

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
AUGUST 13, 2018  
6:00 P.M.**

**INVOCATION:** Elder Sam Thomas

**PLEDGE:** Pledge of Allegiance was led by Mayor Michael Richbourg

**WELCOME:** Mayor Michael Richbourg

**ROLL CALL:** Members of the City Council present included Mayor Michael Richbourg, Aldermen Scott Stalnaker, Eric Gaither, Antonio Carter, Billy Retterbush and Alderwoman Mellisa Watson.

**STAFF PRESENT:** Mandy Luke, Jackie Jordan, Jill Wise, Chief Edwards, John Reynolds, Peter Schultz, Henry Yawn, Mitchell Moore

**OTHERS PRESENT:** John Hunkele, Janet Studstill, Bob and Jo Lovein, Bo Lovein, Bebe Cox, Larry Osheim, Jane Knight, Lavonne Shaw, Skeeter Parker, Rodrick Smith, Brenda Thomas

**ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETINGS** – Billy Retterbush made the motion to adopt the minutes from the previous meeting. Antonio Carter seconded the motion and the motion carried unanimously.

**ADOPTION OF FORMAL AGENDA** – Eric Gaither made the motion to adopt the formal agenda with the addition of Item #6 – Recreation Department request to borrow bleachers from City and to use the Community Center in the fall. Antonio Carter seconded the motion and the motion carried unanimously.

**NEW BUSINESS**

1. **Grease Traps/Grease Interceptors Guidelines** – Mayor Richbourg and John Hunkele/Coastal Engineering Consultants – John Hunkele explained the need and suggested requirements for grease interceptors to better protect the wastewater treatment plant. He also discussed how fats, oils and grease (FOG)

affect the sewer system by causing build up in pipes preventing the flow of wastewater which can result in raw sewage backups and overflows into homes, streets or surface waters creating larger problems and expense. Further discussion included the formula in determining the recommended size requirements for grease interceptors and the inefficiency of under the sink grease traps in capturing the FOG. Mayor Richbourg expressed concerns of the FOG entering the system and the need for change in the requirements. Attorney Moore explained “grease traps” were not referred to or approved in the current ordinance and are not the same as a grease interceptor. Antonio Carter made a motion that under sink grease traps would no longer be allowed and the minimum standard allowance will be a 500 gallon grease interceptor and those currently using under the sink grease traps will have six (6) months to comply. Eric Gaither seconded the motion. Mellisa Watson voted yes. Billy Retterbush voted yes. Scott Stalnaker voted no stating they should have longer than six (6) months to comply. The motion passed four (4) to one (1). Mayor Richbourg stated it will need to be advertised in the paper to give proper notice.

2. **Citywide Cleanup/Citizens – Mayor Michael Richbourg** – The Mayor and Council heard from several citizens including Jo Lovein, Bob Lovein, Bo Lovein, Bebe Cox, Jane Knight and Larry Osheim. They expressed many concerns including general unkempt appearance and unsightly disarray of properties in the City and the need for more clean-up and enforcement of Code violation. Mayor Richbourg explained that he, the Council, City Manager and Department Heads have been reviewing this issue and discussing options to address the problem which have included advertising for bids for help with upkeep in the parks and advertising for help wanted in order to hire additional employees. Further discussion included the length of time required in the process of enforcing code violations. City Manager Luke explained the City is working diligently but with the weather, rain and extra mowing, this is an extremely busy time of year making it difficult to keep everything caught up. She also explained the City has advertised for help with little to no response and had advertised for bids to maintain the parks with non-responsive bids but also mentioned that Peter Schultz had interviewed two (2) people today for potential hire. Antonio Carter made a motion to advertise again if needed, and hire two (2) full time people if needed, to advertise in the papers of surrounding counties and purchase additional equipment if necessary. Billy Retterbush seconded the motion and the motion carried unanimously. They also discussed forming a committee to include citizens and possibly some Council members and department heads to address the issues after additional help is hired.

3. **Second Reading-Cemetery Ordinance – Mitchell Moore, City Attorney –** Mr. Moore gave the second and final reading of the new Cemetery Ordinance explaining the new ordinance is effective immediately and will be published and advertised in the paper as required. There was discussion of enforcement of the new ordinance on existing plots. Antonio made a motion for advertisement in the paper, after it has been published, giving people six (6) months to comply. Mellisa Watson seconded the motion and the motion carried unanimously.
  
4. **Mobile Food Vendor Ordinance – Mitchell Moore, City Attorney –** Mr. Moore provided the proposed ordinance asking for feedback from the Council as to whether they want the ordinance restricted to commercial zoning or if they want to allow them in residential and industrial park areas. Mayor Richbourg explained they are currently required to get a business license which is a one-time business license fee for the year but nothing currently addresses mobile food trucks and mentioned Hahira's passing of an ordinance making it more difficult for mobile food trucks to do business there. The Mayor said they do have to park on private property and have the property owner's permission. The Mayor also mentioned it may not be fair to the local business owners as they pay sales tax, property tax and City services. He also mentioned they need to use caution because there may be people who come into the City to visit the mobile vendors who may spend other money in the City as well but they may want to look at quarterly fees and requirement of business license renewal on a quarterly basis and also mentioned looking at the requirements of the surrounding areas. Scott Stalnaker also mentioned health and safety issues. The Mayor explained the health department regulates that issue and this is more of an equity issue between the local property owners and the vendor trucks and the ordinance needs to be specific to mobile food vendors but does not pertain to food vendors at City sponsored events.
  
5. **Cargo Container Ordinance – Mitchell Moore, City Attorney –** Mr. Moore provided the proposed ordinance and asked for feedback further explaining the ordinance would prohibit cargo containers in residential, commercial and industrial areas but suggests the possibility to permit the temporary use of containers in industrial zones for up to six (6) months, with payment of a permit fee. Billy Retterbush said there are some in the area that need to be removed. Antonio Carter asked for additional, incremental fees imposed if the use of the container exceeds the six (6) months. This constitutes the first reading of the ordinance. City Attorney Moore also addressed citation letters in connection

with imposing additional fees. Attorney Moore also briefly commented on the procedures concerning derelict properties.

6. **Recreation Department Request to Borrow Bleachers and Use Community Center in Fall – Mayor Richbourg/Eric Gaither** – Mr. Gaither explained the Recreation Department requested use of the City’s bleachers for the fall season along with use of the Community Center, if available, at no charge for two (2) days in the fall to give out equipment. Billy Retterbush made a motion to allow the Recreation Department to use the Bleachers and to allow them to use the Community Center as requested. Mellisa Watson seconded the motion and the motion passed unanimously.

## **REPORTS**

7. **City Manager’s/Finance Director’s Report** – Mayor Richbourg asked Mrs. Luke if they need to make a motion regarding roll offs for a week of cleanup. The mayor suggested the City will have an advertised week long clean up from September 1<sup>st</sup> through September 8<sup>th</sup> where they will have roll offs at the Police Department for residents only to discard items and allow them to put items beside the road if they cannot get the items to the roll offs. He said he will speak with Advanced Disposal that and the fees. Mrs. Luke mentioned the Street Department is already so far behind, they would have to stop everything to pick up items beside the road and it may be better to wait until later in the year when the mowing and everything else slows down. The Mayor agreed the Street Department did not need to stop operations for a week to pick up items with the limb truck and said he will talk to Advanced Disposal about them picking up the items with one of their grapple trucks. He said he did not want to wait and may do it again later in the year. Mellisa Watson made a motion to use the roll offs and grapple truck from Advanced Disposal for the clean-up from September 1<sup>st</sup> through September 8<sup>th</sup>, contingent upon prices. Billy Retterbush seconded the motion and the motion carried unanimously. Mrs. Luke said she has an invoice for attorney fees for the month of April is over her amount. Eric Gaither made a motion approving payment of the invoice. Mellisa Watson seconded the motion and the motion passed unanimously. Mayor Richbourg mentioned the clean up again and said it would be a requirement to present a form of identification and they would have to be a resident of the City of Nashville so he wants it near the Police Department and someone to keep a check on it. Antonio Carter asked for contact to be made with the Rail Road

Company so they can take care of discarding items on their property during the clean-up.

8. **City Attorney's Report** – City Attorney Moore had no further report.
9. **Department Head's** – Jill Wise commended the City employees for their work and thanked everyone for coming to the Council meeting expressing concerns regarding the clean-up efforts. She reminded everyone of the Harvest Festival around the square on September 29<sup>th</sup>. She also said Mr. Griffin is in the process of replacing some of the trees around the square. She also mentioned with regret the Perfect Pear has announced they will be closing. Henry Yawn commented on the procedure mentioned earlier that ten (10) days after a letter is mailed, if the problem is not resolved, a citation is issued, then they are required to go to court. Chief Edwards provided the Mayor and Council with his second quarter report.

### **PUBLIC COMMENTS**

Lavonne Shaw of East Avera asked about the requested speedbumps and Peter said they have been ordered and will be installed upon receipt. She also mentioned a problem she had recently where a large truck caused her to be without power after the truck took the lines and requested the City consider putting up signs restricting large trucks on that road. Henry Yawn said when the power company made the repairs, they raised the lines to avoid the problem in the future.

Skeeter Parker asked about door to door salesman. Chief Edwards explained there is an ordinance against it and requested, if encountered, to call dispatch center so it can be addressed.

Larry Osheim reminded everyone of the Otranto Centennial Memorial on October 6<sup>th</sup> and mentioned he is attempting contact with the State to block the State highway since the City does not have the authority to do so and if D.O.T. is not agreeable, they may look at an alternate site for the event. He also asked about the use of the Community Center during the event and Jill Wise, with the Mainstreet, said she has reserved it for the event.

Rodrick Smith expressed his appreciation for water and power being supplied at Beetree Park.

### **COUNCIL COMMENTS**

The Mayor and Council thanked everyone for attending the meeting. Mellisa Watson reminded everyone to shop local. She also mentioned her Snow Biz Shack at Watson's Pools should be open next week. Antonio Carter commended the department heads and employees for their hard work. He also mentioned and congratulated Rodrick Smith on his new position as Head Coach of Berrien High School's Junior Varsity Basketball team. He also asked Skeeter Parker about the completion of the football field at the high school. Mr. Parker said they have been told by the end of the week. Mayor Richbourg also mentioned the recent clean-up of the large drainage ditch in Meadow Brook subdivision with the help of the Sheriff's Office, Berrien County Jail, Police Department, Water/Sewer Department, Street Department and Gas Department.

### ADJOURNMENT

There being no further business to conduct, Scott Stalnaker made a motion to adjourn the meeting at 8:05 p.m. Mellisa Watson seconded the motion and the motion carried unanimously.

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Mayor Michael Richbourg

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Alderman Eric Gaither

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Alderwoman Mellisa Watson

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Alderman Antonio Carter

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

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Alderman Walter Steward

**ATTEST:**

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Jackie Jordan, City Clerk