

**REGULAR MEETING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
DECEMBER 14, 2020
6:00 P.M.**

*~Limited Access to City Hall, RingCentral (RC) Teleconference and Facebook Live Stream on
The Berrien Press~*

INVOCATION: Clarence Luke

PLEDGE: Mayor Taylor Scarbrough

WELCOME AND CALL TO ORDER: Mayor Taylor Scarbrough

ROLL CALL: Members of the City Council present included Mayor Taylor Scarbrough, Aldermen John Clayton (RC), Scott Stalnaker, Antonio Carter, Billy Retterbush, Walt Steward, Eric Gaither.

STAFF PRESENT: Jackie Jordan, Nancy Pesce, Mitchell Moore, Police Chief Edwards, John Reynolds (RC), Peter Schultz, Henry Yawn

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

Regular City Council meeting on November 9, 2020; Called meetings on November 13, November 19, and December 09, 2020: Eric Gaither made a motion to adopt the minutes. Scott Stalnaker seconded the motion and the motion carried unanimously.

ADOPTION OF FORMAL AGENDA:

Walt Steward made a motion to adopt the formal agenda adding the 5:30 Public Hearing—506 College Street as Item #1 moving the other twelve items down by one. Billy Retterbush seconded the motion and the motion carried unanimously.

NEW BUSINESS:

- 1- **5:30 Public Hearing—506 College Street – Mayor Taylor Scarbrough:** There was a Public Hearing of Unsafe Building and Nuisance regarding the property located at 506 College Street at 5:30 prior to this Council meeting. Walt Steward made a motion to clean the exterior of the property which is not to include the building, establish the property is an Unsafe Building under Section 5-86 and a Public Nuisance under Section 5-87 and uninhabitable, enforce the ‘unsafe for human habitation’ protocols which would prohibit anyone from entering the building or premises, put the cleaning of the property out for bid, and assess the cost to the taxes on the property, as further described in City Ordinance Section 5-88 (e), (g),(h),(i). Eric Gaither seconded the motion and the motion carried unanimously.

- 2- **FY2020 LMIG Bid Recommendations – Peter Schultz, Gas/Public Works Superintendent:** Mr. Schultz provided details of the FY 2020 LMIG Bid Opening that took place on November 24, 2020 and the recommendations by Mark Dill of Statewide Engineering. The streets included in this project are South Bartow, South Jefferson and

Clark. There were four (4) bidders: East Coast Asphalt LLC, \$79,171.36; The Scruggs Company, \$83,609.47; H & H Paving, \$84,450.50; and, Reames and Son Construction Company, \$85,990.00. The City of Nashville 2020 LMIG Budget is GDOT amount of \$83,286.96 with City match of \$8,328.69 for a total of \$91,615.65. Statewide's recommendation is the lowest bidder, East Coast Asphalt. If East Coast Asphalt is selected, the total would be \$86,671.36 leaving the City with \$4,944.29 in unobligated funds. Two (2) additional streets and estimates were given: Dennis Street from South Bartow to South Davis with an estimated cost of \$8,209.54 and College Street from South Bartow to South Davis with an estimated cost of \$6,844.52. Billy Retterbush made a motion to accept the lowest bidder, East Coast Asphalt for \$79,171.36 and include the additional portions of Dennis Street (\$8,209.54) and College Street (\$6,844.52) as proposed. Eric Gaither seconded the motion and the motion carried unanimously.

- 3- **FY2021 LMIG Cost Estimates – Peter Schultz, Gas/Public Works Superintendent:** Mr. Schultz explained the application for the FY2021 LMIG Project has been accepted with the LMIG total of \$72,390.20 and City match of \$7,239.02 making the total funds available \$79,629.22. The streets on the list are located in the area of the current CDBG project which includes portions of North Mathis, John, Allen, Short, Brian, Mitchell and Beetree. The total for the streets on the list is \$194,100.00 which leaves a difference of \$114,470.78 to complete the project but Mr. Schultz mentioned the discretionary funds from the TLAP could be used. He also explained the contractor {James Warren and Associates} working on the current CDBG project is required to put the patches of the streets back as they were before the project began. Scott Stalnaker asked about Eagle Avenue being added to this list of which the estimated cost was between \$147,000 and \$155,000. Mr. Schultz explained a decision will need to be made and action taken before January 31 and the decision was made to place the item on a future Agenda for further discussion.
- 4- **Railroad Project – Chris Parrott/CaterParrott Railnet:** Mr. Parrott explained a conference call between himself, Mayor Scarbrough, Councilman Steward and City Attorney Mitchell Moore prompted the request of a study by GDOT on possible closures and/or upgrades for public safety. He explained GDOT's recommendations to upgrade signal structures such as gates, lights, bells at the crossings of East Marion and East McPherson, install those same signal structures at the East Dennis crossing and close the crossings at East Washington and Clark Drive along with improved pedestrian accommodations at East McPherson due to the amount of foot traffic. Mr. Parrott mentioned the work and resources put forth by GDOT on this study stating the cost estimate of this project would be around a million dollars and GDOT is willing to do this for our community. There were questions of the closures and Mr. Parrott explained it would be necessary in order for GDOT to do this. After a brief discussion, it was decided to place this item on a future Agenda for further discussion especially since some of the Council had not had a chance to review the information yet. Mr. Parrott explained it would be in the best interest of the City to make the decision as soon as possible as the funds are up for grabs by other communities and are basically on a first come, first serve basis. Walt Steward made a motion to accept the GDOT study but the motion was rescinded and the decision was made to put the item on the next Agenda.

5- Vacant Lot in Historic District at Davis Street and Dennis Avenue – Mike Singhani:

Mr. Singhani explained the events that have taken place to date regarding his interest in the purchase of this lot for the purposes of building a liquor store. He explained his due diligence and research of zoning requirements regarding alcohol licenses on the State and local level, Historic District guidelines along with the steps he has taken regarding the Certificate of Appropriateness (COA) through the Historic Preservation Commission. He again asked for guidance from the City due to the length of time the process has taken which has caused a delay in the closing because he does not want to purchase the property if he is not able to build a liquor store on the property. A discussion ensued which included the property location in the Historic District, the Historic District guidelines and requirements according to local and State Ordinances regarding COA applications which he understood he had secured by default because the Commission could not act. Mayor Scarbrough provided information he received from the State Historic District suggesting the COA was an invalid application. Scott Stalnaker made a motion to have the City Attorney contact the State Historic District to disclose all City requirements and details of the efforts made by Mr. Singhani in order to receive guidance on how this needs to be handled to move forward. The motion was amended to have a RingCentral conference with the State Historic District to include Mr. Singhani, his attorney--Matt Bennett, Walt Steward, Mayor Scarbrough and the City Attorney, Mitchell Moore. The motion was seconded by Walt Steward and the motion carried unanimously.

6- CHIP Grant – Willie Mae Davis: Mrs. Davis addressed the Mayor and Council regarding the CHIP Grant urging them to apply for the 2021 CHIP Grant. It was explained the current CHIP Grant originated in 2017 and has been extended due to COVID and due to COVID related problems, there have been delays in completion of current projects and deadlines on those project requirements. Additionally, all of the funds have been allocated on existing projects which will not be completed in time for the application requirements but the City is willing to apply for any CHIP Grants available and will make the necessary efforts to do so.

7- Beer, Wine and Liquor License Approvals (24) for 2021 – Mayor Taylor Scarbrough:

2021 BEER WINE LIQUOR LICENSES				
BUSINESS NAME	APPLICANT NAME	ADDRESS	DESCRIPTION	AMT PAID
1st Choice	Mukeshkumar R Patel	705 N. Davis St.	Beer & Wine License	\$ 1,000.00
Circle K #2745012	Thomas Ralph Harman	519 S. Davis St.	Beer & Wine License	\$ 1,000.00
Discount Corner	Prahladbhai S Patel	302 S. Davis St.	Beer License	\$ 500.00
Dollar General #13929	Rebecca L Niespodzianski	509 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
Four Guys Convenience Store	Pankajkumar R Patel	405 S. Davis St.	Beer & Wine License	\$ 1,000.00
Gaskins Meats & More	Dennis Ray Gaskins Jr	1318 E. Marion Ave.	Beer License	\$ 500.00
Harvey's Supermarket #1602	Jeremiah Paul Ooten	207 E. McPherson Ave.	Beer & Wine License	\$ 1,000.00
Mae's Café	Johnnie M Brand	902 E. Marion Ave.	Beer License	\$ 500.00
Marvin's Diner	Marya Walker	403 S. College St.	Wine License	\$ 500.00

OM & Aaron Corp DBA Lucky Corner	Shilpaben B Patel	1001 S. Dogwood Dr.	Beer License	\$ 500.00
Pap's 3	Hiren H Patel	730 E. Marion Ave.	Beer License	\$ 500.00
Pit Stop	Dineshkumar S. Patel	514 S. Davis St.	Beer License	\$ 500.00
Pizza Hut #2948	Steven G. Gardner	608 S. Davis St.	Beer License	\$ 500.00
Puerta Del Sol Inc.	Alonso Martinez	706 Tifton Rd.	Beer & Wine License	\$ 1,000.00
Puerta Del Sol Inc.	Alonso Martinez	704 Tifton Rd.	Liquor By The Drink	\$ 2,000.00
Quck Mart #2	Kaushik P Patel	708 Old Coffee Rd.	Beer & Wine License	\$ 1,000.00
Quick Mart #1	Kaushik P Patel	224 Tifton Road	Beer License	\$ 500.00
Rana Corp d/b/a J Raj Liquors	Vidyakumari J Rana	301 N. Anderson Rd.	Beer,Liquor & Wine License	\$ 2,000.00
Rana Corp d/b/a J Raj Spirits	Vidyakumari J Rana	720-A Adel Rd.	Beer,Liquor & Wine License	\$ 2,000.00
Rana Corp d/b/a The Log Cabin	Vidyakumari J Rana	720 Adel Rd.	Beer & Wine License	\$ 1,000.00
Rancho Alegre Mexican Restaurant	Mireya S Solis	100 S. Jefferson St.	Beer & Wine License	\$ 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 License	\$ 1,000.00
VFW Post 5978	Grover Klim Nessmith	801 Tifton Rd.	Beer License	\$ 500.00
TOTAL (24)				\$ 23,000.00

Mayor Scarbrough presented the twenty-four (24) 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. Eric Gaither seconded the motion and the motion carried unanimously.

8- **Nashville Historic Preservation Commission Ordinance-Second Reading – Mitchell Moore, City Attorney:** Walt Steward made a motion to table the item until the next meeting. Antonio Carter seconded the motion. Mayor Scarbrough vetoed the action. Eric Gaither made a motion in favor of the second reading. The motion failed due to lack of a second. The item was postponed to the next meeting.

9- **City Employee Christmas Dinner – Mayor Taylor Scarbrough:** The employee Christmas dinner would have taken place on December 8, 2020 but it was cancelled due to COVID for everyone's safety.

10- **Current Spending Policy – Mayor Taylor Scarbrough:** Mayor Scarbrough explained he spoke to the City Attorney about the spending limit of the City Manager which is currently \$10,000 and mentioned the Ordinance states the amount of \$500. The City Attorney explained the limit has been raised in increments by the City Council which did not require a change in the Charter. Mayor Scarbrough requested reducing the amount to \$2,500. There was a brief discussion as to why it has gradually been increased to \$10,000 regarding miscellaneous things such as things that may come up in day-to-day operations or emergency situations that would not allow time for a Council meeting and regular occurring monthly bills that may be more than \$2,500. The Mayor mentioned having more oversight of checks written. Scott Stalnaker explained the Council receives a monthly report of all checks written in excess of \$1,000 and made a motion to leave the

limit at \$10,000 and amend the Charter to reflect this amount. After brief discussion, Scott Stalnaker rescinded his motion and the item was tabled until the next meeting to allow for additional review of expenses and recurring monthly expenses.

11- Affidavits and Resolution for November 13th and December 9th Executive Sessions – Mitchell Moore, City Attorney: Antonio Carter made a motion to approve the Resolutions for the Executive Sessions held on November 13, 2020 and December 9, 2020. Walt Steward seconded the motion and the motion carried unanimously.

12- Next Regular Council Meeting (December 28, 2020) – Mayor Taylor Scarbrough: There was no motion but a general agreement from the Council to continue with the same format. *{Strongly encouraging masks and social distancing, RingCentral teleconference, if available, and Facebook live stream via The Berrien Press, if they wish to do so}*

13- Executive Session – Mayor Taylor Scarbrough: Executive Session held at end of meeting after public comments.

City Manager/Finance Director Report:

None.

City Attorney Report:

Mr. Moore reported an inspection of the Wiregrass facility resulted in violations requiring modifications of which Fire Chief Clay Davis and Steve Adams are working on with the inspector. This will require State approved drawings for which an estimate has been requested from John Hunkele for architectural plans and the estimate would be between \$1,500 - \$2,500. He explained the time constraint asking for approval on this. Billy Retterbush made a motion to hire John Hunkele for the architectural rendering. Scott Stalnaker seconded the motion and the motion carried unanimously.

Department Head's Report:

Nancy Pesce, Main Street Director reported on a successful Christmas event and the next event will be the Chili Cook-off at the end of February. Peter Schultz reported on having the yard waste debris ground up and hauled off by Farmer's Bulk Supply, LLC out of Homerville. He explained they are not able to give a price until it is done, only an estimate of the number of hours it may take, and it took them thirty (30) hours resulting in a cost of \$13,500 and further explained there is a \$5,000 grant available from Deep South for reimbursement on this for which he would apply. Eric Gaither made a motion to approve payment of \$13,500 and apply for the \$5,000 grant. Billy Retterbush seconded the motion and the motion carried unanimously. John Reynolds was out sick so the Mayor and John Hunkele reported on the CDBG project that James Warren and Associates has submitted a payment request, which is the second payment request, in the amount of \$203,481.34. Scott Stalnaker asked if there was an update as to a completion date and the Mayor said there is a meeting scheduled for December 17th with himself, Mr. Moore, Mr. Reynolds and Mr. Hunkele. Mr. Hunkele explained the payment request would need to be submitted to Mike Jacobs with the Southern Georgia Regional Commission so the funding agency can approve a drawdown for funds to be submitted to the City. Mr. Hunkele said as of November 25th, the project was about forty percent (40%) complete. He also reported the amount of \$203,481.34 is after adjustments he made to their original payment request as a result of the

amount of work completed. Mayor Scarbrough asked once the City approves payment, the Regional Commission handles it and Mr. Hunkele confirmed that was correct. Scott Stalnaker made a motion to approve the payment of \$203,481.34. Eric Gaither seconded the motion and the motion carried unanimously.

Public Comments:

The Mayor and Council heard comments from: Clarence Luke, Barbara/Wayne May and Earl Miles regarding the proposed liquor store and other possible new businesses and industry; Darrell and Angela Bazin regarding a sewage backup at their residence; and, Kenneth Carter regarding City Hall availability to the public.

Council Comments:

None.

At 8:15 p.m., a motion was made by Scott Stalnaker to go into Executive Session. Billy Retterbush seconded the motion and the motion carried unanimously.

The City Clerk and City employees were excused from the Executive Session and remainder of the City Council meeting which left the Mayor, Council, City Attorney Mitchell Moore and Attorney Tim Tanner (Attorney/Special Counsel) in attendance. The remaining information and minutes were provided by Mayor Taylor Scarbrough.

EXECUTIVE SESSION 8:15 P.M. – 8:55 P.M.

At 8:55 p.m., Scott Stalnaker made a motion to come out of Executive Session. Antonio Carter seconded the motion and the motion carried unanimously.

REGULAR MEETING RESUMED

A motion was made by Eric Gaither to enter into a separation agreement and release with Mandy Luke and to execute such agreement. John Clayton seconded the motion and the motion carried unanimously.

A motion was made by John Clayton to appoint Peter Schultz as acting City Manager until an interim City Manager can be hired. Billy Retterbush seconded the motion and the motion carried unanimously.

A motion was made by Scott Stalnaker to pay mileage, per diem, hotel accommodations and any other pertinent costs associated with the travel expenses of a potential interim City manager. Billy Retterbush seconded the motion and the motion carried unanimously.

ADJOURNMENT:

Eric Gaither made a motion to adjourn the meeting at 9:00 p.m. Scott Stalnaker seconded the motion and the motion carried unanimously.
December 14, 2020.

Mayor Taylor Scarbrough

Alderman John Clayton

Alderman Antonio Carter

Alderman Walt Steward

ATTEST:

Jackie Jordan, City Clerk

Alderman Scott Stalnaker

Alderman Billy Retterbush

Alderman Eric Gaither

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