

Regular City Council Meeting Minutes

Regular Meeting: August 11, 2022

Place: Shelbyville Recreation Center, 220 Tulip Tree Road

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

Invocation: Park Director Mike Alsup

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 William Christie, and Councilmember Gray Haile. Also, in attendance were Mayor Wallace Cartwright, Interim City Manager/City Treasurer Kay Parker, and City Attorney Ginger Shofner. A quorum was declared and the meeting open for Business.

Adopt the Agenda: Mayor Cartwright asked to amend the Agenda by removing Business Item B.

Councilmember Christie made a motion to amend the Agenda as requested and adopt the Agenda as amended, Councilmember Haile seconded, and the motion passed by unanimous oral vote.

Consent Agenda – All items in this portion of the Agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; However, a Councilmember may request that an item be removed for separate consideration.

- A. Approval of Minutes Study Session of July 5, 2022.
- B. Approval of Minutes City Council Meeting of July 14, 2022
- C. Accept all Monthly Reports (July)
- D. Approval of Accounts Payable (July)
- E. Accept Treasurer's Report (May)
- F. Authorize the Mayor and City Attorney to sign a Contract with TDOT for the State Industrial Access (SIA) Road serving Project Cardinal. The City's estimated cost will be \$170,500.00, one-half of the right-of-way acquisitions.
- G. Authorize the Mayor and City Attorney to sign a Contract with TDOT for the Highway-Rail Grade Crossing Improvement Project at Railroad Avenue. The local share will be 10% of the project, \$6,909.20
- H. Authorize the Mayor and City Attorney to sign Amendment 1 to Gresham Smith's Contract for engineering services on the Fairfield Pike/Deery Steet Project for \$56,451.00, for additional services. (Engineering total costs now \$358,251.00)
- I. Approve a Tourism Grant in the amount of \$3,500.00 to Marty Gordon for the American Mule and Bluegrass Festival. The funds will be paid from the FY23 Hotel/Motel Fund.
- J. Approve the recommendation from the ADA/Title VI Authority Board for the ADA Project for FY23 to be the installation of push button doors at the entrance of the Recreation Center building and also into the pool area. The estimated cost is \$35,000.
- K. Approve the payment of \$5,954.80 to TDOT for the local match on the Transportation Planning Grant / Complete Streets Pavement Plan and to authorize the Mayor and City Attorney to sign any necessary documents.
- L. Authorize the payment of \$35,201.25 for the annual software/hardware maintenance agreement with Local Government Data Processing Corporation. The FY23 budgeted amount is \$35,532.00.

- M. Approve increasing the buyer's premium on surplus auctions with GovDeals to 12.5% to cover the full processing fee charged to the City.
- N. Authorization for the purchase and installation of a divider curtain for the Recreation Center gymnasium from Grand Slam Safety, Croghan, NY through a NCPA national cooperative contract #08-16. The total purchase price is \$25,800 and the FY23 budgeted amount was \$30,000.
- O. Authorization for accepting the proposal from Covington Flooring Company, Birmingham AL, for refinishing the Recreation Center gymnasium floor through a Sourcewell national cooperative contract. The total proposal is \$28,120 and the FY23 budgeted amount was \$30,000.
- P. Authorization for the purchase and installation of lighting for the ballfield and tennis/basketball courts at Never Rest Park from Musco Sports Lighting, LLC through a Sourcewell national cooperative contract # 071619-MSL. The total cost is \$359,879 and the FY23 budgeted amount was \$360,000.
- Q. Authorization to let a Request for Proposal for Planning Software. This is a FY23 budgeted item.

Councilmember Feldhaus made a motion to approve all items on the Consent Agenda, Councilmember Overcast seconded, and the motion carried unanimously by roll call vote.

Vice Mayor Feldhaus closed the Regular meeting and opened Public Hearings at 6:09 PM.

Public Hearing:

An Ordinance of the Shelbyville City Council to Approve the Regulating Pattern Book for 69.67 (+/-) Acres Referred to as Walking Horse Estates and Located North of Highway 437 By-Pass and Constituting a Portion of Bedford County Tax Map 069, Parcels 029.00, as Recommended by the Shelbyville Municipal Planning Commission, and Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. **There were no speakers for or against this item.**

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 2.23 (+/-) Acres Owned by Johnny Smotherman, Located at 904 Whitthorne Street and Referenced on Bedford County Tax Map 078N, Group F, Parcel 017.00 From Residential PUD (Planned Unity Development) to Medium Density Residential (R-3) District, and Repealing Any Ordinance or Portion of Ordinance in Conflict Therewith. **There were no speakers for or against this item.**

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 21.46 (+/-) Acres Owned by the Bedford County Department of Education, Located on the West Side of Fairfield Pike and Referenced on Bedford County Tax Map 69 Parcel 58.07 From R-2 (Low Density Residential District) to R-4 (High Density Residential District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. **There were no speakers for or against this item.**

The Public Hearing was closed, and the regular meeting reopened at 6:11 PM.

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

Old Business:

Ordinances– Second and Final Reading:

An Ordinance of the Shelbyville City Council to Approve the Regulating Pattern Book for 69.67 (+/-) Acres Referred to as Walking Horse Estates and Located North of Highway 437 By-Pass and Constituting a Portion of Bedford County Tax Map 069, Parcels 029.00, as Recommended by the Shelbyville Municipal Planning

Commission, and Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. **Councilmember Christie made a motion to approve, Councilmember Isaacs seconded, and the motion carried by unanimous roll call vote.**

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 2.23 (+/-) Acres Owned by Johnny Smotherman, Located at 904 Whitthorne Street and Referenced on Bedford County Tax Map 078N, Group F, Parcel 017.00 From Residential PUD (Planned Unity Development) to Medium Density Residential (R-3) District, and Repealing Any Ordinance or Portion of Ordinance in Conflict Therewith. **Councilmember Overcast 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 21.46 (+/-) Acres Owned by the Bedford County Department of Education, Located on the West Side of Fairfield Pike and Referenced on Bedford County Tax Map 69 Parcel 58.07 From R-2 (Low Density Residential District) to R-4 (High Density Residential District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. **Councilmember Feldhaus made a motion to approve, Councilmember Ewing seconded, and the motion carried by unanimous roll call vote.**

New Business:

Ordinances – First Reading:

An Ordinance of the City of Shelbyville, Tennessee to approve the Rezoning of 11.74 (+/-) Acres Owned by Arnold Betty Dean, Located at 329 Dover Street and Referenced on Bedford County Tax Map 079, Parcel 095.00 From R-1 (Low Density Residential District) to R-3 (Medium Density Residential District), and Repealing Any Ordinance or Portion of Ordinance in Conflict Therewith. **Councilmember Christie made a motion to approve, Councilmember Isaacs seconded, and the motion carried by unanimous roll call vote.**

An Ordinance of the Shelbyville City Council to Amend Article V Zoning Districts of the Shelbyville Zoning Ordinance by Creating Sections 5.4.2.A Medium-High Density Residential Districts (R-3A) and to Repeal Any ordinance or Part of An Ordinance in Conflict Herewith. **Councilmember Overcast made a motion to approve, Councilmember Feldhaus seconded, and the motion carried unanimously upon roll call vote.**

Resolutions:

A Resolution to Adopt the Municipal Comprehensive Plan and the Accompanying Future Land Use Map and Repeal the Resolution of the 2008 Official Municipal Comprehensive Plan and the Associated Future Land Use Map. **Councilmember Christie made a motion to approve, Councilmember Feldhaus seconded, the motion then carried unanimously by roll call vote.**

A Resolution Authorizing the City of Shelbyville to Participate in Public Entities Partners' James L. Richardson "Driver Safety" Matching Grant Program. **Councilmember Haile made a motion to approve, seconded by Councilmember Ewing and approved unanimously by roll call vote.**

Business Items:

Consideration of a motion to approve and authorize the Mayor to sign a Certificate of Compliance for Kamil S. Habib, Magic Liquors, LLC, 713 S Cannon Blvd. # B. **Councilmember Christie made a motion to approve, Councilmember Isaacs seconded, the motion then carried unanimously by roll call vote.**

Consideration of a motion to approve and authorize the Mayor to sign a Certificate of Compliance for Yoandy Perez, El Gallito Supertaquina, 1310 North Main Street. **Item removed from Agenda.**

Consideration of a motion to approve and authorize the Mayor to sign a Certificate of Compliance for Sara Vargas, Pearl's Authentic Home Cooking, 1838 N. Main Street. Councilmember Feldhaus made a motion to approve, Councilmember Ewing seconded, the motion then carried unanimously by roll call vote.

Consideration of a motion to authorize Public Works Director and Cemetery Sexton to research the cost of a GEO property scan for Willow Mount Cemetery. Councilmember Overcast made a motion to approve, Councilmember Ewing seconded, the motion then carried unanimously by roll call vote.

Consideration of a motion concerning the position of City Manager. Councilmember Feldhaus made a motion to authorize City Attorney Shofner to negotiate a contract with Gregory Scott Collins for the position of City Manager, a conditional offer based upon a background check and drug test, Councilmember Isaacs seconded. There was further discussion with the City Attorney stating she would get a draft to the Council for them to work out the details. Councilmember Ewing stated for the record she was not really in favor of this. The roll was called, and the vote recorded as follows: Councilmember Overcast – Yes, Councilmember Isaacs – Yes, Councilmember Christie – Yes, Councilmember Haile – Yes, Councilmember Ewing – No, and Councilmember Feldhaus – Yes. Recorder Smith stated the motion passed with 5 yes votes and 1 no vote.

Appointments:

Airport Board – Mayor Cartwright appointed Kelly Wilson to complete David McGee's term on the Airport Board. The term expires in July 2023.

Announcements: Due to necessary repairs, Railroad Avenue will be closed to all through traffic between Eaglette Boulevard and Stanley Boulevard from Friday, August 12th at Noon until 6:00 PM Monday, August 15th (depending on weather). Please follow all detour signs.

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

Approved:

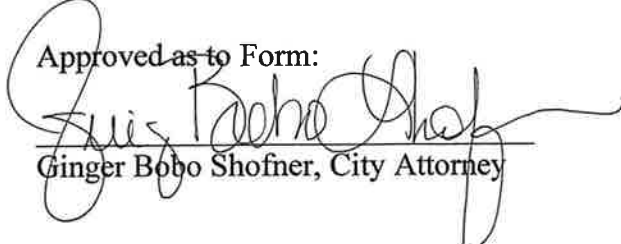

Wallace Cartwright, Mayor

Attest:



Lisa Smith, City Recorder

Approved as to Form:



Ginger Bobo Shofner, City Attorney