

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, SEPTEMBER 11, 2014 AT 5:00 P.M. TO CONSIDER THE FOLLOWING MATTERS:

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 5:07 p.m. Present were Councilmember Feldhaus, Councilmember Meek, Councilmember Rose, Councilmember Williams, Councilmember Pruitt, and Councilmember Landers. Also present were Mayor Cartwright, City Manager Jay Johnson, City Attorney Ginger B. Shofner, City Treasurer Jamey Owen, City Recorder Shanna Boyette, and outside legal counsel Kristin Berexa.

Motion was made by Councilmember Landers to enter into Executive Session with City Attorney and outside legal counsel to review matters of pending litigation. The motion was seconded by Councilmember Meek and carried unanimously upon oral vote.

The session was adjourned at approximately 5:50 p.m.

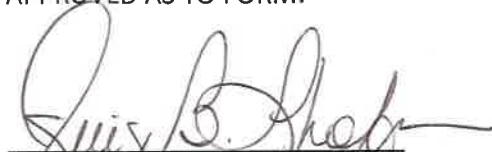
APPROVED:


Mayor, Wallace Cartwright

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 September 11, 2014 to order at 6:00 p.m. The invocation was given by Eddie Reed of Living Stones Community Church and the Pledge of Allegiance was led by Mayor & Council. Roll was called and Councilmember Pruitt, Councilmember Landers, Councilmember Meek, Councilmember Feldhaus, Councilmember Rose, and Councilmember Williams were all present. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger B. Shofner, and City Recorder Shanna Boyette.

The first item was to adopt the Agenda. Mayor Cartwright asked if any items were to be added or removed from the Agenda. Hearing none Councilmember Landers made a motion to approve the Agenda, seconded by Councilmember Meek, and approved unanimously upon oral vote.

The next item on the Agenda was approval of the minutes from the previous August 14, 2014 Regular Session Council Meeting. Councilmember Williams made a motion to approve the minutes from the previous meeting. The motion was seconded by Councilmember Pruitt and approved unanimously upon oral vote.

Mayor Cartwright closed the meeting at 6:03 and declared a Public Hearing for comments on several Ordinances and one Resolution. The first item was a Resolution adopting a Plan of Service for the annexation of an eighty eight acre Industrial Park on Frank Martin Rd. There were no comments or discussion on this Resolution. Mayor Cartwright continued the Public Hearing by reading the following Ordinances:

An Ordinance amending 939 of the City of Shelbyville, Tennessee to provide for litigation settlement, adopting the Annual Operating and Capital Improvements Budget for the fiscal year 2014-2015; providing for an effective date

An Ordinance to annex into the City of Shelbyville a certain area containing eighty eight acres of land located on frank Martin Rd.

An Ordinance to zone an eighty eight acre tract located on Frank Martin Rd. as I-1 Light Industrial as approved and recommended by the Shelbyville Planning Commission

An Ordinance to amend the Zoning Code to provide standards for the siting and construction of commercial telecommunications facilities in the City of Shelbyville to amend the table of uses accordingly.

An Ordinance by the City Council of the City of Shelbyville to hereby amend the Zoning Ordinance of Shelbyville, Tennessee in order to more specifically regulate sexually oriented businesses

An Ordinance to amend the Zoning Ordinance to provide fees for plats and site plans (Text Amendment)

An Ordinance to amend the Zoning Ordinance to establish fees by Resolution

The only comments brought forth at the Public Hearing were in regards to Ordinance to amend the Zoning Code to provide standards for the siting and construction of commercial telecommunications facilities and to amend the table of uses accordingly. Claudia "Dobee" Mallard addressed the Mayor & Council to make comments that she promotes amending the table of uses to reflect residential uses as residential areas have a high demand of use. Councilmember Feldhaus encouraged citizens to express their concerns to the City Council on this item. Hearing no further comments the Public Hearing closed at 6:08 p.m.

Matters of Old Business were then in order.

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

There were no Ordinances on third reading and seven on second reading.

An Ordinance to annex into the City of Shelbyville a certain area containing eighty-eight acres of land located on Frank Martin Rd. and providing an effective date was the first item to come before the Council. Councilmember Landers made a motion to approve the Ordinance, seconded by Councilmember Meek, and approved unanimously upon roll call vote. Councilmember Williams made a motion to amend the Ordinance to include additional Frank Martin Rd. Right of Way, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

The next item of business was an Ordinance to zone an eighty-eight tract located on Frank Martin Rd. as I-1 Light Industrial and to repeal any Ordinance or part of an Ordinance in conflict herewith as approved and recommended by the Shelbyville Planning Commission. Councilmember Meek made a motion to approve, seconded by Councilmember Feldhaus, and carried unanimously upon roll call vote.

An Ordinance to amend the Zoning Code to provide standards for siting an 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 of business. Councilmember Feldhaus made a motion to defer this Ordinance until the October meeting of the Council, seconded by Councilmember Rose, and approved unanimously upon roll call vote.

The next item of business was an Ordinance by the City Council of the City of Shelbyville to hereby amend the Zoning Ordinance of Shelbyville, Tennessee in order to more specifically regulate Sexually Oriented Businesses. Councilmember Rose made a motion to approve the Ordinance, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

An Ordinance to amend the Zoning Ordinance to provide fees for plats and site plans (Text Amendment) was the next item on the Agenda. Councilmember Pruitt made a motion to approve, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

An Ordinance to amend the Zoning Ordinance to establish fees by Resolution was the next item of consideration to come before the Council. Councilmember Williams made a motion to approve, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

An Ordinance to amend the adopted FY 14-15 Annual Budget to provide for Litigation Settlement Payment and providing for an effective date was the next item of business. Councilmember Pruitt made a motion to approve and the motion was seconded by Councilmember Rose. Prior to the roll call vote Councilmember Feldhaus made comments for public record stating that he believes that the City of Shelbyville has ample off budget cash reserves to pay this settlement without having to amend the Annual and Capital Budget or borrow money and that it was his intention to vote nay on all readings of this Ordinance. With no further comments or discussion Mayor Cartwright requested roll call. Councilmember Rose, Meek, Landers, Williams, and Pruitt all with yay votes and Councilmember Feldhaus with nay vote. The motion carried with five yay votes.

Items of New Business were then in order.

An Ordinance amending Ordinance 939 of the City of Shelbyville, Tennessee adopting the Annual Operating and Capital Improvements Budget, All Funds, for the Fiscal Year 2014-2015 and providing for an effective date was the next item on the Agenda. Councilmember Rose made a motion to approve the Ordinance, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

The next item on the Agenda was an Ordinance to make final amendments to the Budget Ordinance of the City of Shelbyville, Tennessee for the Fiscal Year 2013-2014, the period ending June 30, 2014 and providing for an effective date. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Williams, and carried unanimously upon roll call vote.

A Resolution 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 was the next item of consideration. Councilmember Landers made a motion to defer this item until the October meeting of the City Council. The motion was seconded by Councilmember Rose and approved unanimously upon roll call vote.

The next item on the Agenda was a Resolution authorizing the City of Shelbyville to participate in the Tennessee Risk Management "Driver Safety" Loss Control Matching Grant Program. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

Councilmember Meek made a motion to approve the accounts payable for August 2014. The motion was seconded by Councilmember Williams and approved unanimously upon roll call vote. Mayor Cartwright declared that the Treasurer's and Various Department reports would be received as submitted.

The next item of business was a motion to authorize the City Manager to send a letter to the Hulan family in regards to the Musgrave Park Lease. Councilmember Rose made a motion to authorize such matter, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

The next item of consideration was a motion to establish a November Study Session date of Thursday, November 6, 2014. Councilmember Meek made a motion to approve, seconded by Councilmember Landers, and approved unanimously upon oral vote.

A motion to acknowledge report of Comptroller Treasury Letter of FY 2013 audit was the next item of business. Councilmember Feldhaus made a motion to acknowledge report, seconded by Councilmember Williams, and approved unanimously upon oral vote.

Consideration of a motion of approval of Professional Services Agreement with Wiser Engineering for CEI on Depot Street Project was the next item of consideration. Councilmember Williams made a motion to approve, seconded by Councilmember Pruitt, and approved unanimously upon roll call vote.

The next item of business was a consideration of a motion of approval of Professional Services Agreement with Wiser Engineering on the Design Services for the North Main St. Enhancement Project. Councilmember Rose made a motion to approve, seconded by Councilmember Meek, and approved unanimously upon roll call vote.

The next item of business was a motion of approval of updated Exposure Control Plan for the City of Shelbyville. Councilmember Meek made the motion to approve, seconded by Councilmember Landers, and approved unanimously upon oral vote.

A motion of approval of update Exposure Control Plan for the Fire Department was the next item of business. Councilmember Williams made a motion to approve, seconded by Councilmember Feldhaus, and approved unanimously upon oral vote.

A motion of approval of updated Exposure Control Plan for the Police Department was then before the Council for consideration. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Meek, and approved unanimously upon oral vote.

A motion to acknowledge receipt of approval confirmation letter for the "Safety Partners" Loss Control Matching Grant Program from TML was the next item on the Agenda. Councilmember Williams made a motion to approve, seconded by Councilmember Pruitt, and approved upon roll call vote.

Consideration of a motion to approve final contract amendment with Garver, LLC for the apron/taxiway reconstruction project was the next item on the Agenda. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Meek, and approved unanimously upon roll call vote.

A motion was entertained for declaring the following items as surplus:

1993 Chevrolet Caprice (to sell on GovDeals.com)

2003 Ford Crown Victoria-8604 (to scrap)
1999 Comdial phone system
1996 Toshiba phone system

It was noted that both phone systems will be donated to another government agency.
Councilmember Williams made a motion to declare all as surplus items, seconded by Councilmember Landers, and approved unanimously upon roll call vote.

Mayoral Appointments were the next item on the Agenda. Mayor Cartwright appointed June Taylor to serve on the Historical Zoning Commission for a four (4) year term.

Mayor Cartwright recognized Christine Carlton of the Humane Association to make an announcement. The Humane Association will be sponsoring a Celebration Pet Day at the Bedford County Ag Center on September 20, 2014. The event will begin at 12:00 p.m. and she invited everyone to attend.

With no additional business to come before the City Council Mayor Cartwright adjourned the meeting at 6:31 p.m.

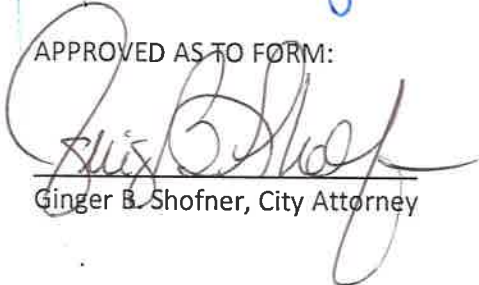
APPROVED:


Wallace Cartwright, Mayor

ATTEST:


Shanna Boyette, City Recorder

APPROVED AS TO FORM:


Ginger B. Shofner, City Attorney

Joint Study Session of City Council & Municipal Planning Commission

Chairman Landers called the Special Joint Study Session of the City Council and the Municipal Planning Commission to order immediately following the regular scheduled meeting of the Municipal Planning Commission on Thursday, September 25, 2014. The following members were present: Mayor Cartwright, Councilmember Landers, Councilmember Meek, Councilmember Pruitt, Councilmember Williams, Commissioner Davis, Commissioner Taylor, Commissioner Pitner, Commissioner Warren, Commissioner Wilhoite, and Commissioner Woodlee. Also present were City Manager Jay Johnson, City Attorney Ginger B. Shofner, City Planner Amanda Rhinehart, and City Recorder Shanna Boyette.

The one item on the Study Session Agenda was the review and discussion of an Ordinance to Amend the Zoning Ordinance to provide for standards for the siting and construction of cellular phone towers.

Respectfully submitted,

Shanna Boyette, City Recorder

Special Study Session

The Mayor & City Council held a Special Study Session on Tuesday, September 23, 2014 at 6:00 p.m. at the City Hall Annex to review and discuss the proposed New Ordinance as recommended by Shelbyville Planning Commission. The following members were present: Mayor Cartwright, Councilmember Rose, Councilmember Pruitt, Councilmember Meek, Councilmember Williams, and Councilmember Landers. Councilmember Feldhaus was absent. Also present were City Manager Jay Johnson, City Treasurer Jamey Owen, City Attorney Ginger B. Shofner, City Planner Amanda Rhinehart, and City Recorder Shanna Boyette.