

CALLED EXECUTIVE SESSION

PURSUANT TO THE AUTHORITY OF TENNESSEE CODE ANNOTATED, WE HEREBY CALL AN EXECUTIVE SESSION TO MEET IN THE CITY HALL ANNEX COURTROOM ON Tuesday, AUGUST 5, 2014 IMMEDIATELY FOLLOWING REGULAR SCHEDULED STUDY SESSION TO CONSIDER THE FOLLOWING MATTERS:

1. Call to Order
2. Motion to enter into executive Session to discuss pending litigation
3. Adjourn

MAYOR WALLACE CARTWRIGHT

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The session was called to order by Mayor Wallace Cartwright at 7:17 p.m. Present were Councilmember Feldhaus, Councilmember Meek, Councilmember Rose, Councilmember Williams, Councilmember Pruitt, and Councilmember Landers. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger B. Shofner, Acting City Recorder Shanna Boyette, and City Planner Amanda Rhinehart.

Councilmember Rose made a motion to enter into Executive Session to discuss pending litigation. The motion was seconded by Councilmember Landers and carried unanimously upon oral vote.

The session adjourned at 8:00 p.m.

APPROVED:


WALLACE CARTWRIGHT, MAYOR

ATTEST:


SHANNA BOYETTE, ACTING CITY RECORDER

APPROVED AS TO FORM:


GINGER B. SHOFNER, CITY ATTORNEY

CITY COUNCIL MEETING MINUTES

Mayor Wallace Cartwright called the Special Session City Council meeting of August 7, 2014 to order at 5:01 p.m. Roll was called and Councilmember Feldhaus, Councilmember Meek, Councilmember Rose, Councilmember Pruitt, and Councilmember Landers were present. Councilmember Williams arrived late. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger B. Shofner, City Planner Amanda Rhinehart, Acting City Recorder Shanna Boyette, outside legal counsel Kristin Berexa and Bob Burns, and TML Representative Bob Bell.

Councilmember Meek made a motion to enter into Executive Session with the City Attorney and outside legal counsel. Councilmember Landers seconded the motion and the motion carried unanimously upon oral vote.

The Executive Session began at 5:02 p.m. Councilmember Williams arrived at 5:08 p.m. The Executive Session adjourned at 5:37.

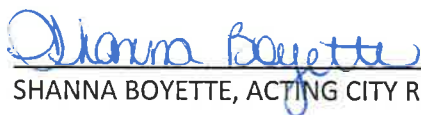
Mayor Cartwright asked for a motion to reconvene into Special Session. Councilmember Landers made the motion to reconvene into Special Session, seconded by Councilmember Pruitt, and carried unanimously upon oral vote. The Special Session reconvened at approximately 5:38 p.m. Mayor Cartwright asked if there would be a motion for any action as a result of the Executive Session. Councilmember Landers made a motion to pay 2 million dollars in the first 30 days, \$500,000 March 1, 2016 and five (5) years effective March 1, 2017 \$100,000 or more a year up to five (5) years not to exceed \$500,000. and to approve other items as discussed with Council related to Administrative procedures in regards to a complete and final settlement in Wright litigation. Councilmember Rose seconded the motion. There being no discussion Mayor Cartwright asked for roll call. Councilmember Landers, Councilmember Rose, Councilmember Meek, Councilmember Pruitt, and Councilmember Williams all with yay votes and Councilmember Feldhaus voting nay. The motion carried with 5 (five) yay votes.

There being no additional business to come before the Council, Councilmember Landers made a motion to adjourn the Special Session and was seconded by Councilmember Meek. The Special Session of the Council adjourned at 5:41 p.m.

APPROVED:


WALLACE CARTWRIGHT, MAYOR

ATTEST:


SHANNA BOYETTE, ACTING CITY RECORDER

APPROVED AS TO FORM:


GINGER B. SHOFNER, CITY ATTORNEY

CITY COUNCIL MEETING MINUTES

Mayor Wallace Cartwright called the regular City Council Meeting of August 14, 2014 to order at 6:00 p.m. The invocation was given by Reverend Lanita Monroe of the First United Methodist Church and the Pledge of Allegiance was led by the Council. Roll was called and Councilmember Feldhaus, Councilmember Meek, Councilmember Rose, Councilmember Williams, Councilmember Pruitt, and Councilmember Landers were present. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger Shofner, and Acting City Recorder Shanna Boyette.

First item of consideration was a motion to adopt the Agenda. There were two items to be added to the Agenda.

An Ordinance on First Reading amending ordinance number 939 of the City of Shelbyville, Tennessee adopting the annual operating and capital improvements budget, all funds, for the Fiscal year 2014-2015; providing for an effective date.

The second item was a motion authorizing the City Attorney and Mayor to execute a grant and related documents with TDOT for N. Main Street Enhancement Project.

Councilmember Landers made a motion to amend the agenda, seconded by Councilmember Pruitt, and approved unanimously upon oral vote. The agenda, as amended, was adopted upon unanimous vote of the Councilmembers.

The next item on the Agenda was approval of the minutes from the following meetings:

- July 10, 2014-Regular Session
- July 22, 2014-Special Executive Session
- July 31, 2014-Special Session
- July 31, 2014-Executive Session
- August 5, 2014-Executive Session
- August 7, 2014-Special/Executive Session(s)

Councilmember Feldhaus made a motion to approve the minutes of the previous meetings, seconded by Councilmember Meek, and carried unanimously upon oral vote.

The next item of business was consideration of nomination for City Recorder, pursuant to the City Charter, Article X, Section 1. Councilmember Landers made a motion to nominate Acting City Recorder Shanna Boyette, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

Mayor Cartwright closed the Council Meeting at 6:04 p.m. and declared a Public Hearing for comments regarding the following Ordinance.

- A. Ordinance on Third Reading to amend the Zoning Ordinance of Shelbyville, Tennessee in order to correct the Zoning District Classification for Sexually Oriented Businesses, as approved and recommended by the Shelbyville Municipal Planning Commission.

There were no comments to be made on this item and Mayor Cartwright declared the Council Meeting reopened at 6:05 p.m.

Councilmember Williams made a motion to authorize City Attorney to read caption only on Ordinances, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

Items of Old Business were then in order.

The next item of consideration was Ordinance on Third and Final Reading to amend the Zoning Ordinance of Shelbyville, Tennessee in order to correct the Zoning District Classification for Sexually Oriented Businesses, as approved and recommended by the Shelbyville Municipal Planning Commission. Following the reading of the Ordinance by Attorney Shofner, Councilmember Feldhaus made a motion to approve the Ordinance, seconded by Councilmember Williams, and carried unanimously upon roll call vote.

Items of New Business were then in order.

The next item on the Agenda was Ordinance on First Reading to annex into the City of Shelbyville certain area containing eighty-eight (88) acres of land located on Frank Martin Rd. and establishing a Public Hearing Date of September 11, 2014. There being no discussion, Councilmember Rose made a motion to approve the Ordinance on first reading and was seconded by Councilmember Williams. The motion passed unanimously upon roll call vote.

An Ordinance on First Reading to amend the official zoning map of the City of Shelbyville, Tennessee to zone an eighty-eight (88) acre tract located on Frank Martin Rd. more specifically identified as Tax Map 50, Parcel 26.00, as I-1, Light Industrial, and to repeal any Ordinance or part of an Ordinance in conflict herewith; as approved and recommended by the Shelbyville Planning Commission and establishing a Public Hearing date of September 11, 2014 was the next item of consideration before the Council. Councilmember Pruitt made a motion to approve the Ordinance, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

Ordinance on First Reading to amend the Zoning Code, Cellular Communications Towers; establishing a Public Hearing date of September 11, 2014 was the next item on the Agenda. Councilmember Landers made a motion to approve the Ordinance, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

The next item of business was Ordinance on First Reading to amend the Zoning Ordinance of Shelbyville, Tennessee in order to more specifically regulate sexually oriented businesses, establishing a Public Hearing date of September 11, 2014. City Manager Jay Johnson explained the Ordinance passed on Third and Final reading was in reference to the table of uses and the Ordinance on First Reading provides the specific guideline for special exceptions. Councilmember Meek made a motion to approve the Ordinance on First Reading, seconded by Councilmember Williams, and carried unanimously upon roll call vote.

The next item on the Agenda was Ordinance on First Reading to provide for text amendment to amend the official Zoning Ordinance of the City of Shelbyville, Tennessee to provide for fees and plats and site plans; and to repeal any Ordinance or part of an Ordinance in conflict herewith and to establish a Public Hearing Date of September 11, 2014. Councilmember Williams made a motion to approve the Ordinance, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

Ordinance on First Reading to amend the Zoning Ordinance to provide for establishing fees by Resolution, establishing a Public Hearing date of September 11, 2014 was the next item of consideration. Councilmember Rose made a motion to approve, seconded by Councilmember Feldhaus, and carried unanimously upon roll call vote.

Resolution providing for a statement of interest and intent for a proposed Commerce Business Park was the next item on the Agenda. Councilmember Meek made a motion to approve, seconded by Councilmember Williams, and carried unanimously upon roll call vote.

Prior to the reading of the next Resolution Councilmember Williams made a motion for the City Attorney to read caption only on the remaining Resolutions. The motion was seconded by Councilmember Pruitt. Upon oral vote the motion carried unanimously.

A consideration of a motion establishing a Public Hearing Date of September 11, 2014 for Resolution adopting a plan of service for the annexation of certain areas by the City of Shelbyville, Tennessee; area is defined as an 88 acre Industrial Park on Frank Martin Rd, identified on the tax rolls as Map 50, Parcel 26.00 was the next item of business before the Council. City Manager Johnson clarified that this motion of consideration is just to establish an effective date. Councilmember Williams made a motion to approve, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

A Resolution revising Park Pavilion Rental Fees as recommended by the Parks and Recreation Board was the next item of business. Councilmember Meek made a motion to approve the Resolution. The motion was seconded by Councilmember Pruitt. The motion carried unanimously upon roll call vote.

The final Resolution on the Agenda was a Resolution amending the City Pension Plan contribution to reflect 7% total City Contribution to the individual 401 K Plan. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt. The motion carried unanimously upon roll call vote.

Councilmember Meek made a motion to approve the Accounts Payable for the month of July 2014. Councilmember Williams seconded the motion and upon roll call vote was unanimously approved.

Mayor Cartwright asked if there were any amendments to be made to the Treasurer's Report for July 2014 and the various Department Reports for July 2014. Hearing none, the reports were received as submitted.

The next item considered was a motion to acknowledge receipt of Argie Cooper Public Building Assessment Report by Mackie Shanks, Architect/SSR Engineering. Councilmember Pruitt made motion, seconded by Councilmember Landers, and upon oral vote carried unanimously.

Consideration of a motion to acknowledge report from Parks & Recreation Board Meeting in reference to Musgrave Park/Hilliard Gardner Youth Softball League was the next item on the Agenda. City Manager Johnson reported that Hilliard Gardner League has signed lease agreement for the fall season. Councilmember Williams made motion, seconded by Councilmember Pruitt, and upon oral vote carried unanimously.

Councilmember Feldhaus made a motion to acknowledge memo from Parks and Recreation Director in regards to Musgrave Park Lease/ Hilliard Gardner Youth Softball League. The motion was seconded by Councilmember Williams. Upon oral call vote the motion carried unanimously.

A motion to acknowledge receipt of Tennessee's Comptroller's Office Form CT-0253 on TML Bond Fund Capital Outlay Issuance was the next item on the Agenda. City Manager Johnson explained that it is a state requirement for the Council to acknowledge the form. Councilmember Feldhaus made a motion, seconded by Councilmember Landers, and carried unanimously upon oral vote.

A motion to approve professional services with Garver Engineering for Project Design, North Taxiway Rehab was the next item of consideration. Councilmember Williams made a motion to approve. The motion was seconded by Councilmember Rose and upon roll call vote carried unanimously.

Councilmember Feldhaus made a motion for renewal agreement for one (1) year with the Celebration for Solid Waste Services. The motion was seconded by Councilmember Meek and carried unanimously upon roll call vote.

The Council then considered the items previously added to the Agenda, as follows.

An Ordinance on First Reading amending ordinance number 939 of the City of Shelbyville, Tennessee adopting the annual operating and capital improvements budget, all funds, for the Fiscal year 2014-2015; providing for an effective date. Councilmember Rose made a motion to approve the Ordinance on First reading. The motion was seconded by Councilmember Williams and upon roll call vote the Ordinance passed unanimously.

Next was a motion authorizing City Attorney and Mayor to execute a grant and related documents with TDOT for North Main Street Enhancement Project. Councilmember made motion, seconded by Councilmember Pruitt, and upon roll call vote was unanimously approved.

The final item of business was Mayor Appointments to Airport Management Study Committee. They are as follows:

John Wharton, Airport Authority	6 month term
Jim Henderson, Airport Authority	6 month term
Henry Feldhaus, Councilmember	6 month term
Thomas Landers, Councilmember	6 month term
Jay Johnson, City Manager	6 month term

The following announcements were made:

Planning Commission meeting will be held Thursday, August 21st at 6:00 p.m. This is one week earlier than regular scheduled meeting date. In addition the Historical Zoning Commission will meet on August 18, 2014 at 6:00 p.m. for a Training Session. Final announcement was made by City Manager Jay Johnson. He announced that earlier in the week TDOT Commissioner Schroer held a press conference in Shelbyville and that Shelbyville had been awarded a Sidewalk Enhancement Grant for North Main Street.

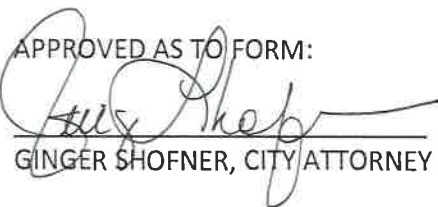
There being no further business to come before the Council, the meeting was adjourned at 6:35 p.m.

APPROVED:

WALLACE CARTWRIGHT, MAYOR

ATTEST:


SHANNA BOYETTE, CITY RECORDER

APPROVED AS TO FORM:

GINGER SHOFNER, CITY ATTORNEY