

## Regular City Council Meeting Minutes

**Regular Meeting:** April 8, 2021

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

**Call to Order:** 6:00 PM, Mayor Wallace Cartwright

**Invocation:** Brother Randall Harmon

**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:** City Recorder Smith requested to Amend the Agenda by moving First Reading Ordinance Item A to the bottom of the Business Item. Additionally, under Appointments adding to appoint someone to complete Shanna Boyette's term on the 231 N. Business Park Committee. **Councilmember Christie made a motion to amend the Agenda as requested, Councilmember Isaacs seconded, and the motion carried by unanimous oral vote. Councilmember Feldhaus then made a motion to Adopt the Agenda as amended, Councilmember Overcast seconded, and the motion carried unanimously by oral vote.**

**Approval of Minutes:** Hearing no corrections or additions, Mayor Cartwright stated the minutes from the Special Called Meeting of March 2, 2021, the Study Session of March 2, 2021, and the Regular Business Meeting of March 11, 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 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.** There were no comments or speakers.

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

Mayor Cartwright then closed the Public Hearing at 6:06 PM and reopened the Business meeting.

**Councilmember Christie made a motion for City Attorney Shofner to read the caption only on Ordinances Councilmember Ewing 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 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. 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 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, seconded by Councilmember Isaacs and the motion carried unanimously upon roll call vote.**

**New Business:**

**Ordinances – First Reading:**

**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 8, Existing Building 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 2018 Edition of the International Residential Code; To Provide for Local Amendments; To Provide for an Effective Date. Councilmember Ewing made a motion to approved, Councilmember Haile seconded, and the motion carried by unanimous roll call vote.**

**An Ordinance Amending the City Code Title 7, Chapter 2, To Adopt By Reference the 2018 Edition of the International Fire Code, Regulating and Governing the Safe-Guarding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Shelbyville; Providing for the Issuance of Permits and Collection of Fees Therefore; Repealing Any and All Other Ordinances and Parts of the Ordinances in Conflict Therewith. Councilmember Feldhaus made a motion to approve, Councilmember Overcast seconded, and the motion carried by unanimous roll call vote.**

**Resolutions:**

**A Resolution of the Mayor and City Council of the City of Shelbyville, Tennessee Authorizing a Grant Application with the State of Tennessee Department of Agriculture for Animal Friendly Spay/Neuter Grant. Councilmember Christie made a motion to approve, seconded by Councilmember Ewing and the motion carried upon roll call vote.**

**A Resolution of the Mayor and City Council of the City of Shelbyville, Tennessee Authorizing a Grant Application with the Boyd Foundation for a Tennessee Dog Park Dash Grant. Councilmember Overcast made a motion to approve, Councilmember Ewing made a second and the motion carried by unanimous roll call vote.**

**Business Items:**

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

**Various Department Reports (March 2021):** Hearing no questions or concerns, Mayor Cartwright declared these reports would be received as submitted.

**Consideration of a motion to enter into an agreement with South Central Tennessee Tourism Association to provide Tourism and Marketing services for the City of Shelbyville beginning immediately and continuing until June 30, 2022 for an amount of \$30,000.00 to be paid from the Hotel/Motel tax fund and to authorize the Mayor to sign any necessary agreements.** Councilmember Feldhaus made a motion to approve, Councilmember Overcast seconded. Councilmember Ewing asked if this matter came before the Council prior to the final product. City Manager Josh Ray advised this was original presented to the Shelbyville Bedford County Economic Advisory Committee and they will work back through that group. There were a few comments from Councilmember Feldhaus and Councilmember Christie concerning the presentation given at the SBC Economic Committee meeting. Councilmember Christie asked if the County would pay their half at some point in the future. Feldhaus advised he would hope they would address it in their upcoming Budget conversations. The motion then passed by unanimous roll call vote.

**Consideration of a motion to authorize the addition of three (3) new firefighter positions to the Fire Department, beginning immediately. These positions will be for staffing Fire Hall #3.** Councilmember Isaacs made the motion to authorize, Councilmember Haile seconded. Councilmember Feldhaus advised he would be voting against this as it is outside the normal Budget process. He additionally felt it was unfair to other Departments. Councilmember Ewing stated Firehall #3 does need to be up and running due to the growth. Councilmember Christie questioned the appropriation of the funds in last years Budget. City Manager Ray stated the positions were not in last years Budget, however the funds to pay for the three (3) new positions for the remainder of FY 21 remains in the current Fire Department Budget. There was a short discussion with Chief Doak concerning the benefit of hiring the new personnel now which includes getting a jump on the training and being compliant with the 2 in 2 out requirement. He additionally noted he felt it would help in obtaining the SAFER Grant if the City were willing to do their part up front. With no further discussion a roll call vote was had as follows:

Councilmember Overcast – YES  
Councilmember Christie – YES  
Councilmember Ewing – YES

Councilmember Isaacs – YES  
Councilmember Haile – YES  
Councilmember Feldhaus – NO

The motion to approve passed with 5 yes votes and 2 no votes.

**Consideration of a motion to establish an Enterprise Fund for Solid Waste Operations and to adopt an Ordinance setting a monthly solid waste collection fee of \$17.00 for the first container and \$10.00 for the second container.** Councilmember Overcast made a motion to deny the motion, Councilmember Isaacs seconded. Councilmember Feldhaus stated he felt this was presented in a different light than it had been presented on Facebook. He advised the intent was to have a lower tax rate to offset this and use some of the freed-up funds for road paving. Councilmember Overcast stated he felt it was needed and a good thing but suggested mailing something to everyone so they could understand. There was a lengthy discussion between the Council with several members stating they would reconsider this item but felt it needed more study and the public needed to be better advised. There were questions about the reason behind the Power System being involved in billing and Attorney Shofner advised the Statue that authorizes Municipalities to charge a Solid Waste Disposal fee

specifically authorizes you to go through the utility. After further discussion, the motion carried unanimously upon roll call vote to deny any action on this matter.

**Consideration of a motion to enter into an agreement with Garver Engineering in the amount of \$86,996.00 for the design, bidding, and construction management of sewer line connections to the Shelbyville Municipal Airport and to authorize the Mayor to sign any necessary agreements. Councilmember Overcast made a motion to approve and authorize, Councilmember Isaacs seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to approve the added benefit to City Employees of a once-a-year rental of either a meeting room or pavilion through the Parks and Recreation Department at no charge. The employee will be required to be in attendance and abide by all rental guidelines. Councilmember Christie made a motion to approve, Councilmember Haile seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to approve the Parks and Recreation Department's implementation of a Commemorative Tree Planting Program. Councilmember Overcast made a motion to approve, Councilmember Ewing seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to acknowledge and ratify the Grant Amendment for scope and budget detail revisions of the 231 N. Business Park Site Development Grant contract with the Tennessee Department of Economic and Community Development. There was no change in the dollar amount of the grant nor the local match. Councilmember Feldhaus made a motion to acknowledge and ratify, Councilmember Haile seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to approve the contract with Griggs and Maloney for geotechnical evaluation and additional civil engineering due diligence at the 231 N. Business Park in the amount of \$42,500.00 and to authorize the Mayor to sign any necessary agreements. Councilmember Feldhaus made a motion to approve, Councilmember Overcast seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to approve the appropriation of \$100,000.00 from the Fund Balance in the General Fund to the Industrial Development Fund (Fund 610) for 231 N. Business Park related expenses including the current project being partially funded by a TEDC Grant. Councilmember Feldhaus made a motion to approve and noted as a part of the motion he would request that the County also give an additional \$100,000 at an appropriate time for them, Councilmember Christie seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to approve the addition of a BlueCross BlueShield comprehensive vision and dental plan for all employees, paid by the City at an annual cost of \$65,000.00. Dependent coverage may be added but will be paid by the employee. The City will receive a multi-policy discount of \$20,000 for the health insurance package and coverage will begin on July 1, 2021. Councilmember Haile made a motion to approve, Councilmember Isaacs seconded, and the motion carried by unanimous roll call vote.**

**Consideration of a motion to authorize the Mayor to sign a letter to TDOT requesting a one-year extension for the TAP – Phase 4 Sidewalk Improvement Project. Councilmember Christie made a motion to authorize, Councilmember Feldhaus seconded, and the motion carried by unanimous oral vote.**

**Consideration of a motion to acknowledge and ratify the Professional Service Agreement with Garver for Engineering Services for Airport Security Gates project in the amount of \$18,000. Councilmember**

Overcast made a motion to acknowledge and ratify, Councilmember Isaacs seconded, and the motion carried by unanimous roll call vote.

**Ordinance – First Reading (moved to bottom of Business Items)**

**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, Councilmember Overcast seconded, and the motion carried by unanimous roll call vote.

**Purchasing / Bid Awards:**

**Consideration of a motion to award the bid for the Airport Security Gate Project to the only bidder, Stubbs Construction Services, Crossville, Tennessee in an amount of \$95,520.00 after the elimination of select items as recommended by Garver Engineering and pending approval by the Tennessee Aeronautics Division: Councilmember Feldhaus made a motion to award bid to Stubbs Construction Services, Councilmember Isaacs seconded, and the motion passed by unanimous roll call vote.**

**Appointments:**


**Councilmember Feldhaus made a motion to appoint Tom McLean to complete the term of Henry Wilhoite on the Board of Construction Appeals, Councilmember Feldhaus seconded, and the motion carried by unanimous oral vote.**

**Mayor Cartwright appointed City Manager Josh Ray to complete Shanna Boyette's term on the 231 N. Business Park Committee. Councilmember Feldhaus made a motion to ratify the appointment, Councilmember Overcast seconded and the motion carried unanimously by oral vote.**

**Announcements:**

**With no further business the meeting adjourned at 7:10 PM.**

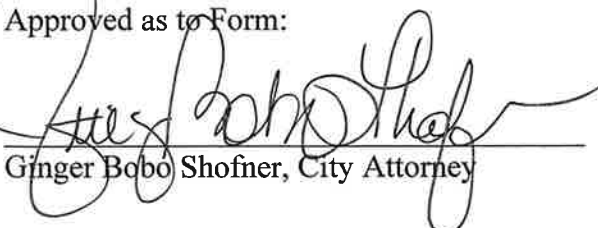
Approved:

  
Wallace Cartwright, Mayor

Attest:

  
\_\_\_\_\_  
Lisa Smith, City Recorder

Approved as to Form:

  
\_\_\_\_\_  
Ginger Bobo Shofner, City Attorney