

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 12, 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 12, 2022, at 9:00 a.m.

Present:

Councilmembers: Penn, Carroll, Small, Reynolds, Daves, Jones, and Gregory  
Absent: None

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

Approved:

\_\_\_\_\_  
COUNCIL PRESIDENT

\_\_\_\_\_  
CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 12, 2022

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, April 12, 2022, at 10:30 a.m., in the regular meeting.

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

Pastor Roger Stanton, Bethesda Christian Center, 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 April 5, 2022, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

James Barber, Chief of Staff, provided the following announcements on behalf of Mayor Stimpson:

Mr. Barber announced that D.C. Safety, a New York-based automotive equipment manufacturer, and Avery Express, a provider of freight transportation will be relocating and expanding their operations to the South Alabama Logistics Park.

Mr. Barber reported updates related to operations at Austal.

Mr. Barber read a proclamation proclaiming April 11-14, 2022, as “National Community Development Week” in Mobile.

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### PRESENTATIONS TO THE COUNCIL:

Shonnda Smith presented Lisa Foster as the March 2022, "Public Works at Large Employee of the Month," Mellanie Johnson as "Parks and Recreation Employee of the Month," and George Well as "Public Services Employee of the Month."

### PRESENTATIONS BY THE COUNCIL:

Councilmember Jones presented a proclamation to the Ambitiously Him and Her Kingdom Foundation proclaiming April 22, 2022 as "Amazin Admins Day" in Mobile.

### ADOPTION OF THE AGENDA:

Councilmember Jones moved to adopt the agenda, which move was seconded by Councilmember Gregory 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:

Appeal of the Planning Commission's approval for a Planned Unit Development (PUD) to allow multiple buildings on a single building site at 186 Stanton Road (southeast corner of Stanton Road and Oak Knoll Drive) (District 1).

1. Michael Horton, President of the Glenwood Home Owner's Association, 1805 South Indian Creek Drive, expressed concerns regarding increased traffic, emergency vehicle maneuverability, removing trees, and the lack of detail provided for the construction site.
2. Bill Smith, 1802 South Indian Creek, expressed his concerns about traffic and trees.
3. Stephen Howle, Developer, 1906 Springhill Avenue, shared information about the project.
4. Charles Tisher, Clark, Geer, Laytham, and Associates, Inc., 3901 Springhill Avenue, provided additional information about the project.

Councilmember Gregory moved to uphold the Planning Commission's decision, which motion was seconded by Councilmember Daves. Following comments by Councilmembers Jones and Penn 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 Planning Commission's decision upheld.

Request of Betty Holifield for a waiver of the Noise Ordinance at 2418 St. Stephens Road on April 22, 2022, from 2:00 p.m. – 9:00 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.

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Request of Quinton Cross for a waiver of the Noise Ordinance at 201 N. Hamilton Street on April 16, 2022, from 3:00 p.m. – 6:00 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 Lisa Davis, A Servant's Love, for a waiver of the Noise Ordinance at Cooper Riverside Park on May 1, 2022, from 11:00 a.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 Sickel Cell Disease Association of America for a waiver of the Noise Ordinance at Langan Park (Performing Arts Pavilion) on May 14, 2022, from 8:00 a.m. – 12:00 p.m. (District 7).

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.

### PUBLIC HEARINGS:

#### PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 3015 AND 3019 PLEASANT VALLEY ROAD FROM R-1 TO R-3 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 3015 and 3019 Pleasant Valley Road from R-1 to R-3 and asked if there was anyone present to speak for or against this matter.

1. Thomas Ward, 704 Saddlebrook Drive, Killen, AL 35645, stated that rezoning would allow additional affordable housing for senior citizens.

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

#### PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 5400 HAMILTON BOULEVARD FROM I-2 TO I-1 (DISTRICT 4).

The Presiding Officer announced that today was the day for the public hearing to rezone property located at 5400 Hamilton Boulevard from I-2 to I-1 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

### PUBLIC HEARING TO CONSIDER A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO MK NON-EMERGENCY MEDICAL TRANSPORT, LLC TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider a Certificate of Public Convenience and Necessity to MK Non-Emergency Medical Transport, LLC to operate a shuttle service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

### PUBLIC HEARING CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPHIR GLOBAL, LLC, D/B/A JOHN HENRY TRANSPORTATION, TO OPERATE A SEDAN SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider approval of a Certificate of Public Convenience and Necessity to Ophir Global, LLC, d/b/a John Henry Transportation, to operate a sedan service and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

### PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1300 GREENWOOD AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1300 Greenwood Avenue a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

### PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

#### AGENDA ITEMS:

1. Reggie Hill, 1007 Center Street, spoke regarding resolutions 21-304, 21-327, 02-019, 02-020, 02-021, 02-022, 21-319, 60-305, and 08-323.

#### NON-AGENDA ITEMS:

1. Elizabeth Luther, 258 North Claiborne Street, voiced her concerns regarding noise in the Entertainment District as it pertains to residents.

2. Nehemiah Cooler, 3661 Airport Boulevard Apartment 81, requested funding from the Council for the Gulf Coast Baseball Combine.

3. Chris Maddox 5213 Maudelayne Drive North, requested usage of Mim's Park, Field "A" for baseball teams.

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4. Anthony Hoffman, General Administrator for Mobile County, Administrator for the Estate of Kay Vickers, gave an update on the property located at 6401 Pinehurst Run.

THE FOLLOWING SPOKE REGARDING AMENDING THE AFRICATOWN OVERLAY IN THE UNIFIED DEVELOPMENT CODE:

- 1. Ruth Ballard, 2557 Garfield Street
- 2. Ramsey Sprague, 63 South Fulton Street

THE FOLLOWING SPOKE REGARDING THE REDISTRICTING OF COUNCIL DISTRICTS:

- 1. Titus Thorn, 110 South Bayou Street
- 2. Rose Johnson, 26 McPhillips Avenue
- 3. Darlene Martin, 2411 Cross Street

CONSENT RESOLUTIONS HELD OVER:

DECLARE THE STRUCTURE AT 6401 PINEHURST RUN A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. 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 12, 2022, was called up by the Presiding Officer.

RESOLUTION: 40-282-2022  
Sponsored by: Councilmember Jones

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances” adopted December 5, 2017, the accessory structure at 6401 PINEHURST RUN has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 2, 4, 7, 8, 10, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 6401 PINEHURST RUN described as:

LOT 1 WILLOWBROOK UNIT 2 MBK 21 PG 26 #SEC 20 T4S R2W #MP28 04 20 4 000

Parcel Number: 28 04 20 4 000 099  
Last Assessed to: VICKERS KAY H

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

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

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The resolution was read by the City Clerk; whereupon Councilmember Jones moved that the resolution be held over for 30 days, which was seconded by Councilmember Gregory 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 held over.

RESOLUTIONS HELD OVER

AUTHORIZE AGREEMENT WITH THE ARCHITECTS GROUP, INC. FOR IMPROVEMENTS TO LANGAN PARK AND PUBLIC SAFETY MEMORIAL PARK; \$223,938.00. The following resolution, which was introduced and read at the regular meeting of April 5, 2022, and held over until the regular meeting of April 12, 2022, was called up by the Presiding Officer.

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)

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

2<sup>nd</sup> 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

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 ORDER FOR FUEL FOR VARIOUS LOCATIONS. The following resolution, which was introduced and read at the regular meeting of April 5, 2022, and held over until the regular meeting of April 12, 2022, was called up by the Presiding Officer.

RESOLUTION: 08-302-2022

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>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 <sup>TH</sup> PRECINCT DIESEL FUEL (AL STATE CONTRACT)	\$31,605.00	(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.

APPROVE PURCHASE ORDER TO SYN-TECH SYSTEMS, INC. FOR ANNUAL WARRANTY AND SUPPORT FOR FUELMaster FUEL SYSTEM SOFTWARE AND

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EQUIPMENT; \$16,637.50. The following resolution, which was introduced and read at the regular meeting of April 5, 2022, and held over until the regular meeting of April 12, 2022, was called up by the Presiding Officer.

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:

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>

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 OSPREY INITIATIVE, LLC FOR CITYWIDE STORMWATER LITTER COLLECTION AND ANALYSIS SERVICES; \$146,000.00. The following resolution, which was introduced and read at the regular meeting of April 5, 2022, and held over until the regular meeting of April 12, 2022, was called up by the Presiding Officer.

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

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:

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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 SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; DURANT. The following resolution, which was introduced and read at the regular meeting of April 5, 2022, and held over until the regular meeting of April 12, 2022, was called up by the Presiding Officer.

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.

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.

ORDINANCES BEING INTRODUCED:

ORDINANCE TO AMEND SECTIONS 2-62(B) AND 2-62(C) OF THE MOBILE CITY CODE; COMMUNICATIONS WITH COUNCIL. The following ordinance was held over until the regular meeting of April 19, 2022.

ORDINANCE: 02-019-2022

Sponsored by: Councilmember Reynolds

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

Section 1. Amendment.

That Sub-sections (b) and (c) of Sec. 2-62. – Communications with Council, of the Mobile City Code, 1991, are hereby amended and restated in their entirety as follows:

(b) Public hearings or appeals. Where required by law, or by unanimous consent of the council, public hearings on matters before the council, or appeals to the council (excluding appeals for waiver of the noise ordinance), shall be held by the council at which taxpayers, residents of the city, other interested parties, or their authorized legal representatives, shall be permitted to present oral statements for or against the matter made a subject of the hearing or appeal. Requests to appear at such a public hearing or appeal may be filed in writing with the city clerk, who shall refer the same to the president of the council prior to the hearing or appeal. Persons making these requests in writing shall, together with witnesses requested to appear by the council, be heard prior to other persons who appear at the hearing or appeal. Each person addressing any public hearing or appeal shall, when called, step up to the podium and give their name and address in an audible tone of voice

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for the record. No person from shall speak more than five (5) minutes on the subject, and rebuttal speakers shall be limited to two (2) minutes, after an issue has been discussed by both sides, except by permission granted by majority vote. Those speaking on the subject will be limited to four (4) spokespersons on each side of (for or against) the issue, unless permission is granted by unanimous consent of the councilmembers present to allow others to speak. Speakers will be determined by the chronological order in which they signed up to speak. Speakers may not share or reserve speaking time. The president must notify each speaker, before they have begun to speak, that said speaker will be limited to five (5) minutes on the subject, and additionally must also notify rebuttal speakers, before said speaker has begun to speak, that they will be limited to two (2) minutes on the subject. All persons wishing to address the council shall be required to register prior to the meeting, listing with specificity the subject matter to be discussed and whether they are for or against the matter subject to the hearing or appeal.

(c) Communication with committees. Taxpayers or residents of the city or their authorized legal representatives may, at the option of the committee chair, be permitted to orally address any committee of the council on any matter referred to that committee. Requests to appear before a committee of the council shall be filed with the city clerk, who shall refer the same to the chairman of the committee. The chairman of the committee may call a meeting of the committee to hear the matters presented, or shall bring the matter before the council to set a time and place for a public hearing.

Section 2. Miscellaneous.

(a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

(b) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(c) This Ordinance shall be effective immediately upon its adoption and publication as required by law.

ORDINANCE TO AMEND SECTION 2-61 OF THE MOBILE CITY CODE; RULES OF DEBATE. The following ordinance was held over until the regular meeting of April 19, 2022.

ORDINANCE:                      02-020-2022

Sponsored by:                      Councilmember Reynolds

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

Section 1. Amendment.

That Sec. 2-61. – Rules of Debate, of the Mobile City Code, 1991, is hereby amended and restated in its entirety to read as follows:

Sec. 2-61. Rules of debate.

(a) The presiding officer of the council may move, second, and debate from the chair, subject only to such limitations of debate as are by this article imposed on all councilmembers, and shall not be deprived of any of the rights and privileges of a councilmember by reason of his acting as the presiding officer.

(b) Every Councilmember or official desiring to speak shall address the chair, and, upon recognition by the presiding officer, shall address himself to the question under debate, avoiding all personalities and indecorous language.

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(c) A councilmember or official, once recognized, shall not be interrupted when speaking, unless it be to call him to order or as herein otherwise provided. If a member, while speaking, is called to order, he shall cease speaking until the question of order is determined; and, if in order, he shall be permitted to proceed.

(d) No person from the general public shall enter into a debate with any member of the council at any time.

(e) The councilmember moving the adoption shall have the privilege of closing debate, and shall not be limited on the answering of questions pertinent to the matter proposed.

(f) A motion to reconsider any action taken by the council may be made only on the day such action was taken. It may be made either immediately during the same session or at a recessed or adjourned session thereof. Such motion shall be made by one of the prevailing side, but may be seconded by any councilmember, and may be made at any time and take precedence over all other motions or while a member has the floor. It shall be debatable.

Nothing herein shall be construed to prevent any Councilmember from making or remaking the same or any other motion at a subsequent meeting of the council.

(g) The minutes of the city council are recorded in summary form, not verbatim. If councilmembers desire that their comments on a particular subject be recorded in their entirety, the city clerk should be informed at the time the comments are made.

### Section 2. Miscellaneous.

(a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

(b) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(c) This Ordinance shall be effective immediately upon its adoption and publication as required by law.

ORDINANCE TO AMEND SECTION 2-62(A) OF THE MOBILE CITY CODE; COMMUNICATIONS WITH COUNCIL. The following ordinance was held over until the regular meeting of April 19, 2022.

ORDINANCE: 02-021-2022

Sponsored by: Councilmember Reynolds

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

### Section 1. Amendment.

Sub-section (a) of Sec. 2-62.-Communications with council, of the Mobile City Code, 1991, as amended, is hereby amended and restated in its entirety as follows:

(a) Presentations of petitions and other communications to the council:

(1) Interested parties or their authorized representatives wishing to address the council on non-agenda items (items not included on the agenda) must submit in writing to the city clerk a request to address the council identifying the subject matter to be discussed and describing in detail the specific question or issue to be addressed. Single word descriptions or topics are insufficient – the request must contain enough information so that the council will have enough information to adequately respond if desired. The written communication must relate to city government and must be received by the city clerk on or before 2:00

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p.m. the Thursday preceding the regular council meeting at which the person desires to speak. Persons who do not provide the required information in their request will not be called on to address the council unless allowed by a super-majority vote of the council.

(2) Interested parties or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must sign in with the city clerk and identify the specific agenda item(s) to be addressed prior to the start of the regular council meeting.

(3) In the event a regular council meeting is conducted remotely, interested persons or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must submit in writing to the city clerk a request to address the council at such remote meeting and identify the specific agenda item(s) to be addressed, which written request must be received by the city clerk at least 24 hours preceding the remotely conducted meeting.

(4) Each person from the general public addressing the council on either agenda or non-agenda items, when called, shall step up to the podium or other location provided to address the council and, prior to making any other comments, give their name and address in an audible and clear tone of voice for the record.

(5) Each person addressing the council on either agenda or non-agenda items shall be limited to a total of three (3) minutes on all subjects, provided that a single one (1) minute extension shall be granted upon the request of any council member. No further extension shall be allowed except by permission granted by super-majority vote of the council. Persons addressing the council may not share or reserve time. Upon the expiration of the allotted time the person speaking shall return to their seat or exit the council chambers.

(6) There shall be no dialogue between the person addressing the council and any individual council member.

(7) After the person addressing the council has returned to their seat or exited the council chambers, the council president shall ask if any councilmember or member of the City administration wishes to respond to the speaker's comments or ask questions of the speaker.

### Section 2. Miscellaneous.

(a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

(b) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(c) This Ordinance shall be effective within the City of Mobile immediately upon its adoption and publication as required by law.

ORDINANCE TO AMEND SECTION 2-62(A) OF THE MOBILE CITY CODE; COMMUNICATIONS WITH COUNCIL. The following ordinance was held over until the regular meeting of April 19, 2022.

ORDINANCE: 02-022-2022

Sponsored by: Councilmember Reynolds

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

### Section 1. Amendment.

## MINUTES OF APRIL 12, 2022

Sub-section (a) of Sec. 2-62.-Communications with council, of the Mobile City Code, 1991, as amended, is hereby amended and restated in its entirety as follows:

(a) Presentations of petitions and other communications to the council:

(1) Interested parties or their authorized representatives wishing to address the council on non-agenda items (items not included on the agenda) must submit in writing to the city clerk a request to address the council identifying the subject matter to be discussed and describing in detail the specific question or issue to be addressed. Single word descriptions or topics are insufficient – the request must contain enough information so that the council will have enough information to adequately respond if desired. The written communication must relate to city government and must be received by the city clerk on or before 2:00 p.m. the Thursday preceding the regular council meeting at which the person desires to speak. Persons who do not provide the required information in their request will not be called on to address the council unless allowed by a super-majority vote of the council.

(2) Interested parties or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must sign in with the city clerk and identify the specific agenda item(s) to be addressed prior to the start of the regular council meeting.

(3) In the event a regular council meeting is conducted remotely, interested persons or their authorized representatives wishing to address the council on items included on the agenda for a regular council meeting must submit in writing to the city clerk a request to address the council at such remote meeting and identify the specific agenda item(s) to be addressed, which written request must be received by the city clerk at least 24 hours preceding the remotely conducted meeting.

(4) Each person from the general public addressing the council on either agenda or non-agenda items, when called, shall step up to the podium or other location provided to address the council and, prior to making any other comments, give their name and address in an audible and clear tone of voice for the record.

(5) Each person addressing the council on either agenda or non-agenda items shall be limited to a total of three (3) minutes on all subjects, provided that a single one (1) minute extension shall be granted upon the request of any council member. No further extension shall be allowed except by permission granted by super-majority vote of the council. Persons addressing the council may not share or reserve time. Upon the expiration of the allotted time the person speaking shall return to their seat or exit the council chambers.

(6) There shall be no dialogue between the person addressing the council and any individual council member.

(7) After the person addressing the council has returned to their seat or exited the council chambers, the council president shall ask if any councilmember or member of the City administration wishes to respond to the speaker's comments or ask questions of the speaker. Such responses and questions shall be limited to three (3) minutes for each council or administration member.

### Section 2. Miscellaneous.

(a) All other provisions and sections of the aforesaid Ordinance not amended herein shall remain in full force and effect.

(b) The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, that declaration shall not affect the part or parts that remain.

(c) This Ordinance shall be effective within the City of Mobile immediately upon its adoption and publication as required by law.

MINUTES OF APRIL 12, 2022

REZONE PROPERTY LOCATED AT 5400 HAMILTON BOULEVARD FROM I-2 TO I-1.  
The following ordinance was held over until the regular meeting of April 19, 2022.

ORDINANCE: 64-023-2022

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:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, COASTAL READY MIX DEVELOPMENT, AS RECORDED IN MAP BOOK 133 AT PAGE 122 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE S-00°-08'-58"-W, ALONG THE WEST LINE OF SAID LOT 1, FOR 190.92 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE S-89°-51'-02"-E, LEAVING THE WEST LINE OF SAID LOT 1, FOR 127.51 FEET; THENCE S-73°-16'-26"-E FOR 215.42 FEET; THENCE N-59°-03'-20"-E FOR 231.33 FEET; THENCE S-73°-30'-04"-E FOR 112.81 FEET; THENCE S-47°-46'-06"-E FOR 82.27 FEET; THENCE SOUTH-00°-00'-00"-E FOR 526.68 FEET; THENCE S-90°-00'-00"-W FOR 377.29 FEET; THENCE N-87°-03'-31"-E FOR 325.85 FEET TO A POINT ON THE WEST LINE OF AFORESAID LOT 1; THENCE N-00°-08'-58"-E, ALONG THE WEST LINE OF SAID LOT 1, FOR 541.08 FEET AND CONTAINING 385176 SQUARE FEET OR 8.842 ACRES, MORE OR LESS.

The classification of said property is hereby changed from 1-2, Heavy Industry District, to I-1, Light Industry District, for proposed Lot 1, 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) 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.

REZONE PROPERTY LOCATED AT 3015 AND 3019 PLEASANT VALLEY ROAD FROM R-1 TO R-3. The following ordinance was held over until the regular meeting of April 19, 2022.

ORDINANCE: 64-024-2022

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:

MINUTES OF APRIL 12, 2022

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:

PT LOT 2 SHADY BROOK GDNS S/D COM AT NE COR SD LOT RUN TH SLY ALG E/BDRY SD LOT 1320 1/5 FT TO MIDDLE OF CANAL RUN NWLY ALG CNTR SD CANAL 121 875/1000 FT M/L TO W/BDRY OF SD LOT 2 TO N/BDRY SD LOT TH ELY ALG N/BDRY SD LOT 121 875/1000 FT TO POB BEING THE E 1/2 OF RES/D LOT 2 SHADY BROOK GDNS N OF BOLTONS BRCH MBK 4 PG 161 #SEC 51 T4S R1W#MP29 09 51 0 005

PT OF LOT 2 SHADY BROOK GDN MBK 3/192 COM 121.88 FT FROM NE COR LOT 2 TH SLY & PAR WITH E BDRY OF LOT 2 DIS 1266 1/2 FT TO MIDDLE OF CANAL TH NWLY ALG CTR OF SD CANAL 121 85/1000 FT M/L TO MIDDLE OF SD CANAL ON W BDRY OF THIS TRT TH NLY & PAR WITH E BDRY OF LOT 2 1204 5/10 FT WHICH IS W BDRY OF THIS TRT TO PT ON N BDRY OF LOT 2 TH ELY ALG SD N BDRY 121.88 FT TO POB BEING W 1/2 OF RESUB LOT 2 N OF BOLTONS BRCH OF SHADY BROOK GDNS MBK 4/161 #SEC 51 T4S R1W#MP29 09 51 0 005

The classification of said property is hereby changed from R-1, Single-Family Residential District, to R-3, Multi-Family Residential 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 R-3, Multi-Family Residential 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 R-3, Multi-Family Residential 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.

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 37-308 through 60-318, 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:

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS I LICENSE FOR CITY SPORTS BAR, 1270 DAUPHIN ISLAND PARKWAY. The following resolution was introduced by Councilmember Small.

RESOLUTION: 37-308-2022

Sponsored by: Councilmember Small

MINUTES OF APRIL 12, 2022

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

Type of application: Lounge Retail Liquor Class I  
Submitted by: City Sports Bar LLC  
Location: City Sports Bar  
1270 Dauphin Island Pkwy.  
Mobile, AL 36605

The resolution was read by the City Clerk; whereupon Councilmember Small moved that the resolution be adopted, which was seconded by Councilmember Jones. Following comments by Councilmember Reynolds, Director Battiste, and Chris Arledge the vote was as follows:

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

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR CIRCLE K, 6585 RANGELINE ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-309-2022  
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)  
Submitted by: Circle K Stores, Inc.  
Location: Circle K Store 2706628  
6585 Rangeline Road  
Theodore, AL 36582

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR POINDEXTER'S, 260 AZALEA ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-310-2022  
Sponsored by: Councilmember Daves

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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  
Submitted by: The Last Resort Mobile, LLC  
Location: Poindexter's  
260 Azalea Road  
Mobile. AL 36609

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR PHO 88, 395 AZALEA ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-311-2022  
Sponsored by: Councilmember Daves

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  
Submitted by: Pho 88, LLC  
Location: Pho 88  
395 Azalea Road  
Mobile, AL 36609

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RESTAURANT RETAIL LIQUOR LICENSE FOR THE JUICY CRAB, 3250 AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-312-2022  
Sponsored by: Councilmember Daves

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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  
Submitted by: JC Mobile Investment, LLC  
Location: The Juicy Crab  
3250 Airport Boulevard, B6  
Mobile, AL 36606

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A SPECIAL EVENTS RETAIL LICENSE FOR CINCO DE MAYO BLOCK PARTY, 880 SCHILLINGER ROAD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 37-313-2022  
Sponsored by: Councilmember Jones

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

Type of application: Special Events Retail  
Submitted by: RFA Mexican Restaurant, Inc.  
Location: Cinco de Mayor Block Party  
880 Schillinger Rd., S.  
Mobile, AL 36695

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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.

DECLARE THE STRUCTURE AT 1300 GREENWOOD AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-314-2022  
Sponsored by: Councilmember Small

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, “Abatement of Unsafe Buildings and Structural Nuisances” adopted December 5, 2017,

MINUTES OF APRIL 12, 2022

the accessory structure at 1300 GREENWOOD AVENUE has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance.

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A – No. 1, 3, 4, 5, 6, 7, 8, and 15; and

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1300 GREENWOOD AVENUE described as:

LOT 20 BLK 4 ACCORDING TO SURVEY OF BROOKLEY HEIGHTS 1<sup>ST</sup> SECTOR MBK 3 P 677-680 #SEC 37 T5S R1W #MP32 02 37 0 001

Parcel Number: 32 02 37 0 001 144

Last Assessed to: FELTS, VIVIAN P

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

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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 1621. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-315-2022

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 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.

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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 1621 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.

WEED LIEN						
1621						Res. No.
10/19/2021	LOTS TO BE DECLARED					58-918
11/23/2021	LOTS FOR PUBLIC HEARING					58-1042
4/12/2022	LOTS TO BE ASSESSED FOR COST					58-
		OLD CASE/		Amount	Dis	N/A
No.	Address	SROW	CASE #	Assessed		CBO
1	0 Roach St	13981	14543	\$ 50.00	1	CBO
	Parcel No. (29 02 44 0 012 223.XXX)					
2	367 Cassidy St	14092	14545	\$ 50.00	2	CBO
3	266 Oak Dr	14129	14547	\$ 50.00	2	CBO
4	313 N Ann St	14053	14549	\$ 50.00	2	CBO
5	471 Helveston St	14131	14551	\$ 50.00	1	CBO
6	302 Oak Dr	14117	14553	\$ 50.00	2	CBO
7	356 Gaston St	14077	14554	\$ 50.00	2	CBO
8	419 Clay St	11192	14555	\$ 196.00	2	
9	282 Laurel Dr	14140	14556	\$ 50.00	2	CBO
10	208 Rylands St	14016	14557	\$ -	2	N/A
11	408 Driver St	14015	14558	\$ 210.00	1	
12	619 Summerville St	14139	14559	\$ 280.00	1	
13	625 Petit Ave	14029	14560	\$ 245.00	1	
14	0 Gibson St F/k/a 2118 Gibson St	14304	14561	\$ 189.00	1	
	Parcel No. (29 07 42 0 002 011.XXX)					
15	2465 Muriel Ave	13712	14562	\$ -	1	N/A
16	661 Cody Rd N	13868	14563	\$ 259.00	7	
17	1511 Next St	14274	14564	\$ 182.00	1	
18	113 Hyland Ave	14354	14565	\$ -	1	CBD
19	2108 Staples Rd	14136	14567	\$ 50.00	3	CBO
20	201 Kennedy St & 1102 State St	13989	14568	\$ 50.00	2	CBO
District total for this group		Numbers of lots cut		\$ 2,061.00		
1	9	1	5			
2	9	2	1			
3	1	3	0			
4	0	4	0			
5	0	5	0			
6	0	6	0			
7	1	7	1			
20			7			
*ADD Added in from other Groups		*CBC Cut By Contractor				
*CBO Cut By Owner		*UDL Undeveloped Lot				
*N/A Taken out by Inspector						

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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 Gregory 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 PARKS AND RECREATION EMPLOYEE OF THE MONTH; JOHNSON. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-316-2022

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

Mellanie Johnson – (Employee # 2758) Parks & Recreation (Programming)

This employee is to be commended for her 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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 PUBLIC WORKS AT LARGE EMPLOYEE OF THE MONTH; FOSTER. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-317-2022

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

April 2022 – Lisa Foster (Employee # 13591) Public Works at Large (Engineering: Electrical)

This employee is to be commended for her 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 Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory and the vote was as follows:

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

RESOLUTION: 60-318-2022

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

- April 2022 – George Wells (Employee # 15877 Fleet Management - Public Services)

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

The resolution was read by the City Clerk; whereupon Councilmember Daves moved that the resolution be adopted, which was seconded by Councilmember Gregory 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.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH JAMES H. ADAMS & SON CONSTRUCTION COMPANY, INC. FOR DRAINAGE GROUP E, PART B; \$1,374,444.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 21-319-2022

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

WHEREAS, bids for miscellaneous drainage repairs for districts 1, 2, 3, 4, 6, & 7 were received and opened on March 16, 2022.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from James H. Adams & Son Construction Company, Inc., in the amount of \$1,374,444.00.

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

Name of Company: James H. Adams & Son Construction Company, Inc.

Project Name: 2019 Drainage Group E – Part B

Project Number: 2019-3005-08

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Amount: \$1,374,444.00

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE AGREEMENT WITH JOHNATHAN AMES TO PROVIDE TENNIS LESSONS AND CLINICS FOR PARKS AND RECREATION DEPARTMENT; \$40,000.00 PER YEAR. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 01-320-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an Agreement with Johnathan Ames to provide tennis lessons and clinics for Parks and Recreation Department, compensation for work provided by the contractor will be as provided in the statement of work but in no event shall exceed \$40,000 per year as outlined in the agreement attached hereto and made a part hereof as though set forth in full. A copy of said agreement is on file in the office of the City Clerk.

APPROVE PURCHASE ORDER TO HARRELLS, LLC FOR FERTILIZER FOR AZALEA CITY GOLF COURSE; \$18,127.20. The following resolution was held over to the regular meeting of April 19, 2022.

RESOLUTION: 08-321-2022

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>6726</u>	2022	(F6130) AZALEA CITY GOLF COURSE	FERTILIZER DELIVERED AND SPREAD FOR AZALEA CITY GOLF COURSE (SEALED BID 5663)	\$18,127.20	<u>(270772) HARRELLS LLC</u>

APPROVE PURCHASE ORDER TO IMAGETREND, INC. FOR ANNUAL LICENSE RENEWAL FOR EMS DATA SOFTWARE, MFRD; \$90,375.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 08-322-2022

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>7890</u>	2022	(1510) FIRE ADMINISTRATION	ANNUAL LICENSE RENEWAL FOR MFRD EMS DATA SOFTWARE (GSA CONTRACT)	\$90,375.00	<u>(295732) IMAGETREND, INC</u>

APPROVE PURCHASE ORDER TO HAWORTH, INC. FOR FURNITURE FOR MPD 1<sup>ST</sup> PRECINCT; \$83,237.96. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 08-323-2022

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>7755</u>	2022	(3032) ARCHITECTURAL ENGINEERING	FURNITURE FOR MPD 1 <sup>ST</sup> PRECINCT (GSA CONTRACT)	\$83,237.96	<u>(083241) HAWORTH INC</u>

APPROVE PURCHASE ORDER TO STIVERS FORD LINCOLN FOR 3 FORD EXPEDITIONS; MOTOR POOL; \$153,618.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 08-324-2022

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>8226</u>	2022	(F7000) MOTOR POOL	3 2022 FORD EXPEDITION 4DR SUVS (AL STATE CONTRACT)	\$153,618.00	<u>(292393) STIVERS FORD LINCOLN INC</u>

APPROVE PURCHASE ORDER TO DONOHOO CHEVROLET FOR 2021 CHEVROLET TAHOE POLICE PACKAGE; \$35,818.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 08-325-2022

Sponsored by: Mayor Stimpson

MINUTES OF APRIL 12, 2022

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>8059</u>	2022	(1510) FIRE ADMINISTRATION	ONE 2021 CHEVROLET TAHOE POLICE PACKAGE SUV FOR MFRD (AL STATE CONTRACT)	\$35,818.00	<u>(293039)</u> <u>DONOHOO</u> <u>CHEVROLET LLC</u>

APPROVE TRANSFER OF FUNDS FROM THE GENERAL FUND; PUBLIC SERVICES MAINTENANCE DEPARTMENT SALARIES TO CAPITAL IMPROVEMENTS FUND; CAPITAL PROJECT C0185 FOR PUBLIC WORKS PROJECTS; \$300,000.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 09-326-2022

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$300,000.00 be transferred from the General Fund (Fund 1000), Public Services Maintenance Department Salaries (10042086.40010), to the Capital Improvements Fund (2000); Capital Project C0185 Architectural Engineering Projects to be used for Public Works projects.

AUTHORIZE CONTRACT AMENDMENT FOR 1 YEAR RENEWAL WITH OSPREY INITIATIVE, LLC FOR REMOVAL OF FLOATABLE LITTER ON DOG RIVER AND THREE MILE WATERSHEDS; NOT TO EXCEED \$100,000.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 21-327-2022

Sponsored by: City Council & 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 to execute and attest, respectively, for and on behalf of the City of Mobile, an amendment to the contract, by and between the City of Mobile and Osprey Initiative, LLC, dated March 16, 2021, for removal of floating litter on Dog River and Three Mile Creek Watersheds for the first one-year renewal period. An amendment to the contract is 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.

AUTHORIZE CONTRACT WITH MCCRORY & WILLAMS, INC., FOR ASHLAND PLACE DRAINAGE; \$163,000.00. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 21-328-2022

Sponsored by: Councilmember Penn and Mayor Stimpson

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

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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: McCrory & Williams, Inc.

Project Name: Ashland Place Drainage (D1)

COM Project No.: 2022-3005-03

Estimated Cost: \$163,000.00

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO MK NON-EMERGENCY MEDICAL TRANSPORT, LLC TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 37-329-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of MK Non-Emergency Medical Transport, LLC for a Certificate of Public Convenience and Necessity to operate a shuttle service is hereby approved. A copy of said application is on file in the office of the City Clerk.

CONSIDER APPROVAL OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPHIR GLOBAL, LLC, D/B/A JOHN HENRY TRANSPORTATION, TO OPERATE A SEDAN SERVICE. The following resolution was held over until the regular meeting of April 19, 2022.

RESOLUTION: 37-330-2022

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Ophir Global, d/b/a John Henry Transportation, 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.

ANNOUNCEMENTS:

Councilmember Jones announced that a meeting with neighborhood leaders will be held at the Sadds Healthcare conference room tonight 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 today at 1:00 p.m., in the Council conference room.

Councilmember Penn announced that the District 1 Easter Egg Hunt will be held on April 16, 2022, at the Dotch Community Center.

Councilmember Gregory reminded citizens that the Public Safety Committee meeting will be held today following the Capital Improvement Committee meeting.

Councilmember Gregory shared that the Mobile Botanical Gardens "One Enchanted Evening" fundraiser was a success.

Councilmember Gregory mentioned that the dedication of the new patio project located at Fire Station 18 was a success.

Councilmember Gregory reminded citizens that a meeting will be held at New Jerusalem Missionary Baptist Church, 7220 First Street, on April 13, 2022, from 10:00 a.m. – 12:00

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p.m. Applications for the Neighborhood Development Critical Repair Program will be available.

Councilmember Small reminded citizens that the District 3 8<sup>th</sup>-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.

Councilmember Reynolds moved to adjourn the meeting, which move was seconded by Councilmember Daves 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 12:13 p.m.

Adopted:

\_\_\_\_\_  
COUNCIL PRESIDENT

\_\_\_\_\_  
CITY CLERK