

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
SEPTEMBER 27, 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, John Reynolds, Henry Yawn, Mitchell Moore

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

Regular City Council-September 13, 2021: Eric Gaither made a motion to adopt the minutes. Antonio Carter seconded the motion and the motion carried unanimously.

**ADOPTION OF FORMAL AGENDA:**

Antonio Carter made a motion to adopt the formal agenda amending #6-Lindsay Gutierrez Interview Process-Eric Gaither be amended that Mrs. Gutierrez will be allowed to address the Council but there will be no mention or discussion of the interview process for the City Manager position which has already been established. Scott Stalnaker seconded the motion and the motion carried unanimously.

**NEW BUSINESS:**

- 1- 5:30 Public Hearing/Special Exception Request – Henry Yawn, Code:** A public hearing took place at 5:30 p.m. for a special exception request by Joanna Browning and Yanett Bello. The request is to build a duplex on a newly created lot zoned R-15 that sits between 1101 Berrien Street and 406 Janice Avenue. The property is owned by their company, B & B Nobility, LLC, who also owns 1101 Berrien Street and 406 Janice Avenue. There are two (2) existing duplexes in the area, one of which is located on 406 Janice Avenue that sits adjacent to the newly created lot. Scott Stalnaker made a motion to approve the special exception request. Billy Retterbush seconded the motion and the motion carried unanimously .
  
- 2- Jail Contract – Mayor Pro-tem John Clayton:** Mr. Schultz explained Tim Tanner reviewed the contract and said it complies with State statutes although there are some concerns with some of the verbiage, we are at the point where we need to sign it or find somewhere else to house the inmates and we need to meet with the County to discuss options. Eric Gaither made a motion to accept the contract. The motion died for lack of a second. Walt Steward said it is more than the budgeted amount and there was a brief discussion of the fees according to the new contract and the City and County property

taxes along with school taxes. Attorney Moore explained there were other steps that can be taken to help offset the increase and there could be further discussions in the matter of establishing timelines when inmates come in, other terms of the contract and these items could be addressed in the service delivery strategy. Eric Gaither made a motion to sign the contract. The motion died for lack of a second. Mr. Moore stated the contract can be terminated by either party with ten (10) days' notice. After further discussion, Eric Gaither made a motion to accept the contract as is then meet with the County Commissioners to renegotiate. Scott Stalnaker seconded the motion. Roll Call: Eric Gaither, Billy Retterbush and Scott Stalnaker voted yes; and, Antonio Carter and Walt Steward voted no. Motion passed three (3) to two (2).

- 3- Adoption of Tax Millage Rate – Peter Schultz, Interim City Manager:** Mr. Schultz explained all proper notices and advertisements had been taken care of and presented Resolution #R-16-21 to adopt the 2021 tax millage rate, with no increase, at 9.50 mills. Billy Retterbush made a motion to approve the Resolution to adopt the tax millage rate at 9.50 mills. Walt Steward seconded the motion and the motion carried unanimously.
- 4- Columbus Day Holiday on October 11, 2021 – Mayor Pro-tem John Clayton:** Mayor Pro-tem Clayton explained the next regularly scheduled Council meeting falls on October 11, 2021 which is Columbus Day holiday. Scott Stalnaker made a motion to cancel the meeting stating a meeting can be called if something comes up that needs to be taken care of. Billy Retterbush seconded the motion and the motion carried unanimously. The next regularly scheduled meeting will be October 25, 2021.
- 5- City Manager Position Update – Mayor Pro-tem John Clayton:** Mayor Pro-tem Clayton announced four (4) candidates have been selected for the interview process. The candidates have consented to the release of their names and dates have been scheduled for the interview process. The candidates' names are Lindsay Gutierrez, Bill Sawyer, Peter Schultz and Diane Westberry.
- 6- Lindsay Gutierrez – Eric Gaither:** Mrs. Gutierrez thanked the Council for allowing her to speak and addressed the Council regarding the voices of the Citizens of the City and County being heard. She commented on a Councilman's replies to her comments on Facebook. She also commented on transparency, the position of the City Manager, her resume submittal for the City Manager position and her request to be on the Agenda.

#### **City Manager Report:**

Mr. Schultz said there was mention of Adel paving several streets and roads using loans through GTIB (Georgia Transportation Infrastructure Bank) in a previous meeting and reported GTIB will begin accepting applications again on October 1<sup>st</sup> for loans and grants. He said he can get with Statewide Engineering, who also worked with Adel, if they would like for him to move forward with this and the Council confirmed to move forward for grants instead of loans. Mr. Schultz also reported Hearts to Homes Humane Society requested to use Memorial Park on October 30, 2021 to do a fall festival for a fund raiser to take place during the day before the Field of Screams Halloween event at the ball field. The Council approved the request provided the COVID situation is no worse at that time.

**City Attorney Report:**

Mr. Moore was questioned about the City Ordinance regarding campaigning and Council members campaigning against other Council members by Mr. Steward. Mr. Moore replied it has not been declared unconstitutional to his knowledge but to keep in mind restrictions on political activity are strictly construed and principally addressed to elected officials in endorsement of other candidates in connection with political activities and elected officials are not to publicly endorse other candidates. Mr. Moore referred to and discussed Charter Section 5.5 and the Code of Ethics in the City’s statute.

**Department Head’s Report:**

Nancy Pesce reported the first DDA board meeting will take place September 28<sup>th</sup> at 6:00. There is a homecoming parade on October 7<sup>th</sup> at 6:00 with food trucks and other activities. The Harvest Festival will take place October 23<sup>rd</sup> and Mainstreet will host a Halloween movie in Connie’s Children’s Park on October 29<sup>th</sup> around 7:30 p.m. and the Field of Screams will take place October 30<sup>th</sup> at the Berrien Recreations Department.

**Public Comments:**

The Council heard comments from Barbara May and Wayne May regarding the old City jail and the jail contract. Mayor Pro-tem John Clayton and Councilman Scott Stalnaker provided a brief explanation regarding the County approaching the City about the consolidation of the jails of which grant funds and large drug seizure funds were used to accomplish this. Additionally, the service delivery strategy includes inmate housing along with the City providing Fire Department services to the County along with many other services between the City and County.

**Council Comments:**

Mayor Pro-tem John Clayton explained he had been approached by the local Toys for Tots coordinator looking for warehouse space and mentioned the City’s building downtown that was previously rented by Bi-Lo. Antonio Carter made a motion to allow them to use this building owned by the City from now until January 1<sup>st</sup> for the amount of \$1.00 with the stipulation if the City has interest in this rental space, they will have to vacate the premises with a two-week notice from the City. Walt Steward seconded the motion and the motion carried unanimously.

Chief Edwards introduced the Police Departments new K-9 officer, Philip Beeson, and his K-9, Rocket.

**ADJOURNMENT:**

Scott Stalnaker made a motion to adjourn the meeting at 7:23 p.m. Walt Steward seconded the motion and the motion carried unanimously.  
*September 27, 2021.*

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Mayor Pro-Tem John Clayton

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Alderman Billy Retterbush

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Alderman Scott Stalnaker

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Alderman Walt Steward

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Alderman Antonio Carter

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Alderman Eric Gaither

**ATTEST:**

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Jackie Jordan, City Clerk

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