

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
SEPTEMBER 27, 2010**

**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 Bill Turner, Michael Richbourg, Dick Perryman, Darrin Davis, Scott Stalnaker, and Billy Retterbush.

**STAFF PRESENT:** Chief Clayton, Tina Haughton, Peter Schultz, Mandy Luke, John Reynolds, and City Attorney Mitchell Moore.

**OTHERS PRESENT:** Allen Davis, Randall Milton, Frank Watts, Clarence Luke, Keith Thompson, Brenda Smith, Margie Tygart, and 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-** Mayor Harper asked the Council to revisit and add as item three the request from Mr. Grover Klim Nessmith, at the previous Council meeting, "Increase the Hours of Operation", to the formal agenda. Alderman Richbourg made a motion to approve the formal agenda with the change. Alderman Stalnaker seconded the motion, and the motion carried unanimously.

**NEW BUSINESS**

**1. Special Exception Request-** A public hearing was held today in order to consider allowing James Mitchell Griffin to build a metal building on the property at 515 Bartow in order to conduct business as a wholesale agriculture supply company. Mr. Griffin told the group the building will be a holding facility and will have very little in store traffic. The special request was approved by the Berrien Planning Commission on September 2, 2010. Alderman Richbourg made the motion to grant the special request. The motion was seconded by Alderman Perryman and the motion carried unanimously.

**2. Poles on the West Side of the Square, TE-Project-** Mandy Luke told the group the City has two poles on the west side of the square which hold DOT lines. We asked DOT about removing the two poles and running everything underground, when the sidewalks are broken up to create the new sidewalk. In order to do this DOT said that we can but we will have to incur the cost, which will be around \$15,000-\$25,000 dollars. This total will include running the lines underground and boring the sidewalk to Davis and McPherson. Statewide needs a

decision from Council as soon as possible. SPLOST cannot be used for this, so the money will need to come from the City's General Fund savings. Alderman Perryman made a motion not to spend the extra money. The motion was seconded by Alderman Richbourg and the motion carried unanimously.

**3. Extend the Hours of Operation-** Mayor Harper said Mr. Klim Nessmith of the VFW, requested an extension on the hours of operation at the last Council meeting. Council told him they visited this a few years ago and extended the hours of operation but would need to look at the Ordinance again to clarify the extension changes. Mitchell Moore, the City's attorney told the group the Ordinance reads, No holder of any alcoholic beverage license nor any employee of any business in which such license is utilized shall allow or permit any alcoholic beverage to be served or handled in any manner upon the premises of the business in which such license is utilized or any alcoholic beverage to be located upon any table, counter or other such customer service area upon such premises, either in the original container therefore or otherwise, from 1:30 a.m. to 8:00 a.m., Monday through Friday, or after 12:01 a.m. (0001 Greenwich mean time) on Sunday. All patrons, customers and nonemployees shall be required to leave the premises within thirty (30) minutes of the above stated times, to wit: by 2:00 a.m. Tuesday through Saturday and 12:30 a.m. on Sunday. Alderman Richbourg made a motion to keep the Ordinance as is and give a copy of the hours of operation to Mr. Nessmith. Alderman Turner seconded the motion and the motion carried unanimously.

## REPORTS

**4. City Manager's /Finance Director's Report-** Mandy Luke told the group she received the Notice of Significant Impact and forwarded a copy to Mitchell Moore as well as John Hunkele. John told her the thirty day public comment period will be ending around October 16<sup>th</sup>, and the GEFA board meeting is on October 28<sup>th</sup> 2010.

**5. City Attorney's Report-** Mitchell Moore told the group John Hunkele has sent to Georgia Power the request the right of way and the additional encroaching agreements. Preliminary indications were that Georgia Power has no problem issuing the additional encroaching agreements and use of the right of way. Mitchell said he also mentioned this to the land owners west of us and no indications of any problems. Mitchell also talked with State Wide in reference to the parking lot project, which is to be completed by the end of this week, per the contractor. The deadline on the project was said to be in June but in fact the deadline was in August. He said there is a penalty but Statewide does not recommend attempting to collect that due to the problems the contractor encountered during construction of the parking lot.

**6. Department Heads' Report-** Chief Clayton told the group the Police department is hosting a Drug Task Force control meeting on Thursday September 30<sup>th</sup> at 6:00 p.m. and he invited all the Council to come and enjoy the dinner and ask questions they might have for them to answer.

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

Brenda Thomas asked if the City has or will construct an Ordinance for the young people wearing their pant too low. She said this is a growing problem among our young people and we should enforce some sort of indecent exposure law to get this problem under control. Council agreed this is a growing problem and other City's have constructed Ordinances to handle the problem. After some discussion on the issue, Mitchell Moore said he would contact GMA and look into constructing something if the Council directs him to do so. Alderman Davis said we should have Mitchell look into it. Alderman Stalnaker said we should have Mitchell research and if Council agrees enforce the Ordinance on a trial bases. The Council agreed to allow Mitchell research the issue.

Clarence Luke told the group they are trying to get the businesses in the City and in the County to allow them to put up some vinyl stickers which say "Prayers are welcome here" and he asked the Council if he could put up a "Prayers are welcome here" sticker in the entrances of City hall. Council agreed to allow the stickers.

Keith Thompson asked the group when the will have a workshop on the Catering Clause. Mayor Harper said that Council has not decided on a date but the arrangements will be published in the local paper and the public will be invited to attend.

Alderman Turner asked John Reynolds to look into installing a fire hydrant on East Marion near the chaparral entrance. Some of the people who live around that area are afraid of not having a fire hydrant in case of a fire. John said the hydrant was broken about six years ago by a mower and never replaced. Alderman Turner asked how much a hydrant would cost the City. John said around 1,100.00 for the hydrant and 380.00 for the valve. Alderman Turner made a motion to approve the purchase of the fire hydrant. Alderman Richbourg seconded the motion and the motion carried unanimously.

Mayor Harper reminded everyone about the Ethics training Monday October 4<sup>th</sup>. He also said he would get in touch with Elaine the County Administrator about scheduling a Round Table event in late October or early November.

## **ADJOURNMENT**

There being no further business to conduct, Alderman Richbourg made a motion to adjourn the meeting at 6:30 p.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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Tina Haughton, City Clerk