

Charter Communications Public Hearing Meeting Minutes
Audubon Park City Hall
3340 Robin Road

December 10, 2023, 5:00PM

The City Council of Audubon Park held a **public hearing** December 10, 2023 regarding the cable television franchise of Charter Communications Inc. (locally doing business as Spectrum). Public hearing was to discuss to afford the public in the City of Audubon Park appropriate notice and participation for the purpose of (A) identifying the future cable-related community needs and interests, and (B) reviewing the performance of Charter Communications Inc. under the company's cable television franchise during the current franchise term. The following were present Mayor Madeline Bozeman, City Clerk Cecilia Niemann, Councilors: Elyse Shackleton, Pete Becker, Brenda Hartman, Austin Schwenker, Joe Brenner, (Michael Hartman absent) and Detective Mike Murdoch.

Call to Order

The Mayor called the meeting to order at 5:00PM.

Public Hearing Statement

The Mayor presented the public hearing to be discussed. Mayor Bozeman stated that the City must determine:

1. Whether Charter Communications has substantially complied with the material terms of the franchise and applicable law.
2. Whether the quality of Charter Communications service, including signal quality, response to consumer complaints, and billing practices, but without regard to the mix or quality of cable services or other services provided over the system has been reasonable in light of community needs.
3. Whether Charter Communications has the financial, legal, and technical ability to provide services, facilities, and equipment in the City of Audubon Park.
4. Whether Charter Communications can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

Mayor Bozeman noted that the Cable Act provides that final decision not to renew a cable franchise must be based on an adverse finding with respect to one of these four factors. Additionally, she stated "Please be advised that pursuant to federal law, the City cannot consider cable rates or issues related to phone or internet service when making its decision on the renewal of the cable franchise."

She opened the floor for public comments allowing members of the audience one opportunity to speak, stating their name and address and to keep comments to three minutes.

Public Comments

Mike Hellmueller - **1301 Audubon Pkwy** - commented on Charter Communication's service after the spring storms. Spectrum was contacted about the low-hanging and unsightly wires after the storm. The wires are an eyesore, but they have not been fixed. Roughly ten phone calls have been made, but there is still no bucket truck came to fix the wires even though he told the Charter employees a bucket truck would be necessary to fix the wires. Mike Hellmueller showed frustration stating that it should not take this long to fix the wires. The Mayor stated that the proceedings shall remain open while the City gathers the information it needs to make its decision regarding renewal.

Tony Williams - **3120 Sora** – commented on the availability of other companies. About 2 and 1/2 years ago, Spectrum was contacted to run some lines in the easement. Mr. Williams informed the council that spectrum stated they couldn't run lines in the easement because tree branches were in the way and stated that spectrum said it was not their job to

clear the easement in the backyard. Mr. Williams suggested that Spectrum should have an agreement with LG&E for such cases. Because Spectrum was not available due to the trees in the easement, AT&T was chosen instead of Spectrum. Tony Williams suggested that the city investigate the telecommunication companies that are operating in Audubon Park. The Mayor stated that the proceedings shall remain open while the City gathers the information it needs to make its decision regarding renewal.

Councilor Brenner clarified with Mr. Williams on his suggestion and Councilor Schwenker reminded the parties that we needed to stay on topic to the agenda that was presented and read at the beginning of the meeting.

The Mayor stated that the proceedings shall remain open while the City gathers the information it needs to make its decision regarding renewal and that the minutes would be available to Spectrum.

Councilor Brenner recapped with Mr. Hellmueller to make sure that his service worked but that it was just an eyesore. Mr. Hellmueller confirmed.

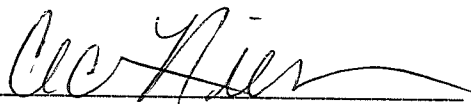
The Mayor asked Mr. Williams if Spectrum was available would he use Spectrum. He said he would.

There were no other comments.


The Mayor asked for a motion to adjourn the meeting. Austin Schwenker made a motion to adjourn. Joe Brenner seconded, and the motion passed with 5 in favor (Elyse Shackleton, Pete Becker, Brenda Hartman, Austin Schwenker, and Joe Brenner) 1 absent (Michael Hartman).

The meeting adjourned at 5:14PM.

Attested



Approved



Mayor