

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
JUNE 14, 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, John Reynolds, Police Chief Edwards, Fire Chief Clay Davis, Loren Williams, Mitchell Moore

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

Regular City Council-May 24, 2021 and Work Session-May 25, 2021: Eric Gaither made a motion to adopt the minutes. Antonio Carter 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.

NEW BUSINESS:

- 1- Presentment of Resolution by Representative Penny Houston:** Representative Penny Houston presented former Fire Chief Buck Warren with a flag that was flown over the State Capital in his honor along with a certificate of proof. Mrs. Houston commended him for his forty-three (43) years of service to the City of Nashville as Volunteer Fireman and Fire Chief stating he began with the Fire Department in 1977. Mr. Warren was very appreciative and stated his service to the City was very rewarding.
- 2- Scheduling of Public Hearing for Unsafe Building Ordinance: (a) 309 West Avera Avenue; and (b) Southwest Corner of Martin Luther King Jr Drive and Ann Street – Loren Williams, Code Enforcement:** Miss Williams explained she presented the two (2) properties at the May 24th Council meeting at which time the Council approved the request for a Public Hearing for which a date needs to be set to allow for proper notice to all owners, lienholders and any other interested parties under Code Sections 5-86, 5-87 and 5-88. Scott Stalnaker made a motion to set the date of the Public Hearing for August 9, 2021 at 5:30 p.m. prior to the regularly scheduled Council meeting. Walt Steward seconded the motion and the motion carried unanimously.
- 3- Race Track on Hazel Avenue/High Rev Speedway – Mayor Pro-Tem John Clayton:** This issue was discussed in the Council Meeting on May 10, 2021 at which time a Work

Session was scheduled and took place on May 25, 2021 which included participation by Scott Newbern, owner of the go-cart race track located on Hazel Avenue, Mary Brumbley, lessee of the go-cart race track and operator of High Rev Speedway, and Margaret Perry, nearby resident. Mayor Pro-Tem Clayton explained the need to come to an agreement on the issue and invited them to address the Council once more and they each presented comments which reiterated the information previously presented at the two (2) meetings. After a brief discussion regarding various hours of operation at the go-cart race track and possible necessity of a new Ordinance to address the hours of operation and noise from the race track, Billy Retterbush made a motion to stop racing at 11:00 p.m. on Saturday night with no Sunday racing unless the race on Saturday night was rained out. Eric Gaither seconded the motion. There was further discussion of the noise Ordinance already in place and enumeration of citations under that Ordinance. Billy Retterbush amended his previous motion to hours of operation at the race track on Friday and Saturday from 8:00 a.m. to 11:00 p.m. with no Sunday racing unless rained out and only three (3) Sunday races per calendar year. Eric Gaither seconded the motion. Roll Call: Billy Retterbush, Eric Gaither and Scott Stalnaker voted yes; Antonio Carter and Walt Steward voted no. The motion carries three (3) to two (2).

4- Executive Session/Personnel Matters – Mayor Pro-Tem John Clayton

City Manager/Finance Director Report:

Peter Schultz presented the preliminary report of the final draw on the 2018 CDBG provided by John Hunkele (Coastal Engineering) for which he needs Council's direction regarding liquidated damages of which the maximum amount is two hundred eighty-six (286) days at \$300.00 per day, less the previous change order that was approximately sixty (60) days, leaving two hundred twenty-six (226) days for a total of \$67,800.00. There is a pile of debris to be removed but paving is complete and new speed bumps have been ordered to replace the previous ones. Antonio Carter made a motion to proceed with the change order with liquidated damages of \$67,800.00 and release payment for final draw after clean-up is complete and contractor's certification is received. Billy Retterbush seconded the motion and the motion carried unanimously. Mr. Schultz also provided the change order #2 on the 2018 CDBG after final inspection of required specifications requiring Mayor Pro-tem Clayton's signature.

Mr. Schultz presented a revised Deep South Royalty Agreement. The original agreement approved at the April 26th meeting for \$16,227.40 was corrected to ensure minimum payment amount to the County for \$2,500 which changed the City's amount from \$16,227.40 to \$15,991.40. Antonio Carter made a motion to approve execution of the Agreement by Mayor Pro-tem John Clayton. Billy Retterbush seconded the motion and the motion carried unanimously.

Mr. Schultz presented an invoice from Elaine Kent/Local Government Consulting Services for \$11,771 for completion of the finances in preparation for the auditors to get the FY2020 audit completed. Billy Retterbush made a motion to approve payment of the invoice. Walt Steward seconded the motion and the motion carried unanimously.

Mr. Schultz presented an invoice for the City Attorney for January 2021 in the amount of \$11,040. Billy Retterbush made a motion to approve payment of the invoice. Antonio Carter seconded the motion. Roll Call: Billy Retterbush, Antonio Carter, Scott Stalnaker and Walt Steward voted yes; Eric Gaither voted no. The motion carries four (4) to one (1).

Mr. Schultz reported Elaine Kent from Local Government Consulting Services will attend the next Council meeting on June 28, 2021 to present her findings and recommendations.

Mr. Schultz reported the auditors from Mauldin and Jenkins came in on Monday and left around noon on Thursday due to Ms. Kent's and Ms. Norton's preparations although they need to finish it up in the office where the previous auditors were usually here four (4) to six (6) weeks.

Mr. Schultz reported Valenti, Rackley and Associates is working on FY2021 reconciliations and journal entries but they had to wait on Elaine's FY2020 final recons to begin FY2021 recons and Nick Valenti is working on the FY2022 budget.

Mr. Schultz presented a letter from Michael Jacobs requiring Mayor Pro-tem John Clayton's signature requesting extension of 2018 CDBG to September 30, 2021 to allow everything to be closed out. Antonio made a motion to approve Mayor Pro-tem Clayton's execution of the letter. Scott Stalnaker seconded the motion and the motion carried unanimously.

City Attorney Report:

None.

Department Head's Report:

Fire Chief Davis commended Buck Warren on his hard work, service and dedication to the Fire Department and the City of Nashville. He also mentioned Mr. Warren started with the Fire Department in 1977, became Assistant Fire Chief in 1985 and became Fire Chief in 2003. He was Fire Chief for seventeen (17) years for a combined total of thirty-five (35) years as Assistant Fire Chief and Fire Chief serving the Fire Department and Nashville for a total of forty-three (43) years.

Chief Davis reminded everyone of the Independence Day celebration taking place on July 3rd with a free water park from 1:00-6:00 p.m. and fireworks at dark.

Public Comments:

Elizabeth Herebia questioned her utility bill (North Davis Street) after filling a pool and gave her information to Mr. Schultz so he could review it and contact her during business hours.

Theodore Herrera reported the Nashville Historic Preservation Commission (NHPC) have been working on COA approvals. He also commended Walt Steward for his work and dedication while overseas.

At 6:55 p.m., Antonio Carter made a motion to enter into Executive Session. Eric Gaither seconded the motion and the motion carried unanimously.

EXECUTIVE SESSION 6:55 P.M. – 7:15 P.M.

At 7:15 p.m., Antonio Carter made a motion to come out of Executive Session. Scott Stalnaker seconded the motion and the motion carried unanimously.

REGULAR MEETING RESUMED

Scott Stalnaker made a motion to approve a raise in the amount of \$1,200 per month for the Interim City Manager (ICM) to be retroactive to the date he started for all of the extra duties as ICM in addition to his regular job description to remain in place until the position is filled.

Antonio Carter seconded the motion. Roll Call: Billy Retterbush, Antonio Carter, Scott Stalnaker and Walt Steward voted yes; Eric Gaither voted no. The motion carries four (4) to one (1).

Council Comments:

None.

ADJOURNMENT:

Antonio Carter made a motion to adjourn the meeting at 7:18 p.m. Billy Retterbush seconded the motion and the motion carried unanimously.

June 14, 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