

The regular meeting of the Northport City Council convened at 6:00 p.m. on October 21, 2013 at the Northport City Hall, located at 3500 McFarland Blvd. The invocation was offered by Mayor Herndon. President Logan led the assembly in the Pledge of Allegiance. Upon roll call, the following were found to be present: President Logan, Councilwoman Hayes, Councilman Sullivan, Pro Tem Acker, and Councilman Harper. Also present were City Administrator Scott Collins and Mayor Bobby Herndon.

Motion by Councilwoman Hayes, **Second** by Pro Tem Acker **to approve the Agenda for the October 21, 2013 Council Meeting.** Roll call vote was as follows: Councilwoman Hayes, Yes; Pro Tem Acker, Yes; Councilman Sullivan, Yes; Councilman Harper, Yes; President Logan, Yes. **Motion Carried Unanimously.**

Motion by Pro Tem Acker, **Second** by Councilman Harper **to suspend the rules in order to consider Ordinance for Conditional Use for Public Utility Use (parking lot) in a Single Family Residential Zone located at 2513 Snows Mill Avenue.** Roll call vote was as follows: Pro Tem Acker, Yes; Councilman Harper, Yes; Councilwoman Hayes, Yes; Councilman Sullivan, Yes; President Logan, Yes. **Motion Carried Unanimously.**

Motion by Pro Tem Acker, **Second** by Councilman Harper **to approve Ordinance 1819 for Conditional Use for Public Utility Use (parking lot) in a Single Family Residential Zone located at 2513 Snows Mill Avenue.** Roll call vote was as follows: Pro Tem Acker, Yes; Councilman Harper, Yes; Councilman Sullivan, Yes; Councilwoman Hayes, Yes; President Logan, Yes. **Motion Carried Unanimously.**

President Logan offered for 1st Reading, Ordinance for Rezoning Approximately 3.6 acres of land located on Martin Luther King Jr. Blvd. 17th Street, 14th and 15th Court.

Motion by Councilwoman Hayes to approve a Resolution approving a retaining wall and privacy fence request. **Motion died due to the lack of a Second.**

Motion by Councilman Harper, **Second** by President Logan **to approve the Consent Agenda for the October 21, 2013 Council Meeting.**

Consent Agenda

1. Minutes, October 7, 2013, Regular Meeting
2. Bill Listing
3. PO Requisition, Fluoride, Pennco, Inc. \$14,000 - Water
4. PO Requisition, F350 Stivers Ford, \$34,281.00
5. PO Requisition, F150, Stivers Ford, \$24,122.00

Roll call vote was as follows: Councilman Harper, Yes; President Logan, Yes; Councilwoman Hayes, Yes; Councilman Sullivan, Yes; Pro Tem Acker, Yes. **Motion Carried Unanimously.**

President Logan opened the floor for public hearing concerning the abatement of Weeds at the following addresses: 1411 20th Avenue, 3501 14th Street, 2101 Fountain Way, 2312 Snows Mill Avenue, and 2410 Snows Mill Avenue.

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Motion by Councilman Harper, **Second** by Councilman Sullivan **to approve Resolution 13-99 ordering abatement of weeds at 1411 20th Avenue.** Roll call vote was as follows: Councilman Harper, Yes; Councilman Sullivan, Yes; Councilwoman Hayes, Yes; Pro Tem Acker, Yes; President Logan, Yes. **Motion Carried Unanimously.**

Motion by President Logan, **Second** by Councilman Harper **to approve Resolution 13-100 ordering abatement of weeds at 3501 14th Street.** Roll call vote was as follows: President Logan, Yes; Councilman Harper, Yes; Councilman Sullivan, Yes; Pro Tem Acker, Yes; Councilwoman Hayes, Yes. **Motion Carried Unanimously.**

Motion by President Logan, **Second** by Councilman Harper to **approve Resolution 13-101 ordering abatement of weeds at 2101 Fountain Way**. Roll call vote was as follows: President Logan, Yes; Councilman Harper, Yes; Councilman Sullivan, Yes; Pro Tem Acker, Yes; Councilwoman Hayes, Yes. **Motion Carried Unanimously.**

Motion by President Logan, **Second** by Councilman Harper to **approve Resolution 13-102 ordering abatement of weeds at 2312 Snows Mill Avenue**. Roll call vote was as follows: President Logan, Yes; Councilman Harper, Yes; Councilwoman Hayes, Yes; Councilman Sullivan, Yes; Pro Tem Acker, Yes. **Motion Carried Unanimously.**

Motion by President Logan, **Second** by Councilman Harper to **approve Resolution 13-103 ordering abatement of weeds at 2410 Snows Mill Avenue**. Roll call vote was as follows: President Logan, Yes; Councilman Harper, Yes; Councilwoman Hayes, Yes; Councilman Sullivan, Yes; Pro Tem Acker, Yes. **Motion Carried Unanimously.**

Departmental Business:

Motion by Councilman Harper, **Second** by Councilman Sullivan to **approve the ABC License for Northport Tobacco Outlet**. Roll call vote was as follows: Councilman Harper, Yes; Councilman Sullivan, Yes; Councilwoman Hayes, No; Pro Tem Acker, Yes; President Logan, Yes. **Motion Carried.**

Public Comment:

Mr. John Earl 709 20th Avenue, Tuscaloosa, addressed the Council and Mayor concerning the public apology that was made at the last council meeting by Mayor Herndon. He felt like the impression Northport gave by the apology was an embarrassment to Northport and hopes that in the future if there is a problem, that it would be taken up with that person in private and not made into a public spectacle.

Ms. Tina Oyler from 3617 36th Street came before council and asked what her next step should be to eliminate the erosion problem due to the resolution failing. City Administrator Collins explained that it is not cost effective to repair the fence and install a retaining wall due to the minimal erosion; therefore, the city council will discuss replacing the chain link fence to mitigate the erosion issue. Councilwoman Hayes inquired about the \$49,000 cost estimate for the fence and retaining wall. There was discussion. Mayor Herndon asked the Engineering Department to periodically check the erosion between City Hall and Ms. Oyler's property and to keep the Council informed of any erosion issues.

Mayor & Council Member's Business:

Councilwoman Hayes, District 1, thanked everyone for attending the meeting. She said she humbly regrets to the public the necessity for her comments this evening toward Mayor Herndon. She requested the Mayor make a public apology for his disparaging remarks he made about her at the October 7th Council Meeting. Councilwoman Hayes said she was ill October 7th and was unable to attend the meeting to respond to his wild and slanderous comments regarding her professionalism. She stated that his comments were demeaning and inaccurate, and she wanted to say publicly that she categorically denies the Mayor's comments regarding her. She explained that the reason she was at Mr. Bill's Family Restaurant was to investigate several complaints she received from constituents in District 1 concerning used motor oil in the drainage ditches behind the restaurant and was only investigating the complaint. Councilwoman Hayes said that she answers to the citizens in District 1, and her responsibilities to them are spelled out in city ordinance, and if the Mayor or anyone else has concerns she would be glad to meet with them. She said there are more important issues facing Northport to waste any more time dealing with this incident.

Councilwoman Hayes thanked everyone for the opportunity to rebut the erroneous comments made toward her at the October 7th meeting.

President Logan, District 2, thanked the congregation and pastor of Porter St. Paul Church for allowing him speak at their church. He thanked the West Alabama Food Bank for implementing Phase II of their food give-away and said that it helped over 150 families. He also thanked the TCHS Alumni Association for allowing him the opportunity to be involved with their homecoming festivities. President Logan reminded everyone that on October 31st at the Robert Hasson Community Center there will be a “Trick or Trunk” for the kids and invited everyone to attend.

Councilman Sullivan, District 3, None

President Pro Tem Acker, District 4, thanked his daughter and wife for attending the meeting.

Councilman Harper, District 5, thanked Mr. Fitzgerald Washington from the West Alabama Chamber of Commerce for attending the meeting.

Mayor Herndon, thanked former Councilmen Steve Webb and Billy Booth, former Mayor Wayne Rose, as well as Mayor Herndon’s family for attending the meeting. Mayor Herndon said at the last council meeting the apologies he made to the businesses were warranted and the people that needed to be apologized to were in attendance. He said as far as him speaking with Councilwoman Hayes privately beforehand, he tried that on Election Day and he was almost arrested. He said he wants to move on from this incident.

Motion by Councilman Harper, **Second** by Councilman Sullivan to **adjourn the meeting**. Roll call vote was as follows: Councilman Harper, Yes; Councilman Sullivan, Yes; Councilwoman Hayes, Yes; Pro Tem Acker, Yes; President Logan, Yes. **Motion Carried Unanimously.**

There being no further business to come before the Council, the meeting was adjourned at 6:32 p.m.

Jay Logan, President

ATTEST:

Scott Collins, City Administrator