

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
APRIL 26, 2010**

INVOCATION: Mayor 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 Bill Turner, Dick Perryman, Scott Stalnaker, Michael Richbourg, Darrin Davis and Billy Retterbush.

STAFF PRESENT: Chief John Clayton, Tina Haughton, Mandy Luke, John Reynolds, Peter Schultz, Dawn Morrison, and City Attorney Mitchell Moore.

OTHERS PRESENT: Fern Turner, Joe Watts, Brian Williams, Allen Davis, John Hunkele, Ken Ricket, Mike Sirmans, Crissy Staley, Liza Hartley, Dottie and Robert Zinel, Mr. Miles, Wayne Nix, David Tyson, Bobby Gaskins and his Mother Kathy Gaskins, Larry Baldree, and Wayne Bullard.

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 Stalnaker and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA- Mayor Harper wanted to add a couple of items to the agenda. As item number six, Economical rebate on Water and Sewer tap fees, and item seven, add the County request for reduction of the water bill for the old Courthouse on the square due to a leak found. 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. Variance Request for 501 North Davis- Mayor Harper told the group, a public hearing was held today at 5:30 p.m. to discuss the variance request for 501 North Davis. The special exception request from Mrs. Gena Tyson so she can build a neighborhood pharmacy on the property zoned for Residential/Professional. Alderman Perryman made a motion to grant the request for variance or “special exception” for the pharmacy to be built at 501 North Davis. Alderman Retterbush seconded the motion and the motion carried five to one with Alderman Turner voting against the request for variance.

2. Auditorium Committee- Crissy Staley of the Berrien County Chamber of Commerce introduced Mr. Ken Ricket, an Architect from Valdosta who presented some designs for the new downtown Auditorium. Mr. Ricket has designed several Auditoriums and has devoted a large amount of his time designing a Community Auditorium to be placed in the old Badcock building downtown. Mr. Ricket presented the Council with a diagram of two Auditoriums. One will seat six

hundred people and the other will seat one thousand people. He explained the facility will cost around 3.7 million to build so this project will need to be a Community effort, such as the support from the School Board, The City and County and possibly private individual donations. He also informed the group a committee has been formed to research available grants and other funding for the project. Brian Williams gave a brief speech on the advantages and the many uses the community will have with an auditorium.

3. Sealed Bids for Sewer Camera- Mayor Harper opened the sealed sewer camera bids. He said John Reynolds sent out the specs for the sewer camera and he had three company's place a bid. Atlantic Machinery Inc. \$9,499.00 with an option of a digital locator, add \$1,695.00; Bahr Sales Inc. \$9,399.00 with as option of a digital locator \$1,600.00; and Adams Equipment Co. Inc. \$8,976.00 with the option of a locator \$1,536.00. The Council discussed the need for purchasing the sewer camera and possibly the locator. They also discussed different ways to offset the cost of the sewer camera. Alderman Richbourg made the motion to except the lowest bid and purchase the sewer camera with the option of purchasing the locator at a later date and stipulate the price for the locator should remain the same for ninety days. Alderman Turner seconded the motion. The motion carried unanimously.

4. FY2009 Audit- Mike Sirmans from Ashley, Meeks, Sirmans, Sirmans, and Sumner Accounting Firm, The City's auditors, gave the FY2009 audit report. He handed each Council member a copy of the FY2009 Auditors Report. The most important fact about this report is located in the Independent Auditor's Report which reads. Our responsibility is to express opinions on these financial statements based on our audit. This report includes the basic financial statements. Mr. Sirmans went over the individual fund schedules. The City has several funds and most of which are classified as non-major. The major funds he pointed out were the General fund, Water and Sewer fund, and the Gas fund. The General fund schedule of assets, liabilities, and fund balances for 2009 were, total assets of \$1,300,674.00, total liabilities of \$283,547.00. Net assets \$1,017,127.00. The General funds Schedule of revenues, expenditures and changes in fund balances were \$2,814,188.00 total expenditures with other financing sources of \$110,309.00 and the net change in fund balances \$214,220.00. The Water and Sewer Enterprise fund total assets for FY2009 \$5,994,261.00, total liabilities \$2,325,666.00, and net assets were 3,668,595.00. The Water and Sewer funds schedule of Revenues, expenses, and changes in fund net assets for FY2009 were, total operating revenues \$1,078,355.00, operating expenses \$964,478.00, non-operating expenses \$59,584.00, and net income \$62,462.00. Mr. Sirmans gave the FY2009 audit for the Gas fund. Total assets for the Gas fund were \$1,659,519.00, total current liabilities \$145,072.00, and net assets were \$1,514,447.00. The Gas funds schedule of revenues, expenses, and changes in fund net assets for FY2009 were, the total operating revenues \$720,096.00, operating expenses \$808,444.00, interests revenues \$28,140.00, and a net loss of \$59,880.00. Mr. Sirmans thanked the group and informed them that Mandy Luke and her staff does an excellent job.

5. Griffin/Allgreen contract- Mayor Harper told the group the City was contacted last week by Todd Griffin of Griffin Waste, who stated the company would be in the process of merging its company with Sam Sullivan owner of Allgreen Waste. Mayor Harper said Griffin Waste needs our permission to give our contract with Griffin Waste to Allgreen. Mayor Harper said the contract will remain the same per Allgreen. The only changes will be the sign on the trash truck.

After some discussion Alderman Richbourg made a motion to give the contract and the Addendum with Griffin Waste to Allgreen. The motion was seconded by Alderman Stalnaker, and the motion carried unanimously.

6. Economical Rebate on Water and Sewer Tap fees- Mayor Harper said he wanted to look into giving new businesses which employees five employees, that need water and sewer taps, a break or a discount on the cost. John Reynolds gave the tapping cost for water and sewer. On Sewer, a 4inch is 1,850.00, 6 inch 2,250.00; on water, a ¾ inch is 1,200.00, and 1 inch is 1,350.00. Mayor Harper said since they are charged separately then we should discount each one individually. He requested the fee of \$500.00 for water and \$500.00 for sewer to be the set amount for any new business employing at least five employees. Alderman Perryman said the number of employees should be less, because any small business can operate with less than five employees. After some more discussion the group decided to cut the number of employees required to receive the discount. Alderman Perry made a motion to reduce water and tap fees on any new commercial business opening within the City limits to \$500.00 for water and \$500.00 for sewer. The motion was seconded by Alderman Richbourg and the motion carried unanimously.

7. Request for a reduction in the water bill at the old County Courthouse- Mayor Harper said the County requested the City look into reducing their water bill for last month. They had a leak which caused their bill to increase tremendously over the past few months. The bills started at \$60.00 and increased to \$120.00 to \$501.00 to \$1,500.00 to \$1,254.00. The group discussed the fair way to handle this request because no one else in the City will get a reduction on their water bill due to a leak on their side of the meter. John Reynolds told the group the leak was found after two months and they are working on having the problem fixed. After more discussion the group decided to wait and make sure the leak has been repaired before making any decisions on the bill.

REPORTS

8. City Manager's /Finance Director's Report- Mandy Luke told the group she has started working on next year's budget. The department heads have their individual departments worksheets so they can get them filled out for next year's budget. She has also been working on the timeline and dates as well as an updated copy of our budget with revenue and expenses for each department so the Council should be receiving that information in the near future. Alderman Retterbush asked Mandy if she had any word yet on the City wide cleanup. She asked Henry Yawn and Tommy Davis to give an update. Tommy Davis told the group the cleanup went over well except for a few problems, and unfortunately he has not completed the figures on the amount of trash because they are still carrying it to the landfill. Henry Yawn told the group the problems with the cleanup were mainly some of the residence or landowners tore down old buildings and wanted it picked up so that caused some problems.

9. City Attorney's Report- Mitchell Moore commented on the cleanup. He said it was brought to his attention that some people were hauling in trash to the City for the pickup. He said if this turns into a problem or is being abused we may need to look at setting some guidelines or let the public know the intent behind the clean up to keep it from getting out of hand or becoming a problem. Mitchell asked the group to think about putting an article in the paper about the cleanup to educate

the public, by stating the citywide cleanup was a success but there were some abuses and if it happens again we would hate to have to stop this yearly service, because the idea behind the cleanup is it's your community and we are doing it for you. Mitchell then updated the group on the drainage ditch located in Meadowbrook subdivision. He said we have to put up a gate there because we have an easement and we are working on installing some sort of pole gates, and put up a sign which states "For City Vehicles Only". He also told the group there may be some cost involved in taking down the fence the landowner started. The amount may be around \$300.00 to buy the post. Mitchell also asked the group if he needs to rework the penalties for business license statue. Mandy said the penalty the City charges is not that substantial. We charge a ten percent penalty but the fine charged if these businesses receive a citation is \$750.00. Mitchell clarified the concern then is not with the penalty but with the citation. He said he will look at the Ordinance if the Council wants but it sounds like the citation decision should be left up to the Judge and the Solicitor.

10. Coastal Engineering Report from John Hunkele- John Hunkele from Coastal Engineering Consultants, Inc. made the following report to the City Council.

1. USDA Loan Application –Copies of the Preliminary Engineering Report and Environmental Report were delivered to Mandy Luke. The environmental review process has been on-going for about 45 days and no comments have been received. John Hunkele will contact Denise Carter for an update on the loan application progress.
2. GEFA Loan Application–The Environmental Report and Planning Document has been completed and submitted. A copy was delivered to Mandy Luke.
3. John Hunkele will submit a pre-application to GEFA in response to the 2010 CWSRF solicitation. Under the 2010 program, the City may be eligible for up to \$750,000 in principal forgiveness, which might make GEFA a more attractive funding option than USDA. The remainder of the project would be funded as a 3% loan under the base CWSRF program. The application must be submitted on-line by April 29, 2010. GEFA will rank all applications received and issue its Intended Use Plan (IUP) by May 14, 2010. Some information for the pre-application is required from Mandy Luke.
4. Another public meeting may be required for the GEFA Environmental Review Process. John Hunkele suggested that it be held as before (30 minutes prior to the City Council Meeting). An advertising period of 30 days is required.
5. The dates in the consent order must be renegotiated prior to June 1, 2010. John Hunkele will try to set up a meeting with EPD for the second week in May in Atlanta. It was suggested that Mayor Harper and Mitchell Moore attend as well as anyone else the City deems necessary.

11. Department Heads' Report- Dawn Morrison updated the group on the various events happening downtown and on the downtown center and how well it is doing. She said a while back we applied for a grant with the Economic Development Authority. The grant was called the product development grant. We

received \$8,780.00 for the downtown center's improvements. The grant had a sixty percent cash match with a forty percent in-kind match. We met the forty percent in-kind match. Since the Downtown Development Authority applied for this grant, the plan was to meet the cash match with the sale of the Blokes building but the building has not sold. Dawn said she asked the rotary club for the \$5,000.00 and they want to do a fund raiser to raise the money. She said I need to have my reports ready by the end of the month and be able to tell where the \$5,000.00 is coming from in my budget. Dawn asked for a commitment from the Council to pay the \$5,000.00 for her and possibly pay some of this money back with the fund raiser or the sale of the Blake's building. She only needs a commitment from Council for these funds to add to her report. Alderman Richbourg made a motion that the City commit to the \$5,000.00 contingent upon reimbursement. The motion was seconded by Alderman Retterbush and the motion carried unanimously.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Brenda Thomas commented on the community center and said the last few times she has rented it the center was not cleaned. Several comments were made about the abusing the City cleanup week. A few spoke about watching out of town people dumping trash on or beside the City streets to be picked up. Several comments were made in favor of the Community Auditorium.

Bobby Gaskins commended the Council on the job they are doing for the City of Nashville. He wanted to talk to the group about a rental home which belongs to his mother. He said the house was rented out and a fire broke out in the kitchen. Due to economical hardship the insurance money received for the damage to the property was used for our family to survive in this tough economical time. Some of the neighbors are trying to force my family into tearing down the house. Our intentions are to rebuild the structure but unfortunately funds are not available right now. Mr. Gaskins asked the Council to not make him tear down the house, but give him the time to rebuild the structure. Alderman Perryman asked Mr. Gaskins if he has received any citation. He replied no, but Mr. Henry Yawn told me I would have to rebuild or tear the structure down. Alderman Richbourg commented the City has a lot of properties that need to be cited and he asked Henry Yawn if someone is making an effort, and no citation has been issued, is there something we can do. Henry said the complaints he received were due to the house has never been cleaned out after the fire and the fire caused a lot of fire damage. Mr. Gaskins said they could board up the windows and doors and clean the smut on the outside if that would suffice. Alderman Richbourg said since Mr. Gaskins is making an effort Mr. Henry should give him some latitude.

Larry Baldree wanted to thank the City Council for the opportunity work on the Volley ball park project. He thanked several businesses, financial institutions and individuals for their contributions efforts and support. He had a couple of request, one being the park be placed on the lawn mowing list the next time the lawn service contract for the City is put out for bids. He asked the City to look into placing a trash can and possibly a picnic table in the park. Larry also requested a picture be made in front of the park which will include everyone involved in making this project a success.

ADJOURNMENT

There being no further business to conduct, Alderman Turner made a motion to adjourn the meeting at 8:30p.m. Alderman Stalnaker 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

Tina Haughton, City Clerk