

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
APRIL 28, 2014
6:00 P.M.**

INVOCATION: Mayor Pro-Tem Billy Retterbush

PLEDGE: Pledge of Allegiance was led by Mayor Pro-Tem Billy Retterbush

WELCOME: Mayor Pro-Tem Billy Retterbush

ROLL CALL: Members of the City Council present included, Aldermen Antonio Carter, Scott Stalnaker, Eric Gaither, Walter Steward, Alderwoman Mellisa Watson, and Mayor Pro-Tem Billy Retterbush.

STAFF PRESENT: Mandy Luke, Tina Ward, Dawn Morrison, Randy Lane, Brandon Rice, John Reynolds, Peter Schultz, Chief Chuck Edwards, Paul Stagner, and Mitchell Moore.

OTHERS PRESENT: Bryan Shaw, Gary Nelms, Pearlene Daniels, Kyle Pearson, Mandy Young, and Theresa Lovein.

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETING- Alderman Gaither made the motion to adopt the minutes from the previous meeting. Alderwoman Watson seconded the motion and the motion carried unanimously.

ADOPTIONS OF FORMAL AGENDA- Mitchell Moore asked the Council to add an Executive Session to the formal agenda. Mayor Pro Tem Retterbush also added as item one, possible appointment of two members to the Housing Authority Board. Alderman Stalnaker made the motion to adopt the formal agenda with the additions. Alderman Carter seconded the motion and the motion carried unanimously.

NEW BUSINESS

- 1. Possible Appointment of two Members to the Housing Authority Board-** Alderman Stalnaker stated that the Council needs to discuss the procedure on how to do this and confer with our City attorney to see if it is within our guidelines to appoint anyone at this time. Theresa Lovein from the Housing Authority told the group she would like Council to reappoint two of their commissioners. One expired March 12, 2013 and the other expired March 12, 2014. According to State law the failure of the Mayor to appoint these members it falls on the shoulders of the City Council to make the appointments. Randy Lane gave the group the package the Mayor left for him. He pointed out they papers have

not been signed by the City Clerk and he discussed the matter with Mitchell. Mitchell stated that he has not seen the bylaws or the State laws for the Housing Authority. The State law does provide for a provision under 8-3-5 that if the appointment is not made in a timely manner the governing body may appoint the commissioners of the authority created for such City. Mitchell stated he is not comfortable in making the final decisions on the appointments without knowing the bylaws or the circumstances. Alderman Stalnaker suggest they take this matter under advisement tonight and allow time for the Mayor to explain his actions. Also give Mitchell time to research and make sure we are doing everything by the book. He added we will resolve this issue as soon as possible. Mitchell stated that in all fairness to Ms. Lovein she did try to speak to me about the matter on Friday afternoon but she had also contacted some other legal counsel and I was not comfortable speaking with her on the matter knowing she had done so. Alderman Stalnaker stated he would like for Ms. Lovein to go on record and tell this Council her recommendations for the board. Ms. Lovein recommended the two commissioners that their term has expired and they are Annette Baker and Oliver Moffett. Mayor Pro Tem Retterbush stated in the last eleven years he has served on the City Council he has never had something like this come before the Council. He suggested the item be postponed until the next Council meeting so the City Attorney and Council can look into the matter further. Ms. Lovein stated the bylaws state their terms can roll over until they are reappointed or someone else is appointed, because I can't legally do business without a full board.

2. **Resolution Approving the Executive Session April 14th, 2014-** Mayor Pro Tem Retterbush asked the Council to adopt the Resolution for the Executive Session held on April 14th, 2014. Alderman Stalnaker made the motion to adopt the Resolution. Alderman Gaither seconded the motion and the motion carried unanimously.
3. **Affordable Equity Housing Project-** Mandy Young with AEP (Affordable Equity Partners) explained to the group a little about her background. The main office for AEP is located in Atlanta. They have over 90 developments in the State of Georgia. Our company is the only company that do our own syndication we own our own construction company and we own our own Property Management Company. The company has several developments if Waycross, Tifton and Douglas and she encouraged the Council to go take a look at these developments. Ms. Young informed the group of how Nashville was considered to receive a development. The application for this development will be on a point system through DCA. She also told the group they looked at several properties in Nashville before they found the property located at 901 South Dogwood. The proposed development information we are applying for is sixty units. They will consist of one, two, and three bedroom units. The development will create four jobs for the community and the local economic impact on Nashville and the community will be approximately \$1.3M on the local business and \$225,000 for Government services. All potential residence must pass the minimum lease requirements. Some of those requirements are they must pass a criminal background check and a credit history check as well, show proof of employment

and income, must have a monthly income that is three times the amount of the monthly rent. (See the Resident Selection Criteria below):

All applicants will be reviewed equally for occupancy under the following guidelines. Applicants determined eligible will be selected on a first-come, first-served basis according to the chronological order of the waiting list. First priority being placed on victims of a natural disaster such as flood, earthquake, tornado, or hurricane.

Selections will be made from the waiting list maintained for the particular unit size and/or unit type. If the applicant chooses not to accept the unit at that time, the applicant will be notified in writing that their name will be removed from the waiting list. If the applicant chooses to re-apply, their application will be placed in chronological order on the waiting list.

The waiting list will contain completed applications and will be updated periodically to determine continued interest and need for an apartment.

Applicants who wish to be a resident or co-resident must possess the legal capacity to sign all documents, (unless an accommodation determination for the handicapped to allow guardian signature if otherwise eligible is made), and would have to agree to complete the resident recertification process, enter into a one year lease agreement, pay a security deposit and participate in a unit inspection prior to physical occupancy of the unit.

Each prospective applicant will be pre-qualified by a member of management in order to determine if the applicant qualifies to live in a Section 42: Tax Credit Property. A maximum income limit has been set by the county in which the property is located.

*Income eligibility is based on current income limits as of the date of move-in.

When Set-Asides are designated on the property, the following guidelines apply:

- a. A specific number of apartments are required to be designated as set-aside units. These units will be designated for residents whose income is at or below the 50% income level.
- b. All residents of the property who qualify at or below the 50% income level will be placed on the set-aside In-house Waiting List according to date of eligibility. As vacancies occur, the resident at the top of the set-aside In-house Waiting List would be designated as the next set-aside unit. It is not necessary to recertify the resident as qualification is determined at the time of move-in or lease recertification (whichever applies.)
- c. Upon recertification, a resident's status is reviewed and placement on the set-aside In-House Waiting List will be adjusted accordingly.
- d. A list of the current 50% set-aside units must be kept in order to monitor the set-aside. The number of apartments that have been set aside for each property can NEVER be varied. Any variance will result in non-compliance and the loss of tax credits.

Each prospective applicant will be put through an extensive screening process that is achieved through a private company. The screening company will investigate each applicant's past rental history, credit history and criminal background. This process is achieved within 72 hours and a final determination is made based on the information provided. Questions about the information will be directed to the screening company upon request.

Should no one apply who would benefit from special unit features, another applicant selected based on income level and occupancy policy, could occupy this unit with a written lease agreement to transfer to a different unit at the end of the lease should an applicant exist on the waiting list for the special unit. If a suitable unit is not available, the lease will not be renewed.

Applications that do not meet Resident Selection Criteria will be notified in writing within five (5) business days.

10. Applicants may be rejected for the following reasons:

- a. Fails to meet the age requirements to legally sign documents
- b. Family size exceeds the standard set for a certain bedroom size.
- c. Household income exceeds the income level set by the county.
- d. Fails to be able to demonstrate ability to afford and pay the base rent.
- e. A history of unjustified and chronic non-payment of rent and/or other financial obligations.
- f. Inconsistent employment history.
- g. Failure to obtain information to complete the application or verifications.
- h. Current use of illegal drugs or a conviction for drug use, manufacture, sale, distribution, misdemeanor possession, crime involving violence or any felony.
- i. Applicants found to have provided false answers on the application or at the interview.
- j. Full time student status unless the following criteria are met:
 - i. A member of the household is receiving assistance under Title IV of the Social Security Act (TANF).
 - ii. A member of this household is enrolled in a job-training program receiving assistance under the Job Training Partnership Act (JTPA)/1998 Workforce Investment Act or under other similar Federal, State or Local government agency funded programs.
 - iii. A student member of this household has previously received foster care and placement assistance by the State agency plan under Title IV, part B or E of the Social Security Act.
 - iv. The entire household is composed of a Head of Household who is a single parent with minor children; the parent is not a dependent and the minor child(ren) are not listed as dependents (as defined in IRC Section 152) on any other third party tax return, other than a parent of the minor child(ren) in the household.
 - v. The entire household is composed of individuals who are married that are eligible to file or file joint tax return.
- k. Household member is a registered sex offender or charged with related offense.
- l. Financial History:
 - i. Credit History:
 1. All applicants should have **50% or higher overall positive credit** OR have no credit history (this does NOT mean 0% credit due to negative accounts; it means no record of credit.) For prior bankruptcy, must have at least 50% positive credit for the past 2 years.
 2. NO outstanding utility bills i.e. electricity, gas. Proof of payment on outstanding balance must be provided. Documents must be copied and in the file.
 3. Medical accounts posted as negative are not to be counted when calculating credit.
 4. Any negative account can be eliminated as a negative by providing a paid receipt or by presenting a bankruptcy document verifying that the account has been satisfied. Documents must be copied and in the file.
 5. Foreclosure on a mortgage and repossession of an automobile or mobile home should be considered as accounts satisfied. Documents must be copied and in the file.
 - ii. Income Requirements:
 1. Income should be 3x (or higher) the amount of the resident's portion of the rent.

REJECTION OF APPLICANTS ON AN ARBITRARY BASIS IS PROHIBITED.

Examples of such arbitrary rejections are:

Race, religion, sex, disability, familial status, national origin, elderly, marital status, moral issues, political view, class membership, or organizational membership.

NOTE: Exceptions are in those properties (or portions of properties) designated for elderly and/or disabled where occupancy by non-elderly or non-disabled can be prohibited.

11. Selection of unit by apartment size shall determine the number of persons eligible to occupy each unit by the following standards, which comply with Georgia State Law:

- a. 1 bedroom = 1-2 persons
- b. 2 bedroom = 1-4 persons
- c. 3 bedroom = 2-6 persons
- d. 4 bedroom = 3-8 persons

NOTE: In determining the appropriate bedroom size, count all members of the household, foster children and resident assistants. DO consider an unborn child as a household member for the purpose of determining household size, with the appropriate verification.

***These guidelines are subject to change should extenuating circumstances prevail. Approval MUST be given by Fairway Management before moving residents into a different size unit than eligible to occupy.**

Only the persons listed on the lease and attached information are eligible to live in the unit. A resident is not allowed to move in an additional person without prior consent of management. Doing so may result in over-qualification and termination of lease.

Alderwoman Watson had some concerns about the area on Dogwood the Company choose to put the complex. Randy Lane told the group Henry Yawn sent out letters to the surrounding property owners advising them about the property and the public hearing that the City will hold so their voices can be heard on the matter. Dawn Morrison told the group we are very lucky to have this opportunity. They have very strict guidelines they

must go by in order to even consider the Nashville area for this complex. Alderman Stewart told the group that he has heard that Moody Air force Base will be losing 3000 jobs by next year. He added one of his concerns is if we have this complex will it what will happen to the houses that are being rented now. Will this cause an increase in abandon houses?

- 4. Nashville becoming a Purple Heart City-** Dawn told the group she was approached by Gary Nelms from the VFW regarding the City of Nashville becoming a Purple Heart City. The process is simple the Council adopts the Proclamation and it is sent to the Purple Heart Organization. Mayor Pro Tem Retterbush read the Proclamation. Dawn Morrison told the group that we will hold a ceremony Friday, June 13th at City Hall at 11:30 a.m. in which all recipients of the Purple Heart metal in our area will be honored. Gary Nelms who is a recipient of a Purple Heart metal told the group several communities in our surrounding areas are Purple Heart City's. He added Valdosta Technical College is the first college in the United States to become a Purple Heart college. This will honor all Veterans who have served their Country not just Purple Heart recipients and he thanked the Council.

REPORTS

- 5. City Manager's/Finance Director's Report-** Mandy Luke told the group the City received a bill from the Board of Elections in the amount of \$5,664.44 which is over her limit. The bill includes the runoff election that was held for Nashville. Alderman Stalnaker made the motion to approve the payment to the Board of Elections. The motion was seconded by Alderwoman Watson and the motion carried unanimously. Mandy told the group she sent out worksheets for all department heads to work on for the budget next year. Once the department heads complete the worksheets she will get with the Council on setting up a workshop for next year's budget.

- 6. City Attorney's Report-** Mitchell told the group the Gas project, and the Chaparral project are proceeding forward.

- 7. Department Head's Report-** Chief Edwards told the group about a couple events coming up. The first is the grand opening of Nashville Tractor on South Bartow and Marion. Mr. Rick Carter has requested we block off the street West Hamilton which is between South Bartow and West Berrien from late in the evening May 1st through midafternoon on May 3rd for the event. The Bank of Alapaha has been notified and they are ok with the street being blocked off at those times and dates. The Council said they were ok with the street being blocked off but asked the Chief to notify the surrounding residence as well as 911 and the Berrien Press. The second event will take place on May 9th The Farmers and Merchants Bank Junior Board of Directors will have their annual scholarship fund drive. The fund raisers will be taking donations at the traffic lights from 12:30 to 4:30 p.m. They have been advised of the rules and regulations they must follow. Alderman Stalnaker told the group that Peter Schultz has a request. On Cherry Drive in Meadowbrook Subdivision the storm pipes are rusted out and the damage is extensive. Peter received a quote from UAM, Utility Asset Management to install 8000 psi cementitious

liner at 1" minimum thickness in deteriorated corrugated metal pipes for \$75,000. The price also includes the filling in of the sinkhole. Alderman Stalnaker added this problem with the pipes has been a problem for some time and allowing UAM to do the storm pipe rehabilitation will rid the area of this problem. He also stated this problem has been an ongoing problem and has now become dangerous. Randy Lane added we submitted a request for a bid from another company in Valdosta and we received a verbal bid of \$130,000 to install a pre-fab bridge and an extra \$25,000 to remove the rusted pipe. UAM bid will be much cheaper plus they give a life time warranty on their work. He added the funds for this request will be taken from SPLOST and we have confirmed the SPLOST fund has the funds available with Mandy Luke. Peter handed the group some pictures of the area. After some discussion on the matter Alderman Stalnaker made the motion to go with UAM's bid of \$75,000.00. Alderman Steward seconded the motion and the motion carried three to one with Alderman Carter voting no and stating we should get some more bids. Randy Lane told the group he was instructed to do an environmental site assessment on the building at 1203 Ray City Highway which was donated to the City. Randy handed the group a copy of the proposal from Betts Environmental. The proposal stated this task is intended to identify evidence, readily available in the public records, of past or present activities on or in the immediate vicinity of the site that may have resulted in contamination or deposition of hazardous waste or petroleum products. Estimated cost of phase one will be \$2,200.00 and phase two \$4,485.00 for a total of \$6,685.00. Alderman Stalnaker stated this is a good investment to protect the interest of the City. After some more discussion Alderman Stalnaker made the motion to approve the proposal from Betts Environmental Recovery. Alderwoman Watson seconded the motion and the motion carried unanimously. Mitchell suggested the current owners of the building located on the Ray City highway go ahead and give the tenants a one month free lease agreement on the building. Then once the City takes the building over we can start charging the \$800.00 for a month to month lease. The Council agreed. Randy Lane told the group he received two bids for the waste water treatment plant water and air testing for the upcoming year. Michael Klink the project manager at Applied Technology & Management which is who the Council approved to handle the water testing at the waste water treatment plant. Submitted a bid on the water and air research for the upcoming year. The water and air research is \$11,300.00 for the upcoming year and Tindall Enterprises bid for the upcoming year is \$10,372.00. Alderman Stalnaker made the motion to go with the lowest bid of \$10,372.00 from Tindall Enterprises. Alderman Steward seconded the motion and the motion carried unanimously. Randy also handed the group the letter from GEFA in reference to the principal forgiveness. Randy also suggested the Council consider hiring one of the City's inmate's through the "Step up Program". He spoke to the Department of Labor and they suggested we go through this "Step up Program" which is a program to employ parolee's. This prisoner has impressed myself and Brandon Rice who is working on the BILO building for the City. Brandon Rice added he wishes he had ten more just like this one. He is a hard worker and a fast learner. Randy said he feels that this guy has paid his debt to society and he thinks we need to give him a chance. Randy said he will be bonded through this program for six months. He will be contract labor and will not receive any benefits and in six months when the bond is over we can revisit the matter if the Council wants to keep the employee. Alderman Stalnaker stated this will be good for the City to give someone a second chance. He added that this person has paid his debt to society and has impressed Brandon and Randy over and over

again. Alderman Stalnaker made the motion to hire the parolee through the step up program as contract labor if the parolee meets all the requirements according to the City Manager and the City Attorney. Alderman Carter seconded the motion and the motion carried unanimously. Alderwoman Watson told the group she is all for giving someone a second chance but if the City needs to hire employees why are they not advertising the positions in the local paper. Randy Lane said we will be working this person as contract labor which means no benefits and due to not know how LOST will go this way will be cheaper. Dawn Morrison updated the group on the new gas line project. The City was awarded \$790,952 in EDA Public Works funding for the construction of a gas line extension to provide needed natural gas service to DuPont Pine Products so the company can both meet its current demand and increase its production. Then additional funds for this project needed will be \$527,301. USDA has a zero percent loan called the Red Leg. The loan is specifically designed to go through an energy provider and the City of Adel is an energy provider the money will go to the City of Adel to their Development Authority to The City of Nashville. In order to apply for this loan we must hire a grant person to come in and apply. Wanda Hudson is who was recommended to write this for us and her fee for filling out the application is \$8,000.00. We can pay her \$4000.00 up front and \$4000.00 once she has finished and submitted the application. Once Council approves this we can sign the contract tonight and send it to Ms. Wanda tomorrow. Dawn added Ms. Wanda has completed several of these applications so she is more qualified than me to complete it. Alderman Stalnaker stated that \$8000.00 is a lot cheaper than paying the interest. Mayor Pro Tem Retterbush said it was his understanding that the owner of DuPont Pine was going to throw a couple hundred thousand in the pot to help with this project. Alderman Stalnaker said they discussed that point but the owner decided to put that money toward more equipment so they could operate more for the gas line. Dawn also pointed out that the owner of DuPont will service that debt for us once the line is operational. After some more discussion on the matter Alderman Stalnaker made the motion to allow Wanda Hudson to apply for the loan through USDA. Alderman Carter seconded the motion and the motion carried unanimously.

PUBLIC COMMENTS FROM PUBLIC/COUNCIL

Randy Lane told the group he would like to congratulate Ms. Pearlene Daniels for becoming the newest member of the Coastal Plain's board of directors for the City of Nashville. Mayor Pro Tem Retterbush asked Randy if Beetree Park is finished. Randy said they are only waiting to put down the mulch. Bryan Shaw told the group Georgia DOT will be installing the Historic Preservation sign this week on the State highway.

EXECUTIVE SESSION

Alderman Stalnaker made the motion to go into Executive Session at 7:21 p.m. Alderman Carter seconded the motion and the motion carried unanimously. Alderman Gaither made the motion to come out of Executive Session at 8:00 p.m. Alderman Carter seconded the motion and the motion carried unanimously.

REGULAR SESSION RECONVENED

Alderman Stalnaker made the motion to give Mitchell the authority to explore a thirty day extension and not a sixty day extension. Alderman Carter seconded the motion and the motion carried unanimously.

ADJOURNMENT

There being no further business to conduct, Alderman Stalnaker made a motion to adjourn the meeting at 8:05p.m. Alderman Carter seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walter Steward

ATTEST

Tina Ward, City Clerk