

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 Thursday, NOVEMBER 6, 2014 TO CONSIDER THE FOLLOWING MATTER:

1. Call to Order
2. Motion to enter into Executive Session to review matters of litigation with the City Attorney and outside legal counsel.
3. Adjourn

MAYOR WALLACE CARTWRIGHT

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The session was called to order by Mayor Wallace Cartwright at 4:07 p.m. Roll was called and the following members were present: Councilmember Feldhaus, Councilmember Williams, Councilmember Rose, Councilmember Pruitt, and Councilmember Landers. Councilmember Meek arrived at 4:26 p.m. Also present were City Manager Jay Johnson, City Attorney Ginger B. Shofner, City Planner Amanda Rhinehart, Outside Legal Counsel Teri Ricks, and City Recorder Shanna Boyette.

Councilmember Landers made a motion to enter into Executive Session to discuss matters of litigation. The motion was seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

The session adjourned at 5:02 p.m.

APPROVED:


WALLACE CARTWRIGHT, MAYOR

ATTEST:


SHANNA BOYETTE, CITY RECORDER

APPROVED AS TO FORM:


GINGER B. SHOFNER, CITY ATTORNEY

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 THURSDAY, NOVEMBER 13, 2014 TO CONSIDER THE FOLLOWING MATTER:

1. Call to Order
2. Motion to enter into Executive Session to review matters of pending litigation with City Attorney.
3. Adjourn

MAYOR WALLACE CARTWRIGHT

The Session was called to order by Mayor Wallace Cartwright at 4:10 p.m. Roll was called and the following members were present: Councilmember Feldhaus, Councilmember Williams, Councilmember Rose, and Councilmember Landers. Councilmember Meek and Councilmember Pruitt were absent. Also present were City Manager Jay Johnson, City Planner Amanda Rhinehart, outside legal counsel Bob Burns, and City Recorder Shanna Boyette.

Councilmember Landers made a motion to enter into an Executive Session to discuss matters of pending litigation with outside legal counsel. Councilmember Williams seconded the motion, and carried unanimously upon oral vote.

The session adjourned at 4:31 p.m.

APPROVED:


WALLACE CARTWRIGHT, MAYOR

ATTEST:


SHANNA BOYETTE, CITY RECORDER

APPROVED AS TO FORM:


GINGER B. SHOFNER, CITY ATTORNEY

CITY COUNCIL MINUTES

Mayor Wallace Cartwright called the Regular Session of November 13, 2014 to order at 6:00 p.m. The invocation was given by Brother Mark Hall of the Ransom United Methodist Church. The Pledge of Allegiance was led by the Mayor and City Council. Roll was called and Councilmember Pruitt, Councilmember Landers, Councilmember Meek, Councilmember Feldhaus, Councilmember Rose, and Councilmember Williams were present. Also present were City Manager Jay Johnson, City Attorney Ginger B. Shofner, City Treasurer Jamey Owen, and City Recorder Shanna Boyette.

The first item of business was to adopt the Agenda. Mayor Cartwright asked if there were any items to be added or removed from the Agenda. City Manager Johnson said there were three items to be added to the Agenda. They were a consideration of a motion by the City Council approving the contract for purchase of 58 acres on Horse Mountain Rd., the Shelbyville Warehouse LLC property and granting the authority to the City Manager to take the necessary steps the close the property. The second item to be added was for consideration of a motion to release Deed of Trust for 111 Fair oak Street. The final item to be added was consideration of a motion to authorize use of local finds for consulting services for Lane Parkway project. Councilmember Landers made a motion to adopt the Agenda as amended, seconded by Councilmember Williams, and carried unanimously upon oral vote. Once amended, Councilmember Landers made a motion to approve the agenda, seconded by Councilmember Rose, and carried unanimously upon oral vote.

The next item of business was approval of minutes from the previous meeting of October 9, 2014, Regular Session. Mayor Cartwright asked if there were any corrections to be made to the October 9th minutes. Hearing none, Councilmember Meek made a motion to approve the minutes, seconded by Councilmember Feldhaus, and carried unanimously upon oral vote.

Mayor Cartwright closed the meeting at 6:04 p.m. and declared a Public Meeting for comments on two Ordinances. The first being an Ordinance to amend Article V, Section 5.5.5.1 (A) (1) of the Zoning Ordinance to modify the meeting date and time of the Shelbyville Historic Commission. The second was an Ordinance to amend Appendix 1: Table of Uses of the Municipal Zoning Ordinance by assigning all the uses in Extensive Manufacturing Classification as Special Exception in the I-3 Zone (Special Impact Industrial District) Hearing no comments or discussion on either Ordinance the Public Hearing closed at 6:05 p.m. and Mayor Cartwright re-opened the meeting for business.

Items of Old Business were then in order.

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

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

An Ordinance as amended to annex into the City of Shelbyville certain area containing 88 acres of land located on Frank Martin Rd.; providing for an effective date. Councilmember Williams made a motion to defer the Ordinance until December 2014. The motion was seconded by Councilmember Pruitt and carried unanimously upon roll call vote.

An Ordinance to amend the official zoning map of the City of Shelbyville, Tennessee to zone an eighty-eight (88) tract located on Frank Martin Rd. as L-1 Industrial as approved by the Shelbyville Planning Commission was the next item of business. There being no discussion, Councilmember Feldhaus made a motion to defer until December 2014, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

The next item on the Agenda was an Ordinance to amending Ordinance 939 of the City of Shelbyville, TN adopting the Annual Operating & Capital Improvements Budget, All Funds, for the fiscal year 2014-2015. Councilmember Rose made a motion to approve the Ordinance on Third & Final Reading, seconded by Councilmember Meek, and approved unanimously upon roll call vote.

An Ordinance to make final amendments to the Budget Ordinance of the City of Shelbyville, TN for the fiscal year 2013-2014, the period ending June 30, 2014 was the next item on the Agenda. Councilmember Meek made a motion to approve and the motion was seconded by Councilmember. The Ordinance passed with 5 yay votes and one nay vote from Councilmember Feldhaus.

There were two Ordinances on Second Reading for consideration.

An Ordinance to amend Article 5.5.5.1 (A) (1) of the Zoning Ordinance to modify the meeting date and time of the Shelbyville Historic Zoning Commission was the next item of consideration. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Williams, and approved unanimously upon roll call vote.

The next item was an Ordinance to amend Appendix 1: Table of Uses of the Municipal Zoning Ordinance by assigning all uses in the Extensive Manufacturing Classification as Special Exception in the I-3 Zone (Special Impact Industrial District) Councilmember Pruitt made a motion to approve, seconded by Councilmember Rose, and approved unanimously upon roll call vote.

Items of New Business were then in order.

There was on Ordinance on First Reading. It was an Ordinance to amend the Zoning Maps by affixing a Mixed Planned Use Development Overlay on property zone C-2, North Main Street; more specifically designed as Map 078 O G 4.00, establishing a Public Hearing Date of December 11, 2014. Councilmember Williams made a motion to approve, seconded by Councilmember Feldhaus, and carried unanimously upon roll call vote.

Councilmember Meek made a motion to approve the Accounts Payable for the month of October 2014. The motion was seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

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

The next item of business was consideration of a motion acknowledging receipt of Parks and Recreation department FY 2014 Annual Report. Councilmember Williams made a motion to approve, seconded by Councilmember Meek, and was approved unanimously upon oral vote.

Consideration of a motion authorizing City Mayor and City Manager to discuss with the County Mayor Industrial Sub-Committee members and structure through a new Inter-local Agreement was the next business item. Councilmember Feldhaus clarified that it was not his position to propose a Bond issue to fund the Industrial Park as stated in the local newspaper. Councilmember Rose made a motion to approve, seconded by Councilmember Meek and carried unanimously upon oral vote.

The next item was consideration of a motion to authorize repair of street sweeper at an estimated cost of \$15,000.00. Councilmember Williams made a motion to authorize, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

Consideration of a motion to take action on matters as reviewed in Executive Session, Cooper vs. City of Shelbyville was the next item of business. City Manager Jay Johnson commented that the signature would be upon agreement of all parties involved. Councilmember Feldhaus made a motion to authorize legal counsel to execute settlement agreement at no additional costs to the City, seconded by **Councilmember Rose, and carried unanimously upon roll call vote.**

The next item was consideration of a motion to accept offer of Exchange of Firearms. Councilmember Meek made a motion to accept, seconded by Councilmember Landers, and carried unanimously upon

roll call vote. City Manager complimented Purchasing Agent Lori Saddler and the Shelbyville Police Department for their extensive work as the results proved rewarding.

The added items to the Agenda were the next order of business.

The first was consideration of a motion by the City Council approving the contract for purchase of 58 acres on Horse Mountain Rd., the Shelbyville Warehouse LLC property and granting the authority to the City Manager to take the necessary steps to close on the property. City Manager gave an overview as at the July 31, 2014 meeting the Council authorized staff to make an offer on said property with Traders Bank. Last week the City was contacted by the Federal Bankruptcy Court. This offer would be sent directly to the Trustee of the Bankruptcy Court. Councilmember Rose made a motion to approve, seconded by Councilmember Williams, and carried unanimously upon roll call vote.

The next business item was a consideration of a motion to release Deed of Trust for 111 Fair Oak Street, Map 89 F D 16.00, Home Investment Partnership Program. City Manager explained that this property was a part of a Home Grant back in the 1990's and that there was an encumbrance on the property that needs to be released. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Meek, and approved unanimously upon roll call vote.

The next item on the Agenda was a consideration of a motion to authorize use of local funds for consulting services for Lane Parkway project. Councilmember Meek made a motion to authorize, seconded by Councilmember Pruitt, and approved unanimously upon oral vote.

Bids were the final business item of the meeting.

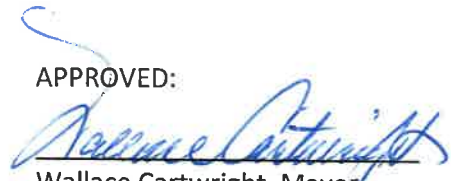
Councilmember Feldhaus made a motion to accept bid from lowest bidder Fortline Waterworks of Nashville for culvert pipe for Public Works Department as recommended by the Bid Committee. The motion was seconded by Councilmember Pruitt and carried unanimously upon roll call vote.

Councilmember Williams made a motion to accept bid from Tire & Muffler USA, Shelbyville for oil change and routine vehicle service for City Departments as recommended by the Bid Committee. The motion was seconded by Councilmember Pruitt and carried unanimously upon roll call vote.

Mayor Cartwright announced that Mike Alsup has been named the new Shelbyville Parks and Recreation Director. There will be a Special Called meeting of the Planning Commission on November 17, 2014 and a Special Study Session of the Council November 18th.

There being no other business to come before the City Council, Mayor Cartwright adjourned the meeting at 6:25 p.m.

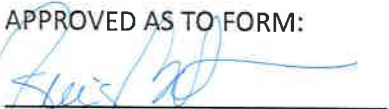
APPROVED:


Wallace Cartwright, Mayor

ATTEST:


Shanna Boyette, City Recorder

APPROVED AS TO FORM:


Ginger B. Shofner, City Attorney