

CITY OF SOUTH FULTON, GEORGIA
South Fulton Service Center Auditorium, 5600 Stonewall Tell Road
Tuesday, July 25, 2017, 5:00PM



The Honorable William “Bill” Edwards, Mayor (present)
The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (absent)
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (absent)
The Honorable khalid kamau, District 6 Councilmember (present)
The Honorable Mark Baker, District 7 Councilmember (present)

WORK SESSION MINUTES

The Work Session was called to order by Mayor Edwards at 5:00pm. Following the roll call, it was announced that a quorum was present.

~~1. Review of the July 25, 2017 Regular Meeting Agenda~~

The Mayor stated that the Work Sessions were designed to handle procedural matters. Then he asked the Interim City Manager if there were any procedural issues to discuss with respect to the agenda.

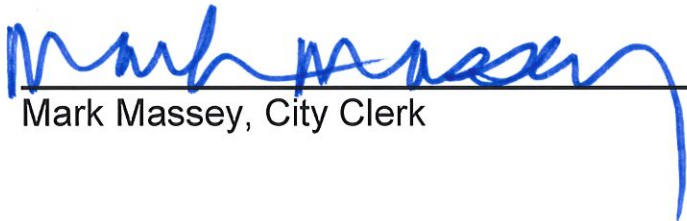
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The Interim City Manager reminded Mayor and Council that when Ordinances are for first and second reading, it is not advisable to have Council move those items to the Consent Agenda.

Hearing no other business, the Mayor entertained a motion to adjourn the Work Session.

A motion was made by Councilmember Willis and seconded by Mayor Pro Tem Rowell to adjourn. The motion passed unanimously.

The Work Session adjourned at 5:03pm.



Mark Massey, City Clerk



The Honorable William “Bill” Edwards, Mayor (present)
The Honorable Catherine F. Rowell, District 1, Mayor Pro Tem (present)
The Honorable Carmalitha Gumbs, District 2 Councilmember (present)
The Honorable Helen Z. Willis, District 3 Councilmember (present)
The Honorable Naeema Gilyard, District 4 Councilmember (present)
The Honorable Rosie Jackson, District 5 Councilmember (present)
The Honorable khalid kamau, District 6 Councilmember (present)
The Honorable Mark Baker, District 7 Councilmember (present)

REGULAR MEETING MINUTES

1. Call to Order

The meeting was called to order by Mayor Edwards at 7:00pm.
Following the roll call, all members were present.

2. Invocation

The invocation was rendered by Pastor Warren L. Henry, Sr.

3. Pledge of Allegiance

The Pledge of Allegiance was recited in unison.

Following the pledge, Mayor Edwards requested a point of personal privilege to encourage citizens to attend the Fulton County Board of Commissioners on August 2, 2017, due to the Tax

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Commissioner Dr. Arthur Ferdinand being denied the opportunity to collect the City of South Fulton's taxes.

4. Approval of the Consent Agenda
 - a. Meeting Minutes – Tuesday, July 11, 2017
 - b. Meeting Minutes – Tuesday, July 18, 2017

A motion was made by Councilmember Jackson and seconded by Councilmember Willis to approve the Consent Agenda. The motion passed unanimously, 7-0-0.

5. Approval of the Regular Meeting Agenda

A motion was made by Councilmember Willis and seconded by Councilmember Gilyard to approve the Regular Meeting Agenda. The motion passed unanimously, 7-0-0.

6. Proclamations and Recognitions
 - a. Proclamation recognizing Cliftondale Community 65th Anniversary Appreciation Day **(Willis/Gumbs) [PRESENTED]**
 - b. Proclamation recognizing Camp Village and Jo Roberson Edwards Appreciation Day **(Edwards) [PRESENTED]**
 - c. Proclamation recognizing April 5th as Nikki Bolden Appreciation Day in the City of South Fulton, Georgia **(Baker/Jackson/khalid) [PRESENTED]**

7. Public Comment

- a. Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers.

The following citizens offered public comment:

- **Mr. Michael Simpson, ATL Magazine's ad for the City of South Fulton**
- **Mr. John Ross, Nikki Bolden proclamation and the establishment of a Federal Credit Union**

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- **Mr. Jaceey Sebastain**, issue with respect to an explosion of crime in the Cedar Grove area and no police precinct in the area
- **Ms. Vangie Watkins**, the Code Enforcement tell-line needs to be replicated, staying in lanes with respect to administrative, judicial and legislative, and the need for citywide citizen involvement and education workshops
- **Mr. Mike Taylor**, from the Cedar Grove Community, the Branding Committee's work missed the mark on naming the City, suggests establishing a survey for the name, with criteria and reasoning
- **Ms. Teiola Porch**, Code Enforcement issues/complaints, uncut grass/yard, left unreturned calls to Captain Brian Cassell, and hopes that with transitioning to the new City Code Enforcement will be improved
- **Dr. LaTonya Martin**, invited everyone to Parent University at the East Point library, last Thursday of each month from August to February, except October and December
- **Ms. Helen Butler**, GA Coalition for the People's Agenda, civic engagement to participate in the electoral process, supports making Election Day a holiday, and encouraging businesses to follow suit
- **Mr. Rodney Littles**, State Democratic Party, supports Resolution making Election Day apart of the City's Holiday calendar, establishing a City Board of Registration and Elections, and new voting equipment that creates a paper trail for electronic voting and record keeping
- **Mr. El-Mahdi Haile**, suggested having a Committee for studying the possibility of having Election Day as a holiday for voting and information
- **Mr. Marcus Coleman**, issue with Fulton County Board of Commissioners and their relationship with the City, and the selection of the City's Police Chief

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- **Mr. Joe Beasley**, the right to vote, being proud of the new City, establishment of an affirmative action program for businesses, and having Election Day a holiday
- **Mr. A.W. Davis**, government can't do it all, and using the Consumer Price Index to determine any increases in property assessments
- **Mr. Mike Johnson**, not pleased with equipment that is down, need a light on Roosevelt Highway, and issue with a train blocking the roads on Mallory Road and Feldwood Road

8. Business

a. Resolution

- i. Resolution to Amend the City's Holiday Schedule to Recognize Election Day as an Annual Official City Holiday **(Res2017-034)**; and,

A motion was made by Councilmember khalid to approve Option A (adding an additional day to the Holiday Schedule) of Res2017-034. The motion failed for a lack of a second.

A motion was made by Councilmember khalid and seconded by Councilmember Baker to approve Option B (swapping Columbus Day with Election Day) of Res2017-034. Councilmembers Gilyard, Jackson, khalid and Baker voted yea. Mayor Pro Tem Rowell, and Councilmembers Gumbs and Willis voted no. The motion passed, 4-3-0.

- ii. Resolution Providing Notice of the City of South Fulton's Provision of Police Services **(Res2017-035)**.

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Baker to approve Res2017-035. The motion passed unanimously, 7-0-0.

b. Ordinances

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- i. **[THIRD READING]** Adoption of Ordinance establishing the Planning Commission for the City of South Fulton **(Ord2017-010, June 27, 2017 and July 11, 2017)**; and,

A motion was made by Councilmember Gilyard and seconded by Councilmember Gumbs to approve Ord2017-010, including revising subsections (a) and (b) of Section 5-5001 and revising Section 5-5003 as presented by Councilmember Gilyard. The motion passed unanimously, 7-0-0.

- ii. **[SECOND READING]** Adoption of Ordinance amending Section 3-0001(e) of the City of South Fulton Code of Ordinances by revising the Building Code to include new requirements for classifying construction based on building height **(Ord2017-014, July 11, 2017)**.

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Gilyard to approve Ord2017-014. The motion passed unanimously, 7-0-0.

c. Other Action Items

- i. Request approval of the following Board Appointments:
 - 1. Planning Commission
 - a. Mr. Isiah Turner, Jr. **(Rowell)**
 - b. Mr. Robert Dow **(Gumbs)**
 - c. Mr. Alvin Reynolds **(Baker)**
 - 2. Zoning Board of Appeals
 - a. Mr. Nicholas D. Wilson **(Rowell)**
 - b. Ms. Geneasa Lynette Elias **(Gumbs)**
 - c. Ms. Brenda Jenkins **(Baker)**
 - 3. Board of Code Enforcement
 - a. Mr. Reginald Tatum **(Rowell)**
 - b. Mr. Sam Bowen **(Gumbs)**

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c. Mr. Haywood Sherrod **(Baker)**

A motion was made by Councilmember Willis and seconded by Councilmember Gumbs to approve the slate of nominations as presented above. The motion passed unanimously, 7-0-0.

9. City Manager's Weekly Update

A motion was made by Councilmember Jackson to hold off on approving a Pay and Class plan, until a national search is conducted for a permanent City Manager and the Police Chief. The motion failed for a lack of a second.

A motion was made by Councilmember Gilyard and seconded by Councilmember Jackson to move forward with the Pay and Class schedule as presented, but hold/wait on making a decision on whether or not there will be a merit, at-will or a hybrid with regard to the classification system for employees. The motion maker and the seconder agreed to amend this motion, so that all employees will be at-will. Councilmembers Gilyard, Jackson and Baker voted yea. Mayor Pro Tem Rowell, and Councilmembers Gumbs, Willis and khalid voted no. Therefore, the motion failed, 3-4-0.

A motion was made by Councilmember Willis and seconded by Mayor Pro Tem Rowell to approve the Pay and Class and to accept HR's recommendation to bring over employees with a hybrid employment status. Mayor Pro Tem Rowell and Councilmembers Gumbs, Willis and khalid voted yea. Councilmembers Gilyard, Jackson and Baker voted no. Therefore, the motion passed, 4-3-0.

10. Executive Session (CLOSED), if necessary

A motion was made by Councilmember Willis and seconded by Councilmember Baker to recess for Executive Session regarding

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Litigation and Personnel. Hearing no objections, the motion passed unanimously, 7-0-0.

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember khalid to add Old/Unfinished Business to future agendas. Hearing no objections, the motion passed unanimously, 7-0-0.

The meeting recessed at 9:59pm.

UPON RETURN:

Mayor Edwards announced that there was no action taken in the Executive Session.

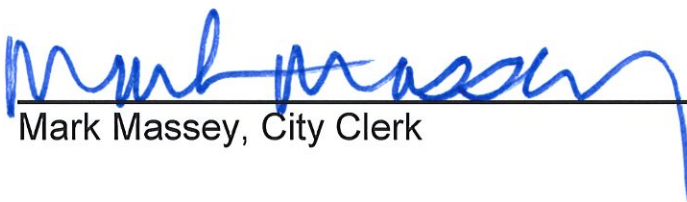
A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Gilyard to close the Executive Session. Hearing no objections, the motion passed unanimously, 7-0-0.

The Executive Session ended at 10:34pm.

11. Adjournment

A motion was made by Mayor Pro Tem Rowell and seconded by Councilmember Baker to adjourn the meeting. Hearing no objections, the motion passed unanimously.

The Regular Meeting ended at 10:35pm.


Mark Massey, City Clerk

City of South Fulton
City Hall
5440 Fulton Industrial Blvd SW
Atlanta, GA 30336
470.809.7700

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE No. 2017-010

**ADOPTION OF ORDINANCE ESTABLISHING THE PLANNING
COMMISSION FOR THE CITY OF SOUTH FULTON**

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council;

WHEREAS, Section 4.11 of the City Charter authorizes the City Council to create such boards, commissions and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the City Council deems necessary;

WHEREAS, Section 1.12(b)(26) of the City Charter authorizes the City to exercise planning and zoning powers;

WHEREAS, the City is charged with preserving the health, safety, and welfare of its citizens; and

WHEREAS, the establishment of a Planning Commission to oversee all zoning and planning of the City is in the best interest of the City.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS
as follows:

Section 1: The City of South Fulton Code of Ordinances, Chapter 5, Title 5, Zoning and Planning, is hereby established and enacted as follows:

Title 5: ZONING AND PLANNING

CHAPTER 5. – PLANNING COMMISSION

Sec. 5-5001. – Initiation of amendments.

- (a) Amendments to the text of this chapter and to the official zoning map shall be made only by the City Council. The Planning Commission shall make recommendations to the City Council on proposed amendments to the official zoning map, and the

community development department may make recommendations to the Planning Commission.

- (b) Owners of subject property or their authorized agent may initiate amendments to the official zoning map and the comprehensive plan by submitting a request to the community development department. The department shall review the request for compliance with state and municipal law, and it shall make a written recommendation to the Planning Commission prior to any meeting where the request is considered.
- (c) Before enacting any amendment to this chapter or to the official zoning map, the City Council shall provide for the public notice and public hearings required by this chapter and Georgia law.

Sec. 5-5002. – Planning Commission established; membership; terms.

- (a) *Creation.* There is hereby established a Planning Commission which shall consist of eight members, residents of the city, who shall be appointed by the governing authority as follows:
 - (1) One member shall be nominated by each member of the City Council and the Mayor; and
 - (2) Each member shall be approved by a vote of the majority of the City Council.
- (b) *Terms.* The Planning Commission member shall serve a term consistent with that of the member of the City Council (or the Mayor) making the nomination. A Planning Commission member shall serve until his or her replacement is appointed by the City Council in a manner consistent with this ordinance. The Planning Commission members shall serve no more than two terms, either consecutive or non-consecutive, and a term shall end upon the swearing in or re-swearing in of the member of the City Council (or the Mayor) who nominates the Planning Commission member.
- (c) *Chair and Vice Chair.* The Planning Commission shall elect one of its members to serve as chairperson and another to serve as vice-chairperson. The chairperson and vice-chairperson of the Planning Commission shall serve a term of one year or until reelected or a successor is elected. The duty of the chair shall be to conduct the meetings in accordance with the procedures set forth herein and any other rules or regulations established by the Planning Commission. The vice-chairperson shall conduct the meetings in the chair's absence. The vice-chairperson may be appointed chair if the chair is removed from office, or due to a physical or mental disability, cannot perform the duties of chair.
- (c) *Qualifications.*
 - (1) Members of the Planning Commission shall hold no other city office or city-compensated position during such member's term.
 - (2) All Planning Commission members shall be residents of the City.
 - (3) No person shall preside at a meeting of the Planning Commission as a member of the Planning Commission until they have been certified as having completed a training session of eight hours.

(d) *Removal.*

(1) Except as provided in paragraph 2 of this subsection, Planning Commission members serve at the pleasure of the City Council and may be removed upon motion of the nominating councilmember and affirmative vote of a majority of the City Council.

(2) Planning Commission members shall automatically be removed from the Commission if they miss two consecutive meetings without the permission of the Chair, or if the Commission member fails to attend at least 75 percent of the Commission meetings in a 12 month period. The Commission secretary shall notify the City Clerk of any Commission member who does not attend a meeting. If a Commission member is removed for failure to attend meetings as set forth in his paragraph, the removal is automatic and does not require a vote of the City Council.

(e) *Compensation.* The City Council shall, by resolution, determine the amount of compensation, if any, to be paid to the members of the Planning Commission. In the absence of such resolution, no compensation shall be provided to the members of the Planning Commission.

Sec. 5-5003. – Planning Commission to hold public hearing and make recommendation on all proposed amendments.

Until the City adopts its own ordinances, the ordinances of Fulton County shall govern. The Planning Commission is authorized to render decisions based on Fulton County's ordinances until the City adopts its own, at which point, the Planning Commission shall apply the City's ordinances. Unless introduced by a member of the City Council, no amendment to the official zoning map or the comprehensive plan character area maps shall become effective unless it has first been submitted to the Planning Commission for public hearing and recommendation pursuant to the requirements of this title and this chapter. If a City Council member introduces an amendment without allowing for the Planning Commission's review, the City Councilmember shall notify the City Council that the Planning Commission has not been provided with the opportunity to make a recommendation on the proposed amendment, through the proposed ordinance's text and verbally at the first and second reading of the proposed ordinance. Except as provided in this Section, no amendment to the text of this chapter shall become effective unless a proposed ordinance has been submitted to the Planning Commission for public hearing and recommendation to the City Council pursuant to the requirements of this chapter.

Sec. 5-5004. – Planning Commission and City Council to adopt rules of procedures.

The Planning Commission and the City Council shall propose rules of procedure to the City Council, and the rules shall specify the policies and procedures that govern calling and conducting the public hearings by the Planning Commission. Robert's Rules of Order shall govern any procedural question not otherwise covered in the rules of procedure of the Planning Commission or City Council. The proposed rules shall not be effective until either the City Council approves them at a public meeting, or the City Council has not acted on the proposed rules for three public meetings since receiving notice of the proposed rules by the Planning Commission. Notice shall be provided to the City Council

by the City Clerk upon transmission of the proposed rules from the Planning Commission to the City Clerk. The Planning Commission rules shall be made available for distribution to the public.

Sec. 5-5005. – Voting.

Whenever a vote is required by the members of the Planning Commission, the member appointed by the Mayor shall not vote except in the case of a tie.

Sec. 5-5006. – Secretary of Planning Commission; staff support.

A City employee shall serve as the Planning Commission secretary. The secretary shall provide support to the Planning Commission as reasonable and necessary to accomplish said Commission's duties. The secretary of the Planning Commission shall provide the members of the Planning Commission all information submitted to, or generated by, city staff on each proposed amendment, which the Commission considers, including: a copy of the application and all supporting materials; all other written communications given to the staff either in support of or in the opposition to the amendment; and the proposed amendment. The secretary shall be responsible for permanently maintaining the records of the Planning Commission.

Section 2: Severability

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 3: Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: Effective Date

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be July 12, 2017.

The foregoing Ordinance No. **2017-010** was offered by Councilmember **Gilyard**, who moved its approval. The motion was seconded by Councilmember **Gumbs**, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor		
Catherine Foster Rowell, Mayor Pro Tem	√	
Carmalitha Lizandra Gumbs	√	
Helen Zenobia Willis	√	
Gertrude Naeema Gilyard	√	
Rosie Jackson	√	
khalid kamau	√	
Mark Baker	√	

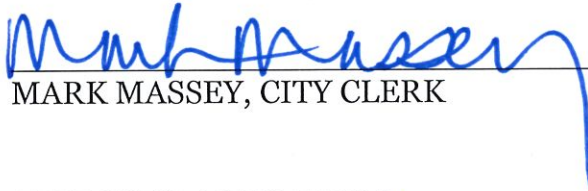
THIS ORDINANCE adopted this 25th day of July 2017. CITY OF
SOUTH FULTON, GEORGIA

"THIRD READING"



WILLIAM "BILL" EDWARDS, MAYOR

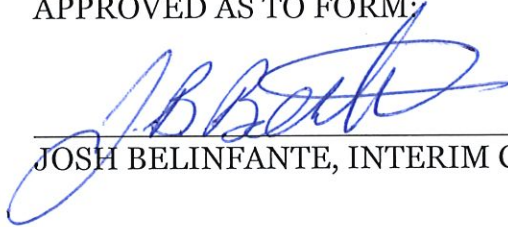
ATTEST:



MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:



JOSH BELINFANTE, INTERIM CITY ATTORNEY

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE No. 2017-014

**ADOPTION OF ORDINANCE AMENDING SECTION 3-0001(e) OF THE
CITY OF SOUTH FULTON CODE OF ORDINANCES BY REVISING THE
BUILDING CODE TO INCLUDE NEW REQUIREMENTS FOR CLASSIFYING
CONSTRUCTION BASED ON BUILDING HEIGHT**

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council;

WHEREAS, the City is charged with preserving the health, safety, and welfare of its citizens; and

WHEREAS, the Mayor and City Council find that in order to preserve the safety of persons inhabiting buildings above a certain height, the Council wish to institute a requirement for construction with enhanced quality materials that increase the durability and longevity of the buildings;

WHEREAS, the City of South Fulton currently enforces building regulations as set out in Section 3 of the City of South Fulton Code, which adopts the state minimum standard building codes;

WHEREAS, in order to create easily accessible development regulations that integrate the adopted state regulations, the Mayor and Council wish to locally amend the state minimum standard building code to provide for increased building quality, sustainability, durability, and longevity while revitalizing the areas zoned for uses other than what is currently developed;

WHEREAS, the City Council has found that local climatic, geologic, topographic and public safety conditions justify the proposed amendment;

WHEREAS, the proposed amendment provides requirements not less stringent than those specified in the state minimum standard codes for the protection of life and property;

WHEREAS, pursuant to O.C.G.A. § 8-2-25, the City of South Fulton has transmitted the text of the amendment to the Georgia Department of Community Affairs for review;

WHEREAS, the establishment of a building regulations within the City's borders is in the best interest of the City.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS
as follows:

Section 1: The City of South Fulton Code of Ordinances, Title 3, Building Regulations, Chapter 1, Section 3-0001(e) is hereby amended and enacted as follows:

Building Regulations

Title 3:

Chapter 1: Adoption of State Law.

Section 3-0001: State Minimum Standards Adopted.

(e) Construction Classification and Building Height. Any new building or structure designed or intended to be more than three (3) stories in height in any respect and which individually or in aggregate with other principal buildings or structures on the same site exceeds 100,000 sq. ft. of Gross Floor Area (GFA), within the confined exterior walls of the structures whether occupiable or non-occupiable, shall, irrespective of any conflicting allowances or provisions of any other standard, code or ordinance having force and effect in the corporate limits of the City of South Fulton, Georgia, be of Type I or Type II construction defined in Chapter 6 of the 2012 International Building Code as amended by the State of Georgia. This regulation shall not be used to relax or reduce any requirement in Table 503, Allowable Building Heights and Areas, or any other Section of the current adopted International Building Code.

Section 2: Severability

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 3: Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: Effective Date

This Ordinance shall become effective after the Georgia Department of Community Affairs has informed the City of South Fulton that the Department has no comments on the proposal and it is a local decision whether to adopt the amendment or after 60 days from the date the City transmits the ordinance to the Georgia Department of Community Affairs, whichever is earlier.

The foregoing Ordinance No. **2017-014** was offered by Mayor Pro Tem **Rowell**, who moved its approval. The motion was seconded by Councilmember **Gilyard**, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor		
Catherine Foster Rowell, Mayor Pro Tem	✓	
Carmalitha Lizandra Gumbs	✓	
Helen Zenobia Willis	✓	
Gertrude Naeema Gilyard	✓	
Rosie Jackson	✓	
khalid kamau	✓	
Mark Baker	✓	

THIS ORDINANCE adopted this 26th day of July 2017. CITY OF
SOUTH FULTON, GEORGIA

"SECOND READING"

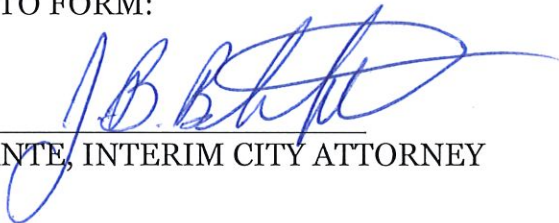

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:


MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:


JOSH BELINFANTE, INTERIM CITY ATTORNEY



MAYOR'S VETO

Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within five (5) business days following the adoption of such ordinance, resolution or other action by the city council. The mayor shall have the right to veto any ordinance adopted by the city council, in accordance with the procedure set forth in Section 3.21 of the City Charter.

The mayor, within ten (10) business days following receipt of an ordinance, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt. If the ordinance is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reasons for the mayor's veto. The city clerk shall record upon the ordinance the date of its delivery to and its receipt from the mayor.

An ordinance vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. The city council may override a veto by the mayor and adopt any ordinance that has been vetoed by the mayor by the affirmative votes of a least five (5) councilmembers, not including the mayor.

Date of Adoption: 7/25/2017 **Item Number:** Res2017-034

Subject: **Amend the City's Holiday Schedule to Recognize Election Day as an Annual, Official City Holiday**

Reason for Veto: No real data as to economic feasibility. No input from employees, not carefully thought out. This appropriation is not accounted for in the current budget.

Date to Mayor: 7/26/17 **Date of Veto:** 7/26/17

Mayor's Signature: [Signature]

Date Received by City Clerk: 7/26/2017

Date to Councilmembers: 7/26/2017 [Signature]



MAYOR'S SIGNATURE PAGE

The mayor, within ten (10) business days following receipt of a Resolution, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If a Resolution has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return a Resolution to the city clerk within ten (10) business days of receipt, it shall become law at 12:00 Midnight on the tenth business day after receipt.

The mayor acknowledges receipt of the noted Item listed below:

Date of Adoption: 7/25/2017 **Item Number:** Res2017-034

Subject: Amend the City's Holiday Schedule to Recognize Election Day as an Annual, Official City Holiday

Date Received by Mayor: 7/26/17

☐

APPROVED

☒

DISAPPROVED

Mayor's Signature: _____

William "Bill" Edwards

WILLIAM "BILL" EDWARDS

Date to City Clerk: _____

7/26/2017

RESOLUTION No. 2017-034

**RESOLUTION TO AMEND THE CITY'S HOLIDAY SCHEDULE TO
RECOGNIZE ELECTION DAY AS AN ANNUAL, OFFICIAL CITY HOLIDAY**

Councilmember khalid kamau offers the following amendment to
Resolution No. 2017-0XX Approving the City's Holiday Schedule:

Inserting the following Whereas Clauses after the penultimate Whereas Clause:

WHEREAS, the City of South Fulton desires to promote opportunities for
participation by City Employees and Resident Voters in the democratic process; and

WHEREAS, a US Census Survey found that in 2014, registered non-voters cited
being "too busy" as the number one reason for not voting (28%); and

WHEREAS, residents of South Fulton have some of the longest commutes in
the metropolitan Atlanta area to and from job sites; and

WHEREAS, a 2014 Pew Research Study found that nonvoters are typically
younger voters, more racially diverse, less educated and more financially strapped, and
2010 United States Census Data show South Fulton residents reflect these
demographics; and

WHEREAS, the holding of Election Day on a Tuesday most greatly
disadvantages middle and low income workers for whom it is the most difficult to take
time off from work to vote, and low voter participation threatens to erode the
responsiveness of our government and legitimacy of our laws; and

WHEREAS, Election Day is already a holiday in Puerto Rico in presidential
election years. And throughout the late 20th century, turnout for Puerto Rico's
quadrennial elections was 50 percent higher than it was for presidential contests in the
United States:

Striking the proposed calendar and substituting the following in its place:

- January 1 shall be observed as New Year's Day
- Third Monday in January shall be observed as Martin Luther King Jr. Day
- Third Monday in February shall be observed as President's Day
- Last Monday in May shall be observed as Memorial Day
- July 4 shall be observed as Independence Day

- First Monday in September shall be observed as Labor Day
- First Tuesday after the first Monday in November (Election Day) shall be observed every year as Election Day
- November 11 shall be observed as Veteran's Day
- Fourth Thursday in November shall be observed as Thanksgiving
- Fourth Friday in November shall be observed as Day after Thanksgiving
- December 24 shall be observed as Christmas Eve
- December 25 shall be observed as Christmas Day
- December 31 shall be observed as New Year's Eve

By inserting the following after the calendar:

1. Election Day shall be observed as a holiday annually. Employees mission critical to Election Day will be offered flex time for the hours they work on Election Day.
2. The City Council encourages all business owners in the City of South Fulton city limits to give their employees the entire day to research Election issues and participate in voting and volunteering on Election Day.
3. The City Council encourages all other Georgia municipal, county and school board leaders to enact Election Day resolutions for their employees.
4. The City Council encourages our State and Federal Leaders to adopt resolutions making Election Day an official holiday.
5. The City Council encourages all voters to voice their concern for low voter turnout and become actively involved in the promotion and/or facilitation of Election Day voting.

The foregoing Resolution No. **2017-034** was offered by Councilmember **khalid kamau**, who moved its approval. The motion was seconded by Councilmember **Baker**, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Catherine Foster Rowell, Mayor Pro Tem	_____	_____✓
Carmalitha Lizandra Gumbs	_____	_____✓
Helen Zenobia Willis	_____	_____✓
Gertrude Naeema Gilyard	_____✓	_____
Rosie Jackson	_____✓	_____
khalid kamau	_____✓	_____
Mark Baker	_____✓	_____

THIS RESOLUTION adopted this _____ day of _____ 2017. **CITY OF
SOUTH FULTON, GEORGIA**

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

JOSH BELINFANTE, INTERIM CITY ATTORNEY

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

RESOLUTION NO. 2017-035

**A RESOLUTION PROVIDING NOTICE OF THE CITY OF SOUTH FULTON'S
PROVISION OF POLICE SERVICES.**

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council;

WHEREAS, Section 7.16(b) of the City Charter authorizes the City of South Fulton to provide written notice to Fulton County of its intent to provide services or functions now being performed by Fulton County; and

WHEREAS, Section 4.2 of the Intergovernmental Agreement for the Provision of Certain Services between Fulton County, Georgia and the City of South Fulton, Georgia requires the City to provide 180-day notice to Fulton County of its intent transition police services from Fulton County to the City.

BE IT HEREBY RESOLVED by the Mayor and City Council that:

1. The aforesaid recitals are not mere recitals, but are material portions of this Resolution;
2. Beginning May 1, 2017, the City is providing Police Department services.
3. Approval of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution. The City Clerk is authorized to execute, attest to, and seal any document that may be necessary to effectuate this Resolution, subject to approval as to form by the Interim City Attorney.
4. Severability. To the extent, any portion of this Resolution is declared invalid, unenforceable or non-binding, that shall not affect the remaining portions of this Resolution.

5. Repeal of Conflicting Provisions. All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
6. Effective Date. This Resolution shall take effect immediately.

The foregoing Resolution No. **2017-035** was offered by Mayor Pro Tem **Rowell**, who moved its approval. The motion was seconded by Councilmember **Baker**, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor		
Catherine Foster Rowell, Mayor Pro Tem	√	
Carmalitha Lizandra Gumbs	√	
Helen Zenobia Willis	√	
Gertrude Naeema Gilyard	√	
Rosie Jackson	√	
khalid kamau	√	
Mark Baker	√	

THIS RESOLUTION adopted this 26th day of July 2017. **CITY OF SOUTH FULTON, GEORGIA**



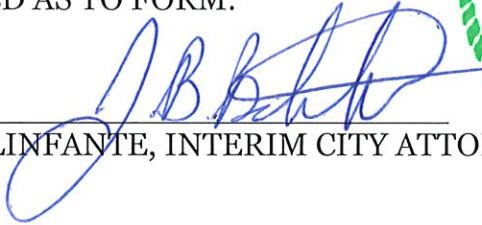
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:



MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:



JOSH BELINFANTE, INTERIM CITY ATTORNEY

