

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

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

OTHERS: Dave Purvis, Daniel Kent

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETINGS – Billy Retterbush 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 – There was no formal Agenda.

NEW BUSINESS

None.

REPORTS

1. **City Manager's/Finance Director's Report** – None due to Budget Work Session to follow City Council Meeting.
2. **City Attorney's Report** – Attorney Mitchell Moore reported he emailed the Mayor and Council a recap of the Bills affecting municipalities covered at the

GMA Conference he attended in Savannah on June 22, 2019. He mentioned Senate Bill 66 pertaining to Small Cell Wireless which goes into effect October 1, 2019 explaining their recommendation to adopt a Resolution and Ordinance prior to the effective date of October 1st but the smaller municipalities may have more time but he has begun working on this. He also reported the NURA project is nearing the ninety day (90) completion deadline and he has made contact with Mr. Hunkele regarding a revised Request for Proposals (RFP). Mr. Moore also mentioned House Bill 315 pertaining to Consultant Contracts addressing the requirement for consultants who contract with local governments requiring consultants to provide disclosures of potential conflicts and to adhere to guidelines.

3. **Department Head's** – John Reynolds reported the High School has been watering the football field and has a high water bill due to leaks but there was no one there to speak to when he went to talk with them about it. Peter Schultz reported the signs regarding the rules and regulations have been posted at the Cemeteries along with an ad in the paper. Mitchell Moore brought up the previously mentioned item of cargo storage containers and whether or not existing containers could be grand fathered. Mr. Moore discussed temporary storage containers versus those that are being used as permanent structures, possibility of compensation of property if there is a taking of the property and issues regarding public health and safety. He said he needed guidance from the Mayor and Council if they want him more involved or if the issue is to be pursued through code enforcement. Mayor Richbourg said it needs to be handled through code enforcement since there is a statute and they have had enough notice. Chief Edwards mentioned the Fourth of July fireworks were rescheduled for this evening due to the weather on the Fourth.

PUBLIC COMMENTS

Dave Purvis (Virginia Street) questioned the Mayor and Council regarding an article in the Berrien Press regarding abandoned shopping carts asking why the owners of the carts should have to pay to get the carts back when someone has removed them from the store which is theft by taking. Walt Steward, Mayor Richbourg, Mellisa Watson, Billy Retterbush explained the City's attempts to alleviate a problem that has been an ongoing issue for over a year of which the stores have had no interest in helping with. Chief Edwards explained with the Petit Theft Ordinance, an officer can stop/arrest someone if caught pushing a cart away from the premises of Harvey's or Dollar General Market, as they are the only two (2) businesses who wish to participate in the

agreement, and they have to be caught in the act to be arrested or have a witness willing to testify before a Judge. He further explained between himself, the Mayor, Council and Street Superintendent, the City has tried many solutions due to the ongoing complaints of the abandoned carts and the complaints against code enforcement regarding the eye sore and they have not been able to catch people in the act in order to cite them. He further explained the best solution at this time is to load them in the City trucks to get them out of the way but the stores will not pick them up so they have to store them in the City's work shop; and, the idea of charging the stores is not to penalize the store as much as it is to help the City recoup some of the costs involved because the stores are not making an attempt to keep people from removing them which has created a problem for the City. Walt Steward explained it is as much of a safety hazard issue as it is an eye sore and ends up costing the City. Eric Gaither asked if they need to pass an Ordinance to do this. Attorney Moore said there is already a Petit Theft Ordinance and fines in place. Mayor Richbourg explained they need to take responsibility for their property. Billy Retterbush suggested calling a corporate or regional office instead of the local stores and said he will attempt to contact someone with Harvey's.

Daniel Kent (North Jackson Street) asked about another speed bump on Futch Avenue. Peter Schultz explained there is already one and not enough room for another one due to the intersection and distance requirements. Mayor Richbourg asked him to take another look at the request.

COUNCIL COMMENTS

Mellisa Watson asked what would be done to items removed from the Cemeteries. Peter Schultz explained they would be stored in the Public Works building for thirty (30) days. Miss Watson showed the Mayor and Council pictures given to her by Paul Newbern, owner of the property where the race track is located, showing it to be a family environment. Mayor Richbourg mentioned the complaints of the trash from the race track along the right of ways of the City and the rail road track of which he contacted the Mayor of Homerville, the person leasing the property, about these complaints and Mr. Kennedy assured him it would be cleaned up but it has not been taken care of. He further explained the City is glad they are there but the next order of business will be a citation because they have posted littering signs and contacted them numerous times. He also mentioned numerous complaints from the rail road about the litter. Miss Watson said she will reach out to the property owner, Mr. Newbern. Mayor Richbourg asked Chief Edwards to get with Mr. Yawn about the issue. Chief Edwards asked if they had obtained a business license because they had not done so as of the end of June.

ADJOURNMENT

There being no further business to conduct, Mellisa Watson made a motion to adjourn the meeting at 6:34 p.m. Walt Steward seconded the motion and the motion carried unanimously.

Mayor Michael Richbourg

Alderman Eric Gaither

Alderman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walter Steward

ATTEST:

Jackie Jordan, City Clerk