

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
JULY 13, 2015
6:00 P.M.**

INVOCATION: Mayor Travis Harper

PLEDGE: Pledge of Allegiance was led by Mayor Travis Harper

WELCOME: Mayor Travis Harper

ROLL CALL: Members of the City Council present included Mayor Travis Harper, Aldermen Scott Stalnaker, Billy Retterbush, Eric Gaither, Antonio Carter and Alderwoman Mellisa Watson.

STAFF PRESENT: Mandy Luke, Jackie Jordan, Peter Schultz, Chief Edwards, Paul Stagner and Mitchell Moore.

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETINGS – Eric Gaither made the motion to adopt the minutes from the previous meetings. Billy Retterbush seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA – Billy Retterbush made the motion to adopt the formal agenda with the addition of Blue Swan. Scott Stalnaker seconded the motion and the motion carried unanimously.

APPROVAL OF RESOLUTION #07-15 – Scott Stalnaker made the motion to approve the Resolution for the Executive Session held June 22, 2015. Billy Retterbush seconded the motion and the motion carried unanimously.

NEW BUSINESS

- 1. Sewer Tap for Coyote Manufacturing – Crissy Staley** – Crissy explained Coyote Manufacturing, one of our newest industries in Berrien County, is in need of expanding their restroom facilities since they only have one male and one female restroom for their forty employees in order to help with break times and production time. She stated the building they are located in is owned by the Development Authority and they approached the Development Authority about this. She further explained as part of their incentive

plan for starting the business in Berrien County, their lease has been abated for several years to help them offset costs as long as they meet certain employment thresholds which they have exceeded. She said it is her understanding the City has already waived some fees for them when they started up a couple of years ago. She said this is handicapping their break times with the building being over 100,000 square feet. Crissy stated the Development Authority is contributing some funds to assist in these upgrades to the building and is asking if the City would consider waiving the sewer tap fee. Billy Retterbush made a motion to waive the sewer tap fee. Mellisa Watson seconded the motion and the motion carried unanimously with Scott Stalnaker abstaining from the vote since he is on the Development Authority board. Chrissy took this opportunity to update the Council on the Rawhide project stating everything from this end than can be done at this point has been done that they are waiting on HUD and once it is approved it will probably happened very quickly. David Money, with Coyote Manufacturing, thanked the Council for their help in this matter.

2. **Probation Contract between the City of Nashville and A.D. Probation Services – Mitchell Moore** – Mitchell Moore said this contract was submitted to him for review, is revised according to the new law and briefly explained. Travis Harper asked if it is basically a renewal of the old contract under the new state laws. Lisa Hancock, with A.D. Probation Services, said this was not completely the case and explained the new law states the new contracts have to be entered into between the service provider and the judge with the approval of the authority giving the judge the approval to sign into the contract with the provider as well as stating it is for the purposes of providing private probation services. She further explained the reason she had to come back to the council is because the current contract is between them and the Council which now needs to be between them and the judge with the Council's approval. Antonio Carter asked if it would have to be changed in an instance such as if the Judge stepped down. She said no, there are provisions in the law that states that unless certain legal procedures are followed that contract remains. Antonio Carter made a motion to approve the new contract. Scott Stalnaker seconded the motion and the motion carried unanimously.
3. **Blue Swan – Mayor Travis Harper** – Mayor Harper stated the Council had a work session before the this meeting for a brief discussion regarding the Blue Swan (FKA Blue Flame) looking at the possibility of revoking the business and alcohol licenses in Mr. Davis' name due to the ongoing problems over the past years asking if anyone wanted to comment before taking action. Mitchell Moore asked for clarification if they were going to take an action to send him something advising him of it and if they are revoking the licenses at this time or if this is just a warning. The Mayor and Scott Stalnaker explained they want to revoke the licenses giving him thirty days, they want to revoke them wanting to suspend any action taken on it giving Mr. Davis thirty days for a chance to appeal it. Mitchell asked if the Council wants him to notify Mr. Davis referring to previous proceedings warning him action would be taken if he could not control anything going on there. A motion was made by Antonio Carter to revoke the business and alcohol licenses for Mr. Willie Davis at this establishment. Eric Gaither seconded the motion and

the motion carried unanimously. The Mayor wants the record to reflect that he is also in favor of this action.

REPORTS

4. **City Manager's/Finance Director's Report** – Mandy Luke reminded the Council that the Public Hearing on the Budget is this Thursday (July 16, 2015) at 5:30 with adoption of the Budget on July 27th during the regular meeting. Mandy said she received a letter about the LMIG funds for 2016 so we need to decide what street or what portion of a street that will be paved. She said the formula amount is \$53,542 for the 2016 program, we have to match a certain percentage of that, and we have to submit the application no later than January 1, 2016.
5. **City Attorney's Report** – Mitchell Moore asked the Mayor about the Affidavit and Resolution for the Executive Session held at the last Council Meeting. Mitchell gave an update concerning the DPP contract revisions based upon his and Peter's conversations along with his meeting with Danny Studstill and Mr. Cochran stating they wanted the debt service separated from the gas price. Mitchell also mentioned the REDLG loan for 40%, approximately \$435,472. Mitchell referred to a revised letter of recommendation from Stacey Watkins to provide that the qualifying low bid of \$1,088,000 because the low bid was not qualified at time of submission but he subsequently met the requirements under the public service commission. Mitchell stated that bid was \$154,000 cheaper than the second bid but had no experience in gas projects which concerned the engineer, Mr. Cochran. His first recommendation was he advised us of those options. He has since revised his recommendation due to the question if the City went with the second bid if the City would have to pay the difference. Upon guidance from the EDA, Stacey revised the letter to provide only the one was a qualifying low bid so that eliminated the issue of the City possibly having to pay the difference. This is all contingent upon Mr. Cochran approving it when the Council votes on and accepts the letter of recommendation to accept the bid by Little River for \$1,088,000. He said Stacey has sent a letter approving and awarding the contract to Little River. Mitchell said he received a call today from Wanda Hudson that the REDLG loan has not been funded but that it may be funded in October and she provided him with copies of conflicting emails about its approval. Mitchell said right now, we have a bid, a recommendation and grant for 60% but don't have the other 40% (\$435,472) set aside with the REDLG loan. He further explained according to Mrs. Hudson, our actual out of pocket expenses incurred up to this point cannot be reimbursed by EDA funds for money expended in anticipation and preparation for the project. He further stated the REDLG loan does require a 20% match. Mitchell further discussed the time frames of the project along with equipment and items needed in relation to the loan(s) and grant along with the contract(s) for same. Mayor Harper stated he would try to contact Congressman Scott's office to try to get more information on the status of the paperwork for the REDLG loan and suggested waiting until the next meeting to approve it. Scott Stalnaker made a motion to proceed if we get a favorable

response on the status of the REDLG loan funding. Billy Retterbush seconded the motion and the motion carried unanimously.

6. **Department Head's** – None.

PUBLIC COMMENTS

None.

COUNCIL COMMENTS

Mayor Harper said he wanted us to set up for a photo of the current Council prior to the next scheduled meeting on July 27, 2015. Scott Stalnaker commended the Chief, Nashville Police Department and Fire Department on how well the Fourth of July fireworks show went.

ADJOURNMENT

There being no further business to conduct, Eric Gaither made a motion to adjourn the meeting at 6:45 p.m. Scott Stalnaker seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walter Steward

ATTEST:

Jackie Jordan, City Clerk