

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
MARCH 14, 2022
6:00 P.M.**

INVOCATION: Keith Stone

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, Councilmen Antonio Carter, Eric Gaither, Rodrick Smith, Shane Willis and Councilwoman Amy Garner

STAFF PRESENT: Peter Schultz, Brandon Rice, Jackie Jordan, Nancy Pesce, Police Chief Edwards, John Reynolds, Annika Register (Coleman Talley, LLP Associate on behalf of Tim Tanner, City Attorney), Tim Tanner (joined meeting via phone @ 6:15)

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

February 28, 2022 Regular Meeting; March 3, 2022 Called Meeting and Executive Session: Eric Gaither made a motion to adopt the minutes. Rodrick Smith seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA:

Mayor Pro-tem John Clayton deleted original Item #1-Inmate Housing due to lack of necessary information at this time. Shane Willis made a motion to adopt the amended agenda. Amy Garner seconded the motion and the motion carried unanimously.

NEW BUSINESS:

- 1- Commercial Racing Ordinance/1st Reading – Annika Register of Coleman Talley on behalf of Tim Tanner, City Attorney:** Mrs. Register read aloud the draft of the Commercial Racing Ordinance:

“AN ORDINANCE ENACTING DIVISION 13, *COMMERCIAL RACING*, ARTICLE II *BUSINESS REGULATIONS*, CHAPTER 15, *LICENSES AND BUSINESS REGULATIONS* OF THE CODE OF ORDINANCES OF THE CITY OF NASHVILLE, GEORGIA

BE IT ORDAINED by the City Council of the City of Nashville, Georgia, and it is hereby ordained by authority of same, as follows:

Division 13 *Commercial Racing*, Article II *Business Regulations*, Chapter 15, *Licenses and Business Regulations* of the Code of Ordinances of the City of Nashville, Georgia, is hereby enacted and shall read as follows:

Section 15-401. Findings.

The City Council of the City of Nashville finds that commercial racing venues provide an important economic benefit for the greater Nashville area by attracting racing enthusiasts into our community who, in turn, procure needed goods, lodging, etc. from local businesses. In addition, commercial racing also provides recreational activities for the local populace. The City Council also find that although there are numerous economical and recreational benefits of such businesses, the unfortunate byproduct of such enterprises is noise. The purpose of this ordinance is to allow commercial motorized racing with the City of Nashville while minimizing negative impacts of same.

Section 15-402. Applicability.

This section shall apply to any commercial racetrack which provides for the racing of motor propelled vehicles of any kind including but not limited to trucks, cars, tractors, motorcycles, ATVs, Go-Karts, mopeds, etc. The regulations set forth in this Division apply irrespective of whether the drivers or racing teams are compensated or awarded prizes or whether members of the public must purchase a ticket or pay some other entry fee to observe. The requirements and restrictions of this ordinance shall apply to the owner or operator of any such racetrack and also the drivers of motor propelled vehicles operated at such racetracks.

Section 15-403. Hours of Operation.

No commercial racetrack shall conduct any race except during the following hours:

Monday – Thursday:	8:00 A.M. – 8:00 P.M.
Friday – Saturday:	8:00 A.M. – 12:00 Midnight.

No racing shall occur on Sundays.

Section 15-404. Operation of Vehicles Outside of Hours of Operation.

The owner or operator of the commercial racetrack shall not allow any drivers remaining on the premises after the hours of operation to continue racing in violation of this Ordinance.

Section 15-405. Noise Limitation for Other Activities.

It shall be a violation of this ordinance for owner or operator of the commercial racetrack to conduct any other operation at a commercial racetrack outside the hours of operation provided for in *Section 15-403* where such activity generates noise that is plainly audible at a distance of 1000 feet outside the property boundary property of the commercial racetrack.

Section 15-406. Special Events Excepted.

It shall not be a violation of this ordinance if the owner or operator of a commercial racetrack applies for and is granted a Special Event permit by the office of City Manager. The permit shall allow the owner or operator to extend racing activities on Friday and Saturday by one additional hour. For example, if a special permit is granted, racing activities can extend to 1:00 a.m on Saturday and Sunday morning. No more than four (4) Special Event permits can be granted to the same commercial racetrack in any calendar year. Any individual or entity seeking a Special Event permit shall apply for same, at minimum, two weeks prior to the date sought.

Section 15-407. Enforcement.

Any person or entity violating the provisions of this ordinance shall be subject to citation, prosecuted in the Municipal Court of Nashville, Georgia and if found guilty, shall be subject to a fine in the amount of \$1,000.00 for each offense.”

2- Executive Session/Personnel – Eric Gaither, Councilman: {held at end of meeting}

City Manager Report:

Mr. Schultz reported the 2021-2022 Local Maintenance Improvement Grant (LMIG) bid opening on March 2 2022 for leveling and resurfacing improvements to six (6) City streets (Sherrod Avenue, Short Street, Talley Street, Carolina Trace, Robin Lane, Wedgewood Chase). The bids were #1-H&H Paving LLC for \$165,059.60, #2-Reames and Son Construction Company, Inc for \$186,108.30 and #3-The Scruggs Company for \$221,160.23. Statewide Engineering recommends the low bidder, H&H Paving out of Moultrie for a total of \$176,154.60 with engineering fees. Eric Gaither made a motion to accept the low bidder, H&H Paving as recommended by Statewide. Antonio Carter seconded the motion and the motion carried unanimously.

Mr. Schultz said Elizabeth Backe with Regional Commission contacted him wanting to know who would be replacing Diane Westberry on the Deep South Solid Waste Board for the City of Nashville and the next meeting will be held April 20. Eric Gaither made a motion to table the item to the next regular meeting. Rodrick Smith seconded the motion and the motion carried unanimously.

City Attorney Tim Tanner recommended to retract the motion to award the bidder on the LMIG project and place it on the next Agenda. Eric Gaither made a motion to retract the motion on the bidder for the LMIG project and add it to the next Agenda. Antonio Carter seconded the motion and the motion carried unanimously.

Mr. Schultz explained he had been the voting delegate on the Municipal Gas Authority of Georgia's Election Committee (MGAG) in the past and the Mayor or Mayor Pro-tem had been the alternate voting delegate. He asked if they wanted to keep it that way and presented a Resolution to be signed. Eric Gaither made a motion for Peter Schultz to remain the voting delegate and Mayor Pro-tem John Clayton to be the alternate voting delegate for the MGAG committee. Antonio Carter seconded the motion and the motion carried unanimously.

City Attorney Report:

None

Department Head's Report:

John Reynolds reported the Water/Sewer department is working to replace water lines on Sherrod before the repaving takes place.

Public Comments:

Keith Stone presented copies of Section 5-1.1 from the City of Nashville Code of Ordinances regarding the role of the City Manager and the City Council and addressed concerns of the City Council's ethics.

Lavonne Shaw asked about dirt in her drive way and Peter Schultz said they would take a look at it to see if it is on the right of way.

Teresa Newbern asked about the Commercial Racing Ordinance read earlier in the meeting and asked for a copy of the draft.

Council Comments:

Mayor Pro-tem John Clayton responded to Mr. Stone and said he thinks the City of Nashville has some great employees. He said he and Mrs. Garner met with some employees on the previous Monday and would like do some things better and look at raises in the new budget.

At 6:27 p.m., Shane Willis made a motion to enter Executive Session to discuss personnel issues. Eric Gaither seconded the motion and the motion carried unanimously. Only the Council, City Attorney Tim Tanner (via phone) and Mrs. Register (Coleman Talley, LLP Associate) moved to the conference room for the Executive Session. All other employees were excused from the meeting. Mrs. Register will provide the information for the proper record of the Executive Session.

EXECUTIVE SESSION 6:27 P.M. – 7:03 P.M.

At 7:03 p.m., Antonio Carter made a motion to come out of Executive Session. Amy Garner seconded the motion and the motion carried unanimously.

REGULAR MEETING RESUMED

Pro-tem John Clayton called the meeting to order. Council Gaither made a motion for the application process to end March 21, 2022 and to have a called meeting on March 23, 2022 at 6:00 p.m. with an Executive Session to discuss City Manager applications and process. Shane Willis seconded the motion and the motion carried unanimously. Mayor Pro-tem Clayton and Council directed the City Clerk to email all the resumes at one time to them.

ADJOURNMENT:

Antonio Carter made a motion to adjourn the meeting at 7:06 p.m. Shane Willis seconded the motion and the motion carried unanimously.

March 14, 2022.

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