

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
OCTOBER 22, 2018
6:00 P.M.**

INVOCATION: Henry Yawn

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, Antonio Carter, {Walt Steward – via phone/face time} and Alderwoman Mellisa Watson.

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

OTHERS PRESENT: Janet Studstill, Sara Luke, Linda Gray, Patsy Hickox, Chris Sullens, Scotty Hogan, Lavonne Shaw

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETINGS – Mellisa Watson made the motion to adopt the minutes from the previous meetings. Antonio Carter seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA – Mayor Richbourg requested postponing item #2-Special Exception Request to Approve Storage Buildings/Old Coffee Road/5:30 Public Hearing to the next meeting due to more information was requested during the Public Hearing and replace item #2 with Shopping Carts. Scott Stalnaker made the motion to adopt the formal agenda with the changes. Mellisa Watson seconded the motion and the motion carried unanimously.

NEW BUSINESS

1. **General Condition of Nashville – Mayor Richbourg** - The Mayor spoke briefly about the progress in the cleanup efforts around Nashville. He also addressed concerns and complaints of panhandling and vagrancy stating if any

person or business did not want someone on their property, they should call the police and tell them so they can serve the person with a criminal trespass and if the person returns, they can be arrested. The Mayor spoke about the condition of properties stating people have to take responsibility for their property and if they don't, we need stronger enforcement of the law and may need to look at possibly increasing the fines. He also mentioned the need to contact the Police Department if drug use, drug dealing or other criminal activity is observed rather than the Council or other City employees. He stressed the need for the Police Department to be contacted so they can investigate the issue and make stronger cases stating they are the ones that need the information and soon as possible. The Mayor also mentioned the fines and penalties may not be harsh enough and wants to work with the Chief of Police and the Council on possible increases. Scott Stalnaker said they would need to include the Court Solicitor and the City Attorney also and Mayor Richbourg agreed adding it is against the law to try to contact the Judge. Mellisa Watson added she gets a lot of phone calls from people and she does not mind people contacting her but they do need to contact the Police first. Chief Edwards said the reason is because time is of the essence and the non-emergency phone number is 686-7666.

2. **Shopping Carts – Mayor Richbourg** – The Mayor asked about the penalty regarding shopping carts and Chief Edwards said there is nothing in the ordinance regarding this unless the property owner reports it stolen. The Mayor asked Attorney Moore about it and he said the property owner, although they may not want people to remove them, is the one that would have to report it stolen for anything to be done. The Mayor asked if Chief Edwards or Henry Yawn could make contact with the business owners that have shopping carts to inquire if they want the Police to make a case if the Police catch someone with a cart off the premises and Attorney Moore said that would make a valid point in an effort to curb littering of the carts. Chief Edwards inquired of a memorandum of understanding with the business owners that they would be in line with prosecution for theft of property. Attorney Moore briefly discussed arrests under those conditions and possible consequences of a person being arrested and held if the business owner then decided not to prosecute. Chief Edwards explained past problems with inconsistency of the managers on whether or not to prosecute.
3. **2nd Reading/Ordinance – Retention of Weapon and Badge Upon Retirement – Chief Edwards/Mitchell Moore** – Attorney Moore explained the introduction and first reading on October 8th of the ordinance for retention of weapon and badge upon retirement and this constitutes the second reading.

Scott Stalnaker made a motion to approve and adopt the Ordinance. Walt Steward seconded the motion and the motion carried unanimously.

4. **Full Time Code Enforcement – Mayor Michael Richbourg** – Mayor Richbourg expressed concerns of the part time position of the code enforcement explaining the City may need to look at adding a full time position and suggested allowing the City Manager and Chief of Police to add a full time position under code enforcement. He added Henry Yawn does a great job but feels the City is in need of a full time position to be added. Antonio Carter asked if the position would be a certified peace officer. The Mayor said it falls under the Police Department and most likely should be post certified due to the continuity between the Police Department and Code Enforcement. Scott Stalnaker said Mr. Henry does a great job and wears many hats and agrees with the need of adding a full time position. Scott Stalnaker made a motion in favor of the City Manager and Chief of Police to review and decide to hire a full time person and which qualifications are needed and whether it should be a peace officer. Antonio Carter seconded the motion and the motion passed unanimously. The Council agreed Mr. Henry may have a part time title but tries to be available whenever needed and does a great job.

5. **Slum and Blight Property/Adopt a Street – Mayor Michael Richbourg** – Mayor Richbourg said he spoke with the Mayor of Jackson, Georgia at the Regional Commission meeting. He explained how similar our communities are and how they have recently handled the issues with slum and blight properties. He said they have torn down eighty (80) properties in three (3) years which has caused them to incur expenses. He also explained some differences in our communities' revenues and taxes and briefly explained their process including notice given regarding slum and blight property and if not attended to, the City tears down the structure then puts a tax lien on the property so it cannot be sold until the tax lien is satisfied. The Mayor explained we already have a Slum and Blight Ordinance in place and we need to explore stronger efforts in getting the attention of those property owners. Attorney Moore briefly explained similar efforts in Griffin, Georgia and seizing those properties under the statute regarding public health and safety. The Mayor also added it may be necessary to meet with the solicitor to ask for stronger fines and penalties to help deter the problem. Mayor Richbourg also spoke of a plan they have in place in Jackson called Adopt-a-Street where various groups and clubs adopt a street and keep that street clean. He said they have somewhat of a competition where they are rewarded for their efforts such as something similar to Berrien Bucks and accolades in the newspaper. He further explained that he would like to see the

City of Nashville take an approach similar to this to instill some civic pride and prompt some competition.

6. **Golf Carts and Power Chairs – Mayor Michael Richbourg** – The Mayor mentioned the number of golf carts with small children riding unrestrained and the laws covering the use of golf carts. He further explained the law states all occupants should be appropriately restrained in accordance with all traffic regulations applicable to motor vehicles under state law and operators of the golf carts are supposed to have a valid driver's license, or a permit with someone over eighteen years of age. He also mentioned they are not supposed to be driven on state highways, unless it is a City vehicle, and they are only supposed to cross state highways at certain cross sections, which are supposed to be marked. He further mentioned they are supposed to have a triangle on the back, a flashing light and a City decal where it has been inspected and are supposed to have liability insurance. He stressed the need for stronger enforcement on these issues in the interest of public safety. He asked Peter Schultz to get with the Chief Edwards on the intersections and place crossing signs so they are properly marked. Chief Edwards also mentioned the law states they are not supposed to be driven during hours of darkness. Mayor Richbourg also mentioned motorized chairs and the current problem he has seen where they are now carrying passengers on the chairs and asked Chief Edwards about an ordinance. Chief Edwards said there is currently no City Ordinance but the State law states unless the speed limit is more than thirty-five (35) miles per hour, they are allowed to go anywhere. Mayor Richbourg asked if we could enact an ordinance preventing passengers on motorized chairs to ensure safety. Mayor Richbourg said he also saw a motorized chair pulling a non-motorized chair which had a child in the non-motorized chair. After brief discussion, Mayor Richbourg and the Council asked the City Attorney about an ordinance to prohibit passengers on chairs, prohibit towing and require a slow moving triangle or flag to make the chairs more visible.

REPORTS

7. **City Manager's/Finance Director's Report** – Mrs. Luke explained she was contacted by the Regional Commission about a pedestrian master plan and they wanted to know if the City would be interested in development of a bicycle route which would be at no cost to the City. The Mayor and Council agreed it would be a great idea and they would like them to move forward with that. Mrs. Luke mentioned the next regularly scheduled meeting would fall on the Veterans Day Holiday. The Mayor and Council decided to cancel the next

meeting stating if something comes up that needs attention before the following meeting, they could call a special meeting.

8. **City Attorney's Report** – Mr. Moore mentioned he spoke with Stacy Watkins regarding the Phase I proposals and there are only two (2) at this time.
9. **Department Head's** – Jill Wise reminded everyone about Trick or Treat around the Square on October 31 and the costume contest at Watson's Pools. Peter Schultz mentioned the work on the storm drain on Dogwood has been completed and the contractors are continuing work on the sidewalk project. Chief Edwards said the Police Department is looking to recruit new officers. Mayor Richbourg asked if there were any patrol cars on order and Chief Edwards replied none at this time. Mrs. Luke said it was this time last year when they purchased some and they approved four (4) new ones but the problem last year was that we did not receive any USDA funding because of the hurricane and she wants to wait until hurricane season is over. She asked if they wanted to go ahead and make the purchase using funds from the General Fund and she could look at possible funding through GMA or SGRC. Chief Edwards said the request was for four (4). Mayor Richbourg asked if they could go ahead and price two (2) now looking at GMA funding or checking with SGRC. Chief Edwards said they have already priced a couple of new chargers and one of the local dealers came in under state contract. Mayor Richbourg also asked Chief Edwards about the part time data entry clerk/receptionist and Chief Edwards said they would like to make it a full time position. Mayor Richbourg asked Mrs. Luke if that was approved at the time the budget was approved and she replied it was not and to keep in mind they just approved to hire a full time code enforcement officer and it all has to come out of the General Fund.

PUBLIC COMMENTS

Patsy Hickox said her building on Marion is for sale and she has someone interested in it that wants to use it for a restaurant. She said there was an issue with the grease trap asking if it could be put underground at the back door but there are a lot of power lines. Mayor Richbourg explained she would need to call 811 and someone would come locate all the lines for her and go forward from there.

Scott Hogan, Linda Gray and Sara Luke (Diane Avenue) mentioned the condition of Cypresswood Apartments. Mayor Richbourg said he has spoken to one of the previous owners and it has been sold. He said he does plan to speak to the new owners.

Chris Sullens expressed concerns of a house on Old Coffee needing the attention of code enforcement and Mayor Richbourg asked him to give the address and information to Mr. Henry.

Lavonne Shaw asked about another speed bump on Avera Avenue.

Janet Studstill asked about of recent burglaries and the Mayor explained it is still under investigation and cannot be discussed. She also expressed concerns regarding drug problems and she has spoken with Mayor Richbourg and Scott Stalnaker about it. She said people are contacting her at the Berrien Press. Mayor Richbourg asked if these people have contacted the Police Department because if they have not, that is who needs to be contacted.

COUNCIL COMMENTS

Scott Stalnaker stated, regarding a comment made by Mrs. Studstill, he did not speak to anyone about an issue with drugs before the meeting. He also commended local business, especially Advanced Auto Parts and the Smoke House Restaurant, for all help extended during the recent storm along with the City employees and other crews that helped prepare before the storm, worked during the night of the storm and for the hard work afterwards as well.

Antonio Carter commended the Police Department and all law enforcement on their extra efforts before, during and after the storm.

Mellisa Watson reminded everyone of the 14th Annual Costume Contest at Watson's Pools, Trick or Treat around the Square and Trunk or Treat at First Baptist Church on October 31st. She also mentioned she spoke with someone concerning the complaints about the school buses and she was told they have ordered six (6) new buses.

Mayor Richbourg spoke of going to the SGRC meeting on October 10th to receive the Big Check award of \$750,000 on behalf of the City.

ADJOURNMENT

There being no further business to conduct, Walt Steward made a motion to adjourn the meeting at 7:30 p.m. Scott Stalnaker 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