

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 5, 2022

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, April 5, 2022, at 9:00 a.m.

Present:

Councilmembers: Penn, Carroll, Small, Reynolds, Daves, and Jones

Absent: Gregory

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

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 5, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, April 5, 2022, at 10:30 a.m., in the regular meeting.

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

Pastor Michael Williams, Powerhouse Apostolic Ministries, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Small

Councilmembers: Penn, Carroll, Reynolds, Daves, Jones, and Gregory

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 of the meeting of March 29, 2022, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson announced that the City of Mobile's website has added a search function.

Mayor Stimpson shared that the City has created an Environmental Educational Program Guide to educate citizens about the effects of litter.

Mayor Stimpson announced the City will accept applications for the Critical Repair Grant beginning April 29, 2022.

Mayor Stimpson shared that applications for the Contractors College at Bishop State Community College will be accepted through April 19, 2022.

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Mayor Stimpson presented a proclamation recognizing the Rape Crisis Center and declared April 2022, as “Sexual Assault Awareness Month.”

PRESENTATIONS TO THE COUNCIL:

Fire Chief Jeremy Lami presented Daniel M. Carberry as February 2022, “Firefighter of the Month” and Christopher R. Glisson as March 2022, “Firefighter of the Month.”

PRESENTATIONS BY THE COUNCIL:

Councilmember Carroll recognized Americorps members for their work with Mobile Bay Keepers.

Councilmember Jones presented Certificates of Recognition to Gabriel Tomas, Johnny Phillips, and Jakayla Armstrong for achieving the rank of Eagle Scout.

ADOPTION OF THE AGENDA:

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

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

Nays: None

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

APPEALS:

Request of Kenishia Pritchett for a waiver of the Noise Ordinance at Tricentennial Park on April 30, 2022, from 9:30 a.m. – 3:00 p.m. (District 1).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

Nays: None

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

Request of Deja Coleman for a waiver of the Noise Ordinance at Herndon-Sage Park on June 4, 2022, from 8:00 a.m. – 7:00 p.m. (District 1).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

Nays: None

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

Request of Tex Phelps for a waiver of the Noise Ordinance at Spanish Plaza, Bienville Square and Cathedral Square on April 15, 2022, from 9:30 a.m. – 12:00 p.m. (District 2).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

Nays: None

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

Request of Hargrove and Associates for a waiver of the Noise Ordinance at Cooper Riverside Park on May 5, 2022, from 5:00 p.m. – 8:00 p.m. (District 2).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

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

Request of Catherine Walker for a waiver of the Noise Ordinance at Blacklawn Street on May 14, 2022, from 6:00 p.m. – 11:00 p.m. (District 2).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

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

Request of Demetria Franklin for a waiver of the Noise Ordinance at Arlington Park on May 10, 2022, from 10:00 a.m. – 1:00 p.m. (District 3).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

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

Request of Houston Owens for a waiver of the Noise Ordinance at Medal of Honor Park on May 22, 2022, from 12:00 p.m. – 5:00 p.m. (District 6).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves the vote was as follows:

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

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

Request of Right Way Christian Center Church for a waiver of the Noise Ordinance at Langan Park on April 17, 2022, from 7:00 a.m. – 6:00 p.m. (District 7).

Councilmember Gregory moved to grant the waiver, which motion was seconded by Councilmember Daves. Following comments by Councilmember Gregory the vote was as follows:

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

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HALLS MILL ROAD AND RIVIERE DU CHIEN ROAD FROM B-3 TO I-1 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at the northeast corner of Halls Mill Road and Riviere du Chien Road from B-3 to I-1 and asked if there was anyone present to speak for or against this matter.

Councilmember Small stated for the record:

We are going to lay this over until May so that a new legal advertisement can be published to allow changes to this item.

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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

None.

NON-AGENDA ITEMS:

1. Williams Bryant, Scout Executive of the Mobile Area Council, Boy Scouts of America, and CEO introduced the following Eagle Scouts: 1) Gabriel Tomas, Davidson High School; 2) Johnny Phillips, Baker High School; and 3) Jakayla Armstrong, Murphy High School.

2. Jihad Irby, 622 Wellington Street, provided information regarding the first in-person Mobile Youth Espy games and awards which will take place on June 5, 2022.

THE FOLLOWING SPOKE REGARDING THE REDISTRICTING OF COUNCIL DISTRICTS:

1. Carolyn Blanks Mayes, 1103 Antwerp Street
2. Byron Daniel, 6941 Moffett Road

CIP RESOLUTIONS HELD OVER

AUTHORIZE CHANGE ORDER NO. 3 WITH JOHN G. WALTON CONSTRUCTION COMPANY, INC., FOR BALTIMORE STREET, STREET AND DRAINAGE REHABILITATION; INCREASE OF \$216,711.38. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 13-285-2022

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, Change Order No. 3 to the contract, by and between the City of Mobile and the company listed below, for work as outlined in

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the Change Order attached hereto and made a part hereof as set forth in full, subject to the company signing the Change Order. A copy of said executed Change Order will be on file in the office of the City Clerk.

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

Project Name: Baltimore St., Street and Drainage Rehabilitation
from Ann Street to I-10 Service Road

Project No.: 2016-202-17

Estimated Cost: \$216,711.38 (Add)

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

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

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

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO E-BUILDER, INC. FOR ANNUAL RENEWAL OF PROJECT MANAGEMENT SOFTWARE; \$55,574.36. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-286-2022

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>4374</u>	2022	(2045) MAJOR PROJECTS	E-BUILDER PROJECT MANAGEMENT SOFTWARE ANNUAL RENEWAL (GSA CONTRACT)	\$55,574.36	<u>(295201) E-BUILDER, INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO SANSOM EQUIPMENT COMPANY FOR PETERBILT GARBAGE TRUCK; \$339,200.00 (req. 5333). The following resolution,

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which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-287-2022

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>5333</u>	2022	(F7000) MOTOR POOL	PETERBILT 31CU YD SIDE LOAD GARBAGE TRUCK WITH NEW WAY BODY (SEALED BID 5512)	\$339,204.00	<u>(190715)</u> <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

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

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

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

AUTHORIZE PURCHASE ORDER TO SANSOM EQUIPMENT COMPANY FOR PETERBILT GARBAGE TRUCK; \$339,200.00 (req. 6289). The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-288-2022

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>6289</u>	2022	(F7000) MOTOR POOL	PETERBILT 31CU YD SIDE LOAD GARBAGE TRUCK WITH NEW WAY BODY (SEALED BID 5512)	\$339,204.00	<u>(190715)</u> <u>SANSOM</u> <u>EQUIPMENT CO</u> <u>INC</u>

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

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

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

APPROVE PURCHASE ORDER TO CAIN’S TREE & LANDSCAPE, INC. FOR TREE REMOVAL; \$32,500.00. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-289-2022

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>7451</u>	2022	(2018) FORESTRY	PERIMETER ROAD TREE REMOVAL (SEALED BID 5653)	\$32,500.00	<u>(296252) CAIN’S TREE & LANDSCAPE INC</u>

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

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

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

APPROVE PURCHASE ORDERS FOR FUEL FOR WAVE TRANSIT. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-290-2022

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, purchase orders to the indicated vendors in the approximate amounts stated, and to approve the supporting bid awards, for the following requisitions as indicated below and attached herein:

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7531</u>	2022	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$32,733.75	(279229) PETROLEUM TRADERS CORPORATION
<u>7533</u>	2022	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$32,733.75	(279229) PETROLEUM TRADERS CORPORATION
<u>7538</u>	2022	(F6060) WAVE TRANSIT SYSTEM	DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$32,733.75	(279229) PETROLEUM TRADERS CORPORATION

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

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

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

DETERMINE NECESSITY FOR CONDEMNATION OF CERTAIN LANDS (TRACT 18) FOR THE WIDENING OF MCGREGOR AVENUE. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 18-291-2022

Sponsored by: Mayor Stimpson

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

WHEREAS, in the exercise of its public and governmental functions as a municipality, the City of Mobile has determined that the acquisition of land for the McGregor Avenue widening (Airport Boulevard - Dauphin Street), designated as Tract 18 on the project, situated in Mobile County, Alabama, and more particularly described as set out in Exhibit "A", which tract is owned or an interest therein held by the persons and entities also listed in Exhibit "A," attached hereto and made a part hereof as if fully set out herein, which property is shown on the map attached as Exhibit "B", and made a part hereof, is deemed necessary, expedient and in the public interest in order to improve the public roads and streets of the City of Mobile; and,

WHEREAS, the City of Mobile has been unable to acquire said property by contract and it is necessary to acquire such property, which is needed to widen McGregor Avenue between Airport Boulevard and Dauphin Street, by eminent domain; therefore,

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

It is hereby determined that it is necessary and expedient for public purpose to condemn said property for said purposes; and,

BE IT FURTHER RESOLVED that the City Attorney for the City of Mobile is hereby authorized to direct the institution of eminent domain proceedings in the Probate Court of Mobile County, Alabama, to condemn the herein described parcel of real property for the purposes hereinabove stated.

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BE IT FINALLY RESOLVED that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest respectively, a condemnation petition to be prepared at the direction of the City Attorney to condemn the above described parcel of land.

EXHIBIT "A"

Tract 18:

Parcel: R02280623 400207 8

Jabez, LLC
Domestic Limited Liability Co.
Sandra Seibert, Registered Agent
5721 Freemont Drive North
Mobile, AL 36609

Airport/McGregor Development Company, Lessee
Domestic Limited Liability Co.
Stephen Harvey, Registered Agent
63 S. Royal Street, Suite 900
Mobile, AL36602

American Equity Investment Life Insurance Company, Mortgagee to Jabez, LLC
6000 Westown Pkwy.
West Des Moines, IA 50266

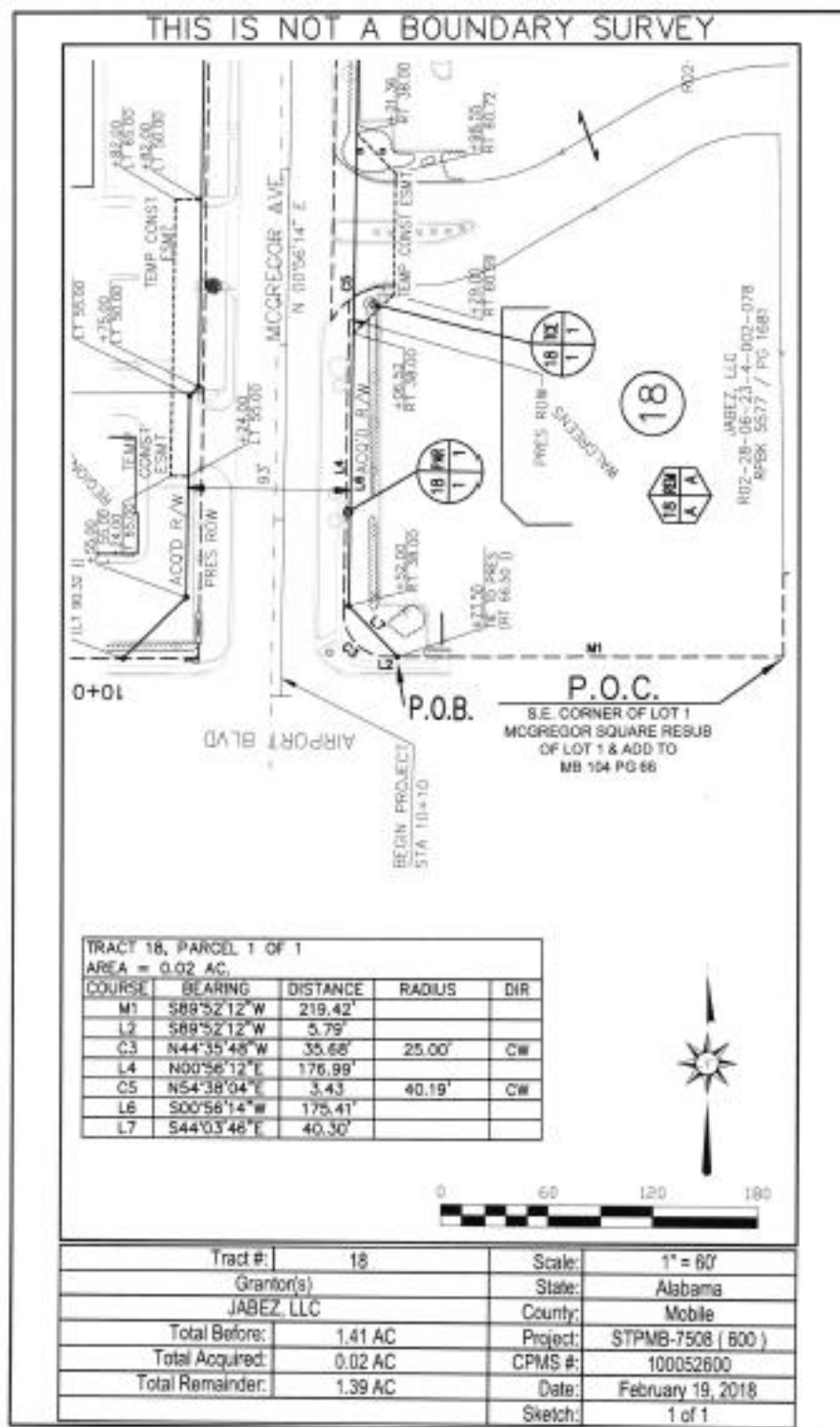
Wells Fargo Trust Company, National Association, fka Wells Fargo Bank Northwest,
N.A., as
Trustee, Mortgagee of Airport/McGregor Development Company
299 South Main Street, 12th Floor
MAC: U1228-120
Salt Lake City, Utah 84111

Walgreen Co., Lessee
Brian Moore, Attorney
Howard, Stallings, From, Atkins, Angell & Davis, P.A.
5410 Trinity Road, Suite 210
Raleigh, NC 27607

EXHIBIT "B"

Map

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

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

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

AUTHORIZE CONTRACT WITH HEXAGON ONCALL RECORDS FOR SOFTWARE PRODUCTS AND SERVICES FOR MPD RECORDS MANAGEMENT SYSTEM; \$4,097,449.00. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 21-292-2022

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Hexagon for provision of software products and services in support of Mobile Police Department's record management system, for five years from the date of approval, in the amount of \$4,097,449.00, 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.

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

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

Nays: None

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

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO EDWARDS AUTOMOTIVE, D/B/A PREMIER TRANSIT, TO OPERATE A SEDAN SERVICE. The following resolution, which was introduced and read at the regular meeting of March 29, 2022, and held over until the regular meeting of April 5, 2022, was called up by the Presiding Officer.

RESOLUTION: 37-293-2022

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

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

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

Nays: None

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

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

Councilmember Reynolds moved for the suspension of the rules to consider Ordinance 64-018, being introduced for the first time. The motion was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the item.

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HALLS MILL ROAD AND RIVIERE DU CHIEN ROAD FROM B-3 TO I-1. The following ordinance was introduced by Councilmember Reynolds.

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ORDINANCE: 64-018-2022

Sponsored by: Councilmember Reynolds

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

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

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

LOT A, RESUBDIVISION OF LOTS 1, 2, 6, & 7, SHELDON PLACE, FIRST UNIT AS RECORDED IN INSTRUMENT NO. 2021078964 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from B-3, Community Business District, to I-1, Light Industry District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in I-1, Light Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-1, Light Industry District until all of the conditions set forth below have been complied with: 1) provision of a public sidewalk in the right-of-way, or the obtaining of a Sidewalk Waiver; 2) provision of an 8' tall fence along the East property line; 3) access to the site is limited to Halls Mill Road; 4) aggregate surfacing to be used for areas outside of required parking and Fire Code requirements; 5) landscaping to be placed along the rights-of-way of Riviere du Chien and Halls Mill Road; and 6) full compliance with all municipal codes and ordinances.

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

The ordinance was read by the City Clerk; whereupon Councilmember Reynolds moved that the ordinance be adopted, which was seconded by Councilmember Jones.

Councilmember Reynolds moved to amend the ordinance as follows:

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

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

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

LOT A, RESUBDIVISION OF LOTS 1, 2, 6, & 7, SHELDON PLACE, FIRST UNIT AS RECORDED IN INSTRUMENT NO. 2021078964 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from B-3, Community Business District, to I-1, Light Industry District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as

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the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in I-1, Light Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-1, Light Industry District until all of the conditions set forth below have been complied with: 1) provision of a public sidewalk in the right-of-way, or the obtaining of a Sidewalk Waiver; 2) provision of an 8' tall wooden privacy fence along the East property line; 3) access to the site is limited to Halls Mill Road; 4) aggregate surfacing to be used for areas outside of required parking and Fire Code requirements; 5) landscaping to be placed along the rights-of-way of Riviere du Chien and Halls Mill Road; and 6) 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 move was seconded by Councilmember Daves and the vote was as follows:

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

Nays: None

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

Councilmember Reynolds made the motion to hold over the ordinance until the regular meeting of May 3, 2022, the move was seconded by Councilmember Daves and the vote was as follows.

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

Nays: None

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

CONSENT RESOLUTIONS BEING INTRODUCED:

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 03-297 through 60-300, being introduced for the first time. The motion was seconded by Councilmember Jones and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

RE-APPOINT RICHARD DAVIS TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Gregory.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Richard Davis is hereby re-appointed to the History Museum of Mobile Board effective immediately for a term ending April 5, 2025.

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

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

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

AUTHORIZE REMOVAL OF WEEDS, WEED LIEN GROUP 1626. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-298-2022

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 #1626 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 5th day of April, 2022, 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 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.

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WEED LIEN						
1626						Res. No.
3/2/2022	LOTS TO BE DECLARED					58-
4/5/2022	LOTS FOR PUBLIC HEARING					58-
//2022	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	524 Yukers St	15123	17042		2	
2	858 Kooiman St	16779	17044		1	
3	5261 Noble Lane	15260	17045		4	
4	1065 Arlington St	15051	17046		3	
5	1060 Cottrell St	14823	17047		3	
6	798 Gorgas St	15014	17048		3	
7	1105 Sutton St	14826	17049		3	
8	810 Virginia St	15060	17140		2	
9	1700 Sligo St	15301	17141		2	
10	150 Park Dr	13770	17142		5	
11	7045 Smith Aly	13867	17143		4	
12	2055 Victory Dr E	15394	17145		3	
13	10 Washington Pl	15626	17146		2	
14	704 Pillans St	15919	17147		3	
15	1258 Seneca St	15760	17148		3	
16	1565 Virginia St	15298	17149		2	
17	1465 Fern Valley Rd	14124	17150		4	
18	423 Mohawk St	16222	17151		3	
				\$ -		
District total for this group		Numbers of lots cut				
1	1		1			
2	5		2			
3	8		3			
4	3		4			
5	1		5			
6	0		6			
7	0		7			
	18		0			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

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

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

Nays: None

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

ASSESS COST FOR REMOVAL OF WEEDS, WEED LIEN GROUP 1623. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 58-299-2022

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

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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 1623 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.

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WEED LIEN						
1623						Res. No.
11/9/2021	LOTS TO BE DECLARED					58-1000
12/14/2021	LOTS FOR PUBLIC HEARING					58-1093
4/4/2022	LOTS TO BE ASSESSED FOR COST					58-
				Amount	Dis	N/A
No.	Address	SRO No.	CASE #	Assessed		CBO
1	1814 Indian Creek Dr S	14044	15090	\$ -	1	N/A
2	2162 Good St	14463	15091	\$ 50.00	1	CBO
3	3507 Pleasant Valley Rd	14853	15092	\$ -	5	UDL
4	1550 Robert E Lee St	14195	15093	\$ 354.26	3	
5	905 Bay Ave	14216	15094	\$ 251.00	3	
6	1154 Freeman St	14055	15095	\$ 50.00	3	CBO
7	654 Augusta St	14189	15096	\$ -	2	CBD
8	816 Gorgas St	14734	15097	\$ 210.00	3	
9	866 Baltimore St	14175	15098	\$ -	3	CBD
10	0 Kentucky St	14193	15099	\$ 210.00	3	
	Parcel No. (29 10 37 0 008 077.XXX)					
11	0 Pettus St	14146	15100	\$ 50.00	3	CBO
	Parcel No. (29 10 37 0 008 195.XXX)					
12	1057 S Broad St	14162	15101	\$ 50.00	3	CBO
13	805 Gorgas St	14181	15102	\$ -	3	N/A
14	1101 S Broad St	14141	15103	\$ 50.00	3	CBO
15	922 Bay Ave	14457	15104	\$ -	3	N/A
16	660 Pillans St	14440	15105	\$ -	3	CBD
17	4 Straight St	13374	15106	\$ 210.00	2	
18	909 Emelda Dr	13482	15107	\$ 280.00	4	
19	2057 Clinton St	14130	15108	\$ 50.00	1	CBO
				\$ 1,815.26		
District total for this group		Numbers of lots cut				
1	3	1	0			
2	2	2	1			
3	12	3	4			
4	1	4	1			
5	1	5	0			
6	0	6	0			
7	0	7	0			
	19		6			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector		*CBD Cut Before Declared				

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

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

Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTERS OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM; CARBERRY AND GLISSON. The following resolution was introduced by Councilmember Gregory.

RESOLUTION: 60-300-2022

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

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authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 each to the following employee(s):

Firefighter Daniel M. Carberry (Emp #19527) Firefighter Christopher R. Glisson (Emp #18543)

These employees are to be commended for their exemplary work performance or innovations that significantly reduce costs or results in an outstanding improvement in service to the public.

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

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

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

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH THE ARCHITECTS GROUP, INC. FOR IMPROVEMENTS TO LANGAN PARK AND PUBLIC SAFETY MEMORIAL PARK; \$223,938.00. The following resolution was held over until the regular meeting of April 12, 2022.

RESOLUTION: 01-301-2022

Sponsored by: Councilmembers Daves and Gregory & Mayor Stimpson

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

Name of Company: THE ARCHITECTS GROUP, INC. (TAG)

1st Project Name: PR-031-21
 LANGAN PARK –
 NEW PAVILION RESTROOM
 \$120,188.00 (C0531)

2nd Project Name: PR-093-21
 PUBLIC SAFETY MEMORIAL PARK –
 NEW RESTROOM & SKATEBOARD PARK & SPLASH
 PAD IMPROVEMENTS
 \$103,750.00 (C0691)

Amount: \$223,938.00 combined

APPROVE PURCHASE ORDER FOR FUEL FOR VARIOUS LOCATIONS. The following resolution was held over until the regular meeting of April 12, 2022.

RESOLUTION: 08-302-2022

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

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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>7701</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$27,942.50	(279229) PETROLEUM TRADERS CORPORATION
<u>7702</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE UNLEADED FUEL (SEALED BID 5624)	\$27,942.50	(279229) PETROLEUM TRADERS CORPORATION
<u>7703</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(279229) PETROLEUM TRADERS CORPORATION
<u>7704</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(279229) PETROLEUM TRADERS CORPORATION
<u>7705</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(279229) PETROLEUM TRADERS CORPORATION
<u>7706</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(279229) PETROLEUM TRADERS CORPORATION
<u>7707</u>	2022	(2050) EQUIPMENT SERVICES	GARAGE DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(279229) PETROLEUM TRADERS CORPORATION
<u>7708</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$24,103.76	(279229) PETROLEUM TRADERS CORPORATION
<u>7709</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$24,103.76	(279229) PETROLEUM TRADERS CORPORATION
<u>7710</u>	2022	(2050) EQUIPMENT SERVICES	MOTOR POOL UNLEADED FUEL (SEALED BID 5624)	\$24,103.76	(279229) PETROLEUM TRADERS CORPORATION
<u>7711</u>	2022	(2050) EQUIPMENT SERVICES	4 TH PRECINCT DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(279229) PETROLEUM TRADERS CORPORATION

APPROVE PURCHASE ORDER TO SYN-TECH SYSTEMS, INC. FOR ANNUAL WARRANTY AND SUPPORT FOR FUELMaster FUEL SYSTEM SOFTWARE AND EQUIPMENT; \$16,637.50. The following resolution was held over until the regular meeting of April 12, 2022.

RESOLUTION: 08-303-2022

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>7646</u>	2022	(2050) EQUIPMENT SERVICES	ANNUAL WARRANTY AND SUPPORT FOR FUELMaster FUEL SYSTEM SOFTWARE AND EQUIPMENT (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT)	\$16,637.50	<u>(296632) SYN- TECH SYSTEMS INC</u>

AUTHORIZE CONTRACT WITH OSPREY INITIATIVE, LLC FOR CITYWIDE STORMWATER LITTER COLLECTION AND ANALYSIS SERVICES; \$146,000.00. The following resolution was held over until the regular meeting of April 12, 2022.

RESOLUTION: 21-304-2022

Sponsored by: City Council 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: Osprey Initiative, LLC

Project Name: Stormwater Litter Collection and Analysis Services (Citywide)

Estimated Cost: \$146,000.00

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; DURANT. The following resolution was held over until the regular meeting of April 12, 2022.

RESOLUTION: 60-305-2022

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 and directed 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 Larry Durant, 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 REZONE PROPERTY LOCATED AT 93, 95, AND 97 N. SAGE AVENUE FROM R-1 TO B-2 (DISTRICT 1). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-306-2022

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.

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Notice of Public Hearing for the Proposed Rezoning of Property Located at 93,95 and 97 North Sage Avenue

Pursuant to Resolution of the Mobile, Alabama City Council adopted April 5, 2022, a public hearing will be held on the 3rd day of May, 2022, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at 93,95 and 97 North Sage Avenue, from R-1, Single-Family Residential District, to B-2, Neighborhood Business 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 BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, SAID ORDINANCE BEING COMMONLY KNOWN AS THE ZONING ORDINANCE.

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

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

BEGINNING AT THE SOUTHWEST CORNER OF OLD SHELL ROAD AND NORTH SAGE AVENUE, RUN S 00°04'50" W ALONG THE WEST RIGHT OF WAY LINE OF SAID NORTH SAGE AVENUE, A DISTANCE OF 286.94 FEET TO A REBAR FOUND AT THE NORTHEAST CORNER OF LOT 1, BOB WILLIAMS SUBDIVISION, SECOND RESUBDIVISION OF A PORTION OF LOT 1, AS PER PLAT RECORDED IN MAP BOOK 42, PAGE 83 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE NORTH BOUNDARY OF SAID LOT 1, BOB WILLIAMS SUBDIVISION, SECOND RESUBDIVISION OF A PORTION OF LOT 1, RUN N 89°50'10" W 105.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID NORTH BOUNDARY OF LOT 1, BOB WILLIAMS SUBDIVISION, SECOND RESUBDIVISION OF A PORTION OF LOT 1, RUN N 00°04'50"E 37.02 FEET TO A POINT; THENCE CONTINUING ALONG SAID NORTH BOUNDARY OF LOT 1, BOB WILLIAMS SUBDIVISION, SECOND RESUBDIVISION OF A PORTION OF LOT 1 AND ALONG THE NORTH BOUNDARY OF LOT 3-A, B AND H SUBDIVISION, AS PER PLAT RECORDED IN MAP BOOK 84, PAGE 86 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, RUN S 89°50'18" W 86.04 FEET TO THE SOUTHEAST CORNER OF LOT 4, VALERIA PLACE, AS PER PLAT RECORDED IN MAP BOOK 59, PAGE 92 OF THE AFOREMENTIONED COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EAST BOUNDARY OF SAID LOT 4, VALERIA PLACE AND THE NORTHWARD PROJECTION THEREOF, RUN N 00°04'50" E 309.33 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE AFOREMENTIONED OLD SHELL ROAD; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE OF OLD SHELL ROAD, RUN S 72°42'10" E 200.00 FEET TO THE POINT OF BEGINNING. CONTAINING 57,280 SQUARE FEET OR 1.31 ACRES, MORE OR LESS.

The classification of said property is hereby changed from R-1, Single-Family Residential District, B-2, Neighborhood Business District, and B-3, Community Business District, to B-2, Neighborhood Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in B-2, Neighborhood Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above

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described shall be used for any use allowed in a B-2, Neighborhood Business 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.

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

Ayes: Carroll, Reynolds, Daves, Jones, and Gregory

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as May 3, 2022.

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HALLS MILL ROAD AND RIVIERE DU CHIEN ROAD FROM B-3, COMMUNITY BUSINESS DISTRICT, TO I-1, LIGHT INDUSTRY DISTRICT (DISTRICT 4). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-307-2022

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 Rezoning of Property Located at Northeast corner of Halls Mill Road and Riviere du Chien Road

Pursuant to Resolution of the Mobile, Alabama City Council adopted April 5, 2022, a public hearing will be held on the 3rd day of May, 2022, at 10:30 a.m., to consider adoption of an ordinance to rezone property located at the northeast corner of Halls Mill Road and Riviere du Chien Road from B-3, Community Business District, to I-1, Light Industry 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 BOARD OF COMMISSIONERS OF THE CITY OF MOBILE ON THE 16TH DAY OF MAY, 1967, SAID ORDINANCE BEING COMMONLY KNOWN AS THE ZONING ORDINANCE.

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

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

LOT A, RESUBDIVISION OF LOTS 1, 2, 6, & 7, SHELDON PLACE, FIRST UNIT AS RECORDED IN INSTRUMENT NO. 2021078964 PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA

The classification of said property is hereby changed from B-3, Community Business District, to I-1, Light Industry District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as

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the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in I-1, Light Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a I-1, Light Industry District until all of the conditions set forth below have been complied with: 1) provision of a public sidewalk in the right-of-way, or the obtaining of a Sidewalk Waiver; 2) provision of an 8' tall wooden, privacy fence along the East property line; 3) access to the site is limited to Halls Mill Road; 4) aggregate surfacing to be used for areas outside of required parking and Fire Code requirements; 5) landscaping to be placed along the rights-of-way of Riviere du Chien and Halls Mill Road; and 6) 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.

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

Ayes: Carroll, Reynolds, Daves, Jones, and Gregory

Nays: None

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as May 3, 2022.

ANNOUNCEMENTS:

Councilmember Daves reminded citizens that the Finance Committee meeting will be held today at 1:00 p.m., in the ninth-floor conference room.

Councilmember Carroll reminded citizens that information about the upcoming community meetings for April and May 2022 are listed in the District 2 newsletter.

Councilmember Jones announced that a meeting with neighborhood leaders will be held at the Sadds Healthcare conference room on Tuesday at 6:30 p.m.

Councilmember Jones reminded citizens that the District 6 community meeting will be held at the Connie Hudson Senior Center on April 14, 2022, at 6:30 p.m.

Councilmember Reynolds shared that the Capital Improvement Committee will meet on April 12, 2022, at 1:00 p.m.

Councilmember Penn reminded citizens that the District 1 community meeting will be held this evening at the Michael Figures Community Center at 6:00 p.m.

Councilmember Penn announced that a three-on-three basketball tournament will be held at the Michael Figures Community Center on April 23, 2022. Registration will be open through April 11, 2022.

Councilmember Gregory shared that on April 3, 2022, there was a celebration for the new patio project located at Fire Station 18.

Councilmember Gregory announced that Mobile Botanical Gardens will hold their "One Enchanted Evening" fundraiser on April 7, 2022.

Councilmember Gregory reminded citizens that a meeting will be held at New Jerusalem Missionary Baptist Church, 7220 First Street, on April 13, 2022. Applications for the Neighborhood Development Departments Critical Repair Program will be available.

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Councilmember Small announced the District 3 8th-annual Easter Egg Hunt will be held at Taylor Park on April 16, 2022, from 3:00 p.m. - 5:00 p.m.

Councilmember Small also shared that the District 3 Spring meeting will be held at the Mobile Downtown Airport on April 26, 2022, at 6:00 p.m.

Shonnda Smith, Senior Director of Parks and Recreation, announced that the Kite Festival will be held at Battleship Park on April 9, 2022, from 10:00 a.m.-7:00 p.m. and on April 10, 2022, from 12:00 p.m.-5:00 p.m. This event kicks off with the Art Walk on April 8, 2022.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourn at approximately 11:29 a.m.

Adopted:

COUNCIL PRESIDENT

CITY CLERK