

REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
February 23, 2009

INVOCATION: Johnny Hall delivered the invocation.

PLEDGE: Pledge of Allegiance was led by Mayor Travis Harper

WELCOME: Mayor Harper welcomed all in attendance.

ROLL CALL: Members of the City Council present included Aldermen Bill Turner, Billy Retterbush, Michael Richbourg, Scott Stalnaker, Darrin Davis, Dick Perryman and Mayor Harper.

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

OTHERS PRESENT: Randall Milton, Dawn Morrison, Cheryl Bonham, Mr. Miles, Frank Watts, Paul Wilfork, Larry Baldree, Brenda Smith, Fern Turner and unidentified lady.

ADOPTION OF MINUTES FROM PREVIOUS MEETING: Attorney Moore asked that the following corrections be made in the minutes: Under Item # 2 it listed Rampey as being from Fitzgerald when they were from Lakeland and under Item # 5 about 5 lines from the bottom it should read their area rather than there area. Following these notations for corrections, Alderman Richbourg made a motion seconded by Alderman Turner to adopt the minutes with the corrections noted by the City Attorney. Motion was carried unanimously.

ADOPTION OF FORMAL AGENDA: Mayor Harper asked if there were any additions or deletions to the Agenda. There being none, Alderman Richbourg made a motion seconded by Alderman Stalnaker to adopt the Formal Agenda. Motion was carried unanimously.

NEW BUSINESS

1. BEER LICENSE APPLICATION – MAYOR HARPER Mayor Harper informed the Council that we have received an application for a Beer License from Sangita Dave, who will be d/b/a The Golden Stop which is located at 401 South Davis Street. He further informed the Council that the occupational taxes and deposits have all been paid along with the \$500.00 fee. He stated a background check revealed “No Record”. Alderman Turner made a motion seconded by Alderman Richbourg to approve the application. Alderman Richbourg questioned the Chief about the formal illegal activity

which had taken place at this same location. The response that Sheriff Heath was contacted regarding this and he stated it had been solved. Alderman Perryman disclosed the fact that he had did some legal work for Ms. Dave and that he would have to abstain from voting. Following these remarks the motion was carried with Alderman Perryman abstaining.

2. RATIFICATION OF FUNDS FOR PROJECT T – MANDY LUKE Ms. Luke informed the Council that on February 13, 2009, Mayor Harper polled the Council regarding the City giving \$10,000.00 toward Project T. This was unanimously approved by the Council from the poll. She added this needs to be ratified and voted on in an open meeting. Alderman Turner remarked that he would like to use local people if we participate. Alderman Perryman asked if we have the assurance that this project will bring in local jobs. Mayor Harper responded that this is in the preliminary stage with a contract being drawn up so everyone can review. Attorney Moore added this will be subject to bids and that we will have to see the final contract. In a discussion about the total cost of project, Mayor Harper informed the group that the entire project cost would be \$30,000.00. Alderman Davis asked how many employees will the project bring in. Mayor Harper responded between 25 and 30. Alderman Perryman asked if the City is giving the \$10,000.00 contingent on this occurring. Mayor Harper responded yes. Alderman Davis asked if the contract will specify that if they don't stay we will be refunded some of the funds back. Mayor Harper reiterated that this is just in the preliminary stage and they will have to come up with a contract. Following these remarks, Alderman Perryman made a motion to give these funds contingent on jobs being created. Alderman Retterbush seconded the motion. The motion was carried unanimously.

### 3. RATIFICATION ON REPAIR OF BACKHOE – MANDY LUKE

Ms. Luke stated that the Council was polled on February 19th regarding the repairs on the backhoe. She remarked that John Reynolds stated that it was out of commission and it would cost less than \$2,000.00 to repair. The poll was unanimous to proceed with getting the repairs done. She told the Council that this action needs to be ratified and voted on in a regular meeting. Alderman Turner asked if the repairs have been made. John Reynolds responded yes. Alderman Turner asked what is the cost for the repairs. Mr. Reynolds responded he wasn't sure because the person he spoke with didn't have that information. Following this, Alderman Retterbush made a motion seconded by Alderman Richbourg to ratify this action to have the repairs done. Motion was carried unanimously.

### 4. 2ND READING/ADOPTION OF GOLF CART ORDINANCE – ATTORNEY

MOORE Attorney Moore informed the Council this will be the 2nd Reading/Adoption of the Golf Cart Ordinance. Once adopted, he stated an ad will be publicized to that affect. Alderman Stalnaker made a motion seconded by Alderman Turner to adopt the ordinance. Attorney Moore asked if there will be any maps available for distribution to the public pertaining to the locations designated crossings. Alderman Davis informed the group that Tommy Davis is currently working on the signs. He explained that the signs will be facing the traffic which will be a notice for the traffic regarding the crossing. Attorney Moore discussed with the group about not being able to do certain things on the

state routes. He asked the group if they wanted him to check with D.O.T. on this. Alderman Stalnaker responded yes. Alderman Turner discussed with the group about working on something for the safety of wheel chair operators. Attorney Moore asked the feeling of the Council on addressing this issue. Mayor Harper responded this is the next thing we need to work on. Alderman Turner remarked that the ordinance covering wheel chairs could be similar to that of the Golf Cart. Alderman Stalnaker recommended that we set up a public work session to discuss this issue. Alderman Davis informed the group that he has been approached by various individuals concerning the City using the mule cart around town to read meters when they are not around to drive the golf carts. Alderman Stalnaker stated that the City is allowed to do so because they have immunity. Alderman Retterbush explained to the group that the mules were originally purchased to be used at the spray fields to check the spray heads and not for reading meters. John Reynolds also explained that the mules were not being used very much at the spray fields so they began using it for the meter readers because of the shortage of vehicles. He added this also saves on gas. Following these remarks the motion to adopt the ordinance was carried unanimously.

## REPORTS

5. CITY MANAGER/FINANCE DIRECTOR'S REPORT – Ms. Luke reported to the group that the grinding has been completed at the spray field. She told the group that Tommy Davis has taken pictures. She also told the group that she had received the invoice today for the grinding. She informed the group they are working on the grant application. Ms. Luke explained to the group that TBS is having some problems in setting up the program for the new water and sewer rates. She added that is possibly going to be another month before the new rates will be on the system. She informed the group that the lady from another computer company will be here tomorrow to conduct a demo for a different program. She stated that each one in the office will have an opportunity to sit in on the demo.

6. CITY ATTORNEY'S REPORT- Attorney Moore reported to the Council that TTL has contacted him regarding a problem with Monitoring Well # 8. He said there was an isolated incident last year which had not shown up. The problem was found during recent monitoring. He told the group that a big truck is going to have to be brought in and the cost is going to be around \$4,000.00. He remarked he will get more specifics and get with the Council. Attorney Moore stated the bottom line is that is something there. He said only measures 4.7, which is not much but we are going to have to deal it and remove it. He indicated that is not a major job. He informed the group that TTL is in currently in the process of getting bids. He said they have two (2) bids but he has asked them to obtain another one from Soil Remediation in Ray City. He added by doing this he is hopeful that the City would be saving money by doing it within the County. He informed the group regarding the fact Alderman Retterbush works for the Soil Remediation, there is no conflict. Attorney Moore disclosed the fact Alderman Retterbush has no direct interest in the company and that he is only an employee. He said TTL will solicit a bid from Soil Remediation. Mayor Harper asked if the Council could get the bids. Attorney Moore responded that he could ask TTL to submit the bids to

them. He added there is nothing required as long as they go with the lowest bid. He stated hopefully this will be completed. He told the Council in matter of saving time he would like to poll them once they have the bids. The Council was in agreement with this. Alderman Turner asked if it was only one well. Attorney Moore responded it was the only one with a positive reading. He stated this is not a deep problem. Alderman Retterbush explained that all the wells are 30 feet deep. Attorney Moore told the group he doesn't know a time frame of how long it has been there.

Attorney Moore reported to the Council that he is dealing with Roger Fowler of Statewide on getting contracts signed off on regarding the TE Project. He added these are standard contracts. However, he had included a special provision before and felt compelled to deal with it on these.

Attorney Moore questioned John Reynolds on the status of the fence. John Reynolds responded that it is complete.

Attorney Moore asked about the recommendation of going from a four way stop sign to a two way at the intersections of Hazel and Jefferson to help the traffic flow. Mayor Harper responded he has spoke with Shannon Bradford of D.O.T. about the problem. Mr. Bradford recommended that we address this issue once the project is completed. There was some discussion among the group about there being only one left turn signal at the traffic light at McDonald's. It was stated it is creating traffic backup and could possibly cause an accident. Attorney Moore said he would get with D.O.T. on this. Randall Milton addressed the issue regarding the section of 76 being blocked off and the inconvenience it has created for the businesses located in that area. He asked if there was a possibility it could be opened up. It was explained that D.O.T. had did this because of diverting traffic and the fact that eighteen wheelers were unable to negotiate the turn there.

Attorney Moore informed the Council he has been in contact with Greg Carter on the plat on the stream. He said they are to get the easements. He said he would be e-mailing this information to John Hunkele of Coastal Engineering and he will probably have it tomorrow. He state John will be over here and we can get them to look at it. Attorney Moore discussed with the Council his concern regarding Mr. Wendell Taylor's problem with his property and the ditch.

## 7. DEPARTMENT HEADS' REPORT

Dawn Morrison, Better Hometown Director, extended an invitation to the Mayor and Council for the dedication of Connie's Children's Park on March 5th. She told the group that she hopes all can attend because those who do will be recognized. She asked that they let her know if they were not going to be able to attend because she will have chairs marked for those who do. Ms. Morrison then listed all those she has invited to the dedication ceremonies and asked if there were anyone else the Council wanted to invite to let her know.

She informed the Council that she has applied for a USDA grant for a parking lot. She stated the grant is for \$100,000.00 and requires no matching funds. She remarked there is a pretty good chance to get a parking lot located next to Pearl's.

Ms. Morrison told the Council that they had applied for funds for Valdosta Technical College three (3) times and had been turned down. She remarked that since this is not going to happen, the City needs to either auction off the old Badcock building or offer it back to the original owner, Lamar Miller. She said Mr. Miller had wanted a technical school located there. She asked how much did we pay for the building. Attorney Moore remarked \$60,000.00. She asked the Council to think on this.

Tommy Davis of the Street/Sanitation Department told the Mayor and Council that it is not going to be too long before we get into the mowing season. He remarked that he had been talking with Alderman Davis about getting some new mowers. Mayor Harper asked where all they mowed. Mr. Davis gave the various locations they mow. He added there are some that can be mowed with a tractor. Alderman Davis stated that we could possibly auction off some of the old equipment which would help pay for some of the new. He talked about different models of mowers and prices. He stated that he realizes we like to shop locally. He mentioned the fact that we could finance the equipment for a year rather than having to pay out a lump sum. Mayor Harper discussed with the group about the bidding out for lawn service for cemeteries. Tommy Davis explained to the group that one of the mowers was purchased in 1998 while the other one was purchased in 2000. He told the group that the 2000 is junked out. He said the 1998 is still in running condition but has seen a lot of usage. Alderman Davis told the group the bottom line is if we are going to take on the maintenance of the parks or cemeteries we are going to have to get another mower. He added if it will be just the parks then we may get by with only one. He discussed with the group about the possibility of getting a \$50.00 service agreement on such equipment items as weed eaters. He added this would probably save the City some money. Alderman Stalnaker recommended we get the prices on the equipment and make a comparison on what we are currently paying to have these services contracted out. Alderman Davis responded that he has already done the figures on this and if we do the Parks & Cemeteries the cost of the equipment would be \$20,000.00 in addition to \$4,000.00 maintenance. He stated that Mr. Davis has the manpower to do this. He said with the maintenance contract the equipment would last three (3) years. Alderman Davis remarked that the total initial cost would be \$24,000.00 which would be \$12,000.00 under the total we are currently paying to have the services contracted out. He said after the initial investment we are looking at a \$30,000.00 annual savings. Alderman Stalnaker discussed with the group about the cost of insurance and other benefits for additional employees. Alderman Davis responded that he has already talked to Tommy Davis and we currently have the manpower to do this without having to hire additional employees. Alderman Retterbush asked if the prisoners are riding the mowers. The response was no, they only operate weed eaters. Tommy Davis told the group that Mr. Bill Summerlin would be the overseer of this operation. He also told the group that the City could do the mowing and the prisoners the weed eating. Alderman Davis explained what we could cut. Mayor Harper remarked this is something we can look into more.

Chief Clayton informed the group that for two to two and half months he has been experiencing problems with the portable radios in the Police Department. He told them he needs to start looking at other and better radios. He stated that when he started out this FY he only had one bad radio, but now he has a total of six. He said he thought he could wait to purchase new radios in the new FY, but since he has so many bad ones he is looking at having to go ahead and replace them now. Chief Clayton explained that it is cheaper to replace than to repair. He told the group that he has got some figures up on replacements. He also told the group that he can actually get a discount in price if he purchases ten radios. He talked with the group about Motorola being the top of the line. He said the Kenwood model would cost \$558.00 each if purchased in quantity of fifteen (15). He told the Council he would like to go with the Motorolas since they are more durable. He also told them that he realizes that things are tight and we are dealing with hard times but he doesn't think that they are going to make it until the next budget year. Chief Clayton stated he would like to purchase twelve (12) motorolas at \$740.00 each for a total of \$8,880.00. Fifteen (15) Kenwoods will cost \$558.00 each for a total of \$8,370.00. Alderman Davis inquired about a service plan on repair. Chief Clayton responded that he doesn't know. There was some discussion among the group concerning trade-ins. Mayor Harper asked if they would be digital. Chief Clayton responded they will be analog. Mayor Harper asked if there are many places to solicit for bids. Chief Clayton responded that Motorola is pretty much universal. Alderman Richbourg recommended that the Chief check on Motorola since these are the ones he is interested in. Alderman Stalnaker said the Chief would be able to waive the new vehicles he had in this year's budget and possibly get the radios instead. There was a discussion on the officers' safety. Chief Clayton commented that the department will be better served with the radios than the vehicles at this time. He also commented the department can get through this year with the purchase of one vehicle. He stated this vehicle could be purchased out of drug funds. He told the Council he is trying to save money because he realizes things are tough. Alderman Davis asked if the radios could be purchased out of SPLOST funds. Ms. Luke responded there is a line item in SPLOST for equipment in the Police Department. The consensus of the Council was that we should get bids and vote on this at the next Council Meeting. Alderman Retterbush suggested that we advertise for bids over the GMA website. Chief Clayton stated that he realizes there are other radios out there but feels he needs to go with Motorola. He discussed with the group regarding the fact that radios that the officers presently have do not work in certain places. Mayor Harper told the Chief to price the Motorolas at different places while Alderman Richbourg asked to get prices of different quantities.

John Reynolds reminded the Mayor and Council of the meeting with EPD on Thursday at 1:00 p.m. Ms. Luke, John Reynolds, Mayor Harper and John Hunkele of Coastal Engineering will be meeting with them in regards to the wastewater treatment project.

#### PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Larry Baldree came before the Mayor and Council to address the need for funds to complete the Beach Volleyball Court. Mr. Baldree passed out pictures of the court from

the beginning to present. He told the group that it will be exactly a year on February 25 when the City allocated property for a beach volleyball court. He said at that time no one saw the recession we are in at the present. He told the group that they have had private donations with getting the court constructed. He talked about the County grading the area and others who have donated equipment to help in getting the court completed. He said due to the recession it has become a financial burden for the private donors. Mr. Baldree informed the group they needed between \$800.00 and a \$1,000.00 to complete the project. He remarked that he realizes times are hard but he asked the City for \$800.00 to \$1,000.00 to finish the project. He said all they lack is hauling more sand in and posting signs regarding the rules and regulations. He expressed appreciation for all the City has done to help with the project. He remarked that \$400.00, \$600.00 or \$700.00 would be helpful. There was a discussion on hauling sand. Mr. Baldree stated that the County had been hauling the sand and they had been getting a reduced rate. Alderman Davis told the group that Dr. Flak owns some property on Berrien Beach and it might be possible she would agree to donate some sand. The Council agreed to look into this request. Mr. Baldree thanked the group for their time.

A lady came before the Council to address the need for a fall-out shelter. She shared with them that several months ago when we had some bad weather they searched all over town for a shelter and was unable to locate one. She told the group that the citizens need to know where a shelter is. The group stated they believe the fire department is one as well as the Family Life Center at the Methodist Church. When asked how many people will the fire department hold, Alderman Turner responded he believed it would hold between two to three hundred people. Mayor Harper remarked that once the siren sounds alerting folks about bad weather it is too late then to seek shelter. Alderman Stalnaker explained the requirements for a shelter.

Following this the Council said they would look into this matter.

Frank Watts came before the Council concerning a section of East McPherson where the State D.O.T. had dug out a ditch. It was stated that the section is just past the hospital. Alderman Retterbush informed the group that the Street Department had run a jetter there. Mr. Watts told the group that the road in falling in as a result of what the State done. Mayor Harper explained the State had dug the ditch deeper than the pipe. Following some discussion, Mayor Harper stated we will need to call D.O.T. on this matter.

Mr. Miles commented to the Council that in rainy weather it is very important that citizens have some where to go. He talked about the recent tornado in Thomasville. He shared with the group about his experience with an ice storm in North Georgia. Mr. Miles also commented on the radios for the Police Department. He stated that communication is a big thing.

Mr. Randall Milton asked the Council when is the beautification project going to take place where big items are picked up. He remarked he has not heard a date. Alderman Turner remarked this will take place in April. Mr. Milton also inquired about the left turn lane at the intersection of Davis and Marion. He stated this needs to be marked more

clearly. He told the group that his wife almost was involved in an accident there recently. Mayor Harper remarked that we will get with D.O.T. on this matter.

Alderman Perryman informed the Council that he and Alderman Davis had recently attended newly elected training session in Athens. While there several people spoke to the group. He stated one particular individual who spoke was from DCA. He stated he shared with them information about the Stimulus Package. He said the largest part on the infrastructure will be roads while a good bit will be allocated to Water and Sewer. This will be for projects what they refer to as "shovel ready". Alderman Perryman told the group he thinks it will be a good idea to call, write and e-mail our Congressmen, Senators and Representatives about the City getting our part of the money. Alderman Davis remarked that the cap is \$800,000.00. Alderman Perryman added he believes it is a good idea to be aggressive with this.

Alderman Turner requested a two or three minute executive session.

Alderman Richbourg made a motion seconded by Alderman Turner to go into executive session at 7:20 p.m. Motion was carried.

After a brief discussion it was learned that the item up for discussion could not be dealt with in executive session. Alderman Richbourg made a motion seconded by Alderman Stalnaker to come out of executive session at 7:22 p.m. Motion was carried unanimously.

Attorney Moore informed the citizens in the lobby that we were back in regular session.

Alderman Davis spoke to the Council about the Lawn Maintenance Contract. He explained to them that what had happened two years ago with the contract was in the past and he wanted to move forward. He added that his only intentions are to save the City money. Alderman Turner recommended we have a work session concerning the lawn maintenance.

Alderman Turner asked the Council to consider donating \$500.00 to Larry Baldree for the completion of the Beach Volleyball Court. He stated he feels that if we give him this he will be willing to pursue getting the remainder need from other sources. Alderman Richbourg remarked that Ms. Luke is authorized to give anything under \$1,000.00 without Council's approval. In a discussion as where to get the funds from, Ms. Luke informed the group that there are some funds sitting in a special account for Parks & Recreation and she feels they can be used for this. Following these remarks, Alderman Richbourg made a motion seconded by Alderman Stalnaker to donate \$500.00 to Larry Baldree for the completion of the Beach Volleyball Court. Motion was carried unanimously.

Attorney Moore informed the Council that he had spoke with Dawn Morrison before she left concerning the disposition the old Badcock building. He told the Council that this is not the Council's decision because the building belongs to more than one person. He



talked about the banks having interest in it. He discussed the Stimulus Package with the Council. He informed them there will funds in this program for educational purposes. He added before we put this on the market we need to exhaust all avenues as far as getting the technical school here. In a discussion it was disclosed that the building was donated to DDA.

ADJOURNMENT: There being no further business to discuss, Alderman Richbourg made a motion seconded by Alderman Turner to adjourn. Meeting was adjourned at 7:31 p.m.

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Mayor Travis Harper

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Alderman Michael Richbourg

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Alderman Darrin Davis

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Alderman Dick Perryman

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

ATTEST:

\_\_\_\_\_  
Alderman Bill Turner

\_\_\_\_\_  
Johnny Hall, City Clerk

Johnny Hall  
City Clerk  
City Of Nashville, Georgia  
229-686-5527