

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
DECEMBER 12, 2016
6:00 P.M.**

INVOCATION: Henry Yawn

PLEDGE: Pledge of Allegiance was led by Mayor Michael Richbourg

WELCOME: Mayor Michael Richbourg

ROLL CALL: Members of the City Council present included Mayor Michael Richbourg, Aldermen Scott Stalnaker, Billy Retterbush, Eric Gaither, Antonio Carter, Walt Steward and Alderwoman Mellisa Brown

STAFF PRESENT: Mandy Luke, Jackie Jordan, Chief Edwards, Peter Schultz, Henry Yawn and Mitchell Moore

OTHERS PRESENT: Brenda Herring, Crissy Staley

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETINGS – Eric Gaither made the motion to adopt the minutes from the previous meeting. Antonio Carter seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA – Antonio Carter made the motion to adopt the formal agenda. Scott Stalnaker seconded the motion and the motion carried unanimously.

NEW BUSINESS

1. **Beer, Wine & Liquor License Approvals – Mayor Richbourg –**

2017 BEER WINE LIQUOR LICENSES				
BUSINESS NAME	APPLICANT NAME	ADDRESS	DESCRIPTION	AMT PAID
1st Choice	Mukeshkumar R Patel	705 N. Davis St.	Beer & Wine License	\$ 1,000.00
Discount Corner	Javantibhai K Patel	302 S. Davis St.	Beer License	\$ 500.00
Dollar General #13929	Kimberly Rye Thomason	509 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
Flash Foods #22	Paul Christopher Clark	519 S. Davis St.	Beer & Wine License	\$ 1,000.00
Four Guys Shell, LLC	Kevin Ronald McCranie	405 S. Davis St.	Beer License	\$ 500.00
Gaskins Meats & More	Dennis Ray Gaskins Jr	1318 E. Marion Ave.	Beer License	\$ 500.00
Harvey's Supermarket #1602	Nathan Henderson Ooten	207 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
Mae's Café	Johnnie M. Brand	902 E. Marion Ave.	Beer License	\$ 500.00
OM & Aaron Corp DBA Lucky Corner	Shilpaben B Patel	1001 S. Dogwood Dr.	Beer License	\$ 500.00
Pit Stop	Dineshkumar S. Patel	514 S. Davis St.	Beer License	\$ 500.00
Pizza Hut #2948	Jessica Lynn Futch	608 S. Davis St.	Beer License	
Puerta Del Sol Inc.	Alonso Martinez	706 Tifton Rd.	Beer & Wine License	\$ 1,000.00
Puerta Del Sol Inc.	Alonso Martinez	704 Tifton Rd.	Liquor By The Drink	\$ 2,000.00
Quick Mart #1	Dilipkumar B Patel	224 Tifton Road	Beer License	\$ 500.00
Quick Mart #2	Dilipkumar B Patel	708 Old Coffee Rd.	Beer License	\$ 500.00
Rana Corp d/b/a J Raj Liquors	Vidyakumari J Rana	301 N. Anderson Rd.	Beer, Liquor & Wine License	\$ 2,000.00
Rana Corp d/b/a J Raj Spirits	Vidyakumari J Rana	720-A Adel Rd.	Liquor License	\$ 1,000.00
Rana Corp d/b/a The Log Cabin	Vidyakumari J Rana	720 Adel Rd.	Beer & Wine License	\$ 1,000.00
Rancho Alegre Mexican Restaurant	Mireya S Solis	100 S. Jefferson St.	Beer & Wine License	\$ 1,000.00
Rancho Alegre Mexican Restaurant	Mireya S Solis	100 S. Jefferson St.	Liquor By The Drink	\$ 2,000.00
Stop & Shop	Chetnakumari M Patel	500 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
Suchi 0908 LLC	Nilay A Patel	730 E. Marion Ave.	Beer & Wine License	\$ 1,000.00
VFW Post 5978	Desso Martin Faulkner	801 Tifton Rd.	Beer & Wine License	\$ 1,000.00
TOTAL				\$ 21,000.00

Mayor Richbourg presented the twenty-two (22) applications for Beer, Wine, Liquor licenses as listed in the preceding table. Having nothing to prevent the approval of any of them, Scott Stalnaker made a motion to approve all of the licenses presented. Eric Gaither seconded the motion and the motion carried unanimously.

- 2. Berrien County Development Authority Request for Assistance on Taxes – Scott Stalnaker** – Scott explained a portion of the Harvey's Shopping Center consisting of the old Dollar General Store, Personal Finance and O'Neal's was gifted to the Development Authority Board with a stipulation that the Board had to take care of all of the 2016 taxes due. He explained since the Board's goal is

to bring in, encourage and promote industry, they are requesting from the City, County and School Board to waive each of their portion of the 2016 taxes. Billy Retterbush made a motion to waive the 2016 City taxes. Walt Steward seconded the motion and the motion carried unanimously with Scott Stalnaker abstaining due to his affiliation with the Board.

- 3. Rest EZ Transfer Station – Brenda Herring** – Brenda addressed the Council on behalf of her business, Rest EZ Country Waste Pickup, which she has owned and operated since 1995. She said she has been located at 520 County Farm Road since 2001 but decided to give the transfer site back to the County and just do curbside pickup and porta potties and wishes to relocate to Hazel Avenue in the City limits. She said it has been a controversy over it being a transfer site upon her conversations with Henry Yawn, Scott Stalnaker and the E.P.D. and wants to get her business license and start the business at the location in the City of Nashville. Mayor Richbourg asked her to explain the business site and process. She said they wish to transfer the trash from the small pickup trucks to a large enclosed compactor truck to get larger volume to the land field and it would not be open to the public because that would still take place at the County location. Mayor Richbourg asked about the E.P.D.'s permitting requirements. She said she had a permit to transfer from 520 County Farm Road but it is non-transferable to a new location. She said she had spoken with Chad Hall, an engineer, in Atlanta (E.P.D.) and Andrew Thornton of Albany (E.P.D.) who is in compliance. She stated Mr. Hall said Rest EZ operation is not like any traditional transfer site but since they are moving waste from a smaller truck to a bigger one, they do meet the definition of a transfer station and their rule does not require an enclosed structure for transfer but a paved surface under a cover from elements would be sufficient. Ideally the transfer area would drain to the City sanitary sewer to handle any liquids or wash water from the trucks but there are other ways to capture the waste water. She said it is not connected to the City system but the waste water is very minimal because they handled bagged trash and they do not wash the compactor truck because it goes back to Mr. Golden and he handles all the maintenance. She said the site is Jack Donaldson's property where he operated a recycling center on Hazel which has a shed with a concrete floor and roof. She further explained the waste water cannot go into ditches or stream drains and these liquids have to be managed as waste water and if it cannot be tied to the City's sanitary sewer, a sump pump can be used and in small enough quantities, it can be handled thru absorbance and taken to the land field. Mayor Richbourg mentioned a couple concerns stating the City has a contract with Advanced Disposal and the City would need to investigate it to make sure it

could be allowed per the contract. He also said the City is a member of the Solid Waste Board of Valdosta and the rule is that everything goes to Valdosta and then, as a member of the Board, the City receives a quarterly rebate. Scott Stalnaker said he thinks they have sole proprietorship of everything in the City of Nashville. Mayor Richbourg explained this needs to be investigated before she spends a lot of time and money on this and getting E.P.D. to come for approval. She said she would not be open to the public and would no longer handle big items such as couches, etcetera and those items would be handled by Mr. Neil (Bennett) operating in the County who has exclusive rights with the County. Mayor Richbourg said it goes back to the City's contract with Advanced and being handled within the City limits of Nashville. Mayor Richbourg said she could be added to the Agenda for the next meeting, January 9th, 2017. Scott Stalnaker asked if the structure meets the offsets for the E.P.D. code section. Mayor Richbourg said it might be good to have the gentleman from Albany, E.P.D., come inspect it. She said there is some cleaning to be done but thinks it is in compliance with their code. Scott mentioned the requirements he is referring to would be what E.P.D.'s code explains as distance of offsets from property lines, road, public buildings, etc. Mayor Richbourg mentioned she may want to take pictures of the site to send to E.P.D.

REPORTS

- 4. City Manager's/Finance Director's Report** – Mandy said, regarding the radio-read meters, she contacted Chris Poje, our engineer with Turnipseed, in September upon receipt of a letter from GEFA that we had not made any draws on the project to ask him where we stand on that and asked him again in October. She said she received another letter today stating if we don't make draw before January 1st, we will have to start paying penalties, from \$1,000 to \$3,000 per month, until we begin making draws. She emailed Chris today and he replied with the bid results from December 1st. There were three (3) bids: U.W.S., Inc., Trion, Georgia of \$972,856.40; Utility Solutions of America, Inc., Locust Grove, Georgia of \$1,018,942.87; and, Standard Contractors, Inc., Valdosta, Georgia of \$1,303,848.00. Their recommendation is to reject the low bidder, U.W.S., because upon their investigation, their opinion is U.W.S. does not have the adequate experience or technical ability to complete the project. They suggest awarding the bid to the second lowest bid, Utility Solutions of America, and in order to do this, we have to adopt a resolution stating we are awarding the contract to Utility Solutions of America so we can get it started and hopefully make a draw before January 1st to avoid penalties. Mitchell

Moore asked if that includes the change order. Mandy said Chris said award it as tentative made to Utility Solutions in the amount of \$905,129.36 with change order number one because with change order number one, he can reduce some of the costs by \$113,813. Mayor Richbourg asked when we were awarded money from the state that was the \$1,000,000 total and it was \$600,000 on the loan itself with principal forgiveness of \$400,000 so technically we would only be borrowing \$600,000. Mandy said that was right and when we figured it, the payment would be around \$33,000 or \$34,000 per year for twenty (20) years. Mayor Richbourg also asked what the rate was and Mandy said she thought it was 2% or less. Eric Gaither said in February, the project was to be an estimated \$700,000 and now it is \$1,000,000 and was in the paper (Berrien Press) as that. Mayor Richbourg and Walt Steward said that \$700,000 was our cost but now it is \$600,000 which is less than originally discussed. Walt Steward made a motion to approve Utility Solutions of America at \$905,129.36. Antonio Carter seconded the motion. Mellisa Brown and Scott Stalnaker voted yes. Billy Retterbush and Eric Gaither voted no stating they want it on the record they were against this project from the beginning because of potential water bill increases. The motion passed four (4) to two (2). Mandy also mentioned the next meeting falls at the holidays. Antonio Carter made a motion to cancel the next meeting, which would fall on December 26th. Eric Gaither seconded the motion and the motion passed unanimously. Mandy mentioned last year, we closed early on the day before the holiday but had to use our personal time. Antonio made a motion to close at noon on Thursday, December 22nd. Scott Stalnaker seconded the motion, adding employees would not have to use personal time, and the motion passed unanimously.

5. **City Attorney's Report** – Mitchell said Mrs. Grimes (USDA) indicated she had sent the loan documents to Adel but when he checked with Tim Tanner, he does not have them yet. He said they have been approved by office of the general council and sent to Adel but he has to have those documents for review before there will be some additional documents between Adel and the City of Nashville. He said Mrs. Grimes did approve Guardian Bank's increase from \$450,000 to \$550,000. He said he is going to get with Tim Tanner this week to try to get the documents and if so, it may be possible to close it before the end of the year and it had already been approved. Scott Stalnaker made a motion to allow the Mayor and the City Manager to sign the documents. Antonio Carter seconded the motion and motion passed unanimously.
6. **Department Head's** – Henry Yawn said the copies he gave the Council were the correspondence emails from the E.P.D. and appreciated them listening.

Crissy Staley presented a check representing the entry fees collected from the Christmas parade which they are donating to the Toys for Berrien Kids fund.

PUBLIC COMMENTS

None.

COUNCIL COMMENTS

Scott Stalnaker mentioned the paintings done around the square by Jill Whitley saying how nice they are, that he has received numerous compliments and it has brought people to Nashville to see them. Crissy explained how the Chamber and Mainstreet go together to pay to have this done and how much they enjoy it.

Eric Gaither asked about a hole on Smith Avenue and Scott said they worked on it earlier today.

Antonio Carter wished everyone a Merry Christmas.

Mellisa Brown commended Crissy Staley on the Christmas parade. She mentioned the Chamber's Berrien Bucks for stocking stuffers. She also said the High School is doing a first annual toasty socks which is going to the homeless shelters.

Mayor Richbourg mentioned how well the parade went. He also mentioned the City, County and School Board coming together to re-do the tennis courts, how well that is going and how many compliments he has received regarding them.

Antonio Carter mentioned the news reports of law enforcement shootings and asked the Chief to pass the word to his officers to be safe.

The Mayor and Council wished everyone a Merry Christmas.

ADJOURNMENT

There being no further business to conduct, Billy Retterbush made a motion to adjourn the meeting at 6:50 p.m. Eric Gaither seconded the motion and the motion carried unanimously.

Mayor Michael Richbourg

Alderman Eric Gaither

Alderwoman Mellisa W. Brown

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walter Steward

ATTEST:

Jackie Jordan, City Clerk