

SOUTH FULTON CITY COMMISSION
SOUTH FULTON, TENNESSEE
JUNE 16, 2005

PUBLIC HEARING

- A. Public Comments on Proposed Fireworks Ordinance

AGENDA

OLD BUSINESS

- A. Railroad Museum
- B. MTAS Study

NEW BUSINESS

- A. E. Paducah & Forestdale Ditch
- B. First Reading Ordinance #2005-4 (Fireworks)
- C. Resolution #2005-2 (National Incident Management System)
- D. Resolution #2005-3 (Establish Fines Associated with Open Burning Violation)
- E. Resolution #2005-4 (Establish Fines Associated with Sale & Use of Fireworks)
- F. Recommendation & Approval of Engineering Bids Submitted for Proposed CDBG Sewer Rehab Project
- G. Establish Special Called Meetings for Budget Workshop, Budget Hearing, & Fireworks Ordinance
- H. Resolution #2005-6 (Maximum Number of Temporary Business Licenses Sold for the Sale of Fireworks)
- I. Resolution #2005-7 (Age Requirements to Buy or Sell Fireworks)
- J. Proclamation - Veterans

MINUTES

OPEN PUBLIC HEARING

Mayor James opened the public hearing on Thursday, June 16, 2005 at 5:00 p.m. at South Fulton Municipal Complex. There were approximately twelve residents present.

PURPOSE OF THE PUBLIC HEARING

Mayor James stated the purpose of the public hearing was to hear comments on proposed fireworks ordinance. City Manager Kathy Dillon read Ordinance #2005-4 (ordinance to establish regulations from the sale and use of fireworks).

Brent Greer, owner of several fireworks stands, stated he has been selling fireworks for about twenty years and was unaware of a problem with the number of fireworks stands. He stated the company he rents the tents from, sets up the tents and

though they are set up early, they also come down the first business day after July 4th. Mr. Greer stated there are about ten fireworks booths set up each year in South Fulton, four of which belong to him. He stated if commission sets maximum number of licenses to be sold, what is to keep someone from purchasing all licenses. Mr. Greer stated he would need to know in April when licenses would be available for purchase, how many licenses are to be issued and how many licenses can be issued to one vendor, as he orders his fireworks in April of each year, as do other fireworks vendors.

CLOSE PUBLIC HEARING

Mayor James closed the public hearing at 5:20 p.m.

OPEN REGULARLY SCHEDULED MEETING CALL TO ORDER

The meeting was called to order by Mayor David James on Thursday, June 16, 2005 at 5:20 p.m., invocation was given by Commissioner Charles Moody and Pledge of Allegiance led by Commissioner William Kane.

ROLL CALL BY RECORDER

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

MAYOR'S WELCOME

Mayor James welcomed everyone in attendance to the meeting.

APPROVAL OF MINUTES

Commissioner Haskins moved to approve the minutes of meetings from May 6 and 19, 2005 and public hearing from May 19, 2005 as presented. Commissioner Kane seconded the motion. All voted aye. Motion carries.

REVIEW OF MAY DISBURSEMENTS

Commissioner Moody moved to approved May disbursements. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

REVIEW OF YEAR-TO-DATE BUDGET

Ms. Dillon stated she had met with the auditors and is comfortable with the figures in the reports.

DEPARTMENT REPORTS

Commissioner Kane moved to accept department reports as presented. Commissioner Moody seconded the motion. All voted aye. Motion carries.

QUESTIONS, COMMENTS, SUGGESTIONS FROM CITIZENS

There were no comments from citizens.

OLD BUSINESS

RAILROAD MUSEUM – TRAINCAR

Commissioner Moody stated that city had offered two locations for train car – skid row and behind the old city hall.

Commissioner Haskins moved to notify Railroad retirees to find another location for their train car. Commissioner Moody seconded the motion. All voted aye. Motion carries.

DIRECTION OF MTAS STUDY

David Angerer, MTAS, stated the least involved studies would be in police and fire departments, most involved studies being in administrative/office. Mr. Angerer stated it would be four to six months before MTAS could schedule any studies in South Fulton.

Commissioner Haskins moved to direct city manager to authorize MTAS evaluation under condition that commission follows all MTAS recommendations. Commissioner Moody seconded the motion. In discussion, Commissioner Kane stated he had a problem with condition that commission follow MTAS recommendations as some may be very costly. Commissioner Haskins amended his motion to consider MTAS recommendations. Commissioner Moody seconded the amendment. All voted aye. Motion carries.

NEW BUSINESS

DITCH – EAST PADUCAH & FORESTDALE

Commissioner Haskins stated he looked at the ditch and drainage problem is caused by actions of private property owner. Ms. Dillon stated two options are available – take legal action or authorize public works to clean up.

Commissioner Haskins moved to table until MTAS can be notified and respond. Commissioner Kane seconded the motion. All voted aye. Motion carries.

FIRST READING ORDINANCE #2005-4 (FIREWORKS)

Ms. Dillon presented copy of Ordinance #2005-4 (ordinance to establish regulations for the sale and use of fireworks). The commission reviewed the ordinance agreeing/amending/completing sections as presented. Section 1-B. Regulate number of licenses sold – maximum of ten licenses sold. Section 1-C. Owners of fireworks stand shall be permitted to purchase only one license per permitted occasion. Commissioners suggested up to five, but did not amend. Section 1-D. Temporary licenses will be sold

on a first come first serve basis beginning March 1 of each calendar year. Fireworks may be sold fourteen days prior to and one day following the approved occasion. Section 1-G. Fireworks may only be sold to persons eighteen years of age or older. Section II-A. Hours – 11 p.m. on July 4th and New Years Eve. 10 p.m. at other times.

Commissioner Kane moved to approve the first reading of Ordinance #2005-4 (ordinance to establish regulations for the sale and use of fireworks). Commissioner Moody seconded the motion. All voted aye. Motion carries.

RESOLUTION #2005-2 (NATIONAL INCIDENT MANAGEMENT SYSTEM)

Commissioner Moody moved to adopt Resolution #2005-2 (resolution adopting the National Incident Management System established by the United States Department of Homeland Security for all emergency responses by departments in the City of South Fulton, County of Obion, Tennessee and for other purposes). Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

RESOLUTION #2005-3 (ESTABLISH FINES FOR OPEN BURNING VIOLATIONS)

Commissioner Kane moved to adopt Resolution #2005-3 (resolution to set fines resulting from violation of open burning Ordinance #2005-2). Commissioner Moody seconded the motion. All voted aye. Motion carries.

RESOLUTION #2005-4 (ESTABLISH FINES FOR FIREWORKS VIOLATIONS)

Commissioner Moody moved to adopt Resolution #2005-4 (resolution to set fines resulting from violation of fireworks Ordinance #2005-4). Commissioner Kane seconded the motion. All voted aye. Motion carries.

RESOLUTION #2005-5 (SET OCCASIONS FOR SALE OF FIREWORKS)

Commissioner Kane moved to adopt Resolution #2005-5 (resolution to set approved occasions for the sale of fireworks as regulated in Ordinance #2005-4). Commissioner Moody seconded the motion. All voted aye. Motion carries.

RESOLUTION #2005-6 (BUSINESS LICENSES SOLD FOR SALE OF FIREWORKS)

Commissioner Kane moved to adopt Resolution #2005-6 (resolution to determine the maximum number of temporary business licenses sold for the sale of fireworks as regulated by Ordinance #2005-4). Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

RECOMMENDATION & APPROVAL OF ENGINEERING BIDS SUBMITTED FOR PROPOSED CDBG SEWER REHAB PROJECT

Ms. Dillon stated CDBG Engineering Bid committee met last week to review bids submitted from five firms for proposed CDBG sewer rehab project. She stated the committee's recommendation is for TLM Associates.

Mayor James moved to accept committee's recommendation of TLM Associates as engineering firm for proposed CDBG sewer rehab project. Commissioner Pettigrew seconded the motion. In roll call vote, all voted aye. Motion carries.

ESTABLISH SPECIAL CALLED MEETINGS FOR BUDGET WORKSHOP, BUDGET HEARING, FIREWORKS ORDINANCE

The following dates were set for special meetings - June 27, 2005, 9 a.m. – Budget workshop; June 30, 2005, 5 p.m. – First reading of budget ordinance; July 7th – Public hearing for budget with Special Called Meeting following for second and final reading of budget ordinance.

AMEND ORDINANCE #2005-4 (FIREWORKS)

Commissioner Kane moved to amend Ordinance #2005-4, Section 1-G, to read that fireworks shall only be sold to or bought from persons eighteen years of age or older. Commissioner Haskins seconded the motion. All voted aye. Motion carries.

RESOLUTION #2005-7 (AGE LIMIT TO BUY OR SELL FIREWORKS)

Commissioner Kane moved to adopt Resolution #2005-7 (set age limit of persons allowed to buy or sell fireworks). Commissioner Moody seconded the motion. All voted aye. Motion carries.

EXTEND CURRENT BUDGET

Commissioner Moody moved to extend current budget through July 21, 2005. Commissioner Kane seconded the motion. All voted aye. Motion carries.

PROCLAMATION

Commissioner Moody moved to authorize Mayor James to honor veterans through proclamation to be presented at event sponsored by the DAR. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

ADJOURNMENT

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

ATTEST: _____ APPROVED BY: _____
RECORDER MAYOR