

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
JANUARY 25, 2021
6:00 P.M.**

*~Limited Access to City Hall, RingCentral (RC) Teleconference and Facebook Live Stream on
The Berrien Press~*

INVOCATION: Mike Bennett

PLEDGE: Mayor Taylor Scarbrough

WELCOME AND CALL TO ORDER: Mayor Taylor Scarbrough

ROLL CALL: Members of the City Council present included Mayor Taylor Scarbrough, Aldermen John Clayton, Scott Stalnaker (RC), Billy Retterbush (RC), Antonio Carter, Walt Steward, Eric Gaither.

STAFF PRESENT: Peter Schultz, Jackie Jordan, Nancy Pesce, Police Chief Edwards, John Reynolds (RC), Henry Yawn (RC), Fire Chief Clay Davis, Mitchell Moore

ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETING(s):

Regular City Council-January 11, 2021: John Clayton made a motion to adopt the minutes. Eric Gaither seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA:

Eric Gaither made a motion to adopt the formal agenda. John Clayton seconded the motion and the motion carried unanimously.

NEW BUSINESS:

1- Installation of New Historical Plaque/Georgia Historical Society – Bryan Shaw:

Bryan Shaw notified the Council of the approval from Georgia Historical Society for a large metal historical marker recognizing the relevance of the “Spirit of the American Doughboy” statue located on the square. He said the Berrien Historical Foundation plans to have an unveiling ceremony the first of May. They are requesting the City relocate the Old Coffee Road marker, currently located near the Doughboy statue, about 110 feet east and install the Doughboy marker in that spot near the Doughboy statue. They also request the City provide bleachers for the ceremony. Billy Retterbush made a motion to allow the installation as requested. John Clayton seconded the motion and the motion carried unanimously.

2- Open Container/Chili Cook-off – Mitchell Moore, City Attorney: In the January 11, 2021 meeting, there was a question as to whether wine slushies could be served at the Chili Cook-off scheduled for February 27, 2021. Mr. Moore, having been requested by the Mayor and Council to research it, discussed items in City Code Section 3 regarding premises where alcohol is served which does not extend beyond the premises, consumption in public places, open container and licensing requirements. He explained

he did not find an occasion where alcoholic beverages had been served at a City function, on City property or public premises. He explained he found where discussion had taken place in 2010 regarding catering businesses and proper licensing requirements in order to serve alcohol but nothing had ever been adopted and there is currently no local Ordinance to allow it. Mrs. Pesce inquired of alcohol served at events by non-profit organizations. Mr. Moore discussed comprehensive revisions to State law under House Bill 879, partially due to COVID, but we do not have local Ordinances in place to support serving alcohol on public premises at this time. Chief Edwards explained this in regards to alcohol sold by restaurants in sealed containers for consumption off premises or sealed containers being delivered but neither pertains to alcohol in open containers for consumption off premises. Mr. Steward asked about catering services at private events and Mr. Moore explained the difference in this being served at a private residence versus a public place or City owned property. Mayor Scarbrough inquired if there would be time to draft and pass a new Ordinance before the Chili cook-off and inquired of interest in this by Council. Upon a poll by the Council, there was no interest to address this issue any further

- 3- Adoption of Revised Nashville Historic Preservation Commission (NHPC) Ordinance – Mitchell Moore, City Attorney:** Mr. Moore explained the revisions as discussed in previous meetings which have been separated into two (2) Ordinances: Section 5-153 (c) which deals with the number of Commission members and appointment, terms and compensation thereof; and, Section 5-155 (n) which deals with appeals regarding certificates of appropriateness. Eric Gaither made a motion to approve and adopt the revised Ordinances to amend, revise and modify the number, appointment, eligibility and terms of members of the NHPC {#O-01-21} and amend, revise and modify appeals relative to issuance or denial of certificates of appropriateness {#O-02-21} accepting this as the final reading. Walt Steward seconded the motion and the motion carried unanimously.
- 4- Nashville Historic Preservation Commission (NHPC) Nominees – Mayor Scarbrough:** After a brief discussion of the Commission, which is currently without a quorum, and possible candidates to serve on the Commission, Antonio Carter made a motion to run an advertisement in the Berrien Press for Commission nominees along with the publication of the new/revised {NHPC} Ordinances {#O-01-21 and #O-02-21} and put the advertisement on the City's website and Facebook page. Scott Stalnaker seconded the motion. Roll Call: Antonio Carter, Scott Stalnaker, John Clayton, Billy Retterbush and Walt Steward voted yes. Eric Gaither voted no. The motion carried five (5) to one (1).
- 5- Spending Policy – Mayor Scarbrough:** Mayor Scarbrough withdrew this item from the Agenda.
- 6- Food Trucks – Mitchell Moore, City Attorney:** Mr. Moore discussed new fire safety regulations adopted by the State and although our Ordinance does provide applicants comply with all State safety regulations, he is in the process of revising the Ordinance to include compliance of same. The Mayor questioned Fire Chief Clay Davis of safety

requirement reviews and Chief Davis explained his findings that if there is a range hood or exhaust system, such as with a fryer or grill, they are required to have an automatic sprinkler system which is checked by State health inspectors and they are required to have them tested annually.

7- Liquor Stores in Nashville/Limiting vs Distance between outlets that can sell liquor – Mitchell Moore, City Attorney: This item was postponed for further research.

8- Hiring Interim Finance Director – Mayor Scarbrough: This item was postponed.

9- Hiring Interim City Manager – Mayor Scarbrough: Mayor Scarbrough said there is a possible candidate and indicated intent to call for a Special meeting with Executive Session to discuss a personnel matter on February 2, 2021 if no objections from the Council.

10- Beer, Wine and Liquor License Approval for 2021 – Mayor Scarbrough: Eric Gaither made a motion to approve the provisional license application for Cork and Barrel. Antonio Carter seconded the motion and the motion carried unanimously.

11- Format of Next Regular Council Meeting {February 8, 2021} – Mayor Scarbrough: John Clayton made a motion to continue with the same format of strongly encouraging face masks and social distancing, RingCentral teleconference, if available, and Facebook live stream via The Berrien Press, if they wish to do so. Walt Steward seconded the motion and the motion carried unanimously).

City Manager/Finance Director Report:

Peter Schultz reported he sent requests for qualifications to auditors and he expects to start receiving responses this week. He also reported he spoke to Mrs. Elaine Kent about the City's financial work and she is to get back with him this week.

City Attorney Report:

Mr. Moore reported on the preparation of a Resolution for the GDOT plan as discussed and approved regarding the railroad crossings. Mr. Moore also mentioned the annual Deep South Royalty Agreement in the amount of \$13,662.01. Mr. Retterbush added we were approved for a \$5,000 reimbursement grant for grinding of yard debris trash. Mr. Moore also reported he received confirmation from the State they received the package addressing the violations noted in the inspection of the Wiregrass facility.

Department Head's Report:

Nancy Pesce reported she currently has twelve (12) teams lined up for the Chili Cook-off on February 27th. She is helping a couple of businesses with grant applications and helping to obtain quotes on refurbishing the old Dinner Bell. Mrs. Pesce also stressed the importance of the Historic Preservation Commission and getting the right people to serve on the Commission and she is willing to help in any way. Walt Steward made a motion to close a portion of Jefferson Street for the Chili Cook-off on February 27, 2021. John Clayton seconded the motion and the motion carried unanimously. Mayor Scarbrough asked Chief Edwards about the DEFACS sign

located at the intersection of Jefferson and McPherson and Chief Edwards said were supposed to have moved it but he will check on it and report back.

Public Comments:

None.

Council Comments:

John Clayton said he would like to look into extra compensation for Peter Schultz and the City Clerk for the extra work due to the resignation of the City Manager/Finance Director. Scott Stalnaker asked John Reynolds for an update on the computer system for the Waste Water Treatment Plant. Mr. Reynolds stated a representative is scheduled for a visit on Thursday. Walt Steward commented on the hands of the clock on the old court house clock fell off and he is repairing it.

ADJOURNMENT:

Antonio Carter made a motion to adjourn the meeting at 7:25 p.m. Scott Stalnaker seconded the motion and the motion carried unanimously. .
January 25, 2021.

Mayor Taylor Scarbrough

Alderman John Clayton

Alderman Antonio Carter

Alderman Walt Steward

Alderman Scott Stalnaker

Alderman Billy Retterbush

Alderman Eric Gaither

ATTEST:

Jackie Jordan, City Clerk