

CITY COUNCIL MEETING MINUTES

Mayor Wallace Cartwright called the Regular City Council Meeting of October 9, 2014 to order at 6:00 p.m. The invocation was given by Brother Ray Armstrong of Fellowship for Christ Church and the Pledge of Allegiance was led by the Council. Roll was called and the following members were present: Councilmember Pruitt, Councilmember Landers, Councilmember Meek, Councilmember Feldhaus, and Councilmember Rose. Councilmember Williams was absent. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger Bobo Shofner, and City Recorder Shanna Boyette. The Mayor declared a quorum and the meeting opened for business.

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The first item on the Agenda was a motion to adopt the Agenda. There were three (3) items to be added to the Agenda.

The first was the Accounts Payable Report for September 2014.

The second was the Treasurer's Report and Various Departmental Reports for September 2014 for Council consideration.

The final item to be added was an Airport Grant Budget amendment to the current Ordinance before the Council on Second Reading that reads "An Ordinance amending Ordinance 939 of the City of Shelbyville, Tennessee adopting the Annual Operating and Improvements Budget, all funds, for the fiscal year 2014-2014.

Councilmember Feldhaus made a motion to approve the Agenda as amended, seconded by Councilmember Meek, and approved unanimously upon oral vote. The Agenda, as amended, was adopted upon unanimous vote of the Councilmembers.

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

- September 11, 2014 -Regular Session
- September 11, 2014-Executive Session
- September 25, 2014-Special Called Session

Councilmember Landers made a motion to approve the minutes of the previous meetings. The motion was seconded by Councilmember Rose, and approved unanimously upon oral vote.

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Mayor Cartwright closed the Council Meeting at 6:04 p.m. and declared a Public Hearing for comments on three Ordinances and one Resolution.

An Ordinance amending Ordinance 939 of the City of Shelbyville, TN adopting the Annual Operating and Capital Improvements Budget, All Funds, for the Fiscal Year 2014-2015.

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.

An Ordinance as amended to annex into the City of Shelbyville certain area containing eighty-eight acres of land located on Frank Martin Rd., providing for an effective date.

A Resolution as amended (substitute language) adopting a plan of service for the annexation of certain areas by the City of Shelbyville, Tennessee; area is generally defined as an eighty-eight acre Industrial Park tract on frank Martin Rd., identified on the tax rolls as Map 50 Parcel 26.00.

Hearing no comments on any of the Ordinances or Resolution Mayor Cartwright declared the Council Meeting reopened at 6:05 p.m.

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Councilmember Meek made a motion to allow the 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.

An Ordinance on Third Reading 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 was the first item of Old Business. Councilmember Feldhaus made a motion to defer this item, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

The next item was Ordinance on Third Reading to amend the official Zoning Map of the City of Shelbyville, Tennessee to zone an eighty-eight acre tract located on Frank Martin Rd., as approved by the Shelbyville Planning Commission. Councilmember Feldhaus made a motion to defer this item, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

An Ordinance on Third Reading by the City Council of the City of Shelbyville, TN to hereby amend the Zoning Ordinance of Shelbyville, TN in order to more specifically regulate Sexually Oriented Businesses was the next item for consideration. Councilmember Rose made a motion to approve the Ordinance, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

The next item was an Ordinance on Third Reading to amend the official Zoning Ordinance of the City of Shelbyville, TN to provide fees for plats and site plans; and to repeal any Ordinance or part of an Ordinance in conflict herewith. (Text Amendment) Councilmember Feldhaus made a motion to approve the Ordinance on third and final reading, seconded by Councilmember Landers, and carried unanimously upon roll call vote. City Manager Jay Johnson explained that no fees have been changed, rather this Ordinance is to correct a typographical error.

An Ordinance to amend the official Zoning Ordinance of the City of Shelbyville, TN to provide for fees and plats and site plans; to be established by Resolution was the next business item. City Manager Jay Johnson addressed the Council to clarify that the previous Ordinance that was passed by City Council established the fees. This current Ordinance allows for any future changes to be done so by Resolution. With no further comments, Councilmember Feldhaus made a motion to approve the Ordinance, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

An Ordinance amending Ordinance 939 of the City of Shelbyville, TN adopting the Annual Operating and Capital Improvements Budget, all funds, for the FY 2014-2015 for Litigation Settlement Payment was the next item of consideration. Councilmember Meek made a motion to approve and the motion was seconded by Councilmember Rose. Upon roll call vote, with four (4) yay votes and one (1) nay vote the Ordinance passed on Third and Final Reading.

An Ordinance on Second Reading to amend the Zoning Ordinance to provide standards for the siting and construction of commercial telecommunications facilities in the City of Shelbyville to amend the table of uses accordingly and to repeal any Ordinance or part of an Ordinance in conflict herewith was the next item before the Council. Staff comments by City Manager Jay Johnson included that the Ordinance be tabled and a new Ordinance be submitted before the Council for consideration. Councilmember Landers made a motion to table, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

The next item was an Ordinance on Second Reading amending Ordinance 939 of the City of Shelbyville, Tennessee adopting the Annual Operating and Improvements Budget, all funds, for the FY 2014-2015. Councilmember Landers made a motion to approve, seconded by Councilmember Meek, and approved unanimously upon oral vote. City Manager Jay Johnson respectfully requested that there be an amendment to provide capital projects fund 807 be increased to reflect final closeout costs related to the Airport Taxiway/Ramp Improvement Project. This increase request is not reflective of additional or new money, but rather that the closeout fee related to the projected rolled into the current Fiscal Year 15. Councilmember Feldhaus made a motion to amend the Ordinance, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

The final item of Old Business was consideration of an Ordinance to make final amendments to the **Budget Ordinance of the City of Shelbyville, TN for the FY 2013-2014, the period ending June 30, 2014.** Councilmember Feldhaus made a motion to approve the Ordinance on Third and Final Reading, seconded by Councilmember Rose, and approved unanimously upon roll call vote.

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Items of new Business were then in order.

The first item of new business was an Ordinance of the City Council to amend Article V, Section 5.5.1 (A)(1) of the Municipal Zoning Ordinance to modify the meeting date and time of the Shelbyville Historic Zoning Commission and repeal any Ordinance or portion of Ordinance in conflict herewith; establishing a Public Hearing Date of November 13, 2014. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

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

A Resolution as revised adopting a Plan of Service for the annexation of certain areas by the City of Shelbyville, Tennessee; area is generally defined as an eighty eight acre Industrial Park Tract on Frank Martin Rd., identified on the tax rolls as Map 50 Parcel 26.00 was the next business item of consideration. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

The next item of business was a Resolution of the City of Shelbyville, TN authorizing application for a Transportation Alternatives Program Grant between the State of Tennessee Department of Transportation and the City of Shelbyville for the Enhancement Sidewalks entering the Public Square. Councilmember Meek made a motion to approve the Resolution, seconded by Councilmember Rose, and carried unanimously upon roll call vote.

The next item of business was approval of the September 2014 Accounts Payable. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

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

The next item of business was consideration of a motion to acknowledge receipt of FY 14 Actuarial Valuation for GASB 45 OPEB Report. Councilmember Meek made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon oral vote.

Consideration of a motion to authorize payment of Caffey Surveying invoice in the amount of \$7300.00 was the next item on the Agenda. Councilmember Rose made a motion to authorize payment, seconded by Councilmember Meek, and approved unanimously upon roll call vote.

Consideration of a motion to accept donation of property owned by Jung S. Gavlick located on Plum Street Map 78 I A 24.00 was the next item of the business. Councilmember Landers made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Consideration of a motion for Annual Lease Agreement with the Senior Citizen's Center was the next item on the Agenda. Councilmember Meek made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

The next item of business was a consideration of a motion to establish a Study Session meeting date of Tuesday, October 21, 2014 at 6:00 p.m. for continuing review of proposed Zoning Ordinance. Councilmember Rose made a motion to approve, seconded by Councilmember Landers, and approved unanimously upon oral vote.

Bids were the next item on the Agenda.

Councilmember Pruitt made a motion to accept the lowest bid submitted by CMS Uniform Services for Fire Department Uniforms as recommended by the Bid Committee. Councilmember Meek seconded the motion, and carried unanimously upon roll call vote.

Motion to accept lowest bid submitted by Lee Company for Rooftop Stairway installation at the Shelbyville Recreation Center in the amount of \$12013.80 as recommended by the Bid Committee was

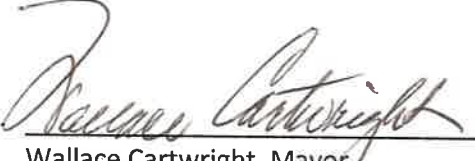
the next item on the Agenda. Councilmember Rose made a motion to accept the bid, seconded by Councilmember Landers, and approved unanimously upon roll call vote. Appointments were the next item on the Agenda. Mayor Cartwright appointed City Recorder Shanna Boyette as Pension Plan Trustee. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Pruitt, and carried unanimously upon oral vote. The next item was appointments to the Board of Construction Appeals. They were Steven Curtis for a two year term, Henry Wilhoite for one year term, Allen Pitner for a three year term, Richard Martin for a two year term, Justin Spence for a three year term, and Travis Jones and Shawn Roberts as alternates. Councilmember Landers made a motion to approve the nominations, seconded by Councilmember Rose. The motion carried unanimously upon oral vote. The next appointments were of the Parks and Recreation Board. Mayor Cartwright re-appointed Rusty Reed for two years and Leta Frame for two years. The next appointment was to the Airport Authority Board. Mayor Cartwright appointed Eric Cazort for five years. Councilmember Rose made a motion to approve and Councilmember Pruitt seconded the motion. The motion carried unanimously upon oral vote. The final appointment was that of the Shelbyville Housing Authority. Mayor Cartwright re-appointed June Taylor for five year term.

Mayor Cartwright announced that Fall Clean Up week will be October 13, 2014 through October 16, 2014.

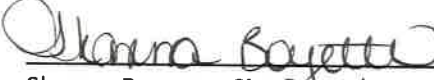
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There being no further business to come before the Council, the meeting was adjourned at 6:38 p.m.

APPROVED:

  
Wallace Cartwright, Mayor

ATTEST:

  
Shanna Boyette, City Recorder

APPROVED AS TO FORM:

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Ginger B. Shofner, City Attorney