

Saraland City Council
Pre-Meeting
March 28, 2019

MINUTES

The members of the Saraland City Council met on March 28, 2019 at the Saraland Municipal Annex at 6:01p.m., with Council President McDonald presiding.

Councilmembers Biggs, Cromer, Hudson and Stanley were in attendance.

Councilmember Hudson opened the meeting with prayer.

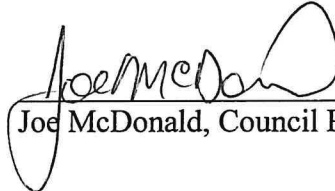
Attorney Andy Rutens was present.

The Council discussed agenda items and general municipal business.

There being no further discussion the pre-meeting adjourned at 6:20 p.m.

ACCEPTED and APPROVED the 11th day of April, 2019.


Judi Smith, City Clerk


Joe McDonald, Council President

The Saraland City Council met in regular session on March 28, 2019 at the Saraland Municipal Annex. The meeting was called to order at 6:30 p.m. by Council President McDonald. Roll call was as follows:

Present: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Attorney, Andy Rutens was present.

Councilmember Hudson opened the meeting with prayer.

APPROVAL OF MINUTES

Motion was made by Councilmember Hudson, seconded by Councilmember Stanley, to approve the minutes of the meetings of March 14, 2019. Motion carried.

REPORT OF STANDING COMMITTEES

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to approve payment to the UPS Store in the amount of \$2,085.30 for the printing of the Clean-up Day flyers. Motion carried.

APPROVAL OF INVOICES

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to approve the following invoices to be paid from the General Obligation Warrant monies.

- | | |
|--|-------------|
| 1. S.C. Stagner Construction, Est. #1 – Splash Pad | \$37,612.11 |
| 2. Neel-Schaffer, Splash Pad Project | \$2,181.50 |

Motion carried.

ORDERS, RESOLUTIONS, ORDINANCES & OTHER BUSINESS

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of Parcel R021207350000004.07, 345 Creax Road, Axis, AL 36505, filed by property owners Jerm Marshall and Crystal Marshall.

Council President McDonald declared the public hearing open.

There was no one in favor of the application.

Pat Covington, 350 Creax Road asked for clarification as to whether or not her property would be annexed.

Council President McDonald declared the public hearing closed.

Councilmember Biggs introduced an ordinance approving the annexation of Parcel R021207350000004.07, 345 Creax Road, Axis, AL 36505, filed by property owners Jerm Marshall and Crystal Marshall.

ORDINANCE 1131

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF SARALAND UNDER CODE SECTION 11-42-21

WHEREAS, the owner of the below-described territory has filed a written petition with the City Clerk requesting that the territory be annexed to the City of Saraland; and

WHEREAS, the City Council of the City of Saraland is desirous of annexing the said territory to the City of Saraland; and

WHEREAS, the said territory is contiguous to the City's present corporate limits and otherwise meets the requirements of Section 11-42-21, Code of Alabama 1975.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SARALAND, ALABAMA, THAT THE FOLLOWING DESCRIBED PROPERTY IS HEREBY ANNEXED INTO THE CITY OF SARALAND:

Section 1: The City of Saraland assents to the annexation of the following described property to the City, to-wit:

Commencing at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 35, Township 1 South, Range 1 West; thence North 89 degrees 21 minutes 30 seconds West and along the South line of said Quarter, 1783.56 feet to the point of beginning; thence continue North 89 degrees 21 minutes 30 seconds West and along the South line of said Quarter 259.85 feet; thence North 1 degree 01 minutes 59 seconds East, 691.34 feet to a point on the South Right-of-way line of a 60 foot wide road right-of-way; said point also being on the arc of a curve to the left having a delta angle of 35 degrees 23 minutes 32 seconds and a radius of 500.12 feet; thence run Northeastwardly and along the arc of said curve to the left and also being along the Southerly Right-of-way line of said 60 foot wide road, 87.00 feet to the point of tangency of said curve; thence North 55 degrees 14 minutes 58 seconds East and continuing along the Southerly right-of-way line of said Road, 228.50 feet; thence South 1 degree 01 minutes 59 seconds West, 868.14 feet more/less to the point of Beginning.

This property is commonly known as **345 Creax Road, Axis, AL 36505**, Parcel No. R021207350000004.07, petitioned by property owners Jerm D. Marshall and Crystal K. Marshall.

SUBJECT TO THE FOLLOWING:

1. Any prior reservation or conveyance, together – with release, of damages, of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under subject property.
2. Title to minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Real Property Book 1861, Page 737 in the Probate Office of Mobile County, Alabama.
3. Restrictive covenants contained in instrument(s) recorded in Real Property Book 1861, Page 737, in the Probate Office of Mobile County, Alabama.
4. Covenants to run with the land between Stanley I. Schaefer, Jr. and the Mobile County Board of Health contained in instrument(s) recorded in Real Property Book 6350, Page 1077, in the Probate Office of Mobile County, Alabama.

The same is hereby annexed to the corporate limits of the City of Saraland, and said property of territory hereby is made a part of the City of Saraland.

Section 2: The City Clerk of the City of Saraland shall file the description of the territory annexed by this ordinance in the Office of the Judge of Probate of Mobile County, Alabama

Section 3: This ordinance shall be effective upon its adoption and publication as required by law.

ADOPTED AND APPROVED this the 28th day of March 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of Parcel R02120735000004.07, 345 Creax Road, Axis, AL 36505, filed by property owners Jerm Marshall and Crystal Marshall.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to adopt the ordinance for the annexation of Parcel R02120735000004.07, 345 Creax Road, Axis, AL 36505, filed by property owners Jerm Marshall and Crystal Marshall.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of Parcel R021801010000001.003, 10410 Celeste Road, filed by property owners Dale Gardiner and Rebecca Gardiner

Council President McDonald declared the public hearing open.

There was no one in favor of or in opposition to the application.

Council President McDonald declared the public hearing closed.

Councilmember Biggs introduced an ordinance approving the annexation of Parcel R021801010000001.003, 10410 Celeste Road, filed by property owners Dale Gardiner and Rebecca Gardiner

ORDINANCE 1132

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF SARALAND UNDER CODE SECTION 11-42-21

WHEREAS, the owner of the below-described territory has filed a written petition with the City Clerk requesting that the territory be annexed to the City of Saraland; and

WHEREAS, the City Council of the City of Saraland is desirous of annexing the said territory to the City of Saraland; and

WHEREAS, the said territory is contiguous to the City's present corporate limits and otherwise meets the requirements of Section 11-42-21, Code of Alabama 1975.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SARALAND, ALABAMA, THAT THE FOLLOWING DESCRIBED PROPERTY IS HEREBY ANNEXED INTO THE CITY OF SARALAND:

Section 1: The City of Saraland assents to the annexation of the following described property to the City, to-wit:

Lot 6, CELESTE-FONTAINE SUBDIVISION as recorded in Map Book 70, Page 30 of the records in the Office of the Judge of Probate of Mobile County, Alabama. Parcel No.

R021801010000001.003 also known as **10410 Celeste Road**, petitioned by owners Dale Gardiner and Rebecca Gardiner.

EXCEPTING THEREFROM such oil, gas, and other minerals on, in, or under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed to others than the grantors; it being the intention of the grantors to convey to grantees only the interest grantors own therein, if any.

The same is hereby annexed to the corporate limits of the City of Saraland, and said property of territory hereby is made a part of the City of Saraland.

Section 2: The City Clerk of the City of Saraland shall file the description of the territory annexed by this ordinance in the Office of the Judge of Probate of Mobile County, Alabama

Section 3: This ordinance shall be effective upon its adoption and publication as required by law.

ADOPTED AND APPROVED this the 28th day of March 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of Parcel R021801010000001.003, 10410 Celeste Road, filed by property owners Dale Gardiner and Rebecca Gardiner

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to adopt the ordinance for the annexation of Parcel R021801010000001.003, 10410 Celeste Road, filed by property owners Dale Gardiner and Rebecca Gardiner

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE rezoning of Parcel R022202033000057, R022202044002008.00 and R022202044002007.00; 527 Saraland Boulevard, S. R-2, R-3 and B-2 to R-4 filed by DRS Investments, LLC and Matthew O'Quinn.

Council President McDonald declared the public hearing open.

There was no one in favor of the application.

Michael Allen, 102 Craig Drive spoke in opposition of the application.

Council President McDonald declared the public hearing closed.

Councilmember Biggs introduced an ordinance approving the annexation of Parcel R022202033000057, R022202044002008.00 and R022202044002007.00; 527 Saraland Boulevard, S. R-2, R-3 and B-2 to R-4 filed by DRS Investments, LLC and Matthew O'Quinn

ORDINANCE 1133

AMENDMENT TO ORDINANCE 757

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

SECTION 1: That Section 3-3 Official Zoning District Map of the Saraland Land Use & Development Ordinance is hereby amended to read as follows:

The following property in the City of Saraland is hereby rezoned from R-2, R-3, and B-2 to R-4:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 1 WEST, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 00°08'00" WEST ALONG THE EAST LINE OF SAID SECTION 4, 360.00 FEET TO A POINT ON THE NORTH LINE OF CRAIG PLACE AS RECORDED IN MAP BOOK 16, PAGE 65 OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, MOBILE COUNTY, ALABAMA; THENCE RUN NORTH 89°05'22" WEST ALONG THE NORTH LINE OF SAID CRAIG PLACE 285.74 FEET TO A POINT; THENCE CONTINUE NORTH 89°05'22" WEST 100.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF PIERCE STREET (A THIRTY FOOT RIGHT-OF-WAY); THENCE RUN NORTH 00°00'47" WEST ALONG SAID EAST RIGHT-OF-WAY LINE 571.34 FEET TO A POINT; THENCE RUN SOUTH 89°07'27" EAST TO A POINT; THENCE RUN SOUTH 01°10'07" EAST 233.75 FEET TO A POINT ON THE SOUTH LINE OF A 50 FOOT UNITED GAS PIPELINE COMPANY EASEMENT; THENCE RUN SOUTH 89°55'52" EAST ALONG SAID SOUTH LINE OF SAID UNITED GAS PIPELINE COMPANY EASEMENT 858.42 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 43 (A 162 FOOT RIGHT-OF-WAY); THENCE RUN SOUTH 03°36'53" WEST ALONG SAID WEST RIGHT-

OF-WAY LINE 72.32 FEET TO A POINT; THENCE RUN NORTH 89°51'13" WEST 249.42 FEET TO A POINT; THENCE RUN SOUTH 03°34'10" WEST 270.20 FEET TO A POINT; THENCE RUN NORTH 89°58'58" WEST ALONG SAID NORTH LINE OF CRAIG PLACE 302.70 FEET TO THE POINT OF BEGINNING; CONTAINS 6.43 ACRES.

SECTION 2: That the balance of said ordinance is hereby and heretofore ratified and affirmed.

ADOPTED AND APPROVED THIS THE 28th day of March 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of Parcel R022202033000057, R022202044002008.00 and R022202044002007.00; 527 Saraland Boulevard, S. R-2, R-3 and B-2 to R-4 filed by DRS Investments, LLC and Matthew O'Quinn

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to adopt the ordinance for the annexation of Parcel R022202033000057, R022202044002008.00 and R022202044002007.00; 527 Saraland Boulevard, S. R-2, R-3 and B-2 to R-4 filed by DRS Investments, LLC and Matthew O'Quinn

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
Councilmember Veronica Hudson
Councilmember Paul Stanley

Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to reappoint Kenneth L. McWain to the Public Educational Building Authority for a 5 year term.
Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Stanley, to authorize training expenses and adopt a resolution for a cash advance for Andrew Sullivan to attend the Verbal De-Escalation training, April 1-4, 2019 in Orange Beach, Alabama. Motion carried.

RESOLUTION 2064

BE IT RESOLVED by the City Council of the City of Saraland, that

WHEREAS, a cash advance for Andrew Sullivan to attend the Verbal De-Escalation Training, April 1-4, 2019 in Orange Beach, AL; and

WHEREAS, a statement of said expenditures will be presented to the City Clerk immediately upon return, at which time all monies will be balanced.

ADOPTED AND APPROVED this 28th day of March, 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to approve a Roadblock Application for the solicitation of funds submitted by the Lions Club for Saturday, April 6, 2019. Councilmember Cromer abstained. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to authorize the Mayor to sign a service contract with Taylor Power Systems for all city generators. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to approve the purchase of Online Employee Scheduling software for the Fire Department from Aladtec for a term of one year, in the amount of \$3,600.00. Motion carried.

There being no further business to come before the Council, motion was made by Councilmember Hudson to adjourn at 7:19 p.m.

ACCEPTED and APPROVED the 11th day of April, 2019.



Judi Smith, City Clerk



Joe McDonald, Council President