

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
JULY 14, 2014
6:00 P.M.**

INVOCATION: Mayor Travis Harper

PLEDGE: Pledge of Allegiance was led by Mayor Travis Harper

WELCOME: Mayor Travis Harper

ROLL CALL: Members of the City Council present included, Aldermen Antonio Carter, Scott Stalnaker, Eric Gaither, Billy Retterbush, Walter Steward, Alderwoman Mellisa Watson, and Mayor Travis Harper.

STAFF PRESENT: Mandy Luke, Tina Ward, Randy Lane, John Reynolds, Chief Chuck Edwards, Paul Stagner, and Mitchell Moore.

OTHERS PRESENT: Allen Davis, Brian Shaw, Margret Price, Crissy Staley, Kyle Pearson, Pearlene Daniels, Dick Perryman, April Copland, Casey Kubeck, Willie Davis, and Mr. Miller.

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETING- Alderman Carter made the motion to adopt the minutes from the previous meeting. Alderman Stalnaker seconded the motion and the motion carried unanimously.

ADOPTIONS OF FORMAL AGENDA- Mayor Harper asked the Council to strike items seven and eight from the formal agenda and add as item number one Crissy Staley from the Chamber of Commerce and the new County Economic Development Director. Also add as item number nine a beer application from Gaskins Sausage Company. Mitchell Moore asked the Council to add an Executive Session to the formal agenda as well. Alderman Stalnaker made the motion to adopt the formal agenda with the changes and the additions. Alderman Retterbush seconded the motion and the motion carried unanimously.

NEW BUSINESS

- 1. Crissy Staley with the Berrien County Chamber and the New Economic Development Director-** Crissy informed the group about the retirement of Mary Alice McGee. She will be taking Mary Alice's position as the Economic Development Director as of July 1st. She will also still hold the position as the Chamber of Commerce Director. The County decided to merge the two positions together each will have a separate board of directors but we will share staff. We have also added a new staff member Janet

Studstill who will be our event coordinator. Crissy invited the Council to participate in the Development Authority Training that will take place at the Community Center on August 7th. This will be an all-day event and each of the City's Mayor's and Council and the County's Commissioners and Board members are encouraged to attend this training. We will be covering the "Incentive Trends" and developing an "Incentive Scale" for new industry that makes sense for our community. In order to adopt this scale we need the input from our elected body so it is imperative everyone attends training. Mayor Harper and Alderman Stalnaker congratulated Crissy on her new position.

2. **Resolution adopting the June 9th Executive Session-** Alderman Gaither made the motion to adopt the Resolution for the June 9th Executive Session. Alderman Steward seconded the motion and the motion carried unanimously.
3. **Ratify the decision to apply for a Grant for through USDA for the Farmers Market-** Randy Lane told the group that Dawn Morrison polled the Council about applying for a USDA grant for the Farmers Market the grant is for \$100,000.00 and there is absolutely no match. The grant will go toward directional signage, signage, banners for light post, computer system. Commercials, events, brochures, and giveaways with the market logo. Council needs to ratify there decision in open session. Alderman Retterbush made the motion to all Dawn Morrison to apply for the grant. Alderman Stalnaker seconded the motion and the motion carried unanimously.
4. **Ratify the City Attorney Bill-** Mandy Luke told the group she polled the Council about the City Attorney bill that was \$700.00 over her approval limit. Council needs to ratify their decision in open session. Alderman Gaither made the motion to approve the payment of the City Attorney bill. Alderman Steward seconded the motion and the motion carried unanimously.
5. **District Attorney Dick Perryman and Margret Price-** Dick Perryman introduced Margret Price who he came to support in her efforts to get something done about the "Blue Flame Lounge". Mrs. Price's son was murdered outside the lounge recently and she and her husband are concerned about the dangerous and sometimes violent activity that goes on and has done so for years, both inside and outside the lounge. Margret Price handed the Council a list of 911 calls for response to violence at the "Blue Flame Night club/ Blue Swan Night club". This information is dated from October 2007 through March 15th, 2014 which is the night her son was murdered. The calls consists of calls for as response to violence from all the night club places around Nashville and how many calls involved weapons. Out of all the calls 19 of them were for the Blue Flame or the Blue Swan Night Club. She said they are bringing this information to the Council's attention so maybe some tighter restrains can be placed on these facilities so no one else has to go through what she went through. Mrs. Price said she worked with Case Management for years and the part of town in which the Blue Flame is located, is a portion of town no one wants to get caught up in due to the crowds that gather around the facility. She added any type of help would be greatly appreciated either shutting the place

down or tighten the restraints such as security in and around the area. Mayor Harper stated this is an issue the Council needs to discuss in a Work Session so that a decision can be made for all parties involved. So if it pleases the Council, and all parties involved we can schedule a work session to discuss this issue. Dick Perryman agreed and told the Council that recently he filed a suit against an establishment in Clinch County and he will provide a copy of the Statue of what was filed. He stated this option is something he wants the Council and the City Attorney to look at possibly applying to this issue. Alderman Stalnaker stated there are several options we can look at so that it is beneficial to everyone involved. He added that he appreciated the family and the District Attorney bringing this issue to the Councils attention. Mr. Willie Davis who is the present lease of the facility told the group he has leased the facility since 2009. He stated nothing has happened inside the club most of the incidence happen outside the club. Each time something has happened the Police department was called. He also stated that he has a couple of metal detectors which he uses when the club is open for business and no one is allowed in the club with a weapon. Mr. Davis also told the group he is eighty four years old and never been in trouble and has no record. Mayor Harper thanked Mr. Davis for his comments and told him the Council will notify him of the date and time for the Work Session on the issue.

6. **Annexation of Island into the City-** Mayor Harper told the group that we discussed this issue at the last Work Session and at this time we only have one small island on the East part of town that has four parcels on it. One of which is owned by Joseph Stone, another owned by Crissy Long and two owned by Jimmy Akridge. One of the parcels benefited from our Economic Development incentive where they were given a discount on their water and sewer tap and this land owner said they were fine with being annexed in. The Council was informed during the last Work Session that the State allows the City to annex any island property into the City as long as it is completely surrounded by City property without approval of the land owner. Mayor Harper recommended the Council annex in the four parcels into the City limits. Alderman Stalnaker stated he was against annexing any property into the City without properly notification to the land owner and holding a public hearing on the matter so the land owners can speak on their behalf. Mayor Harper asked Mitchell should the Council motion to hold a public hearing on this matter. Mitchell stated that if the Council is going to do the annexation then a public hearing is not needed. Alderman Gaither suggested the City send the property owners a notification letter on the matter. Alderwoman Watson made the motion to proceed with the annexation. Alderman Gaither seconded the motion and the motion passed four to two with Alderman Stalnaker and Alderman Gaither against the annexation.
7. **Grease Trap for “Taste of the Farm”-** Casey Kubeck the new owner of “Taste of the Farm” told the group he has recently moved his business to the building that use to be Berrien Athletics. The original plan we had when we moved was not to cut any meats on site, but once we opened for business we has several customers request their steaks and other meats cut on site. If we don’t do this service for our customers we will lose business. Once the meat is cut the scraps go into a “bone barrel” and those containers are sold to another company for ten cent a pound. He said he spoke to Paul Stagner and was told that

he needed a grease trap for the facility he also left me with a copy of the grease trap ordinance. Mr. Kubeck said he gave the copy of the ordinance to his attorney Calvin Perry and Mr. Perry spoke with the City's attorney about the matter. Mr. Perry said as long as we stay below the minimum then we should not be required to put in a grease trap. Mr. Kubeck also stated that he investigated this issue with several meat market managers and was told that his meat market should not be required to install a grease trap. He also said that he has cut meat for the past eight years and has never had to install a grease trap because the market does not produce the fats, oils, grease or grit that can cause a blockage or obstruction to the sewer system. Alderwoman Watson asked Mr. Kubeck if he would be cooking anything at his meat market. He replied no we are strictly a meat market and will not be cooking anything. He also stated that he spoke to John Reynolds and John told him the facility will need a thousand gallon grease trap. In the ordinance under interceptor requirements the facility does not meet any of the requirements because we do not have any seats for dining and we are not serving or preparing any kind of meals. Mayor Harper said according to what Mr. Kubeck is stating they will not need a grease trap. Alderman Retterbush stated that other butcher shops in town were required to put in a grease trap and this one should not be any different. Alderman Steward asked Mr. Kubeck if he has a disposal unit on his grinding system. Mr. Kubeck said we do not grind anything we cut the meat with a knife. Paul Stagner told the group that in the beginning this establishment was going to be strictly prepackaged meats which would not require a grease trap. Once the facility started cutting and processing the meat we told Mr. Kubeck a grease trap would be required. Paul pointed out what the ordinance states for food establishments and stated that when the machines or tools used for cutting the meats are washed down then that grease will be washed down the drains. Mr. Kubeck stated that any excess including the smallest of pieces from the meats that are cut go into the bone barrel. Alderman Steward stated the words in the ordinance that stick out are "likely to obstruct" and from what Mr. Kubeck is telling us this will not happen. Alderman Retterbush stated that other businesses were made to install a grease trap and if this business is not made to do the same then it will be unfair to the businesses that were made to do so. Mitchell Moore asked the group if any business in the City that only processes meat has ever been exempted from installing a grease trap. The group stated no the City has never had a business that only processes meat. Mitchell said then according to what Mr. Kubeck is telling the Council he was told to install a 1000 gallon tank to dispose of the fat and grease that will come from the blade that is used to cut the meat. Alderman Carter made the motion to exempt the meat market from installing a grease trap. Alderman Steward seconded the motion and the motion carried five to one with Alderman Retterbush voting against the motion.

8. **Beer Application from Gaskins Sausage Company-** Mayor Harper said Gaskins Sausage Company has applied for a beer license. All fees were paid and a criminal history was pulled with no records found. Alderwoman Watson made the motion to approve the beer license for Gaskins Sausage Company. Alderman Gaither seconded the motion and the motion carried unanimously. Crissy Staley invited the group to the store's ribbon cutting Thursday at 3:30 pm.

REPORTS

9. City Manager's/Finance Director's Report- Mandy Luke told the group the Budget Hearing is scheduled for Thursday July 17th at 5:30pm. The only thing we are still unsure about is the three proposals she presented to Council at the Budget Workshop. She stated she will email Council with the different options in order to find out from the Council which one to go with and the Budget will be adopted on July 28th during the Council meeting.

10. City Attorney's Report- Mitchell handed the group a Resolution recognizing, revising, modifying, amending, approving and ratifying the boundaries of the commercial urban redevelopment area, ratifying and reaffirming the adoption of the commercial urban redevelopment plan and the commercial enterprise zone area within the corporate limits of the City of Nashville and beyond the corporate limits of the City of Nashville to the extent permitted by law. Mitchell told the group this resolution is to bind together close any gaps and ratify and revise the previous description. Mitchell pointed out the attachments on the Resolution are to be marked as exhibit "A". Alderman Stalnaker made the motion to adopt the Resolution. Alderwoman Watson seconded the motion and the motion carried unanimously. Mitchell also updated the group on the warehouse that is being donated to the City. He said they are in the process of taking title to the property. He also is working on a lease agreement with one year renewal for the lease. Mitchell updated the group on the property owned by the Bank of Ozark. He received a Quitclaim Deed. He will proceed to file the quitclaim deed so that we can get the title to the property.

11. Department Head's- none

PUBLIC COMMENTS FROM PUBLIC/COUNCIL

Alderman Steward express the City's deepest condolences to Margret Price for the loss of her son and told her as the City moves forward with this business our decisions will be based on facts.

EXECUTIVE SESSION

Alderman Stalnaker made the motion to go into Executive Session at 6:50 p.m. Alderwoman Watson seconded the motion and the motion carried unanimously. Alderman Stalnaker made the motion to come out of Executive Session at 7:26 p.m. Alderman Carter seconded the motion and the motion carried unanimously.

REGULAR SESSION RECONVENED

Alderman Carter made the motion to allow Mitchell to move forward with the TRO involving SPLOST. Alderman Steward seconded the motion and the motion carried unanimously. Mayor Harper stated he will let the other City’s know what their percentage will be.

ADJOURNMENT

There being no further business to conduct, Alderman Carter made a motion to adjourn the meeting at 7:28p.m. Alderwoman Watson seconded the motion and the motion carried unanimously.

Mayor Travis Harper

Alderman Eric Gaither

Alderwoman Mellisa Watson

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walter Steward

ATTEST

Tina Ward, City Clerk