

SOUTH FULTON CITY COMMISSION  
SOUTH FULTON, TENNESSEE  
SEPTEMBER 30, 2004

AGENDA

OLD BUSINESS

- A. Second & Final Reading Ordinance #2004-9 (Refuse/Trash)
- B. Second & Final Reading Ordinance #2004-12 (Animal Control)
- C. Approval of Amended Budget FY2004-05
- D. Adopt Resolution #2004-5 (TML Bond)
- E. Repairs to Public Works Truck #5

MINUTES

CALL TO ORDER

Vice Mayor Bivens called the meeting to order at 5:00 p.m. Commissioner James led the Pledge of Allegiance.

ROLL CALL

Roll call was taken by City Recorder Beadles. Those present were J Bivens, D James, C Moody, T Pettigrew, K Dillon, K Ivey and D Beadles. There were approximately twenty citizens and one media personnel in attendance.

MAYOR'S WELCOME

Vice Mayor Bivens welcomed everyone in attendance, but dispensed with formal welcome.

APPROVAL OF MINUTES

Vice Mayor Bivens moved to approve the minutes from the public hearing and the regular meeting of August 19, 2004 as presented. Commissioner Moody seconded the motion. All voted aye. Motion carries.

REVIEW OF AUGUST DISBURSEMENTS

Vice Mayor Bivens moved to approve August disbursements as presented. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

REVIEW OF YEAR-TO-DATE BUDGET

Ms. Dillon stated budget is well within spending limits with two months into the new budget year. She stated funds are out of balance, but auditors would make adjusting entries as part of their audit process.

DEPARTMENT REPORTS

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

#### COMMENTS ON NON-AGENDA ITEMS ONLY

Ms. Dillon stated there were some miscommunications regarding the proposed amendments to the utility ordinance from the last meeting. She stated the current deposits are \$100 water and \$200 gas for renters. She stated first readings of ordinances approved at the last meeting were on refuse and animal control. She also stated the board decided to go back to the drawing board on the rental issue and it is not on the agenda this evening. She stated a public hearing will be held when the issue is revisited.

Doris Harrison, 130 Central, commented on debris in the creek.

Sonny Horton, 708 Forestdale, complained about water meters on his property.

Major Martin, 115 Mott, also complained about debris in the creek.

Bing Crosby, 313 Broadway, presented a petition (about 30 signatures) from rental property owners who oppose utility bills being their responsibility rather than the renter.

George Chambers, 809 Key, stated he had presented a petition of properties in his area that have been condemned and need to be cleaned up, but nothing has been done.

Phil Stone, owner of New Attitudes, complained again of property across street that has not been cleared of debris from fire that occurred years ago.

Ms Dillon stated she would address creek and water meters. She stated she is working on cleaning up properties, that there is a process which has to be followed and it just takes time. She stated the county has acquired several properties from tax sale. She spoke with Mayor Long who wants to sell those properties. She stated she informed him that the city has no interest in purchasing properties, but expects them to be brought up to code. She also stated she would include a copy of Mr. Chambers' petition in Commissioner's packets.

#### OLD BUSINESS

##### SECOND & FINAL READING ORDINANCE #2004-9 (REFUSE/TRASH)

Vice Mayor Bivens moved to approve second and final reading of Ordinance #2004-9 (ordinance to amend South Fulton Municipal Code Title 17, Refuse and Trash Disposal). Commissioner Moody seconded the motion. All voted aye. Motion carries.

##### SECOND & FINAL READING ORDINANCE #2004-12 (ANIMAL CONTROL)

Vice Mayor Bivens moved to approve second and final reading of Ordinance #2004-12 (ordinance to amend the City of South Fulton Municipal Code by replacing Title 10, Section 10-107). Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

APPROVAL OF AMENDED BUDGET FY2004-05

This item tabled until next meeting.

ADOPT RESOLUTION #2004-5 (TML BOND)

Vice Mayor Bivens moved to adopt Resolution #2004-5 (resolution of the City of South Fulton, Tennessee, authorizing the issuance of interest bearing taxable general obligation capital outlay notes, series 2004, in an amount not to exceed \$600,000, and providing for the payment of said notes). Commissioner Moody seconded the motion. All voted aye. Motion carries.

REPAIRS TO PUBLIC WORKS TRUCK #5

Vice Mayor Bivens moved to add repairs to public works truck #5 to agenda. Commissioner Pettigrew seconded the motion. All voted aye. Motion carries.

Ms. Dillon presented five options to the board regarding repairing public works truck #5 (two-ton diesel) or purchasing a new truck. Ms. Dillon recommended Option #4, which included city purchasing parts at a cost of about \$1100 and Purchase Training Center, Mayfield, KY, would provide labor at no cost to the city (no warranty). She stated worst scenario cost to be about \$3000 depending on any additional problems.

Vice Mayor Bivens moved to accept Option #4 as recommended by City Manager. Commissioner James seconded the motion. In roll call vote, Commissioners James, Pettigrew and Vice Mayor Bivens voted aye. Commissioner Moody voted nay. Motion carries with 3-1 vote.

REPORT FROM MAYOR

Vice Mayor Bivens had no report.

REPORT FROM CITY MANAGER

Ms. Dillon stated the auditors are here and office staff is assisting them.

QUESTIONS, COMMENTS, SUGGESTIONS FROM CITIZENS – AGENDA ITEMS

Sam Miller, 227 Fourth, questioned if there was a reason city could not go to bank to borrow money, reason for borrowing this money, questioned the amount of debt of city, city manager's relationship with the Industrial Board, where Industrial Board gets their money and would like to see the city take control of the Industrial Board and get city back on track, and is police department going to be contracted out.

Ms. Dillon stated city could get better rates through TML. She stated monies are to replace funds that were used for this building, two bridges on Central Ave and Forestdale, new communication system. She stated debt of the city totals \$2.6 million and with new bond would total \$3.2 million. She also stated the city has \$11 million in assets, that this is the best situation for the city. She stated monies from reserves were used for municipal building project. She

stated she communicates with the Industrial Board. Ms. Dillon also stated that since the industrial board is being billed just like any other vendor for services provided. She stated police department is not going to be contracted out. She stated in reviewing what other cities do, contracting out police and fire departments were mentioned. Vice Mayor Bivens stated industrial board gets some monies from Tyson taxes (about \$17,000 annually).

Ron Haskins, 411 McCall, stated the municipal building project was approved during a different administration, previous to Ms. Dillon's employment with the city. He stated the industrial board owes the city \$65,000. He also stated if you don't have monies in reserves, you have problems.

Phil Stone, 205 W Smith, asked what effect I-69 will have on South Fulton. Ms. Dillon stated state of Tennessee is paying for this project and plans are for 51 to become I-69 right up to South Fulton. She also stated plans could change as state of Kentucky has not made decision to date.

Ms. Dillon stated the commission had asked that office staff pull out information regarding rental properties (about 40 plus rental properties) and it is going to take some time to get information together. She stated Commissioner Pettigrew asked her to inquire of other communities as to how they handle this situation.

Vice Mayor Bivens stated that Richard Lewis had a good idea and asked if he would contact city manager and relay information to her.

Robert Vanderford, county resident, suggested a special meter be installed for resident to prepay for water/gas and when they run out of what has been paid for, the meter would automatically cut off.

Vice Mayor Bivens moved to adjourn at 6:10 p.m. for five minutes and resume in executive session to discuss personnel matters. Commissioner James seconded the motion. All voted aye. Motion carries.

Vice Mayor Bivens opened the executive session at 6:20 p.m. to discuss the following personnel issues: City Manager, Attorney fees, City Judge and full-time clerk position. Vice Mayor Bivens closed the executive session at 6:53 p.m.

Vice Mayor Bivens resumed the regular commission meeting immediately following the executive session. Vice Mayor Bivens stated issues discussed in executive session will be tabled until special called meeting can be scheduled. He stated he would contact Mayor Greer.

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ADJOURNMENT

Vice Mayor Bivens moved to adjourn at 6:55 p.m. Commissioner James seconded the motion. All voted aye. Motion carries.

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