

City Council Meeting Minutes

The Shelbyville City Council met in regular **Study Session** on **Tuesday, August 1, 2023**, at the Shelbyville Recreation Center, 220 Tulip Tree Road. The meeting was called to order at 6:00 PM by Mayor Randy Carroll.

The following were present: Mayor Randy Carroll, Councilmember William Christie, Councilmember Marilyn Ewing, Councilmember Stephanie Isaacs, Councilmember Bobby Turnbow, Councilmember Henry Feldhaus and Councilmember Gary Haile. Also, present were City Manager Scott Collins, City Treasurer Kay Parker, City Recorder Lisa Smith, and City Attorney Ginger Shofner.

Public Comments: Mayor Carroll called for Public Comments. Michael Sharp came forward to speak concerning a drainage issue he was having at his 120 Church Street location. Jo Ann Vasil spoke about the Bedford County Listening Project's new survey and invited the Council to a Public Meeting on the Shelbyville Square on August 26th from 10 AM until 12 PM to discuss the results from the survey. With no other speakers the Public Comment session closed at 6:07 PM.

Historical Marker: Blair Ross with the United Veterans Council addressed the Council requesting the authorization to place a Historical Marker on the Square to honor Union Captain Charles Davis. The marker will be placed on the East Side of the Square in front of the Public Park area next door to Pope's Café. They will coordinate with Shelbyville Public Works Director for the exact placement and hope to schedule the placement during this year's Veteran's Day celebration.

Flood Pumps Update: City Engineer Will Owen gave a review of the report resulting from the full investigation of the Flood Pumps and Flume System. This report should serve the City as a single source reference document for the full flood protections system for years to come (A copy of which will be on file in the City Recorder's Office). First, he reviewed the current status of the flume system which consists of three pipes and noted there were three options, (1) replace, (2) lining with steel or (3) making individual repairs. The first two would be expensive and require disruption of the area which could cause issues under the levy. Owen recommended choice #3 of making repairs. Next the review of the Flood Pumps which consist of the pumps and the Intake Structure. Owen stated the three pumps are all severely aged and he recommends replacement of all of them along with their electrical service and all housing for the electrical equipment and automotive controls. He noted this is also needed for safety reasons as the current system requires 4 or 5 people to manually operate the pumps from outside. A new system would have the ability to be operated and monitored remotely. The current structure can be retrofitted with some upgrades. The gates are in good order however, the recommendation is to replace all the seals, gaskets, and the actuary motors so they can be worked into the new operating system. The flood gates and the levy appear to be in good working order, as future budgets allow the hydraulic pumps should be replaced. The total cost for the recommended repairs concerning the approximate 800 linear feet of the flume tubes, the pumps, motors, and operating systems is \$5,330,000, with a total estimated cost of \$6.9 million after engineering, design, construction and a contingency fee. Owen then reviewed the recommended Phases. Phase one would be within the next two weeks to finalize the technical specifications and contract documents for the pumps and VFD starters. The lead time for the equipment is currently around 10 to 14 months. Phase two would begin while the pumps and VFD's are in manufacturing and that would consist of all the other repairs, the retrofitting of the structure, the electrical, the monitoring controls and other so that a contractor is in place ready to go when the pumps are shipped to the City. The timeline is around April of 2025 for a start time and completion around November 2025. Owen noted as all the pumps will have to be replaced at once there will be some exposure for the City and they will look at that risk and the best way to deal with that which may include temporary large portable pumps. Finally, Owen stated there would be no additional charge to the City from Griggs and Maloney for the technical specs or a contract to advertise for Bid.

Parking on the Square: City Manager Collins advised a Business Owner had voiced some concerns about setting up a limit on parking time on the square. City Attorney Shofner then noted in the past this was done by a Police Officer who would walk around the square and chalk tires however, in 2019 a change in the law made this a form of search and a constitutional violation. Therefore, it then became difficult to enforce the time limit parking. There are other ways such as parking meters or digital parking that are used in other areas. Manager Collins requested the Council give directions on how to move forward as installing a parking system will be a cost to the City. The Council made no comments.

Retail Recruitment: Collins advised a Request for Qualifications (RFQ) for a company to assist the City with Retail Recruitment was prepared and after an earlier Staff meeting, he felt he should see if the Council see value in this. They would work with City Staff and others on doing leakage reports and determining good fits for businesses coming to Shelbyville. Councilmember Feldhaus stated this is the same thing Buxton Group did for the City a few years ago and that help in landing such businesses as Chick-fil-a and him in agreement to spending that on an annual basis. The range in cost is \$25,000 to \$30,000 a year. Councilmember Turnbow stated this will be for the City of Shelbyville and under our control. It appears Council sees value in this item.

Shelbyville Bedford Partnership Funding: Manager Collins advised this item was placed on the Agenda at the request of a Councilmember. Councilmember Feldhaus stated he made that request because he is being asked by concerned citizens for the reason the City of Shelbyville is not participating in the funding of the Shelbyville Bedford Partnership and he does not have an answer, because he has not been given an explanation by the remainder of the Council. We have the money in the Hotel/Motel Fund, and he was hoping that now that the County has voted to fund them and the Chamber of Commerce has merged with them, all the entities are in place but the City of Shelbyville. There is real gain for the City to be at the table and not on the outside. He noted the Partnership is barely two (2) years old and he has a list of twenty (20) items that have been accomplished by them in that time. He further stated they have good momentum, and he was hoping, begging pleading that we match the County and give them the \$100,000.00. No other comments from the Council were given.

Environmental & Noise Assessment Request – MTSU: Paul Perry, Airport Director stated this is in reference to an environmental study and noise analysis that has been requested by the FAA in association with the MTSU move to our airport. Because it is our property and our engineering consultants doing the assessment we will have order it through the City, however, MTSU will reimburse the City in full for the study. Dr McPhee has sent a letter guaranteeing the reimbursement, however Attorney Shofner stated she would prepare a Memorandum of Understanding on this issue and have everyone sign it.

Railroad Authority ROW Proposal (Rails to Trails): Collins advised the Railroad Authority would like to turn over maintenance of segments of the rail line to the City for a potential Rails to Trails program. However, they are in at a point where they cannot take action until the City Council acts, but the City is hesitant to do anything until they “Bank” the property, which means hold it for the City if the City put investment and it cannot be given over to adjoining property owners. Preliminary cost estimates are at startup \$25,000 to \$30,000, with an additional mower, gator and full-time park employee needed for the ongoing upkeep. Attorney Shofner noted that the ownership of the property would remain with the Railroad Authority and if for any reason in the future it was determined there was a need for the rail system to operate, they would get the property back.

Habitat for Humanity – Funding Request: Collins noted this item was placed on at the request of a Councilmember and there had been additional information requested which has been received and provided to the Council. Councilmember Ewing asked if the Council had received what they need or was there more information needed. Councilmember Feldhaus stated he had received enough.

Community Clinic Tourism Funding Request: Manager Collins advised he had received two requests for Tourism Funding from the Community Clinic. The first is for \$5,000 to support their hosting of a Miss Shelbyville Princesses Pageant on August 5th, where Judges, contestants and their families will be staying in hotels. The second request is for \$5,000 for an event that Governor Lee has been requested to speak at on September 9th. Their goal is to sell tickets to out of state guests. It was noted that the pageant was happening on August 5th, and in the past a condition of the Tourism Grant was that a portion of the funds were to be used for advertising outside of the local area. Manager Collins made a recommendation to freeze any new requests until a clear policy guideline can be developed prior to October. Council appeared to agree to that and note it was best to set a policy to avoid receiving monthly requests. City Recorder clarified that these two items would not be considered on the Business Agenda, however there would be an item to freeze future requests until a policy is in place.

OLD BUSINESS:

ORDINANCES – Second / Final Reading and Public Hearing:

Amendment to Fieldstone Planned Unit Development (PUD) to add two (2) new duplexes close to the eastern entrance along HWY 231 North. (This item is anticipated to be on the Agenda after consideration by the Planning Commission on May 25th.) There have been no changes and there were no comments.

NEW BUSINESS

ORDINANCES – First Reading:

Amend Municipal Code - Related to Publication Requirements of Meetings: City Attorney Shofner advised there were several things in our current Municipal Code that either don't comply with current State Law or are difficult to comply with since our local newspaper has reduced its publications and it was discovered this afternoon they would no longer be operating. She advised we are required to comply with a variety of notice requirements and all of them are different. She is recommending the meeting notice publication portion of the Municipal Code be removed, however there will still be several things requiring publication. A draft will be brought to the Council.

RESOLUTIONS:

A Resolution Authorizing and Directing the City Treasurer to Bar, Discharge, and Deem Uncollectible All Outstanding City Property Taxes After the Lapse of Ten Years from April 1 of the Year Following the Year in Which Such Taxes Become Delinquent as Outlined in TCA 67-5-1806. City Treasurer Kay Parker advised this is to remove any taxes uncollected after a ten-year period from the books as a receivable. There was no further discussion of this item.

Shelbyville Power, Water & Sewerage Board Resolution: City Attorney Shofner advised she would be preparing a Resolution to define the position of a member of the Board of the Power System as a rate payer. She further noted she recommends a change to the Charter regarding this in the future.

Tennessee Placemakers Entrepreneurship Grant: Collins advised this is a \$50,000 Grant offered by the Tennessee ECD with no local match to help local Business Owners.

BUSINESS ITEMS:

T-Hangar Rates: Director Perry advised the Airport Authority is recommending the monthly rate for T-Hangars be increased by \$57.50 this year, another increase of \$57.50 next year with a 3% escalation added and an automatic 3% escalation every year thereafter. The last increase was two (2) years ago.

PURCHASING/BID ITEMS:

Statewide Contract Purchasing Report for July - Purchasing Director Lori Saddler gave a report of the Statewide Contract purchase for vehicles for the FY24 Budget, 4 of the 6 vehicles for the Police Department for \$201,088

and they are here. She thanked the Council for allowing the flexibility to purchase these vehicles and noted it has helped get them here much sooner and had some cost savings. For the Street Department a 2023 F350 with dump body for \$75,000. This is a rollover from last year's Budget at \$68,140, which was the order was placed in November of last year and has not been filled. We can get it in August from Lonnie Cobb in Hendersonville.

Mini Excavator Purchase – Public Work / Stormwater Management Division: Saddler noted this purchase is utilizing the Source well National Cooperative and is a for a bobcat excavator for \$110,523.38. The capital fund budget for this item was \$115,000.

Emergency Purchase - BECsys7 Chemical Controller – Indoor Pool: Saddler advised the Chemical Controller had failed and the emergency purchase was authorized by City Manager on July 19th. From three vendors contacted Cass of TN was selected at the cost of \$15,9077.77. There is a possibility this may become an insurance claim due to a power outage, but we will not know until the system is taken apart for replacement.

Options to Renew: Photography Services for Youth Sport League w/two 1-year options for renewal: Director Lori Saddler advised on the changes made with this renewal which adjust the City to receive 15% of the packages sold to allow the Photographer to keep his prices the same to the customers.

City Paving Bid Options for renewal: Saddler advised Wright's had received the Bid originally in 2021 and there was a renewal in 2022 with increases. There are significant increases this year. The Public Works Director and Saddler are requesting to reject the Option for Renewal this year and rebid with a new request document prepared by Public Works with more specifics of our needs.

APPOINTMENTS:

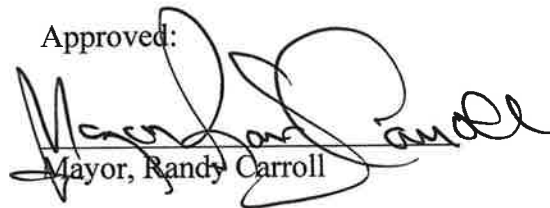
Library

OTHER BUSINESS: None

ANNOUNCEMENTS:

ADJORN: With nothing further to discuss the meeting adjourned at approximately 7:55 PM.

Approved:



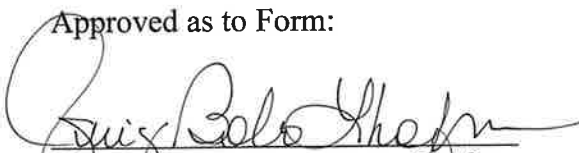
Mayor, Randy Carroll

Attest:



City Recorder Lisa Smith

Approved as to Form:



City Attorney Ginger Bobo Shofner