

CITY COUNCIL MEETING MINUTES

Mayor Wallace Cartwright called the regular City Council meeting of December 13, 2012, to order at 6:00 p.m. The invocation was given by Mark Hall of United Methodist Church and the Pledge of Allegiance was led by the Council. Roll was called and Councilmember Holland, Councilmember Pruitt, Councilmember Landers, and Councilmember Meek were present. Councilmember Rose and Councilmember Williams were absent. Also present were City Manager Jay Johnson, City Recorder Vickie Haskins, and City Attorney Ginger Shofner.

First item on the Agenda was a motion to adopt the Agenda. Mayor Cartwright asked if there were any items to be added or deleted. Hearing no amendments, the Mayor announced that the Agenda was adopted as presented.

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

October 30, 2012-Called Executive Session
October 30, 2012-Special Session City Council Meeting
November 8, 2012-Called Executive Session
November 8, 2012-Regular Council Meeting
December 4, 2012-Called Executive Session
December 4, 2012-Special Session City Council Meeting

Mayor Cartwright asked whether there were any additions or corrections to the minutes, and hearing none, he announced that the minutes stand approved as read.

Mayor Cartwright closed the Council meeting at 6:04 p.m. and declared a Public Hearing for comments regarding the following Ordinances:

- 1. Ordinance on Second Reading to rezone 206 Anthony Lane from R-4 to C-2**
- 2. Ordinance on Second Reading to amend Title 1, Chapter 14 of the Shelbyville Municipal Code and adopt Resolution dated November 8, 2012, as the official Purchasing Policies and Procedures of the City of Shelbyville**

There were no comments to be made on these items and Mayor Cartwright declared the Council meeting reopened at 6:06 p.m.

Mayor Cartwright called for matters of old business.

Councilmember Pruitt made a motion to authorize the City Attorney to read only the caption to Ordinances and Councilmember Landers seconded. Motion was approved unanimously on oral vote.

The next item on the agenda was Ordinance on Third and Final Reading to amend Title 1, Chapter 2, of the Shelbyville Municipal Code, Personnel Rules and Regulations, by deleting all language contained in said Chapter and referring to Resolution 20-12 adopting Personnel Policies and Procedures dated October 11, 2012, as the official personnel policy of the City of Shelbyville. Councilmember Meek made a motion to approve the Ordinance, seconded by Councilmember Holland, and carried unanimously upon roll call vote.

The next item was an Ordinance on Second Reading to rezone 206 Anthony Lane, being Tax Map No. 089E, Control Map 089L, Group B, Parcel 18.00, consisting of approximately 2250 sq. ft. from R-4 (High Density Residential) to C-2 (Highway Service District), as recommended by the Shelbyville Municipal Planning Commission. Following the reading of the caption of the Ordinance, Motion to approve the Ordinance on Second Reading was made by Councilmember Pruitt, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

The next item was an Ordinance on Second Reading to amend Title 1, Chapter 14, of the Shelbyville Municipal Code by substituting therefore the Resolution adopted November 8, 2012, as the official Purchasing Policies and Procedures of the City of Shelbyville. Following the reading of the caption of the Ordinance, Motion to approve was made by Councilmember Landers, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

Next on the Agenda were several Special Matters.

First, Motion to acknowledge receipt of November 6, 2012, Municipal Election Certification from the Bedford County Election Commission. Councilmember Meek moved to acknowledge receipt, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

Second, was recognition of out-going Ward 1 Councilmember Jo Ann Holland. A presentation of a clock was made by the Mayor and City Manager Jay Johnson. City Manager thanked her for her service, and she received a warm round of applause. Councilmember Holland commented that it was her honor and her pleasure to serve the City. She thanked the Mayor, Council and the City employees for their efforts for the City.

Next, was administration of the oath of office by Judge Lee Russell to newly elected Ward 1 Councilmember Henry Feldhaus, and re-elected Ward 5 Councilmember Jean Pruitt. It was announced that City Judge John T. Bobo had administered the oath of office to re-elected Ward 3 Councilmember Kay Rose earlier in the day.

Fourth special matter was nomination and election of a Councilmember to serve as Vice-Mayor in accordance with City Charter, Article III, Section 2, for a term of two years. Sam Meek nominated Thomas Landers. Mayor Cartwright called for other nominations, and none were made. Upon oral vote, Councilmember Landers was unanimously elected as Vice-Mayor.

The following appointments were made:

Mayor Cartwright appointed Jamie Williams to serve on the Shelbyville Municipal Planning Commission.

Mayor Cartwright appointed Henry Feldhaus to serve on the Shelbyville Municipal Airport Authority. Council approval was unanimous upon oral vote.

Mayor Cartwright appointed Sam Meek to serve on the Shelbyville Historical Zoning Commission.

Mayor Cartwright appointed Thomas Landers to serve on Skills Development Board.

Mayor Cartwright appointed Kay Rose to serve on Community Development Board.

Mayor Cartwright appointed Kay Rose to serve on the Shelbyville Parks and Recreation Board.

Mayor Cartwright appointed Jean Pruitt to serve on the Senior Citizens Board.

Mayor Cartwright appointed Jean Pruitt and Henry Feldhaus to serve on the Bid Committee.

Mayor Cartwright appointed Sam Meek to serve on the Bedford County Railroad Authority.

Council appointment was made to the Industrial Development Board. Motion was made by Henry Feldhaus to appoint Thomas Landers, seconded by Jean Pruitt, and was unanimously approved upon roll call vote.

Items of New Business were then in Order.

The first item of new business is approval of an Ordinance on First Reading for approval of a revised PUD for property located on North Main Street, being Tax Map 069, Parcel 55, consisting of approximately 40 acres as recommended by the Shelbyville Planning Commission

and establishing Public Hearing for January 10, 2013. The caption was read by City Attorney. Councilmember Landers made a motion to approve the Ordinance, seconded by Councilmember Feldhaus, and carried unanimously upon roll call vote.

All Resolutions were read into the record by City Attorney Shofner prior to any action being taken.

The next item of new business was a Resolution authorizing that the demolition costs for 606 Belmont Avenue in the amount of \$25,967.42 be declared as a special assessment and ordering that said amount be entered upon the tax rolls of the City of Shelbyville as a priority lien. Councilmember Landers moved to approve the Resolution, which was seconded by Councilmember Pruitt. There being no discussion, roll was called, and the Resolution was unanimously approved.

The Council then considered a Resolution authorizing Mayor and City Attorney to execute amended contract with TDOT Aeronautics increasing the total grant for taxiway and parking ramp improvements to the sum of \$3,158,000, with and additional local match of \$75,000.00. City Manager commented that the additional was in this year's budget and expressed his appreciation to the State of Tennessee for their efforts on our behalf. Councilmember Pruitt moved to approve the Ordinance, seconded by Councilmember Feldhaus, and carried unanimously upon roll call vote.

The next item was a Resolution authorizing the Mayor and City Recorder to enter into a Power of Hypothecation for the property known as the "Fly Arts Building" with First Community Bank, as requested by Bedford County Arts Council. Councilmember Meek made a motion to approve the Resolution, seconded by Councilmember Thomas Landers. Whereupon, discussion was held. City Manager Jay Johnson advised that the Hypothecation provided to the Staff is overly broad and does not set any parameters for the amount of the loans to be financed, nor does it limit the time. He offered two options: One, to table the Resolution to allow more time to revise the Power of Hypothecation; or, two, to amend the motion to be specific as to the amount and time frame of the applicability of this Power of Hypothecation. A motion to defer was made by Councilmember Feldhaus, and seconded by Councilmember Pruitt to table the Resolution. Whereupon, the Mayor recognized Larry Price who commented that the act of tabling the motion would defeat the special pricing that the Bedford County Arts Council had been able to negotiate which is based upon strict time limitations of December 14, 2012. Comments were made by the City Attorney advising the Council to make strict limitations upon the Power of Hypothecation. Following these comments, Councilmember Feldhaus withdrew his motion to defer. Whereupon, Councilmember Feldhaus moved to amend the original motion to approve the Resolution based upon a revision that the Power of Hypothecation be specific to the loan of \$30,000 and a \$10,000 line of credit for a period of up to two years. The amendment was seconded by Councilmember Landers, and upon roll call vote, the amendment carried unanimously. It was then in order to vote on the original motion, as amendment, to approve the Resolution and upon roll call vote, the motion was approved unanimously.

Councilmember Pruitt made a motion to approve the Accounts Payables for November 2012. Councilmember Holland seconded. On roll call vote, motion was unanimously approved.

The Treasurer's Report for October 2012 and the Various Department Reports for November 2012, were entered into the minutes as submitted.

The next item was motion to accept nominations for the Downtown Shelbyville Task Force. Mayor Cartwright stated that he nominated the following: Pat McMillian, David Brown, John T. Bobo, Jim Overcast, Nancy June Brandon, Jo Ann Holland. Councilmember Pruitt nominated Wanda Woodlee, Cliff Hurst, Ed Gray. Councilmember Landers nominated Garry Simpson and Dena Landers. Councilmember Feldhaus nominated Jennifer Jordan, Pam Fisher, and Lynn Hulan. Councilmember Meek requested that each nominated person be contacted and that the Staff report back to the Council prior to the approval of the final committee members.

Motion was made by Councilmember Landers, and seconded by Councilmember Pruitt, to change the meeting date of the January 2013 Council Study Session to January 3, 2013, due to the conflict with the New Year's Holiday. Upon oral vote, the motion passed unanimously.

Councilmember Pruitt made a motion to authorize Mayor to enter into a Work Authorization with Garver, LLC (Engineer) for Shelbyville Municipal Airport Reconstruction Project. The Motion was seconded by Councilmember Feldhaus and approved unanimously upon roll call vote.

Motion to authorize payment to Garver, LLC (Engineer) the sum of \$42,400, which represents approved design and engineering work completed for the Shelbyville Municipal Airport Taxiway Reconstruction Project. City Manager Jay Johnson commented that we received the reimbursement of funds from the State. Councilmember Feldhaus moved to approve the motion, seconded by Councilmember Landers, and carried unanimously upon roll call vote.

The next item was a motion to authorize Mayor to execute a Hold Harmless Agreement between the City of Shelbyville and Bobby Sanders so as to allow Shelbyville Fire Department to conduct training exercises upon the property located at 423C E. Depot Street, Shelbyville. Councilmember Landers moved to approve the motion, seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

The next item was a motion authorizing payment of a fee for survey for right of way work for Railroad Avenue current SIA project and future development. Councilmember Pruitt made the motion, seconded by Councilmember Landers. Councilmember Feldhaus asked for clarification regarding the amount of the fee. City Manager stated that the total fee for both the current project and for the future development is \$15,996.25, which amount is in the Capital Fund Budget-Streets. The motion carried unanimously upon roll call vote.

Councilmember Feldhaus made a motion to acknowledge receipt of the following reports:

- a. Property Survey for right of way for Railroad Avenue current SIA project and for future development.
- b. 2012 Annual Report for the City of Shelbyville Parks and Recreation Department.

The motion was seconded by Councilmember Landers and carried unanimously upon oral vote.

Councilmember Meek made a motion to declare the following items as surplus and that same be advertised for sale with same to be listed on govdeals.com for sale to the highest and best bidder.

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| a. | Parks | 1996 GMC pickup truck |
| b. | Police | Obsolete VHS camera vaults (to scrap) |
| c. | Fire | lightbars/spotlights |
| d. | Fire | truck wheels (four) |
| e. | Fire | extending mountable lights (four) |
| f. | Fire | misc. obsolete air packs, face pieces, & parts (not NFPA compliant) |
| | | |
| g. | Fire | K-12 circular rescue saw |
| h. | Fire | floor buffer |
| i. | Fire | P-F hydraulic rescue kit |
| j. | Fire | CPR mannequin with case |
| k. | Fire | two-way radios, walkies, & parts |
| l. | Fire | Blackhawk hydraulic rescue kit |
| m. | Fire | 1969 Howe fire truck |

The Motion was seconded by Councilmember Landers and carried unanimously upon oral vote.

Three bids were received for valves for rescue equipment for the Fire Department. Councilmember Feldhaus made a motion to accept low bid from Safe Industries of LaVergne, TN, for \$2,840, as recommended by the Bid Committee. The Motion was seconded by Councilmember Landers and carried unanimously upon roll call vote.

Four bids were received for protective gear, non-structural, for Fire Department. Councilmember Pruitt made a motion to accept the low bid from Safe Industries of Lavergne, TN for \$468.72 per set, total cost of \$15,467.76, as recommended by the Bid Committee. The motion was seconded by Councilmember Landers and carried unanimously upon roll call vote.

Two bids were received for the ramp for the indoor pool at Recreation Center. Councilmember Feldhaus moved to approve the low bid from Recreonics, Inc. of Louisville, KY, for \$5,281.62, as recommended by the Bid Committee. The motion was seconded by Councilmember Landers and carried unanimously upon roll call vote.

One proposal was received for epoxy quartz flooring, installed, at Recreation Center. Councilmember Pruitt moved to approve the bid from Specialty Coatings, Inc., of Franklin, TN, for \$14,180 as recommended by the Bid Committee. The motion was seconded by Councilmember Feldhaus, and carried unanimously upon roll call vote.

One bid was received for exterior door replacement at Recreation Center. Councilmember Landers moved to accept the bid from Preferred Glass Company of Shelbyville, Tennessee, for \$3,294.57, as recommended by the Bid Committee. The Motion was seconded by Councilmember Pruitt, and carried unanimously upon roll call vote.

One bid was received from Vulcan Materials Company of Shelbyville, Tennessee for various rocks for City projects, which bid is recommended for approval by the Bid Committee. The bid was made in various amounts for different types of rocks. Councilmember Feldhaus moved to approve the bid, seconded by Councilmember Landers and carried unanimously upon roll call vote.

The next item was Mayor appointment for the remainder of a 5-year term to the Shelbyville Housing Authority. The Mayor appointed Aubrey Cawthon, who will serve through October 2016.

The Mayor then appointed Jo Ann Holland to serve as a regular member to the Shelbyville Planning Commission.

Councilmember Feldhaus then asked to be recognized in order to make comments and statements. He first thanked the City Staff and former Councilmember Holland for their kindness during the transition. He commented regarding his observations and expectations going forward and stated that during his 16 year absence from City Hall, he has learned a great deal about the desires, wants, and needs of our citizens. He believes that he now has a better understanding of how the City should operate. He commented regarding the struggle of previous Councilmembers to make decisions and their attempt to micromanage City operations. He believes the City has made a good decision to hire a professional City Manager and staff. He wants to direct the Council attention toward policy changes and goal setting for the good of the City at large, particularly efficiency within the budget while keeping needed services. His focus is to remove obstacles which hinder the growth of the City. He envisions that the City provide needed facilities for the citizens and provide infrastructure improvements for safety, recreation, drainage, roads, water and sewer. He encouraged the establishment of a growth plan, with community involvement, with 5-year, 10-year and 20-year time horizons. He stated that he is a strong advocate of the Sunshine Law and intends to discuss matters only on open forums. He hopes to expand the City's communication channels and believes that public communication is the key to making Shelbyville run smoothly. He hopes to adopt a policy including live video streaming on the internet for all committee and council meetings, and that these videos be archived for future viewing. He pledged to work together with all Councilmembers for the progress of Shelbyville.

There being no other business to come before the Council, the meeting was adjourned at 7:20 p.m.

APPROVED:

MAYOR WALLACE CARTWRIGHT

ATTEST

VICKIE HASKINS, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY GINGER B. SHOFNER