

The Saraland City Council met in special session on June 24th, 2024, at the Saraland Municipal Annex. The meeting was called to order at 6:11 p.m. by Council President McDonald. Roll call was as follows:

Present: Council President Joe McDonald  
Councilmember Wayne Biggs  
Councilmember Veronica Hudson

Absent: Councilmember Newton Cromer  
Councilmember Natalie Moye

Attorney, Andy Rutens was present.

Councilmember Hudson opened the meeting with prayer.

Council President McDonald advised the purpose of this meeting is to consider change orders for sportsplex construction. Other municipal business may be considered at this time.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to authorize the mayor to execute Rabren Construction's Construction Change Directive (CCD) # 9, concerning soil usage on the Sportsplex project. Motion carried.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to clarify and correct the minutes on June 10, 2024, to authorize expenditure of \$447,096.00 for playground equipment, related communications and security needs for Bethel Forest Park, Norton Park, Robinette Park, Dixon Park, Hertz Park, Kali Oka Park as well as add the Saraland Civic Center and Saraland Senior Center. Of which \$50,000.00 will be paid through a T-Mobile grant and \$52,096.00 through an American Rescue Plan Act (ARPA) grant. The remaining \$345,000.00 funds are to be paid from the general fund. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to request an Attorney General's (AG) opinion concerning the eligibility of the chief of the fire department who also serves as a member of the Board of Water and Sewer Commissioners for the City of Saraland to receive compensation for service on the board. Motion carried.

#### **RESOLUTION 2352**

**A RESOLUTION REQUESTING ATTORNEY GENERAL'S OPINION CONCERNING  
THE ELIGIBILITY OF THE CHIEF OF THE FIRE DEPARTMENT WHO ALSO  
SERVES AS A MEMBER OF THE BOARD OF WATER AND SEWER  
COMMISSIONERS FOR THE CITY OF SARALAND TO RECEIVE COMPENSATION  
FOR SERVICE ON THE BOARD**

WHEREAS, the City of Saraland, Alabama is a municipal corporation established under the laws of the State of Alabama; and

WHEREAS, on August 29, 1960, the City adopted Ordinance Number 63 which created the Board of Water and Sewer Commissioners for the City of Saraland, Alabama pursuant to Alabama Acts 1951, Number 775 which has been recodified as Ala. Code §11-50-340 et. seq.. Pursuant to Alabama Code 11-50-342 Fire Chief Jeff Ludlam was appointed to the governing board but has not been receiving any salary, fee, or other remuneration for his efforts and service to the Board; and

WHEREAS, the City Council has previously approved the Water Board to pay board members for their service; and

WHEREAS, §11-50-342(d) and (h) provide that an officer of the City maybe appointed to the Board and that while members of the Board shall receive such salary for their services as may be fixed by the council “no officer of the City servicing as a member of the Board shall receive any salary.”; and

WHEREAS, the provisions of Ala. Code §11-50-342 are contrasted with provisions of Ala. Code §11-50-313(c) that allows for the officer of a municipality to be appointed to the Board of Directors for Water, Sewer, Gas and electric systems and that they “may receive a fee for his or her services . . .”; and

WHEREAS, there is no attorney general’s opinion or other court opinions concerning whether or not a city fire chief is an “officer of the city” for purposes of determining whether a fire chief appointed pursuant to Ala. Code §11-50-342 is prohibited from receiving “a salary”; and

WHEREAS, if a city fire chief is determined to be an officer of the City, there are no attorney generals opinions or other court opinions addressing the issue concerning whether or not the City Council pursuant to Ala. Code §11-50-342(h) may authorize a fee for services to be paid to a city fire chief akin to those allowed pursuant to Ala. Code §11-50-313(c).


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Saraland, Alabama that the Mayor through this resolution is authorized to request an attorney general’s opinion to address the issues and questions raised herein.

Motion was made by Councilmember Biggs, seconded by Councilmember Hudson, to enter into an agreement with the City of Satsuma, for the City of Saraland to pay 40% of the resurfacing cost for repaving 1,030 feet of Hartley Road and for the City of Satsuma to cover the remaining 60% as well as all of the engineering costs. Motion carried.

Motion was made by Councilmember Hudson, seconded by Councilmember Biggs, to approve KemperSports request for June funding replenishment in the amount of \$31,804.50 (\$11,535.15 for operating expense and \$20,500.00 for management fees). Motion carried.

There being no further business to come before the Council, motion was made by Councilmember Biggs to adjourn at 6:38 p.m.

ACCEPTED and APPROVED the 27th day of June 2024.

  
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Casey Etheredge, Assistant City Clerk

  
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Joe McDonald, Council President