

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
JULY 09, 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, Antonio Carter, Billy Retterbush, Scott Stalnaker, and Mayor Travis Harper.

STAFF PRESENT: Mandy Luke, Randy Lane, Henry Yawn, Tommy Davis, Peter Schultz, Major Edwards, Brandon Rice, Dawn Morrison, and City Attorney Mitchell Moore.

OTHERS PRESENT: James Pope, Neil Bennett, Frank Watts, Sam Sullivan, J.C. Gillwater, Walt Stewart and Allen Davis.

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

ADOPTIONS OF FORMAL AGENDA- Mayor Harper asked the group to add as item number three; Allgreen Services. Also add a brief Executive Session. Alderman Gaither made the motion to adopt the formal agenda with the changes. The motion was seconded by Alderman Carter and the motion carried unanimously.

NEW BUSINESS

1. Beer Application for “The Blue Swan”- Mr. Willie Davis has applied for a beer license to sell beer at The Blue Swan located at 800 East Marion Avenue during the year 2012. All fees were paid and a criminal history was completed. Alderman Gaither made the motion to approve the beer license for The Blue Swan. The motion was seconded by Alderman Retterbush., and the motion carried three to one with Alderman Carter opposing.

2. Rezoning Request on Jackson Street- Mayor Harper told the group at 5:30 p.m. a public hearing was conducted to hear the rezoning request for the property located at the corner of Jackson Street. The request was to rezone this property from a R6M (Residential) to GB (General Business). Mr. Robert Griner and Neil Bennett spoke in favor of the request during the hearing. The Berrien County Planning Commission approved the rezoning with construction contingent upon the approval from EPD. Alderman Retterbush made the motion to approve the request contingent upon they adhere to the EPD guidelines. Alderman Stalnaker seconded the motion and the motion carried unanimously.

3. Allgreen Services- Sam Sullivan with Allgreen Services explained to the group about a letter sent to the City Manager recently about the increase for services effective August 1st of this year (see attached letter). This is the first time we have never exercised this because it is the first time our contract with the City of Nashville allowed for it. This increase is based on the CPI (consumer price index) which is 1.7%. Mr. Sullivan apologized to the Council if anything in the letter he sent to the City about the increase for services was conveyed the wrong way. Mayor Harper said the City has around 3800 residential customers and a 1.7% increase would equal 570.00 per month that the City would be charged just for residential trash pickup, and that is not including the commercial trash. Mr. Sullivan told the group the contract with the City only allows me three specific dates to increase the charges and of the dates is August 1st. This is the reason we sent the letter to the City early so that the increase could be put into place as of August 1st. Mr. Sullivan added this is only a .15cent per month increase for each residential customer. Mayor Harper asked Mr. Sullivan to convey Allgreen’s interest in picking up the City’s yard trash. Mr. Sullivan told the group he thinks Allgreen could save the City money by picking up their yard trash but we would need to have a new five year contract. Mayor Harper told the group our contract now with Allgreen ends July 31st, 2014.

REPORTS

4. City Manager's/Finance Director's Report- Mandy Luke handed the group a copy of the FY2013 Proposed Budget. She said the group needs to go over this because the proposed budget will be advertised in the paper this week that it will be available for public review for four weeks. Mandy also put a copy of the summary on our City's website and we will have a Public Hearing on July 15th at 5:30p.m. And then the Budget will be ready for adoption at the next City Council meeting which is set for July 23rd.

6. City Attorney's Report- Mitchell told the group he tweaked the Historical Preservation Ordinance. The Ordinance requirements needed to serve on the Historical Preservation Board now allows anyone who owns property in the Historical District and lives in Berrien County to serve on the Board. Mayor Harper added once these individuals are nominated for the Board they should be brought before Council for our approval with some form of paperwork stating their interest in the Historical district. Mitchell told Dawn Morrison he will get with her on redefining the Historical district area next week. He asked Council if they had any objections to reducing the area and the Council did not object. The Council informed Mitchell that the Rail Road placed a new building on the property where the old building was going to be place so they may not be interested in retrieving the old building located at work control. Mitchell also told the group that the inquiry from EPD on TTL. The report they are inquiring about was sent in June and the letter was sent back in December so that is why it was brought to their attention. We hope to hear back from EPD soon and hopefully they will say no further action will be required.

7. Department Head's Report- Randy Lane presented the group with the Notice to Proceed from Rakestraw and Associates our Architect /Engineer for the Dogwood Street Pedestrian Corridor TE Project. He also discussed the three different concepts presented by Mr. Rakestraw. Mayor Harper asked that a Public Hearing be scheduled for July 16th, 2012 at 6:00 before the Budget Hearing. Alderman Retterbush asked that the residence of Dogwood be delivered a letter about the Public Hearing so the Council can hear their opinions about the different concepts.

PUBLIC COMMENTS FROM PUBLIC/COUNCIL

Frank Watts wanted to complain about the holes left in the City's streets. He said the streets are not being repaired after being cut for utility repairs. Mayor Harper asked Tommy Davis to look into this problem.

EXECUTIVE SESSION

Alderman Stalnaker made the motion to go into Executive Session at 6:35 p.m. Alderman Carter seconded the motion and the motion carried unanimously. Alderman Gaither made the motion to come out of Executive Session at 7:02 p.m. Alderman Retterbush seconded the motion and the motion carried unanimously.

REGULAR SESSION RECONVENED

Alderman Carter made the motion to continue negotiations with Travelers Insurance. The motion was seconded by Alderman Stalnaker and the motion carried unanimously. Alderman Stalnaker made the motion to acquire property in connection with the 2011 CDBG project lift station. Alderman Gaither seconded the motion and the motion carried unanimously. The group had some discussion about the property at the old Perkins subdivision, and if the City could cut the grass without being liable. Mitchell Moore told the group the proper letters have been sent and we have had no response from the owner. Alderman Carter made the motion to cut the grass at the property on the old Perkins Subdivision. 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 7:10 pm. Alderman Retterbush seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Tina Ward, City Clerk