

The Saraland City Council met in regular session on August 12, 2021, at the Saraland Municipal Annex. The meeting was called to order at 6:20 p.m. by Council President McDonald. Roll call was as follows:

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

Attorney, Andy Rutens was present.

Councilmember Biggs opened the meeting with prayer.

APPROVAL OF MINUTES

Motion was made by Councilmember Biggs, seconded by Councilmember Moye, to approve the minutes of the meeting of July 22 and August 9, 2021. Motion carried.

REPORT OF STANDING COMMITTEES

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to approve Invoice #00607119 for General Engineering Services from Volkert, Inc. in the amount of \$1,270.79. Motion carried.

Motion was made by Councilmember Moye, seconded by Councilmember Cromer, to authorize expenditure in an amount not to exceed \$5,000.00 for fencing at Skidmore Park due to safety concerns. Motion carried.

REPORT OF MAYOR

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to authorize the mayor to work with the Attorney to prepare a resolution approving a one-time \$5,000.00 bonus to all full-time employees and \$2,500.00 to all part-time employees who were employed with the City on September 1, 2020. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye to authorize the mayor to contract with Green Blade for a two-month trial for maintenance at Exit 13. Motion carried.

APPROVAL OF INVOICES

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

General Fund

1. Galloway Wettermark & Rutens, LLP – Billing through 07/31/2021 \$7,808.60
2. R. Jeffrey Perloff, PC – July 2021 Statement \$1,708.50

Motion carried.

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

Gas Tax Fund

1. McDade Valuation & Consulting, LLC – Celeste Road Project \$6,690.00

Motion carried.

ORDERS, RESOLUTIONS, ORDINANCES & OTHER BUSINESS

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE Infirmiry Health System – TEFRA bond refinance

Council President McDonald declared the public hearing open.

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

Council President McDonald declared the public hearing closed.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to approve a resolution for approval of bonds pursuant to Section 147 of the Internal Revenue Code.

**RESOLUTION 2201
FOR APPROVAL OF BONDS PURSUANT TO
SECTION 147 OF THE INTERNAL REVENUE CODE**

WHEREAS, Infirmiry Health System Special Care Facilities Financing Authority of Mobile, a public corporation organized under the laws of the State of Alabama (the “Authority”), proposes to issue its revenue bonds (the “Bonds”) to provide financing for the benefit of Infirmiry Health System, Inc., an Alabama nonprofit corporation (“IHS”), and its affiliates, Mobile Infirmiry Association, an Alabama nonprofit corporation (“Mobile Infirmiry”), and Gulf Health Hospitals, Inc., an Alabama nonprofit corporation (“Gulf Health”). IHS, Mobile Infirmiry and Gulf Health are the members of an Obligated Group (the “Obligated Group”) under a master trust indenture and will be obligated for the payment of the Bonds. IHS and the other members of the Obligated Group own and operate health care facilities in Mobile and Baldwin Counties;

WHEREAS, the Bonds are being issued in one or more series, at one or more times, in an aggregate principal amount of up to \$320 million as part of a plan of financing to finance or refinance certain hospital and health care facilities of the Obligated Group (collectively, the "Facilities"). All series of Bonds to be issued under the plan of financing will be issued within three years after the issue date of the first issue. Proceeds of the Bonds will be made available to IHS and the other members of the Obligated Group and used to:

(1) refund all or a portion of the outstanding principal amount of the Authority's Revenue Bonds (Infirmiry Health System, Inc.), Series 2016B issued in the original principal amount of \$65,900,000 and its Revenue Bonds (Infirmiry Health System, Inc.), Series 2016C issued in the original principal amount of \$50,000,000, the proceeds of which financed, refinanced or reimbursed costs of health care facilities at the locations listed below; and

(2) finance or reimburse IHS or other members of the Obligated Group for the costs of the Facilities, which will include, without limitation, (i) the construction, equipping and furnishing of new buildings, (ii) the construction, equipping and furnishing of additions to existing buildings, (iii) the renovation, expansion, relocation, repurposing or improvement of existing buildings, and (iv) the acquisition and installation of new or replacement equipment, fixtures and furnishings for any new or existing Facilities. The aggregate amount of such costs financed is not expected to exceed \$200 million;

WHEREAS, the Facilities are or will be used in the integrated health care operations of the Obligated Group. The Facilities are or will be located at one of the following addresses, with the maximum principal amount of the Bonds to be issued to finance projects at such locations in parenthesis: (i) Mobile Infirmiry Medical Center (including Infirmiry LTAC Hospital located at the Mobile Infirmiry campus), located at 5 Mobile Infirmiry Circle in Mobile, Alabama (maximum of \$60,000,000), (ii) Thomas Hospital, located at 750 Murphy Avenue in Fairhope, Alabama (maximum of \$50,000,000), (iii) Thomas Medical Center, located at 27961 Highway 98 in Daphne, Alabama (maximum of \$10,000,000), (iv) North Baldwin Infirmiry, located at 1815 Hand Avenue in Bay Minette, Alabama (maximum of \$50,000,000), (v) clinic facilities of the Obligated Group located at 7101 Highway 90 in Daphne, Alabama (maximum of \$10,000,000), (vi) clinic and free standing emergency department facilities of the Obligated Group at the Obligated Group's Saraland campus, located at 95 Shell Street, Saraland, Alabama (maximum of \$10,000,000), and (vii) clinic and free standing emergency department facilities of the Obligated Group at the Obligated Group's Malbis campus, located at 29487 State Highway 181, Daphne, Alabama (maximum of \$10,000,000);

WHEREAS, the Facilities are or will be owned and operated by IHS, MIA, Gulf Health, Infirmiry Health Hospitals, Inc. and/or their subsidiaries and affiliates (each of which is a member of the Obligated Group or an affiliate of IHS);

WHEREAS, the Bonds will be special or limited obligations of the Authority payable solely from payments by IHS pursuant to one or more loan agreements and corresponding notes, and payments by the Obligated Group pursuant to one or more master indenture obligations. The Bonds will not be general obligations of the Authority and will not in any way constitute a debt, liability or obligation of the State of Alabama or any political subdivision of the State of

Alabama, including without limitation the political subdivisions holding the hearings described above or the political subdivisions where the Facilities are located. The Bonds will not be payable from any tax revenues; and

WHEREAS, a public hearing concerning the proposed issuance of the Bonds was held by the City of Saraland, Alabama (the "City") by the Authority in the Saraland Municipal Annex, located at 943 Saraland Boulevard South, Saraland, Alabama 36571, at 6:30 p.m. on Thursday, August 12, 2021. Notice of such hearing was given by publication in *The Mobile Press Register* on July 18, 2021, and such hearing provided an opportunity for persons with different views on the proposed issuance of the Bonds and the location and nature of the Facilities to express their views, both orally and in writing.

NOW, THEREFORE, BE IT RESOLVED, that the Saraland City Council hereby consents to and approves the issuance of the Bonds for the purposes set forth herein and the refunding of such Bonds from time to time. This consent and approval is being given pursuant to, and solely for the purpose of, the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the final regulations promulgated thereunder, and Title 11, Chapter 62 of the Code of Alabama of 1975, as amended. This consent to and approval of the issuance of the Bonds should not be construed as expressing any view whatsoever as to the financial feasibility of the Facilities or the adequacy of any security provided for the Bonds. This certificate shall never be taken to impose any liability of any kind whatsoever upon the undersigned, in either an individual capacity or as Mayor of the City of Saraland, Alabama.

ADOPTED AND APPROVED this the 12th day of August, 2021.

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE for the rezoning from M-2 to B-2 for Parcel R022202093000003.02 & Parcel R002202093000003.002, also known as 711 Industrial Parkway petitioned by Elcan and Associates, Inc.

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 for the rezoning from M-2 to B-2 for Parcel R022202093000003.02 & Parcel R002202093000003.002, also known as 711 Industrial Parkway petitioned by Elcan and Associates, Inc.

ORDINANCE 1199

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 M-2 to B-2:

COMMENCING at the Northwest corner of the Southwest Quarter of Section 9, Township 3 South, Range 1 West; thence run South and along the West line of said Quarter, 1129.05 feet; thence run East 366.57 feet to the POINT of BEGINNING; thence South 85 degrees 38 minutes 36 seconds East, 210.00 feet; thence South 4 degrees 21 minutes 24 seconds West 210.00 feet; thence North 85 degrees 38 minutes 36 seconds West 210 feet; thence North 4 degrees 21 minutes 24 seconds East 210.00 feet to the point of beginning, together with a right of way easement over and across a 60 foot wide street, the Centerline of said street being more particularly described as follows: COMMENCING at the Northwest Corner of the Southwest Quarter of Section 9, Township 3 South, Range 1 West; thence run South and along the West line of said Quarter 1229.47 feet; thence run East 328.83 feet to the POINT OF BEGINNING: thence North 4 degrees 21 minutes 24 seconds East 103.00 feet; thence North 11 degrees 14 minutes East 137.48 feet; thence North 29 degrees 04 minutes East 139.48 feet; thence North 45 degrees 09 minutes East, 319 feet more or less to a point on the South right of way line of the Industrial Parkway and the point of ending. EXCEPT all oil, gas, mineral and mineral rights in, on and under said land.

Property address: Vacant land; South and East side of Spartan Dr. (711 Industrial Pkwy, Saraland, AL), filed by Elcan & Associates, Inc.

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

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

ADOPTED AND APPROVED this the 12th day of August 2021.

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 for the rezoning from M-2 to B-2 for Parcel R022202093000003.02 & Parcel R002202093000003.002, also known as 711 Industrial Parkway petitioned by Elcan and Associates, Inc.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
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 for the rezoning from M-2 to B-2 for Parcel R022202093000003.02 & Parcel R002202093000003.002, also known as 711 Industrial Parkway petitioned by Elcan and Associates, Inc.

The following votes were recorded:

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

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE rezoning from M-2 to R-4 for Parcel R022202093000003 & Parcel R022202093000003.01, also known as 693 Industrial Parkway petitioned by Elcan and Associates, Inc.

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 rezoning from M-2 to R-4 for Parcel R022202093000003 & Parcel R022202093000003.01, also known as 693 Industrial Parkway petitioned by Elcan and Associates, Inc.

ADOPTED AND APPROVED this the 12th day of August 2021.

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 for the rezoning from M-2 to B-2 for Parcel R022202093000003.02 & Parcel R002202093000003.002, also known as 711 Industrial Parkway petitioned by Elcan and Associates, Inc.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
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 for the rezoning from M-2 to B-2 for Parcel R022202093000003.02 & Parcel R002202093000003.002, also known as 711 Industrial Parkway petitioned by Elcan and Associates, Inc.

The following votes were recorded:

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

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE rezoning from M-2 to R-4 for Parcel R022202093000003 & Parcel R022202093000003.01, also known as 693 Industrial Parkway petitioned by Elcan and Associates, Inc.

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 rezoning from M-2 to R-4 for Parcel R022202093000003 & Parcel R022202093000003.01, also known as 693 Industrial Parkway petitioned by Elcan and Associates, Inc.

ORDINANCE 1200

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 M-2 to R-4:

COMMENCING at the Northwest corner of the Southwest Quarter of Section 9, Township 3 South, Range 1 West; thence run South and along the West line of said Quarter, 1129.05 feet; thence run East 366.57 feet to the POINT OF BEGINNING; thence South 85 degrees 38 minutes 36 seconds East, 210.00 feet; thence South 4 degrees 21 minutes 24 seconds West 210.00 feet; thence North 85 degrees 38 minutes 36 seconds West 210 feet; thence North 4 degrees 21 minutes 24 seconds East 210 feet to the point of beginning, together with a right of way easement over and across a 60 foot wide street, the Centerline of said street being more particularly described as follows: COMMENCING at the Northwest Corner of the Southwest Quarter of section 9, Township 3 South, Range 1 West; thence run South and along the West line of said Quarter, 1229.47 feet; thence run East 328.83 feet to the POINT OF BEGINNING: thence North 4 degrees 21 minutes 24 seconds East 103.00 feet; thence North 11 degrees 14 minutes East, 137.48 feet; thence North 29 degrees 14 minutes East 137.48 feet' thence North 45 degrees 09 minutes East, 319 feet more or less to a point on the South right of way line of the Industrial Parkway and the point of ending. EXCEPT all oil, gas, minerals and mineral rights in, on and under said land.

Property address: Vacant land; South and East side of Spartan Dr. (693 Industrial Pkwy. Saraland, AL), filed by Elcan & Associates, Inc.

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

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

ADOPTED AND APPROVED this the 12th day of August 2021.

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 rezoning from M-2 to R-4 for Parcel R022202093000003 & Parcel R022202093000003.01, also known as 693 Industrial Parkway petitioned by Elcan and Associates, Inc.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
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 rezoning from M-2 to R-4 for Parcel R022202093000003 & Parcel R022202093000003.01, also known as 693 Industrial Parkway petitioned by Elcan and Associates, Inc.

The following votes were recorded:

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

Motion carried.

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER an Ordinance amending provision of the Land Use and Development Ordinance.

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 amending provision of the Land Use and Development Ordinance.

ORDINANCE NO. 1201

**AN ORDINANCE AMENDING PROVISIONS OF THE CITY OF SARALAND
LAND USE AND DEVELOPMENT ORDINANCE TO AMEND ARTICLE XII,
ARTICLE XIII AND ARTICLE XXXV, AS WELL AS SARALAND
MUNICIPAL CODE ARTICLE XVI, TO ADDRESS**

**PUBLIC HEALTH AND SAFETY AND TO ALTER PROVISIONS
OF THE EXISTING LAND USE ORDINANCE TO BETTER CONFORM
TO THE CITY OF SARALAND COMPREHENSIVE PLAN**

WHEREAS, the City of Saraland, Alabama on July 24, 2014 adopted a Master Plan as provided in Alabama Code § 11-52-8-9; and

WHEREAS, the Master Plan, otherwise known as the City of Saraland Comprehensive Plan, was the result of significant efforts by the Building and Planning Departments and City leadership in tandem with public hearings and citizen input concerning the desired development and growth for the City in the future; and

WHEREAS, the City of Saraland is experiencing rapid growth both in a residential context, as well as in a business context; and

WHEREAS, it is the determination of the Mayor and City Council that certain provisions of the existing City of Saraland Land Use Development Ordinance should be amended to better reflect aspects of the future development of the City as contained in the Comprehensive Plan; and

WHEREAS, it is the determination of the Mayor and City Council that as density and development increases, additional pressure is placed upon public safety and impact the ability of the City to provide quick, efficient and effective police, fire and emergency medical services; and

WHEREAS, it is the determination of the Mayor and City Council that changes to the Land Use Ordinance addressing needed open space between living structures is appropriate to allow for the provision of quick, efficient and effective police, fire and emergency medical services within the City; and

WHEREAS, ARTICLE XII of the Land Use Ordinance currently reads in pertinent part as follows:

“ESTABLISHMENT OF DISTRICTS

12-2 RESIDENTIAL DISTRICTS

(a) R-1, Low Density Single Family Residential District:

This district is provided to afford opportunity for choice of low density, suburban residential environment consisting of single family residences on large parcels of land.

(b) R-1A, Patio:

This district is provided as a medium density, single family

(c) R-2, Medium Density Single Family Residential District:

This district is intended as a medium density single family, urban residential environment consisting of single family residences on lots of a moderate size.

(d) R-3, Limited Multi-Family Residential District:

The purpose of this district is to provide a medium high density single family structure or two to four family units to a building structure.

(e) R-4, High Density Single and Multi-Family Residential District:

The intent of this district is to provide opportunity for high density residential development in specified areas.

Within this district it is also considered suitable to include other uses of a type deemed to be compatible with a good, high density living environment by providing for needed community services.

(f) R-5, Mobile Home Residential District:

The intent of this district is to provide space at appropriate locations consistent with community objectives for the establishment of mobile home parks and subdivisions which provide for the establishment of permanent mobile homes and for the amenities conducive to an adequate living environment. Public or private community water and sewer facilities are required except where lots are equal to Mobile County Health Department requirements for private wells and individual septic systems.

; and

WHEREAS, Section 13.6 of the City of Saraland Land Use Ordinance currently reads as follows:

“13-6 SETBACKS

MINIMUM DISTRICT REQUIREMENTS

The following front, rear, and side yard setbacks shall apply in districts as outlined, except an R-5, Mobile Home Residential District, Planned Unit Developments:

	<u>Front Yard</u>		<u>Rear Yard</u>	<u>Side Yard</u>	<u>Corner Lot Side Yard</u>	
R-1	35	35	35	10	40	25
R1-A	25	25	25	10	30	20
	Collector Streets	and Service Roads			Collector Streets	and Service Roads

R-2	30	30	25	10	35	20
R-3	25	25	25	10	30	20
R-4(Single)	30	30	30	a	30	20
R-4(Two)	25	25	25	6	25	20
R-4(Multi)	25	25	25	a	25	20
B-1	30	20	20	b	20	10
B-2	30	20	b	b	30	25
B-3	30	20	b	b	20	10
M-1	50	30	c	c	50	30
M-2	50	30	c	c	50	30
FH	*	*	*	*	*	*

(Ord. 774, 11-25-08)

Extraterritorial Planning Jurisdiction

Single-family	30	30	30	10	30	20
---------------	----	----	----	----	----	----

* Same as use district which it overlays.

- (a) Ten (10) feet plus two (2) additional feet for each floor above two stories, but not exceeding twenty (20) feet; when the dwelling unit faces the side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.
- (b) None, except it will be five (5) feet if abutting an alley, and when abutting a residential district it shall be not less than thirty (30) feet.
- (c) None, except it will be five (5) feet if abutting on alley, and when abutting a residential district it shall be not less than fifty (50) feet"; and

WHEREAS, Section 16-2 of the City of Saraland Municipal Code currently reads as follows:

"Sec. 16-2. – Location restrictions.

- (a) It shall be unlawful for any person to occupy or to lease or let for occupancy or to permit the occupancy, whether with or without compensation of any house trailer or mobile home within the City, at any location other than a duly licensed and zoned trailer camp, trailer court or trailer sales lot except as permitted by Section 16-4 of this Code.
- (b) It shall be unlawful for any person to park any house trailer or mobile home within the City at any place other than at a duly licensed trailer camp, trailer court or trailer sales lot, or on the public streets at legal parking areas and provided, however, that trailers may be legally parked as permitted by Section 16-3 of this Code.

- (c) Individual mobile homes for residential use which were grandfathered in as a nonconforming use when the property upon which said mobile home is located was annexed into the City can remain in place and said mobile home may be replaced by the original owner of the property upon which the mobile home was located at the time of annexation as long as he remains the owner thereof or until the City adopts a revised comprehensive zoning ordinance replacing the present zoning ordinance.”

; and

WHEREAS, ARTICLE XXXV of the Land Use Ordinance currently reads as follows:

“TABLE OF PERMITTED USES (DEFINED)

TABLE OF PERMITTED USES: The following Table contains a list of land uses permitted in each district. Opposite each land use, in the appropriate district column or columns, the letter “R” identifies those districts in which a particular land use is permitted by right, subject only to Planning Commission site plan approval, and the letter “S” identifies those districts in which a particular land use is permitted only by Special Exception granted by the Board of Zoning Adjustment, and thereafter with site plan approval by the Planning Commission. The letter “P” identifies those uses that must be reviewed and approved by the Planning Commission as to location and site plan with regard to transportation, access, water supply, waste disposal, fire, police protection, and other public facilities.

USES NOT SPECIFIED: In any case where a use is not specifically referred to by the Table or elsewhere in this Ordinance, its status shall be determined by the Building Inspector by reference to the most clearly analogous use or uses that are specifically referred to in the Table of Permitted Uses. When the status of a use has been so determined by the Building Inspector, such determination shall thereafter have general application to all uses of the same type.

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met	R	R	R	R	R	R	R	R	R	R	R
Agriculture and related farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens	P	P	P	P	P	R	R	R	R	R	R
Air Conditioning sales and service						R	R		R		
Ambulance/EMS service						R	R	P	R		
Amusement and recreation services: must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area:											
Amusement Park							S		P		
Amusement arcade, kiddie land							S		P		
Archery range							R				
Baseball batting range							R				
Billiard or pool hall							R		R		
Bowling alley							R		R		
Fairgrounds, circus or carnival							R		R		
Golf Course						R	R	R	R		
Golf Course, miniature							R		R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
while in the water, sale of fuel and supplies, and provision of lodging, food, beverages and entertainment as accessory uses, may include dry storage in an enclosed structure							R	R	R	R	S
Body-Piercing Studio							R				
Book store						R	R				
Bottling works							R		R		
Building materials supply, provided that major storage areas are screened from view and that any machine operations are conducted entirely within an enclosed structure with no opening other than a stationary window within 100 feet of a residential district							R		R	R	
Bus and railroad terminal facilities								P	P	P	
Business machines sales and service						P	R		R		
Business school or college						P	P	P			
Butane and other liquefied petroleum gas products storage and sales; need not be enclosed within a structure							S		S		
Cabinet or carpenter shop							R		R		
Café, grill, lunch counter and restaurant but not including night club, bar, tavern and drive-in restaurant						R	R		R	R	
Camera and photographic supply store						R	R				
Candy, nut and confectionary store						R	R				
Canvas products manufacture							P		R		
Carting express, crating, hauling Storage							R		R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Catering shop or service						R	R				
Cemetery, subject to requirements of the Special Provisions	S	S	S	S	S	S	S	S	S		
Churches and related accessory Buildings	S	S	S	S	S	P	P	P	P	P	
City Hall, police station, fire station, courthouse, federal office building and similar public building	R	R	R	R	R	R	R	R	R	R	
Clay and clay products manufacture; need not be enclosed within a structure							P		R		
Clinic, dental, medical or psychiatric for humans	S	S	S	S	S	R	R	R	S		
Club or lodge, fraternal, civic charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a Business	S	S	S	S	S	R	R		P		
Club, country club, golf, swimming or tennis club or the like, privately owned and operated community club or association, athletic field, park, recreation area, and similar uses of a recreational nature provided that no building for such purposes is located within 100 feet of any property line	S	S	S	S	S	P	P	P	P	P	P
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line	S	S	S	S	S	P	P	P	P		
College sorority or fraternity house	S	S	S	S	S	P	P	P			
Communications Towers							S		P		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Concrete and concrete products manufacture; need not be enclosed within a structure									R		
Contractor's storage yard for vehicles, equipment, materials and supplies; need not be enclosed within a structure, but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided							R		R	R	
Convenience Store						R	R		R	R	
Correctional, detention or penal Institution							S		S		
Dairy equipment sales							R		R		
Dairy products sales						R	R				
Delicatessen						R	R				
Department store							R		R		
Dog pound; need not be enclosed within a structure							P		R		
Drive-in restaurant					P		P		P		
Drug Store						R	R				
Dry cleaning shop, including self-service						R	R				
Dry goods or fabric store						R	R				
Dwelling, one-family	R	R	R	R	S	S	S	S	S		
Dwelling, two-family			R	R	S	S	S	S	S		
Dwelling, multi-family			P	P	S	P	P	S	S		
Electric power generating plant							S		S		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Care	S	S	S	S	S	S	S				
Interior decorating shop						R	R				
Junk yard including storage, baling or sale of rags, paper, iron or junk; need not be enclosed within a structure but must be enclosed within a fence or sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.										P	
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.	S	S	S	S	S	R	R		P		
Laboratory, scientific							S		R		
Laboratory, medical or dental						R	R		R		
Landscape garden sales; need not be enclosed within a structure						R	R		R		
Laundry, self-service				P		R	R				
Laundry and dry-cleaning plant							R		R		
Laundry, linen supply or diaper service							R		R		
Leather goods or luggage goods store						R	R				
Library	S	S	S	S	S	R	R	R			
Liquor, wine and beer sales not to be consumed on premises and meeting local and state requirements						R	R		R		
Local Shopping Centers						P	P		P		
Loan office											
Locksmith						R	R				

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Lodging, boarding or rooming houses, and tourist homes				P	P	P	P				
Lumber yards and building materials; need not be enclosed within a structure							R		R		
Machine Shop							P		R		
Machinery, tools and construction equipment, sales and service							S		R		
Mail order house							R		R		
Manufacturing, repair, assembly or processing establishments of a light industrial nature, including, but not limited to the following:											
Automobile assembly									R		
Clothing and garment manufacturing									R	R	
Food product processing and packaging									R		
Glass products manufacturing									R		
Laboratories for testing materials, chemical analysis, photographic processing.									R	R	
Metal products manufacturing									R		
Millwork and similar wood products									R		
Manufacturing									R		
Musical instruments and parts									R	R	
Manufacturing									R		
Paper products manufacturing									R		
Plastics manufacturing									R		
Scientific, optical and electronic equipment assembly and											
Manufacturing									R	R	
Shipbuilding and repair yard; need not be enclosed within a structure									R		
Souvenirs and novelties manufacturing									R	R	
Surgical and dental supplies									R		
Manufacturing									R		
Toy, sporting goods and athletic goods manufacturing									R	R	

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
recreation centers; need not be enclosed within a structure	P	P	P	P	P	P	P				
Pawn Shop							R				
Pet Shop							R		R		
Photographic studio and/or processing							R	R			
Tattoo Parlor							R				
Transit vehicle storage and servicing; need not be enclosed within a structure							P		P		
Variety Store						R	R				
Veterinary service							R		R		
Warehouse and storage facilities, minor; mini-type do-it-yourself storage Facilities							R		R	R	
Water storage; need not be enclosed within a structure	P	P	P	P	P	P	P	P	P		
Water or sewage pumping station	P	P	P	P	P	P	P	P	P		
Welding shop							P		P		
Well drilling company							R		R		
YMCA, YWCA and similar institutions	S	S	S	S	S	S	S				
Zoo							S		S		

** Residential use of mobile home(s) other than in mobile home parks is prohibited in all use districts.

** Office space or other non-residential use in mobile home(s) is prohibited in all use districts"; and

WHEREAS, it is the determination that ARTICLE XII, Section 12-2 is hereby amended to read as follows:

"ARTICLE XII
ESTABLISHMENT OF DISTRICTS

12-2 RESIDENTIAL DISTRICTS

(a) R-1, Low Density Single Family Residential District:

This district is provided to afford opportunity for choice of low density, suburban residential environment consisting of single family residences on large parcels of land.

(b) R-1A, Patio:

This district is provided as a medium density, single family

(c) R-2, Medium Density Single Family Residential District:

This district is intended as a medium density single family, urban residential environment consisting of single family residences on lots of a moderate size.

(d) R-3, Limited Multi-Family Residential District:

The purpose of this district is to provide a medium high density single family structure or two to four family units to a building structure.

(e) R-4, High Density Single and Multi-Family Residential District:

The intent of this district is to provide opportunity for high density residential development in specified areas.

Within this district it is also considered suitable to include other uses of a type deemed to be compatible with a good, high density living environment by providing for needed community services.

(f) R-5, Mobile Home Residential District:

The intent of this district is to provide space at appropriate locations consistent with community objectives for the establishment of mobile home parks and subdivisions which provide for the establishment of permanent mobile homes and for the amenities conducive to an adequate living environment. Public community water and sewer facilities are required except where individual mobile home lots are equal to Mobile County Health Department requirements for private wells and individual septic systems.

The physical locations of individual mobile homes located within a mobile home park shall be such that the distance between individual mobile homes shall comply with the set-back provision of 13-6 and as required for R-3 zoned property. ; and

WHEREAS, it is the determination of the Mayor and City Council that Section 13-6 of the City of Saraland Land Use and Development Ordinance is hereby amended as follows:

“13-6 SETBACKS

MINIMUM DISTRICT REQUIREMENTS

The following front, rear, and side yard setbacks shall apply in districts as outlined, except as it concerns the specific adopted setbacks for individual Planned Unit Developments:

	<u>Front Yard</u>		<u>Rear Yard</u>	<u>Side Yard</u>	<u>Corner Lot Side Yard</u>	
R-1	35	35	35	10	40	25
R1-A	25	25	25	10	30	20
R-2	30	30	25	10	35	20
R-3	25	25	25	10	30	20
R-4(Single)	30	30	30	a	30	20
R-4(Two)	25	25	25	6	25	20
R-4(Multi)	25	25	25	a	25	20
B-1	30	20	20	b	20	10
B-2	30	20	b	b	30	25
B-3	30	20	b	b	20	10
M-1	50	30	c	c	50	30
M-2	50	30	c	c	50	30
FH	*	*	*	*	*	*

(Ord. 774, 11-25-08)

Arterial and Collector Streets
Local Streets and Service Roads

Extraterritorial Planning Jurisdiction

Single-family	30	30	30	10	30	20
---------------	----	----	----	----	----	----

* Same as use district which it overlays.

- (a) Ten (10) feet plus two (2) additional feet for each floor above two stories, but not exceeding twenty (20) feet; when the dwelling unit faces the side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.
- (b) None, except it will be five (5) feet if abutting an alley, and when abutting a residential district it shall be not less than thirty (30) feet.
- (c) None, except it will be five (5) feet if abutting an alley, and when abutting a residential district it shall be not less than fifty (50) feet,”

; and

WHEREAS, it is the determination of the Mayor and City Council that Section 16-2 of the City of Saraland Municipal Code is hereby amended as follows:

“Sec. 16-2. – Location restrictions.

- (a) It shall be unlawful for any person to occupy or to lease or let for occupancy or to permit the occupancy, whether with or without compensation of any house trailer or mobile home within the City, at any location other than a duly licensed and zoned trailer camp, trailer court or trailer sales lot except as permitted by Section 16-4 of this Code.
- (b) It shall be unlawful for any person to park any house trailer or mobile home within the City at any place other than at a duly licensed trailer camp, trailer court or trailer sales lot, or on the public streets at legal parking areas and provided, however, that trailers may be legally parked as permitted by Section 16-3 of this Code.”

; and

WHEREAS, it is the determination of the Mayor and City Council that ARTICLE XXXV of the Saraland Land Use and Development Ordinance should be amended as follows:

“TABLE OF PERMITTED USES: The following Table contains a list of land uses permitted in each district. Opposite each land use, in the appropriate district column or columns, the letter “R” identifies those districts in which a particular land use is permitted by right, subject only to Planning Commission site plan approval, and the letter “S” identifies those districts in which a particular land use is permitted only by Special Exception granted by the Board of Zoning Adjustment, and thereafter with site plan approval by the Planning Commission. The letter “P” identifies those uses that must be reviewed and approved by the Planning Commission as to location and site plan with regard to transportation, access, water supply, waste disposal, fire, police protection, and other public facilities. Said review shall also include a determination that the use is compliant with the current City Comprehensive Plan. If no designation is listed for a use under a specific zoning district, the use is not allowed in that zoning district.

USES NOT SPECIFIED: In any case where a use is not specifically referred to by the Table or elsewhere in this Ordinance, its status shall be determined by the Building Inspector by reference to the most clearly analogous use or uses that are specifically referred to in the Table of Permitted Uses. When the status of a use has been so determined by the Building Inspector, such determination shall thereafter have general application to all uses of the same type.

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met	R	R	R	R	R	R	R	R	R	R	R
Agriculture and related plant farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens	P	P	P	P	P	R	R	R	R	R	R
Air Conditioning sales and service						R	R		R		
Ambulance/EMS service						R	R	P	R		
Amusement and recreation services: must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area:							S				
Amusement Park							S		P		
Amusement arcade, kiddie land							S		P		
Archery range							R				
Baseball batting range							R		S		
Billiard or pool hall							R		S		
Bowling alley							R		P		
Fairgrounds, circus or carnival							R		S		
Golf Course						R	R	R	R		
Golf Course, miniature							R		R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
servicing and minor repair to boats while in the water, sale of fuel and supplies, and provision of lodging, food, beverages and entertainment as accessory uses, may include dry storage in an enclosed structure							R	R	R	R	S
Body-Piercing Studio							R				
Book store						R	R				
Bottling works							R		R		
Building materials supply, provided that major storage areas are screened from view and that any machine operations are conducted entirely within an enclosed structure with no opening other than a stationary window within 100 feet of a residential district							R		R	R	
Bus and railroad terminal facilities								S	S	S	
Business machines sales and service						P	R		R		
Business school or college						P	P	P			
Butane and other liquefied petroleum gas products storage and sales; need not be enclosed within a structure							S		S		
Cabinet or carpenter shop							R		R		
Café, grill, lunch counter and restaurant but not including night club, bar, tavern and drive-in restaurant						R	R		R	R	
Camera and photographic supply store						R	R				
Candy, nut and confectionary store						R	R				
Canvas products manufacture							P		R		
Carting express, crating, hauling Storage							R		R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Catering shop or service						R	R				
Cemetery, subject to requirements of the Special Provisions	S	S	S	S	S	S	S	S	S		
Churches and related accessory Buildings	S	S	S	S	S	P	P	P	P	P	
City Hall, police station, fire station, courthouse, federal office building and similar public building	R	R	R	R	R	R	R	R	R	R	
Clay and clay products manufacture; need not be enclosed within a structure							P		R		
Clinic, dental, medical or psychiatric for humans	S	S	S	S	S	R	R	R	S		
Club or lodge, fraternal, civic charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a Business	S	S	S	S	S	R	R		P		
Club, country club, golf, swimming or tennis club or the like, privately owned and operated community club or association, athletic field, park, recreation area, and similar uses of a recreational nature provided that no building for such purposes is located within 100 feet of any property line	S	S	S	S	S	P	P	P	P	P	P
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line	S	S	S	S	S	P	P	P	P		
College sorority or fraternity house	S	S	S	S	S	P	P	P			
Communications Towers							S		P		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Concrete and concrete products manufacture; need not be enclosed within a structure									R	P	
Contractor's storage yard for vehicles, equipment, materials and supplies; need not be enclosed within a structure, but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided							R		R	R	
Convenience Store						P	R		R	R	
Correctional, detention or penal Institution							S		S		
Dairy equipment sales							R		R		
Dairy products sales						R	R				
Delicatessen						R	R				
Department store							R		R		
Dog pound; need not be enclosed within a structure							P		R		
Drive-in restaurant					P		P		P		
Drug Store						R	R				
Dry cleaning shop, including self-service						R	R				
Dry goods or fabric store						R	R				
Dwelling, one-family	R	R	R	R	S	S	S	S	S		
Dwelling, two-family			R	R	S	S	S	S	S		
Dwelling, multi-family			P	P	S	P	P	S	S		
Electric power generating plant							S		S		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen in most districts	P	P	P	P	P	P	P	P	P		
Electric repair shop							R		R		
Electric Supply Store							R		R		
Elevator maintenance service							R		R		
Employee credit union office						R	R	R			
Exterminator service office						P	R		R		
Farm and garden equipment and supply Store							R		R	R	
Farmers' markets							P		R		P
Fix-it shop, including small appliance Repair						R	R		R		
Floor covering sales and service						R	R		R		
Floral shop						R	R				
Food locker plant including rental of lockers for the storage of food; cutting and packaging of meats and game, but not the slaughtering of animals or fowl.							R		R		
Food products processing plant							S		R		
Food products, wholesale storage and Sales							R		R		
Freight; depot, railway or truck							P		R		
Fruit and produce, retail						R	R				
Fund Raising	S	S	S	S	S						

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Funeral home, mortuary or undertaking Establishment						R	R				
Furniture and home furnishing store, including office furniture and Equipment							R		R		
Furniture repair, including upholstering and refinishing							R		R		
Gas regulator station	P	P	P	P	P	P	P	P	P		
Gift shop						R	R				
Grocery store, retail						R	R				
Gymnasium, commercial						R	R				
Hardware store, retail, wholesale, storage and sales						R	R				
Hatchery, poultry, or fish									R	P	
Hazardous materials storage: see Definition, section 8-2, (Ord. ###, 8-14-14)							S		P	P	
Heating and plumbing equipment, supplies and service							R		R	R	
Hobby shop and supply store						R	R		R		
Home occupation	R	R	R	R	R	R	R	R			
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans	S	S	S	S	S	P	P	P	P		
Hotel and motel					S	P	P		P		
Ice Cream parlor						R	R				
Ice Plant							R		R		
Industrial park									P	P	

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Institution for children or the aged, day Care	S	S	S	S	S	S	S				
Interior decorating shop						R	R				
Junk yard including storage, baling or sale of rags, paper, iron or junk; need not be enclosed within a structure but must be enclosed within a fence or sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.										P	
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.	S	S	S	S	S	R	R		P		
Laboratory, scientific							S		R		
Laboratory, medical or dental						R	R		R		
Landscape garden sales; need not be enclosed within a structure						R	R		R		
Laundry, self-service				P		R	R				
Laundry and dry-cleaning plant							S		R		
Laundry, linen supply or diaper service							R		R		
Leather goods or luggage goods store						R	R				
Library	S	S	S	S	S	R	R	R			
Liquor, wine and beer sales not to be consumed on premises and meeting local and state requirements						R	R		R		
Local Shopping Centers						P	P		P		
Loan office meeting all other state and local requirements							S	S			

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Locksmith						R	R				
Lodging, boarding or rooming houses, and tourist homes				P	P	P	P				
Lumber yards and building materials; need not be enclosed within a structure							R		R		
Machine Shop							P		R		
Machinery, tools and construction equipment, sales and service							S		R		
Mail order house							R		R		
Manufacturing, repair, assembly or processing establishments of a light industrial nature, including, but not limited to the following:											
Automobile assembly										R	
Clothing and garment manufacturing									R	R	
Food product processing and packaging									S	R	
Glass products manufacturing									R		
Laboratories for testing materials, chemical analysis, photographic processing.									R	R	
Metal products manufacturing									S	R	
Millwork and similar wood products											
Manufacturing									S	R	
Musical instruments and parts									R	R	
Manufacturing									S	R	
Paper products manufacturing									S	R	
Plastics manufacturing									S	R	
Scientific, optical and electronic equipment assembly and											
Manufacturing									S	R	
Shipbuilding and repair yard; need not be enclosed within a structure									S	R	
Souvenirs and novelties manufacturing									S	R	
Surgical and dental supplies											
Manufacturing									S	R	
Toy, sporting goods and athletic goods manufacturing									S	R	

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Marina, minor; see boat storage, service and repair minor							R		R		
Marina, major; see boat construction, storage, service and repair, wet and dry, major; may also include boat sales, accessories and service							P		R		
Marine stores and supplies							R		R		
Mobile Home Park											
Motorcycle sales, service, and repair							R		R		
Music store						R	R				
Natural preservation areas including bird and wildlife sanctuaries, nature and hiking trails	P	P	P	P	P	P	P				
News Stand						R	R				
Night club, bar, tavern and cocktail lounge when separate from a restaurant						S	R				
Non-Chartered Financial Institution							R				
Office buildings, general							R		R		
Office buildings, professional						R	R	R	R		
Office equipment and supplies, retail						R	R				
Oil and gas exploration and production Activities	S	S	S	S	S	S	S	S	S		
Optician						R	R	R			
Paint and wallpaper store						R	R		R		
Painting and decorating contractor							R		R		
Paper supplies, wholesale							R		R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Park or playground including recreation centers; need not be enclosed within a structure	P	P	P	P	P	P	P				
Pawn Shop							R				
Pet Shop							R		R		
Photographic studio and/or processing							R	R			
Tattoo Parlor							R				
Transit vehicle storage and servicing; need not be enclosed within a structure							P		P		
Variety Store						R	R				
Veterinary service							R		R		
Warehouse and storage facilities, minor; mini-type do-it-yourself storage Facilities							R		R	R	
Water storage; need not be enclosed within a structure	P	P	P	P	P	P	P	P	P		
Water or sewage pumping station	P	P	P	P	P	P	P	P	P		
Welding shop							P		P		
Well drilling company							R		R		
YMCA, YWCA and similar institutions	S	S	S	S	S	S	S				
Zoo							S		S		

** Residential use of mobile home(s) other than in mobile home parks is prohibited in all use districts.

** Office space or other non-residential use in mobile home(s) is prohibited in all use districts."

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SARALAND, ALABAMA, upon approval by the Mayor and posting by the City Clerk, Sections 12-2 and 13-6, ARTICLE XXXV of the City of Saraland Land Use and Development Ordinance, and Section 16-2 of the City of Saraland Municipal Code are amended to read as follows:

"Section 12-2.

ARTICLE XII

ESTABLISHMENT OF DISTRICTS

12-2 RESIDENTIAL DISTRICTS

(a) R-1, Low Density Single Family Residential District:

This district is provided to afford opportunity for choice of low density, suburban residential environment consisting of single family residences on large parcels of land.

(b) R-1A, Patio:

This district is provided as a medium density, single family

(c) R-2, Medium Density Single Family Residential District:

This district is intended as a medium density single family, urban residential environment consisting of single family residences on lots of a moderate size.

(d) R-3, Limited Multi-Family Residential District:

The purpose of this district is to provide a medium high density single family structure or two to four family units to a building structure.

(e) R-4, High Density Single and Multi-Family Residential District:

The intent of this district is to provide opportunity for high density residential development in specified areas.

Within this district it is also considered suitable to include other uses of a type deemed to be compatible with a good, high density living environment by providing for needed community services.

(f) R-5, Mobile Home Residential District:

The intent of this district is to provide space at appropriate locations consistent with community objectives for the establishment of mobile home parks and subdivisions which provide for the establishment of permanent mobile homes and for the amenities conducive to an adequate living environment. Public community water and sewer facilities are required except where individual mobile home lots are equal to Mobile County Health Department requirements for private wells and individual septic systems. The physical locations of individual mobile homes located within a mobile home park shall be such that the distance between individual mobile homes shall comply with the set-back provision of 13-6 and as required for R-3 zoned property.”

“Section 13-6. SETBACKS”

MINIMUM DISTRICT REQUIREMENTS

The following front, rear, and side yard setbacks shall apply in districts as outlined, except as it concerns the specific adopted setbacks for individual Planned Unit Developments:

	<u>Front Yard</u>		<u>Rear Yard</u>	<u>Side Yard</u>	<u>Corner Lot Side Yard</u>	
R-1	35	35	35	10	40	25
R1-A	25	25	25	10	30	20
R-2	30	30	25	10	35	20
R-3	25	25	25	10	30	20
R-4(Single)	30	30	30	a	30	20
R-4(Two)	25	25	25	b	25	20
R-4(Multi)	25	25	25	a	25	20
B-1	30	20	20	b	20	10
B-2	30	20	b	b	30	25
B-3	30	20	b	b	20	10
M-1	50	30	c	c	50	30
M-2	50	30	c	c	50	30
FH	*	*	*	*	*	*

(Ord. 774, 11-25-08)

Arterial and Collector Streets
Local Streets and Service Roads

Extraterritorial Planning Jurisdiction

Single-family	30	30	30	10	30	20
---------------	----	----	----	----	----	----

* Same as use district which it overlays.

- (a) Ten (10) feet plus two (2) additional feet for each floor above two stories, but not exceeding twenty (20) feet; when the dwelling unit faces the side yard, the dwelling unit shall not be less than twenty-five (25) feet from the side lot line.

- (b) None, except it will be five (5) feet if abutting an alley, and when abutting a residential district it shall be not less than thirty (30) feet.
- (c) None, except it will be five (5) feet if abutting on alley, and when abutting a residential district it shall be not less than fifty (50) feet.”

“Section 16-2. – Location restrictions.

- (a) It shall be unlawful for any person to occupy or to lease or let for occupancy or to permit the occupancy, whether with or without compensation of any house trailer or mobile home within the City, at any location other than a duly licensed and zoned trailer camp, trailer court or trailer sales lot except as permitted by Section 16-4 of this Code.
- (b) It shall be unlawful for any person to park any house trailer or mobile home within the City at any place other than at a duly licensed trailer camp, trailer court or trailer sales lot, or on the public streets at legal parking areas and provided, however, that trailers may be legally parked as permitted by Section 16-3 of this Code.”

“ARTICLE XXXV:

**ARTICLE XXXV
TABLE OF PERMITTED USES (DEFINED)**

TABLE OF PERMITTED USES: The following Table contains a list of land uses permitted in each district. Opposite each land use, in the appropriate district column or columns, the letter “R” identifies those districts in which a particular land use is permitted by right, subject only to Planning Commission site plan approval, and the letter “S” identifies those districts in which a particular land use is permitted only by Special Exception granted by the Board of Zoning Adjustment, and thereafter with site plan approval by the Planning Commission. The letter “P” identifies those uses that must be reviewed and approved by the Planning Commission as to location and site plan with regard to transportation, access, water supply, waste disposal, fire, police protection, and other public facilities. Said review shall also include a determination that the use is compliant with the current City Comprehensive Plan. If no designation is listed for a use under a specific zoning district, the use is not allowed in that zoning district.

USES NOT SPECIFIED: In any case where a use is not specifically referred to by the Table or elsewhere in this Ordinance, its status shall be determined by the Building Inspector by reference to the most clearly analogous use or uses that are specifically referred to in the Table of Permitted Uses. When the status of a use has been so determined by the Building Inspector, such determination shall thereafter have general application to all uses of the same type.

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Accessory buildings and uses, when located on the same lot or parcel as the principal structure or use and customarily incidental thereto, provided the requirements in all pertinent sections of this Ordinance are met	R	R	R	R	R	R	R	R	R	R	R
Agriculture and related plant farming operations, including horticulture, plant nurseries market gardening, field crops, orchards, and home gardens	P	P	P	P	P	R	R	R	R	R	R
Air Conditioning sales and service						R	R		R		
Ambulance/EMS service						R	R	P	R		
Amusement and recreation services: must be so arranged that noise, vibration, lights, and all other possible disturbing aspects are enclosed, screened or otherwise controlled so that operation of the establishment will not unduly interfere with the use and enjoyment of properties in the surrounding area:							S				
Amusement Park							S		P		
Amusement arcade, kiddie land							S		P		
Archery range							R				
Baseball batting range							R		S		
Billiard or pool hall							R		S		
Bowling alley							R		P		
Fairgrounds, circus or carnival							R		S		
Golf Course						R	R	R	R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
completely enclosed structure, and all wastes shall be discharged directly into the sewer							R		R		
Automobile parts sales, except used parts							R		R	R	
Automobile wrecking and salvage; need not be enclosed within a structure, but must be enclosed with a solid fence sufficiently high to obstruct noise and view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct view is provided							P		S		
Automobile, travel trailer, camper, farm equipment and implements and mobile home sales (new and used); need not be enclosed within a structure, but any mechanical or body repair must be done entirely within a structure which shall not have any opening, other than a stationary window, within 100 feet of a residential district							R		S	R	
Automobile and truck laundry, including steam cleaning									S		
Automobile and truck repair garage, mechanical and body; must be conducted in a structure which shall not have any openings other than a stationary, within 100 feet of a residential district and which shall not store or otherwise maintain any parts or waste materials outside such structures							R		S	S	
Automobile and truck sales and service; but not including commercial wrecking, dismantling, or auto salvage yard; need not be enclosed within a structure provided the unenclosed part shall comply with the requirements for maintenance of off-street parking Facilities							R		P		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Storage							R		R		
Catering shop or service						R	R				
Cemetery, subject to requirements of the Special Provisions	S	S	S	S	S	S	S	S	S		
Churches and related accessory Buildings	S	S	S	S	S	P	P	P	P	P	
City Hall, police station, fire station, courthouse, federal office building and similar public building	R	R	R	R	R	R	R	R	R	R	
Clay and clay products manufacture; need not be enclosed within a structure							P		R		
Clinic, dental, medical or psychiatric for humans	S	S	S	S	S	R	R	R	S		
Club or lodge, fraternal, civic charitable or similar organization, public or private, but not including any such club, lodge or organization, the chief activity of which is a service or product customarily carried on as a Business	S	S	S	S	S	R	R		P		
Club, country club, golf, swimming or tennis club or the like, privately owned and operated community club or association, athletic field, park, recreation area, and similar uses of a recreational nature provided that no building for such purposes is located within 100 feet of any property line	S	S	S	S	S	P	P	P	P	P	P
College or university, provided that they are located on a lot fronting on an arterial street or road and that no building is located within 100 feet of any property line	S	S	S	S	S	P	P	P	P		
College sorority or fraternity house	S	S	S	S	S	P	P	P			

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Communications Towers							S		P		
Concrete and concrete products manufacture; need not be enclosed within a structure									R	P	
Contractor's storage yard for vehicles, equipment, materials and supplies; need not be enclosed within a structure, but must be enclosed within a solid fence to screen view; chain link or similar open fence may be permitted if a screen planting adequate to obstruct the view is provided							R		R	R	
Convenience Store						P	R		R	R	
Correctional, detention or penal Institution							S		S		
Dairy equipment sales							R		R		
Dairy products sales						R	R				
Delicatessen						R	R				
Department store							R		R		
Dog pound; need not be enclosed within a structure							P		R		
Drive-in restaurant					P		P		P		
Drug Store						R	R				
Dry cleaning shop, including self-service						R	R				
Dry goods or fabric store						R	R				
Dwelling, one-family	R	R	R	R	S	S	S	S	S		
Dwelling, two-family			R	R	S	S	S	S	S		
Dwelling, multi-family			P	P	S	P	P	S	S		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Electric power generating plant							S		S		
Electric power substation; need not be enclosed within a structure, but must be secured by a chain link or similar fence, or raised above ground so as to be inaccessible to unauthorized persons; requires visual screen in most districts	P	P	P	P	P	P	P	P	P		
Electric repair shop							R		R		
Electric Supply Store							R		R		
Elevator maintenance service							R		R		
Employee credit union office						R	R	R			
Exterminator service office						P	R		R		
Farm and garden equipment and supply Store							R		R	R	
Farmers' markets							P		R		P
Fix-it shop, including small appliance Repair						R	R		R		
Floor covering sales and service						R	R		R		
Floral shop						R	R				
Food locker plant including rental of lockers for the storage of food; cutting and packaging of meats and game, but not the slaughtering of animals or fowl.							R		R		
Food products processing plant							S		R		
Food products, wholesale storage and Sales							R		R		
Freight; depot, railway or truck							P		R		
Fruit and produce, retail						R	R				
Fund Raising	S	S	S	S	S						

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Funeral home, mortuary or undertaking Establishment						R	R				
Furniture and home furnishing store, including office furniture and Equipment							R		R		
Furniture repair, including upholstering and refinishing							R		R		
Gas regulator station	P	P	P	P	P	P	P	P	P		
Gift shop						R	R				
Grocery store, retail						R	R				
Gymnasium, commercial						R	R				
Hardware store, retail, wholesale, storage and sales						R	R				
Hatchery, poultry, or fish									R	P	
Hazardous materials storage: see Definition, section 8-2, (Ord. ###, 8-14-14)							S		P	P	
Heating and plumbing equipment, supplies and service							R		R	R	
Hobby shop and supply store						R	R		R		
Home occupation	R	R	R	R	R	R	R	R			
Hospital, clinic, convalescent or nursing home, extended care facility or sanitarium for humans	S	S	S	S	S	P	P	P	P		
Hotel and motel					S	P	P		P		
Ice Cream parlor						R	R				
Ice Plant							R		R		
Industrial park									P	P	

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Institution for children or the aged, day Care	S	S	S	S	S	S	S				
Interior decorating shop						R	R				
Junk yard including storage, baling or sale of rags, paper, iron or junk; need not be enclosed within a structure but must be enclosed within a fence or sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.										P	
Kindergarten, play school or day care center, public or private, provided that all activities are carried on in an enclosed building or fenced yard and that all applicable federal, state and local requirements are met.	S	S	S	S	S	R	R		P		
Laboratory, scientific							S		R		
Laboratory, medical or dental						R	R		R		
Landscape garden sales; need not be enclosed within a structure						R	R		R		
Laundry, self-service				P		R	R				
Laundry and dry-cleaning plant							S		R		
Laundry, linen supply or diaper service							R		R		
Leather goods or luggage goods store						R	R				
Library	S	S	S	S	S	R	R	R			
Liquor, wine and beer sales not to be consumed on premises and meeting local and state requirements						R	R		R		
Local Shopping Centers						P	P		P		
Loan office meeting all other state and							S	S			

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
goods manufacturing									S	R	
Marina, minor; see boat storage, service and repair minor							R		R		
Marina, major; see boat construction, storage, service and repair, wet and dry, major; may also include boat sales, accessories and service							P		R		
Marine stores and supplies							R		R		
Mobile Home Park											
Motorcycle sales, service, and repair							R		R		
Music store						R	R				
Natural preservation areas including bird and wildlife sanctuaries, nature and hiking trails	P	P	P	P	P	P	P				
News Stand						R	R				
Night club, bar, tavern and cocktail lounge when separate from a restaurant						S	R				
Non-Chartered Financial Institution							R				
Office buildings, general							R		R		
Office buildings, professional						R	R	R	R		
Office equipment and supplies, retail						R	R				
Oil and gas exploration and production Activities	S	S	S	S	S	S	S	S	S		
Optician						R	R	R			
Paint and wallpaper store						R	R		R		
Painting and decorating contractor							R		R		
Paper supplies, wholesale							R		R		

TABLE OF PERMITTED USES AND CONDITIONS	R1	R2	R3	R4	R5	B1	B2	B3	M1	M2	FH
Park or playground including recreation centers; need not be enclosed within a structure	P	P	P	P	P	P	P				
Pawn Shop							R				
Pet Shop							R		R		
Photographic studio and/or processing							R	R			
Tattoo Parlor							R				
Transit vehicle storage and servicing; need not be enclosed within a structure							P		P		
Variety Store						R	R				
Veterinary service							R		R		
Warehouse and storage facilities, minor; mini-type do-it-yourself storage Facilities							R		R	R	
Water storage; need not be enclosed within a structure	P	P	P	P	P	P	P	P	P		
Water or sewage pumping station	P	P	P	P	P	P	P	P	P		
Welding shop							P		P		
Well drilling company							R		R		
YMCA, YWCA and similar institutions	S	S	S	S	S	S	S				
Zoo							S		S		

** Residential use of mobile home(s) other than in mobile home parks is prohibited in all use districts.

** Office space or other non-residential use in mobile home(s) is prohibited in all use districts.”

ADOPTED this the 12th day of August, 2021.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance amending provision of the Land Use and Development Ordinance.

The following votes were recorded:

Yes: Council President Joe McDonald
Councilmember Wayne Biggs
Councilmember Newton Cromer
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 Moye, to adopt the ordinance amending provision of the Land Use and Development Ordinance.

The following votes were recorded:

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

Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to adopt a resolution for the 2022 Transportation Improvement Plan – Rebuild Alabama. Motion carried.

RESOLUTION 2202

WHEREAS, the 2019 Alabama Legislature has passed an HB2 to levy additional excise tax on gasoline and diesel fuel; and

WHEREAS, the City of Saraland is to receive a portion of said tax; and

WHEREAS, the City of Saraland pledges to keep this money in separate fund and expend only for maintenance, improvement, replacement and construction of roads and as mandated by the law passed; and

WHEREAS, the City of Saraland is to adopt an annual transportation plan no later than August 31 for the next fiscal year based on an estimate of revenues.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Saraland, Alabama that the City of Saraland intends to spend the expected funds of \$104,328.00 on Project #STPMB-4919 (251) – Additional lanes on CR41 (Celeste Road) from Forest Avenue to West of I-65.

ADOPTED AND APPROVED this 12th day of August, 2021.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt resolution for the Lease Termination Agreement with the City of Saraland Board of Education. Motion carried.

RESOLUTION 2203

RESOLUTION CALLING THE CITY'S GENERAL OBLIGATION WARRANT, SERIES 2008 FOR OPTIONAL REDEMPTION AND AUTHORIZING CERTAIN TRANSACTIONS RELATED THERETO

WHEREAS, the City of Saraland, Alabama (the "City") has heretofore issued in favor of Alabama Municipal Funding Corporation ("AmFund") its General Obligation Warrant, Series 2008, which is outstanding in the principal amount of \$21,700,000 (the "City 2008 Warrant"), pursuant to Ordinance 766 adopted by the City Council of the City of Saraland, Alabama on May 8, 2008 (the "Authorizing Ordinance") (any capitalized term used but not defined herein shall have the meaning specified in the Authorizing Ordinance);

WHEREAS, in connection with the City 2008 Warrant, the City Board of Education of the City of Saraland (the "Board"), ground leased certain property (the "Property") to the City pursuant to a Ground Lease Agreement (the "Ground Lease") and the City leased the Property back to the Board pursuant to a Lease Agreement (the "Lease Agreement");

WHEREAS, pursuant to the Lease Agreement, the City made available the proceeds of the City 2008 Warrant to the Board for purposes of constructing Saraland High School on the Property and the Board agreed to pay 100% of the debt service on the City 2008 Warrant;

WHEREAS, the Board will issue its Taxable School Tax Warrants, Series 2021-A and School Tax Warrants, Series 2021-B (collectively, the "Series 2021 Warrants") and the Board will cause the Public Educational Building Authority of the City of Saraland ("PEBA") to issue its Revenue Bonds, Series 2021 (the "Series 2021 Bonds", together with the Series 2021 Warrants, the "Series 2021 Refunding Obligations"), all for the purposes of (i) refunding certain bonds previously issued by PEBA for the benefit of the Board, (ii) refunding certain warrants previously issued by the Board, (iii) refunding all of the outstanding City 2008 Warrant, (iv) paying the fee to terminate the interest rate swap associated with the City 2008 Warrant, and (v) financing the costs of acquiring and constructing certain improvements to the facilities of the Board;

WHEREAS, in order to effect the refunding of all of the outstanding City 2008 Warrant, the Board and/or PEBA will deposit with the AMFund Trustee the full amount of the Called Municipal Escrow Amount;

WHEREAS, in connection with the refunding of the City 2008 Warrant and pursuant to a Termination of Ground Lease and Lease Agreement and Conveyance of Property to be entered into between the City and the Board (the "Termination Agreement"), the Ground Lease and the Lease Agreement shall be terminated and the City shall convey its interest in the Property and Saraland High School to the Board; and

WHEREAS, a copy of the proposed Termination Agreement has been presented to, considered and approved by the City Council of the City of Saraland, Alabama.

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

1. Conditioned on the Board and/or PEBA depositing with the AMFund Trustee the Called Municipal Escrow Amount that is necessary to refund all of the outstanding City 2008 Warrant, the City hereby calls all of the outstanding City 2008 Warrant for redemption on a date that is within 90 days after issuance of the Series 2021 Refunding Obligations, such date to be specified by the Superintendent of Education of the Board, and hereby authorizes and directs the Mayor and the City Clerk of the City, AMFund, the AmFund Trustee, and Lawrenson Services Inc. to take all action necessary to effect such redemption on the date to be specified by the Superintendent of Education of the Board. The Mayor and the City Clerk of the City, AMFund, the AmFund Trustee, and Lawrenson Services Inc. are hereby authorized and directed to provide to the Board and PEBA all necessary documentation and information to effect such redemption, including, without limitation, the Optional Prepayment Statement which sets forth the Called Municipal Warrant Escrow Amount. The City is not in default with respect to the payment of the principal of and interest on the City 2008 Warrant.

2. Conditioned on the Board and/or PEBA depositing with the AMFund Trustee the Called Municipal Escrow Amount that is necessary to refund all of the outstanding City 2008 Warrant, the City Council of the City does hereby approve, authorize, ratify and confirm the execution, delivery and performance of the Termination Agreement and the consummation of all other transactions described in the recitals to this resolution.

3. Each act of any officer or officers of the City or any person or persons designated and authorized to act by any officer of the City, which act would have been authorized by the foregoing provisions of this resolution except that such action was taken prior to the adoption of this resolution, is hereby ratified, confirmed, approved and adopted.

4. This resolution shall take effect immediately.

ADOPTED AND APPROVED this 12th day of August, 2021.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to adopt resolution authorizing an agreement between the City of Saraland and the Board of Education regarding sales tax earmarked for public school purposes. Motion carried.

RESOLUTION 2204

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF SARALAND AND THE BOARD OF EDUCATION REGARDING SALES TAX EARMARKED FOR PUBLIC SCHOOL PURPOSES

WHEREAS, the City of Saraland, Alabama (the "City") has heretofore adopted Ordinance 894 on September 17, 2012 (the "Sales Tax Ordinance") pursuant to which, among other things, a one half percent sales and use tax (the "School Tax") was levied for use exclusively by the City Board of Education of the City of Saraland (the "Board") to pay school system expenses and to retire debt;

WHEREAS, the City has heretofore issued its General Obligation Warrant, Series 2008, which is outstanding in the principal amount of \$21,700,000 (the "City 2008 Warrant"), for which the Board is obligated to pay 100% of the debt service thereon and which is secured by a pledge of the School Tax on a first priority basis;

WHEREAS, the Board has heretofore issued its (a) School Tax Warrants, Series 2015-A (the "Series 2015-A Warrants"), (b) School Tax Warrants, Series 2016-A (the "Series 2016-A Warrants"), (c)

Taxable School Tax Warrants, Series 2020-A (the "Series 2020-A Warrants"), and (d) School Tax Warrants, Series 2020-B (the "Series 2020-B Warrants"), which are secured by various school taxes, including, without limitation, a subordinate pledge of the School Tax;

WHEREAS, the Board will issue its Taxable School Tax Warrants, Series 2021-A and School Tax Warrants, Series 2021-B (collectively, the "Series 2021 Warrants") and the Board will cause the Public Educational Building Authority of the City of Saraland ("PEBA") to issue its Revenue Bonds, Series 2021, all for the purposes of (i) refunding certain bonds previously issued by PEBA for the benefit of the Board, (ii) refunding all of the outstanding Series 2015-A Warrants, (iii) refunding all of the outstanding City 2008 Warrant, (iv) paying the fee to terminate the interest rate swap associated with the City 2008 Warrant, and (v) financing the costs of acquiring and constructing certain improvements to the facilities of the Board;

WHEREAS, the Series 2021 Warrants will be secured on a parity basis with the Series 2016-A Warrants, the Series 2020-A Warrants and the Series 2020-B Warrants (collectively, the "Existing School Warrants") by a pledge of various school taxes, including, without limitation, a priority pledge of the School Tax (such pledge being on a priority basis after the Board's refunding of the City 2008 Warrant);

WHEREAS, in connection with the issuance of the Series 2021 Warrants, the Board has requested that the City enter into an agreement with the Board (the "Agreement"), wherein the City will agree, to the fullest extent permitted by applicable law and for so long as the Existing School Warrants, the Series 2021 Warrants and any other indebtedness incurred by the Board in order to refund such warrants (collectively referred to herein as the "School Warrants") are outstanding, that it will (a) continue to levy and collect the School Tax, (b) not repeal or reduce the rate of the School Tax, (c) segregate, allocate and pay 100% of the proceeds (after deducting costs of collection) of the School Tax, as and when received, to the Board, and (d) not pledge or encumber the School Tax on any basis; and

WHEREAS, a copy of the proposed Agreement has been presented to the City Council of the City at this meeting.

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

1. To the fullest extent permitted by applicable law, the City Council does hereby approve, authorize, ratify and confirm the form of the Agreement and its execution, delivery and performance by the City and the consummation of all transactions contemplated by the Agreement. The Mayor of the City is hereby authorized and directed to execute and deliver the Agreement in substantially the form presented to the City Council at this meeting with such changes or additions thereto or deletions therefrom as the Mayor shall approve, which approval shall be conclusively evidenced by his execution of such instrument. The City Clerk is hereby authorized and directed to affix the seal of the City and to attest the same.

2. To the fullest extent permitted by applicable law, the officers of the City and any person or persons designated and authorized by any officer of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do and perform or cause to be done and performed in the name and on behalf of the City such other acts, and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, requests, demands, directions, consents, approvals, applications, certificates, agreements, further assurances, or other instruments or communications, under the corporate seal of the City, or otherwise, as they or any of them may deem necessary, advisable, or appropriate in order to carry into effect the intent of the provisions of this resolution and the Agreement and to demonstrate the validity of the Agreement.

3. Each act of any officer or officers of the City or any person or persons designated and authorized to act by any officer of the City, which act would have been authorized by the foregoing

provisions of this resolution except that such action was taken prior to the adoption of this resolution, is hereby ratified, confirmed, approved and adopted.

4. This resolution shall take effect immediately.

ADOPTED AND APPROVED this 12th day of August, 2021.

Motion was made by Councilmember Biggs, seconded by Councilmember Moye, to authorize training expenses and adopt a resolution for a cash advance for Kathie Hatchett, Stephanie Anderson, Paige Bryan and Angela Grantham to attend the AMCCMA Annual Conference, September 22-24, 2021, in Perdido Beach, Alabama. Motion carried.

RESOLUTION 2205

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

WHEREAS, a cash advance for Kathie Hatchett, Stephanie Anderson, Paige Bryan and Angela Grantham to attend the AMCCMA Annual Conference, September 22—24, 2021 in Perdido Beach, Alabama; 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 August, 2021.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to authorize training expenses and adopt a resolution for a cash advance for Blake Edwards to attend the Traffic Homicide Investigations training, September 13-24, 2021, in Talladega, Alabama. Motion carried.

RESOLUTION 2206

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

WHEREAS, a cash advance for Blake Edwards to attend the Traffic Homicide Investigations Training, September 13-24, 2021 in Talladega, Alabama; 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 August, 2021.

Motion was made by Councilmember Moye, seconded by Councilmember Biggs, to approve the renewal of the C-Spire contract for a four-year term. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Biggs, to approve the 2021-2022 Holiday Schedule. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to ratify the signing of the Intergovernmental Agreement with Mobile County by the Mayor and City Clerk. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to authorize the mayor, after approval by the attorney, to approve the 2022 Public Works Hold Harmless Agreement with Mobile County. Motion carried.


Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to approve a ½ page advertisement with the Call News recognizing our Saraland Spartan Football team, in the amount of \$659.00. Motion carried.

There being no further business to come before the Council, motion was made by Councilmember Cromer to adjourn at 6:54 p.m.

ACCEPTED and APPROVED the 26th day of August, 2021.



Judi Smith, City Clerk



Joe McDonald, Council President