

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 27, 2018

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, November 27, 2018, at 11:00 a.m.

Present:

Chairman: Manzie

Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory

Absent: None

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 1:00 p.m.

The Presiding Officer adjourned the meeting.

Approved: December 4, 2018

COUNCIL VICE PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 27, 2018

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza on Tuesday, November 20, 2018, at 1:00 p.m., in regular meeting.

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

Pastor Ronald O. McCants, Retired Elder of United Methodist Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Manzie

Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory

Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer stated that all cell phones must be turned off and that there will be no hats, hoods, sunglasses or large bags permitted in the meeting room.

1) Any person desiring to address the Council must register upon entering the meeting area. When addressing the Council, the speaker must state his/her name and address.

2) Each speaker is allowed five minutes to address the Council. A bell will sound to indicate the end of 4 minutes. One minute is allowed for summarizing. The second bell indicates the time has expired.

3) To maintain decorum, there will be no undue applause and/or public outcry allowed.

4) When addressing the Council, there is to be no personal address to any individual Councilmember. All statements are to be made to the Chair who will recognize any Councilmember who wishes to respond.

5) Any person desiring to speak to the Council on a non-agenda item must contact the City Clerk's Office no later than 2:00 p.m. on the Thursday prior to the Council Meeting.

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The subject he/she wishes to address must be identified. Any person attending the meeting who has not given proper notice to the Clerk's Office and wishes to speak on a non-agenda item will not be allowed to address the Council.

6) Those persons desiring to speak on agenda items must indicate the resolution, ordinance, appeal, or public hearing item on arrival when signing in for the meeting.

APPROVAL OF MINUTES:

The minutes of the meeting of November 20, 2018 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson announced a one year contract extension between the City and Carnival Cruise Line.

Mayor Stimpson stated the Insurance Services Office (ISO) has now classified the Mobile Fire-Rescue Department (MFRD) with an ISO-1 rating.

MONTHLY FINANCE REPORT:

Paul Wesch, Executive Director of Finance, stated:

“Our October results are in, the first month of the fiscal year. Our sales tax revenues were about \$21,000.00 over budget which is not much; it's about 1/10 of 1%. We mirrored exactly what the State of Alabama saw statewide in sales tax collections. They were up .1%. The rest of our taxes were just about where they needed to be, maybe up just a little. Total revenues, outside of transfers and irregular items, were right at budget. We are hoping that advances some throughout the year, but happy to see we did not go backwards.”

“I want to spend just a moment mentioning something that is going to be a subject of increasing importance as we get towards the regular legislative session in Montgomery. As you may have heard, when it comes to discussions about the gas tax all three of our leaders, from Governor Ivey to President Pro Tempore of the Senate Del Marsh to Speaker of the House Mac McCutcheon, have said that they support an increase in the gas tax to support infrastructure improvements in the state of Alabama. If taxes are increased it is the goal of the City to make sure that the distribution to the City of Mobile is fair.”

“Karen Williamson will show each of you a map our GIS department has produced that shows what the burdens are for the counties and cities in Mobile County and statewide in terms of how much road mileage we have to support relative to each other. The seven darkest blue counties are those where the proportion of road lane mileage is the highest in the incorporated areas in those counties. You see where Mobile is. About half of the road lane mileage in the county is inside the municipal city limits. The lion's share of that of course is within the City of Mobile, but there are large amounts also in Prichard. It would stand to reason that when we talk about taking care of our roads that the City's share should be somewhere around what that burden is relative to the total in the County's. When the gas tax was first discussed the conversation began with the concept of the counties in the state getting 80% of the local distribution and the cities getting 20%. That's a far cry from what our relative burdens are. As we go forward we think that the City and our legislative delegation will come to an agreement on distribution that satisfies the requirements for us to maintain our road lane mileage and that will be a discussion going forward. You may have seen that Representative Drummond has already had a series of meetings around her district about gas tax and where we should end up during the session if a gas tax is passed by the House and the Senate. We will be engaging with the balance of the delegation to make sure that our voices are heard. The seven counties that have the most at stake are probably going to have an interest in this. I don't think the cities are going to want more than what their fair share is, but we would like to see our fair share respected if that legislation goes forward.”

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REPORTS OF COMMITTEES:

None.

ADOPTION OF THE AGENDA:

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

Ayes: Manzie, Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

APPEALS:

The Council considered the request of Leslie and Ernest Hardeman for a waiver of the Noise Ordinance at 1279 Glen Acre Drive East on December 9, 2018, from 2:00 p.m. until 6:00 p.m. (Planning Jurisdiction).

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

Ayes: Manzie, Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

The Council considered the request of Matthew LeMond, Get Wiff It Wiffle Ball League, for a waiver of the Noise Ordinance at 564 Dauphin Street on November 27 and 28, 2018, from 6:30 p.m. until 10:30 p.m. and December 7, 2018, from 8:00 p.m. until 11:30 p.m. (District 2).

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

Ayes: Manzie, Richardson, Small, Williams, Daves, Rich and Gregory
Nays: None

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

PUBLIC HEARINGS:

PUBLIC HEARING TO REZONE PROPERTY AT 916 CHURCH STREET (NORTHEAST CORNER OF CHURCH STREET AND MARINE STREET) FROM B-1 TO R-B (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to rezone property at 916 Church Street from B-1 to R-B 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 at a later date.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

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AGENDA ITEMS:

1. Herb Wagner, 732 Jemison Street, offered comments in reference to Resolution 09-814 and asked the Council to consider funding for sidewalks along Pleasant Valley Road.
2. Herb Wagner, 732 Jemison Street, spoke in opposition to Ordinance 64-032.

NON-AGENDA ITEMS:

1. Anna Katherine Ray, 64 Hawthorne Place North, introduced the Council to the "Girls on the Run" program.
2. Wesley Young, 3058 Jane Street, asked why the 5% raise the Council approved for Public Works employees had not been implemented.

ORDINANCES HELD OVER:

REZONE PROPERTY AT THE NORTHEAST CORNER OF PAPER MILL ROAD AND AFRICATOWN BOULEVARD FROM B-2, R-2 AND I-2 TO I-2 (DISTRICT 2). The following ordinance, which was introduced and read at the regular meeting of Tuesday, November 20, 2018 and held over for one (1) week until the regular meeting of November 27, 2018, was called up by the Presiding Officer.

ORDINANCE: 64-032-2018

Sponsored by: Councilmember Manzie

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

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

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

LOTS 1 THROUGH 3, SCOTT PAPER COMPANY SUBDIVISION, AS RECORDED IN MAP BOOK 64, PAGE 39 OF THE PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

TO WIT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, SCOTT PAPER COMPANY SUBDIVISION, AS RECORDED IN MAP BOOK 64, PAGE 39 OF THE PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA, SAID POINT BEING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF BAY BRIDGE ROAD, (VARIABLE WIDTH PUBLIC RW), WITH THE WEST RIGHT OF WAY LINE OF ALABAMA STATE DOCKS AND TERMINAL RAILROAD, (100-FOOT RAILROAD RW), THENCE S-78°-54'24"-W ALONG THE NORTH RIGHT OF WAY LINE OF SAID BAY BRIDGE ROAD, FOR 204.40 FEET; THENCE N-04°-34'-35"-E LEAVING THE NORTH RIGHT OF WAY LINE OF SAID BAY BRIDGE ROAD, FOR 24.92 FEET; THENCE N-77°-53'-10"-E FOR 41.89 FEET; THENCE N-14°-48'-53"-W FOR 1099.48 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF PAPER MILL ROAD, (VARIABLE WIDTH PUBLIC R/W); THENCE NORTHEASTERLY, ALONG THE EAST RIGHT OF WAY LINE OF SAID PAPER MILL ROAD AND AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 527.50 FEET AND A DELTA ANGLE OF 18°-23'-54", THE CHORD OF WHICH BEARS N-14°36'-09"-E FOR 168.66 FEET, FOR AN ARC DISTANCE OF 169.38 FEET; THENCE N-23°-48'06"-E, ALONG THE EAST RIGHT OF WAY LINE OF SAID PAPER MILL ROAD, FOR 20.35 FEET; THENCE NORTHEASTERLY, ALONG THE EAST RIGHT OF WAY LINE OF SAID PAPER MILL

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ROAD AND AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 517.47 FEET AND A DELTA ANGLE OF 18°-23'-14" THE CHORD OF WHICH BEARS N-18°-06'-22"-E FOR 102.68 FEET, FOR AN ARC DISTANCE OF 102.85 FEET; THENCE N-42°-18'-35" -E, LEAVING THE EAST RIGHT OF WAY LINE OF SAID PAPER MILL ROAD, FOR 390.27 FEET; THENCE N-66°-35'-36"-E FOR 204.48 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF AFORESAID ALABAMA STATE DOCKS AND TERMINAL RAILROAD; THENCE SOUTHERLY, ALONG THE WEST RIGHT OF WAY LINE OF SAID ALABAMA STATE DOCKS AND TERMINAL RAILROAD; AND AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 1861.19 AND A DELTA ANGLE OF 45°-59'-07", THE CHORD OF WHICH BEARS S-00°-44'-39"-E FOR 1424.03 FEET, FOR AN ARC DISTANCE OF 1461.28 FEET; THENCE S-21°-44'-54"-W, ALONG THE WEST RIGHT OF WAY LINE OF SAID ALABAMA STATE DOCKS AND TERMINAL RAILROAD, FOR 304.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 18.2618 ACRES OR 795484 SQUARE FEET, MORE OR LESS.

The classification of said property is hereby changed from B-2, Neighborhood Business District, R-2, Two-Family Residential District, and I-2, Heavy Industry District, to I-2, Heavy Industry District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a I-2, Heavy Industry District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a 1-2, Heavy Industry District, until all of the conditions set forth below have been complied with: 1) completion of the Subdivision process and; 2) full compliance with all municipal codes and ordinances.

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

The ordinance was read by the City Clerk; whereupon Councilmember Richardson moved that the ordinance be adopted, which was seconded by Councilmember Daves. Following comments from Councilmember Manzie the vote was as follows:

Ayes: None

Nays: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

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

RESOLUTIONS HELD OVER:

RE-ALLOCATE \$50,000.00 FROM CAPITAL PROJECT (C0297), 2016 TAP BIT & SPUR 20002000.48040 ADVERTISING FEES, TO GRANT FUND (G-TAPBITSP TAPMB-TA16(946) SIDEWALKS ON BIT & SPUR, DISTRICT 5, 50015001.48010 CONSTRUCTION. The following resolution, which was introduced and read at the regular meeting of Tuesday, November 20, 2018 and held over for one (1) week until the regular meeting of November 27, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-814-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$50,000.00 be reallocated from Capital Project (C0297) 2016 TAP Bit & Spur Sidewalks 20002000.48040 Advertising Fees to Grant Fund (G-TAPBITSP) Transportation Alternative Project TAPMB-TA16(946)-Sidewalks on Bit & Spur Road 50015001.48010 Construction.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

RE-ALLOCATE \$27,000.00 FROM CAPITAL PROJECT (CON05), DISTRICT 5 CONTINGENCY PROJECT 20002000.48040 ADVERTISING FEES, TO GRANT FUND (G-TAPBITSP) TAPMB-TA 16(946) SIDEWALKS ON BIT & SPUR, DISTRICT 5, 50015001.48010 CONSTRUCTION. The following resolution, which was introduced and read at the regular meeting of Tuesday, November 20, 2018 and held over for one (1) week until the regular meeting of November 27, 2018, was called up by the Presiding Officer.

RESOLUTION: 09-815-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$27,000.00 be reallocated from Capital Project (CON05) District 5 Contingency Project 20002000.48040 Advertising Fees to Grant Fund (G-TAPBITSP) Transportation Alternative Project TAPMB-TA16(946) - Sidewalks on Bit & Spur Road 50015001.48010 Construction.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH TAG/THE ARCHITECT'S GROUP, INC. FOR MOBILE, ALABAMA CRUISE TERMINAL-2019 CONSTRUCTION MANAGEMENT SERVICES, \$9,422.40 (CT-005-19; C0259). The following resolution, which was introduced and read at the regular meeting of Tuesday, November 20, 2018 and held over for one (1) week until the regular meeting of November 27, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-816-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: TAG/The Architect's Group, Inc.

Project name: Mobile, Alabama Cruise Terminal
2019 Construction Management Services

Project number: CT-005-19

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Amount: \$9,422.40

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH WATKINS ACY STRUNK DESIGN, INC. FOR MEMORIAL PARK-IMPLEMENTATION AND PHASING PLAN & PHASE I IMPROVEMENTS, \$19,270.00 (PR-049-18; C0369). The following resolution, which was introduced and read at the regular meeting of Tuesday, November 20, 2018 and held over for one (1) week until the regular meeting of November 27, 2018, was called up by the Presiding Officer.

RESOLUTION: 21-817-2018

Sponsored by: Councilmember Manzie and Mayor Stimpson

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

Name of company: Watkins Acy Strunk Design, Inc.

Project name: Memorial Park - Implementation and Phasing Plan & Phase I Improvements

Project number: PR-049-18

Amount: \$19,270.00

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

ORDINANCES BEING INTRODUCED:

REZONE PROPERTY AT 916 CHURCH STREET (NORTHEAST CORNER OF CHURCH STREET AND MARINE STREET) FROM B-1 TO R-B (DISTRICT 2). The following ordinance was held over for one (1) week until the regular meeting of Tuesday, December 4, 2018.

ORDINANCE: 64-033-2018

Sponsored by: Councilmember Manzie

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

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

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

PARCEL B: FROM THE SOUTHEAST CORNER OF GOVERNMENT AND MARINE STREETS, RUN S19d37'E ALONG THE EAST LINE OF MARINE ST 200 FT TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE N71d50'34"E 145.28'; THENCE N69d58'51"E 49.59 FT; THENCE S19d24'12"E 59.23 FT; THENCE S70d14'08"W 35.13 FT; THENCE S19d53'00"E 92.70 FT TO A POINT ON THE NORTH ROW LINE OF CHURCH STREET; THENCE S70d27'17"W ALONG SAID NORTH LINE 159.71 FT TO THE EAST ROW LINE OF MARINE STREET; THENCE N19d41'17"W ALONG SAID EAST LINE 155.18 FT TO THE POINT OF BEGINNING.

PARCEL D: BEGINNING AT A POINT ON THE NORTH SIDE OF CHURCH STREET 294 FT WEST OF BROAD STREET; THENCE S70d27'17"W ALONG THE NORTH SIDE OF CHURCH STREET 48.58 FT TO A POINT; THENCE N19d53'00"W ALONG PROPERTY FORMERLY OF 951 GOVERNMENT STREET, INC. 92.70 FT; THENCE N70d14'06"E ALONG PROPERTY FORMERLY OF 951 GOVERNMENT STREET, INC. AND PROJECTION THEREOF 44.76 FT; THENCE S22d17'51"E 92.98 FT TO THE POINT OF BEGINNING.

The classification of said property is hereby changed from B-1, Buffer Business District to R-B, Residential Business District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in a R-B, Residential Business District, provided, however, that the plans for any structure or building sought to be erected on said property shall be in compliance with the building laws of the City of Mobile, and that any structure shall be approved by the Building Inspector of the City of Mobile, and that any such structure be erected only in compliance with such laws, including the requirements of said Zoning Ordinance of May 16, 1967, and further provided, however, that no lot or parcel of land herein above described shall be used for any use allowed in a R-B, Residential Business District, until all of the conditions set forth below have been complied with: 1) submission of a Subdivision application; and 2) full compliance with all municipal codes and ordinances.

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

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

Councilmember Richardson moved for the suspension of the rules to consider Consent Resolutions 37-819 – 60-823 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

ADHERE TO RESOLUTION 21-792 NOTWITHSTANDING THE OBJECTIONS OF THE MAYOR. The following resolution was introduced by Councilmember Rich.

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RESOLUTION: 21-827-2018

Sponsored by: Councilmember Williams

RESOLUTION ADHERING TO RESOLUTION 21-792 NOTWITHSTANDING THE OBJECTIONS OF THE MAYOR

Due consideration having been given to the "Disapproval of Resolution and Objections" dated November 20, 2018 received from Mayor William S. Stimpson and reported by the City Clerk with respect to Council Resolution 21-792, pursuant to Section 11-44C-28 the City Council, by the required majority vote of the members elected to the Council taken by yeas and nays and spread upon the minutes, hereby adheres to Resolution 21-792 notwithstanding said objections. Resolution 21-792 shall take effect immediately upon the adoption of this Resolution which constitutes passage of Resolution 21-792 over the said Disapproval of Resolution and Objections by the Mayor.

Should the Mayor fail to execute and return the professional services contract with Marion Steinfelds attached to Resolution 21-792 by November 30, 2018 the contract shall then be executed in the name of the City of Mobile, Alabama by the president of the Council. In the event of a vacancy in the office of president of the Council, the contract shall then be executed in the name of the City of Mobile, Alabama by the vice-president of the Council.

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

Ayes: Richardson, Manzie, Small, Williams, Rich and Gregory

Nays: Daves

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR SHELL MERRI MART, 6630 RANGELINE ROAD, SUITE 101. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 37-819-2018

Sponsored by: Councilmember Williams

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

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

Submitted by: Maanki, LLC

Location: Shell Merri Mart
6630 Rangeline Road, Suite 101
Theodore, AL 36582

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER (ON/OFF PREMISES) LICENSE FOR POKE LUAU, 3952-C AIRPORT BOULEVARD. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 37-820-2018

Sponsored by: Councilmember Daves

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

Type of application: Retail Beer (On/Off Premises) License

Submitted by: Poke Luau, LLC

Location: Poke Luau
3952-C Airport Boulevard
Mobile, AL 36608

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A MANUFACTURER LICENSE FOR OLD MAJESTIC BREWING COMPANY, 656 ST. LOUIS STREET. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 37-821-2018

Sponsored by: Councilmember Manzie

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: Manufacturer License

Submitted by: Old Majestic Brewing Company, LLC

Location: Old Majestic Brewing Company
656 St. Louis Street
Mobile, AL 36602

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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

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ASSESS COST FOR REMOVAL OF WEEDS, REPEAT WEED LIEN GROUP #21. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 58-822-2018

A 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 cutting 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 21 shall constitute special assessments against such respective parcels of land; and each such parcel of land is hereby assessed with the amount set opposite its description; and the assessment hereby made and confirmed shall constitute a lien on and against each such respective parcel of land for the amount of each respective assessment so made; and the report made to this body of the costs of removing the noxious or dangerous weeds on or in front of the respective parcels of land is hereby in all respects confirmed.

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

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REPEAT WEED LIEN							
GROUP 21							Res. No.
6/8/2018 1st REPEAT WEED LIEN LETTERS SENT							11-058
11/27/2018 REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST							
Item		Dis	SRO Repeat	Initial Nuisance	Times cut within	Amount Assessed	CBO
No.	Address/Parcel No.		Num	Declaration	36 months		
1	251 Pine St	2	871037	9/6/2016	1	\$ 104.49	
2	8 LeMoyne Pl	2	871039	10/24/2017	1	\$ 120.60	
3	1101 Sutton Ave	3	871041	2/2/2016	2	\$ 254.79	
4	966 Seneca St	3	871042	9/20/2016	1	\$ 122.24	
5	1408 Daytona Dr	3	871044	11/10/2015	3	\$ -	CBO
6	757 Farnell St	3	871045	12/15/2015	3	\$ 282.20	
7	964 Kentucky St	3	871048	9/20/2016	2	\$ 121.34	
8	708 Louise Dr W	3	871049	8/15/2017	1	\$ 188.91	
9	2108 Bucker Pl	3	871052	5/17/2016	2	\$ 184.66	
10	2100 Super St	1	872025	10/24/2017	1	\$ -	CBO
	Parcel No. (29 02 44 0 024 079.XXX)						
11	5913 Theles Dr	6	872026	6/20/2017	1	\$ 252.26	
12	1903 Borer St	2	872027	3/3/2015	1	\$ 184.18	
13	1252 Brussels St	2	874494	2/3/2015	2	\$ 101.84	
14	1338 Adams St	2	874495	9/6/2016	2	\$ 193.48	
15	1651 Wexford St	2	874500	7/12/2016	2	\$ -	CBO
16	1711 Bass Dr	4	874501	10/25/2016	1	\$ -	CBO
17	1201 Hercules St	2	874502	7/12/2016	2	\$ 106.86	
18	1103 Gimon Cir W	3	875204	2/21/2017	3	\$ 174.94	
19	906 Marine St	3	875206	8/15/2017	3	\$ 129.24	
20	1707 Roach St	3	875206	8/15/2017	1	\$ 137.45	
21	220 Abrams St	1	875210	6/20/2017	1	\$ 155.05	
22	315 Burton Ave	1	876316	7/11/2017	1	\$ -	CBO
		Total				\$ 2,814.53	
District total for this group			Numbers of lots cut				
1	2		1	1			
2	7		2	6			
3	10		3	9			
4	1		4	0			
5	1		5	0			
6	1		6	1			
7	0		7	0			
	22			17			
*CBO Cut By Owner							
*N/A Taken out by Inspector			*UDL Undeveloped Lot				
*ADD Added in from other Groups							

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
 Nays: None

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

APPROVE AWARD OF SPECIAL BONUS TO THE FIREFIGHTER OF THE MONTH AS PART OF THE MAYOR'S INCENTIVE PROGRAM, ALTON MILLER, \$500.00. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 60-823-2018

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor, upon the 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 each to the employees on the attached list marked as Exhibit A.

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

MINUTES OF NOVEMBER 27, 2018

Firefighter of the Month			
Last Name	First Name	Award	Date
Miller	Alton	Firefighter of the Month	Nov-18

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

DETERMINE EXPENDITURE OF DISCRETIONARY FUNDS FOR THE CONTRIBUTION TO THE HILLSDALE HEIGHTS HOMEOWNERS ASSOCIATION, INC. SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 60-826-2018

Sponsored by: Councilmember Gregory

RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Gregory wishes to donate \$10,000.00 to the Hillsdale Heights Homeowners Association, Inc., from her discretionary funds] and

WHEREAS, the Hillsdale Heights Homeowners Association, Inc., 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 payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Hillsdale Heights Homeowners Association, Inc. will be used to eliminate slums, blight and to reconstruct three entrances into the neighborhood and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Hillsdale Heights Homeowners Association, Inc., serves a public purpose and further approves and directs the payment of same.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

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

MINUTES OF NOVEMBER 27, 2018

Councilmember Richardson moved for the suspension of the rules to consider Resolution 01-825 being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the item.

RESOLUTIONS BEING INTRODUCED:

AUTHORIZE ADDENDUM NO. 2 TO RESOLUTION 01-602-2015, CRUISE TERMINAL AND BERTHING AGREEMENT WITH CARNIVAL CRUISE LINE. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 01-825-2018

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, the Addendum No. 2 to Cruise Terminal and Berthing Agreement between the City of Mobile and Carnival Cruise Line, a division of Carnival Corporation. A copy of said Cruise-Terminal and Berthing Agreement is on file in the office of the City Clerk.

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

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

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

AUTHORIZE CONTRACT WITH WAYLON WILDLIFE SERVICES, LLC FOR BEAVER REMOVAL/ANIMAL TRAPPING, \$13,200.00. The following resolution was held over for one (1) week until the regular meeting of Tuesday, December 4, 2018.

RESOLUTION: 21-824-2018

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: Waylon Wildlife Services, LLC

Project name: Beaver Removal/Animal Trapping Contract
(Waylon Wildlife Services, LLC)

Estimated cost: \$13,200.00

ANNOUNCEMENTS:

MINUTES OF NOVEMBER 27, 2018

Councilmember Gregory mentioned that Christmas on the Hill this weekend is a good opportunity for citizens to shop local.

Councilmember Gregory announced that the district seven Christmas party will be held December 10, 2018 at the Mobile Museum of Art.

Councilmember Rich announced a community meeting will be held on November 29, 2018, at 6:30 p.m., at the Connie Hudson Senior Center. Also, the district six holiday breakfast will take place Friday, December 7, 2018, 8:30 a.m., at the Connie Hudson Senior Center.

Councilmember Small stated the district three Christmas party will be held on Monday, December 10, 2018, 6:00 p.m., at Maryvale Elementary School.

Councilmember Small invited the public to attend the 4th annual district three Christmas parade on Saturday, December 15, 2018, at 2:00 p.m.

Councilmember Williams invited the public to attend the Tillman's Corner Christmas parade this Saturday at 10:30 a.m.

Councilmember Manzie encouraged residents to join him in celebrating Christmas by the Creek on Sunday, December 9, 2018.

Councilmember Manzie commented that he is looking forward to attending the Chanukah Carnival and public Menorah lighting at Bienville Square on December 4, 2018.

Councilmember Manzie announced the district two Christmas party will be held on Monday, December 17, 2018, 6:00 p.m., at Via.

Councilmember Daves moved to convene into executive session to discuss an economic development project and to not reconvene the regular meeting, which move was seconded by Councilmember Gregory.

Council Attorney Wanda Cochran stated:

"Mr. Britton Bonner, who is the City of Mobile's lawyer that does the negotiation for economic development projects, has a statement to read."

Attorney Britton Bonner stated:

"I have been retained by the City to represent its interest in the negotiations regarding certain recruitment efforts. I provided a letter certifying that the discussion to be held in executive session complies with Alabama Code §36-25A-7 and the subject matters to be covered are proper for executive session. I would remind you that in order to move into executive session you should take a roll call vote announcing that you will or will not come back, which I think you have in your motion, and this discussion should take no more than fifteen minutes depending on how many questions you ask."

The Presiding Officer called for the vote and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the convened into executive session at approximately 2:32 p.m.

Approved: December 4, 2018

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COUNCIL VICE PRESIDENT

CITY CLERK