

**REGULAR MEETING  
CITY COUNCIL OF THE CITY OF NASHVILLE  
COUNTY OF BERRIEN  
April 25, 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, Tina Ward, Police Chief Edwards, Rudolph Smith and City Attorney Tim Tanner

**ADOPTION OF THE MINUTES FROM THE PREVIOUS MEETING(s):** Alderman Gaither made the motion to adopt the minutes from the previous meeting. Alderman Willis seconded the motion and the motion carried unanimously.

**ADOPTION OF FORMAL AGENDA:**

Alderman Carter requested the item one be moved down to item six also. Alderman Carter also made the motion to adopt the formal agenda. Alderman Willis seconded the motion and the motion carried unanimously.

**NEW BUSINESS:**

**1- ROW Acquisition at Industrial Park on HWY 168:** City Attorney Tim Tanner told the group this land acquisition is not really a request because the land has already been deeded to the City. Of course, the Council has the option to reject or approve. The land is one hundred feet of right of way otherwise known as business parkway located in the City's business park Mr. Tanner told the group the land is beside the City's infrastructure so it would in the best interest of the Council to accept and maintain the road. In addition to the acquisition, Mr. Tanner emailed the Council a small highlight parcel of land in which our lift station is located. He stated it would be in the best interest of the Council to accept the parcel of land to which the lift station is located as well as the 100 feet of right of way located in the City's Business Parkway. Alderman Gaither made the motion to accept the two requests from the Berrien County Development Authority. Alderman Carter seconded the motion and the motion carried unanimously.

**2- Race Track Amendment-** Tim Tanner read the two options he emailed to the Council for the Race Track Ordinance. The first one is a rain out event type exception that allows the operator to declare a rain out event and inform the City on Sunday by email. They would be able to use this four time. The second recommendation would allow the owner/operator to race on Sundays regardless of the circumstances, rain or not, four time a year. The first Option which is Section 15-407 Sunday Racing For Inclement Weather. If inclement weather disrupts and prevents the operation of commercial racing operation for more than five (5) hours on any Saturday, the commercial racetrack shall be allowed to operate the following Sunday between the hours of 1:00 pm If the weather conditions on Sunday prevent operation as described above, the owner operator

shall inform the City Manager and Police Chief in writing via email on the Saturday. A commercial racing facility shall only be allowed to invoke this privilege four (4) times per calendar year. The Police Chief, or his designee, shall log the invoking of this section by owner and operator.

The second Section 15-407 Sunday Special Events Excepted. It shall not be a violation of the ordinance if the owner or operator of a commercial racetrack applies for and is granted a Sunday Special Event permit by the office of City Manager. Sunday Special Event permits shall only be available for Sundays. The permit shall allow the owner or operator to have racing activities on Sunday between the hours of 1:00 pm to 5:00 pm. Any individual or entity seeking a Sunday Event permit shall apply for same, at minimum, two weeks prior to the date sought. In addition, if the inclement weather prevents or will prevent the operation of the commercial racing facility on any Saturday, the owner or operator may seek a permit under this section by informing the City Manager and Police Chief in writing. The two-week advance notice requirements do not apply to permits requested for inclement weather. Regardless of the reason, no more than four(4) Sunday Special Event permits can be granted to the same commercial racetrack in any calendar year. Alderman Cater stated he was fine with either one of the Sections but the time needs to be changed from 1pm to 8pm instead of 1pm to 5:30pm. Alderman Willis stated he spoke with the current operator and she requested the time change to 8 pm as well. Alderman Gaither concurred. Mayor Pro-Tem Clayton asked the Mrs. Newbern which of the two she would be comfortable with . She stated she did not understand the (5) hour delay. Mr. Tanner said the second option does not have the (5) hour delay in it because there is so much confusion as to what would make it (5) hour rain delay. The second option is a much better option because that wording is not in it. Ms. Newburn also inquired as to why the Ordinance has a limit as to how many events on Sunday, they can have at the Race Track. Mr. Tanner told the group that the original Ordinance will give the operator a Special Event when they apply for it. I will not put any limits on how long they can race at night. The first Ordinance also did not provide any racing on Sunday at all. After some discussion Mr. Tanner elaborated and told the group the new Ordinance will provide for Special Event racing in which the operator can stay open until 1:00 am if the operator applies for it. This Ordinance will also allow Sunday racing only if the operator applies for it in which the racing will only begin at 1:00 pm until 5:30pm. After some more discussion Mr. Tillman told the group that the second option will be the best choice and the number of events can be increased or decreased and they can use them for rain outs or a special event. Alderman Carter told the group that this entire decision to update the Ordinance was because of the noise. Alderman Smith told the group that the second option is the better option however, take out rain out days and allow the track to be open until 1 pm Friday and Saturday for (4) four events and the amount of special event days needs to be increased to eight (8) days at the operator's discretion. Mr. Tanner told the group he would have the finished Ordinance at the next Council meeting.

**3- Water Tower Maintenance Contract-** Peter Shultz told the Council the packet before you is from Mr. Brad McConnell with American Tank Maintenance in reference to our water towers in town. They have inspected the tanks inside and out a couple of weeks ago. They recommended a ten-year maintenance plan. According to the handout they will clean the interior and exterior do any repairs needed. The first year of the contract we can use American Relief

Funds for the first year. The total for the maintenance for the first year on both water towers is \$311,288.00. The company will clean the tanks inside and out and get rid of any rust. They will also do any renovations needed. After the first year the maintenance and inspections for both tanks will be \$33,862.00. Me. Schultz told the group the City received one payment last year from the American Relief fund in the amount of \$905,000.00 and we will receive another on this year for the same amount and these funds need to be expended before the year 2025. Peter stated we need to start looking at different projected these funds can be used and one project is the Waste Water Treatment Plant has some repairs needed and these funds can be budgeted for that as well. Peter added this company is highly recommended by other Cities and we need to lock them in to take care of this project. Council decided to look over the proposal and vote on it at the next meeting.

- 4- The Guardian Bank Annual Renewal-** Tim Tanner told the Council that they need to take action on this item tonight. In 2016 the City of Adel secured a \$550,000.00 loan with USDA for the Gas line extension for the City of Nashville. As of today, the outstanding balance owed to The City of Adel is \$245,824.40. The security and requirement under the original (Red Leg) program with USDA the City of Nashville issued a line of credit made payable to the United States of America to secure the loan. May 1, 2022 the loan is up for renewal. The Guardian Bank who has the loan will not charge any interest except 1% of the outstanding balance which means The City of Nashville will have to pay them around \$2400.00 for the 1%. Mr. Tanner recommend the City take action on this line of credit with Guardian Bank and allow the Mayor Pro-Tem or give the authority to the City Manager to sign any and all documents to get this underway. Alderman Gaither made the motion to renew the loan for \$245,824.40 with the 1% fee with Guardian Bank authorizing the Mayor Pro-Tem or the City Manager to sign any and all documents. Alderman Carter seconded the motion and the motion carried unanimously.
- 5- CBDG Application Process 2022/2023-** Rudolph Smith told the Council the email that was sent to them would explain the CBDG application for 2022/2023. He recommended that the City not apply this year for several reasons one of which is the DCA did not have the audit in time. We applied last year for the same target area and did not have enough reporting documents which did not make for a strong application. Mr. Smith told the group to wait and apply for the upcoming year and we should have enough document to have a good application. Alderman Gaither made the motion to apply next year for the 2022/2023 CBDG and use the same target areas recommended by Rudolph Smith. Mr. Smith said he will get with South Georgia Regional and let them know we don't have enough to do the application this year. He added that Peter Shultz will get with an engineer to put together the application for next year. We will bring that information to you at the next Council meeting. The motion was seconded by Alderman Willis and the motion carried unanimously.
- 6- Possible Purchase of the Downtown Center-** Peter Schultz told the group Dawn Morrison and Sarah Paulk asked approached his and ask if the Council would entertain the idea of selling the Downtown Center. Both of these ladies have businesses within the Downtown Center which is a part of the DDA. They would be interested in purchasing the building. After some discussion the Council decided to postpone the item until the next work session.

**City Manager Report:**

Rudolph Smith told the group he is still working on the financial report. The Council needs to think about hiring another financial person in order to keep the financials in house. Right now, the financial group hired by the City has the financials caught up to March. Rudolph told the group one of the things he is looking at is the (ARP) American Relief Plan which has \$790,000.00 in it they allocated \$905,000 and \$120,000.00 was spent last year for salary increases. We found out the money can stay in the General Fund as long as we spend it according to guidelines set for the money. Rudolph stated they are still working on getting some of the City's old bank accounts closed. The General Fund and The Gas fund is in good shape. The General Fund shows a high amount in the General fund due to the ARP being placed there. The Water fund looks good as well. Rudolph warned the department heads and the Council that the City is going into the fourth quarter of the fiscal year which does not mean the departments must spend all of their budget. Rudolph passed the financials out to the Council members and asked them to read over them and they can discuss their questions at the Budget workshop. He also he has a budget calendar set up and he will send it out so everyone has that in hand. Rudolph stated we need to have time to set up a budget hearing and the budget must be displayed for a week at the front desk.

Rudolph also spoke to the Council about a City-Wide yard sale. He agreed it is a good idea but wanted to see if a set time for the event could be set so it will be on the same date every year.

**City Attorney Report:** Tim Tanner told the Council the Bond was closed last week, which will save the City around \$190,000.00.

**Department Head's Report:** Chief Edwards told the group that the new recruit for the Police department is doing very well in the Academy. Also, the Grant was approved through the Humanin Society that we applied for several months ago. Although we don't have the disbursement date, we will receive \$20,000.00 for the Animal Control facility.

Brandon Rice announced the City's clean up week began today.

**Public Comments:**

A Concerned citizen asked if the City could find out who the person is that picks up and through all the stuff people leave for the City Clean up week. She stated they would like to know who it is so that can contact the trough out the year if they have something big to throw away.

Berrien County Chamber thanked the City Employees and Council for their help is setting up the first business inside the City Business Park.

Keith Stone told the group that Connie Children's Park fountain looks really good and thanked Peter Schultz, John Reynolds and Brandon Rice for cleaning the fountain and the park. Also, the building of which Dawn Morrison is interested in, the Historic Committee has asked everyone who is interested in purchasing the building we tell them what needs to be done and the reply is the building the City owns still has board on it. So, If the City continues to own that building can they look into restoring it.

Rudolph Smith and Peter Schultz informed the group about the delay in the dumpsters for the City wide clean up. Peter sand the delay is due to several drivers are out with COVID but they should have the dumpsters over to the Police Department soon.

**Council Comments:**

Alderman Gaither questioned Peter Schultz about the GTIB and LMIG grants and what streets each on will cover. Peter said he will get that info and let him know tomorrow.

Skeeter Parker told the Council as Chairman of the Library Board they appreciate the support for the library from the City this year.

Alderman Carter wanted the Police and the Code Enforcer to take a look at a house on BeeTree The yard is very junky with trash everywhere.

Mayor Pro-Tem Clayton asked Peter Schultz to look at replacing the slide at BeeTree. He stated they had a little girl get her hair caught up in the slide where it is damaged. Peter Schultz said the slide is being replaced because he just ordered one to replace it.

**ADJOURNMENT:**

Alderman Carter made the motion to adjourn the meeting at 7:05 p.m. Alderman Willis seconded the motion and the motion carried unanimously.

*April 25, 2022.*

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Mayor Pro-Tem John Clayton

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Councilman Eric Gaither

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Councilman Rodrick Smith

**ATTEST:**

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Tina Ward, City Clerk

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Councilman Antonio Carter

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Councilwoman Amy Garner

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Councilman Shane Willis

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