

**City of Shelbyville**  
**Mayor & City Council Special Called Meeting**

**Special Called Meeting: May 31, 2022**

**Time: 5:30 PM**

**Place: Shelbyville Recreation Center, 220 Tulip Tree Road, Shelbyville, TN 37160**

**I. Call to Order**

**II. Roll Call**

**III. Adopt the Agenda**

**Consideration of a motion to allow City Attorney to read captions only on Ordinances and Resolutions**

**IV. Ordinances – First Readings**

- A. An Ordinance of the City of Shelbyville, Tennessee, Adopting the Annual Operating and Capital Improvements Budget, all Funds, For the Fiscal Year 2022-2023 and Providing for An Effective Date of July 1, 2022.
- B. An Ordinance of the City of Shelbyville, Tennessee Establishing the Municipal Property Tax Levy for the Fiscal Year 2022-2023, and Providing for an Effective Date.
- C. An Ordinance of the Shelbyville City Council to Amend Article V of the Shelbyville Zoning Ordinance by Amending Section 5.6.3.D Related to the Heavy Industrial District (I-3) and Repealing any Ordinance or Part of an Ordinance in Conflict Herewith.

**V. Resolutions**

- A. A Resolution Requesting the Bedford County Election Commissions to Hold a General City Election on the First Tuesday after the First Monday in November 2022.
- B. A Resolution of the City of Shelbyville, Tennessee, Authorizing a Contract with the Tennessee Department of Transportation (TDOT) for Assistance in Construction and Completion of a State Industrial Access (SIA) Roadway for Project Cardinal Under the Provisions of the Industrial Highway Act of 1959.

**VI. Business Items**

- A. Consideration of a Motion to Approve Crawford Door Sales of Nashville using supplier Moderco, for meeting room partition wall replacements at the Recreation Center. The doors will be supplied at the original sealed bid price of \$24,484 approved at the November 9, 2021, City Council meeting. This is due to original supplier Hufcor increasing the material costs quoted in the original bid.

**VII. Announcements**

**VIII. Adjourn**

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Mayor Wallace Cartwright



City of Shelbyville, Tennessee  
City Council Meeting Staff Summary

To: Mayor & City Council  
From: Lisa Smith, City Recorder  
Date: 5/31/2022  
Subject: Budget Amendment Ordinance – First Reading

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**Description:** An Ordinance on 1<sup>st</sup> Reading to Adopt the Annual Operating and Capital Improvements Budget, for the Fiscal Year 2022-2023. This is your First Reading on the Budget for FY 22-23. There will be Budget discussions during the Study Session immediately following this Special Called Meeting. Once all corrections, additions and deletions are made to the FY 22-23 Budget we will schedule a Public Hearing and 2<sup>nd</sup> Reading prior to the effective date of July 1, 2022.

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**Economic Impact:**

ORDINANCE NO. \_\_\_\_\_

“AN ORDINANCE OF THE CITY OF SHELBYVILLE, TENNESSEE, ADOPTING THE ANNUAL OPERATING AND CAPITAL IMPROVEMENTS BUDGET, ALL FUNDS, FOR THE FISCAL YEAR 2022-2023 AND PROVIDING FOR AN EFFECTIVE DATE OF JULY 1, 2022”

WHEREAS, *Tennessee Code Annotated* Title 9, Chapter 1, Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

WHEREAS, the City Charter, Article XIV, provides for the adoption of an annual budget for all departments of the City of Shelbyville; and

WHEREAS, an annual budget process appropriating funds to the various departments and divisions of City government for the fiscal year beginning July 1, 2022, has been completed in accordance with state law and local ordinances; and

WHEREAS, the City Recorder has caused to be published in a newspaper of general circulation a budget summary and Notice of Public Hearing; and

WHEREAS, a Public Hearing was held on the \_\_\_\_\_ day of June 2022; and

WHEREAS, it is now deemed in the public interest to adopt the FY 2022-2023 Annual Budget.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Shelbyville, Tennessee, as follows:

1. That the Annual Operating and Capital Improvements Budget, as amended, All Funds, for the City of Shelbyville for fiscal year 2022-2023 shall be and is hereby adopted as set forth in the document attached hereto as Exhibit “A”, and entitled:

City of Shelbyville, Tennessee  
Annual Operating and Capital Improvements Budget  
July 1, 2022 – June 30, 2023

2. That each department of the City shall limit its expenditures to the amount appropriated; that any changes or amendments to the appropriations set forth in the budget shall be made in accordance with the City Code, Article XIV, as required by

the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

3. This Annual Operating and Capital Budget Ordinance and supporting documents shall be submitted to the Comptroller of the Treasury or Comptroller's Designee for approval if the City has debt issued pursuant to Title 9, Chapter 21 of the Tennessee Code Annotated within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, of the Tennessee Code annotated (the "Statutes"). If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with Statutes, the Governing Body shall adjust its estimates or made additional tax levies sufficient to comply with the Statutes or as directed by the Comptroller of the Treasury or Comptroller's Designee. If the City does not have such debt outstanding, it will file this Annual Operation and Capital Budget Ordinance and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.
4. All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.
5. This Ordinance shall take effect on July 1, 2022, from and after its passage on Second Reading, the health, safety and welfare of the citizens of Shelbyville requiring it.
6. This Budget Ordinance as Amended substitutes and becomes the Budget Ordinance for FY 2022-2023.

APPROVED:

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Wallace Cartwright, Mayor

ATTEST:

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Lisa Smith, City Recorder

First Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

APPROVED AS TO FORM:

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Ginger Bobo Shofner, City Attorney



City of Shelbyville, Tennessee  
City Council Meeting Staff Summary

To: Mayor & City Council  
From: Lisa Smith, City Recorder  
Date: 5/31/2022  
Subject: Tax Rate Ordinance – First Reading

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**Description:** An Ordinance on 1<sup>st</sup> Reading to set the Tax Rate for the Fiscal Year of 22-23. This is a standard Ordinance that accompanies your annual Budget Ordinance. I used the current tax rate of \$1.59 on each \$100 of assessed valuation of property. Once Council sets the Tax Rate for the Fiscal Year of 22-23, this Ordinance will be amended, if necessary, to reflect that and set for a Public Hearing and 2<sup>nd</sup> Reading.

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**Economic Impact:**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SHELBYVILLE, TENNESSEE ESTABLISHING THE  
MUNICIPAL PROPERTY TAX LEVY FOR THE FISCAL YEAR 2022 - 2023 AND PROVIDING  
FOR AN EFFECTIVE DATE

WHEREAS, the City Charter Article XII and Article XIV provides for the assessment, levy and collection of City taxes; and

WHEREAS, the Mayor and City Council each year establishes the property tax levy based upon the assessed values within the City as established by the Bedford County Property Assessors Office; and

WHEREAS, the City Recorder has caused to be published in a newspaper of general circulation a Notice of Public Hearing on the tax rate for the City of Shelbyville; and

WHEREAS, a public hearing was held before the Mayor and City Council on the \_\_\_\_\_ day of June, 2022; and

WHEREAS, it is now deemed in the public interest to establish the municipal tax rate for tax year 2022.

NOW, THEREFORE, BE IT Ordained by the City of Shelbyville, Tennessee, as follows:

1. That the owners of all property, real, personal and mixed, within the corporate limits of the City of Shelbyville (except such property as shall be exempt by the laws of the State of Tennessee) shall for the fiscal year 2022-2023 pay a tax of \$1.59 on each \$100 of assessed valuation of such property to and for the use of the City of Shelbyville, and pay a proportional amount of tax for each amount of assessed valuation under \$100. All said taxes to be collected by the proper officers of the City of Shelbyville for use in funding in whole or in part the budget as adopted by this Ordinance.
2. This Ordinance shall take effect 15 days after its passage on Second and Final Reading, the health, safety and welfare of the citizens of Shelbyville requiring it.

APPROVED:

\_\_\_\_\_  
MAYOR WALLACE CARTWRIGHT

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney, Ginger B. Shofner

First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Second Reading: \_\_\_\_\_



City of Shelbyville, Tennessee  
City Council Meeting Staff Summary

To: Mayor & City Council  
From: Lisa Smith, City Recorder  
Date: 5/31/2022  
Subject: Ordinance – First Reading – Amendment to the I-3 District

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**Description:** An Ordinance on 1<sup>st</sup> Reading to amend the I-3 District to clarify the outdoor activities regulations in the Heavy Industrial District. The clarification will be to state “Outdoor activities, including exterior storage, are not permitted within any of the minimum required yard setback”

This item will be presented to the Planning Commission on May 26<sup>th</sup>, and we will provide Council with their recommendation prior to the vote on First Reading.

If this item passes First Reading it will require a Public Hearing and 2<sup>nd</sup> Reading. The earliest date for that will be June 16<sup>th</sup>.

**CITY OF SHELBYVILLE PRE-PLANNING**

**FINAL COMMENT SHEET**

**Date of Circulation for Review:** N/A  
**Date of Pre-Planning Meeting:** N/A  
**Date Comments Sent:** N/A  
**Type of Project:** Rezoning  
**Type of Approval:** City Council

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**Project Name:** Amendments to the I-3 District  
**Project Description:** Requested amendments to the I-3 District to clarify the outdoor activities regulations in the Heavy Industrial District (I-3)  
**Applicant:** City of Shelbyville  
**Property Owner:** City Wide  
**Current Zoning:** Heavy Industrial (I-3)  
**Requested Zoning:** Heavy Industrial (I-3)  
**Parcel ID:** N/A  
**Acreage:** N/A

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**Police Department:**

1. No Review Comments at this Time.

**Fire Department:**

1. No Review Comments at this Time.

**Building and Codes:**

1. No Review Comments at this Time.

**Public Works/Engineering:**

1. No Review Comments at this Time.



## **Shelbyville Power, Water, and Sewer:**

1. No Review Comments at this Time.

## **Planning**

### **OVERVIEW OF REQUEST**

The City of Shelbyville's Zoning Ordinance contains three (3) standard industrial districts. These industrial districts are:

1. Light Industrial District (I-1);
2. General Industrial District (I-2); and
3. Heavy Industrial District (I-3).

Industries are classified and grouped on the basis of external effects such as noise, environmental impact and anticipated traffic. The I-1 district provides opportunities for office, light industrial, and some warehouse uses. As for the I-2 district, it provides space for a wide range of industrial and related uses which by reasons of volume of raw materials or freight, scale of operation, type of structures required, or other similar characteristics require locations relatively well segregated from non-industrial uses. The I-3 district was added to the Zoning Ordinance in 2004 and at that time it was referred to as the "Special Impact Industrial District". This name was later changed to the Heavy Industrial District (I-3).

The intent of the I-3 District was to provide suitable areas for those uses which have some special impact or uniqueness such that their effect on the surrounding area and environment cannot be determined in advance of the use being proposed for a particular location. This district was also intended to be the primary location for industrial activities that are embarked upon primarily in open air.

The intent at the time of adopting the I-3 District was that most of the activities related to the business would be conducted outdoor. As a result, the bulk regulations (the dimensional standards) which include setback requirements, building height, and lot coverage were much higher than the bulk regulations in both the I-1 and I-2 districts and the bulk regulations in most municipalities in the area. The reason why the bulk regulations for the I-3 district adopted at the time were much higher than other municipalities was due to the need to have a big buffer between the I-3 district and the adjacent properties mainly because the I-3 district was meant mainly for businesses that have significant outdoor storage component.

It should be mentioned that the property located at 210 Frank Martin Road, **Tax Map 50 Parcel 26.00** (more commonly referred to as the 231 North Business Park), was rezoned from I-1 to I-3.

The 231 North Business Park is approximately 86.5 (+/-) acres. The efforts of the City of Shelbyville and Bedford County in 2016 to create the 231 Business Park clearly indicates the desire for the industrial uses on the northside of Frank Martin Road. As a result, the City is initiating an amendment to the I-3 district to add more clarity regarding the intent of Section 5.6.3.D - "Outdoor Storage". This section currently states the following:

“All uses permitted in the Heavy Industrial District shall be undertaken indoors and no outdoor activities, including exterior storage, are permitted.”

To allow more flexibility pertaining to the use of the properties classified as Heavy Industrial “I-3” while at the same time ensuring that there will be no negative impacts on the adjacent property and the city as a whole, it is proposed that Section (5.6.3.D) be replaced with a new section that prohibits outdoor storage and activities only in the minimum required setbacks.

The new section replacing the existing one is proposed to be as follows:

“Outdoor activities, including exterior storage, are not permitted within any of the minimum required yard setbacks.”

**STAFF RECOMMENDATION:**

The requested amendment to Section 5.6.3.D “Outdoor Storage” of the Zoning Ordinance will help provide more clarity regarding outdoor storage and activities in the Heavy Industrial Zoning District – I3. Therefore, Staff recommends that the Planning Commission provides a favorable recommendation to the Shelbyville City Council.

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE OF THE SHELBYVILLE CITY COUNCIL TO AMEND  
ARTICLE V OF THE SHELBYVILLE ZONING ORDINANCE BY AMENDING  
SECTION 5.6.3.D RELATED TO THE HEAVY INDUSTRIAL DISTRICT (I-3),  
AND REPEALING ANY ORDINANCE OR PART OF AN ORDINANCE IN  
CONFLICT HEREWITH.**

WHEREAS, the current Outdoor Activities section for the Heavy Industrial District (I-3) in the City of Shelbyville Zoning Ordinance are unclear and need clarification; and

WHEREAS, the Municipal Planning Commission of the City of Shelbyville, at its May 26, 2022, meeting, has recommended approval of amendments to Shelbyville Zoning Ordinance Section 5.6.3.D related to the Outdoor Activities within the Heavy Industrial District (I-3) to allow for more clarity.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SHELBYVILLE, TENNESSEE THAT:

1. Article 5, Section 5.6.3.D is amended by deleting the language as indicated by the strikethrough and adding the underlined language:

**5.6.3.D OUTDOOR ACTIVITIES**

~~All uses permitted in the Heavy Industrial District shall be undertaken indoors and no outdoor activities, including exterior storage, are permitted.~~

Outdoor activities, including exterior storage, are not permitted within any of the minimum required yard setbacks.

2. This Ordinance will take effect 15 days after its passage on final reading.

**APPROVED:**

\_\_\_\_\_  
**Wallace Cartwright, Mayor                      Date**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Ginger B. Shofner, City Attorney      Date**

**ATTESTED:**

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**Lisa Smith, City Recorder** **Date**

**First Reading:** \_\_\_\_\_  
**Public Hearing:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_



City of Shelbyville, Tennessee  
City Council Meeting Staff Summary

To: Mayor & City Council  
From: Lisa Smith, City Recorder  
Date: 5/31/2022  
Subject: Resolution Requesting General Election

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**Description:** This Resolution will request that the Board of Election Commissioners hold a General City Election on November 8, 2022.

The office of the Mayor as well as Councilmembers from Ward 2, Ward 4, and Ward 6 will be on the ballot. The term will be four years and will commence at the regular schedule December 2022 Council meeting.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION REQUESTING THE BEDFORD COUNTY BOARD OF ELECTION COMMISSIONERS TO HOLD A GENERAL CITY ELECTION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER, 2022

WHEREAS, the City Charter of the City of Shelbyville directs that the General City Election be held on the first (1<sup>st</sup>) Tuesday after the first (1<sup>st</sup>) Monday in November, biannually; and

WHEREAS, the offices to be filled at the regular City election on November 8, 2022, are the offices of the Councilmembers from the Second, Fourth and Sixth Wards of the City of Shelbyville and the office of the Mayor of the City of Shelbyville.

NOW, THEREFORE, BE IT RESOLVED by the City of Shelbyville, Tennessee, as follows:

- Section 1. That the Bedford County General Election Commission be requested to hold the regular City election on the first (1<sup>st</sup>) Tuesday after the first (1<sup>st</sup>) Monday in November, which is November 8, 2022, for the election of Mayor and the election of three (3) Councilmembers from the Second, Fourth and Sixth Wards, whose terms of offices shall be for a period of four (4) years, to commence on the regularly scheduled City Council meeting in December, 2022.
- Section 2. That there is hereby appropriated from the general funds of the City of Shelbyville, the necessary money for the payment of all expenses relative to the holder of said election, as certified by the Board of Election Commission, to the Treasurer of the City of Shelbyville.
- Section 3. That a Certified Copy of the Resolution shall be hand delivered to the Honorable Danny Robbins, Chairman of the Bedford County Election Commission, immediately after passage of the Resolution.
- Section 4. The Resolution was adopted by the City Council of the City of Shelbyville, Tennessee, on May 31, 2022 and shall take effect from and after its passage, the public welfare requiring same.

Approved:

\_\_\_\_\_  
Wallace Cartwright, Mayor

Attest:

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

Approved as to Form:

\_\_\_\_\_  
Ginger B. Shofner, City Attorney



City of Shelbyville, Tennessee  
City Council Meeting Staff Summary

To: Mayor & City Council  
From: Lisa Smith, City Recorder  
Date: 5/31/2022  
Subject: Resolution – Authorizing TDOT Contract for SIA Road

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**Description:** This Resolution will authorize a contract with Tennessee Department of Transportation (TDOT) for a State Industrial Access Road (SIA Road) for Project Cardinal.

The 231 N. Business Park Oversight Committee approved a Resolution on May 4 to recommend to the City Council the SIA Program Plan presented by TDOT. TDOT will provide technical assistance and funding for the SIA Road in the 231 N. Business Park. There will be no local funding for this project.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF SHELBYVILLE, TENNESSEE, AUTHORIZING A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR ASSISTANCE IN CONSTRUCTION AND COMPLETION OF A STATE INDUSTRIAL ACCESS ROAD FOR PROJECT CARDINAL UNDER THE PROVISIONS OF THE INDUSTRIAL HIGHWAY ACT OF 1959.

WHEREAS, the City of Shelbyville, Tennessee, is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development; and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of the City of Shelbyville; and

WHEREAS, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee; and

WHEREAS, Project Cardinal plans to construct an Industrial Facility in the City of Shelbyville; and

WHEREAS, the construction of an industrial access road to serve proposed plant is necessary and vital to the successful completion of this project and the future economic well-being of this area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBYVILLE, TENNESSEE, THAT

1. The Mayor, on behalf of the City of Shelbyville is hereby authorized to enter into a contract with the Tennessee Department of Transportation for assistance in construction and completion of the herein proposed industrial access highway under the provisions of the Industrial Highway Act of 1959.
2. That there will be no required funds from the City for this State Access Road.

PASSED AND ADOPTED in special session of the City Council of the City of Shelbyville, Tennessee, on May 31, 2022

APPROVED:

\_\_\_\_\_  
Wallace Cartwright, Mayor



ATTEST:

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Lisa Smith, City Recorder

APPROVED AS TO FORM:

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Ginger B. Shofner, City Attorney

RUNWAY PROTECTION ZONE (RPZ)

30 MPH DESIGN SPEED

HOLD SOUTHERN EDGE OF PAVEMENT  
AND ROADWAY WIDENED NORTH

CURB AND GUTTER AND OPEN SHOULDER  
OPTIONS ARE BEING INVESTIGATED TO  
MINIMIZE ROAD FOOTPRINT

AIRPORT BUSINESS PARK DR

INTERSECTION IMPROVEMENTS

FRANK MARTIN RD

SR 82/SR 10 (US-231)

FRANK MARTIN RD.  
SCARIFY

TCAT

EXISTING

RECOMMEND  
RELOCATING  
EXISTING  
DRIVEWAY

N

Rec 5/23

**RESOLUTION NO. 02-22**

**A RESOLUTION OF THE 231 N. BUSINESS PARK OVERSIGHT COMMITTEE  
TO AFFIRM AND ACCEPT THE TENNESSEE DEPARTMENT OF  
TRANSPORTATION'S STATE INDUSTRIAL ACCESS (SIA) PROGRAM ROAD  
PLAN WITH RESPECT TO THE 231 N. BUSINESS PARK LOCATED IN  
SHELBYVILLE, BEDFORD COUNTY, TENNESSEE**

**WHEREAS**, the 231 N. Business Park Oversight Committee (hereinafter the "Board"), was created by an Interlocal Agreement between the City of Shelbyville and Bedford County, Tennessee, to develop, oversee, and manage the day-to-day activities of the 231 N. Business Park (hereinafter referred to as the "Park"), an industrial park joint venture between the two local governments; and

**WHEREAS**, said Interlocal Agreement designates the Board to be vested with the authority, power, and responsibility, by both the City of Shelbyville and Bedford County, to act in their stead as agent for the Park; and

**WHEREAS**, the Board has requested that the Tennessee Department of Transportation (hereinafter referred to as the "Department") assist the Park through and with a State Industrial Access (SIA) Program grant; and

**WHEREAS**, the Board has requested that the Department develop and provide the technical assistance and funding for such a SIA Program project for its Park located in Shelbyville, Bedford County, Tennessee; and

**WHEREAS**, the Department has designed such a plan which will conform to the terms and conditions as prescribed under the SIA Program; and

**WHEREAS**, the Department, under the SIA Program, will provide such funding and technical assistance so as to assist new and expanding industries located in Shelbyville and Bedford County; and

**NOW, THEREFORE BE IT RESOLVED, BY THE 231 N. BUSINESS PARK OVERSIGHT COMMITTEE**, as follows:

- Section 1. The Board does hereby recommend, approve, and endorse the SIA Program plan as presented by the Tennessee Department of Transportation.
- Section 2. The Board affirms and expresses its support for said SIA Program plan as submitted.

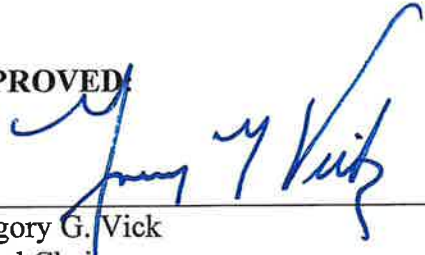


Section 3. The Board designates Mr. Mark Clanton, the Bedford County Road Superintendent, a duly elected official for Bedford County, to be the source of contact for any and all correspondence with respect to the Tennessee Department of Transportation on this specific SIA Program project.


Section 4. That this Resolution shall become effective upon its passage, the public welfare requiring it.

**PASSED AND ADOPTED** at a special called meeting of the 231 N. Business Park Oversight Committee on May 4, 2022, said meeting having been properly and timely noticed via newspaper publication pursuant to and in accordance with the Open Meetings Act for the State of Tennessee.

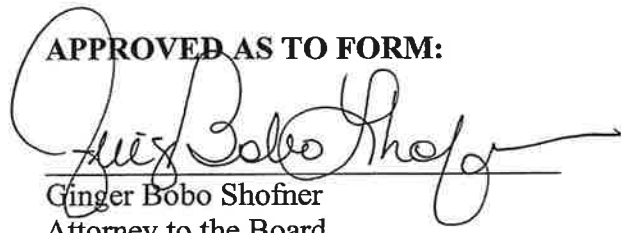
**APPROVED:**

  
\_\_\_\_\_  
Gregory G. Vick  
Board Chairman  
Bedford County Commissioner

**ATTESTED TO:**

  
\_\_\_\_\_  
Lisa Smith  
Secretary to the Board  
Shelbyville City Recorder

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Ginger Bobo Shofner  
Attorney to the Board  
Shelbyville City Attorney

**From:** mark.clanton@bedfordcountyttn.gov  
**Sent:** Monday, May 23, 2022 9:55 AM  
**To:** lisa.smith@shelbyvilletn.org  
**Subject:** FW: Project Cardinal  
**Attachments:** Single Sheet Concept Revision - Alt 3-4.5 (5-20-22).pdf

Lisa, here is the official letter from Tdot on the SIA Project cardinal project for your records. Please pass on to the appropriate persons.

Thanks,

**Mark A. Clanton**  
**Bedford County Highway Superintendent**  
**931-684-4651**  
**931-703-1113**

**From:** Danielle Hagewood <Danielle.Hagewood@tn.gov>  
**Sent:** Monday, May 23, 2022 9:19 AM  
**To:** Victoria Hirschberg <Victoria.Hirschberg@tn.gov>; Shane Hooper (shane@shelbyville-bedford.com) <shane@shelbyville-bedford.com>; mark.clanton@bedfordcountyttn.gov  
**Cc:** Steve Allen <Steve.Allen@tn.gov>; Crystal Whitaker <Crystal.Whitaker@tn.gov>; Tintin Czach <Tintin.Czach@tn.gov>  
**Subject:** Project Cardinal

Project Cardinal, TNECD Partners and Shelbyville-Bedford Partnership,

I want to convey the Tennessee Department of Transportation's (TDOT) willingness to work with the City of Shelbyville and Bedford County on roadway improvements for Project Cardinal at the 231 North Business Park. The projected capital investment and new employment information for this project reflect opportunities to qualify for the proposed improvements depicted in the attached concept. The development and funding of projects is dependent upon meeting the eligibility requirements of the State Industrial Access Program, successful application by Shelbyville and final approval by the Commissioner of TDOT.

Specific to this location, please be advised any future connection to US-231/SR-10 may be restricted and/or limited and will require additional capital investment and job creation. The schedule for the current proposed project will be contingent on the ability to remain within existing right-of-way owned by the local government and Shelbyville-Bedford Partnership. As we obtain additional information through our survey and design process, we will update you on progress and schedule. Coordination efforts between our road work and Cardinal's site development will be critical to insure the projects work in tandem.

Projects approved for the State Industrial Access Program are typically developed and constructed through partnerships with the local government at no cost to the

industry. Please be advised that the State Industrial Access Program is not a grant program and the program only pays for items as agreed in the written scope and contract.



**Danielle Hagewood** | Economic Development Coordinator  
Strategic Transportation Investments Division  
James. K. Polk Building, 10<sup>th</sup> Floor  
505 Deaderick Street, Nashville, TN 37243  
p. 615-253-2521  
[Danielle.Hagewood@tn.gov](mailto:Danielle.Hagewood@tn.gov)  
[tn.gov/tdot](http://tn.gov/tdot)  
<https://www.tn.gov/tdot/strategic-transportation-investments.html>

# TENNESSEE DEPARTMENT OF TRANSPORTATION

## STATE INDUSTRIAL ACCESS PROGRAM



## APPLICATION AND INFORMATION PACKET

REVISED JULY 14, 2020



TENNESSEE DEPARTMENT OF TRANSPORTATION

## APPLICATION FOR THE STATE INDUSTRIAL ACCESS PROGRAM

### General Information

Local Government(s) Making Application: City of Shelbyville, Tennessee  
Mailing Address: 201 North Spring Street, Shelbyville, Tennessee 37160  
Industry Name: Project Cardinal  
Type of Industry: Industrial

#### Primary Contact Person

##### For the Local Government:

Name: Mark Clanton  
Title: Bedford County Road Superintendent  
Agency: Bedford County Highway  
Phone: 931-703-1113 cell/ 931-684-4651 office  
E-mail: mark.clanton@bedfordcountyttn.gov

##### For the Industry:

Name: Shane Hooper  
Title: President/ CEO  
Agency: Shelbyville-Bedford Partnership  
Phone: 662-231-8961  
E-mail: shane@shelbyville-bedford.com

### Employment and Investment Information

NOTE: If this project is an expansion or relocation of an existing facility in Tennessee:  
include only the additional employment added by your project, and  
include only the increase in value of real and personal property for this site.

#### Employment

Anticipated Date Facility is Operational: 10/2023

Initial Employment (# of new jobs only): 161

\*Anticipated Date of Full Employment: 10/2024

\*Full Employment (total # new jobs): \_\_\_\_\_

Average Hourly or Annual Wage: \$ 57,000

\* Anticipated full employment within the next five years.

#### Capital Investment

Estimated Capital Investment: \$ 117 million

Average daily number of heavy trucks expected to use the proposed road: \_\_\_\_\_

Will there be any property tax breaks? ☐ Y ☒ N

If yes, describe the nature and/or schedule of the tax abatement.

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## Responsibilities

The following phases and available options for responsibility of a typical SIA project are listed below. Following this list on the next page is more information on what each party would be responsible for in each case.

Please read carefully the descriptions of responsibility and then indicate which option the local government wishes to choose for each phase.

- ☐ The local government wishes to perform all work and manage this project locally using the Local Program Development Office guidelines. The local government will be reimbursed under the guidelines and terms set by the Local Program Development Office and the SIA Program.

*(If this option is chosen, skip to Page 5.)*

- ☒ The local government wishes for TDOT to manage the project with the responsibility for each phase indicated below.

*(If this option is chosen, continue to Page 3 to indicate responsibilities.)*

LOCAL	TDOT	PHASE
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Survey and Design
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Right-of-Way Acquisition, Utilities Relocation, Railroad Crossings (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction – grading, drainage, and base
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Construction – pavement

## **Description of Responsibilities Association with Each Phase Option**

### **Survey and Design**

LOCAL – The local government will provide the survey and design (through its own forces or consultant), which meets TDOT guidelines at no cost to TDOT. The work must be coordinated with the appropriate TDOT Regional Survey & Design Office.

TDOT – TDOT will provide the necessary survey and design for the project with no cost to the local government.

### **Right-of-Way Acquisition**

LOCAL – The local government will secure donations or purchase the necessary right-of-way for the project, at no cost to TDOT, in accordance with State policies and procedures. This must be coordinated through the appropriate Regional Right-of-Way Office.

TDOT – TDOT will purchase the necessary right-of-way for the project. TDOT and the local government will each be responsible for 50% of the cost. The local government will also be responsible for submitting a deposit of the estimated amount of its 50% match. The deposit is applied toward the local government's share of the actual cost, and any amount over the actual cost is refunded to the local government.

### **Utility Relocation**

#### State Let Project

*If TDOT lets the project to construction, the Department will coordinate the relocation of utilities regardless of who pays for the relocations.*

LOCAL – The local government will be responsible for contracting for the adjustment of all conflicting utilities and the cost of relocating reimbursable utilities with no cost to TDOT.

TDOT – The relocation of the utilities will be contracted by TDOT's Utility Office. The local government will pay fifty percent (50%) of the estimated reimbursable cost for relocating the utilities. To qualify as a reimbursable utility cost, the utility that is being relocated due to the SIA project must have been located outside the existing public right-of-way.

#### Locally Let Project

LOCAL – If the locals are letting the project to a construction contract, they are responsible for all utility coordination, reimbursable cost, and must provide certification/documentation to the TDOT utility office to be approved and certified prior to scheduling the contract letting.

TDOT – TDOT will approve and certify the utilities prior to the letting. To qualify as a reimbursable utility cost, the utility that is being relocated due to the SIA project must have been located outside the existing public right-of-way.

### **Railroad Crossings**

LOCAL – TDOT will coordinate any construction, alteration, or upgrade of railroad crossings associated with the SIA project, and the local government will be responsible for 100% of the cost.

TDOT – TDOT will coordinate any construction, alteration, or upgrade of railroad crossings associated with the SIA project, and the local government will be responsible for 50% of the cost.

### **Construction – grading, drainage, and base**

LOCAL – The local government will be responsible for the construction of and costs associated with the earthwork, drainage features, and base material needed for the SIA. The local government will ensure the construction and materials meet TDOT's specifications. The local government will also be responsible for complying with any state or federal rules, regulations, and laws pertaining to permits and will secure any permits needed to perform this work. This option is at no cost to TDOT and is subject to a determination of the local government's ability to manage the project by TDOT's [Local Programs Development Office](#).

TDOT – TDOT will be responsible for the construction of and costs associated with the earthwork, drainage features, and base material needed for the SIA. TDOT will also be responsible for securing any permits needed to perform this work. This is all at no cost to the local government.

### **Construction – pavement**

LOCAL – The local government will be responsible for the construction of and costs associated with paving the SIA. The local government will ensure the construction and materials meet TDOT's specifications. The local government will also be responsible for complying with any state or federal rules, regulations, and laws pertaining to permits and will secure any permits needed to perform this work. This option is at no cost to TDOT and is subject to a determination of the local government's ability to manage the construction project by TDOT's [Local Programs Development Office](#).

TDOT – TDOT will be responsible for the construction of and costs associated with paving the SIA. TDOT will also be responsible for securing any permits needed to perform this work. This option is at no cost to the local government.

## SIA Roadway Features

The SIA program provides only for a standard road with the following specifications:

Travel lanes -	2 lanes (1 in each direction) at 12 feet wide, for a total of 24 feet of travel lanes
Shoulders -	2 gravel shoulders (1 on each side) at 4 feet wide
Pavement -	10 inches of base stone 3 inches of "A" mix (asphalt base) 2 inches of "BM-2" mix (asphalt base) 1.25 inches of "D" mix (asphalt surface)

## Exhibits

Attach the following exhibits:

- Location Map – map showing the location of the industrial site in relation to the city or county making application.
- Site Map – map showing industrial site, proposed plant location and footprint, road names, and plant entrance locations. Map should be to scale and should include approximate measurements.
- Resolution – Resolution adopted by local governing body in support of the project and SIA application.
- Agreements – Written agreements among local government agencies for shared responsibility of funding (if applicable).
- Additional Roadway Features- Descriptions of items being requested that exceed SIA standard. E.g. curb and gutter; turn lanes; sidewalks; traffic signal

## Authorization

It is the desire of insert city and/or county name to make application to the Tennessee Department of Transportation (TDOT) for assistance in the construction of an Industrial Highway under the provisions of the Industrial Highway Act of 1959.

The information provided in this application is for review and economic analysis of the proposed SIA project. All information is accurate to the best of our knowledge.

Authorized by:

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Agency: \_\_\_\_\_

\_\_\_\_\_  
Signature of City/County Mayor only



TENNESSEE DEPARTMENT OF TRANSPORTATION  
**INFORMATION AND PROCEDURES**  
FOR THE STATE INDUSTRIAL ACCESS PROGRAM

## Background

The Industrial Highway Act of 1959 (T.C.A. 54-5-403) authorizes the Tennessee Department of Transportation (TDOT) to contract with cities and counties for the development of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee.

TDOT implements the Industrial Highway Act through the department's State Industrial Access (SIA) Program. The department will consider and approve Industrial Highways based on project eligibility, economic criteria, physical constraints, and available funding.

## Eligibility and Application Process

Presented in this section are the requirements and procedures for preparing and submitting an SIA application to TDOT and developing projects under the State Industrial Access Program. For information about project eligibility contact TDOT's Project Management Division at (615) 532-3207.

### 1. Project Eligibility for Consideration

The proposed project is required to be eligible as an industrial highway. An "Industrial Highway" is defined as any road or street designated and located to provide access to an industry site or industrial park. The designated roadways may be eligible for the funding under the TDOT SIA Program. An Industrial Highway cannot be constructed on private property and must be a public road open to traffic.

### 2. Field Review

Representatives from TDOT and the local city and/or county will review the proposed project in the field. The purpose of the review is to confirm the "Eligibility for Consideration" of the project, discuss the parameters of the project, and gather information to develop a cost estimate for the project.

### 3. Application

The Application consists of four items:

- a. An Application Form detailing information about the proposed industry or industry expansion and the local government participation,
- b. Location Map depicting the location of the proposed industry in relation to the city or county submitting the application,
- c. Site Map depicting the current and proposed roadways, industry site, and plant or building entrance locations,



- d. A certified Resolution or Ordinance indicating the Application for SIA funding is an official action by the local government. (A sample Resolution is presented on page 13.)

If local governments are sharing any portion of the funding responsibility, a written agreement between local governments should also be submitted at the time of the application. This helps streamline the process of drafting a contract between TDOT and the local government(s) for the project and clarifies the responsibilities of each agency.

4. Consideration

TDOT will consider and approve Industrial Highways based on project eligibility, economic criteria, physical constraints, and available funding.

5. Approval

Upon approval of the Application, TDOT and the local government will execute a contract defining the responsibilities of each party. Appropriate monetary deposits will be submitted by the applicant.

## **Project Activities**

1. ROW and Utilities Deposits

If the applicant chose the option of TDOT acquiring ROW and/or relocating utilities, the local government is required to deposit the full estimated amount of its share of the cost. During the initial analysis of the application, TDOT's ROW Office will estimate the cost of acquiring ROW (which may include damages to the remainder) and relocating utilities. This is a preliminary estimate because many details of the ROW and utilities plans are not known at that time, and it is usually based on the "worst-case" scenario. Any unused portion of the deposit will be returned to the local government at the close-out of the project.

2. Project Design

The typical section for Industrial Highway projects is two 12-foot wide lanes with 4 foot-wide gravel shoulders. Additional design features may be requested and paid for by the Applicant. The additional work may be included in the construction contract as non-participating items and will be at no cost to TDOT. A construction deposit for non-participating items will be required before TDOT advertises the project for construction bids.

3. Permits

- a. Environmental Permits

The following two conditions will determine the responsibility for obtaining environmental permits. Environmental Guidelines for Industrial Highways is described on pages 11-12.

1. When TDOT is performing the construction phase of the project, whether by TDOT maintenance forces or project contract, TDOT will conduct the technical studies and obtain all environmental permits

2. When the local government is performing the construction phase, it will be responsible for the technical studies and for obtaining all environmental permits for the work performed.

- b. Permits Required for Plant or Building Site

The local government is responsible for obtaining all federal, state, and local permits for all other development of the plant or building site.

4. Construction

The project may be constructed by one of the following three general options:

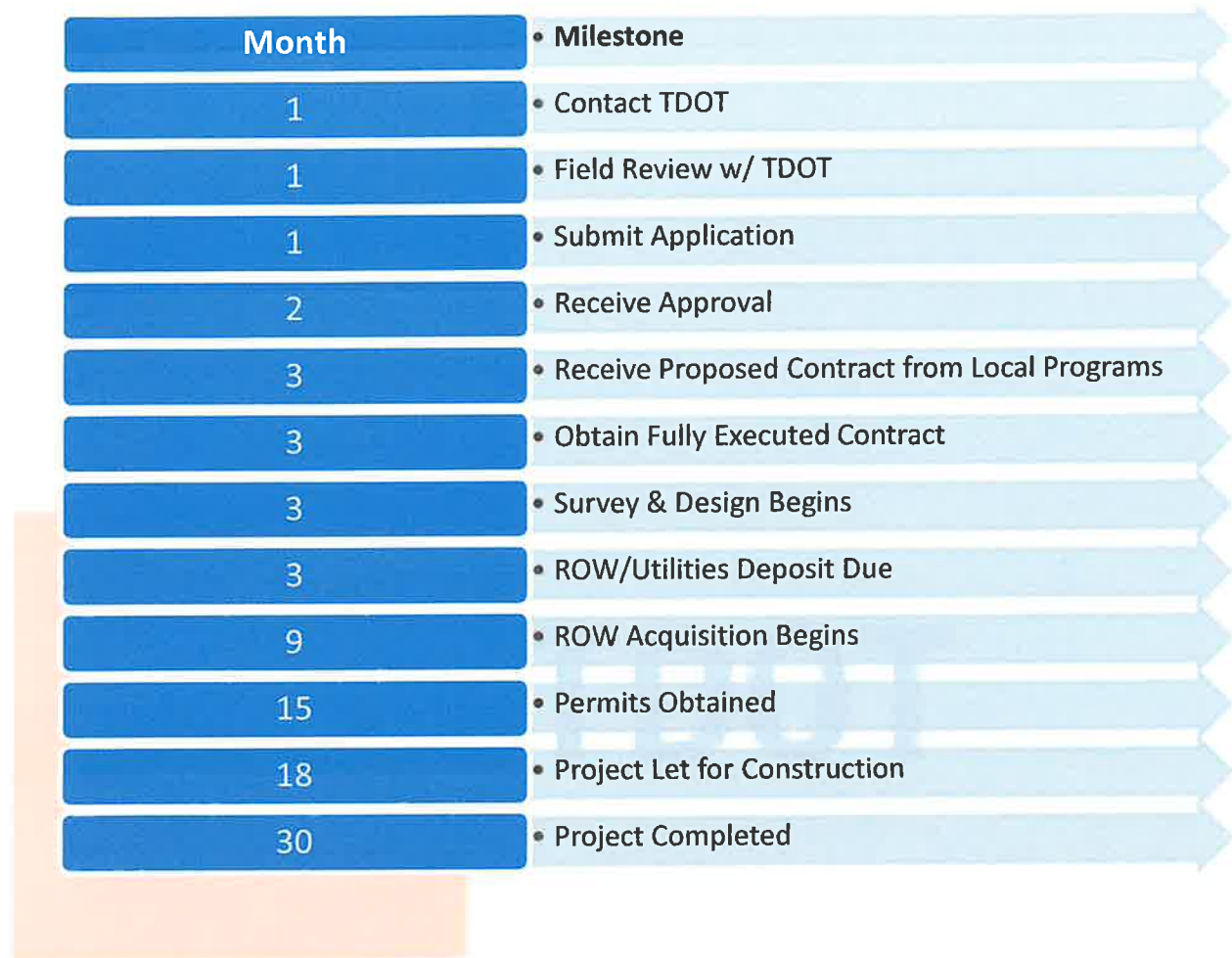
- a. The project may be let to contract or constructed by the local government according to the policies set forth by the TDOT [Local Programs Development Office](#).
  - b. The project may be let to contract or constructed by TDOT
  - c. The project may be let to contract or constructed by a partnership between the local government and TDOT

The local government should clearly mark the preferred options in the RESPONSIBILITIES section of the Application Form.

5. After Construction

The Industrial Highway becomes a public city street/county road, and the local government assumes full responsibility for the maintenance of the Industrial Highway after construction is completed.

## Typical Process Timeline



\*Please note that each project is unique and will most likely deviate from this **typical** timeline. This is intended as a guide to the process and general durations for an average project.



## Environmental Guidelines for Industrial Highways

Transportation projects that do not involve federal aid funding and do not otherwise constitute a major federal action (such as these SIA projects) are exempt from the provisions of National Environmental Policy Act of 1969 (NEPA).

Federal court law, however, has established that under some circumstances, NEPA may apply to a non-federal project.

In a 2001 Tennessee case (Southwest Williamson County Community Association v. Slater, et al.), the Sixth Circuit Court of Appeals defined two alternative tests for determining whether a non-federal project might actually constitute a major federal action to the extent that the requirements of NEPA would apply. The two tests identified in this case are:

1. When the non-federal project restricts or limits the statutorily prescribed federal decision-makers' choice of reasonable alternatives; or
2. When the federal-decision makers have authority to exercise sufficient control or responsibility over the non-federal project so as to influence the outcome of the project.

State-funded transportation projects that require the acquisition of right-of-way and/or the construction of new roadways and other transportation facilities must undergo a rigorous environmental review. The environmental review is documented in a Tennessee Environmental Evaluation Report (referred to as a TEER) that will be made available for public review.

A TEER is prepared for a state-funded transportation project that meets both of the following criteria:

1. Is a transportation route (including a bridge project); and
2. Requires acquisition or disturbance of at least one acre of new or additional right-of-way, unless there are special circumstances that would necessitate the preparation of a TEER for a project with less than one acre of property acquisition.

Special circumstances that would result in the need to prepare a TEER under the second criterion listed above include, but are not limited to, the following:

1. Displacement of any commercial or residential occupants;
2. The use of land from a property or district that is listed on or eligible for listing on the National Register of Historic Places or a National Historic Landmark, which would cause an adverse effect to that resource;

3. The use of land from a public park or recreation area, designated forest, or wildlife management area;
4. Work that requires a US Coast Guard construction permit, or an individual US Army Corps of Engineers Section 404 Permit;
5. Construction in, across, or adjacent to a river designated as a component of the National System of Wild and Scenic Rivers or high quality streams, including streams designated as Exceptional Tennessee Waters (ETW), as designated by Tennessee's water quality standard;
6. Work encroaching on a regulatory floodway or work affecting the base floodplain (100-year flood) elevation of a water course or lake;
7. Work in wetlands;
8. Change in access control;
9. A known hazardous materials site within the proposed right-of-way;
10. An adverse effect to federal or state designated threatened or endangered species or their critical habitat; or
11. A formal request for the preparation of a TEER is received from a local citizen, group or organization, and the request is based on identified environmental concerns.

For the Tennessee Department of Transportation (TDOT) Environmental Procedures Manual relating to State-Funded projects in its entirety visit the following site:

<https://www.tn.gov/assets/entities/tdot/attachments/EnviroProcMan.pdf>

Early identification of sensitive areas will enable TDOT to implement changes to avoid environmental impacts, coordinate with state and federal agencies, and obtain required permits prior to construction of an SIA roadway. If these sensitive areas cannot be completely avoided, the impacts must be minimized, and the effects of the proposed project must be mitigated.

These activities have the potential to lengthen the project schedule and increase project cost.

If the local government chooses to prepare the project plans, the local government must provide the TDOT Environmental Division with accurate maps or aerial photography on which to base technical environmental studies.

When TDOT is performing the construction phase of the project, whether by TDOT maintenance forces or project contract, TDOT will conduct the technical studies and obtain all environmental permits.

When the local government is performing the construction phase, it will be responsible for the technical studies and for obtaining all environmental permits for the work performed.

## Sample Resolution

WHEREAS, the insert name of city and/or county, Tennessee, is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance this area's capabilities for growth and development, and

WHEREAS, the provision of jobs to area citizens by local industry is both necessary and vital to the economic well-being of the insert name of city and/or county, and

WHEREAS, the Industrial Highway Act of 1959 authorizes the Tennessee Department of Transportation to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee, and

WHEREAS, insert company name plans to construct a insert type of facility in the insert name of city and/or county, and

WHEREAS, the construction of an industrial access road to serve said proposed plant is necessary and vital to the successful completion of this project and the future economic well-being of this area,

NOW, THEREFORE BE IT RESOLVED by the insert name of city and/or county, that a contract be entered into with the Tennessee Department of Transportation for assistance in construction and completion of the herein proposed industrial access highway under the provisions of the Industrial Highway Act of 1959.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
City or County Mayor

ATTEST:

\_\_\_\_\_  
Recorder, City or County

## Checklist for Application Process

- ☐ Contact TDOT's Project Management Office about potential SIA
- ☐ Participate in Field Review with TDOT at the site
- ☐ Complete the application form
- ☐ Obtain resolution from the local governing body in support of project
- ☐ Submit application with location map, site map, resolution, and local funding agreements (if applicable) attached
- ☐ Receive approval letter from TDOT
- ☐ Contacted by TDOT's Local Programs Office about contract, program requirements, etc.
- ☐ Receive proposed contract
- ☐ Review and accept contract (must submit original color contract with watermark)
- ☐ Receive fully executed contract from TDOT

## Contact Information

### TDOT Economic Development Office (located at TDOT Headquarters in Nashville)

Danielle Hagewood	615.253.2521	<a href="mailto:Danielle.Hagewood@tn.gov">Danielle.Hagewood@tn.gov</a>
Tintin Czach	615.532.8054	<a href="mailto:Tintin.Czach@tn.gov">Tintin.Czach@tn.gov</a>

### TDOT Local Programs Office (located at TDOT Headquarters in Nashville)

Kimery Grant	615.741.5323	<a href="mailto:Kimery.Grant@tn.gov">Kimery.Grant@tn.gov</a>
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### TDOT Environmental Division (located at TDOT Headquarters in Nashville)

Environmental Documents	<a href="mailto:TDOT.Env.NEPA@tn.gov">TDOT.Env.NEPA@tn.gov</a>
Environmental Permits	<a href="mailto:TDOT.Env.Permits@tn.gov">TDOT.Env.Permits@tn.gov</a>



City of Shelbyville, Tennessee  
City Council Meeting Staff Summary

To: Mayor & City Council

From: Lori Saddler, Purchasing  
Mike Alsup, Parks and Recreation Director

Date: May 24, 2022

Subject: Sealed bid - Non-performance supplier - Rec Center meeting room partition wall replacement - November 2021

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**Description:**

A sealed bid award was given to only bidder, Crawford Door Sales of Nashville-Hufcor in the amount of \$24,484 at the November 9, 2021 City Council meeting. This was for meeting room partition wall replacements at the Recreation Center.

Since that time, the material supplier, Hufcor, closed their US manufacturing and moved it to Mexico per Crawford Door Sales. Our Crawford Door representative let us know March 22, 2022 that Hufcor was requiring a \$7,455 material increase to above award in order to fulfil order because of the move.

After much communication with Crawford Door Sales, they have agreed to fulfil the order with another supplier, Moderco, at the original sealed bid price. \$24,484.

Our Purchasing Policy Chapter IV. Sealed Bids and Proposals, Section E. Non-Performance, Item (2) *The vendor may be allowed to find the needed item for the City from another supplier at no additional cost to the City.* Also Item (5) *The City may also consult with the City Attorney for guidance as to which remedy is most appropriate or for any other available remedies.*

Attorney Shofner has reviewed all the documents, emails and policy. She agreed with staff that Item 2 mentioned above covers this situation of non-performance, as long as Crawford Door is willing to use another supplier at the same cost. We would like to move forward with this change.

October was the second time we had let this bid. The first time didn't produce any bids, and the second time just the one.

This will be an agenda item for consideration at the May 31st Special Called City Council business meeting. Staff recommends staying with Crawford Door Sales and new supplier, Moderco.

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**Economic Impact:**

**Total bid from Crawford Door Sales and new supplier, Moderco - \$24,484**

**FY 22 budget amount - \$30,000 Capital Fund**

**This item will need to be moved to FY 23 budget as original lead time was 20 weeks.**