

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
SEPTEMBER 13, 2010**

**INVOCATION:** Stanley Luke

**PLEDGE:** Pledge of Allegiance was led by Mayor Travis Harper

**WELCOME:** Mayor Travis Harper

**ROLL CALL:** Members of the City Council present included Mayor Travis Harper, Aldermen Bill Turner, Michael Richbourg, Darrin Davis, Scott Stalnaker, and Billy Retterbush.

**STAFF PRESENT:** Chief Clayton, Tina Haughton, Mandy Luke, John Reynolds, Tommy Davis, Dawn Morrison, and City Attorney Mitchell Moore.

**OTHERS PRESENT:** Allen Davis, Randall Milton, Frank Watts, Cheryl Bonham, Cindy Watson, Patricia Hutton, Tommy Luke, Leroy Little, Jo Beth Little, Talmadge Sutton, Elaine Shiver, Clarence Luke, Billy Mathis, Lawrence Hall, Keith Thompson, Joe Alford, Johnny Hall, Billy Hill, Betty Hill, Brenda Deloach, Lee Money, Klim Nessmith, Gary Nelms, Michael Boggs, James Bennett, Brad Bennett, Cindy West, Stanley Luke, Jon McClouney, Stan Nix, Keith Stone, Brenda Thomas, Ann Nix, Larry Daugherty, Jack Moore, and Fern Turner.

**ADOPTION OF MINUTES FROM PREVIOUS MEETINGS:** Alderman Richbourg made a motion to adopt the Minutes from the previous meeting. The motion was seconded by Alderman Stalnaker and the motion carried unanimously.

**ADOPTION OF FORMAL AGENDA-** Mayor Harper requested an executive session be added to the formal agenda. Alderman Richbourg made a motion to approve the formal agenda with the change. Alderman Stalnaker seconded the motion, and the motion carried unanimously.

## NEW BUSINESS

**1. VFW request to extend the hours of operation-** Mr. Grover Klim Nessmith asked the Council to extend the hours of operation for the VFW and the other licensed facilities from 1:00 a.m. to 2:00 a.m. at which time no alcoholic beverages will be served Mr. Nessmith told the group the increased hour of drinking time will help the facilities revenue and pay their taxes. He also said this will increase our time to get the open alcoholic beverages off the tables and everyone out of the building. Alderman Richbourg said he understood the Ordinance to read as each business can stay open until 2:00 a.m. with no open containers of alcoholic beverages after 1:00 a.m. Monday through Friday; and each facility can stay open until 1:00 a.m. with no open alcoholic beverages after 12:00p.m. on Saturday. Cindy Watson and Mr. Nessmith said they understood the Ordinance to read there are to be no open containers on the premises after 12:00 p.m. Mitchell Moore said he could not be sure but when this revision was made to the Ordinance a few years ago the only thing changed was the hours of operation not the hours of consumption. Alderman Perryman made a motion to postpone this item until Mitchell can investigate the revisions made to the Ordinance passed a few years ago. Alderman Turner seconded the motion and the motion carried unanimously.

**2. Catering Clause-** Clarence Luke asked the Council about the Catering Clause which according to the local paper will be up for a vote soon. He said according to the paper the Catering Clause will allow alcoholic beverages to be sold off premises during downtown festivals and other entertainment activities. Mr. Luke told the group if this is true and alcohol is sold at any of the downtown functions the Council needs to rethink their vote. Several other attendees spoke against the Catering Clause and strongly urged the Council to rethink their decision. Alderman Perryman said the decision to add a Catering Clause to the “By the Drink” Ordinance was only discussed at the Council’s last meeting no decision was made and no vote was passed. He also stated the Catering Clause discussed was to allow licensed “by the drink” holders a license to pour when they cater a private event on private property. No one can serve or pour alcohol on any City property. Dawn Morrison told the group the local paper’s summary of the last Council meeting was misleading. She told them that she requested the Council to look into adding this clause in order to allow the “licensed to pour” holder the ability to cater private functions. She also stated none of the functions downtown held by Better hometown will ever serve alcohol. Mitchell Moore informed the group the Consumption on the Premises Ordinance is strictly for that premises.

None of the by the drink licensees are allowed to serve alcohol off their business location. The catering clause would allow these licensed businesses the ability to cater and pour off the premises at a private function if they so choose to do so, but just like the Ordinance they will have to primarily serve food or at least 70% of the income must come from food. After some more discussion Mayor Harper decided to move forward to the next item of business on the agenda.

## **REPORTS**

**3. City Manager's /Finance Director's Report-** Mandy Luke handed the each of the Council a copy of the current 2010 tax digest and five year history of levy report. She asked them to move the regularly scheduled meeting for October 11<sup>th</sup> be changed to October 12<sup>th</sup> due to the Holiday at which time the current 2010 City of Nashville millage rate will be set. Alderman Richbourg made a motion to change the regular scheduled meeting of October 11<sup>th</sup> to October 13<sup>th</sup> at 6:00 p.m. Alderman Retterbush seconded the motion and the motion carried unanimously.

**4. City Attorney's Report-** Mitchell Moore told the group he will get back in touch with each one on the final response to the refinancing with GEFA. Mitchell asked the Council if anyone has had any good or bad responses to the trash pickup. He said in a previous meeting some discussion was made about complaints with the manner of which the truck made the collections, and the time trash was collected. Alderman Stalnaker stated the trash company fixed the other trash truck and made the adjustments necessary, so no further complaints have been made.

**5. Department Heads' Report-** Dawn Morrison told the group we need to put some pressure on the engineers from Sate Wide to finish the parking lot project. The deadline was June 29, 2010 and they are still not finished. Mitchell Moore said he contacted them today and left a message but still has not heard anything back. Mitchell also commended Dawn and Crissy on a job well done with the Harvest Festival. The Council also complemented Dawn and Crissy on a job well done. Dawn added Better Hometown was given an award for best problem solving of a downtown building (the business incubator) by the Georgia Downtown Association.

## **PUBLIC COMMENTS/GENERAL COMMENTS FROM COUNCIL**

Mayor Harper informed the group the Council will hold a work session about the Catering Clause. Once the date and time is set the City will advertise it in the local paper as well as City Hall. He invited everyone to attend the work session once the

date is set. Brenda Thomas had a question for the Chief about a light not working over a license plate on an automobile. Chief told Ms. Thomas he will research the matter if she brings in the ticket. Alderman Turner thanked everyone for attending the meeting. Mayor Harper made an announcement to the Council and all who were interested. The State Ethics Commission will hold a workshop on October 4<sup>th</sup> and 5<sup>th</sup> at the Community Center. All who are serving or planning to serve in any public office are encouraged to attend.

### **EXECUTIVE SESSION**

Alderman Richbourg made the motion to go into executive session at 7:12 p.m. Alderman Perryman seconded the motion and the motion carried unanimously. Alderman Richbourg made the motion to come out of executive session at 7:20 p.m. Alderman Stalnaker seconded the motion and the motion carried unanimously.

### **REGULAR SESSION RECONVENED**

Alderman Stalnaker made the motion to allow the increase in pay pending Mandy can find the money can be found in the budget. Alderman Richbourg seconded the motion and the motion carried unanimously.

### **ADJOURNMENT**

There being no further business to conduct, Alderman Turner made a motion to adjourn the meeting at 7:22 p.m. Alderman Stalnaker seconded the motion and the motion carried unanimously.

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Mayor Travis Harper

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Alderman Bill Turner

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Alderman Dick Perryman

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Alderman Darrin Davis

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

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Alderman Michael Richbourg

**ATTEST**

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Tina Haughton, City Clerk