

## Regular City Council Meeting Minutes

**Regular Meeting:** March 11, 2021

**Place:** Shelbyville Recreation Center, 220 Tulip Tree Road

**Call to Order:** 6:00 PM, Mayor Wallace Cartwright & Officer Tracy Teal, Jr.

**Invocation:** Brother Glenn Forsee, First Assembly of God

**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 the Agenda by adding 5 additional sets of Minutes for approval and removing Item A under Section IX. **Councilmember Feldhaus made a motion to amend the Agenda as requested and adopt the Amended Agenda, Councilmember Isaacs seconded, and the motion carried unanimously by oral vote.**

**Approval of Minutes:** Hearing no corrections or additions, Mayor Cartwright stated the minutes from the Study Session of February 4, 2021, the Regular Business Meeting of February 11, 2021, and the added Special Called Meetings of November 10<sup>th</sup>, 12<sup>th</sup> and 30<sup>th</sup> and December 7<sup>th</sup> and 8<sup>th</sup> of 2020 would stand as submitted.

Mayor Cartwright then closed the Business meeting at 6:04 PM and opened the Public Hearings.

### **Public Hearings:**

**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.** There were no comments or speakers.

**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.** There were no comments or speakers.

Mayor Cartwright then closed the Public Hearing at 6:05 PM and reopened the Business meeting.

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

**Old Business:**

**Ordinances– Second and Final 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 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 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 Overcast made a motion to approve, seconded by Councilmember Christie and the motion carried unanimously upon roll call vote.**

**New Business:**

**Ordinances – First Reading:**

**An Ordinance to Amend Title 4 Building, Utility, and Housing Codes of the Shelbyville Municipal Code to Introduce Chapter 17 Fences and Providing an Effective Date. This item was removed.**

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 5.46 (+/-) Acres Owned by James B. Rollins, located South of Madison Street at the Intersection with Richland Drive and Referenced on Bedford County Tax Map 090, Part of Parcel 113.00 From C-2 (General Business District) to R-4 (High Density Residential District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. City Recorder noted the Planning Commission gave this rezone request a favorable recommendation. Councilmember Overcast made a motion to approve, Councilmember Ewing seconded, and the motion carried by unanimous roll call vote.**

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 10.31 (+/-) Acres Owned by Global Development, LLC, located on the Northside of Highway 437 By-Pass East of the Intersection of Highway 437 By-Pass and Fairfield Pike and Referenced on Bedford County Tax Map 069, Parcel 61.02 From R-1 (Low Density Residential District) to C-2 (General Business District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Councilmember Overcast made a motion to approve, Councilmember Feldhaus seconded. City Recorder noted the Planning Commission gave this rezone request a favorable recommendation. The motion to approve passed unanimously upon roll call vote.**

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 29.00 (+/-) Acres Owned by Curl Properties, LLC, located North of Brown Lane, and Referenced on Bedford County Tax Map 069, Parcels 74.00, 74.01 and 77.00 from R-2 (Low Density Residential) to PUD (Planned Unit Development District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. City Recorder noted the Planning Commission gave this rezone request an unfavorable recommendation from the Planning Commission. Councilmember Overcast made a motion to follow the Planning Commission recommendation, and deny the request, Councilmember Isaacs seconded, and the motion carried by unanimous roll call vote. City Recorder Smith stated the Motion passed and the rezone request failed.**

**Resolutions:**

**A Resolution of the Mayor and City Council of the City of Shelbyville Authorizing and Directing the City Attorney to File the 2019 Tax Bills for the Collection of All Delinquent Taxes for that Year.**

Councilmember Feldhaus made a motion to approve, seconded by Councilmember Haile and the motion carried upon roll call vote.

**Business Items:**

**Accounts Payable (February 2021):** Councilmember Ewing made a motion to approve Accounts Payables for February 2021, Councilmember Haile seconded, and with no questions or discussion the motion carried unanimously by roll call vote.

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

**Consideration of a motion to approve the City of Shelbyville Audited Financial Statements and Supplementary Information for Fiscal Year Ending June 30, 2020, prepared by Winnett Associates, PLLC.** Councilmember Haile made a motion to accept, Councilmember Isaacs seconded, and the motion carried by unanimous oral vote.

**Consideration of a motion to authorize the Mayor and City Attorney to sign the Engagement Letter with Winnett Associates, PLLC for audit services for Fiscal Year ending June 30, 2021, in an amount not to exceed \$30,000.00 (\$25,050.00 for the standard audit and \$4,950.00 for Federal Awards Audit).** Councilmember Feldhaus made the motion to authorize, Councilmember Haile seconded, and the motion carried unanimously by roll call vote.

**Consideration of a motion to authorize the City Recorder to advertise for two citizen board members for the Shelbyville Power Board with all applications to be received by April 23, 2021 at 4:00 PM.** Councilmember Ewing made a motion to authorize, Councilmember Isaacs seconded, and the motion carried unanimously by roll call vote.

**Consideration of a motion to approve and authorize the Mayor and City Attorney to sign Amendment One to the Interlocal Agreement between Bedford County and the City of Shelbyville for the Establishment of a Joint Economic Director Position.** Councilmember Feldhaus made a motion to approve and authorize, Councilmember Ewing seconded. City Attorney Shofner advised there would be a change in the mailing address for Mr. Hooper. Councilmember Feldhaus then amended his motion to adopt Amendment One of the Interlocal Agreement with the correction to the mailing address, Councilmember Ewing seconded the amendment, and the motion carried by unanimous oral vote.

**Purchasing / Bid Awards:**

**Consideration of a motion to approve the purchase of two (2) 2020 Ford F-150 trucks with lights, sirens, controls, and consoles from Ford of Murfreesboro at the cost of \$41,491.00 each for a total cost of \$82,982.00, through Statewide Contract # 209/64470 and as recommended by the Fire Chief.**

Councilmember Christie made a motion to approve, Councilmember Isaacs seconded. Councilmember Feldhaus ask to discuss this matter. He noted these trucks are not in the Capital Budget and not an emergency purchase. He feels that items like this should be addressed in the Budget process and it is unfair to other Departments as they all have needs. He would prefer to look at this as a Budget item for next year and he stated he intends to vote on this item for that reason. Councilmember Ewing questioned if these were pulled from last year's Budget. City Manager Ray advised one was included in last year's preliminary Budget and pulled due to the 15% reduction by every Department. The second one was planned to be included but was not included in the initial request. Chief Doak advised these would be used for EMS calls and one would be placed at Fire Hall

3. He further advised that he and the Training Chief had given up their trucks to station those at the Fire Halls and the two trucks being requested would be used to replace those. Doak noted the Fire Department has applied for every Grant they can. Feldhaus stated at this time Fire Hall 3 is operating due to the COVID scheduling but it is currently not fully staffed so he felt this request was a non-emergency type request. With no further discussion a roll call vote was had as follows:

Councilmember Overcast – NO

Councilmember Isaacs – YES

Councilmember Christie – YES

Councilmember Haile – YES

Councilmember Ewing – YES

Councilmember Feldhaus – NO

The motion to approve the purchase passed with 4 yes votes and 2 no votes.

**Appointments:**

**Mayor Cartwright appointed David McGee, II to finish the term of James Darden on the Planning Commission expiring December 2022.**

**Mayor Cartwright appointed Linda Nichols to the ADA Authority Board for a two-year term expiring in September of 2022 and reappointed Ron Adams, Vickie Cornish, and Karen Thresher for a second two-year term expiring in September 2022.**

**Councilmember Feldhaus made a motion to approve removal of Charity Troyer from the City appointment to the Library Board, Councilmember Isaacs seconded, and the motion carried upon unanimous oral vote. Ms. Troyer will remain on the Library Board as a County representative.**

**Announcements:** City Attorney Shofner advised that the last day to pay 2019 property taxes will be Monday, March 29<sup>th</sup>. After that, all remaining due 2019 taxes will be turned over to the Clerk and Master for collections.

**With no further business the meeting adjourned at 6:28 PM.**

Approved:

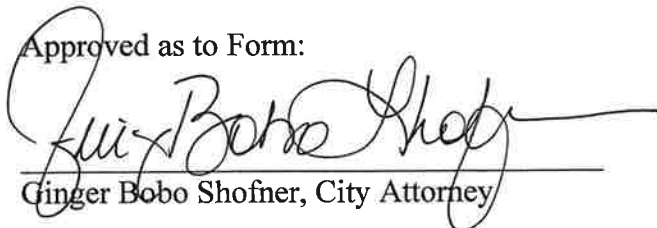
  
Wallace Cartwright, Mayor

Attest:



Lisa Smith, City Recorder

Approved as to Form:

  
Ginger Bobo Shofner, City Attorney