

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
APRIL 22, 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, Mandy Luke, Randy Lane, Paul Stagner, John Reynolds, Henry Yawn, Tommy Davis, Chief Clayton, Lisa Sirmans, and Mitchell Moore.

**OTHERS PRESENT:** Bryan Shaw, Manny Sanisidro, Margie Tygart, Lynn Morris, Adam Houston, John Hunkele, Gary Nelms, and Allen Davis.

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

**ADOPTIONS OF FORMAL AGENDA-** Mayor Harper asked the group to add a few items to the formal agenda. Under new business, item two, the introduction of a new officer. Item number three, liability insurance bids for the City. Also add an Executive Session, and take off item numbers four and five. Alderman Richbourg made the motion to adopt the formal agenda with the changes. The motion was seconded by Alderman Stalnaker and the motion carried unanimously.

**OLD BUSINESS**

**1. Second Reading of the Historical Preservation Ordinance-** Mitchell reviewed the Ordinance and read the Council the changes made. On page three under section III (c) Commission Members: Number, Appointment, Terms and Compensation: The Commission shall consist of not less than three (3) or more than five (5) members appointed by the Mayor and City Council. All members shall be residents of the City of Nashville and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources. One page five section IV-A (3) c: a map showing district

boundaries and classification {*i.e. contributing, non-contributing*} of individual properties therein, or showing boundaries of individual historic properties. On page six section three (a & b) Evaluation of properties within Historic Districts: Individual properties within historic districts shall be classified as: Contributing (contributes to the district); Non-contributing (does not contribute to the district, as provided for in B.1). On page twelve sections V (k) Certificate of Appropriateness Void if Construction not commenced: A Certificate of Appropriateness shall become void unless construction is commenced within SIX (6) MONTHS of date of issuance. A Certificate of Appropriateness shall be issued for a period of EIGHTEEN (18) MONTHS and is renewable. On page thirteen VI (B)-1: The Commission shall monitor the condition of historic properties and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such conditions as broken windows, doors and exterior openings which allow the elements and vermin to enter, or the deterioration of a buildings structural system shall constitute failure to provide ordinary maintenance or repair. Also, (2)In the event the Commission determines a failure to provide ordinary maintenance or repair, the Commission will notify the owner of the property and set forth the steps which need to be taken to remedy the situation. The owner of such property will have THIRTY (30) DAYS in which to do this. (3)In the event that the condition is not remedied in THIRTY (30) DAYS, the owner shall be punished as provided in Section VII of this Ordinance and, at the direction of the City of Nashville City Council; the Commission may perform such maintenance or repair as is necessary to prevent deterioration by neglect. The owner of the property shall be liable for the cost of such maintenance and repair performed by the Commission. Mitchell told the group this will constitute the second reading of this Ordinance and he asked the Council to make the motion based on the above changes in the Ordinance. Alderman Richbourg made the motion to adopt the Historical Preservation Ordinance based on the changes submitted by Mitchell. Alderman Retterbush seconded the motion and the motion carried unanimously.

## **NEW BUSINESS**

**2. Recognize the New Officer-** Chief Clayton introduced the Council to the Police department newly hired police officer. Lisa Singletary thanked the Council for the opportunity to serve the City of Nashville. She told the group she was born and raised in Tifton; she has been in law enforcement for seven years and also worked with EMS for six years.

**3. Open Bids for the City's Liability Insurance-** Randy Lane told the group the City had two bids for the City's Liability Insurance, Atwater & Houston which our current carrier and The Gaskins Company. He handed the Council a handout which compared the two bidders. Atwater & Houston Insurance Agency bid \$91,701.00 and The Gaskins Company bid was \$90,509.00. The difference of the two bids is \$1192.00. Randy pointed out the bid proposal comparisons for the difference in coverage. He also stated that the City's current provider has a disappearing deductible where Gaskins Company does not. See chart below:

COVERAGE	ATWATER & HOUSTON INSURANCE SELECTIVE INSURANCE CURRENT CARRIER	THE GASKINS CO. COMPANION & OTHER COMPANIES
Property coverage	**\$12,489,422 includes \$30k rectifiers	\$12,293,050.00
Inland Marine	\$364,700	**\$394,700 includes \$30k rectifiers
Crime Coverage	\$1,000	\$2,500
Earthquake & Flood	\$10ML	\$5ML
Sewer Backup	\$50,000/\$500,000	None on Quote
Failure to Supply	\$1ML/\$2ML	\$1ML/\$1ML
Abuse & Molestation	\$1ML/\$2ML	\$1ML/\$1ML
Cemetery Liability	\$1ML/\$2ML \$28.00 per year	None on Quote
Pesticide/Herbicide Liability	\$1ML/\$2ML \$559.00 per year	None on Quote
Law Enforcement Liability		
Public Official Liability	\$5000.00 deductible	\$2500.00 deductible
Employment Practices Liability		

Randy pointed out that the claims service for Atwater & Houston Insurance is Selective Insurance and they handle their own claims. The Gaskins Company insurance provider is Companion and their claims are handled by a third party which is Gallagher Bassett Services. Atwater & Houston Insurance Company, Selective has an (A) for excellent rating. Gaskins Company has five different companies involved in their proposal, Companion, Brit Insurance Company, Lloyds of London, Hanover Insurance Company, and Company of the West. Companion Insurance Company is a new company with less than one year experience in Georgia. The Insurance Company of the West has a rating of (A-). Randy asked Manning Sanisidro from the Gaskins Company to tell everyone about the bid proposal and answer any questions the Council may have about their proposal. Manning told the group he was not properly prepared to answer any questions because he attended the meeting with some questions on another item and was under the impression the bids would not be read until the first meeting in May. He would however try to answer any questions the Council may have about Gaskins Company's bid proposal. Manning told the group although he is not properly prepared he dose recall the proposal listing several different insurance companies some of which are relatively new to Georgia but have been in this business for several years. Gaskins Company took full advantage and as we have stated in the past if we are given the opportunity we want to find a market that will be competitive for you. This will give The Gaskins Company a lower bid and the City lower deductibles. Alderman Retterbush asked Manning why they use five different companies for their claims service. Manning said our company "Companion" will report these claims throughout the region to find the one that best represents these companies and in doing so the claims process is still the same. Alderman Retterbush asked if the other

companies have a rating. Manning said absolutely they have a rating. Alderman Richbourg asked what the 1ML/2ML means in the chart above. Lynn Morris told him that this means one million per occurrence and two million if more than one person. She also explained the disappearing deductible that Atwater & Houston provides. The disappearing deductible means ten times your deductible so that if you have a ten thousand dollar claim or larger you will have a zero deductible. Mayor Harper said if we have had no problems with the service we receive from our current company then there is no need to change companies because of an \$1192.00 difference. Adam Houston told the group that their company could go back and bid lower but so can Gaskins Company so it can be a never ending process when it comes to who can bid the lowest on the insurance. What it comes down to is which company does the City feel comfortable dealing with and trusting with their service. Randy Lane added that the City has been with Atwater & Houston for the past two years and have had no problems. Manning told the group again he was under the impression the bids would be opened at the first meeting in May so he did not come prepared. He would like the Council to give him an opportunity to bring his notes to the next meeting if possible. Mayor Harper told Manning that at this point the difference in the bids, which is only (\$1192.00), is not enough to change insurance companies. Manning asked the Mayor what it would take for the City to accept the lowest bid. Mayor Harper said it would have to be a bigger difference or bigger than two percent to change company's. Mayor Harper asked the Council if they wanted to take any action on this item tonight. Alderman Richbourg stated the Council should take action on this tonight because there is not a phenomenal difference in the bids and another thing is we need to look at the fact that Companion does not handle their own claims and Selective does, and that makes a big difference. Alderman Retterbush made the motion that the City allows Atwater & Houston to continue the liability insurance coverage on the City. Alderman Richbourg seconded the motion and the motion carried unanimously.

Randy Lane told the Council that Tommy Davis approached him recently in reference to a tree that needs to be cut down. Tommy Davis added the tree is on the 500 block of East Avery and North Taylor and is on the City's property. The tree is split down the middle and in bad shape so we put out for bids to remove the tree. Mayor Harper read the three bids received. Affordable Tree Service bid \$975.00, Mad Tree bid \$1000.00, and Wayne's Tree Service bid \$1800.00. Tommy said these prices include removal and grinding. He also added that each bidder is insured and bonded. Alderman Gaither made the motion to go with the lowest bidder, Affordable Tree Service who bid \$975.00. Alderwoman Watson seconded the motion and the motion carried unanimously.

**4. Gas Light Downtown-** Gary Nelms the Post Commander for the VFW told the group he would like to speak to them about the gas lantern downtown for the World War II Monument. Last year the Nashville VFW post approved the purchase of a new lantern because of the problems with the old one. The flame would get blown out if a strong wind blew it out but the gas would continue to flow. The new lantern will be different because if the flame is blown out the gas will be automatically shut off. Mr. Nelms said the Nashville post will also purchase a timer for the new lantern so that it will be shut off every night. They would like for the City to supply the gas for the lantern as they have done in the past. Peter Schultz said there is a gas line at the old court house and what he can do is put a tee on that line so that the line going to the

lantern will be separate. Randy Lane added that Mr. Nelms ask about the City employees doing the work on installing the gas line and we would need a letter from our City Attorney releasing us of any liability. Mayor Harper stated he did not see any problem because we ran gas to the lantern before. Alderman Richbourg stated we may need to just get permission from the county. Mayor Harper asked Randy and Peter to follow up with Mr. Nelms and get this project underway. Also we may want to check out the plans for the t-project that is set for around the square and make sure this will not interfere with any of that work.

**5. Flag off a Course for “Disk Golf”-** Alderman Gaither told the group his brother Mark has asked the City’s permission to flag off a course on the City’s property behind Loven Funeral Home for Disk Golf. Alderman Gaither told them this will be a temporary coarse and temporary flags will be put out using a diagram. Once he lays out the course then he will present the plans to the Council for a permanent course. Once he gets the course completed with the Councils permission, he will proceed to collect signatures of people who will come and play on the course. Randy Lane added that Valdosta has a course and they have tournaments for the Disk Golf. Alderman Stalnaker made the motion to allow Mark Gaither to flag off the course for “Disk Golf”. Alderman Retterbush seconded the motion and the motion carried unanimously.

## **REPORTS**

**6. City Manager’s/Finance Director’s Report-** Mandy Luke handed the Council a copy of the bank balances as of March 31<sup>st</sup>. She said the Council needs to be thinking about a budget workshop for the next fiscal year. We will have some areas in the budget that we will not know about until we hear something from the LOST litigations. The workshop should be scheduled sometime in May or the first part of June.

**8. City Attorney’s Report-** Mitchell Moore told the group he has sent a copy of the proposal on the Tennis courts to Mandy and Mrs. Raley at the Board of Education and Mrs. Raley agrees that we need to memorialize it. Mrs. Raley presented our proposal to the Board of Education and they appreciated the use of the tennis courts for the last thirty years. Mrs. Raley said the Board of Education is receptive to our proposal but Mitchell needs guidance from the Council on the coverage of the lights. Do we want to split the bill for the lights or let the Board of Education pick up the entire bill? He cautioned the Council because they proposed to let the courts be available for the citizens when they are not in use by the Schools. Mitchell said Mrs. Raley also indicated that they have replaced some of the screens. Mandy Luke added the coaches at the schools stated they use the tennis courts around three months out of the year. Mitchell told the group the Board of Education is receptive and they are willing to take over some of the maintenance cost so before the next school year we should have something in place.

**9. Department Head’s Report- Randy** Lane told the group he had a request from Mr. Nix and the First Baptist Church. They would like to use the Community Center on July 8<sup>th</sup> to July 28<sup>th</sup> a couple of hours a day during the week days to feed children that are out on summer break. They stated that the reason they chose the Community Center is because it is centrally located and easy to find. Randy added the other two larger churches are also joining in to feed the children. Alderwoman Watson stated this is a good cause and it is free to the children so in her

opinion we should not charge for the use of the center. Alderman Richbourg stated as long as they are responsible for the clean-up then he is all for not charging for the rental. Mitchell stated the Council should charge them something because of the liability stand point. Alderwoman Watson made the motion to allow the Churches to rent the Community Center for one dollar for a couple of hours a day during the week starting July 8<sup>th</sup> through July 24<sup>th</sup>. The dollar was paid in full by Alderman Richbourg. Alderman Stalnaker seconded the motion and the motion carried unanimously.

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

Margie Tygart invited the group to help in celebrating the Women's Club 100 year anniversary. She told the group the celebration will begin with Open House on May 4<sup>th</sup> from 2:00pm to 5:00pm. Mrs. Tygart told the group about some of the Women's Clubs accomplishments in their one hundred years of service to Nashville.

Mitchell stated that John Hunkele is with us tonight to address some of the questions about the grease traps. One of the questions some have is will there be any alternative options at the plant to remove the grease. Alderman Retterbush asked John how many filters are at the waste water treatment plant and how does it work. John Hunkele said it is really a system wide problem as far as the grease build up. The plant has a strainer at the entrance and this strainer strains out all of the bigger solids and then at the end of the plant there are two filters which filters the water out and goes through the biological process before it gets discharged. None of these enhance the removal of grease.

Bryan Shaw told everyone that three weeks from Saturday is when the New Harmonies opens. The Fiddle Jam will be the first event starting May 18<sup>th</sup> at 11:00p.m. We have forty five musicians coming to the event at their own expense. All of these musicians are coming to honor Frank Malloy who is the Patriarch of string musicians in the Southeast. Dawn Morrison is also arranging for Mr. Malloy to receive the key to the City during the beginning of the event.

### **EXECUTIVE SESSION**

Alderman Richbourg made the motion to go into executive session at 7:03 p.m. Alderman Stalnaker seconded the motion and the motion carried unanimously. Alderman Richbourg made the motion to come out of executive session at 7:30 p.m. Alderman Retterbush seconded the motion and the motion carried unanimously.

### **REGULAR SESSION RECONVENED**

Alderman Carter made the motion to allow Mitchel Moore to proceed with the LOST litigations. Alderman Gaither seconded the motion and the motion carried unanimously.

### **ADJOURNMENT**

There being no further business to conduct, Alderman Carter made a motion to adjourn the meeting at 7:31p.m. Alderman Gaither 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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Alderman 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