

City Council Meeting Minutes

The Shelbyville City Council met in regular **Study Session** on **Tuesday, January 4, 2022**, at the Shelbyville Recreation Center, 220 Tulip Tree Road. The meeting was called to order at 6:00 PM by Mayor Wallace Cartwright.

The following were present: Mayor Wallace Cartwright, Councilmember Henry Feldhaus, Councilmember William Christie, Councilmember Marilyn Ewing, Councilmember Stephanie Isaacs, Councilmember Rick Overcast and Councilmember Gary Haile. Also, present were City Manager Josh Ray, City Recorder Lisa Smith, City Treasurer Kay Parker, and City Attorney Ginger Shofner.

Airport – EAA Hangar Lease: City Manager Ray advised this item and the next are coming from the Airport Authority Board. He noted the City Attorney is currently looking into the authority of the Airport Board to see if things like rate increases for hangar space need to be approved by Council but for now, we are bringing these items to Council for consideration. The Airport Authority Board approved a \$25.00 monthly increase in the Lease renewal of the EAA Hangar, a 50 x 50 hangar. The lease is for five (5) years and all other terms remain the same.

Airport – Hangar Rates: The Airport Authority Board approved an increase in the T-Hangar rates of \$100.00 so the monthly rent will be \$325.00, and an increase in the Community Hangar rate from \$0.07 to \$0.20 per square foot per month. The last item the Airport Board recommended was an increase in the Tie-Down Rental rate to \$50.00 per month with no fuel waiver. These changes will be effective with a 60 days' notice to tenants after approval by Council.

Railroad Madison Street Crossing Project: Manager Ray stated the Council had approved this item previously however the Railroad Authority was not able to secure a bid for the dollar amount that had been approved. They worked through the State to figure a new way and that has resulted in an increase in the City's match amount by \$2,200.79. Additionally, the City approved to front the money for this project to the Railroad and be repaid once the Grant funds are received. With the increase cost the City will now need to pay the Railroad \$220,023.82 to front the project.

City Square – Inside Circle Lighting Project: Manager Ray advised this item is for lighting around the inner circle of the Square and in conjunction with the Sidewalk project. It was looked at last month and in accordance with Council's instruction he reached out to the County, and they have agreed to commit \$100,000.00 to go toward this project. Additionally there were some reductions in a few items, so the total project costs now is \$295,091. Councilmember Overcast asked why the County would only pay \$100,000. Ray stated that is what they offered. Councilmember Christie stated the other option would be to leave as it is and Councilmember Haile noted he felt we should take what they offered and go ahead with the project. Councilmember Overcast stated he felt we needed to ask the County for an additional \$50,000 to make it even. Councilmember Feldhaus stated he would be fine to go ahead with it and make sure the project was done right in the first place. He further noted if someone wanted to go to the Commission meeting and make that request, they could but he was ready to proceed.

City Parks Master Plan: Park Director Mike Alsup reviewed the Plan advising this had been done in house and was no cost to the City. He further noted it is also now a requirement from TDEC in order to apply for LPRF Grants and should be updated every five (5) years. Councilmember Ewing stated she would like to see Mini-Golf brought back to the Park.

Visa Project: City Manager Ray noted this is a request for a change to our current City Visa Cards which is currently four (4) cards handled through the Purchasing Office. This would be a Resolution authorizing purchasing cards for each Department Directors through our current bank. The cards would be used based on our current Purchasing Policy. This is to give the Directors more flexibility to get needed supplies or for travel when needed.

Chamber of Commerce Building Lease: Ray advised the Chamber had approached the City concerning termination of the current Lease Agreement. He advised the current Lease is for the building for 99 years and noted there are some improvements needed on the Building. The Chamber is changing focus and no longer need the entire building; however, they would like a new 20-year Lease that would allow for the use of one office space. The City would have to take over the utility bills immediately upon termination of the Lease. Manager Ray additional advised the building would need some refiguring and updating for the City to use the building for office space. Councilmember Ewing ask if there would be money exchanged and Ray stated no. Councilmember Overcast stated he felt we should take the building back and leave the Chamber out of it. Councilmember Feldhaus questioned what space the Chamber would utilize. Ray noted the Chamber was only requesting one office space. He advised one option would be to turn one large area into a permanent Council Chambers. Additionally, we would still have room on the other side of the building for several office spaces.

RFQ's – PEG Channel: City Manager Ray stated there had been two proposals to set up the City's PEG Channel. He advised this could be handle in several ways including a workshop for the Council to hear the proposals from the two presenters. After Council discussed the difference in the two proposals including the costs, they decided to schedule the workshop and hear from the presenters themselves.

OLD BUSINESS:

ORDINANCES – Public Hearing – Second & Final Reading: NONE

RESOLUTIONS – Second / Final Reading and Public Hearing:

A Resolution Adopting a Plan of Service for the Annexation of Certain Areas by the City of Shelbyville, Tennessee; Area is Generally Defined as 22.52 Acres located on the Westside of U.S. Highway 231 North and Referenced on Bedford County Tax Map 69, Parcel 4.00. There was no discussion on this item.

A Resolution to Annex Certain Territory upon Written Consent of the Owners and to Incorporate the Same Withing the Boundaries of the City of Shelbyville, Tennessee. This Property is Located on the Westside of U.S. Highway 231 North and Referenced on Bedford County Tax Map 69, Parcel 4.00. There was no discussion on this item.

NEW BUISNESS:

RESOLUTIONS:

A Resolution of the City of Shelbyville, Tennessee in Support of Fasttrack Economic Development Program (FEDP) Application to Serve Project Cardinal. City Manager advised this is a Grant Application to assist Project Cardinal and comes to the City from the Shelbyville-Bedford County Partnership. They currently do not have the foundation to administer Grants. There will be no match required from the City.

A Resolution of the Mayor and City Council of Shelbyville, Tennessee Approving a Settlement in the National Opioid Litigation Against Distributors and Johnson & Johnson. City Attorney Shofner advised this is approving the settlement in the National Opioid Litigation against distributors and Johnson & Johnson. She noted there is no idea how much the settlement will be however if you do not participate you will receive nothing.

A Resolution of the Mayor and City Council of Shelbyville, Tennessee in Support of Building Code Enforcement and Administrative Regulation of November 24, 2021. City Manager stated this item will allow complaints to stay active until they are resolved. Currently, if the property is a rental and the tenant changes during an open complaint the complaint has to close. Councilmember Ewing questioned if this would allow the property owner to re-rent the property. Manager Ray advised if the issue was one that made it inhabitable, they would not be able to rent the property until the issue was corrected.

ORDINANCES: - First Reading

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 32.50 (+/-) Acres Owned by Eleazar Cruz Bautista and Gonzales Guzman Aide, Located Close to the Green Lane and Archery Lane Intersection and Referenced on Bedford County Tax Map 078, Parcel 011.07 From Low Density Residential (R-2) and General Commercial (C-2) to High Density Residential (R-4), and Repealing Any Ordinance or Portion of Ordinance in Conflict Therewith. Planning Director Waleed Albakry advised this request is for property of approximately 32 acres close to Green Lane and Archery Lane Intersection to be rezoned to R-4 (High-Density). He noted the current zoning is currently mostly R-2 (Low Density) with a small area of C-2 (Commercial). The current existing Land Use Map show more than 90% of the property to be Low Density and a small area of Commercial. High Density is not envisioned on the site. The applicant did provide a concept of the use of the property. Albakry noted the Planning Commission had considered this request and provided an unfavorable recommendation for the rezoning. Councilmember Ewing questioned the reason for the unfavorable recommendation and Albakry advised due to the rezoning not being consistent with the existing Comprehensive Land Use Map or the proposed Comprehensive Land Use Map that has not been adopted. They did not feel it was good fit. Councilmember Feldhaus stated he also noted in the Staff report it was noted there was no water or sewer in front of the property and there are at least 8 sinkholes that are of concern. Scott St. John spoke for the Developers noting the use for the property would be 58 townhouses. They plan to stay out of the sinkhole areas. He further noted they realized water and sewer would have to be extended from the back side of the property. He also addressed the zoning advising that there appears to be a mapping error as there is no Commercial zoned strip between the subject property and the Park Trail Apartment that are currently zoned R-4 and adjacent to this property. Therefore, this is a R-4 request directly adjacent to an R-4 property. He noted they are requesting Council give a favorable vote on this item or return this to the Planning Commission and ask them to investigate the mapping error. St. John also brought up concerns about the delay in the proposed Future Land Use Map and the issue it is causing with several developers. Further discussion ensued concerning options to speak to Shelbyville Power on the water and sewer issues and what type of development that is intended.

BUSINESS ITEMS: None

PURCHASING/BID ITEMS:

Purchasing: None

Bids: Gym and Pool Lockers – Recreation Center: Staff is requesting to reject the one bid received as it was over the Budgeted amount. The Park Director and Purchasing will investigate other options.

APPOINTMENTS:

Planning Commission – 1 seat (Mayor Appointments)

Historical Zoning – 1 seat (Mayor Appointments)

OTHER BUSINESS: None

ANNOUNCEMENTS:

City Hall will be Closed on Monday, January 17th in observation of Martin Luther King, Jr. Day. Monday's trash will be picked up on Tuesday, January 18th with Tuesday's regular route.

CITIZENS COMMENTS: There were several Citizen's Comments: Jane Prince Nengu spoke concerning the Annexation items and David Brown spoke concerning the rate increases at the Airport.

ADJORN:

With nothing further to discuss Mayor Wallace Cartwright adjourned the meeting at approximately 8:02 PM.


Approved:


Mayor, Wallace Cartwright

Attest:


City Recorder Lisa Smith

Approved as to Form:


City Attorney Ginger Bobo Shofner