

City Of Nashville, Georgia
REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
October 27, 2008

INVOCATION: City Clerk 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 J. P. Watts, Bill Turner, Billy Retterbush, Michael Richbourg, Scott Stalnaker, Alderwoman Pat Sutton and Mayor Harper.

STAFF PRESENT: Johnny Hall, Mandy Luke, John Reynolds, Henry Yawn, Chief John Clayton, Tommy Davis and Mitchell Moore.

OTHERS PRESENT: Randall Milton, Nicole Robinson, Cheryl Bonham, Brenda Smith, Fern Turner and Antonio Carter.

ADOPTION OF MINUTES FROM PREVIOUS MEETING: Attorney Moore noted an error in the minutes under Item #8, Department Heads' Report where Alderman Stalnaker commented "we need to decide something because with the disposal of this Hazmat material we need a team in place and the disposal of the material is not cheap". He added that it should read Hazard Material instead of Hazmat material. Following this Alderman Stalnaker made a motion seconded by Alderman Retterbush to adopt the minutes of the previous meeting with the correction noted. Motion was carried unanimously.

ADOPTION OF FORMAL AGENDA: Mayor Harper asked that Item # 2, Employee of the Quarter be removed since that individual was unable to attend tonight's meeting and be placed on the next meeting's agenda. He also asked that we add for discussion the meeting held with Mike Bonchenko regarding the new Primary School and complaints we have received concerning the Community Center. Following these requests Alderman Richbourg made a motion seconded by Alderman Stalnaker to adopt a Formal Agenda with the recommended changes. Motion was carried unanimously.

OLD BUSINESS

1. SELECTION OF SOLICITOR FOR MUNICIPAL COURT – MAYOR HARPER Mayor Harper informed the Council that we have received a couple of resumes for the position of Solicitor for Municipal Court. One was from Bryce Johnson out of Tifton while the other candidate was Mickey Johnson. Mayor Harper remarked that this will not be a city employee. He added that the Council can appoint someone to

this position until otherwise advised. He asked Attorney Moore if there is something we need to add to the Charter. Attorney Moore responded that this will not be in the Charter and that we can do it by an Ordinance and he will address it. Alderman Richbourg asked Mayor Harper if he had a preference over the two candidates. Mayor Harper replied he has seen Bryce before but not the other one. Alderman Stalnaker reminded the Council that Bryce was the one who made a presentation to the Council regarding this position. Question was raised as to how often would the Solicitor be used. The reply was twice a month. Alderman Stalnaker commented to the Council that Bryce is more than qualified and he had seen him in action. Following these statements Alderman Richbourg made a motion seconded by Alderman Stalnaker to appoint Bryce Johnson as the Solicitor for Municipal Court. Motion was carried unanimously. Attorney Moore added that this is a new position and he would review it and will get up a proposed Ordinance.

NEW BUSINESS

2. EMPLOYEE OF THE QUARTER – MANDY LUKE This item was deleted from the Agenda and will be added to the next meeting's Agenda.

3. RATIFICATION ON THE PURCHASE OF METAL BOX FOR WATER METER - MANDY LUKE - Ms. Luke informed the Mayor and Council that John Reynolds of the Water and Sewer Department polled them on October 7, 2008, regarding the purchase of a metal box for the water meters to go into the ground beside Dr. Cox's new building. She stated that the estimated costs of material and labor are between \$1,000 and \$1,500. She added that the Council gave the approval to go ahead and make the purchase. She told the Council that this needs to be ratified and voted on in an open meeting. Following these statements Alderman Richbourg made a motion seconded by Alderman Retterbush to ratify this purchase. Motion was carried unanimously.

4. 2nd READING/ADOPTION ON RED FLAG ORDINANCE – ATTORNEY MOORE Attorney Moore informed the Council that the revisions have been made one being as to who would carry it out. It designated the City Manager. He commented that the City Manager would be following up and would see that this is carried out as outlined in the Ordinance. He talked about GMA being in a crunch with this. He added that we are ahead of a lot of the municipalities in getting this in place. He told the Mayor and Council this will be considered the second reading of the Ordinance unless there are any objections. He recommended that we go forward with this and explained that this just is something we need to put in place and does not anticipate any problems. He added this is just a safeguard. Following these remarks Alderman Stalnaker made a motion seconded by Alderman Richbourg to adopt this Ordinance. Motion was carried unanimously.

5. 2nd READING/ADOPTION OF AMENDMENT OF ORDINANCE ON YARD DEBRIS - ATTORNEY MOORE Attorney Moore informed the group that this will be considered the second reading and adoption of the amendment to the Ordinance on Yard Debris instead of the first as indicated on the Agenda. He noted that the first reading had taken place at the October 14, 2008 meeting. He further noted this will constitute the second reading. Alderman Retterbush made a motion seconded by Alderman Stalnaker

to adopt the Ordinance. Attorney Moore reminded the City Clerk about running these two in the paper after which they will become effective. Motion was carried unanimously.

6. 1st READING ON AMENDMENT OF ORDINANCE ON PETIT

THEFT – ATTORNEY MOORE Attorney Moore informed the Council that we are amending the City Ordinance, Section 18-43 to add Petit Theft which we didn't previously have. He stated before there was a specific section on Shoplifting. He told the Council he had talked with Detective Pitts and made the Ordinance broader. Attorney Moore explained that the amendment will deal with the taking, defacing, etc. of property belonging to another not to exceed \$500.00. He then read the Amendment to the Ordinance. He added this will allow the Police Department to make cases that doesn't fall under sudden snatching or shop lifting. He informed the Council that this constitutes the first reading.

7. BIDS FOR REMOVAL OF ASBESTOS PIPE AND BIDS ON PIPES FOR WATER LINE AT NEW PRIMARY SCHOOL SITE – MAYOR HARPER Mayor Harper informed the Council that he along with several others met with Mike Bochenko today regarding the removal of the asbestos pipes at the new Primary School along with bids on pipes and accessories. He further informed the group that bids were received for this project. He asked Mandy Luke to read out the bids on the pipes. Ms. Luke read the following bids: HD Supply Waterworks out of Tallahassee, Florida; \$13,314.45 without hydrants, with hydrants, \$15,692.65; Consolidated Pipe & Supply Co. out of Waycross, \$14,143.70, without hydrants, \$16,303.70 with hydrants; Lanier Municipal Supply out of Lakeland, \$14,108.04 without hydrants, \$16,428.04 with hydrants. It was mentioned that we received one bid for the removal of the asbestos pipe from Jimmy Drawdy with D & D Dozier. This bid was for \$12,167.75. Attorney Moore informed the Council that it was his decision to go ahead and open the bids because he wanted to report back to them. He stated that there was only one sealed bid for the removal. Attorney Moore told the Council that Gregg Ray had passed along to John Reynolds that he knew someone who might be interested in bidding \$9,000 for the removal of 1,000 feet. He said he had got with Mr. Ray and he had faxed him a proposal from CUI of Georgia from Valdosta. The proposal was for \$12,685.00 for the removal of disposal of 1,475 feet of asbestos pipe. He commented that the low bid was from D & D Dozier for \$12,167.75. Mayor Harper led a discussion concerning the costs if the City did the labor and had prison inmates to help. He asked for the Council's thoughts on what to do. After some discussion the consensus of the Council was to give the low bid to the School Board for their consideration. It was stated that we would help lay pipe with the work crews from the County. Attorney Moore remarked that Mr. Bonchenko should approach the County about pitching in with some equipment. In a discussion it was mentioned that the City has been more than generous with the other work we have done on this project. Mayor Harper remarked that we are not asking too much. It was recommended that Attorney Moore or Mandy Luke submit the low bid to the Board of Education. Alderman Retterbush questioned John Reynolds if there was anything else he needed. Mr. Reynolds explained there is about 740 feet that involves the City. Alderman Stalnaker commented that the City needs to do their part. Mr. Reynolds added that if the City uses

their people we will be using a lot of money. Mayor Harper recommended that we submit these in their entirety to the Board of Education. The consensus of the group was to do this. Attorney Moore informed the Council that Mr. Bonchenko is meeting with the County tonight. After some further discussion about who should submit the low bids to the Board of Education, Attorney Moore stated that the proper protocol would be for Mandy Luke to do so since she is the finance director.

8. COMMUNITY CENTER – MAYOR HARPER Mayor Harper brought to the Council’s attention that we have received complaints two months in a row about the Community Center being left in a mess after being used by the Singles Group. Alderwoman Sutton responded this is a story because she sees that it is cleaned after they use it. There was some discussion regarding the fact that the Singles are charging to get in. Mayor Harper should not to be done. Alderwoman Sutton remarked that she would be glad to quit. She added she knows it is cleaned when they finish. Alderman Stalnaker recommended that we look at some new rules and look at the possibility of raising the rental fees to help cover the cost of the utilities and the maintenance. It was brought out that we have recently purchased a new refrigerator and stove along with some furniture. There was some discussion concerning the problem with the porch leaking. Alderman Stalnaker brought up the fact that we are going to have to get money for future repairs. It was also mentioned about one of the air conditioning units being out. Alderman Stalnaker told the group that they can think about this until next meeting.

REPORTS

9. CITY MANAGER/FINANCE DIRECTOR’S REPORT- Ms. Luke informed the group that the City finally received their final payment from D.O.T. for the T-Project. The check was for \$105,836.31. She also informed them that the City property taxes have been mailed out. Ms. Luke told the Council that we have also received our Insurance Premium Tax in the amount of \$262,882.71. She brought an update on the collection of the City’s delinquent accounts. She told the Council that she had compared the percentage charged with Penn, who has been contracted by GMA, with the Credit Bureau in Tifton and discovered that the Credit Bureau offers a better rate. She related that the City of Tifton uses the Credit Bureau for the collection of their delinquent accounts and they do a good job. Ms. Luke added the other advantage in using the Credit Bureau is that they are local. She told the Council that the Credit Bureau will go to court for you. She remarked that we need to do something about our delinquent accounts. Alderman Stalnaker said that in his line of work he has seen a lot of the cases the Bureau handles and that they do a good job. Following this Alderman Retterbush made a motion seconded by Alderman Richbourg that we contract with the Credit Bureau in Tifton for the collection of our delinquent accounts. Motion was carried unanimously.

10. CITY ATTORNEY’S REPORT- Attorney Moore updated the Mayor and Council concerning the underground storage tanks at the City maintenance barn. He said the survey has been submitted and it will be 4 to 6 weeks before the process is completed. He told the Council we have to do a soil profile for EPD. He informed the Council that we have received one notice concerning an error and it was sent back to TTL

for correction. Attorney Moore disclosed the fact that Alderman Retterbush is employed by Soil Remediation Inc. in Ray City where this soil will be disposed. He also disclosed the fact that Mr. Retterbush has no ownership in the company and he is only an employee. Attorney Moore told the Council that there may be as many as 13 drums. He added that the next closet place for disposal is in Macon. Attorney Moore informed the group that he had heard back from EPD regarding the Stream Variance. He stated he hasn't heard from John Hunkele of Coastal Engineers on this. He added that he had learned that John's father had passed away yesterday. He remarked that John will be back in touch with him tomorrow. Attorney Moore told the Council that he didn't understand why they didn't issue a variance and doesn't know if there is an appeal process. He added that John Hunkele is to get back with him on this matter. Attorney Moore told the Council that he is unsure if the City can get a variance or not. He added that this is for Reedy Creek. He stated that hopefully we can get something done, if not maybe an emergency stream intervention. He alerted the group regarding a threat to children concerning chocolate candy coins from China. He stated that they contain Melamine. He added we need to get the word out. Alderwoman Sutton suggested that we contact each of the schools and alert them. Nicole Robinson, reporter for the Berrien Press, informed the group that the Press had sent a mass e-mail to all the schools.

11. DEPARTMENT HEADS' REPORT- John Reynolds informed the Mayor and Council that the pump is out on the old Valdosta Highway. He told the group that we have two pumps and if the other one goes then we would be in trouble. John remarked that is pump is not two years old and that he thinks it should be covered under a warranty. He stated that he previously had problems with this pump. He expressed some uncertainty as to if the company would fix it without charge. He added we will see and that we may be hearing from it. John emphasized that he doesn't want the other one to go bad. Alderman Richbourg commented that we need to have a back up. John reiterated that he wants the company to pay for this. Alderman Retterbush recommended that this company not be allowed to bid on the new spray field project if they are not willing to repair the pump without cost to the City. John also emphasized to the group that this is a high dollar pump. Attorney Moore asked what was the problem the first time. John responded it had burned up. John explained to the group that he had chosen this type of pump because this is the type they had at Moody and had very little problem with it. He told the group that he just wanted to make them aware.

PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL

Randall Milton came before the Council expressing concern regarding the turn lanes at South Davis and Marion Avenue. He stated that at times when people are in the left lane to turn and the traffic light changes, instead of turning they go straight. He said he has almost been hit twice. He recommended that some signs be erected and the lines be repainted. Mr. Milton was informed that this is a D.O.T. matter and they will have to be contacted. Attorney Moore remarked that he would contact D.O.T. regarding this matter. Mr. Milton added that maybe the lines need to come back further. He remarked this is something we need to look at.

Ms. Brenda Smith approached the Mayor and Council regarding bus shelters for the school children waiting on the school bus. She remarked that the other day when it was raining so hard the children got soaked. She commented that she wasn't sure she was in the right place to discuss this problem. The Council recommended that she approach the school board with this issue.

Alderman Turner told the group that he had several questions but no real answers concerning the recycling program. He asked Ms. Luke to talk with the guy in Tifton on this. Alderman Turner stated it is going to take the business of the County for this program to work. There was some discussion among the group concerning the company trying to solicit the business of other cities and counties in the surrounding area. Alderman Turner added that we need to get something started. He asked Attorney Moore about the Petit Theft Ordinance. Attorney Moore responded with the specifics of the Ordinance. Alderman Turner gave the group an update on Lace Futch's condition.

EXECUTIVE SESSION

Alderman Richbourg made a motion seconded by Alderman Stalnaker to go into executive session at 6:55 p.m. Motion was carried unanimously.

Alderman Richbourg made a motion seconded by Alderman Retterbush to come out of executive session at 7:14 p.m. Motion was carried unanimously.

REGULAR SESSION RECONVENED

Mayor Harper remarked that the balance on Chris Luke's contract with the Police Department is \$4,605.00. Following this remark Alderman Richbourg made a motion seconded by Alderman Stalnaker to let Chris Luke out of the contract with the Police Department contingent upon the Sheriff paying out of the contract which has seventeen months left on it and this must be settled by December 31, 2008. Motion was carried unanimously.

ADJOURNMENT: There being no further business to conduct, Alderman Richbourg made a motion seconded by Alderman Stalnaker to adjourn the meeting. Meeting was adjourned at 7:15 p.m.

Mayor Travis Harper

Alderman Michael Richbourg

Alderman J. P. Watts

Alderwoman Pat Sutton

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Bill Turner

ATTEST:

Johnny Hall, City Clerk