

City Council Meeting Minutes

Regular Meeting: January 12, 2017

Place: City Hall Annex, Shelbyville Police Department Court Room, 109 Lane Pkwy

Call to Order-Mayor Wallace Cartwright-6:00pm

Invocation-Led by Building & Codes Director Monty Kapavik

Pledge of Allegiance-Led by City Council

Roll Call: The following Councilmembers were present: Councilmember Christie, Councilmember Clanton, Councilmember Feldhaus, Councilmember Landers, Councilmember Meek and Councilmember Pruitt. Also present were City Manager Johnson, City Recorder Mai and City Attorney Shofner

Adopt the Agenda: Councilmember Landers made a motion to adopt the agenda as printed, Councilmember Pruitt seconded and the motion carried unanimously by oral vote.

Consideration of a motion to approve minutes: Mayor Cartwright asked for any revisions to the minutes and hearing none declared they were approved as printed.

Study Session of November 29, 2016

Regular City Council Meeting of December 8, 2016

Mayor Cartwright thanked those in attendance from Leadership Bedford and declared the regular meeting closed at 6:02pm to open the **Public Hearing**. There was one ordinance on public hearing:

An Ordinance An Ordinance (As Amended) to Amend the City Code of Ordinances, Title 4, Chapter1, Building Code, Chapter 2, Plumbing Code, Chapter 3, Electrical Code, Chapter 4, Gas Code, Chapter 9, Mechanical Code, Chapter 13, Residential Code, Chapter 15, Property Maintenance Code and Chapter 16, International Energy Conservation Code; to adopt by Reference the 2012 Edition of the International Residential Code; to Provide for Local Amendments; to Provide for an Effective Date of March 1, 2017.

There were no comments from the public. Mayor Cartwright closed the public hearing and reopened the regular meeting at 6:03pm.

Old Business

Mayor Cartwright asked for a **motion to allow City Attorney to read caption only for Ordinances**.

Councilmember Meek made that motion, Councilmember Clanton seconded and the motion carried unanimously by oral vote.

Ordinances-Second & Final Reading were next, and there was one:

An Ordinance (As Amended) to Amend the City Code of Ordinances, Title 4, Chapter1, Building Code, Chapter 2, Plumbing Code, Chapter 3, Electrical Code, Chapter 4, Gas Code, Chapter 9, Mechanical Code, Chapter 13, Residential Code, Chapter 15, Property Maintenance Code and Chapter 16, International Energy Conservation Code; to adopt by Reference the 2012 Edition of the International Residential Code; to Provide for Local Amendments; to Provide for an Effective Date of March 1, 2017.

Councilmember Feldhaus made a motion to approve, Councilmember Pruitt seconded and the motion carried unanimously by roll call vote. There was no discussion.

New Business

Next were **Ordinances-First Reading**, there were three:

An Ordinance of the Shelbyville City Council to Amend Article 6, Section 6.4, of the Municipal Zoning Ordinance Regarding Residential Dwelling Units in Commercial and Industrial Structures, and the Repeal of any Ordinance or Part of an Ordinance in Conflict Herewith.

Councilmember Feldhaus made a motion to defer this item one month because of questions arising regarding buildings around the square. He stated that with the possibility of the County offices being moved away from the square he would rather see this item deferred and discuss it more at the next study session. Councilmember Christie seconded and the motion carried unanimously by oral vote.

An Ordinance of the Shelbyville City Council to Amend Article 4 of the Municipal Zoning Ordinance by Adding a Section Regarding Paving Requirements and Small Building Additions, and to Repeal any Ordinance or Part of an Ordinance in Conflict Herewith.

Councilmember Clanton made a motion to approve. Councilmember Pruitt seconded and the motion carried unanimously by roll call vote. There was no discussion.

An Ordinance to Amend the Adopted Budget Ordinance of the City of Shelbyville, Tennessee, for the Fiscal Year 2016-2017, the Period Ending June 30, 2017.

Councilmember Landers made a motion to approve. Councilmember Feldhaus seconded and the motion carried unanimously by roll call vote. There was no discussion.

There was one **Resolution**:

A Resolution to Adopt the International Code Council Building Valuation Data Table for the City of Shelbyville Building Permits and Inspections.

Councilmember Pruitt made a motion to approve. Councilmember Landers seconded and the motion carried unanimously by roll call vote. There was no discussion.

Next were **Business Items**:

Accounts Payable (December 2016). Councilmember Meek made a motion to approve. Councilmember Clanton seconded and the motion carried unanimously by roll call vote. There was no discussion.

Treasurers Report (November 2016) and Various Department Reports (December 2016). Mayor Cartwright stated these two items being received as submitted.

Consideration of a Motion to enter into an agreement with Wiser Consultants for CEI services for Sidewalk Improvements North Square-TAP Phase 2.

Councilmember Landers made a motion to approve. Councilmember Clanton seconded and the motion carried unanimously by roll call vote. There was no discussion.

Consideration of a motion to accept Right-of-Way dedication from Bedford County. Mayor Cartwright stated that this was in reference to the 231 N Business Park.

Councilmember Feldhaus made a motion to approve and Councilmember Meek Seconded. Councilmember Landers requested that City Manager Johnson explain this item. Manager Johnson explained that on the connector road between Airport Industrial Park Drive and Frank Martin Road that there is a short connector road that will become the entrance to the new 231 N Business Park. That because of the location of the Russell Office building it is necessary to shift a small portion of that road to the west slightly, creating a better alignment going into the property. Further this donation by the

County will be strictly for right-of-way purposes to allow for the roadway shift. Motion carried unanimously by roll call vote.

Consideration of a motion to accept report on MS4 renewal process.

Councilmember Feldhaus made the motion to approve, Councilmember Landers seconded and the motion carried unanimously by oral vote.

The next items were for Purchasing/Bid Awards:

Consideration of a motion to accept the low bid received by Curl Construction and Excavating, LLC of Wartrace, TN for Shelbyville North Square Sidewalk Improvements Project-Phase 2 in the amount of \$697,709.47, contingent upon concurrence to award by the TN Department of Transportation as recommended by Wiser Consultants.

Councilmember Meek made a motion to approve, Councilmember Christie seconded and the motion carried unanimously by roll call vote. There was no discussion

Consideration of a motion to accept low bid received by Quality Exteriors of Murfreesboro, TN in the amount of \$32,550 plus a contingency of \$3,000 for a total amount of \$35,550 as recommended by the Bid Committee/John Davis, Consulting Architect. Mayor Cartwright clarified this is for the roof at the Senior Citizens Center.

Councilmember Christie made a motion to approve, Councilmember Landers seconded and the motion carried unanimously by roll call vote. There was no discussion

Consideration of a motion to renew contract (2nd of 2 annual renewal opportunities) with Pyro Shows, Inc. of LaFollette, TN at a 2% increase in the total amount of \$10,500 scheduled for July 4, 2017 at 9:00pm with a rain out date of July 8, 2017 at 9:00pm.

Councilmember Meek made a motion to approve and Councilmember Pruitt seconded. Councilmember Feldhaus inquired if the County would be paying half of the cost. Manager Johnson stated that he was prepared to write a letter and ask that the County participate in the cost after acceptance of the motion. Attorney Shofner stated that in the past the motion was amended to include that information. Councilmember Clanton made the motion to approve the amendment of the motion and ask the County to pay for half cost Councilmember Feldhaus seconded that motion. That motion carried unanimously by roll call vote. Councilmember Landers then made a motion to approve the original motion for renewal of the contract. Councilmember Pruitt seconded and that motion carried unanimously by roll call vote.

Appointments:

Mayor Cartwright stated that Ron Tillman was being re-appointed to the Board of Zoning Appeals - two-year term

Announcements:

Mayor Cartwright announced that City Hall will be closed on Monday, January 16, 2017 in observance of MLK Jr. Day. Mondays trash will be picked up on Tuesday January 17 with Tuesday's regular route.

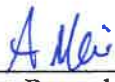
Mayor Cartwright then thanked Police Chief Jan Phillips for 40 years of service to the City of Shelbyville.

With no further business to be discussed Mayor Cartwright adjourned the meeting at approx. 6:17pm.

Approved:

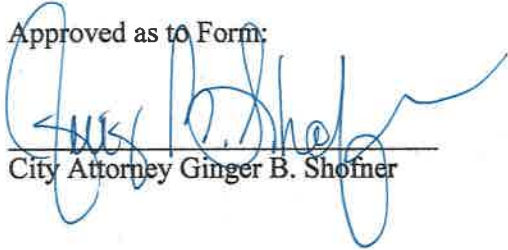

Mayor Wallace Cartwright

Attest:



City Recorder Anna Mai

Approved as to Form:



City Attorney Ginger B. Shofner

City Council Meeting Minutes

The Shelbyville City Council met in regular study session on Tuesday, January 3, 2017 at the City Hall Annex Courtroom, 109 Lane Pkwy. Mayor Cartwright called the meeting to order at 6:00pm and the following were present: Councilmember Landers, Councilmember Christie, Councilmember Clanton, Councilmember Meek, Councilmember Pruitt, Councilmember Feldhaus, City Manager Johnson, City Recorder Mai, City Attorney Shofner, City Treasurer Owen, Public Works Director Pierce, Planning Director Rhinehart and Purchasing Director Saddler.

The first item on the agenda was a report on economic development activity presented by Chamber of Commerce CEO Allen Pitner. Mr. Pitner reported to the Council on several different things that the Chamber is working on including: unemployment is down by 5%, industrial recruitment, industrial park, local business, economic outlook, workforce development, tourism, the Celebration Board, promotion of Shelbyville and other local municipalities, a mock site visit by TVA, a new Chamber website launched in October. Mr. Pitner stated that he has an open door and is always happy to answer questions and take suggestions.

The next item was a report from United Communications as presented by Mike Jury. Manager Johnson prefaced by stating that there was no action to be taken on this item but that it would probably be presented on the next Study Session for consideration. Mr. Jury thanked the Council for allowing him to attend the meeting and address them. He explained that United Communications is one of the only regional fiber networks and that they had landed an anchor tenant, a multi-site multi-city tenant located in Shelbyville and that at this time he cannot disclose the name of that tenant. Mr. Jury stated that United Communications would need to bring their services through the City of Shelbyville and that this would not only provide service to the anchor tenant but could provide service to the citizens of Shelbyville as well. Manager Johnson stated that they would possibly need a franchise agreement similar to what had been done with Athena Broadband, however they have a state-wide Franchise Ordinance that may be applicable but is currently under legal review and they would have a standard Utility Bond as well. There was some brief discussion on an anticipated schedule and route.

Next was review and discussion of 2017 calendar year goals (departments). Manager Johnson stated that each City Department had provided goals for the upcoming year that were included in the packet, as has been the process for many years and that each department has significant things they would like to accomplish.

The next item was review and discussion of establishing Mayor and City Council Goals for 2017. City Manager Johnson stated that he had outlined some ideas and presented at the last study session but was approached after the meeting about the Council holding a separate study session to establish their goals. It was discussed that it would be a good idea for the Departments to meet with the Council and discuss their goals as well as the Council meet and discuss goals.

A review and discussion of a proposed Ordinance amending the adopted FY 2016-2017 Annual Budget-Variou Funds was next. Manager Johnson stated that Treasurer Owen has put together an Ordinance and breakdown of the amendments that these have all already been approved separately and already by Council but that this would just be a clean-up Ordinance. Also, that no new monies were allocated that were not approved prior. Councilmember Christie inquired if everything had already been completed, Treasurer Owen stated they had. Councilmember Landers stated that he appreciated the listing of all the different amendments.

A review of TAP Phase 2 Bids then followed. Purchasing Director Saddler stated that two bids had been received and a letter had been received from Wisser Consultants recommending Curl Construction in the amount of \$697,709.47, contingent upon the concurrence to award by TDOT. It was stated that Curl had also been the lead on Phase 1.

Next was discussion about TAP Phase 2 CEI, Professional Services Agreement. Manager Johnson stated that this agreement is with Wisser to be the project manager and construction inspector during the project, and that it is grant eligible. It was discussed that this is an 80/20 grant fund project. Councilmember Clanton inquired about the date on the agreement, Manager Johnson stated that he had solicited bids during the summer in anticipation of this item being bid in October.

Discussion of adding a monthly agenda item-committee reports was next on the agenda. Manager Johnson explained that since all the Councilmembers serve on different various boards/committees that it may be a good idea to add an item to either the study session agenda or the Council agenda of committee reports to help close the circle on the exchange of information. The consensus of the Council was that this was a good idea and that it be added to the study session agenda.

The last discussion item was discussion of a special work session meeting date. Manager Johnson stated that this had been talked about since last summer. There was discussion on having an outside person head up the meeting and the possibility of having that person be someone different than has worked with the City in recent years. There was also more discussion about meeting on City Goals for departments and the Council. Consensus was to have a meeting on January 23rd that the first hour with Department Directors and the Council to discuss Department Goals and then the second hour would be just the Mayor and Council to discuss Council Goals, then to have a work session on February 7th for the Council to work on leadership, teambuilding, etc....both to start at 6:00pm.

Ordinances on Second and Final reading were next. There was only one Ordinance: An Ordinance (As Amended) to Amend the City Code of Ordinances, Title 4, Chapter 1, Building Code, Chapter 2, Plumbing Code, Chapter 3, Electrical Code, Chapter 4, Gas Code, Chapter 9, Mechanical Code, Chapter 13, Residential Code, Chapter 15, Property Maintenance Code and Chapter 16, International Energy Conservation Code; to adopt by Reference the 2012 Edition of the International Residential Code; to Provide for Local Amendments; to Provide for an Effective Date of March 1, 2017. Manager Johnson explained that this is back on the agenda for a technicality that the penalty language must be published in the public hearing notification. City Attorney Shofner explained that State Law requires that the penalty for violation must be advertised and this would just be to clean up the Ordinance per state law, it has already been adopted there are no changes to the Ordinance and this will just push back the effective date.

Ordinances on First Reading came next. There were two:

An Ordinance of the Shelbyville City Council to Amend Article 6, Section 6.4, of the Municipal Zoning Ordinance Regarding Residential Dwelling Units in Commercial and Industrial Structures, and the Repeal of any Ordinance or Part of an Ordinance in Conflict Herewith. Planning Director Rhinehart explained that there are already regulations in the Zoning Ordinance however the clarification language establishes that any new dwelling units in commercial structures are only permissible if there is a previously established and active business in operation at that particular location, an active business being defined as one that is open for patronage to the public and has an active business license on file with the City of Shelbyville. Further that residential units are expressly prohibited in industrially utilized structures, or within structures located on industrially zoned property. There was extensive discussion about this Ordinance, and it was emphasized that it will only be in effect for new dwelling units, it was discussed also that this is trackable through the City's Business License process as all Business Licenses must be approved by both Planning Director Rhinehart and Building & Codes Director Kapavik.

An Ordinance of the Shelbyville City Council to Amend Article 4 of the Municipal Zoning Ordinance by Adding a Section Regarding Paving Requirements and Small Building Additions, and to Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. Planning Director Rhinehart went over that this Ordinance had been brought before the Council in the fall and remanded back to the Planning Commission with some questions. The Planning Commission addressed the questions raised and the language in the Ordinance now states that only the first additional building of 450 square feet or less does not trigger the parking requirement but any subsequent additions, regardless of size, shall require adherence to all provisions of the article pertaining to access and paving.

Next was a Resolution to Adopt the International Code Council Building Valuation Data Table for the City of Shelbyville Building Permits and Inspections (Two options-with or without a reduction). Manager Johnson stated that this has not been looked at by the Council since March of 2014 and that two options are being presented one to accept the ICC table at value and one at a 20% discount. Director Kapavik explained the proposed Resolution and how the ICC establishes their valuation and provided a comparison of surrounding cities of similar size. Director Kapavik also explained that there is a proposed change to make the mechanical and plumbing fees to be \$100 for either for a residential permit and \$200 for either for a commercial permit.

Consensus of the Council was to use the ICC table with no reduction and the changes to the mechanical and plumbing fees were also acceptable.

Business items:

The first item of business was Acceptance of Right of Way Dedication from Bedford County. Manager Johnson explained that this piece of property is at the corner of Frank Martin Rd. at the edge of the County EMS building, it is for the 231 N Business park to straighten out the S curve at that point in the road. There was some discussion if Dr. Russell was ok with this and Manager Johnson stated he was Attorney Shofner stated that they have been working with him and he is good with the situation.

Report on MS4 Renewal Process was next. Public Works Director Pierce explained that the City is in the process of renewing its MS4 permit and that the City is working under its existing permit. Manager Johnson stated that the new rules put out by the State last fall are being challenged. Director Pierce also stated that this was already in the budget.

Purchasing and Bids:

Fireworks Option to Renew, July 4th with a Rainout Date of July 8th. Director Saddler explained that this is the second option to renew with the vendor, that the first year there was a 3% increase and this year a 2% increase, cost being \$10,500.

Senior Citizens Center Roof was the next item. Director Saddler stated that this is being managed by Davis Stokes and facilitated by John Davis there were six responsive bidders, the low bid being recommended was from Quality Exteriors of Murfreesboro and it included a performance bond and a \$3,000 contingency fund. Total cost at \$35,550 and that the budget for the project was \$50,000.

There is one appointment, that being a re-appointment to the BZA.

Councilmember Feldhaus inquired about the drainage issue involving Mr. Horn. Manager Johnson stated that he is hopeful the engineering report would be received by the end of the month.

Mayor Cartwright announced that former Councilmember Robert Fraizer who had served from 1999-2007 had passed away and that visitation would be Thursday night at Hillcrest.

With no further business to discuss Mayor Cartwright adjourned the meeting at approx. 7:26pm.

Approved:


Mayor Wallace Cartwright

Attest:

A Mai

City Recorder Anna Mai

Approved as to Form:

Ginger B. Shofner

City Attorney Ginger B. Shofner

City Council Meeting Minutes

The Shelbyville City Council met in special study session on Monday, January 23, 2017 at the Shelbyville Recreation Center, 220 Tulip Tree Rd. Mayor Cartwright called the meeting to order at 6:00pm, the following were present: Councilmember Clanton, Councilmember Landers, Councilmember Christie, Councilmember Meek, Councilmember Pruitt and Councilmember Feldhaus. Also present were City Manager Johnson, City Attorney Shofner, City Treasurer Owen, City Recorder Mai, Purchasing/IT Director Saddler, City Planner Rhinehart, Public Works Director Pierce, Police Chief Phillips, Asst. Airport Director Eyster, Asst. Fire Chief Vinson, Parks and Recreation Director Alsup, Asst. Parks and Recreation Director Dan Jackson, HR Director Hobbs and Building and Codes Director Kapavik.

Mayor Cartwright took a moment to thank everyone for coming and turned things over to City Manager Johnson. Manager Johnson also thanked everyone and introduced Gary Jaeckel of the Municipal Technical Advisory Service who would be facilitating/moderating the meeting. Mr. Jaeckel introduced himself and went over some of his past experience both in local government and as a City Councilmember. He explained that this is the first step in what should be a series of steps to help the City figure out it's next steps as far as where it is going and how to get there, he also suggested that this goal setting become an annual process and that if it does he knows it will help the City of Shelbyville.

At this time in the meeting each Department Director or their representative went over a couple of the goals set for the upcoming year. The order for presentation was: Recorder, Treasurer, Purchasing/IT, Human Resources, Planning, Police Department, Animal Control, Fire Department, Building and Codes, Parks and Recreation, Public Works. Airport and City Manager. There was brief discussion by the Council on several of the goals presented.


Mr. Jaeckel stated that there would be a break in the meeting and that the City Council would discuss their goals next.

When the meeting reconvened the following were present: Councilmember Clanton, Councilmember Landers, Councilmember Christie, Councilmember Meek, Councilmember Pruitt and Councilmember Feldhaus, City Manager Johnson, City Attorney Shofner, City Treasurer Owen, City Recorder Mai, Purchasing/IT Director Saddler, City Planner Rhinehart and Public Works Director Pierce. Mr. Jaeckel stated that he wanted each Councilmember to pretend that money was no object and state what their "wish list" goals might be. Each Councilmember went over the goals that they would like to see accomplished. Then Mr. Jaeckel took them through the process of narrowing down their goals into tangible objectives and identifying the top eight or so goals for the upcoming year. There was extensive discussion during this part of the goal setting process, discussion included the steps that the City may need to take to get where it wants to be as well as finances and budget. Mr. Jaeckel stated that he would provide these goals back to the City in an easy to read format (white board was used during the meeting). Consensus of all in attendance was that the meeting went very well and was very helpful, also that this goal setting process/meeting should be done again maybe in October to ensure everyone was on track and see how things have been going. Meeting adjourned at approx. 9:45pm.

Approved:

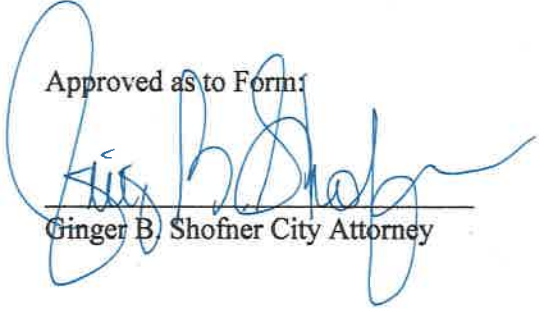

Mayor Wallace Cartwright

Attest:



City Recorder Anna Mai

Approved as to Form:



Ginger B. Shofner City Attorney