

REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
August 10, 2009

INVOCATION: Johnny Hall delivered the invocation.

PLEDGE: Pledge of Allegiance was led by Mayor Travis Harper

WELCOME: Mayor Harper welcomed all in attendance.

ROLL CALL: Members of the City Council present included Aldermen, Scott Stalnaker, Dick Perryman, Michael Richbourg, Darin Davis and Mayor Harper.

STAFF PRESENT: Mandy Luke, Johnny Hall, Henry Yawn, John Reynolds, Tommy Davis, Peter Schultz, Buck Warren, Captain Chuck Edwards and Mitchell Moore.

OTHERS PRESENT: Randall Milton, Pete Maye, John Hunkele, Debbie Cole, Matt Jansen and Frank Watts.

ADOPTION OF MINUTES FROM PREVIOUS MEETING: Alderman Richbourg made a motion seconded by Alderman Perryman to approve the minutes of the previous meeting. Motion was carried unanimously.

ADOPTION OF FORMAL AGENDA: Mayor Harper asked for the adoption of the Formal Agenda. Alderman Richbourg made a motion seconded by Alderman Stalnaker to adopt the Formal Agenda. Motion was carried unanimously.

Following the adoption of the Formal Agenda Mayor Harper and Alderman Davis received an emergency 911 call and had to excuse themselves from the meeting, thereby causing the Regular Meeting to be adjourned. The meeting was then taken over by Mayor Pro-Tem Richbourg, who declared for lack of a quorum we would be unable to vote on any issue. He informed the group that we could allow individuals to speak and Council would listen but no action could be taken at this time.

INFORMAL MEETING

NEW BUSINESS

1. BERRIEN COUNTY COLLABORATIVE – MATT JANSEN Mayor Pro-Tem Richbourg recognized Matt Jansen, Executive Director of Berrien County Collaborative, who is here to address the Mayor and Council regarding the donation of land for a grant project. Mr. Jansen began by thanking the Council for allowing him to address them. He informed them that the Berrien County Board of Education and Berrien County Collaborative have received a grant. He stated they will be tracking the students on wellness. He further stated that this grant will help them to update their current health and physical education curriculum in order to meet the recently restructured Georgia Performance Standards (GPS). Mr. Jansen informed the Council that with the grant funds they will be able to construct a high and low element rope courses on the campus as well at the County Farm and

the adjacent land indicated in the overview which is city property. He talked about not taking down trees for the trail in keeping with the green space. He also talked about adding poles which will be donated by Georgia Power and other sources. He commented that they are trying to get ideas on how to acquire the land required for the project from the City. He said the City could donate or lease the land whichever is the best idea. He added they are asking the City for use of this property for this project. He told the Council that the Collaborative will provide liability insurance. Mr. Hansen explained to the group that they would have to have certified instructors for the rope courses. He also explained to the group about a walking trail and that kiosks would be provided along the way. He discussed with the group the different features which will be offered on the project. He stated it will be an extra opportunity for the kids and a really good investment for the City. Alderman Perryman asked if they have the money already. Mr. Jansen responded that they have \$50,000.00 budgeted. He informed the Council that the Carol White PEP will bring in approximately one million dollars in support over the next three years. He added the Collaborative will maintain the courses once constructed. Alderman Perryman asked if the site is just a proposal. Mr. Jansen responded that it is and that it has not been mapped off. Alderman Stalnaker asked how will they keep the area secured. Mr. Jansen explained they would be building locking mechanism to the trees. He further explained that you would have to climb some 15 to 20 feet and you will have to put on a harness. He informed the Council that all of this is taken down and only put when the instructor is present. He added it will not be accessible to the public. Mandy Luke asked about the City's liability if they leased the property. Attorney Moore commented that leasing the property would provide some insulation to the City. He asked if the City will deed the property to them or what. Mr. Jansen responded that he is here to see what their options are. Attorney Moore commented that the City can deed it to the Collaborative with a revert clause, meaning it would come back to the City if it becomes non-existent. Alderman Perryman asked if the City does a deed what will be City be out since the Collaborative will be providing the insurance. Attorney Moore remarked that if the City buys into the program we need to find a way to make it work. Mayor Pro-Tem Richbourg asked Mr. Jansen if they have talked with Mr. Bob Lovein about this proposal. Mr. Jansen responded that they have. Johnny Hall expressed his concern about the Proposed Pedestrian Corridor in front of the cemetery. He commented that he has a problem with this. Mr. Jansen responded that this was the County project and not the Collaborative. He explained this idea has been since dropped from the County's project. Alderman Perryman stated the biggest issue is to decide exactly where to put it. Mr. Jansen told the Council they will get a designer to come in and design the course. Alderman Stalnaker told Mr. Jansen that once they have a designer come in they could flag the area then the Council could go and look at the area. Mr. Jansen discussed with the group about liability insurance. Alderman Perryman remarked that depending on if it is going to be an outright deed then liability will not be an issue. Captain Edwards asked that from the Police Department's prospective will there be signs installed which will read "No Trespassing", etc. Captain Edwards' concern was that should they catch somebody trespassing and no signs were present what would the Police Department charge the violator with. He stated if the department is going to enforce it they have to have something to back them up. It was decided that there would be "No Trespassing" and that the instructor has to be present and if they are not then it would be against the law for someone to be on the course. Following these remarks, Mr. Jansen thanked the group for

allowing him to speak on this matter. Mayor Pro-Tem told Mr. Jansen if we put this item on the agenda we would notify him. He stated it may not be the next meeting but the one following it.

2. COASTAL ENGINEERING - JOHN HUNKELE Mayor Pro-Tem Richbourg recognized John Hunkele of Coastal Engineering. Mr. Hunkele began by stating he is here to give the Council an update. He informed the Council they are about finished with pulling everything together for the GEFA application. He remarked they will be getting this to Ms. Luke. He told the group there are a couple of items they need. One is a copy of the Consent Order from EPD. Mr. Hunkele will get with Attorney Moore for this. The other item is a copy of the Service Delivery Strategy because they need to document the project area. He said they also need a certified copy of the Council Minutes where the Council approved going with the GEFA application. Pete Maye informed the group that we need to start the process of renegotiating the Consent Order. He added that it is clear that we are not going to meet the date on the Consent Order. He stated the sooner we start negotiating the better. He told the group that Attorney Moore will have to do this and they will have to get the dates. Mr. Hunkele informed the group that John and Brandon have been working on the action plan. He stated that they didn't have anything for the Council to vote on tonight, just wanted to give an update. Alderman Perryman asked about the USDA loan application. It was discussed at an earlier meeting about running the required ad for the loan application. Attorney Moore remarked that we did want to keep our options opened on this. The Council thanked Mr. Maye and Mr. Hunkele for the updates.

3. 1st READING OF FLOOD DAMAGE PROTECTION ORDINANCE – ATTORNEY MOORE Attorney Moore decided to forego the 1st Reading of the Flood Damage Protection Ordinance due to lack of a quorum.

REPORTS

4. CITY MANAGER/FINANCE DIRECTOR'S REPORT – Ms. Luke stated she had nothing to report.

5. CITY ATTORNEY'S REPORT Attorney Moore has nothing to report.

6. DEPARTMENT HEADS' REPORT

John Reynolds reported to the Council that the pump and motor is in for the spray field.

It was also reported that the FEMA funds have been approved for the City, but we have not yet received them.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

There were no public comments or general comments from Council.

Mayor Pro-Tem Richbourg declared the informal meeting over. Attorney Moore commented that the formal meeting was over when Mayor Harper and Alderman Davis left for the emergency call.

The informal meeting concluded at 6:30 p.m.

Mayor Travis Harper

Alderman Michael Richbourg

Alderman Darrin Davis

Alderman Dick Perryman

Alderman Billy Retterbush

Alderman Scott Stalaker

Alderman Bill Turner

ATTEST:

Johnny Hall, City Clerk