

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
MAY 24, 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, Loren Williams, Henry Yawn, Mitchell Moore

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

Regular City Council-May 10, 2021: Billy Retterbush made a motion to adopt the minutes. Eric Gaither seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA:

Scott Stalnaker made a motion to adopt the formal agenda. Walt Steward seconded the motion and the motion carried unanimously.

OLD BUSINESS:

- 1- Darrell Hall--Roberts Street Closure Request – John Clayton, Mayor Pro-tem:** Mr. Henry Yawn provided the Council with copies of plats *{recorded in November 1977 and May 2005}* of the property in question as requested of him in the May 10th Council meeting. Mr. Hall said he owns both sides of Roberts Street and explained his request to be allowed to put up a gate to close off the back portion of Roberts Street to the public. Mr. Gaither said he thought it was a private road and questioned if the City owns the road. Mr. Moore explained discussions of street to be paved, which included Roberts Street, using LARP and SPLOST funds in the minutes of June, July and August 1992 would indicate the City owned Roberts Street at that time. Mr. Moore explained in any event, case law dictates any road closure must be for the benefit of the public at large, not private citizens. Scott Stalnaker and Billy Retterbush pointed out there are City utilities down the street of which the City needs access to and would be against closing the street. After brief discussion, Eric Gaither made a motion to allow Mr. Hall to install a gate to close off the street. The motion died for lack of a second.

NEW BUSINESS:

- 2- Quality Cargo Purchase Proposal – Daniel Studstill -Studstill Firm, LLP:** Mr. Studstill presented a purchase proposal on behalf of his clients who own and operate the business known as Quality Cargo, LLC located on Highway 129 south of town of which the property has been leased from the Development Authority under the City of Nashville

since 2014. Mr. Studstill explained in the seven (7) years they have leased the property, they have paid rent totaling \$57,600 and have put \$129,961 into the property by way of \$3,426 in fencing, \$14,935 in asphalt and \$111,600 in cement. He stated the 2020 Berrien County Tax Office valuation of the property was \$174,000 and an appraisal was done by John Hogan in November 2020 indicating a value of \$194,000. He explained they were offering a purchase price of \$150,000 based upon these values and in consideration of the investments they have made in the property. Mr. Studstill explained Quality Cargo currently employees 104 employees for an average weekly payroll of \$80,000 which is an annual payroll of \$4,160,000 making them the number four (4) private employer in the County and number six (6) among all County employers and they produce an average of forty (40) cargo trailers daily which are purchased in New Jersey and points in between. Mr. Studstill mentioned there had not been ad valorem taxes due to the property belonging to a governmental entity and the offer would net the full amount of \$150,000 to the City with a closing within thirty (30) days. Mr. Gaither asked where the funds from the sale would go. Mr. Stalnaker said the property was donated to the Development Authority. Mr. Moore explained that at the time the property was donated, the Nashville Urban Redevelopment Agency (NURA) did not exist but has since been created and the property is currently titled in the Nashville Downtown Development. Mr. Moore explained the title could be transferred between authority to assist in the transaction and the proceeds would go to the appropriate authority/agency. Mr. Gaither asked how much revenue the property would generate in taxes to the City and Mr. Studstill said he would get with the tax assessor's office to obtain that information. Scott Stalnaker commended them on their success and the pride they appear to have in their business. Mr. Moore mentioned cities typically offer incentives to entice businesses to open business in the City but Quality Cargo created this business without any incentives and Mr. Steward added they had created a very successful business. Billy Retterbush made a motion to accept the purchase offer of \$150,000. Scott Stalnaker seconded the motion and the motion carried unanimously.

3- Unsafe Building Ordinance - 309 West Avera Avenue – Loren Williams, Code Enforcement: {see Agenda item 4}

4- Unsafe Building Ordinance - Southwest Corner of Martin Luther King Jr Drive and Ann Street – Loren Williams, Code Enforcement: Miss Williams provided information to the Council regarding properties located at 309 West Avera Avenue which contains two (2) dilapidated structures and the southwest corner of Martin Luther King, Jr Drive and Ann Street which contains a dilapidated mobile home. She requested a special hearing, under Code Sections 5-86, 5-87 and 5-88 in approximately thirty (30) to sixty (60) days to allow for proper advertisement of four (4) times in the paper prior to hearing and to notify all interested parties or lienholders. Eric Gaither made a motion to approve a public hearing as requested. Billy Retterbush seconded the motion and the motion carried unanimously. Miss Williams also explained the property owners have been properly notified and given forty-five (45) days to respond but there has been no response and no improvements made.

City Manager/Finance Director Report:

Peter Schultz presented a drawdown request from Coastal Engineering in the amount of \$27,526.07 on the 2018 CDBG. He explained Scruggs is scheduled to set up Tuesday and start Wednesday and asphalt should be complete by Friday. He also reported all pipe installation has been completed and passed all testing. After a brief discussion of the project and schedule, Walt Steward made a motion to approve the drawdown request in the amount of \$27,526.07. Scott Stalnaker seconded the motion. Roll Call: Scott Stalnaker, Billy Retterbush, Walt Steward, Antonio Carter voted yes; Eric Gaither voted no. The motion passed four (4) to one (1).

City Attorney Report:

Mr. Moore reported the Resolution, #R-10-21, approved at the last Council meeting has been forwarded to GDOT and they are moving forward with the railroad project.

In regards to Agenda items #3 and #4, Mr. Moore said he wanted to clarify they will need to verify there are no third-party lienholders and is concerned of possible title issues.

Department Head's Report:

Chief Edwards extended his appreciation to Alderman Steward for his guidance and assistance with coordinating and establishing a Memorandum of Agreement with Moody AFB, 23rd Security Forces, Military Working dog Explosive Detection team which is now with the Wing Commander for final approval.

Chief Edwards said he reported at the last Council meeting they were again understaffed and currently short three (3) officers with the possibility of a fourth leaving for employment outside of law enforcement. He had explained due to those vacancies, they would be unable to advance into the "Community Policing" program they had planned to begin in June and since that announcement, he had received numerous phone calls about the Police Department (PD) not patrolling residential areas anymore. He said one elderly lady was very stressed and almost to the point of tears because she was under the impression the PD was no longer going to patrol the area around her residence and she was very afraid. He said he then learned that all of this was due to a citizen posting "keep your valuables locked up as there will be no community patrols so the thieves will have free range" on a social media. He then stated, so that there is no misunderstanding, he never said they would not patrol our residential areas. They will continue to patrol residential areas both day and night and if anyone has any questions to call him personally.

Public Comments:

The Council heard comments from Darrell Hall on his Roberts Street closure request and Councilman Carter asked Peter Schultz about installing speed bumps. Janice Harris commented on the CDBG project around Beetree Street which was discussed earlier. Walt Steward explained the City hopes this will be completed by Friday and Antonio Carter said the speed bumps should be put back once it is complete.

Council Comments:

Billy Retterbush said he has had complaints about tractor trailer trucks behind Tygart Park and wants to look into this and the Ordinance on this. Chief Edwards mentioned Loren Williams and he have been working on this issue a couple of weeks. A work session was scheduled for 5:30 before the next regularly scheduled meeting, June 14th, regarding tractor trailer trucks in residential areas.

Antonio Carter mentioned an incident in Adel where an officer was shot over the weekend asking the Chief to ask his officers to be careful.

Scott Stalnaker read the following statistics from Code Enforcement: 98 identified dilapidated properties with 4 removed or repaired, 4 pending hearings, 39 in progress of repairs being made and/or allowing time for reply for plan of action and remaining have not yet had formal action taken but owners to be notified; 11 open court cases with 4 no shows and 7 extensions and/or pending; 28 active cases from 2020 and 55 active cases from 2021; and, 177 total cases for 2020 and 132 total cases for 2021 as of May 24, 2021.

ADJOURNMENT:

Scott Stalnaker made a motion to adjourn the meeting at 7:00 p.m. Eric Gaither seconded the motion and the motion carried unanimously.

May 24, 2021.

Mayor Pro-Tem John Clayton

Alderman Scott Stalnaker

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Walt Steward

Alderman Eric Gaither

ATTEST:

Jackie Jordan, City Clerk