



**City of Fairburn
Council Meeting Minutes
June 10, 2024
7:00 pm**

- I. The meeting was called to order by the Honorable Mayor Avery.
- II. Roll call by Deputy City Clerk, Deannia Ray found the following members present:

The Honorable Mayor Pro Tem James Whitmore
The Honorable Alex Heath
The Honorable Hattie Portis-Jones

The Honorable Linda J. Davis
The Honorable Samantha Hudson

Absent: The Honorable Ulysses Smallwood

Also, present was City Administrator Tony Phillips, Assistant City Administrator Jamila Criss, City Attorney Rory Starkey, City Attorney Valerie Ross, and Deputy City Clerk Deannia Ray.

- III. The invocation was provided by Pastor Carnetta Frazier of Love Deliverance Outreach.
- IV. Pledge of Allegiance was in Unison.
- V. Presentations and Proclamations: N/A
- VI. Adoption of the City Council Agenda:

Mayor Pro Tem Whitmore made a motion to adopt the agenda. Council Member Heath provided the second. **The motion carried unanimously.**

- VII. Public Comments:

Alexa Gurley lives on Bay Street and has been a resident in Fairburn for 15 years. She is requesting speed tables and more traffic enforcement on Bay Street. There are speeding school buses, and commercial vehicles all given hours during the day and night. She asked if the city could investigate this matter.

- VIII. Approval of the Minutes:

1. **Approval of the minutes: Special Called City Council Meeting Minutes of April 30, 2024, and City Council Meeting Minutes of May 13, 2024.**

Mayor Pro Tem Whitmore made a motion to approve the minutes for April 30, 2024. The second was provided by Council Member Davis. **The motion carried.** Council Member Portis Jones abstained.

Council Member Davis made a motion to approve the minutes for May 13, 2024. The second was provided by Council Member Heath. **The motion carried.** Council Member Portis Jones abstained.

IX. Public Hearings:

2. RaceTrac

Planning and Zoning Director Denise Brookins presented the item and said this item was continued from the previous meeting. Since that time, the applicant has provided some additional information pertaining to some of the questions that were asked. A Transportation Study was submitted, and they have completed an initial review. She is recommending approval because of the request aligning with our Comprehensive Plan.

Mayor Pro Tem Whitmore made a motion to close the public hearing. The second was provided by Council Member Hudson. **The motion carried unanimously.**

Council Member Portis-Jones said this project is in the Hwy 74 Overlay District and asked for the record, the requirements for this district. Ms. Brookins said the Hwy 74 Overlay District does have some uses that are strictly prohibited and there are some supplemental regulations. For instance, the distance requirement previously for drive-through restaurants now has dining options that are required. There are also architectural design standards relating to having a brick front. The elevation does comply with all the regulations for the Hwy 74 Overlay District, because that use is not strictly prohibited. It's not listed in the prohibited uses, because that request does comply with the Hwy 74 Overlay District, the design guidelines, and the Comprehensive Plan. Staff has recommended approval along with the Heavy Industrial Zoning designation.

Mayor Pro Tem Whitmore said he was hoping the applicant could answer the question about spillage. Do you have safety backups and if there is a spillage into the creek, whether or not the personnel would be trained to take action if your mechanism fails locally. Mr. Harold Buckley said they compiled information in response to your question and submitted a summary of their compliance and spill prevention program. John Creedy from RaceTrac said you all were given a brief summary from their environmental engineering group. Our stores are provided with the latest technology of equipment that can be purchased on the market. The underground tanks are double walled construction of fiberglass tank facility and connecting those tanks to the store are lines and sensors along those lines. If there is any leak that is detected by these sensors, the system is shut down completely. They test the ground to make sure

there are no previous spills that were there upon purchasing the property. They have very strict prevention measures and their store staff is very well trained. They always have a compliance officer at the store, they are certified and go through rigorous training programs.

Samantha Jones with their Engineering Group said human error happens. Any spill over 25 gallons is required to be reported to EPD. They have third party vendors that are on call 24 hours to immediately clean up that spill and they have an oil water separator installed at 1,000-gallon capacity where fuel would drain, be captured and then pumped out before it reaches any public storm water. Mr. Creedy said when they design a store and design all this apparatus underground, the State Fire Marshall must approve.

Mayor Pro Tem Whitmore thanked them for that information and said his initial question at the last council meeting was how many failures you have had in the last five years. Mr. Creedy said he didn't know the answer to that, they have over 825 stores and it would take weeks to develop that type of data. With our new stores with double walled construction, it just doesn't happen. Human error can cause an occasional spill, but something like that is extremely rare.

Council Member Hudson thanked RaceTrac for giving her a crash course. She asked Ms. Brookins what type of training the Planning and Zoning Commission receives and has everyone that sits on the board attended training. Ms. Brookins said previously there was internal training, but they have been given the opportunity to attend the Georgia Planning Association Conference, and UGA training. However, she doesn't believe every member has completed the training. Council Member Hudson said she was concerned about one of the members behaviors being indicative of litigation. When an ethical complaint is filed, it is important that we deal with this in-house as best as possible and it is important that we install our Board of Ethics. She said kudos to the Planning and Zoning attorney, and she thanked Mr. Starkey.

Council Member Davis said her focus on this project is the concerns that our citizens have in reference to traffic. As an elected official, she has a responsibility to listen to their concerns and to address those concerns. She asked Ms. Brookins and Mr. Lester Thompson how we can mitigate these traffic concerns for this proposed development for the Howell Avenue Extension. Mr. Thompson said we constructed Howell Avenue Extension about three years ago to help mitigate congestion at State Route 74 and Oakley Industrial Boulevard. This road was constructed with a significant investment from South Fulton CID to provide an alternate route for trucks. Staff is in support of the project to encourage trucks to use that alternate route as an access to 74. Council Member Davis told Mr. Buckley she appreciates the passion he has representing RaceTrac, but what she feels from his correspondence is that he does not appreciate the citizens in the City of Fairburn. She is going to listen to their concerns and see in any way that she can mitigate their concerns. She understands the Comprehensive Plan is in favor of this development, also understand that they have complied with the conditions, and asked Mr. Buckley

to not make accusations as it relates to our staff and our processes, that's a problem for her as an elected official. Mr. Buckley apologized for any offense.

Mayor Pro Tem Whitmore asked for an update from Mr. Buckley on them reaching out to GDOT to discuss the expansion of 74 and the bridge expansion. Buckley said they reached out to GDOT to talk about their plans for that roadway to see if there were any improvements coming and they made them aware that was not on their list of priorities. He said they did update the traffic study and submitted that into the record because if this body were to deny this application and they were to file an appeal, they would not be allowed to put any new information before the court. Unfortunately, what that forced them to do is make the arguments that we would have made to a judge before tonight. They didn't mean any offense, but he had a professional obligation to get that in the record before the vote. He apologized for any offense that resulted in that.

Mr. Abdul Amir, Traffic Engineer with ANR Engineering, said in the updated study that was done, they did some specific traffic counts. This intersection off of Howell Avenue and Fairburn Industrial is not causing congestion, the real problem is because of the interchange. Once that interchange improvement project is done, you will see this section of the freeway will be fine. He counted 600 cars in one hour which is nothing for four lanes of traffic. Mayor Pro Tem Whitmore said you never mentioned trucks in your count, and with the new E-Commerce Center that's being built with additional trucks, truck traffic will increase. Mr. Amir said you are right, every year we experience an increase in traffic that is just growth.

Council Member Portis-Jones asked Mr. Thompson what the next step was for the service station on the southside of the interchange that had been leveled and how will the construction affect us. Mr. Thompson said GDOT acquired 57 out of 59 parcels, with two left to acquire. Once they acquire those, they can certify the right of way, utilities, environmental certification, and the plans can be finalized. The project will go out to bid in August of 2024. It will be a GDOT project, so it will be the first quarter of next year before they make the award and start construction and once it starts, it will take two years to construct. The roads will not be closed, the traffic will be maintained. Council Member Portis-Jones asked staff to start communicating with residents on how this will affect them. City Administrator Tony Phillips said South Fulton CID helped organize or reconstitute what we previously called Highway 74 coalition, made up of several jurisdictions along Highway 74. Tyrone, Peachtree City, Fayette County, Fairburn, and Fulton County. To begin understanding what the impact of this project will have, it will be significant and difficult during that time. Simultaneously, they will also be doing the Interchange at 74 and 54 in Peachtree City and that will reroute traffic. We will be working as a coalition and will begin to get information from GDOT and start public education around alternative routes so citizens will know what is going on. We are hoping it will enliven the Park and Ride. These conversations started in March and we're waiting for more details from GDOT. Mr. Thompson said this is a \$122 million investment, \$91 million for construction and \$31 million for right-of-way acquisitions.

Council Member Heath asked if they were still going to replace the bridge. Mr. Thompson said it's going to be one solid bridge from 16 to 17 feet high.

Jodi Gray with South Fulton CID said the design plans for the interchange are on the South Fulton CID website and will have a full marketing strategy that they will be providing in conjunction with all the cities. She discussed some other solutions for Highway 74 and said they are working with GDOT on improving the interchanges but the connection from Highway 74 to McLarin Road and from Highway 74 to US 29.

Mayor Avery asked Attorney Ross to elaborate on the ethics concern that Ms. Hudson and Ms. Davis talked about. Ms. Ross said they did respond and did not look at it as an actual complaint because that is required in the ethics process. We didn't feel there was any evidence to support the allegations made in the letter.

Mayor Avery asked Mr. Buckley about the environmental compliance. Mr. Creedy said in different areas of our coverage area, we may have multiple compliance service provided by a local vendor so we will have the quickest response. Cura is one of the emergency service companies they use to come in compliance if there is a problem. Mayor Avery asked what type of certifications would they need. Mr. Creedy said they are responsible for having a staff member, that's a RaceTrac employee that works in the store go through a vigorous training program, one person per store has to be certified.

Council Member Portis-Jones made a motion to approve the Ordinance granting the Use Permit allowing the operation of a truck stop with the following conditions:

- No overnight parking of trucks, tractor-trailers, or vehicles shall be permitted, except for employees actively working at the truck stop.
- The development must adhere to the supplemental regulations on truck terminals/truck stops per the Zoning Ordinance (Chapter 80 Zoning, Article IV Administrative Permits and Use Permits, Section 80-239 Truck Terminals/Truck Stops).
- The traffic study must be completed prior to the review and submittal of the concept plan.

Council Member Hudson provided the second. **The motion carried unanimously.**

X. Consent Agenda: N/A

XI. Regular Agenda Items:

3. South Fulton Community Improvement District (CID) Expansion

Assistant City Administrator Jamila Criss said this item is for South Fulton CID to expand the boundaries of the South Fulton Community Improvement District. All four cities must consent to the expansion of the boundaries to include the City of Fairburn,

Palmetto, South Fulton, and Union City. She introduced Joddie Gray with South Fulton CID.

Ms. Gray said a Community Improvement District, which is a geographically defined district in which commercial and industrial property owners vote to impose a self-tax to fund community improvements. CID funds do not replace public funds, they provide required match funding for grants or federally funded projects, initiate project development, by funding studies or preliminary engineering, and supplement funding from local government partners. They are primarily located in the I-85, Oakley Industrial Blvd, and Roosevelt Highway (US 29) corridors within Fairburn, Palmetto, South Fulton, and Union City. The expansion is more up US 74, the Howell Avenue area and then into Union City. They picked up the big property south of US Foods. All four cities must consent to the expansion of the boundaries of the South Fulton CID.

Community Development Director Lester Thompson said there's quite a few projects they are partnering with South Fulton CID. They have been instrumental in getting a lot of the projects in TSPLOST 1 delivered. The Oakley Industrial full-depth reclamation project gave us funding on half of the roadway segments. They gave us \$1.1 million for the Park and Ride project, and \$975,000 for the Howell Avenue extension. They obtained a GTI Grant for \$1.5 million which was half of the construction funding. They have been significant partners for the City of Fairburn industrial areas.

Mayor Pro Tem Whitmore made a motion to approve the Resolution consenting to the expansion of the boundaries of the South Fulton Community Improvement District. Council Member Heath provided the second. **The motion carried unanimously.**

4. Temporary Fire Station – Water and Sewer Installation

Building Operations Director Dana Smith presented this item and said they've been working on the temporary fire station and once the water infrastructure for the temporary fire station is installed, the fire station will be operational.

Mayor Pro Tem Whitmore made a motion to approve the installation of water infrastructure for the temporary fire station on Bohannon Road in an amount not to exceed \$150,000 utilizing our On-Call Plumbing Contractor, KEG Plumbing. The second was provided by Council Member Heath.

Council Member Hudson asked if the safety checks were done on the fire hydrants and if any need for improvements was found. City Administrator Tony Phillips said the full hydrant inspections were completed. The hydrants must be maintained and from time to time the hydrants may have operational issues and repairs or replacements are done as needed. After discussion, **the motion carried unanimously.**

5. Public Safety Complex - Design Contract Amendment #1

Building Operations Director Dana Smith presented this item and said Mayor and Council approved a budget amendment in the amount of \$868,000 earlier for design services. This item will be using those funds with the awarded contractor.

Council Member Heath made a motion to authorize the contract Amendment #1 for design services on the Public Safety Complex in the amount of \$463,799 to the awarded vendor, Goodwyn Mills Cawood, LLC (GMC). The second was provided by Council Member Davis. Council Member Hudson abstained due to lack of information. **The motion carried.**

6. Memorandum of Understanding (MOU) with Fulton County School System – Emergency Response

Deputy Police Chief Eiswerth presented this item and said this MOU is updating our current status with Fulton County Schools. This understanding will confirm that Fairburn Police Department will cooperate in certain collaborative activities related to law enforcement on school property, as well as safety near school property.

Council Member Heath made a motion to approve the Memorandum of Understanding (MOU) with Fulton County Schools on emergency response. The second was provided by Mayor Pro Tem Whitmore.

Council Member Hudson asked what other engagement they would have with the students. Deputy Chief Eiswerth said unless there was an active threat against the community, the schools, teachers, or students, they would not have any enforcement duties inside the schools.

Assistant City Administrator Jamila Criss said our Public Safety has a good relationship with Fulton County Schools. Recently Captain Pilner, who serves in the Fire Marshall's office did an 8-week program with the entire kindergarten classes at Campbell Elementary School. We walked from Campbell to Fire Station #21 where they were able to see the trucks, get hats and goody bags. **The motion carried unanimously.**

7. Memorandum of Understanding (MOU) with Fulton County Schools and School Police – School Zone Speed Cameras

Council Member Heath made a motion to approve the Memorandum of Understanding (MOU) with Fulton County Schools to cooperate in certain collaborative activities related to law enforcement and speed detection devices located within school zones in Fulton County, and more particularly, inside the City of Fairburn, Georgia. The second was provided by Council Member Portis-Jones. **The motion carried unanimously.**

8. Downtown Development Authority (DDA) Amending Resolution

Economic Development Director Sylvia Abernathy presented this item and said

Mayor and Council adopted a Resolution on November 14, 1983, where the boundary map was not included. Staff is requesting the map be attached so they are in compliance with their statutory requirements.

Council Member Davis made a motion to approve the amended Resolution of the Downtown Development Authority (DDA), with the updated Downtown Overlay District Map, adopted on November 14, 1983. The second was provided by Mayor Pro Tem Whitmore.

Council Member Portis-Jones asked the boundaries to be stated for the record and what is included in the overlay. Ms. Abernathy said the boundaries encompass West Broad Street, the Historic District is at the core, and it incorporates West Broad Street, where the Police Department is. The overlay includes the commercial district for the City of Fairburn. It is to promote retail in the area and there are restrictions on the type of development that can happen in the Overlay District. **The motion carried unanimously.**

9. Contract for ITB-24-008 Elder Street Evergreen Underground Power Installation

Council Member Portis-Jones made the motion to award ITB 24-008 to Power Pros Powerline Solutions LLC and execute a contract for the installation of electric underground infrastructure for the Elder Street Evergreen Subdivision in the amount of \$120,000. The second was provided by Council Member Davis.

Council Member Portis-Jones asked if the electrical underground infrastructure was our new standard and where else has it been placed. Electric Superintendent, Tom Banks said yes, it is the standard for any new residential and commercial developments to be installed underground. He said Ferndale and Evergreen Subdivisions are the only two we have right now. Mr. Phillips said this is significant because most of the outages we experience in Fairburn are due to overhead lines, being impacted by tree limbs, storms, weather related activity, squirrels, and wildlife. Any of those things can impact overhead lines and when they are moved underground, you've eliminated most if not all those typical causes of outages.

Mayor Avery asked the reason why an Invitation to Bid (ITB) went out instead of a Request for Proposal (RFP). Procurement Manager, Tyra Little stated they went out to bid to get a cost. **The motion carried unanimously.**

10. Approval of Supplemental Agreement #2 with CSXT for CEI Services

Community Development Director Lester Thompson presented this item and said CSX is requesting additional funding for hours worked by CSX flagman for work on the Downtown LCI Streetscape Project that were beyond the authorized budget. Additional CSX administration cost to include flagging coordination and administration services and STV oversight costs. The additional cost is also for removal of the soil excavated from the CSX embankment, the cost of an environmental consultant to

sample and be present during soil manifestation and profiling, and the soil disposal cost.

Council Member Heath made a motion to approve Supplemental Agreement #1 with CSX for Construction Engineering and Inspection Services for \$103,009. The second was provided by Mayor Pro Tem Whitmore. After discussion, **the motion carried unanimously.**

11. Approval of an IGA with the City of South Fulton for the Gullatt Road Full-Depth Reclamation Project

Community Development Director Lester Thompson presented this item and said Gullatt Road is partially inside the City of South Fulton and partially inside the City of Fairburn. An Invitation for Bid (IFB) went out for three roadway segments, Gullatt Road, Cleckler Road, and McLarin Road. The project entails full-depth reclamation, asphalt paving and striping on Gullatt Road (from the I-85 bridge to McLarin Road). In addition, the full-depth reclamation of Cleckler Road (the segment north of the I-85 bridge), and the full-depth reclamation of McLarin Road (from Bohannon Road to Gullatt Road). Both cities feel it is in the mutual interest of both parties to enter into this Intergovernmental Agreement for the purpose of this regional transportation improvement project which will beautify and provide roadway improvements to both cities. Through the proposed agreement, the City of Fairburn will be responsible for \$337,306 or 50% of the construction costs.

Council Member Heath made a motion to approve the Intergovernmental Agreement (IGA) with the City of South Fulton for the Gullatt Road Full-Depth Reclamation Project. The second was provided by Council Member Davis. **The motion carried unanimously.**

12. Approval of an Intergovernmental Agreement with South Fulton CID for the Cleckler Road Full-Depth Reclamation Project

Mayor Pro Tem Whitmore made a motion to approve the Intergovernmental Agreement (IGA) with the South Fulton CID for the Cleckler Road Full-Depth Reclamation Project. The second was provided by Council Member Davis. **The motion carried unanimously.**

13. Approval of an Intergovernmental Agreement with the South Fulton CID for the McLarin Road Full-Depth Reclamation Project

Mayor Pro Tem Whitmore made a motion to approve the Intergovernmental Agreement (IGA) with the South Fulton CID for the McLarin Road Full-Depth Reclamation Project. The second was provided by Council Member Davis. **The motion carried unanimously.**

14. Approval of a Contract Award to Blount Construction for the Gullatt Road, Cleckler Road, and McLarin Road full-Depth Reclamation Project

Council Member Heath made a motion to approve the contract award for the Gullatt Road, Cleckler Road, McLarin Road Full-Depth Reclamation Project to Blount Construction Company for a bid price of \$2,658,412.08. The second was provided by Council Member Portis-Jones. **The motion carried unanimously.**

XII. Reports:

15. Finance Director Monthly Report:

Budget/Finance Analyst Nekisha Baker presented the report and said the City of Fairburn's General Fund 7th month of FY2024 operations totals as of April 30th, with \$7.6 million in net cash flow. To date the General Fund has generated \$19.6 million in revenue with \$12 million in expenditures. As of April 30th, the city collected 65% of its revenues and expended 39% of its budget. Property and Local Option Sales Tax Revenue represents the city's General Fund primary source of operating resources. Real Property Tax represents 82% and L.O.S.T. represents 59% of revenue.

The City of Fairburn's Enterprise Fund 7th month of FY2024 operations totals as of April 30th, with \$2 million in net cash flow. To date the Enterprise Fund has generated \$12 million in revenue with \$10 million in expenditures. As of April 30th, the city collected 45% of its revenues and expended 37% of its budget.

16. City Administrator's Monthly Report

City Administrator Tony Phillips presented this item and shared a few highlights:

- Fire Station #23 construction is ongoing
- Staff relocation to City Administration Building is complete and moved staff from other locations into City Hall
- Fairburn's Third Friday kickoff featuring Dottie Peeples
- Sylvia Abernathy participated in the Fulton Korea International Trade Mission
- Ribbon Cutting for Meineke
- Georgia Renaissance Festival kickoff
- Fire Marshalls, Captain Pilner did an eight-week class "Learn Not to Burn" with Campbell Elementary
- Installation of the Historic Town Clock
- Human Resources observed Women's History Month and held their second Annual Women of Impact Event. Honorees were Destiny Andrews with the Fire Department, Jada Berry with Parks and Recreation, Denise Brookins with Planning and Zoning, Anna McClellan with Police Department, and Shenisha Turner with General Services
- Duncan Park Pool and Splash Pad pump replacement was completed

- Planning & Zoning did the Canopy of Colors Art Installation

Council Member Portis-Jones asked about the Utility Assistance Program and the 10% discount. Mr. Phillips said there's no money left in the Utility Assistance Program. We did an additional \$150,000 of utility assistance which makes a total of \$400,000 that's been done in the last seven months. They had 364 residents receive funding from the last round of \$150,000. He said the 10% has been applied to the previous months bill. They are now working on a proration discount for the days in December that were billed at the new rates when they should have been billed at the previous rate. Council Member Portis-Jones asked to be provided with the total cost of the 10% discount and the proration once its completed.

Council Member Hudson said she stood in line and stayed through the whole process with the residents for four hours and it was an amazing process. Hats off to the utility department!

XIII. Council Comments:

Council Member Hudson said community conversations with Councilwoman Hudson series begins this Saturday at the library from 10:30 am to 12:30 pm. Thank you to Global Impact students for providing your follow-up cards. I'm directing this comment to the Mayor because I am very concerned that you do not understand why I'm here. My family received some very disturbing information, and that information is you've had conversations with law enforcement, all three shifts. You didn't call my name, but you did say to them that you have to be careful about what you say, who you talk to, because there is a newly elected council member who has come to destroy the city. I won't even defend that but what I'm going to say is no weapon formed against me shall prosper. Now there is a level of concern that my entire family has because of this. I am going to renew my request today for the copy of the Traveler's policy, the cancellation, and renewal. Thank you to the staff, the work you do does not go unnoticed, I appreciate you, and thanks Ms. Criss for being diligent and communicating with me on meetings.

Council Member Heath had no comments.

Council Member Davis had no comments.

Council Member Hattie Portis Jones asked Mr. Phillips to restate the names of the women staff who received the Impact Awards. She expressed her congratulations to all of them who received the award. Our entire staff is to be commended for the work they have done. Mr. Phillips said Destiny Andrews with the Fire Department, Jada Berry with Parks and Recreation, Denise Brookins with Planning and Zoning, Anna McClellan with the Police Department, and Shenisha Turner with General Services. She said early voting began in Fulton County this past weekend and is going on every day until this Friday, please let's turn out and vote.

Mayor Pro Tem Whitmore had no comments.

Mayor Avery thanked staff for the outstanding customer service they provided to the residents during the Utility Assistance Program. He received some feedback about the execution and thanked City Administration for the level of excellence that took place. Bobby Rush put on a great show at the City of Fairburn Third Friday concert. Election season is here, and there is an election runoff June 18th. It's important that we go out and vote and elect the people that care about Fairburn. The events that you see the city putting on for Third Fridays is a combination of the entire department heads along with a lot of our great city staff. He was blown away with a comment about Ms. Higgs and her staff picking up trash and the facilities being very clean. He thanked city staff from top to bottom for putting a lot of effort in ensuring safety and cleanliness during the events.

Council Member Davis made a motion to go into Executive Session to discuss real estate and litigation at 9:00 p.m. The second was provided by Mayor Pro Tem Whitmore. **The motion carried unanimously.**

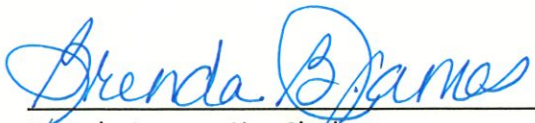
Mayor Pro Tem Whitmore made a motion to come out of Executive Session. Council Member Davis provided the second. **The motion carried unanimously.**

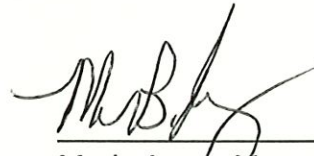
Mayor Pro Tem Whitmore made a motion to move to negotiate and purchase 130 Washington Street. The offer price is \$185,500 and the counteroffer is \$200,000. The second was provided by Council Member Davis. **The motion carried unanimously.**

Council Member Hudson made a motion to purchase 129 West Broad Street. The offer price is \$165,000 and there's been no counter response and, in the event, the negotiations breakdown, we will move to condemn the property. Mayor Pro Tem Whitmore provided the second. **The motion carried unanimously.**

XIV. Adjournment:

Council Member Hudson made a motion to adjourn the meeting at 9:30 p.m. with Council Member Heath providing the second. **The motion carried unanimously.**


Brenda James, City Clerk


Mario Avery, Mayor