

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
FEBRUARY 11, 2013  
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 Aldermen Eric Gaither, Antonio Carter, Scott Stalnaker, Billy Retterbush, Michael Richbourg, Alderwoman Mellisa Watson, and Mayor Travis Harper.

**STAFF PRESENT:** Tina Ward, Randy Lane, Mandy Luke, Dawn Morrison, Peter Schultz, John Reynolds, Henry Yawn, Tommy Davis, Major Edwards, and Mitchell Moore.

**OTHERS PRESENT:** Randal Milton, Allen Davis, Neil Bennett, Bryan Shaw, Margie Morris, Mr. Miles, and Pearlene Daniels.

**ADOPTION OF MINUTES-** Alderman Richbourg made the motion to approve the minutes from the previous meeting. Alderman Stalnaker seconded the motion and the motion carried unanimously.

**ADOPTIONS OF FORMAL AGENDA-** Alderman Stalnaker made the motion to adopt the formal agenda. The motion was seconded by Alderman Carter and the motion carried unanimously.

**NEW BUSINESS**

**1. Amendment to the GMEBS Benefit Retirement Plan-** Randy Lane told the group this amendment will reduce the vesting requirement for eligible employees employed on or after March 1, 2013 from a 10 year cliff vesting schedule to a 5-year cliff vesting schedule so that benefits will be 100% vested after a participant has a minimum of five years of total credited service. The draft adoption

agreement would become effective on March 1, 2013. This will constitute the first reading of this Ordinance. Mayor Harper told the group the Ordinance will be up for approval at the next Council meeting after the second reading.

**2. GMA Annual Convention-** Mayor Harper told the group that this year the GMA Annual Convention is scheduled for June 22-25. The Council has been provided with the forms that need to be completed and returned to the City Clerk no later than March 1<sup>st</sup>, 2013 so they can be prepared to go online on Tuesday March 5<sup>th</sup>, 2013 at 9:00am when registration opens. Over five hundred City's will be registering online at the same time so it is very important that the Council hand in the forms completed and on time.

**3. Request for a Street Light at 709 Dianne Street-** Henry Yawn told the group that he investigated the area requesting the street light and the property already has a street light in front and in back.

## **REPORTS**

**4. City Manager's/Finance Director's Report-** Mandy Luke told the group the City received \$51,508.00 for LIMG. Randy Lane asked Statewide Engineering to do an assessment on the streets MLK and Hull. The cost to resurface both will be around \$100,000.00, so we could resurface one and wait to do the other next fiscal year. Mayor Harper asked Randy if this total will only resurface both streets. Randy said the cost is \$100,000.00 per mile. Statewide did the assessment on both roads and they also included large vehicle traffic. Mayor Harper asked Randy what is the time frame in which we must have this done. Randy suggested we use the money to pave one of the roads now and wait to pave the other one next fiscal year (July to August). Mayor Harper told the group we have a couple other projects we need to have a work session and this item needs to be included. He suggested we have this work session in the next couple of months.

**5. City Attorney's Report-** Mitchell Moore told the group he has been working with Peter on the Tifton Gas project. He heard back from Bob Wilmont in reference to the maintenance cost on this project. According to their figures and ours there is a discrepancy of about \$1.28 per mile. The City of Tifton had asked that the City of Nashville adjust the cost of the gas under the contract to cover their maintenance cost. Mitchell said he is to contact Tifton to let them know we are prepared to recompose to offset the discrepancy of .50 versus \$1.78 per mile. He added also we can look at this again before the next fiscal year to see if we can do more. Also, we will need to look at asking them to release the collateral that we

provided in connection with the financing of this project. Mitchell said he needs the Council to direct him on what to do. Mayor Harper suggested that they sit down with the City of Tifton without the City Attorney present and talk over the numbers and how each one derived at their figure. Randy told the group that he Peter and Mandy have discussed this issue and we feel as if the fifty cent is the correct amount. We can revisit this issue in a year. Right now we need to concentrate of freeing up the collateral that was used for this project. Mitchell told the group he has to be granted that authority before he can make any proposal. Mayor Harper suggested we hold off on the counter offer until we have the sit down with the City of Tifton without the City Attorney's present. Alderman Carter made the motion authorizing the Mayor to set up a meeting with the City of Tifton without the City Attorney's present and discuss the proposal. Alderman Gaither seconded the motion and the motion carried unanimously.

Mitchell also updated the group on the LOST litigation. Tim Tanner and Mitchell are considering dismissing our constitutional challenge to the Statue, to the extent, in an effort to try to attempt to limit the power of the Superior Court. As this has been thrashed out across the State, different things have come to light, of course the Legislature had some busses for setting everything up the way they did, so that the court would have to choose one or the other. We have decided not to challenge the constitutionality of the Statue. This will not affect the hearing scheduled for next week. We simply want to amend the plea prior to that hearing.

**6. Department Head's Report-** Dawn Morrison told the group that in May 2004 the Council passed a Historical Preservation Ordinance. One year later Dawn was trying to designate the City of Nashville as a certified Financial Local Government. She discovered that the Ordinance had not been published. We need to do some housekeeping and it was recommended by Bryan Shaw who is the Historic Preservation Commissioner that we advertise the Ordinance again three times in paper and have the first and second reading once more. Dawn said we also called the Historic Preservation Commission for the State and this was their recommendation as well. Mitchell Moore told the group that he has found some other Ordinances that were not published before Tina Ward took over the Clerks position. He said this particular Ordinance we will need to identify the specific property's and notify the property owners, because they will need to know what's going to happen with their property once this Ordinance takes effect. So the only modifications needed on this Ordinance are to identify the property and the owners and give them a chance to be heard which will be the Public Hearing, and then we make darn sure it is published after the second reading. Bryan Shaw told the group all of the properties within the boundaries will be affected by the restrictions of the Historic district. Only the Historical section will have restrictions that are tighter

and those are the ones we will need to notify the other sections will have certain restrictions but those are not any different than the City's Code. Alderman Richbourg made the motion to start the work on the Historical Preservation Ordinance and the Historical District. Alderman Retterbush seconded the motion and the motion carried unanimously. Dawn also asked the Mayor and Council to sign the Proclamation declaring The Georgia Humanities Council, in partnership with the Smithsonian Institution, presents New Harmonies which is Celebrating American Roots Music. New Harmonies is a traveling exhibition that shares America's story by examining the roots of American music and while in Georgia will travel to 12 cities communities highlighting the unique story of Georgia's musical traditions from 2012 through 2013. The Berrien Historical Foundation and the City of Nashville will be hosting this event from May 18 until June 29 at the Nashville Community Center. Alderman Stalnaker made the motion to sign the Proclamation declaring May 18<sup>th</sup> until June 29<sup>th</sup> the dates for the Smithsonian, New Harmonies exhibit dates. Alderwoman Watson seconded the motion and the motion carried unanimously.

Major Edwards told the group he received a call from Russell Mansfield who is a Pastor for a Church located on the square downtown. Mr. Mansfield wanted to know if the City could install some more handicap parking areas which would require paint and the signs. Major Edwards said according to the State Law any Handicap space created after July 1, 1987 requires the blue metal reflective signs. So we need to ask the Council if we can install these parking spaces with the markings and where the money to pay for these costs will come from. After some discussion about where the handicap parking should be placed around the square, Mayor Harper asked that the street department place four handicap parking spaces, one on each corner of the Court house where it is handicap accessible. Each parking area should be completed with the reflective blue metal signs. He also asked them to repaint the other parking areas as well.

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

Mr. Miles asked the Council to consider repaving Hull Street first with the LIMG money. He said the school buses travel that road considerably and the road is in need of repairs. Mr. Miles also asked the Council about the Beetree Park Project and when it will begin. Randy Lane told Mr. Miles that he has been contacted by Stephen Rakestraw who is the Architect and Engineer for the project and he is setting up some dates by next week. Dawn Morrison added the City has been awarded the grant for the park but we don't have the money yet because just like all other grants it takes time. Randy added that he and Dawn have attended several classes which were to teach them how to complete the grant paperwork. Dawn also

stated that the entire grant process takes a long time to complete. Pearlene Daniels stated that she has tried to get the people who attended the last neighborhood meeting to understand that the grant process takes a long time. She asked the Council if they could help her educate the citizens from this area about the grant process. Dawn suggested that the City place an article in the paper.

Margie Morris asked the Council if she could keep her under the sink grease traps she replaces a few years ago instead of installing an in ground system. Mrs. Morris, who is the owner of Mimi's Café stated she has no place to put an in ground system due to the location of her café. John Reynolds told the group that the under the sink system Mrs. Morris has is not adequate or sufficient for what her café needs. Mrs. Morris said she called the City of Valdosta and the City of Tifton and their downtown cafés have under the sink grease traps that are monitored monthly and they are sufficient for these areas. She also stated that in the Ordinance it states that the best place for the grease trap is in ground but all facilities will be considered on an individual bases. Mrs. Morris stated that her facility should be considered and fall under this category. Randy Lane told the group that he spoke with Mrs. Morris today and told her he would ask the Council about possibly allowing the grease trap to be installed in the ally since she has no place to install one. Also would need to check and see if the City had utility lines in the ally. John Reynolds told Randy that the Gas department has gas line that run back there but he was not sure where Water department 's water main is located in that ally. Mrs. Morris told the group the grease traps she installed under the sink a few years ago should be considered as adequate. The traps are new and each employee has been trained not to put grease down the sink. Alderman Richbourg told Mrs. Morris that the City has a new waste water treatment plant which cost the City around seven million dollars and the grease cannot go into this plant. Mayor Harper told Mrs. Morris that we have to treat every business the same if the water superintendent tells this Council that the traps under the sink are not adequate then they are not adequate. Mayor Harper told Mrs. Morris that he would have John Reynolds and Peter Schultz look into locating the utility's in the ally way and see if a grease trap can be installed. Alderman Richbourg asked Mandy Luke to run an ad in the Berrien Press in order to help educate the public about the waste water treatment plant and explain to the public how it is different than other cities such as Valdosta or Tifton. Mrs. Morris asked the Council how much time the facilities will have to install the proper grease traps. Mayor Harper said you have 30 days from the last Council meeting and a thirty day extension will be granted to those who show they are in the process of installing the system.

Mayor Harper told the group about the proposed House Bill 143. He said per GMA the city clerks are hesitant to return to the local filing process and be the filing officers for the ethics disclosure forms. However, GMA believes the new process

proposed in House Bill 143 will be streamlined and create significantly less burden for the clerks than in the local filing process. Under the proposed changes, candidates who raise or spend less than \$2,500 in a calendar year are exempt from filing campaign disclosure reports. These candidates represent the vast majority of city officials. That means that the number of forms that clerks will have to accept is significantly fewer than under the prior law and filing process. Alderwoman Watson wanted to remind everyone about the LEAP Program, and they are still accepting donations.

**ADJOURNMENT**

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 6:55p.m. Alderman Stalnaker seconded the motion and the motion carried unanimously.

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Mayor Travis Harper

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Alderman Eric Gaither

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Alderwoman Mellisa Watson

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Alderman Antonio Carter

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

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Alderman Michael Richbourg

**ATTEST**

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Tina Ward, City Clerk