

City Council Meeting Minutes

The Shelbyville City Council met in regular **Study Session** on **Thursday, January 5, 2021** at the Shelbyville Recreation Center, 220 Tulip Tree Road. The meeting was called to order at 6:00 PM by Shelbyville Police Officer Brandon Pasley.

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

SPWS Refinancing – Elizabeth Zuelke: Shelbyville Power Company General Manager, David Crowell spoke on behalf of Elizabeth Zuelke. He advised the Council the Power Company is working with Raymond James to refinance three (3) debts, one on the water system for approximately \$1.6 million and the other two revolving loan funds of approximately \$15,453,700.00 for sewer line and a new pump station on the North side of town. He noted the approximate savings will be around one-half a million. He introduced Jason Reece as the new finance person for the Power System and advised this will not extend the terms of the debts but will lower the debt.

Economic Development – Shane Hooper: Shane Hooper spoke to the Council concerning Economic Development. He advised his family is settling in and he is happy to be here. He then gave a presentation concerning where Shelbyville Bedford County is with Economic Development, where we need to go, and how to get there. He advised he felt there were three (3) main areas to focus on, (1) strengthen economic development presence, (2) addressing industrial efforts / create jobs, and (3) the downtown main street area. He advised we need to do a lot of relationship building with other stakeholders and work on branding and marketing. He noted he will also be taking a hard look at projects that landed in the surrounding area and what kept them for setting up here. He also stated the need to engage the private sector investors and advised that if anyone had questions or concerns, please do not hesitate to contact him. Councilmember Feldhaus stated Hooper had hit the ground running and had been very proactive in learning what needed to be done and setting the wheels in motion to get it accomplished.

Downtown Riverfront Project: This matter was referred to the end of the Agenda.

Chamber Letter – City’s Audit Request: Interim City Manager Saddler advised the letter was received between the December Study Session and the December Business Meeting. The letter lays out the scope of the Audit as requested by the City Council. Councilmember Feldhaus noted he was glad there was movement as this item had been requested in June. Saddler stated this letter simply outlines the procedures of the audit and the question is if this will be sufficient to satisfy the request. Feldhaus stated he would like to amend the request to include 2020 also as we are now in 2021. Councilmember Feldhaus noted he felt we were now in a position since Hooper had been hired to answer some of the other request made in previous letters such as funding and continuation of programs. Discussion on this matter paused to locate an earlier letter from the Chamber concerning funding and programs.

Downtown Riverfront Project: Councilmember Feldhaus advised the Amendment with Volkert had been signed and a meeting was being scheduled in the next few weeks to begin work on the feasibility study.

Council Power Board Seat Term: City Recorder Smith stated she had discovered in reviewing the Charter that the Council Representative Power Board Seat term was to be set by Ordinance and that had never been done, so as a matter of clean up she is requesting to put an Ordinance on the Agenda to do that and requested

the Council advise her on their desire for the term. Councilmember Feldhaus noted that most Council appointments are done every two years in December following the election in November. After further discussion it was decided to do this appointment every two years in December following the same schedule as other Council appointments and this is a City Council appointment.

OLD BUSINESS:

ORDINANCES – Public Hearing – Second & Final Reading:

An Ordinance of the Shelbyville City Council to Amend the City of Shelbyville Sewer Use Ordinance 2015-959, Section 1.2, Definitions and Section 2.2 Building Sewer and Connections. There was no discussion on this item as there have been no changes since 1st Reading.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 5.01 (+/-) Acres Owned by Hartsford Development, LLC Located Northeast of the Intersection of TN-437 and Fairfield Pike and Referenced on Bedford County Tax Map 69, Parcel 18.03 From Bedford County A-1(Agricultural-Forestry) to PUD (Planned Unit Development) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. There have been no changes so therefore there was no discussion on this item.

An Ordinance of the Shelbyville City Council to Approve the Global Manor Phase 7 Planned Unit Development Regulating Pattern Book as Recommended by the Shelbyville Municipal Planning Commission and Repeal any Ordinance or Park of an Ordinance in Conflict Herewith. There have been no changes on this item, therefore there was no discussion.

RESOLUTIONS-Second Reading and Final Reading: Public Hearing

A Resolution Adopting a Plan of Services for an Area Proposed for Annexation, the Territory Located on the Northside of Highway 437 By-Pass Referenced on Bedford County Tax map 69, Parcel 61.00 to be Annexed by Owner Consent and to be Incorporated Within the Boundaries of the City of Shelbyville, Tennessee, and Owned by Suzy Cartwright Johnson. City Recorder advised that there will be a request to amend this Resolution and the following one during the second reading at the Business Meeting. It has been discovered that the property is not owned by Suzy Cartwright Johnson. She sold it to Global Development, LLC in August and Mr. Stefanski who owns Global Development made the request to annex. However, when the Resolution was put together the information for the property came from the Property Assessor's website and had not been updated since the sale. Attorney Shofner noted since there had been a first reading the item could not simply be changed it would have to be amended.

A Resolution to Annex Certain Territory Upon Written Consent of the Owners and to Incorporate the Same Within the Boundaries of the City of Shelbyville, Tennessee. This Property is a 10.31 (+/-) Acre Tract of Land Located on the Northside of Highway 437 By-Pass Referenced on Bedford County Tax Map 69, Parcel 61.00, and Owned by Suzy Cartwright Johnson. The only change was the matter of ownership as noted above. There was no discussion on this item.

NEW BUSINESS:

ORDINANCES- First Reading

An Ordinance of the City Council for the City of Shelbyville to Establish the Term for the City Council Representative for the Shelbyville Power, Water & Sewerage Board of Directors and Providing for an Effective Date. This Ordinance was previously discussed.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 22.46 (+/-) Acres Owned by Hartsford Development, LLC Located Northeast of the Intersection of TN-437 and Fairfield Pike and Referenced on Bedford County Tax map 69, Parcel 18.02 from Bedford County A-1 (Agricultural-Forestry) to PUD (Planned Unit Development) and Repealing and Ordinance or Portion of Ordinance in Conflict Therewith. (This item received a favorable recommendation from the Planning Commission.) Acting Planner Kevin Chastine advised this area has had several Annexations and is the northerly expansion of the current Global Homes Development.

An Ordinance of the Shelbyville City Council to Approve the Global Manor PUD II (Phases 8-12) Planned Unit Development Regulating Pattern Book as Recommended by the Shelbyville Municipal Planning Commission and Repeal any Ordinance or Part of an Ordinance in Conflict Herewith. (This item received a favorable recommendation from the Planning Commission.) Chastine noted this item is attached to the previous one. The previous item is the rezoning for the property, and this is the Pattern Book which lays out the requirements for the development. City Recorder Smith noted the full Pattern Book had been uploaded to Dropbox for review by Councilmembers.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 1.05 (+/-) Acres Owned by Chris Prosser Located at 330 Dover Street and Reference on Bedford County Tax Map 79, Part of Parcel 29.00 from R-1 (Low Density Residential) to R-3 (Medium Density Residential) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. (This item received a favorable recommendation from the Planning Commission.) Chastine advised this property is a total of 2.14 acres the entirety of the property is zoned R-1 and currently has a towing business on it which is considered a non-conforming use. The owner is now requesting to rezone the 1.05 acres fronting Dover Street to R-3. The desire is to divide the property into three (3) lots for residential purposes. The towing business will remain at the back of the property with access. The surround properties are all zoned R-1 or residential low density. There are also residential homes across the street as well as to the west of the property. The current Land Use Map shows the property to be public semi-public use. Chastine advised the map was created in 2008 and the business was there so that was an error on the map at that time. From a staff perspective Chastine stated he was required to give the request an unfavorable recommendation to the Planning Commission as it does not match the Future Land Use Map. He further noted the lots proposed do match the lots sizing of the other residential lots to the west, so it does match the pattern of development in the area. Additionally, the Future Land Use Map does not specially note Medium Density Residential and Low Density Residential is considered 4 units per acres. The zone district of R-1 lot size would only allow one duplex unit per lot. Chastine advised after discussion the Planning Commission decided to give the property a favorable recommendation. Mayor Cartwright who sets on the Planning Commission and made the motion to give a favorable recommendation advised he had driven by the property and felt it would be an improvement and fit the area. Chastine showed the Plat submitted by the applicant for the size and proposed use of the lots. Chastine advised that the new Future Land Use Map as purposed shows this area as Mixed Use and this request would receive a favorable recommendation from Staff if the new Map had been adopted. The New Land Use Map should be at the Planning Commission for study in the next few months. It was noted by City Attorney that this item and the next item both received unfavorable recommendations from Staff because it did not meet the current Future Land Use Map, but the Planning Commission gave this item a favorable recommendation and followed Staff's recommendation for unfavorable on the next item. Mayor Cartwright noted the difference is the request of the following item it to go from C-2 to R-4 and the area all around the property is Commercial. This request is to change from R-1 to R-3 and the surrounding property is residential.

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 1.06 (+/-) Acres Owned by Russell Flade Located at 328 Bethany Lane and Referenced on Bedford County Tax Map 89F Group G Parcel 18.00 From C-2 (General Business District) to R-4 (High Density Residential) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. (This item received an unfavorable

recommendation from the Planning Commission.) Acting Planner Chastine explained this request is for property located on Bethany Lane which is currently zoned C-2 and would request to be zoned R-4. There was a home on this property as a non-conforming use, but it had been torn down and therefore lost the non-conforming use. Councilmember Feldhaus stated he felt there was enough difference in these two requests to allow for the difference recommendations. One is only moving around in the Residential zone and the other wants to go from Commercial to Residential. Councilmember Feldhaus noted he would like to see copies of the Zoning Maps, as that would help him decide. He noted he understood the difference in the Planning Commission's recommendations as the Dover Street area is more transitional from Commercial – Public Use to Residential with Residential all around the subject property. While the property on Bethany Lane is mostly commercial. Chastine advised he would forward the requested Maps to the Council prior to the Business meeting. Chastine stated the closest residential on Bethany Lane was to the North at around 300 feet. The closest to the South is about 750 feet.

An Ordinance to Amend the Adopted Budget Ordinance (As Amended) of the City of Shelbyville, Tennessee Various Funds, For the Fiscal Year 2020-2021, the Period Ending June 30, 2021. Interim City Manager Saddler stated this item is being added and has an attachment showing Budget Amendments to date. Saddler then advised that the mandate on Sick Leave had concerning EPSL (Extended Paid Sick Leave) for COVID related absences had expired on December 31, 2020. However, on December 22nd Congress passed a Stimulus Bill that will allow employers to voluntarily provide those same benefits and receive the corresponding tax credit through March 31, 2021. Saddler noted over the past 8 to 9 months there have been many employees who have benefited from this and the Department Directors are requesting to extend the benefit. She further advised there is a limit of 80 hours and it would only apply to the employees who have not yet used the benefit. City Treasurer Parker then went over the Budget Amendments noting the original Budgeted amount for this benefit had been \$15,000 and to date there has been \$80,000 expended, with most of that been used in November and December. She suggested if the Council votes to extend the benefit she would suggest \$25,000 more a month for the three (3) months and she stated the funds could come from the Fund Balance or the TN Cares Act Funds. Councilmembers Christie stated he felt this is the right thing to do and Councilmember Feldhaus agreed. Councilmember Feldhaus questioned if there may be a time in the future when we could submit this paid sick leave to be reimbursed under a future Government stimulus. Feldhaus stated he would prefer to use the Cares Act to fund this and fund the turn out gear for the Fire Department under the General Fund. City Treasurer Parker then reviewed the other listed Budget Amendments including noting the amount we are currently paying Griggs and Maloney for Kevin Chastine to act as Planning Director with the Council stating they would wait for the new City Manager to be in position before deciding about hiring a new Planning Director.

RESOLUTIONS

A Resolution Authorizing the Issuance of Approximately \$17,450,000 in Aggregate Principal Amount of Federally Tax-Exempt and/or Federally Taxable General Obligation Refunding Bonds of the City of Shelbyville, Tennessee; Making Provision for the Issuance, Sale and Payment of Said Bonds; Establishing the Terms Thereof and the Disposition of Proceeds therefrom; and Providing for the Levy of Taxes for the Payment of Principal of, Premium, if any, and Interest on the Bonds. (In reference to Shelbyville Power, Water and Sewerage). Interim City Manager Saddler recognized Elizabeth Zuelke from Raymond James. Councilmember Feldhaus requested she provide him with the specific statement he would need to make to recuse himself from the vote on this item due to his affiliation with Raymond James. Zuelke then noted at this time everything is proceeding along well and it appears there will be a savings of approximately \$500,000.00 to \$750,000.00.

BUSINESS ITEMS: None

PURCHASING/BID ITEMS: None

APPOINTMENTS: Mayor Cartwright noted the following appointments will be made at the Business Meeting:

1. Planning Commission – 1 seat /3-year term - Mayor
2. BZA – 2 seats / 2-year term - Mayor
3. Housing Authority – 1 seat for a resident 5/year term - Mayor
4. Beer Board - 1 seat (remaining six-month term) – Mayor.

OTHER BUSINESS: City Recorder Smith advised she had located the previous letter from the Chamber and stated it concerned a request for \$50,000 funding, the audit and the Chamber continuing to act as the Industrial Recruiter and Economic Developer for Shelbyville and Bedford County, noting they were continuing to respond to request but were not receiving any funds from the City, so the Chamber wanted to request the Hotel/Motel tax to continue to be paid to them to fund their efforts. Smith continued that at the time of the receipt of this letter the Council decided to not do anything until the audit request was answered. Smith noted that she felt the discussion concerning what the Chamber would continue doing was held at a Shelbyville Bedford County Joint Economic Committee meeting. Councilmember Feldhaus stated we now have hired an Economic Developer and he is now ready to move forward with addressing these issues. Councilmember Christie stated he felt we should response to the request for \$50,000 and Smith noted that request is actually for \$50,000 a year for five years. Feldhaus noted that the joint Shelbyville Bedford County Economic Advisory Committee will be meeting next week to discuss the structure and responsibilities of the Economic Developer. City Treasurer Parker advised there is also a \$5,000 contribution to the Chamber as a standard item in the Budget so she will need to be advised on that soon. Councilmember Feldhaus invited the Council to come to the Advisory Committee Monday at noon. After further discussion it was decided to have a Business item on the Agenda next week to respond to the Chamber's audit letter requesting that 2020 be included. After further discussion and review of previous minutes it was noted that the Council had voted in October to deny the funding requested in the Chamber's September 30, 2020 letter and noted once the requested Audits were received the funding request would be placed on a future Agenda so therefore there is no need to respond at this time. Additionally, discussion ensued concerning the need for the Chamber and the desire for some of their programs to continue. City Recorder noted that the meeting of the Shelbyville Bedford County Economic Advisory Committee scheduled on the 11th it will be discussed what responsibilities will be assigned to Shane Hooper as the new Economic Developer. The division of job assignments will be discussed on the February Study Session.

ANNOUNCEMENTS:

City Hall will be Closed on Monday, January 18th in observation of Martin Luther King, Jr. Day. Monday's trash will be picked up on Tuesday, January 19th with Tuesday's regular route.

CITIZENS COMMENTS: None

ADJORN:

With nothing further to discuss Mayor Cartwright adjourned the meeting at approximately 7:59 PM.

Approved:

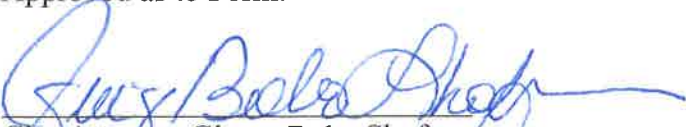

Mayor Wallace Cartwright

Attest:



City Recorder Lisa Smith

Approved as to Form:



City Attorney Ginger Bobo Shofner