

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
MAY 11, 2009**

INVOCATION: Keith Stone

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, and Darrin Davis.

STAFF PRESENT: Tommy Davis, Tina Haughton, John Reynolds, Chief John Clayton, Peter Schultz, Dawn Morrison, Steve Adams, Henry Yawn, City Manager Mandy Luke, and City Attorney Mitchell Moore.

OTHERS PRESENT: Randall Milton, Keith Stone, Nichole Robinson, Cheryl Bonham, Adam Houston, Bobby Roberts, Frank Watts, Fern Turner.

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

ADOPTION OF FORMAL AGENDA- Alderman Davis asked to add as item number five on the agenda, bids for new mower. Alderman Retterbush made a request to add as item number six, pump purchase for the Water department. Alderman Richbourg requested the Councils salary reduction be placed on the agenda as item number seven. Mayor Harper asked the Council to move item number four to the end of the meeting after Public Comments. Alderman Richbourg made a motion to approve the formal agenda with the changes. Alderman Perryman seconded the motion, and the motion carried unanimously.

NEW BUSINESS

1. 2nd Reading/Adoption of Wheelchair Ordinance- City Attorney, Mitchell Moore, conducted the first reading of the Wheelchair Ordinance at the April 27th meeting. Mitchell told Council this will constitute the 2nd read and once it is adopted, will be advertised in the newspaper at which time it will become effective. He informed the group the only revision made on the Ordinance was the option dealing with sidewalks. He said some of the sidewalks located within the City are not handicap accessible, so that portion of the Ordinance was taken out. He said in the Final version the Section now reads, No person shall operate a motorized wheelchair or motorized individual transportation device within the public right-of-way of any state or county highway, state aid or City streets within the City of Nashville except as hereinafter provided under this Ordinance. On the right-of-way designated for City streets, motorized wheelchairs or motorized individual transportation devices shall be permitted only on the shoulder of the roadway or, in the absence of an improved shoulder, on the right-most portion of the roadway and in the same direction as street traffic on the nearest lane of the

roadway adjacent thereto. No person shall operate a motorized wheelchair or motorized individual transportation device within the public right-of-way of any state or county highway, state aid or City streets between the hours of one-half hour after sunset and one-half hour before sunrise. Alderman Retterbush made a motion to adopt the Wheelchair Ordinance. Alderman Turner seconded the motion and the motion carried.

Alderman Davis asked the group if any street signs have been posted for Golf Carts. Mayor Harper said he will get with Mandy Luke, Tommy Davis and Chief Clayton and check on the purchase of street signs and what streets to post each sign.

2. May 25th Council Meeting (Memorial Holiday)- Mandy Luke told the group our next Council meeting falls on May 25th which is the Memorial Holiday and the Council needs to decide if this meeting will be rescheduled or canceled. Mayor Harper told the Council the meeting needs to be rescheduled for the following Tuesday, May 26th.

3. Bids of General Liability, Auto and Floater Insurance Coverage- Mandy Luke told the group, the City advertised for bids on the City's General Liability, Auto and Floater Insurance coverage in the legal section of the paper. The renewal date is May 24, 2009. The deadline for submitting bids was Friday, May 8th at 12:00 noon. The Gaskins Company is the only company that submitted a bid on this coverage. They currently carry the City's coverage on these policies. Alderman Turner made a motion to except the bid from Gaskins Company. Alderman Richbourg seconded the motion and the motion carried unanimously.

4. Open Bids on Mower for Street Department- Alderman Davis told the group he sent out bid request with a list of specs for a lawn mower to several businesses. Mayor Harper opened the bids and each one read as follows: Clark Trading Company submitted a bid for a 60 inch 27 horse power Kabota, \$8,439.00. They also provide a two year warranty and will provide a replacement mower if the repair time is longer than 24 hours. Nashville Tractor submitted a bid for a 60 inch zero turn 31 horse power Kawasaki Bushog, \$7,750.00. They also have a two year warranty, and will provide a replacement mower during the repair time. Power House Outdoor submitted a bid for a 60 inch zero turn 34 horse power Kawasaki, \$8,399.25. They will provide a replacement mower if repairs take longer than 48 hours, and have a two year warranty. Alderman Richbourg asked Tommy Davis if we have looked into repairing the mowers we now have. Tommy said he received a quote for the 2000 model, from Southeastern Supply which is the vender the last mower was purchased from, and to replace all the belts, bearings, spindles, corrobator, service the hydraulics, and change the oil \$1,200.00. He said the price does not include the repairs to the deck, motor or the blades. Alderman Turner said Larry Baldree who is in charge of maintenance for the DOT, said he would be glad to help any way he could. Alderman Richbourg asked how long do these mowers usually last. Alderman Davis said it really depends on the number of hour the mower is used, the average mower will last around 3,000 hours. Alderman Richbourg asked how much it would cost to install a new motor on the 2000 mower. Alderman Davis replied around \$1,500.00, so we are looking at either sinking around \$3,000.00 on repairs to the 2000 mower, which is half the cost of a new mower. Alderman Richbourg asked Mandy how the City would pay for a new mower and could the City finance the mower with a low interest rate. Mandy said the money to purchase the new mower would come from the Splost fund. After some discussion about financing and interest rates,

Alderman Richbourg made a motion to go with the lowest bid contingent upon the financing will not raise the total cost, or the financing does not exceed the next lowest bid. Alderman Turner seconded the motion and the motion carried unanimously.

5. Request for a Pump for the Water Department- John Reynolds told the group Water department needs to replace a pump located at one of the main lift stations. John said during the flood the City experience a few weeks ago, the pump was damaged and repairs will cost \$10,000.00 which is almost as much as a new pump quoted at \$16,000.00 from Wynn Electric. John added the cost for the pump has been submitted to Mike Hand in hopes that GEMA or FEMA will pay around 75% of the cost for the new pump, due to the fact it was damaged during the storm. Alderman Richbourg asked Mitchell if technically if the cost is over a certain dollar amount we have to bid it out. Mandy Luke said yes we do, but this company is the main manufactory and the main source. John added there are other places and we could bid the pump out, but this company is the only source that makes the same pump that is an exact replica of the original pump. He said if we purchase from another manufactory then we will need to replace all the electronics as well as the pump. The group discussed the matter further and concluded the pump must be replaced. Alderman Richbourg asked Mandy where the money will come from for the new pump. She said either Splost or the Water department's budget will pay for it. John told the group to keep in mind, John Hunkele has in the plans for the new wastewater treatment plant, to replace all three pumps and this will be one less thing we will have to purchase. Alderman Retterbush asked John to get the old motor back so we can resell it for scrap metal. Alderman Richburg made a motion to purchase the new pump. The motion was seconded by Alderman Perryman, and the motion carried unanimously.

6. Request a Salary Cut for Mayor and Council- Alderman Richbourg told the group he would like for the Council to help the City save money this next fiscal year by proposing a 20% pay reduction for the City Council Members and the Mayor reduce his salary by the same dollar amount, which would be \$80.00. He said this reduction will be put back into the City's General fund. The reduction will total \$6,720.00 per year. Alderman Richbourg made the motion to reduce the Council and Mayors salaries for the next fiscal year beginning August 1, 2009. Alderman Davis seconded the motion and the motion carried unanimously.

REPORTS

7 City Manager's/Finance Director's Report – Mandy Luke told the group the Auditors for the City should be present at the next Council meeting to go over their report for fiscal year 2008. She said they would have been present at this meeting but Mitchell our City Attorney added something. She also said we are working with GEMA & FEMA on getting back some of the money spent or needed for the flood damages.

8. City Attorney's- Mitchell Moore told the group the only thing he added to the Auditors reports was the Wastewater Treatment Plant. He said all pending or reflective claims on personal and property damage claims are covered by insurance by some fashion and do not have a material impact on the City's finances or negligence. He also said when he talked with Mike last week he said if he came to this Council meeting he would come back and do a final. Mitchell said he must be going to just do a final. Mitchell said the other thing he would like to address is the

consent order for EPD, on the underground storage. Gilda A Knowels, the Environmental Specialist at UST Regulatory and Compliance Unit will be sending me the paper work on the consent order and the reduction on the penalty fine which was reduced to \$4,000.00. Mitchell said also we had a notice from TTL. We had a positive on one of the wells which came back .03 of a foot in well four. Under our agreement with EPD they had asked for an extraction event, which TTL would bring in a pump to extract this product. The cost per our agreement for anything over .01 of a foot cost the City \$4,000.00. Mitchell said Trent with TTL said he would talk with EPD because by the time we get out to the monitoring well to extract the product, chances are the product will be gone. Trent contacted EPD and they agreed. The other thing Mitchell said he would like to discuss is the ditch. He said he got with John Hunkele and he took the plat by to Greg Carter and had it plotted out. Now that we have a survey on the different dimensions of the ditch, I will need to plot out those easements a get these to the adjoining land owners so they can sign off on them.

9. Department Heads' Report- Dawn Morrison from Better Home Town updated the Council on several projects. She said Judge Dane Perkins is going to donate the old Peebles building downtown to either the City or DDA, for the Tech School Project. Dawn said in the past week Better Hometown and some of the prisoners have been working on cleaning up the downtown area. During which time she was visited by an Art Council and they would like to see about placing an auditorium somewhere downtown. Dawn also wanted the Council to push forward on the Ordinance for Hotel Motel Tax. This Ordinance needs to be put on the agenda because the income from it will go toward tourism which will help promote Nashville. Dawn advised and asked the Council to go by and welcome a couple of new stores which opened downtown. Pleats and Creases Cleaners, and a Thrift shop owned and located next to the Italian Restaurant. Dawn updated the group about First Thursday's, they are still bringing in lots of new customers for the merchants, and that promotion is still going well. Dawn told the Council Ms. Margie Tygart is going to be recognized for her years of service in the community. She said an invitation will be placed in each Councilman's mail box. Dawn updated the group of the Parking lot Grant, although nothing has been decided yet the things she is hearing back have been good and she feels the grant will be funded. We should hear by the end of the month a definite answer on whether it will be funded. Mitchell Moore told Dawn he will need to put together a Title Certificate in the event the grant is given. Alderman Retterbush asked Dawn if the Berrien County Chamber of Commerce and Better Hometown are going to be moving to the old Courthouse. Dawn confirmed the two would be moving and feels as if it will be a good for them and the Merchants.

Chief Clayton asked the Council to allow the Police department to add another position as a possible temporary, part time, fill in Officer. He explained when an officer takes a vacation day, or sick time, it would be better to pay a fill in officer who is part time, and pay him the same rate the lowest paid full time officer is paid, to fill in the vacancy. instead of allowing officers who are on the same pay rate or a higher rate of pay, fill in. Most of which the fill in time ends up being overtime. He told the group this would help the City save money which will help the budget. Alderman Richbourg made a motion to give the Chief permission to hire a part time fill in Officer. Alderman Perryman seconded the motion and the motion carried unanimously.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Bobbie Roberts informed the Council of the pond located west of Dogwood which is owned by Adam Houston, is getting full of trash and debris from the City's storm drains. She said the storm drains run into this pond, so not only the water from the streets but the trash is dumped into it as well. She suggested that even though the pond is on private property, the City needs to help clean up the area and after it has been cleaned the City needs to look into purchasing a flexible metal fence to catch the trash brought in from the City streets. She added the problem should not be the land owner's responsibility because the trash is brought in from City streets. Adam Houston told the group he would have the debris cleaned up around the pond. The group asked Tommy Davis to look into purchasing a flexible metal fence to catch the debris brought in from the City's streets, and get some prisoners to help clean up the debris.

Alderman Davis asked the group if the full time Fire department employee would be considered part of work control, and if he falls into the same work schedule, which is a four, ten hour day work week. Mandy Luke said she spoke to Buck Warren the Fire Chief and they both agreed that the Fire department is a part of public safety and a full time employee needs to be there 5 days a week. Alderman Davis asked who takes over when the one full time employee is out on vacation or on sick leave. Mandy said in that case the Fire Chief would take over.

Alderman Turner said he would like to suggest giving permits for lots to have yard sales on the City property located on Marion Avenue. He said the property is not being used for anything and this may be a way to accommodate our citizens, who want to have a yard sale, and help the City generate some revenue by permitting the lots out. Mitchell Moore said he would have to check with the Insurance Company to see if we can do this without too much liability first before Council votes on this issue.

Alderman Perryman asked the group, if the City could look into replacing the fence around the pond located at Tygart Park. He said the fence surrounding the pond now has turned into an eye sore and needs to be replaced. Fern Turner said the City needs to install fences around all bodies of water owned by the City, to keep children from getting hurt or out of harms way. After much discussion the group agreed the subject needs to be discussed further and a public work session. Mayor Harper asked if any of the Council would object to the City having a Fishing Rodeo and fish fry for the City Employees one Saturday. He said just to show the City employees our appreciation for their hard work. The group thought it was a good idea.

10. Bids on City of Nashville's Group Health Insurance Coverage- Mandy Luke handed out some spreadsheets on the different Insurance Company's Bid amounts. She said five companies submitted a bid. Forsyth Insurance, located in Bainbridge, Benefits South located in Albany, Securitas Financial located in Nashville, Houston & Company located in Nashville, and the company we are presently with, Whiddon Insurance Company located in Fitzgerald. She said most of the bids are similar in cost on dental, short term disability, and life insurance according to what group provider was quoted. Mandy pointed out each bid is separated according to the highest and lowest amount of cost for the City. She directed the group to the spreadsheet which reflects the deductible amounts quoted. Our deductible now is \$750.00. Due to the annual 10% increase for insurance coverage we will not save much in the way of cost, if we decide to stay with that deductible amount. Alderman Richbourg pointed out if the City accepts a higher

deductible according to the spreadsheet the amount of savings increases a great deal. Adam Houston from Houston & company said the figures quoted are based on how much your current rates are now, what your rates are going to be, how many premiums were paid in, and how much was paid out, because on a group this size no Medical history is required to give quotes. So every quote submitted other than Whidden Insurance, which is your present carrier, is based on best case scenario, because no medical history for the employees has been submitted. So the rates will go up because with a group the size of the City someone is going to have some type of medical problems. Mr. Houston also told the group all insurance company costs are not going to vary much, whether it's Blue Cross, Nippon, Principal, or whoever the company quotes, because everyone's rates will be the same at the end of the day. He told the group the best thing the city can do to save money is, go with a higher deductible. For example, if the deductible is \$750.00 and it is met the insurance pays 80% up to \$10,000.00, then it covers 100%. If that employee goes into the hospital they will have close to \$2,700.00 out of pocket expense.

So, if you go with a higher deductible such as \$1,500.00 the out of pocket cost will be close to \$3,500.00. Alderman Richbourg added since the City pays 100% for employee insurance, going up on their deductible is not too much to ask. Mandy said the City could also offer the GAP Plan to the employees, which is another secondary insurance paid for by the employee to cover the difference in the deductibles. She said another suggestion made to me was, raise the deductible from \$750.00 to \$1,500.00 and if the employee goes over the \$750.00 deductible amount, the City reimburses the employee the difference in the \$750.00 and the \$1,500.00 deductible amount. She said according to the City medical history we would still save money because not many employees have met their deductible in the past. Alderman Richbourg made the motion to go with the lowest bid, which is Houston & Company, provided the rates are not raised 10% more than our present carrier once employee medical histories are completed. Alderman Richbourg added to the motion, the City raises the deductible to \$1,500.00 and the City assumes up to \$500.00 after the employee pays the \$1000.00 of the deductible. Alderman Davis seconded the motion and the motion carried with Aldermen Turner, and Retterbush voting yes and Alderman Perryman abstaining from the vote due to he is kin to the Insurance company provider.

ADJOURNMENT

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 8:10 p.m. Alderman Retterbush 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