

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 19, 2021

The Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, January 19, 2021, at 9:00 a.m.

Present:

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

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

Approved:

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, JANUARY 19, 2021

The City Council of the City of Mobile, Alabama met remotely via virtual meeting on Tuesday, January 19, 2021, at 10:30 a.m., in regular meeting.

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

Council President, Levon Manzie, District 2, offered the invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Manzie
Councilmembers: Richardson, Small, Williams, Daves and Gregory
Absent: Rich

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure, to include special provisions to facilitate social distancing because of the Covid-19 virus.

APPROVAL OF MINUTES:

The minutes of the meeting of January 12, 2021, were approved as submitted.

NOTE: Councilmember Daves moved to adopt the Property Purchase Disclosure for the Brookley property purchase, which move was seconded by Councilmember Small and the vote was as follows:

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

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the Property Purchase Disclosure adopted.

COMMUNICATIONS FROM THE MAYOR:

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Mayor Stimpson stated that he will join Councilmember Richardson in a memorial event to remember those who lost their lives to Covid-19.

Mayor Stimpson announced that USA Health is planning a drive-thru Covid-19 vaccinations and an online registry.

Mayor Stimpson reported that he met with local organizations to discuss human trafficking in Mobile.

Mayor Stimpson reflected on Dr. Martin Luther King, Jr.'s message.

ADOPTION OF THE AGENDA:

Councilmember Daves moved to adopt the agenda and to declare the items on the agenda Essential/Covid-19 related, which move was seconded by Councilmember Small and the vote was as follows:

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

Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted and all items declared Essential/Covid-19 related.

PUBLIC HEARINGS

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 908 FAIRMONT STREET, \$4,200.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 908 Fairmont Street and asked if there was anyone present to speak for or against this matter.

Milton Miles, 7441 Carson Road South, requested additional time so he can try to sell the property.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1312 CHARMAINE CIRCLE NORTH, \$2,000.00 (DISTRICT 3).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 1312 Charmaine Circle North 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 at a later date.

PUBLIC HEARING TO FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 422 LINCOLN BOULEVARD, \$1,400.00 (DISTRICT 7).

The Presiding Officer announced that today was the day for the public hearing to fix costs for demolition of the structure at 422 Lincoln Boulevard and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

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PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. Elizabeth Stevens, President & Chief Executive Officer, Downtown Mobile Alliance, made comments regarding Ordinance 57-001.
2. David Clark, President & CEO, Visit Mobile, commented on Ordinance 57-001.

NON-AGENDA ITEMS:

None.

ESSENTIAL/COVID-19 ITEMS HELD OVER:

ORDINANCE TO REZONE PROPERTY LOCATED AT THE EAST TERMINUS OF BLUE RIDGE BOULEVARD, EXTENDING TO THE WEST TERMINUS OF OLD DOBBIN DRIVE NORTH, THE WEST TERMINUS OF HARNESS WAY, THE NORTH TERMINUS OF CREEKLINE DRIVE AND THE NORTH TERMINUS OF VALLEYDALE DRIVE FROM R-1, R-2, AND B-1 TO R-1 (DISTRICT 6). The following ordinance, which was introduced and read at the regular meeting of October 13 and 20, 2020 and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

ORDINANCE: 64-036-2020

Sponsored by: Councilmember Rich

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 A:

COMMENCING AT A POINT ON THE EAST LINE OF THE NORTHEAST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 5 SOUTH RANGE 2 WEST, MOBILE COUNTY, ALABAMA WHERE IT IS INTERSECTED BY THE SOUTH RIGHT OF WAY LINE OF A 40 FOOT SERVICE ROAD SOUTH OF AND PARALLEL WITH COTTAGE HILL ROAD, SAID POINT BEING THE NORTHEAST CORNER OF ASHVILLE, UNIT ONE, ACCORDING TO PLAT RECORDED IN MAP BOOK 66 PAGE 111 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, RUN SOUTH 00 DEGREES 09 MINUTES 20 SECONDS WEST ALONG THE EASTERN BOUNDARY OF ASHVILLE, UNIT ONE 280.70 FEET TO A POINT; THENCE CONTINUING ALONG SAID EASTERN BOUNDARY OF ASHVILLE, UNIT ONE RUN NORTH 89 DEGREES 18 MINUTES 55 SECONDS EAST 221.41 FEET TO A POINT; THENCE CONTINUING ALONG SAID EASTERN BOUNDARY RUN SOUTH 68 DEGREES 34 MINUTES 44 SECONDS EAST 130.86 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT TWO, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 24, PAGE 92 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT TWO, RUN AS FOLLOWS: SOUTH 16 DEGREES 14 MINUTES 47 SECONDS WEST 111.93 FEET, SOUTH 22 DEGREES 30 MINUTES 13 SECONDS EAST 170.00 FEET, SOUTH 04 DEGREES 24 MINUTES 43 SECONDS EAST 109.05 FEET, SOUTH 17 DEGREES 08 MINUTES 07

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SECONDS WEST 70.0 FEET, SOUTH 00 DEGREES 08 MINUTES 07 SECONDS WEST 665.10 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT FOUR, ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 31 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS UNIT FOUR, RUN AS FOLLOWS: SOUTH 42 DEGREES 38 MINUTES 07 SECONDS WEST 158.00 FEET SOUTH 19 DEGREES 08 MINUTES 51 SECONDS WEST 32.09 FEET, SOUTH 11 DEGREES 06 MINUTES 39 SECONDS EAST 170.00 FEET, SOUTH 00 DEGREES 36 MINUTES 39 SECONDS EAST 250.0 FEET, SOUTH 21 DEGREES 36 MINUTES 39 SECONDS EAST 260 FEET, NORTH 69 DEGREES 08 MINUTES 38 SECONDS EAST 71.40 FEET, SOUTH 08 DEGREES 15 MINUTES 32 SECONDS WEST 225.00 FEET, SOUTH 04 DEGREES 45 MINUTES 32 SECONDS WEST 205.00 FEET TO THE SOUTHWEST CORNER OF SAID CARRIAGE HILLS, UNIT FOUR; THENCE ALONG THE SOUTHERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT FOUR, RUN SOUTH 71 DEGREES 14 MINUTES 28 SECONDS EAST 170.00 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT FIVE ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 51 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILLS, UNIT FIVE, RUN SOUTH 39 DEGREES 05 MINUTES 43 SECONDS EAST 44.49 FEET TO THE NORTHWEST CORNER OF CARRIAGE HILLS, UNIT SIX ACCORDING TO PLAT RECORDED IN MAP BOOK 26 PAGE 109 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE WESTERN BOUNDARY OF SAID CARRIAGE HILL, UNIT SIX, RUN AS FOLLOWS: SOUTH 35 DEGREES 47 MINUTES 57 SECONDS WEST 344.67 FEET, SOUTH 82 DEGREES 11 MINUTES 57 SECONDS WEST 84.95 FEET, SOUTH 00 DEGREES 12 MINUTES 03 SECONDS EAST 750.00 FEET, SOUTH 13 DEGREES 00 MINUTE 57 SECONDS WEST 215.05 FEET TO THE NORTHEAST CORNER OF CHELSEA, UNIT TWO, ACCORDING TO PLAT RECORDED IN MAP BOOK 58 PAGE 121 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE NORTHERN BOUNDARY OF SAID CHELSEA, UNIT TWO RUN AS FOLLOWS: NORTH 67 DEGREES 58 MINUTES 45 SECONDS WEST 23.28 FEET, SOUTH 73 DEGREES 23 MINUTE 36 SECONDS WEST 37.80 FEET, SOUTH 88 DEGREES 01 MINUTES 28 SECONDS WEST 100.40 FEET, NORTH 78 DEGREES 17 MINUTES 13 SECONDS WEST 38.00 FEET, SOUTH 73 DEGREES 35 MINUTES 25 SECONDS WEST 45.53 FEET, SOUTH 83 DEGREES 56 MINUTES 56 SECONDS WEST 82.26 FEET, SOUTH 80 DEGREES 05 MINUTES 10 SECONDS WEST 84.51 FEET, SOUTH 77 DEGREES 36 MINUTES 42 SECONDS WEST 96.74 FEET, SOUTH 69 DEGREES 00 MINUTES 48 SECONDS WEST 145.45 FEET, NORTH 66 DEGREES 00 MINUTES 52 SECONDS WEST 87.50 FEET, NORTH 70 DEGREES 01 MINUTES 43 SECONDS WEST 28.57 FEET, SOUTH 80 DEGREES 43 MINUTES 13 SECONDS WEST 55.18 FEET, SOUTH 44 DEGREES 07 MINUTES 19 SECONDS WEST 42.54 FEET, SOUTH 70 DEGREES 36 MINUTES 08 SECONDS WEST 149.28 FEET, SOUTH 44 DEGREES 56 MINUTES 38 SECONDS WEST 250 FEET, MORE OR LESS TO THE CENTER OF MILKHOUSE CREEK THENCE ALONG THE MEANDERING OF SAID CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 1350 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SHADOW CREEK, ACCORDING TO PLAT RECORDED IN MAP BOOK 84 PAGE 40 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF SAID SHADOW CREEK, SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 200 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SHADOW CREEK, SAID CORNER BEING THE SOUTHEAST CORNER OF CHARLESTON OAKS, UNIT FOUR, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 52 PAGE 77 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF SAID CHARLESTON OAKS, UNIT FOUR SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 620 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF SAID CHARLESTON OAKS, UNIT FOUR, SAID POINT BEING THE SOUTHEAST CORNER OF CHARLESTON OAKS, UNIT FIVE ACCORDING TO PLAT RECORDED IN MAP BOOD 53 PAGE 31 OF THE AFOREMENTIONED PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA; THENCE ALONG THE EASTERN BOUNDARY OF CHARLESTON OAKS, UNIT FIVE,

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SAID EASTERN BOUNDARY BEING THE CENTER OF MILKHOUSE CREEK, RUN NORTHWARDLY 1670 FEET MORE OR LESS, TO THE NORTHEAST CORNER OF SAID CHARLESTON OAKS, UNIT FIVE, SAID POINT BEING ON THE NORTH LINE THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 5 SOUTH RANGE 2 WEST; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5 TOWNSHIP 5 SOUTH RANGE 2 WEST, RUN SOUTH 89 DEGREES 50 MINUTES 05 SECONDS EAST 843.76 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 5, TOWNSHIP 5 SOUTH, RANGE 2 WEST; THENCE ALONG THE EAST LINE RUN NORTH 00 DEGREES 09 MINUTES 20 SECONDS WEST 25.00 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 50 MINUTES 05 SECONDS WEST 451 FEET, MORE OR LESS TO THE CENTER OF MILKHOUSE CREEK; THENCE ALONG SAID CENTER OF MILKHOUSE CREEK RUN NORTHWARDLY 344 FEET, MORE OR LESS TO A POINT THAT WOULD BE A WESTWARD EXTENSION OF THE SOUTHERN BOUNDARY OF THE AFOREMENTIONED ASHVILLE, UNIT ONE; THENCE ALONG SAID EXTENSION AND ALONG SAID SOUTHERN BOUNDARY OF ASHVILLE, UNIT ONE, RUN NORTH 76 DEGREES 18 MINUTES 45 SECONDS EAST 404 FEET MORE OR LESS TO A POINT; THENCE CONTINUING ALONG SAID SOUTHERN BOUNDARY OF ASHVILLE, UNIT ONE RUN NORTH 85 DEGREES 48 MINUTES 45 SECONDS EAST 238.07 FEET TO A POINT; THENCE ALONG THE SOUTHEASTERN BOUNDARY OF ASHVILLE, UNIT ONE, RUN AS FOLLOWS: NORTH 38 DEGREES 35 MINUTES 05 SECONDS EAST 150.00 FEET, NORTH 34 DEGREES 37 MINUTES 21 SECONDS EAST 50.12 FEET, NORTH 43 DEGREES 05 MINUTES 05 SECONDS EAST 165.00 FEET, NORTH 51 DEGREES 09 MINUTES 25 SECONDS EAST 170.38 FEET TO THE POINT OF BEGINNING.

PARCEL B:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 8, TOWNSHIP 5, RANGE 2 WEST, ST. STEPHENS MERIDIAN AND RUN SOUTH 89 DEGREES 33 MINUTES 29 SECONDS EAST, FOR A DISTANCE OF 1330.59 FEET FOR A POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 12 MINUTES 50 SECONDS WEST, 3050.01 FEET; THENCE RUN NORTHEASTWARDLY 380 FEET, MORE OR LESS, THENCE RUN NORTHWARDLY 830 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF UNO SUBDIVISION, PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN MAP BOOK 121, PAGE 22; THENCE RUN SOUTH 88 DEGREES 02 MINUTES 54 SECONDS WEST, 63.01 FEET; THENCE RUN NORTH 00 DEGREES 12 MINUTES 28 SECONDS EAST, 276.71 FEET; THENCE RUN SOUTH 88 DEGREES 47 MINUTES 57 SECONDS EAST, ALONG THE SOUTH MARGIN OF SHADOW CREEK SUBDIVISION, AS SHOWN ON MAP OR PLAT THEREOF RECORDED IN MAP BOOK 84, PAGE 40, FOR A DISTANCE OF 615 FEET, MORE OR LESS TO A POINT IN THE CENTER OF MILKHOUSE CREEK; THENCE RUN SOUTHWARDLY ALONG THE CENTERLINE OF THE MEANDERINGS OF MILKHOUSE CREEK A DISTANCE OF 1350 MORE OR LESS, TO A POINT ON THE NORTH BOUNDARY OF CHELSEA SUBDIVISION, UNIT TWO AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MAP BOOK 58, PAGE 121, THENCE RUN SOUTH 44 DEGREES 56 MINUTES 38 SECONDS WEST, A DISTANCE OF 42 FEET, MORE OR LESS, THENCE RUN SOUTH 17 DEGREES 28 MINUTES 54 SECONDS EAST, ALONG THE WEST LINE OF SAID CHELSEA SUBDIVISION, UNIT TWO AND ALSO CHELSEA SUBDIVISION, UNIT ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT MAP BOOK 39, PAGE 82, FOR A DISTANCE OF 890.57 FEET, THENCE RUN SOUTH 14 DEGREES 34 MINUTES 24 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN SOUTH 04 DEGREES 54 MINUTES 01 SECONDS WEST A DISTANCE OF 430.02 FEET, THENCE RUN SOUTH 16 DEGREES 37 MINUTES 54 SECONDS EAST, A DISTANCE OF 659.14 FEET; THENCE RUN SOUTH 25 DEGREES 35 MINUTES 52 SECONDS EAST, A DISTANCE OF 405.03 FEET; THENCE RUN SOUTH 39 DEGREES 35 MINUTES 49 SECONDS EAST, A DISTANCE OF 200.01 FEET; THENCE RUN SOUTH 00 DEGREES 35 MINUTES 58 SECONDS EAST, A DISTANCE OF 360.02 FEET; THENCE RUN SOUTH 20 DEGREES 42 MINUTES 15 SECONDS EAST, A DISTANCE OF 278.19 FEET; THENCE RUN SOUTH 56 DEGREES 34 MINUTES 43 SECONDS, A DISTANCE

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OF 412.01 FEET, THENCE RUN NORTH 89 DEGREES 33 MINUTES 29 SECONDS, A DISTANCE OF 1673.23 FEET TO THE POINT OF BEGINNING.

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

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

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until February 2, 2021, which was seconded by Councilmember Small and the vote was as follows:

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

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

ORDINANCE TO AMEND CHAPTER 34 OF THE CITY CODE REGARDING SHORT-TERM LODGING OR RENTALS. The following ordinance, which was introduced and read at the regular meeting of November 3 and 10, 2020, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

ORDINANCE: 34-040-2020

Sponsored by: Councilmembers Manzie and Gregory

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

Section One. Findings and Purpose.

a) The City Council desires to make it clear that any person or entity providing short-term lodging or rentals as referenced in this Ordinance is a "business" required to obtain a "business license" as defined in Article III of Chapter 34 of the Mobile City Code.

b) The City Council desires to set forth requirements for how owners and/or managers of real property, who intend to rent said property on a short-term basis, apply for and receive a business license.

c) The City Council hereby finds that the City's regulation of short-term rental uses is a valid exercise of the City's police power conferred by Code of Ala. 1975, § 11-45-1 and its licensing power conferred by Code of Ala. 1975, § 11-51-90, and furthers the legitimate governmental interests of the City.

Section Two. Amendment of Article III, Chapter 34, of the Mobile City Code.

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That the Schedule of Licenses section set forth in Article III of Chapter 34 of the Mobile City Code titled “Business License Code and Schedule of Licenses,” is hereby amended to add an additional business activity category as follows:

721199	237.0A	Short-term rentals – rentals of rooms, buildings, houses or other structures to be used as a sleeping place by one or more persons for less than one-hundred and eighty (180) consecutive days per rental period (excludes 721310, 721313, 721311 and 721111).	0.003259
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Section Three. Amendment of and Addition to Chapter 34 of the Mobile City Code.

That Chapter 34 of the Mobile City Code is hereby amended to add a new article entitled “Additional Requirements for the Issuance of a Business License to Provide Short-Term Lodging or Rentals” set forth as follows:

Section I. Definitions.

- a) “Business license” has the same meaning set forth in Sec. 34-43 of the Mobile City Code.
- b) “Dwelling” means a structure or the part of a structure, including a manufactured home, that is or can be utilized as a sleeping place by one or more persons.
- c) “Short-term rental” means the rental of a Dwelling for less than one-hundred eighty (180) consecutive days per rental period, and also means “short-term lodging” as set forth in Article III, Chapter 34, of the Mobile City Code.
- d) “Short-term rental manager” means any person or entity that arranges the rental, cleaning, listing, advertising, management, or otherwise assists in the operation of a Short-term rental for a profit. Short-term rental manager does not include listing services or online platforms for Short-term rental listings.
- e) “Short-term rental unit” means the Dwelling that is offered, available or held out for Short-term rental purposes.

Section II. Short-term rentals –Generally.

- a) A valid City of Mobile Business license must be obtained for each Short-term rental and the business license number must be stated on any advertisement or listing for a Short-term rental.
- b) The name and telephone number of a local responsible party shall be conspicuously posted within each Short-term rental unit. The local responsible party shall answer and respond to calls twenty-four (24) hours a day, seven (7) days a week for the duration of each Short-term rental period to address problems or complaints associated with the Short-term rental unit.

Section III. Building code compliance required; Safety features.

- a) Every Short-term rental must meet applicable building and fire codes and be equipped with the following safety equipment and features:
 - 1) Operational smoke and carbon monoxide detectors.
 - 2) One (1) 2.5 lb. Class A-B-C fire extinguisher per floor.
 - 3) Prominently displayed and legible 9-1-1 address on building exterior.
- b) To obtain a Short-term rental Business license or renewal thereof the person or entity applying for same must submit a notarized affidavit to the City of Mobile Revenue Department attesting that the requirements of the Section have been met.

Section IV. Designation of agent; Short-term rental managers.

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a) In order to be eligible for a Short-term rental Business license the person or entity desiring to offer a Short-term rental must be the owner of the Short-term rental unit proposed to be covered under the license or possess a letter from the unit's owner designating the person or entity as the owner's designated agent for such purpose.

b) Any person or entity operating as a Short-term rental manager that is not also the owner of the property proposed to be covered under the license must obtain their own separate Business license pursuant to the Mobile City Code, and must be professionally licensed if required by Alabama law.

Section Four. Existing Law; Nonconforming Use Provision.

All other provisions and sections set forth in the Mobile City Code not specifically amended herein shall remain in full force and effect. All Short-term rentals in operation as of the effective date of this Ordinance that are or are alleged to be in violation of the City of Mobile Zoning Ordinance are hereby deemed a "nonconforming use" as defined in Mobile City Code 64-2 as of said effective date.

Section Five. Severability.

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

Section Six. Effective Date.

The Ordinance shall be effective within the corporate limits and police jurisdiction of the City of Mobile on January 1 of the first year following its enactment and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of July 6, 2021, which was seconded by Councilmember Small and the vote was as follows:

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

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

ORDINANCE PERTAINING TO ANIMAL TETHERING. The following ordinance which was introduced and read at the regular meeting of December 22, 2020, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

ORDINANCE: 07-043-2020

Submitted by: Councilmember Richardson

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

Section 1:

Sec. 7-23. of the Mobile City Code, 1991, is hereby amended and restated in its entirety to read as follows:

Sec. 7-23. Animals at large; Tethering

a) It shall be unlawful for any Person to allow any Animal in his control or possession to go, stray or wander upon the public right of way or property of another Person. An Animal is running at large if it is not under control of the Owner and is not:

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(1) Confined within a fence, electronic fence, wall, or other enclosure in such a manner so as to effectively prevent the Animal from traveling onto the public right of way or property of another Person;

(2) On a leash not more than ten (10) feet in length and secured by a collar or harness; or,

(3) On a single Animal trolley or pulley system on a cable run that is fixed in a manner allowing smooth freedom of movement of the Animal without becoming tangled, wrapped around an object or shortened, and:

(A) is at least twelve (12) feet in length and mounted between four (4) and seven (7) feet off the ground, but does not allow the Animal access to the public right of way or property of another Person;

(B) allows the Animal access to water and Shelter;

(C) is an appropriate strength and weight given the size of the Animal and is affixed to the Animal by a proper fitting nylon or leather harness or collar with swivel attachment; choke, pinch and prong collars are prohibited for this purpose.

b) Sub-section a), above, shall not apply to an Animal that is:

(1) At a designated Animal or Dog park or in attendance at any legal event in which the Animal is a permitted attendee;

(2) Actively shepherding or herding cattle or livestock or assisting in cultivating agricultural products;

(3) Under the care of a veterinarian or groomer;

(4) Being utilized or trained in a law enforcement capacity;

(5) Being legally used for hunting.

c) It shall be unlawful for any Person to allow any Animal in his control or possession to be tied, leashed or chained to a doghouse, tree, post, stake, barrel, or other stationary object for a time period exceeding fifteen (15) minutes unless its Owner is physically present within sight of the Animal.

Section 2 - Miscellaneous Provisions:

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

(b) This Ordinance shall become effective within the City of Mobile sixty (60) days after its adoption and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of February 2, 2021, which was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Small, Williams, Daves and Gregory

Nays: None

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

APPROVE PURCHASE ORDER TO OCTANE FORKLIFTS INC. FOR ELECTRIC FORKLIFT, \$28,145.00. The following resolution, which was introduced and read at the

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regular meeting of January 12, 2021, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-003-2021

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>2369</u>	2021	(F7000) MOTOR POOL	2021 OCTANE FB20 ELECTRIC FORKLIFT (SEALED BID #5501)	\$28,145.00	<u>(296809)</u> <u>OCTANE</u> <u>FORKLIFTS INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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

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

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

APPROVE PURCHASE ORDER TO TRANE US INC. FOR FOUR GAS/ELECTRIC ROOFTOP HVAC UNITS FOR HARMON RECREATION CENTER, \$42,164.00. The following resolution, which was introduced and read at the regular meeting of January 12, 2021, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

RESOLUTION: 08-004-2021

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>3583</u>	2021	(3035) FACILITY MAINTENANCE	4 GAS/ELECTRIC ROOFTOP HVAC UNITS FOR HARMON REC CENTER (US COMMUNITIES COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$42,164.00	<u>(293908) TRANE US INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

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

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

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

ALLOCATE \$200,000.00 FROM THE STORM WATER FUND TO THE OSPREY CONTRACT AND OTHER STORM WATER MANAGEMENT ACTIVITIES. The following resolution, which was introduced and read at the regular meeting of January 12, 2021, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

RESOLUTION: 09-005-2021

Sponsored by: Mayor Stimpson

WHEREAS, THE CITY COUNCIL OF THE CITY OF MOBILE adopted Ordinance Number 01-024 on August 21, 2018, levying a storm water fee on Residential and Commercial Property to support the Storm Water Management Program (MS4); and

WHEREAS, Ordinance No. 01-024 is now codified at Article III, Chapter 17 of the Mobile City Code; and

WHEREAS, Sec. 17-47 of the Mobile City Code states:

“The storm water fees levied and collected pursuant to this division shall be deposited into a fund known as storm water fund to be designated for expenses incurred complying with the City’s NPDES permit for operations of its MS4, including but not limited to eliminating floatables from and improving water quality in the rivers, streams and waterways of the city and other storm water management activities required by the City’s storm water

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management program. All amounts remaining in the fund at the end of the fiscal year shall not lapse but shall retain their dedication to storm water purposes.”

WHEREAS, The Revenue Commissioner of Mobile County assessed, collected, enforced and remitted the fees to the City of Mobile; and

WHEREAS, in order for such funds to be utilized for the purposes set forth in section 17-47, the Mobile City Council desires to allocate the funds to a capital projects;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$200,000.00, currently deposited in the Storm Water Fund, be allocated to Capital Project #C0446 Municipal Storm Water Fees Project for the Osprey contract and other additional storm water management activities.

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

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

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

AUTHORIZE CONTRACT WITH J. PAYNE ORGANIZATION, LLC, FOR LYONS PARK – IMPROVEMENTS PHASE 1, \$488,600.00 (2020 CIP D2). The following resolution, which was introduced and read at the regular meeting of January 12, 2021, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-006-2021

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: J Payne Organization, LLC
Project Name: Lyons Park – Improvements Phase 1
Project Number: PR-040-20
Amount: \$488,600.00 (2020 CIP ID#2035 D2)

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

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

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

AUTHORIZE CONTRACT WITH J. PAYNE ORGANIZATION, LLC FOR SAM STOTTS PARK – IMPROVEMENTS PHASE 2, \$400,000.00 (2020 CIP D4). The following resolution, which was introduced and read at the regular meeting of January 12, 2021, and

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held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

RESOLUTION: 21-007-2021

Sponsored by: Councilmember Williams & 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, that is necessary to perform essential minimum functions of the Council, 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: J Payne Organization, LLC

Project Name: Sam Stotts Park – Improvements Phase 2

Project Number: PR-044-20 (2020 CIP ID#2053)

Amount: \$400,000.00

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

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

Nays: None

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

ACCEPT DEEDS FOR THE ACQUISITION OF PROPERTY FOR MCGREGOR AVENUE WIDENING FROM DAUPHIN STREET TO AIRPORT BOULEVARD, \$71,600.00. The following resolution, which was introduced and read at the regular meeting of January 12, 2021, and held over until the regular meeting of January 19, 2021, was called up by the Presiding Officer.

RESOLUTION: 23-008-2021

Sponsored by: Councilmember Daves & Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and hereby are, authorized to accept Deeds for the acquisition of right-of-way tracts for City Engineering Project No. 2013-202-07; ALDOT Project No. STPMB-7508(600) McGregor Avenue Widening from Dauphin Street to Airport Boulevard as set out in the instruments attached hereto for the price of \$71,600.00.

Said property is being conveyed to the City of Mobile in accordance with that certain Agreement for Right-of-Way Acquisition between the State of Alabama (“ALDOT”) and the City of Mobile as adopted by Resolution #01-290 on July 31, 2012.

Be it resolved that the Executive Director of Finance be and is authorized and directed to request acquisition funds from ALDOT in the amount of the sales price less prorated share of property taxes payable to Jones Walker, LLP.

Be it further resolved that the City Engineer and/or Deputy Director of Real Estate Asset Management of the City of Mobile is hereby authorized and directed to execute for and in the name and on behalf of the City of Mobile whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

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Be it finally resolved that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

This Resolution amends and replaces City Council Resolution 23-891 adopted December 15, 2020.

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

Ayes: Richardson, Manzie, Small, Williams, Daves 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 ESSENTIAL/COVID-19 ITEMS BEING INTRODUCED FOR THE FIRST TIME.

Councilmember Daves moved for the suspension of the rules to consider Essential/Covid-19 items 57-001, 03-027 – 03-028, 37-034 – 60-039 being introduced for the first time. The motion was seconded by Councilmember Williams and the vote was as follows:

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

Nays: None

The Presiding Officer declared unanimous consent granted for the items.

ESSENTIAL/COVID19 ITEMS BEING INTRODUCED:

AMEND CHAPTER 57, ARTICLE II, DIVISION 2 OF THE MOBILE CITY CODE TO ADD A NEW SECTION ON FOOD TRUCKS. The following ordinance was introduced by Councilmember Daves.

ORDINANCE: 57-001-2021

Sponsored by: Councilmember Manzie

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that Chapter 57, Article II, Division 2 of the Mobile City Code, 1991, is hereby amended to be titled with the heading "Food Trucks" and to add new code sections therein as follows:

Section One. Definitions.

Food truck means a food service establishment (as defined in Chapter 34, Mobile City Code, 1991) that is mobile and located upon or within a vehicle, or which can be pulled by a vehicle, or which can be pulled or pushed by human or animal power (such as a pushcart), where food or beverage is cooked, prepared and/or served. This definition shall not apply to coffee, frozen dessert or ice cream trucks that move from place to place and are stationary in the same location for no more than 15 minutes at a time.

Section Two. Locations.

Subject to the restrictions and limitations set forth in this ordinance. Food trucks may operate in parking spaces within the public right-of-way, on City owned property at locations and times as may be approved by the City department in primary control of such property, and in such other areas as may be permitted by the City's zoning ordinance. Provided, that Food trucks may not operate on the public right-of-way within fifty (50) feet of the primary entrance of any type of restaurant, as defined in Sec. 64-2, Mobile City Code, 1991, located within a permanent structure or building.

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Section Three. Specific Regulations.

In addition to any and all other ordinances, laws, rules and regulations, Food Trucks shall:

- a) Display a valid City of Mobile business license and any food or health permit required by law.
- b) Continuously contain and police waste and refuse.
- c) Provide a trash receptacle for use by customers.
- d) Service/replenish the Food Truck on a daily basis. This includes getting fresh water, disposing of waste and refuse and restocking supplies.
- e) Provide exterior lighting which must be hooded or shielded so that the light source is not scattering light to surroundings other than to the Food truck and its adjacent service area.
- f) Not utilize City utility connections.
- g) Not leave any location without first picking up, removing and disposing of all waste and refuse remaining from sales made by the Food truck.
- h) Not solicit or conduct business with occupants of a motor vehicle.
- i) Not create sound or permit sound to emit from any device, including but not limited to, loud mechanisms, or equipment which produces a loud and raucous noise (except for generators as further set forth in this ordinance); or operate any loud speaker, public address system, radio, music player, sound amplifier or similar device to attract attention of the public or otherwise.
- j) Not operate generator(s) with a total sound level that exceeds sixty-five (65) dbA.
- k) If operating on a public right-of-way or City property contain food preparation within the Food truck.
- l) If operating on a public right-of way park at least twenty (20) feet from any intersection,
- m) If operating on a public right-of-way distribute food/beverage away from vehicular traffic flow.
- n) If operating on a public right-of-way utilize no more than two parking spaces,
- o) Only operate on public right-of-way between the hours of 6:00 a.m. and 10:00 p.m., provided, however, that Food Trucks may operate within the Downtown Development District during the same hours bars and restaurants may operate within that area,
- p) Be subject to payment of any and all applicable parking fees.
- q) If operating in a City park, obtain a permit, follow applicable park rules, regulations and policies, and pay a permit fee, on an annual, quarterly, or daily basis, in an amount to be established by the City Parks and Recreation Department but not to cumulatively exceed \$150.00 per year.
- r) Not obstruct traffic or the public right-of-way or public sidewalks or walkways,
- s) If operating on the public right-of-way not be left overnight or unattended at any time,
- t) Not burn wood or charcoal or produce smoke while operating on the public right-of-way.

Section Four. Penalty.

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It shall be unlawful for any person or entity to violate any of the provisions of this Ordinance. Any person or entity found guilty of violating any provision of this Ordinance shall, upon conviction for such violation, be punished by a fine of one hundred fifty dollars (\$150.00).

BE IT FURTHER ORDAINED that Sec. 1-31, Mobile City Code, 1991, is hereby amended to include and reference this Ordinance on the table(s) set forth therein.

BE IT FURTHER ORDAINED that Sec. 1-32, Mobile City Code, 1991, the Schedule of Fines, is hereby amended to include and reference this Ordinance and the above stated minimum fine in the table(s) set forth therein.

BE IT FURTHER ORDAINED that:

a) All City Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

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

c) The Ordinance shall be effective within the corporate limits and police jurisdiction of the City of Mobile immediately upon its enactment and publication as required by law.

The ordinance was read by the City Clerk; whereupon Councilmember Daves moved that the ordinance be held over until the regular meeting of February 17, 2021, which was seconded by Councilmember Williams and the vote was as follows:

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

Nays: None

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

ORDINANCE DEEMING VACANT PROPERTY ALONG DOG RIVER ROAD NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSE AND AUTHORIZING THE SALE TO MJM, LLC. The following resolution was held over until the regular meeting of January 26, 2021.

ORDINANCE: 88-002-2021

Sponsored by: Mayor Stimpson

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to MJM, LLC, an Alabama limited liability company.

SEE ATTACHED EXHIBIT 'A'

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Purchase and Sale Agreement for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

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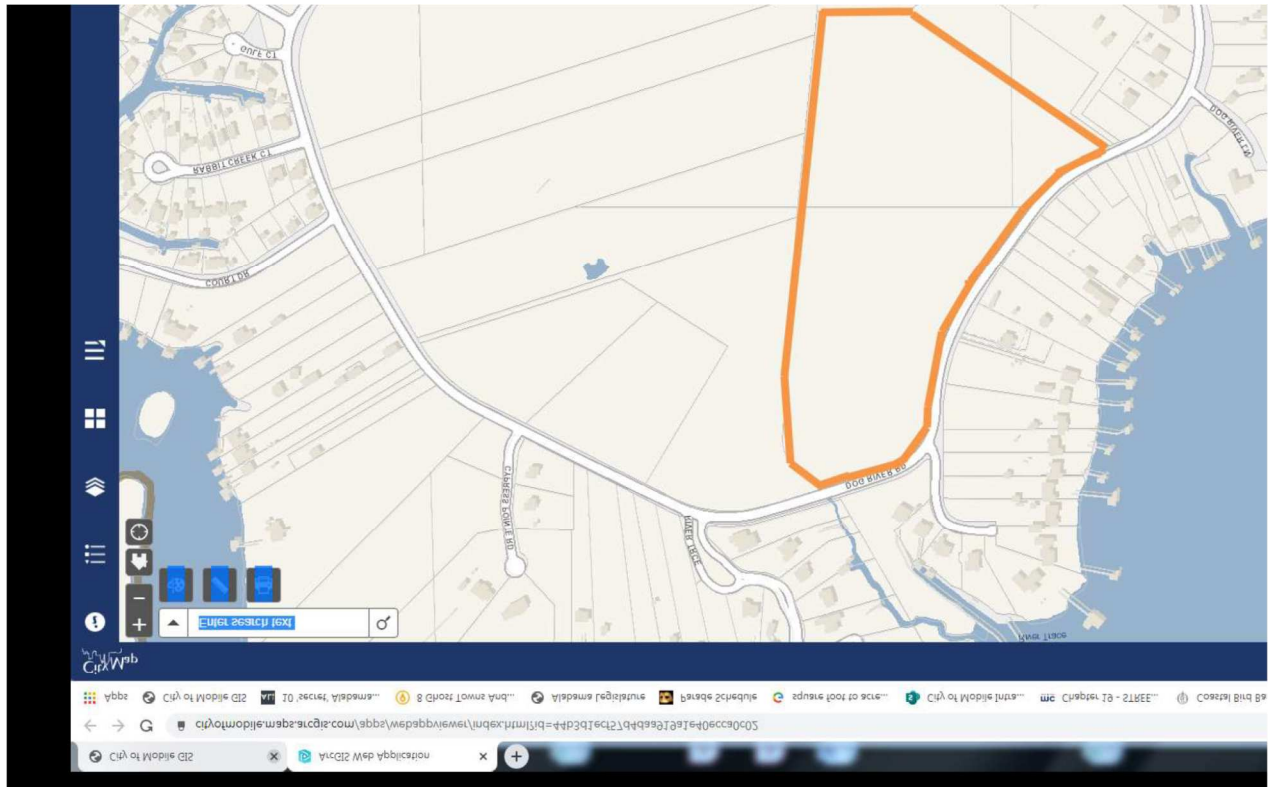
SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

SECTION FIVE: The Deputy Director of Real Estate and Asset Development of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION SIX: The proceeds from this sale are to be placed in the Public Facility Improvement Fund.

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

SECTION EIGHT: The City Council of the City of Mobile, Alabama, finds that this ordinance is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.



Commencing at the southwest corner of Section 1, T5S-R1W, said section being the northeastern Division of the Private Claim of Mary Rochon on Hollingers Island, Mobile County, Alabama; thence run south 89 degrees 35 minutes 46 seconds east 30 feet to a point; thence run north 00 degrees 24 minutes 14 seconds east 18.82 feet to a point on the east right of way line of Old Range Line Road; thence along said east line of Old Range Line Road run north 00 degrees 24 minutes 14 seconds east 6241.02 feet to the P.C. of a curve to the left having a central angle of 45 degrees 39 minutes 28 seconds and a radius of 872.46 feet; thence continuing along said east line of Old Range Line Road run northwestwardly along the arc of said curve 695.24 feet to the P.T. of said curve; thence continuing along said east line of Old Range Line Road run north 45 degrees 15 minutes 14 seconds west 243.75 feet to the P.C. of a curve to the right having a central angle of 61 degrees 00 minutes and a radius of 400 feet; thence continuing along said east line of Old Range Line Road and along the east right of way line of Dog River Road run northwardly along the arc of said curve 425.86 feet to the P.T. of said curve; thence continuing along said east line of Dog River Road run north 15 degrees 44 minutes 46 seconds east 362.03 feet to the P.C. of a curve to the right having a central angle of 14 degrees 48 minutes 14 seconds and a radius of 1194.02 feet; thence continuing along said east line of Dog River Road run northwardly along the arc of said curve 308.51 feet to the P.T. of said curve; thence continuing along said east line of Dog River Road run

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north 30 degrees 33 minutes east 574.04 feet to the P.C. of a curve to the right having a central angle of 33 degrees 00 minutes and a radius of 783.99 feet; thence continuing along said east line of Dog River Road run northeastwardly along the arc of said curve 451.55 feet to the P.T. of said curve; thence along the south right of way line of said Dog River Road run north 63 degrees 33 minutes east 950.0 feet to the P.C. of a curve to the right having a central angle of 42 degrees 15 minutes and a radius of 457.64 feet; thence continuing along said south line of Dog River Road run eastwardly along the arc of said curve 337.46 feet to the P.T. of said curve; thence continuing along said south line of Dog River Road run south 74 degree 12 minutes east 327.25 feet, more or less, to the approximate centerline of a low area; said point being the point of beginning of the property herein described; thence continuing south 74 degrees 12 minutes east along said south line of Dog River Road run 290 feet, more or less, to the P.C. of a curve to the right having a central angle of 70 degrees 49 minutes 16 seconds and a radius of 276.62 feet, thence continuing along said south line of Dog River Road run southeastwardly along the arc of said curve 341.92 feet to the P.T. of said curve; thence along the west right of way line of said Dog River Road run south 03 degrees 22 minutes 44 seconds east 25 feet to the P.C. of a curve to the left having a central angle of 32 degrees 36 minutes 53 seconds and a radius of 1078.95 feet; thence continuing along said west line of Dog River Road run southeastwardly along the arc of said curve 614.18 feet to the P.T. of said curve; thence continuing along said west line of Dog River Road run south 35 degrees 59 minutes 37 seconds east 376.28 feet to the P.C. of a curve to the left having a central angle of 28 degrees 58 minutes 04 seconds and a radius of 816.61 feet; thence continuing along said west line of Dog River Road run southeastwardly along the arc of said curve 412.86 feet to the P.T. of said curve; thence continuing along said west line of Dog River Road run south 64 degrees 57 minutes 41 seconds east 53.87 feet to a point on the northwest boundary of the property now or formerly of Hargrove; thence along said northwest boundary of Hargrove property run south 55 degrees 17 minutes 46 seconds west 1088.58 feet to the northwest corner of said Hargrove property; thence run west 409.14 feet to a point; thence run north 04 degrees 58 minutes 49 seconds west 1834.15 feet to the approximate centerline of a low area; thence run northeastwardly along the meanderings of said centerline of low area 380 feet, more or less, to the point of beginning. Containing 40.00 acres, more or less.

APPOINT MARY KIDD (D1), WAYNE GARDNER (D4) AND KRIS ENZOR (D5) TO THE AD HOC SHORT-TERM RENTAL CITIZENS' ADVISORY COMMITTEE. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-027-2021

Sponsored by: Councilmembers Richardson, Williams and Daves

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Mary Kidd (D1), Wayne Gardner (D4) and Kris Enzor (D5) are appointed to the ad hoc Short-Term Rental Citizens' Advisory Committee.

BE IT FURTHER RESOLVED that the City Council finds that this resolution is necessary to perform essential minimum functions of the Council.

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 and Gregory
Nays: None

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

APPOINT MATTIE SHEPARD TO THE HISTORY MUSEUM OF MOBILE BOARD. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 03-028-2021

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Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that Mattie Shepard is appointed to the History Museum of Mobile Board effective immediately for a term ending December 31, 2022.

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 and Gregory
Nays: None

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

APPROVE PURCHASE ORDER TO EMERGENCY EQUIPMENT PROFESSIONAL, INC. FOR THREE BRAUN LIBERTY AMBULANCES, \$740,394.00. The following resolution was held over until the regular meeting of January 26, 2021.

RESOLUTION: 08-029-2021

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>3650</u>	2021	(1510) FIRE ADMINISTRATION	3 BRAUN LIBERTY AMBULANCES ON FORD F-450 CHASSIS W/PREPAY DISCOUNT (H-GAC BUY COOPERATIVE PURCHASING AGREEMENT, NOT ON STATE CONTRACT)	\$740,394.00	<u>(294963) EMERGENCY EQUIPMENT PROFESSIONAL, INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

APPROVE PURCHASE ORDER TO UJ CHEVROLET CO. INC. FOR TWO 4X4 EXTENDED CAB PICKUP TRUCKS, \$54,983.68. The following resolution was held over until the regular meeting of January 26, 2021.

RESOLUTION: 08-030-2021

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>4295</u>	2021	(F7000) MOTOR POOL	2 CHEVROLET SILVERADO 1500 4X4 EXTENDED CAB PICKUP TRUCKS. (SEALED BID 5473)	\$54,983.68	<u>(210000) UJ CHEVROLET CO INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

APPROVE PURCHASE ORDER TO UJ CHEVROLET CO. INC. FOR THREE 4X2 PICKUP TRUCKS, \$82,323.24. The following resolution was held over until the regular meeting of January 26, 2021.

RESOLUTION: 08-031-2021

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>4299</u>	2021	(F7000) MOTOR POOL	3 CHEVROLET SILVERADO 1500 4X2 PICKUP TRUCKS (1 CREW, 2 EXTENDED CAB) (SEALED BID 5473)	\$82,323.24	<u>(210000) UJ CHEVROLET CO INC</u>

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

RE-ALLOCATE \$132,185.24 FROM CAPITAL PROJECT (C0110), OLD SHELL SIDEWALKS FROM UNION TO HYLAND TO GRANT FUND (G-TAPHYLAN) TO TAPMB-TA16(947) OLD SHELL ROAD SIDEWALKS FROM UNION TO HYLAND, 50015001.48010. The following resolution was held over until the regular meeting of January 26, 2021.

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RESOLUTION: 09-032-2021

Sponsored by: Councilmember Richardson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$132,185.24 be reallocated from Capital Project (C0110) Old Shell Sidewalks from Union to Hyland 20002000.48050 Architectural to Grant Fund (G-TAPHYLAN) Transportation Alternative Project TAPMB-TA16(947) – Old Shell Road Sidewalks from Union to Hyland 50015001.48010 Construction.

BE IT FURTHER RESOLVED that the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

AUTHORIZE CONTRACT WITH YAMAHA MOTOR FINANCE CORPORATION USA FOR LEASING OF GOLF CARTS, \$67,000.00. The following resolution was held over until the regular meeting of January 26, 2021.

RESOLUTION: 21-033-2021

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, for and on behalf of the City of Mobile, a contract by and between the City of Mobile and Yamaha Motor Finance Corporation, U.S.A., financing agent of Yamaha Golf Car Company, in an amount not to exceed \$67,000.00 per year, for three years, for Leasing of Golf Carts, as outlined in the contract attached hereto and made a part thereof as though set forth in full.

BE IT FURTHER RESOLVED THAT the City Council of the City of Mobile, Alabama, finds that this resolution is either necessary to respond to COVID-19 or necessary to perform essential minimum functions of the Council.

A copy of said contract is on file in the Office of the City Clerk.

REVOKE BUSINESS LICENSE HELD BY CHRISTOPHER GULLEY, D/B/A SHOTGUN PARTY HALL, 3211 SPRINGHILL AVENUE. The following resolution introduced by Councilmember Daves.

RESOLUTION: 37-034-2021

Sponsored by: Councilmember Richardson

WHEREAS, on December 22, 2020, the City Council of the City of Mobile (the "Council") adopted Resolution 41-927 setting a public hearing on January 12, 2021, at 10:30 a.m. to consider the revocation of the City of Mobile business license of Christopher Gulley d/b/a Shotgun Party Hall for allegedly violating the laws and ordinances of the City. Said Resolution is incorporated herein by reference; and,

WHEREAS, Resolution 41-927 was personally served on Christopher Gulley on December 26, 2020, which was at least ten (10) days prior to the scheduled hearing; and,

WHEREAS, pursuant to the State Public Health Emergency that has been declared due to the COVID-19 pandemic and authority set forth in the subsequent Proclamations issued by Alabama Governor Kay Ivey related to same, the public hearing scheduled pursuant to Resolution 41-927 came on for hearing on January 12, 2021, at 10:30 a.m. via Zoom video conference and corresponding broadcast via YouTube video service; and,

WHEREAS, at said hearing representatives of the Mobile Police Department appeared and presented testimony to support the proposed revocation of the business license of Christopher Gulley, the testimony consisting of statements made and testimony given by Attorney Wanda Rahman, Police Chief Lawrence Battiste, Code Enforcement Officer

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Terrell Washington, Sgt. Patrick Sanders, Lt. Charles Degeer and Detective Charles Hunter; and,

WHEREAS, at said hearing Christopher Gulley appeared and gave testimony on the propose revocation; and,

WHEREAS, at said hearing no one else appeared to testify or provide evidence.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mobile, Alabama, as follows:

1. That the matters and facts set forth in the foregoing portion of this Resolution are incorporated herein and made part hereof by reference.

2. That Christopher Gulley, d/b/a Shotgun Party Hall, formerly operating at 2605 Halls Mill Road in Mobile, and currently operating at 3211 Springhill Avenue in Mobile, has knowingly suffered to be violated penal ordinances of the City of Mobile and/or criminal laws of the State of Alabama in violation of Section 34-64 of the Mobile City Code, 1991, based on the evidence and testimony presented at the public hearing in this matter on January 12, 2021, including, but not being limited to, the following:

a. Police Chief Lawrence Battiste testified that the department had been receiving a variety of complaints about illegal drug and alcohol activity and other illegal and unruly behavior at Shotgun Party Hall since December, 2019; and,

b. Code Enforcement Officer Terrell Washington testified that Shotgun Party Hall had been operating a "party hall" in Mobile since 2018; he stated that the business could only allow rentals of the facility for events and that the sale of alcohol or charging of admission was not allowed for this business; and,

c. Sgt. Patrick Sanders testified that MPD had been investigating numerous complaints regarding Shotgun Party Hall including reports of shootings, stabbings, and domestic violence; and,

d. Lt. Charles Degeer testified that MPD had received numerous complaints of illegal drugs, fights and sales of alcohol at Shotgun Party Hall; that undercover officers had purchased illegal drugs such as methamphetamine, Xanax, marijuana and Spice at the business; that officers had observed alcohol being sold by Shotgun Party Hall employees; that such complaints had occurred both before and after the COVID-19 shutdown; that officers had gone into the business undercover 10 to 14 times; that an undercover officer had paid \$10.00 to get in the door and had bought-marijuana at the business; that in November, 2020, the business had a night where punch laced with alcohol was served for free as a means to draw customers; that on November 13, 2020, an officer had paid \$10.00 to get in the door and bought a \$10.00 vodka drink from the bar; that on November 20, 2020, an officer met a man who claimed to be the owner who sold marijuana to the officer, and that on the same night an officer had bought the illegal drug ecstasy from the disc jockey; that on November 27, 2020, an officer had bought marijuana from an employee, a pint of alcohol from the bar, and Ecstasy 'from the disc jockey; that on December 3, 2020, an officer observed liquor bottles lined up behind the bar and purchased marijuana from another employee; that on December 11, 2020, a search warrant was executed at the business whereby an employee was found with a backpack containing marijuana, scales and a pistol, another employee manning the door was found with a large amount of marijuana, that the disc jockey had in his possession ecstasy; and that another employee participating in such activities was found to be a convicted felon on federal probation; and,

e. Detective Charles Hunter corroborated the statements made by Lt. Degeer; and,

f. Attorney Wanda Rahman stated that Mr. Gulley couldn't deny he knew of all these illicit activities because he had been placed on notice of same in the past by MPD and he had a duty to make sure the business was operating in accordance with the law; and,

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g. Christopher Gulley of 27913 Japonica Lane, Daphne, AL, testified that he "agrees with shutting it all down," although he denied being present at the business during the aforesaid events, and that it was supposed to be a BYOB party hall and he should have taken more concern, and further agrees "with it being shut down." Mr. Gulley further stated that people are trying to use the name Shotgun Party Hall and/or Shotgun Willies to open location elsewhere in the City.

3. That the operation of the business referred to above by Christopher Gulley, d/b/a Shotgun Party Hall at 3211 Springhill Avenue, Mobile, Alabama, has led to or resulted in the creation of a nuisance; has created, caused or led to circumstances that are detrimental to adjacent residential neighborhoods; and has created, caused or led to circumstances that are detrimental to the public health, safety or welfare.

4. And that, therefore, the City of Mobile Business License held by Christopher Gulley, d/b/a Shotgun Party Hall, for operation of the business as described herein is hereby revoked, effective immediately.

5. Further, that no new license shall be issued to Christopher Gulley, d/b/a Shotgun Party Hall, or to any other firm in which Christopher Gulley, d/b/a Shotgun Party Hall, or any of its stockholders or owners is interested, for a period of twelve (12) months hereafter for the operation of a party hall located at 3211 Springhill Avenue, Mobile, Alabama or elsewhere.

6. Further, that no new license shall be issued to any other person or entity for the location of 3211 Springhill Avenue, Mobile, Alabama for a period of twelve (12) months hereafter for the operation or conduct of any business that is the same, or of a similar nature, as that engaged in by Christopher Gulley, d/b/a Shotgun Party Hall, as described above.

7. Further, that the subject of this Resolution is within the City Council's authority and is necessary to perform essential minimum functions of the City Council.

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 and Gregory
Nays: None

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

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 908 FAIRMONT STREET, \$4,200.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-035-2021

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 908 Fairmont Street and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 908 Fairmont Street to be \$4,200.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

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Section 1. The amount of \$4,200.00 shall constitute a special assessment against the property at 908 Fairmont Street and being that property more particularly described as follows:

LOT 4 FAIRMONT SUB MBK 5 P 223 #SEC 51 T4S R1W #MP29 09 51 0 007

Parcel No. 29 09 51 0 007 055

Owner: MILLS MILTON E JR
P.O. BOX 8252
MOBILE, AL 36689

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the demolition of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

FIX THE COSTS FOR THE DEMOLITION OF THE STRUCTURE AT 1312 CHARMAINE CIRCLE NORTH, \$2,000.00. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 40-036-2021

Sponsored by: Councilmember Small

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 1312 Charmaine Circle N and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 1312 Charmaine Circle N to be \$2,000.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$2,000.00 shall constitute a special assessment against the property at 1312 Charmaine Circle N and being that property more particularly described as follows:

LOT 16 BLK A SECOND ADD PART B DRIFTWOOD ACRES REC MBK 11 P6 168 #SEC 40 T5S R1W #MP32 12 40 0 002

Parcel No. 32 12 40 0 002 015

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Owner: SHAW DARRELL GENE & MARILYN MCCOLGAN
% CATHY JOHNSON
14785 RANDOLPH FOSTER RD
WILMER, AL 36587

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this body of the costs for the demolition of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed in the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

FIX THE COSTS FOR THE STRUCTURE AT 422 LINCOLN BOULEVARD, \$1,400.00.
The following resolution was introduced by Councilmember Richardson.

RESOLUTION: 40-037-2021

Sponsored by: Councilmember Gregory

WHEREAS, notice has been duly given pursuant to Ordinance No. 11-085, adopted November 26, 2002, affording to all persons an opportunity to be heard concerning the demolition of the structure at 422 Lincoln Boulevard and the City Council of the City of Mobile having held such public hearing in connection therewith;

WHEREAS, an Itemized report in writing has been made to the City Council of the City of Mobile showing the costs involved in the demolition of the structure 422 Lincoln Boulevard to be \$1,400.00 and the City Council, having received the report and heard all objections which have been raised by any of the interested parties liable to be assessed for the cost of the work, finds and determines that such costs are reasonable and in all respects should be confirmed;

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

Section 1. The amount of \$1,400.00 shall constitute a special assessment against the property at 422 Lincoln Boulevard and being that property more particularly described as follows:

LOT 7 BLK 24 MOBILE TERRACE DBK 156 P 540 #SEC 18 T4S R2W #MP28 04 18 1 002

Parcel No. 28 04 18 1 002 098

Owner: COLEMAN NELSE L
1563 CAPITAL CIR SE
STE 3-210
TALLAHASSEE, FL 32308

and the assessment hereby made and confirmed shall constitute a lien on and against said parcel of land for the amount of the assessment so made, and the report made to this

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body of the costs for the demolition of the structure upon said property is hereby in all respects confirmed.

Section 2. It is directed that a certified copy of this resolution shall be filed In the Office of the Judge of Probate of Mobile County, Alabama.

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

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

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

ASSESS COST FOR REMOVAL OF WEEDS REPEAT WEED LIEN GROUP 43. The following resolution was introduced by Councilmember Daves.

RESOLUTION: 58-038-2021

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 43 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 43							Res. No.	
10/12/2020	1st REPEAT WEED LIEN LETTERS SENT						11-058	
1/21/2021	REPEAT WEED LIEN LOTS TO BE ASSESSED FOR COST							
			Old	New	Initial	Times	Amount	CEO
Item		Dis	SRQ/Case	Case #		(est value)	Assessed	CBO
No.								
1	512 Oak Dr Ct (VL)	1	6960	8187	10/8/2019	1	\$ 345.00	
2	202 Cuba St (VL)	2	6971	8188	1/22/2019	2	\$ 418.00	
3	1404 Persimmon St (VL)	2	6532	8189	10/16/2018	2	\$ 410.00	
4	1402 Pecan St	2	6594	8190	9/3/2019	1	\$ 320.00	
5	0 Persimmon St (next to 1408)	2	6533	8191	10/16/2018	2	\$ 424.00	
	Parcel No. (29 02 44 0 010 074.XXX)							
6	2536 Bataan Ave (VL)	1	7156	8192	9/7/2019	1	\$ 310.00	
7	1258 Mobile St (VL)	1	7113	8193	6/25/2019	1	\$ 317.00	
8	164 Page Ave	1	7040	8194	1/22/2019	1	\$ 320.00	
9	1707 Roach St (VL)	1	4827	8195	12/5/2017	2	\$ 50.00	CBO
10	807 Gayle St	3	6664	8196	5/28/2019	1	\$ 329.00	
11	1464 B Street	3	6836	8197	1/22/2019	1	\$ 289.00	
12	1564 Greenlawn Dr	3	7104	8198	1/14/2020	1	\$ 316.00	
13	1569 Greenlawn Dr	3	7071	8199	10/8/2019	1	\$ 310.00	
14	2500 Greenlawn Dr	3	7069	8200	10/22/20019	1	\$ 50.00	CBO
15	2519 Greenlawn Dr	3	7103	8201	10/8/2019	2	\$ 396.00	
16	1615 W Cheshire Dr	3	5194	8202	12/4/2018	1	\$ 289.00	
17	1903 Nerline Lane (VL)	1	7033	8203	6/18/2019	1	\$ 324.73	
18	1304 Basil St	2	7694	8204	6/18/2019	1	\$ 306.00	
19	905 Jakes Lane	2	7541	8205	10/9/2018	1	\$ 310.00	
20	205 Rylands St (VL)	2	7685	8206	12/4/2018	1	\$ 324.00	
			Total				\$ 6,157.73	
	District total for this group			Numbers of lots cut				
	1	6		1	5			
	2	7		2	7			
	3	7		3	6			
	4	0		4	0			
	5	0		5	0			
	6	0		6	0			
	7	0		7	0			
	20			18				
	*CBO Cut By Owner			*CBC Cut By Contractor				
	*N/A Taken out by Inspector			*UDL Undeveloped Lot				
	*ADD Added in from other Groups			*Fka Formerly known as				

The resolution was read by the City Clerk; whereupon Councilmember Daves 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 OFFICER OF THE MONTH FOR DECEMBER 2020 AS PART OF THE MAYOR'S INCENTIVE PROGRAM (ALEXANDRE OLIVIER). The following resolution was introduced by Councilmember Daves.

RESOLUTION: 60-039-2021

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

December - Alexandre Olivier

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

BE IT FURTHER RESOLVED that the City Council finds this resolution is either necessary to respond to COVID-19 or essential minimum functions of the Council.

The resolution was read by the City Clerk; whereupon Councilmember Daves 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.

AUTHORIZE CONTRACT WITH GOODWYN, MILLS & CAWOOD, INC. FOR OLD SHELL ROAD TAP SIDEWALK FROM UNION AVENUE TO HYLAND AVENUE, \$42,120.57 (G-TAPHYLAN). The following resolution was held over until the regular meeting of January 26, 2021.

RESOLUTION: 21-041-2021

Sponsored by: Councilmember Richardson

WHEREAS, the City Council of the City of Mobile, Alabama, finds that the subject this resolution is either necessary to respond to COVID 19, or necessary to perform essential minimum functions of the Council.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile, and the company listed below; to provide construction engineering and inspection services for the construction of sidewalks along Old Shell Road, 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: Goodwyn, Mills & Cawood, Inc.

Project Name: TAPMB-TA16(947) Old Shell TAP Sidewalk

Capital Project No.: G-TAPHYLAN

Amount: \$42,120.57

CALL FOR PUBLIC HEARINGS

CALL FOR PUBLIC HEARING TO REZONE PROPERTY LOCATED AT 107 AND 111 NORTH LAFAYETTE STREET AND 106 PROVIDENCE STREET (NORTH SIDE OF OLD SHELL ROAD, EXTENDING TO THE EAST SIDE OF PROVIDENCE STREET AND THE

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WEST SIDE OF NORTH LAFAYETTE STREET) FROM B-1 AND R-1 TO R-1 (DISTRICT 2).

RESOLUTION: 41-040-2021

Notice of Public Hearing for the Proposed Rezoning of Property Located at 107 and 111 North Lafayette Street and 106 Providence Street from B-2 and R-1 to R-1

Pursuant to Resolution of the Mobile, Alabama City Council adopted January 19, 2021, a public hearing will be held on February 16, 2021, at 10:30 a.m., to consider adoption of the following ordinance to rezone property located at 107 and 111 North Lafayette Street and 106 Providence Street (north side of Old Shell Road, extending to the east side of Providence Street and the west side of North Lafayette Street) from B-1, Buffer Business District, and R-1, Single Family Residential District to R-1, Single Family Residential 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 opposition to, or in favor of, the proposed zoning amendment. Further, the City Council may consider zoning classifications other than the ones sought by the applicant, and may take other actions allowed by law.

Lisa C. Lambert
City Clerk

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

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

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

BEGINNING AT THE SOUTHWEST CORNER OF LOT 4, MCGILL - TOOLEN HIGH SCHOOL SUBDIVISION AS RECORDED IN MAP BOOK 83 PAGE 114, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA, THENCE NORTH 03° - 04' - 17" EAST ALONG THE EAST LINE OF PROVIDENCE STREET 400.86 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE NORTH 87° - 00' - 11" WEST 5.44 FEET TO THE SOUTHWEST CORNER OF LOT 23, PROVIDENCE PLACE AS RECORDED IN DEED BOOK 118 PAGE 471 OF THE AFORESAID RECORDS; THENCE NORTH 03° - 11' - 09" EAST ALONG THE EAST LINE OF PROVIDENCE STREET 50.06 FEET TO THE NORTHWEST CORNER OF SAID LOT 23; THENCE SOUTH 87° - 00' - 11" EAST 118.75 FEET TO THE NORTHEAST CORNER OF 23; THENCE SOUTH 03° - 16' - 38" WEST 50.06 FEET; THENCE SOUTH 02° - 14' - 25" WEST 55.40 FEET; THENCE SOUTH 87° - 19' - 43" EAST 225.48 FEET TO A POINT ON THE WEST LINE OF LAFAYETTE STREET; THENCE SOUTH 04° - 53' - 39" WEST ALONG SAID WEST LINE 46.14 FEET TO THE NORTHEAST CORNER OF LOT 4, MCGILL - TOOLEN HIGH SCHOOL SUBDIVISION; THENCE SOUTH 04° - 53' - 56" WEST 300.34 FEET; THENCE NORTH 87° - 04' - 57" WEST 328.46 FEET TO THE POINT OF BEGINNING WHICH INCLUDES LOT 23, PROVIDENCE PLACE AS RECORDED IN DEED BOOK 118 PAGE 471 AND LOT 4, MCGILL - TOOLEN HIGH SCHOOL SUBDIVISION AS RECORDED IN MAP BOOK 83 PAGE 114, PROBATE COURT RECORDS, MOBILE COUNTY, ALABAMA.

The classification of said property is hereby changed from B-1, Buffer Business District, and R-1, Single-Family Residential District, to R-1, Single-Family Residential District, and it shall hereafter be lawful to construct on such property any structures permitted by the Ordinance of May 16, 1967, commonly known as the Zoning Ordinance and to use said premises for any use permitted by the terms of said Ordinance in R-1, Single-Family Residential District, provided, however, that the plans for any structure or building sought

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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 an R-1, Single-Family Residential District until all of the conditions set forth below have been complied with: (1) Provision of a residential buffer, in compliance with Section 64-4.D.1. of the Zoning Ordinance, where the site abuts residential properties. (2) Completion of the Rezoning process prior to signing the Final Plat for the Subdivision; 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.

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

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

The vote was then announced whereupon the Presiding Officer set the date for the public hearing as February 17, 2021.

ANNOUNCEMENTS:

Councilmember Gregory reported that Phase 2 of the Zeigler Boulevard widening project is underway.

Councilmember Williams announced there will be several committee meetings to discuss short-term rentals, food trucks and tethering.

Councilmember Small stated that meeting with the developer and citizens will be held on February 2, 2021, at 2 p.m., regarding the rezoning of property on Hurtel Street.

Councilmember Richardson announced that the Public Safety Committee will meet after the Council meeting to discuss Resolution 07-043.

Councilmember Richardson reported that a memorial event will be held today at 4:30 p.m. at Tricentennial Park to remember those who lost their lives to Covid-19.

Councilmember Richardson reflected over the life of Dr. Martin Luther King, Jr.

Councilmember Daves announced that the Finance Committee will meet on Tuesday, February 2, 2021, immediately after the Council meeting, to discuss possible regulations for food trucks.

Councilmember Manzie thanked Councilmember Daves for his working with brick and mortar restaurants and food truck owners to reach a compromise.

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

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

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 11:27 a.m.

Adopted:

COUNCIL PRESIDENT

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CITY CLERK