

Regular City Council Meeting Minutes

Regular Meeting: February 11, 2021

Place: Shelbyville Recreation Center, 220 Tulip Tree Road

Call to Order: 6:01 PM, Mayor Wallace Cartwright & Officer Clint Adams

Invocation: Brother Ron Adams, Emmanuel Church Pentecostal

Pledge of Allegiance: Led by City Council

Roll Call: Roll was called by City Recorder Lisa Smith and the following were present: Councilmember Rick Overcast, Councilmember Marilyn Ewing, Councilmember Henry Feldhaus, Councilmember Stephanie Isaacs, Councilmember Gray Haile, and Councilmember William Christie. Also, in attendance were City Manager Josh Ray, City Attorney Ginger Shofner and City Treasurer Kay Parker (by zoom). Mayor Cartwright declared a quorum and the meeting open for Business.

Adopt the Agenda: Mayor Cartwright announced Administration is requesting to Amend Business Items F & H and add Business item I and reading the amendments. Councilmember Christie made a motion to amend the Agenda as requested, Councilmember Ewing seconded, and the motion carried unanimously by oral vote. Councilmember Feldhaus then made a motion to Adopt the Amended Agenda, seconded by Councilmember Overcast and carried unanimously by oral vote.

Approval of Minutes: Hearing no corrections or additions, Mayor Cartwright stated the minutes from the Study Session of January 5, 2021, the Regular Business Meeting of January 14, 2021, and the Special Called Meeting of February 4, 2021 would stand as submitted.

Mayor Cartwright then closed the Business meeting at 6:05 PM and opened the Public Hearings.

Public Hearings:

An Ordinance of the City Council for the City of Shelbyville to Establish the Term for the City Council Representative for the Shelbyville Power, Water & Sewerage Board of Directors and Providing for an Effective Date. There were no comments.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 22.46 (+/-) Acres Owned by Hartsford Development, LLC Located Northeast of the Intersection of TN-437 and Fairfield Pike and Referenced on Bedford County Tax map 69, Parcel 18.02 from Bedford County A-1 (Agricultural-Forestry) to PUD (Planned Unit Development) and Repealing and Ordinance or Portion of Ordinance in Conflict Therewith. There were no comments or speakers.

An Ordinance of the Shelbyville City Council to Approve the Global Manor PUD II (Phases 8-12) Planned Unit Development Regulating Pattern Book as Recommended by the Shelbyville Municipal Planning Commission and Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. There were no speakers or comments.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 1.05 (+/-) Acres Owned by Chris Prosser Located at 330 Dover Street and Reference on Bedford County Tax Map 79, Park of Parcel 29.00 from R-1 (Low Density Residential) to R-3 (Medium Density Residential) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. There were no comments.

An Ordinance to Amend the Adopted Budget Ordinance (As Amended) of the City of Shelbyville, Tennessee Various Funds, For the Fiscal Year 2020-2021, the Period Ending June 30, 2021. There were no speakers.

Mayor Cartwright then closed the Public Hearing at 6:08 PM and reopened the Business meeting.

Councilmember Overcast made a motion for City Attorney Shofner to read the caption only on Ordinances Councilmember Haile seconded, and the motion carried unanimously by oral vote.

Old Business:

Ordinances– Second and Final Reading:

An Ordinance of the City Council for the City of Shelbyville to Establish the Term for the City Council Representative for the Shelbyville Power, Water & Sewerage Board of Directors and Providing for an Effective Date. Councilmember Christie made a motion to approve, seconded by Councilmember Haile and the motion carried unanimously upon roll call vote.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 22.46 (+/-) Acres Owned by Hartsford Development, LLC Located Northeast of the Intersection of TN-437 and Fairfield Pike and Referenced on Bedford County Tax map 69, Parcel 18.02 from Bedford County A-1 (Agricultural-Forestry) to PUD (Planned Unit Development) and Repealing and Ordinance or Portion of Ordinance in Conflict Therewith. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Isaacs and the motion carried unanimously upon roll call vote.

An Ordinance of the Shelbyville City Council to Approve the Global Manor PUD II (Phases 8-12) Planned Unit Development Regulating Pattern Book as Recommended by the Shelbyville Municipal Planning Commission and Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. Councilmember Overcast made a motion to approve, seconded by Councilmember Haile and the motion carried unanimously upon roll call vote.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 1.05 (+/-) Acres Owned by Chris Prosser Located at 330 Dover Street and Reference on Bedford County Tax Map 79, Park of Parcel 29.00 from R-1 (Low Density Residential) to R-3 (Medium Density Residential) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Councilmember Ewing made a motion to approve, seconded by Councilmember Haile and the motion carried unanimously upon roll call vote.

An Ordinance to Amend the Adopted Budget Ordinance (As Amended) of the City of Shelbyville, Tennessee Various Funds, For the Fiscal Year 2020-2021, the Period Ending June 30, 2021. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Ewing and the motion carried unanimously upon roll call vote.

New Business:

Ordinances – First Reading:

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 15.36 (+/-) Acres Owned by Thomas and Norma J. Wright, Located North of Railroad Avenue and Referenced on Bedford County Tax Map 077, Parcel 24.00 from R-1 (Low Density Residential District) to I-2 (General Industrial District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Councilmember

Christie made a motion to approve, seconded by Councilmember Overcast and carried unanimously by roll call vote.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 9.76 (+/-) Acres of 15.04 (+/-) Acres Owned by Brayne Development and Located East of U.S. Highway 231 Just North of McDale Lane and Referenced on Bedford County Tax Map 069, Part of Parcel 5.00 from C-2 (General Business District) to R-4 (High Density Residential District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Councilmember Isaacs made a motion to approve, Councilmember Haile seconded, and the motion carried by unanimous roll call vote.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of .76 (+/-) Acre Owned by Curl Properties, LLC Located North of Brown Lane, and Referenced on Bedford County Tax Map 069, Parcel 74.00 From R-2(Low Density Residential District) to R-3 (Medium Density Residential District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. City Recorder Smith advised this item received an unfavorable recommendation from the Planning Commission.

Councilmember Ewing made a motion to follow the recommendation from the Planning Commission and not approve, Councilmember Feldhaus seconded. Mayor Cartwright suspended the rules at this time to allow the applicant's representative Scot St. John to address the Council. St. John stated that the request to rezone 29 acres to R-3 received the unfavorable recommendation from the Planning Commission because it does not match the current Land Use Map. In the new proposed Land Use Map which is still in development there would be Mixed Density Residential, and it would allow the development. They request that the Council consider approving this rezoning at this time so they can move forward now. He further noted the R-3 designation would be a good transition. With no more discussion, City Recorder called the roll, and the vote was as follows:

Councilmember Overcast: Yes	Councilmember Isaacs: Yes	Councilmember Christie: No
Councilmember Haile: Yes	Councilmember Ewing: Yes	Councilmember Feldhaus: Yes

With 5 yes votes the Motion to not approve the rezoning passes.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 28.20 (+/-) Acres Owned by Curl Properties, LLC, Located North of Brown Lane, and Referenced on Bedford County Tax Map 069, Parcels 74.01 and 77.00 from R-2 (Low Density Residential District) to R-3 (Medium Density Residential District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. This rezone request received an unfavorable recommendation from the Planning Commission. City Recorder Smith advised this property was adjacent property and it also received an unfavorable recommendation from the Planning Commission. Councilmember Overcast made a motion to follow the Planning Commission's recommendation, Councilmember Isaacs seconded, and the vote was as follows:

Councilmember Overcast: Yes	Councilmember Isaacs: Yes	Councilmember Christie: No
Councilmember Haile: Yes	Councilmember Ewing: Yes	Councilmember Feldhaus: Yes

With 5 yes votes the Motion to not approve the rezoning passes.

Resolutions: None

Business Items:

Accounts Payable (January 2021): Councilmember Overcast made a motion to approve Accounts Payables

for January 2021, Councilmember Isaacs seconded, and with no questions or discussion the motion carried unanimously by roll call vote.

Treasurer's Report (January 2021) & Various Department Reports (January 2021): Hearing no questions or concerns, Mayor Cartwright declared these reports would be received as submitted.

Consideration of a motion to accept the Year 6 Measurement and Verification Report from Ameresco. Councilmember Feldhaus made a motion to accept, Councilmember Haile seconded, and the motion carried by unanimous oral vote.

Consideration of a motion to approve the Annual Safety Report for 2020. Councilmember Feldhaus made the motion to approve, Councilmember Overcast seconded, and the motion carried unanimously by oral vote.

Consideration of a motion to engage the services of Akerman, LLP to represent the City of Shelbyville in Governmental Relations Services for a term of 24 months, at the rate of \$10,000.00 a month for the first six (6) months and thereafter \$12,500.00 a month and to authorize the Mayor and City Attorney to execute all necessary documents. Councilmember Feldhaus made a motion to approve, Councilmember Overcast seconded, and the motion carried unanimously by roll call vote.

Consideration of a motion to authorize payment of \$154,000.00 to the Bedford County Railroad Authority to cover the cost of the Madison Street Crossing Project and to further authorize the Mayor and City Attorney to sign any necessary documents, including an Agreement with the Bedford County Railroad Authority for reimbursement of the \$154,000.00 at the completion of the project. Councilmember Christie made a motion to authorize the payment, Councilmember Ewing seconded, and the motion carried by unanimous roll call vote.

Consideration of a motion to authorize payment of \$5,133.34 to the Bedford County Railroad Authority for one-third of the local match on the Madison Street Crossing Project. Councilmember Feldhaus made a motion to authorize, Councilmember Overcast seconded, and the motion carried unanimously by roll call vote.

Consideration of a motion to acknowledge receipt of State Forms CT-0253, Report on Debt Obligation in reference to Shelbyville Power, Water and Sewerage Company's General Obligation Refunding Bonds Series 2021. Councilmember Christie made a motion to acknowledge, Councilmember Isaacs seconded, and the motion carried unanimously by oral vote.

Purchasing / Bid Awards:

Consideration of a motion to approve the purchase of 3 Scott X3 Pro Air Packs, 8 Scott 45-minute cylinder, and 7 Scott X3 Pro facepieces, for a total of \$28,862.23, through National Cooperative HGAC Contract #EE08-19 with Emergency Vehicle Specialists, Memphis, TN, as recommended by the Fire Chief. Councilmember Overcast made a motion to approve, Councilmember Isaacs seconded, and the motion carried unanimously by roll call vote.

Consideration of a motion to approve and authorize the Mayor to sign Amendment No. 1 to the Agreement with Neel-Schaffer, Inc for Professional Services associated with the Sidewalk Improvement Project, TAP Phases 3 & 4, allowing for an increase of \$11,760.00, to cover lighting and power services not included in the original Agreement. Councilmember Feldhaus made a motion to approve, Councilmember Christie seconded, and the motion carried by unanimous roll call vote.

Appointments:

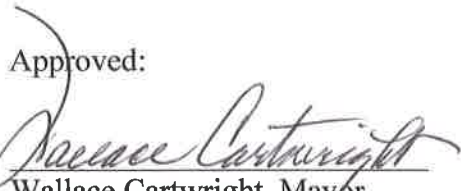
Shelbyville Power Board Council Representative – Council Appointment: Councilmember Overcast nominated Councilmember William Christie to serve on the Power Board for a two-year term and with no other nominations Councilmember Christie was approved unanimously by all upon an oral vote.

Announcements: City Hall will be Closed on Monday, February 15th in observation of President’s Day. Monday’s trash will be picked up on Tuesday, February 16th with Tuesday’s regular route.

City Attorney Shofner advised that 2020 property taxes are due by the last day of February without incurring any penalties or interest. Additionally, the 2019 property taxes will be turned over to the Clerk and Master for collections at the end of March.

City Treasurer requested clarification on which fund the Council wanted Ackerman to be paid from. Councilmember Feldhaus noted that he wanted them paid from the Hotel / Motel tax fund as it is related to Economic Development and all other members of Council agreed.

With no further business the meeting adjourned at 6:32 PM.

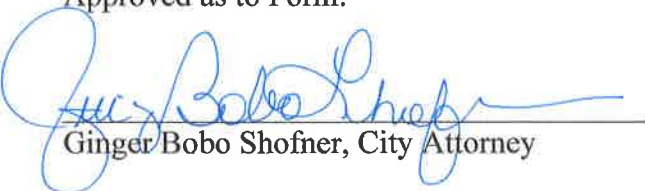
Approved:

Wallace Cartwright, Mayor

Attest:



Lisa Smith, City Recorder

Approved as to Form:



Ginger Bobo Shofner, City Attorney