

The Saraland City Council met in regular session on December 12, 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 Veronica Hudson

Absent: Councilmember Newton Cromer
Councilmember Paul Stanley

Attorney, Andy Rutens was present.

Councilmember Biggs opened the meeting with prayer.

APPROVAL OF MINUTES

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to approve the minutes for the meeting of November 25, 2019. Motion carried.

REPORT OF SPECIAL COMMITTEES

No report was given.

REPORT OF OFFICERS

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize the Mayor to enter into an ALDOT approved consulting agreement with Neel-Schaffer regarding the Celeste Road MPO project. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to authorize the Mayor to enter into a defense and indemnity agreement with the Chamber of Commerce concerning their use of the K-Mart Plaza parking lot for the Mistletoe Market, December 14, 2019. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize the Mayor to execute an extension of the Development Agreement with Hix Snedeker and the Representation Agreement with JLL to allow both to be extended to January 31, 2020. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to adopt a Resolution extending the moratorium on annexation of property with non-conforming structure for 60 days. Motion carried

RESOLUTION 2114

**A RESOLUTION DECLARING A 60 DAY MORATORIUM
ON THE ACCEPTANCE OF PETITIONS FOR ANNEXATION
OF NON-CONFORMING PROPERTY**

WHEREAS, the City Council of the City of Saraland, Alabama seeks to establish standards as well as policies and procedures concerning the annexation of non-conforming real property; and

WHEREAS, the City Council in conjunction with the City Attorney and the Municipal Planning Commission have been reviewing ordinances concerning standards, policies and procedures concerning the annexation of non-conforming property; and

WHEREAS, the City Council believes that a sixty (60) day moratorium on the acceptance of annexation petitions for non-conforming property is appropriate in order to provide time to review and adopt appropriate changes to the City of Saraland Land Use and Development Ordinance in order to address the annexation of non-conforming properties; and

WHEREAS, the City Council believes it is necessary and proper to preserve the status quo by adopting a moratorium until such time as appropriate standards, policies and procedures can be approved.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Saraland, Alabama that a moratorium is placed on the acceptance of petitions for annexation of non-conforming property and that said moratorium will terminate at the end of sixty (60) days from the date of this Resolution or it will terminate upon action by the City Council of the City of Saraland, Alabama to change or alter the City of Saraland Land Use and Development Ordinance as it concerns the annexation of non-conforming property.

ADOPTED this 12th day of December 2019.

REPORT OF STANDING COMMITTEES

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to adopt a resolution partnering with Shell Chemical on the Make-A-Wish Foundation. Motion carried.

RESOLUTION 2115

**A RESOLUTION ACKNOWLEDGING THE PARTNERSHIP
BETWEEN THE CITY OF SARALAND AND SHELL CHEMICAL COMPANY IN
SUPPORT OF SHELL CHEMICAL COMPANY'S EFFORTS TO ASSIST THE MAKE-
A-WISH PROGRAM**

WHEREAS, the Shell Chemical Company Plant in Saraland, Alabama has been an integral part of the economy and the community of Saraland; and

WHEREAS, dozens of Saraland residents work at the Saraland Shell Chemical Plant with their hard work and effort benefitting not only Shell Chemical, its customers and clients, but also the citizens of the City of Saraland by helping create a vibrant economy and community; and

WHEREAS, the Saraland Shell Chemical Plant has undertaken efforts to partner with and raise funds for the Make-A-Wish Foundation; and

WHEREAS, the Make-A-Wish Foundation represents the efforts of tens of thousands of volunteers, donors and supporters to fulfill the vision and mission to grant a wish for every child diagnosed with a critical illness; and

WHEREAS, the City of Saraland, just like every community throughout the country, has citizens, friends and neighbors who, unfortunately, are confronted with the situation of having their children diagnosed with critical illness; and

WHEREAS, the City and citizens of the City of Saraland believe the efforts of the management and employees of the Saraland Shell Chemical Plant are worthy of help and assistance; and

WHEREAS, the City is happy to partner with the Saraland Shell Chemical Plant in recognizing their work and assisting them in this noble effort.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Saraland, Alabama (the "City"), that the City of Saraland is honored to partner with the Saraland Shell Chemical Plant in their efforts to bring awareness and help raise funds to benefit the Make-A-Wish Foundation.

ADOPTED this 12th day of December 2019.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to approve a resolution for the Police Department to surplus unclaimed monies to be deposited to the General Fund. Motion carried.

RESOLUTION 2116

BE IT RESOLVED by the City Council of the City of Saraland, as follows:

WHEREAS, the Police Department of the City of Saraland, Alabama, has unclaimed cash which has been turned in; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unclaimed property; and

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

Section 1: That the below listed items have been found and have been unclaimed to date:

1/31/19 – Found on Celeste Road \$7.00

10/12/19 – Found at Publix Grocery Store \$51.00

Section 2: That the unclaimed cash indicated be deposited into the General Fund account.

ADOPTED AND APPROVED this the 12th day of December 2019.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to approve an invoice from Galloway, Wettermark & Rutens, LLP in the amount of \$13,305.00, billing through October 31, 2019. Motion carried.

APPROVAL OF INVOICES

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs to approve the following invoices.

General Fund

1. Neel-Schaffer – General Services \$36,907.50
2. Courtney & Morris Appraisals, Inc – FEMA-145 Courtaulds Ave N \$550.00

Motion carried.

ORDERS, RESOLUTIONS, ORDINANCES & OTHER BUSINESS

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to approve engineer, Kirby Latham to open the bids for Fort Kali Oka Road Grade, Drain, Base and Pave Project. Motion carried.

The bids were opened in the following order:

- 1) James H. Adams & Son Const. Co., Inc. \$1,039,444.00
- 2) McElhenney Const. Co., LLC \$1,351,204.00
- 3) Middleton Const., LLC \$1,177,388.67
- 4) John G. Walton Const. Co., Inc. \$1,153,577.00

Mr. Latham acknowledged these bids were over the engineers estimate of \$975,000.00 and recommends to the council that Neel-Schaffer tabulate the bids and report back to the Council with a recommendation.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to approve Mr. Latham, with Neel-Schaffer to evaluate the bids and return to the Council with a recommendation. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to approve the proposal for Southern Earth Sciences submitted for construction materials testing on the Fort Kali Oka Road Project. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize Neel-Schaffer to proceed with the Celeste Road MPO Project. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to ratify expenditure of \$3,000.00 for Hartmann, Blackmon & Kilgore, P.C. for preparation of the 1094-C and 1095-C forms for 2017-2019. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to approve a proclamation declaring January of 2020, Human Trafficking Awareness Month. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to ratify expenditures from the drug fund for police equipment. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to authorize training expenses and adopt a resolution for a cash advance for Jeff Ludlam, Chad Conner, Kevin Fuller, Donnie Newman, and Irvin Rentz to attend the 2019 Alabama Fire Leadership Conference in Tuscaloosa, February 3-6, 2020. Motion carried.

RESOLUTION 2117

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

WHEREAS, a cash advance for Jeff Ludlam, Chad Conner, Kevin Fuller, Donnie Newman and Irvin Rentz to attend the 2019 Alabama Fire Leadership Conference, February 3-6, 2016 in Tuscaloosa, 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 12th day of December 2019.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to authorize the mayor to enter into an agreement with Alabama First Responder Benefits Program. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize the mayor to enter into a Preventive Maintenance Contract with Taylor Power Systems. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to authorize training expenses and adopt a resolution for a cash advance for Kenneth Mathews and George Wayne Miller to attend the Swat Team Leader Development Conference in Savannah, Georgia, January 6-10, 2020. Motion carried.

RESOLUTION 2118

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

WHEREAS, a cash advance for Kenneth Mathews and George Wayne Miller to attend the Swat Team Leader Development Conference, January 6-10, 2020 in Savannah, GA; 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 12th day of December 2019.

There being no further business to come before the Council, motion was made by Councilmember Biggs to adjourn at 7:20 p.m.

ACCEPTED and APPROVED the 19th day of December 2019.



Joe McDonald, Council President



Judi Smith, City Clerk

