

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
OCTOBER 13, 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, Scott Stalnaker, Dick Perryman, and Darrin Davis.

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

**OTHERS PRESENT:** Fern Turner.

**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 Turner 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.

**NEW BUSINESS**

**1. Adopt Resolution for Opportunity Zone-** Mitchell Moore told the group the Resolution for Opportunity Zone should be adopted as submitted. He confirmed, with this document The Chamber of Commerce and Better Home Town need this documentation to get started with their Urban Redevelopment Plan. He noted, once adopted the resolution is required to be adopted and approved by DCA. Alderman Perryman made a motion to adopt the Resolution. Alderman Richbourg seconded the motion and the motion carried unanimously.

**2. Vote on the adoption of a Resolution Setting the City's 2009 Tax Millage Rate-** Mandy Luke told the group the governing body of the City of Nashville is required by law to set the tax millage rate for the City on a annual basis. The required ad was run in the local newspaper as regulated by State Law. The City's current millage rate is 8 mils. The Council needs to adopt the adoption setting the 2009 millage rate at 8 mils. Alderman Turner made a motion adopting the millage rate at 8 mils. The motion was seconded by Alderman Richbourg and the motion carried unanimously.

## **REPORTS**

**3. City Manager's /Finance Director's Report-** Mandy Luke. None.

**4. City Attorney's Report-** Mitchell Moore informed the group he had no new developments in reference to the workers comp or South Eastern. He said the Council had some concern about slowing the process down by taking bids on the parking lot project. Mandy said Johnny Hall informed her today 19 request for proposals have been submitted so far. Mayor Harper said the rest of the project has not been worked out yet so taking bids for this project will not slow down the process. Mitchell said he agreed. Alderman Richbourg asked Mitchell if the City has purchased the property. Mitchell said that was going to be the next question. Does the City want to advance the money to purchase the property at fair market value, once the property owner has agreed and all the details are worked out. Alderman Richbourg asked Mitchell if he would talk to the property owner and work out the details. Mitchell agreed. Alderman Stalnaker asked about the Grant money, and how it will apply to this project. Mitchell said before we can apply for the grant we must first purchase the property. Alderman Turner said he would like to have an executive session in order to discuss an issue about some property.

**5. Department Heads' Report-** John Reynolds requested the approval of the Council on a purchase of two fire hydrants. He said one of the hydrants cost will be reimbursed by the citizen who ran it over. The cost for both with the valves will be around \$3,000.00. Council approved the purchase.

## **PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL**

Alderman Davis asked Tommy Davis about the Limb Truck. Tommy said the truck is under repairs.

Alderman Turner wanted to discuss the use of the Old Badcock Building. Mitchell Moore said the main question is if the building is in good enough condition to be used. Better Home Town has requested use of the building in order for the Drama club at the High School can perform a play. Mitchell said the request had been tentatively approved by Council in a previous meeting, without being aware of the condition of the building. Alderman Davis asked Mitchell if the building could be repaired before it was used. Mitchell pointed out the parts of the building which causes Mr. Henry Yawn, John Reynolds, Brandon Rice and him concern about the overall condition of the structure. Alderman Stalnaker said the Council was under the impression a grant was applied for in order to repair the building before use. Mitchell said Mandy's concern is for the liability of the City. He confirmed the building is insured but until repairs are made and the building is safe the public should not be allowed into the building. Henry Yawn's concern for the City, along with the safety issue, was the cost for the repairs. Alderman Turner said the town square has safer sites to hold this performance and he pointed out several possibilities. Alderman Richbourg remarked why we can't help find another location for the activity since there seems to have been a misunderstanding between the Council and Better Home Town about the building. Dawn Morrison, the Better Home Town director, said after Council approved the use of the building, the advertisement for the events started, for not only the High School play, but for the Auctions which will be held two Saturdays a month starting in November. The High School Ag department will be here this week to construct the stage for the play and to make repairs to insure the building is safe for the events. Mitchell said the Council needs to define some boundaries, before giving access to the building. He said the School Board should be responsible for any student's involvement with the construction of, and the actual event. The building should have clear parameters so that or what the public has access to is safe. The group continued discussing the issue and how to insure the safety of the public. They concluded that Mr. Henry Yawn, the City's Code Enforcer, would inspect the building and give a synopsis on what will make the building safe. Mr. Yawn said during his inspections so far the only things needed are, blocking off unsafe areas, repairs to the flooring, and a new pole for electricity needs to be installed to bypass the unsafe wiring. Mr. Yawn added the City can use prison labor for these repairs to cut the cost. The group agreed Mr. Yawn will have the final say on whether or not the building is safe for the public access. They asked

Mr. Yawn to have the Council polled by phone if the cost for repairs and labor is more than \$750.00. Mr. Yawn also added he will talk to the head of the Ag department at the School and the students in order to convey the safety issues. Alderman Perryman made a motion allowing the final say on the building's safety, and the cost to make it safe, to Mr. Henry Yawn, the City's Code Enforcer. Alderman Richbourg seconded the motion and the motion carried four to one, with Alderman Turner casting an out vote. Mayor Harper said he was contacted by David Deloach today and he wanted to invite the group to the Moody Support Group event at the Deloach Farm on October 22<sup>nd</sup> at 7:00p.m.

### **EXECUTIVE SESSION**

Alderman Richbourg made the motion to go into Executive session at 6:55p.m. The motion was seconded by Alderman Turner and the motion carried unanimously.

Alderman Turner made the motion to come out of Executive session at 7:06p.m. The motion was seconded by Alderman Richbourg and the motion carried unanimously.

### **REGULAR SESSION RECONVENED**

**Appraisal on Land-** Alderman Richbourg made a motion to give Mitchell Moore the approval on getting an appraisal on the land located in the area Nashville Grocery was located, after comparing prices of appraisers first. Alderman Perryman seconded the motion and the motion carried unanimously.

### **ADJOURNMENT**

There being no further business to conduct, Alderman Perryman made a motion to adjourn the meeting at 7:08p.m. Alderman Stalnaker seconded the motion and the motion carried unanimously.

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Mayor Travis Harper

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Alderman Bill Turner

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Alderman Dick Perryman

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Alderman Darrin Davis

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

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Alderman Michael Richbourg

**ATTEST**

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Johnny Hall, City Clerk