

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
MAY 24, 2010**

**INVOCATION:** Mayor 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 Bill Turner, Dick Perryman, Scott Stalnaker, Michael Richbourg and Billy Retterbush.

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

**OTHERS PRESENT:** John Hunkele, Allen Davis, John Black, Randall Milton, Frank Watts, Cheryl Bonham, Keith Stone, and Fern Turner.

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS:** Alderman Retterbush made a motion to adopt the Minutes from the previous meeting. The motion was seconded by Alderman Stalnaker and the motion carried unanimously.

**ADOPTION OF FORMAL AGENDA-** Mayor Harper wanted to add an item to the agenda. Add John Hunkele with Coastal Engineering as item number four. Alderman Richbourg made a motion to approve the formal agenda with the change. Alderman Perryman seconded the motion, and the motion carried unanimously.

**NEW BUSINESS**

**1. Resolution to Adopt the Partial Update to the 2025 Greater Berrien County Comprehensive Plan for Berrien County-** Mayor Harper told the group that the City needs to adopt the Resolution for the 2025 Greater Berrien County Comprehensive Plan. Each City and the County must adopt this Resolution in order to receive grant money. Alderman Richbourg made a motion to adopt the

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

**2. Open Bids for Pest Control-** Mayor Harper told the group the pest control contract for the City was advertised and put up for bids. Four companies bid on the contract. Tifton Termite and Pest Services from Tifton bid \$100.00 per month. Lot Pest Control from Nashville bid \$132.00 per month. Orkin Pest Control from Macon bid \$255.00 for the first initial month and \$170.00 for each month after the first initial month. D-Tech from Nashville bid \$175.00 per month. The group had some questions about the two lowest bids submitted, and at what percentage difference the bids have to be in order to keep the pest control contract local. They also wanted each of the lowest bidders's to provide documentation which was stipulated in the advertisement. They asked Mandy Luke to investigate the matter. The group decided to postpone their motion until the next City Council meeting.

**3. Beer and Wine Application for Gaskins Grocery-** Mayor Harper told the group a beer and wine application was requested by Gaskins Grocery. The background check came back with no records found. Fees were paid and measurements were completed. Mitchell Moore the City Attorney told the group there was some questions regarding the time period or when the last license expired and the new license was requested. He said there are some restrictions if a store closes and reopens after a twelve month period but this particular store reopened within that twelve month period. He said since this store changed hands and never closed the Council has his ok to grant the license on the retail sale of beer and wine. Alderman Perryman made the motion to grant a license to sell Beer and Wine for Gaskins Grocery. Alderman Richbourg seconded the motion and the motion carried unanimously.

**4. Coastal Engineering's Report-** John Hunkele with Coastal Engineering Consultants, Inc. updated the group on the USDA and GEFA loan applications for the Sewer Treatment facility. He said Denise Carter with USDA, requested a few documents on May 11<sup>th</sup>, such as: Intergovernmental Review Comments, Attorney Certification that there are no covenants in the existing bond ordinance that prevents the indebtedness from being re-financed; Certification of Debts, Letter from the City stating that Nashville does not have the ability to finance the proposed project from City's own resources or through commercial credit at reasonable rates; Letters from two banks stating that they cannot finance the project including interest rates, terms offered and reasons for denial; and Certification regarding relationship with Rural development employees, HB 489 Status, etc. John said Ms. Carter advised that the current USDA interest rate is

2.50% with terms up to 40 years with no pre-payment penalty. On May 14<sup>th</sup> Denise Carter advised she received the Intergovernmental Review Comments from Barbara Jackson and requesting an additional copy of the Environmental Review Report that was submitted to her on March 19<sup>th</sup>. She also requested copies of recent bids in support of the project cost estimates. On May 17<sup>th</sup> Ms. Carter confirmed she had completed a cursory review of the Preliminary Engineering Report that we submitted on March 19<sup>th</sup> and requested the following: Breakdown of sewer users by meter size and usage; Commercial users need to individually list as to meter size and usage; Short lived assets must be addressed (This has already been done-they just missed it). She stated that upon receipt of the above USDA would “initiate” their review of the Preliminary Engineering Report and the Environmental Review documents that we submitted on March 19<sup>th</sup>. John reported on the GEFA loan application. He said on May 19<sup>th</sup> GEFA issued their draft 2010 Intended Use Plan for the Clean Water State Revolving Fund (CWSRF). Nashville did not make the list as a Tier 1 project which would qualify for 15% principal forgiveness. Ten projects totaling approximately \$81 million made the Tier 1 list with scores ranging from 70 to 93. The City of Atlanta and Cobb County accounted for approximately \$45 of the \$81 million total. Tier 1 projects must issue a Notice to Proceed by December 31, 2010. Nashville’s project was #3 on the Tier 2 list with a score of 67. Tier 2 projects are guaranteed the availability of base CWSRF financing (3% annual interest rate, 2% closing fee and no principal forgiveness). Such projects may continue to pursue base CWSRF financing or wait to see if the opportunity opens up for its project to move up to Tier 1 status due to attrition of higher ranked projects. Projects are eligible to move up based on priority order (Nashville is currently #3 on the Tier 2 list). On December 31, 2010, GEFA will make a final determination as to Tier 1 status. John Hunkele said he will get with John Reynolds or Mandy Luke and get the City files on individual list of commercial and individual customers with meter size and usage. He said he will get with Bill Knowles at EPD and reschedule the meeting to renegotiate the consent order. Alderman Richbourg stated the scheduled meeting did not take place due to absents of personnel on their behalf.

## REPORTS

**5. City Manager’s /Finance Director’s Report-** Mandy asked the Council to ratify the decision to pay the bill amount of \$1,000.00 to Franklin Automotive for repairs on the limb truck. Alderman Richbourg made a motion to ratify the decision to pay the bill. Alderman Stalnaker seconded the motion and the motion carried unanimously.

**6. City Attorney's Report-** Mitchell Moore told the group he did some investigating into a question asked about "consumption on the premises" which pertains to our alcohol licensing. He said according to his research we can as a municipality change the distance which is established under State law. In our Consumption on the Premises Ordinance which states under Sec. 3-64, k, any location that is within 300 feet as measured in a straight line from the nearest point on the property which will be the location of the business in which the alcoholic beverage license will be utilized to the nearest point on the property upon which is located a church, school, college, or alcohol or drug treatment center operated by any governmental agency, with the terms "school" and "college" as used in this subsection meaning those institutions which are both (i) operated either by a governmental or church entity and (ii) are engaged in courses of instruction which are commonly taught in public primary or secondary schools or colleges in the state. Mitchell said he needs to know if the Council wants to minimize or eliminate the distance for the Consumption on the Premises License. The group had some discussion about the matter and decided to have a work session before the next Council meeting to discuss it further. Mayor Harper asked if a work session could be held after the Budget workshop meeting set for June 7<sup>th</sup>. The group agreed to postpone this matter until 5:30p.m. before the next Council meeting. Mitchell said the only other thing he needed to discuss is the insurance on the Down Town Development Authority's building insurance. He said he spoke with Bob Gaskins and Mr. Gaskins is working the underwriter about our situation with the building. He said they want to make sure DDA has been added and the Auction company "Stoneage Auction" has a certificate of insurance. Mitchell said he will keep Council posted.

**7. Department Heads' Report-** Tommy Davis thanked the Council for their decision to repair the limb truck. Chief Clayton asked the Council to help select a dealer to fill bids so the police car project can go forward. He presented the group with some quotes from several different dealers both local and non local. He asked the Council to consider allowing the new purchases be the Dodge Charger which is the recommend police car. He stated the Ford Crown Vic. will no longer be recommended as of 2011 and the equipment purchased to be mounted on these cars will be obsolete in four years. Chief Clayton quoted the lowest bid, which was from Bo Lovin Ford located in Nashville. They quoted a bid of \$21,729.00 for the Crown Vic. The other bids are for the Dodge Charger, McLaggan from Hahira quoted \$21,569.00, Martin Motors in Nashville quoted \$22,463.00, and Akins located in Winder quoted \$21,715.00. After some discussion Mayor Harper stated the difference in the two lowest quotes for the Dodge Charger is less than ten percent so he recommended we keep the purchase local. Alderman Turner stated

the purchase of the Dodge Charger for a police car would leave a bad impression on the public. He said we don't need a car which is considered a race car to patrol the City of Nashville. Chief Clayton told Alderman Turner he will monitor the new cars closely to insure they are not used as race cars. Chief Clayton also said we need to make a decision because the Crown Vic. will no longer be available as a patrol car next year. He said if we purchase Crown Vic.'s then the \$16,000.00 dollars set aside to equip these units will be of no use to us in four years. Alderman Stalnaker told the group the Chief needs a decision from us so he can go forward with the purchase. The availability for Government cars decreases every day, so it is on a first come first serve basis, because they only make so many Governmental cars. Alderman Retterbush made a motion to purchase the Dodge Chargers from Martin Motors. Alderman Stalnaker seconded the motion and the motion carried four to one, with Alderman Turner voting no.

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

Frank Watts thanked Tommy Davis and his crew for their help with the cemetery cleanup.

John Black asked Council if something could be done to enforce the open container violations occurring on Hamilton and Marion. He stated the violators will drink and throw the empty cans in yards. Chief Clayton was asked to set up more surveillance in that area.

#### **ADJOURNMENT**

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:25p.m. Alderman Turner seconded the motion and the motion carried unanimously.

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Mayor Travis Harper

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Alderman Bill Turner

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Alderman Dick Perryman

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Alderman Darrin Davis

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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 Haughton, City Clerk