

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
JUNE 11, 2012  
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, Michael Richbourg, Antonio Carter, Billy Retterbush, Scott Stalnaker, and Mayor Travis Harper.

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

**OTHERS PRESENT:** John Black, Allen Davis, Constance Thomas, Angus Watson, Kevin Giddens, and Margie Tygart.

**ADOPTION OF MINUTES FROM PREVIOUS MEETING:** Alderman Richbourg made the motion to approve the minutes from the previous meeting. Alderman Gaither seconded the motion and the motion carried unanimously.

**ADOPTION OF THE BUDGET WORKSHOP-** Alderman Richbourg made the motion to approve the minutes from the Budget Workshop. Alderman Stalnaker seconded the motion and the motion carried unanimously.

**ADOPTIONS OF FORMAL AGENDA-** Mayor Harper asked the group to add as item number seven, a request for the metal building located on the work control lot. Alderman Richbourg made the motion to adopt the formal agenda with the changes. The motion was seconded by Alderman Gaither and the motion carried unanimously.

## NEW BUSINESS

**1. Court Appointed Special Advocates (CASA)** – Constance Thomas the executive director of the Berrien County Collaborative, spoke to the group for Elaine Grice who was in Washington D.C., about continuing support for CASA. CASA is under the umbrella of the Berrien County Collaborative and serves all five Counties in our judicial circuit, Atkinson, Berrien, Clinch, Cook, and Lanier. CASA relies on volunteers to keep this program going. These volunteers are appointed by a judge to advocate for the best interest of an abused, neglected or abandoned child. The CASA volunteer gathers information about the child's situation attends court proceedings and makes a recommendation to the judge so that the judge has the information to make a decision about the child's future. The volunteer advocates for the safety, permanency and well being of the child. CASA is brought in to be the voice of that child who has been taken from an abusive home and is destined to be a burden on society. Mrs. Thomas told the group CASA is a great program and hopes the City will continue their support in next fiscal year.

**2. Beer Application for "The Log Cabin"**- Angus T. Watson from L W Property Ventures, LLC, applied for a beer license in order to sell beer at the "Log Cabin". The fees have been paid and a criminal history was completed with one misdemeanor charge over ten years ago. Alderman Richbourg made the motion to approve the beer application. Alderman Retterbush seconded the motion and the motion carried unanimously.

**3. Updating the Fire Department's SOP-** Randy Lane asked to postpone this item until the Public Safety Committee can hold a work session on the subject.

**4. "Maintenance" on the Ordinance for the International Maintenance Code-** Mitchell Moore told the group on February 14, 2011 the Council adopted and published the Ordinance for the International Maintenance Code. Recently, this Ordinance as well as several others was sent to Municipal Code in order to update the City of Nashville's Georgia Code of Ordinances. During this process they discovered some dates were left out under Sec. 5-602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from (\_\_\_) to (\_\_\_) to maintain a temperature of not less than 65 F (18 C) during the period the spaces are occupied. In previous sections, the dates are October 1<sup>st</sup> to April 1<sup>st</sup> and these dates need to be inserted in Sec. 5-602.4. Also the signature

page somehow was overlooked. Council needs to ratify the dates needed for Sec. 5-602.4 and sign the signature page.

**5. Statewide Engineering, Inc. Bid Award for the 2011 CDBG Sanitary Sewer Improvements (Phase 1)-** Mayor Harper told the group bids were received and opened on the City of Nashville 2011 CDBG, Grant No. 11p-x-010-2-5397, Sanitary Improvements-Phase 1 Cured-In-Place Lining Rehabilitation and Manhole Rehabilitation Project on Friday, May 25<sup>th</sup>, 2012. On the review of the bids and project budget, it is the recommendation of Statewide Engineering, Inc. that the Phase 1 Contract be awarded to Southeast Pipe Supply, Inc. in the amount of \$246,048.00. This award is contingent on approval from the Department of Community of Affairs. Alderman Stalnaker abstained from voting due to a conflict of interest in the targeted area. Alderman Richbourg made the motion to accept the low bid from Southeast Pipe Supply, Inc. Alderman Carter seconded the motion, and the motion carried four to one with Alderman Stalnaker abstaining from the vote. Mayor Harper also stated that the City of Nashville is a tax exempt Government entity so any materials or purchases made by Southeast Pipe Supply, Inc. for the City of Nashville should be tax exempt. We are asking that Southeast Pipe Supply turn in all receipts so that we can be refunded any taxes added to these purchases.

**6. Travel Mileage and Training-** Alderman Retterbush said in order to be good stewards of taxpayer's money he would like to extend the mandatory travel policy that was voted on February 13, 2012 City Council meeting to our upcoming fiscal year August 1<sup>st</sup>, 2012 to July 31, 2013 budget with the following additions. All travel by Mayor, City Council, and City employees will be voted and approved on by City Council before any funds are paid except the mandatory training required for City employees to retain licensure and the City Manager will be responsible for making the decisions for employee training. This policy is for absolute mandatory training that is directly related to official City business and no other functions will be allowed without City Council approval. Alderman Stalnaker told the group that the budgeted amount should stay the same, and only if the funds are low and something comes up that is not in the budget but mandatory, then we can base it on case by case bases. Everyone has been good about cutting back on training in the past so the responsibility should not be placed on Mandy or Randy each time someone needs to go to training. Mayor Harper said each Council member should be afforded one training opportunity per year. Mayor Harper added GMA has four, two conferences and two training classes each year. Mayor Harper also presented the Council with his training and travel expenses for the last two years which equal \$8,000.00 for different mandatory events and training that he

attended. Some of these sessions were required for Mayor Harper to attend because he serves or served on their board. Mayor Harper assured the group he is not misusing the tax payer's money and most all of the meeting's are mandatory. Mayor Harper added it is important to represent the City of Nashville not only in the region but around the State. Mayor Harper presented the Council with a request for mileage reimbursement for the meeting held in Saint Simons Georgia for Georgia Rural Water. Due to a flat tire John Reynolds and the Mayor drove his personal vehicle to the event and he asked only to be reimbursed the gas used for the trip. Alderman Richbourg made the motion to approve the mileage request. Alderman Retterbush seconded the motion and the motion carried unanimously. Alderman Carter commented about the Okeefenokee Occasion and stated no training is involved in this trip. Mayor Harper told the group the Okeefenokee Occasion is not a training trip, we are there to represent the City of Nashville and make important connections with State Representatives and other organizations. Dawn Morrison and Crissy Staley met with some of these individuals during the last Okeefenokee Occasion and were able to bring a couple new events to Nashville and Berrien County. Mayor Harper said this event is vital because it allows us to make connections with people and organizations around the State that can help the City economically and financially. Mayor Harper told the group we can visit this item again in August or September and make the decision on whether or not we should attend the Okeefenokee Occasion. Dawn Morrison pointed out that when we apply for a grant, most other Cities and County's are also applying for the same grant. If the Representative for that grant cannot put a name with a face then you will not receive those funds, so networking at this event is vital.

**7. Small Metal Building located on the yard of Work Control-** Mayor Harper told the group we have a small metal building located on the yard at work control. This building was once located right off the railroad tracks across from Millers warehouse. The Railroad would like for the City to place the building back by the railroad and they will restore the building for storage or a small office. We are not sure who this building belongs to, so the only way for the City to do anything is to declare the building as surplus property and sell it to the Railroad for a dollar. Alderman Stalnaker asked the department heads if they see any use for the building. Randy Lane said he thinks the building was picked up from the railroad right of way and placed on the yard because of people breaking into it. The group discussed the matter further and decided to find out who would be responsible for taking the building back to its original place. Mitchell and Randy will research and find out who this building belongs to and find out if the Railroad will be responsible for picking up the building and placing it back on the original spot. They will report back to Mandy once they have the answer. Alderman Stalnaker

made the motion to declare the metal building surplus property. Alderman Richbourg seconded the motion and the motion carried unanimously.

## **REPORTS**

**8. City Manager's/Finance Director's Report-** Mandy Luke told the group on May 29<sup>th</sup> the Council was poled and asked to approve the purchase of a new heating and air unit for City Hall. The unit will replace the older unit located in the old Police department. The older unit was beyond repair and leaked which was causing mold problems. The new unit will be installed by one of the City employees. This employee made all the calls to get the cheapest price on the unit and the cost for the new unit is \$7,500.00. Alderman Stalnaker made the motion to ratify the purchase of the new heating and air unit. Alderman Retterbush seconded the motion and the motion carried unanimously. Mandy also told the group she poled each of them about the lowest contractor's bid of \$22,000.00. We received several bids for the reconstruction that needs to be done at City Hall and \$22,000.00 was the lowest. This bid includes putting down new carpet, and tile, lowering the ceilings installing new ceiling tile, sheet rocking the entire area which is now block. It also includes the counter area which will be made more like a bank teller's area that will be more secure for the two employees taking payments. Council needs to ratify this in open session. Alderman Gaither made the motion to ratify the lowest construction bidder for the reconstruction needed at City Hall. Alderman Stalnaker seconded the motion and the motion carried unanimously.

**6. City Attorney's Report-** Mitchell told the group he wanted to mention he will be attending the Attorney's breakfast at the GMA Convention in Savannah. The breakfast will be \$115.00 and he will submit this cost to the City for reimbursement. The motel and mileage charges will not be submitted. This breakfast is geared toward the City and key issues from throughout the year. Mitchell also updated the group on the project at the old Perkins Subdivision. They had an individual who made the effort to repair the property and ran into a lot of difficulties and was unable to make those repairs. The property is now in a state of disrepair. Mitchell sent letters to the owners and to the bank and they don't want to take on the liability so they are not going to foreclose on the property. The individual who was trying to repair the property does not have the resources to clean it up. Mitchell suggested the Council act under the "Nuisance" section which gives them ten days to clean up the property. We can do the work ourselves but may never get the reimbursement for the cost of the cleanup. Mayor Harper said we need to give the owner ten days to clean up the property. Mitchell also told the group about some miscommunication between TTL and EPD. TTL sent in the last

sample to EPD and were waiting to hear something back from them, but Mandy received something from EPD indicating that they are waiting to hear something from TTL. Mitchell said he will follow up on this and get back with Mandy once it is resolved. Mitchell also told the group he is working on starting the negotiations with the land owner for the new lift station at the airport trailer park.

**7. Department Head's Report-** Dawn Morrison told the group several months ago the Council spoke about reinstating the Historical Preservation Commission for the downtown area. Also, Council asked me to ask Brian Shaw if he would be the director. Mr. Shaw is interested but the Council needs to reinstate the Historical Preservation Committee. This committee makes sure the downtown property owners follow the historical preservation guidelines. We also have an Ordinance for this Committee which will need to be modified to include property owners who live outside the City limits. Mitchell agreed Brian Shaw would be the best choice for the director of this committee. Mayor Harper wanted Dawn and Mitchell to get the list of members who are now on the committee and bring the Ordinance to the next Council meeting so if it needs to be modified we can do so at the next meeting.

Henry Yawn told the group we are having problems with the cemetery maintenance as well as complaints from concerned citizens over excessive gravesite paraphernalia. Because of this Mr. Henry compared our cemetery policies to existing ones in nearby counties and the Council may want to look into making a few changes to ensure that our cemeteries are maintained according to an acceptable standard. Mr. Henry requested the Council allow him to print signs which state the rules and regulations of the cemeteries and have them posted at each entrance. Margie Tygart asked the Council to continue the upkeep at the entrances of the cemetery's they are in need of it. Mayor Harper asked Alderman Gaither who is over Parks and Rec. to look into this request from Mrs. Tygart. Randy Lane told the group Auction's Alive which was located in the old Badcock building downtown owes the City \$1,700.00 for an electricity bill. The Owner and operator of Auction's Alive has move out of the City's facility. Randy told the group we set up payments with the owner and he paid some on the bill but still has the \$1,700.00 balance due. Randy said he received word that this owner is planning on reopening "Auction's Alive" in a different facility. Randy asked Council to revoke or suspend this individual's business license until this bill is paid in full. Alderman Richbourg made the motion to suspend "Auction's Alive" business license until the bill owed to the City is paid in full. Alderman Carter seconded the motion and the motion carried unanimously.

Randy Lane also wanted to inform the Council that he and Mandy Luke have been contacted by the Georgia State Property Commission and they have two

Government entities interested in renting office space of about 4500 square feet each. We would like to place them in the upper part of the old Badcock building. We are meeting tomorrow with Kimberly Hobbs from Southern Georgia Regional Commission and a representative from DCA about obtaining the Downtown Developments revolving loan. We will know more about the interest tomorrow but if the City applies for this loan the cost will be almost none.

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

Alderman Retterbush told the Council Kevin Giddens who is present is having some issues with a drain pipe at 908 People Street. Mr. Giddens has owned the house for around eight years. When the tap was installed the pipe was laid up a hill and over another person's property according to Mr. Giddens plumber. Mr. Giddens has had problems with this line clogging. Over the years the line has been pumped several times and he is here today asking for some help with this ongoing problem.

John Reynolds was instructed by Council to get with Mr. Giddens and his plumber to find a solution to this problem and report back to the Council.

John Black informed the Council that an 8 yard dumpster was placed at the "Pap's" store on North Mathis and Marion. The dumpster is creating a blind spot for traffic because of where it is placed. Mayor Harper said they will look into moving the dumpster to another location on the property.

### **ADJOURNMENT**

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:20 pm. Alderman Retterbush 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 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