

City Council Meeting Minutes

The Shelbyville City Council met in a Special Emergency Session on Monday, February 2, 2015 at 6:00 p.m. at the City Hall Annex. Mayor Cartwright called the meeting to order and the following members were present: Councilmember Feldhaus, Councilmember Christie, Councilmember Rose, Councilmember Pruitt, Councilmember Landers, and Councilmember Meek. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger B. Shofner, and City Recorder Shanna Boyette.

The first item on the Agenda was report on Storm Water Drainage Flume. City Manager Johnson explained the need to inform the Council of the immediate and necessary repairs and required authorization to repair Storm Water Drainage Flume. Public Works Director Mark Clanton addressed the Council to discuss and provide comments on the Storm Water Drainage Flume status and recent inspection. Public Works Director Mark Clanton also provided pictures of the damage to the Flume. In the Big Springs Shopping Center area there is a compromised area of the Flume. It is approximately 3 ½ to 4 feet in height at the highest point of the implosion. The sides and top of the flume were reported to still be in pretty good shape. The compromised area is in a bend of the flume, approximate 90 degree angle. The compromised portion of the flume is located adjacent to building owned by James Farrar, business location of Farrar Bail Bonding. It was reported that the building also has incurred damage. There are stress cracks present, ½ separation from the floor to the building. It was also reported that there is a 50 foot easement on the flume for all sections. Approximately 80 to 100 feet of excavation will be necessary around the bend of the flume. Outside sources around the excavation area include Mr. Farrar's building, power lines, and sewer lines. Public Works Director Clanton also reported that the vendor Con Tech has been contacted to provide a quote. This is the same vendor used in 2009 to repair previous damages to the flume. ConTech's quote will include the maintenance of the tube (flume), installation of the tube (flume), bracing of the tube (flume), concrete collars, 3ft./4ft. wall , engineer for all backfill, an inspector for the backfill, engineer the shoring of Mr. Farrar's building. The proposal was not sent in time of the Special Emergency Meeting, but the costs for all listed will be between \$250,000 to \$275,000. This quote does not include excavation costs, shoring costs for Mr. Farrar's building, or any damages to Mr. Farrar's building. Director Clanton also provided a timeline for repairs and what steps will be taken first. In addition to the \$250,000 an excavator will need to be hired to shore Mr. Farrar's building and the excavating of the flume. An exact cost is unknown and would be per hour just as it was in 2009 repairs. City Manager Johnson provided information on Insurance claims. It was unknown at the time of the meeting if insurance will pay for property damage to building. A claim has been filed with TML, but the flume has never been put on the insurance where the City has paid a premium in regards to the coverage of the flume. It was also reported that contractors can be onsite in three (3) to five (5) weeks. Public Works Director Clanton explained the importance of repairing quickly in order to eliminate any future damages. Public Works Director Clanton reported that he has also contacted Will Owen in regards to any potential TDEC permit that might be needed. Public Works Director Clanton also reported to the Council that Public Works Department would be doing some of the work in order to reduce costs. Director Clanton also explained the need to block off the area around Mr. Farrar's building immediately as a safety precaution. Director Clanton stated that he would provide the Council with a detailed report of findings after the excavation is complete. It will take approximately two (2) weeks to repair. Councilmember Feldhaus encouraged documentation throughout the repair process as well as video footage from an independent engineer.

The next item on the Agenda was consideration of a motion declaring an emergency and authorizing the Mayor and City Manager to take necessary action to repair/replace damaged section of the flume with report to City Council. Councilmember Christie made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

The final item on the Agenda was consideration of a Resolution authorizing the issuance of Interest bearing general obligation Capital Outlay Notes, Series 2015, in an amount not to exceed \$500,000 and providing for the payment of said notes. City Manager Johnson provided staff comments on the 2.04 % interest and steep repayment re-schedule. He noted that it could be made longer if desired by the Council. Discussion comments also included that if Resolution was authorized at Special Emergency Session the interest rate would be locked in and any costs incurred can be reimbursed. Interest does not begin until the papers are signed. City Attorney Shofner read the caption of the Resolution. City Treasurer Jamey Owen provided a budget status presentation. Slides included the following information: Cash Flow Year over Year, Cash Comparison 2013-2014 (Nov. & Dec.), Current Debt per Project (2026 all city debt would be paid, no long term debt), Proposed debt per project, Debt-Current vs. Proposed, and Operating Fund Reserve Status. There being no further discussion or comments, Councilmember Landers made a motion to approve the Resolution, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

There being no further business to come before the Council, the Mayor adjourned the meeting at 6:41 p.m.


APPROVED:


Wallace Cartwright, Mayor

ATTEST:


Shanna Boyette, City Recorder

APPROVED AS TO FORM:


Ginger B. Shofner, City Attorney

City Council Meeting Minutes

The Shelbyville City Council met in Regular Session on Thursday, February 12, 2015 at 6 o'clock. The invocation was led by Brother Randall Harmon of East Park Methodist Church and the Council led the Pledge of Allegiance. Mayor Cartwright called the meeting to order and the following members were present: Councilmember Landers, Councilmember Rose, Councilmember Christie, and Councilmember Pruitt. Councilmember Meek and Councilmember Feldhaus were absent. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger B. Shofner, and City Recorder Shanna Boyette.

The first item of business was approval of the Agenda. Mayor Cartwright called for any items to be added or removed from the Agenda. There were four items to be added:

1. A Resolution authorizing submittal if a HOME Grant to THDA
2. Consideration of approval of minutes from Special Council Meeting of February 2015
3. TDOT Agreement for Lane Parkway resurfacing (STP funds)
4. CT-0253 State report on terms and conditions of debt issuance

Councilmember Landers made a motion to amend the Agenda, seconded by Councilmember Pruitt, and approved by all upon oral vote. Councilmember Pruitt made a motion to approve the Agenda, seconded by Councilmember Rose, and approved by all upon oral vote.

The next item of business was approval of the minutes from the Regular Session on January 8th, and the Executive Session held January 20, 2015. Councilmember Christie made a motion to approve all minutes, seconded by Councilmember Landers, and carried unanimously upon oral vote.

Mayor Cartwright then closed the Business meeting at 6:05 to hold a Public Hearing on the following items.

- An Ordinance of the City of Shelbyville to amend the City Code of Ordinances, Title VII, Chapter 2, Section 1 to adopt the 2009 Edition of the International Fire Code.
 - An Ordinance of the City of Shelbyville to amend the City Code of Ordinances, Title IV, Chapter 12, Life Safety Code to adopt the 2009 NFPA 101 Life Safety Code and exempting sprinkler requirements set forth for one and two family dwellings in section 903
 - An Ordinance amending the City of Shelbyville Municipal Code, Title 10, Chapter 2, Sections 207-208 Weapons and Firearms generally and discharge of weapons and to repeal any Ordinance or portion of an Ordinance in conflict herewith
 - An Ordinance if the City of Shelbyville to amend Title 2, Chapter 2, Beer as amended and to repeal any Ordinance or part of an Ordinance in conflict herewith
- Mayor Cartwright called for any comments and discussion on all items of the Public Hearing. Hearing none the Public Hearing was closed and the Regular Business meeting was reopened by the Mayor at 6:07 p.m.

Councilmember Landers made a motion to allow the City Attorney to read caption only for all Ordinances. The motion was seconded by Councilmember Pruitt and carried unanimously upon oral vote.

Items of Old Business were then in order.

There were four Ordinances for consideration on Third and Final Reading.

An Ordinance as amended to annex into the City of Shelbyville certain area containing eighty eight acres located on Frank Martin Rd. was the first item of consideration. Councilmember Rose made a motion to defer until March 12, 2015. The motion was seconded by Councilmember Landers and carried unanimously upon oral vote.

The next Ordinance was an Ordinance to zone 88 acres located on Frank Martin Rd. as L-1 Industrial. Councilmember Christie made a motion to defer until March 12, 2015, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

An Ordinance to amend the official Zoning Map of the City of Shelbyville, Tennessee to rezone two parcels of property located at L. Fisher Rd. and Cedar King Rd., more specifically identified as Tax Map 77, Parcel 27.06 and 27.11 owned by White & Associates from I-1 (Light Industrial) to I-2 Heavy Industrial and to repeal any Ordinance or part of an Ordinance in conflict herewith was the next item of business. Councilmember Landers made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

The final Ordinance on Third and Final Reading was An Ordinance to amend the City Code of Ordinances Title 5, by creating a new chapter 11, Alarms; to repeal any and all Ordinances and parts of Ordinances in conflict herewith and providing for an effective date of April 1, 2015. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

There were four Ordinances on Second Reading.

An Ordinance of the City of Shelbyville to amend the City Code of Ordinances, Title VII, Chapter 2, Section 1 to adopt the 2009 Edition of the International Fire Code. City Manager Johnson provided comments and requested that the Ordinance be tabled indefinitely. Councilmember Pruitt made a motion to table the Ordinance indefinitely, seconded by Councilmember Rose, and carried unanimously upon oral vote.

The next item was an Ordinance of the City of Shelbyville to amend the City Code of Ordinances, Title IV, Chapter 12 Life Safety Code and exempting sprinkler requirements set forth for one and two family dwellings in Section 903. City Manager Johnson again requested that the Ordinance be tabled indefinitely. Councilmember Rose made a motion to table the Ordinance indefinitely, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

An Ordinance amending the City of Shelbyville Municipal Code, Title 10, Chapter 2, Sections 207-208 Weapons and Firearms generally and discharge of weapons and to repeal any Ordinance or portion of an Ordinance in conflict herewith was the next item of business. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

The next item on the Agenda was an Ordinance of the City of Shelbyville to amend Title 2, Chapter 2 Beer as amended and to repeal any Ordinance or part of an Ordinance in conflict herewith. City Manger Johnson provided comments on the Ordinance. The Ordinance includes all amendments as reviewed and recommended by the Shelbyville Beer Board through their last meeting held January 28, 2015. Councilmember Christie made a motion to approve the Ordinance, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote. Councilmember Rose made a motion to approve the Ordinance with all reflected changes, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

Items of New Business were then in order.

There were three Ordinances on First Reading.

The next item on the Agenda was an Ordinance to amend the Budget Ordinance of the City of Shelbyville, Tennessee for the fiscal year 2014-2015, the period ending June 30, 2015; establishing a Public Hearing Date of March 12, 2015. Councilmember Rose made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

An Ordinance to repeal the current Municipal Zoning Ordinance of the City of Shelbyville, Tennessee in its entirety and replace with the text of the completely revised Zoning Ordinance contained herein and further repealing any Ordinance or part of an Ordinance in conflict herewith; establishing a Public Hearing Date of March 12, 2015 was the next item on the Agenda. City Planner Rhinehart and Planning Commission Chairman Warren Landers were recognized to provide comments on the Ordinance. City Planner gave a brief overview on the prospective Zoning Ordinance and highlighted the revised changes as recommended by the Planning Commission. Councilmember Landers made a motion to approve the Ordinance on first reading, seconded by Councilmember Pruitt. Mayor Cartwright called for discussion and Councilmember Christie provided comments on concerns of noted radius in the Prospective Zoning Ordinance as it relates to telecommunication towers and the potential that said radius would potentially eliminate many parcels within Shelbyville. The radius was discussed by the members of the Council, City Planner, Planning Commission Chairman, as well as City Manager and City Attorney. After discussion Councilmember Landers made a motion to revise/amend language in the Zoning Ordinance as it pertains to telecommunication towers to change from a two (2) mile radius to a one (1) mile radius. The motion was seconded by Councilmember Pruitt and carried unanimously upon roll call vote. City Planner Rhinehart will revise the document as well as include illustration for clarification purposes prior to the Second Reading and Public Hearing of the Ordinance. City Planner Rhinehart also announced that the document is available for review on the City Website and a hard copy is available in the Planner's office. In addition Councilmember Christie requested that City Planner Rhinehart survey all existing towers in the city and provide an overlay illustration to the Council.

The next item on the Agenda was an Ordinance amending the Shelbyville Municipal Code Title 8, Chapter 3 Wastewater Collection and Treatment; establishing a Public Hearing Date of March 12, 2015. Councilmember Rose made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Resolutions were then in order.

A Resolution authorizing the submittal of TN CDBG Grant application on behalf of the Shelbyville Sewer System in the total amount of \$517,241.00 with local match provided by the Shelbyville Water System. Councilmember Christie made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

The next item was a Resolution to authorize the removal of Special Assessment for Demolition costs associated with 606 Belmont Ave. Councilmember Pruitt made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

A Resolution authorizing the Mayor to submit Certificate of Need and Public Purpose for Commerce Business Park to Building Finance Committee, TN Department of Economic and Community Development. Councilmember Rose made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

Mayor Cartwright recognized the members of Leadership Bedford in attendance prior to calling for Business Items.

Business Items were then in Order.

Consideration of a motion to approve Accounts Payable for January 2015 was the next item on the Agenda. Councilmember Rose made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Mayor Cartwright declared that the Treasurer's Report and Various Department Reports for January 2015 would be received as submitted.

Consideration of a motion to receive report on ISWA Landfill Contract was the next item on the Agenda. City Manager provided comments that the ISWA Board of Directors had met recently and approved contract. Shelbyville would see a slight increase, but Shelbyville would maintain control of local transfer station. A memo will be prepared and sent to Council. Councilmember Landers made a motion to receive the report, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

Consideration of a motion to receive the Mid-Year Report was the next item on the Agenda. Councilmember Christie made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon oral vote.

The next item on the Agenda was consideration of a motion authorizing City Manager to submit letter to Social Service Agencies in regards to the FY 16 budget appropriations. Councilmember Landers made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon oral vote.

Consideration of a motion acknowledging receipt of 2014 Annual Departmental Reports was the next item on the Agenda. Councilmember Pruitt made a motion to approve, seconded by Councilmember Christie, and carried unanimously upon oral vote.

Consideration of a motion to approve the Safety Committee By-Laws as recommended by the Safety Committee was the next item on the Agenda. Councilmember Rose made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon oral vote.

The next item on the Agenda was consideration of a motion authorizing Project Scope Work with Garver Engineering for Airport Improvements. City Manager Johnson stated that this was part of the Budget Amendment approved earlier in the meeting. Councilmember Pruitt made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon oral vote.

Consideration of a motion authorizing revised Bonds for Trustees, 401 K Plan was the next item on the Agenda. Councilmember Rose made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon oral vote.

Consideration of a motion authorizing Mayor to execute Grant Agreement with TRPA for Community Garden Fund in the amount of \$2000.00 was the next item before the Council. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Consideration of a motion to receive report on Consultants for Proposed Master Plan in regards to Business Park was the next item on the Agenda. Councilmember Landers made a motion to receive the report, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

The next item on the Agenda was a consideration of a motion to receive report on Engineering Consultant for Proposed Business Park. Councilmember Christie made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon oral vote.

Consideration of a motion to authorize Mayor to submit letter to Chamber of Commerce on regards to Commerce Business Park was the next item on the Agenda. Councilmember Rose

made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon oral vote.

Consideration of a motion declaring the following items as surplus was the next item on the Agenda:

1. Airport Fuel Truck 1975 GMC 6000
2. Public Works 2000 Schwarze A700 Street Sweeper Chassis to sell on Gov Deals
3. Public Works Dump Bed from street sweeper to scrap
4. Administration-Obsolete Computers/ Monitors to sell on Gov Deals

Councilmember Pruitt made a motion to declare the items as surplus. Councilmember Landers seconded the motion and the motion was approved upon oral vote.

Bids were the next item of business.

Consideration of a motion to approve bid from Wright Paving in the amount of \$230,645.41 for SR 437/Fairfield Pike and Coney Island Road resurfacing SR64 to SR 130 (STP Funds) as recommended by the Bid Committee, pending TDOT concurrence was the next item on the Agenda. City Manager Johnson notified the Council that concurrence from TDOT was received earlier in the day. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

The next item was consideration of a motion to approve bid from Pyro Shows Lafollette, TN in the amount of \$10,000 for Fireworks Display July 4, 2015 as recommended by the Bid Committee. It was noted by City Manager Johnson that the expense is a 50/50 split with Bedford County and the same would be requested this year. Councilmember Rose made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

The next item on the Agenda was consideration of a motion approving Annual Rock Bid, Option to renew with no changes from Vulcan Materials as recommended by the Bid Committee. Councilmember Christie made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Consideration of a motion to approve eight (8) radar for Police Cars-TN Statewide Contract Pricing (GHSO Grant) from Applied Concepts, Inc. in total amount of \$10,360.00 was the next item on the Agenda. Councilmember Landers made a motion to approve, seconded by Councilmember Christie, and carried unanimously upon roll call vote.

The next item on the Agenda was consideration of a motion to approve two (2) In-Car Video Systems for Police Department-Proprietary Purchase with Kustom Signal (GHSO Grant) in the total amount of \$10,490.00. Councilmember Pruitt made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

Appointments were then in order.

Mayor Cartwright appointed Randy Vernon to Mr. James Winnette's unexpired term.

Mayor Cartwright appointed Wendell Agnew to the Joint Economic Development Board to fulfill Mr. James Winnette's unexpired term.

Councilmember Thomas Landers and City Manager Jay Johnson were appointed to the Commerce Business Park Committee as a Council Representative and Citizen Representative by Mayor Cartwright.

Mayor Cartwright reassigned Council Representatives to the Parks & Recreation Board and the Pension Committee. Sam Meek will serve on the Parks & Recreation Board and Kay Rose will serve on the Pension Plan Committee.

Non Agenda Items were then in order.

Consideration of a motion to approve a Resolution authorizing submittal of a Home Grant to THDA was the next item. Councilmember Rose made a motion, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Approval of the minutes from the Special Called Emergency Session of the Council on February 2, 2015 was the next item of consideration before the Council. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

Consideration of TDOT Agreement for Lane Parkway Resurfacing was the next item on the Agenda. City Manager Johnson provided comments on this item. The City sent an application to TDOT for STP repairs/Lane Parkway and Mayor authorization is needed to continue move forward with the project. Councilmember Landers made a motion to approve, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

The final item of consideration was Council recognition of CT-0253 State Report on terms and conditions of debt issuance. City Manager Johnson informed the Council that the State Comptroller's Office requires in regards to Note/Bond Closings that the report be recognized by the Council and be recorded in the minutes of the next meeting following the Bond Closing. This CT-0253 State Report was in regards to Capital Outlay Notes on Emergency Repairs (Flume) in an amount not to exceed \$500,000. Councilmember Rose made a motion to receive the report, seconded by Councilmember Christie, and carried unanimously upon roll call vote.

The following announcements were then made.

City Attorney Shofner stated that the Delinquent Tax Sale will be held Tuesday, March 10th at 10:00 a.m. The notice of sales is to be published in the Shelbyville Times Gazette tomorrow Friday, February 13, 2015.


City Manager Johnson announced that City Hall will be closed Monday, February 16, 2015 in observance of President's Day.

There being no further business to come before the Council, the Mayor adjourned the meeting at 7:00 p.m.

APPROVED:


Mayor Wallace Cartwright

ATTEST:


Shanna Boyette, City Recorder

APPROVED AS TO FORM:


Ginger B. Shofner, City Attorney

