

City of Shelbyville
Mayor & City Council Special Called Meeting

Special Called Meeting: June 16, 2022

Time: 12:00 PM

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

I. Call to Order

II. Roll Call

III. Adopt the Agenda

IV. Public Hearings

- A. 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.

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

V. Ordinances – Second and Final Reading

- A. 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.

VI. Ordinances – First Reading

- A. An Ordinance to Make Final Amendments to the Adopted Budget Ordinance (As Amended) of the City of Shelbyville, Tennessee Various Funds, for the Fiscal Year 2021-2022, the Period Ending June 30, 2022.

VII. Business Items

- A. Review of Applications for City Manager

VIII. Announcements

IX. Adjourn

Mayor Wallace Cartwright



City of Shelbyville, Tennessee
City Council Meeting Staff Summary

To: Mayor & City Council

From: Lisa Smith, City Recorder

Date: 6/16/2022

Subject: Ordinance – Second Reading & Public Hearing Amendment to the I-3 District

Description: An Ordinance up for Public Hearing and 2nd 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 was presented to the Planning Commission on May 26th and received a favorable recommendation for approval.

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 front yard, side yard, rear yard setbacks in the Heavy Industrial District (I-3). The minimum required front yard, side yard, rear yard setbacks are all 50 feet.

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:

Lisa Smith, City Recorder **Date**

First Reading: 5/31/2022
Public Hearing: _____
Second Reading: _____

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

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

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 front yard, side yard, rear yard setbacks in the Heavy Industrial District (I-3). The minimum required front yard, side yard, rear yard setbacks are all 50 feet.”

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 NO. _____

AN ORDINANCE TO MAKE FINAL AMENDEMENTS TO THE ADOPTED BUDGET ORDINANCE (AS AMENDED) OF THE CITY OF SHELBYVILLE, TENNESSEE VARIOUS FUNDS, FOR THE FISCAL YEAR 2021-2022, THE PERIOD ENDING JUNE 30, 2022.

WHEREAS, The Mayor and City Council of the City of Shelbyville on June 10, 2021, following public hearing adopted Ordinance No. 2021-1151 establishing the Fiscal Year 2021-2022 Annual Budget; and

WHEREAS, the City of Shelbyville, Tennessee is in need to make various adjustments and amendments to various funds within the Budget for FY 2021-2022 to reflect changes in revenues and expenditures.

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

Section 1: That the FY 2021-2022 Annual Budget is amended in the following amounts:

SEE ATTACHMENT 1

Section 2: That this Ordinance shall repeal any Ordinance or parts of any Ordinance in conflict herewith, and shall take effect immediately upon its passage on second and final reading, and after public hearing, the general welfare of the City requiring same.

APPROVED:

Mayor Wallace Cartwright

ATTEST:

City Recorder Lisa Smith

APPROVED AS TO FORM:

1st Reading: _____

Public Hearing: _____

2nd Reading: _____

City Attorney Ginger Shofner



City of Shelbyville, Tennessee
City Council Meeting Staff Summary

To: Mayor & City Council
From: Lisa Smith, City Recorder
Date: 6/16/2022
Subject: City Manager Search

Description:

There were 19 resumes received for consideration for the position of City Manager. I forward those to you by email on June 2nd and uploaded them to Dropbox. After MTAS evaluated the resumes 6 were pulled as meeting the education and work history requirements, however you have received all applicants for your review.

MTAS Consultant Chuck Downham will be available for any questions and to provide suggestions on moving forward.



June 1, 2022

City of Shelbyville City Council
c/o Mayor Wallace Cartwright
City of Shelbyville
210 N. Spring Street
Shelbyville, TN 37160

Mayor and Members of the City Council,

The Municipal Technical Advisory Service (MTAS) was requested by the City of Shelbyville to assist with the search and selection of the City Manager position. A job announcement and Position profile was prepared and the position was advertised beginning on XXX. The initial review of applications began on May 31, 2022. MTAS received a total of twenty-one (21) applicant packages as of May 31, 2022 for the position of City Manager. Two applicants later withdrew their application documentation from consideration leaving a remaining total of nineteen (19) applicant packages for further consideration.

A review of the application packages received from the nineteen remaining applicants was performed to identify applicants that meet the published requirements for the position including specifically education and professional experience. Based upon the published job announcement and position profile, applicants should possess a "Bachelor's degree from an accredited college or university in public administration, business administration, or field closely related to municipal management and a minimum eight (8) years of progressively increasing city management experience, or any combination of education and municipal experience that demonstrates proficiency in a complex municipal corporation."

Upon review of the applicant packages received, thirteen (13) applicants were identified that did not meet the education and/or professional experience requirements as provided in the published job announcement. The six (6) remaining applicants that met the education and professional experience requirements as published in the job announcement in alphabetical order are:

Scott Avery
Peter Avgoustis
Scott Collins
Patrick Jordan
Patrick Marsh
Michael Powers

The six (6) applicants identified as meeting the education and municipal management experience requirements each possess a minimum of a Bachelor's degree with many possessing a Master's degree in public administration or related field of study. The applicants also possess progressive municipal management experience that exceeded the eight-year threshold set forth in the job

announcement. One applicant is an ICMA Credentialed Manager with the International City Managers Association (ICMA-CM) that according to ICMA “recognizes professional local government managers qualified by a combination of education and experience, adherence to high standards of integrity, and an assessed commitment to lifelong learning and professional development.” The applicants each appear to present a wide range of qualifications and leadership skills for consideration for the position of City Manager serving the City of Shelbyville.

Attached please find a PDF copy of the cover letter and resume for the applicants that were identified as meeting the published education and professional experience requirements. Under separate communication, the application documentation received for the remaining applicants will be transmitted to the City Recorder for additional review and consideration by the City Council as requested at the outset of the search and selection process.

The next step in the selection process will be for the City Council during a public meeting to review the applicants including the field of applicants that meet the education and professional experience requirements provided in the job announcement and to select applicants to conduct an initial interview. It is recommended that a minimum of three (3) applicants be identified for an initial interview. MTAS can attend the Board meeting to serve as a technical resource during the selection process to identify the field of applicants to conduct initial interviews. Once the selection of applicants for initial interviews has been completed by the City Council, MTAS will then assist the Council with preparing a list of initial interview questions that can be utilized by the Council for each of the applicants selected to be interviewed.

Please let me know if you have questions at this point in the search and selection process. Thank you again for the opportunity to assist the City of Shelbyville with this important search and selection process for the position of City Manager.

Sincerely,

Chuck Downham
Municipal Management Consultant