

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
MAY 10, 2021
6:00 P.M.**

INVOCATION: Mitchell Moore

PLEDGE: Mayor Pro-Tem John Clayton

WELCOME AND CALL TO ORDER: Mayor Pro-Tem John Clayton

ROLL CALL: Members of the City Council present included Mayor Pro-Tem John Clayton, Scott Stalnaker, Billy Retterbush, Antonio Carter, Walt Steward, Eric Gaither.

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

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

Regular City Council-April 26, 2021 and Work Session-May 3, 2021: Eric Gaither made a motion to adopt the minutes of the Regular meeting. Antonio Carter seconded the motion and the motion carried unanimously. Eric Gaither made a motion to adopt the minutes of the Work Session. Billy Retterbush seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA:

Scott Stalnaker made a motion to adopt the formal agenda deleting original Agenda item #1- Express Disposal replacing it with discussion by City Attorney Mitchell Moore regarding a Resolution for GDOT. Billy Retterbush seconded the motion and the motion carried unanimously.

NEW BUSINESS:

- 1- Resolution for Georgia Department of Transportation (GDOT) – Mitchell Moore, City Attorney:** Mr. Moore explained discussion with Mrs. Doriann Clayton of Arcadis, consultant group to GDOT, regarding the railroad safety enhancements proposal presented by GDOT which involved two (2) closures and substantial safety improvements costing approximately \$900,000, available under Federal funding, to three (3) crossings. The two (2) closures would be Clark Drive and East Washington Avenue with upgrading and safety improvements to East Dennis Avenue, McPherson Avenue and East Marion Avenue. Mr. Moore referred to Resolution #R-03-21 adopted March 3, 2021 which included an agreement between CaterParrott Railnet (CPR) and the City for the installation of an emergency access lane from the Clark Drive crossing to Dennis Avenue by CPR. Discussions indicated GDOT would not move forward with the project with the inclusion of that agreement due to liability concerns since GDOT has no supervision or control regarding the installation or use of the emergency lane. Therefore, Mr. Moore presented a new Resolution (#R-10-21) approved by Arcadis removing the language regarding the agreement between CPR and the City referring to the emergency access lane as part of the project. Billy Retterbush made a motion to approve and adopt the

Resolution {#R-10-21} to clarify GDOT has no oversight on the emergency access lane. Walt Steward seconded the motion and the motion carried unanimously. Mr. Moore explained the agreement for the emergency access lane is between CPR and the City and CPR confirmed they stand by the agreement of which will be worked out between CPR and Peter Schultz once the railroad enhancements and improvements are completed.

- 2- **Waste Management f/k/a Advanced Disposal – Steve Edwards:** Mr. Edwards discussed problems the City has been experiencing with Waste Management’s services. Mr. Edwards also explained post-COVID-pandemic problems Waste Management has been experiencing with limited help and lack of help which are the same problems other companies have been experiencing. Mr. Edwards extended apologies on behalf of Waste Management and assured the Council they are doing everything within their power to get caught up and get back to normal operations.
- 3- **Roberts Street Request by Darrell Hall – Eric Gaither:** Mr. Gaither introduced Darrell Hall to speak to the Council regarding his request for the City to allow him to install a gate on Roberts Street to close the far end of Roberts Street for safety reasons to keep traffic out stating he owns the property on each side of that section of Roberts Street. Mr. Moore explained two (2) procedures for road closures referring to Code section 36-30-11 which is consensual but not permanent and Code section 32-7-2C which requires certification in the minutes, notice to the public and a plat to be recorded. He further explained these options must be for the benefit of the public at large, not just private or individual gain, and ensure no one is land locked. After brief discussion regarding the property ownership of the surrounding area and closure options, a decision was made for further code research by Mr. Henry Yawn and then add the item to the Agenda for the next meeting.
- 4- **Resolution/First Commerce Loan Renewal on NPD/Municipal Court Building – Mitchell Moore, City Attorney:** Mr. Moore reported on the subject discussed at the previous Council meeting regarding a six-year renewal versus a three-year renewal and compliance with Code section 36-60-13 Code section 36-30-3A. Mr. Moore presented the Resolution which he circulated to the Council proposing the Council reaffirm or ratify the terms of the loan after three-years although the renewal will be a six-year amortized loan and will not require the execution of another loan renewal. An interest payment of \$991.93 is required to renew the balance of \$109,184.52 on a six-year term at 4.9% interest with payments of \$1,753.91 with the final payment due May of 2027. requires an interest payment of \$991.93. Billy Retterbush made a motion to approve and adopt the Resolution {#R-11-21} for the six-year renewal authorizing execution of the loan documents by any two (2) of the Mayor Pro-Tem John Clayton, City Manager Peter Schultz and City Clerk Jackie Jordan in their ex-officio capacity. Scott Stalnaker seconded the motion and the motion carried unanimously.
- 5- **Alcohol License Application/Pap’s III on Marion Avenue – Mayor Pro-Tem John Clayton:** Having nothing to prevent the approval, Eric Gaither made a motion to approve the alcohol license application for Pap’s III. Scott Stalnaker seconded the motion and the motion carried unanimously. .

- 6- **High Rev Speedway-Race Track on Hazel Avenue – Mayor Pro-Tem John Clayton:** Mr. Clayton asked Mr. Moore about his findings regarding this subject since it was brought up at the previous Council meeting. The subject had been discussed numerous times in 2019 on January 14, February 25, March 11, April 08, April 22, May 13, July 08, and a zoning hearing on October 28. Mr. Moore explained there was discussion of the possibility of a noise Ordinance including factors such as moisture, distance and how and where to measure the noise which was not pursued since an agreement had been reached with the track operator at that time concerning the hours of operation. According to Police Chief Edwards' findings, there had not been a decision that there would be no Sunday races and there was already a noise Ordinance in place. The Council heard comments and concerns from property owner Scott Newbern, nearby resident Margaret Perry and current track operator Mary Brumbley. After a brief discussion, a decision was made to have a work session on May 25, 2021 at 5:30 on the noise level and hours of operation of the race track.
- 7- **Interim City Manager Policy and City Manager Job Description – Mayor Pro-Tem John Clayton:** Walt Steward made a motion to adopt the City Manager job description and policy as written in the minutes for the Work Session of May 3, 2021 *{following end of Agenda item #7}* and advertise same in the Berrien Press and on GMA's site along with the City's website and Face Book page. Antonio Carter seconded the motion and the motion carried unanimously.

{Job Summary: This is an executive management position that is responsible for directing and supervising the operations of the City of Nashville. As Chief Administrative Officer, City Manager manages and supervises all departments of the City to achieve specified goals using available resources. Responsibilities include preparing the annual budget, providing leadership and direction in the development of short- and long-range plans, advising the Mayor and City Council of financial conditions and current and future needs of the City, and monitoring and ensuring compliance with state/federal regulations.

Major Duties:

Manages activities of City departments by assigning priorities and objectives to department heads and professional staff; reviews/approves management reports regarding department and administrative activities; Ensures that all City operations are performed within available resources; Provides leadership and direction in the development of short- and long-range plans; gathers, interprets and prepares data for studies, reports and recommendations for decision-making purposes; Provides professional advice to the Mayor and City Council and direction to department heads; Communicates official plans, policies and procedures to staff and the general public; Prepares and administers annual City budget; monitors revenues and expenditures by assigned area to ensure that City operations are performed within budget and to ensure sound fiscal control; Advises the Mayor and City Council of financial conditions and of current and future City needs; Prepares a variety of studies, reports, and related information for decision-making purposes; Assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time; Determines work procedures, evaluates workflow and process, and expedites workflow; studies and standardizes procedures to improve efficiency and effectiveness of operations; Hires, promotes, and terminates all department heads, officers, and employees of the City; Ensures that all operations are performed according to City policies, procedures, and ordinances as well as according to Federal, State, and local laws; Tracks legislative issues and ensures that the City stays abreast of and in compliance with new laws; Attends all City Council meetings; Attends local, regional, and state meetings regarding policies and issues that impact the City; Serves as liaison to City Boards, Commissions and Authorities and communicates directives and addresses issues of City Council; Performs other related duties as assigned.

Knowledge Required for the Position:

Knowledge of modern policies and practices of municipal government; personnel management practices; progressive disciplinary policies and state and federal guidelines; utility, water, sewer, street and gas operations; City codes, ordinances, resolutions, policies, and guidelines regarding City organization and operations; functions and activities of City departments; principles and practices of municipal government budget preparation and administration; state and federal laws, regulations, and guidelines governing City operations.

Skill in preparing and administering municipal budgets; planning, organizing, staffing, and directing the efficient and effective delivery of City services, programs and functions through subordinate staff; providing responsive advice and staff support to the Mayor and Council.

Ability to prepare and analyze comprehensive reports; establish priorities and direct the allocation of City resources; communicate clearly and concisely, effectively, verbally and in writing; establish and maintain effective working relationships with employees, City officials and the public; efficiently and effectively administer a municipal government.

Supervisory Controls: *Work is performed based on policy directives of the Mayor and City Council.*

Guidelines: *Guidelines include City and departmental policies and procedures; City charter, codes and ordinances and other Federal, State and Local laws.*

Complexity: *The work consists of a variety of highly administrative, technical and supervisory duties.*

Scope and Effect: *The purpose of this position is to effectively and efficiently manage the operations of the City.*

Personal Contacts: *Contacts are typically with co-workers, vendors, developers, state, federal, county and local governments, and the general public.*

Purpose of Contacts: *Contacts are typically to give and exchange information, resolve conflicts and solve problems.*

Physical Demands: *The work is typically performed with the employee sitting at a desk.*

Work Environment: *The work is typically performed in an office.*

Supervisory and Management Responsibility:

This position is responsible for managing and supervising all departments in the City.

Minimum Qualifications:

B.S. in Public Administration or Business Administration or closely related field required (MPA preferred); supplemented by ten (10) years previous experience and/or training that includes progressive duties, responsibilities, and essential functions in local government management, public administration or related field; or an equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities for this job.}

City Manager/Finance Director Report:

Peter Schultz reported on the 2018 CDBG project that Scruggs plans to be onsite the latter part of the week to start asphalt. The pipe bursting crew has installed approximately 300 feet of 8-inch main, reinstated all services within the run of pipe and sealed affected manholes and are getting ready to start the stretch from MLK to Mitchell and hope to be completed by end of next week.

City Attorney Report:

None.

Department Head's Report:

Chief Edwards reported as of May 12, 2021, the Police Department will be down three (3) officers from full-staff. He said one officer is leaving to go into a different field and another officer contemplating the same which seems to be a trend according to other Chiefs and Sheriffs as their agencies are facing the same problem. He explained once they start someone in the Police Academy together with field training is approximately six (6) months.

Nancy Pesce, Main Street Director, reported great success at first Thursday on May 6, 2021 with Chick Fil A and they have indicated they want to return May 19, 2021 then each Thursday afterwards through the end of June. She also reported the Farmers Market is featured in the Trail 37 article in the May/June 2021 issue of Southwest Georgia Living magazine.

Public Comments:

None.

Council Comments:

Eric Gaither said he was glad the trash pickup was caught up.
Scott Stalnaker mentioned the ribbon cutting ceremony he attended Saturday for Pettyjohn Monuments and encouraged everyone to check out the new location.

ADJOURNMENT:

Billy Retterbush made a motion to adjourn the meeting at 7:40 p.m. Walt Steward seconded the motion and the motion carried unanimously.

May 10, 2021.

Mayor Pro-Tem John Clayton

Alderman Billy Retterbush

Alderman Scott Stalnaker

Alderman Walt Steward

Alderman Antonio Carter

Alderman Eric Gaither

ATTEST:

Jackie Jordan, City Clerk