

**REGULAR MEETING: MAY 8, 2007**

City. Councilman Kerley stated some of the same concerns and added that he would want at least a pump station on the lake for future water needs. Mr. Yoder stated that some of their citizens were against the pump station, but that the Board did not want to dismiss the pump station as an option. Based on the concerns expressed, Mayor Graham stated that if the water supply were made available at some future time, there might be a possibility a majority of the Council would agree to provisions for sewer capacity.

A motion was made by Councilman Wyatt, seconded by Councilman Kerley, that the City not allow sewer capacity to the Lake Tansi POA. Roll call votes: Ayes-(3)Duer, Kerley, Wyatt; Noes-(2)Dean, Graham. Motion carried.

**ITEM #7 – MATTERS RELATIVE TO PILOT TRAVEL CENTERS AGREEMENT**

City Attorney Kenneth Chadwell presented a proposed agreement with Pilot Travel Centers on the Genesis Road project. If the agreement is approved, an ordinance must be adopted for work to be conducted beyond the fiscal year. Pilot Travel Centers estimate that this location will produce \$4-4.5M in annual retail sales; 10-12 million gallons in fuel sales, and employ 45-60 employees with an annual payroll of \$900,000-\$1,000,000. A Wendy's will be located in the facility. Both the City Attorney and City Manager recommended approval of the proposed agreement.

A motion was made by Councilman Wyatt, seconded by Councilman Dean, that

1. the contract with Pilot Travel Centers be approved; and
2. the ordinance authorizing an agreement with Pilot Travel Centers for road and utility improvements on Genesis Road beyond the current budget year be passed on first reading.

Roll call votes: Ayes-(5)Dean, Duer, Graham, Kerley, Wyatt; Noes-(0). Motion carried.

**ITEM #8 – MATTERS RELATIVE TO WATER SERVICES CONTRACT WITH FALL CREEK FALLS UTILITY DISTRICT AND SOUTH CUMBERLAND UTILITY DISTRICT FOR INTERNATIONAL LAND CONSULTANTS**

A water services contract prepared by the City Attorney and Don Scholes, attorney for SCUD, was presented for consideration by Council. It has already been approved by the boards of Fall Creek Falls Utility District and South Cumberland Utility District. Mr. Chadwell stated that he also represents International Land Consultants. The agreement calls for a capacity fee of \$175,000 being paid by the developer to the City on or before January 1, 2008. (A copy of the agreement is attached and made a part of these minutes.)

Councilman Wyatt expressed concerns about the agreement to furnish water without a specific capacity amount. It was pointed out that the agreement states that the Purchaser's demand cannot exceed the City's capacity to furnish potable treated water with all current purchasers being guaranteed first. Mr. Vincent stated that since they will be paying \$1.64 to the prison for water supply and the price through SCUD and the City will be \$3.14, it can be assured that they will maximize purchasing the water from the prison supply. However, it was agreed that a cap of 10,000,000 gallons per month could be included in the agreement.

A motion was made by Mayor Graham, seconded by Councilman Duer, that the Water Services Contract with Fall Creek Falls Utility District and South Cumberland Utility District, subject to a cap of 10,000,000/gallons per month, be approved. Roll call votes: Ayes-(5)Dean, Duer, Graham, Kerley, Wyatt; Noes-(0). Motion carried.