

City Council Meeting Minutes

The Shelbyville City Council met in Regular Session on Thursday, September 8, 2016 at the City Hall Annex Courtroom. Mayor Cartwright called the meeting to order at 5:58pm. Invocation was led by Building & Codes Director Monty Kapavik and the Pledge of Allegiance was led by the City Council. Roll was called and the following members were present: Councilmember Christie, Councilmember Feldhaus, Councilmember Landers, Councilmember Rose and Councilmember Pruitt. Councilmember Meek was absent. Also present were City Manager Jay Johnson, City Attorney Ginger B. Shofner, City Recorder Anna Mai, City Treasurer Jamey Owen and Purchasing Director Lori Saddler.

Adoption of the Agenda was first. Mayor Cartwright stated that there were some additions and deletions to the agenda, and that based on informal comments received since the August 30th Study Session that item IX (E) the Building & Codes Ordinance was requested to be deferred one month, item IX (D) the Ordinance on City Code Title 2, Chapter 1 be deferred one month and be presented by the City Attorney at the next Study Session, that under XII Purchasing/Bids item G be added to purchase a lawnmower for the Airport under Statewide contract, that under XIV Announcements a review of the joint meeting with the Airport Authority be added and finally to add a contract with RG Phillips for a traffic study. Councilmember Landers made a motion to approve the agenda, Councilmember Feldhaus seconded and the motion carried unanimously by oral vote. Councilmember Feldhaus then made a motion to adopt the agenda as printed, Councilmember Christie seconded and the motion carried unanimously by oral vote.

Next on the agenda was **approval of the minutes** from the August 2nd Study Session and the August 11th Council Meeting. Hearing no requests for additions or changes to the minutes Councilmember Rose made a motion to approve the minutes, Councilmember Landers seconded and the motion carried unanimously by oral vote.

The **Public Hearing** was next. Mayor Cartwright closed the stated meeting at 6:03pm and opened the public hearing. The following Ordinances were listed for consideration at the public hearing:

An Ordinance of the Shelbyville City Council to Amend the Shelbyville Zoning Map by Rezoning 601 Whitthorne Street (Tax Map 089B, Group G, Parcel 9.01), From C- 2 (Highway Service District) to R-1 (Low Density Residential) and repeal any Ordinance or part of an Ordinance in conflict Therewith.

An Ordinance of the Shelbyville City Council to Amend the Shelbyville Zoning Map by Rezoning 401-413 Elm Street (Tax Map 089A, Group C, Parcel 2.00), From R-3 (Medium Density Residential) to C-2 (Highway Service District) and repeal any Ordinance or part of an Ordinance in conflict Therewith.

An Ordinance of the Shelbyville City Council to Amend the Shelbyville Zoning Map by Rezoning 705 Ridgeway Street (Tax Map 089A, Group C, Parcel 2.01), From R-3 (Medium

Density Residential) to C-2 (Highway Service District) and repeal any Ordinance or part of an Ordinance in conflict Therewith.

An Ordinance of the Shelbyville City Council to Amend the Shelbyville Zoning Map by Designating 112 S. Main Street, Commonly known as the Argie Cooper Library Building, as a Local Historic Landmark, and repeal any Ordinance or part of an Ordinance in conflict herewith.

An Ordinance of the Shelbyville City Council to Amend Article 1, Section 1.8 of the Municipal Zoning Ordinance Pertaining to the Shelbyville Historic Zoning Commission, and repeal any ordinance or part of an ordinance in conflict therewith.

An Ordinance of the Shelbyville City Council to amend Article 5, Section 5.3(H) of the Municipal Zoning Ordinance Pertaining to Accessory Buildings, and repeal of any ordinance or part of an ordinance in conflict therewith.

An Ordinance of the City Council for the City of Shelbyville to establish compensation for citizen members of the Shelbyville Power, Water & Sewerage Board of Directors; Providing for an effective date.

There were no comments or discussion on any of the Ordinances listed for public hearing. Mayor Cartwright closed the public hearing at 6:06pm and reopened the stated meeting.

Old Business was next on the agenda.

First Councilmember Landers made a motion for the City Attorney to read the caption only for Ordinances. Councilmember Rose seconded and the motion carried unanimously by oral vote.

Ordinances on Second & Final Reading were first under old business, there were seven:

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Councilmember Landers seconded. There was no discussion and this motion carried unanimously by roll call vote.

An Ordinance of the Shelbyville City Council to Amend the Shelbyville Zoning Map by Designating 112 S. Main Street, Commonly known as the Argie Cooper Library Building, as a Local Historic Landmark, and repeal any Ordinance or part of an Ordinance in conflict herewith. Councilmember Feldhaus made a motion to approve, Councilmember Rose seconded. There was no discussion and this motion carried unanimously by roll call vote.

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An Ordinance of the Shelbyville City Council to amend Article 5, Section 5.3(H) of the Municipal Zoning Ordinance Pertaining to Accessory Buildings, and repeal of any ordinance or part of an ordinance in conflict therewith. Councilmember Feldhaus made a motion to approve, Councilmember Pruitt seconded. There was no discussion and this motion carried unanimously by roll call vote.

An Ordinance of the City Council for the City of Shelbyville to establish compensation for citizen members of the Shelbyville Power, Water & Sewerage Board of Directors; Providing for an effective date. Councilmember Feldhaus made a motion to defer, Councilmember Christie seconded and the motion carried unanimously by roll call vote.

New Business was next, the first item being **Ordinances on First Reading:**

An Ordinance of the Shelbyville City Council to Amend the Municipal Zoning Ordinance by Providing Regulations for Indoor Sport Gun Ranges. Councilmember Landers made a motion to approve, Councilmember Rose seconded. There was no discussion and this motion carried unanimously by roll call vote.

An Ordinance of the Shelbyville City Council to Amend Article III, Section 3.10 (B), Administrative Approval of Temporary Uses, of the Municipal Zoning Ordinance, and to repeal any ordinance or part of an Ordinance in conflict therewith. Councilmember Pruitt made a motion to approve, Councilmember Feldhaus seconded. There was no discussion and this motion carried unanimously by roll call vote.

An Ordinance of the Shelbyville City Council Adopting the 2016 Updated Zoning Map and Repeal Any Map, Ordinance, or Part of A Map or Ordinance in Conflict Therewith. Councilmember Christie made a motion to approve, Councilmember Landers seconded. There was no discussion and this motion carried unanimously by roll call vote.

An Ordinance to Amend the Shelbyville Municipal Code, Title 2, "Alcoholic Beverages" to Adopt Limitation of Retail Liquor Stores in Accordance with *Tennessee Code Annotated* Section 57-3-208(c). Mayor Cartwright stated that Ordinance item would be deferred.

An Ordinance to Amend the City Code of Ordinances, Title 4, Chapter 1, Building Code, Chapter 2, Plumbing Code, Chapter 3, Electrical Code, Chapter 4, Gas Code, Chapter 9, Mechanical Code, Chapter 13, Residential Code, Chapter 15, Property Maintenance Code and Chapter 16, International Energy Conservation Code; to adopt by Reference the 2012 Edition of the International Residential Code; to Provide for Local Amendments; to Provide for an Effective Date. Mayor Cartwright stated that this Ordinance would be deferred.

Resolutions were next on the agenda.

A Resolution of the Shelbyville City Council to Repeal All Previous Ordinances and Resolutions Pertaining to Planning and Community Development Fees, and to Adopt a New Planning and Community Development Fee Schedule. Councilmember Christie made a motion to approve, Councilmember Feldhaus seconded. There was no discussion and this motion carried unanimously by roll call vote.

A Resolution of the City of Shelbyville, Tennessee to Adopt the Updated Bedford County All Hazards Mitigation Plan. Councilmember Rose made a motion to approve, Councilmember Landers seconded. There was no discussion and this motion carried unanimously by roll call vote.

A Resolution Authorizing the City of Shelbyville to Participate in the Tennessee Risk Management "Driver Safety" Matching Grant Program. Councilmember Pruitt made a motion to approve, Councilmember Feldhaus seconded. There was no discussion and this motion carried unanimously by roll call vote.

A Resolution Authorizing an Official Delegation to the 2016 63rd Annual Governor's Conference on Economic & Community Development in Nashville, TN for October 27th & 28th, 2016 Providing for the Attendance and Expenditures of That Delegation, Consisting of the Mayor and Representatives of the City Council. Councilmember Landers made a motion to approve, Councilmember Feldhaus seconded. There was no discussion and this motion carried unanimously by roll call vote. Mayor Cartwright stated that City Manager Johnson had a schedule conflict and would not be able to attend.

Business Items were next.

Accounts Payable (August 2016). Councilmember Rose made a motion to approve, Councilmember Landers seconded. There was no discussion and this motion carried unanimously by oral vote.

Treasurers Report (June & July 2016) and Various Department Reports (August 2016). Mayor Cartwright stated that these reports will be received as submitted.

Consideration of a motion to authorize Mayor to Execute A Local Programs Agreement for STP Funds, North Main and Palmer Drive. City Manager Johnson asked that this item be deferred as this agreement has not yet arrived and with the Mayor and Council concurrence he would rather not ask that this item be deferred for one month just that it be deferred. Councilmember Landers made a motion to defer, Councilmember Rose seconded and the motion carried unanimously by oral vote.

Consideration of a motion to authorize the Mayor to execute an agreement for Engineering Consulting RFQ-STP Projects with Gresham Smith and Partners, Nashville, TN, pending TDOT approval. Councilmember Landers made a motion to authorize, Councilmember Rose seconded and the motion carried unanimously by roll call vote. City Manager Johnson stated that this is the process where the City received proposals from seven firms and while Gresham Smith is being recommended for this project the committee also is recommending an eligibility list of four other firms for future projects under the STP program over the next five years. Manager Johnson further stated this project is the Fairfield Pike and Deery intersection signalization and roadway turning movement improvements.

Consideration of a motion to authorize Mayor to Execute A Local Programs Agreement for STP Funds, Signalized Intersection & Street Alignment Improvements, Fairfield Pike at Deery; Recommend Gresham Smith Partners for Fairfield Pike/Deery Intersection Project. City Manager Johnson stated that the City received notice on Tuesday that the agreement has been approved but the actual agreement has not been received yet and therefore a deferral is requested on this item also but not necessarily for one month. Councilmember Feldhaus made a motion to defer, Councilmember Rose seconded and the motion carried unanimously by oral vote.

Acknowledge Agreement of TN-ECD for 3 Star Competitive Enhancement Grant Program (Pass-Through). Mayor Cartwright asked for an oral vote, oral vote was unanimous.

Consideration of a motion to accept the following reports:

1. Moody's Investor Services Report
2. Employee Committee Report on Possible Defined Benefit Pension Plan Actuarial Assumption Changes
3. FY 2016 Year End Budget and Financial Status Report

Councilmember Landers made a motion to accept the reports, Councilmember Pruitt seconded. City Manager Johnson stated that Shelbyville is rated AA3, a very good rating for a City this size. Motion then carried unanimously by oral vote.

Consideration of a motion to accept Donation of 4.5 Acres, Fronting Riverview Drive for Park & Recreation Purposes. Councilmember Feldhaus made a motion to accept the donation, Councilmember Landers seconded. City Manager Johnson stated that he thought he could speak for everyone that the City very much appreciates this donation by the Tillet family which will allow for the expansion of Never rest Park. Motion carried unanimously by roll call vote.

Consideration of a motion for the Mayor to sign an Interlocal agreement with Bedford County Sheriff on Use of Workhouse Trustees. Councilmember Landers made the motion, Councilmember Pruitt seconded and the motion carried unanimously by roll call vote.

Purchasing/Bid Awards were next on the agenda.

Consideration of a motion to renew HVAC Maintenance Agreement with Lee Company for Rec Center-Option to Renew for one year \$8,990. Councilmember Christie made a motion to renew, Councilmember Rose seconded and the motion carried unanimously by roll call vote.

Consideration of a motion to purchase a 2017 Chevrolet Silverado 1500 truck 4 WD Crew Cab through TN Statewide Contract, #209-40032, \$32,003.40. Councilmember Landers made a motion to purchase, Councilmember Feldhaus seconded and the motion carried unanimously by roll call vote.

Consideration of a motion to purchase a John Deere Z997R commercial mower, diesel with 72" deck through TN Statewide Contract, #242-45197, \$18,376.80. Councilmember Pruitt made a motion to purchase, Councilmember Landers seconded and the motion carried unanimously by roll call vote.

Consideration of a motion to purchase road salt through TN Statewide Contract, #507-46240, 200 tons reserved, cost is \$78.11/ton delivered. Councilmember Feldhaus made a motion to purchase, Councilmember Landers seconded and the motion carried unanimously by roll call vote.

Consideration of a motion for an Addendum to current PAVING/MILLING/STRIPING OF CITY STREETS award with Wright Paving Contractors, Inc. Items to be included in paving bid/renewal documents from here forward:

1. Base Stone In-Place-\$28.94/ton.
2. Motorgrader work -\$375/hour (includes two-man crew, motorgrader, roller/compactor, skid steer or backhoe, crew truck, and misc. tools).
3. Extruded Curb-on an as needed basis.

Councilmember Landers made the motion for the addendum, Councilmember Pruitt seconded and the motion carried unanimously by roll call vote.

The added item of the Airport Lawnmower was next. Consideration of a motion to purchase John Deere Z970R commercial mower for Airport under Statewide contract, \$12,093.88. Purchasing Director Saddler explained that this was a purchase that was scheduled for January and the budget was \$13,000. Councilmember Pruitt made a motion to approve the purchase, Councilmember Rose seconded and the motion carried unanimously by roll call vote.

Consideration of a motion to declare the following items as surplus to City needs:

1. Public Works
 - a. 1988 GMC truck with Hi-Way salt spreader attachment.
 - b. Leaf vacuum and trailer.

2. Airport
 - a. Beacon Light Fixture
 - b. Taxiway signs
3. Recreation Center-Two pool vacuums
4. Park-Field groomer (to scrap)
5. Airport-Truck bed trailer (to scrap)

Councilmember Feldhaus made a motion to declare these items, Councilmember Landers seconded and the motion carried unanimously by oral vote.

Last was the additional item of the contract with RG Phillips for a traffic study. City Manager Johnson stated that Mayor Cartwright was notified on Tuesday that TDOT is requesting a new updated traffic study for North Main at Palmer Drive that the study previously submitted by the City was approx. one year old and that many things have happened over the past year that were anticipated in the original study but are actually in place now. Manager Johnson further stated that the recommendation is to authorize only tasks 1, 2 and 3 at this time at a cost not to exceed \$5,000 and this will be local monies, he further stated that a lot of the proposed new study has to do with the anticipated turning movements at the intersection, also that a budget amendment will need to be done at some point and without the study the project will not move forward at this time. There was a fairly good amount of discussion on this item including the possibility to wait until the North Main project is done, the opening of Bojangles, Zaxby's and the concern about possibly having to do another traffic study again in the future. City Manager Johnson explained also that the goal is to use the FY16 STP allocation for this project and there is a time frame constraint to have that commitment obligated and that the Council may be asked for a short special meeting to approve these local project agreements with TDOT once they are received, and that this study will have the same road alignment as the previous one but the Lowe's south entrance traffic island was removed and that affects turning movements. Councilmember Feldhaus made a motion to enter into contract with RG Phillips, Councilmember Christie seconded and the motion carried by roll call vote.

Next were Appointments:

Consideration of a motion to reappoint Larry Wells to another six (6) year term of the Industrial Development Board (Council Appointment). Councilmember Feldhaus made a motion to reappoint Mr. Wells, Councilmember Landers seconded and the motion carried unanimously by oral vote.

A motion for the Mayor to appoint Isaac Williams as student member of the Parks and Recreation Board. Mayor Cartwright recognized Isaac Williams who was in attendance and thanked him for his willingness to serve on the Board.

Consideration of a motion to reappoint Henry Wilhoite, Richard Martin and Steven Curtis to another three (3) year term each on the Board of Construction Appeals (Council Appointment). Councilmember Landers made the motion to reappoint, Councilmember Pruitt seconded and the motion carried unanimously by oral vote.

Lastly was **Announcements:**

City Manager Johnson stated that at the last Airport Authority meeting it was discussed that there may be a possible scheduling conflict for the joint meeting set in October and that the alternate dates of October 3rd and October 17th were proposed. There was some discussion about the Historic Zoning Commission meeting for the month of October, but there would be no conflict as that meeting would be on the 24th. It was consensus of the Council to set the joint meeting date to October 17th. It was announced that the meeting would be at the Airport at 6:00pm.

Assistant Fire Chief Terry Vinson announced that the Fire school would be holding a 9/11 memorial on Saturday night, the 10th and that they were all invited the SFD would be participating and that Sunday the 11th on the East Side of the Square the SFD would be holding their own memorial and that the Fire House BBQ is scheduled for Monday, September 19th.

Mayor Cartwright recognized and congratulated Airport Director Justin Heid and reported that he had attended the AAE General Aviation conference in Denver, Colorado and that he had received a scholarship from the AAE to attend this event.

Mayor Cartwright announced that next week would be Brush Week.

There being no further business before the Council Mayor Cartwright adjourned the meeting at approx. 6:45pm.

Approved:



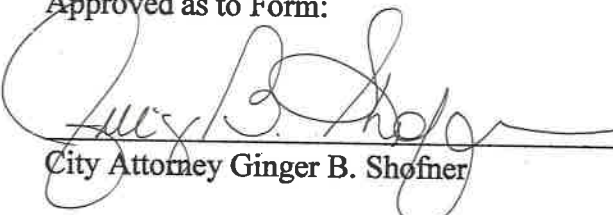
Mayor Wallace Cartwright

Attest:



City Recorder Anna Mai

Approved as to Form:



City Attorney Ginger B. Shofner

City Council Meeting Minutes

The Shelbyville City Council met in Special Session on Tuesday, September 20, 2016 at the City Hall Annex Courtroom. Mayor Cartwright called the meeting to order at 6:00pm. Invocation was led by Councilmember Thomas Landers and the Pledge of Allegiance was led by the City Council. Roll was called and the following members were present: Councilmember Christie, Councilmember Landers, Councilmember Meek, Councilmember Rose and Councilmember Pruitt. Councilmember Feldhaus was absent. Also in attendance were City Manager Jay Johnson, City Recorder Anna Mai, City Attorney Ginger B. Shofner, City Purchasing Director Lori Saddler, Airport Director Justin Heid and Assistant Parks & Rec Director Dan Jackson.

The first item on the agenda was Consideration of Agreement with TDOT for STP Project, Fairfield Pike at Deery/Gowen Streets Intersection for Roadway Improvements and New Signalization; Authorize Mayor to execute Agreement on behalf of City. City Manager Johnson thanked the Council for this special meeting and stated that the first three items on the agenda are related to the end of the Federal Fiscal Year September 30/October 1 and that the City is working with TDOT to allocate money in the current Fiscal Year moving forward. Further that this agreement is for the new project of Fairfield/Deery/Gowen involving roadway improvements; new turn lanes, curb and gutter, sidewalks and new signalization, which will be a multi-year project and with the authorization of this agreement once it is fully executed by City and State the City can move forward with the environmental study required. Councilmember Rose made the motion to approve, Councilmember Landers seconded and there was no further discussion on this item. Motion carried unanimously by roll call vote.

Next was Consideration of Letter Requesting 60-day Extension Until November 30, 2016 for STP Agreement Allocation with TDOT for Lane Parkway Re-surfacing; Authorize City Manager to Submit Request on Behalf of City. City Manager Johnson stated that a draft letter had been distributed in the session packets. He further stated that there were three certifications required for this project related to Right-of-Way, Utilities and Title VI that the Right-of-Way certification and Title VI should be completed in about 1 week and Utility certification remains on an unknown timeframe and on that basis TDOT suggested the City make a 60-day extension request. Councilmember Christie made the motion to approve, Councilmember Pruitt seconded and there was no further discussion. Motion carried unanimously by roll call vote.

Consideration of Professional Service Agreement with Wiser Engineering for TAP Sidewalk Enhancement Project, Phase IV for Project Management, Survey, Engineer Design and Bidding Services. (Note: CEI Services to be authorized separately at Bid Award); Authorize Mayor to Execute Agreement on behalf of City was the next item on the agenda. City Manager Johnson stated that this is for the sidewalks around the Square and is a multi-year project effort that with the approval of this agreement by all parties the environmental review can begin. Councilmember Landers made a motion to approve, Councilmember Pruitt seconded the motion. There was brief discussion that Wiser had done the other work on this project and that the CEI is not part of this contract. Motion carried unanimously by roll call vote.

The next item on the agenda was Consideration of Purchase for used Airport Fuel Truck from Eastern Aviation. Purchasing Director Lori Saddler took a moment to explain the issues with the current fuel truck and that repairs are estimated at about \$7,000, that a loaner truck had been used and that Eastern Aviation was willing to sell that truck to the City for \$35,000, that a cost comparison has been provided. Mrs. Saddler further explained that the money to pay for the truck was coming from \$22,000 that had been budgeted for terminal renovations, \$6,000 in savings from other Capital purchases and the remaining

\$7,000 from the Fund Balance. Airport Director Heid explained that the old truck is a 1982 model and the cost for repairs exceeds what the vehicle is worth and that the new truck will be a 2000 model. Mrs. Saddler did State that there is a T.C.A. provision to purchase from a private entity. Councilmember Meek made the motion to approve the purchase, Councilmember Rose seconded and the motion carried unanimously by roll call vote.

Consideration of Purchase for used Crew Cab Pick-up Truck thru Tennessee State Surplus was the next item. Purchasing Director Lori Saddler explained that there is \$12,000 in the budget for a used crew cab truck in the Cemetery Budget, that the truck is available through State Surplus, it is a 2009 model with 82,000 miles. City Manager Johnson explained this is the truck that will be used to transport trustees to the City maintained Cemeteries. Councilmember Christie made a motion to approve, Councilmember Pruitt seconded and the motion carried unanimously by roll call vote.

The final item on the agenda was Consideration of Purchase for repair parts for NEXGEN Chlorine generator at Recreation Center from Duffield Aquatics, Inc., Sole Source Supplier for ChlorKing. Purchasing Director Saddler explained that this is an emergency situation the chlorine system uses cells to make it's own chlorine and those cells must be replaced for the system to continue to operate and the cost will be absorbed into the repair budget, \$8,395. Assistant Director Jackson presented a picture to the Council and explained how the cells work to create chlorine for both the indoor and outdoor pools, and that this is part of the AMERESCO contract. City Manager Johnson stated that the cells do not last as long as anticipated and will probably be budgeted for replacement every three years now instead of five, also that by using this system there are no chlorine gas cylinders stored on site. Mr. Jackson stated the only thing stored on site is salt, which is what the system uses to make chlorine. There was some discussion if it was known/or discussed with AMERESCO what the life expectancy was. City Manager Johnson stated they anticipated they would last one more year. There was also some discussion on the fact that this is a sole source purchase. Councilmember Meek made a motion to approve purchase, Councilmember Landers seconded and the motion carried unanimously by roll call vote.

Councilmember Rose stated that it was David Melson's birthday and wished him a Happy Birthday.

There being no further business Mayor Cartwright adjourned the meeting at approx. 6:15pm.

Approved:

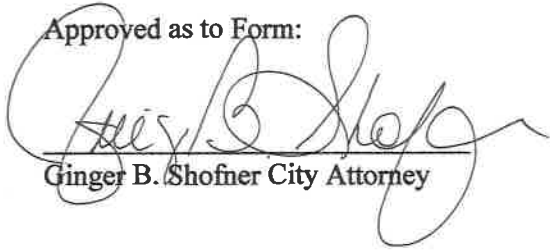

Mayor Wallace Cartwright

Attest:



City Recorder Anna Mai

Approved as to Form:

A handwritten signature in cursive script, appearing to read "Ginger B. Shofner", written over a horizontal line.

Ginger B. Shofner City Attorney