

Saraland City Council  
Pre-Meeting  
November 12, 2020

MINUTES

The members of the Saraland City Council met on November 12, 2020 the Saraland Municipal Annex at 6:13 p.m., with Council President McDonald presiding.

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

Councilmember Hudson opened the meeting with prayer.

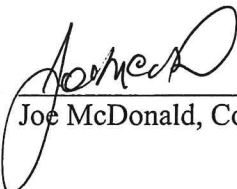
Attorney Andy Rutens was present.

The Council discussed agenda items and general municipal business.

There being no further discussion the pre-meeting adjourned at 6:25 p.m.

ACCEPTED and APPROVED the 10<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Judi Smith, City Clerk

  
\_\_\_\_\_  
Joe McDonald, Council President

The Saraland City Council met in regular session on November 12, 2020 at the Saraland Municipal Annex. The meeting was called to order at 6:26 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 Natalie Moye

Attorney, Andy Rutens was present.

Councilmember Hudson opened the meeting with prayer.

#### APPROVAL OF MINUTES

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to approve the minutes of the meeting of October 22 and November 2, 2020. Motion carried.

#### REPORT OF STANDING COMMITTEES

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to appoint Councilmember Wayne Biggs to the Planning Commission Board. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to authorize payment in the amount of \$198.00 on the Splash Pad to Geotechnical Engineering Testing, Inc. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to reimburse Linda Walley, 4240 Fort Kali Oka Road for two (2) invoices, Wimmer Tank Services, Inc. in the amount of \$6,245.00 and Austin Engineering Co., Inc. in the amount of \$500.00 for relocation of lines due to the City paving Fort Kali Oka Road. Motion carried.

#### APPROVAL OF INVOICES

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

#### General Fund

1. R. Jeffrey Perloff, Oct. 2020 Statement	\$2,312.00
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Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to approve the following invoices. Motion carried.

**General Obligation Warrant**

- |  |              |
|--|--------------|
| 1. Aeiker Construction-Splash Pad – Final Estimate | \$138,107.30 |
| 2. Neel--Schaffer - Splash Pad-Inv.# 1067912 Final | \$1,228.50   |

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

**Gas Tax Fund**

- |  |              |
|--|--------------|
| 1. James H. Adams & Son Construction – Fort Kali Oka, Est. 7 | \$231,538.87 |
|--|--------------|

**ORDERS, RESOLUTIONS, ORDINANCES & OTHER BUSINESS**

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of 10570 Kali Oka Road, Parcel No. R02180522000014.00, petitioned by property owners Dustin and Suzanne Lewis

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 Cromer introduced an ordinance approving the annexation of 10570 Kali Oka Road, Parcel No. R02180522000014.00, petitioned by property owners Dustin and Suzanne Lewis.

**ORDINANCE 1176**

**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:

That parcel of land being bounded by a line described as: From the Southwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 22, Township 2 South, Range 2 West, Mobile County, Alabama, run North 00 degrees 30 minutes West, along the West line of said Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 22, a distance of 210 feet to a point; thence East 40 feet to the East line of Rice Road Extension for a point of beginning of the property herein described; thence continue East 485 feet; thence North 00 degrees 30 minutes West 240 feet; thence West 485 feet to the East line of Rice Road Extension; thence South 00 degrees 30 minutes East, along said East line 240 feet to the point of beginning. All according to survey by Rowe Surveying Company dated June 3, 1964 and recorded in Real Property Book 523, Page 528 of the Probate Records of Mobile County, Alabama.

SUBJECT TO, HOWEVER, THE FOLLOWING:

1. Easement granted Alabama Power Company by Herbert Morgan and wife by instrument dated February 27, 1952 and recorded in Deed Book 552, Page 644.
2. Easement granted Alabama Power Company by Harold B. Walker by instrument dated October 27, 1954 and recorded in Deed Book 621, Page 143.

**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 Real Property or its address is commonly known as **10570 Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000014.00, petitioned by property owners Dustin and Suzanne Lewis.

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 12<sup>th</sup> day of November 2020.

**ORDINANCE 1177**  
**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 Southwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 22, Township 2 South, Range 2 West, and run North 0 degrees 30 minutes West along the West line of the said NE 1/4 of SW 1/4 a distance of 450 feet to a point; thence run East a distance of 40.00 feet to the point of beginning (said point being the intersection of said line and the East right-of-way line of Rice Road); From said point of beginning continue to run East 245.00 feet to a point; thence run North 10 degrees 15 minutes 25 seconds West a distance of 193.95 feet to a point; thence run North 86 degrees 14 minutes West a distance of 60.43 feet to a point (said point being the SE corner of the A.C. Hurst property); thence run South 97 degrees 30 minutes West along the South line of the A.C. Hurst property a distance of 151.95 feet to a point (said point being the intersection of said line and the East right-of-way line of Rice Road); thence run South 0 degrees 30 minutes East along the East right-of-way line of Rice Road a distance of 188.20 feet to the point of beginning, containing 1.00 acres, more or less; EXCEPTING THEREFROM AND RESERVING THEREFROM an easement for ingress and egress along the existing driveway over and across said described property for adjoining property owners' use.

The Real Property or its address is commonly known as **10600 Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000017.01, petitioned by property owners Ben and Ashlee Lomax.

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 12<sup>th</sup> day of November 2020.

Motion was made by Councilmember Biggs, seconded by Councilmember Moye, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of 10600 Kali Oka Road, Parcel No. R021805220000017.01, petitioned by property owners Ben and Ashlee Lomax.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to adopt the ordinance for the annexation of 10600 Kali Oka Road, Parcel No. R021805220000017.01, petitioned by property owners Ben and Ashlee Lomax.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard.

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 Cromer introduced an ordinance approving the annexation of 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard.

**ORDINANCE 1178**

**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:

South 200 feet of the following described property Beginning at Northwest corner of Northwest quarter of Southwest quarter of Section 22, Township 2 South, Range 2 West, thence South 390 feet continue South along East right of way line of Rice Road 60 feet, thence East 191.60 feet, thence Southwest 178.74 feet, thence East 60.43 feet, thence Southeast 193.97 feet, thence East 260 feet, thence North 880 feet, thence West 520 feet to the point of beginning.

The Real Property or its address is commonly known as **10600-A Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard.

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 12<sup>th</sup> day of November 2020.

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moya

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt the ordinance for the annexation of 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moya

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of 10600-B Kali Oka Road, Parcel No. R021805220000013.00, petitioned by property owners Martha Hancock and Terri Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road.

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 Cromer introduced an ordinance approving the annexation of 10600-B Kali Oka Road, Parcel No. R021805220000013.00, petitioned by property owners Martha Hancock and Terri Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road.



**ORDINANCE 1179**

**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:

Begin at Southwest Corner of Northeast Quarter of Southwest Quarter (NE1/4 of SW1/4) of Section 22, Township 2 South, Range 2 West, run 525 feet East; thence 585 feet North to the POINT OF BEGINNING; thence 210 feet East; thence 210 feet North; thence 210 feet West; thence 210 feet South, to point of beginning, containing 1 acre, more or less. Being part of parcel of land conveyed to Herbert Morgan by William Robert Lingarde, unmarried, recorded in Deed Book 374, Page 513 of Probate Court Records of Mobile County, Alabama.

The Real Property or its address is commonly known as **10600-B Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000013.00, petitioned by property owners Martha Hancock and Terri Havard.

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 12<sup>th</sup> day of November 2020.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of 10600-B Kali Oka Road, Parcel No. R021805220000013.00, petitioned by property owners

Martha Hancock and Terri Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs seconded by Councilmember Cromer, to adopt the ordinance for the annexation of 10600-B Kali Oka Road, Parcel No. R021805220000013.00, petitioned by property owners Martha Hancock and Terri Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of 10600-C Kali Oka Road, Parcel No. R021805220000012.001, petitioned by property owner Martha Hancock.

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 Cromer introduced an ordinance approving the annexation of 10600-C Kali Oka Road, Parcel No. R021805220000012.001, petitioned by property owner Martha Hancock.

### **ORDINANCE 1180**

**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:

Beginning at the Northwest corner of the Northeast Quarter of the Southwest Quarter, Section 22, Township 2 South, Range 2 West, Mobile County, Alabama, and run East along the North line of said Northeast Quarter of Southwest Quarter for 558.34 feet to a point; thence run South 1 degree 54 minutes West for 526.81 feet to a point; thence run South 1 degree 54 minutes West for 526.81 feet to a point; thence run West for 9.17 feet to a point; thence run South 0 degrees 30 minutes East for 210.00 feet to a point; thence run North 61 degrees 38 minutes West for 117.57 feet to a point; thence run West for 169.90 feet to a point; thence run north 85 degrees 22 minutes 20 seconds West for 61.95 feet to a point; thence run North 8 degrees 39 minutes 40 seconds East for 178.40 feet (Record — 178.74 feet) to a point; thence run South 87 degrees 55 minutes 40 seconds West for 181.68 feet to a point (said point being the intersection of said line and the East right of way line of Rice Road); thence run North 0 degrees 30 minutes West along the East right of way line of Rice Road for 29.70 feet to a point (said point being the P.C. of a curve); thence continuing along said right of way line on arc — 204.76 feet and having a chord of North 11 degrees 38 minutes 40 seconds West — 203.46 feet to a point (said point being the intersection of said line and the West line of said Northeast Quarter of Southwest Quarter of said Section); thence run North 0 degrees 30 minutes West along the West line of said Northeast Quarter of Southwest Quarter for 276.90 feet to the point of beginning, including an existing ingress-egress easement as shown.

The Real Property or its address is commonly known as **10600-C Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000012.001, petitioned by property owner Martha Hancock.

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 12<sup>th</sup> day of November 2020.

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of 10600-C Kali Oka Road, Parcel No. R021805220000012.001, petitioned by property owner Martha Hancock.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moyer

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Moyer, to adopt the ordinance for the annexation of 10600-C Kali Oka Road, Parcel No. R021805220000012.001, petitioned by property owner Martha Hancock.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moyer

Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to reconsider the Ordinance for annexation on 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Moyer, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road. Motion carried.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moya

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt the ordinance for the annexation of 10600-A Kali Oka Road, Parcel No. R021805220000017.02, petitioned by property owner Coleton Havard, contingent upon approval of provision of proof of legal access to Kali Oka Road. Motion carried.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moya

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE annexation of 10602 Kali Oka Road, Parcel No. R021805220000012.002, petitioned by property owners Danny and Terri Havard.

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 10602 Kali Oka Road, Parcel No. R021805220000012.002, petitioned by property owners Danny and Terri Havard.

### **ORDINANCE 1181**

#### **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:

Commence at the Northeast corner of the Southwest Quarter of Section 22, Township 2 South, Range 2 West, Mobile County, Alabama; thence South 00 degrees 28' 05" East for 517.93 feet to the point of beginning; thence continue South 00 degrees 28' 05" East for 802.37 feet; thence North 89 degrees 59' 48" West for 439.12 feet; thence North 00 degrees 28' 52" West for 450.56 feet; thence South 89 degrees 57' 50" West for 364.77 feet; thence North 00 degrees 13' 39" West for 133.76 feet; thence North 89 degrees 31' 08" East for 210.00 feet; thence North 00 degrees 28' 52" West for 210.00 feet; thence North 89 degrees 22' 24" East for 593.45 feet to the point of beginning. Said description encloses 9.94 acres more or less.

TOGETHER with an easement for the purpose of ingress and egress 30 feet in width and more particularly described along the centerline of said easement and 15 feet either side as follows: Commence at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 22, Township 2 South, Range 2 West, Mobile County, Alabama; thence South 00 degrees 28' 52" East for 845.19 feet; thence North 89 degrees 51' 50" East for 41.20 feet to the East right of way line of Kali-Oka Road and the point of beginning; thence continue North 89 degrees 51' 50" East for 55.99 feet; thence North 67 degrees 46' 22" East for 146.04 feet; thence North 54 degrees 47' 01" East for 100.78 feet; thence North 65 degrees 01' 56" East for 112.07 feet; thence South 68 degrees 41' 34" East for 142.27 feet to the end of said easement. Said description runs along the centerline of an existing asphalt drive.

LESS AND EXCEPT: Commencing at the Southwest corner of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of Section 22, Township 2 South, Range 2 West, and run North 0 degrees 30' West along the West line of said NE 1/4 of SW 1/4 for a distance of 450.00 feet to a point; thence run East for a distance of 735.00 feet to a point; thence run North 0 degrees 30' West for a distance of 76.00 feet to the Point of Beginning; thence continuing on said line of North 0 degrees 30' West for a distance of 208.75 feet to a point; thence run South 60 degrees 30' East for a distance of 208.75 feet to a point; thence run South 0 degrees 30' East for a distance of 208.75 feet to a point; thence run North 60 degrees 30' West for a distance of 208.75 feet to the point of beginning, containing 1.00 acre, more or less; INCLUDING an easement for

ingress and egress along the existing driveway from the East right-of-way line of Rice Road to the South line of the above described property;

EXCEPTING THEREFROM and the Grantor reserving unto herself, her heirs and assigns, all of the oil, gas and other minerals and rights therein and thereto, in, on and under said property not heretofore reserved by prior owners or previously conveyed to others, together with such rights of ingress and egress and such other rights as may be necessary or convenient for the complete enjoyment of same.

The Real Property or its address is commonly known as **10602 Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000012.002, petitioned by property owners Danny and Terri Havard.

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 12<sup>th</sup> day of November 2020.

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 10602 Kali Oka Road, Parcel No. R021805220000012.002, petitioned by property owners Danny and Terri Havard

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Moye, to adopt the ordinance for the annexation of 10602 Kali Oka Road, Parcel No. R021805220000012.002, petitioned by property owners Danny and Terri Havard

The following votes were recorded:

South 89°-22'-19" West, 209.72 feet; thence North 43°-51'-14" West, 362.39 feet; thence North 34°-50'-23" East, 321.81 feet to the Point of Beginning.

TOGETHER WITH a 20 foot easement for ingress, egress and utilities being described as: Commencing at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 22, Township 2 South Range 2 West, Mobile County, Alabama, run North 89°-46'-42" East 557.76 feet; thence South 34°-50'-23" West, 79.59 feet to the Point of Beginning of the easement herein described; thence continue south 34°-50'-23" West, 23.06 feet; thence North 85°-00'-56" West, 40.79 feet; thence South 63°-40'-16" West, 135.28 feet; thence south 40°-53'-23" West, 146.55 feet; thence South 57°-36'-50" West, 180.03 feet to a point on the East right-of-way line of Kali Oka Road (80 foot right-of-way); then North 17°-40'-33 West , along said East right-of-way line, 20.68 feet; thence North 57°-36'-50" East 171.84 feet; thence North 40°-53'-23" East, 147.64 feet; thence North 63°-40'-16" East, 144.92 feet; thence South 85°-00'-56" East, 57.88 feet to the Point of Beginning.

The Real Property or its address is commonly known as **10650 Kali Oka Road, Eight Mile, AL 36613**, Parcel No. R021805220000012.003, petitioned by property owners Ben and Ashlee Lomax.

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 12<sup>th</sup> day of November 2020.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to suspend the rules to allow for immediate consideration of the proposed ordinance for the annexation of 10650 Kali Oka Road, Parcel No. R021805220000012.003, petitioned by property owners Ben and Ashlee Lomax.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.



Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Biggs, seconded by Councilmember Moye, to adopt the ordinance for the annexation of 10650 Kali Oka Road, Parcel No. R021805220000012.003, petitioned by property owners Ben and Ashlee Lomax

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moye

Motion carried.

Councilmember Biggs introduced an ordinance adopting a ninety (90) day moratorium on the acceptance of subdivision applications for private subdivisions or subdivisions which will contain private roads until such time as the City Council can adopt regulations concerning private road standards and provisions for utility rights-of-way.

#### **ORDINANCE 1183**

#### **AN ORDINANCE ADOPTING A NINETY (90) DAY MORATORIUM ON THE ACCEPTANCE OF SUBDIVISION APPLICATIONS FOR PRIVATE SUBDIVISIONS OR SUBDIVISIONS WHICH WILL CONTAIN PRIVATE ROADS UNTIL SUCH TIME AS THE CITY COUNCIL CAN ADOPT REGULATIONS CONCERNING PRIVATE ROAD STANDARDS AND PROVISIONS FOR UTILITY RIGHTS-OF-WAY**

WHEREAS, the City of Saraland, Alabama has adopted a comprehensive Land Use Development Ordinance that, among other things, governs the subdivision of property and platting of roadways servicing subdivided properties; and

WHEREAS, the City Council of the City of Saraland, Alabama has determined that there is a need for greater clarity as it concerns the minimum standards and regulation of private subdivisions which will connect onto public roadways and will contain subdivided residential lots to which City emergency services and utility services may be provided; and

WHEREAS, the construction of private roadways within private subdivisions or subdivisions which contain private roadways that are not sufficient to convey and maintain public emergency vehicles impacts the health and safety not only of the property owners within said subdivisions but also of the emergency workers accessing private residences through the use of these private roadways; and

WHEREAS, it is the desire of the City Council to establish certain minimum standards which will allow for the conveyance of emergency vehicles in a manner which is determined to be reasonably safe; and

WHEREAS, it is the determination of the City Council that all new residential development within the City, to the extent available, shall utilize public sewer based upon environmental and public health concerns; and

WHEREAS, private residences located within private subdivisions or subdivisions with private roadways need to have access to utilities, including electricity, water and sewer, natural gas and other services which are now or are considered in the future utilities appropriate for the organized growth and development of the City; and

WHEREAS, in order to provide these utilities, utility rights-of-way need to be provided within private subdivisions or subdivisions which contain private roadways; and

WHEREAS, the City needs to develop regulations requiring such rights-of-way for utilities and to provide minimum standards for those requirements.

**NOW, THEREFORE,** be it ordained by the City Council of the City of Saraland, Alabama that the City of Saraland Land Use and Development Ordinance is amended as follows:

1. It is determined that a moratorium on the accepting of new subdivision applications for private subdivisions or for the subdivision of a property which will contain private roadways is hereby adopted for the next ninety (90) calendar days; and
2. This moratorium will preclude the City from accepting said applications for a period of ninety (90) days or until such time as the City adopts by ordinance new requirements and regulations for the approval of private subdivisions or subdivisions with private roadways within the planning jurisdiction of the City of Saraland, Alabama.

ADOPTED this the 12<sup>th</sup> day of November, 2020.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance adopting a ninety (90) day moratorium on the acceptance of subdivision applications for private subdivisions or subdivisions which will contain private roads until such time as the City Council can adopt regulations concerning private road standards and provisions for utility rights-of-way.

The following votes were recorded:

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

Councilmember Natalie Moya

Motion carried.

Unanimous consent being given to allow for immediate consideration of the proposed ordinance, motion was made by Councilmember Cromer, seconded by Councilmember Moya, to adopt the ordinance adopting a ninety (90) day moratorium on the acceptance of subdivision applications for private subdivisions or subdivisions which will contain private roads until such time as the City Council can adopt regulations concerning private road standards and provisions for utility rights-of-way.

The following votes were recorded:

Yes: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Newton Cromer  
Councilmember Veronica Hudson  
Councilmember Natalie Moya

Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to authorize renewal of the yearly contract with Taylor Generators in the amount of \$4,180.00.

Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Moya, to postpone voting on the Saraland Mardi Gras parade permit until the meeting of January 14, 2021. Motion carried.

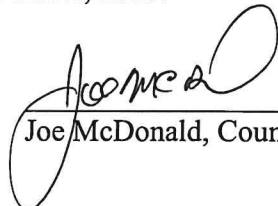
Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to authorize the Mayor or his designee to sign a pole attachment agreement contract with Alabama Power for the purpose of hanging Christmas decorations. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to approve a color holiday ad with the Call News at a cost of \$399.00. Motion carried.

There being no further business to come before the Council, motion was made by Councilmember Hudson to adjourn at 7:34 p.m.

ACCEPTED and APPROVED the 23<sup>rd</sup> day of November, 2020.

  
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Judi Smith, City Clerk

  
\_\_\_\_\_  
Joe McDonald, Council President