

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
OCTOBER 28, 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 Mayor Travis Harper, Aldermen Antonio Carter, Scott Stalnaker, Eric Gaither, Michael Richbourg, Billy Retterbush and Alderwoman Mellisa Watson.

**STAFF PRESENT:** Mandy Luke, Paul Stagner, Tina Ward, John Reynolds, Mandy Luke, Peter Schultz, Acting Interim Chief Major Chuck Edwards, Paul Stagner, and Mitchell Moore.

**OTHERS PRESENT:** Bryan Shaw, John Hunkele, Walt Stewart, and Kyle Pearson.

**ADOPTION OF MINUTES, PUBLIC HEARING, and TWO SPECIAL CALLED MEETING'S AND a WORK SESSION-** Mitchell Moore asked the Council to change some of the wording under the Public Hearing and the Council Meeting on October 14<sup>th</sup>. The variance was changed to a Special Exception because the use of the property will be changed. Also change the word lease to release under the Attorneys report for the Council Meeting on October 14<sup>th</sup>. He also wanted to make a correction in the Special Called Meeting on October 17<sup>th</sup>. The County will receive 58.6%. Alderman Retterbush made the motion to approve the minutes with the amendments and modifications from the previous meetings. Alderman Gaither seconded the motion. The motion carried unanimously.

**ADOPTIONS OF FORMAL AGENDA-** Mitchell Moore asked the Council to add a brief Executive Session to the formal agenda. Alderwoman Watson made the motion to adopt the formal agenda with the addition. The motion was seconded by Alderman Carter and the motion carried unanimously.

**NEW BUSINESS**

**1. Resolution Approving the Executive Session of October 14<sup>th</sup>, 2013-** Mayor Harper asked the Council to give their approval of the Resolution approving the Executive Session on October 14<sup>th</sup>. Alderman Gaither made the motion to adopt and approve the Resolution for the

Executive Session held on October 14<sup>th</sup>. The motion was seconded by Alderman Carter and the motion carried unanimously.

**2. Approval of the Nominations for Local Historic District and Contributing Properties-** Mayor Harper told the group the Council had a work session on October 21<sup>st</sup> in reference to the nominations for a Local Historic District and Contributing Properties. Council must now give their approval in the open meeting. Alderman Richbourg made the motion to approve the nominations for a Local Historic District and Contributing Properties. Alderman Retterbush seconded the motion and the motion carried unanimously.

**3. Bid openings on Supplies for the Water Expansion at Chaparral Boats-** Mayor Harper opened for bids. The first one was from Ferguson Water Works from Macon Ga. their bid was \$49,340.61. John Reynolds stated the bid from Ferguson did not include meters or valve vaults. The second bid was from H D Supply from Tallahassee FL. Their bid was for \$63,663.76. The third bid was from Consolidated Pipe and Supply from Waycross Ga. their bid was not totaled so Mayor Harper put the bid to the side until the addition was completed. John stated Consolidated Pipe and Supply also did not include meters and valve vaults. The fourth bid was from Lanier Municipal from Macon Ga. their bid was for \$109,359.61. John explained that the company misquoted on the price of tape and subtracted it from the bid which made their bid \$56,859.61. Alderwoman Watson stated she faxed over a request for a bid this morning and would like for the Council to give that bidder time to reply. John Reynolds stated he did not put a deadline on the request for bids. The Council had some questions about the request for bids. They decided to table the decision until the end of the meeting.

**4. Police Vehicles-** Acting Interim Chief Edwards reported since the last Council meeting when the Council approved the purchase of five Chevrolet Tahoe's and two reconditioned Crown Victoria's, it has come to light that Chevrolet has cut the production of the Tahoe until April 2014. This means we can no longer get these for the \$26,500.00 per vehicle. The dealers are taking advantage of the production cut and we were quoted a price from the only dealership that still has some of the Tahoe's for sale in Florida, the price quoted was \$28,700.00 each which comes to an additional \$11,000.00. If we stay with the Tahoe's the total price now with all equipment installed would be \$39,750.00 each. When we started looking for alternatives we found out that Ford has reduced the price of their Expedition's to over \$30,000.00. We can get the Expedition at \$24,240.00 each which is almost \$2,300.00 less than the State contract price of the Tahoe's. The Expeditions can be purchased with all the equipment for \$35,285.00 each which will make the total savings of at least \$22,325.00. Mayor Harper asked if the outfitting and the equipment that is installed in the vehicles is something that was bid out or is it included in the package. Interim Chief Edwards told the Mayor that it depends on which dealer we use because if we use a local dealer then it is done by an outer source and we have two primary sources we have used in the past. Mayor Harper asked Interim Chief Edwards to bid out the outfitting of the vehicles once they decide which vehicles to purchase. Alderman Retterbush asked Interim Chief Edwards if they buy the vehicles locally will they be outfitted in-house. Interim Chief Edwards stated most local dealers do not have the ability to get the distributor prices on equipment so we would have to purchase that as the total package to include the

equipment and then a trained and certified individual will then fit the vehicles. The reason he is updating the Council tonight is because they need to know if Council needs them to approach this request for approval by a certain brand or make and model or should they get the package together and come before the Council with the dollar amount. Alderman Carter stated he would like to see the total package with the dollar amounts. Alderman Retterbush stated the Council will need to rescind the motion made to purchase the Tahoe's. Alderman Richbourg asked if the application for the USDA loan request was completed. Interim Chief Edwards stated the USDA loan package was sent to USDA but because of the Government shut down everything has been stalled so we are waiting to hear back from USDA.

**5. Beer and Wine Application from Pap's III-** Mayor Harper told the group Nilay A Patel of Pap's III convenience store has applied for a beer and wine license. All fees were paid and a criminal history was completed with no records found. Alderman Gaither made the motion to approve the beer and wine license for Pap's III. The motion was seconded by Alderman Retterbush and the motion carried unanimously.

**Continue Item 3-** Mayor Harper told the group this item was tabled until the bid from Consolidated Pipe and Supply was added together. Their bid is \$57,139.15. Alderman Richbourg made a motion to go with the lowest bid once John Reynolds gets clarification on the tap and the meters and the valves. Alderman Retterbush asked Mandy if we are looking into some other way to finance this project. Mandy said we are looking into a couple of options at this time. Alderwoman Watson stated she would like to get the bid in she sent off since there was no deadline put on when the bids were to in. Council discussed the fact that all bids submitted tonight were sealed bids that were opened during the open session and it would set precedence if another bid was allowed after the sealed bids were opened and the amounts were read during the open session. Randy Lane told the group that he and John Reynolds were calculating how much time this project will take which will be around four weeks and we also calculated the cost of using the City employees to complete this project and according to our figures the total cost will be around \$55,000.00. Randy suggested the Council bid the whole project out. He added that he and John Reynolds were talking about the EIP grant and if they are able to get the grant he could bid out the whole project. Mayor Harper asked Randy Lane to look into the EIP grant for this project and in the meantime John can look over the bids received tonight which are good for thirty days in case we are not awarded the EIP grant and we have to do the project ourselves. Once we complete all of these tasks we can vote on the entire project.

## **REPORTS**

**6. City Manager's/Finance Director's Report-** Mandy told the group it is that time of year again the City's auditors have been contacting me in order to get some of the things they will need when they start their audit in a few weeks. The auditors will be here in the next month and will stay for a couple of months.

**7. City Attorney's Report-** Mitchell Moore told the group he received a call today from Guy Terry concerning the property at Perkins Subdivision. Mr. Perry represents the owner of the property and he indicated that they are willing to quitclaim the property over to the City.

However the owners have a judgment against them so if we can get a release from the Bank of Ozark on the judgment then we can make it happen. Mitchell said he has written to them and ask them to release the judgment and they indicated they will so he will work on it and see what can be done. Mitchell said we have a number of issues with K & E Solar in about the site they will use to put the solar panels which is de listed from a hazardous waste site. Some of the confusion is where the easement is going to go, either across Jack Donaldson's property or the City's property to the North. Mitchell had a call today from a Ms. Cash who is with Georgia Power and she inquired about why we have been unable to locate a deed for the property which deeds it to the City and he explained to her that the City has had that property in its name and we have traced it back to the 1930's and that there is clearly a bases for adverse possession. Mitchell said he discussed the title and the easement with Ms. Cash in order to bring her up to date about the property. Mitchell also sent an email to all involved including Mr. Donaldson who is on the South side of the property. Mitchell also received an email from Mr. David Tyson who is the local representative of Georgia Power he indicated that Mr. Drew Crews was down last week and checked the title. The email indicated also that Mr. Crews was going to get the easement signed by Mr. Donaldson. Mitchell said he explained to K & E Solar that a lease has been sent but there is still a question of if we do a rental at a flat rate of fifteen thousand for twenty years. According to the operating agreement with K & E the agreement is for fifteen years so the initial lease will last longer than the entity we will release it to which will not be a concern but with his conversation with the Georgia Power representative they said we need to be concern about the sponsor who we are dealing with. These projects are being portrayed as an investment with the solar initiative and some tax benefits excreta. So we do not need to take this thing likely because there is a lot that goes into it. He added they could start sub-leasing them and we have different entities involved then we could end up with an operation of solar panels that are dilapidated and someone has to remove them. There is also a question as to what kind of value they have after a period of time. Some of these contractors are actually donating the solar panels to the municipalities after a twenty year term and if they are still generating at an efficient rate then we could have some benefit because we would get the use of the power. On the other hand the life of these panels is still not certain and they do tend to cloud with time and usage. So there is more to this, for instance, if we do this lease at \$15000.00 rental in lieu of taxes, or what about the County tax. Will the County ask us to pay taxes on the equipment not the property? Mitchell told the group that this is where we are on this project and he hopes to hear back from Ms. Cash or Mr. Crews but in the meantime he has a call in to some of the Georgia Power representatives to find out about the interworking as far as what we have going here. Under the proposal we have two additional five year renewals on top of the initial twenty year term with an increased rate of 20,000.00 the first five year term and 25,000.00 under the second five year term. Mitchell told the group these additional terms will make the total years for the solar panels thirty years old and their life will be questionable. Mitchell also updated the group on the Disk Golf request. He said Mr. Gaither has followed up with the release and he is in the process of getting the policy. He will send the City the proof of insurance or the certificate of insurance so that the City of Nashville is properly designated as the insured. Mitchell added he has submitted a release to Mr. Gaither to be signed by all participants. Mitchell also updated the group on the Head-start building. The lease we have on the building is skeletal or there is nothing to it. We started trying to find out who did what on the building

because they are not charged rent due to it is a community oriented building. The building has more than one program located within the building and the one that was involved in the process of building the facility and who is also sharing the facility was not paying anything. Now they want the City of Nashville to be responsible for deciding who pays what in the facility. Mitchell told the group his opinion is they are in it and they know who does what in the building, so his suggestion was to let them work this out between themselves. They told us to put it in a lease and they would handle the administration part, but Mitchell does not feel that Mandy needs to be dividing up responsibilities between the government agencies. Randy Lane told Mitchell the CDBG was obtained twenty years ago and it was a joint venture between the City and the County. The City did the CDBG for the building and the building was built on County property. The County provided the maintenance for the building but since Mr. Stone the maintenance man for the County passed away no one is doing the maintenance on the building. Alderman Richbourg suggested the City give the County the building and let the County deal with the problem. Alderman Richbourg asked if the City is paying liability insurance on the building. Randy Lane told him yes the City is paying liability insurance on the building. Mitchell Moore told the group the County is also paying insurance on the property. His question is does the City have any insurable interest in the building because the building is sitting on County property. Randy stated the City built the Yes Center with CDBG fund and it is also on County property but the building was built and is still insured by the City. Mitchell suggested we quitclaim the building. Randy asked if we could quitclaim the building and then donate it to Coastal Plains. Alderman Retterbush stated the City needs to quit paying insurance on the property and if that mean giving the build to them then let them have it. Mitchell stated he will explore relinquishing any interest in the property. Randy Lane asked the Council to consider donating the property to the Coastal Plains Board. Mitchell stated he did not think we could give any building on County property to any other entity. Mitchell told the group he would call the County and follow up on the building. Mitchell also told the group he is working on the Farmers Market release which was sent to him to revise for Dawn. Alderman Gaither asked Mitchell if Mark Gaither has the ok to proceed with the Disk Golf tournament once he provides the certificate of insurance and the release form. Mitchell and the Council said yes once those items are received then he has the ok to proceed.

**8. Department Head's Report-** Paul Stagner told the group he has been doing some research on the prices of cemetery plots the City has for purchase. Currently the City charges \$200.00 for each plot at Memorial Gardens and we charge \$75.00 at East View and St. James Cemetery which is off of Prescott Avenue. Paul checked with three local areas on their prices for cemetery plots and Valdosta charges \$400.00 per plot, Fitzgerald the cost is \$325.00 for city residents and \$375.00 for non-city residence, in Tifton \$650.00 for county residents and non-county residents the cost is \$975.00. Paul stated the City of Nashville has the cheapest prices for cemetery plots and more and more out of county residents are coming here to buy plots. Paul suggested the Council increase the prices of plots at all the cemeteries in the City. Alderman Richbourg added that if we keep the prices the same the Council should be aware that the City must maintain these cemeteries year after year so do we want to continue to charge the same for the plots and have people from out of town buy up the plots for the City to maintain. Paul added that we have some people purchase ten to fifteen plots and sell those plots for a profit.

Alderman Richbourg made the motion to increase the plots at Memorial Gardens to \$300.00 for City and County residence and increase to \$400.00 per plot for out of County residence. Also raise the price at the same percentage at East View and St. James cemetery. Mayor Harper added this would be 50% for local and 100% for non- local or out of county. Alderman Stalnaker seconded the motion and the motion carried five to one with Alderman Carter voting no on the increase. Paul Stagner also asked the Council to stop the expansion of Memorial Gardens. Currently the cemetery is plotted off to go all the way around to the current baseball field and we want to stop it two rows over from where we currently are now. This will give us three hundred to three hundred and fifty grave sites. With the increase in the revenue from those lots we will raise the revenue from \$42,000.00 to almost \$84,000.00. He added once the boundary is established we can put up a fence or do some landscaping around the boundary. This cut off will reduce the time spent yearly on maintaining Memorial Gardens. Alderman Stalnaker disagreed with this request. Alderman Gaither made a motion to leave the boundaries open on Memorial Gardens Cemetery. Alderman Stalnaker seconded the motion and the motion carried unanimously. Mayor Harper wanted the record to reflect he is opposed to keeping the boundaries open at Memorial Gardens Cemetery. Randy Lane told the group that Buck Warren the City of Nashville's Fire Chief asked that the Council give their permission to purchase ten new pagers. The Motorola pagers are the ones the fireman need because they tend to work better than the cheaper ones purchased in the past. The cost per pager is \$366.00 and ten pagers will be around \$3,660.00. Alderman Stalnaker told the group some of the problems they have had in the past with the cheaper pagers. Randy told the group the total for ten new pagers will be \$3660.00 and the fire department has this amount in their budget. Alderman Richbourg made the motion to purchase ten new pagers for the fire department. The motion was seconded by Alderman Retterbush and the motion carried five to one with Alderman Stalnaker abstaining from the vote because he is a volunteer fireman. Randy Lane also told the group about the bid opening for the LIMG program which will be held on November 7<sup>th</sup> at 2:00pm at City Hall. This program will repave of Hull Avenue, East Dennis from McPherson to Colquitt EMC, Reaves Avenue, North Jefferson which will be beside the Community Center to East Hamilton. Mayor Harper asked Randy where MLK falls into this repaving. He stated that a portion of MLK is in need of repaving especially from Mathis to Ann Street. Randy said no one lives in those trailers over there and when he and Roger Fowler road around those areas he said since the school buses run down Hull Avenue then that should be our priority. Randy also updated the group on the Badcock building. He spoke with GMA and they can grant the City a loan to refurbish the building for ten to fifteen years at 3% interest. GMA can handle all the paperwork and the only things we will be responsible for is a public hearing, resolution, appraisal, survey environmental phase one. Randy also asked Matt with GMA how long the loan would take if they were given the go ahead today. Matt told Randy the paperwork will take 60 days. Randy asked the Council if they wanted to give the go ahead on this project. Alderman Stalnaker stated he is still against this project and does not want to move forward. Alderman Richbourg asked Randy if he has looked into any grants for this project. Randy told the group since we will be making money off of the project there is not a grant for the project. If we go with the loan from GMA then we can pay off the loan in five years. Alderman Retterbush stated he would like to wait and see what is going to happen with the LOST before we make any decisions on this project. Mayor Harper stated we will be able to make the payment for this loan from the rental

payment of 10,000.00 per month and that agreement will be signed for ten years. Alderman Richbourg wanted to know what Randy needs from the Council at this point. Randy said he needs their approval to go ahead with the loan from GMA. He also stated he has not spoken with Penny Houston or the department of corrections and he did not want to do that until he found out what Council wants to do. Alderman Richbourg asked Randy if we refurbish this building is there any guarantee that the people interested in renting the property will rent the property for ten years. Randy stated we have not gotten that far yet and this government entity came to us and they want to rent this building once it is refurbished from us. Alderman Richbourg stated once we receive approval for the loan through GMA then we need to go to this governmental entity and have them sign a contract stating they will move into the building once it is refurbished and state they will agree to pay ten thousand dollars per month for the rental of this building before we start refurbishment of the building. Alderman Richbourg made the motion to allow Randy the go ahead with the project with the understanding he will get a ten year contract signed by the governmental entity before starting the renovations. Alderman Gaither seconded the motion and the motion carried five to one with Alderman Stalnaker opposing. Alderman Retterbush wanted the record to reflect that the Department of Family Children Services came to the City about renting this building we did no go to them. Alderman Stalnaker stated for the record he still objects to this decision. Randy asked Mandy if she had anything to add to this decision. Mandy said she is fine with the decision because if we get the loan for ten years and are able to pay it off in five years and the only thing we have to do is maintain the building then she is fine with the decision.

John Reynolds invited everyone to come to the wastewater treatment plant because they started the sludge press up and it is a site to see. John Hunkley told the group on behalf of Pete May, Joe, and everyone else related to this project that is with Coastal Engineering, thanks for the opportunity to work on this project.

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

**None**

### **EXECUTIVE SESSION**

Alderman Richbourg made the motion to go into Executive Session at 7:11pm. Alderman Stalnaker seconded the motion and the motion carried unanimously. Alderman Richbourg made the motion to come out of the Executive Session at 7:39pm. Alderman Stalnaker seconded the motion and the motion carried unanimously.

### **REGULAR MEETING RECONVENED**

Alderman Richbourg made a motion to dissolve the Police Committee. Alderman Stalnaker seconded the motion and after some more discussion Alderman Richbourg rescinded his motion until Mitchell Moore researched the City charter.

## ADJOURNMENT

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:40p.m. Alderman Stalnaker 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