

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
APRIL 13, 2009**

**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 Dick Perryman, Bill Turner, Billy Retterbush, Michael Richbourg, Scott Stalnaker, and Darrin Davis.

**STAFF PRESENT:** Tommy Davis, John Reynolds, Chief John Clayton, Peter Schultz, Henry Yawn, City Manager Mandy Luke, and City Attorney Mitchell Moore.

**OTHERS PRESENT:** Randall Milton, John Hunkele, Larry Baldree.

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS:** Alderman Richbourg made a motion to adopt the minutes from the previous meeting. The motion was seconded by Alderman Turner, and the motion carried unanimously.

**ADOPTION OF FORMAL AGENDA-** Alderman Davis asked to add as item number five on the agenda, requirements for the bidders for the City's lawn maintenance. Mitchell Moore asked to add an Executive Session to the Agenda. Alderman Richbourg made a motion to approve the formal agenda with the changes. Alderman Stalnaker seconded the motion, and the motion carried unanimously.

**NEW BUSINESS**

**1. Coastal Engineering Updates-** John Hunkele with Coastal Engineering gave the group updates on issues which will including the channelization project, Wastewater Treatment Plant design and its cost. John informed the group pursuant to our meeting on February 26, 2009 in Nashville with Georgia EPD representatives, we have made the required revisions to the Design Development

Report (DDR) for the new wastewater treatment facility. Our initial DDR proposed that the new wastewater treatment plant be designed for a flow rate of 1.0 MGD with peak flows in excess of this amount being diverted to the existing Land Application System (LAS). The LAS system is permitted to receive and treat up to 1.0 MGD and has sufficient storage capacity in excess of 30 days at average daily flow. The EPD position is that the new wastewater treatment facility must be sized to handle a flow rate equal to 2.5 times the average daily flow and must stand alone without considering the existing LAS as a backup to Class 1 redundancy to the discharge system. Class 1 redundancy includes duplicity of treatment units, standby power facilities, etc. This design revision impacts many aspects of the design such as tank size and depth, aeration blower horsepower, number of treatment units, etc. It's difficult to predict what effect the current economic condition may have on project costs. The cost impacts resulting from EPD's review of the DDR are, needless to say, significant. We have prepared a new opinion of probable cost for the project which, in our opinion, is reflective of the additional work required by the EPD comments. Coastal Engineering Consultants, Inc. has no control over the costs of materials and equipment, or over the contractor's method of pricing. This is not a guarantee that the actual project costs based upon bids received will not deviate from the costs presented. The old and new costs are summarized as follows: Phase I, (Influent PS, Modifications), previous estimate \$745,000.00, new estimate \$760,000.00; Phase II, (Wastewater Treatment Plant), previous estimate \$4,850,000.00, new estimate \$6,315,000.00. We pointed out that the cost opinions are inclusive of project development costs, engineering and surveying costs, legal and administrative costs, geo-technical investigations, watershed assessment and wastewater characterization sampling and testing. They also include an amount of \$1,100,000.00 for constructive contingencies and the cost of onsite (continuous) resident inspection of all construction activities. Coastal Engineering Consultants, Inc. proposes strict equipment and contractor pre-qualification processes, strict bidding procedures and structured construction proposal forms all geared to minimize ambiguity in the contract documents resulting in the lowest possible cost. Costs will be carefully monitored during plan preparation and we will search for appropriate cost saving measures in an attempt to lower the overall project costs. For example, we establish a series of deductive alternates that would allow us to consider alternative equipment manufactures, provide the ability to postpone less critical components of the project, etc. without sacrificing overall project quality and function. John Hunkele updated the group on the GEFA & Stimulus Money. He said we spoke with both Beverly McElroy who is with GEFA, and Elmo Richardson who is a GEFA board member, about the stimulus money. Our understanding of those conversations follows: GEFA received requests for approximately 1600 projects to

be funded under the American Recovery and Reinvestment Act (ARRA) totaling \$4.3 billion. Georgia only received \$140 million, half of which must be appropriated by June 2009. About 200 of the projects were dismissed during the initial screening while the rest including Nashville, were placed on the comprehensive list. The projects were then reviewed and prioritized. Projects that were deemed “shovel Ready” and which had cleared all of the environmental reviews required for federally funded projects were placed at the top of the list. Environmental reviews for federally funded projects could take up to four months to complete. The fundable list was then developed by appropriating the available funds based upon priority. Unfortunately Nashville did not make the fundable list but remains on the comprehensive list. Projects on the fundable list that prove to be not shovel ready by August or September will be dropped and replaced with other projects from the comprehensive list. It does not appear likely that Nashville will receive any funds under ARRA. We inquired about reports we have received of other grants and/or funding sources currently available. The response from both parties was that there are no grant funds available. Reduced interest rate loans are available to cities that qualify and that determination will be made upon loan application and review. If Nashville cannot afford to repay the loan under prevailing interest rates then they could qualify for the lower interest rate. The group and John Hunkele discussed the impact of increased project cost on the proposed GEFA loan and the new rate structure recently implemented by the City Council. There were concerns that the new costs should be incorporated into the new rate structure and that Bill Powell should be notified to adjust his rate study. It was decided that GEFA will review the rates anyway while reviewing the loan application documents, then any further rate increase requirements might better come from GEFA. The City wishes to contest the EPD decisions which resulted in the increased project costs. Coastal Engineering Consultants, Inc. will draft a letter to EPD for the Mayor’s signature which presents those concerns. In the meantime, we will continue plan preparation and bidding in an expeditious manner so that we can show a concerted effort to meet the requirements of the consent order.

**2. Ratify Purchase of new Software for City Hall-** Mandy Luke stated the Council was polled in reference to the new software purchase for the City. She said each member was contacted by phone, e-mail, or in person after the research and questions answered on the new software was completed. The Council was unanimous in the approval of the purchase of QSI software which will cost the City \$21,000.00. Council needs to ratify this purchase approval in open meeting. Alderman Retterbush made a motion to approve the new software. The motion was seconded by Alderman Stalnaker. Alderman Richbourg asked Mandy where the funds for the new software will come from. Mandy said this will be a SPLOST

purchase, and the new software should be ready to be installed in four to six weeks. The first and second motion to purchase new software was carried unanimously.

**3. Increase Base Charge on Natural Gas-** Mayor Harper said the City of Nashville currently charges \$3.00 a month base charge on both residential and commercial natural gas customers. Gas Superintendent Peter Schultz surveyed other cities base charges, and the Council discussed this issue in the last Work Session. The group needs vote to implement the increase in open meeting. Mayor Harper said he was in favor of a four dollar increase for both residential and commercial which would bring the base rate for natural gas up to \$7.00. Alderman Richbourg asked to discuss the issue further before voting on the increase. He asked Peter Schultz how many residential and commercial gas customers does the City service. Peter replied we have 800 residential and 77 commercial. Alderman Richbourg concluded out of the 2,350 customers receiving water and sewer services, a quarter of them also have natural gas service. He agreed the base rate needs to be raised so the City can avoid falling into the same problems they are having with the mandate for the water and sewer department. The group discussed the constant decline of revenues, the expenditures in the Gas department. Alderman Stalnaker suggested that the Council discuss raising the tap fees for the Gas Department to cover the cost of installing meters for City services. Alderman Perryman said he is opposed to raising the base charge due to the recent water and sewer rate increase. Alderman Turner made a motion to increase the gas base charge to \$5.00 for residential, and \$10.00 for Commercial. Alderman Richbourg seconded the motion. Due to the opposing votes Mayor Harper called for a roll call vote, Aldermen Perryman, Stalnaker, and Davis opposed the motion, and Aldermen Retterbush, Richbourg, and Turner voted in favor of the motion. Mayor Harper broke the tie by voting in opposition of the \$5.00 and \$10.00 increase on the base rate for natural gas. Alderman Davis made a motion to raise the rates \$7.00 residential, and \$10.00 commercial. Alderman Retterbush seconded the motion. Mayor Harper called for a roll call on the motion. Alderman Perryman, Stalnaker, and Turner opposed the motion. Alderman Retterbush, Richbourg, and Davis voted in favor of the motion. Mayor Harper broke the tie vote by voting in favor of the \$7.00 to \$10.00 increase in the base rate for natural gas.

**4. Ten Hour Work day for Work Control-** Mayor Harper reminded the group about the discussion they had on this item during the recent work session. The Council discussed changing the hours of work for the City's Work Control from five, eight hour work days to four, ten hour work days. Alderman Turner said he was against the idea because all the departments have an overload of work and cutting the days from 5 to 4 would only create problems not only for the Citizens

but for the employees within the different departments. Mayor Harper stated the employees will still be working forty hours a week but only four days instead of five. He added someone from each department will be on call during the fifth day to insure the customer services are met. Alderman Turner pointed out some of the various and most recent problems the City has experienced and how taking away the services for one day would not be good for the Citizens. Alderman Davis said he would like to see a staggered work day system for the employees and each department head can be in charge of scheduling their employees. Alderman Turner remarked the County has implemented this staggered week system and it works for them, but the City is different, due to the fact the City has residents they provide services for, and the County does not. The County does not provide water, gas and trash pickup to its residence and the City provides these services plus many more. Alderman Turner stated in his opinion changing the work hours from eight to ten will not save the City money. He added the Council need to check with the Labor Board on this issue before making a decision. After some discussion Alderman Retterbush asked if the staggered work week would apply to the department heads. He remarked only the department heads will know for sure if the staggered work week will work just as well as what their currently doing. Alderman Richbourg stated certainly there is no harm in try the staggered work week. Alderman Stalnaker said we should allow the department head vote on this item and get their feelings on how this would or would not work for the City. He also stated the whole idea behind this, was to save the City money. In which each employee will be off the same day not staggered. A staggered work week will not save money, because the City utilities, trucks and equipment will still be in use on a staggered work week. Mayor Harper commented if Work Control employees work four, ten hour days the extra two hour might allow the departments to be more productive. He asked the department heads how long do the department heads want to try the four, ten hour days. Alderman Richbourg suggested three months or 90 days. He said this should give the departments time to see if the change will work and if it will save the City any money. Following more discussion among the group it was suggested the four; ten hour work day is placed on a 90 day trial. The also discussed maintaining the same level of service to the citizens. They also discussed if Monday or Friday would be the day taken. The group decided to allow the department heads to decide on the schedule. Alderman Richbourg made a motion to change the work week for work control to four, ten hour days, with the days beginning on Tuesday and ending on Friday. Mayor Harper recommended the day start on Monday and end on Thursday. After some discussion Alderman Richbourg changed his motion to begin the work week on Monday and End on Thursday, and change the work week for work control for 90 days, after which the department heads will report to Council on the change to see if the work week needs to be

changed back to five, eight hour days. Alderman Retterbush remarked during the time of the change if we should see a rise in customer complaints then we can certainly change the work week back to the original time. Alderman Perryman seconded the motion. Mayor Harper asked for a roll call of votes with Aldermen Perryman, Retterbush, Richbourg, and Davis in favor of the motion, and Aldermen Turner and Stalnaker opposing the vote. The motion carried with four yes' and two no's.

**5. Requirements for Bids for Lawn Care for City and City Parks-** Alderman Davis said in the past the City has always advertised the requirements for each bid placed. One of the requirements advertised is drug free work place program certificates. He said very few of the contractors I know have that certificate. Alderman Davis asked if the certificate is something each bidder must have or can we wave this requirement so we can have more bidders. He added if it can be waved the bidding would be much more competitive. Mitchell said he thinks it is a standard police for the City in connection with workmen's comp. If they have workmen's comp then they will have the certificate. Aldermen Davis asked if they don't have workmen's comp are they disqualified from the bid. Mitchell replied yes if workmen's comp is required and they don't carry it they will be disqualified from the bid. Aldermen Davis said the State only requires workmen's comp if there are three or more employees, but we can supersede the State and make it a requirement for all of our bids. Mitchell stated the City wanted to make this part of the requirements for the bid process, but if it is not going to be a requirement for bid then it needs to be taken out before the advertising process begins. In other words the requirements need to be consistent. Alderman Davis told the group the cost of obtaining and keeping workmen's comp or the certificate. The group discussed advertising for the Lawn care bids again without the required drug free program certificate. After much discussion the group made no motions towards this item.

## **REPORTS**

**6 City Manager's/Finance Director's Report** – Mandy Luke told the group Kevin Giddens with Meryl Lynch, visited and was inquiring about the interest on the City CD's. She said he claims he can give the City a better interest rate on the CD's. Mandy said all of the City CD's are with the Banks located here in Nashville at the present time. Mandy asked the Council if they wanted to look into this or did they want to keep our CD's as they are now in our local banks. The group discussed comparing the rates with Meryl Lynch and asking the banks to for better interest rates on the City CD's just to see if they would compete with Meryl Lynch.

Mandy said the only drawback would be Meryl Lynch would need to know the exact amount of the CD's before giving a quote. He said sometimes he can get a better interest rate early in the morning due to the market fluctuating. They all agreed to keep our CD's in the local banks. Mandy also asked the group about the renewal of the Griffin Waste contract. She said the Council requested all renewal contracts be reviewed and bided out before the time of renewals. Griffin Waste contract is not set for renewal until 2011 because it is a five year contract. Does the Council want to review there contract and get it ready for bids. Alderman Richbourg said no we should wait until the contract is up for renewal. Mitchell Moore added the Griffin Waste contract has some previsions for early termination but it has conditions before it can be terminated. If the Council wants to resubmit the contract for bids then one of the conditions has to be met before early termination. The Council agreed not to submit the contract for bids until the contract is ready for renewal. Mandy also gave a copy of the Resolution on Waste water fees and Deposits for their review. The Group agreed to review the Resolution and put on the agenda for the next Council meeting.

**7 City Attorney's Report** Mitchell Moore asked the Council to review the Ordinance regulating motorized wheelchairs. He said the prevision he has questions about is in Section 2, Option 1, which states Motorized wheelchair shall be operated on city sidewalks designated for pedestrian travel whenever said sidewalks are available. (If no sidewalks are available), Option 2, On the right of way designated for City streets, motorized wheelchairs or motorized individual transportation devices shall be permitted only on the roadway or, in the absence of an improved shoulder, on the right-most portion of the roadway and the same direction as the street traffic on the nearest lane of the roadway adjacent thereto. He asked the Council to review the prevision. Mayor Harper asked if Mitchell could look into, if the same rules apply to wheelchairs as Golf Carts, in that they can not travel on or down State Highways. The group had some discussion about defining physically disabled individuals. Mitchell said the Ordinance defines a physically disabled individual. He said part of the meaning in the ordinance states "Physically Disabled" shall mean any person who, because of physical disability, (a) cannot walk without substantial risk, (b) cannot walk 200 feet without stopping to rest. Chief Clayton requested the chairs be required to display a slow moving vehicle emblem. Mitchell said he anticipated this, and placed the slow moving vehicle emblem display required by O.C.G.A. § 40-8-4 in the Ordinance under Section 2. The group had some discussion about the sidewalks and if all were wheelchair accessible. After some discussion they agreed to have Mitchell strike out the sidewalk prevision.

## **8 Department Heads' Report- None**

### **PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL**

Alderman Richbourg asked Mandy if we could advertise in the paper for at least two weeks about the gas base rate increase before we implement it.

Mayor Harper told the Chief he spoke to the Sheriff and was told he could supply us with 4, 5, or 6 workers for the work crew. He said the Chief is interested in submitting a Grant which will hire someone to head up the work crew. Chief Clayton said he is working on the submittal and should have it completed before the deadline.

Alderman Retterbush said John Reynolds mentioned to him about purchasing a bush hog mower to pull behind the tractor. He said the one we have is no longer any good and the Council needs to consider putting out bids for a new one. He added EPD requires we have one. The Council asked John to get three bids for the bush hog. Mayor Harper asked if the Council has decided what kind of lawn equipment we are going to purchase or replace. Alderman Davis said he will get with Tommy Davis and have a list by the end of the week. Mayor Harper also asked if the bids on lawn care services for the City, since the contract with the present provider will be up May 1, 2009.

Alderman Perryman wanted to thank the City employees for all the heard work and long hours, during the all the flooding due to the rain a couple of weeks ago.

### **EXECUTIVE SESSION**

Alderman Davis made the motion to go into executive session at 7:35 p.m. The motion was seconded by Alderman Richbourg, and the motion carried unanimously.

Alderman Richbourg made the motion to come out of executive session at 7:50 p.m. The motion was seconded by Alderman Stalnaker, and the motion carried unanimously.

### **ADJOURNMENT**

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:50 p.m. Alderman Richbourg seconded the motion and the motion carried unanimously.



\_\_\_\_\_  
Mayor Travis Harper

\_\_\_\_\_  
Alderman Bill Turner

\_\_\_\_\_  
Alderman Dick Perryman

\_\_\_\_\_  
Alderman Darrin Davis

\_\_\_\_\_  
Alderman Billy Retterbush

\_\_\_\_\_  
Alderman Scott Stalnaker

\_\_\_\_\_  
Alderman Michael Richbourg

**ATTEST**

\_\_\_\_\_  
Johnny Hall, City Clerk