

The regular meeting of the Northport City Council convened at 6:00 p.m. on July 8, 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.

Mayor Herndon presented a proclamation to Lowell Reece Auto Repair for the business of the month for July.

Mayor Herndon presented a proclamation to Sergeant Gary Landon Hill for his heroism in the Vietnam War.

**Motion** by Pro Tem Acker, **Second** by Councilwoman Hayes **to approve the Agenda for the July 8, 2013 Council Meeting.** Roll call vote was as follows: Pro Tem Acker, Yes; Councilwoman Hayes, Yes; Councilman Sullivan, Yes; Councilman Harper, Yes; President Logan, Yes. **Motion Carried Unanimously.**

Mr. Phil Doster with the Greater Birmingham Humane Society addressed the City Council concerning the recent shooting of a pit bull in Northport. He said he was not there to admonish the Police Officer for what happened, but to advocate proper training and recognizing animal behavior in the future so it is not misidentified.

**Motion** by Pro Tem Acker, **Second** by Councilman Harper **to approve Ordinance 1814 allowing certain regulated businesses in C-6 Zone with Distance Separation.** 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.**

**Pro Tem Acker offered for 1<sup>st</sup> Reading, Amending Section 66-285 of the Municipal Code regarding temporary peddler's license contingent upon the expiration being 180 days instead of 90 consecutive days.**

**Motion** by President Logan, **Second** by Councilman Sullivan **to approve Resolution 13-051 declaring certain items as surplus and authorizing their disposal.** Roll call vote was as follows: President Logan, Yes; Councilman Sullivan, Yes; Councilwoman Hayes, Yes; Pro Tem Acker, Yes; Councilman Harper, Yes. **Motion Carried Unanimously.**

President Logan opened the floor for the public hearing concerning a weeds nuisance at 1105 Vestavia Circle, Lot 177 Green Village, and 365 42<sup>nd</sup> Street East.

President Logan closed the floor for the public hearing concerning a weeds nuisance at 1105 Vestavia Circle, Lot 177 Green Village, and 365 42<sup>nd</sup> Street East.

**Motion** by President Logan, **Second** by Councilman Harper **to approve Resolution 13-052 declaring weeds at 1105 Vestavia Circle a nuisance.** 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 13-053 declaring weeds at Lot 177 Green Village a nuisance.** 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 13-054 declaring weeds at 365 42<sup>nd</sup> Street East a nuisance.** 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 Councilman Harper, **Second** by Councilman Sullivan **to approve Resolution 13-055 rejecting all bids for the Electronic File Conversion and Storage Project.** 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 Councilman Harper, **Second** by Councilman Sullivan to **approve Resolution 13-056 approving the Mayor to Execute a Supplemental Funding Agreement for the Metro Animal Shelter.** 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 Councilwoman Hayes, **Second** by Councilman Sullivan to **approve Resolution 13-057 authorizing the Engineering Department to move forward with the traffic calming improvements recommended and to pursue grants for development for 30<sup>th</sup> Avenue.** Roll call vote was as follows: Councilwoman Hayes, Yes; Councilman Sullivan, Yes; Pro Tem Acker, Yes; Councilman Harper, Yes; President Logan, Yes. **Motion Carried Unanimously.**

**Motion** by Councilman Harper, **Second** by Pro Tem Acker to **approve the Consent Agenda for the July 8, 2013 Council Meeting.**

**Consent Agenda**

1. Minutes, June 17, 2013, Regular Meeting
2. Deleted
3. Travel/Training, Alabama GMIS Summer Mtg. July 28<sup>th</sup>-30<sup>th</sup>, Orange Beach, AL \$350 - IT
4. Travel/Training, 3 employees, How to Manage Conflict & Confrontation, Aug. 27<sup>th</sup>, Tuscaloosa, AL \$237 - PW
5. PO Requisition, Air Conditioner Unit Replacement, Home Comfort Solutions Inc., \$11,824 - PW
6. PO Requisition, Fire Truck Repair, Sunbelt Fire, \$6,442.84 - PW
7. PO Requisition, Building Repair – Fire Station 1, Harrison Construction \$21,590.57 - PW
8. Travel/Training, 1 Officer, Warrant Affidavit Preparation, Tuscaloosa, AL \$0, July 16<sup>th</sup> - PD
9. PO Requisition for 2 Reed Tapping Machines, Ferguson Enterprises, Inc. \$5,600 - Water
10. PO Requisition for 1 Rapid Mixer, Jim House & Associates, Inc. \$9,923 - Water
11. Travel/Training, 1 employee to attend AL/MS Section AWWA Conf. Oct. 13<sup>th</sup>-15<sup>th</sup>, Tunica, MS, \$403.70 – Water
12. Travel/Training, 3 employees to attend Creative Leadership Seminar, Tusc., AL, Oct. 2<sup>nd</sup>, \$537 – Water/Wastewater
13. Travel/Training, 2 Officers, Southeastern Law Enforcement Executive Development Seminar, Florence, AL, Oct. 20<sup>th</sup>-25<sup>th</sup>, \$2,478.52 – PD
14. Travel/Training, 1 Officer, Inspection and Investigation of Commercial Vehicle Crashes, Jacksonville, FL, Aug. 19<sup>th</sup> – 23<sup>rd</sup>, \$1,500 – PD
15. PO Requisition, 12 Body Armors, Gulf States Distributors, \$7,188 - PD

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

**Departmental Business:**

Mr. Larry Thomas addressed the council concerning a \$9,000 claim against the city for a past due water account for a business. Mr. Thomas opened a water account in the name of Bama Car Wash in August 2007. The account was closed November 2007. The water bill including late fees totaled \$9,430.61. Mr. Thomas said he never opened the business and didn't feel he was responsible for the bill. President Logan said normally a high water bill indicated a water leak on the customer side of the meter. There was discussion and President Logan opened the floor to the council for discussion to make a decision

on the issue. Councilman Sullivan suggested the city reduce the bill to \$5,000 if Mr. Thomas would have it paid in 90 days, **Motion** by Councilwoman Hayes, to reduce the amount of the claim to \$5,000 if Mr. Thomas will pay it within 90 days. Mr. Thomas said he could not pay the \$5,000 within 90 days. **Councilwoman Hayes withdrew her motion.** There was discussion and council tabled the issue until the July 15<sup>th</sup> Council Meeting.

The Departmental Reports were not given due to a time constraint.

**Public Comment:**

Mr. Dwight Blake signed up for public comment; however, he was unavailable for comment.

Mr. Thomas James, 35 Booth Estates came before council to discuss the recent shooting of a pit bull on his property. He asked the council what the original call was for that prompted the Police to come out to the property. President Logan said he could not comment on the issue due to the possibility of potential litigation against the city. City Administrator Collins explained that he didn't have the information available at the moment; however, he would be glad to get that information to him as soon as possible. Mr. James expressed his disappointment with how the situation was handled.

Mr. Donald Montgomery, 3401 69<sup>th</sup> Avenue, came before council to discuss the recent shooting of a pit bull. He said the original call was to his address. He questioned why he received a ticket this year for having five (5) dogs, but last year he had seven (7) dogs and did not get a ticket. He was unaware of the city putting a limitation on the amount of dogs you can own. He was very upset with how the police officer handled the situation. President Logan asked City Attorney Ron Davis for clarification of the limit of animals you can have per household. Mr. Davis said the limit is three (3) per household. President Logan reiterated that he could not comment on the issue due to the possibility of potential litigation against the city.

Ms. Kathleen Farmer, 710 Cambridge Lane, came before council to discuss the recent shooting of a pit bull. She said she is pro law enforcement; however, this incident left her feeling like no one is safe, and that animal lovers are left thinking this could happen to them if their pet gets out. She hopes that this issue is resolved and that nothing like this happens again.

Ms. Jean Brown, 1603 17<sup>th</sup> Avenue, came before council to thank them for completing the drainage project behind her house and also asked for speed signs to be installed on 17<sup>th</sup> Avenue. President Logan said he did receive her message about the speed signs and they should be installed this week. Ms. Brown also asked the council the status of an application that was supposed to be submitted a few years ago to make the Southeastern area an Historical District. President Logan said he would get with the staff for more information and contact her with the status. Ms. Brown suggested getting Northport citizens involved concerning the Feasibility Study for a Northport School System instead of paying thousands of dollars to a consultant. Mayor Herndon thanked Ms. Brown for coming before Council with her concerns and explained that the consultant would only teach us the basics of what to do and if it would be feasible for Northport to create a new school district.

Ms. Stacy Jordan, 11500 Ashley Avenue, came before council to discuss the recent shooting of a pit bull. Ms. Jordan spoke on behalf of Kelly and Kylie Law and on behalf of all pet owners in the Northport area. She said pets are so much more than dogs and cats, they are family. She asked that the city fund extensive training to all law enforcement officers with respect to dogs on the scene, so that a tragedy like this doesn't happen in the future.

Ms. Heather Litz, 366 Willcutt Road, came before council to discuss the recent shooting of a pit bull. Ms. Litz is a certified dog trainer, with experience in aggressive breeds. She offered free training to the Police and Fire Department. She said she feels it is unfair to the Police Officers to send them out in the public to deal with animals and not be properly trained.

**Mayor & Council Member's Business:**

**Mayor Herndon**, said he appreciated everyone coming out to voice their opinion. He also said that today he had the opportunity to welcome 30 young foreign exchange students from China through a Chinese Cultural Exchange Program. He thanked PARA for their efforts in this program. He also thanked all the city staff for the great job they do on a daily basis.

**Councilwoman Hayes, District 1**, thanked everyone for coming to the meeting. She said she wished all the council meetings were as crowded as this one and she encouraged everyone to attend more council meetings to better understand how their government works. She also asked everyone to remember the 19 fireman that were recently killed fighting a forest fire and to pray for their families.

**President Logan, District 2**, thanked Sgt. Hill and his family for his attendance, and also for his service. On behalf of the city, he thanked the Riverside High School Classes, and Ms. Jean Brown (Class of 1942) for inviting them to the reunion festivities. He said it was very enjoyable to attend. He said there will be a food bank on July 11<sup>th</sup> at locations to be announced that will be giving out food boxes. He thanked everyone for coming out and expressing their concerns about the dog issue.

**Councilman Sullivan, District 3**, thanked everyone for coming to the meeting.

**President Pro Tem Acker, District 4**, thanked everyone for coming to the meeting and expressing their concerns.

**Councilman Harper, District 5, None**

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

There being no further business to come before the Council, the meeting was adjourned at 7:18 p.m.

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Jay Logan, President

ATTEST:

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Scott Collins, City Administrator