

Regular City Council Meeting Minutes

Regular Meeting: March 9, 2023

Place: Shelbyville Recreation Center, 220 Tulip Tree Road

Call to Order: 6:00 PM, Mayor Randy Carroll & Officer Bradley Evans

Invocation: Brother Andy Kemper

Pledge of Allegiance: Led by City Council

Roll Call: Roll was called by City Recorder Lisa Smith and the following were present: Councilmember Bobby Turnbow, Councilmember Marilyn Ewing, Councilmember William Christie, Councilmember Gray Haile, Councilmembers Henry Feldhaus and Stephanie Isaacs. Also, in attendance were Mayor Randy Carroll, City Manager Scott Collins, City Treasurer Kay Parker, and City Attorney Ginger Shofner. A quorum was declared and the meeting open for Business.

Adopt the Agenda: Mayor Carroll advised there was a request to Amend the Agenda by removing Business Item C concerning a subdivision sign at Shoma Drive, **Councilmember Feldhaus made a motion to amend the Agenda as requested, Councilmember Ewing seconded, and the motion carried by unanimous oral vote. Councilmember Turnbow then made a motion to Adopt the Agenda as amended, Councilmember Isaacs seconded, and that 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 City Council Minutes of the following:
 - a. Study Session of January 31, 2023
 - b. Regular Meeting of February 9, 2023
- B. Accept all Monthly Reports (February)
- C. Accept Treasurer's Report (January)
- D. Approval of Accounts Payable (February)
- E. Approval to set the July City Council Study Session meeting for Thursday, June 29, 2023, at 6:00 PM.
- F. Approval to set the October City Council Study Session meeting for Monday, October 30, 2023, at 6:00 PM.
- G. Consideration of a Motion to approve a payment of \$3,500.00 to the Southern Saddlebred Association to assist with the Southern Saddlebred Spring Fling scheduled for April 17-22, 2023. This will be paid from the Hotel/Motel Funds appropriated for Tourism.
- H. Consideration of a Motion to approve a payment of \$7,500.00 to the Cowboy Mounted Shooting Association to assist with the Cowboy Mounted Shooters scheduled for March 31st through April 8th, 2023. This will be paid from the Hotel/Motel Funds appropriated for Tourism.

Councilmember Christie made a motion to approve all items on the Consent Agenda, Councilmember Haile seconded. The motion carried unanimously by roll call vote.

Mayor Carroll then closed the Regular meeting and opened Public Hearings at 6:03 PM.

Public Hearing: Ordinances - Second / Final Reading

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 1.10 (+/-) Acres Owned by Ben Livingston, Located on the West Side of Sevier Street and Referenced on Bedford County Tax Map 78I, Group B, Parcels 7.11, 7.12 and 8.00 From General Commercial (C-2) Zoning District to Medium-High Residential Density (R-3A) Zoning District, and Repealing Any Ordinance or Potion 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 10.01 (+/-) Acres Owned by Tejinder & Baljinder Judje, Located on the Side of the Future Extension of Calsonic Way and Referenced on Bedford County Tax Map 069, Parcel 058.06 From the Low-Density Residential District (R-2) Zoning District to the Light Industrial (I-1) Zoning District, and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. **There were no speakers for or against this item.**

An Ordinance to Adopt a Reapportionment/Redistricting Plan and Map For the City of Shelbyville, Tennessee. **There were no speakers for or against this item.**

An Ordinance to Amend the Adopted Budget Ordinance (As Amended) of the City of Shelbyville, Tennessee Various Funds, For the Fiscal Year 2022-2023, the Period Ending June 30, 2023. **There were no speakers for or against this item.**

An Ordinance (As Amended) of the City of Shelbyville, Tennessee Establishing the Municipal Property Tax Rate for the Fiscal Year 2023-2024 at \$1.48 on Each \$100 of Assessed Valuation of Property and Providing for an Effective Date of July 1, 2023. **There were no speakers for or against this item.**

Resolutions – Second / Final Reading

A Resolution of the Shelbyville City Council to Repeal All Previous Ordinances and Resolutions Pertaining to Planning and Community Development Fee Schedule, and to Adopt An Updated Planning and Community Development Fee Schedule. **There were no speakers for or against this item.**

The Public Hearings were closed, and the regular meeting reopened at 6:06 PM.

Councilmember Ewing made a motion to allow the City Attorney to read captions only on Ordinances and Resolutions, Councilmember Haile seconded, and the motion was carried unanimously by oral vote.

Old Business:

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 1.10 (+/-) Acres Owned by Ben Livingston, Located on the West Side of Sevier Street and Referenced on Bedford County Tax Map 78I, Group B, Parcels 7.11, 7.12 and 8.00 From General Commercial (C-2) Zoning District to Medium-High Residential Density (R-3A) Zoning District, and Repealing Any Ordinance or Potion of Ordinance in Conflict Therewith. **Councilmember Christie made a motion to approve, Councilmember Turnbow seconded, and the motion was carried unanimously by roll call vote.**

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 10.01 (+/-) Acres Owned by Tejinder & Baljinder Judje, Located on the Side of the Future Extension of Calsonic Way and Referenced on Bedford County Tax Map 069, Parcel 058.06 From the Low-Density Residential District (R-2) Zoning District to the Light Industrial (I-1) Zoning District, and Repealing any Ordinance or Portion of Ordinance in Conflict

Therewith. **Councilmember Feldhaus made a motion to approve, Councilmember Turnbow seconded, and the motion was carried unanimously by roll call vote.**

An Ordinance to Adopt a Reapportionment/Redistricting Plan and Map For the City of Shelbyville, Tennessee. **Councilmember Turnbow made a motion to approve, Councilmember Ewing seconded, and the motion was carried unanimously by roll call vote.**

An Ordinance to Amend the Adopted Budget Ordinance (As Amended) of the City of Shelbyville, Tennessee Various Funds, For the Fiscal Year 2022-2023, the Period Ending June 30, 2023. **Councilmember Christie made a motion to approve, Councilmember Turnbow seconded, and the motion was carried unanimously by roll call vote.**

An Ordinance (As Amended) of the City of Shelbyville, Tennessee Establishing the Municipal Property Tax Rate for the Fiscal Year 2023-2024 at \$1.48 on Each \$100 of Assessed Valuation of Property and Providing for an Effective Date of July 1, 2023. **Councilmember Turnbow made a motion to approve, Councilmember Christie seconded. Councilmember Feldhaus then made a motion to amend the Ordinance by setting the Municipal Property Tax Rate for the Fiscal Year 2023-2024 at \$1.36 on Each \$100 of Assessed Valuation of Property, Councilmember Isaacs seconded the amendment.** Mayor Carroll called for discussion on the Amendment and Councilmember Feldhaus made the following Statement. "I believe the voters in November spoke clearly by electing the slate of candidates whose clear campaign message was lower taxes. Before the election many of these same candidates only supported the \$1.36 tax rate. Last month all the newly elected Councilmember voted to support the \$1.48 tax rate. I believe the November voters are expecting the tax rate of \$1.36. The current \$1.59 tax rate, in place for the last two (2) years, provided the City with revenues to fund the recent 231 Industrial Park announcements with high paying jobs and the largest capital investment in Shelbyville's history. We funded the Duksan announcement, purchased the property for the new TCAT, and bought the property for the new MTSU Aviation College. We were able to pay cash for these economic development initiatives. These high paying and highly skilled jobs will bring a better quality of life for hundreds of local workers who will be hired at these facilities and benefit thousands within our Community for many years to come. I believe if the City of Shelbyville continues to invest in our economic development team with the already proven results, we will be able to continue to lower the tax rate to my goal of \$.95, that I mentioned a few months ago. I want to reduce the growth burden on residential property taxes. I want to see commercial development and higher sales tax collections carry the City's future revenue needs. This can be accomplished by a few smart decisions by this City Council in cooperation with Bedford County government. Furthermore, I will not vote for the \$1.48 rate, if it comes to that in a few minutes, because I believe we should support the lower \$1.36 rate as promised by the candidates and expected by the voters. We should not allow a "bait and switch" game of politics to fool the voters. I look forward to the landlords, who raised their rent because of the increased tax rates two years ago, to now lower their rents as a result of this tax rate rollback to the original 2021 certified rate of \$1.36, if it passes. I encourage the renters, especially the ones who protested loudly in 2021, to notify this Council as their rents are lowered. Thank you." Mayor Carroll asked for further discussion and hearing none stated he felt the \$1.48 rate had been done with caution to make sure the City's expenses Budgeted would be covered prior to going back to the \$1.36 rate also he did not believe there was any promises made during the campaign to reduce it to \$1.36. Councilmember Ewing asked the City Treasurer Kay Parker if she felt comfortable with going lower than \$1.48. Parker stated it was hard to predict it would depend on what the Council voted on moving forward, she further noted we do have a large fund balance. Ewing further questioned if this would mean an extreme tightening of the belt and Parker responded she would not characterize it as that. Ewing then noted the Council cannot dictate what landlords do. Feldhaus stated to the landlord's aspect it was obvious who led the charge, and their renters came to the Public Hearings and spoke in favor of the lower tax rate. City Attorney Shofner reminded the Council they will have to repass the tax rate during the Budget cycle. Mayor Carroll then called for a roll call on the Amendment. **A roll call vote was had**

with all Councilmembers voting yes in favor of the Amendment. Mayor Carroll then asks for a roll call vote on approving the Ordinance as amended. **A roll call vote was had with all Councilmembers voting yes in favor of approving the Ordinance on Second Reading, as amended.**

Resolutions – Second / Final Reading

A Resolution of the Shelbyville City Council to Repeal All Previous Ordinances and Resolutions Pertaining to Planning and Community Development Fee Schedule, and to Adopt An Updated Planning and Community Development Fee Schedule. **Councilmember Turnbow made a motion to approve, Councilmember Feldhaus seconded, and the motion was carried unanimously by roll call vote.**

New Business:

Ordinances – First Reading: None

Resolutions:

A Resolution of the Mayor and City Council of the City of Shelbyville Authorizing and Directing the City Attorney to File the 2021 Tax Bills for the Collection of All Delinquent Taxes for that Year. Attorney Shofner advised the final date would be March 29th. **Councilmember Christie made a motion to approve, Councilmember Isaacs seconded, and the motion passed unanimously upon roll call vote.**

A Resolution of the Mayor and City Council of Shelbyville, Tennessee Authorizing An Application for Sidewalk Replacement/Construction Through The Tennessee “Small Cities” Community Development Block Grant Program. **Councilmember Feldhaus made a motion to approve, Councilmember Isaacs seconded, and the motion passed unanimously upon roll call vote.**

A Resolution of the City of Shelbyville, Tennessee Authorizing a Grant Application to the Department of Homeland Security, FEMA Grant Program Directorate, and Assistance to Firefighters Safer Grant (Staffing for Adequate Fire and Emergency Response) **Councilmember Isaacs made a motion to approve, Councilmember Christie seconded, and the motion passed unanimously upon roll call vote.**

A Resolution of the City of Shelbyville, Tennessee Designating that Specific FY23 General Fund Operating Expenditures be Funded by the City of Shelbyville’s American Rescue Plan (ARP) Funds in the Amount of \$6,557,664.22. **Councilmember Turnbow made a motion to approve, Councilmember Christie seconded, and the motion passed unanimously upon roll call vote.**

A Resolution Authorizing An Official Delegation to the 2023 Rural Development Conference in Nashville, Tennessee, for March 22-23, 2023, Providing for the Attendance and Expenditures of that Delegation, Consisting of the Mayor, City Manager and City Councilmembers. **Councilmember Feldhaus made a motion to approve, Councilmember Haile seconded, and the motion passed unanimously upon roll call vote.**

Business Items:

Consideration of a motion to establish the position of City Director of Information Technology (IT Director) and authorize advertising for this position. **Councilmember Feldhaus made a motion to approve, Councilmember Isaacs seconded, and the motion passed unanimously upon roll call vote.**

Consideration of a motion to authorize the City Treasurer to pay the remaining estimated Right-of-Way (ROW) acquisition costs on the State Industrial Access (SIA) Road Grant in the amount of \$290,844.92 from State Road Projects Fund Balance to Tennessee Department of Transportation (TDOT). This payment is in addition to the City's initial payment of \$170,500.00 for a total payment of \$461,344.94 for the local 50% share of the ROW costs for this project. The total estimated ROW cost is \$922,689.83 with the State being responsible for 50%. The 231 N. Business Park Oversight Committee has approved this expense and recommended it should be a shared expense. City Staff will negotiate with all interested parties to have a portion of the City's total cost reimbursed to City funds. **Councilmember Christie made a motion to approve, Councilmember Haile seconded.** Councilmember Turnbow asks that it be made a part of the motion that we are fronting the County as it should be a shared expense for the 231 N. Business Park. **The motion was carried by unanimous roll call vote.**

Consideration of a motion to approve the purchase and installation of a subdivision sign at the intersection of Shoma Drive and Blue-Ribbon Parkway. **This item was removed from the Agenda.**

Consideration of a motion concerning the local option sales tax. City Manager Collins stated Staff is requesting Council make a formal motion to authorize and direct the City Manager to resolve the issue of the local option sales tax revenue sharing agreement with Bedford County by means including but not limited to negotiations, consultation with possible legal representation and other means necessary. He noted he wished to start with Drafting an Agreement that would make it amicable as possible to present to the County for consideration. City Attorney Shofner stated she felt it best to bring the Agreement back to the Council next month and then that would be sent to all County Commissioner. **Councilmember Turnbow made a motion to approve the request, Councilmember Christie seconded, and the motion was carried by unanimous roll call vote.**

Appointments:

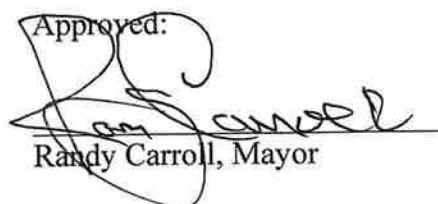
Mayor Carroll appointed Councilmember Christie to the Shelbyville-Bedford Partnership for a 2-year term. **Councilmember Turnbow made a motion to approve, Councilmember Haile seconded, and the motion passed unanimously by an oral vote.**

Announcement: Councilmember Ewing advised the Habitat for Humanity was holding a groundbreaking at 512 Oak Street on March 17, 2023, and all Councilmembers were invited.

Mayor Carroll stated he had given a Proclamation to Christine Craighead, a resident of Carriage House who recently turned 100 years old.

Attorney Shofner advised that 2021 Property Taxes could be paid at City Hall until Wednesday, March 29th. After that they will be turned over for a collection lawsuit.

With no further business Councilmember Turnbow made a motion to adjourn, Councilmember Haile seconded, and the meeting adjourned at 6:35 PM.

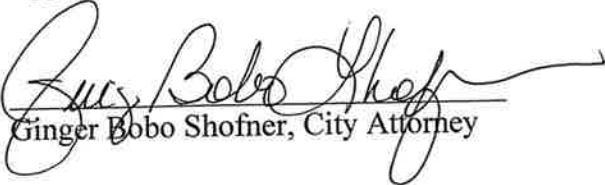
Approved:

Randy Carroll, Mayor

Attest:



Lisa Smith, City Recorder

Approved as to Form:



Ginger Bobo Shofner, City Attorney