

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 9, 2024

The Council of the City of Mobile, Alabama, met in the City Council’s Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, April 9, 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

ASSISTANT CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, APRIL 9, 2024

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

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

Pastor Tony Legear, 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.

APPROVAL OF MINUTES

The minutes of the meeting of April 2, 2024, were approved as submitted.

COMMUNICATIONS FROM THE MAYOR

Ricardo Woods, City Attorney, stated that there were no comments from the Mayor’s Office in lieu of Mayor Stimpson’s absence.

ADOPTION OF THE AGENDA

Councilmember Daves moved to adopt the agenda, which move was seconded by Councilmember Penn 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 Assistant City Clerk whereupon the Presiding Officer declared the motion to adopt the agenda adopted.

APPEALS

Request of Erica Hayes for a waiver of the Noise Ordinance at Tricentennial Park on August 3, 2024m from 11:00 a.m. – 3:00 p.m. (District 1).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Kacey Chappelle for a waiver of the Noise Ordinance at British Park on May 5, 2024, from 1:00 p.m. – 5:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Rich Heidal for a waiver of the Noise Ordinance at S. Monterey Street between Dauphin Street and McGill Avenue on May 4, 2024, from 6:00 p.m. – 10:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Kaitlyn Burkett for a waiver of the Noise Ordinance at Bienville Square on April 12, 2024 from 6:00 p.m. – 9:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Marian Clarke for a waiver of the Noise Ordinance at N. Monterey Street between Dauphin Street to Old Shell Road on May 18, 2024, from 6:00 p.m. – 10:00 p.m. (District 2).

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Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Jennifer Brinkman for a waiver of the Noise Ordinance at Doyle Park on April 27, 2024, from 10:30 a.m. – 1:30 p.m. (District 3).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Natasha Abshire for a waiver of the Noise Ordinance at 1609 Green Brook Court on April 20, 2024, from 2:00 p.m. – 10:00 p.m. (District 4).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

Request of Mary Jepps for a waiver of the Noise Ordinance at 4321 Boulevard Park S. on May 5, 2024, from 4:30 p.m. – 9:00 p.m. (District 5).

Councilmember Daves moved to grant the waiver, 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 by the Assistant City Clerk whereupon the Presiding Officer declared the waiver granted.

PUBLIC HEARINGS

PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND CHAPTER 64, SECTION 64-13-2 OF THE UNIFIED DEVELOPMENT CODE.

The Presiding Officer announced that today was the day for the public hearing to consider to amend Chapter 64, Section 64-13-2 of the Unified Development Code 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 REZONE PROPERTY LOCATED AT 4600 CYPRESS BUSINESS PARK DRIVE FROM B-3 AND B-5 TO B-3 (DISTRICT 4).

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The Presiding Officer announced that today was the day for the public hearing to rezone property located at 4600 Cypress Business Park Drive from B-3 and B-5 to B-3 and asked if there was anyone present to speak for or against this matter.

No one appeared.

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

PUBLIC HEARING TO CONSIDER THE APPLICATION OF SONIA JORDAN TO OPERATE A SHUTTLE SERVICE.

The Presiding Officer announced that today was the day for the public hearing to consider the application of Sonia Jordan 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.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL

NON-AGENDA ITEMS:

Tuerk Schlesinger – Provided updates about AltaPointe Health Behavioral Health Crisis Center.

Reggie Hill, 1007 Center Street, Offered comments about public safety, Civic Center, and zoning and community development.

ORDINANCES HELD OVER

AMEND THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE; CHAPTER 64, ARTICLE 5, SECTION 5. The following ordinance which was introduced and read at the regular meetings of February 27, 2024, March 5, 2024, and April 9, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-020-2024

Sponsored by: Councilmember Reynolds

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

SECTION ONE: Mobile City Code Section 64-5-5(D)(3)(d), which reads in full, "At the conclusion of the hearing, the city council shall approve, approve with conditions or deny the amendment[.]" is hereby **REPEALED**.

SECTION TWO: Miscellaneous

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

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

The ordinance was read by the City Clerk, whereupon Councilmember Reynolds moved to table the ordinance, which was seconded by Councilmember Daves 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 Assistant City Clerk, whereupon the Presiding Officer declared the ordinance tabled.

CONSIDER AN ORDINANCE TO AMEND ARTICLE 13, SECTION 64-13-2 OF THE UNIFIED DEVELOPMENT CODE. The following ordinance which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

ORDINANCE: 64-025-2024

Sponsored by: Councilmember Daves and Gregory

WHEREAS, the Council previously adopted Resolution 60-1313-2023 requesting that the Planning Commission consider and make a recommendation on a proposed text amendment to Article 13, Spring Hill Overlay, of the Unified Development Code to provide that proposed Planned Developments within the area encompassed by the Spring Hill Overlay are exempt from the minimum contiguous land area requirement of 10 acres; and,

WHEREAS, the Planning Commission conducted a public hearing on January 18, 2024; and,

WHEREAS, following the public hearing the Planning Commission held the proposed amendment over for further evaluation; and,

WHEREAS, the Planning Commission discussed the proposed amendment at its February 22, 2024, meeting and in response to comments made at the public hearing voted at said meeting to recommend to the Council that Article 13, section 64-13-2 of the Unified Development Code, be amended to add a subparagraph 6 to read as follows:

6. Within any sub-district, the minimum contiguous land area required for Planned Development shall be four (4) acres.

SECTION TWO. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION THREE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

The ordinance was read by the Assistant City Clerk, whereupon Councilmember Daves moved to table the ordinance, which was seconded by Councilmember Gregory

Following comments from Councilmember Daves he withdrew his motion to table the ordinance

Councilmember Gregory moved to hold the ordinance over until May 14, 2024, 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 Assistant City Clerk, whereupon the Presiding Officer declared the ordinance held over until May 14, 2024.

CONSENT RESOLUTIONS HELD OVER

DECLARE THE STRUCTURE AT 237 ABRAMS STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED/SECURED. The following resolution which was introduced and

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read at the regular meeting of February 6, 2024, and held over until the meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-125-2024

Sponsored by: Councilmember Penn

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 237 Abrams 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 **237 Abrams Street described as:**

LOT 3 ON PLAT OF RESURVEY OF LOTS 29 & 30 BLK 2 OF MECHEM & SAGES SUB OF INGATE PL MBK 13 P 13 #SEC 18 T4S R1W #MP29 0818 2 002

Parcel Number: 29 08 18 2 002 001

Last Assessed to: JERALD L JOSEPH JUNIOR

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.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Penn moved to table 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution tabled.

DECLARE THE STRUCTURE AT 2910 BERKLEY AVENUE 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 April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 40-126-2024

Sponsored by: Councilmember Penn

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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 2910 Berkley 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. 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 **2910 Berkley Avenue described as:**

S 1/2 OF LOT 7 BLK D BOOKER T WASHINGTON GDNS A SUB PLAT BK 4/208 #SEC 44 T4S R1W #MP29 02 44 0 010

Parcel Number: 29 02 44 0 010 029

Last Assessed to: LATONYA MORIA YOUNG

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.

The resolution was read by the Assistant City Clerk, whereupon Councilmember Penn moved to table 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution tabled.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A LOUNGE RETAIL LIQUOR CLASS I LICENSE TO LA TAVERN; 5651 HWY 90. The following resolution which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 37-291-2024

Sponsored by: Councilmember Reynolds

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

Type of application: Lounge Retail Liquor Class I License

Submitted by: LA Tavern, LLC

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Location: LA Tavern
5651 Highway 90, Suite B
Mobile, Al 36582

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

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

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

RESOLUTIONS HELD OVER

APPROVE PURCHASE ORDER TO ARCADIS US, INC. FOR TRAFFIC VIDEO DETECTION SYSTEM EQUIPMENT; \$77,855.00. The following resolution which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-302-2024

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>4697</u>	2024	(2060) TRAFFIC ENGINEERING	TRAFFIC VIDEO DETECTION SYSTEM EQUIPMENT FOR AIRPORT BLVD (AL STATE CONTRACT)	\$77,855.00	<u>(297773)</u> <u>ARCADIS U.S. INC</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER SHI INTERNATIONAL CORPORATION FOR ANNUAL RENEWAL OF VARIOUS CITYWIDE SOFTWARE SUBSCRIPTIONS; \$400,826.12. The following resolution which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 08-305-2024

Sponsored by: Mayor Stimpson

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

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>6855</u>	2024	(5000) INFORMATION TECHNOLOGY	ANNUAL RENEWAL OF CITYWIDE MICROSOFT 365, POWER BI, PROJECT & TEAMS SOFTWARE SUBSCRIPTIONS FOR MIT (AL STATE CONTRACT, BID EXEMPT AS SOFTWARE)	\$400,826.12	<u>(272641) SHI INTERNATIONAL CORP</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH PROTECVIDEO, LLC FOR MANAGEMENT OF TECHNOLOGY, TRAINING, AND CONSULTING SERVICES; NTE \$215,000.00. The following resolution which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-308-2024

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, a three year contract, by and between the City of Mobile and PROTECVIDEO, LLC., in an amount not to exceed \$225,000 for a period ending December 31, 2025, to begin upon execution, renewable, for the provision of professional services in the deployment and management of technology, training, and consulting services A Copy of said contract is on file in the office of the City Clerk.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH SOUTHERN EARTH SCIENCES, INC. FOR GROUND WATER SAMPLING, EXPLOSIVE GAS MONITORING AND REPORTS FOR C&D BATES LANDFILL AND HICKORY STREET LANDFILL; \$68,745.00. The following

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resolution which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 21-309-2024

Sponsored by: Mayor Stimpson

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

Project Name: Annual Landfill Sampling Requirements for Bates C&D
Landfill and Hickory Street Landfill (D2, D7)
Project No. 2024-3005-09

Estimated Cost: \$68,745.00

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; CHURCH'S CHICKEN. The following resolution which was introduced and read at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-310-2024

Sponsored by: Mayor Stimpson

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

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

AUTHORIZE SETTLEMENT AGREEMENT AND RELEASE OF CLAIMS; THAI MEDITATION ASSOCIATION. The following resolution which was introduced and read

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at the regular meeting of April 2, 2024, and held over until the regular meeting of April 9, 2024, was called up by the Presiding Officer.

RESOLUTION: 60-312-2024

Sponsored by: Mayor Stimpson

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

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

ORDINANCES BEING INTRODUCED

REZONE PROPERTY LOCATED AT 4600 CYPRESS BUSINESS PARK DRIVE FROM B-3 AND B-5 TO B-3. The following ordinance was held over until the regular meeting of April 16, 2024.

ORDINANCE: 64-026-2024

Sponsored by: Councilmember Reynolds

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

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

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

LOT 1, CREEKLINE, SIXTH ADDITION, AS RECORDED IN MAP BOOK 75, PAGE 49 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA TOGETHER WITH THE SOUTH 40 FEET OF LOT 1, CREEKLINE, FIFTH ADDITION, AS RECORDED IN MAP BOOK 74, PAGE 88 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF LOT 1, CREEKLINE, SIXTH ADDITION, AS RECORDED IN MAP BOOK 75, PAGE 49 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 76°-48'-06" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF HIGGINS ROAD (50' R/W) AND ALONG THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF 357.47 FEET TO A CAPPED REBAR (WATTIER); THENCE RUN ALONG SAID RIGHT-OF-WAY LINE, ALONG THE SOUTH LINE OF SAID LOT 1, AND ALONG THE ARC OF A CURVE TO THE RIGHT (HAVING A DELTA OF 18°-20'-08", A

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RADIUS OF 30.00 FEET, A CHORD BEARING OF NORTH 17°-38'-02" WEST, AND A CHORD LENGTH OF 51.52 FEET) AN ARC DISTANCE OF 61.96 FEET TO A CAPPED REBAR (R&C) ON THE EAST RIGHT-OF-WAY LINE OF CYPRESS BUSINESS PARK DRIVE (60' R/W) AND THE WEST LINE OF SAID LOT 1; THENCE RUN NORTHWARD ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG THE WEST LINE OF SAID LOT 1, AND ALONG THE ARC OF A CURVE TO THE LEFT (HAVING A DELTA OF 41 °-31'-29", A RADIUS OF 328.88 FEET, A CHORD BEARING OF NORTH 20°-46'-17" EAST, AND A CHORD LENGTH OF 233.17 FEET) AN ARC DISTANCE OF 238.35 FEET TO A CAPPED REBAR (R&C); THENCE RUN NORTH 00°-00' -33" EAST ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 60.62 FEET TO A CAPPED REBAR (WATTIER) AT THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 1, CREEKLINE, FIFTH ADDITION, AS RECORDED IN MAP BOOK 74, PAGE 88 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 00°-00' -33" EAST ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID LOT 1, CREEKLINE, FIFTH ADDITION A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (WATTIER); THENCE RUN SOUTH 89°-54'-32" EAST ALONG A LINE BEING 40 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, CREEKLINE, FIFTH ADDITION A DISTANCE OF 300.08 FEET TO A CAPPED REBAR (WATTIER) ON THE EAST LINE OF SAID LOT 1, CREEKLINE; FIFTH ADDITION; THENCE RUN SOUTH 00°-00'-33" WEST ALONG THE EAST LINE OF SAID LOT 1, CREEKLINE, FIFTH ADDITION A DISTANCE OF 40.00 FEET TO A CAPPED REBAR (R&C) AT THE SOUTHEAST CORNER OF SAID LOT 1, CREEKLINE, FIFTH ADDITION, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1, CREEKLINE, SIXTH ADDITION; THENCE RUN SOUTH 09°-50' -41" WEST ALONG THE EAST LINE OF SAID LOT 1, CREEKLINE, SIXTH ADDITION A DISTANCE OF 102.22 FEET TO A CAPPED REBAR (R&C); THENCE RUN SOUTH 00°-18'-41" WEST ALONG THE EAST LINE OF SAID LOT 1, CREEKLINE, SIXTH ADDITION A DISTANCE OF 308.17 FEET TO THE POINT OF BEGINNING. THE DESCRIBED PARCEL CONTAINS 2.97 ACRES, MORE OR LESS.

The classification of said property is hereby changed from B-3, Community Business Suburban District and B-5, Office Distribution District, to B-3, Community Business Suburban District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B-3, Community Business Suburban District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business Suburban District until all of the conditions set forth below have been complied with: 1. Completion of the Subdivision process for proposed 4600 Business Park Subdivision; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and, 3. Full compliance with an municipal codes and ordinances.

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

CONSIDER AN ORDINANCE TO AMEND CHAPTER 64, ARTICLE 5, SECTION 5 OF THE UNIFIED DEVELOPMENT CODE. The following ordinance was held over until the regular meeting of April 16, 2024.

ORDINANCE: 64-027-2024

Sponsored by: Councilmember Reynolds

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AN ORDINANCE TO AMEND THE CITY OF MOBILE UNIFIED DEVELOPMENT CODE, CHAPTER 64, ARTICLE 5, SECTION 5 TO REMOVE THE REQUIREMENT THAT THE CITY COUNCIL ACT ON A REZONING APPLICATION AT THE PUBLIC HEARING ON SAME

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

SECTION ONE: Mobile City Code Section 64-5-5(D)(3)(d), which reads in full, "At the conclusion of the hearing, the city council shall approve, approve with conditions or deny the amendment[.]" is hereby **REPEALED**.

SECTION TWO: Miscellaneous

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

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

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 31-313 through 60-317 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 TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING FOR THE FY 2024 PROMOTING ACCESS TO CRISIS TEAMS; \$400,000.00 (NO LOCAL MATCH). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-313-2024

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 U.S. Department of Justice (DOJ), The Office of Community Oriented Policing Services (COPS), grant assistance in the amount of \$400,000.00 in support of the FY 2024 Promoting Access to Crisis Teams (PACT) Program. There is no match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U.S. Department of Justice, Office of Community Oriented Policing Services. Any agreements for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE THE MAYOR TO APPLY, ACCEPT, AND RECEIVE A GRANT TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR FY 2024 MICROGRANT FOR UNDERSERVED POPULATIONS; \$175,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 31-314-2024

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 U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS), a Notice of Award for grant assistance in the amount of \$175,000.00 for the FY 2024 Microgrant for Underserved Populations. There is no match requirement.

BE IT FURTHER RESOLVED that the Mayor or his designee be authorized to accept said grant if offered and to sign any agreements or other documents in connection with the grant application and to provide any information required by the U.S. Department of Justice, or the Office of Community Oriented Policing Services. Any agreement for grant assistance, together with the exhibits, shall be filed with the City Clerk after award and execution.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP 69. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-315-2024

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

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

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

Section 1. The amount set opposite each described parcel of real property contained in Exhibit "A," a copy of which is on file in the Office of the City Clerk and made a part hereof as though set forth in full and known as **Repeat Weed Lien Group 69** 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

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parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

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

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

APPROVE AWARD OF SPECIAL BONUS TO THE PARKS & RECREATION EMPLOYEE OF THE MONTH; MIRANDA. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-316-2024

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:

April 2024: Socorro Miranda (Employee #19250) Public Works (Parks & Recreation)

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 Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE AN APPROPRIATION TO SENIOR CITIZENS' SERVICES, INC. D/B/A VIA HEALTH, FITNESS AND ENRICHMENT CENTER SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-317-2024

Sponsored by: Councilmember Reynolds

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WHEREAS, Councilmember Reynolds wishes to appropriate **\$2,500.00** to the Senior Citizens Services, Inc. dba Via Health, Fitness and Enrichment Center, from his discretionary funds; and

WHEREAS, Senior Citizens Services, Inc. dba Via Health, Fitness and Enrichment Center, 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 the Senior Citizens Services, Inc. dba Via Health, Fitness and Enrichment Center, will be used to assist with its Annual "Cheers to the Years" on August 15, 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 **\$2,500.00** to Senior Citizens Services, Inc. dba Via Health, Fitness and Enrichment Center, Incorporated for the purposes described hereinabove serves a public purpose and the Council further approves and directs the payment of same, and further authorizes execution of a standard form City of Mobile council discretionary fund performance contract with said entity, group or individual for the amount set forth herein.

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

SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME. Councilmember Gregory moved for the suspension of the rules to consider resolutions 01-318, 08-321, 08-322, 08-323, 08-324, 08-325, 08-326, 08-327, 08-328, 09-329, and 31-331 being introduced for the first time. The motion was seconded by Councilmember Woods, 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.

RESOLUTIONS BEING INTRODUCED

AUTHORIZE AGREEMENT WITH GOODWYN, MILLS, CAWOOD FOR DAUPHIN ISLAND PARKWAY TIF DISTRICT PLAN; \$29,700.00. The following resolution was held introduced by Councilmember Gregory.

RESOLUTION: 01-318-2024

Sponsored by: Mayor Stimpson and Councilmember Small

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor, or his designee, is authorized to act on behalf of the City of Mobile in executing a Professional Services Agreement with Goodwyn Mills Cawood (GMC) in the amount of Twenty-nine Thousand Seven Hundred and 00/100 (\$29,700.00) for those services related to the Planning and Financing Structure of the Tax Increment Financing District 2

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(TIF D2) that was authorized March 1, 2023 and is located in the general area of the South Dauphin Island Parkway.

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

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

Nays: None

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

AUTHORIZE AGREEMENT WITH THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR TRAFFIC PLAN FOR SPECIAL EVENTS AT THE UNIVERSITY OF SOUTH ALABAMA. The following resolution was held over until the regular meeting of April 16, 2024.

RESOLUTION: 01-319-2024

Sponsored by: Mayor Stimpson

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

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

Development of a traffic plan to handle special event traffic around the University of South Alabama; Project # SPR-PART3-APMB(024); CPMS Ref# 100077575

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

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

I, the undersigned qualified and acting City Clerk of the City of Mobile, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council held on the _____ day of _____, 20____, and that such resolution is on file in the City Clerk's Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this _____ day of _____, 20____.

APPROVE PURCHASE ORDER TO IMAGETREND, LLC FOR ANNUAL RENEWAL OF SOFTWARE FOR MFRD; \$90,375.00. The following resolution was held over until the regular meeting of April 16, 2024.

RESOLUTION: 08-320-2024

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>6916</u>	2024	(1510) FIRE ADMINISTRATION	ANNUAL RENEWAL OF IMAGETREND ELITE RESCUE, ELITE FIELD, AND VISUAL INFORMATICS SOFTWARE FOR MFRD (BID EXEMPT AS SOFTWARE)	\$90,375.00	<u>(295732)</u> <u>IMAGETREND, LLC</u>

APPROVE PURCHASE ORDER TO INSIGHT PUBLIC SECTOR FOR 50 DESKTOP COMPUTERS FOR MPD; \$29,285.50. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-321-2024

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>5600</u>	2024	(1530) POLICE ADMIN SERVICES	50 DESKTOP COMPUTERS FOR MPD (PRICE BELOW BID REQUIREMENT, OMNIA COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$29,285.50	<u>(296399)</u> <u>INSIGHT PUBLIC SECTOR</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO INTERFACE SERVICES, INC. FOR REPLACEMENT FLOORING FOR MIT BUILDING; \$44,092.00. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-322-2024

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>813</u>	2024	(3032) ARCHITECTURAL ENGINEERING	REPLACEMENT FLOORING FOR MIT BUILDING (SOURCEWELL COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$44,092.00	(297869) <u>INTERFACE SERVICES, INC</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO MCCONNELL AUTOMOTIVE CORPORATION FOR WRECK REPAIRS TO CHEVROLET SUBURBAN; \$25,559.03. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-323-2024

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>7360</u>	2024	(2050) FLEET MANAGEMENT – GARAGE	WRECK REPAIRS FOR 2023 CHEVROLET SUBURBAN (PRICE BELOW BID REQUIREMENT)	\$25,559.03	(294004) <u>MCCONNELL AUTOMOTIVE CORPORATION</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASER ORDER TO MH3 PRINTING, LLC FOR PRINTING AND MAILING OF POSTCARDS FOR CITY’S RECYCLING PROGRAM; \$44,390.92. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-324-2024

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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>7409</u>	2024	(2590) GRANT MANAGEMENT	PRINTING AND MAILING OF 115,888 POSTCARDS FOR CITY RECYCLING PROGRAM (PRICE FOR PRINTING BELOW BID REQMT; POSTAGE EXEMPT FROM BID)	\$44,390.92	<u>(294489) MH3 PRINTING LLC</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO SANSOM EQUIPMENT COMPANY, INC. FOR REPLACEMENT VERTICAL MAST FOR GARBAGE TRUCK; \$24,176.36. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-325-2024

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>7054</u>	2024	(2050) FLEET MANAGEMENT-GARAGE	REPLACEMENT VERTICAL MAST ASSEMBLY FOR 2018 NEW WAY GARBAGE TRUCK (SEALED BID 5725, SOLE SOURCE)	\$24,176.36	<u>(190715) SANSOM EQUIPMENT CO INC</u>

The resolution was read by the Assistant 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

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

APPROVE PURCHASE ORDER TO SHELTER BUDDY FOR ANIMAL TRACKING AND ADOPTION SOFTWARE FOR THE ANIMAL SHELTER; \$19,968.33. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-326-2024

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>5669</u>	2024	(1546) ANIMAL SHELTER	SHELTER BUDDY ANIMAL SHELTER ANIMAL TRACKING AND ADOPTION SOFTWARE SET-UP AND ONE-YEAR SUBSCRIPTION (BID EXEMPT AS SOFTWARE, PRICE BELOW BID REQUIREMENT)	\$19,968.33	<u>(298984) SHELTER BUDDY</u>

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO TOP NOTCH TREE CARE, LLC TO REMOVE AND TRIM TREES ON SPRING HILL AVENUE; \$22,000.00. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-327-2024

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>7206</u>	2024	(2018) FORESTRY	REMOVE AND TRIM TREES ON SPRING HILL AVE AT FLORIDA ST (PRICE BELOW BID REQUIREMENT, PRICE QUOTE)	\$22,000.00	(295399) TOP NOTCH TREE CARE LLC

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER TO T.S. WALL & SONS, INC. FOR CARPETING FOR MUNICIPAL ARCHIVES BUILDING; \$21,397.00. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 08-328-2024

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>7142</u>	2024	(3032) ARCHITECTURAL ENGINEERING	CARPETING FOR MUNICIPAL ARCHIVES (PRICE BELOW BID REQMT)	\$21,397.00	(231625) T.S. WALL & SONS, INC

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

TRANSFER FUNDS FROM CAPITAL PROJECT FIRE ADMIN PROJECTS TO GRANT PROJECT PORT SECURITY GRANT PROGRAM FUND; \$41,523.00. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 09-329-2024

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$41,523 in the Capital Improvement Fund (2000) be reallocated from Capital Project #C0887 Fire Admin Projects to Grant Project #G-PDPORT23 FY2023 PORT SECURITY GRANT PROGRAM Fund (5309). These funds will be used to cover the cost of purchase over the awarded grant amount.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH DORIE'S, INC., D/B/A AZALEA CITY GOLF COURSE GRILL. The following resolution was held over until the regular meeting of April 16, 2024.

RESOLUTION: 21-330-2024

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 Dorie's Inc., d/b/a Azalea City Golf Course Grill, for three years, to provide food and beverage concession services for the Azalea City Golf Course, 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.

AUTHORIZE GRANT AGREEMENT WITH THE ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES IN SUPPORT OF GOMESA FUNDING FOR SHIPYARD ROAD/DOG RIVER ACQUISITION PROJECT; \$2,500,000.00. The following resolution was introduced by Councilmember Reynolds.

RESOLUTION: 31-331-2024

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor is authorized to accept and receive grant funding from the Alabama Department of Conservation and Natural Resources (ADCNR), in support of the Gulf of Mexico Energy Security Act (GOMESA), in the amount of \$2,500,000.00 for Shipyard Road/Dog River Acquisition Project and to authorize the Mayor and the City Clerk to execute and attest, respectively, for and on behalf of the City of Mobile, the GOMESA Grant Agreement between the City of Mobile and the Alabama Department of Conservation and Natural Resources (ADCNR) attached hereto and made apart hereof, as though set forth in full, and to make such further action necessary to effectuate the Agreement. A copy of said Agreement is on file in the office of the City Clerk.

The resolution was read by the Assistant 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 Assistant City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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CONSIDER THE APPLICATION OF SONIA JORDAN TO OPERATE A SHUTTLE SERVICE. The following resolution was held over until the regular meeting of April 16, 2024.

RESOLUTION: 37-332-2024

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

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 1100 SPRING HILL AVENUE FROM R-2, B-2, AND B-3 TO B-3 (SCHEDULED FOR MAY 14, 2024) (DISTRICT 2). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-333-2024

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

Notice of Public Hearing for the Proposed Rezoning of Property Located at 1100 Spring Hill Avenue

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 9, 2024**, a public hearing will be held on the **14th day of May, 2024, at 10:30 a.m.**, to consider adoption of an ordinance for the proposed rezoning of property located at 1100 Spring Hill Avenue from R-2, Two-Family Residential Urban District, B-2, Buffer Business Urban District, and B-3, Community Business Urban District, to B-3, Community Business Urban District.

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

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

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

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

BEGINNING AT THE NORTHWEST CORNER OF SPRINGHILL AVENUE AND PINE STREET, THENCE NORTH 18°08'16" EAST ALONG THE WEST LINE OF PINE STREET 221.79 FEET, THENCE NORTH 67°54'46" WEST 120.00 FEET, THENCE SOUTH 17°18'45" WEST 50.40 FEET, THENCE SOUTH 18°22'36" WEST 49.75 FEET, THENCE SOUTH 17°44'00" EAST 6.30 FEET, THENCE SOUTH 17°55'00" WEST 131.00 FEET TO A POINT ON THE NORTH LINE OF SPRINGHILL AVENUE, THENCE SOUTH 72°18'48" EAST 112.39 FEET TO THE POINT OF BEGINNING; BEING LOTS 14, 15, 16, AND PART OF LOT 17, BLOCK 4 OF THE CAMPGROUND TRACT.

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The classification of said property is hereby changed from R-2, Two-Family Residential Urban District, B-1, Buffer Business Urban District, and B-3, Community Business Urban District, to B-3, Community Business Urban District and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of July 12, 2022, commonly known as the Unified Development Code and to use said premises for any use permitted by the terms of said Ordinance in a B03, Community Business Urban District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such Laws, including the requirements of said Unified Development Code of July 12, 2022, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a B-3, Community Business Urban District until all of the conditions set forth below have been complied with: 1. Completion of the Subdivision process; 2. Compliance with all Engineering, Traffic Engineering, Urban Forestry, and Fire Department comments noted in the staff report; and 3. Full compliance with all municipal codes and ordinances.

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

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

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

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as May 14, 2024.

CALL FOR PUBLIC HEARING FOR THE PROPOSED MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3201 AIRPORT BOULEVARD AND 410 & 450 BEL AIR BOULEVARD (SCHEDULED MAY 14, 2024) (DISTRICT 5). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-334-2024

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

Notice of Public Hearing for the Proposed Modification of a Previously Approved Planned Unit Development for Property Located at 3201 Airport Boulevard and 410 & 450 Bel Air Boulevard

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 9, 2024**, a public hearing will be held on the **14th day of May, 2024, at 10:30 a.m.**, to consider adoption of an ordinance for the modification of a Previously Approved Planned Unit Development for property located at 3201 Airport Boulevard and 410 & 450 Bel Air Boulevard to allow multiple buildings on a single building site, and shared access and parking between multiple building sites.

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

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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 November 4, 2021 to allow multiple buildings on a single building site and shared access and parking between multiple building sites on property located at 3201 Airport Boulevard and 410 & 450 Bel Air Boulevard and described as follows:

LOTS 3 AND 4, BEL AIR MALL SUBDIVISION AS RECORDED IN MAP BOOK 133, PAGE 10 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; LOTS 1, 2 AND 3, RESUBDIVISION OF LOT 2, BEL AIR MALL SUBDIVISION AS RECORDED IN INSTRUMENT#2021076191 OF SAID RECORDS.

WHEREAS, the owner of said property applied for a Major Modification of the PUD on January 12, 2024 allowing multiple buildings on a single building site, and shared access and parking between multiple building sites.

WHEREAS, the Planning Commission held a public hearing on the requested Major Modification on March 21, 2024 and recommended approval of the Major Modification of the PUD subject to the following conditions:

1. Revision of the site plan, including the legal description, to clearly depict all parcels included in the Modification of the PUD;
2. Provision of a note on the recorded site plan stating future development, redevelopment, or any changes to the use and/or scope of operations of an existing use of the site may require additional modification of the Planning Approval to be approved by the Planning Commission and City Council;
3. Revision of the site plan to clearly label adjacent lots and their associated Subdivision names as well as map book and page or instrument number;
4. Compliance with all Engineering comments noted in the staff report;
5. Provision of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
6. Compliance with all Urban Forestry comments noted in the staff report;
7. Compliance with all Fire Department comments noted in the staff report; and,
8. 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.

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; and
- f. Is not noxious or offensive by reason of emissions, vibration, noise, odor, dust, smoke or gas.

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. Revision of the site plan, including the legal description, to clearly depict all parcels included in the Modification of the PUD;

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2. Provision of a note on the recorded site plan stating future development, redevelopment, or any changes to the use and/or scope of operations of an existing use of the site may require additional modification of the Planning Approval to be approved by the Planning Commission and City Council;
3. Revision of the site plan to clearly label adjacent lots and their associated Subdivision names as well as map book and page or instrument number;
4. Compliance with all Engineering comments noted in the staff report;
5. Provision of a note on the Final Plat stating all Traffic Engineering comments noted in the staff report;
6. Compliance with all Urban Forestry comments noted in the staff report;
7. Compliance with all Fire Department comments noted in the staff report; and,
8. 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.

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

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

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

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as May 14, 2024.

CALL FOR PUBLIC HEARING TO CONSIDER A MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3674 AND 3860 DAUPHIN STREET (SCHEDULED FOR MAY 14, 2024) (DISTRICT 7). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 41-335-2024

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

Notice of Public Hearing for the Proposed Modification of a Previously Approved Planned Unit Development for Property Located at 3674 and 3680 Dauphin Street

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 9, 2024**, a public hearing will be held on the **14th day of May, 2024, at 10:30 a.m.**, to consider adoption of an ordinance for the proposed modification of a previously approved Planned Unit Development for property located at 3674 and 3680 Dauphin Street to allow shared access parking between multiple building sites.

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

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

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WHEREAS, Planned Unit Developments (PUD) were approved on March 9, 1999 and February 13, 2007 to accommodate, in general, new construction and changes to parking and shared access on property located at 3674 & 3680 Dauphin Street and described as follows:

LOT 1-A-1

THAT CERTAIN PIECE OR PORTION OF LAND, DESIGNATED AS LOT 1-A-1 ON PLAT SHOWING RESUBDIVISION OF LOTS 1-A AND 1-B OF COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2 INTO LOTS 1-A-1 AND 1-B-1, SITUATED IN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 2 WEST, ST. STEPHENS MERIDIAN, CITY OF MOBILE, COUNTY OF MOBILE, STATE OF ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1-A, COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2, AS PER PLAT RECORDED IN MAP BOOK 70, PAGE 85, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF DU RHU DRIVE, ALSO BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY S27°20'20"E A DISTANCE OF 364.10 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 960.16 FEET, ARC LENGTH OF 84.04 FEET AND CHORD BEARING S63°41'07"W A DISTANCE OF 84.01 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE N27°20'20"W A DISTANCE OF 358.47 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE N59°50'54"E A DISTANCE OF 84.10 FEET TO A 5/8" CAPPED IRON ROD SET AND THE POINT OF BEGINNING. THE ABOVE-DESCRIBED TRACT CONTAINS 0.696 ACRES AS SHOWN ON SURVEY BY DUPLANTIS DESIGN GROUP, PC, DATED AUGUST 29, 2023, PROJECT NO. 23-1448, AND IS SUBJECT TO ANY SERVITUDES, EASEMENTS, AND RESTRICTIONS OF RECORD.

LOT 1-B-1

THAT CERTAIN PIECE OR PORTION OF LAND, DESIGNATED AS LOT 1-B-1 ON PLAT SHOWING RESUBDIVISION OF LOTS 1-A AND 1-B OF COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2 INTO LOTS 1-A-1 AND 1-B-1, SITUATED IN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 2 WEST, ST. STEPHENS MERIDIAN, CITY OF MOBILE, COUNTY OF MOBILE, STATE OF ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1-A, COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2, AS PER PLAT-RECORDED IN MAP BOOK 70, PAGE 85, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF DU RHU

WHEREAS, the owner of said property applied for a Major Modification of a previously approved Planned Unit Development on December 5, 2023 allowing shared access and parking between multiple building sites.

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

1. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
2. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
4. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
5. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;

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6. Provision of the building sizes in square feet on the Final PUD site plan;
7. Retention of the rights-of-way along all streets on the Final PUD site plan;
8. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. 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:
 - i. In making this determination, the Planning Commission and City Council considered 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
 - ii. Includes adequate public facilities and utilities; ·
- E. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;

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. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
2. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
4. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
5. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;
6. Provision of the building sizes in square feet on the Final PUD site plan;
7. Retention of the rights-of-way along all streets on the Final PUD site plan;
8. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

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

The resolution was read by the Assistant City Clerk, whereupon Councilmember Daves moved to call for the public hearing, 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 Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as May 14, 2024.

CALL FOR PUBLIC HEARING TO CONSIDER A MODIFICATION OF A PREVIOUSLY APPROVED PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED AT 3674 AND 3680 DAUPHIN STREET (SCHEDULED FOR MAY 14, 2024) (DISTRICT 7).

RESOLUTION: 41-336-2024

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

Notice of Public Hearing for the Proposed Modification of a Previously Approved Planned Unit Development for Property Located at 3674 and 3680 Dauphin Street

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 9, 2024**, a public hearing will be held on the **14th day of May, 2024, at 10:30 a.m.**, to consider adoption of an ordinance for the proposed modification of a previously approved Planned Unit Development for property located at 3674 and 3680 Dauphin Street to allow shared access parking between multiple building sites.

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

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

WHEREAS, Planned Unit Developments (PUD) were approved on March 9, 1999 and February 13, 2007 to accommodate, in general, new construction and changes to parking and shared access on property located at 3674 & 3680 Dauphin Street and described as follows:

LOT 1-A-1

THAT CERTAIN PIECE OR PORTION OF LAND, DESIGNATED AS LOT 1-A-1 ON PLAT SHOWING RESUBDIVISION OF LOTS 1-A AND 1-B OF COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2 INTO LOTS 1-A-1 AND 1-B-1, SITUATED IN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 2 WEST, ST. STEPHENS MERIDIAN, CITY OF MOBILE, COUNTY OF MOBILE, STATE OF ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1-A, COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2, AS PER PLAT RECORDED IN MAP BOOK 70, PAGE 85, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF DU RHU DRIVE, ALSO BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY S27°20'20"E A DISTANCE OF 364.10 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 960.16 FEET, ARC LENGTH OF 84.04 FEET AND CHORD BEARING S63°41'07"W A DISTANCE OF 84.01 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE N27°20'20"W A DISTANCE OF 358.47 FEET TO A 5/8" CAPPED IRON ROD SET; THENCE N59°50'54"E A

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DISTANCE OF 84.10 FEET TO A 5/8" CAPPED IRON ROD SET AND THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED TRACT CONTAINS 0.696 ACRES AS SHOWN ON SURVEY BY DUPLANTIS DESIGN GROUP, PC, DATED AUGUST 29, 2023, PROJECT NO. 23-1448, AND IS SUBJECT TO ANY SERVITUDES, EASEMENTS, AND RESTRICTIONS OF RECORD.

LOT 1-B-1

THAT CERTAIN PIECE OR PORTION OF LAND, DESIGNATED AS LOT 1-B-1 ON PLAT SHOWING RESUBDIVISION OF LOTS 1-A AND 1-B OF COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2 INTO LOTS 1-A-1 AND 1-B-1, SITUATED IN SECTION 24, TOWNSHIP 4 SOUTH, RANGE 2 WEST, ST. STEPHENS MERIDIAN, CITY OF MOBILE, COUNTY OF MOBILE, STATE OF ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1-A, COLLEGE PARK, NORTHWESTERN QUADRANGLE, UNIT 2, AS PER PLAT-RECORDED IN MAP BOOK 70, PAGE 85, OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF DU RHU

WHEREAS, the owner of said property applied for a Major Modification of a previously approved Planned Unit Development on December 5, 2023 allowing shared access and parking between multiple building sites.

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

1. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision request;
2. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
4. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
5. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;
6. Provision of the building sizes in square feet on the Final PUD site plan;
7. Retention of the rights-of-way along all streets on the Final PUD site plan;
8. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

WHEREAS, the City Council finds that the proposed modification:

- A. 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:
 - i. In making this determination, the Planning Commission and City Council considered the location, type and height of buildings or structures, the type and extent of landscaping and

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screening, lighting, hours of operation or any other conditions that mitigate the impacts of the proposed development; and

ii. Includes adequate public facilities and utilities; ·

E. The request is subject to adequate design standards to provide ingress and egress that minimize traffic hazards and traffic congestion on the public roads;

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. Revision of the Final PUD site plan to reflect any/all revisions to easements as a result of the associated Subdivision requests;
2. Retention of a note on the Final Plat stating no structures shall be constructed in any easement without permission from the easement holder;
3. Revision of the site plan to provide a table noting the off-street parking requirements of Table 64-3-12.1 of Article 3 of the UDC for each use of the site, along with the number of parking spaces provided;
4. Retention of the 25-foot minimum building setback line along Du Rhu Drive and Dauphin Street, as required by Section 64-2-13.E. of the Unified Development Code;
5. Retention of the lot size labels in both square feet and acres, or provision of a table on the Final PUD site plan with the same information;
6. Provision of the building sizes in square feet on the Final PUD site plan;
7. Retention of the rights-of-way along all streets on the Final PUD site plan;
8. Provision of a note on the Final PUD site plan stating future development or redevelopment of the property may require approval by the Planning Commission and City Council;
9. Submittal to and approval by Planning and Zoning of the revised Modified Planned Unit Development site plan prior to their recording in Probate Court, and the provision of a copy of the recorded site plan (pdf) to Planning and Zoning; and,
10. Full compliance with all municipal codes and ordinances.

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

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

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

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as May 14, 2024.

CALL FOR PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND ARTICLE 13, SECTION 64-13-2 OF THE UNIFIED DEVELOPMENT CODE (SCHEDULED FOR MAY 14, 2024).

RESOLUTION: 41-337-2024

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

Notice of Public Hearing to Consider an Ordinance to Amend Article 13, Section 64-13-2 of the Unified Development Code

MINUTES OF APRIL 9, 2024

Pursuant to Resolution of the Mobile, Alabama City Council adopted **April 9, 2024**, a public hearing will be held on the **14th of May, 2024, at 10:30 a.m.**, to consider adoption of an ordinance to amend Article 13, Section 64-13-2 of the Unified Development Code.

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

WHEREAS, the Council previously adopted Resolution 60-1313-2023 requesting that the Planning Commission consider and make a recommendation on a proposed text amendment to Article 13, Spring Hill Overlay, of the Unified Development Code to provide that proposed Planned Developments within the area encompassed by the Spring Hill Overlay are exempt from the minimum contiguous land area requirement of 10 acres; and,

WHEREAS, the Planning Commission conducted a public hearing on January 18, 2024; and,

WHEREAS, following the public hearing the Planning Commission held the proposed amendment over for further evaluation; and,

WHEREAS, the Planning Commission discussed the proposed amendment at its February 22, 2024, meeting, and in response to comments made at the public hearing voted at said meeting to recommend to the Council that Article 13, section 64-13-2 of the Unified Development Code, be amended to add a subparagraph 6 to read as follows:

6. Within any sub-district, the minimum contiguous land area required for Planned Developments shall be four (4) acres.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, as follows:

SECTION ONE. That section 64-13-2, paragraph A. Applicability, of Article 13, Springhill Overlay, of the Unified Development Code be, and the same hereby is, amended to add thereto the following as subparagraph 6:

6. Within any sub-district, the minimum contiguous land area required for Planned Developments shall be four (4) acres.

SECTION TWO. The provisions of this Ordinance are supplemental and shall not be construed to repeal any other ordinance or law.

SECTION THREE. This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

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

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

Nays: None

The vote was then announced by the Assistant City Clerk, whereupon the Presiding Officer set the date for the public hearing as May 14, 2024.

ANNOUNCEMENTS

Councilmember Daves stated that a District 5 community meeting will be held on April 23, 2024, at E.R. Dickson Elementary School at 6:00 p.m.

MINUTES OF APRIL 9, 2024

Councilmember Penn announced the District 1 business owners meeting and the Creighton community meetings were a great success.

Councilmember Penn acknowledged Nija Hill in the auditorium on receiving a letter from President Joe Biden for all her hard work to stop the violence in her community.

Councilmember Gregory stated that the Mobile Botanical Gardens will be celebrating their 50th Anniversary on Thursday, April 11, 2024, at 6:00 p.m.

Councilmember Gregory announced that the 14th Annual Mobile Chocolate Festival will be held on Saturday, April 13, 2024, at The Grounds from 10:00 a.m. – 3:00 p.m.

Councilmember Small thanked citizens for attending the District 3 meeting on last Tuesday.

Councilmember Small announced that a ribbon cutting ceremony for the new recycling center in Dauphin Island Parkway on Monday, April 15, 2024, at 11:30 a.m.

Councilmember Small encouraged citizens to attend the “Money Moves Bootcamp” sponsored by the City on Saturday, April 27, 2024, from 1:30 p.m. – 4:00 p.m.

NOTE: Councilmember Penn stated that the Council did not give anyone in the public permission to use the City Seal.

Councilmember Reynolds moved to adjourn the meeting, 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 Assistant City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:18 p.m.

Adopted:

COUNCIL PRESIDENT

ASSISTANT CITY CLERK