

**A G E N D A**  
**MONTGOMERY CITY COUNCIL**  
**JUNE 2, 2020 – 5:00 P.M.**  
**COUNCIL AUDITORIUM**

**THE NUMBER TO CALL IN TO PARTICIPATE IN THE MEETING IS:  
1-408-418-9388 and meeting access code: 961 088 051**

Prayer by Councillor McInnis or guest

Pledge of Allegiance

Approval of May 19, 2020 Regular Council Meeting Minutes

Mayor's Message

Candy Capell to address Council regarding Census 2020

Special Committee Reports

**OLD BUSINESS**

1. Hearing on proposed Ordinance rezoning one parcel of land located at 2665 Todd Road from a B-2-Q (Commercial-Qualified) Zoning District to a B-2 (Commercial) Zoning District. Recommended by the Planning Commission. (RZ-2005-011)
2. Hearing on proposed Ordinance rezoning one lot located on the north side of Martin Street, Approximately 350 feet east of Jackson Ferry Road, from an R-65-d (Duplex Residential) Zoning District to an R-99-s (Mobile Home Subdivision) Zoning District. Recommended by the Planning Commission. (RZ-2020-005)
3. Hearing on proposed Ordinance rezoning two parcels of land located on the northeast corner of South Jackson Street and Centennial Way from an O-1 (Office) Zoning District to a T5 (Urban Center) SmartCode Zoning District. Recommended by the Planning Commission. (RZ-2020-008)

**NEW BUSINESS**

4. Ordinance authorizing the issuance of Taxable General Obligation Warrant for \$15,000,000.
5. Ordinance granting a License Agreement to William and Lorraine Richie to construct, install and maintain fence and shed over a portion of the ROW of Belmont Avenue and Felder Terrace.
6. Ordinance amending Ordinance No. 81-2003 to correct legal description of Capitol Heights-Winona Historic District.
7. Resolution setting a public hearing for July 7, 2020 at 5 p.m. on the proposed adoption of the Technical Codes of the City of Montgomery, (with deletions and amendments) i.e., International Building Code 2018, International Fuel Gas Code 2018, International Mechanical Code 2019, International Plumbing Code 2018, International Property Maintenance Code 2018, International Residential Code 2018, International Energy Conservation Code 2018, International Existing Building Code 2018, and International Swimming Pool and Spa Code 2018.
8. Ordinance adopting the Technical Codes of the City of Montgomery, (with deletions and amendments) i.e., International Building Code 2018, International Fuel Gas Code 2018, International Mechanical Code 2019, International Plumbing Code 2018, International Property Maintenance Code 2018, International Residential Code 2018, International Energy Conservation Code 2018, International Existing Building Code 2018, and International Swimming Pool and Spa Code 2018. TO BE CARRIED OVER TO JULY 7, 2020 FOR ACTION FOLLOWING PUBLIC HEARING.

9. Resolution supporting application of the Montgomery Area Chamber of Commerce to the Economic Development Administration to Plan and Conduct a Tourism Marketing Campaign in response to COVID-19 Impact. (Sponsored by Councillor Jinright)
10. Application for a Lounge Retail Liquor – Class I License by Freeze Daiquiri Bar and Grill, LLC, d/b/a Freeze Daiquiri Bar and Grill, 115 East South Boulevard.
11. Application for Retail Beer & Retail Table Wine (Off Premises Only) Licenses by Circle K Stores, Inc., d/b/a Circle K Stores 2709081, 318 Madison Avenue.
12. Application for Retail Beer & Retail Table Wine (Off Premises Only) by 2019 Two Plus Inc., d/b/a Citgo Food Mart, 1600 South Decatur Street.
13. Resolution reappointing the Council President, Council President Pro Tem and Finance Director and appointing the Mayor’s Chief of Staff to the Emergency Communications District Board of Commissioners.
14. Pursuant to Section 11-53-B-1 et Seq., Code of Alabama, authorization of demolition of unsafe structures at the following locations:
  - 643 Erskine Street – Parcel # 11 06 24 2 014 005.000
  - 654 Erskine Street – Parcel # 11 06 24 2 015 006.000
  - 220 Prairie Vista – Parcel # 11 07 25 4 005 048.000
  - 3460 Gaston Avenue – Parcel # 11 07 25 2 002 014.000
  - 3468 Gaston Avenue – Parcel # 11 07 25 2 002 013.000
  - 1454 Oakland Street – Parcel # 11 06 24 2 004 049.000
  - 1457 Oakland Street – Parcel # 11 06 24 2 028 009.000
  - 4019 Southmont Drive – Parcel # 10 09 30 3 008 061.000
  - 2850 Creative Street – Parcel # 04 09 32 2 011 009.000
  - 220 Edward Street – Parcel # 04 09 29 3 007 010.000
15. Resolution assessing the cost of abatement of unsafe structures on various lots pursuant to Section 11-53B-1 et Seq., Code of Alabama.
16. Resolution declaring public nuisances, authorizing immediate abatement and assessing cost of abatement of public nuisances on various lots pursuant to Chapter 12 of Code of Ordinances.

Council as a Committee

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ORDINANCE NO. \_\_\_\_\_

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

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from a B-2-Q (Commercial-Qualified) Zoning District to a B-2 (Commercial) Zoning District.

A tract of land situated in the northeast ¼ of the southeast ¼ of Section 26, T17N, R18E, beginning at a point 11.50 chains south and 14.58 chains west of the northeast corner of the northeast ¼ of the southeast ¼ of Section 26, T17N, R18E, thence run south 15 links to the south side of the New Montgomery-Wetumpka Highway which is the point of beginning of the property hereby conveyed, thence run south 1.45 chains, thence west 1.10 chains, thence north 1.33 chains, thence north 83°E, 1.10 chains to the point of beginning.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR

ORDINANCE NO. \_\_\_\_\_

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

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from an R-65-d (Duplex Residential) Zoning District to an R-99-s (Mobile Home Subdivision) Zoning District.

Lot 28 of A Gerson & Sons Resub Moses as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 4, at Page 80.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR

ORDINANCE NO. \_\_\_\_\_

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

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from an O-1 (Office) Zoning District to a T5 (Urban Center) SmartCode Zoning District.

Lot 1A, Capital City Dialysis Facility Plat No. 1, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 48, at Page 2.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR



4

ORDINANCE NO. \_\_\_-2020

**AN ORDINANCE AUTHORIZING THE ISSUANCE  
A TAXABLE GENERAL OBLIGATION WARRANT  
OF THE CITY OF MONTGOMERY**

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WHEREAS, the City Council desires to adopt this Ordinance to provide for the issuance of a taxable general obligation warrant and certain other matters as further set out in this Ordinance below; and

NOW BE IT ORDAINED, by the City Council of the City of Montgomery, Alabama, as follows:

SECTION 1. Definitions, Use of Words and Phrases.

(a) The following words and phrases shall have the following respective meanings in this ordinance:

"Business Day" means any day that is not a Saturday, Sunday, or other day on which Lender is closed for commercial banking business; *provided that*, for the purpose of determining LIBOR, the term "Business Day" shall also exclude any day on which commercial banks are not open for dealings in Dollar deposits in the London interbank market.

"Governing Body" means the City Council of the Issuer.

"Interest Period" means each period commencing on the last day of the immediately preceding Interest Period and ending on the same day of the next month; provided, the first Interest Period shall commence on the date of issue of the Warrant and end on July 15, 2020.

"Issuer" means the City of Montgomery, Alabama.

"Lender" shall mean BBVA USA, as purchaser of the Warrant, and its successors and assigns.

"LIBOR" means, for each Interest Period, a rate per annum obtained by dividing (a) the London Interbank Offered Rate, as determined by ICE Benchmark Administration Limited (or any successor or substitute therefor acceptable to Lender) for Dollar deposits for a one-month period (the "Reference Period") as obtained by Lender from Reuters, Bloomberg or another commercially available source as may be designated by Lender from time to time (the "Screen Rate"), two (2) Business Days before the first day of such Interest Period, by (b) a number equal to 1.00 minus the LIBOR Reserve Percentage.

"LIBOR Reserve Percentage" means, for any day, the percentage, as determined in good faith by Lender, which is in effect on such day as prescribed by the Board of Governors of the Federal Reserve System (or any successor) representing the maximum reserve requirement



(including supplemental, marginal and emergency reserve requirements) with respect to Eurocurrency funding (currently referred to as "Eurocurrency liabilities") of a member bank in such System.

"Post-Default Rate" means a per annum rate of interest equal to the Prime Rate (as defined below) and as adjusted from time to time by the Lender without notice to or consent of the City plus 2%.

"Prime Rate" means a reference rate established by the Lender for use in computing and adjusting interest, is subject to increase, decrease, or change at Lender's discretion, and is only one of the reference rates or indices that Lender uses. The Issuer acknowledges that Lender may lend to others at rates of interest at, or greater or less than, "BBVA USA Prime" or the rate provided in this Warrant.

"Reference Period" is defined in the definition of "LIBOR" herein.

"Screen Rate" is defined in the definition of "LIBOR" herein.

"Warrant" means the warrant issued pursuant to this ordinance and authorized herein.

(b) The definitions set forth herein include both singular and plural. Whenever used herein, any noun or pronoun shall be deemed to include both singular and plural and to cover all genders.

SECTION 2. Findings; Representations and Warranties. The Governing Body makes the following findings, representations and warranties as the basis for the undertakings on its part herein contained:

(a) It is necessary to the continued progress of the Issuer for the Issuer to issue the Warrant.

(b) In comparison to other financing alternatives, the terms of the Warrant provide attractive and advantageous financing for the Issuer.

(c) Upon adoption, execution and delivery hereof and thereof, this ordinance, the Warrant and any other documents associated herewith will constitute legal, valid and binding obligations of the Issuer, enforceable in accordance with their respective terms.

(d) To the best knowledge of the Issuer, the financial statements of the Issuer furnished to the Lender were prepared in accordance with GASB (or other comprehensive basis of accounting acceptable to the Lender); and all of the Issuer's financial statements for the fiscal year ended September 30, 2019 are correct and complete and present fairly the financial condition of the Issuer as of the date thereof.

(e) There has been no material adverse change in the business, operation, properties, or condition (financial or otherwise) of the Issuer, since the date of the last financial statements furnished to Lender which has not been disclosed to the Lender.



(f) The Issuer does not have any obligations for borrowed money or other debts, obligations or liabilities, direct or contingent, other than those reflected in the Issuer's most recent financial statement furnished to the Lender.

(g) To the best knowledge of the Issuer, all of the information supplied by the Issuer to Lender is true, correct and accurate in all material respects, and all statements, representations and warranties contained herein and in any other document signed in connection herewith are true and correct in all material respects. Neither this ordinance, nor any document, certificate, or statement furnished (or to be furnished) to the Lender by or on behalf of the Issuer pursuant to or in connection with this ordinance contains (or will contain) any untrue statement of a material fact or omits (or will omit) to state a material fact necessary to make the statements contained herein and therein not misleading.

(h) Neither the execution nor delivery of this ordinance or the Warrant, nor any of the other document signed with relation hereto, nor the consummation of the transactions contemplated hereby and thereby, nor compliance with the terms and provisions hereof and thereof, will conflict with, violate or result in a breach of or default under, or result in the creation or imposition of any lien, charge or encumbrance of any nature whatsoever on any of the assets of the Issuer (other than the pledge of the Issuer's full faith and credit for the benefit of the holders of the Warrant), pursuant to the terms of any provision of any contract or agreement, charter, bylaw, partnership agreement, trust indenture, or other corporate, partnership or trust restriction, any law, ordinance, rule, order, certificate, license, regulation or decree of the United States or any state, territory or political subdivision thereof, or any court, agency or other tribunal under which the Issuer, or any of the Issuer's assets are subject. The Issuer is not in default with respect to the performance, observance or fulfillment of any of the obligations, covenants or conditions contained in any of the foregoing which are material to its financial condition. The Issuer is not party to any agreement or subject to any restriction that would prevent or impair the Issuer's ability to perform its obligations arising hereunder or under the Warrant.

(i) There is no action, suit or proceeding at law or in equity or by or before any governmental instrumentality or other agency now pending, or, to the knowledge of the Issuer threatened or in prospect against or affecting the Issuer, or any properties or rights of the Issuer which, if adversely determined, would materially or adversely affect the business, properties, or financial condition of the Issuer which would impair the Issuer's ability to perform its obligations arising hereunder.

SECTION 3. Authorization of the Warrant and Use of Proceeds. Pursuant to the applicable provisions of the Constitution and laws of the State of Alabama, including particularly Section 11-47-2 of the Code of Alabama 1975, as amended, there is hereby authorized to be issued by the Issuer \$15,000,000 principal amount of its Taxable General Obligation Warrant, Series 2020, the proceeds of which are to be used to (i) fund working capital expenditures, (ii) pay any costs or fees in connection with the issuance of the Warrant and (iii) pay any other costs permitted by law.

SECTION 4. Approval of Form of Warrant and Terms. The Issuer hereby acknowledges and approves all of the terms set forth herein and within the form of the Warrant attached hereto as Exhibit A, including but not limited to, terms with respect to the interest rate, facility fee, premium, if any, advances, repayment terms, prepayment terms, security and method of execution.



The Warrant shall be issued as a fully registered warrant without coupons (registration shall be evidenced on the books and records of the Issuer and by the manual signature of the Mayor or Director of Finance on a registration certificate on the Warrant) and along with the form of assignment applicable thereto shall be in substantially the form attached hereto as Exhibit A, with such changes, insertions, omissions and other variations as the Mayor of the Issuer shall approve as reasonable and in accordance with the laws of the State of Alabama under which the Warrant is authorized, which approval shall be evidenced by, and need only be evidenced by, the execution of the Warrant by the parties executing the Warrant as indicated in Exhibit A hereto.

SECTION 5. Security. The indebtedness evidenced and ordered paid by the Warrant shall be a general obligation of the Issuer for the punctual payment of the principal of and interest on which the full faith, credit and taxing power of the Issuer are hereby irrevocable pledged.

SECTION 6. Principal Advances; Revolving Nature; Interest Rate; Facility Fee; Payment.

(a) Lender, from time to time, shall make advances and re-advances of principal of the Warrant as may be requested by Issuer; provided, the aggregate amount of principal outstanding at any time may not exceed the face amount of the Warrant (i.e., \$15,000,000). Advances shall be made by the Lender to the Issuer within one (1) Business Day of Lender's receipt of a written request for an advance signed by the Director of Finance or Deputy Director of Finance (or any Interim Director of Finance or Interim Director of Finance until a permanent appointment is made) of the Issuer in a form reasonably acceptable to the Lender.

The amount outstanding under the Warrant may vary from time to time by increases of up to the maximum principal amount stated above and decreases as a result of prepayments down to no outstanding principal. The principal of the Warrant may be prepaid, in whole or in part, at any time, without premium or penalty. Prepayment in full shall consist of payment of the remaining unpaid principal balance together with all accrued and unpaid interest and facility fees for which Issuer is responsible under the Warrant before such amounts are due, whether such prepayment arises from a voluntary or involuntary prepayment, acceleration of maturity, or any other cause or reason. Prepayment in part shall consist of payment of any portion of the unpaid principal balance before it is due, whether such prepayment arises from a voluntary or involuntary prepayment, acceleration of maturity, or any other cause or reason. Unless otherwise agreed by Lender in writing and provided that Issuer is current on all amounts due, payments applied to the Warrant before Lender's creation of a billing statement for the next Payment Date or the Maturity Date will be applied entirely to principal, and payments applied to the Warrant after the creation of such billing statement will be applied according to that billing statement. Unless otherwise agreed by Lender in writing and provided that Issuer is current on all amounts due, payments applied to the Warrant before Lender's creation of a billing statement for the next Payment Date or the Maturity Date shall not relieve Issuer of its obligation to continue making uninterrupted payments under the Warrant. The principal of the Warrant shall be "revolving", and any principal of the Warrant that is prepaid shall be available to be re-advanced.

(b) The Warrant shall bear interest during each Interest Period only on the outstanding principal amount at an annual rate equal to the greater of (i) LIBOR plus 135 basis points (1.35%) or (ii) 0.75%; provided, however, in no event shall the applicable interest rate on the Warrant



exceed the maximum rate allowed by law. Interest on all principal amounts outstanding from time to time shall be calculated on the basis of a 360 day year applied to the actual number of days upon which principal is outstanding. Issuer will pay, on a quarterly basis, interest only on the outstanding principal amount from time to time at the rate set forth above, on September 15, 2020, December 15, 2020, and March 15, 2021 (each a "Payment Date"). All outstanding principal and accrued and unpaid interest shall be due and payable on May 15, 2021 (the "Maturity Date"). Interest shall be payable on overdue principal on the Warrant and (to the extent legally enforceable) on any overdue installment of interest or facility fee on the Warrant at the Post-Default Rate calculated on the basis of a 360 day year applied to the actual number of days.

(c) A facility fee equal to 0.125% per annum shall apply to any available and unused principal of the Warrant from time to time. The facility fee on all principal amounts available and unused from time to time shall be calculated on the basis of a 360 day year applied to the actual amount of principal that is available and unused on each day. Issuer will pay the accrued facility fee, on a quarterly basis, only on the available and unused principal amount from time to time, at the facility fee rate set forth above, on September 15, 2020, December 15, 2020, March 15, 2021 and May 15, 2021.

SECTION 7. Provisions Constitute Contract. The provisions of this ordinance shall constitute a contract between the Issuer and the registered owner of the Warrant.

SECTION 8. Execution of Other Documents. All of the officials of the Issuer are hereby separately authorized and directed in the name and on behalf of the Issuer to take any and all actions that they may deem advisable in order to give effect to the intent of this ordinance, and in connection therewith to perform in the name of the Issuer such actions and to execute, deliver, seal, attest and accept such other ancillary documents and certificates, as may be necessary or advisable to the issuance of the Warrant, and to carry out fully the financing hereinabove authorized, and all such actions taken are hereby ratified and confirmed as valid and binding on the Issuer.

SECTION 9. Provisions of Ordinance Severable. The various provisions of this ordinance are hereby declared to be severable. In the event any provisions hereof shall be held invalid by a court of competent jurisdiction such invalidity shall not affect any other portion of this ordinance.

SECTION 10. Maintenance of Legal Existence; Compliance with Applicable Law; No Third Party Loans; Maintenance of Authorizations; Maintenance of Rating.

(a) The Issuer shall do or cause to be done all things necessary to preserve and keep in full force and effect the legal existence of the Issuer.

(b) The Issuer shall comply with all applicable provisions of all constitutions, statutes, rules, regulations and all binding orders, judgments and decrees of any government or political subdivision, or any agency, board, commission, department or instrumentality of either, or any court, tribunal, central bank or arbitrator.

(c) The Issuer shall not act in any manner that may cause Lender to reasonably believe that the Issuer has engaged in or intends to engage in any suspicious activity as described in or contemplated under the Bank Secrecy Act, the USA Patriot Act, or any other similar or related



law, whether now or hereafter in effect, or under any regulation issued pursuant to any such law, or if the name of the Issuer (or a derivation thereof) appears on a list of suspects issued to financial institutions by the Office of Foreign Assets Control, the Financial Crimes Enforcement Network, the Federal Reserve Board, or any other governmental authority.

(d) The Issuer shall take all reasonable action to maintain all authorizations, approvals, rights, and privileges necessary or desirable in the normal conduct of its business so to conduct business as presently conducted.

SECTION 11. Reporting Requirement. The Issuer warrants and covenants to furnish to the Lender:

(a) Annual Financial Statements. Within five days of receipt and, in any case, within 180 days after the end of each fiscal year of the Issuer, audited financial statements of the Issuer including an unqualified opinion of the auditor.

(b) Budget. Within 30 days of the beginning of each new fiscal year of the Issuer, the budget of the Issuer prepared by the Issuer, which shall include at a minimum: income statement, balance sheet, with details on capital expenditures and financing plan.

(c) Material Adverse Effect. Prompt written notice of any event which has, or is reasonably anticipated to have, a material and adverse effect on to the financial condition or business operations of the Issuer or would adversely affect the validity or enforceability of this ordinance or the Warrant.

(d) Notification of Defaults, Suits, Etc. Promptly after the same shall have become known to the Issuer, the Issuer shall notify the Lender in writing of (i) any breach or default under this ordinance, any documents associated herewith or any other documents to which the Issuer is a party, and/or (ii) any action, suit or proceeding at law or in equity or by or before any governmental or regulatory instrumentality or other agency which, if adversely determined, might impair the ability of the Issuer to perform its obligations under this ordinance and the Warrant and the documents associated herewith and therewith, impair the ability of the Issuer to carry on its business substantially as now conducted, or which might materially affect the business, operations, properties, assets or condition, financial or otherwise, of the Issuer.

(e) Other Information. Such other information respecting the activities, properties or the condition or operations, financial or otherwise, of the Issuer, as the Lender may from time to time reasonably request.

SECTION 12. Defaults. (a) The following shall constitute defaults under this ordinance (i) non-payment of principal and interest due on the Warrant or any other bonds, warrants or other debt obligations by the Issuer, (ii) non-payment of any Facility Fee due on the Warrant (iii) the Issuer shall file a petition for relief under the United States Bankruptcy Code, or shall be judged insolvent, or a receiver is appointed over all or substantially all of the assets of the Issuer or the occurrence of similar event with respect to the Issuer or (iv) failure of the Issuer to comply with any covenant herein.

(b) Upon the occurrence of a default hereunder, the Lender may at its discretion exercise any remedies permitted by law, including, without limitation, declaring the outstanding principal balance of the Warrant immediately due and payable.

SECTION 13. Award of Warrant to Lender. The Warrant is being issued and awarded to BBVA USA (the "Lender") for the consideration provided under the credit facility evidenced thereby, and as security for the Issuer's obligations to repay the loan to the Issuer from the Lender. The Mayor is hereby authorized and directed to deliver the executed Warrant to the Lender.

SECTION 14. Effective Date. This ordinance shall become effective immediately upon its passage by the Governing Body.

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ADOPTED this \_\_\_\_ day of June, 2020.

CITY OF MONTGOMERY, ALABAMA

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

[SEAL]

**ORDINANCE NO. \_\_\_\_\_**

**GRANTING TO CONSTRUCT, INSTALL AND MAINTAIN FENCE AND SHED OVER A PORTION OF THE RIGHT-OF-WAY OF BELMONT AVE AND FELDER TERRACE**

Be it ordained by the Council of the City of Montgomery, Alabama:

1. That a license containing the hereinafter prescribed terms and conditions be, and the same hereby is granted unto William and Lorraine Richie, and their successors and assigns, in the ownership of the parcel hereinafter described to allow construction, installation and use of the following:
  - a. Fence replacement and installation of approximately 180 ft. in length extending approximately 9 ft. over and on a portion of the right-of-way of Belmont Ave and Felder Terrace owned by the City of Montgomery, and
  - b. Shed installation of approximately eight (8) ft. by twelve (12) ft. in size extending approximately 5 ft. over and on a portion of the right-of-way of Belmont Ave owned by the City of Montgomery.

The location of said construction is located as follows:

A part of Lot Number 1, in Block Number 6, according to the Plat of College Park as the same recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 3, at Page 38, described as commencing at a point on the South side of said Lot Number 1, 81.1 feet East of the SW corner of said Lot, and 100 feet West of the SE corner of said Lot (Tie taken from Real Property Book 301 at Page 300 as recorded in the Office of the Judge of Probate, Montgomery County, Alabama); thence North 95.84 feet to a point located on the South rights-of-way (50') of Belmont Avenue; thence along said South rights-of-way South 75 degrees 38 minutes 27 seconds East 125.24 feet to an iron pin located at the intersection of said South rights-of-way and the West rights-of-way of Felder Terrace; thence along said West rights-of-way South 18 degrees 13 minutes 22 seconds West 68.20 feet to the intersection of said West rights-of-way of Felder Terrace and the North rights-of-way (60') of Felder Avenue; thence along said North rights-of-way West 100.0 feet to the point of beginning.

2. By accepting this permit, the aforesaid William and Lorraine Richie, and their successors and assigns (hereinafter collectively referred to as "Licensee"), in interest in the above described parcel, does assume and agree to be bound by the several duties and obligations imposed upon them by the following terms and conditions of this License, namely:
  - a. The City authorizes and permits the Licensee to construct, operate and maintain fence and shed within the right-of-way previously described in accordance with, and subject to the terms of this License.
  - b. Upon allowing construction of the fence and shed, no liability will attach to the City of Montgomery from its existence, use or maintenance, and the Licensee has agreed to indemnify and hold harmless the City of Montgomery from any and all liability arising from the construction, maintenance or use of said fence and shed.
  - c. The above described fence and shed will be allowed to remain upon the written approval by the City Building Inspector and the City Engineer.

- d. No other construction of any type will be built under the terms of this License.
  - e. The City of Montgomery shall have authority to enter upon said right-of-way for the maintenance and repair of its facilities located therein.
  - f. Licensee is to remove said fence and/or shed any time upon 30 days written notice from the City and agrees to remove said fence and/or shed at no expense to the City should notice be given, and in the absence of the Licensee's compliance with such request to remove said fence and/or shed, the City is hereby authorized to remove said fence and/or shed at the expense of the Licensee.
  - g. Should the City determine that it is necessary to enlarge or reconstruct or improve the street or any facility located in said right-of-way, the City shall be held harmless should such enlargement, reconstruction, or improvement damage or injure any physical property, including the fence and/or shed.
  - h. This License shall expire at the end of thirty (30) years from the date that this License is adopted and approved.
3. That the Mayor and the City Clerk be, and are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Montgomery, Alabama the "License Agreement" containing the above terms.

ADOPTED AND APPROVED this the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
STEVEN REED, MAYOR

ATTEST:

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK



ORDINANCE NO. \_\_\_\_\_

6  
1

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Ordinance No. 81-2003 be amended to read as follows:

SECTION 1. The area described as:

Lot A of the Benbow Howard Plat as recorded in Plat Book 37, Page 149 and Lots 11-20, BLK 37 and Lots 3-10, BLK 36 in the Plat of Capitol Heights as recorded in Plat Book 2, Page 34, Montgomery County, AL, also known as those properties in the 2200 block of Winona Avenue, located on the north and south side of Winona Avenue between North Pennsylvania Avenue and N. Panama Street.

is hereby designated, dedicated and declared to be a Historic District as the same is provided for by Ordinance No. 10-91 as authorized by Act No. 142 of the Special Session of the Legislature of 1967.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR

RESOLUTION NO. \_\_\_\_\_

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

Section I: That the Council of the City of Montgomery, Alabama proposes to consider the adoption of the "Technical Codes of the City of Montgomery" consisting of: "International Building Code 2018, International Fuel Gas Code 2018; International Mechanical Code 2018; International Plumbing Code 2018; International Property Maintenance Code 2018; International Residential Code 2018; International Energy Conservation Code 2018; International Existing Building Code 2018; and International Swimming Pool and Spa Code 2018;" all of which are published by the International Code Council, (located at 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401), with certain deletions and amendments; and pursuant to the provisions of the Code of Alabama, 1975, Section 11-45-8, and will hold a public hearing thereon at the meeting of the City Council to be held in the Council Auditorium, City Hall, 103 North Perry Street, Montgomery, Alabama on the 7th day of July, 2020, at 5:00 p.m., at which time all interested persons are invited to attend and express themselves upon this subject.

Section II: Three (3) copies of said proposed "Technical Codes of the City of Montgomery", with certain deletions and amendments, as listed above, shall be filed in the office of the City Clerk on or before the 2<sup>nd</sup> day of June, 2020, for the use and examination by the public from that date through the 7th day of July, 2020.

Section III: That the City Clerk be and is hereby authorized, empowered and directed to cause 15 days' notice to be given of the time, place and purpose of the public hearing provided for in Section I, above, by publication of this resolution once a week for two successive weeks in the Montgomery Independent, a newspaper of general circulation in the City of Montgomery, the first of which publications shall be made on or before the 11th day of June, 2020. The City Clerk is further directed to cause her certificate to be attached to the record of this resolution, stating the time and manner in which publication of this resolution was affected.

STATE OF ALABAMA                    )  
COUNTY OF MONTGOMERY        )  
CITY OF MONTGOMERY            )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN REED, MAYOR



Ordinance No. \_\_\_\_\_

Whereas, Ala. Code § 11-45-1 (1975) authorizes municipalities to adopt ordinances that allow the municipality to provide for the safety, preserve the health, promote the prosperity and improve the morals, order, comfort and convenience of its inhabitants; and

Whereas, the adoption of a unified, model code regulating and governing the construction and erection of buildings and structures serves to preserve the public safety, welfare, and promotes the order and convenience of the citizens of Montgomery; and

Whereas, The City of Montgomery, Alabama desires to adopt the 2018 Editions of the "Technical Codes of the City of Montgomery" to regulate and govern the construction and erection of buildings and structures and provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use within the corporate limits and police jurisdiction of the City of Montgomery, Alabama.

BE IT ORDAINED BY THE CITY OF MONTGOMERY, ALABAMA that Ordinance Number 42-2018 along with City of Montgomery Code of Ordinances Chapter 5, Articles I, III, V, VI, VII and IX are hereby repealed and the following ordinance is hereby adopted:

**Section I. Adoption of the Technical Codes.**

The "Technical Codes of the City of Montgomery", consisting of "International Building Code 2018, International Fuel Gas Code 2018, International Mechanical Code 2018, International Plumbing Code 2018, International Property Maintenance Code 2018, International Residential Code 2018, International Energy Conservation Code 2018, International Existing Building Code 2018, and International Swimming Pool and Spa Code 2018," all of which are published by the International Code Council, (located at 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401) of which three (3) copies of each are filed in the Office of City Clerk of the City of Montgomery, Alabama, be and are hereby adopted, in the respective sections below, as the "Technical Codes of the City of Montgomery." These codes are adopted for regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards to insure structures are safe, sanitary, and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Technical Codes", to include related portions of City of Montgomery Code of Ordinances, on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions, and exchanges prescribed in this section.

**Section II Deletions and amendments to the International Building Code (IBC) as adopted:**

A) The "International Building Code 2018" published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401; of which three (3) copies have been and are now filed in the Office of City Clerk of the City of Montgomery, Alabama, be and is hereby adopted as the "Building Code of the City of Montgomery" for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards to insure structures are safe, sanitary and fit for occupation and use; providing for the issuance of permits and collections of fees therefor; and each and all of the regulations, provisions, penalties, conditions terms of said "Building Code" on file in the office of the City of Montgomery are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and exchanges prescribed in this section.

1. Subsection 101.1 of the IBC is amended to read as follows:

**Subsection 101.1 Title.** These regulations shall be known as the Technical Code of the City of Montgomery, Alabama hereafter referred to as "this code."



RESOLUTION NO. \_\_\_\_\_-2020

**RESOLUTION SUPPORTING APPLICATION OF THE MONTGOMERY AREA CHAMBER OF COMMERCE TO THE ECONOMIC DEVELOPMENT ADMINISTRATION TO PLAN AND CONDUCT A TOURISM MARKETING CAMPAIGN IN RESPONSE TO COVID-19 IMPACT**

**WHEREAS**, the City of Montgomery, Alabama and surrounding area have suffered tremendous economic losses due to the impacts of COVID-19, including a drastic decline in the area’s tourism industry because of event cancellations, venue closures and travel restrictions; and

**WHEREAS**, the Montgomery Area Chamber of Commerce proposes to plan and conduct a Tourism Marketing Campaign at an estimated cost of \$250,000 that will (1) generate a flow of revenue for partner businesses and stakeholders enabling them to survive and begin to reinvest in a way that encourages a return to growth of the tourism industry as soon as possible and (2) build and grow our relationships with visitors through meaningful and timely experiences and messages using a professional brand campaign; and

**WHEREAS**, the Economic Development Administration (EDA) has amended the Public Works or Economic Adjustment Assistance (PWEAA2020) to include Coronavirus Aid, Relief and Economic Security (CARES) Act funding to provide financial assistance to communities and regions as they respond to and recover from the impacts of the Coronavirus pandemic; and

**WHEREAS**, the Montgomery Area Chamber of Commerce, as an eligible non-profit organization, has stated its intention to apply to EDA for PWEAA2020 CARES Act funding in the amount of \$200,000 and will provide the required 20 percent match of \$50,000.

**NOW, THEREFORE**, the City Council of the City of Montgomery does hereby find, resolve and determine as follows:

- (1) That the proposed Montgomery Area Chamber of Commerce Tourism Marketing Campaign will be a significant aid to the City of Montgomery in the recovery of economic losses due to the Coronavirus pandemic; and
- (2) That the City of Montgomery wholeheartedly supports and approves of the Montgomery Area Chamber of Commerce application to the Economic Development Administration for PWEAA2020 CARES Act funds in the amount of \$200,000 to plan and conduct a tourism and marketing campaign

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

STATE OF ALABAMA            )  
COUNTY OF MONTGOMERY    )  
CITY OF MONTGOMERY        )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO **HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**GIVEN** under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
**BRENDA GALE BLALOCK, CITY CLERK**

**APPROVED:** \_\_\_\_\_

\_\_\_\_\_  
**STEVEN L. REED, MAYOR**

RESOLUTION NO. \_\_\_\_\_

WHEREAS, Freeze Daiquiri Bar and Grill, LLC, d/b/a Freeze Daiquiri Bar and Grill, 115 East South Boulevard, Montgomery, Alabama 36105, has filed application for a Lounge Retail Liquor – Class I License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Freeze Daiquiri Bar and Grill, LLC, d/b/a Freeze Daiquiri Bar and Grill, 115 East South Boulevard, Montgomery, Alabama 36105, be and is hereby approved for a Lounge Retail Liquor – Class I License and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA )  
COUNTY OF MONTGOMERY )  
CITY OF MONTGOMERY )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR

RESOLUTION NO. \_\_\_\_\_

WHEREAS, Circle K Stores Inc., d/b/a Circle K Stores 2709081, 318 Madison Avenue, Montgomery, Alabama 36104, has filed application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Circle K Stores Inc., d/b/a Circle K Stores 2709081, 318 Madison Avenue, Montgomery, Alabama 36104, be and is hereby approved for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA            )  
COUNTY OF MONTGOMERY    )  
CITY OF MONTGOMERY        )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR



RESOLUTION NO. \_\_\_\_\_

WHEREAS, 2019 Two Plus Inc., d/b/a Citgo Food Mart, 1600 South Decatur Street, Montgomery, Alabama 36104, has filed application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, 2019 Two Plus Inc., d/b/a Citgo Food Mart, 1600 South Decatur Street, Montgomery, Alabama 36104, be and is hereby approved for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA )  
COUNTY OF MONTGOMERY )  
CITY OF MONTGOMERY )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR



RESOLUTION NO. \_\_\_\_\_

WHEREAS, the following members of the Emergency Communications District Board of Commissioners terms expired November 20, 2019  
City Council President  
City Council President Pro Tem  
Director of Finance Department; and

WHEREAS, it has been requested that these positions continue to serve on said board; and

WHEREAS, the position of Director of the Department of Public Safety has been eliminated, it is requested that the position of Mayor's Chief of Staff be appointed to fill this vacancy:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the City Council President, City Council President Pro Tem and Director of Finance Department be and are hereby reappointed to the Emergency Communications District Board of Commissioners for a four-year term, with term ending November 20, 2023.

BE IT FURTHER RESOLVED that the Mayor's Chief of Staff be and is hereby appointed for a four year term ending November 20, 2023.

STATE OF ALABAMA )  
COUNTY OF MONTGOMERY )  
CITY OF MONTGOMERY )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN L. REED, MAYOR

*Please consider these structures for demolition at the  
**June 2, 2020** City Council Meeting*

643 Erskine St – Parcel # 11 06 24 2 014 005.000  
654 Erskine St – Parcel # 11 06 24 2 015 006.000  
220 Prairie Vista – Parcel # 11 07 25 4 005 048.000  
3460 Gaston Ave – Parcel # 11 07 25 2 002 014.000  
3468 Gaston Ave – Parcel # 11 07 25 2 002 013.000  
1454 Oakland St – Parcel # 11 06 24 2 004 049.000  
1457 Oakland St – Parcel # 11 06 24 2 028 009.000  
4019 Southmont Dr – Parcel # 10 09 30 3 008 061.000  
2850 Creative St – Parcel # 04 09 32 2 011 009.000  
220 Edward St – Parcel # 04 09 29 3 007 010.000



RESOLUTION NO. \_\_\_\_\_

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

**Section I:** That the Council of the City of Montgomery, Alabama proposes to consider the adoption of the "Technical Codes of the City of Montgomery" consisting of: "International Building Code 2018, International Fuel Gas Code 2018; International Mechanical Code 2018; International Plumbing Code 2018; International Property Maintenance Code 2018; International Residential Code 2018; International Energy Conservation Code 2018; International Existing Building Code 2018; and International Swimming Pool and Spa Code 2018;" all of which are published by the International Code Council, (located at 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401), with certain deletions and amendments; and pursuant to the provisions of the Code of Alabama, 1975, Section 11-45-8, and will hold a public hearing thereon at the meeting of the City Council to be held in the Council Auditorium, City Hall, 103 North Perry Street, Montgomery, Alabama on the 7th day of July, 2020, at 5:00 p.m., at which time all interested persons are invited to attend and express themselves upon this subject.

**Section II:** Three (3) copies of said proposed "Technical Codes of the City of Montgomery", with certain deletions and amendments, as listed above, shall be filed in the office of the City Clerk on or before the 2<sup>nd</sup> day of June, 2020, for the use and examination by the public from that date through the 7th day of July, 2020.

**Section III:** That the City Clerk be and is hereby authorized, empowered and directed to cause 15 days' notice to be given of the time, place and purpose of the public hearing provided for in Section I, above, by publication of this resolution once a week for two successive weeks in the Montgomery Independent, a newspaper of general circulation in the City of Montgomery, the first of which publications shall be made on or before the 11th day of June, 2020. The City Clerk is further directed to cause her certificate to be attached to the record of this resolution, stating the time and manner in which publication of this resolution was affected.

STATE OF ALABAMA                    )  
COUNTY OF MONTGOMERY        )  
CITY OF MONTGOMERY            )

I, Brenda Gale Blalock, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

GIVEN under my hand and the official SEAL of the City of Montgomery, Alabama, this the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
BRENDA GALE BLALOCK, CITY CLERK

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
STEVEN REED, MAYOR