLC was negotiated, thereby increasing professional engineering fees by \$68,011.00 to a total of \$931,971.00;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the additional fee of \$68,011.00, for a total of \$931,971.00, to be paid to Mott MacDonald Alabama, LLC for engineering services on the Dauphin Street (from Sage Avenue to west of I-65 at Springhill Memorial Hospital) Project.

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

Ayes: Penn, Carroll, Small, Reynolds, 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.

AUTHORIZE NON-EXCLUSIVE ACCESS EASEMENT AND RIGHT-OF-WAY AGREEMENT FOR ACCESS TO 4231 SHIPYARD ROAD.

The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 25-861-2024

Sponsored by: Councilmember Reynolds and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk, and they hereby are, hereby authorized and directed to execute and attest, respectively for and on behalf of the City of Mobile, the Non-Exclusive Access Easement and Right of Way Agreement for public access to Halls Mill Creek via Shipyard Road. Said agreement between CREEKLINE, INC. and the City of Mobile for and in consideration of the sum of TEN THOUSAND AND NO/00 (\$10,000.00) DOLLARS, as needed as a right of way easement for vehicular and pedestrian ingress and egress, and the installation and maintenance of utility, drainage, and sewer fixtures and facilities.

BE IT FURTHER RESOLVED THAT:

SAID documents being attached hereto and made a part hereof as fully as if 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 Reynolds and the vote was as follows:

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

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; GOUWS. The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-862-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Naude Gouws, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

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

MINUTES OF SEPTEMBER 10, 2024

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; DRISCOLL.

The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-863-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Settlement Agreement and Release of Claims arising out of the claim of Tracy Driscoll, as outlined in the Settlement Agreement and Release of Claims. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

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

Nays: None

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; HAWKINS.

The following resolution, which was introduced and read at the regular meeting of September 3, 2024 and held over until the regular meeting of September 10, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-864-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED by the City Council of the City of Mobile, that the City Attorney and the City Council Attorney, or their respective designees, be, and they hereby are, authorized to execute for and on behalf of the City of Mobile and the City Council of the City of Mobile, Alabama, the Negotiated Settlement Agreement arising out of the claim of Wanda Hawkins, as outlined in the Negotiated Settlement Agreement. A copy of said settlement agreement is on file in the Office of the City Clerk.

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

Ayes: Penn, Carroll, Small, Reynolds, 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 THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1480 SATCHEL PAIGE DRIVE.

The following ordinance was held over for one (1) week until the regular meeting of September 17, 2024.

MINUTES OF SEPTEMBER 10, 2024

ORDINANCE: 64-050-2024

Sponsored by: Councilmember Reynolds

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

WHEREAS, a Planned Unit Development (PUD) was approved on October 6, 2022 to allow multiple buildings on a single building site with shared access and parking on property located at 1480 Satchel Paige Drive and described as follows:

LOT 16 ACCORDING TO THE MAP OF MCGOWIN PARK SUBDIVISION AS RECORDED IN MAP BOOK 130, PAGE 35 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on May 13, 2024 allowing multiple buildings on a single building site with shared access and parking.

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

1. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
2. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
3. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3- 12.B, or placement of a note on the site plan stating the hotel will have no conference facilities and no restaurant open to the public;
4. Provision of a note on the site plan stating the site shall comply with the tree planting and landscaping requirements of Article 3, Sections 64-3-7.A.2.(a) and 64-3-7.A.2.(b) of the UDC;
5. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
6. Revision of the site plan to illustrate the utility and Alabama Power Company easements;
7. Provision of a note on the site plan stating no structure shall be constructed in any easement without permission from the easement holder;
8. Provision of a note on the site plan stating that future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
9. Compliance with all Engineering comments noted in the staff report;
10. Compliance with all Traffic Engineering comments noted in the staff report;
11. Compliance with all Urban Forestry comments noted in the staff report;
12. Compliance with all Fire Department comments noted in the staff report;
13. Provision of a revised site plan for review by Planning and Zoning prior to recording, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
14. 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;

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- C. Will not impede the orderly development and improvement of surrounding property;
- D. Having considered the applicable factors, 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;
- E. Is subject to adequate design standards to provide ingress and egress that 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; and
- G. Shall not be detrimental or endanger the public health, safety or general welfare.
- H. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
2. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
3. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3- 12.B, or placement of a note on the site plan stating the hotel will have no conference facilities and no restaurant open to the public;
4. Provision of a note on the site plan stating the site shall comply with the tree planting and landscaping requirements of Article 3, Sections 64-3-7.A.2.(a) and 64-3-7.A.2.(b) of the UDC;
5. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
6. Revision of the site plan to illustrate the utility and Alabama Power Company easements;
7. Provision of a note on the site plan stating no structure shall be constructed in any easement without permission from the easement holder;
8. Provision of a note on the site plan stating that future development or redevelopment of the site may require additional modifications of the PUD to be approved by the Planning Commission and City Council;
9. Compliance with all Engineering comments noted in the staff report;
10. Compliance with all Traffic Engineering comments noted in the staff report;
11. Compliance with all Urban Forestry comments noted in the staff report;
12. Compliance with all Fire Department comments noted in the staff report;
13. Provision of a revised site plan for review by Planning and Zoning prior to recording, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
14. 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.

CONSIDER THE PROPOSED CONDITIONAL USE PERMIT FOR PROPERTY LOCATED AT 6411 HOWELLS FERRY ROAD. The following ordinance was held over for one (1) week until the regular meeting of September 17, 2024.

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ORDINANCE: 64-051-2024

Sponsored by: Councilmember Gregory

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 Conditional Use Permit application was filed on June 16, 2024 to allow a Community Residence for 16 persons in an R-3, Multi-Family Residential Suburban District located at 6411 Howells Ferry Road and described as follows:

LOT 1, THE WOODLANDS WEST, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN MAP BOOK 73, PAGE 10 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on July 18, 2024 and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Completion of the rezoning process to remove the condition limiting use of the site to an assisted living facility;
2. Use is limited to the existing building;
3. Revision of the site plan to illustrate compliant parking and include a table of the required number of parking spaces for use of the existing facility;
4. Placement of a note on the revised site plan stating any changes in the scope of operations (number of residences, hours of operation, etc.) or to the site (parking layout, number of buildings, etc.), will require additional Conditional Use Permit approval by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;
9. Provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the Conditional Use Permit request:

1. Is consistent with all applicable requirements of this Chapter, including:
 - (a) Any applicable development standards; and
 - (b) Any applicable use regulations.
2. Will not impede the orderly development and improvement of surrounding property; and
3. Having considered the applicable factors, 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.
4. Will be adequately served by water and sanitary sewer services;
5. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke, or gas; and
6. Shall not be detrimental to or endanger the public health, safety or general welfare.
7. The proposed use will meet the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

Section One: That the Conditional Use Permit is hereby approved with the following required conditions:

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1. Completion of the rezoning process to remove the condition limiting use of the site to an assisted living facility;
2. Use is limited to the existing building;
3. Revision of the site plan to illustrate compliant parking and include a table of the required number of parking spaces for use of the existing facility;
4. Placement of a note on the revised site plan stating any changes in the scope of operations (number of residences, hours of operation, etc.) or to the site (parking layout, number of buildings, etc.), will require additional Conditional Use Permit approval by the Planning Commission and City Council;
5. Compliance with all Engineering comments noted in the staff report;
6. Compliance with all Traffic Engineering comments noted in the staff report;
7. Compliance with all Urban Forestry comments noted in the staff report;
8. Compliance with all Fire Department comments noted in the staff report;
9. Provision of a copy of the recorded site plan (hard copy and 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.

CONSIDER THE PROPOSED REZONING OF THE PROPERTY LOCATED AT 6411 HOWELLS FERRY ROAD FROM R-3 TO R-3. The following ordinance was held over for one (1) week until the regular meeting of September 17, 2024.

ORDINANCE: 64-052-2024

Sponsored by: Councilmember Gregory

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:

LOT 1, THE WOODLANDS WEST, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN MAP BOOK 73, PAGE 10 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

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

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

publication.

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 03-866 through 60-883 being introduced for the first time. The motion was seconded by Councilmember Small, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED

APPOINT KRISTIN PFEFFLE, CORY BRONENKAMP, AND IRVING SILVER TO THE SPRING HILL COLLEGE EDUCATIONAL BUILDING AUTHORITY. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 03-866-2024

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to Section 16-17-5 of the Code of Alabama (1975), the City Council does hereby approve, elect and authorize the following persons as members of the board of directors of the Spring Hill College Educational Building Authority of Mobile for staggered terms as follows:

Kristin Pfeffle for a term which shall begin immediately upon her election and shall end at noon on the second Monday of November, 2030;

Cory Bronenkamp for a term which shall begin immediately upon his election and shall end at noon on the second Monday of November, 2030;

Irving Silver for a term which shall begin immediately upon his election and shall end at noon on the second Monday of November, 2030;

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

Ayes: Penn, Carroll, Small, Reynolds, 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 DISTRICT 3 DISCRETIONARY ACCOUNT TO THE MOBILE POLICE DEPARTMENT SPECIAL OPS ACCOUNT THAT WAS USED TO ASSIST WITH THE "DIP CHRISTMAS PARADE". The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 09-867-2024

Sponsored by: Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$5,359.40 be transferred from the District 3 General Fund, Discretionary Account DSC-03, from General Fund Account 10041020-42080 to the Mobile Police Department Special Ops Account 10041534-43130 and will be used to assist with 3's "DIP

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Christmas Parade" which was held in December 2023.

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (ON OR OFF PREMISES) LICENSE TO K AND D SEAFOOD; 4940 GOVERNMENT BOULEVARD. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-868-2024

Sponsored by: Councilmember Reynolds

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

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

Submitted by: K and D Seafood LLC

Location: K and D Seafood
4940 Government Boulevard
Mobile, AL 36693

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

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR-CLASS II LICENSE TO K AND C PACKAGE STORE; 510 S. BROAD STREET. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 37-869-2024

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: Lounge Retail Liquor-Class II (Package) License

Submitted by: KOBILO LLC

Location: K and C Package Store
510 S. Broad Street

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Mobile, AL 36603

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

Ayes: Penn, Carroll, Small, Reynolds, 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 505 CHIN STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-870-2024

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 505 CHIN 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, 2, 3, 4, 5, 6, 7, 8 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 505 CHIN STREET described as:

LOT 6 BLK 2 OF SUB EAST HIGHLANDS DBK 156 PGS 594-5 #SEC 44 T4S RIW #MP29 02 44 0 003

Parcel number: 29 02 44 0 003 191

Last assessed to: BRYANT VIRGINIA

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 hold the resolution over for 60 days until the regular meeting of November 12 2024, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, 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 held over until the regular meeting of November 12, 2024.

DECLARE THE STRUCTURE AT 1267 CONGRESS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-871-2024

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 1267 Congress Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED

BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1267 Congress Street described as:

PT LOT 7 BLK 14 CAMP GROUND TRT MBK 1 P 12 DESC AS BEG AT NW COR SD LOT TH ELY 50 FT TH SLY 131 FT TH WLY 48.5 FT TH NLY 131 FT TO POB

Parcel number: 29 06 40 0 007186

Last assessed to: KOF CHURCH INC

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

Ayes: Penn, Carroll, Small, Reynolds, 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 1289 CARLTON ACRES E. A PUBLIC NUISANCE AND ORDER IT SECURED. The following resolution was introduced by Councilmember Carroll.

MINUTES OF SEPTEMBER 10, 2024

RESOLUTION: 40-872-2024

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 1289 Carlton Acres E has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1289 Carlton Acres E escribed as:

N 100 FT OF LOT 71/2 CARLTON ACS MBK 3 PG 440 #SEC 51 T4S R1W#MP29 09 51 0 010

Parcel number: 29 09 51 0 010 098

Last assessed to: GUESS JOSEPH A SR

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/secured in accordance with the terms of said Chapter 52; Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisance."

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

Ayes: Penn, Carroll, Small, Reynolds, 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 2010 VICTORY DRIVE, W. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-873-2024

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 2010 VICTORY DRIVE WEST has been found by the Code

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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, 7, 8 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED: BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 2010 VICTORY DRIVE WEST described as:

LOTS 1 & 2 BLK A TERRY'S SUB OF LOTS 24 & 25 CHOCTAW POINT TRT DBK 80 PG 327

Parcel Number: 29 09 29 4 003 063

Last assessed to: KINGDOM OF FAITH APOSTOLIC LATTER DAYS
CHRISTIAN MINISTRIES, INC.

s 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 5-2, Article 11 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 adopt the resolution, which was seconded by Councilmember Penn and the vote was as follows:

Ayes: Penn, Carroll, Small, Reynolds, 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 1009 WASHINGTON AVENUE, S. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-874-2024

Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 1009 S WASHINGTON AVENUE 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

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Abatement Inspection Checklist/Exhibit A - No. 1, 3, 4, 5, 7, 8 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at. 1009 S WASHINGTON AVENUE described as:

LOTS 1 & 2 BLK A TERRY'S SUB OF LOTS 24 & 25 CHOCTAW POINT TRT DBK 80 PG 327

Parcel number: 29 10 37 0 008 136

Last assessed to: HOUSE MARTHA

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

Ayes: Penn, Carroll, Small, Reynolds, 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 4885 DAN WILLIAMS ROAD A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-875-2024

Sponsored by: Councilmember Reynolds

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 4885 Dan Williams 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. 4, 7, 8, 12, 14 and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 4855 Dan Williams Road described as:

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COMM AT-NWCOROF SW1I4OF SECT11 T6S R2WTHEN RUNE 745 FT THEN S 30 FT TO PT FOR PT OF BEG THEN CONT S 435 FT THEN E 61 FT THEN N 435 FT THEN RUN W 61 FT TO PT OF BEG LES S N 10 FT TO DAN WILLIAMS DR IVE #SEC 11 T6S R2W#MP38 01 11 3 000

Parcel number: 38 01 11 3 000 008

Last assessed to: WILLIAMS ARTAYJA LAMYA

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

Ayes: Penn, Carroll, Small, Reynolds, 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 5937 WESTHAVEN DRIVE, S. A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 40-876-2024

Sponsored by: Councilmember Gregory

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 5937 Westhaven Drive S has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE that the structure at 5937 Westhaven Drive S described as:

LOT 4 BLK 11 HILLSDALEHGTS MBK 10 P 183 SECT 17 T4S R2W #SEC 17 T4S R2W #MP28 0417 2 002

Parcel number: 28 0417 2 002 002

Last assessed to: LAFFITTE PAMELA JEAN

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

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

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

DECLARE WEEDS NOXIOUS, WEED LIEN GROUP 1660. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 50-877-2024

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

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

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

SECTION 1: It has been determined by the City Council of Mobile that the weeds growing on the privately owned lots or parcels of land described in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part thereof as though set forth in full, known as Group #1660 under the caption "NOXIOUS OR DANGEROUS WEEDS GROWING ON PROPERTY," are noxious and dangerous, and such weeds are hereby declared to be public nuisances. The properties upon which such weeds are growing are all located within the corporate limits of the City of Mobile, about the streets referred to in the description which are more particularly described in said Exhibit "A."

SECTION 2: The weeds growing on or in front of the above-described parcels of property shall be abated by the removal of such noxious or dangerous weeds or they will be removed and the nuisances abated by the City of Mobile, in which case the cost of such removal will be assessed against the respective parcels of lands from which such weeds are removed, and such cost will constitute a lien upon such respective parcels of land until paid. A public meeting is hereby called to be held in the Auditorium of the Mobile Government Plaza, 205 Government Street, Mobile, Alabama, on the 15th day of October, 2024, at ten thirty a.m., for the purpose of hearing any objections to the declarations contained in this resolution and to the proposed removal of such weeds, at which time all

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objections will be heard and given due consideration by the City Council of Mobile; and it is directed that there shall be conspicuously posted in front of each parcel of property, a notice headed "NOTICE TO DESTROY WEEDS," such heading to be in words not less than one inch in height and substantially in the form set out in such Act No. 329, approved April 29, 1988.

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

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

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

CORRECT THE PURPOSE STATED IN RESOLUTION 60-788 AND DETERMINE THE APPROPRIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 60-878-2024

Sponsored by: Councilmember Carroll

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

WHEREAS, Loaves and Fish Community Ministries, Inc. is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, Resolution 60-788, adopted on August 20, 2024, stated an incorrect purpose for the discretionary fund appropriation; and

WHEREAS, the Mobile City Council determines that this appropriation to Loaves and Fish Community Ministries, Inc. will be used to assist with the food pantry, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,000.00 to Loaves and Fish Community Ministries, Inc. for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

DETERMINE AN APPROPRIATION TO ST. FRANCIS XAVIER PARISH, MOBILE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Carroll.

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RESOLUTION: 60-879-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate \$1,000.00 to ST. FRANCIS XAVIER PARISH, MOBILE from his discretionary funds; and

WHEREAS, ST. FRANCIS XAVIER PARISH, MOBILE is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to ST. FRANCIS XAVIER PARISH, MOBILE will be used to assist with the 2024 festival activities, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to ST. FRANCIS XAVIER PARISH, MOBILE, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, 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 HAND UP CHARITIES SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 60-880-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate \$1,000.00 to Hand Up Charities from his discretionary funds; and

WHEREAS, Hand Up Charities is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Hand Up Charities will be used to assist with the Charity Golf Tournament that will be held at Heron Lake Country Club on October 11, 2024, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$1,000.00 to Hand Up Charities, for the purposes described hereinabove serves a public purpose and the Council further approves and

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directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, 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 B. C. RAIN HIGH SCHOOL SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 60-881-2024

Sponsored by: Councilmember Small

WHEREAS, Councilmember Small wishes to appropriate \$2,500.00 to Ben C. Rain High School, from his discretionary funds; and

WHEREAS, Ben C. Rain High School, is public school in Mobile, Alabama, which the Council may support pursuant to Code of Alabama § 16-13-36; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Ben C. Rain High School will be used to assist with the 2024-2025 school year events and activities, which will serve a public purpose benefiting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$2,500.00 to Ben C. Rain High School for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, 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 UNITED METHODIST INNER CITY MISSION OF MOBILE, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 60-882-2024

Sponsored by: Councilmember Small

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WHEREAS, Councilmember Small wishes to appropriate \$7,000.00 to United Methodist Inner City Mission of Mobile, Inc. from his discretionary funds; and

WHEREAS, United Methodist Inner City Mission of Mobile, Inc. is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to United Methodist Inner City Mission of Mobile, Inc. will be used to assist with operational expenses at Taylor Park, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of \$7,000.00 to United Methodist Inner City Mission of Mobile, Inc., for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

Ayes: Penn, Carroll, Small, Reynolds, 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 OFFICE OF THE MONTH; JOHNSON. The following resolution was introduced by Councilmember Carroll.

RESOLUTION: 60-883-2024

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:

August 2024: Officer Carter Johnson

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

Ayes: Penn, Carroll, Small, Reynolds, 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 RESOLUTION BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the

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suspension of the rules to consider CIP Resolution 08-884 being introduced for the first time. The motion was seconded by Councilmember Woods, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the item.

CIP RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO JUBILEE FLOORING & DECORATING, INC. FOR WOOD FLOOR AT CONNIE HUDSON REGIONAL SENIOR COMMUNITY CENTER FOR BUILDING SERVIES; \$18,450.00. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 08-884-2024

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>13659</u>	2024	(3037) BUILDING SERVICES	REFINISH 3120 SQFT OF WOOD FLOORING AT CONNIE HUDSON MOBILE REGIONAL SENIOR COMMUNITY CENTER FOR BUILDING SERVICES (PRICE BELOW BID REQUIREMENT)	\$18,450.00	<u>(292653) JUBILEE FLOORING & DECORATING INC</u>

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

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

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

TRANSFORER \$100,000.00 FROM CIP SIGNAL DETECTION CITYWIDE TO GRANT MATCH HOLDING ACCOUNT TO BE USED AS MATCH FOR ALABAMA DEPARTMENT OF TRANSPORTATION GRANT. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 09-885-2024

Sponsored by: Mayor Stimpson

MINUTES OF SEPTEMBER 10, 2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$100,000.00 be transferred from capital project SDT08, CIP Signal Detection Citywide to G-OGMMATCH, Grant Match Holding Account, G-OGMMATCH.FROMCIP.CW. These funds will be reallocated and used as match for an Alabama Department of Transportation (ALDOT) grant, Highway Safety Improvement Program (HSIP).

RESOLUTIONS BEING INTRODUCED

APPROVE PURCHASE ORDER TO KONE, INC. FOR CONVENTION CENTER ESCALATOR MOTOR REPAIR; \$49,828.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 08-886-2024

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>13771</u>	2024	(3037) BUILDING SERVICES	CONVENTION CENTER ESCALATOR MOTOR GEAR BOX REPAIR (OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$49,828.00	<u>(273592) KONE INC</u>

APPROVE PURCHASE ORDER TO BC FABRICATION, LLC FOR ALUMINUM TRAFFIC SIGNAL GENERATOR ENCLOSURES FOR TRAFFIC ENGINEERING/ \$25,300.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 08-887-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>12709</u>	2024	(2060) TRAFFIC ENGINEERING	55 ALUMINUM TRAFFIC SIGNAL GENERATOR ENCLOSURES FOR TRAFFIC ENGINEERING (PRICE BELOW BID REQUIREMENT)	\$25,300.00	<u>(297310) BC FABRICATION, LLC, DBA KSH FUEL PRODUCTS</u>

APPROVE PURCHASE ORDER TO VC3, INC. FOR ANNUAL RENEWAL OF DATA SECURITY, BACKUP, AND RECOVERY SERVICES FOR MIT; \$126,000.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 08-888-2024

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>14264</u>	2024	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF DATA SECURITY AND DISASTER BACKUP AND RECOVERY SERVICES FOR MIT (PROFESSIONAL SERVICE, BID EXEMPT AS IMPACTING SECURITY, BID EXEMPT SOFTWARE COMPONENTS)	\$126,000.00	<u>(297843) VC3 INC</u>

APPROVE PURCHASE ORDER TO VECTOR SOLUTIONS, INC. FOR ANNUAL RENEWAL OF LEARNING, PERFORMANCE MANAGEMENT, AND APPARATUS SOFTWARE FOR MFRD; \$71,959.10. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 08-889-2024

MINUTES OF SEPTEMBER 10, 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>14350</u>	2024	(1530) FIRE ADMINISTRATION	ANNUAL RENEWAL OF LEARNING, PERFORMANCE MANAGEMENT, AND APPARATUS CHECKLIST SOFTWARE FOR MFRD (BID EXEMPT AS SOFTWARE)	\$71,959.10	<u>(295501)</u> <u>VECTOR</u> <u>SOLUTIONS INC</u>

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT CO., INC. FOR STREET SWEEPERS FOR PUBLIC SERVICES; \$1,169,392.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 08-890-2024

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>13408</u>	2024	(F7000) MOTOR POOL	4 ELGIN PELICAN STREET SWEEPERS FOR PUBLIC SERVICES (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT))	\$1,169,392.00	<u>(190715)</u> <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

APPROVE PURCHASE ORDER TO NORTH AMERICAN FIRE EQUIPMENT CO., INC. FOR FIRE HOSE FOR MFRD; \$66,545.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 08-891-2024

Sponsored by: Mayor Stimpson

MINUTES OF SEPTEMBER 10, 2024

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>14352</u>	2024	(1510) FIRE ADMINISTRATION	FIRE HOSE FOR MFRD (160 SECTIONS OF 2.5IN X 50FT, 37 SECTIONS OF 5IN X 100FT) (NPP COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$66,545.00	<u>(149290) NORTH AMERICAN FIRE EQUIPMENT CO INC</u>

TRANSFER FUNDS FROM GENERAL FUND, ADMINISTRATIVE SERVICES TO CAPITAL PROJECT FUND FOR BIC/DOCUMENT STORAGE; \$400,000.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 09-892-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$400,000.00 be transferred from the General Fund, Administrative Services (2300) \$400,000.00 from ORG.10042300, OBJ# 42200 to the Capital Project Fund CO892 - BIC MOVE/TRANSFER SCANNING CITY, for BIC/Document Storage.

AUTHORIZE CONTRACT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR MISCELLANEOUS DRAINAGE REPAIRS; \$120,500.00. The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 21-893-2024

Sponsored by: Councilmembers Penn, Carroll, Small, Reynolds, Daves, Woods, &Gregory, and Mayor Stimpson

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

Name of company: Michael Baker International, Inc.

Project name: Miscellaneous Drainage Repairs (D1-7)
COM Project # 2024-3005-19

Estimated cost: \$120,500.00

MINUTES OF SEPTEMBER 10, 2024

GRANT A PERMANENT NONEXCLUSIVE EASEMENT TO CSX TRANSPORTATION, INC. FOR THE CONSTRUCTION, OPERATION, INSEPTION, MAINTENANCE, REPLACEMENT, AND REMOVAL OF A RAIL TRANSPORTATION TRACK FACILITY.

The following resolution was held over for one (1) week until the regular meeting of September 17, 2024.

RESOLUTION: 25-894-2024

Sponsored by: Councilmember Carroll and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk, and they herby are, hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a municipal corporation, a Permanent Easement between CSX Transportation, Inc, a Virginia corporation, and the City of Mobile, a municipal corporation.

BE IT FUTHER RESOLVED THAT:

SAID document being attached hereto and made a part hereof as though fully set forth herein.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER ASSENTING TO THE VACATION OF A PORTION OF RIGHT-OF-WAY LOCATED ON ELLIS AVENUE. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 41-895-2024

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 RIGHT-OF-WAY LOCATED ON ELLIS AVENUE

Notice is hereby given that the Mobile City Council proposes to consider adoption of a resolution assenting to the vacation of a portion of right-of-way located on Ellis Avenue.

The adoption of such resolution will be considered by the Mobile City Council on the 9th day of October, 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, AFFORDABLE HOME GULF COAST II, LLC, an Alabama limited liability company, as owner of all the land abutting and affected by the right-of-way, easement, or etc. as more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference, have petitioned to the Mobile City Council to assent to the vacation by them as abutting and affected property owners of the alley; and

WHEREAS, it is the intention of Owner, that upon said vacation, Owner will own all of the right-of-way, easement, or etc. and will own all remaining interest in the vacated right-of-way, easement, or etc.; and

NOW, THEREFORE, BE IT RESOLVED, by the Mobile City Council, that its assent be and hereby is given to the vacating of the right-of-way, easement, or etc. which is

MINUTES OF SEPTEMBER 10, 2024

described on Exhibit "A", provided that the procedure for vacation shall be in strict compliance with the law, and further subject to the following: (a) an easement be excepted from this vacation and be retained in favor of Mobile Area Water and Sewer System to operate and maintain existing facilities until they are either relocated or abandoned; (c) an easement be excepted from this vacation and be retained in favor of Mobile Gas Service Corporation to operate and maintain existing facilities until they are either relocated or abandoned; and (d) Alabama Power Company and AT&T Alabama 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 v3ccated in a manner which violates the National Electric Safety Code.

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to call for the public hearing, which was seconded by Councilmember Gregory and the vote was as follows:

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer set the date for the public hearing as October 9, 2024.

ANNOUNCEMENTS

Councilmember Carroll stated that he attended a ribbon cutting ceremony for a new home constructed as part of the Africatown Revitalization.

Councilmember Carroll extended his condolences to the family of Katherine Ashley Smith.

Councilmember Gregory provided updates on the completion of the Zeigler Boulevard widening project.

Councilmember Gregory announced that pickleball courts will be constructed at Lavretta Park and the Hillsdale Community Center.

Councilmember Gregory announced the Public Safety Committee will meet at 1:00 p.m. on Tuesday, September 24, 2024.

Councilmember Reynolds moved to adjourn the meeting, 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 regular meeting adjourned at approximately 12:08 p.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK