

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
JUNE 29, 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 Michael Richbourg, Bill Turner, Billy Retterbush, Scott Stalnaker, and Darrin Davis.

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

OTHERS PRESENT: John Black, Brenda Thomas, Frank Watts, Fern Turner, Debbie Cole, Joanna Barrentine, Rose Mary Weeks, Eleanor Weeks, Butch Alexander, David Deloach, John Hunkele, Wayne Nix, and Jim Brewster.

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

ADOPTION OF FORMAL AGENDA- Alderman Richbourg made a motion to approve the formal agenda. Alderman Perryman seconded the motion, and the motion carried unanimously.

OLD BUSINESS

1. Revision of the Bond Schedule- Chief Clayton handed out a list of fines and fees for the Council to review. He said the list contains fines on certain code violations which should be updated. He pointed out some of the past code violations and fees that were charged in the past, and the proposed fees for the charges. Chief Clayton stated the handout will show the list of current fines and a comparison with other similar Municipalities. He said in order to update our bond schedule we need to reduce certain fines charged on some violations, and increase fines on a few others. Chief Clayton said he wanted to submit this purposed list to the Council and answer any questions at the next meeting, to allow time for their review. Alderman Turner asked the Chief Clayton if the Council chooses to change the fines in the bond schedule, will a copy be published in the paper. Chief Clayton said that will be up to Council to decide if we need to publish the changes. Alderman Richbourg asked the City Attorney, Mitchell Moore, if the group needs to vote on each one of the changes or can we allow the Chief to make the decision. Mitchell said the Council can vote on granting the Chief authority to make the changes. Alderman Turner made a motion to grant Chief Clayton the authority to update and revise the bond schedule. Alderman Richbourg seconded the motion, and the motion carried unanimously.

NEW BUSINESS

2. Vote on Variance for David Deloach- Henry Yawn told the group a Public Hearing was held today at 5:30 p.m. to consider a variance to the property at 912 Dogwood Drive. The request is to split the lot from a minimum of 20,000 square feet (R20 Zoned) into two tracts. The existing house would have 15,546.1 square feet, and the new tract with the proposed house will have 10,856.4 square feet. Mayor Harper asked Henry if the Planning Commission has heard and voted on the request. He said the Planning Commission disapproved the variance by a poll vote of five to one. Alderman Retterbush made a motion to deny the variance request. Alderman Davis seconded the motion. Mayor Harper commented he felt as though the request would mean a fifty percent variance on our current zoning. He added if we need to look at our zoning then that's what we should do, but a fifty percent variance on the zoning is a large precedence to make. Alderman Retterbush told Mr. Deloach how much he appreciated everything he has done in the past for the City of Nashville, but his decision to deny is based on the City Ordinances, and would he want this beside his home. Alderman Perryman stated he felt as if the request for variance should be granted, because the house would not affect property values, and would increase our tax values. Mayor Harper called for a roll call vote on the motions to deny the variance. Aldermen Perryman and Richbourg voted to grant the variance. Aldermen Stalnaker, Retterbush, Turner, and Davis voted to deny the variance. The motion was carried by a four to two vote.

3. Coastal Engineering Updates- John Hunkele told the group the last time he spoke with Coastal Engineering they were updating and revising the cost estimates for the Waste Water Treatment Plant, which the cost have decreased since our favorable meeting with EPD. The cost numbers are still not in but we expect them any day. John said one of the decisions Council needs to make is who we are going to pursue for our funding. John said he spoke with Mitchell Moore and USDA about identifying the cost associated with each program and although USDA does not have a closing cost it does tack a 1% origination fee on the end of the note. Mitchell added one of the things John and I talked about was the amount of the additional cost at the end of the 20 years and the additional engineering cost that will be involved. If Council chooses to go with USDA then there are some additional requirements. John Hunkele said although it will require some additional work for Coastal Engineering the contract states we are to help pursue funding so what ever path Council chooses for funding we will honor that contract. John added although we are not sure of the amount of the application cost he thought we were going to work with the hypothetical seven million so we can get started in the fund process. Mitchell pointed out Mandy Luke has the soft ware to run those figures, she just need the numbers from John. John Hunkele told Mandy to email him with what she needs to get started. John also stated the biggest thing we need to get started on is the environmental work, because if we go with USDA or the Federal Assisted GEFA loan, there is a lot more environmental work to be done. Alderman Richbourg asked John which loan is going to cost us and the tax payers the least amount of interest. John replied we will not know until the figures are run. Alderman Perryman said he would like to go with the paying a low monthly payment and increase the payment as we go forward. Mayor Harper said we discussed amortizing the loan for forty years but try to tack more than just the minimum payments so we can pay it off in twenty if possible. We will get a better interest rate and lower closing cost, and if the City falls on hard times we will still have the forty years to pay it off. The group discussed the difference in the amount

of interest on the 20 year loan verses a 40 year loan. Alderman Perryman asked John if there is a prepayment penalty if the loan is paid off before 40 years. John said no prepayment penalty on either USDA or GEFA. Alderman Perryman also asked John what the increase in cost would be if we accept the 40 year loan. John said GEFA 3.81, and USDA 2.75. Alderman Perryman inquired about the origination fee for each of the GEFA loans. John told him the origination fees are 2% on the 1%, and 1% on the 3.8. Alderman Richbourg asked what we are paying now with the USDA loan. Mandy Luke told him the City pays \$140,000.00 per year to the existing USDA loan. Alderman Perryman asked what the closing cost on the USDA loan is. John Hunkele said no closing cost but a 1% fee is tacked on to the end of the loan. Alderman Retterbush asked John for an update on the stimulus money the City applied for. John said although he knows several have been taken off the list because they are not ready we are still on the list. Alderman Retterbush added we need to go ahead with the environmental work. Alderman Richbourg asked if the Council could vote on this issue tonight. Give John Hunkele and Mandy Luke the authority to go ahead with the loan they find will be the cheapest option either the two GEFA programs or USDA. Once they determine our best option, give them the authority to ok the loan so we can get the application and funding underway. The group discussed the issue further and came to the conclusion a motion should be given to move forward. Alderman Richbourg made a motion authorizing Mandy Luke and John Hunkele to determine where we will receive the funds for the Waste Water Treatment Plant either GEFA or USDA, which ever is the better loan, which would include the following, timing, incurred cost on the engineers' part, interest, and 20 years verses 40 years. Alderman Turner said the Council should have a called meeting on this issue so they can get credit or blamed for anything decided. The group discussed the motion and the different requirements and cost of those requirements for either loan. Alderman Richbourg reiterated his motion and said, give John Hunkele and Mandy Luke the authority to determine the best loan for our project. Alderman Perryman disagreed with the motion and said the decision should not be up to two people. Alderman Stalnaker seconded the motion. Alderman Turner said the Council should have a called meeting before a decision is made. Mayor Harper asked the Council for a vote on the motion given. Due to the no vote the motion did not pass. Alderman Richbourg retracted his motion. Mayor Harper said once John and Mandy have the figures together and collected the information on all data needed to make a decision a called meeting will be held after a twenty four hour notice is given. John Hunkele introduced the group to Mr. Jim Brewster, who attended the meeting to inform the Council on his expressed interest in conducting inspection work on our water and sewer project. John gave the group some information on Mr. Brewster's background. He has an extensive construction background and the last 10 or 12 years was very heavy on water and sewer. He was the Glenn County inspector on a five million dollar water and sewer line project, which was designed by Coastal Engineering. He also was the inspector for Glenn County on a nine million dollar water and sewer extension project. Mr. Brewster has served as the interim manager for the Glenn County water and sewer department. John said one of the things Mr. Brewster has done that interest me the most is he has also helped in the preliminary design in building and inspection of an SBR plant which is what we are doing here.

REPORTS

4. City Manager's/Finance Director's Report – Mandy informed the group about the meeting which was held in reference to the 2010 Census. She said the meeting was with the individual who is over our district, one leader from each City

and the County was also represented. What we are trying to do is form a committee for each City and one for the County, in order to promote the Census. She said most people do not understand how important the Census is and how funding for City and County is based on our population. She said everyone needs to be counted, whether they are here legal or not, so we need to find ways to persuade people to fill out the ten question census form and have it back by April 2010. Mandy said one idea a city is doing is taking five dollars off an individuals' water bill when the completed Census form is returned on time. The County's idea is if someone brings the completed Census form in, their name will be placed in a pot, when the name or names are drawn the individual will get the opportunity to choose, not paying property taxes on one parcel for a year or no charge for a tag for a year. Mandy told the group the City needs some ideas on how to persuade people to fill out these forms. She noted individuals who are here illegally still need to be counted. The Census forms are sealed for (72) seventy two years and no one can them without paying a very high fine. Alderman Davis asked if we could discount the individual's trash bill for delivering in the completed form. Alderman Richbourg added why we don't offer the same as the County on the Property taxes.

4. City Attorney's Report- Mitchell told the group he needs a motion for approval on the disposal of drums located at the monitoring wells due to material found in the monitoring wells after testing. He said SRI disposed of the drums before and suggested they be approved to do so again. Alderman Perryman made a motion to approve SRI for the removal of the drums. Alderman Turner seconded the motion. The motion passed with Alderman Retterbush abstaining from the vote due to his is involved with the testing of the wells. Mitchell also told the group we had another positive test result from TTL, but the result was minimal so we are still ok. We should anticipate more test results from TTL and as soon as they are in. Mitchell will keep the Council up to date. He said we will be in the monitoring stages for around another 18 to 24 months. Mitchell said he is also working with Henry Yawn on some flood certification. We need to adopt an Ordinance but we have some time before this needs to be completed. Mitchell informed the group about the Attorney breakfast he attended at the GMA Conference. He said a couple of things came up during the meeting, the Flag Ordinance which we adopted in October 2008, and the email verification, which I will get with Mandy on this and get everyone in compliance with it.

5. Department heads' Report- Mayor Harper asked Tommy Davis if he had a count on how many pick ups the street department does per week for the yard trash. The City has always provided this service to residence for free and is looking into charging per pick up on yard trash. Tommy said he counted around 300 per week. Mayor Harper told the group if we charge two or even three dollars per pickup to pick up yard trash the City could take in around \$26,000.00 per year. Since we are in need of finding funds for our budget this would help considerably. He asked the Council to look into this issue and consider it for next year's budget. Mitchell Moore told the group he looked over the Griffin Waste contract, and approved everything but he wanted a prevision added on the 25% comprehensive reduction of waste in order to keep us in compliance with State Law.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Alderman Turner asked Chief Clayton if we can have more security around the Memorial Gardens cemetery during the fireworks display. Chief Clayton said he plans to have 3 to 4 more officers on duty before and after the July forth affair.

Alderman Richbourg told the group he attended a class on revitalizing neighborhood and would like to get with Mr. Henry and Mitchell Moore on some of the things he learned during the class.

ADJOURNMENT

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 7:10 p.m. Alderman Perryman seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Bill Turner

Alderman Dick Perryman

Alderman Darrin Davis

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Johnny Hall, City Clerk