MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 9, 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 Wednesday, October 9, 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.

Approved:

____
COUNCIL PRESIDENT

____
ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, OCTOBER 9, 2024

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Wednesday, October 9, 2024, at 10:30 a.m., for the regular meeting.

The meeting was called to order by the Assistant City Clerk.

Pastor Tony Legear, Public Safety Chaplain, offered the invocation.

NOTE: Councilmember Small asked for a moment of silence for the recent victims of Hurricane Helene and prayers for the Florida residents facing Hurricane Milton.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:
Chairman: Small
Vice-Chairman: Gregory
Councilmembers: Penn, Carroll, Reynolds, and Woods
Absent: Daves

STATEMENT OF RULES BY PRESIDING OFFICER

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

APPROVAL OF MINUTES

Minutes of the meetings of October 1, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Mayor Stimpson presented a proclamation to members of the National Federation of the Blind in recognition of Blindness Awareness Month.

Mayor Stimpson read a proclamation declaring October 6 – 12, 2024 as "Fire Prevention Awareness Week" in Mobile.

Mayor Stimpson offered comments about the Urban Search and Rescue Task Force being deployed to Florida to assist with Hurricane Milton.

Mayor Stimpson said that the National Maritime Museum will host “Family and Friends Day” on October 19, 2024 from 10:00 a.m. – 4:00 p.m. and admission is free.

ADOPTION OF THE AGENDA

Councilmember Penn moved to adopt the agenda, 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 Assistant City Clerk whereupon the Presiding Officer declared the agenda adopted.

APPEALS

Request of Tyler Thull for a waiver of the Noise Ordinance at 16 Semmes Avenue on October 26, 2024, from 7:30 p.m. – 10:00 p.m. (District 2).

Councilmember Gregory moved to deny 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Dr. Jennifer Wilder for a waiver of the Noise Ordinance at 57 N. Claiborne Street on October 27, 2024, from 2:00 p.m. – 8:00 p.m. (District 2).

Councilmember Gregory moved to deny 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Andrew and Heather Humphries for a waiver of the Noise Ordinance at 2068 Venetia Road on October 26, 2024, from 6:00 p.m. – 11:00 p.m. (District 4).

Councilmember Gregory moved to deny 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Susan and Chris Smith for a waiver of the Noise Ordinance at 22 Hillwood Road on October 12, 2024, from 3:30 p.m. – 7:30 p.m. (District 5).

Councilmember Gregory moved to deny 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Tauric Reed for a waiver of the Noise Ordinance at 4901 Zeigler Boulevard on October 12, 2024, from 9:00 a.m. – 4:00 p.m. (District 7).

Councilmember Gregory moved to deny 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver adopted.

Request of Pet Fest of the Gulf Coast for a waiver of the Noise Ordinance at Langan Park on October 19, 2024, from 10:00 a.m. – 2:00 p.m. (District 7).

Councilmember Gregory moved to deny 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 Assistant City Clerk whereupon the Presiding Officer declared the waiver adopted.

PUBLIC HEARINGS

PUBLIC HEARING TO FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1254 ESLAVE LANE, F/K/A DRIVE; $2,974.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1254 Eslava Lane, f/k/a Drive and asked if there was anyone present for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER ASSENTING TO THE VACATION OF A PORTION OF RIGHT-OF-WAY LOCATED ON ELLIS AVENUE (DISTRICT 2).

The Presiding Officer announced that today was the day to consider assenting to the vacation of a portion of right-of-way located on Ellis Avenue and asked if there was anyone present for or against this matter.

No one appeared.

The Presiding Officer declare 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:

Apostle Valenia Green, 603 Delaware Street, Comments about tall weeds, grass, and bushes at the apartments on 600 Bayou Street. Asking the City to enter into contracts with the landlords to ensure that properties are maintained.

David Preston, 4161 Winchester Drive, Invited the Council and citizens to attend the Oakleigh Literary Lawn Party on October 12, 2024.

CIP RESOLUTIONS HELD OVER

AUTHORIZE AGREEMENT WITH J. HUNT ENTERPRISE GENERAL CONTRACTORS, LLC FOR FIELD IMPROVEMENTS AT MIMS PARK; $294,650.00. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-936-2024

Sponsored by: Mayor Stimpson and Councilmember Reynolds

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: J. Hunt Enterprise General Contractors, LLC

Project Name: CIP Mims Park – Field Improvements B, C, and D

Project Number: PR-048-22

Amount: $294,650.00

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

AUTHORIZE AGREEMENT WITH PL RUSSELL, LLC FOR STRUCTURAL RETAINING WALL AND GRADING IMPROVEMENTS AT LANGAN PARK; $241,405.00. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 01-937-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

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

Project Name: CIP Langan Ball Park – Structural Retaining Wall and Grading Improvements

Project Number: PR-020A-22

Amount: $241,405.00

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

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO DANA SAFETY SUPPLY, INC. FOR UPFITTING CHEVROLET TAHOES AND FORD PICKUP TRUCKS FOR MPD; $150,874.30. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-938-2024

Sponsored by: Mayor Stimpson

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

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
13160, 14684	2024	(F7000) MOTOR POOL	PATROL AND ADMIN UPFITTING FOR SIX CHEVROLET TAHOE PPV SUVS AND EIGHT FORD F150 RESPONDER PICKUP TRUCKS FOR MPD (AL STATE CONTRACT)	$150,874.30	(290980) DANA SAFETY SUPPLY INC

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

APPROVE PURCHASE ORDER TO LONG LEWIS FORD OF THE SHOALS, INC. FOR 2025 FORD ESCAPE FOR BUILD MOBILE; $28,784.50. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-940-2024

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
13314	2024	(F7000) MOTOR POOL	ONE 2025 FORD ESCAPE FOR BUILD MOBILE (AL STATE CONTRACT)	$28,784.50	(290649) LONG LEWIS FORD OF THE SHOALS, INC

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

APPROVE PURCHASE ORDER TO VULCAN CONSTRUCTION MATERIALS, LP FOR LIMESTONE BASE FOR HURTEL STREET PARKING; FACILITY MAINTENANCE; $55,200.00. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-941-2024

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
14193	2024	(3035) FACILITY MAINTENANCE	1,150 TONS LIMESTONE BASE FOR HURTEL ST PARKING FOR FACILITY MAINTENANCE (SEALED BID 5904)	$55,200.00	(228600) VULCAN CONSTRUCTION MATERIALS LP

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

TRANSFER FUNDS FROM CAPITAL PROJECT GULF COAST TECH CTR-INTELLIGENCE TO PROJECT MCPS-STUDENT SAFETY ANALYST TO BE USED TO SUPPORT A STUDENT SAFETY ANALYST; $90,000.00. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 09-942-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of $90,000.00 be transferred from capital project C0949 (20002000.94070) GULF COAST TECH CTR-INTELLIGENCE to Project G-PDMCPS23 MCPS - STUDENT SAFETY ANAL YST(53005300.93030). These funds will be reallocated and used to support an agreement with the Mobile County Public Schools to provide a student safety analyst.

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

AUTHORIZE CHANGE ORDER NO. 1 WITH JOHN G. WALTON CONSTRUCTION COMPANY, INC. FOR 2018 PAYGO N. MCGREGOR AVENUE RECONSTRUCTION; $80,122.84 INCREASE. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 13-943-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

WHEREAS, the CITY entered into a contract dated October 11, 202 with John G Walton Construction Co., Inc. for construction services on the project known as North McGregor Ave. Reconstruction (COM Project No. 2019- 3005-19); and

WHEREAS, the original contract amount was $1,767,061.96 for a unit priced based contract for the reconstruction of North McGregor Ave.; and

WHEREAS, during construction, unforeseen circumstances with utilities and with existing conditions caused additional work to become necessary for payment adjustments totaling $145,643.01; and

WHEREAS, the construction cost for the timely repair was estimated to be $225,765.85, requiring an additional $80,122.84 to be added to the $145,643.01; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Council does hereby authorize the addition of Change Order #1 in the amount of $225,765.85, for a total of $1,992,827.81 to be paid to John G Walton

Construction Co., Inc. for the construction of North McGregor Ave. Reconstruction (COM Project No. 2019-3005-19).

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

AUTHORIZE CONTRACT WITH MCCRORY & WILLIAMS, INC. FOR SHIPYARD ROAD BOAT LAUNCH; $195,090.00. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-944-2024

Sponsored by: Mayor Stimpson and Councilmember Reynolds

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 agreement 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: McCrory & Williams, Inc.

Project Name: Shipyard Road Boat Launch
COM Project #2024-3005-20 (D-4)

Estimated Cost: $195,090.00

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

CORRECT RESOLUTION 21-748-2024 TO REFLECT THE COST SHARE IS BETWEEN THE CITY AND THE FEDERAL HIGHWAY ADMINISTRATION. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-945-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

WHEREAS, the Mobile City Council adopted Resolution 21-748 on August 13, 2024, for a contract with Thompson Engineering, Inc.

WHEREAS, The Alabama Department of Transportation requested that the resolution be revised to reflect the cost share between the City of Mobile and the Federal Highway Administration (FHWA) instead of the City of Mobile and The Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Resolutions 21-748 be corrected to show that the cost is to be shared between the City of Mobile and the Federal Highway Administration (FHWA).

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

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT FRON THE SOUTH ALABAMA REGIONAL PLANNING COMMISSION FOR THE FY2025 TRANSPORTATION ALTERNATIVE GRANT PROGRAM ($100,000.00 LOCAL MATCH. The following resolution which was introduced and read at the regular meeting of October 1, 2024, and held over until the regular meeting of October 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 31-946-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Mobile Urbanized Area FY2025 Transportation Alternatives Program (TAP), a grant in the amount of $500,000.00 to construct Segment 2 of the Three Mile Creek Greenway Trail. This project will continue the City's work on this transformational project that links communities, fosters positive outdoor experiences and provides a safe, alternative transportation path along Three Mile Creek. A 20% local match ($100,000.00) is required for this grant, which will come from existing Public Works/Programs & Project Management department appropriations.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said allocation and to sign any agreements or other documents in connection with this grant application and to provide any information required by the Mobile MPO (SARPC). Any agreements for grant assistance, together with exhibits, shall be filed with the City Clerk after award and execution.

BE IT FURTHER RESOLVED that the Council authorizes the expenditure of $100,000.00 in matching funds in the event this grant is received in full.

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider consent resolutions 37-949 through 58-

954 being introduced for the first time. The motion was seconded by Councilmember Reynolds, 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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE TO DAVE AND BUSTERS; 1757 E. I65 SERVICE ROAD., S. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-949-2024

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: Restaurant Retail Liquor License

Submitted by: Dave and Busters of Alabama, LLC

Location: Dave and Busters
1757 East I65 Service Road South
Mobile, Al 36606

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO LG QUICK STOP; 1424 AZALEA ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-950-2024

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 (Off Premises Only) License

Submitted by: VO Oil Company, LLC

Location: LG Quick Stop
1424 Azalea Road
Mobile, Al 36693

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE TO UNIVERSITY CHEVRON; 5454 ZEIGLER BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-951-2024

Sponsored by: Councilmember Gregory

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

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

Submitted by: Rishi 9, LLC

Location: University Chevron
5454 Zeigler Boulevard
Mobile, Al 36608

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

FIX COSTS FOR DEMOLITION OF THE STRUCTURE AT 1254 ESLAVA LANE, F/K/A DRIVE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-952-2024

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1254 Eslava Lane, f/k/a Drive and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1254 Eslava Lane, f/k/a Drive to be $2,974.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows: $2,974.00 shall constitute a special assessment against the property at structure 1254 Eslava Lane, f/k/a Drive and being that property more particularly described as follows:

LOT 27 BLK 4 FULTON RIDGE ESTS MBK 4 PG 110 #SEC 32 T4S R1W #MP29 1132 4 003

Parcel No: **29 11 32 4 003 044.xxx**

Owner: **PARKER VINCENT LERNARD & NONNIE M**
600 S WASHINGTON AVE APT 97
MOBILE, AL 36603-1462

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

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

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

ASSESS COSTS FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP 77. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-953-2024

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Repeat Weed Lien Group 77** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

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

ASSESS COSTS FOR REMOVAL OF WEEDS, WEED LIEN GROUP 1658. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-954-2024

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Weed Lien Group 1658** shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby, made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

Section 2. It is directed that a copy of this resolution be delivered to the Tax Collector of the City of Mobile, and it shall be his duty to add the amounts of the above respective assessments to the next regular bills for ad valorem taxes levied against the said respective lots and parcels of land for municipal purposes, and such amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and same procedure on foreclosure and sale as in the case of delinquency as provided for ordinary ad valorem taxes.

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

RESOLUTIONS BEING INTRODUCED

APPROVE BID FOR PROMOTIONAL ITEMS. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 08-955-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to accept and approve, and issue Purchase Orders against, the below proposed Bid Awards, to the designated vendors for the specified items at the unit prices indicated, for the time periods and renewal options as indicated below and attached herein, and, further, that the Purchasing Agent is authorized to issue said orders without further approval or other action by the City Council. All Bid Awards may be extended at the discretion of the Purchasing Agent for a total award period not to exceed three years.

Bid	Description	Number of Items	Bid Amount	Time/Renewal	Vendor(s)
5903	Promotional Items	14	See bid tabulation	For three months.	Various, see bid tabulation

APPROVE PURCHASE ORDER TO ALABAMA POOLWORKS, LLC FOR POOL CHEMICALS FOR PARKS DEPARTMENT; $77,291.88. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 08-956-2024

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
189	2025	(2034) ATHLETICS	POOL CHEMICALS FOR PARKS DEPARTMENT (SEALED BID 5890)	$77,291.88	(290766) ALABAMA POOLWORKS LLC

APPROVE PURCHASE ORDER TO DANA SAFETY SUPPLY, INC. FOR TRANSPORTING OF VEHICLES TO MUNICIPAL GARAGE; $28,925.00. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 08-957-2024

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:

Requisitions	Fiscal Year	Department	Description	Amount	Vendor
14680, 14683	2024	(F7000) MOTOR POOL	TRANSPORT MPD CHEVROLET TAHOE PPV SUVS FROM UPFIT LOCATIONS IN CRESTVIEW FL (21) AND FT PAYNE AL (44) TO MUNICIPAL GARAGE (PRICE BELOW BID REQUIREMENT)	$28,925.00	(290980) DANA SAFETY SUPPLY INC

APPROVE PURCHASE ORDER TO MELTWATER NEWS US, INC. FOR SUBSCRIPTION TO SOCIAL MEDIA MANAGEMENT AND BROADCAST DATA MONITORING SERVICES FOR COMMUNICATIONS DEPARTMENT; $28,880.00. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 08-958-2024

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
104	2025	(4520) COMMUNICATIONS	ONE YEAR SUBSCRIPTION TO MELTWATER SOCIAL MEDIA MANAGEMENT AND BROADCAST DATA MONITORING SERVICES FOR COMMUNICATIONS DEPT (PROFESSIONAL SERVICE)	$28,880.00	(296314) MELTWATER NEWS US INC

APPROVE PURCHASE ORDER TO NEXGEN ASSET MANAGEMENT FOR CONSULTING SERVICES FOR IMPLEMENTATION OF SOFTWARE; $26,880.00. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 08-959-2024

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
14	2025	(3030) REAL ESTATE ASSET MANAGEMENT	PROFESSIONAL CONSULTING SERVICES FOR IMPLEMENTATION OF NEXGEN SOFTWARE ASSET TRACKING AND PLANNING TOOLS (PROFESSIONAL SERVICE)	$26,880.00	(297466) NEXGEN ASSET MANAGEMENT

ACCEPT RIGHT-OF-WAY DEED FOR A PUBLIC ROAD, SPRINGHILL CT. RETAINING WALL IMPROVEMENTS. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 23-960-2024

Sponsored by: Mayor Stimpson and Councilmember Gregory

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City hereby accepts the following Right-of-Way Deed with Temporary Construction Easement and Subterranean Easement for a Public Road.

1. A Right-of-Way Deed with Temporary Construction Easement and Subterranean Easement, in the amount of Eleven Thousand Three Hundred Sixty-Four Dollars ($11,364.00) for the purpose of expansion of a public road, with relocation of retaining wall to increase traffic visibility, for the City of Mobile, Project No. 2024-3005-16, Spring Hill Ct. – Retaining Wall Improvements, from Carl D. Kobelja and Vicky P. Kobelja.

SAID DOCUMENT is by reference made a part of this resolution as fully as set forth herein and copies will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile.

ACCEPT THE RELEASE OF PERMANENT SEWER EASEMENT FROM, AND GRANT A PERMANENT SEWER EASEMENT TO, THE BOARD OF WATER AND SEWER COMMISSIONERS. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 25-961-2024

Sponsored by: Mayor Stimpson and Councilmember Penn

WHEREAS, by Resolution 25-930, on October 26, 2021, the CITY OF MOBILE executed a Permanent Sanitary Sewer Easement, for the Crenshaw St. Lift Station and Force Main Improvements, to the BOARD OF WATER AND SEWER COMMISSIONERS of the City of Mobile, for and in consideration of the sum of ONE AND NO/100 ($1.00) DOLLARS;

WHEREAS, the BOARD OF WATER AND SEWER COMMISSIONERS of the City of Mobile. found it necessary to install the permanent sanitary sewer in an alternate location;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the City hereby accepts the following Release of Permanent Sewer Easement, including the terms and provisions thereof, recorded in instrument number 2021077804 on November 24, 2021, in the office of the Judge of Probate Court, Mobile County, Alabama, for and in consideration of the sum of ONE AND NO/100 ($1.00) DOLLARS; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and 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 Permanent Sanitary Sewer Easement, as prepared by Goodwyn Mills Cawood (GMC), to the BOARD OF WATER AND SEWER COMMISSIONERS of the City of Mobile, for and in consideration of the sum of ONE AND NO/100 ($1.00) DOLLARS.

BE IT FURTHER RESOLVED THAT:

SAID documents with sketches being attached hereto and made a part hereof as fully as if set forth herein, and copies will be on file in the office of the City Clerk and in the office of the Real Estate Department of the City of Mobile.

CONSIDER ASSENTING TO THE VACATION OF A PORTION OF RIGHT-OF-WAY LOCATED ON ELLIS AVENUE. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 47-962-2024

Sponsored by: Councilmember Carroll

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 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 vacated in a manner which violates the National Electric Safety Code.

EXHIBIT "A"

Part of Section Twenty-Eight (28), Township Three (3) South, Range One (1) West, Mobile County, Alabama, more particularly described as follows: Beginning at a point 431.70 feet North 01 Degrees 06 Minutes 28 Seconds West and 295.50 feet South 89 Degrees 49 Minutes 50 Seconds West of the Northwest intersection of the rights of way for Houston and LaSalle Streets as known and designated in the City of Mobile, Alabama; THENCE South 00 Degrees 32 Minutes 43 Seconds East 271.81 feet; THENCE North 89 Degrees 51 Minutes 16 Seconds West 50.00 feet; THENCE North 00 Degrees 32 Minutes 43 Seconds West 271.53 feet; THENCE North 89 Degrees 49 Minutes 50 Seconds East 50.00 feet to the place of beginning, containing 0.312 acres, (13583.426 sq.ft.), more or less.

WAIVE THE FEE FOR THE VACATION OF A PORTION OF RIGHT-OF-WAY LOCATED ON ELLIS AVENUE. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 47-963-2024

Sponsored by: Councilmember Carroll

BE IT RESOLVED by the City Council of the City of Mobile, Alabama that the vacation fee for the vacation of a portion of City right-of-way located on Ellis Avenue is waived.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; ABSTON. The following resolution was held over until the regular meeting of October 15, 2024.

RESOLUTION: 60-964-2024

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 Schmari Abston, 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.

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO CONSIDER THE MODIFICATION OF PREVIOUSLY APPROVED PLANNING APPROVAL FOR PROPRTY LOCATED AT 1 HARDWOOD LANE (SCHEDULED FOR NOVEMBER 12, 2024) (DISTRICT 2). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-965-2024

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

Notice of Public Hearing for the Proposed Modification Of a Previously Approved Planning Approval

Pursuant to Resolution of the Mobile, Alabama City Council adopted **October 9, 2024**, a public hearing will be held on the **12th day of November, 2024, at 10:30 a.m.,** to consider adoption of an ordinance to modify a previously approved Planning Approval for property located at 1 Hardwood Lane.

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

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 Planning Approval was approved on December 15, 2022 to allow the expansion of an existing scrap metal processing facility with automobile shredding in an I-2, Heavy Industry District, on property located at 1 Hardwood Lane and described as follows:

BEGINNING AT A METAL MARKER (COORDINATES: NORTH 281,741; EAST 323,238)

IN THE BOUNDARY OF THE UNITED STATES OF AMERICAS LAND AT A CORNER OF THE TENNESSEE LAND COMPANY FROM WHICH A MONUMENT AT THE NORTHWEST CORNER OF THE GULF SHIPBUILDINQ CORPORATION'S LAND BEARS SOUTH 00° - 40' WEST AT A DISTANCE OF 500.00 FEET; THENCE FROM SAID POINT OF BEGINNING RUN NORTH 89° - 56' WEST A DISTANCE OF 250.00 FEET; THENCE RUN NORTH 00° - 40' EAST A DISTANCE OF 950.00 FEET; THENCE RUN NORTHWESTWARDLY ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 475.19 FEET (LONG CHORD OF SAID CURVE BEARS NORTH 84° - 26' WEST A DISTANCE OF 469.25 FEET); THENCE RUN SOUTH 79° - 51' WEST A DISTANCE OF 1404.09 FEET; THENCE RUN SOUTH 27° - 36' WEST A DISTANCE OF 444.98 FEET AND TO A POINT ON PROPERTY LINE OF PROPERTY NOW OR FORMERLY OWNED BY O'NEAL STEEL, INC.; THENCE RUN SOUTH 86° - 23' - 40" WEST ALONG SAID PROPERTY LINE A DISTANCE.OF 743.78 FEET AND TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTHERN RAILROAD; THENCE RUN NORTH 05° - 38' EAST ALONG THE EAST RIGHT OF WAY LINE OF THE SOUTHERN RAILROAD A DISTANCE OF 1004.46 FEET; THENCE RUN NORTH 79° - 51' EAST A DISTANCE OF 1655.92 FEET, MORE OR LESS, TO A POINT ON THE SOUTH BANK OF.CHICKASAW CREEK; THENCE RUN EASTWARDL Y ALONG THE SOUTH BANK OF CHICKASAW CREEK A DISTANCE OF 1440.00 FEET AND TO A POINT ON THE SOUTH BANK OF CHICKASAW CREEK;

THENCE RUN SOUTH 00° - 40' WEST A DISTANCE OF 1179.20 FEET, MORE OR LESS, AND TO A POINT OF BEGINNING; SAID PROPERTY BEING AND LYING IN THE COUNTY OF MOBILE AND STATE OF ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the Planning Approval on August 22, 2024 allowing the expansion of an existing scrap metal processing facility with automobile shredding in an I-2, Heavy Industry District.

WHEREAS, the Planning Commission held a public hearing oil the requested Major Modification on September 19, 2024 and recommended approval of the Major Modification of the Planning Approval subject to the following conditions:

1. Provision of a note on the Planning Approval site plan stating the site-will maintain compliance with the tree planting and landscape area requirements of Article 3, Section 64-3-7 of the UDC;
2. Retention of a note on the Planning Approval site plan identifying the existing waste bin;
3. Retention of a note on the revised site plan stating shredding operations are limited between the hours of 6:00 a.m. and 6:00 p.m. with maintenance activities allowed after 6:00 p.m.;
4. Provision of a note on the Final Planning Approval site plan stating future development or redevelopment of the property may require 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 revised Planning Approval site plan for review by Planning and Zoning prior to recording, and provision of copies 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 proposed modification:

A. Is consistent with all applicable requirements of this Chapter;
B. Will not impede the orderly development and improvement of surrounding property; and,
C. Having considered the applicable factors, the request will not adversely affect the health, safety o:r welfare of persons living or working in the surrounding neighborhood or be more injurious to property or improvements in the neighborhood.

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

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

1. Provision of a note on the Planning Approval site plan stating the site will maintain compliance with the tree planting and landscape area requirements of Article 3, Section 64-3-7 of the UDC;
2. Retention of a note on the Planning Approval site plan identifying the existing waste bin;
3. Retention of a note on the revised site plan stating shredding operations are limited between the hours of 6:00 a.m. and 6:00 p.m. with maintenance activities allowed after 6:00 p.m.;
4. Provision of a note on the Final Planning Approval site plan stating future development or redevelopment of the property may require 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 revised Planning Approval site plan for review by Planning and Zoning prior to recording, and provision of copies 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.

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

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as November 12, 2024.

CALL FOR PUBLIC HEARING TO CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 1 HARDWOOD LANE (SCHEDULED FOR NOVEMBER 12, 2024) (DISTRICT 2). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-966-2024

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

Notice of Public Hearing for the Proposed Modification Of a Previously Approved Planned Unit Development For Property located at 1 Hardwood Lane

Pursuant to Resolution of the Mobile, Alabama City Council adopted **October 9, 2024**, a public hearing will be held on the **12th day of November, 2024, at 10:30 a.m.**, to consider adoption of an ordinance to modify a previously approved Planned Unit Development for property located at 1 Hardwood Lane.

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

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 December 15, 2022 to allow multiple buildings on a single building site on property located at 1 Hardwood Lane and described as follows:

BEGINNING AT A METAL MARKER (COORDINATES: NORTH 281,741; EAST 323,238) IN THE BOUNDARY OF THE UNITED STATES OF AMERICAS LAND AT A CORNER OF THE TENNESSEE LAND COMPANY FROM WHICH A MONUMENT AT THE NORTHWEST CORNER OF THE GULF SHIPBUILDING CORPORATION'S LAND BEARS SOUTH 00° -40' WEST AT A DISTANCE OF 500.00 FEET; THENCE FROM SAID POINT OF BEGINNING RUN NORTH 89° -56' WEST'A DISTANCE OF 250.00 FEET; THENCE RUN NORTH 00° -40' EAST A DISTANCE OF 950.00 FEET; THENCE RUN NORTHWESTWARDLY ALONG THE ARC OF A CURVE TO THE LEFT A DIS.TANCE OF 475.19 FEET (LONG CHORD OF SAID CURVE BEARS NORTH 84° -26' WEST A DISTANCE OF 469.25 FEET); THENCE RUN SOUTH 79° -51' WEST A DISTANCE OF 1404.09 FEET; THENCE RUN SOUTH 27° -36' WEST A DISTANCE OF 444.98 FEET AND TO A POINT ON PROPERTY LINE OF PROPERTY NOW OR FORMERLY OWNED BY O'NEAL STEEL, INC.; THENCE RUN SOUTH 86° -23' -40" WEST ALONG SAID PROPERTY LINE A DISTANCE OF 743.78 FEET AND TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTHERN RAILROAD; THENCE RUN NORTH 05° -38' EAST ALONG THE EAST RIGHT OF WAY LINE OF THE SOUTHERN RAILROAD A DISTANCE OF 1004.46 FEET; THENCE RUN NORTH 79° -51' EAST A DISTANCE OF 1655.92 FEET, MORE OR LESS, TO A POINT ON THE SOUTH BANK OF CHICKASAW CREEK; THENCE RUN EASTWARDL Y ALONG THE SOUTH BANK OF CHICKASAW CREEK A DISTANCE OF 1440.00 FEET AND TO A POINT ON THE SOUTH BANK OF CHICKASAW CREEK; THENCE RUN SOUTH 00° -40' WEST A DISTANCE OF 1179.20 FEET, MORE OR LESS, AND TO A POINT OF BEGINNING; SAID PROPERTY BEING AND LYING IN THE COUNTY OF MOBILE AND STATE OF ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on August 6, 2024 allowing multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on September 19, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Provision of a note on the PUD site plan stating the site will maintain compliance with the tree planting and landscape area requirements of Article 3, Section 64-3-7 of the UDC;
2. Retention of a note on the PUD site plan identifying the existing waste bin;
3. Retention of a note on the revised site plan stating shredding operations are limited between the hours of 6:00 a.m. and 6:00 p.m. with maintenance activities allowed after 6:00 p.m.;
4. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
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 revised PUD site plan for review by Planning and Zoning prior to recording, and provision of copies 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 proposed modification:

A. Is consistent with all applicable requirements of this Chapter;
B. Is compatible with the character of the surrounding neighborhood;
C. Will not impede the orderly development and improvement of surrounding property;
D. 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 note on the PUD site plan stating the site will maintain compliance with the tree planting and landscape area requirements of Article 3, Section 64-3-7 of the UDC;
2. Retention of a note on the PUD site plan identifying the existing waste bin;
3. Retention of a note on the revised site plan stating shredding operations are limited between the hours of 6:00 a.m. and 6:00 p.m. with maintenance activities allowed after 6:00 p.m.;
4. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
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 revised PUD site plan for review by Planning and Zoning prior to recording, and provision of copies 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.

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

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as November 12, 2024.

CALL FOR PUBLIC HEARING TO CONSIDER REZONING PROPERTY LOCATED AT 6950 MOFFETT ROAD FROM LB-2 TO R-1 (SCHEDULED FOR NOVEMBER 12, 2024)

(DISTRICT 7). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-967-2024

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

Notice of Public Hearing for the Consider Rezoning of Property located at 6950 Moffett Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted **October 9, 2024**, a public hearing will be held on the **12th day of November, 2024, at 10:30 a.m**., to consider adoption of an ordinance to consider rezoning property located at 6950 Moffett Road from LB-2, Limited Neighborhood Business Suburban District, to R-1, Single-Family Residential Suburban District.

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

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:

COMMENCE AT A ¾ PIPE IN PLACE BEING THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-FOURTH OF THE NORTHWEST ONE-FOURTH OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA, SAID POINT BEING THE POINT OF BEGINNING. FROM THIS BEGINNING POINT PROCEED NORTH 89° 20' 15" WEST ALONG THE SOUTH BOUNDARY OF SAID QUARTER-QUARTER SECTION FOR A DISTANCE OF 180.89 FEET TO A¾" PIPE BEING THE NORTHWEST CORNER OF LOT NO. 26 OF THE WESTERLY WOODS SUBDIVISION AS SHOWN BY MAP OF SAID SUBDIVISION ON RECORD IN THE OFFICE OF THE JUDGE OF MOBILE COUNTY, ALABAMA IN PLAT BOOK 24 AT PAGE 55; THENCE PROCEED SOUTH 00°07' 42" EAST FOR A DISTANCE OF 739.26 FEET (SET½" REBAR CA-0114-LS); THENCE PROCEED NORTH 82° 37' 11" WEST FOR A DISTANCE OF 50.80 FEET (SET½" REBAR CA-0114-LS); THENCE PROCEED SOUTH 07° 22' 49" WEST FOR A DISTANCE OF 19.50 FEET (SET½" REBAR CA0l 14-LS) TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY 98; THENCE PROCEED NORTH 82° 37' 11" WEST ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID HIGHWAY FOR A DISTANCE OF 139.87 FEET (SET½" REBAR CA-0114-LS) TO THE P. C. OF A CONCAVE CURVE RIGHT HAVING AN ARC LENGTH OF 294.11 FEET AND A RADIUS OF 11459.16 FEET; THENCE PROCEED NORTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID HIGHWAY AND ALONG THE CURVATURE OF SAID CURVE FOR A CHORD BEARING AND DISTANCE OF NORTH 81 ° 52' 50" WEST, 294.10 FEET (SET ½" REBAR CA0114-LS); THENCE PROCEED NORTH 05° 25' 33" WEST FOR A DISTANCE OF 20.12 FEET (SET ½" REBAR CA-0114-LS); THENCE WITH A CURVE CONCAVE TO THE LEFT HAVING AN ARC LENGTH OF 10.99 FEET AND A RADIUS OF 11459.16 FEET FOR A CHORD BEARING

AND DISTANCE OF NORTH 81° 05' 20" WEST, 10.99 FEET (SET½" REBAR CA-0114-LS); THENCE PROCEED NORTH 00° 31' 33" EAST FOR A DISTANCE OF 603.27 FEET TO A 5/8" REBAR (CA #00033LS); THENCE PROCEED NORTH 00° 16' 13" EAST FOR A DISTANCE OF 111.22 FEET TO A ½"REBAR IN PLACE; THENCE PROCEED NORTH 00° 39' 38" EAST FOR A DISTANCE OF 210.53 FEET TO A 1" PIPE; THENCE PROCEED NORTH 00° 32' 34" EAST FOR A DISTANCE OF 419.69 FEET (SET½" REBAR CA-0114-LS); THENCE PROCEED SOUTH 89° 20' 15" EAST FOR A DISTANCE OF 662.16 FEET (SET ½" REBAR CA-0114-LS); THENCE PROCEED SOUTH 00° 02' 40" EAST FOR A DISTANCE OF 248.36 FEET TO A 1" CRIMP TOP PIPE IN PLACE; THENCE PROCEED SOUTH 00° 00' 19" WEST FOR A DISTANCE OF 419.89 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED LAND IS LOCATED IN THE SOUTHWEST ONE-FOURTH OF THE NORTHWEST ONE FOURTH AND THE NORTHWEST ONE-FOURTH OF THE SOUTHWEST ONE-FOURTH OF SECTION 29, TOWNSHIP 3 SOUTH, RANGE 2 WEST, MOBILE COUNTY, ALABAMA AND CONTAINS 18.41 ACRES.

The classification of said property is hereby changed from LB-2, Limited Neighborhood Business Suburban District to R-1, Single-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 an R-1, Single-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 an R-1, Single-Family Residential Suburban District until all of the conditions set forth below have been complied with: 1. Completion of the subdivision process; 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.

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

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as November 12, 2024.

CALL FOR PUBLIC HEARING TO DETERMINE WHETHER THE DOWNTOWN MOBILE BUSINESS IMPROVEMENT DISTRICT SHOULD BE CONTINUED, MODIFIED, OR TERMINATED (SCHEDULED FOR OCTOBER 29, 2024). The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 41-968-2024

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the City Clerk be, and she hereby is, instructed to post the attached NOTICE OF PUBLIC HEARING to determine whether the Downtown Mobile Business Improvement District should be continued, modified, or terminated, in at least three (3) places within the geographic boundaries of the Downtown Mobile Business Improvement District, and to mail a copy of the attached Notice, along with any hew district management plans, to each real property owner who paid assessments to the District during the previous year as certified by an officer of the district management corporation.

Notice is hereby given that the City Council of the City of Mobile will hold a public hearing commencing at **10:30 a.m. on the 29th day of October, 2024**, for the purpose of considering whether the Downtown Mobile Business District should be continued, modified, or terminated. The public hearing will be held by the City Council in the Mobile Government Plaza Auditorium, 205 Government Street, Mobile, Alabama.

The public hearing is being held pursuant to the requirements of Code of Alabama Section 11-548-58 and City Ordinance 50-039. At such time and place all person who desire shall have an opportunity to be heard on the question of whether the District should be continued, modified, or terminated.

After such hearing, the City Council may vote to continue, modify, or terminate the District.

This notice is published pursuant to a Resolution of the City Council of the City of Mobile adopted on 9th day of October, 2024.

WHEREAS, on May 10, 2005, the City Council of the City of Mobile adopted Ordinance No. 50-039 to establish the Downtown Mobile Business Improvement District pursuant to and in accordance with Title 11, Chapter 54B, of the Code of Alabama; and,

WHEREAS, Section 13(a) of the Ordinance provides that within ninety (90) days after the adoption and approval of the fifth annual budget for the District, the City Council of the City of Mobile shall set a hearing to determine whether the District should be continued, modified, or terminated; and,

WHEREAS, notice of the date, place, and time set for the hearing has been posted in at least three places within the District, and notice of the hearing and a copy of the new District Management Plan have been mailed to the owners of real property within the District, as required by Section 13(b) of the Ordinance; and,

WHEREAS, on October 29, 2024, the City Council conducted the public hearing required by Section 13(a) to determine whether the District should be continued, modified, or terminated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that having conducted the hearing required by the Ordinance, the City Council determines that the District shall be continued.

BE IT FURTHER RESOLVED that the District shall continue to be governed by the Ordinance, and that within ninety (90) days after the adoption of the fifth annual budget during the continued term of the District, the City Council of the City of Mobile shall set a hearing as required by the Ordinance to determine whether the District should be further continued, modified, or terminated.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Gregory moved to call for the public hearing, 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 set the date for the public hearing as October 29, 2024.

ANNOUNCEMENTS

Councilmember Penn announced that a District 1 community meeting will be held on October 22, 2024 at the Dotch Community Center at 6:00 p.m.

Councilmember Gregory said that a Fire Expo will be held on October 11, 2024, at Langan Park from 9:00 a.m. – 1:00 p.m. and encouraged citizens to attend.

Councilmember Small offered remarks about the recent unexpected passing of his brother, Laberion Small, and thanked everyone that sent him prayers, calls, cards, etc.

Councilmember Small recognized Thelma Thrash for always supporting him throughout his life.

Ricardo Woods, City Attorney, made a declaration that it is appropriate for the Council to move into executive session to discuss the lease and/or sell of certain property owned by the governing body and the governing entity and to not reconvene the regular meeting.

Councilmember Small called for a roll call vote to go into executive session, and to not reconvene, and the vote was as follows:

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:26 a.m.

Adopted:

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COUNCIL PRESIDENT

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ASSISTANT CITY CLERK