

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN SPECIAL SESSION ON **April 20, 2017 at 7:00 a.m.** IN THE TUTTLE CITY HALL BUILDING LOCATED AT 221 W. MAIN STREET

MEMBERS PRESENT: TERESA BUCK, TODD LITTLETON, AARON MCLEROY,
AND MARY SMITH

MEMBERS ABSENT: T.J. CHESTER

STAFF PRESENT: TIM YOUNG, DAVID PERRYMAN AND WENDY MARBLE

OTHERS PRESENT: TED MARTIN

CALL TO ORDER

ROLL CALL

ORDER OF BUSINESS

1. DISCUSSION and related CONSIDERATION approval of a Memorandum of Understanding, or similar agreement, permitting Atlink Services to serve certain business customers with fiber broadband service for a defined period of time while a permanent operating agreement is developed

Perryman presented basis of this meeting is the letter sent to residents and other information distributed by Atlink and revolves around the deployment by Atlink to use the City easements and right-of-ways in an unregulated way. Perryman stated that no entity without authority can use City right-of-way. The operating agreement would provide that authority. Perryman ask Young if Atlink has been installing fiber in the right-of-way without a city permit and Young stated they have. McLeroy stated they are servicing nine business customers with fiber.

The Memorandum of Understanding is solution to let them continue serving customers until the operating agreement is developed. Perryman said the MOU will need to include customers, potential customers, and locations of facilities in right-of-way. He will contact Atlink for this information. Littleton stated the intent is not to harm businesses and he encouraged Atlink to send a proposed amendment. Smith stated it was never the intent of the City to disadvantage or force customers to be cut off from Atlink service. She stated the council wants citizens to have the best service no matter who provides it.

Motion was made by Littleton, seconded by McLeroy to approve the Memorandum of Understanding with recommendations, including list of 9 customers provided by Curtis and Castleberry providing location of existing fiber facilities in right-of-way, providing authority for City Manager and City Attorney to develop and negotiate agreement. Motion carried as follows:

Aye: Littleton, McLeroy, Smith and Buck

Nay: None

NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

Motion was made by McLeroy, seconded by Littleton to adjourn the City Council Meeting at 7:40 a.m.

Motion carried as follows:

Aye: Littleton, McLeroy, Smith and Buck

Nay: None

Attest:

Wendy Marble, City Clerk

Tommy Joe Chester, Mayor