

**MUNICIPAL BUILDING, MOBILE, ALABAMA, FEBRUARY 14, 2024**

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Wednesday, February 14, 2024, at 9:00 a.m.

Councilmembers:

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

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, FEBRUARY 14, 2024**

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Government Plaza on Wednesday, February 14, 2024, at 10:30 a.m., for the regular meeting.

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

Councilmember William Carroll, District 2, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

**Present on Roll Call:**

Chairman: Small  
Vice-Chairman: Gregory  
Councilmembers: Penn, Carroll, Reynolds, Daves, and Woods  
Absent:

**STATEMENT OF RULES BY PRESIDING OFFICER**

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

**COMMUNICATIONS FROM THE MAYOR**

Mayor Stimpson gave comments about the 2024 Mardi Gras season and thanked all of the Public Works and Public Safety workers for their hard work.

Shonnda Smith, Executive Director of Public Services, presented the following employee of the month:

Clurin “Cody” Reed, employee # 18967, Public Works

Mayor Stimpson read a proclamation declaring February 2024 as “American Heart Month” in Mobile.

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Mayor Stimpson read a proclamation declaring February 15, 2024 as “Cholangiocarcinoma Day” in Mobile.

### **ADOPTION OF THE AGENDA**

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

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

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

### **APPEALS**

Request of Brieyanna Cotton for a waiver of the Noise Ordinance at 3370 Sheringham Drive on February 17, 2024, from 10:00 a.m. – 10:00 p.m. (District 5).

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

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

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

Request of Margaret Olive for the Port City Pacers at Mardi Gras Park on March 23, 2024, from 5:30 p.m. – 12:00 p.m. (District 2).

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

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

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

Request of Shane Prickett for a waiver of the Noise Ordinance at 2301 Airport Boulevard on March 30, 2024, from 7:00 p.m. – 10:00 p.m. (District 5).

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

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

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

Request of Kelli Curry for a waiver of the Noise Ordinance at Arlington Park on May 8, 2024, from 11:00 a.m. – 2:00 p.m. (District 3).

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

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

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

Request of Branden Bates for a waiver of the Noise Ordinance at Medal of Honor Park on May 25, 2024, from 8:00 a.m. – 10:00 a.m. (District 6).

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

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

Nays: None

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

### **PUBLIC HEARINGS**

#### **PUBLIC HEARING TO CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 5041 RANGELINE CROSSING DRIVE (DISTRICT 4).**

The Presiding Officer announced that today was the day for the public hearing to consider modification of a previously approved planned unit development for property located at 5041 Rangeline Crossing Drive and asked if there was anyone present to speak for or against this matter.

Melissa Hartley, applicant, stated that she was there to answer any questions the Council may have.

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 MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROERTY LOCATED AT 3220 AIRPORT BOULEVARD (DISTRICT 5).**

The Presiding Officer announced that today was the day for the public hearing to consider modification of a previously approved planned unit development for property located at 3220 Airport Boulevard and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

#### **PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROOSEVELT ROBERTSON TO OPERATE A SHUTTLE SERVICE.**

The Presiding Officer announced that today was the day for the public hearing to consider the application of Roosevelt Robertson 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 TO CONSIDER THE APPLICATION OF MOUNTAIN TAXI, LLC, D/B/A SUNSET TAXI, TO OPERATE A TAXI SERVICE.**

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The Presiding Officer announced that today was the day for the public hearing to consider the application of Mountain Taxi, LLC, d/b/a Sunset Taxi, to operate a taxi 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.

**PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL**

**NON-AGENDA ITEMS:**

David Whitlock, 1710 Old Canal Street, Offered comments about prostitution in the hotels on Airport Boulevard.

Nija Hill, 600 McDonough Street, Gave comments about gun violence in Mobile.

Sabrina Mass, 1050 Belvedere Circle West, Expressed her support and requested that taxpayers' money go to Nija Hill for "Mothers Involved Against Gun Violence."

Pastor Valenia Green, 603 Delaware Street, Offered comments about citizens' participation and recognition in the community.

**AGENDA ITEMS:**

Patsy Alexander, 6721 Candlelight Court, Gave comments regarding resolution 60-120.

Reggie Hill, 1007 Center Street, Offered comments regarding resolutions 40-128, 21-075, 60-120, 60-121, and 08-156.

**ORDINANCES HELD OVER**

**CONSIDER APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A HOME-BASED DAY CARE FOR PROPERTY LOCATED AT 1016 BELVEDERE CIRCLE, EAST.** The following ordinance which was introduced and read at the regular meeting of February 6, 2024, and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-011-2024

Sponsored by: Councilmember Small

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

WHEREAS, a Conditional Use Permit application was filed on October 18, 2023 to allow a home-based day care for 7-12 children in an R-1, Single-Family Residential Suburban District located at 1016 Belvedere Circle East and described as follows:

LOT 32 UNIT 2 BELVEDERE PARK MBK 10 P 257 #SEC 51 T4S R1W #MP29 09 51 0 011

WHEREAS, the Planning Commission held a public hearing on the requested Conditional Use Permit on December 7, 2023 and recommended approval of the Conditional Use Permit subject to the following conditions:

1. Revision of the site plan to illustrate compliant parking;
2. Depiction of an outdoor play area enclosed by a four-foot (4') tall fence or wall;

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3. Placement of a note on the revised site plan stating any changes in the scope of operations ( days of operation, number of outside staff, etc.) or to the site (parking layout, playground layout, etc.), will require a new Conditional Use Permit application and approval; and
4. Full compliance with Building, Plumbing, Electrical, Mechanical, Fire Department, and Health Department codes and ordinances.

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

- A. Is consistent with all applicable requirements of the Unified Development Code (UDC), including:
  - a. Any applicable development standards; and
  - b. Any applicable use regulations
- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property; and
- D. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood or be more injurious to property or improvements in the neighborhood. In making this determination, the Planning Commission and City Council considered:
  - a. The location, type and height of buildings or structures;
  - b. The type and extent of landscaping and screening;
  - c. Lighting;
  - d. Hours of operation; and
  - e. Other conditions that might require mitigation of the adverse impacts of the proposed development.
- E. Is designed to provide ingress and egress that minimizes traffic hazards and traffic congestion on the public roads;
- F. Is designed to minimize the impact on storm water facilities;
- G. Will be adequately served by water and sanitary sewer services;
- H. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- I. Shall not be detrimental to or endanger the public health, safety or general welfare; and
- J. The proposed use will meet City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

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

1. Revision of the site plan to illustrate compliant parking;
2. Depiction of an outdoor play area enclosed by a four-foot (4') tall fence or wall;
3. Placement of a note on the revised site plan stating any changes in the scope of operations ( days of operation, number of outside staff, etc.) or to the site (parking layout, playground layout, etc.), will require a new Conditional Use Permit application and approval; and
4. Full compliance with Building, Plumbing, Electrical, Mechanical, Fire Department, and Health Department 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 Daves moved to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

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

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

**CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNING APPROVAL FOR PROPERTY LOCATED AT 3650, 3704, 3708, AND 3758 SPRING HILL AVENUE.**

The following ordinance which was introduced and read at the regular meeting of February 6, 2024, and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-014-2024

Sponsored by: Councilmember Small

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

WHEREAS, a Planning Approval was approved on May 7, 2020 to amend a previously approved Master Plan for an existing church and school in an R-1, Single-Family Residential District to allow an expansion of the site on property located 3650, 3704, 3708, & 3758 Spring Hill Avenue and described as follows:

LOT 1, RESUBDIVISION OF SAINT IGNATIUS PARISH SUBDIVISION, AS'RECORDED IN MAP BOOK 125, PAGE 100 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the Planning Approval on October 31, 2023 to amend the Master Plan of an existing church and school in an R-1, Single-Family Residential Suburban District.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on December 7, 2023 and recommended approval of the Major Modification of the Planning Approval subject to the following conditions:

1. Placement of a note on the site plan stating future development of the site may require Review by the Planning Commission, and approval from City Council;
2. Submittal to and approval by Planning and Zoning of the revised Modified Planning Approval site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
3. Full compliance with all municipal codes and ordinances

WHEREAS, the City Council finds that the proposed modification:

- A. Is consistent with all applicable requirements of this Chapter;
- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;
- D. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- E. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- F. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- G. Shall not be detrimental or endanger the public health, safety or general welfare; and
- H. Benefits Consideration. In addition, consideration was given to the City's and the larger, community's best interests and the need, benefit, or public purpose of the proposed request.

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

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

1. Placement of a note on the site plan stating future development of the site may require review by the Planning Commission, and approval from City Council;
2. Submittal to and approval by Planning and Zoning of the revised Modified Planning Approval site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
3. Full compliance with all municipal codes and ordinances

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

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

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

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

**CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3650, 3704, 3708, 3758 SPRING HILL AVENUE.** The following ordinance which was introduced and read at the regular meeting of February 6, 2024, and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-015-2024

Sponsored by: Councilmember Small

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

WHEREAS, a Planned Unit Development (PUD) was approved on May 7, 2020 to amend a previously approved Master Plan for an existing church and school in an R-1, Single-Family Residential District to allow an expansion of the site on property located 3650, 3704, 3708, & 3758 Spring Hill Avenue and described as follows:

LOT 1, RESUBDIVISION OF SAINT IGNATIUS PARISH SUBDIVISION, AS RECORDED IN MAP BOOK 125, PAGE 100 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on October 31, 2023 to amend the Master Plan of an existing church and school in an R-1, Single-Family Residential Suburban District.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on December 7, 2023 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Placement of a note on the site plan stating future development of the site may require review by the Planning Commission, and approval from City Council;
2. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
3. Full compliance with all municipal codes and ordinances

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WHEREAS, the City Council finds that the proposed modification:

- A. Is consistent with all applicable requirements of this Chapter;
- B. Is compatible with the character of the surrounding neighborhood;
- C. Will not impede the orderly development and improvement of surrounding property;
- D. Will not adversely affect the health, safety or welfare of persons living or working in the surrounding neighborhood, or be more injurious to property or improvements in the neighborhood;
- E. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- F. Is not noxious .or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- G. Shall not be detrimental or endanger the public health, safety or general welfare; and
- H. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

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

- 1. Placement of a note on the site plan stating future development of the site may require review by the Planning Commission, and approval from City Council;
- 2. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning; and,
- 3. Full compliance with all municipal codes and ordinances

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

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

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

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

**CONSENT RESOLUTIONS HELD OVER**

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE; 811 DAUPHIN ISLAND PARKWAY.** The following resolution which was introduced and read at the regular meeting of January 30, 2024, and held over until the meetings of February 6, 2024, and February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 37-085-2024

Sponsored by: Councilmember Small

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

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

Submitted by: MOS 1, LLC



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Location: Dauphin Citgo  
811 Dauphin Island Parkway  
Mobile, Al 36606

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

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

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

**DECLARE THE STRUCTURE AT 605 GAYLE STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED.** The following resolution which was introduced and read at the regular meeting of February 6, 2024, and held over until the meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-128-2024

Sponsored by: Councilmember Carroll

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances" adopted December 5, 2017, the accessory structure at 605 Gayle Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

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

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

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at **605 Gayle Street described as:**

**COMG AT PT ON E/S OF GAYLE ST 103 FT 2 INS S OF SE COR OF GAYLE & NEW JERSEY STS & RUNNING TH SLY ON E/S OF GAYLE ST 51 FT 7 INS TH ELY & PAR W/NEW JERSEY ST 112 FT 6 INS TH NWL Y 51 FT 7 IN TH WL Y 112 FT 6 INS TO POB BEING LOT 4 SQ 236 OF MIDDLE DIVISION OF BERNOUDY TRACT#SEC 38 T4S R1W #MP2910 38 0 004**

Parcel Number: 29 10 38 0 004 039

Last Assessed to: MOON EQUITIES, LLC

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished/secured in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural 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 Carroll moved to table the resolution, which was seconded by Councilmember Penn and the vote was as follows:

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

Nays: None

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

### **RESOLUTIONS HELD OVER**

**AUTHORIZE CONTRACT WITH KETOM CONSTRUCTION COMPANY, INC. D/B/A SOUTHERN PRESERVATION SYSTEMS, FOR EMERGENCY REPAIR AND REMEDIATION OF BRICK WALL AT THE CIVIC CENTER; NTE \$286,804.00.** The following resolution which was introduced and read at the regular meeting of January 23, 2024, and held over until the regular meetings of January 30, 2024, and February 6, 2024, and February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-075-2024

Sponsored by: Mayor Stimpson and Councilmember Carroll

WHEREAS, Code of Alabama 1975, Section 39-2-2 (e) provides an exception to the requirement for the advertisement of public works contracts in case of "emergency affecting public health, safety, or convenience which would result from delay"; and

WHEREAS, the City Engineer has determined that there is an emergency exterior wall brick issue of the Mobile Civic Center Theater building, 401 Civic Center Drive, facilities, emergency brick façade stabilization and removal. Total collapse is imminent and will cause potential risk of damage to property and persons and jeopardize the health and safety of the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that pursuant to Section 39-2-2 (e) of the Code of Alabama, 1975, that, as of January 1, 2024, at 2:00 p.m., a public works "emergency affecting public health, safety or convenience" has existed as stated above warranting immediate remedial action;

BE IT FURTHER RESOLVED that the Deputy Director of Real Estate Asset Management is authorized to obtain a public works contract for the repair and remediation of the above emergency without advertisement; and said Deputy Director desiring to contract with Ketom Construction Company, Inc. d/b/a Southern Preservation Systems, for said repair and remediation in an amount not to exceed \$286,804.00;

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, the contract between the City of Mobile and Ketom Construction Company, Inc., d/b/a Southern Preservation Systems attached hereto or one substantially similar, and made a part hereof, as though set forth in full, a copy of which is on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Gregory, following comments from Councilmembers Reynolds, Penn, Woods, Carroll, Daves, and Small the vote was as follows:

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

Nays: Woods

Abstain: Carroll

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

**ADOPT THE COMMUNITY & HOUSING DEVELOPMENT CDBG, HOME, AND ESG 2024-25 ACTION PLANS.** The following resolution which was introduced and read at the regular meeting of January 30, 2024, and held over until the regular meetings of February 6, 2024, and February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-120-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Action Plan for 2024 is hereby adopted. Said Plan shall direct resources to develop a viable urban community by providing decent affordable housing and a suitable living environment along with expanding economic opportunities for low and moderate-income persons. Said Action Plan is the second installment within the City’s overall five-year “2023-2027 Consolidated Housing and Community Development Plan,” and establishes projects for the next Program Year from May 1, 2024 through April 30, 2025, to be funded with assistance from the following three programs which are funded by the U.S. Department of Housing and Urban Development (HUD): Community Development Block Grants (CDBG), HOME Investment Partnership Grants (HOME), and Emergency Solutions Grants (ESG). This funding being authorized and permitted to be drawn on a first in first out accounting basis. The City followed its HUD and City Council approved Citizen Participation Plan throughout the process.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to act on behalf of the City of Mobile in the filing of this plan with HUD, and that this authorization extends to the execution of all required certifications and to all other actions required to obtain referenced Federal funds. The Mayor, or his designee, is further authorized to execute Subrecipient Agreements, Conditional Commitment Letters, Developer Agreements, Administrative Agreements, Loan Agreements, and associated security documents on behalf of the City in accordance with the funding recommendations attached herein as Exhibit 1. A copy of this Plan shall remain on file in the office of the City Clerk.

The resolution was read by the City Clerk, whereupon Councilmember Daves moved to adopt the resolution, which was seconded by Councilmember Carroll, following comments from Councilmember Carroll the vote was as follows:

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

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

**ADOPT AN ADDITIONAL PUBLIC SERVICE PROVIDER TO THE CDBG 2024-25 ACTION PLAN-BOYS AND GIRLS CLUB.** The following resolution which was introduced and read at the regular meeting of January 30, 2024, and held over until the regular meetings of February 6, 2024, and February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-121-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Action Plan for 2024 adds the below public service provider.

Public Services		HUD Category
Boys and Girls	Public Services	30,000

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SUBTOTAL – ADDITIONAL PUBLIC SERVICES		30,000
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BE IT FURTHER RESOLVED that the Mayor, or his designee, is authorized to act on behalf of the City of Mobile in the filing of the plan with HUD, and that this authorization extends to the execution of all required certifications and to all other actions required to obtain referenced Federal funds. The Mayor, or his designee, is further authorized to execute Subrecipient Agreements, Conditional Commitment Letters, Developer Agreements, Administrative Agreements, Loan Agreements, and associated security documents on behalf of the City in accordance with the funding recommendations as described. A copy of the Plan shall remain on file in the office of the City Clerk.

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

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

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

**APPOINT RICHARD PIPKINS AND GEORGE HUNTER TO THE INDUSTRIAL DEVELOPMENT BOARD.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 03-135-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Richard Pipkins and George Hunter are hereby appointed to the Industrial Development Board effective \_\_\_\_\_, 2024, for terms ending as follows:

**TERM ENDING**

Richard Pipkins March, 2027

George Hunter March, 2027

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

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

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

**APPROVE PURCHASE ORDER TO CART DR., LLC FOR 2 YAMAHA UTILITY VEHICLES FOR TENNIS CENTER; \$27,860.20.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-136-2024

Sponsored by: Mayor Stimpson

MINUTES OF FEBRUARY 14, 2024

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1056</u>	2024	(F6110) MOBILE TENNIS CENTER	TWO YAMAHA UMAX RALLY LIGHT UTILITY VEHICLES FOR TENNIS CENTER (SEALED BID 5866)	\$27,860.20	<u>(290765) CART DR LC</u>

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

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

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

**APPROVE PURCHASE ORDER TO CITISCO, LLC FOR 30 HEATED BANQUET CABINETS FOR THE CONVENTION CENTER; \$137,610.00.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-137-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3911</u>	2024	(F6080) CONVENTION CENTER	THIRTY HEATED MOBILE BANQUET CABINETS FOR CONVENTION CENTER (GSA CONTRACT)	\$137,610.00	<u>(298840) CITISCO LLC</u>

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

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

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

MINUTES OF FEBRUARY 14, 2024

**APPROVE PURCHASE ORDER TO GLOBAL INDUSTRIES, INC. FOR 6 OFFICE CUBICLE WORKSTATIONS FOR ACCOUNTING DEPARMTNE; \$25,987.85.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-138-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4525</u>	2024	(2510) ACCOUNTING	6 OFFICE CUBICLE WORKSTATIONS FOR ACCOUNTING DEPT (THE INTERLOCAL PURCHASING SYSTEM COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$25,987.85	<u>(073476) GLOBAL INDUSTRIES INC</u>

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

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

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

**APPROVE PURCHASE ORDER TO KARDEX REMSTAR, LLC FOR AUTOUMATED STORAGE CAROUSEL FOR CITY CLERK’S OFFICE; \$67,655.75.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-139-2024

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>3849</u>	2024	(1030) CITY CLERK	LEKTRIEVER VERTICAL AUTOMATED STORAGE CAROUSEL FOR CITY CLERK (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$67,655.75	<u>(298960) KARDEX REMSTAR, LLC</u>

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

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

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

**APPROVE PURCHASE ORDER TO TIMECLOCK PLUS, LLC FOR ANNUAL RENEWAL OF HARDWARE SUPPORT AND MAINTENANCE SERVICES FOR TIMEKAPPING EQUIPMENT; \$17,938.46.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-140-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4536</u>	2024	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF HARDWARE SUPPORT AND MAINTENANCE SERVICES FOR TIMECLOCK PLUS TIMEKEEPING EQUIPMENT (SOEL SOURCE)	\$17,938.46	<u>(295232) TIMECLOCK PLUS LLC</u>

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

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

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

MINUTES OF FEBRUARY 14, 2024

**AUTHORIZE CONTRACT WITH CHRIS BREWER CONTRACTING, INC. FOR 2024 ANNUAL STREET MAINTENANCE; \$705,650.00.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-141-2024

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

WHEREAS, bids for street repairs for districts 1,2,3,4,5,6 and 7 were received and opened on December 20, 2023.

WHEREAS, the City Engineer has recommended award to the lowest bid meeting specifications from Chris Brewer Contracting, Inc., in the amount of \$705,650.00.

WHEREAS, the City Council finds that the lowest responsible bid was submitted by Chris Brewer Contracting, Inc.

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

Name of Company: Chris Brewer Contracting, Inc.

Project Name: City Wide Small Asphalt Repairs (2024 City of Mobile Annual Street Maintenance (D #1-7)

Project Number: 2024-3005-06

Amount: \$705,650.00

The resolution was read by the City Clerk, whereupon Councilmember Reynolds moved to adopt the resolution, which was seconded by Councilmember Daves, following comments from Councilmember Gregory the vote was as follows:

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

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

**AUTHORIZE CONTRACT AMENDMENT WITH MOFFATT & NICHOL, INC. FOR COOPER RIVERSIDE PARK BULKHEAD REPLACEMENT DESIGN CLOSEOUT AND CONSTRUCTION ADMINISTRATION; \$282,282.00.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-142-2024

Sponsored by: Mayor Stimpson and Councilmember Carroll

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. Whereby, the sum of \$282,282.00



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will be added to the original contract. A copy of said contract is on file in the office of the City Clerk.

Name of Company:           Moffatt & Nichol, Inc.

Project Name:               Cooper Riverside Park bulkhead replacement design  
Closeout and construction administration

Project Number:           PR-029-22

Amount:                     \$282,282.00

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

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

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

**AUTHORIZE CONTRACT WITH MOTOR CARRIER CONSULTANTS, INC. FOR WORKPLACE DRUG AND ALCOHOL TESTING FOR CITY EMPLOYEES; NTE \$75,000.00 PER YEAR.** The following resolution which was introduced and read at the regular meeting of February 6, 2024 and held over until the regular meeting of February 14, 2024, was called up by the Presiding Officer.

RESOLUTION:               21-143-2024

Sponsored by:              Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Motor Carrier Consultants, Inc., to provide workplace drug and alcohol testing services for City employees, for three years, then month-to-month without further approval required by Council, in an amount as needed not to exceed \$75,000.00 per year, as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the Office of the City Clerk.

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

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

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

**ORDINANCES BEING INTRODUCED**

**CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 5041 RANGELINE CROSSING DRIVE.** The following ordinance was held over until the regular meeting of February 20, 2024.

ORDINANCE:               64-016-2024

Sponsored by:              Councilmember Reynolds

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

WHEREAS, a Planned Unit Development (PUD) was approved on August 4, 2022 to allow the construction of a new multi-family residential development with multiple structures on a single building site on property located at 5041 Rangeline Crossing Drive and described as follows:

LOTS 6-11, YOGGER PASS PRIVATE ROADWAY, AND COMMON AREAS 1 & 2 AS SHOWN ON THE PLAT OF RANGELINE CROSSING PHASE FOUR, RECORDED IN INSTRUMENT #2021016727 IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA.

WHEREAS, the owner of said property applied for a Major Modification of a previously approved Planned Unit Development on November 17, 2023 to allow multiple buildings on a single building site.

WHEREAS, the Planning Commission held a public hearing on the requested modification on December 21, 2023 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Depiction of the 25' minimum building setback along Halls Mill Road and Rangeline Crossing Drive;
2. Retention of the 40' minimum building setback line along Demetropolis Road;
3. Placement of a note stating that no structures are allowed in any easements without the permission of the easement holder;
4. Retention of the note on the site plan to depict that all trash compactors will be connected to sanitary sewer and have a compliant enclosure;
5. Coordination with staff to insure tree plantings are spaced appropriately;
6. Provision of a compliant photometric site plan at the time of permitting;
7. Site is limited to three (3) freestanding signs;
8. Provision of a note on the site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the Major Modification of the Planned Unit Development site plan prior to recording in Probate Court, and the provision of a copy of the recorded site plan (hard copy and pdf) to Planning and Zoning;
10. Compliance with all Engineering comments noted in the staff report for the PUD modification
11. Placement of a note on the PUD site plan stating the Traffic Engineering comments noted in the staff report, amended as follows: Off-site improvements are required for the development of Lot 1. Any changes to the proposed improvements during the development of Lots 2 or 3 may require a revised Traffic Impact Study to be reviewed and approved by Traffic Engineering. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code;
12. Compliance with all Urban Forestry comments noted in the staff report;
13. Compliance with all Fire Department comments noted in the staff report; and,
14. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

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

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- E. Is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;
- F. Is not noxious or offensive 'by reason of emissions, vibration, noise, odor, dust, smoke or gas; and
- G. Shall not be detrimental or endanger the public health, safety or general welfare.
- H. Benefits Consideration. In addition, consideration was given to the City's and the larger community's best interests and the need, benefit, or public purpose of the proposed request.

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

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

1. Depiction of the 25' minimum building setback\_ along Halls Mill Road and Rangeline Crossing Drive;
2. Retention of the 40' minimum building setback line along Demetropolis Road;
3. Placement of a note stating that no structures are allowed in any easements without the permission of the easement holder;
4. Retention of the note on the site plan to depict that all trash compactors will be connected to sanitary sewer and have a compliant enclosure;
5. Coordination with staff to insure tree plantings are spaced appropriately;
6. Provision of a compliant photometric site plan at the time of permitting;
7. Site is limited to three (3) freestanding signs;
8. Provision of a note on the site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the Major Modification of the Planned Unit Development site plan prior to recording in Probate Court, and the provision of a copy of the recorded site plan (hard copy and .pdf) to Planning and Zoning;
10. Compliance with all Engineering comments noted in the staff report for the PUD modification
11. Placement of a note on the PUD site plan stating the Traffic Engineering comments noted in the staff report, amended as, follows: Off-site improvements are required for the development of Lot I. Any changes to the proposed improvements during the development of Lots 2 or 3 may require a revised Traffic Impact Study to be reviewed and approved by Traffic. Engineering. Driveway number, size, location, and design are subject to the approved PUD for this site and shall be approved by ALDOT (where applicable) and Traffic Engineering and conform to AASHTO standards. Any required on-site parking, including ADA handicap spaces, shall meet the minimum standards as defined in Article 3, Section 64-3-12 of the City's Unified Development Code;
12. Compliance with all Urban Forestry comments noted in the staff report;
13. Compliance with all Fire Department comments noted in the staff report; and,
14. Full compliance with all municipal codes and ordinances.

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

**CONSIDER MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3220 AIRPORT BOULEVARD.** The following ordinance was held over until the regular meeting of February 20, 2024.

ORDINANCE: 64-017-2024

Sponsored by: Councilmember Daves

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

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WHEREAS, a Planned Unit Development (PUD) was approved on January 21, 2021 to allow shared access and parking between multiple building sites for the property located at 3220 Airport Boulevard and described as follows:

LOT 11 OF SPRINGDALE MALL SUBDIVISION AS RECORDED IN MB 104, PG 5 IN THE OFFICE OF THE JUDGE OF PROBATE IN MOBILE COUNTY, ALABAMA

WHEREAS, the owner of said property applied for a major modification of the PUD on June 14, 2023 to allow the construction of a drive-thru coffee shop for an existing mixed-use commercial development in a B-3, Community Business Suburban District.

WHEREAS, the Planning Commission held a public hearing on the requested modification on July 20, 2023 and recommended approval of the major modification of the PUD subject to the following conditions:

1. Provision of the required parking calculations on a revised site plan;
2. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
3. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
4. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3-12.B;
5. Revision of the site plan to illustrate compliance with the on-site pedestrian safety standards of Section 64-3-3;
6. Provision of a revised tree and landscape plan at the time of permitting illustrating compliance with the City Council's decision, or in compliance with Section 64-3-7;
7. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13 .A.4. of the UDC;
8. Revision of the site plan to correct the label for the water and sewer easement;
9. Provision of a note on the site plan stating no structures shall be constructed in any easement without permission from the easement holder;
10. Provision of a note on the site plan stating future development or development of the site may require additional modification of the PUD to be reviewed by the Planning Commission and City Council;
11. Compliance with all Engineering comments noted in the staff report

WHEREAS, the City Council finds that the proposed modification:

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

1. In making this determination, the Planning Commission and City Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and
2. Includes adequate public facilities and utilities; The request will minimize traffic hazards and traffic congestion on the public roads;

- E. The request will minimize traffic hazards and traffic congestion on the public roads;
- F. The request is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas;
- G. The request shall not be detrimental or endanger the public health, safety or general welfare; and

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H. Benefits Consideration. The request will be in the City's and the larger community's best interests.

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

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

1. Provision of the required parking calculations on a revised site plan;
2. Provision of a photometric plan at the time of permitting illustrating parking lot lighting will comply with the illumination standards of Section 64-3-9.C, and provision of a note on the site plan stating that the site will comply with Section 64-3-9.C of the UDC;
3. Revision of the site plan to illustrate compliance with the bicycle parking standards of Section 64-3-12.A.9;
4. Revision of the site plan to illustrate compliance with the off-street facilities standards of Section 64-3-12.B;
5. Revision of the site plan to illustrate compliance with the on-site pedestrian safety standards of Section 64-3-3;
6. Provision of a revised tree and landscape plan at the time of permitting illustrating compliance with the City Council's decision, or in compliance with Section 64-3-7;
7. Provision of a note on the site plan stating any dumpster placed on the property must meet the enclosure and placement standards of Section 64-3-13.A.4. of the UDC;
8. Revision of the site plan to correct the label for the water and sewer easement;
9. Provision of a note on the site plan stating no structures shall be constructed in any easement without permission from the easement holder;
10. Provision of a note on the site plan stating future development or development of the site may require additional modification of the PUD to be reviewed by the Planning Commission and City Council;
11. Compliance with all Engineering comments noted in the staff report;;
12. Placement of a note on the Final Plat stating the Traffic Engineering comments noted in the staff report;
13. Compliance with all Urban Forestry comments noted in the staff report;
14. Compliance with all Fire Department comments noted in the staff report;
15. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to its recording in Probate Court, and provision of a copy of the recorded site plan (hard copy and .pdf) to Planning and Zoning; and,
16. Full compliance with all municipal codes and ordinances.

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

**SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME.** Councilmember Gregory moved for the suspension of the rules to consider Consent Resolutions 31-147 through 60-152 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

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

The Presiding Officer declared unanimous consent granted for the items.

### **CONSENT RESOLUTIONS BEING INTRODUCED**

**AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT FROM THE GARY SINISE FOUNDATION; \$20,000.00 (NO LOCAL MATCH).** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-147-2024

MINUTES OF FEBRUARY 14, 2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to apply, accept and receive from the Gary Sinise Foundation in the amount of \$20,000 to support the Mobile Law Enforcement Training Classroom Buildout project.

There is no match required for this grant, which will support the purchase of equipment and materials to enable the MPD to provide no-cost, modern technology-based and officer safety law enforcement training to LEAs in Mobile County and Southwest Alabama that would otherwise be unable to provide this training to their officers and the related services to their communities.

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

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

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

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

**RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LIQUOR LICENSE TO SUPER K; 7160 AIRPORT BOULEVARD.** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-148-2024

Sponsored by: Councilmember Gregory

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

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

Submitted by: Alibaba 22, Inc.

Location: Super K  
7160 Airport Boulevard  
Mobile, Al 36608

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

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

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

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

RESOLUTION: 60-149-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, upon nomination by City Supervisors, recommends to the City Council that it authorize awards, pursuant to Section 11-40-22 Code of Alabama 1975, of \$500 to the following employee:

**February 2024: Clurin "Cody" Reed (Employee# 18967) Public Works (Programs & Project Management)**

This employee is to be commended for his 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 to adopt the resolution, which was seconded by Councilmember Gregory and the vote was as follows:

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

Nays: None

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

**DETERMINE AN APPROPRIATION TO THE MOBILE AREA MARDI GARS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-150-2024

Sponsored by: Councilmember Penn

WHEREAS, Councilmember Penn wishes to appropriate **\$500.00** to Mobile Area Mardi Gras Association from his discretionary funds; and

WHEREAS, Mobile Area Mardi Gras Association is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Mobile Area Mardi Gras Association, will be used to assist with the Mobile Youth Scholarship Fund, which will serve a public purpose benefiting the City of Mobile and its citizens.

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

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

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

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

**DETERMINE AN APPROPRIATION TO THE MOBILE AREA MARDI GRAS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-151-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **\$500.00** to Mobile Area Mardi Gras Association from his discretionary funds; and

WHEREAS, Mobile Area Mardi Gras Association is an Alabama non-profit corporation which provides a service to the community; and

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

WHEREAS, the Mobile City Council determines that this appropriation to Mobile Area Mardi Gras Association, will be used to assist with the Mobile Youth Scholarship Fund, which will serve a public purpose benefiting the City of Mobile and its citizens.

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

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

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

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

**DETERMINE AN APPROPRIATION TO MOBILE AREA BLACK CHAMBER OF COMMERCE SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT.** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-152-2024

Sponsored by: Councilmember Carroll

WHEREAS, Councilmember Carroll wishes to appropriate **\$1,500.00** to Mobile Area Black Chamber of Commerce from his discretionary funds; and

WHEREAS, Mobile Area Black Chamber of Commerce is an Alabama non-profit corporation which provides a service to the community; and



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

WHEREAS, the Mobile City Council determines that this appropriation to Mobile Area Black Chamber of Commerce will be used to assist with the Annual Black History Luncheon on Thursday, February 29, 2024, which will serve a public purpose benefitting the City of Mobile and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that an appropriation of **\$1,500.00** to Mobile Area Black Chamber of Commerce, for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

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

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

**CIP RESOLUTIONS BEING INTRODUCED**

**AUTHORIZE CONTRACT WITH HARRIS CONTRACTING SERVICES, INC. FOR NEW PICKLEBALL AND TENNIS COURTS AT CRAWFORD-MURPHY AND STOTTS PARKS; \$1,516,200.00.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 21-153-2024

Sponsored by: Mayor Stimpson and Councilmembers Reynolds & Carroll

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: Harris Contracting Services, Inc.  
Project Name: Stotts Park – New Pickleball Courts &  
Crawford-Murphy Park – New Pickleball and Tennis Courts  
Project Number: PR-047-23 & PR-035-23  
Amount: \$1,516,200.00

**RESOLUTIONS BEING INTRODUCED**

**APPROVE PURCHASE ORDER TO A FORENSIC SOFTWARE COMPNAY FOR ANNUAL RENEWAL OF FORENSIC IDENTIFICATION SOFTWARE FOR MPD; \$42,000.00.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 08-154-2024

MINUTES OF FEBRUARY 14, 2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4686</u>	2024	(1545) POLICE CYBER DIVISION	ANNUAL RENEWAL OF SUBSCRIPTION FOR FORSENIC IDENTIFICATION SOFTWARE FOR MPD CYBER (EXEMPT AS SOFTWARE)	\$42,000.00	<u>(295490) FORENSIC SOFTWARE COMPANY</u>

**APPROVE PURCHASE ORDER TO THE LAMAR COMPANIES FOR BILLBOARD ADVERTISING FOR ART MUSEUM; \$21,126.00.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 08-155-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4755</u>	2024	(0560) MOBILE MUSEUM OF ART	BILLBOARD ADVERTISING FOR ART MUSEUM (BELOW BID REQUIREMENT, SOLE SOURCE)	\$21,126.00	<u>(282590) THE LAMAR COMPANIES</u>

**APPROVE PURCHASE ORDER TO MAGNET FORENSICS USA, INC. FOR ANNUAL RENEWAL OF SUBSCRIPTION OF FORENSIC SOFTWARE FOR MPD; \$54,390.00.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 08-156-2024

Sponsored by: Mayor Stimpson

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

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Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4702</u>	2024	(1545) POLICE CYBER DIVISION	ANNUAL RENEWAL OF SUBSCRIPTION FOR ELECTRONIC FORSENIC SOFTWARE FOR MPD CYBER (EXEMPT AS SOFTWARE)	\$54,390.00	(295509) <u>MAGNET FORENSICS USA, INC</u>

**APPROVE PURCHASE ORDER TO VERMEER SOUTHEAST SALES AND SERVICE FOR WOOD-CHIPPER FOR PARKS DEPARTMENT; \$53,504.45.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 08-157-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>2095</u>	2024	(F7000) MOTOR POOL	VERMEER BC1000XL 49HP, 12IN DRUM, WOOD CHIPPER FOR PARKS DEPARTMENT (SEALED BID 5865)	\$53,504.45	(223500) <u>VERMEER SOUTHEAST SALES AND SERVICE</u>

**APPROVE PURCHASE ORDER TO VULCAN, INC. FOR STREET SIGN HOLDERS FOR TRAFFIC ENGINEERING; \$26,050.00.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 08-158-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>4118</u>	2024	(2060) TRAFFIC ENGINEERING	1000 POST MOUNTED STREET SIGN HOLDERS FOR TRAFFIC ENGINEERING (PRICE QUOTE, BELOW BID REQUIREMENT)	\$26,050.00	(270972) <u>VULCAN, INC</u>

**AUTHORIZE CONTRACT AMENDMENT WITH VOLKERT, INC. FOR HEROES' PLAZA DESIGN CLOSEOUT \$35,423.61.** The following resolution was held over until the regular meeting of February 20, 2024.

MINUTES OF FEBRUARY 14, 2024

RESOLUTION: 21-159-2024

Sponsored by: Mayor Stimpson and Councilmember Carroll

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. Whereby, the sum of \$35,423.00 will be added to the original contract amount of \$148,914.35. A copy of said contract is on file in the office of the City Clerk.

Name of Company: Volkert, Inc.

Project Name: Heroes Plaza – Professional Services

Project Number: PR-022-22

Amount: \$35,423.61 (Additional Amount)

**AUTHORIZE CONTRACT WITH RECDESK, LLC FOR PARKS & RECREATION SOFTWARE SERVICES; \$24,500.00.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 21-160-2024

Sponsored by: Mayor Stimpson

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 RECDESK, LLC, in an amount of \$24,500 for a one-year period, for parks and recreation software services, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is necessary to perform essential functions of the Council.

**CONSIDER THE APPLICATION OF ROOSEVELT ROBERTSON TO OPERATE A SHUTTLE SERVICE.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 37-161-2024

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Roosevelt Robertson 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 THE APPLICATION OF MOUNTAIN TAXI, LLC, D/B/A SUNSET TAXI, TO OPERATE A TAXI SERVICE.** The following resolution was held over until the regular meeting of February 20, 2024.

RESOLUTION: 37-162-2024

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

**CALL FOR PUBLIC HEARINGS**

**CALL FOR PUBLIC HEARING TO CONSIDER THE APPLICATION OF TOP CAT LIMOUSINE, LLC TO OPERATE A SHUTTLE SERVICE (SCHEDULED FOR FEBRUARY 27, 2024).** The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-163-2024

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

**NOTICE OF HEARING ON PROPOSED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A SHUTTLE SERVICE**

Notice is hereby given that the City Council of Mobile, Alabama, proposes to consider the application of Top Cat Limousine, LLC to operate a shuttle service in the City of Mobile. The adoption of such Certificate will be considered by the City Council in the Auditorium of the Mobile Government Plaza, located at 205 Government Street, Mobile, Alabama, on February 27, 2024, at 10:30 a.m. At such time and place, all persons who desire shall have an opportunity to be heard in opposition to or in favor of the proposed resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that pursuant to the provisions of Ordinance #59-073, 2005, that the application of Top Cat Limousine, 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.

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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as February 27, 2024.

**ANNOUNCEMENTS**

Councilmember Penn invited citizens to attend the Trinity Gardens parade on Saturday, February 17, 2024 at 11:00 a.m.

Councilmember Penn gave comments about Black History Month and encouraged citizens to visit the Africatown Heritage House.

Councilmember Daves thanked Public Safety and Public Works employees for their hard work during the 2024 Mardi Gras season.

Councilmember Daves gave comments about Crispus Attucks in recognition of Black History Month.

Councilmember Woods thanked Public Safety and Public Works employees for their hard work during Mardi Gras.

Councilmember Carroll mentioned the incidents of violence that occurred during the 2024 Mardi Gras season.

Councilmember Carroll offered comments concerning the "Lent" season

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Councilmember Gregory thanked Public Safety and Public Works employees for their hard work during the 2024 Mardi Gras season.

Councilmember Gregory invited citizens to attend the Mobile Terrace parade after the Trinity Gardens parade on Saturday, February 17, 2024 at 3:00 p.m.

Councilmember Small thanked Public Safety and Public Works employees for their hard work during Mardi Gras.

**NOTE:** Lisa Lambert, City Clerk, thanked the City Clerk’s staff, the Mobile Police Department, and Public Buildings employees for helping during Mardi Gras weekend.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:55 p.m.

Adopted:

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

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