

The regular meeting of the Northport City Council convened at 6:00 p.m. on March 18, 2019, at the Northport City Hall, located at 3500 McFarland Blvd. The invocation was offered by Councilman Hinton. Councilman Hinton led the assembly in the Pledge of Allegiance. Upon roll call, the following were found to be present: Councilman Roberts, Councilman Hinton, Councilman Davis, and Councilman Hogg. Also present was Mayor Aaron and City Administrator Bruce Higginbotham. Absent and failing to vote was President Logan.

Motion by Councilman Hinton and **Second** by Councilman Roberts to elect Jeff Hogg as President Pro Tem. Roll call was as follows: Councilman Hinton, Yes; Councilman Roberts, Yes; Councilman Hogg, abstained; and Councilman Davis, Yes. **Motion Carried.**

Mayor Aaron presented a proclamation to Mr. Walter Turner for National Vietnam Veterans Day. Mr. Turner thanked Mayor Aaron and the Council and invited everyone to attend the Welcome Home Vietnam Veterans program scheduled for March 30th from 4:00 p.m. to 6:00 p.m. at the VFW Post 6022 to thank the Veterans for their service.

Mayor Aaron, and Police Chief Gerald Burton swore in new Police Officers, Mr. Malcolm Nalls and Mr. William Stewart.

Motion by Councilman Roberts, **Second** by Councilman Davis to **approve the agenda for March 18, 2019.** Roll call vote was as follows: Councilman Roberts, Yes; Councilman Davis, Yes; Councilman Hinton, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Ms. Crystal Buck, owner of Everlasting and chair of Downtown Northport Bicentennial Celebration. Ms. Buck announced the schedule of events to the Council and invited everyone to come out on April 6, 2019 to participate in the day's events. There would be events from a beard contest at the barber shop to weaving classes for children. The Easter Bunny would be around to take pictures with children and even adults. The parade would be beginning at 4:00 pm and take the same route as County High's Homecoming Parade. Ms. Buck invited all of Northport to come and enjoy the fun celebrating Alabama's Bicentennial the Northport way.

Motion by Councilman Roberts, **Second** by Councilman Hinton to **approve Ordinance 1991 annexing a parcel of land located at 4518 5th Street.** Roll call was as follows: Councilman Roberts, Yes; Councilman Hinton, Yes; Councilman Davis, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Davis, **Second** by Councilman Robert to **adopt Permanent Resolution 1925 accepting maintenance for municipal public improvements of sidewalks in phases I-V for property located at Rosewood Subdivision.** Roll call was as follows: Councilman Davis, Yes; Councilman Roberts, Yes; Councilman Hinton, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Hinton, **Second** by Councilman Davis to **adopt Permanent Resolution 1926 to adopt the resolution accepting maintenance for municipal public improvements of sidewalks for property located at Lot 1 E.F. Maxwell Subdivision (1003 30th Avenue).** Roll call was as follows: Councilman Hinton, Yes; Councilman Davis, Yes; Councilman Roberts, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Roberts, **Second** by Councilman Hinton to adopt Ordinance 1992 amending Chapter 14 of the Municipal Code pertaining to Community Cats. Roll call was as follows: Councilman Roberts, Yes; Councilman Hinton, Yes; Councilman Davis, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Councilman Roberts offered for 1st Reading, Annexation of 0.3 acres located at 308 48th Avenue.

Pro Tem Hogg offered for 1st Reading, Annexation of 42.38 located east of Flatwoods Roads and south of Booth Estates Subdivision.

Councilman Roberts offered for 1st Reading, Ordinance Amending Chapter 14 of the Municipal Code Pertaining to Bees and Beehives.

Pro Tem Hogg offered for 1st Reading, Rezoning of 42.38 acres from AG to RS-4.

Councilman Davis offered for 1st Reading, Permanent Resolution Accepting Maintenance for Municipal Improvements in The Summit Subdivision, Phase II.

Motion by Councilman Roberts, **Second** by Councilman Hinton to **adopt Resolution 19-27 declaring certain equipment and items surplus and authorizing their disposal.** Roll call was as follows: Councilman Roberts, Yes; Councilman Hinton, Yes; Councilman Davis, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Hinton, **Second** by Councilman Roberts to **adopt Resolution 19-28 awarding Bid File 19-01, Buckhead Drainage Way Clean-up.** Roll call was as follows: Councilman Davis, Yes; Councilman Hinton, Yes; Councilman Roberts, Yes; President Logan, Yes; and Councilman Hogg, Yes. **Motion Carried Unanimously.**

Motion by Pro Tem Hogg, **Second** by Councilman Davis to **adopt Resolution 19-29 awarding Bid File 19-02, Herbicide Bid.** Roll call was as follows: Pro Tem Hogg, Yes; Councilman Davis, Yes; Councilman Roberts, Yes; and Councilman Hinton, Yes. **Motion Carried Unanimously.**

Motion by Councilman Davis, **Second** by Councilman Roberts to **adopt Resolution 19-30 to Authorize the Mayor to enter into an annual agreement with Lawrence, Hitt, & Pugh, LLP to audit the financial statement of the City of Northport for the 2018 fiscal year.** Roll call was as follows: Councilman Davis, Yes; Councilman Roberts, Yes; Councilman Hinton, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Roberts, **Second** by Councilman Hinton to **adopt Resolution 19-31 authorizing the City Administrator to negotiate a contract with Cassady Co. for the Charlie Shirley Road Water Tank Rehabilitation.** Roll call was as follows: Councilman Roberts, Yes; Councilman Hinton, Yes; Councilman Davis, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Davis, **Second** by Councilman Roberts to **adopt Resolution 19-32 authorizing the City Administrator to negotiate a contract with Cassady Co., for Union Chapel Pump Station # 9 Replacement.** Roll call was as follows: Councilman Davis, Yes; Councilman Roberts, Yes; Councilman Hinton, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Hinton, **Second** by Councilman Roberts to **adopt Resolution 19-33 authorizing the City Administrator to negotiate a contract with Cassady Co., for Pump Station # 2 Infiltration/ Inflow Drainage Basin Phase I.** Roll call was as follows: Councilman Hinton, Yes; Councilman Roberts, Yes; Councilman Davis, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Davis, **Second** by Councilman Roberts to **adopt Resolution 19-34 authorizing the City Administrator to negotiate a contract with Cassady Co., for Pump Station # 3 Infiltration/Inflow Drainage Basin Phase I.** Roll call was as follows: Councilman Davis, Yes; Councilman Roberts, Yes; Councilman Hinton, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by Councilman Davis, **Second** by Councilman Hinton to **adopt Resolution 19-35 approving the annual report of the identity Theft Prevention Plan.** Roll call was as follows: Councilman Davis, Yes; Councilman Hinton, Yes; Councilman Roberts, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Motion by President Logan, **Second** by Councilman Roberts to **approve the Consent Agenda for the March 18, 2019 Council Meeting.**

Consent Agenda

1. Minutes, February 22, 2019, Special Called Meeting, March 4, 2019, Regular Meeting
2. Bill Listing
3. PO Requisition, Yearly Payment of 3 E-One Pumper Trucks, Suntrust Equipment Finance & Leasing, \$155,447.59-FD
4. PO Requisition, Audit Expenses, Invoice # 7212965, Lawrence, Hitt, & Pugh, LLC., \$17,000.00 -Finance
5. Travel/Training, 1 employee, Advanced Search and Seizure Training, September 10, 2019, Birmingham, AL., \$127.00-PD
6. Travel/Training, 1 employee, FBI SWAT Sniper/Observer Course, October 21-25, 2019, Tuscaloosa, AL., \$0-PD
7. Travel/Training, 2 employees, Using Active Listening Skills to Enhance Your Basic Interview, May 21, 2019, Tuscaloosa, AL., \$0-PD
8. Travel/Training, 2 employees, Human Trafficking Training for Northern, Middle, and Southern Districts of AL., April 09, 2019, Montgomery, AL., \$0-PD
9. Travel/Training, 3 employees, Successful Strategies to Combat Human Trafficking in Alabama, March 21, 2019, Huntsville, AL., \$0-PD
10. Travel/Training, 1 employee, Aging: Responding to the Call, March 26, 2019, Bessemer, AL., \$0- PD
11. Travel/Training, 4 employees, Firefighter Combat Challenge, March 29-30, 2019, Coweta, OK., \$200.00-FD
12. Travel/Training, 1 employee, Recognizing Cannabis Impairment, July 17, 2019, Tuscaloosa, AL., \$0-PD
13. Travel/Training, 1 employee, Complete Criminal Investigations, April 05, 2019, Childersburg, AL., \$0-PD
14. PO Requisition, 5 NetMotion Mobility Licenses for Laptops in the New Police Cars, NetMotion, \$2,050.51-PD
15. PO Requisition, Laptop Computer, CDW-G, \$2,444.00-PD
16. PO Requisition, In-House Consulting Engineering Services, Invoice #42, Varnon Engineering, \$13,020.00-Engineering
17. PO Requisition, Annual License Subscription for Office 365, SHI International Corp., \$54,060.00 -IT
18. PO Requisition, Odor Control for Wastewater Treatment Plant, Trayco Services LLC, \$7,506.00-Utilities
19. PO Requisition, Meters & Meter Vaults, Empire Pipe & Supply Co., \$24,000.00-Utilities
20. PO Requisition, Replacement Pumps, Hunnicutt, Inc., \$7000.00-Utilities
21. PO Requisition, Retail Consulting Services, NextSite, LLC., \$25,000.00- Admin
22. Travel/Training, 1 employee, 2019 Montgomery Drive In, April 2-3, 2019, Montgomery, AL., \$475.00-Planning
23. Travel/Training, 2 employees, 2019 Montgomery Drive In, April 2-3, 2019, Montgomery AL., \$400.00- Admin
24. Travel/Training, 1 employee, 2019 Montgomery Drive In, April 2-3, Montgomery, AL., \$475.00
25. PO Requisition, Water Line Betterment at Lenox North Subdivision, Compton Properties, \$63,350.00- Admin

Roll call vote was as follows: Councilman Roberts, Yes; Councilman Hinton, Yes; Councilman Davis, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Reports of Special Committees of Council:

Councilman Davis stated that the Projects Committee meets every second Monday of the month at 9:00 am in the Council Conference Room. He invited anyone that was interested in the current or upcoming projects taking place in the City to attend these meetings. He stated that dispatch used to be located on the 1st floor of the Northport Police Department. On January 28, 2019 this department was moved to the new E911 center on Rose Blvd, just north of Hwy 82. \$73,000-\$74,000 was budgeted to convert over to the new call center. Councilman Davis thanked our IT Department for coming in under budget at \$65,000.00. Many thanks to the assistant IT Director, Jonathan Fikes. Northport's IT Department will continue to work on streamlining resources to give the very best service to the citizens of Northport.

Public Hearings:

City Attorney Ron Davis gave a background information on what contracts the City holds to help remedy the issue on hand. He also stated that staff members would be on call to answer any questions Mayor, Council or the public may have. Mr. Davis stated that the City of Northport has a 5-year contract US Department of Agriculture to help with the issue of beavers or beaver dams. Mr. Davis said he had been the attorney with the City for the most part since the 1980s. This was the first time he can remember ever having to declare the property a public nuisance to resolve the issues with beavers or beaver dams. The property being discussed is owned by Mr. Taylor at 13571 Pine Hill Road, Northport, AL. This property impacts 3 large neighborhoods; it is south of Forest Glen Gardens, east of Huntington Forest, and west of Bristol Park. To remedy the problem, the representative of the US Department of Agriculture stated he would have to gain access to Mr. Taylor's property. Mr. Taylor has denied access. If Mayor and Council declare this property a public nuisance, it will give the City Administrator authority to negotiate and then if that does not work out the City Attorney can file suit.

This dam has turned into several acres of stagnant water. It is encroaching on the residents of Northport City Limits. Ms. Ramm showed several maps and photos of property being impacted by the dam and aerial photos of Mr. Taylor's property.

Chief Burton stated the USDA consultant feels the best way to handle this dam is go through Mr. Taylor's property. The dam has portions that are 10-15 foot. He stated that residents are experiencing trouble with snakes, rodents, and issues with mosquitoes. Mr. Davis reiterated that this is not a lake; this is a stagnant pool of water.

Pro Tem Hogg opened the floor for Public Hearing.

Mr. Jeff Powell, 13842 Monroe Avenue, stated he is an adjoining property owner to this beaver dam. He stands in support of the public nuisance. Several years ago, a tree fell on his property. It was a tree that was dead due to being submerged in the beaver dam.

Ms. Lisa Hembree, 13818 Monroe Avenue, stated the pictures shown as examples to the Council and public were photos of her backyard. She revealed she had two small children and they were no longer able to enjoy their backyard. Her family is killing snakes daily and they have had two large trees fall on in their backyard. Her fear is that another tree will fall and her young children will be out there. As of yesterday, the water had risen less than 10 yards from her backyard. She begged the Mayor and Council for help in this issue.

Mr. James Taylor, 13571 Pine Hill Road, stated he was unaware the water had risen that high on the adjoining property owners' property. He is willing to take measures, so the water will only be on his property. He said the water is not a stagnant body of water. He assured the Council the lake was being fed by underground streams and flows off. It is constantly moving. He stated he stocks the lake with fish. He is willing to help reduce the size of the pond but not willing to totally do away with his pond. He feels he has a lot of time, money, and effort involved in this pond. The families that moved near the woods knew what they were moving to.

Ms. Kay Holden, 3010 Natchez Landing Court, Northport, AL wanted to know if ADEM has been called? She wanted to know what type of drain this was going to be and how it would impact Northwood Lake residents?

Mr. Davis stated this is something the City contracts with the US Government. This is not work the City would be doing. He is certain that all precautions would be taken so that no one would be hurt downstream.

Mr. Phillip Carlos, 13848 Monroe Avenue, stated that his property is one that is least effected by this beaver dam. He stated that people have tried to get rid of the beavers but to no avail. Mr. Carlos said there are big issues with snakes and mosquitoes.

Pro Tem Hogg closed the floor for Public Hearing.

Motion by Councilman Davis , Second by Councilman Hinton to adopt Resolution 19-36 declaring the existing beaver dam or dams located on the property owned by James Dewayne Taylor located south of Forest Glen Gardens to be a public nuisance. And to authorize the City Administrator to negotiate with Mr. Taylor to obtain access by the City to his property so that the nuisance can be removed at the City's expense. If Mr. Taylor refuses access to his property, the City Attorney is authorized to file suit to gain access so that this public nuisance can be removed and that the City condemn an easement to allow the continued removal of any subsequent beaver dams as may be necessary in the future. Roll call was as follows: Councilman Davis, Yes; Councilman Hinton, Yes; Councilman Roberts, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

Public Comment:

Mr. Stephen Schwabb, 2520 5th Street, Northport, AL., thanked the City Council for repairing the potholes for his neighbors on 26th Avenue. He encouraged PW and Council to give serious consideration to repairing potholes wherever they exist because it helps in land value and people considering moving or buying in a particular part of town. He also wanted to discuss the proposed pocket park. He stated the neighbors concerns with this pocket park are real concerns. He said there are parks that are built for specific needs. This would cut down on undesirable crowds after dark.

Departmental Business:

a. Police Department

- 1. Motion by Councilman Roberts, Second by Pro Tem Hogg to approve the ABC License for A1 Express.** Roll call was as follows: Councilman Roberts, Yes; Pro Tem Hogg, Yes; Councilman Hinton, Yes; and Councilman Davis, Yes. **Motion Carried Unanimously.**

Mayor & Council Member's Business:

Mayor Aaron, congratulated Max Snyder for his recognition for 40 under 40 by the Tuscaloosa News. He was one that was chosen to represent the City of Northport. Mayor Aaron stated Mr. Snyder always goes above and beyond.

Councilman Roberts, District 1, None

President Logan, District 2, Absent

Councilman Hinton, District 3, Councilman Hinton thanked Brooke Starnes and Bruce Higginbotham for the new signage as citizens and visitors come into Northport. Faucett-Vestavia has been designated as a bicentennial school. The school applied for a grant for this community service-based project. Pre-K and Kindergarten are collecting crayons to help make goodie bags for children at Children's Hospital. 2nd Grade students have collected over 600 toiletries to donate to the Veterans' Association and 3rd Graders have made and delivered cards to community helpers to say "Thank You" for their service. Councilman Hinton thinks this is a great project, showing students at such a young age how they can help in their community.

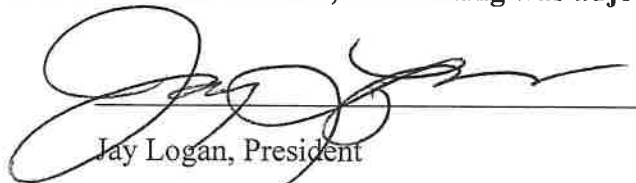
Councilman Davis, District 4, Councilman Davis thanked Ms. Ramm for all of her help in getting these issues with beaver dam on target and getting them taken care of.

Councilman Hogg, District 5, Councilman Hogg thanked our PD for all of the hard work they put in keeping our City safe.

The Council reconvened at 8:15 p.m.

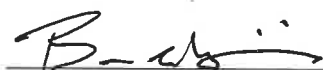
Motion by Councilman Hinton, **Second** by Councilman Davis **to adjourn the meeting**. Roll call vote was as follows: Councilman Hinton, Yes; Councilman Davis, Yes; Councilman Roberts, Yes; and Pro Tem Hogg, Yes. **Motion Carried Unanimously.**

There being no further business to come before the Council, the meeting was adjourned at 8:15 p.m.



Jay Logan, President

ATTEST:



Bruce Higginbotham, City Administrator