

SOUTH FULTON CITY COMMISSION  
SOUTH FULTON, TENNESSEE  
February 17, 2005

PUBLIC HEARING

- A. Proposed Amendment for Rezoning Three Parcels on Broadway from B3 to R2

AGENDA

OLD BUSINESS

- A. Purchase Agreement for 132 Broadway (Former City Hall)
- B. Options for Cable Franchise

NEW BUSINESS

- A. DAR Flag Project – Lora James
- B. First Reading Ordinance #2005-1 (Amendment to Municipal Zoning Map)
- C. First Reading Ordinance #2005-2 (Burning)
- D. Schedule Special Called Meeting (Second Reading Ord. #2005-2)
- E. Correspondence From George Chambers to Waive Delinquent Taxes
- F. Request from Edgar Johnson to Waive Delinquent Taxes
- G. Adoption Short-Term Goals

MINUTES

CALL TO ORDER

Mayor James called the meeting to order at 5:06 p.m. (following public hearing). Commissioner Moody gave the invocation and Mr. Ivey led the Pledge of Allegiance.

ROLL CALL BY RECORDER

Roll call was taken by City Recorder Beadles. Those present were D James, R Haskins, W Kane, C Moody, T Pettigrew, K Dillon, K Ivey, T Mulcahy, thirty citizens and two media personnel.

MAYOR'S WELCOME

Mayor James welcomed those in attendance.

APPROVAL OF MINUTES

Commissioner Kane moved to approve minutes from January 20, 2005 as presented. Commissioner Haskins seconded the motion. All voted aye. Motion carries.

REVIEW OF JANUARY DISBURSEMENTS

Commissioner Haskins moved to approve January disbursements. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

#### REVIEW OF YEAR-TO-DATE BUDGET

There was no action taken.

#### DEPARTMENT REPORTS

Commissioner Moody moved to suspend reading of department reports and approve as presented. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

#### QUESTIONS, COMMENTS, SUGGESTIONS FROM CITIZENS

James Pierce, 100 Wild Cherry Lane, stated he and some other residents have obtained an attorney to make some changes in South Fulton. He stated the sale of the former city hall should be put out for bids, requested that 1988 sewer surcharge be removed since bond has been paid off, and stated he was in support of former Mayor Greer's involvement to change the voting process.

#### OLD BUSINESS

##### PURCHASE AGREEMENT @ 132 BROADWAY (FORMER CITY HALL)

Rev. Buster Johnson, Pastor of South Fulton Antioch Missionary Baptist Church, presented two options to the board. He stated the church's plans are to renovate the property or level the building and rebuild.

Mr. Ivey stated the city should require reversion clause in deed. He stated this would allow property to revert back to the city should the terms of the agreement not be met by the church by dates agreed upon by both parties.

Commissioner Kane moved to accept bid from church and that deed include reversion clause, that demolition start within eight (8) months from date deed is signed and completion of cleanup by September 2006. Commissioner Haskins seconded the motion. In roll call vote, Commissioners Haskins, Kane, Moody and Mayor James voted aye. Commissioner Pettigrew abstained. (He is a member of church board). Motion carries 4-0.

Rev. Johnson presented a letter to the recorder with a check in the amount of \$99.00 (the balance of purchase offer for former city hall property).

#### OPTION FOR CABLE FRANCHISE

Ms. Dillon made several recommendations for cable franchise ordinance. The recommendations include 90 day notice, delete section 3.5, no problem with general liability that company presently carries, Section 7 – list locations, quarterly payments within 75 days after quarter ends is unacceptable, Section 10 – mutual agreement for five years, section 11 – typographical error, Section 14 – require performance bond – could reduce amount to \$25,000 - \$30,000.

Commissioner Moody moved to authorize city manager to propose cable franchise agreement to New Wave Communication as recommended above. Commissioner Kane seconded the motion. All voted aye. Motion carries.

#### NEW BUSINESS

##### DAR FLAG PROJECT – LORA JAMES

Ms. James stated the Jacob Flournoy Chapter, DAR, is raising money to purchase American flags to be donated to the twin cities of South Fulton, TN and Fulton, KY. She stated the DAR chapter requests commission approval of this project. She stated the public works department would be responsible for putting the flags up and removing them on days designated by the DAR and safe storage of flags when not in use. She stated the flags should be flown on Memorial Day, Flag Day, Independence Day, Labor Day, Veterans Day and Pearl Harbor Day (Dec 7).

Commissioner Kane moved to accept flag project from DAR as presented. Commissioner Moody seconded the motion. All voted aye. Motion carries.

##### FIRST READING ORDINANCE #2005-1 (AMEND ZONING MAP)

Commissioner Moody moved to approve first reading of Ordinance #2005-1 (ordinance to amend the municipal zoning map of the City of South Fulton by rezoning property along Broadway Street from B-3 (Business) to R-2 (Medium Density Residential). Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

##### FIRST READING ORDINANCE #2005-2 (BURNING ORDINANCE)

Commissioner Kane moved to approve first reading of Ordinance #2005-2 (ordinance to establish regulations for open outdoor burning). Commissioner Moody seconded the motion. In discussion, Fire Chief Smith stated there should be no verbal permits issued. Ms. Dillon stated she would remove section that outdoor cooking (grilling) requires a permit. Commissioner Kane moved to amend his motion as verbally recommended. Commissioner Moody seconded the amended motion. All voted aye. Motion carries.

##### REQUEST FROM GEORGE CHAMBERS TO WAIVE DELINQUENT TAXES

A request has been made from Mr. Chambers to waive delinquent taxes on properties he has purchased at 302 Taylor Street and vacant property located on Key Street.

Commissioner Moody moved to table this issue and discuss at the special called meeting. Commissioner Haskins seconded the motion. All voted aye. Motion carries.

REQUEST FROM EDGAR JOHNSON TO WAIVE DELINQUENT TAXES

Commissioner Kane moved to table this issue and discuss at the special called meeting. Commissioner Moody seconded the motion. All voted aye. Motion carries.

ADOPTION OF SHORT-TERM GOALS

Commissioner Haskins moved to adopt short-term goals for the City of South Fulton which include annexation study, beautification program, city website, utilization of power point at commission meetings, operational review by MTAS of all departments, develop garden area on E State Line and Broadway, football field proposal and state financial aid. Commissioner Moody seconded the motion. All voted aye. Motion carries.

TML LEGISLATIVE CONFERENCE

Commissioner Kane moved that City Manager and Mayor should attend TML annual conference in Nashville on March 7<sup>th</sup> and 8<sup>th</sup>. Commissioner Haskins seconded the motion. Commissioners Haskins, Kane, Pettigrew and Mayor James voted aye. Commissioner Moody voted nay. Motion carries with 4-1 vote.

FIRST READING ORDINANCE #2005-3 (DELETE ORD #2004-4)

Commissioner Haskins moved to approve first reading of Ordinance #2005-3 (ordinance to delete Ordinance #2004-4). Commissioner Moody seconded the motion. After brief discussion, Commissioner Moody withdrew his second. Motion dies for lack of a second.

REPORT FROM MAYOR

Mayor James reported that Paul Chamblis, TML, presented a 4-hr program to commission, public works, police and fire departments on February 11<sup>th</sup> regarding workers comp, sexual harassment, general liability, etc.

REPORT FROM CITY MANAGER

Ms. Dillon had no report.

ADJOURNMENT

Commissioner Moody moved to adjourn at 7:10 p.m. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

ATTEST: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_  
RECORDER MAYOR