

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
DECEMBER 13, 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, Police Chief Edwards, Ronald Knowles, John Reynolds, Fire Chief Clay Davis, Henry Yawn, Mitchell Moore

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

November 8, 2021 Regular Meeting, November 8, 2021 Executive Session, November 29, 2021 Called Meeting and November 29, 2021 Executive Session: Eric Gaither made a motion to adopt the minutes. Billy Retterbush seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA:

Antonio Carter requested adding an additional item, the salary of Mayor Pro-tem John Clayton while the Mayoral seat is vacant. Billy Retterbush made a motion to adopt the formal agenda with the addition. Scott Stalnaker seconded the motion and the motion carried unanimously.

NEW BUSINESS:

- 1- FY2020 Audit Report – David Irwin, Mauldin & Jenkins:** Mr. Irwin introduced himself stating Mauldin & Jenkins is a large regional firm with 12 offices that only audit state and local governments and currently serve approximately 550 governments in the Southeast, mostly in Georgia, with their largest offices in Albany and Macon. This was their first year doing the audit for the City and the purpose of his presentation is to provide the Council with an overview of the independent audit report discussing the report issued in conjunction with the audit and ad financial statement highlights, to discuss information the auditing standards require and answer any questions the Council may have. He explained the financial statements are the responsibility of management and members of the City Council and the responsibility of the external auditors is to issue an opinion on the statements which is done in accordance with governmental auditing standards. He reported the City received a clean or unmodified opinion for the FY2020 audit which is the highest level of assurance and the financial statements are fairly presented in all material respects with accounting standards . He explained there was a compliance report in the back of the report provided to the Council on the City’ s internal controls and compliance with laws and regulations. There was one audit finding in regards to revenues and receivables, which required several adjustments but there was nothing to be overly concerned about, as compared to three audit findings in the FY2019

audit. He mentioned this is the FY2020 audit so the numbers are seventeen (17) months old. He reported the general fund balance, the main fund, increased by approximately \$55,000 with revenues of \$3.45 million and expenditures of \$3.4 million and this was a plus with all the uncertainties from COVID and compared to many others for 2020. He explained fund balance is not cash to spend as you see fit but merely the difference between assets and liabilities, of which only a portion is cash on hand. The general fund incurs expenditures of approximately \$280,000 per month so as of July 31, 2020, there was about four (4) months of fund balance to cover operating expenditures. He mentioned the enterprise funds, the water/sewer and gas funds, which are self-sufficient operating revenues similar to a private sector business. The water/sewer fund increased by approximately \$440,000 with an ending net position of \$11.4 million. The gas fund increased by approximately \$100,000 with an ending net position of just under \$3 million. He again stated the City received a clean opinion and further reported they had no difficulties or disagreement in dealing with management and are independent of the City as required by law and standards. He also mentioned they are scheduled to begin the FY2021 audit this week.

2- DCA Application/NURA Project – Peach Way Holdings Second Amendment – Mitchell Moore/Mandy Young

3- GICH – Mandy Young, GICH Alumni Advisory Board Chairman:

{Items 2 and 3 became combined during the meeting} Mrs. Young explained her company’s involvement in the Griner Gardens development and has been pursuing the project for the Beetree/Perkins area but were a few points shy on the second application for 2021. She discussed the process and the points regarding the application for funding explaining there were sixty-seven (67) applications and only nine (9) were funded but this is a prime geographical location and she expects a good chance for 2022 competition especially with GICH certification which she is working on with the help of Loren Williams, Henry Yawn and Nancy Pesce. Mr. Moore added they have worked very hard on these projects and these programs are interrelated and benefit each other with other projects such as the 2021CDBG’s. He spoke of how the lack of points in certain areas such as program need precluded us from qualifying on the last CDBG. They are asking for an extension of the contract to apply a third time. Scott Stalnaker made a motion for the necessary amendment to the existing contract to extend it another year. Eric Gaither seconded the motion and the motion carried unanimously. The Council commended her efforts.

4- City Manager Position – Mayor Pro-tem John Clayton: Mayor Pro-tem Clayton reported he spoke with Diane Westberry as the Council directed. She accepted the position of City Manager and they met in the middle with the monies the Council allotted him and she is to start on January 3, 2022.

5- Beer, Wine and Liquor License Approvals for 2022 – Mayor Pro-tem John Clayton:

2022 BEER WINE LIQUOR LICENSES

BUSINESS NAME	APPLICANT NAME	ADDRESS	DESCRIPTION	AMT PAID
1st Choice	Mukeshkumar R Patel	705 N. Davis St.	Beer & Wine	\$ 1,000.00
Circle K #2745012 (Flash Foods)	Thomas Ralph Harman	519 S. Davis St.	Beer & Wine	\$ 1,000.00

Cork And Barrell	Trevor Deron Carter	320 S. Davis St.	Beer, Liquor & Wine	\$ 2,000.00
Discount Corner	Prahladbhai S Patel	302 S. Davis St.	Beer	\$ 500.00
Dollar General Market #13929	Jessica N Clement	509 E. McPherson Ave.	Beer & Wine	\$ 1,000.00
Food Lion #2807	Jeremiah Paul Ooten	207 E. McPherson Ave.	Beer & Wine	\$ 1,000.00
Four Guys Convenience Store	Pankajkumar R Patel	405 S. Davis St.	Beer & Wine	\$ 1,000.00
Gaskins Meats & More	Dennis Ray Gaskins Jr	1318 E. Marion Ave.	Beer	\$ 500.00
Justen B Mathis DBA Brooks Steakhouse	Justen B Mathis	1750 E. Marion Ave.	Beer & Wine	\$ 1,000.00
Mae's Café	Johnnie M Brand	902 E. Marion Ave.	Beer	\$ 500.00
OM & Aaron Corp DBA Lucky Corner	Shilpaben B Patel	1001 S. Dogwood Dr.	Beer	\$ 500.00
Pap's 3	Pragnesh A Patel	730 E. Marion Ave.	Beer	\$ 500.00
Pit Stop	Dineshkumar S. Patel	514 S. Davis St.	Beer & Wine	\$ 1,000.00
Puerta Del Sol Inc.	Alonso Martinez	706 Tifton Rd.	Beer & Wine	\$ 1,000.00
Puerta Del Sol Inc.	Alonso Martinez	704 Tifton Rd.	Liquor By The Drink	\$ 2,000.00
Quick Mart #2	Kaushik P Patel	708 Old Coffee Rd.	Beer & Wine	\$ 1,000.00
Quick Mart #1	Kaushik P Patel	224 Tifton Road	Beer & Wine	\$ 1,000.00
Rana Corp d/b/a J Raj Liquors	Vidyakumari J Rana	301 N. Anderson Rd.	Beer, Liquor & Wine	\$ 2,000.00
Rana Corp d/b/a J Raj Spirits	Vidyakumari J Rana	720-A Adel Rd.	Beer, Liquor & Wine	\$ 2,000.00
Rana Corp d/b/a J & V Restaurant	Vidyakumari J Rana	720 Adel Rd.	Beer & Wine	\$ 1,000.00
Rana Corp d/b/a J & V Restaurant	Vidyakumari J Rana	720 Adel Rd.	Liquor By The Drink	\$ 2,100.00
Rancho Alegre Mexican Restaurant	Mireya S Solis	100 S. Jefferson St.	Beer & Wine	\$ 1,000.00
Rancho Alegre Mexican Restaurant	Mireya S Solis	100 S. Jefferson St.	Liquor By The Drink	\$ 2,000.00
Stop & Shop	Chetnakumari M Patel	500 E. McPherson Ave.	Beer & Wine	\$ 1,000.00
VFW Post 5978	Grover Klim Nessmith	801 Tifton Rd.	Beer & Wine	\$ 1,000.00
TOTAL				\$28,600.00

Mayor Pro-tem John Clayton presented the twenty-five (25) Beer, Wine and Liquor license applications as listed in the preceding table. Having nothing to prevent the approval of any of them, Billy Retterbush made a motion to approve the license applications presented. Walt Steward seconded the motion and the motion carried unanimously.

6- Resolution {#R-26-21} for Special Election May 24, 2022 for Vacant Mayoral Seat – Mitchell Moore, City Attorney: Scott Stalnaker made a motion to approve and adopt the Resolution present by Mr. Moore. Walt Stalnaker seconded the motion and the motion carried unanimously.

7- Resolution {#R-25-21} of Election Returns of Municipal Election, November 2, 2021 and Runoff Election, November 30, 2021 – Mayor Pro-tem John Clayton: Eric Gaither made a motion to approve and adopt the Resolution on the election returns. Antonio Carter seconded the motion and the motion carried unanimously.

8- Affidavits and Resolutions {#R-27-21 and #R-28-21} for Executive Sessions on November 8, 2021 and November 29, 2021 – Mitchell Moore, City Attorney: Billy Retterbush made a motion to approve and adopt the Resolutions for the November 8,

2021 and November 29, 2021 Executive Sessions. Antonio Carter seconded the motion and the motion carried unanimously.

- 9- Resolutions {#R-29-21 and #R-30-21}: Unsafe Buildings at 309 West Avera Avenue and 102 Ann Street from August 9, 2021 Public Hearing – Mitchell Moore, City Attorney:** Mr. Moore explained those Public Hearings provided findings that both structures were unsafe under code section 5-86 but because of the unusual circumstances regarding the title of the property and the agreement between the individuals, the Council was sympathetic to the situation and allowed extra time. He further explained these Resolutions were necessary for Code Enforcement to work with the individuals and take proper action if needed. Billy Retterbush made a motion to approve and adopt the Resolutions. Antonio Carter seconded the motion and the motion carried unanimously.
- 10- Next Regular Council Meeting, December 27, 2021/Christmas Holiday – Mayor Pro-tem John Clayton:** Eric Gaither made a motion to cancel the December 27, 2021 Regular Council Meeting. Scott Stalnaker seconded the motion and the motion carried unanimously. *{The next regularly scheduled meeting will be January 10, 2022}*
- 11- Salary of Mayor Pro-tem John Clayton – Councilman Antonio Carter:** Mr. Carter explained Mayor Pro-tem John Clayton took over as acting Mayor when Mayor Scarbrough was suspended in March, 2021 and said he should receive the full Mayoral salary until a new Mayor is elected and pay him the difference retroactive to September, 2021, when Mayor Scarbrough resigned. The special mayoral election is scheduled for May, 2022. Eric Gaither made a motion to compensate Mayor Pro-tem John Clayton the Mayor's monthly salary until a new Mayor is elected in the Mayoral Election in May 2022, making it retroactive to September 2021, paying him the difference in the salary for the months of September, October, November and December. Billy Retterbush seconded the motion and the motion carried unanimously.

City Manager Report:

Peter Schultz reported he received the final close out for final payment of \$14,588 East Asphalt from the LMIG project around the South Jefferson and South Bartow area. He said he had the engineers hold back some of the payment until everything was completed. Scott Stalnaker made a motion to approve the payment. Billy Retterbush seconded the motion and the motion carried unanimously.

Mr. Schultz provided the Council with a report from Davenport Public Finance. They have reviewed the City's GEFA loans and may be able to get them refinanced at a lower rate. They need a signature on the engagement letter to solicit proposals from local banks at no cost to the City. Once they receive the information, the Council can review the information and make a decision at that time. He also mentioned local banks do not usually require money to be held in a sinking fund. Eric Gaither made a motion to approve signature on the engagement letter to solicit the information. Scott Stalnaker seconded the motion and the motion carried unanimously.

City Attorney Report:

Mr. Moore reported contact by JWA counsel asking reconsideration of the charges previously submitted. The Council previously voted to approve a one-time offer. He explained they requested reconsideration based upon the impact by COVID because they could not get the pipe

in a timely manner, the delay from locating gas and water lines and the issues with the unstable soil and elevation issues. Apparently, there are still issues with the work done so no additional payment will be considered at this time. After brief discussion of other issues, Mr. Moore was to get with John Reynolds to get all the necessary information and get with the engineer, John Hunkele.

Department Head's Report:

None.

Public Comments:

The Council heard comments from Lester Ross, Keith Stone, Tina Stalnaker, Lavonne Shaw and Earl Miles.

Council Comments:

Councilmen Steward, Stalnaker and Retterbush commented on having served on the Council and the Council congratulated the newly elected Council members.

ADJOURNMENT:

Billy Retterbush made a motion to adjourn the meeting at 7:06 p.m. Scott Stalnaker seconded the motion and the motion carried unanimously.

December 13, 2021.

Mayor Pro-Tem John Clayton

Councilman Antonio Carter

Councilman Eric Gaither

Councilwoman Amy Garner

Councilman Rodrick Smith

Councilman Shane Willis

ATTEST:

Jackie Jordan, City Clerk