

SOUTH FULTON CITY COMMISSION
SOUTH FULTON, TENNESSEE
APRIL 22, 2004

AGENDA

OLD BUSINESS

- Appointment to Ambulance Board
- Festival Committee Donation Request
- Job Descriptions – Police Department
- Second & Final Reading of Ordinance #2004-3 (Motor Vehicle Registration)

NEW BUSINESS

- Action on Bids Received – Public Works Building
- Resolution #2004-3 (Authorization to Sell Old Public Works Bldg & Grounds)
- Further Discussion/Action On Old City Hall & Central Ave. Property
- First Reading Ordinance #2004-4 (Amendment to Motor Vehicle Registration “Plain View Doctrine”)
- Select Date for Next Budget Retreat
- Municipal Complex Open House Announcement
- First Reading of Ordinance #2004-5 (Calling of Election to Elect City Commissioners)

MINUTES

CALL TO ORDER

Mayor Greer called the meeting to order. Mayor Greer gave the invocation and Commissioner James led the Pledge of Allegiance.

ROLL CALL BY RECORDER

Roll call was taken by Recorder Beadles. Present were Mayor K. Greer, Commissioners J. Bivens, C. Moody, and T. Pettigrew, City Manager K. Dillon, City Attorney K. Ivey, and Recorder D. Beadles.

MAYOR’S WELCOME

Mayor Greer welcomed all in attendance and reviewed the procedures to be followed during citizen comments.

APPROVAL OF MINUTES

Minutes of the March 18, 2004 and March 25, 2004 were included in each meeting packet for review.

Commissioner Bivens moved to approve minutes from meetings of March 18, 2004 and March 25, 2004 as presented. Commissioner James seconded the motion. All voted aye. Motion carries.

REVIEW OF MARCH DISBURSEMENTS

Commissioner Bivens moved to approve March disbursements as presented. Mayor Greer seconded the motion. All voted aye. Motion carries.

REVIEW OF YEAR-TO-DATE BUDGET

Ms. Dillon stated Local Government printed the monthly report minutes before the meeting.

DEPARTMENT REPORTS

Mayor Greer read the Police, Fire and Public Works Department Reports as presented in their packets.

Commissioner Moody moved to accept the Police and Fire Department Reports. The motion died for lack of second. Ms. Dillon stated that the commission has not been satisfied with the public works report. Mayor Greer asked that public works director, city manager, and Commissioner Moody meet to come up with something satisfactory.

Mayor Greer moved to accept all reports as presented. Commissioner Bivens seconded the motion. In roll call vote, Commissioners Bivens, James and Pettigrew and Mayor Greer voted aye. Commissioner Moody voted nay. Motion carries with 4-1 vote.

COMMENTS ON NON-AGENDA ITEMS ONLY

Phil Stone, 205 W. Smith Street, complained of a house in disrepair across the street from his business, New Attitudes on Broadway.

Mayor Greer directed the city manager to draft a letter to property owner of said house with options.

Tammy Puckett, 404 Williams Street, complained of vehicle at location adjacent to her property that is not state licensed, has no city sticker, has not been moved in months. She also complained of unnecessary noise at the same location when resident comes onto the property, the horn is blown regardless of the time of day or night.

Police Chief Crocker stated citations have been issued for vehicle which is not in running condition, but citation cannot be issued by officer for unnecessary noise if he does not hear the noise.

OLD BUSINESS'

APPOINTMENT TO AMBULANCE BOARD

Mayor Greer moved to nominate David Lamb to fill vacancy on Ambulance Board. Commissioner Moody seconded the motion. All voted aye. Motion carries.

FESTIVAL COMMITTEE DONATION REQUEST

Commissioner Bivens stated the festival committee is working on several events for May 15th including a free concert with Lou Jetton and 61 South Band, open house of the municipal complex, concessions. He stated there will be fund raisers in the future but at this time, he requested \$3000 donation from the city - \$1000 from sale of city manager car and \$2000 from sale of public works property on Rosenwald Street. He stated the committee has received donation of \$400 from BWSC.

Mayor Greer moved that commission donate \$3000 to festival committee. Commissioner Moody seconded the motion. In roll call vote, Commissioners Moody and Pettigrew and Mayor Greer voted aye. Commissioners Bivens and James abstained as they are members of the Committee. Motion carries.

JOB DESCRIPTIONS – POLICE DEPT

Commissioner Moody moved to accept job descriptions for police department as presented in their packet. Commissioner Bivens seconded the motion. All vote aye. Motion carries.

SECOND & FINAL READING OF ORDINANCE #2004-3

Mayor Greer moved to approve the second and final reading of Ordinance #2004-3 (ordinance to require registration for certain motor vehicles, provide for registration fees and charges and to provide for penalty for violation of this ordinance). Commissioner Moody seconded the motion. In roll call vote, all voted aye. Motion carries.

NEW BUSINESS

ACTION OF BIDS RECEIVED – PUBLIC WORKS BUILDING

Mayor Greer stated that three bids were received and opened on April 14, 2004 for the public works building on Rosenwald. Those submitting bids were David Peebles - \$2000, Mary Nell Tucker - \$250, Jeremy McCoy - \$500.

Mayor Greer moved to accept bid of \$2000 submitted by David Peebles for public work property. Commissioner Moody seconded the motion. All voted aye. Motion carries.

RESOLUTION #2004-3

Mayor Greer moved to adopt Resolution #2004-3 (resolution authorizing the sale of the former public works building and grounds). Commissioner Bivens seconded the motion. All voted aye. Motion carries.

FURTHER DISCUSSION ACTION ON OLD CITY HALL & CENTRAL AVE PROPERTY

Mayor Greer stated there were no bids received on the old city hall property, but a letter was received from the South Fulton Antioch Missionary Baptist Church that they were interested in the property. He asked Ms. Dillon to contact Rev. Johnson regarding their plans. Mayor

Greer stated a bid was received from Dick Swader, 309 Central Ave, regarding adjacent property (old city park) in the amount of \$500.

Mayor Greer moved to accept the proposal from Dick Swader in the amount of \$500 for property located on Central Avenue. Commissioner Bivens seconded the motion. All voted aye. Motion carries.

Commissioner Bivens moved that Mr. Ivey draft a quitclaim deed regarding the property on Central Avenue authorizing Mayor Greer to sign. Commissioner James seconded the motion. All voted aye. Motion carries.

FIRST READING ORDINANCE #2004-4

There was discussion regarding police officers on private property for the purpose of issuing city sticker violations. Chief Crocker stated he had received legal description from District Attorney's office (attached) explaining plan view doctrine.

Commissioner James asked if this was not a violation of the 4th Amendment. Chief Crocker stated if the officer can see that a city sticker is not maintained on the license plate of the vehicle, he is within the law. He stated that officers will not go in back yards or look in garages.

Mayor Greer moved to approve the first reading of Ordinance #2004-4 (ordinance to amend Ordinance #2004-3, Section 4, regarding entrance onto private property for the purpose of inspection of a motor vehicle registration sticker). Commissioner Moody seconded the motion. In roll call vote, Commissioners Moody, Pettigrew, Bivens and Mayor Greer voted aye. Commissioner James voted nay. Motion carries with 4-1 vote.

SELECT DATE FOR NEXT BUDGET RETREAT

Ms. Dillon requested a budget retreat with the commission to give her direction on several items. Mayor Greer and commissioners agreed to meet on Wednesday, April 28th at 8 a.m. at the Harvey Vick Community Room.

MUNICIPAL COMPLEX OPEN HOUSE ANNOUNCEMENT

Ms. Dillon stated the municipal complex open house would be held on Saturday, May 15th beginning at 3 p.m. She stated concessions would be sold and announced a free concert by Lou Jetton to be held later in the evening.

FIRST READING ORDINANCE #2004-5

Mayor Greer moved to approve the first reading of Ordinance #2004-5 (ordinance to call an election to elect city commissioners). Commissioner Bivens seconded the motion. All voted aye. Motion carries.

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REPORT FROM MAYOR

Mayor Greer had no report.

REPORT FROM CITY MANAGER

Ms. Dillon had no report.

QUESTIONS, COMMENTS, SUGGESTIONS FROM CITIZENS – AGENDA ITEMS

Ron Haskins, 411 McCall Street, complained about the city sticker ordinance.

ADJOURNMENT

Mayor Greer moved to adjourn at 6:15 p.m. Commissioner James seconded the motion.
All voted aye. Motion carries.