

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
SEPTEMBER 26, 2011**

INVOCATION: Henry Yawn

PLEDGE: Pledge of Allegiance was led by Mayor Pro Tem Scott Stalnaker

WELCOME: Mayor Pro Tem Scott Stalnaker

ROLL CALL: Members of the City Council present included Mayor Pro Tem Scott Stalnaker, Aldermen Eric Gaither, Dick Perryman, Billy Retterbush, Michael Richbourg, and Antonio Carter.

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

OTHERS PRESENT: Randall Melton, Frank Watts, John Black, and Clarence Luke.

ADOPTION OF MINUTES FROM PREVIOUS MEETINGS: Alderman Richbourg made the motion to approve the minutes. Alderman Carter seconded the motion and the motion carried unanimously.

ADOPTIONS OF FORMAL AGENDA- Mayor Pro Tem Stalnaker ask Council to remove item number six from the formal agenda; Mr. Hunkele could not be here and ask that we postpone his update. Mitchell Moore requested item number six be replaced with a brief Executive Session. Alderman Richbourg made the motion to adopt the formal agenda with the changes. The motion was seconded by Alderman Perryman, and the motion carried unanimously.

NEW BUSINESS

1. Extend the Hours at the Ball Parks- Mayor Pro Tem told the group at the last work session and public hearing Robert White requested the hours at the ball park off the Adel Highway (Memorial Park) be extended from 10:00pm to midnight for

tournaments. During the work session and public hearing, the group also discussed charging a fee for non charity events. Alderman Perryman stated the group also discussed placing a limit on the time and the amount of events. Mayor Pro Tem Stalnaker said we discussed charging \$25.00 for each event that causes the park to stay open later than 10:00pm. Mayor Pro Tem Stalnaker stated all of the decisions we make will be on a trial bases. Alderman Richbourg made the motion on a six month trial bases, and limited to six times during the six months; allow tournaments to use the field until midnight on weekends only, and charge \$25.00 for non charity tournaments. Alderman Gaither seconded the motion and the motion carried four to one, with one opposing.

2. Reschedule the testing of Nashville's Emergency Siren- Mayor Pro Tem Stalnaker told the group this item was discussed at the last public hearing. Alderman Richbourg had suggested they consider allowing the City's Emergency Warning Siren's daily testing, be cut from everyday at noon, to a once a month test, for example the first Friday of each month, and of course for any emergency weather purposes, with the provision we investigate and if it is deemed permissible and safe by the manufactures. The City advertised and held a public hearing on September 22, 2011 before a deciding on this matter. Randy Lane checked out the manufacture and once a month testing will be fine. Alderman Richbourg also stated that Tina Ward checked with the City of Adel, who also limited their testing to once a month. She was told that once a month testing of the siren is all the State mandates. Mayor Pro Tem Stalnaker told the group he checked with the County office about Code Red. This program is available to all Berrien County residence. Anyone can stop by the 911 center and pick up a packet to sign up for the service. Code Red is an emergency warning center which will alert you in the event of adverse weather. This system will call your home or cell phone or text your computer, to warn of a severe thunderstorm, it will alert you of a tornado. The system is also designed to put out alerts, for example, if the City has a gas leak it can alert people in that area and warn them to stay inside or evacuate. It is also designed for law enforcement to use, for example, if they have a missing child or an elderly person, it will alert people in that area. Alderman Stalnaker made the motion to reschedule to emergency siren to once a month, the first Friday of the month at noon, for a trial period of six months, and the change be advertised for four weeks before it is implemented. Alderman Perryman seconded the motion and the motion carried unanimously.

3. Set The Millage Rate for 2011- Mandy Luke told the group the City tax bills for 2011 are to be billed out October 20th, and Council needs to adopt the Resolution establishing the millage rate for the 2011 bills. The millage rate will be

the same as last two years, 8mill. She pointed out due to the one percent local option sales tax; we are able to roll back the millage rate to 8mill. She said if we did not have the local option sales tax our millage rate would need to be 14.314 mills. in order to meet the needs of the City's budget. Alderman Perryman made the motion to adopt the Resolution establishing the millage rate for the 2011 tax bills. Alderman Retterbush seconded the motion and the motion carried unanimously.

4. Post Office One Way Street- Mayor Pro Tem Stalnaker said Council discussed this item at the last Work Session. We also advertised and held a public hearing on September 22nd. The request was to turn a section of the street between McKinley and South Bartow, which is a section of McPherson; into a one way street and painting the parking spaces at an angle so that parking at the post office would not pose a potential hazard. The group had some discussion on the matter. Alderman Richbourg made the motion to turn the section of McPherson, between McKinley and South Bartow into a one-way street on a trial bases. Provided the change is advertised weekly and put into place as of December 1st. He added, once we see the one-way will work, we speak to the property owner about angling the parking area. The motion died due to the lack of a second.

5. Berrien County T-Project- Mandy Luke told the group has discussed this item several times in the past couple of weeks during Work Sessions and Council meetings. Per Mr. Steven Rakestraw told us the County will need to submit a letter very soon to stating they are giving up T-Project and the City will need to submit a letter as well stating we are going to take over the County's T-Project and relocate on City property. Mayor Pro Tem told the group after much discussion at the last work session I think the Council had come to the conclusion that the City was not willing to use the City's money for the County's project and be responsible for the up-keep for the required eight years. We were however willing to assist the County in procuring the amount needs to finish phase one, in the amount of \$11,000.00, if the County would agree to take over the maintenance and utilities which were estimated at around \$8,000.00 to \$10,000.00 per year, and then the City would take over phase two which was located on City property. Mayor Pro Tem Stalnaker told the group the City did not want to use City funds to maintain the County's property, and the County has said they will not take up any more expenses. He added should we apply for the grant we will need DOT approval. Alderman Perryman made the motion to apply for the T-Grant for Dogwood and any other area deemed worthy in the City. Mayor Pro Tem Stalnaker wanted to point out the amount we are applying for is \$350,000.00 and the City's match will be \$87,000.00, which according to Mandy Luke will come out of the City's SPLOST

fund. Alderman Retterbush seconded the motion and the motion carried unanimously.

REPORTS

6. City Manager/Finance Director Report- None

7. City Attorney Report- Mitchell Moore updated the group on TTL maintenance monitoring. He received the report on the last monitoring which was tested last month. TTL said the levels are significantly down or reduced. The next testing will be December 8th 2011, and they are hopeful a “no further action order” will be given due to the levels continuing to be significantly reduced. Mitchell also updated the group on the Waste Water Treatment Plant. He said a preconstruction meeting was held last week. John Hunkele and another associate from his firm will hold a meeting tomorrow to finalize the contracts. Mitchell said he is working on some minor matters on the final contracts. The certificates of insurances have not been received and he is holding the contract until those insurances are in place.

8. Department Head Reports- None

Public Comments/General Comments from Council

Clarence Luke invited the Council and everyone present to the Prayer Walk which will be held on October 29th. He said the walk will begin at 9:00a.m. at the Board of Education. Mr. Luke encouraged everyone to attend.

Frank Watts asked the Council if they can do anything about mowing and cleaning up around and on the railroad tracks at Gaskins grocery down to Chaparral Boats. Alderman Retterbush told Mr. Watts that DOT owns the line. Mayor Pro Tem Stalnaker said the line is not active because the train trussle is down. We cannot do anything on DOT property. Once the train trussle is up and running DOT will clear and maintain the lines again.

Executive Session

Alderman Richbourg made the motion to go into Executive Session at 6:42p.m. Alderman Gaither seconded the motion and the motion carried unanimously. Alderman Richbourg made the motion to come out of Executive Session at 7:10p.m. Alderman Gaither seconded the motion and the motion carried unanimously.

Adjournment

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:12pm. Alderman Gaither seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderman Dick Perryman

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Tina Ward, City Clerk