In Attendance

Council Chairman Moses Freeman called the meeting to order at 3:02 p.m. in the Council Assembly Room. A quorum was present, including Council members Chris Anderson, Carol Berz, Russell Gilbert, Larry Grohn, Chip Henderson and Ken Smith. Phil Noblett, Deputy City Attorney, was the assigned attorney. Councilman Yusuf Hakeem and Vice Chair Jerry Mitchell were not present.

Others in Attendance

Mayor’s Office: Maura Sullivan, Chief Operating Officer; Regional Planning: John Bridger, Executive Director; Transportation: Blythe Bailey, Administrator. Council Office: Nicole Gwyn, CMC, Clerk

Approval of Minutes

On motion of Councilman Anderson and seconded by Councilman Gilbert, the minutes of the last meeting (September 6, 2016) were approved as published.

Ordinances (Final Readings) - Agenda Item 5A

This item had been discussed at previous open meetings. Upon no questions, the item was closed.

Ordinances (First Readings) - Agenda Item 6A

Councilman Smith requested a briefing from Attorney Noblett on the revisions to this item since the deferral in July. Attorney Noblett stated that the franchise agreement did not apply to any of EPB’s right-of-ways. He described revisions regarding the following: underground installation of fiber optics wires; health communications utilities; provisions protecting property rights of EPB; provisions dealing with underground conduits; specific amounts of the agreement per linear foot. He also noted that the map includes (marked in red) only the locations requested by the Zayo Group, not every street.

Councilwoman Berz indicated that she will move to defer this item at tonight’s Council meeting due to the fact that the Council has not received a hard copy of the agreement in advance. Councilman Smith agreed with her and added that he had some follow-up questions.

Councilwoman Berz requested a full educational discussion during the Council’s Strategic Planning meeting regarding the city’s policies on cable and fiber optics. After confirming with Ms. Sullivan, Chairman Freeman announced an educational session on the city’s policies on cable and fiber optics next week (September 20) during the Council’s 1:30 p.m. Strategic Planning meeting.
Councilman Smith requested that Brent Messer and others from the I.T. Department be present to respond to such questions:

- What is the purpose?
- Why do we need it?
- Why are we paying more for it?

Chairman Freeman noted that such questions would be addressed next week.

**Ordinances (First Readings) - Agenda Item 6B**

Councilman Henderson asked Mr. Bridger about adding language that requires the developer to fund the cost of the roundabout, and requested that such language be added before tonight’s Council meeting. The Applicant was present and asked if the Council had the full list of conditions. Mr. Bridger read the seven (7) conditions. Mr. Noblett agreed to add the language about the roundabout.

**Ordinances (First Readings) - Agenda Item 6C**

Councilman Grohn indicated that he will ask for a 1-week deferral on this item due to unresolved matters with the Transportation Department and the developer. Mr. Bailey asked for clarification from Councilman Grohn on the unresolved matters. Councilman Grohn responded about the problem with the time frame for completion of the sidewalk on Gunbarrel Road and when conditions would be triggered.

**Ordinances (First Readings) - Agenda Item 6A**

Councilman Gilbert asked Mr. Bridger to explain the following:

- Why the whole property would not be rezoned to M-1;
- Why not add the language “airport use only” to the whole property.

Mr. Bridger informed the Council about why a blanket zoning was not recommended for this request. He discussed the reason for limiting two parcels for “airport use only.” He noted that there was a meeting scheduled next week where the Applicant would clarify what would be done with the southern portion of the property.

**Ordinances (First Readings) - Agenda Item 6E**

There were no questions on this agenda item; therefore, the issue was closed.

**Ordinances (First Readings) - Agenda Item 6F**

Councilman Gilbert indicated that he would ask for a deferral so that his constituents could gain a better understanding on this; he was considering a 30-day deferral. Councilwoman Berz asked when the Council could ask remaining questions on this item. Chairman Freeman indicated that Mr. Bridger would answer any remaining questions and bring forth the frequently asked questions. Councilwoman Berz asked if the Council could bring their questions to next week’s Strategic Planning meeting; Chairman Freeman agreed. Councilman Gilbert asked if Mr.
Bridger could meet with members in his district to gain a better understanding of the ordinance. Mr. Bridger agreed to assist with a meeting in his district. Chairman Freeman clarified with Councilman Gilbert if he is requesting a public hearing on the matter for residents in his district.

- Councilman Anderson asked for clarification on whether this would be a public hearing like the one previously held. He reminded the Council of the ECD Committee meeting next week regarding the PILOT program.
- Chairman Freeman initially did not think a meeting would be held in the Council building.
- Councilman Henderson requested that the whole body hear input from the community.
- Councilwoman Berz agreed with Councilman Henderson. She, too, wanted the full Council to hear community concerns, especially since the ordinance would impact districts in different ways.
- Councilman Henderson recommended that the Council meet after the 6:00 p.m. meeting to hear again from the public on the ordinance.
- Councilman Grohn agreed with a public hearing in the Council Building. He also invited everyone to come to Christ United Methodist Church on Morris Hill & E. Brainerd roads on Monday at 6:00 p.m. because he knows this topic will be discussed.
- A discussion ensued about the date to hold a second public hearing on this ordinance.
- **Chairman Freeman scheduled a public hearing on Short-Term Vacation Rentals after the Council’s 6:00 p.m. meeting on September 27.**
- Councilman Gilbert requested that all neighborhood associations be notified of the public hearing; Mr. Bridger confirmed that it would be done.
- Further discussion ensued about the purpose of this second public hearing, and the need for the public to ask questions on the draft of the ordinance.
- Councilman Berz had some questions on enforcement and asked her colleagues to make Mr. Bridger aware of any of their remaining questions prior to the hearing.
- Chairman Freeman reiterated that there would be an educational session during the September 20th Strategic Planning meeting, and a public hearing on September 27th.

**Resolutions – Agenda Item 7A, 7B, 7C, 7D & 7E**

There were no questions on these agenda items; therefore, the issues were closed.

**Adjournment**

There being no further business, Chairman Freeman adjourned the meeting at 3:54 p.m.