

Regular City Council Meeting Minutes

Regular Meeting: July 8, 2021

Place: Shelbyville Recreation Center, 220 Tulip Tree Road

Call to Order: 6:00 PM, Mayor Wallace Cartwright & Officer Michael Taylor

Invocation: Brother Paul Mullikin, First United Methodist Church

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 Mayor Wallace Cartwright, City Manager Josh Ray, City Attorney Ginger Shofner and City Treasurer Kay Parker. A quorum was declared and the meeting open for Business.

Adopt the Agenda: Mayor Cartwright advised Staff was requesting to amend the Agenda by adding Item H under Section X- Resolutions. Councilmember Isaacs made a motion to amend the Agenda as requested, Councilmember Haile seconded, and the motion carried unanimously by oral vote. Councilmember Feldhaus made a motion to Adopt the Agenda as amended, Councilmember Isaacs seconded, and the motion carried unanimously by oral vote.

Approval of Minutes: Hearing no corrections or additions, Mayor Cartwright declared the minutes from the Study Session of June 1st, the Business Meeting of June 10th and the Special Called Meetings of June 15th and June 23rd would stand approved as submitted.

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

Public Hearings:

An Ordinance of the City of Shelbyville, Tennessee To Approve the Rezoning of .44 (+/-) Acres Owned by Anastacio Hernandez, located at 121 Bethany Lane and Referenced on Bedford County Tax Map 089F, Group F, Parcel 21.00 From Residential-3 (R-3) (Medium Density Residential District) to Residential-4 (R-4) (High Density Residential), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. There were no comments or speakers.

An Ordinance (As Amended) of the City of Shelbyville, Tennessee, Establishing the Municipal Property Tax Rate for the Fiscal Year 2021-2022 at \$1.59 on Each \$100 of Assessed Valuation of Property and Providing for an Effective Date. There were 2 speakers in favor of this Ordinance, Councilmember Henry Feldhaus and Nicole Burgeson. Feldhaus gave an example of the purposed increase in property taxes advising the average increase should be around \$74.00. There were 6 speakers against this Ordinance, Beverly Gould, Truly Ponder, Robert Allen, Jennifer Allen, Brian Brenton, and Randall Shonk. All speakers against stated this was not a good year for an increase due to the new property appraisals and the COVID pandemic. Each requesting the Council vote for the State Certified Tax Rate.

Mayor Cartwright then closed the Public Hearings and reopened the Business meeting at 6:44 PM.

Councilmember Ewing made a motion for City Attorney Shofner to read the caption only on Ordinances Councilmember Christie 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 .44 (+/-) Acres Owned by Anastacio Hernandez, located at 121 Bethany Lane and Referenced on Bedford County Tax Map 089F, Group F, Parcel 21.00 From Residential-3 (R-3) (Medium Density Residential District) to Residential-4 (R-4) (High Density Residential), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Overcast and the motion carried unanimously upon roll call vote.

An Ordinance (As Amended) of the City of Shelbyville, Tennessee, Establishing the Municipal Property Tax Rate for the Fiscal Year 2021-2022 at \$1.59 on Each \$100 of Assessed Valuation of Property and Providing for an Effective Date. Councilmember Ewing made a motion to amend the Ordinance to establish the tax rate at \$1.36, Councilmember Christie seconded and upon a roll call the vote was Councilmember Feldhaus – No, Councilmember Ewing – Yes, Councilmember Haile – Yes, Councilmember Christie – Yes, Councilmember Isaacs – No, Councilmember Overcast. City Recorder Smith advised a 3 – 3 tie and requested a vote from Mayor Cartwright. Mayor Cartwright voted No. Smith advised the Motion failed with a 4-3 vote. Councilmember Feldhaus made a motion to adopt the Ordinance as stated at \$1.59, Councilmember Isaacs seconded. Councilmember Feldhaus stated he had heard inquiry as to why taxes are not increased in a smaller amount yearly. He advised if you take the last time taxes were increased and this amount of increase it would amount to a 2.64% yearly increase. He further advised the County receives 5/7th of the Sales taxes collected and several of the impact fees mentioned during the Public Hearings are in place and they are collected by the County. Councilmember Ewing stated it has also been 100 years since we have experienced a pandemic and timing is terrible to do something of this nature. Mayor Cartwright advised he will be paying additional \$464 in City taxes and \$246 in County taxes. He continued property taxes do not cover fire and police and the City has other departments to operate. A roll call vote was taken as follows: Councilmember Overcast – Yes, Councilmember Isaacs – Yes, Councilmember Christie – No, Councilmember Haile – No, Councilmember Ewing - No, Councilmember Feldhaus – Yes. Recorder Smith advised a 3-3 tie and requested the Mayor cast a vote. Mayor Cartwright voted Yes. Smith advised the Motion passed the Ordinance is approved.

New Business:

Ordinances – First Reading:

An Ordinance of the Shelbyville City Council to Approve the Global Crossing Subdivision Planned Unit Development Regulating Pattern Book As Recommended by the Shelbyville Planning Commission and Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. Councilmember Christie made a motion to approved, Councilmember Haile seconded, and the motion carried by unanimous roll call vote.

Resolutions:

A Resolution of the Mayor and City Council of Shelbyville, Tennessee, Authorizing the Mayor to Sign a Letter of Support for Designation of a Bicycle Route Through Shelbyville which will be known as U.S. Bicycle Routh 121 (USBR121). City Manager Ray advised there was no local contribution to this item in response to Councilmember Ewing’s question. Councilmember Feldhaus made a motion to approve, seconded by Councilmember Isaacs and the motion carried upon roll call vote.

A Resolution Authorizing the City of Shelbyville to Participate in the Public Entity Partners “Safety Partners” Matching Grant Program. Councilmember Christie made a motion to approve, Councilmember Isaacs made a second and the motion carried by unanimous roll call vote.

A Resolution of the City of Shelbyville, Tennessee Authorizing Annual Maintenance Contract Renewal with the State of Tennessee Department of Transportation in an amount not to exceed \$90,784.93. Councilmember Feldhaus made a motion to approve, Councilmember Isaacs made a second and the motion carried by unanimous roll call vote.

A Resolution of the City of Shelbyville, Tennessee Authorizing a Grant Application for the Tennessee Department of Economic and Community Development Downtown Improvement Grant Program. Councilmember Ewing questioned if there would be any local impact on the \$50,000 match. City Manager Ray stated the local businesses receiving the funds would pay the local match. If the City decided to use some of the funds, the City Council could elect to do so and would pay the match required. Councilmember Ewing made a motion to approve, Councilmember Christie seconded, and the motion carried by unanimous roll call vote.

A Resolution of the Mayor and City Council of the City of Shelbyville, Tennessee Authorizing a Grant Application with the Federal Aviation Administration for Funds Under the Coronavirus Response and Relief Supplemental Appropriation Act in an Amount not to Exceed \$13,000.00. Councilmember Overcast made a motion to approve, Councilmember Isaacs made a second and the motion carried by unanimous roll call vote.

A Resolution Adopting a Plan of Services for an Area Proposed for Annexation, the Territory Located at the Southern Corner of the Intersection of Highway 437 By-Pass and Fairfield Pike Referenced on Bedford County Tax Map 69, Parcel 25.09, to Be Annexed by Owner Consent and to be Incorporated within the Boundaries of the City of Shelbyville, Tennessee, and Owned by Barlee Ventures. Mayor Cartwright request Southern be changed to Southeast to more property designate the location. Councilmember Christie made a motion to approve, Councilmember Overcast seconded and the motion carried by unanimous roll call vote.

A Resolution to Annex Certain Territory upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the City of Shelbyville, Tennessee. This Property is a 3.90 (+/-) Acre Tract of Land Located at the Southern Corner of the Intersection of Highway 437 By-Pass and Fairfield Pike Referenced on Bedford County Tax Map 69, Parcel 25.09, and Owned by Barlee Ventures. Councilmember Feldhaus made a motion to approve, Councilmember Isaacs made a second and the motion carried by unanimous roll call vote.

A Resolution of the City of Shelbyville, Tennessee, Authorizing a Grant Contract Between the State of Tennessee, Department of Transportation Aeronautics Division in the amount of \$15,000.00 for Fiscal Year 2021-2022. Councilmember Overcast made a motion to approve, Councilmember Isaacs seconded and with no discussion the motion carried by unanimous roll call vote.

Business Items:

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

Various Department Reports (June 2021): Mayor Cartwright declared these reports would stand as submitted.

Consideration of a Motion to approve a Grant of \$3,000.00 to the American Mule and Bluegrass Festival, LLC to assist with the 2021 American Mule Bluegrass Festival. This will be paid from the Hotel/Motel Funds appropriated for Tourism. Councilmember Overcast made a motion to approve, Councilmember Isaacs seconded, the motion then carried by unanimous roll call vote.

Consideration of a Motion to approve a Grant of \$2,000.00 to the Historic Uptown Shelbyville Merchants Group to assist with the 2021 First Square Fair/TN State Chili Cook Off. This will be paid from the Hotel/Motel Funds appropriated for Tourism. Councilmember Feldhaus made the motion to authorize, Councilmember Overcast seconded, and the motion carried by unanimous roll call vote.

Consideration of a Motion to approve the Tourism & Marketing Contract. Councilmember Ewing ask if this was a done deal for the South-Central Tennessee Tourism Association (SCTTA) and she wondered if another entity could be considered. She questioned who made up the three (3) person review committee. City Manager Ray identified himself, Paul Perry and James Shelton as the committee and stated they reviewed the four (4) proposals received. Councilmember Ewing stated the City Council could have been more involved in the review and requested the reason SCTTA was chosen by Staff. City Manager Ray advised they provided a strong proposal. He noted the proposals were reviewed and scored on Tourism, Marketing, the presentation, and the overall ability to deliver services. Each committee member scored individually and when the scores were tabulated and SCTTA not only ranked the highest total but were each committee members top selection. City Attorney advised the Contract is a draft at this time and there are some items to be hammered out. Councilmember Ewing questioned hiring an individual and Manager Ray advised part of SCTTA did intent to bring on an employee that would be dedicated to the City. Councilmember Overcast made a motion to approve Councilmember Isaacs seconded. Councilmember Christie ask if the Council would be able to change this next year and Manager Ray advised the agreement can be terminated at any time and there is no renewal for the Contract past June 30, 2022. There was further discussion concerning the County providing office space, computer, telephone, and internet. Councilmember Christie also stated he knew the local Chamber of Commerce had given a proposal and personal he felt this would have been a good opportunity to move forward with the Chamber. Councilmember Ewing questioned if this was a done deal. City Manager Ray advised that if the Council does not approve this item, it would not be able to move forward. There was further discussion and Councilmember Overcast requested to amend his motion to engage the services of the SCTTA Councilmember Isaacs seconded, and a roll call vote was as follows: Councilmember Feldhaus – Yes, Councilmember Ewing – No, Councilmember Haile – Yes, Councilmember Christie – No, Councilmember Isaacs – Yes, Councilmember Overcast – Yes. City Recorder stated the motion passed with 4 yes votes and 2 no votes. City Manager Ray ask to clarify if the agreement is finalized does this motion allow the City Attorney and the Mayor to sign the Contract. City Attorney Shofner stated yes unless there was something that altered the intent.

Consideration of a Motion to approve the 2021 Agreement with the Celebration for Solid Waste Collection and Disposal. Councilmember Feldhaus made a motion to approve, Councilmember Overcast seconded, and the motion carried unanimously upon roll call vote.

Consideration of a Motion to approve the Grant Contract with the State of Tennessee, Department of Aeronautics Division in the adjusted amount of \$65,500 with a 25% local match of \$16,375. Councilmember Overcast made a motion to approve, Councilmember Isaacs seconded, and the motion carried unanimously by roll call vote.

Purchasing / Bid Awards:

Consideration of a Motion to purchase a 2020 Dodge Durango V6 Police Pursuit AWD vehicle by Statewide Contract from Chrysler Dodge Jeep Ram of Columbia, in the total amount of \$39,559.30,

(\$28,567.00 for the vehicle and \$10,352.55 for equipment & graphics, as recommended by the Police Chief. This is a replacement vehicle for a recently totaled K-9 Unit. Councilmember Christie made a motion to approve, Councilmember Isaacs seconded, and the motion passed by unanimous roll call vote.

Consideration of a Motion to purchase two (2) John Deere Z997R 72" diesel mowers, one (1) John Deere 3032E compact utility tractor with backhoe and one (1) mower dump attachment from TriGreen Equipment, LLC of Murfreesboro through Sourcewell National Contract #031121-DAC in a total amount of \$83,807.50, as recommended by the Parks and Recreation Director. Councilmember Overcast made a motion to approve, Councilmember Isaacs seconded, and the motion passed by unanimous roll call vote.

Consideration of a Motion to purchase a 2022 Ford F-250 regular cab 4 x 2 XLT pickup truck and a 2022 Ford F-250 Crew Cab 4 x 2 XLT pickup truck from Ford of Murfreesboro through Statewide Contract # 209-64470 in a total amount of \$59,478.00, as recommended by the Parks and Recreation Director. Councilmember Feldhaus made a motion to approve the bid award, Councilmember Haile seconded, and the motion passed by unanimous roll call vote.

Consideration of a Motion to purchase a 2021 Ford Explorer, 4 x 2 from Ford of Murfreesboro through Statewide Contract # 209-64470 in a total amount of \$26,520.00, as recommended by the Parks and Recreation Director. Councilmember Overcast made a motion to approve, Councilmember Isaacs seconded, and the motion passed by unanimous roll call vote.

Appointments:

Airport – Mayor Cartwright recommended to reappoint Erick Larson to the Airport Board for one additional term of five (5) years. Councilmember Feldhaus made a motion to approve, Councilmember Overcast seconded and the motion carried unanimously by oral vote.

Beer Board – Mayor Cartwright advised he was recommending reappointment of Brett Fisher, Lizzie Peoples, Adam Johnson to an addition one year term on the Beer Board and Joseph LaMattina to replace Sandra Hughes who did not wish to be reappointed. Councilmember Ewing made a motion to ratify those appointments, Councilmember Feldhaus seconded, and the motion carried unanimously by oral vote.

IDB – Mayor Cartwright recommended reappointment of David Crowell, Wendall Agnew and Brad McGee to an additional six (6) year term on the IDB. Councilmember Feldhaus made a motion to ratify with Councilmember Overcast seconded and the motion carried unanimously by oral vote.

Announcements: None

With no further business the meeting adjourned at 7:45 PM.

Approved:

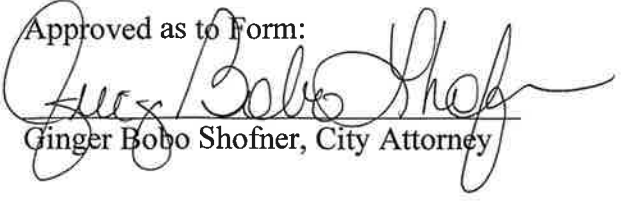

Wallace Cartwright, Mayor

Attest:



Lisa Smith, City Recorder

Approved as to Form:

A handwritten signature in cursive script, appearing to read "Ginger Bobo Shofner". The signature is written in black ink and is positioned above a horizontal line.

Ginger Bobo Shofner, City Attorney