

**CITY OF EUHARLEE
CITY COUNCIL MEETING MINUTES
OCTOBER 3, 2017**

Mayor Dennis Thayer called the meeting to order followed by the Pledge of Allegiance.

City Clerk Carolyn Banks called the roll and the following were present: Mayor Dennis Thayer, Council Members Craig Guyton, Ronald Nesbitt, David Duncan, Joe Turner and City Manager James Stephens. City Attorney Boyd Pettit was not present.

Council Member Craig Guyton motioned to amend the agenda to add intergovernmental agreement between the City of Euharlee and Bartow County Board of Elections. Council Member David Duncan seconded the motion. The motion was carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Proclamation - Red Ribbon Week

Mayor Dennis Thayer read and presented the proclamation to Private Young Marine Angelo Mareno from the Etowah Valley Chapter to proclaim October 23 - October 31, 2017 as the National Red Ribbon Week in the city of Euharlee and asking all citizens to participate in the recognition of a drug free environment. Council Member Craig Guyton motioned to approve the proclamation as read. Council Member Ronald Nesbitt seconded the motion. The motion was carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Council Member Ronald Nesbitt motioned to accept the minutes for City Council Meeting, 09.05.17 and City Council Work Session 09.19.17. Council Member David Duncan seconded the motion. The motion carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Public Comments

Tracy Queen requested to speak publicly after the Lowry Mill discussion. After the discussion, he had no comments.

Intergovernmental Agreement – Mayor Dennis Thayer

Mayor Dennis Thayer said, Director Joseph Kirk from the Board of Elections was there to answer any questions. In August 2013 the City of Euharlee signed a 10 - year intergovernmental agreement with Bartow County Board of Elections and Registration. At this point, they have had some changes in fees and we need to amend the contract to recognize the changes. The other thing to discuss, is the options we have for early voting. The cost to us for early voting is about \$2600.00 for one week of voting in the city or go with 3 weeks of voting at the Board of Elections location with the cost to be a couple of a hundred dollars at the very most. That is the gist of the changes. A fee structure and if we want to have a week of early voting at the city. The last election was a total of 27 people that came through which was a very low and to utilize that it came to almost \$100. per person. Joseph Kirk said, the rest of the changes are just administrative, how they pay the poll worker, etc.

Council Member Craig Guyton asked how many municipalities just use the registration office for the 3 week of voting opposed to their site the week before. Mr. Kirk stated, Kingston and Taylorsville and do not have advanced voting at their locations. Mayor Thayer stated, that is \$100. per voter when they have other opportunities. They have absentee ballots, vote during the 3-week period and on Election Day and

the \$100. per person is a pretty steep fee to vote. Council Member David Duncan said, during the 3 weeks they are bound to go by the place.

Council Member Craig Guyton motioned to accept the resolution as presented with the changes in the contract between the city of Euharlee and the Board of Elections. Council Member Joe Turner seconded the motion. The motion was carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Council Member motioned not to do the one week voting at the city of Euharlee and to utilize the 3 weeks early voting at the elections office. Council Member Ronald Nesbitt seconded the motion.

The motion carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Lowry Mill Project – Ron Goss

Ron Goss, Project Manager said Lowry Mills was broken down in 3 phases. The 1st phase was the environmental and archeological phase which they retrieved all the artifacts and 2nd the stabilization of the foundation. If you remember when it started they had the liability of the south wall falling into the creek. It was completed a couple of years ago. Phase 3 is where the project is at now. As you know we have gone through a bid process. The process includes the bids are advertised locally, according to the Georgia code and also put out on the Georgia market place to all data agencies which is advertised in front of thousands of bidders. The mandatory bid meeting and we had people who showed interest there. We had the bid opening which was pushed back at the request of a couple of bidders who were trying to get numbers together and some alternates together for the intent of value engineering by offering opportunity to lower the cost of the project. The bid opening did occur Monday. It was determined, in the packages you have a series of requirements including your bid bonds, the paperwork on your actual bid price and a series of other things. The bottom line is we did not have a package that was deemed to be a complete package. As Mr. Pettit would tell you if he was here, it sort kicks everybody out. If there was anything we were able to retrieve from this was a couple of people's numbers which you see a \$1.9 million to \$2.8 million range. It's a big range. In reviewing these things, I found one thing in one bid that wasn't in another one. At the end of the day, none was submitted in complete format. He did put some information together for council to see what was received and some additional things outside of this contract we were bidding on and will give you some idea for those. At this point, we have no bidder acceptable for you to consider at this time. For various reasons they did not have complete packages and some knew that at the time they submitted it.

Mayor Thayer said, so the only option here is to rebid it or not rebid it. So if we rebid, would some folks be able to meet the requirements. Goss said, in some of the conversations he had, one of the challenges for the bidder is it exceeded their bond limits. In a bond line you may be able to bid up to \$1 million. Some had to pull out. Others had it in their limits, but they had other projects going on. One particular bidder would not be able to meet the bond qualification for 90 days. Another bidder he failed in other areas of the requirements. Mayor Thayer said, if we were to rebid, there is not a significant expectation the bids we got back would be of any price range of what we are already seeing. Goss said, he thinks the range is probably safe. Even people who did not submit the feedback we got from them we felt like everybody was falling within the low end of the range which you have. If anything, it gives you a benchmark to work off of, but at this point you can't work off any of these bidders. You would have to rebid. The process almost would need to start over and would not be as late as what we went through but would have to fall through the advertising requirements. Mayor Thayer said, are there any more questions about what he presented.

Mayor Thayer stated, where that puts them at, we have roughly \$700,000. from the URA bond that was originally taken to build one of the projects from the bond. The money is sitting there and the projected cost would be at \$1 million dollars at the most. With that said, we are within double or triple that amount. He thinks the only option to move forward would be to take another bond because the city doesn't have the money any other way other than to raise a millage rate to accommodate these monies. We are not willing to raise millage to meet operational, he does not think that is going to be a favorable decision nor would he recommend that. Nor to take another bond and be back in debt to a bond that equals this amount or a lot more is not a smart way to go. He personally is disappointed, would like to see the mill finished, but they would have to put a lot into the mill at this point. We have gotten some great artifacts out of the mill that is definitely usable and will use those, but at this price and point in time he doesn't believe the city is in position to move forward. He thinks for an extended period of time this project should be tabled.

Council Member Joe Turner suggested that our decision to Mr. Goss is to wait until after the work session and go over what they reviewed and to let him know where they stood. Mayor Thayer said he didn't see any reason to put it off any longer.

Council Member Ronald Nesbitt said, he thinks a lot citizens have mixed emotions and would love to see this done. Unfortunately, the city financially might not be in a position to get it done at the moment. You stated the 2 phases were completed, the stabilization and pulling out the artifacts. Have we considered grants for this projects; preservations grants, T grants or anything like that.

City Manager James Stephens said, there would be some preservation grants we might be eligible for but not any T grants. He had not put any applications together, he was waiting to see what the numbers turned out to be. He can certainly research and pursue potential grant funding and have for the work session. It may or may not be enough to bridge, but he can pull information together with a pretty reasonable expectation on what is available and what our chances would be and the time line.

Council Member Nesbitt said, before we kill off all hope he would like for us to exhaust all resources possible to make it happen. There are a lot of people that would like to see this completed and not throw in the towel without exhausting all the resources. So if you can, it would be good.

Mayor Thayer said, he thinks it is very important as we move forward that we keep focused on what the cost is, the use of the building and what the return for the cost is. He agreed completely it would be really nice to see it done and a lot of people would like to see it done, but we think we have to be pragmatic of what the cost and the use will be. It would different if it was going to be a new city hall or hospital or something of that, but an event space to spend that kind of money on is almost reckless on their behalf at this point.

Council Member Craig Guyton said, he didn't know if there was any project, since he has been on council that secures and links our past with our future any better than this project could. We do have approximately \$700,000. existing. We still have the 2 options pending for the 2020 SPLOST. Currently on both options we have another \$500,000. in anticipation the bid for this part, the price was going to be over \$700,000. So we put another \$500,000. in it. Those two numbers together obviously equals \$1.2 million but still not where the cost is going to be on it. At this point, we have to determine as a council if we are going to move forward, then we have got to elevate that part of these 2 options to equal the bid amount and the construction cost will be. We will have to take some monies off of other projects and there is plenty to do the project if we choose that is the most important way to go. The things we have

currently we can put it off for future use and still save for it or we got to determine what to do with that SPLOST monies that exist. As far as the actual site, we can take down the fence and manicure it up and make it available to the public again. There were a lot of prom pictures, as such, were taken down next to the old ruins as a back drop, as well as, people like to walk and look around. They have been off limits for a few years now. At the very least, he would like to see that.

Mayor Thayer said, one of the things they need to think about and be realistic, the money has been sitting there for about 3 years and we are making annual payments on it and will continue to make payments until we pay off the bonds. The wisdom of letting the money sit there for 3 or 4 more years until we make another SPLOST to where we can build the building, instead of getting some projects done. It doesn't make a whole lot sense to make payments, including interest payments, and have the money sitting there in the bank. You are losing money there. He said, he thinks there are several projects we could utilize the money that is sitting there that would still fit the bond it was desired for such as sidewalks, road improvements and street lights. Those types of things. We need to think about the feasibility and what is smart about letting the money sit there, and go ahead and use the money and get some of the other projects done.

Council Member David Duncan said, a couple of weeks ago when he knew all this was coming up, he asked Mr. Stephens if he could send him anything to understand what they were doing on this project. He knew he was coming in to this project blind and didn't know what they were doing. He said thank you to Ron Goss and Mr. Stephens for taking the time with him and look over the plans. He is very well pleased with what they are wanting to do and now know more about it. When people ask, he can now answer them. He agreed with the others, there is no way to go forward unless Mr. Stephens can find some grants to help.

Council Member Joe Turner said, this is a sentimental statement, everybody here knows he has been associated with this for several years. Ms. Emmie Nelson whom the library is named after, this is one of the things she was after. Ms. Mary Ellen Taff, you all know what has happened. There are also a few elderly on our historic committee and myself in my 70's, he truly would like for some of these people see the wheel built and turning. He thinks it would be an important part of their lives. My point, he would like to give Mr. Stephens, as Council Member Nesbitt has suggested, a month or 2 with a lot of things going on, it may take him a period of time. He would like to give him a chance to research possible grants before we just say no. There are so many people that has been looking for this thing for 20 years. He also, agreed with the Mayor Thayer, there is no easy answer to this.

Mayor Thayer said yes, it is one of those things you must balance what is emotional and what is practical. Everybody would love to see it get done, but the practically he does not think is there. He said, let's entertain a motion to table the project and not go any farther at this point. Direct Mr. Stephens in 60 days or so to see what kind of grants are out there and revisit. Mayor Thayer said to Council Member Turner, he knows he is emotionally attached, but they do not need to keep making payments on money in the bank. He also said, they will have to be significant grants.

Council Member Turner said, he discussed that with Mayor Thayer and he understands what he is saying.

Council Member Guyton said, to make sure on the work session they have the 2 options for SPLOST and to iron that out before the next meeting.

Council Member David Duncan motioned to table the Lowry Mill project and give Mr. Stephens time to research grants. Council Member Ronald Nesbitt seconded the motion. The motion was carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Mayor Thayer said thank you to Ron Goss for all his time. He said, he hates they are where they are. The sad thing is if we don't move forward today, 6 months from now the price is going to be \$3.2 instead of \$2.8 million. The building materials are going up astronomically fast right now and that is not going to turn around soon.

Old Museum – James Stephens

James Stephens City Manager said, the city advertised the availability of the old museum and received a response from business owner Tammy Redd that had previously approached the city. He has for them a standard lease with the address of the Ole Museum which is the lease the city has always utilized. The health department has signed off on her expected flow from her sinks and the number of stylists she proposed to have. She remains interested and it is up to the council if they want to make it available. She is aware of what limits she will have with the signs she can put up. She is aware that she will have to take care of the plumbing and install exit lights. She understands it will be her responsibility. He is asking a decision from the council, if they want to rent the building or not and again she remains interested. The rental date is October 15th if the council moves on it.

Mayor Thayer said, there is one change that needs to be made on number 12. After outdoor/indoor it needs to say without the approval of the Euharlee city council.

Council Member David Duncan said, you mentioned plumbing and you know she is going to need more sinks, is she going to cover the cost. Mr. Stephens said, she will cover the cost and it will not cost the city. There are some small items we will take care of on the outside of the building that is routine maintenance, but she is aware the plumbing is on her and the exit lights. She would ask the council to consider a 12 month period rather than a 36 month period. It is not a deal breaker and he told her, it is drafted as a standard document.

Mayor Thayer said, he personally do not have a problem going with a 1 year contract.

Council Member Joe Turner said, being knowledgeable of what she is doing, he does not want her to be in a 3 year contract if it does not work out for her and it puts her in a bind.

Council Member Craig Guyton motioned to accept the lease changing it from 3 years to 1 year and the minor wording change. Council Member Joe Turner seconded the motion. The motion was carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all voting in favor.

Police Department Hiring Procedure – Joe Turner

Council Member Joe Turner said, he got a feeling he headed this wrong. It has nothing to do with Chief New or the police officers. He asked if they remember when Trish Sullivan left and they tried to hire a city manager. They narrowed it down and then to find out part of the stuff on his resume did not turn out to be completed. It got him to thinking about how they do the police chief hiring which is a supervisory position and it has no effect on what Chief New does. All he want to do is put it in a form of a motion that we request a copy of their post and certified training to go along with what they right down on the resume. We need to request a copy of their post-employment records.

Mayor Dennis Thayer said, they have always done that. Council Member Joe Turner said they have never saw their training. Mayor Thayer said, we may not have received it in the package, but we have always got that information before we hired them. Council Member Turner said, we can't go to post and get the report. We do not have the numbers and post passwords to get in to get the records. Mayor Thayer said, yes you can call them and ask for it. Council Member Turner said, all he wants to do is ensure they are in the resume when they turn them in. Mayor Thayer said, you would not want them to turn it in. We would do that during our investigation. If they turn the document in, they can have it say whatever they want it to say. Council Member Turner said, not if it is from post certified. Mayor Thayer said, he guarantees he can adjust a document they send him. That is just like when you go to check references, it is better for us to go ask for it, rather than them give it to us. It is part of the back ground investigation. Council Member Turner said, if you are hiring a chief, who are going to ask for it. Mayor Thayer said, the city can ask for it. Council Member Turner said to Chief New, he did not think it was necessary for him to be there but apparently it is. He asked him, if he needed passwords to get post records. Chief Lee New said, yes but we can get it or you. Council Member Turner said, you can but we can't. Mayor Thayer said, we can. He has called post dealing with our police chief before and got the information. Council Member Turner said, why you didn't share it with us. Mayor Thayer said, he didn't say he got it on him, but you can get information because it is part of a background. Council Member Joe Turner said, in the past we have got their resumes and picked the person we thought was most qualified. We asked the police department to do the background check to see if they have any criminal records. That is the extent of what we have done in the past years. Mayor Thayer said, maybe before we hired the last 2 police chiefs. The HR Company we hired went to post and got his post records. Council Member Turner asked, why they didn't see them. Mayor Thayer said, it was part of their process. Council Member Turner said, he knew this was going to happen when he started. Council Member Turner made a motion that the post records are included in there resume. Council Member David Duncan seconded the motion. Mayor Dennis Thayer stated, that is not the way you do that. It is the wrong way. You do not let them provide it that is part of your investigation. You check to make sure what they have on their resume is there. Council Member Turner said, if they turn in a certified thing from post. Mayor Thayer asked Chief New if an officer can go to post and get their own records. Chief New said, they can but, we don't take the records from them we pull them up ourselves. Council Member Joe Turner said, that is for the police officers he hires. We are the ones who hires the administrative staff. You have a motion and a second. Mayor Thayer said and we have further discussion.

Council Member Nesbitt said to clear this up he asked the city manager, if we wanted to go on post do you have that access? City Manager, James Stephens said, he can certainly get access when they have an opening for you to consider.

Council Member Craig Guyton said to Council Member Joe Turner, correct him if he is wrong. You are trying to make sure the next time we hire a police chief, the council is able to look at those records. How we get those records, whether they bring them in as far as their resume goes or whether we go out to post and get them, you want to make sure we see those records before we hire.

Council Member Turner said, that is the general assumption but does not understand why they can't turn it in with their resume.

Council Member Guyton said, because they can fake it. Fake a document because it is easy to do on computers nowadays. So if we get it, we know for a fact, If Mr. Stephens request it and they email to him, we know instead of going through a potential candidates hands, we guarantee 100% it is correct. Council Member Joe Turner said, he understands what Council Member Guyton is saying. Can he make a motion that we make it a part of the city's policy that the city manager request these records when we hire someone? Council Member Guyton said, as part of the background check that is no problem.

Mayor Thayer said, you can't do that yet because you already have a motion. You have to rescind your motion and rescind the second. Council Member Turner rescinded the motion and Council Member Duncan rescind the seconded motion. Council Member Turner motioned, as a city policy, our city manager goes through the process of acquiring these records when we hire a new police chief.

Mayor Thayer said, that is a policy and we do not need to vote on that. We just need to direct Mr. Stephens to put it in the policy. It is not something you should be voting on. You amend the policy. Council Member Guyton said, they do have to vote to amend the policy.

Mayor Dennis Thayer said, amend the policy and bring it back and vote on it.

Council Member Turner said, a couple of years ago when Ms. Sheree did our personnel policy, the job description and filled out requirements she did not include that in the requirements. Mayor Thayer said, to pull that policy and make sure it doesn't already include it.

Council Member Guyton said to review the policy and if it does not, add that to the part of the background check. Mayor Thayer said we can come back and vote on the policy in front of everybody. Council Member Turner said, he wants to be able to see it before they make a decision.

Sewer Pump House Appearance – Joe Turner

Council Member Joe Turner said, he asked James to check with the county and they have agreed to put a privacy fence around the pump house down in the park area. He said, a privacy fence is good when you walk up to a fence and look at it. This is the lowest part of the plan. He would like to see this pump station completed in the same style the covered bridge store, the granary and commissary with 1 x 3 or 1 x 4 siding because it will fit more into the historic part rather than a privacy fence.

Mayor Thayer said, it is his understanding the pump house itself is concrete and only coming out of the ground by 2 ½ to 3 feet. It is not a full size standing building like you see on Euharlee Road. City Manager James Stephens said, that is his updated understanding after he checked with Peter Olsen and Gene Camp on your request. Council Member Joe Turner said, it is not going to be like the one over at the boat ramp. He said, he has been twisted up twice tonight. Mayor Thayer said, they are building the pump house for the other phase right now. We can take a look at that when it is completed and decide what will be the best way or another way to make it work. Mr. Stephens said, he agreed with Mr. Turner it should fit in with the historic park. Council Member Turner said, when they said pump house he assumed, the same type at the boat ramp.

Mayor Thayer said, while we are on the subject of the sewer, he shared what happened today. When we started this venture, he said he went and met with Dr. Harper and at that time, the chairperson Anna Sullivan. We discussed the original plan of the sewer was to come down Euharlee Road and at the edge of the middle school was to go south, go behind the school and come down to the creek. They give us the easement and they have the opportunity to get on the sewer. They shared, they wanted to get on the sewer and they were willing to give the easement. Dr. Harper had a concern about some things that happened 6 to 10 years ago about the tennis courts; the viability of keeping the tennis courts on that side of the road. If you will remember we came back and discussed it. He is upset. At the time the city was negotiating with the county about the easement to do the trail, it was very clear to him they needed the tennis courts. At that time the concept drawing of what downtown might look like came out and doesn't have the tennis courts on it. Apparently he is having a hard time with concept, because he doesn't understand it is a concept, and doesn't mean that is what the final product is going to look like. He assured him at that time, the city would make every effort to ensure the tennis courts would be available to them on this side of Euharlee Road. They might get moved but, they would be available to them. That is what we worked out and it was a hand shake deal. The three of them talked some about the tennis courts and the idea of the water pad we wanted to do. This is where we have been for the last 10 months or so.

In the last week or two, the engineering firm has gone to Dr. Harper to get him to sign off on the easement agreement and he has reneged. He is still upset about those concept drawings and the city negotiated in bad faith 10 years ago and he won't do it now. Hearing that this morning, he tried to get a hold of Dr. Harper and was unable to do so. He tried to reach Fred Kittle, the representative for the school board for this area and he was unable to do so. It was before 9:00 am this morning which is now 11 hours and he has not heard back from him. He said, he did speak with Anna Sullivan and explained to her what was going on. She said, she did not think that was the position of the entire school board, but will call the current chairperson and call him back. He made it very clear the subject would be discussed tonight and they had a hand shake agreement. They utilize the ball fields for no charge, the tennis courts for no charge and we charge other schools for that. He said, he made it very clear that it may be the end of that. As of now, at 8:00 pm no one has called him back. He spoke our Attorney, Boyd Pettit to see if he had heard from anybody and he has not. Mayor Thayer said, they have reneged on their hand shake.

The engineering firm has found a work around for the sewer line and in the long run ends up being better for us. They will continue to come down in front of the schools to the museum, come across the museum property and come down to the low point where it needs to be. Moving forward he would like for Mr. Stephens to put together what the cost would be, equal to what Excel pays for the use of the fields. At the next meeting would like for council to have a discussion and start charging the county for the use of the fields. They are obviously not operating with good faith and backed out on a handshake without prior notice. He does not think the city should be generous to them with them pulling this crap at the 11th hour. He said, he thinks it was unprofessional, disrespectful and we don't need them. If they need us then they can pay for it.

Council Member David Duncan asked, how much would it add to our cost. Mayor Thayer said, it will not add anything to our cost because our cost with the county is capped at \$2 million. It may add to the overall cost but the county will have to eat it that. He thinks it is very short sided on their part.

Council Member Joe Turner said he agreed with Mayor Thayer 100%, and he is not fixing to say anything bad, but you are saying this is one person who has made the decision not to let the county cross the school property and not the school board itself. Mayor Thayer said, the school board, he does not think, they sat in front of an open forum and voted on it but, by their lack of any type of response today, even a phone call saying we have no resolution let's hold off. They haven't given the common courtesy.

Council Member Turner said, he understands where he is coming from and his frustrations, but he is not sure he wants to change everything on one disagreement with one person. He realize coming on pass the school may be better for us in the long run.

Mayor Thayer said, that has already been taken care of.

Council Member Turner said, he is not ready to deny them the ball field or the tennis court because we had this discussion and the members from this council made that agreement with another school superintendent 10 to 12 years ago and he is not ready to change it.

Mayor Thayer said, another whole council did 8 to 10 years ago and you are the only one here who can answer to what was done.

Council Member Craig Guyton said, he was part of that as well and it was 6 years ago. Mayor Thayer said, Mr. Harper is still upset about over half of another council decision.

Council Member Turner said, he understands, but it is kind of like Ron's problem with the Lowry Mill. He understand you are upset but let's not jump to conclusions.

Mayor Thayer said, he is not jumping to conclusions he has made it very clear this is the way it is. It's not an assumption, we are not signing it. What he understands, which is coming from 3rd hand, he wasn't very polite. It's no get out of here because you guys did not act in good faith 6 years ago and we are not going to do anything now in good faith. Council Member Joe Turner said, with us and what did we do 6 years ago.

Mayor Thayer said, he is upset because we negotiated an easement with the trail at the same time and came out with a concept drawing showing there is no tennis courts, where they are at.

Council Member Ronald Nesbitt said to Mayor Thayer, we should take everything you are saying into consideration and ponder and see what we can actually do. There are other resources we can tap into. Who knows why they didn't get back in touch with you. They could have been in meetings. But before we just consider cutting them off, let's talk to them about what is at stake and what we are looking at. We want to hold on to our resources if we can. We don't want to cut ties with them if we don't have to. Just talk to them about what could possibly happen if we can't come together based on the original agreement. Mayor Thayer said, just to let you know that was made very clear this morning.

Council Member Joe Turner said, he does not want to punish the kids. Mayor Thayer said, that's not punishing the kids, just going to have to pay for it now instead of getting it for free.

Council Member Guyton said, the engineer feels we can use the right away in front of the school and continue on down, take it a cross the museum and come into the city's direction. Since they will be using the right away, they don't have to have an agreement for an easement straight through from that direction. I am with Council Member Nesbitt, let's have some more discussion with them. He understands your frustration from 6 years ago that you didn't even get to vote on. But, the fact of the matter is when we did vote on that, he recalls it very clear. We eliminated those tennis courts because we wanted more green space in Osborne Park. Since then we have had other discussions about a splash pad and other things for the kids in the area. At that time, we were looking for more green space downtown and knowing that Joe Cowan Park had more tennis courts available than Osborne Park we thought that would be a good solution. He doesn't recall other agreements negotiated before he was on the council and those two things happened relatively close.

Council Member Turner said, basically it boils down to, the training coach at the school during that time told them the schools would not pay for the buses to haul the kids to Joe Cowan Park. If we took this away from them they would not be able to have that sport and that's where it started.

Council Member Guyton said, the meeting they had then with the athletic director, at that time said as long as we had a sidewalk there, coming upside the city hall for the kids with a coach, they could walk across covered bridge road and he had no problem with it. Keep in mind, the superintendent saw a liability the athletic director did not see. But then again, you get different personalities involved.

Council Member Nesbitt said, we did consider moving the court about 300 feet to the basketball court and it would be in a better position for them.

Mayor Thayer said, he wanted to bring everybody up to speed and they will take that up on their next work session and where we go from there.

Council Member Craig Guyton motioned to adjourn the meeting. Council Member Ronald Nesbitt seconded the motion. The motion was carried with Council Members Guyton, Nesbitt, Duncan, Turner and Mayor Thayer all in favor.

With no further discussion, the meeting was adjourned at 7:57 pm.