

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
March 12, 2018  
6:00 P.M.**

**INVOCATION:** Mitchell Moore

**PLEDGE:** Pledge of Allegiance was led by Mayor Pro-Tem Walt Steward

**WELCOME:** Mayor Pro-Tem Walt Steward

**ROLL CALL:** Members of the City Council present included Mayor Pro-Tem Walt Steward, Aldermen Eric Gaither, Billy Retterbush, Antonio Carter and Alderwoman Mellisa Watson.

**STAFF PRESENT:** Mandy Luke, Jackie Jordan, Jill Wise, John Reynolds, Peter Schultz, Mitchell Moore, Henry Yawn, Timmy Jernigan

**OTHERS PRESENT:** Victoria Hempen, Danny Studstill, Haynes Studstill, John Black, Taylor Scarbrough

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

**ADOPTION OF FORMAL AGENDA –** Mellisa Watson made the motion to adopt the formal agenda. Eric Gaither seconded the motion and the motion carried unanimously. Danny Studstill requested delay of his Agenda Item, Municipal Opiate Litigation by his Law Firm, from Item #1 to Item #3 to allow arrival of his law partner in order to give the presentation. Mellisa Watson made the motion to adopt the formal agenda with the change. Eric Gaither seconded the motion and the motion carried unanimously.

**NEW BUSINESS**

1. **2018 CDBG Resolution and Conflict of Interest – Mandy Luke** – Mrs. Luke, the Council and City Attorney Moore discussed application for the 2018 CDBG (Community Development Block Grant) funding for proposed Streets, Drainage, Water and Sewer Improvements Project in the area including portions of MLK Jr Drive, Short Street, Mitchell Street, Talley Street, John Street, N. Mathis Street, Lucy Street, Bryan Street, Nan Street, E. Beetree Avenue, Allen Avenue. Antonio Carter stated his wife owns a house on Beetree so he will abstain from participation in discussion or voting. Mayor Pro-Tem Walt Steward stated he had looked at property in the target area and had considered making an offer in the past but had not done so and has no specific property in mind at this time but wanted to know what he should do if he decided to purchase property in the target area. City Attorney Moore told him as the presiding officer he did not vote in the action approving the Resolution but advised him he would have to disclose his acquisition immediately upon purchase and further explained conflicts of interest regarding the CDBG Project. Billy Retterbush made a motion to approve the Resolution to submit an application to obtain FY 2018 CDBG Funding for Public Infrastructure Improvements. Eric Gaither seconded the motion and the motion passed unanimously with Antonio Carter abstaining.
2. **Grease Trap for The Brown Bag – Victoria Hempen** – Mrs. Hempen explained purchase of The Brown Bag from Karen Crews currently located in the Tin Roof Market on Day Avenue and is considering purchase of 106 North Davis Street and moving The Brown Bag back there to its original location. She said she currently uses the 70 gallon under sink grease trap which is the same one originally approved. She further explained the menu and food preparation is the same as with the previous owner and it was approved twice for the previous owner and asks approval from the Council for continued use with the relocation. They asked John Reynolds for his recommendation and he recommended an in ground grease trap be installed. After brief discussion, Antonio Carter made a motion to require the installation of a grease trap in the ground at the new location. Billy Retterbush seconded the motion. Eric Gaither voted yes. Mellisa Watson voted no. The motion passed three (3) to one (1).
3. **Municipal Opiate Litigation – Studstill Law Firm/Danny Studstill** – Haynes Studstill provided the Council with statistics and information pertaining to litigation focusing on opioid addiction and overdoses resulting from misrepresentation from the drug manufacturers and distributors. The multi-district litigation is to award funds to offset costs related to family and social services, criminal justice, addiction and rehabilitation, healthcare and many

other areas and burdens incurred by the City as a result. She explained the only costs that would be incurred by the City would be if there is a recovery to the City at which point they would be owed a percentage. She said they have presented the same proposition to the County which was accepted. Mellisa Watson made a motion to retain The Studstill Law Firm to represent the City. Billy Retterbush seconded the motion and the motion carried unanimously.

## **REPORTS**

4. **City Manager's/Finance Director's Report** – Mrs. Luke said she was contacted by Sea Island Bank regarding a refinance of K & E Solar, LLC from Ameris Bank explaining a lease agreement between K & E Solar, LLC and The City of Nashville and that Ameris Bank had an assignment of Lease Agreement where Sea Island Bank is asking for a Landlord Waiver from the City. Mitchell Moore further explained the assignment of Lease Agreement and the Landlord Waiver. The Council approved him to contact Sea Island Bank for more information and to further review the information.
5. **City Attorney's Report** – City Attorney Moore reported research as requested from the previous Council Meeting regarding park hours and fines on curfew violations. He said the statute was revised in 2014 changing City Parks' hours from daylight to dark and fines are minimal. He said he spoke with Court Solicitor Bryce Johnson who is in favor of talking to the Judge to increase the penalties. Mr. Moore also reported he had been in touch with Tifton's City Attorney, Rob Wilmot, regarding the Gas Department CD's (Certificates of Deposit). He said their Mayor and Council are to meet on the 19th and their City Manager is to contact Mandy. Mr. Moore reported the request for annexation of the new business industrial park is scheduled to go before the planning commission on March 15<sup>th</sup> and if approved, a Public Hearing would be scheduled before the next Council meeting on March 26<sup>th</sup> which would then be discussed at the Council meeting of March 26<sup>th</sup>.
6. **Department Head's** – John Reynolds reported the Water/Sewer Department is busy cleaning sewer drains so they can run cameras to aid in points toward application of the 2018 CDBG. Jill Wise presented a contract proposal for landscaping service agreement for two (2) years with Griffin Arbor and Landscape owned by Stacey Griffin for the Community Center, Connie's Park, Ball Park Bed, planters downtown and at City hall, maintenance of planters, Westside Cemetery Entrances, Alapaha Gateway Entry, two (2) beds at North

Gateway near billboard and Memorial Cemetery Entry. She explained having met with Peter Schultz and Mandy Luke and at \$2,100 per month, she agreed it would save the City money overall. After brief discussion of the terms of the contract and services provided, Eric Gaither made a motion to approve the contract if amended to add a termination clause and to include pine straw twice per year rather than once per year. Mellisa Watson seconded the motion. Billy Retterbush voted yes. Antonio Carter voted no. The motion passed three (3) to one (1). Henry Yawn reported the developer looking to build on the vacant lot across from Rite Aid (corner of Davis Street and Dennis Avenue) is working with Nashville Historic District Commission regarding Historic District guidelines and requirements. He also said a grant was approved regarding improvements for the Miller Building on the square, also known as the old District Attorney's office. Peter Schultz reported the Dogwood TEA Project for sidewalk improvements on Dogwood Avenue is scheduled to begin at the end of the month. Mitchell Moore mentioned Peter has submitted a proposal of changes to the Cemetery ordinance which he is reviewing.

### **PUBLIC COMMENTS**

John Black asked about the specs on street edges when resurfaced as it pertains to drainage. Peter Schultz explained the edges are brushed on those streets without curb according to DOT specifications and the resurfacing projects have to be inspected and approved by DOT and their engineers.

Taylor Scarbrough expressed grievances to the Council of nuisances as a result of his next door neighbor's dogs concerning the smell and noise inquiring of the ordinances pertaining to animal control. He reported the numerous complaints and the issue had previously come before City Court which resulted in a fine and is scheduled to appear before City Court again. Mellisa Watson said she would like the Council to schedule a work session to discuss possible changes in animal control ordinances. Mayor Pro-Tem Walt Steward recommended to continue contacting the police department and wait to see what results from the April 18<sup>th</sup> court date.

### **COUNCIL COMMENTS**

Mellisa Watson said she has had several inquiries about a city wide clean up. The City Manager explained they stopped doing that a few years ago because of the abuse of it and extra expense incurred by the City as a result of the abuse of County residents dumping items. There was a brief discussion of the problem and possible solutions

with no specific resolution. She also reminded everyone of the Cotton Blossom Rodeo on March 23<sup>rd</sup> and 24<sup>th</sup> and the Angels Among Us Walk/Color Run on March 24<sup>th</sup>.

## ADJOURNMENT

There being no further business to conduct, Antonio Carter made a motion to adjourn the meeting at 7:40 p.m. Eric Gaither seconded the motion and the motion carried unanimously.

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Mayor Michael Richbourg

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Alderman Eric Gaither

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Alderman Mellisa Watson

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Alderman Antonio Carter

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

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Alderman Walter Steward

**ATTEST:**

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Jackie Jordan, City Clerk