

The Saraland City Council met in regular session on March 14, 2024 at the Saraland Municipal Annex. The meeting was called to order at 6:52 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 Moye opened the meeting with prayer.

APPROVAL OF MINUTES

Motion was made by Councilmember Hudson, seconded by Councilmember Moye, to approve the minutes of the meetings of February 22nd, 2024. Motion carried.

REPORT OF OFFICERS

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to suspend the rules to allow for immediate consideration of the proposed permanent resolution authorizing the mayor to execute closing documents and take title to real property located at 727 Saraland Boulevard, Saraland, Alabama currently known as the Alorica building.

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 permanent resolution, motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to authorize the mayor to execute closing documents and take title to real property located at 727 Saraland Boulevard, Saraland, Alabama currently known as the Alorica building.

The following votes were recorded:

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

Motion carried.

RESOLUTION 2337

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CLOSING DOCUMENTS AND TAKE TITLE TO REAL PROPERTY

WHEREAS, the City Council has previously authorized the Mayor to enter into a purchase and sales contract wherein the City will purchase the building and property located at 727 Saraland Boulevard, otherwise known as the Alorica building; and

WHEREAS, the Mayor has executed the purchase and sales contract for the property; and

WHEREAS, closing on the property has been scheduled for April 1, 2024; and

WHEREAS, it is the decision of the Saraland City Council that the Mayor shall be authorized to execute all necessary closing documents for the purchase of the property and to take title of the property.

NOW, THEREFORE, BE IT RESOLVED by the Saraland City Council that the Mayor is authorized to execute all closing documents necessary for the City to take title and ownership of the property located at 727 Saraland Boulevard.

ADOPTED this 14th day of April, 2024.

Motion was made by Councilmember Hudson, seconded by Councilmember Moye, to authorize the Mayor to negotiate a final contract with Hellas turf for purchase and installation of sports turf for the Sportsplex. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to authorize the Mayor to execute Construction Change Directive #6 for Phase 1 of the Sportsplex project directing the Contractor to undertake topsoil mixing as recommend by the Project Manager and Engineer. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to authorize the Mayor to enter into a change order, not to exceed \$12,500.00 with Stagner Construction for the extension of the water line related to the Incinerator hydrant located on Sawmill Road. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to authorize the Mayor to execute a change order deducting certain portions of approved primary power conduit and adding alternate sized primary power conduit to comply with project management, architect, and Alabama Power requirements and recommendations, resulting in an overall deduction of approximately \$63,950.00 from the price previously budgeted for primary power conduit. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Cromer, to authorize the Mayor to advertise for the consideration of a resolution pursuant to Section 94.01 of the Alabama Constitution regarding entering into a joint agreement with the Board of Water and Sewer Commissioners of the City of Saraland, said resolution to be considered on Thursday, March 28, 2024 at the Regular Council meeting of the City of Saraland. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to authorize payment of an invoice from Clarkitects, LLC which is Jim Clarke Architecture concerning the Alorica building and the renovation of the building. The invoice amount is in the amount of \$6,400.00 of which \$5,000.00 represents a retainer agreement. Motion carried.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to authorize the Mayor to negotiate a final contract with Jim Clarke Architects concerning the renovation of the Alorica building for a City Hall complex. Motion carried.

REPORT OF MAYOR

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to authorize the city to apply for a 5310 grant for a new Senior Citizens bus. Motion carried.

APPROVAL OF INVOICES

Motion was made by Councilmember Hudson, seconded by Councilmember Cromer, to approve the following invoices:

General Fund

1. Galloway Wettermark & Rutens – Nov., 2023 Statement	\$9,452.50
2. S.C. Stagner – 2 nd Ave Drainage Imp, Phase 2 – Stagner Final	\$5,661.20
3. R. Jeffrey Perloff, PC – February '24 Statement	\$3,875.00
4. Neel-Schaffer – Inv# 1094798, General Services February 2024	\$2,165.00
5. Corley Mulching & Land Clearing – Inv# 1191, Soccer Complex	\$2,160.00

Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Moye, to approve the following invoices:

General Obligation Warrant

1. Chambless King – Inv# 22014.17	\$258,894.49
2. Hoar Management Program – Invoice# 16	\$70,320.00
3. Alabama Power Company – Install additional TC for Phase 2	\$8,149.46
4. Birmingham Times–Inv# 10129 Ad for request for letter of interest	\$1,095.60

Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Moye, to approve the following invoices:

Alabama Trust Fund

1. S.C. Stagner – Inv# 2930, Fire Station 1 new building addition \$76,676.44
Motion carried.

ORDERS, RESOLUTIONS, ORDINANCES & OTHER BUSINESS

AFTER PROPER PUBLIC NOTICES HAVING BEEN DULY GIVEN, A PUBLIC HEARING WAS HELD TO CONSIDER THE approval of alcoholic beverage application for a 010 – Lounge Retail Liquor – Class 1 for On-Premises Consumption of Alcoholic Beverages (Liquor, Wine & Beer) filed by Gregory Allen Hill owner of Lolli’s, LLC, 1100 Shelton Beach Road, Saraland, AL 36571.

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.

Motion was made by Councilmember Cromer, seconded by Councilmember Hudson, to suspend the rules to allow for immediate consideration of the proposed alcoholic beverage application for a 010 – Lounge Retail Liquor – Class 1 for On-Premises Consumption of Alcoholic Beverages (Liquor, Wine & Beer) filed by Gregory Allen Hill owner of Lolli’s, LLC, 1100 Shelton Beach Road, Saraland, AL 36571.

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 Moye, seconded by Councilmember Hudson, to approve the alcoholic beverage application for a 010 – Lounge Retail Liquor – Class 1 for On-Premises Consumption of Alcoholic Beverages (Liquor, Wine & Beer) filed by Gregory Allen Hill owner of Lolli’s, LLC, 1100 Shelton Beach Road, Saraland, AL 36571.

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 10465 Celeste Rd, parcel 1801010000002.001, approx. 24.8 acres, to be zoned R-1, filed by William L. Hoven & Dixie D. Hoven.

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.

ORDINANCE 1323

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:

10465 Celeste Road, parcel 1801010000002.001, approximately 24.8 acres, petitioned by William L. Hoven & Dixie D. Hoven, as described by the legal description here:

Beginning at the Southeast corner of Leslie Richards' 2nd Addition to Celeste Road as recorded in the office of the Judge of Probate of Mobile County, Alabama in Map Book 23, Page 40, said point being in the arc of a 1952.13 foot radius curve concave to the northeast, run southeastwardly along the arc of said curve and the westerly line of Celeste Road a distance of 36.31 feet to the point of tangency of said curve, thence run South 45 degrees 23 minutes 19 seconds East along said westerly line of Celeste Road a distance of 263.69 feet to a point, thence run South 70 degrees 48 minutes 05 seconds West a distance of 2,161.60 feet

to a point on the west line of the Northeast Quarter of Section 1, Township 2 South, Range 2 West, thence run North 00 degrees 12 minutes 49 seconds West along said west line a distance of 900.0 feet to a point on the south line of said Leslie Richards' 2nd Addition to Celeste Road, thence run North 89 degrees 19 minutes 13 seconds East along said south line a distance of 1,831.50 feet to the Point of Beginning, said parcel containing 25.60 acres more or less.

Less and except:

Beginning at the Southeast corner of Leslie Richard's 2nd Addition to Celeste Road as recorded in Office of the Judge of Probate of Mobile County, Alabama in Map Book 23, Page 40, also being the Southeast corner of Lot 32 of the said subdivision, thence South 79 degrees 58 minutes 41 seconds West a distance of 304.14 feet to a point, thence North 76 degrees 58 minutes 40 seconds West a Distance of 212.91 feet to a point, said point being the Southwest corner of said Lot 32, thence North 89 degrees 26 minutes 25 seconds East along the south line of said Lot 32 a distance of 506.96 feet to the Point of Beginning, containing 0.29 acres more or less.

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 and is to adopt the zoning R-1.

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 14th day of March 2024.

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 10465 Celeste Rd, parcel 1801010000002.001, approx. 24.8 acres, to be zoned R-1, filed by William L. Hoven & Dixie D. Hoven.

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 Hudson, to adopt the ordinance for the annexation of 10465 Celeste Rd, parcel 1801010000002.001, approx. 24.8 acres, to be zoned R-1, filed by William L. Hoven & Dixie D. Hoven.

The following votes were recorded:

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

Motion carried.

ORDINANCE 1324

**AN ORDINANCE AMENDING THE PROCEDURES USED TO SUBDIVIDE
PROPERTY, ESTABLISHING AND ADOPTING BY REFERENCE STANDARDS FOR
INFRASTRUCTURE DEVELOPMENT IN PUBLIC SUBDIVISIONS, AND
ESTABLISHING REQUIREMENTS AND STANDARDS
FOR PRIVATELY OWNED SUBDIVISIONS**

WHEREAS, the City of Saraland, Alabama is growing rapidly because of the success of the City of Saraland School System, commercial development, and the desire of citizens to live in a safe, well-organized, and beautiful environment; and

WHEREAS, the City has large amounts of undeveloped acreage that is zoned for residential use; and

WHEREAS, landowners have approached the City consistently over the years concerning the development of private subdivisions wherein the individual lots are owned by individual land owners and the roads and common areas are owned by the land owners as a whole through a property owners association; and

WHEREAS, the development of private subdivisions to include private roads, private drainage, and other private amenities need to be undertaken and maintained by the property owner's association so that public utilities and private roadways used to access the various individual parcels of land are such that the City can provide public safety and public utilities may be available to the various individual lots; and

WHEREAS, it is the determination of the Saraland City Council that establishing standards for private subdivisions so as to allow for the provision of public safety and utilities in private owned subdivisions is in the City's best interest and will help provide orderly development; and

WHEREAS, in order to efficiently and effectively process and consider both public and private subdivisions, the Saraland City Council has determined amendments to Article XVII of the Land Use and Development Ordinance are required; and

WHEREAS, it is the determination of the Saraland City Council that the adoption of minimum standards for both public subdivision infrastructure and private subdivision

infrastructure is in the City's interest to promote public safety and welfare, as well as to protect future impacts on the City Treasury.

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

The existing Article XVII is amended as follows:

ARTICLE XVII**PROCEDURES FOR PUBLIC AND PRIVATE SUBDIVISION REVIEW****17-1 PRE-APPLICATION CONFERENCE**

Whenever the subdivision of a tract of land within the City limits or the extraterritorial planning jurisdiction of the Planning Commission is proposed, the subdivider should consult informally with the City Planner, prior to submittal with the Planning Commission to ensure compliance with the required regulations. If the land is situated in the extraterritorial planning jurisdiction, the subdivider should also consult with the County Engineer. No fee shall be charged by the City for the review and no formal application shall be required.

Any subdivision or development which is to be developed in phases or units shall require a Master Plan of the proposed subdivision or development. The Master Plan shall be of sufficient detail to show the proposed street and lot layout, drainage, utilities, detention areas, common areas, recreational areas, and landscaped areas, and shall be submitted to the Planning Commission for approval prior to submitting a preliminary plat for consideration.

The subdivider shall comply with all relevant portions of Article XX, as well as relevant technical codes adopted by the City.

17-2 PRELIMINARY PLAT APPLICATION

Prior to making any improvements, the subdivider shall submit to the Planning Commission a preliminary plat of the proposed subdivision for review in accordance with the following procedure:

(a) **Subdivider's Responsibility - Preliminary Plat:**

The Subdivider shall:

- (1) File the required application on the prescribed forms.
- (2) Submit a copy of a warranty deed of the subject property (as proof of ownership).
- (3) Submit three (3) copies of the preliminary plat.
- (4) Pay a filing fee as specifically enumerated in Article XXXIV, entitled the Schedule of Fees.

(b) The above items shall be received in the Building Department not less than thirty (30) days prior to a regularly scheduled meeting of the Planning Commission at which meeting the subdivision plat is to be formally submitted for review.

(c) Plat Content:

The preliminary plat shall contain all information as reflected on the current departmental check list for a preliminary plat which may be modified at the discretion of the Planning Commission when applicable.

(d) Building Department Review:

The Planning Department shall proceed with the preliminary plat review as follows:

(1) Plat Study:

During the thirty (30) days prior to the next regularly scheduled meeting, the Building Department shall transmit one copy of the preliminary plat to the Utilities Board of the City of Saraland and the Fire Department. These shall submit recommendations to the Building Department prior to the initial hearing on the preliminary plat.

(2) Notice of Hearing:

The Planning Secretary shall see that notice of the time and place of the hearing on said plat is sent by certified mail to the owner of record, the subdivider, and the owners of record of abutting land at least five (5) days prior to said hearing.

(3) Commission Action:

The preliminary plat is considered to be formally and officially submitted at the regularly scheduled meeting of the Planning Commission at which meeting said plat is to be considered. At this meeting, the Commission may:

(a) Approve the preliminary plat.

(b) Conditionally approve the preliminary plat. In this case, the conditions shall be stated in writing. If necessary, the Commission may require the subdivider to submit a revised preliminary plat.

(c) Disapproval of the preliminary plat:

If disapproved, the reasons for such action shall be stated in writing, and if possible, recommendations made as to the basis on which the plat will be approved. The subdivider may resubmit the

plat at any subsequent regularly scheduled meeting of the Commission in accordance with these regulations.

(d) Delayed action on the preliminary plat

The Commission may delay action on the plat up to thirty (30) days; however, the commission shall act to approve or disapprove a subdivision plat within thirty (30) days after its formal submission at a regularly scheduled Planning Commission meeting, otherwise, said plat shall be deemed to have been approved and correspondence to that effect shall be issued by the Commission on demand; provided however, the applicant for the Commission's approval may waive this requirements and consent to an extension of such period.

In any case, the Commission shall notify the subdivider either verbally or in writing of the action taken at the hearing. If any of the requirements of these regulations are modified or waived, they shall be specified and the reasons therefore given.

(e) Appeal of Commission Action

Appeals of any final decision or judgment of the Commission shall be made within fifteen (15) days thereafter to the Circuit Court of Mobile County, Alabama and shall be tried de novo. Upon the filing of such an appeal the aggrieved party shall file a written notice with the Commission specifying the decision or judgment from which such an appeal is taken.

(e) Effect of Preliminary Plat Approval:

Approval shall be authorization for the subdivider to proceed with the construction of any improvements, grading of streets, and staking of lots. Said approval shall be authorization to begin work, subject to the acquiring a site disturbance permit prior to commencing any site preparation and/or construction activities, as established pursuant to the provisions in Ordinance 757. Such approval of the final plat shall be valid for a period of one (1) year following the date of such approval.

The subdivider shall be responsible for the full installation of the required minimum improvements in the proposed subdivision prior to the submission of the final plat to the Planning Commission.

Preliminary plat approval does not constitute final plat approval nor does it authorize official recording of the plat nor does it constitute or effect an acceptance by the City of Saraland of any street or other open space shown on the plat.

17-3 FINAL PLAT APPLICATION

(a) Plat Content:

The final plat shall conform to the conditions of the approved preliminary plat.

It shall show sufficient detailed data to readily determine and to accurately reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line, and building line.

The plat shall be clearly drawn on any acceptable polyester or cloth tracing sheet 24 x 36 inches in size, at a scale of not less than one hundred (100) feet to the inch, and shall contain all information shown on the current departmental check list for a final plat which may be modified at the discretion of the Building Inspector when applicable.

(b) Fees:

An application for final plat review shall be accompanied by the appropriate fee as more specifically enumerated in Article XXXIV, entitled the Schedule of Fees.

Building Department Review:

The Building Department will review the final plat as follows:

(1) Plat Study:

During the thirty (30) days prior to the next regularly scheduled meeting, the Building Department shall review the final plat for compliance with the subdivision regulations and submit any recommendations to the Planning Commission at its meeting.

(2) Commission Action:

The final plat is considered to be formally and officially submitted at the regularly scheduled meeting of the Planning Commission at which meeting said plat is to be considered. At this meeting, the Commission may:

(a) Approve the final plat.

(b) Disapproval of the final plat:

Such action may result if the final plat is found to be in conflict with the approved preliminary plat or with the subdivision regulations.

A statement of the reasons for disapproval shall be forwarded by letter to the subdivider and one copy being filed in the records of the City Clerk. No certificate of approval shall be given. The subdivider may resubmit the final plat for hearing after the corrections noted by the Planning Commission have been made.

- (c) Delayed action on the final plat. The Planning Commission may delay action on the plat up to thirty (30) days.

However, the Commission shall act to approve or disapprove the final Plat within thirty (30) days after its formal submission at a regularly scheduled Planning Commission meeting; otherwise, such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Planning Commission on demand; provided, however, that the applicant for the Commission's approval may waive this requirement and consent to an extension of such period.

- (d) In any case, the Planning Commission shall retain one (1) copy of the final plat in its files and shall return one (1) copy of the final plat to the subdivider with indication in writing of the action taken at the hearing. If any of the requirements of these regulations are modified or waived, they shall be specified and the reasons therefore given.

Effect of Final Plat Approval:

Approval of the final plat by the Planning Commission shall authorize the owner, or his agent, to have said Plat recorded in the Office of the Judge of Probate.

The plat shall be filed prior to the sale of any lot in the subdivision. Copies of all private covenants, deed restrictions, and certifications shall be filed with the final plat. If the subdivision is a private subdivision, all additional requirements for the filing of documents will also be met by the Owner. Once approval has been given and endorsed in writing on the plat by the Planning Commission, no changes, erasures, modifications or revisions shall be made on said plat.

In the event that any subdivision plat, when recorded, contains any changes, said plat shall be considered null and void, and the Planning Commission shall then file the corrected plat as approved, noting the reason for such filing. Any erasures made on a plat prior to its signing shall be initialed and dated by the Planning Commission Chairman or other authorized agent at the time of the signing.

The approval of the final plat shall be valid for a period of one (1) year following the date of such approval.

The owner or developer shall be required to furnish to the City of Saraland Building Department a copy of said plat upon recording.

(d) Streets - Legal Status:

The City of Saraland shall not accept, open, improve, grade, light any street; authorize water mains, sanitary sewer, or connections to be made to any street, unless such street has been accepted or otherwise granted the legal status of a public street or right-of-way correspond with a street shown on the Comprehensive Plan or is a part of a subdivision plat approved by the Planning Commission.

To be given the legal status as a public street, said street or right-of-way, shall upon recommendation by the Planning Commission be officially accepted as a street by resolution of the City Council.

(e) Streets - Maintenance Bond:

As part of the final plat application for all public subdivisions, the developer/owner shall submit to the City of Saraland a maintenance bond for a period of two (2) years. The bond shall be in an amount equal to twenty-five percent (25%) of the total street, utility, and drainage improvements in the subdivision. Said bond shall be required by the City of Saraland as a condition to acceptance of any new streets within the corporate limits. The City Engineer or other administrative official as designated by the City Council shall determine the adequacy of said bond and security thereon.

The maintenance bond period shall begin upon the acceptance of the street and drainage improvements by resolution of the City Council. Thirty (30) days prior to the expiration of said maintenance bond, an inspection shall be conducted to ensure that the improvements are in satisfactory condition prior to acceptance.

A NEW ARTICLE XX is added **and** entitled Public and Private Subdivision Standards. Within the newly created Section 8, a new Article XX is inserted as follows:

20-1 PURPOSE

It is the purpose of this Article to establish minimum standards for all public and private subdivisions located within the City. These minimum standards are designed to address the minimum necessary requirements for public and private subdivisions that do not contain challenges due to topography, drainage, access concerns or other challenges which could affect the usefulness, safety, provision of utilities and provision of public safety services. Public or private subdivisions submitted that are located on property with such challenges may have increased requirements and standards required of them based upon the determination of the City of Saraland Planning Commission

that the increased standards are advisable based upon the challenges located on or received by the property sought to be subdivided.

20-2 DEFINITIONS

Minor Private Subdivision — A subdivision containing not more than five (5) acres nor more than five (5) contiguous lots fronting on an existing street, not involving any new street or road or the extension of public facilities, or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property.

Private Subdivision — The division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other division of land for the purpose, whether immediate or future, of residential sales or of residential building development as a private subdivision to include private roadways and other private amenities available to the individual lot owners. It includes the resubdivision of existing lots within an already established private subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory being subdivided.

Private Subdivision Roadway/Private Subdivision Street — Any private road or street located within a private subdivision which shall be owned by a property owners association comprised of the property owners of the individual lots located within a private subdivision, the categorization and types of private roads and streets shall conform to the sub-definitions contained in Article VIII, Section 8-2(172) of the Land Use Ordinance. The minimum standards for the construction of private roadways and streets shall conform to the provisions of this Article to ensure the safe conveyance of residential traffic, as well as allow the use of such private road or street to convey public safety vehicles to include police, fire and emergency medical service vehicles, and to allow for the safe use and operation of garbage and trash collection vehicles.

Private Subdivision Utility Right-of-Way — A right-of-way granted without cost to all public utilities then located within the City for the provision of electricity, natural gas, water and sewer, telecommunications, fiber optic, internet, cellular service, or any other service overseen by the Alabama Public Service Commission or regulated by the Federal Communications Commission (FCC).

Public Subdivision — The division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other division of land for the purpose, whether immediate or future, of residential sales or of residential building development as a public subdivision to include public roadways and other public amenities available to the public at large. It includes the resubdivision of existing lots within an already established public subdivision and, when appropriate to the context, relates to the process of subdividing or to land or territory being subdivided.

Public Subdivision Roadway/Street — Any road or street located within a proposed subdivision which shall upon the completion and acceptance of the subdivision by the

City become a public roadway. The categorization and types of roads and streets shall conform to the sub definitions contained in Article VIII, Section 8-2 (172) of the Land Use Ordinance. The minimum standards for the construction of public roadways and streets shall conform to the provisions of this Article to ensure the safe conveyance of residential traffic, as well as to allow the use of such roads or streets to convey public safety vehicles to include police, fire and emergency medical service vehicles, and to allow for the safe use and operation of garbage and trash collecting vehicles.

Public Subdivision Utility Right-of-Way — A right-of-way granted without cost to the City for use by public utilities granted a franchise by the City, for the provision of electricity, natural gas, water and sewer, telecommunications, fiber optic, internet, cellular service, or any other service overseen by the Alabama Public Service Commission or regulated by the Federal Communications Commission (FCC).

20-4 GENERAL REQUIREMENTS

Plats — All roadways, drainage structures and other infrastructures shall be plainly marked and identified on all private subdivision plats as private — not to be maintained by the State of Alabama, Mobile County, or the City of Saraland.

Private Subdivision Deeds — All deeds of any lots or private portions of the subdivision shall be clearly and plainly marked that the land being conveyed is situated within a private subdivision within the City of Saraland, Alabama and, as a result, all roadways, drainage structures or other infrastructure are private and are required to be maintained by the private subdivision property owners association and/or pursuant to a private road maintenance agreement and will not be maintained by the State of Alabama, Mobile County, or the City of Saraland.

License Professional Engineer - All private road subdivision plans and all private subdivision documents submitted in support of a private subdivision application that address drainage or other infrastructure, must bear the signature and seal of a licensed professional engineer who designed the subdivision. Upon completion of construction of the subdivision, the licensed professional engineer must certify to the City of Saraland that all work has been done in accordance with the plans and specifications.

20-5 GENERAL REQUIREMENTS FOR MINOR PRIVATE SUBDIVISIONS

Purpose — The purpose of this section is to simplify the preparation and to expedite the review of plats for minor subdivisions. A minor subdivision is one containing not more than five (5) acres and not more than five (5) contiguous lots where every lot fronts on an existing public roadway and which development does not require any improvements or the extension of any public facilities.

Filing and Review — The subdivider shall consult with the City Engineer to determine eligibility for filing under this section prior to have a plat prepared. Upon concurrence of the City Engineer, the subdivider shall prepare and submit an original reproducible of a

Final Plat to the City Building Department. Review of the plat shall be accomplished by the City Planner or his designee, and shall take into consideration conformance with the requirements of these Regulations and other applicable standards and requirements.

Specifications for Final Plat — The Final Plat shall conform in all respects and details with the specifications for Final Plats in Section 17-3.

Effect of Review — Upon satisfactory review and site inspection (if necessary), Final Plat approval shall be given within thirty (30) calendar days. In all other respects, the effect of review for Final Plans in Section 17-3 shall apply to minor subdivisions.

20-6 GEOMETRIC DESIGN

Depending upon the size of the private subdivision and anticipated traffic volume, the minimum design standards for a residential or single purpose local street subdivision shall be used.

Residential or single-purpose local street - Design for this category of private subdivision will follow the current requirements established in the Design Policy for Paving Dirt Roads, current addition as adopted by the City of Saraland. To the extent City requirements are inconsistent with this Article, the provisions of this Article will apply.

Two (2) directional one lane residential or single purpose local street subdivision design — will not be allowed in any private subdivision within the City of Saraland, Alabama.

20-7 STRUCTURAL REQUIREMENTS FOR ROADWAYS AND PRIVATE ROAD SUBDIVISIONS. Over an improved or modified sub-grade, a minimum of six (6) inches of granular soil base must be constructed, overlaid by a minimum of one hundred sixty-five (165) pounds per square yard of hot mix asphalt (1-IMA) shall be used at a minimum. However, additional requirements may be added to the design or construction if it is determined by the City that additional requirements are necessary due to conditions existing on the land where the roadway is situated such that additional requirements are necessary to allow for the safe and efficient operation of public safety vehicles. Regardless of the requirements, all construction shall meet or exceed the construction specifications as contained in the submitted road plans issued and approved by a licensed civil engineer or licensed geotechnical engineer licensed in the State of Alabama.

20-8 DESIGN REQUIREMENTS

Good engineering practice, judgment and criteria shall be employed to control storm water runoff, and water detention shall be employed where required by such good engineering practice, judgment and criteria. Further, good engineering practice, judgment and criteria shall be employed to ensure that to the extent any private subdivision utility right-of-way is located in or around a private road or street, the use and existence of the private road or street does not interfere with or in any way damage utility infrastructure placed within the utility right-of-way.

20-9 MAINTENANCE OF PRIVATE ROADS/STREETS, PRIVATE SUBDIVISION UTILITY EASEMENTS AND PRIVATE SUBDIVISION DRAINAGE STRUCTURES. All private subdivision streets and roads, to include their platted rights-of-way, shall be deeded to a property owners association comprised of the owners of record and any owners in fact of the lots included within the private subdivision. All members of the property owners association shall execute a private road maintenance agreement in favor of the property owners association. Said agreement at a minimum will pledge all real property owned or to be owned by the member within the private subdivision, including all buildings and appurtenances constructed upon said property. Said pledge at a minimum will require all members of the property owners association to provide for the financial requirements necessary to maintain all private roads and streets, private subdivision drainage, and private subdivision utility easements consistent with design requirements in the submitted and approved plans submitted pursuant to 20-7.

20-18 NOTICE OF DEFICIENCY AND PROCEDURE FOR CURE. Any pledge pursuant to 20-9 SHALL be filed with the Probate Court of Mobile County. Any failure to file a pledge with the Probate Court will serve as a violation and will subject the Owner and the Property Owners Association to fines and penalties as established in this Code. It shall not be the requirement of the City of Saraland to inspect or evaluate any private subdivision roads or streets or any private subdivision drainage or private subdivision utility rights-of way. However, if the City determines that a deficiency exists in the then existing private road or street, private subdivision drainage or private subdivision utility right-or-way, the City shall notify in writing the private subdivision property owners association of the deficiency. Within thirty (30) days of service of said notice, the private subdivision property owners association shall have a licensed professional engineer certify to the City building official that any noted deficiency has been addressed and corrected. Said notice shall include the Engineer's seal and certification that all work has been done in accordance with all then relevant engineering standards. If the deficiency is such that it cannot be addressed and corrected within thirty (30) days of the notice provided, the private subdivision property owners association may petition the Planning Commission for an extension of that thirty (30) days. Included within any such petition will be drawings, plans and specifications from a licensed, practicing Engineer within the State of Alabama, outlining the work to be performed to address the deficiency and the estimated time frame to undertake said work. It shall be up to the Planning Commission to determine what extension, if any, shall be granted. If an extension is granted, the licensed professional engineer shall submit as constructed plans certified by the licensed professional engineer, illustrating the work performed to address the deficiency. If the private subdivision land owners association does not correct the deficiency within thirty (30) days of the notice of deficiency or within any period of time approved by the Planning Commission, the City shall have the right, but not the obligation, to file suit in the appropriate court to enjoin the private subdivision land owners association and its individual members from the violation of this Article. In addition, the City may issue citations to the private subdivision land owners association and its individual members for violation of this Article in the Municipal Court to include daily fines for the length of the existence of the deficiency after receipt of the

notice, said fines being incurred daily for each day the violation exists and in the amount as determined by the Court.

20-19 FILING OF DOCUMENTS WITH THE PROBATE COURT. In addition to the document filing requirements contained in Article XVII, the Owner and Property Owners Association shall also consent to have filed in the Probate Court a copy of any pledges executed by any Owner pursuant to 20-9. In addition, the Owner and property owner shall file an acknowledgment with the Probate Court stating the Owner is aware that all streets within the subdivision are private streets owned by the Property Owners Association and that the Owner understands that no private street or attendant structure is eligible for acceptance for public maintenance until the Property Owners Association has taken the action necessary for the private road to be brought up to the then current minimum standards for public roadways as adopted by the City.

Motion was made by Councilmember Biggs, seconded by Councilmember Cromer, to suspend the rules to allow for immediate consideration of the proposed ordinance for an Amendment to Article XVII (17) "Procedures for Subdivision Review", and the addition of Article XX (20) "Public and Private Subdivision Standards" to the Land Use and Development Ordinance.

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 Hudson, to adopt the ordinance for an Amendment to Article XVII (17) "Procedures for Subdivision Review", and the addition of Article XX (20) "Public and Private Subdivision Standards" to the Land Use and Development Ordinance.

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 Cromer, seconded by Councilmember Hudson, to approve a resolution to surplus the 2011 Ford F250, with VIN# 1FT7W2A62BEC81798 and to donate to the Oak Grove Volunteer Fire Rescue. Motion Carried.

RESOLUTION 2338

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

WHEREAS, the City of Saraland, Alabama, has certain equipment which is no longer needed for public or municipal purposes; and

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

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

Section 1: That the below listed copier is personal property owned by the City of Saraland, Alabama that are not needed for public or municipal purposes:

(1) 2011 Ford F-250 Crew Cab 2WD Pick up, VIN# 1FT7W2A62BEC81798

Section 2: That the surplus property indicated above owned by the City of Saraland be donated to the Oak Grove Volunteer Fire Rescue.

ADOPTED AND APPROVED this the 14th day of March 2024.

Motion was made by Councilmember Cromer, seconded by Councilmember Moye, to authorize training expenses and adopt a resolution for Colin Wilson and Dylan Gardner to attend the Regional Counterdrug Training Academy (Interview and Interrogation Class) on May 20th - 24th, 2024 in Meridian, Mississippi. Motion Carried.

RESOLUTION 2339

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

WHEREAS a cash advance for Colin Wilson and Dylan Gardner to attend the Regional Counterdrug Training Academy (Interview and Interrogation Class), May 20th – 24th, in Meridian, Mississippi; 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 14th day of March, 2024.

Motion was made by Councilmember Hudson, seconded by Councilmember Moye, to appoint Mayor Rubenstein as the City's voting delegate with Councilmember Cromer and

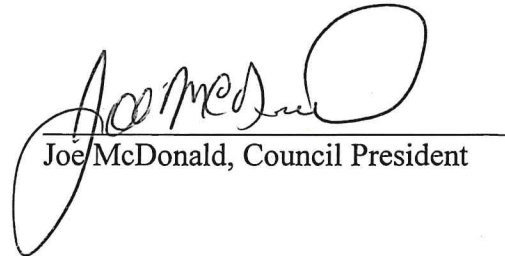
Councilmember Hudson as alternate voting delegate at the Alabama League of Municipalities annual meeting, May 17, 2024, in Huntsville, Alabama. Motion Carried.

There being no further business to come before the Council, motion was made by Councilmember Cromer to adjourn at 7:09 p.m.

ACCEPTED and **APPROVED** the 28th day of March, 2024.



Judi Smith, City Clerk



Joe McDonald, Council President