

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
AUGUST 9, 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, John Reynolds, Police Chief Edwards, Fire Chief Davis, Loren Williams, Mitchell Moore

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

Regular City Council-July 26, 2021; Budget Public Hearing-August 2, 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- Race Track on Hazel Avenue/High Rev Speedway – Eric Gaither:** This item was tabled from the July 26th Council meeting where Mr. Gaither questioned whether the action taken at the June 14 Council meeting was for an ordinance as opposed to a resolution. At the June 14 meeting, a motion was made by Billy Retterbush and seconded by Eric Gaither which carried three (3) to two (2) when Scott Stalnaker voted in favor of the motion along with Billy Retterbush and Eric Gaither. Mr. Stalnaker explained he did not perceive the action taken as a request for an ordinance. The City Attorney had explained the issue could be handled under the enumeration of nuisance ordinance already in place and the action was merely an agreement on the race track hours and days of operation under a motion and resolution. Mr. Moore explained the purpose of the resolution was to formalize the verbal motion and have the agreement in writing for reference. Mr. Moore also explained an ordinance requires a first reading, second reading and publication, which did not take place, unless it is an emergency ordinance. Mr. Gaither said he and Mr. Retterbush thought it was an ordinance. Mr. Retterbush said he thought they were discussing it as an ordinance but if Mr. Stalnaker is not in favor of an ordinance, he will agree for it to stand as a resolution. Mr. Steward explained it was a simple negotiation of an agreement between two parties and it should be left as it is. Mr. Moore explained the resolution described the agreed upon hours and days of operation and if the agreement under that resolution is not abided by, it can be enforced under the

current nuisance ordinance. After brief discussion, the Council requested the City Clerk and City Attorney to listen to the recording from June 14 again to verify whether the motion was for an ordinance or resolution.

NEW BUSINESS:

- 2- 5:30 Public Hearing of Unsafe Building Ordinance: (a) 309 West Avera Avenue and (b) 102 Ann Street {South West corner of Martin Luther King, Jr Drive and Ann Street} – Loren Williams, Code Enforcement:** Based upon the information presented at the public hearing, Scott Stalnaker made a motion to deem both properties unsafe buildings under code section 5-86 and as a hazard and to allow code enforcement officer Loren Williams discretion to work with both parties involved giving them thirty to sixty days to clean it up and also allow Miss Williams to use her discretion to allow more time if needed as long as there is continued progress. Billy Retterbush seconded the motion and the motion carried unanimously. Antonio Carter expressed concerns that Mr. Holly should be allowed time for the legal transfer of ownership into his name first and Miss Williams said she will make contact with the property owner, Marilyn Jackson, about expediting that process and allow Mr. Holly the additional time to start once that is done.

- 3- FY 2022 Budget Adoption – Peter Schultz, Interim City Manager:** Mr. Schultz explained the budget workshop took place July 22nd and the public hearing was held August 2nd. Additionally, the proposed budget for FY2022 has been available at City Hall and on the City’s website since July 26th. The proposed budget for FY2022 provides the following appropriations: General Fund \$3,765,389; water fund \$1,531,229; gas fund \$1,318,325; SPLOST \$280,000; hotel/motel tax \$18,000; and, T-SPLOST \$110,000. Scott Stalnaker made a motion to adopt the budget as presented. Walt Steward seconded the motion. Roll Call: Scott Stalnaker, Walt Steward, Antonio Carter, Billy Retterbush voted yes and Eric Gaither voted no. The motion carries four (4) to one (1).

City Manager Report:

Mr. Schultz mentioned the Council has had previous discussions of having the inconsistencies between the Charter and the ordinances cleaned up. He explained it is time for the City to update the ordinances which are codified through Municode and the current supplement contains sixty-eight (68) pages at a cost of \$18.00 per page. Municode also offers a legal review service to detect inconsistencies between the Charter and the ordinances for an estimated fee of \$5,850. Attorney Moore explained he had reached out to Municode regarding this service as there has not been a complete review to his knowledge at any time. He explained the base fee of \$5,850 provides for a legal review to detect and identify any inconsistencies which would be provided by a legal memorandum along with their recommendations then there would be an additional \$150 per hour for any conferences needed to work out any discrepancies and inconsistencies. Mr. Moore also explained since they have a legal team that specializes in this, it would make it less time consuming and more cost efficient. Mr. Stewart asked if the ARPA (American Rescue Plan Act) funds could be used for this fee and Mr. Schultz replied he would check on it but it could be covered through contractual services. The item will be placed on the agenda of the next regularly scheduled meeting.

City Attorney Report:

Mr. Moore reported he attended the GMA City Attorney luncheon on Sunday, August 8th, at which they provided a fifty (50) page summary of the American Rescue Plan Act that he distributed to the Council. He explained four (4) general categories the funds can be used: public health and economic impacts of COVID-19, providing premium pay to essential workers, replacing lost revenue and investing in water and broadband infrastructure. He further explained there are many details and numerous things the funds can be used for. Scott Stalnaker mentioned the ARPA funds were not used in the new budget so it will free up funds in other areas in the budget which is a good thing.

Department Head's Report:

None

Public Comments:

The Council heard comments from: Skeeter Parker, Mary Brumbley, Tina Stalnaker and Paul Newbern regarding the race track; and Lavonne Shaw about two (2) properties with code issues, one on Avera and one on Marion for which Miss Williams obtained the information.

Council Comments:

Walt Steward replied to comments regarding the City's tax rate explaining the City's tax millage rate is about half the millage rate of the County and the School Board.

Scott Stalnaker also addressed comments on the City's tax rate explaining the City millage rate went unchanged for nearly twelve (12) years while the County and School Board gradually raised their millage rates on a continued basis over that time and the City's tax millage rate is lower than most cities our size.

ADJOURNMENT:

Antonio Carter made a motion to adjourn the meeting at 7:05 p.m. Billy Retterbush seconded the motion and the motion carried unanimously.

August 9, 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