

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
DECEMBER 9, 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, and Billy Retterbush and Alderwoman Mellisa Watson.

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

OTHERS PRESENT: Crissy Staley, Ed Perry, John Black, Pearlene Daniels, Keith Stone, Allen Davis, and Brenda Thomas.

ADOPTIONS OF FORMAL AGENDA-Mayor Harper asked the Council to move a few of the items down and add a couple of items to the formal agenda. As item one Ed Perry would like to speak to the Council about the possibility of allowing alcohol to be sold at special events. Item number two, Crissy Staley would like to present something for Toys for Berrien Kid's. Also the swearing in of the new Council members will precede the adoption of the Election Resolution which is item number six. Alderman Richbourg asked the group to move item number two to item number seven. Alderman Richbourg made the motion to adopt the formal agenda with the additions. The motion was seconded by Alderman Stalnaker and the motion carried unanimously.

NEW BUSINESS

1. ED Perry, Serving Alcohol at Special Events- Ed Perry talked to the group about another way to promote the City and the County and stimulate the economy. Mr. Perry gave a list of several Cities and Towns in Georgia that his facility has been invited to come and participate in in the past several years. Most of these events are promoting agriculture or "Georgia Grown" and some of the events are festivals. We pick six events to participate in and set up a wine tasting for the event. Mr. Perry stated he would like for the City of Nashville to look into allowing alcohol to be served at their events, such as the Rodeo and the Harvest Festival. He

would like the Council to consider amending the Ordinance to allow for a catering license so the businesses that have an alcohol license can serve at these events. Other vendors from other Cities throughout Georgia who have an alcohol license to sell alcohol could also participate in these events by obtaining a “Special Permit” which would only last as long as the event. Mr. Perry handed the Council a list of things the participating vendors will need to do before receiving a permit to sell alcohol if the City amends the Ordinance. Chrissy Staley told the group the reason they would like to see the Ordinance amended was due to the rodeo the Chamber host every year. The rodeo is held within the City limits and we think the City and the County could benefit from amending this Ordinance so that alcohol could be served during the event. Mayor Harper said the City already has an Ordinance for the vendors who are out of town and want to do business within the City limits. In order to do so they must apply for the Occupational license for the City of Nashville in order to conduct business with the City limits. He stated that he sees nothing wrong with adding the same amendment to the Alcohol Ordinance so that out of town caterers can receive a pour permit. Mr. Perry stated there are two events other than the Rodeo this amendment will help and those are the Highway Project and Georgia Grown. After some more discussion on the subject Alderman Richbourg made the motion to allow Mitchell Moore to amend the Ordinance to allow for serving of alcohol at Special Events. Alderman Stalnaker stated this subject needs to be research more before we amend the Ordinance. Alderman Retterbush stated the Council needs to schedule a Work Session on the subject before any decisions are made. Alderwoman Watson seconded the motion to allow Mitchell to start drafting an amendment to the Ordinance before the Work Session after the first of the year. Alderman Retterbush abstained from voting due to his spouse is employed by the Perry’s. The motion carried five to one with Alderman Retterbush abstaining from the vote.

2. Chrissy Staley, Presentation to Toys for Berrien Kids- Chrissy Staley the director of the Berrien County Chamber of Commerce presented the City with a check for \$420.00 for Toys for Berrien Kids. She told the group the Chamber always donates its proceeds from the Christmas Parade to the needy families from this event at Christmas time and since the City has taken over the “Toys for Berrien Kids” she presented the proceeds of \$420.00 to Toys for Berrien Kids.

3. Second Reading of the Amended Cemetery Ordinance- Mitchell Moore told the group this will constitute the second reading of the amended Cemetery Ordinance. It states that chapter six cemeteries, section six- twelve price of lots and to provide for a schedule of rates and charges for the sale of City Cemetery lots. Once Council adopts the amended Ordinance it will be published and effective two weeks after publication. Alderman Stalnaker made the motion to adopt the amended Cemetery Ordinance. Alderman Retterbush seconded the motion and the motion carried unanimously.

4. Ratify the decision to hire a Private Company to finish the inert Landfill preparation for the Solar Panels- Randy Lane told the group on December 4th the City Manager was contacted about a problem we were having clearing the Inert Landfill located on Deal Street. Randy advised Mandy to solicit the job to local and outside bids because the City workers will

not be able to finish this job before the completion date of December 10th. Mandy agreed and the contractors were contacted by Randy Lane. Each contractor was given the same set of requirements and the bid were given as follows. Gary Paul Weaver bided \$6,000.00; Newbern Construction bided \$6,850.00, Jimmy Drawdy bided \$9,785.00. We awarded the bid to Gary Paul Weaver due to his bid being the lowest of all submitted. Council was polled on these decisions on December 4th and the majority voted yes to do what we needed to do. Council needs to ratify this decision in open session. Alderman Stalnaker made the motion to ratify the decision to go with the lowest bidder which is Gary Paul Weaver for \$6,000.00. Alderman Richbourg seconded the motion and the motion carried unanimously. Randy added that Gary Paul Weaver began the work on this project Thursday December 5th.

5. 2014 Beer, Wine, and Liquor Application- Mayor Harper read the 2014 Beer, Liquor and Wine list of applications. Each one of the following has paid all fees and criminal backgrounds were completed with no record found. (See Below)

BUSINESS NAME	APPLICANT NAME	ADDRESS	DESCRIPTION	AMT PAID
Akridge's Get-N-Go	N/A	201 Greenridge Dr.	closed	
Alco Discount Store #384		732 S. Jefferson	not applied yet	
Dollar General #13929	Gary Green	509 E. McPherson Ave.	Beer & Wine License	\$ 1,100.00
Cypress Pointe	Cynthia M Watson	605 Old Milltown Rd.	Beer License	\$ 500.00
Cypress Pointe	Cynthia M Watson	605 Old Milltown Rd.	Liquor By The Drink	\$ 2,000.00
Discount Corner	Jayantibhai K Patel	302 S. Davis St.	Beer License	\$ 500.00
Flash Foods #22	Patrick Conner Jones	509 S. Davis St.	Beer & Wine License	\$ 1,000.00
Four Guys Shell, LLC	Hiram Griffin	405 S. Davis St.	Beer License	\$ 500.00
Gaskins Grocery	Zamir U. Gondal	1318 E. Marion Ave.	Beer License	\$ 500.00
Harvey's #2308	Gene Walton Vickers	207 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
La Puerta Del Sol Inc.	Alonso Martinez	706 Tifton Rd.	Beer & Wine License	\$ 1,000.00
La Puerta Del Sol Inc.	Alonso Martinez	704 Tifton Rd.	Liquor By The Drink	\$ 2,000.00
Mae's Café	Johnnie M. Brand	902 E. Marion Ave.	Beer License	\$ 500.00
Market Café	Rhonda Behrens	206 South Street	not yet applied	
1st Choice (Mr. G's)	Ankitaben Patel	705 N. Davis St.	Beer & Wine License	\$ 1,000.00
OM & Aaron Corp DBA Lucky Corner	Shilpaben B Patel	1001 S. Dogwood Dr.	Beer License	\$ 500.00
Pap's III	Nilay A Patel	730 E. Marion Ave.	Beer & Wine License	\$ 1,000.00
Pit Stop	Dineshkumar S. Patel	514 S. Davis St.	Beer License	\$ 500.00
Pizza Hut #2948	Kala Nicole Leonard	608 S. Davis St.	not applied yet	
Quick Mart #1	Jitendrakumar A Patel	224 Tifton Rd.	Beer License	\$ 500.00
Quick Mart #2	Jitendrakumar	708 Old Coffee	Beer License	\$ 500.00

Rana Corp d/b/a J Raj Liquors	Rajendrasinh F Rana	301 N. Anderson Rd.	Beer, Liquor & Wine License	\$ 2,000.00
Rana Corp d/b/a J Raj Spirits	Rajendrasinh F Rana	720 Adel Rd.	Wine & Liquor License	\$ 1,500.00
SNSV Inc DBA 5 Points	Sangitaben S Dave	401 S. Davis St.	Beer & Wine License	\$ 1,000.00
Stop & Shop	Heena P Patel	500 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
The Blue Swan	Willie Davis	800 E. Marion Ave.	Beer License	\$ 500.00
The Log Cabin	James S. Mathis	720-A Adel Rd.	not applied yet	
VFW Post 5978	Gary Wayne Nelms	801 Tifton Rd.	Beer & Wine License	\$ 1,000.00

Alderman Gaither made the motion to approve all the above applicants. Alderman Stalnaker seconded the motion and the motion carried unanimously.

6. Resolution for the Election Returns of the November 5th and Runoff Returns of December 3rd, 2013- See Below:

MUNICIPAL ELECTION- NOVEMBER 5TH,

For Council Member

Post Four	Billy Retterbush	224	96.55%
Post Five	Scott Stalnaker	220	96.07%
Post Six	Marvin Barker	78	24.61%
	Pearlene Daniels	127	40.06%
	Walt Steward	112	35.53%

MUNICIPAL RUNOFF ELECTION- DECEMBER 3RD, 2013

Post Six	Pearlene Daniels	147	48.04%
	Walt Steward	159	51.96%

Alderman Stalnaker made the motion to adopt the Resolution on the Election Returns. Alderman Richbourg seconded the motion and the motion carried unanimously.

7. Rate Changes for Advanced Disposal- April Copeland presented the group with a listing of current charges for the four yard, six yard, eight yard, and twenty four yard dumpsters. At the present time Advanced Disposal is charging from ten to thirty five dollars more than what the City is charging its customers for this pickup. April pointed out the prices given to her by Cook County, Alapaha, Enigma and Ray City for their dumpsters and their pick up and the price were more than what the City of Nashville charges its customers. April told the group the suggested prices for the new pricing are as follows: for the six yard one pick up per week was \$145.00 and the suggested increase \$150.00, for two pick-ups per week was \$238.00 the suggested increase \$250.00, for three pick-ups per week was \$346.00 the suggested increase \$370.00, for four pick-ups per week was \$454.00 the suggested increase \$500.00. The eight yard with one pick up per week was \$158.00 the suggested increase \$165.00, for two pick-ups per week \$270.00 the suggested increase \$275.00, for three pick-ups per week \$391.00 the suggested increase \$415.00, for four pick-ups per week \$508.00 the suggested increase \$550.00. Alderman

Richbourg made the motion to approve the increases less the six yard one time per week and the eight yard one pick-up per week. Alderman Stalnaker asked why the City can't charge the same prices as Advance Disposal if there are only surcharges added and no administration fee added. Mandy said we have to charge the administration fee because we have to pay for the bills we print; also this fee goes toward the people who keep up with the picking up and distribution of the dumpsters and checking on the dumpsters due to any problems that might come up. We have has several cases where some were putting things into the dumpsters that were not supposed to go into the dumpsters not to mention the over flow of the dumpsters from time to time. Mandy added the fee also goes toward our sanitation department which helps in the upkeep of the equipment used like the limb truck. Alderman Retterbush seconded the motion given by Alderman Richbourg and the motion carried unanimously.

9. Swearing in Ceremony of the Newly Elected Council and the Re-Elected Council

Members- Mitchell Moore told the group Walter Steward was sent paperwork to deploy to Afghanistan so he will be sworn in by a teleconference. Mitchell stated he checked on doing the swearing in ceremony this way with the Secretary of States Office and there is a prevision under the Open Records Act which allows for two teleconferences per year. He added that he is still investigating the teleconferencing so to allow Mr. Steward to participate in the meetings. Under the City's Charter a Council member can miss up to eight consecutive meetings. Mitchell asked Mr. Steward's daughter to step to the front with her cell phone so that Mr. Steward could be Skyped in for the ceremony. Mitchell swore in Alderman Scott Stalnaker, Alderman Billy Retterbush and newly elected Alderman Walter Steward into office.

REPORTS

10. City Manager's/Finance Director's Report- Mandy asked the Council to make a decision on canceling the December 23rd Council meeting or holding it on another day. Alderman Richbourg made the motion to cancel the December 23rd Council meeting. Alderman Gaither seconded the motion and the motion carried unanimously.

11. City Attorney's Report- Mitchell Moore updated the group on the DuPont Pine and the gas line extension to Alapaha. He said we have made substantial progress with the County in getting the right of ways in place. He has contacted the DOT about an alternate route and the original route will be much quicker once we get the right of ways in place. Mitchell added that DuPont Pine Products is not installing the boiler system at this time and if they did they are still looking at natural gas and are committed to the natural gas because it is the economical choice. Mitchell updated the group on K & E Solar. The lease agreement is signed. The lender wanted an assignment of the lease agreement and Mitchell was not going to charge the City for that because he was paid by the lender for that assignment.

12. Department Head's Report- none

PUBLIC COMMENTS FROM PUBLIC/COUNCIL

A concerned Citizen told the group he would to see the golf cart Ordinance rules applied to business that use golf carts for delivery such as UPS. He feels as if the same set of rules should apply. Not only are they not in compliance with the Ordinance but they are also pulling around a trailer. The concerned citizen also asked the Council to look into extended the hours of operation in which a golf cart can be driven. Chief Edwards told the group the Ordinance has no prevision in it that applies to commercial use it only applies to private use. Alderman Richbourg asked Chief Edward to ask UPS to put some slow moving signs on their golf cart. He added this is only a seasonal use for UPS so we won't need to change anything in the Ordinance before we ask them to put the signs on the golf cart. Mitchell stated he will look into the Ordinance and see if a there is any distinction between private and commercial and see if any prevision need to be made.

Dawn Morrison updated the group on the Christmas events that took place over the weekend. She stated although it rained all of the businesses downtown did really well and the Huddle House placed number one in the nation for sales Saturday.

Alderman Richbourg told the group it has been an honor and a privilege to serve the City of Nashville. Aldermen Stalnaker, Richbourg, Gaither, Carter and Alderwoman Watson told Dawn Morrison great job on the events, and also thanked Alderman Richbourg for his years of service.

ADJOURNMENT

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:05p.m. Alderman Stalnaker seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderwoman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Tina Ward, City Clerk