

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
October 22, 2012
6:00 P.M.**

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 Aldermen Eric Gaither, Antonio Carter, Michael Richbourg, Scott Stalnaker, Alderwoman Mellisa Watson and Mayor Travis Harper.

STAFF PRESENT: Tina Ward, Randy Lane, Mandy Luke, Peter Schultz, Chief Clayton, John Reynolds, and Dawn Morrison.

OTHERS PRESENT: Randal Milton, Allen Davis, and Daniel Hancock.

ADOPTION OF MINUTES- Mayor Harper asked the Council to make a correction in the minutes from the previous meeting. Mitchell Moore called today and wanted the record to reflect that he will step down as the City's attorney if the LOST Arbitration poses a conflict of interest, he will not step down as Magistrate Judge. Alderman Richbourg made the motion to approve the minutes from the previous meeting with the change. Alderman Stalnaker seconded the motion and the motion carried unanimously.

ADOPTIONS OF FORMAL AGENDA- Mayor Harper asked the Council to add as item number four, appoint another Mayor Pro-Tem to the formal agenda. Alderman Richbourg made the motion to adopt the formal agenda with the change. The motion was seconded by Alderman Stalnaker and the motion carried unanimously.

NEW BUSINESS

1. Ratify the Decision made on returning rental fees for the Community Center- Mandy Luke told the group last week we received a call from Janice Logue who had a family reunion at the Community Center on Saturday October 13th, which was the same day as the Harvest Festival. She said they had no parking and despite all the signs they put up which read “Private Party” they had to contend with a strange couple making out on the front porch, and a strange man brought his children in to use the bathroom. Ms. Logue wants a full refund of the money she paid for the rental. Council was polled on this last week and it needs to be ratified in the open session. Alderman Richbourg made the motion to return Janice Logue’s money for the rental of the Community Center. Alderman Stalnaker seconded the motion and the motion carried three to two, with Alderman Carter and Alderwoman Watson opposing the vote.

2. Resolution to Adopt Amended and Restated ACCG 457(b) Deferred Compensation Plan- Mandy Luke told the group that GEBCorp has provided some important information relating to our ACCG 457(b) Deferred Compensation Plan, and to let us know of some actions that must be taken in 2012 by the City and GEBCorp in order to keep our plan in compliance with Federal law. Council needs to adopt, amend the restated ACCG 457 (b) Deferred Compensation Plan Resolution. Alderman Stalnaker made the motion to adopt, amend the restated ACCG 457 (b) Deferred Compensation Plan Resolution. Alderman Gaither seconded the motion and the motion carried unanimously.

3. Appoint an Official to the Berrien County Planning Commission- Mayor Harper told the group that Alderman Retterbush informed everyone at the last Council meeting that he is stepping down from the position he holds on the Berrien County Planning Commission. The Council needs to appoint a new representative to fill his seat on the Board. Mayor Harper nominated himself to serve on the board. Alderman Stalnaker made the motion to nominate Mayor Harper. Alderman Carter seconded the motion and the motion carried unanimously.

4. Appoint a New Mayor Pro-Tem- Mayor Harper told the group that Alderman Stalnaker is stepping down as the Mayor Pro-Tem due to some conflicts with his job as the County’s Marshall for the Magistrate Court and his job with the Fire department. Mayor Harper also pointed out that by stepping down as the Mayor Pro-Tem, Alderman Stalnaker must also be taken off the public safety committee. Mayor Harper nominated Alderman Retterbush for the position as Mayor Pro-Tem and the open position on the public safety committee; because of his seniority on

the City Council also Alderman Retterbush received the most votes in the general election. Alderman Carter made the motion to appoint Alderman Retterbush as the Mayor Pro-Tem for his remaining term. Alderman Gaither seconded the motion and the motion carried unanimously.

REPORTS

5. City Manager's/Finance Director's Report- Mandy Luke told the group that the City Attorney's bill is due and it is above her approval amount of five thousand. The total bill this month is \$5,170.00 and Council needs to approve it in open session. Alderman Richbourg made the motion to approve paying the bill for Mitchell Moore in the amount of \$5,170.00. Alderman Stalnaker seconded the motion and the motion carried unanimously. Mandy told the group she is presently working on stuff for the City Auditors. They are expected to be here as early as next week. They will spend two to four weeks with us doing the City's audit. She said we are placing them in our new conference room due to the interruptions from the public they receive every year in the Council Chambers. Mandy also reminded the Council to stay after the meeting tonight, for some brief instructions on the new security system that has been installed in City Hall.

6. City Attorney's Report- None

7. Department Head's Report- None

PUBLIC COMMENTS FROM PUBLIC/COUNCIL

Alderwoman Watson told the group that at the last Council meeting we discussed cleaning up the City, such as the parks, sidewalks around the City and downtown. She said she asked Mr. Daniel Hancock, who is over the City's probation, to be here tonight to help the Council decide when and where they need to start the clean up. Alderman Stalnaker asked Alderwoman Watson who is going to be responsible for the supervision or any accidents should one of the probation workers have an injury. Alderwoman Watson said she printed off a form from Hazmat and gave it to the City Manager Mandy Luke. Mr. Hancock also has a form which the probationers sign should they get hurt while working. Daniel Hancock told the group when they have someone on probation they are usually sent to Chief Clayton and then they are sent to City Hall where they are under the supervision of Tresa

McClusky. Tresa will disburse these individuals where they are needed. Daniel said he told Alderwoman Watson that if these probationers need to be sent anywhere else then all she would need to do is give him the name and number of the individual that needs the probationers to work. He added, as far as any release forms, anyone who is on probations must sign a Community Service release form. Alderwoman Watson said she knew they signed a form when they are put on probation but thought it might be beneficial to have them sign another form to protect the City from any liability. Mayor Harper told the group his concern would be the liability of having the individuals operate power equipment. Alderwoman Watson said the probationers could pull weeds and pick up trash or use a pump sprayer to kill weeds, instead of operating power equipment. She added these are a few of the little things that the Street department does not have the time to do right now. Randy Lane told the group that the State prisoners the City pays for and already has a contract with can do these things. Right now they are working on cleaning the City's ditches because we don't have a working side arm mower, but grass season is about to be over so they can be pulled out of the ditches start back on these little things like picking up the trash and cleaning up the sidewalks. All of the Council agreed with Randy Lane.

Mayor Harper told the group that Mandy should be given the authority to pay the recurring monthly bills that are over her limit to pay. Recurring bills such as the City Attorney bill, which are over Mandy's limit, should not need the approval Council. Mayor Harper said he would like for the Council to give Mandy this authority or raise the limit from 5,000.00 to 10,000.00. Alderwoman Watson made the motion to give Mandy Luke the authority to pay the recurring monthly bills which may be over her limit without Councils approval. Alderman Gaither seconded the motion. Alderman Richbourg wanted to add to the motion that anything over 10,000.00 needs the approval of the Council. The motion carried unanimously.

ADJOURNMENT

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 6:25pm. Alderman Stalnaker seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Michael Richbourg

ATTEST

Tina Ward, City Clerk