The regular meeting of the Northport City Council convened at 6:00 p.m. on July 13, 2015, 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 Mr. Jason Hise with Computer Doctor for the July business of the month.

Motion by Pro Tem Acker, **Second** by Councilman Harper to **approve the agenda for the July 13, 2015 Council Meeting.** 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 1st Reading, Ordinance Amending Chapter 34 of the Municipal Code pertaining to reserve fund accounts.

Motion by Councilman Harper, **Second** by Pro Tem Acker **to approve Resolution 15-33 regarding Shirley Place.** Councilwoman Hayes read the following statement:

> I would like to make my comments without interruption and for all of them to be included in the minutes of this Council Meeting. My mission has been to find out where unaccounted for taxpayer money has gone. I learned that there were several hundred thousand dollars of taxpayer funds that were allocated for the maintenance and upkeep of Shirley Place had not been accounted for. The money granted by the Alabama Historical Commission, which according to a State of Alabama line item grants document, was specifically for the construction of a heritage learning center. I have requested a similar document allowing the use of the remaining approximately $74,000, which was returned by the Foundation, to repair Shirley Place. I have been provided only emails that discussed the use of the Grant money, not a document from the Alabama Historical Commission authorizing the use of the money for repairs. The long term lease agreement for the Shirley Place Foundation clearly stated that the Foundation could not remove any of the contents of Shirley Place. Yet over a year ago the records of Marvin Harper were removed by the Foundation. The resolution under discussion today allows the Foundation to store these records until repairs are made at Shirley Place. Nothing was said in the Council minutes in 2014 about allowing the Foundation to remove these records. Removing the records was not allowed in the lease agreement. The long term lease agreement with the Shirley Foundation required a yearly report to the City by the Foundation of repairs needed. It was not until the Foundation had agreed to terminate the lease that an estimate of repairs was provided. There was no discussion in an open meeting of the Council of removing records because of needed repairs. The Foundation was also required to submit a yearly report of its expenditures. None was provided until it terminated the lease agreement. The amount of expenditures reported was about $115,000. More than $52,000 was spent on un-itemized “miscellaneous” expenses. A little more than $49,000 was spent on “repairs, maintenance and supplies.” As a steward of taxpayer money I am concerned about how the $115,000 was spent. If all of the unaccounted money that exists could be spent on repairing Shirley Place we would not be thinking of using the remaining Grant money today for repairs. I was astonished that this resolution asks the Council to prevent me from asking the City Administrator and City employees any questions about the use of taxpayer money. Many of the documents that I have requested have not been provided to me. Surely the Council is concerned as I am about money that is unaccounted for? Can an elected official not be allowed to ask employees questions that concern taxpayer money? The issue of my being able to request information already should be governed by the Alabama Open Records Act. There should be no need – and it’s wholly inappropriate – for the City Council to direct government employees to refuse to respond to any of my requests for records. The law outlines the circumstances when a request can be refused. If those circumstances exist, the City needs to invoke the law. If not, they need to respond to any requests for information that I make. City Administrator Scott Collins has admitted that he turned over to the Shirley Place

Foundation account on October 5, 2009 over $180,000 from the Shirley Place Maintenance Trust Fund. There were un-budgeted Shirley Place expenses in the 2009 and 2010 audits of nearly $100,000. That total alone amounts to $280,000 of taxpayer money. The lease with the Foundation for Shirley Place stated that any money raised by the Foundation or any other money from any other source should be used for the maintenance, repair and benefit of Shirley Place. That means there was actually much more money involved than only the $280,000 of taxpayer money. This resolution states that the Shirley Place Foundation has returned to the City of Northport all money remaining from all city funds. Thus far only the unspent Grant money has been reported as having been returned. Every Council member has the responsibility to account for how taxpayer money was spent. If only $115,000 has been accounted for, where is the rest of the money?

Roll call vote was as follows: Councilman Harper, Yes; Pro Tem Acker, Yes; Councilwoman Hayes, No; Councilman Sullivan, Yes; President Logan, Yes. **Motion Carried.**

Motion by Councilman Sullivan, **Second** by Councilman Harper to **approve Resolution 15-34 declaring certain items as surplus and authorizing their disposal.** Roll call vote was as follows: Councilman Sullivan, Yes; Councilman Harper, Yes; President Logan, Yes; Councilwoman Hayes, Yes; Pro Tem Acker, Yes. **Motion Carried Unanimously.**

Motion by Councilman Harper, **Second** by President Logan, to **approve the Consent Agenda for the July 13, 2015, Council Meeting.**

Consent Agenda

1. Minutes, June 15, 2015, Regular Meeting
2. Bill Listing
3. PO Requisition, 3 Cutler Hamner VFD's, Mayer Electric, $5,460 - Utilities
4. Travel/Training, 3 employees, Bio solids, What do you do with your Sludge Class, July 21st Birmingham, AL $0 - Utilities
5. PO Requisition, Pump Station No. 1 Repair Parts, Dowdy and Associates, Inc., $17,125 - Utilities
6. Travel/Training, 1 employee, AL-GMIS Summer Conference, Orange Beach, AL, $650.00 - IT
7. PO Requisition, Emergency Pump Purchase for Upper Smith Creek PS, Hunnicutt, Inc. $7,900 - Utilities
8. PO Requisition, Equipment Trailer, Winston Trailers, $11,261.00 - PW
9. PO Requisition, 60" Cut Mower, Northport Power Equipment, $8,950 WTP - Utilities
10. PO Requisition, Flocculator Replacement Project, Double Diamond & Eshelman Co., $61,767.00 - Utilities
11. PO Requisition, 5.5" Hammerhead Tool Assembly, Ditch Witch of Alabama, $8,400 - Utilities
12. PO Requisition, 2 New Pumps, General Machinery, $14,902 - Utilities
13. PO Requisition, Asbestos Removal for Shirley Place, Alabama Restoration and Remediation, $8,500 - PW
14. PO Requisition, Roof Replacement at Shirley Place, Harrison Construction, $15,150 - PW
15. PO Requisition, Masonry Repair, Masonry Arts, $40,000 - PW
16. PO Requisition, Synnex, $7,040.06 - Admin

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

City Administrators Business:

There will be a reception honoring Mr. Paul Hubbard, immediately following the adjournment of the July 20th Council meeting. Mr. Hubbard is retiring from the Northport Civil Service Board after 20 years of service.

Public Comment:

Mr. Kenneth Walters, 4813 Allums Avenue spoke before the Mayor and Council on various items.

Mayor & Council Member's Business:

Councilwoman Hayes, District 1, thanked her constituents for their support.

President Logan, District 2, thanked the Riverside High School Reunion Committee for putting together the annual celebration.

Councilman Sullivan, District 3, none

President Pro Tem Acker, District 4, thanked Mr. & Mrs. Trawick for attending the meeting.

Councilman Harper, District 5, none

Mayor Herndon, commended the staff and Council for their work on amending the reserve account ordinance. Mayor Herndon also stated that sales tax revenues continue to rise in the City of Northport.

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

There being no further business to come before the Council, the meeting was adjourned at 6:30 p.m.

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Jay Logan, President

ATTEST:

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Scott Collins, City Administrator