

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
SEPTEMBER 10, 2018
6:00 P.M.**

INVOCATION: Mitchell Moore

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, Mitchell Moore

OTHERS PRESENT: Victoria Hempen, Janet Studstill, John Black

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

ADOPTION OF FORMAL AGENDA – Billy Retterbush made the motion to adopt the formal agenda with addition of item #4 – Reassignment of Mayor Pro-Tem. Eric Gaither seconded the motion and the motion carried unanimously.

NEW BUSINESS

1. **The Brown Bag/Grease Trap Installation – Victoria Hempen** – Mrs. Hempen explained a couple options given to her by Jamie West on August 30th. One option would be to put it under the sidewalk which is City property. Another option would be to install it under the overhang on her property. She also explained even if he puts it under the overhang on her property, he would still have to dig a trench across the sidewalk and asphalt of about three (3) feet and if everyone's concern is the chance of spillage, according to EPA, if there is

spillage of waste, the transporter is required to take immediate and appropriate actions so as not to cause hazard to humans or the environment and therefore, Southern LLC would be responsible. Mayor Richbourg expressed concerns of liability to the City stating if there was a lawsuit, this would not prohibit suit against the City, suit would be filed against everybody including the City. She further explained the other option would double the cost and require major renovation involving tearing out the bathroom, taking down the fence and part of the awning. Then after installing the grease trap, re-installing the bathroom, fence and awning and they do not have enough in their budget for that. She further explained if they put it under the overhang, they will have to run a 4-6 inch pipe along the building which will then have to go into the sewage tap. Mayor Richbourg mentioned a previous discussion of something similar that the owner would have to purchase an additional insurance policy listing the City as an additional insured. Attorney Moore explained that option was eliminated because they never could get approval from the City's underwriter and therefore they started looking at other options for their grease trap installation. They discussed the grease trap size needed would be a one thousand gallon. Billy Retterbush and Antonio Carter explained while they are pro-business, they have to look out for the City's interest, and they would prefer to see drafts of the options before making a decision. There was brief discussion of possibility of sale of that portion of property to them but it would have to be deemed surplus and bids be taken since it technically belongs to the tax payers. After further discussion and the time limit Victoria has regarding financing, Mellisa Watson made a motion to approve, subject to Water/Sewer Superintendent John Reynolds approval of a drawing of the plan, to allow the pipe along the wall close to the ground, from east to west, next to the wall of her building toward the back of the building then under the asphalt into the sewer in the back. Scott Stalnaker seconded the motion. Eric Gaither voted yes. Billy Retterbush and Antonio Carter voted no. The motion passed three (3) to two (2)

2. **2nd Reading - Mobile Food Vendor Ordinance – City Attorney Mitchell Moore** – Attorney Moore gave the second reading of the Mobile Food Vendor Ordinance to be adopted and go into effect once published. He also explained he is still awaiting information on fees regarding this Mobile Food Vendor Ordinance and the Cargo Container Ordinance and proposes adoption of the Ordinance since the fees will be set by Resolution. Scott Stalnaker made a motion to adopt the Mobile Food Vendor Ordinance. Eric Gaither seconded the motion and the motion carried unanimously.

3. **1st Reading – Soil Erosion, Sedimentation and Pollution Ordinance – City Attorney Mitchell Moore** – Attorney Moore explained this revision is to substitute and replace the 2013 Ordinance for Soil Erosion, Sedimentation and Pollution Control Ordinance due to the statute calling for periodical updates and revisions. This constitutes the first reading.
4. **Reassignment of Mayor Pro-Tem – Mayor Michael Richbourg** – Mayor Richbourg said he had been in communication with Alderman Steward via email. He explained the need to reassign the position of Mayor Pro-Tem since Alderman Steward is deployed and unsure when he will return and suggested Scott Stalnaker as Mayor Pro-Tem. Billy Retterbush made a motion to appoint Scott Stalnaker as Mayor Pro-Tem and appoint him over the department of Public Safety in addition to his current department of Gas and Street. Antonio Carter seconded the motion and the motion carried unanimously.

REPORTS

5. **City Manager's/Finance Director's Report** – Mrs. Luke explained Peter Schultz couldn't be at the meeting due to family sickness but he has one more position available that he is going to interview someone for tomorrow but if that does not work out, they are getting information from Quality Employment Service and Labor Finders to look at the option of temp help. Billy Retterbush mentioned another place by the name of Trace Staffing in Adel. Scott Stalnaker said he wanted to commend all those working out in this heat and doing this type of hard work every day.
6. **City Attorney's Report** – City Attorney Moore mentioned the NURA Project and the tax credit projects discussed in the last meeting stating three of the four bidders present at the pre-bid meeting are looking at this type funding {Low-Income Housing Tax Credit} further explaining the timeline would be around November or December 2019 for the funding award and at least 2020 before they could actually get started. He said since the bid proposal stipulates substantial progress within 90 days of the written notice to proceed, he proposes they notify the bidders the cost of demolition of the buildings could be added to the cost of the land in connection with the tax credit project and ask if it matters if the buildings are left standing or torn down due to the Mayor and Council's concern about the dilapidated buildings remaining there for that length of time. Mr. Moore next mentioned appointment to the Southern Georgia Regional Commission takes place under the bylaws of the Southern Georgia Regional Commission as a joint appointment which is normally by the chief elected

County official and the municipal officer of the County seat, the Mayor. He said the Council normally discusses it, but under the bylaws, that is not required and it is a joint action by the County Commission Chairperson, currently Doc Sumner, and the Mayor Michael Richbourg. He said that was done and Lisa Smart, the Executive Director of the Chamber, was appointed. However, the County wanted to consider Brenda Ferrell to serve but she does not qualify under the SGRC Council's bylaws. He said the appointment has been signed by the Chairperson, Doc Sumner, and Mayor Michael Richbourg and although it is not required by the County Commissioners or the Council, he wants to make sure they are aware of it and asked the Council to ratify the decision. Scott Stalnaker made a motion to approve Lisa Smart to the position. Mellisa Watson seconded the motion and the motion carried unanimously. Mr. Moore next mentioned the Rotary Club stating they want signs at each of the entrances to the City. There are currently two (2) so they need three (3) more. He said they want to get the 18'' X 24'' rectangular signs like the existing signs but if they are not available, they will get the standard spoke wheel which is the symbol for the Rotary Club. He said the Rotary Club will cover the costs and install the signs but want permission and they will coordinate with Jill Wise and Peter Schultz. The Mayor and Council gave permission regarding the request. Mr. Moore next mentioned the Cargo Container ordinance previously discussed and suggested setting those fees by Resolution as well. Scott Stalnaker made a motion to set the fees on the Cargo Container ordinance by Resolution. Billy Retterbush seconded the motion and the motion carried unanimously.

- 7. Department Head's** – Jill Wise reminded everyone of the Harvest Festival on September 29th, the Otranto event on October the 6th and a ribbon cutting of Sno-Biz at Watson's Pools this Thursday at 4:00. Henry Yawn reported there has been improvements on grass cutting and upkeep but would like to see more people take care of the City right of way sections that join their properties which would tremendously help the Street Department with upkeep and appearances. John Reynolds reported John Hunkele let him know there is approximately \$45,000 left on the grant on the project near Flash Foods so they are trying to extend the project. Chief Edwards reported there had been a tremendous amount of residential burglaries and vehicle break-ins recently and after numerous hours of detectives and patrol officers, they have gathered enough evidence to make an arrest of the individual they believe is responsible for the majority of the burglaries. Chief Edwards also mentioned they will be hosting the next Georgia Governor's Office of Highway Safety this Thursday evening which will be followed by road side safety checks. He also mentioned he has secured a grant for up to \$500 to help pay for costs to host the training

and network meeting. Chief Edwards also reported Bryce Johnson, the current Municipal Court Solicitor, has resigned effective September 30th and they have selected Matthew Bennett, who is well qualified, highly recommended and approved by the City Manager, for replacement effective October 1st.

PUBLIC COMMENTS

John Black asked about the drainage ditch located at Decatur and Martin Luther King which belongs to the railroad. Janet Studstill asked for the number to the railroad and said she, as a member of SHINE, will make contact with them about this situation. Janet Studstill also asked about abandoned vehicles particularly one where a mobile home burned, of which part of the debris still remains. Henry Yawn and Chief Edwards provided information regarding abandoned vehicles and the law as it pertains to that and probable cause to go on private property.

COUNCIL COMMENTS

Mellisa Watson invited everyone to the ribbon cutting for Sno-Biz at Watson Pools. Mayor Richbourg asked if the ad for the Clean Up week could be bigger. Janet Studstill said she included it in an article on the front page of the paper this week.

ADJOURNMENT

There being no further business to conduct, Scott Stalnaker made a motion to adjourn the meeting at 7:10 p.m. Mellisa Watson seconded the motion and the motion carried unanimously.

Mayor Michael Richbourg

Alderman Eric Gaither

Alderwoman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walter Steward

ATTEST:

Jackie Jordan, City Clerk