

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
AUGUST 11, 2014  
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 Antonio Carter, Scott Stalnaker, Eric Gaither, Billy Retterbush, Walter Steward, Alderwoman Mellisa Watson, and Mayor Travis Harper.

**STAFF PRESENT:** Mandy Luke, Randy Lane, John Reynolds, Peter Schultz, Paul Stagner Chief Edwards and Mitchell Moore.

**ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETINGS-** Alderman Gaither made the motion to adopt the minutes from the previous meeting. Alderman Carter seconded the motion and the motion carried unanimously.

**ADOPTIONS OF FORMAL AGENDA-** Mayor Harper asked the Council to move item number five to one from the formal agenda and add Municipal Court Judge appointment. Also, add an executive session. Alderman Carter made the motion to adopt the formal agenda with the changes and the addition. Alderman Retterbush seconded the motion and the motion carried unanimously.

**NEW BUSINESS**

1. **GICH Award** – Teresa Concannon presented the City of Nashville an award for completing the Georgia Initiative for Community Housing training.
2. **Resolution for Application on EIP Grant Funds to Assist Chaparral Boats** – Alderman Retterbush made the motion to give Mayor Harper permission to sign the application. Alderman Stalnaker seconded the motion and the motion carried unanimously.
3. **Second Reading of the Ordinance establishing hours for City Parks** – The ordinance was presented to the City Council for the second reading. There were some minor revisions from the first one. Alderwoman Watson made the motion to adopt the ordinance. Alderman Steward seconded the motion. The motion carried unanimously.
4. **Open a New Checking Account for the New Police Vehicles to be purchased through USDA Loan/Grant Program** – City Manager Mandy Luke told the city council that according to the stipulations of the program, the city has to open up a separate checking account for the loan/grant. Alderman Stalnaker made the motion to open the checking account. Alderman Retterbush seconded the motion and the motion carried unanimously.
5. **Transmittal Letter from the South Georgia Regional Commission** – The City was contacted by the South Georgia Regional Commission about a transmittal letter that needed to be signed after a public hearing was held on August 1, 2014, at the Berrien County Commissioners Office concerning our comprehensive plan. Alderman Stalnaker

made a motion to approve the letter and give permission to Mayor Harper to sign and send to DCA. Alderman Gaither seconded the motion and the motion carried unanimously.

6. **Municipal Court Judge Appointment** – Mayor Harper received a letter from a local attorney. The local attorney offered their services at a discount of twenty five percent of what we currently pay the Municipal Court Judge. Alderman Stalnaker spoke about the issue and said we currently have a good judge. We do not have any problems and everything has been running smoothly. Alderman Stalnaker spoke to others that work close with the current judge and they responded as being satisfied with the current judge. Alderman Retterbush asked Chief Edwards his opinion. Chief Edwards agreed that he had no problems or issues with the current judge. He stated that we have a good system in place and relationships between everyone that works close with the judge are the best now than he has seen in years. He also stated that when he goes to mandated training, he has never asked for mileage reimbursement from the city. Alderman Stalnaker said the current judge has done a lot for the people who go before him as far as giving different options from payment, community service, giving to Toys for Berrien Kids program, and even giving blood to the American Red Cross. Alderman Stalnaker said changing could possibly even cost us more money at this point. Mayor Harper suggested that we put it out for bids/RFP's just to see what responses we receive. He asked if there are any motions on this suggestion? Alderman Carter made the motion to put the Municipal Court Judge position out for bids to see who is interested. Alderwoman Watson seconded the motion. A roll call vote was taken. Alderwoman Watson - yes, Alderman Retterbush - no, Alderman Carter - yes, Alderman Gaither - no, Alderman Stalnaker - no, and Alderman Steward - no. Motion fails four to two.

## **REPORTS**

7. **City Manager's/Finance Director's Report**- Mandy Luke asked the city council to give permission to Mayor Harper to sign the Deep South Solid Waste Royalty Agreement. The amount is \$7,990.62. This can be used for composting, hazardous waste, litter control, scrap tires, solid waste management, and recycling. We always use it toward what we pay for solid waste management. Motion was made by Alderman Retterbush and seconded by Alderman Steward. The motion carried unanimously.
8. **City Attorney's Report** – Mitchell Moore gave an update on the Cherry Drive project. He described the problems associated with the project and that he was able to speak to the company. The company owners had split ways. The City didn't have a contract with the company on this project. Discussion was held concerning the situation and concerns the project is not complete and the section of the road is still closed. Both the current and former owner made it be known that they could complete the job on their own. However this could cause the city to end up in the middle of a battle and lawsuit between the two. Alderman Stalnaker suggested that we re-bid the project and let someone else do it. Alderman Stalnaker made the motion to re-bid the project and Alderman Retterbush seconded the motion. All city council were in agreement to re-bid the project except for Alderman Carter.

The City Attorney will be the one responsible for the July 21<sup>st</sup> executive session since they were not to be completed by Tina Ward because they involved an employee matter.

9. **Department Head's** – Peter Shultz with the Gas Department explained a problem with some trees at 508 North Jefferson. These trees are in the right of way and are causing a problem with traffic not being able to see. He said they have tried to notify the owners but haven't heard back from them. Alderman Carter made the motion to proceed with cutting the trees back/down if they are on the city right of way. Alderman Gaither seconded the motion. The motion carried unanimously. John Reynolds with the Water Department, asked for an update on the sewer lines to Nashville Mills. Everyone agreed that they were waiting on the owners because they had not decided to be annexed into the city limits. The city didn't want to apply for a CDBG when the property is not inside the

city limits. Randy Lane, Assistant City Manager, discussed the Transportation Enforcement Agreement for the project on the square. This is for the sidewalks around the old courthouse. He needed permission for the DOT documents to be signed. Alderman Stalnaker made the motion to sign the documents and Alderman Retterbush seconded the motion. The motion carried unanimously.

### **PUBLIC COMMENTS**

Cleon Knight voiced his concerns about the concrete work at the corner of South Davis and Dennis Avenue. He explained that people have to step out over the curb and that it is dangerous. He also expressed concerns about the flooding on Bartow Street and Dennis Avenue. He asked what the city had to do to get Dennis Street resurfaced. Assistant City Manager, Randy Lane, explained that the Department of Transportation decides which roads get paved in the city limits, not the city. We only get about \$52,000 per year from LMIG for resurfacing the streets. He also stated that to resurface one tenth of a mile of a street, it costs about \$90,000. Mayor Harper stated that pertaining to the flooding, the flooding grants must be used in low to moderate income areas and the area he asked about would not qualify for many of the grants available. Mr. Don Stone then addressed the council with concerns about the land mentioned during the July 14, 2014, city council meeting. He said that his land is within this land mentioned to be annexed into the city limits. He made it known that he was not connected to the city sewer system and he doesn't agree to his land being annexed into the city. He doesn't have the money to pay anymore property taxes because he is on a fixed income. Mayor Harper asked if anyone was interested in moving forward with the annexation of this property or not. If no one is interested in moving forward, he said he is willing to drop the discussion of the annexation of this property. Alderman Gaither made the motion to retract the motion made in an earlier meeting about moving forward with the annexation of this property. Alderman Carter seconded the motion. All agreed to the motion. Mayor Harper suggested that we need a work session on the issue of charging more to utility customers that live outside the city limits. John Reynolds stated that there are about 50 customers who have city services that do not live within the city limits.

### **COUNCIL COMMENTS**

Alderman Stalnaker said that he had asked Randy Lane to stay a little while longer so that we won't be so short-handed until we decide what we are going to do about city personnel. It was suggested to set up a meeting to discuss our options on personnel. Alderwoman Watson then asked about the property complaints in Meadowbrook and on the Adel Highway. City Marshal, Paul Stagner explained the situation. He has been having problems with Bank of America and has not been able to get anywhere with them on the property. He stated that we can put a lien on the property for the city's cost to clean up the property. There has been notification given to Bank of America on the nuisance of this property and Mr. Stagner has documentation of the notification. Alderman Carter made a motion to cut the lawn of the property and trim the shrubs. Alderman Retterbush seconded the motion. All agreed to the motion. Paul Stagner then asked for guidance on the historic preservation issues. He stated that he has three issues pending right now and needs guidance from the council on what to do. Temporary signs were discussed and the method used to get permission for the temporary signs. Alderwoman Watson stated that she will speak to Cindy Watson about moving their sign that is currently located on Davis Street. Mayor Harper said if they will move the signs, that is great. If not, then let them be grandfathered in. Alderwoman Watson then asked about the old limb truck and repairs being made to it. Department Heads stated that it is only used when the other limb truck is being serviced. John Reynolds stated that Bob Lovein wants some boring done on private property. Alderman Stalnaker said that he has already spoke to Bob Lovein about this issue and told him the city could not do work on private property.

At 7:15 p.m. a motion was made by Alderman Stalnaker to go into executive session. Alderman Retterbush seconded the motion and it was carried unanimously.

### **EXECUTIVE SESSION**

At 8:05 p.m. a motion was made by Alderman Carter to come out of executive session. Alderman Stalnaker seconded the motion. All agreed to the motion.

Mitchell Moore informed the council that he sent an e-mail to everyone on the minutes from the July 21, 2014, meeting. He said that we need to vote on the meeting minutes at the next meeting. He asked that everyone review the minutes. Alderman Stalnaker then made a motion for Mayor Harper to approve and sign the resolution for the TE 21 project on the square. Alderman Gaither seconded the motion. The motion carried unanimously.

### ADJOURNMENT

There being no further business to conduct, Alderman Carter made a motion to adjourn the meeting at 8:14 p.m. Alderwoman Watson 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 Walter Steward

**ATTEST:**

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Brenda Swain, Deputy Clerk