

## City Council Meeting Minutes

The Shelbyville City Council met in regular study session on Tuesday, February 28, 2017 at the City Hall Annex Courtroom, 109 Lane Pkwy. Mayor Cartwright called the meeting to order at 6:00pm, the following were present Councilmember Landers, Councilmember Clanton, Councilmember Christie, Councilmember Pruitt, Councilmember Meek, Councilmember Feldhaus, City Manager Johnson, City Recorder Mai, City Attorney Shofner, City Treasurer Owen, Public Works Director Pierce, Planning Director Rhinehart, Parks & Recreation Director Alsup and Purchasing/IT Director Saddler.

The following items were discussed:

**Review & Discussion of City Council Goal-Setting Session Summary Report.** Manager Johnson stated that the report presented in the packet as prepared by Gary Jaeckel of MTAS shows the results of the goals setting session of January 23, 2017. It was discussed that the next step would be to use this as a tool during budget time and to schedule a follow up goals session for the fall.

**Review & Discussion of FY 2017 Mid-Year Budget Status and Financial Report.** Treasurer Owen presented a PowerPoint presentation to the City Council showing the City's financial status through December 31, 2016.

**Review & Discussion of Consolidating Stormwater Special Fund into General Fund.** Treasurer Owen explained this would be the same process as was used to consolidate the Solid Waste Fund last fiscal year, that by consolidating the Stormwater fund it will make numbers easier to read fund to fund and that this would remain a department within the General Fund with the ability to separate it back out if there was ever a need.

**Review & Discussion of Debt Service Reserve Fund.** Manager Johnson explained this is just a follow up on last month's discussion that there is money in the debt service reserve fund that is unallocated, and it could be used to pay off the roll out carts this fiscal year and there would still be some money left in that fund. There was some discussion on other options and things that could be paid down, it was consensus of the Council to pay off the roll out cart debt.

**Review & Discussion of Resolution Adopting the Proposed FY 2018-2022 CIP Guide.** Manager Johnson stated that this is a guide to outline capital needs for the City over the next five years. It was discussed that a CIP guide has been previously adopted also.

**Review & Consideration of Traffic Signal Warrant Study, 231 North at Airport Business Park Drive.** Manager Johnson stated that this has been discussed for roughly the past five years and that now there is a study that states a signal is needed at this intersection. Next step with Council authorization would be to submit to TDOT for approval and once approval has been received to do the updates which in this case would be simple because most of the work is already done as there is a flashing beacon there.

**Review & Discussion of TDOT Contract for Signal Improvements at Palmer Drive with STP Funds.** Manager Johnson stated that this is just another step moving forward in this process. Councilmember Clanton requested that the actual contract be distributed to the Councilmembers so that they can review the details.

**Review & Discussion of Professional Services Agreement with Garver for Phase 1(A) Improvements CE&I. 231 N Business Park (deferred from January 31<sup>st</sup>).** Manager Johnson stated that the 231 N Business Park Committee had met and recommended using Garver for construction of Phase 1(A), that they have worked with the City previously and their cost was slightly less than the other received from Ragan Smith. Councilmember Clanton made a suggested revision to the contract language for continuity, removing "the time establishing this agreement" and replacing with "construction contract performance time".

**Review & Discussion of Commerce Business Park Phase 1(b) Project Costs; Authorize Design.** Manager Johnson explained that on Frank Martin Road there is an S curve with 2 90' turns, the road is the City's after annexation into the

City, that the proposed straightening of the S curve is not essential to the 231 N Business Park but it will benefit the Park to eliminate the curve as well as the Wal-Mart Distribution Center. Further he stated that the desire is for the City Council to authorize the designation of \$30,000 to this in order to lock in the design and details and that this would require a budget amendment. There was some discussion on the County participating and contributing as well but as it is a City owned street the County is not contributing. Manager Johnson also pointed out that if the S curve is not straightened out the City would expect to spend roughly \$30,000 to repave this portion of Frank Martin Road and that he has written a letter to TDOT to see if it qualifies for any safety grants to cover the cost of anything such as signage, there has not been a response to that letter yet but an acknowledgement that they have received the letter was sent back. There was some discussion and inquiry on budget amendments after the recent audit findings and Manager Johnson explained that the City can commit to the project, incur the cost but cannot write a check.

**Review & Discussion of Proposed Fairground Heights Drainage Project-Preliminary Cost Estimates.** Manager Johnson stated that Will Owen was unable to attend the meeting but the preliminary cost estimates for the whole project including both the area of Fairground Heights and Rockwood for improvements, design and inspection/construction to be between \$100,000 and \$120,000. There was good discussion on this topic including whether the cost was for "in house" work, the existing sewer line needing to be removed because it would always cause problems with flow in that spot and the cost to just move the sewer line that is obstructing the culvert. It was consensus of the Council to defer one month and revisit with more information.

**Review & Discussion of Proposed Ordinance Amending Article 6, Section 6.4 of the Municipal Zoning Ordinance Regarding Residential Dwelling Units in Commercial and Industrial Structures (deferred from January 12, and January 31, 2017).** Planner Rhinehart explained that she had received direction at the last study session to do additional research on this topic but that she has not had time to do ample additional research as requested. Planner Rhinehart's request was to move forward with just the industrial portion of the Ordinance and further research the commercial as requested and bring that portion back the next month.

**Review & Discussion of Proposed Ordinance Amending the City Code Title 3, Chapter 2, Dogs (deferred from January 31, 2017).** Manager Johnson explained that a new redrafted version of the Ordinance had been distributed after comments at the last study session. This new Ordinance will eliminate all provisions that went into effect January 1, 2017 as well as the section on registration. There was lengthy discussion on this topic. Manager Johnson emphasized that this did not result from staff recommendation, it is a response to comments and concerns from the public.

**Review & Discussion of 2017 ISO Building & Codes Evaluation Survey.** Manager Johnson stated that this is the Building and Codes Departments ISO survey, the current new score is a Class 4 for commercial and industrial property and that the score had gone up seven (7) points over the last evaluation.

#### **Ordinances on Second & Final Reading; Public Hearing:**

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. 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. There was no discussion.

An Ordinance Amending the City Code, Title 7, Chapter 4 Fireworks. There was no discussion.

An Ordinance Granting a Franchise to United Communications its Successors and Assigns for Ten (10) Years, to Erect, Construct, Reconstruct, Maintain and Operate a Fiber Optic System, Across, Along, and Under the Highways, Streets, Avenues, Roads, Alleys, Lanes and Other Public Grounds of the City of Shelbyville, Bedford County, Tennessee. There was no discussion.

**Ordinances on First Reading:**

An Ordinance Amending Article 6, Section 6.4 of the Municipal Zoning Ordinance Regarding Residential Dwelling Units in Industrial Structures. There was no discussion as this had already been discussed earlier in the meeting.

**Resolutions:**

A Resolution Authorizing the City Attorney to file the 2015 Tax Bills for the Collection of all Delinquent Taxes for that Year. There was no discussion.

**Business Items:**

Change Order No. 2 with Wright Paving for Hangar Apron Rehabilitation at the Airport, overall project savings of \$109,355.29. There was no discussion.

Consideration of Supplemental Agreement with Wright Paving for Landside Parking Lot Resurfacing at Shelbyville Municipal Airport Pending TAC Approval. Manager Johnson stated that with the previous item this item would already be paid for and would require no additional monies.

Acknowledge receipt of TDOT Grant Review, Airport Electrical System Rehab. There was no discussion.

Agreement with Forte for Credit Card Services, Parks & Recreation (deferred from January 31, 2017). Parks and Rec. Director Alsup stated that this works with the software already in place at the Rec Center to process credit cards. Attorney Shofner stated she had some concern with language stating that if this company was to sue the city that suit would be in TX rather than TN. Director Alsup stated that he would contact the company in regards to the Choice of Law and Venue section.

Contract with TDEC for LPRF Grant at Recreation Center. Director Alsup stated that this is just the contract for the grant, once the Mayor's signature is obtained it can be sent to the State.

Consideration of Agreement with the Shelbyville Sharks Swim Team. Director Alsup stated that this is a standard agreement with the league and it states that the Sharks will provide funding for four (4) lane lines in exchange for having no fees for the next five (5) years.

Review & Discussion of Establishing Special Study Session Meeting Dates. Manager Johnson stated that the Council had spoken before about having some special meeting dates to discuss City Finances and Leadership and was providing some optional dates. Consensus of the Council was to revisit at a later time.

Declaring Certain Items as Surplus to City Needs (deferred from January 31, 2017). Director Saddler provided a sheet showing what items would be sold as surplus, sent to scrap and advertised in the Times Gazette. This included:  
Surplus:

- Airport: 2005 Jeep Liberty.  
John Deere ZTrak mower.  
Round Light Fixtures-Qty. 8.  
One lot-miscellaneous furniture-LazyBoy couch, loveseat and recliner.  
One lot-miscellaneous furniture-10 vintage conference table chairs, 1 row of three seats connected, 1 round table and 1 couch.
- Cemetery: Kubota tractor L-2250-DT-7.  
1990 Chevrolet 1500 pickup truck.
- Public Works: Largo portable pressure washer.  
John Deere MX6 rotary cutter.

Administration: Obsolete computers/printers/phone equipment.

Scrap:

Public Works: Tailgate salt spreader.

List in T-G:

Cemetery: Cemetery Sexton House.

**Purchasing/Bid Awards:**

Concrete Pool Deck Repair at the Rec Center. Director Saddler stated that it was the recommendation of the Parks and Recreation staff to reject the bid submitted by Creative Concrete Solutions of Eagleville, TN in the amounts of \$61,900 and \$67,800. Further the proposal appears to be responsive but also listed several exclusions because of the unknown condition of the concrete underneath the pool deck surface and those unknown factors could drive the cost up greatly. Staff is prepared to plan for a more extensive repair in the fall and until that time to research further what repair options may be available.

**Appointments:** There are no appointments

**Other Items of Business:** Manager Johnson stated that it may be asked to add to the agenda before the Council meeting on March 9<sup>th</sup> the item of the Fire Hall at the Airport. He stated that this is continued to be discussed with the FAA and that the newest requirement is that a lease be entered into between the Airport and the Fire Department for the Fire Department to pay \$3,000 per year for use of the facility. Further, that this is simply an FAA requirement as there is FAA money involved with the Airport and the Fire Hall would be non-aviation use under their definitions. The next step in this process is still unknown. Councilmember Landers inquired about a mutual aid agreement between the City and County for the area between the bypass and the airport as he has asked several Firefighters and no one knows if there is one or not. Manager Johnson explained that those people between the bypass and airport are in the County and the County would be called out to respond to a fire on County property. Manager Johnson explained the City's obligation is to City residences and property. There was further discussion on the amount of residential City of Shelbyville addresses in that vicinity, the new jail and industrial park being built in that area and the hospital and Wal-Mart Distribution Center that are already there. It was also discussed if there is adequate water flow in that area from BCUD for a Fire Hall as well as the cost and benefit of building a new Fire Hall vs. remodeling the Airport Fire Hall. It was noted that the remodeled Fire Hall would function just the same as a newly built Fire Hall. It was the consensus of the Council to have more information gathered and review again at the next study session.

With no further business to discuss Mayor Cartwright adjourned the meeting at approx. 7:33pm.

Approved:

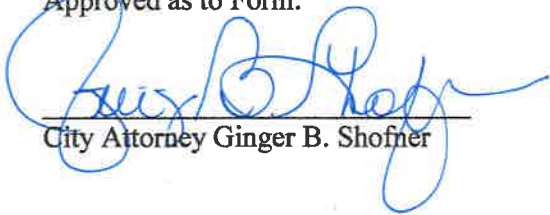
  
\_\_\_\_\_  
Mayor Wallace Cartwright

Attest:



\_\_\_\_\_  
City Recorder Anna Mai

Approved as to Form:



\_\_\_\_\_  
City Attorney Ginger B. Shofner



## City Council Meeting Minutes

**Regular Meeting:** March 9, 2017

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

**Call to Order:** 6:00pm Mayor Cartwright

**Invocation:** Brother Ron Adams of Emmanuel Pentecostal Church

**Pledge of Allegiance:** Led by City Council

**Roll Call:** Roll was called and 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 Attorney Shofner and City Recorder Mai.

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

**Consideration of a motion to approve minutes of Study Session of January 31, 2017, Executive Session of January 31, 2017, Regular City Council Meeting of February 9, 2017.** Councilmember Clanton made a motion to approve those minutes as presented. Councilmember Pruitt seconded and the motion carried unanimously by oral vote.

Mayor Cartwright took a moment to recognize and thank those in attendance from Leadership Bedford.

**Public Hearings:** At 6:02pm Mayor Cartwright closed the regular business meeting and opened the Public Hearing. There were four Ordinances on Public Hearing:

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.

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.

An Ordinance Amending the City Code, Title 7, Chapter 4 Fireworks.

An Ordinance Granting a Franchise to United Communications its Successors and Assigns for Ten (10) Years, to Erect, Construct, Reconstruct, Maintain and Operate a Fiber Optic System, Across, Along, and Under the Highways, Streets, Avenues, Roads, Alleys, Lanes and Other Public Grounds of the City of Shelbyville, Bedford County, Tennessee.

There were no comments from the public for any of these Ordinances.

### Old Business:

Councilmember Landers made a motion to allow the City Attorney to read the caption only for Ordinances, Councilmember Pruitt seconded that motion and it carried unanimously by oral vote.

### Ordinances-Second & Final Reading:

**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 (Deferred from February 9).** Councilmember Christie made a motion to approve. Councilmember Feldhaus seconded there was no discussion and the motion carried unanimously by roll call vote.

**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 (Deferred from February 9).** Councilmember Feldhaus made a motion to approve. Councilmember Landers seconded there was no discussion and the motion carried unanimously by roll call vote.

An Ordinance Amending the City Code, Title 7, Chapter 4 Fireworks. Councilmember Meek made a motion to approve, Councilmember Pruitt seconded there was no discussion and the motion carried unanimously by roll call vote.

An Ordinance Granting a Franchise to United Communications its Successors and Assigns for Ten (10) Years, to Erect, Construct, Reconstruct, Maintain and Operate a Fiber Optic System, Across, Along, and Under the Highways, Streets, Avenues, Roads, Alleys, Lanes and Other Public Grounds of the City of Shelbyville, Bedford County, Tennessee. Councilmember Pruitt made a motion to approve, Councilmember Clanton seconded there was no discussion and the motion carried unanimously by roll call vote.

#### New Business

##### Ordinances-First Reading:

An Ordinance Amending Article 6, Section 6.4 of the Municipal Zoning Ordinance Regarding Residential Dwelling Units in Industrial Structures. Councilmember Feldhaus made a motion to approve, Councilmember Meek seconded there was no discussion and the motion carried unanimously by roll call vote.

An Ordinance to Amend the City Code of Ordinances, Title 3, Chapter 2 Dogs by Amending or Deleting Certain Sections; Providing an Effective Date. Councilmember Pruitt made a motion to approve, Councilmember Christie seconded there was no discussion and the motion carried unanimously by roll call vote.

An Ordinance of the City Council of Shelbyville, Tennessee to Amend the Adopted FY 2016-2017 Annual Budget (Ordinance No.2016-1007) of the City of Shelbyville, Tennessee by consolidating the Stormwater Management Fund into the General Fund; Providing for an Effective Date. Councilmember Landers made a motion to approve, Councilmember Feldhaus seconded there was no discussion and the motion carried unanimously by roll call vote.

##### Resolutions:

A Resolution Authorizing the City Attorney to file the 2015 Tax Bills for the Collection of all Delinquent Taxes for that Year. Councilmember Meek made a motion to approve, Councilmember Feldhaus seconded there was no discussion and the motion carried unanimously by roll call vote.

A Resolution of the City Council of the City of Shelbyville to Approve and Adopt a Capital Improvements Program Guide for Fiscal Years 2018 to 2022. Councilmember Feldhaus made a motion to approve, Councilmember Pruitt seconded there was no discussion and the motion carried unanimously by roll call vote.

##### Business Items:

Accounts Payable (February 2017). Councilmember Landers made a motion to approve, Councilmember Meek seconded there was no discussion and the motion carried unanimously by roll call vote.

Treasurers Report (January 2017) and Various Department Reports (February 2017). Mayor Cartwright declared these items received as submitted.

Consideration of a motion to receive the FY 2017 Mid-Year Budget Status and Financial Report. Councilmember Landers made a motion to approve, Councilmember Pruitt seconded there was no discussion and the motion carried unanimously by oral vote.

Consideration of a motion to receive the Traffic Signal Warrant Study, 231 North and Airport Business Park Drive; Authorize submittal to TDOT. Councilmember Meek made a motion to approve and Councilmember Christie seconded. City Manager Johnson stated that this is a budgeted project and with TDOT approval the City will move forward on the project although it is unknown when TDOT will give approval. Councilmember Feldhaus inquired if this will use monies set aside by the hospital, Manager Jonson stated it would though that money will not pay for all of the project. The motion carried unanimously by oral vote.



Consideration of a motion to authorize Mayor to execute TDOT contract for Signal Improvements at Palmer Drive with STP Funds. Councilmember Christie made a motion to approve, Councilmember Feldhaus seconded there was no discussion and the motion carried unanimously by roll call vote.

Consideration of a motion to enter into a Professional Services Agreement with Garver for Phase 1(A) Improvements CE&I, 231 N. Business Park (Deferred from January 31). Councilmember Feldhaus made a motion to approve and Councilmember Landers seconded. City Manager Johnson stated that a copy with the revised wording that was requested at the Study Session had not been received and so the Mayor will not be asked to sign anything until that revised copy is received. The motion carried unanimously by roll call vote.

Consideration of a motion to approve Project Costs for Phase 1(B), 231 N Business Park; authorizing engineering and design not to exceed \$30,000. Councilmember Landers made a motion to approve, Councilmember Clanton seconded there was no discussion and the motion carried unanimously by roll call vote.

Consideration of a motion to accept 2017 ISO Building & Codes Evaluation Survey. Councilmember Pruitt made a motion to approve, Councilmember Meek seconded there was no discussion and the motion carried unanimously by oral vote.

Consideration of a motion to enter into agreement with Shelbyville Sharks Swim Team. Councilmember Feldhaus made a motion to approve, Councilmember Clanton seconded. Manager Johnson stated that in exchange for four lane lines there was no discussion and the motion carried unanimously by roll call vote.

Consideration of contract change order in the deduct amount of \$110,129.63 with Wright Paving Airport Hanger Apron Project. Councilmember Christie made a motion to approve. Councilmember Landers seconded there was no discussion and the motion carried unanimously by roll call vote.

Consideration of supplemental agreement with Wright Paving for Airport Project in the amount of \$65,710.50. Councilmember Feldhaus made a motion to approve and Councilmember Landers seconded. Manager Johnson informed the Council that as stated at the Study Session with the previous agenda item and the City contributing a 5% match for it that there will be no additional local money required for this item. The motion carried unanimously by roll call vote.

Consideration of authorizing Mayor to execute grant agreement with TDEC/LPRF in the amount of \$104,000. Councilmember Clanton made a motion to approve and Councilmember Landers seconded. Mayor Cartwright stated that this item is for the Skate Park at the Rec Center and Manager Johnson stated that it is a 50/50 grant. The motion carried unanimously by roll call vote.

Consideration of agreement with Forte Payment Processing. Councilmember Clanton made a motion to approve, Councilmember Feldhaus seconded there was no discussion and the motion carried unanimously by roll call vote.

**Consideration of a motion to declare certain items as surplus to City needs:**

**1. Surplus:**

- A. Airport:** 2005 Jeep Liberty.  
John Deere ZTrak mower.  
Round Light Fixtures-Qty. 8.  
One lot-miscellaneous furniture-LazyBoy couch, loveseat and recliner.  
One lot-miscellaneous furniture-10 vintage conference table chairs, 1 row of three seats connected, 1 round table and 1 couch.
- B. Cemetery:** Kubota tractor L-2250-DT-7.  
1990 Chevrolet 1500 pickup truck.
- C. Public Works:** Largo portable pressure washer.  
John Deere MX6 rotary cutter.
- D. Administration:** Obsolete computers/printers/phone equipment.

**2. Scrap:**

- A. Public Works:** Tailgate salt spreader.

**3. List in T-G:**

**A. Cemetery: Cemetery Sexton House.**

Councilmember Landers made a motion to approve and Councilmember Pruitt seconded. Councilmember Clanton inquired about the house at the Cemetery, what the process would be. Manager Johnson stated that first it would be offered to any non-profit agency willing to remove it from the property, if no non-profit agency has an interest then they would try and sell it to anyone willing to remove it from the property, the last option if it cannot be given away or sold would be to demo the house. The motion carried unanimously by roll call vote.

**Purchasing/Bid Awards**

Consideration of a motion to reject bid from Creative Concrete Solutions Eagleville, TN in the amounts of \$61,900 and \$67,800 as recommended of the Parks and Recreation staff. Councilmember Pruitt made a motion to approve. Councilmember Landers seconded there was no discussion and the motion carried unanimously by roll call vote.

**Appointments:**

**There were no appointments to be made.**

**Announcements:**

City Attorney Shofner to a moment to remind Citizens that the tax sale for the current lawsuit (2014 taxes) would be on March 14<sup>th</sup> at 10:00am on the third floor of the Courthouse. Also, that any outstanding 2015 taxes can be paid at City Hall through 4:00pm on Tuesday, March 28, 2017, after that date and time those 2015 delinquent taxes will be turned over for collection.

With no further business, **Mayor Cartwright adjourned the meeting at approx. 6:24pm.**

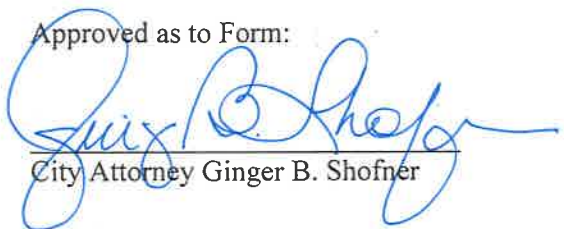
Approved:

  
Mayor Wallace Cartwright

Attest:

  
\_\_\_\_\_  
City Recorder Anna Mai

Approved as to Form:

  
\_\_\_\_\_  
City Attorney Ginger B. Shofner