

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
January 26, 2009**

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 Dick Perryman, Bill Turner, Billy Retterbush, Michael Richbourg, Scott Stalnaker, and Darren Davis.

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

OTHERS PRESENT: Randall Milton, Fern Turner, Cindy Watson, Larry Baldree, Ashley Newell, Mr. Harris, Cheryl Bonham, Ashley Newell, and Keith Stone.

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

ADOPTION OF FORMAL AGENDA- Alderman Richbourg asked to add an Executive session to the agenda. Alderman Richbourg made a motion to approve the formal agenda with the addition. Alderman Turner seconded the motion, and the motion carried unanimously.

NEW BUSINESS

1. Liquor Referendum- Mayor Harper spoke on behalf of Cindy Watson, who was running late to the Council meeting. He said Cindy Watson is purposing the Council to allow a referendum for liquor by the drink, to be placed on the voting ballots for the next general election. The group had some discussion about referendum and if a vote on this issue could wait until the next general election. Alderman Davis said Ms. Watson was under the impression the referendum will need to be voted on by the Citizens of Nashville within sixty days. Mitchell Moore said if the Council makes a motion to place the referendum on the next General Election a Special Election should not need to be held. He said he will check with the Board of Elections to verify. Alderman Richbourg made a motion to allow the Liquor Referendum be placed on the ballot for the next general election. Alderman Retterbush seconded the motion and the motion carried unanimously.

2. Update on Stream Buffer Variance- John Reynolds, Water Department Head, spoke on behalf of John Hunkele. He said was unable to be here tonight due to unforeseen circumstances. Mr. Hunkele has asked the Council to place him on the next council meeting agenda.

3. Opening Bids on Grinding Yard Waste- Alderman Retterbush told the group Deep South Solid Waste Management had a board meeting last week in which he attended in reference to a grant to help with the cost of grinding the City's yard waste. He said they approved our request and will pay all but 20% and \$500.00 in kind donations. Mayor Harper told the group only one bid has been submitted and normally the Council likes to have at least two bids before voting on the lowest bidder. He requested the Council hold off on opening the bid in order to allow the two weeks of advertising time for bidders. After discussing the issue, the group agreed to postpone until the next council meeting.

4. Golf Cart Ordinance- Alderman Retterbush told the group this Ordinance has been discussed during several meetings, and on Section 28-78 under operations and limitations under item 7, reads motorized carts shall be driven in daylight hours only, thirty minutes after sunrise and thirty minutes before sunset, and will be equipped with headlights and taillights in accordance with the traffic regulations applicable on motor vehicles. Alderman Richbourg said since we are requesting the carts be driven before daylight hours, he proposed to strike out the use of headlights and taillights, and leave in section 28-79-B which pertains to properly displaying a slow moving emblem placard. The group discussed the most inexpensive types of placards or emblems for the golf carts to use, and be placed on the back of the carts. All agreed headlights and taillights would be unnecessary as long as the golf carts have a properly displayed, slow moving emblem or placard. Alderman Turner said he would like to add something in the Ordinance pertaining to wheelchairs. He said Nashville has several wheelchair users driving up and down the streets and they should have some regulations placed on them for their safety. Mitchell Moore said he would look into a separate Ordinance for wheelchair users, because that would be a totally separate issue. The Council agreed to hold a work session on the wheelchair issue. Alderman Richbourg said he proposes the golf carts be equipped with properly displayed flashing red lights. He said before this Ordinance is put into effect the street crossing will be posted. Mitchell Moore said this will constitute as the first reading of the Golf Cart Ordinance.

5. Beer and Wine Application for Marge Morris, Mimi's Market Café- Mayor Harper said the proper background checks were completed and no record was found. The application fees have been paid and the Council needs to vote on the approval or disapproval of the Beer and Wine Application for Mimi's Market Café. Alderman Retterbush made a motion to approve the Beer and Wine Application for Mimi's Market Café. Alderman Stalnaker seconded the motion and the motion carried unanimously.

Continue- Item 1-Liquor Referendum- Cindy Watson gave the Council some literature on selling liquor by the bottle verses selling by the drink. She pointed out the mark up or increase in sales tax. If the referendum passes it would mean several more sales tax dollars for the City. Alderman Retterbush asked Mrs. Watson if the statute of limitations on this referendum was 60 days. She said no since the Council agreed to place it on the ballot for the next election the only thing that needs to be done now would be the actual wordage for the referendum and then if it passes the Council will have to go through and word the actual guidelines for how the drinks can be sold. Mrs. Watson said she will get with the Council on the wordage for the referendum before the November election.

REPORTS

6. City Manager's/Finance Director's Report- Mandy Luke told the group Kimberly Hobbs from South Georgia RDC, posted the bid information on the Georgia Procurement Registry website, for the TE-Project. Each engineer had to have all their information submitted in, to the City of Nashville and Ms. Hobbs forwarded a score sheet in order for the engineers to be scored. The questions consisted of eight and the scores could range from 1 (poor), to 4 (excellent). Out of 15 engineering proposals, I, Johnny Hall, Alderman Darren Davis and Mayor Travis Harper scored the proposals. The engineer with the highest score was Statewide Engineering with a score of 32. She said Statewide did our first phase of the TE-Project and has all the drawings needed for to start the second phase. The Council needs to vote on approving the engineer for the second phase tonight. Mandy also added the names and locations of the other proposals submitted for Council to look at and compare. Alderman Richbourg asked Mandy if any of the proposals have to anything to do with money or cost. She said most of them were to list experience, make sure they have liability insurance, and things of that nature. Only a few listed their cost for engineering. She added Statewide, was one of the three that did list their cost for engineering and they proposed 12% of cost which was the lowest submitted. Alderman Retterbush asked Mandy if we will have one project manager in the second phase. She said yes unlike the first phase we will only have one project manager. Alderman Richbourg made a motion to approve Statewide as the engineer for the second phase of the TE-Project. Alderman Retterbush seconded the motion and the motion carried unanimously. Mandy gave the group a copy of the article she placed in the paper about the water and sewer rate increase. She explained the article states the history of this rate increase, such as the first and second time the consent order was issued by EPD and the one Council Member who has been on the City Council long enough to have seen both consent orders issued, and all the City has done to comply with these orders. She also commented; in doing some research on GEFA, if the City doesn't raise the rates on water and sewer high enough to pay back the loan not only will the City be fined by EPD, we will not get the loan from GEFA. GEFA could make the City raise their property taxes in order to pay back the loan. Mandy also informed the group the only time Bill Powell can come back in order be at the public meetings to answer questions concerning the rate increases and the changes in how the meters are read is going to be February 9th. She said she spoke to John Reynolds about holding two meetings on February 9th, one for the residents and one for the commercial consumers. The reason for the two meetings would be to cut down on the confusion the residents may have on the debt service payment compared to the larger consumers. Alderman Retterbush asked Mandy about the letters to the consumers and when they will go out. Mandy said she will place an advertisement in the paper about the public meetings and the water changes and send a similar copy to each consumer advising them of the same information. After more discussion about the water rates the group decided on February 9th at 4:00 p.m. the public meeting will be held for the larger commercial consumers and at 5:00 p.m. for the residents and smaller consumers.

Mandy told the group the automobile used by the City Custodian is in need of being replaced. She said the car is very old and beyond repair. Mandy said the car is used to transport supplies and community service workers from the different parks and the Community Center. She sent Tresa, the City Custodian, to some of the used car lots for prices and the lowest prices she found was around \$10,000.00. The Council discussed other various purchase options, and concluded the item

would be revisited at the next council meeting in order to give more time for pricing.

7. City Attorney's Report Mitchell Moore updated the Council on the TTL Project on the monitoring wells. TTL has heard back from EPD, and EPD has requested more monitoring of the well site. TTL has submitted a proposal on the monitoring, on sites. This is the next phase and possibly the last one. TTL's proposal under the new service agreement is \$26,618.00. This service agreement should carry us through 2009. So the City Manager, Mandy Luke, needs to enter into this service agreement with TTL. Alderman Retterbush asked Mitchell if that is the lowest TTL can go on this Service agreement. Mitchell said he could get with them and find out but in the two years the City has been with TTL they have always seemed to be pretty reasonable with the cost. Alderman Retterbush asked if the service agreement is a twelve month agreement. Mitchell said the way the agreement reads it should get us through the next year, subject to change if something or what is called foreign product, such as contaminants, show up during the monitoring. Alderman Retterbush asked Mitchell if he could ask TTL to look into lowering their cost. Mitchell said yes, but we are pretty much at their mercy on this matter, due to the fact the orders were handed down from EPD. Alderman Perryman asked if the City has another option. Mitchell said no, because we really don't want to "switch horses" this late in the game. Alderman Stalnaker asked if a motion needs to be made. Mitchell said he needs the authority to proceed and Mandy needs their approval to enter into the contract and if possible at a better price, but if not, to proceed with the proposed agreement. Alderman Perryman made a motion to give Mitchell the authority to proceed and Mandy Luke the authority to enter into the service agreement and if possibly at a better price. The motion was seconded by Alderman Retterbush, and the motion carried unanimously.

8. Department Heads' Report- Henry Yawn informed the group the new 911 center has now mover to the old Sheriffs office.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Randall Milton asked the group about the Homestead Grant. Mayor Harper said the government is looking into pulling it out of the budget, but it does not look promising at this time. He said it totals up to around 20% of our total tax bill. Mandy added it totals around \$250.00, for the county, and \$64.00, for city, per person.

EXECUTIVE SESSION

Alderman Richbourg made a motion to go into Executive Session at 7:05 p.m. The motion was seconded by Alderman Stalnaker, and the motion carried unanimously. Alderman Stalnaker made the motion to come out of Executive Session at 7:20 p.m. The motion was seconded by Alderman Richbourg, and the motion carried unanimously.

REGULAR MEETING RECOVNENED

Mandy Luke told the group her concerns with the current software the City uses. Her disappointment with the current TBS software was cause for the Council to ask her to look into other software packages for the City.

ADJOURNMENT

There being no further business to conduct, Alderman Stalnaker made a motion to adjourn the meeting at 7:30 p.m. Alderman Richbourg seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Bill Turner

Alderman Dick Perryman

Alderman Darren Davis

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Johnny Hall, City Clerk