

REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
September 8, 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, Peter Schultz, Henry Yawn, Chief John Clayton, Tommy Davis and Mitchell Moore.

OTHERS PRESENT: Randall Milton, Nicole Robinson, Bobbie Roberts, Steven Roberts, Galinda McDonald, Ron Ganster, Nicole Robinson, Fern Turner and Antonio Carter.

**ADOPTION OF MINUTES FROM PREVIOUS MEETING:**

Attorney Moore noted an error in the minutes under Item #4, Sewer Problems at 203 Greenridge Drive. Almost half way into the paragraph in the sentence that began with "They did not find that the service connection", the word not should be omitted and with the correction it would read "They did find that the service connection." Following this notation, Alderman Richbourg made a motion seconded by Alderman Turner to adopt the minutes of the previous meeting with the correction noted. Motion was carried unanimously.

**ADOPTION OF FORMAL AGENDA:**

Mayor Harper asked that the Municipal Court Judge be added under item 6. Alderman Richbourg made a motion seconded by Alderman Stalnaker that we adopt the Formal Agenda including the addition of item 6. Motion was carried unanimously.

**OLD BUSINESS**

1. SEWER PROBLEMS AT 203 GREENRIDGE DRIVE –STEVEN ROBERTS  
Mayor Harper recognized Steven Roberts, who resides at 203 Greenridge Drive. Mr. Roberts began by reminding the Mayor and Council that at the last Council meeting he was asked to provide a letter from his plumber, Roto-Rooter, of the work they had done at his residence. Mr. Roberts then distributed letters to the Mayor and Council from Roto-Rooter, which detailed the work they had done at this residence. After the Council had read the letter, Mayor Harper called for any questions from the group. He remarked

that after reading the letter he didn't see anything in there that says the City is at fault. Following some discussion, Alderman Retterbush made a motion seconded by Alderman Turner to pay the bill for Mr. Roberts out of good faith and only in this case. Mayor Harper asked for a roll call vote: Alderman Stalnaker, abstained (kinship), Alderman Retterbush, yes, Alderman Watts, yes, Alderman Richbourg, no, Alderman Turner, yes and Alderwoman, abstained (kinship). Mayor Harper declared with the 2 abstaining and the 3 yes votes, it was carried by a 5 to 1. Motion was carried. Attorney Moore question if the group understood fully what was meant by unstopping the line. Alderman Stalnaker and Mr. Roberts gave an explanation on this. The total of the bill to be paid is \$442.22.

## NEW BUSINESS

### 2. 2nd READING/ADOPTION OF ANIMAL CONTROL ORDINANCE – ATTORNEY MOORE

Attorney Moore informed the Council that this is will be the second reading of the Animal Control Ordinance, Section 4 on Animals and Fowls. He further informed them that Sections 4-24 through 4-64 of the Code of Ordinance are stricken and that the code is to be amended. He stated that the ordinance is complete except for some small housekeeping items such as renumbering. He called attention to the section pertaining to Public Nuisance. He told the group that we need to go ahead and adopt the Ordinance. Following this, Alderman Stalnaker made a motion seconded by Alderman Turner to adopt this Ordinance. Motion was carried unanimously.

### 3. SIGN LEASE FOR PROPERTY WITH D.O.T. – MAYOR HARPER

Mayor Harper informed the group that he has been contacted by D.O.T. representative to see if the City is interested in leasing land from them for a period of 49 years at a \$100.00 per year. The proposed use for this property is for a new DEFACS facility. Alderman Turner remarked this has been discussed previously. There was some discussion concerning the parking problem of which Alderman Turner informed the group that they are working on a resolution. Following this, Alderwoman Sutton made a motion seconded by Alderman Turner to enter into a 49 year lease agreement with the D.O.T. for \$100.00 per year. Alderman Stalnaker stated he is interested in getting the property however he would like to see us leave the option opened on what to use the property for other than for just the DEFACS facility. Alderman Retterbush asked if the City didn't use the property for a DEFACS facility, could we use it for something else. Alderman Turner responded yes. There was some discussion on after the 49 year lease was up could it be renewed. It was stated that this would not be a problem and it would a continuing thing with the rate being the same. It was recommended that we make sure this is in the lease. Following this, the motion was carried unanimously.

### 4. ADVERTISE FOR SOLICITOR FOR THE MUNICIPAL COURT – MAYOR HARPER

Mayor Harper informed the Council that we need to vote on advertising for a Solicitor for the Municipal Court. This position has been budgeted in this fiscal year's budget. Alderwoman Sutton made a motion seconded by Alderman Retterbush to advertise for a

solicitor. Ms. Luke is to work up an ad for the position. Following these remarks the motion was carried unanimously.

#### 5. VOTE ON ACCEPTANCE OF LOW BIDDER ON 2006 CDBG – MAYOR HARPER

Mayor Harper informed the Council that we had a bid opening for the lift station for the Water & Sewer Department on August 21, 2008, at 11:00 a.m. This is from the 2006 CDBG. The low bidder was Southeast Georgia Transport located in Patterson, Georgia. The bid amount was \$241,134.62. John Reynolds told the Mayor and Council that DCA wants to see some more statistics on this. It was stated among the group that this could be voted on contingent on the completion of the paperwork. Alderman Retterbush asked if the liner was included. John Reynolds responded it was but there was a discrepancy with it. Mr. Reynolds then described the type of liner he wanted. He told the group there are several discrepancies but Ted Gibbs with Statewide is working on this and has it in writing. He added these can be handled by change orders. Mayor Harper commented that he believes the City's match on this project is a little over \$10,000.00. Alderman Richbourg made a motion seconded by Alderman Retterbush to accept the low bid of \$241,134.62 from Southeast Georgia Transport. Motion was carried unanimously.

#### 6. MUNICIPAL COURT JUDGE – MAYOR HARPER

Mayor Harper informed the Council that he had received a call from Paul Hamilton stating that he wishes to resign his position a Municipal Court Judge for the City of Nashville. He told the Council that Judge Hamilton had just been elected to serve on the Board of Education and the Judge felt that with this along with other obligations he could not continue to serve as the Municipal Judge for the City. Mayor Harper said that Judge Hamilton had expressed appreciation for the opportunity to have served in this position. He added that the Judge has requested this be done as quickly as possible. Judge Hamilton said he would be glad to assist in the transition process. Mayor Harper said the resignation would be effective immediately. Several comments were made about the Judge doing a good job.

#### REPORTS

#### 7. CITY MANAGER/FINANCE DIRECTOR'S REPORT

Ms. Luke informed the group that John Hunkele with Coastal Engineers was not able to be here tonight. She stated she had received an e-mail from him. In the e-mail he stated that Pete Maye and he met last Tuesday with the EPD folks in Atlanta. He stated the purpose of their visit was to try to move the approval process along on our Environmental Information Document (EID) and Design Development Report (DDR) for the wastewater treatment plant upgrade. He said they had provided additional information to EPD and anticipate EID final approval in the next week or ten days. Then they will act upon our DDR submittal and we can proceed with the final design. He stated they are also preparing documentation for the GEFA loan application. The e-mail also stated they had met with the buffer variance people and they are hopeful that they can obtain approval to perform the necessary repairs and maintenance on the Reedy Creek drainage ditch on an emergency basis. EPD requested a letter from the Mayor to submit with our photographs

Alderman Turner mentioned to the group about the problem with the ditch on Berrien Street with trash being in it. It was brought up that the City Engineer, John Hunkele, stated there should not be a problem in obtaining a permit as long as it is an emergency. Alderman Turner told the group we need to approve some type of method to clean out the ditch. Mayor Harper informed the group that he has spoke with the Sheriff and he will furnish a work crew to clean it out.

Mayor Harper informed the group that there is a problem with people putting trash in the storm drains. He stated that some lawn service people have been caught blowing trash in the drains. He remarked we don't have anything which governs this. Attorney Moore stated he will check into this. Tommy Davis stated that people should put their yard trash behind the curb to prevent it getting washed into the drains and stopping them up.

Alderman Retterbush asked if the truck ordinance covers trucks without trailers. He said he wants to know how this works. Attorney Moore responded that the ordinance was aimed at the trailers not the bobtail. Alderman Turner added this ordinance was to protect our roads. Attorney Moore told Alderman Retterbush he didn't know the answer so he would have to look at it.

Ms. Bobbie Roberts approached the Mayor and Council and asked what meeting was it that she missed when they raise the water rates. She stated her bill had gone up. Mandy Luke responded that we haven't raised the rates recently.

ADJOURNMENT: There being no further business to conduct, Alderman Richbourg made a motion seconded by Alderwoman Sutton to adjourn the meeting. Meeting was adjourned at 6:45 p.m.

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Mayor Travis Harper

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Alderman Michael Richbourg

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Alderman J. P. Watts

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Alderwoman Pat Sutton

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

ATTEST:

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Alderman Bill Turner

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Johnny Hall, City Clerk

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Johnny Hall  
City Clerk  
City Of Nashville, Georgia  
229-686-5527