

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

INVOCATION: Johnny Hall delivered the invocation.

PLEDGE: Pledge of Allegiance was led by Mayor Travis Harper

WELCOME: Mayor Harper welcomed all in attendance.

ROLL CALL: Members of the City Council present included Aldermen, Scott Stalnaker, Dick Perryman, Michael Richbourg, Darrin Davis, Billy Retterbush, Bill Turner and Mayor Harper.

STAFF PRESENT: Johnny Hall, Mandy Luke, Henry Yawn, Tommy Davis, Captain Chuck Edwards and Mitchell Moore.

OTHERS PRESENT: Randall Milton, Fern Turner, Charlie Clark (EMC Engineering Services), Anne Marie Griffin and husband, John Hunkele, Keith Stone and Bill O'Connell.

ADOPTION OF MINUTES FROM PREVIOUS MEETING: Alderman Richbourg made a motion seconded by Alderman Turner to approve the minutes of the previous meeting. Motion was carried unanimously.

ADOPTION OF FORMAL AGENDA: Mayor Harper asked if there were any additions to be made to the Agenda. Attorney Moore requested a brief executive session. Alderman Richbourg made a motion seconded by Alderman Stalnaker to approve the Formal Agenda with this change. Motion was carried unanimously.

NEW BUSINESS

1. VOTE ON VARIANCE REQUEST FOR WILLIAM O'CONNELL – MAYOR HARPER Mayor Harper informed the group that a "Public Hearing" was held at 5:30 p.m. to allow discussions on the pros and cons on the issuance of a variance request for William O'Connell. Mr. O'Connell proposes to renovate the old ice house at 203 N. Jackson into ten (10) apartments within the existing structure. Mayor Harper then explained to Mr. O'Connell about the variance and rezoning process. He asked him why he chose to ask for a variance rather than having the property rezoned. Mr. O'Connell responded that he chose to ask for a variance because he wanted to be able to keep the BBQ business and with rezoning you could not. Following some brief discussion, Alderman Retterbush made a motion seconded by Alderman Davis to grant the variance. Motion was carried unanimously.

2. SELECTION OF ENGINEER FOR PARKING LOT PROJECT – MANDY LUKE Ms. Luke informed the Mayor and Council that we had received several proposals for engineering services for the Parking Lot Project. She went on to say that Johnny has reviewed each of the proposals from the engineering firms and had scored them based on the questions we had asked. Johnny Hall then passed out the scoring sheets and explained the process and read each of the statements on the scoring sheet. Mayor Harper asked if the highest score

was the best. The response was yes. Statewide Engineering out of Douglas, Georgia received the highest score and also had the lowest bid. Following this, Alderman Perryman made a motion seconded by Alderman Richbourg to select Statewide Engineering out of Douglas, Ga. to do the engineering work on the Parking Lot Project. Motion was carried unanimously.

3. ADOPT RESOLUTION ON GATEWAY GRANT PROJECT – ATTORNEY MOORE Attorney Moore explained to the Mayor and Council that the Gateway Project is a project that Crissy Staley of the Chamber of Commerce has been working on. He went on to explain this project will be paid for with a grant from the Georgia Transportation Enhancement. The City needs to adopt a resolution approving the application of the grant. Attorney Moore stated that the Chamber of Commerce will enter into a Memorandum of Understanding with Georgia Transportation. He added the City will need to enter into an agreement for the maintenance of the site. Alderman Perryman informed the group that this will be a beautification project for the City Limits' entrance on 129 North. He further informed the group that the grant is for \$50,000.00. He stated that Crissy wanted to be here but was unable to be due to prior commitment. It was noted that there will be no matching funds with this grant. It was also noted that this entrance was chosen because it has the most traffic. The deadline for submitting the grant is October 31st. Following these statements Alderman Retterbush made a motion seconded by Alderman Stalnaker to adopt the Resolution. Motion was carried unanimously. Attorney Moore remarked that he had revised the original Resolution the Chamber had brought because it was a little ambiguous. He read the portion pertaining to the maintenance agreement. He told the group that it is his understanding that the Memorandum of Understanding has to be signed by the applicant and Department of Transportation. Following some discussion concerning the Memorandum of Understanding, Alderman Perryman made a motion that since time is of essence that the City enter into a Memorandum of Understanding should it become necessary. Alderman Richbourg seconded the motion. Motion was carried unanimously.

REPORTS

4. CITY MANAGER/FINANCE DIRECTOR'S REPORT – MANDY LUKE Ms. Luke reported to the Mayor and Council that the City auditors are here and that they came last Thursday. She indicated that they will be here probably another week or so. She also reported that the City property taxes have gone out. She then listed all of the items we currently now have on the new system. She added that she hopes to have everything on the new system by the end of November.

Ms. Luke informed the group that she was contacted by Ms. Anne Marie Griffin in regards to her driveway. She stated she was asked by Ms. Griffin to bring this matter to the Mayor and Council's attention. Mayor Harper asked Ms. Griffin if she would like to address the Council concerning this matter. Ms. Griffin addressed the Council by stating that the City took up a perfectly good driveway and when it was replaced it doesn't look the way it did before it was taken up. She added it needs to be fixed. There was some question about if the driveway had been sealed coated. Ms. Griffin commented that the driveway was perfectly flat before and now it has a big dip in it. She explained that she is trying to sell the house and this problem needs to be fixed. Tommy Davis explained to the group that he had nothing to do with the tearing up the driveway but he tried to repair it the best he could with the equipment he has. There was some discussion concerning the type of roller the City has which is real small so therefore it doesn't do the best job. Mr. Davis stated he had talked with Ms. Griffin on different occasions but had not heard back from her so he

assumed everything was okay. Mr. Henry Yawn presented some pictures he had taken of the driveway after it was done. The Mayor and Council reviewed the pictures in order to get a better understanding of the problem. There was a discussion on various ways the problem could be fixed. Alderman Perryman recommended that each of the Council need to go out there and personally see what the problem is so we will know what we are dealing with. He commented that he had recently voted on something without really knowing the full scope of the situation so he wants to go and see it. Alderman Richbourg commented that the situation needs to be made right. Mayor Harper asked Mr. Davis what was used to fix the driveway. Mr. Davis responded that cold patch was used. There was some discussion on how much of this material it would take to fill in and get it level. It was stated that this way would not cost as much as resurfacing. Alderman Richbourg recommended that the Council go individually and look at the situation and then they could decide whether the City needs to take bids on resurfacing or if it can be patched. They told Ms. Griffin this item would be put on the Agenda for the next meeting. Following this the Council thanked the Griffins for coming.

5. CITY ATTORNEY'S REPORT Attorney Moore stated he has nothing to report but would address some issues in the executive session.

6. DEPARTMENT HEADS' REPORT

Captain Chuck Edwards informed the Mayor and Council that Ms. Luke had gave him a letter from Ford Motor Company in regards to the paint peeling on the Police vehicles. He remarked the letter stated that the Performance White or Vibrant White paint on the vehicles may not have been applied properly and may peel on the upper horizontal surface due the excessive heat and sunlight exposure experienced in police or law enforcement service. The letter went on to say that in the interest of customer satisfaction, Ford Motor Company is extending the coverage of the white paint for peeling on the upper horizontal surfaces for 4 years from the vehicle warranty start date, regardless of mileage. The letter also stated if your vehicle has already exceeded the time limit listed above, this coverage will last through January 31, 2010. Captain Edwards stated that the letter also states that if we have previously paid to repaint any surfaces because of the peeling we may be eligible for a refund or comparable quality fleet car. He added that if we get either we are talking roughly \$3,500.00. He stated he is still working the package up and will be contacting Ford Motor Company.

Captain Edwards gave an update on the breaking and entering of local businesses. He said he believes they have the individual in custody who has burglarized four (4) businesses and the cutting of wires on burglar alarms and security cameras in five (5) businesses. He added he also believes there is another individual involved with these incidents.

Captain Edwards called attention to the insert in the Agenda Packet pertaining to traffic congestion during school zone hours. After some explanation and discussion on the problem, Attorney Moore informed the group that the City is going to have to amend the Ordinance. He stated we have a process we have to go through before this can become effective. He remarked that this could be considered as the first reading of the Ordinance. Attorney Moore talked about making a change in section (c) where it states long term temporary. He said there should be a comma between term and temporary. There was discussion on changing certain intersections during the school zone hours because of the traffic congestion being created by motorists turning. There was also discussion regarding the restriction of traffic for seasonal or temporary events such as parades. Captain

Edwards noted there is already a section in the City Ordinance that addresses parades. Attorney Moore told the group that he will draft up an ordinance and have the second reading at the next Council Meeting. There was some discussion about handling the situation differently should it be an emergency. Attorney Moore asked Captain Edwards if this situation would be considered an emergency. Captain Edwards responded that it would not. Alderman Richbourg read the intersections involved in stopping turning during the school zone hours. Captain Edwards explained to the group that this will alleviate the congestion problem.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

John Hunkele of Coastal Engineering told the group he is here in hopes of getting Ms. Luke's signature on the GEFA loan. He stated that he needs electronic copies of the City's audit for years 2005, 2006, 2007 and 2008. He told the group he will also be submitting the similar information to USDA.

Alderman Davis asked Ms. Griffin if both sides of the driveway are involved. Ms. Griffin responded yes.

Mayor Harper informed the group that he was contacted by Steven Mathis of the Board of Education about the possibility of the City using the playground at the old primary school as a park. He stated the Board could not deed it to the City but we would be responsible for maintenance of that area. He said the playground is the one located nearest the Adel Highway. Mayor Harper told the group that Board wanted to know if the City would be interested in doing this. There was some question as to if this would be a long term lease. Alderman Perryman remarked that the City needs to look at it and see what it would take to get it ready for the public to use. There was some discussion about fencing for safety reasons because of it being located so near to a busy highway. Mayor Harper stated that Mr. Mathis had mentioned putting up a gate and a fence but didn't mention a cost. Alderman Perryman remarked that he is interested in exploring the possibility.

Alderman Retterbush reminded everyone regarding the early voting until Friday, October 30th.

EXECUTIVE SESSION

Alderman Richbourg made a motion seconded by Alderman Stalnaker to go into executive session at 6:49 p.m. Motion was carried unanimously.

Alderman Richbourg made a motion seconded by Alderman Turner to come out of executive session at 7:04 p.m. Motion was carried unanimously.

REGULAR SESSION RECONVENED

Alderman Stalnaker made a motion seconded by Alderman Richbourg for Attorney Moore to proceed with the real estate project. Motion was carried unanimously.

ADJOURNMENT: There being no further business to discuss, Alderman Turner made a motion seconded by Alderman Stalnaker to adjourn. The motion was carried unanimously. Meeting was officially adjourned at 7:05 p.m.

Mayor Travis Harper

Alderman Michael Richbourg

Alderman Darrin Davis

Alderman Dick Perryman

Alderman Billy Retterbush

Alderman Scott Stalnaker

ATTEST:

Alderman Bill Turner

Johnny Hall, City Clerk