

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
FEBRUARY 25, 2008**

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 Aldermen Michael Richbourg, Billy Retterbush, J. P. Watts, Bill Turner, and Scott Stalnaker, Alderwoman Pat Sutton, and Mayor Travis Harper.

STAFF PRESENT: Henry Yawn, Tina Haughton, Chief Jimmy Clayton, John Reynolds, Peter Schultz, City Manager Mandy Luke, and Attorney Mitchell Moore.

OTHERS PRESENT: Nichole Robinson, Randall Milton, Larry Baldree, Joey Watson, Cindy Watson, Marvin Barker, John Hunkele, John David Luke, Antonio Carter, and John Black Jr.

ADOPTION OF MINUTES FROM PREVIOUS MEETING: Alderman Richbourg made a motion to approve the minutes. The motion was seconded by Alderman Turner, and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA- Mayor Harper wanted to add as item four, John Hunkele from Coastal Engineering. Alderman Richbourg made a motion to accept the Agenda with the changes. Alderman Stalnaker seconded the motion, and the motion carried unanimously.

OLD BUSINESS

1. Discuss the Volleyball Court Request- Mayor Harper said the Council was approached by Larry Baldree concerning his request to build two new volleyball courts, located off of the Adel Hwy., which is the same location of the City's baseball/softball field and play ground. A more detailed discussion was presented at the City Council's Work Session that was held on February 14, 2008. Mr. Baldree volunteered to head up the project, and will advise the City Manager of any donations or any private donations given for some of the small materials that will be needed. Alderwoman Sutton made a motion to approve the request for volleyball courts. The motion was seconded by Alderman Turner and the motion carried unanimously.

2. Beer Application for Pap's #3- Mandy Luke told the group Pravinchandra B Patel has submitted a beer application for Pap's #3 located at 730 East Marion Ave. Mr. Patel has paid the \$500.00 application fee. We have completed the required background check on Mr. Patel and no record was found. Mayor Harper asked Chief Clayton if the Police Department has had any problems with their place of business. Chief Clayton replied, no problems what so ever. Alderman Turner made the motion to approve the beer application. The motion was seconded by Alderman Retterbush, and the motion carried unanimously.

3. Resolution to submit an application for the 2008 CDBG- Mandy Luke told the group a resolution must be approved in order to submit an application for the 2008 CDBG. The Council agreed to submit the application for the expansion of the YES Center which would include a Boys & Girls Club. The Council needs to approve the Mayor signing the Resolution before we can submit an application for the 2008 CDBG. Alderman Turner made a motion to approve the signing of the Resolution. The motion was seconded by Alderman Watts, and the motion carried unanimously.

4. John Hunkele, Coastal Engineering- Mr. Hunkele wanted to bring the Council up to date on the wastewater treatment project. He said we are close to completing plans on permitting for the new facility. One of the requirements EPD has for us is the preparations of an Anti-degradation Review as part of the permitting process. It is a report to determine if an expanded no- discharge wastewater treatment system (Land Application) is technically feasible without placing an economic hardship on the City that has been completed. The Anti-degradation Review has been completed and all EPD review comments have been addressed. A suggested notification has been prepared and forwarded to the City. A copy of the public notice as published in the local newspaper as well as any written comments received from interested parties during the 30 day comment period must be forwarded to EPD before final approval of the Anti-degradation Review. The design of the expanded wastewater treatment plant is well underway and the Design Development Report (DDR) will be completed and submitted to EPD this week. Generally the project will consist of the following major components with necessary appurtenances:

- Improvements to the existing influent pumping station
- Minor improvements to the existing aerated lagoon
- Improvements to the existing effluent storage lagoons and pumping station
- Demolition of the existing plant headwork's (bar screen and grit chamber) and related site piping and appurtenances
- New wastewater screening and grit removal system
- New activated sludge process consisting of two Sequential Batch Reactors an aerobic sludge digester, and post equalization tank
- New effluent disk filtration system
- New UV Disinfection System
- New Sludge Dewatering Facilities
- New Laboratory and Control Building
- Miscellaneous site piping and structures
- Outfall pipe to the Withlacoochee River

The DDR with flow diagrams, preliminary site plans and other data will be presented in detail at a subsequent council meeting or work session at Council's discretion. We have visited several similar treatment plants in the area with John and Brandon who have indicated their concurrence with the selected treatment processes.

The revised opinion of cost for the improvements will be completed within the next two weeks and the GEFA application can then be finalized and submitted. We expect the cost opinion to be in the \$4,000,000.00 range. The opinion of probable cost and GEFA requirements will be presented in detail at a subsequent Council meeting or work session at Council's discretion. Coastal Engineering

Consultants, Inc. is preparing for design and permitting of the new water line extensions along Old Coffee Road to serve the new Elementary School. It is our understanding that the cost of this work will be shared by the City of Nashville, Berrien County School Board. The proposal will be submitted to the City Manager as soon as we receive a surveying proposal from the project surveyor, John Hogan. Mr. Hogan has this survey completed and needs to get with Mitchell to go over some of the legal descriptions, which are a part of this survey before submitting it.

John Hunkele said, John Reynolds contacted me about a water line extension for the new Elementary School, which will run up Old Coffee Rd; and asked if I would get together a proposal for surveying and engineering whatever plans we need to get that permitted by EPD, because it is an extension of your system it does need to be permitted by EPD. He said he met with John Hogan and he is working up a price for surveying and I will add the engineering cost to that and send it to Mandy and John; we can then come to the next Council meeting and decide on the logistics of how this will be done. The group had some discussion about the wastewater treatment plant and the extension of the water line at the new Elementary School.

REPORTS

5. City Manager/Finance Director's Report- Mandy Luke informed the Council about their registration forms for the 2008 GMA Convention. She told them they need to have the forms filled out and turned into the Clerks office no later than February 29th, because registration for the convention begins first thing Monday, March 3rd. She reminded the group about the Moody Support dinner which is scheduled for March 20th, and the MGAG dinner tomorrow night at 6:30pm which will be held at Circle Stone Country Club; they will also have a board meeting Wednesday, February 27th at 9:00am, and serve lunch plus tour Camilla's site. Mandy also informed the Council that the Auditors will be attending our first meeting in March to give the summary of our 2007 Audit. She also asked permission from the Council to gather bids on a new Gas truck for the Gas Department. She said the Gas Superintendent's truck was involved in an accident which may have left the truck totaled and we will need another truck to replace it. She added the other party was at fault in the accident involving the Gas department truck. We are working with the insurance companies now in order to establish whether or not the truck is in fact totaled. Alderman Stalnaker and Retterbush said with the additional personnel the Gas department has now; I think they are one or two trucks short anyway. They added, along with the additional re-sleeving the Gas department needs to do, an additional truck will be needed. Alderman Richbourg asked what size of truck they need. Mandy said, we are not sure yet but once we find out about the wrecked truck, I will get with Peter and get the bids together. So, all we need is Council approval on bids. Alderman Stalnaker made a motion to approve getting bids, once everything has been established. Alderman Retterbush seconded the motion, and the motion carried unanimously.

Mayor Harper wanted to remind the Council about the Business After Hours meeting, which will be held tomorrow night. He said, he will be unable to attend, due to a previous engagement, a RDC board meeting, but encouraged some of the Council to attend the Business After Hours meeting.

6. City Attorney's Report- Mitchell Moore said he has the Joint Consent Agreement for the Public Service Commission and I need to know if Mandy

needs to sign off on it, so it can be turn in by February 29th. Mandy informed Mitchell the Council gave their consent at the last Council meeting, and the Mayor has signed the agreement. Mitchell said he also has prepared a resolution on amending the Charter on the four year term, which we discussed and passed earlier this year. All I need to do now is submit this to our representative, and run the requisite notice. Our representative will then proceed with the Legislative counsel so we can go forward with the resolution. Mitchell said he also has prepared the letters to the property owners, concerning the valves, which the Council discussed at the work session. He said John Reynolds informed him they have at least thirty two on the list of residence to who will receive the letter and he will possibly have more to add to the list. Mitchell said we will get together and decide if we need to mass mail the letters or some of them John may want to hand deliver. Mitchell said on the DOT matter, concerning the local street paving. The DOT will not be able to pave that street due to a change in command, and to my understanding, DOT has taken on more projects than they can finish in a year. They are also rewriting the rules and according to Mr. Jeff Bridges, who is with the DOT, they will be holding seminars in order to educate Municipalities on the new procedures. Mitchell said the final thing he needs to discuss is the project concerning the underground storage tanks that had been removed; we are scheduled for March 10th for them to come back and do what they need to do. He said the proposal I prepared was sent to Mandy last week and all I need is a formal authorization to have Mandy or the Mayor sign off on the proposal. I am also waiting on the preliminary draft to be finalized. Alderman Turner asked Mitchell about the petitions for the speed bumps, when they will be available. Mitchell said they are available now at City Hall. Mayor Harper said Mitchell needs authorization for Mandy or me to sign off on the Services Agreement which will authorize the well digging once a price is established. Alderman Turner made a motion to move forward on the Services Agreement. The motion was seconded by Alderman Retterbush, and the motion carried unanimously.

Mayor Harper informed the group about the LARP report and the only street they will be repaving this year is Industrial Blv.

7. Department Heads' Report- John Reynolds said he had to spray more than usual on the spray fields due to the rainfall and the ponds being full. EPD told him we are not the only one, and they have requested a written report of this incase they need to do more testing. John also requested the amount for the boring which was done at McDonald's be approved in the amount of \$1,148.00. He said they had to bore lines for the water and the gas. Alderman Stalnaker made a motion to approve the amount. The motion was seconded by Alderman Richbourg, and the motion carried unanimously. Alderman Retterbush asked John to give a report on the spray heads. John said the price has gone up substantially, they once were \$400.00 to \$600.00 and now they are \$1,100.00. He said we have a couple that can be fixed but we may need three. One of the brands they checked is now obsolete, and they will need at least thirty five spray heads in order to have on hand. Alderman Retterbush asked if we are going to need to get a loan for this purchase through GEFA or does the water department have this amount in the budget. John remarked the company they checked into will give a discount if the spray heads were bought all at one time, but he was unsure if the water department's budget could handle this purchase. Mr. Larry Baldree suggested that John check with TCA Electrical in Tifton on some prices.

PUBLIC COMMENTS

Cindy Watson, owner of the Cadillac Ranch, gave the Council a report on the sales the business did last year and a comparison of this years sales. She wanted to complain about the Policemen harassing their business's patrons. She said sales this year went down 26.6% due to this harassment. She also stated their business is not the only one hurting. The Log Cabin and the VFW have complains as well. Mrs. Watson also spoke with the Police department and asked them not to camp out at their front door and stop their patrons for no reason. She gave the group specific examples of some incidents that occurred. She said when we questioned the policemen about this behavior we were told they were watching the stop sign. Mayor Harper asked Chief Clayton if he has a rebuttal. Chief Clayton said we did have a dramatic increase in the patrolling of that area due to some burglaries which occurred. He said he spoke to Mr. and Mrs. Watson and explained what the Policemen were doing. We did have an incident happen over the weekend and the officer advised he was monitoring the stop sign. He said, I understand it looks like we are targeting the Cadillac Ranch, and that is not something I implicate with my officers, to be out there harassing patrons who are leaving the facility. Mayor Harper asked Mrs. Watson if any traffic stops occurred during this time. She said one of their employees was stopped after hours for impeding traffic even though there was no traffic. She said we also had several incidents where people were stopped after leaving our business and given a breathalyzer test, and I do not see how that has to do with burglaries in the area. She added our establishment, the Log Cabin, and the VFW, will be compiling documentation to support our facts for any future action we may need for loss of revenue. Mayor Harper asked Marvin Barker, owner of the Log Cabin, if he had anything to add. Mr. Barker said the officers usually park on the west end of his facility and one evening my hired diver was leaving the facility and was pulled over by the officer. The officer said he just wanted to make sure my driver was not drinking. Mrs. Watson remarked, how much they appreciate our policemen and the job they are doing. She said we do not hesitate to call on the police anytime they have a disturbance, but people will not visit our establishments if they think an officer is going to stop them. Mayor Harper said the Chief and I have talked about this on several occasions, and I do not have a problem with stopping drunk drivers. He added although we don't want to hurt your business, there has been several burglaries in that area and I am not sure how we can have a presence out there without being seen by patrons of the Cadillac Ranch. Alderman Stalnaker said usually when a officer is checking property they have to drive around the facility and sometimes get out of the patrol car in order to check the property, they are not just sitting in their car in one area checking property. Alderman Retterbush asked Marvin Barker if he could identify the officer's they are having problems with, or is it just one officer. Mr. Barker said they are having problems with just one officer. Mrs. Watson added the Cadillac Ranch has at least two patrol cars sitting at their facility and she did see three patrol cars at one time, which she believes is an overkill towards watching for the burglaries. Marvin Barker said they usually have one or two patrol cars in their area. He said they usually give each patron an alcoholizer test if they think they have had too much to drink, and I know we have some to get away from us so I understand stopping someone who has had too much to drink. However we do give this test to our patrons and if they show too much to drink we have several drivers who can take them home. Chief Clayton said he has previously spoken to Mr. and Mrs. Watson and Marvin Barker about these incidents, and I have implemented a policy with the Police department stating if any officer is located at any one of these facilities, whether it be for an Ambulance call, a fight, or just opening a door

for someone, I want documentation on my desk by that next morning. He said I have also asked the Watson's and Mr. Barker in the past to let me know if the problem continues. He added this is the first time in three weeks I have heard anything from these individuals, but I will look into the situation again. He added it is not the Police department's policy to profile patrons who are leaving bars and I will look into the problem, since it seems to be happening again. The group had some more discussion on the issue and they all agreed the Chief should look into this matter as soon as possible.

John David Luke asked if the City would clean out the ditches located at Sycamore Drive. He said the ditches located on the north side of the North View Heights subdivision have not been cleaned in several months. He added the pipes are also clogged up which causes the water to flow down his driveway. Mr. Luke said we gave the City permission to dig a ditch on the corner of the property for drainage, and now we need this ditch extended. He spoke to Tommy Davis about the problem and he said the Council will have to approve the work before the Street department can do anything. Alderman Turner made a motion to allow Tommy to extend the ditch and have the prisoners clean out the ditches located on the property. Alderman Retterbush seconded the motion. Alderman Stalnaker made the suggestion of a ramp, because digging the ditch on out will not solve the problem. Mitchell Moore added we need to determine where the City's right of way is located on the right side of that street, and if we have the right of way to maintain those ditches then we need to let the other land owners know what we are doing, at the same time we need to do whatever we have to do to correct the drainage problem. No more discussion was needed and the motion carried unanimously.

John David Luke also informed the group of the car club he is forming called the Berrien County Cruisers. The club has thirty members right now and we hope to have at least sixty members before long. He said we hope to work with the City and help with different projects such as clean up drives and in exchange the City will allow our club to have a car show on the square once a year. The group agreed on the idea and Mitchell added Mr. Luke might want to speak with Sarah Paulk and Better Hometown before planning anything.

Alderman Stalnaker said he would like to tell everyone how much they appreciate them informing the Council. He added if anyone needs anything; feel free to call anyone of the Council anytime.

ADJOURNMENT

There being no further business to conduct, Alderwoman Sutton made a motion to adjourn the meeting at 7:00p.m. Alderman Richbourg seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Bill Turner

Alderwoman Pat Sutton

Alderman J. P. Watts

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Johnny Hall, City Clerk