

**DeFuniak Springs City Council
Regular Meeting Minutes
County Courthouse
January 25, 2021**

Mayor Campbell called the meeting to order at 9:00 a.m. followed by the invocation and Pledge of Allegiance.

ITEM 3. PRESENTATION – Mayor Campbell presented awards to the students of Walton Academy Charter School for the submittal of photographs depicting “My City, “I’m Part of It and I’m Proud of it!”

Mayor Campbell voiced appreciation to David Schmidt, Principal, and Serrena Nobles, English Teacher, who came forward along with several students to accept certificates and awards for the photographs they submitted for the City Government Week contest. Mayor Campbell mentioned that the city manager, Mell Smigielski, and he went to the school and spoke with the students and enjoyed a pizza party with them.

The following members were present: Mayor Bob Campbell; Mayor Pro-Tem Robert McKnight (Seat 2), Councilmember Todd Bierbaum (Seat 1); Councilmember Kevin Crystal (Seat 3); and Councilmember Wayne Graham (Seat 5) and Henry D. Ennis (Seat 4) were excused. Also present were City Attorney Clay Adkinson, City Manager Mell Smigielski, Deputy City Manager Carisse LeJeune, Finance Director Debra Gibson, and City Clerk Maryanne Schrader.

ITEM 4. CONSENT AGENDA

Additions/Deletions to the Consent Agenda
Approval of the Consent Agenda

Mayor Campbell asked if there were any additions/deletions to the Consent Agenda.

Councilmember K. Crystal asked that Item number 5 be pulled for discussion. City Manager M. Smigielski said the item will be moved to Item 9A.

Motion by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to approve the Consent Agenda, as amended.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

A. Clerk

1. Minutes for approval: January 11, 2021 – Regular Minutes

B. Administration – Reserved

C. Finance –

1. Morgan Hulion, Finance Supervisor – Request motion to approve the November 2020 Bill Ratification

2. Morgan Hulion, Finance Supervisor – Request motion to approve the December 2020 Bill Ratification
3. Morgan Hulion, Finance Supervisor –Christmas Reflections 2020 Season

D. Planning

1. Request motion to approve the Special Event Permit application from Main Street DeFuniak Springs for the Farmer’s Market including street closures on Baldwin Avenue from South 7th Street to South 8th Street (Parade on the first day) on Saturdays from March 20, 2021 – November 20, 2021 from 7 a.m. – 1 p.m.
2. Request motion to approve the Special Event Permit application from Main Street DeFuniak Springs for the Merry Main Street event including street closures on Baldwin Avenue from South 6th Street to South 8th Street (includes the use of city electricity) from 10 a.m. – 8 p.m. scheduled for four Saturdays November 20, December 4, December 11 and December 18, 2021
3. Request motion to approve the Special Event Permit application from Main Street DeFuniak for the Bounce on Baldwin event with street closures on Baldwin Avenue from South 7th Street to South 8th Street (Parade on the first day), on Saturday, June 12, 2021 from 4 p.m. – 7 p.m.
4. Request motion to approve the Special Event Permit application from Sara Comander for the Fourth of July celebration including street closures on Circle Drive from 4 p.m. – 6 p.m. (section between E. Live Oak to South 7th Street to remain closed until 10 p.m.) scheduled for July 4, 2021 (alternate September 6, 2021, if events are cancelled for July 4th)
5. Moved to Item 9A - Request motion to approve the Special Event Permit application from Main Street DeFuniak for the Freedom Festival event with street closures on Baldwin Avenue from South 7th Street to South 8th Street, on Sunday, July 4, 2021 from 7 a.m. – 8 p.m. (alternate September 6, 2021, if events are cancelled for July 4th)
6. Request motion to approve the Special Event Permit application from Jon Kinsey to conduct the Downtown Arts Night event with street closures on Baldwin Avenue from South 6th Street to South 8th Street for Saturday, May 1, 2021 from 4 p.m. – 8 p.m.

ITEM 5. REGULAR AGENDA

Additions/Deletions to the Regular Agenda

Approval of the Regular Agenda

Mayor Campbell asked if there were any additions/deletions to the Regular Agenda.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the Regular Agenda, as amended with the addition of Item 9A.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

ITEM 6. ADMINISTRATION –

A. City Manager M. Smigielski – Request direction to craft an RFQ for Commercial Real Estate Services for the sale of City Hall

City Manager M. Smigielski mentioned no submittals have been received for the sale of the City Hall. The deadline is January 31st, so he asked for approval to prepare an RFQ.

Motion by Councilmember R. McKnight and seconded by Councilmember T. Bierbaum to move forward with the commercial solicitation and move forward with the sale of the City Hall complex.

In response to the question from Councilmember K. Crystal regarding soliciting an agent to sell the City Hall on our behalf, City Manager M. Smigielski agreed that is the solution.

Discussion ensued on the commission fees, the buyer paying all the fees, and the negotiations.

City Attorney Clay Adkinson said it is a unique transaction, but it is worth putting the RFQ out. Negotiations will depend on what is submitted.

In response to Councilmember K. Crystal, Mayor Campbell replied the appraisal came in at \$1.1 million dollars.

Councilmember R. McKnight said he is supportive of the matter presented by the City Manager, as it will give us the opportunity to see if we receive anything. City Manager M. Smigielski said when we receive the RFQ submittals, we can determine our negotiations. Councilmember K. Crystal suggested requiring a realtor who has commercial experience to be added to the RFQ requirements.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

B. City Manager M. Smigielski – Request motion to approve the broadband lease agreement with SOM1101 LLC for three locations on City property

City Manager M. Smigielski said the changes were made to the agreement that was presented to the Council last October.

Councilmember T. Bierbaum supports the lease but voiced concern about the terms of the review, as three years seemed extensive. He would like statistics and data on how many are connected. He would like the terms re-evaluated after two years instead of three.

Walton County Jason Cook, IT Support and Jed Sconiers, IT Director came forward and mentioned they are open to reasonable negotiation in the lease, so two and ten years should be fine. He added there is a negotiation every year, so he felt there was room for negotiation. The provider's preference is two and ten years. However, J. Cook preferred to keep it at fifteen years to keep it in line with the County agreement.

Discussion ensued on the review of the timeline of the term for the lease.

Councilmember R. McKnight stated the lease terms of \$100 per month per water tower was too low per water tower installation for the lease, as accounting and supervisory responsibilities, as well as administrative costs are involved with the lease. J. Sconiers added that Item 6 covers electricity use.

Discussion ensued on the provider paying the full amount up front and automatic renewal.

J. Sconiers said the first three years is included and afterward it is negotiable.

Mayor Campbell said it is an effort by both parties to see how it will work out.

City Attorney Clay Adkinson said the Council direction from the last meeting this was discussed was for the ability to terminate the lease with a thirty days' notice, but the provider did not incorporate it into the agreement. The provider included a one-year renewal phrase, but the three-year term is easier to structure. He added the document does not include a true metric in terms of revenue and noted that was not included in the County agreement.

J. Sconiers said the provider plans to add up to forty towers depending on the coverage area. The contract with the County is to cover 100 percent of the homes in the County. It is one-of-a-kind service, and the risk is borne by the provider.

Councilmember T. Bierbaum thinks it is a good thing for the city and county. He believes giving the provider three years to get up and going at our expense, but at the end of the third year, we need to negotiate, as providers such as AT&T and Verizon may come before us in three years for tower space. He added a reporting metric should be incorporated into the agreement to show what they are providing to their customers. J. Sconiers agreed that would be acceptable to the provider, as they would be established.

City Attorney Clay Adkinson responded that the city can negotiate the clause to define the terms of negotiation of payment, as it is advisable to have the language built into the contract for the terms of the re-negotiation. He voiced concern the provider was not present to make those terms.

Councilmember K. Crystal asked about the administrative costs for full payment at the back end, and the provider representatives came forward and agreed they could pay in full.

Councilmember K. Crystal suggested not missing a million to save a thousand. He added the County is taking a risk, as well. He added nothing is guaranteed.

Councilmember T. Bierbaum asked if they could pay the \$3600 a year lease and add a reporting metric. The provider representative, Robbie Lee, Engineering Director, said they could provide the number of customers per tower and provide an accounting of revenue.

City Attorney Clay Adkinson mentioned giving staff approval to prepare the changes and send the revised language to the provider to execute.

Motion by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to tentatively approve the lease for \$100 a month per tower (\$3600 a year) including two reporting metrics to include the number of subscribers per tower and the total profit and loss for Walton County and the end of each contract period.

Sara Comander came forward and stated as a former County Commissioner, she was the person who got broadband started in the county. She added the county is a leader in the nation to bring broadband forward to our residents. When a business is looking at a community, they want to know if we can provide fast Internet service. This is a service to the community. She urged Council not to look at the amount of money.

Provider Robbie Lee, Engineering Director, thanked Council for the opportunity. His manager wants to give people access to the Internet. He added there are three million United States residents without fast Internet service. He cautioned that if there is not infrastructure, people will move away. His associate, Chris, and he have full confidence to deliver the product.

Paul Rushing, citizen, came forward to state it is important to get this service to the community.

City Attorney Clay Adkinson stated he will make the revisions and expedite the terms of the agreement.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

- C. City Manager M. Smigielski – Request motion to conduct on 1st Reading, An Ordinance Amending the Municipal Code of the City of DeFuniak Springs, Florida to Eliminate Certain Fees and Create New Fees Entitled, “Capacity Fees”, Amending and Repealing, In Part, Ordinances Numbers 511, 618, 619, 659, 700, 701, 802, 822, 823, 863, And 864, Thereby Deleting Chapter 23, Article II, Division 1, Section 23-41 “Tap Fees” and Chapter 23, Article III, Division 5, Section 23-123 “Connection Charges”, and Repealing Ordinance Numbers 702 And 786, Thereby Replacing Chapter 23, Article V, In Its Entirety and Creating New Sections 23-171 Through 23-200 With Said Article to be Entitled “Capacity Fees”, Providing for Conflict, Providing for Severability, and Providing an Effective Date

City Manager M. Smigielski mentioned the Ordinance on the capacity fees has been updated with the discussion points from the last meeting.

Motion by Councilmember R. McKnight to table the Ordinance until the next meeting.

Councilmember R. McKnight read a statement explaining he supports the adoption that increases the city revenue, as the current tap fee and related connection fees are

unsustainable to meet the demands of growth. However, he needs more financial data, as it is a single humongous increase. Specifically, he asked for models of data from an incremental increase with a phase-in of 3, 4 and 5 years. He believes there is more discussion warranted. His concern is on the negative implications of a large fee for affordable housing development. He asked Council to postpone the first reading until the phased-in financial data is given to the County for new development, especially regarding affordable housing. He mentioned looking at the capacity fee, as well as other impact fees such as police and fire. He added the current rate is substantially too low, as it was not looked at for a long period of time. City Attorney Clay Adkinson mentioned a gas fee ordinance will come before Council at a later date.

Motion by Councilmember R. McKnight and seconded by Councilmember K. Crystal to table the Ordinance until the next meeting.

Councilmember T. Bierbaum said Dewberry could not endorse a tiered plan as the projection showed we do not have what we need to support our system in the next five years. We will quickly run out of capacity. He added it took Freeport three years to get up to speed. He added we could end up turning away development, as there is no room for growth in our sewer plant.

City Attorney Clay Adkinson said staff was directed to meet with finance and engineering to go over the data. By Florida law, we must do a study to show our needs, so we cannot justify a tiered-in structure. A tiered-in phase would not apply with the type of bonding with our existing rate structure and debt service.

City Attorney Clay Adkinson mentioned we must advertise the ordinance passage for 90 days, as the statute requires a 90-day window before the rate goes into effect. He mentioned the affordable housing element would need to be determined as to what is designated as affordable housing. A financing option through a developers' agreement could be done if it is in the best interest of the city for a phased in payment. A stand-alone ordinance could be done for the affordable housing element for criteria. There are certain restrictions beyond fees. He recommended that if the city moves forward with capacity fees, we must base our rates on the study. During the 90-day window, staff can bring back an Affordable Housing ordinance that defines the considerations.

Elissa Pettis, Dewberry, came forward stating there is no way to tier-in the fees for the city to be able to be ready for development. The fees are the maximum fees that could be imposed. She added the fees are based on the Comprehensive Plan and the study. She will forward the impact fee calculations to the Council.

Councilmember T. Bierbaum said with the Affordable Housing, the government subsidizes the development. They will get their return on investment with the sale of the housing.

Councilmember R. McKnight stated it is not always on development projects, as there are private ventures. He is concerned for the individual homeowner.

Councilmember T. Bierbaum said a friend just purchased a house in Freeport, as the market reflects the development. He added the proposed rates are reasonable.

Mark Davis, attorney, came forward and mentioned he represents two large developers, one with 171 lots with houses for less than \$300,000, including commercial development. He said tiered-in fees are illegal. He asked for consideration to pay their fees at the current fee structure for those who have filed or within the 90-day advertising period.

City Attorney Clay Adkinson said once the ordinance goes into effect, if they have paid all tap fees, they will be fully vested. The city is required to present a list of fees to the city manager who will send to the developer. Once the Ordinance is approved, a resolution will be brought forth with the full amount listing the fees. Also, a person could pay impact fees for the number of units. They will not lose the payment if the development does not go through. Individual homeowners can also get vested. We can also negotiate developers' agreements which will avoid the need for individual agreements for every single project.

Paul Rushing, citizen, came forward to voice concern that a person would be charged \$24,000 per washing machine at a laundromat for any new connection. Councilmember R. McKnight said the ordinance includes a section showing the prices for the fees.

City Attorney Clay Adkinson explained in Section 2.1, the 2.1435 multiplier is included which is connected to the ERC.

E. Pettis of Dewberry the ERC per each car wash bay is \$9,000 for the ERC and multiplying the 2.1435, as their water and sewer would be greater on the sewer capacity.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Nay; Councilmember K. Crystal, Aye. Ayes 2, Nays 1. Motion carried.

Mayor Campbell called for a five-minute recess at 10:34 a.m. and the meeting was resumed at 10:41 a.m.

ITEM 7. CITIZEN COMMENTS – Mayor Campbell asked if there were any public comments, but no one came forward.

ITEM 8. REQUEST TO BE ON THE AGENDA – No submittals received.

ITEM 9. EXECUTIVE REQUESTS

Item 9A - Request motion to approve the Special Event Permit application from Main Street DeFuniak for the Freedom Festival event with street closures on Baldwin Avenue from South 7th Street to South 8th Street, on Sunday, July 4, 2021 from 7 a.m. – 8 p.m. (alternate September 6, 2021, if events are cancelled for July 4th)

Councilmember K. Crystal spoke to Ms. Blaich earlier and all his questions were answered.

Motion by K. Crystal and seconded by R. McKnight to approve the request.

Sara Comander came forward and distributed a flyer for a fundraiser stating the DPBA will be hosting the 32nd annual 4th of July event. She added they must raise \$15,000 to purchase the fireworks. She is working with Main Street to put on the event. She asked that Main Street share vendor profits to place in the coffer for the next year's 4th of July event.

Councilmember K. Crystal has supported the event, but the Special Event Permit is the only motion on the table for vote. He added Council cannot request either Main Street or DPBA to share funds. Ms. Comander said she did not ask Council to formerly request it, but she wanted to bring it to their attention.

Main Street Director Chelsea Blaich said they are willing to collaboratively work together to support their organization, but they never discussed sharing funds.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

ITEM 10. FINANCE –

- A. Finance Director Debra Gibson – Request motion to approve the Resolution approving PNC Equipment Finance, LLC for the Financing of the City Fire Truck with the principal amount expected to be \$472,929.65

Finance Director Debra Gibson came forward to state she is negotiating with PNC, and the finance company will be able to send the paperwork after they receive the resolution. She also asked Council for approval for the city manager to sign the paperwork after legal and Mr. Mell's review.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the Resolution approving PNC Equipment Finance, LLC for the Financing of the City Fire Truck with the principal amount expected to be \$472,929.65.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

For the record, City Clerk M. Schrader stated the Resolution as 2021-02.

ITEM 11. PUBLIC WORKS – No submittals received.

ITEM 12. PLANNING – Deputy City Manager C. LeJeune went over the Comprehensive Plan, the Land Development Code amendment, that has gone before Department of Economic Opportunity. The DEO has sent the letter with no comments or objections to the mayor. She added FDOT asked for a traffic analysis and Dewberry has completed the analysis and will be providing it to the DEO. However, the FDOT representative said they will not delay approval awaiting the receipt of the traffic analysis. Deputy City Manager C. LeJeune asked Council to also approve a resolution to transmit the adoption package to the DEO adding the time frame for objections will need to pass before the process is approved.

Mayor Campbell opened the Public Hearing, but no one came forward.

Councilmember R. McKnight asked why the un-permissible businesses were still listed. Deputy City Manager C. LeJeune responded that section is not germane to the discussion, as a separate ordinance for changes for types or uses would need to be brought forward. She added that in number 9, attachment number 1, in the Comp Plan, this section is to change the dwelling units to 24 units per acre in the historic district. The properties that are designated as commercial land use in the historic area would also be changed. Councilmember R. McKnight was concerned about certain restrictions, as he wants it to be more favorable to different types of businesses, as it is outdated.

Deputy City Manager C. LeJeune asked if the Council wants the Ordinance brought back for consideration. City Attorney Clay Adkinson said the section is outdated, but the part that is going to change to the ordinance does not reference the limitations on types of permissible businesses. He suggested a motion for staff to bring back a revision for guidelines on the downtown district on whether it should be a C-1 or C-2. He explained we cannot change the zoning track changes on the Ordinance presented today.

Motion by Councilmember R. McKnight and seconded by Councilmember T. Bierbaum to have staff to bring back within 90 days, recommendations on the types of businesses permissible in the downtown area.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

- A. Motion to hold a Public Hearing and approve and adopt on 2nd Reading an Ordinance Adopting an Amendment of Section 1. Future Land Use Element, of the City of DeFuniak Springs, Florida the Comprehensive Plan; providing for severability and conflicts; and providing for an effective date

Motion by Councilmember R. McKnight and seconded by Councilmember T. Bierbaum to hold a Public Hearing and approve and adopt to the Future Land use Element on 2nd Reading.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson read Ordinance 916 by title.

- B. Motion to hold a Public Hearing and approve and adopt on 2nd Reading, an Ordinance Adopting an Amendment to the Land Development Code; Commercial Restricted (C-1) providing for severability; and providing for an effective date

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to hold a Public Hearing and approve and adopt on 2nd Reading, an Ordinance Adopting an Amendment to the Land Development Code, Commercial Restricted (C-1) providing for severability.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson read Ordinance 917 by title.

- C. Motion to approve a Resolution Stating the Intent of the City Council to Amend the Comprehensive Plan; Approving Transmittal of the Adopted Text Amendment to the Department of Economic Opportunity for Review in Accordance with Section 163.3184(4), Florida Statutes

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to approve the resolution and authorize the transmittal the documents to the Department of Economic Opportunity for review in Accordance with Section 163.3184(4), Florida Statutes.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

City Clerk M. Schrader stated the Resolution number is 2021-03.

ITEM 13. CITY ATTORNEY –

- A. An Ordinance Repealing and Replacing, in Part, Ordinance 871, thereby amending the Municipal Code, Chapter 6, Cemeteries, Section 6-11, entitled “Burial Plots”, Providing for Severability and Providing for an Effective Date

City Attorney Clay Adkinson explained that Sec 6-11, presently reads in such a way that if a person must have an Order by the Probate Court to prove ownership. However, the city cemetery is very old and has multi-generations that have passed since their original purchase. With this amendment, the city staff can make the determination that the family can submit documents that show ownership and give authority to bury loved ones. Additionally, it is not required that a spouse probate an estate. This amendment will give priority to spouses, parents, and children of those already interred in a specific plot, and then on a first come, first serve basis for family members to show they are an heir. He stated that this solution is the most equitable way to decide other than on a first come first serve basis. We will continue to honor an Order of Probate, if provided. He asked Council to allow us to clean up what we can legally do. He asked for approval on 1st Reading and advertise for adoption. The City Clerk has done an outstanding full re-write, but we need the proposed interim amendment and can schedule a workshop, if Council prefers at a later date.

Motion by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to approve on 1st Reading, An Ordinance Repealing and Replacing, in Part, Ordinance 871, thereby amending the Municipal Code, Chapter 6, Cemeteries, Section 6-11, entitled “Burial Plots”, Providing for Severability and Providing for an Effective Date.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson read the ordinance by title, stating it will be advertised and returned for second reading.

City Attorney Clay Adkinson also spoke about the Eagles Crossing developmental agreement. The staff has engaged in comments with the developers and was awaiting the updates in the conceptual plan. However, late Friday, we received Eagles Crossing updated PDP submittal. Staff is working with Eagles Crossing on a time to discuss the comments. City Attorney Clay Adkinson as far as a Developer Agreement, he recommends to Council that a developer agreement could be adopted no earlier than the time Council adopts the Conceptual Plan depending on their submittal.

City Manager M. Smigielski said we received a list from Dewberry on a method to do corrective planning on the SRF project for the lift station and force main on 2nd Street. This is an attempt to rectify and address the items. A certified letter was sent to all that are affected by the project.

ITEM 14. STAFF REPORTS –

- A. City Manager M. Smigielski – Request motion for Council to appoint an alternate liaison to the Emerald Coast Regional Council

City Manager M. Smigielski explained Council never did an alternate appointment. He recommended that the Mayor be appointed to the post. Councilmember R. McKnight said he is restrictive in terms of his attendance and is open to the Mayor or anyone else to take his place.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the Mayor as an alternate liaison to the Emerald Coast Regional Council.

Vote: Councilmember R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

Mayor Campbell said the city needs someone speaking on behalf of Walton County and DeFuniak Springs, so we can address our needs. He is honored to represent the city and community.

ITEM 15. COUNCIL COMMENTS – Councilmember R. McKnight asked to keep Mr. Ennis in our thoughts for his quick recovery. He thanked the city on the ad for the gas rebate program and thanked Debra Gibson and M. Morgan in Finance for assisting him with the questions he had on the financial statements. He added he is feeling tremendously better, but he will miss some meetings and will need to restrict his attendance in close environments through October.

Councilmember T. Bierbaum addressed broadband comments. He said as a small business owner, he has called about broadband options and found it cost prohibitive. He said he is discouraged about conflicting comments in conversations between the two organizations today,

in particular, the demand for fee sharing. Regarding the Dewberry project on 2nd Street, he asked that Dewberry be proactive and address the issues before it comes to this level.

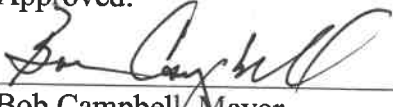
Ms. E. Pettis of Dewberry came forward to state she was disappointed that she was not made aware of the situation quicker. They have investigated the ROW and their stake-out is correct.

Item 16. MAYOR COMMENTS – Mayor Campbell said any project will be a mess and this one is in the smallest section within the city. He added the city welcomes broadband and appreciates what the County is doing and our good relationship.

Item 17. ADJOURNMENT


Mayor Campbell adjourned the meeting at 11:33 a.m.

Approved:



Bob Campbell, Mayor

ATTEST:



Minutes taken by Maryanne Schrader, City Clerk
Proper notice having been duly given

