

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
APRIL 8, 2019
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 Walt Steward, Scott Stalnaker, Eric Gaither, Antonio Carter, Billy Retterbush and Alderwoman Mellisa Watson.

STAFF PRESENT: Jackie Jordan, Jill Wise, Chief Edwards, John Reynolds, Mitchell Moore, Henry Yawn, Dewayne Gardner

OTHERS PRESENT: Ben Murray, Donna and Daniel Kent

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

ADOPTION OF FORMAL AGENDA – Alderman Steward asked to add an additional Agenda Item, Agenda Item #4-Reading of State Law-Authority of Counties and Municipalities to Preserve Abandoned Cemeteries. Billy Retterbush made the motion to adopt the formal agenda with the addition. Scott Stalnaker seconded the motion and the motion carried unanimously.

NEW BUSINESS

1. **Introduction of New Police Officer--Dewayne Gardner – Chief Edwards –** Chief Edwards introduced Officer Dewayne Gardner who recently graduated the Police Academy and will now complete three (3) months of field training.
2. **Adoption of Intergovernmental Agreement (IGA) on City Ball Field (Memorial Park) – Mitchell Moore, City Attorney –** Mr. Moore said he

received a revised version from the County and explained the original Agreement included a sixty (60) day termination provision that was limited to sixty (60) days prior to the end of the term with the first term being four (4) years and after that, it was renewable annually, which was changed to a sixty (60) day provision at any time by either party without cause. Mr. Moore also mentioned the Agreement provision if the County needs to replace the irrigation system to maintain the grounds and wants the Mayor and Council to be aware under this revision, the County could possibly replace the irrigation and then terminate sixty (60) days later. He also explained the four year pro-rated repayment from the City if the irrigation system is replaced. Mellisa Watson made a motion to approve the revised IGA. Billy Retterbush seconded the motion and the motion carried unanimously. Attorney Moore also mentioned the terms of the Agreement would either run on the calendar year starting with January or annually from the date it is signed. The Mayor and Council instructed Attorney Moore to make that determination.

3. **Resolution for Adoption of Berrien County Hazard Mitigation Plan Update – Mayor Michael Richbourg** – Mayor Richbourg explained the updated plan for five years. Scott Stalnaker made a motion to approve and adopt the Resolution. Mellisa Watson seconded the motion and the motion carried unanimously.
4. **Reading of State Law: Authority of Counties and Municipalities to Preserve Abandoned Cemeteries – Walt Steward** – Alderman Steward read Official Code § 36-72-3 Authority of Counties and Municipalities to Preserve Abandoned Cemeteries. Counties, anywhere within the county boundaries, and municipalities, anywhere within the municipal boundaries, are authorized, jointly and severally, to preserve and protect any abandoned cemetery or any burial ground which the county or municipality determines has been abandoned or is not being maintained by the person who is legally responsible for its upkeep, whether or not the person is financially capable of doing so, to expend public money in connection therewith, to provide for reimbursement of such funds by billing any legally responsible person or levying upon any of his property as authorized by local ordinance, and to exercise the power of eminent domain to acquire any interest in land necessary for that purpose. They mentioned St. James Cemetery, located close to Chaparral, and Griner Cemetery, located on Jackson Street, which had been researched and deed records to the cemeteries could not be found. Mr. Steward stressed the importance of maintaining and preserving the cemeteries, of which the City

already maintains them and possibly using the power of eminent domain. Mr. Steward also mentioned it was found through research in the early 1900's, the Griner Cemetery was referred to as the Old Griner Cemetery at that time. Attorney Moore said he would have to research the statute in order to comply but also mentioned a concern that adding the cemeteries in to the City through eminent domain would cause perpetual liability to the City. Henry Yawn stated that although deeds do not exist to either Cemetery, the City maintains them and further stated if he was contacted about burial in the St. James Cemetery, he provided information to contact the families and the City of Nashville does not sell burial lots in either Cemetery. Mayor and Council asked Attorney Moore to research costs involved to acquire the cemeteries through eminent domain.

REPORTS

5. **City Manager's/Finance Director's Report** – None.

6. **City Attorney's Report** – Attorney Mitchell Moore mentioned the NURA project of demolition and cleanup of the Old Perkins subdivision on Beetree Avenue. The bid accepted from D&D Dozer is for ninety (90) days and he said Mr. Drawdy had contacted him about the payment plan asking for bi-monthly payments rather than monthly payments. Mr. Moore said he emailed the City Manager about that and once that is decided, the commencement date and completion date can be set so he can obtain the bond. He also mentioned work must start within fifteen days from commencement date. The Mayor and Council was in support of the information presented based on the decision made by the City Manager regarding the payment plan. Attorney Moore asked if they had received any further complaints of noise of the race track on Hazel Avenue asking if they want him to follow up any further. Mayor Richbourg stated he and the owner had communicated about a time limit to finish by 10:00 p.m. and he was to notify them at least thirty (30) days in advance for special events that may exceed the time limit. Mr. Moore was instructed no further action was required on his part concerning the issue with noise at this time.

7. **Department Head's** – Mellisa Watson asked John Reynolds if grease traps had been installed at the Brown Bag, Hayley's and the Shell Station. He reported the Brown Bag has installed a grease trap and Hayley's and the Shell Station are in the process of getting one. Henry Yawn reported the permits were issued by EPD for the demolition of the Perkins Subdivision. He said work has begun

for O'Reilly's Auto Parts in the old James Auto Parts location. Mr. Yawn also mentioned a problem with contractors moving Georgia Power lines which is illegal, not to mention a hazard, and anyone caught doing so will be prosecuted. Mr. Yawn also reported he and Fire Chief Buck Warren are checking firewalls on the buildings downtown being updated to ensure the firewalls were up to code. Jill Wise reported The Landmark has changed hands and although the new owners have spoken with many people, the only confirmed business to rent space at this time is The Melton Candle Company which will be pouring candles on site. She said they are also looking to have two or three Air BNB's. Ms. Wise said Terry Danforth has purchased The Perfect Pear building as well as the building on the other side of Our Place facing Marion Avenue for expansion of possibly nine (9) more rooms. She also mentioned the new owners of The Landmark and The Danforth Company have been working with the Historic Preservation Committee to meet their guidelines. She reported Sophia Nails has changed ownership and Wire Rack Bakery is moving into the Tin Roof Market but it would only be a delivery point as no cooking or baking will take place there. Ms. Wise reported the Chamber and Main Street hosted spouses from Moody Air Force Base on March 29th and they had nothing but positive things to say and it was so successful, they plan to do it quarterly. She also mentioned the upcoming 19th Annual Dogwood Classic Fishing Rodeo on Saturday, April 27th, with the Seniors fishing on Friday, April 26th. Chief Edwards reported a new trainee started at the Police Academy on Thursday and if all goes well, he will be introduced in twelve (12) weeks.

PUBLIC COMMENTS

Ben Murray addressed the Mayor and Council stating during his work as an intern last semester with Representative Penny Houston, he had the opportunity to attend several conferences through the Department of Economic Development and learned one of the things businesses look at when selecting a location is the City limits signs and entrances. He presented pictures to the Mayor and Council of the entrances on the Alapaha and Adel highways stating he felt they need some work. He also mentioned a grant used for the entrances which would not be available again. Mellisa Watson said she had spoken with Peter Schultz and the Street Department is somewhat behind but they are aware of it and it is on the list of things to be taken care of. Daniel and Donna Kent complained about a neighbor burning trash in the yard and complained about the number of dogs at another neighbor's residence. Mayor Richbourg asked if the address had been provided and he said it would be looked into.

COUNCIL COMMENTS

Mellisa Watson asked about the cargo container located behind the Shell Station. Henry Yawn said he did not know but it may be grandfathered in since it was there before the new Ordinance passed and there is one near the railroad track also. The Mayor and Council asked him and Attorney Moore to review and make contact with the owners. She also expressed her frustration regarding litter at her business and around town and Mayor Richbourg said the problem is catching them littering in order to enforce the law. She mentioned putting up signs displaying the fines for littering within the City. Mayor Richbourg and Scott Stalnaker agreed it may be a good idea to put up some signs. Ben Murray stated while working with Representative Houston last semester, he learned the legislative body had increased littering fines for municipalities in 2012 to \$500 which is a great tax revenue. He said when he researched it, he found Nashville had only issued one citation in three (3) years while Adel had issued seventeen (17) and Tifton had issued fifty-two (52). Mayor Richbourg mentioned including the fine amounts on the signs. Janet Studstill suggested more trash containers, more attractive trash containers, in the down town area. Ben Murray mentioned a program and he is working with the Nashville Main Street and Penny Houston's office to get more trash cans in the down town area. Mellisa said she planned to ask the County about putting up signs as well. They agreed to get more trash cans.

ADJOURNMENT

There being no further business to conduct, Scott Stalnaker made a motion to adjourn the meeting at 6:47 p.m. Antonio Carter 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