

City Council Meeting Minutes

The Shelbyville City Council met in regular **Study Session** on **Tuesday, November 30, 2021**, 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.

Public Television RFQ: City Manager Ray advised this item is for authorization for Staff to put out an RFQ for a manager for the City's Public Television Department. This would be similar to the way the Tourism and Marketing Department was handled. The person or organization selected would lead through establishing the policies and procedures and also identifying the equipment needed. Councilmember Ewing requested where the RFQ would be posted. City Manager Ray stated it would be published in all media as well as other areas. Ray noted the Council would provide a Resolution of Direction once someone was selected. City Council would set the Budget for operations of the Department. City Councilmember Overcast ask what the cost would be, and Ray advised he could not say for sure but would anticipate around \$150,000 a year. This does not include the equipment and setup costs; however, this is a \$30,000 fund to go towards that cost.

Akerman LLP Contract: Manager Ray stated the Akerman Contract had been discussed during the recent Council retreat. The contract began in February of 2021 and to date we have spent \$90,000. He advised the item will be on the Agenda as a Business motion with three (3) options: (1) Continue the Contract as is – (2) Change/Alter the Contract – (3) Cancel the Contract. Councilmember Christie stated he did not feel there had been any return on our investment.

Sidewalk Project Upgrades: Ray advised the original goal on this project was to complete the entire project, so we do not have to go back and address any other items. He further advised there had been some items discovered during the process that were not covered by the Contract and they have been addressed using the FY22 streets and sidewalks budget. There have been some additional things that have been identified that include inner circle median and light poles located there. Ray stated to upgrade the light poles and the median the total cost from Shelbyville Power and Curl Construction is \$355,000, which breaks down to \$179,999 to Curl Construction, \$115,092 for Shelbyville Power for light poles and \$60,000 for new pole signs. Ray advised that if Council does not want to approve the additional cost at this time the final paving will most likely not be done until the items can be completed during a future budget cycle. Councilmember Overcast stated the inner circle belongs to the County. Ray stated he had done some research and the light fixtures are the City's responsibility and the inner property is the County's. Overcast advised he felt the County should help as it is part of their property. Manager Ray stated the County has advised they do not have funds to assist. Councilmember Overcast asked about some of the mistakes Curl is making on the current project. Ray stated they are currently holding weekly meetings to address any issues and they will be held to accountable measures. Overcast noted there were issues on the Depot Street Project that had not been corrected, Manager Ray stated he has had a conversation with Curl and those issues will be addressed once the current project is completed.

Clean Hands Ordinance: City Manager Ray advised this purpose of this Ordinance is to require individual to be free of all debt with the City to do business with the City. It would become part of the review process when someone applies for a permit. City Attorney Shofner advised she had reviewed the purposed Ordinance and she

has concerns over the statutory authority and Constitutional issues. Clean Hands Doctrine is different than this. She further advised she reached out to MTAS, and they were not familiar with it and did not believe that the City could deny services based on this principal. She also noted she was unsure where this item came from and if there was a specific need. Discussion continued with Shofner advising Council of the items she had discovered during her research of this type of Ordinance and that she felt this would need more time and more research.

OLD BUSINESS:

ORDINANCES – Public Hearing – Second & Final Reading:

An Ordinance to Amend 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.

There have been no changes since First Reading and there was no discussion.

NEW BUSINESS:

RESOLUTIONS:

A Resolution of the City of Shelbyville, Tennessee Authorizing a Grant Application with FEMA/Homeland Security for the Assistance to Firefighters Operation and Safety Grant (AFG). City Manager stated this is the same Grant we applied for last year and we did not receive it, so we are working with a different partner and trying again.

A Resolution of the Mayor and Shelbyville City Council to Apply for a Community Transportation Planning Grant with the Tennessee Department of Transportation Long Range Planning Division.

Manager Ray advised this Grant can be used to help with the Street Improvement Plan or to look at the throughfare program for the City. There will be a meeting with South Central Tennessee Development District to decide the best way to proceed if Council agrees for the City to apply for the Grant.

A Resolution of the Mayor and City Council of Shelbyville, Tennessee Stating the Desire for the Future Direction of the Shelbyville Municipal Airport. This Resolution will provide the desire of the Council for the Airport's future direction. Councilmember Feldhaus commented that currently the City subsidizes the Airport of around \$200,000 and he would like to see a large jet hangar to be built at the Airport. This would house 4 or 5 jets which could provide a profit of around \$100,000 per jet a year. After further discussion it was agreed to add the jet hangar vision to the Resolution.

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.

ORDINANCES: - First Reading

An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 22.52 (+/-) Acres Owned by Ida Brixey, Located on the Westside of U.S. Highway 231 North and Referenced on Bedford County Tax Map 69, Parcel 4.00 from Bedford County A-1 (Agricultural & Forestry) and Shelbyville Residential-2 (R-2) to Commercial-2 (C-2) and Residential-4 (R-4), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Planning Director Waleed Albakry advised this property is the same property requesting to be annexed in the previous two items. It is located across the Highway from

McDale Lane. A small portion is currently in the City and zoned for Low Density. The request is to zone the front for Commercial and the back portion of the property for R-4 High Density. The Planning Commission gave the Annexation requests a favorable recommendation however they gave this rezoning request an unfavorable recommendation due to the fact that the Future Land Use Map does not envision this property for High Density.

BUSINESS ITEMS: None

PURCHASING/BID ITEMS:

Purchasing

HGAC National Cooperative – 8 sets Lion V-Force (Coats & Pants) Turnout Gear: City Manager Ray noted the cost for the turnout gear is \$19,816 and the Budgeted amount was \$23,000.

Sourcewell National Cooperative – Fire & Police Depts. – LED Display View Boards: This purchase is for two LED Display View Boards to be used in the Fire and Police Training Facility. The item is not budgeted but is being paid in full by a donated funds.

Omnia Partners National Cooperative – Microsoft Office 365 & Microsoft Exchange: Manager Ray advised this item will allow all City Department's to transfer over to Office 365 which will provide additional storage and increased security. The total cost is \$63,834.20 and this item was not specifically budgeted for however it will be covered out of each Department's software Budget.

Bids:

Fireworks Display for July 4th, 2022: This cost is normally split between the City and County. The bid amount was \$11,000 and the Budgeted amount was \$15,000. This was the only bidder and is the same company as last year.

APPOINTMENTS:

Planning Commission – 3 seats (Mayor Appointments)
Board of Zoning Appeals – 2 seats (Mayor Appointments)
Historical Zoning – 2 seats (Mayor Appointments)

OTHER BUSINESS: None

ANNOUNCEMENTS:

City Hall will be Closed on Thursday, December 23rd and Friday, December 24th in observation of the Christmas holidays.

Public Works will be closed Thursday, December 23rd and Monday 27th in observation of the Christmas holidays. Thursday's trash will be picked up on Wednesday, December 22nd with Wednesday's regular route. Monday's trash will be picked up on Tuesday, December 28th with Tuesday's regular route.

City Hall will be closed on Friday, December 31st in observation of New Year's Day.

CITIZENS COMMENTS: There were several Citizen's Comments: Kelly Waller spoke to thank the City Manager for meeting with renters and thanking the Council for recent changes that have been made however she noted there are still issues with substandard housing. Nicole Burgeron and Cara Grimes also spoke in favor of continued assistance to control substandard housing and protect renters from retaliation. Wayne Hitchcock stated he is a Business owner on the Square, and he felt the improvements to the sidewalks have been a positive change and he felt the construction company was doing a good job. He also spoke in support of the jet hangar

project at the Airport. Stacy Roach spoke on behalf of Curl Construction and voice confusion over the unfavorable recommendation from the Planning Commission on the Highway 231 property. She advised property on McDale Lane which is across the Highway was rezoned in the same way as is being requested last year.

ADJORN:

With nothing further to discuss Mayor Wallace Cartwright adjourned the meeting at approximately 7:36 PM.

Approved:



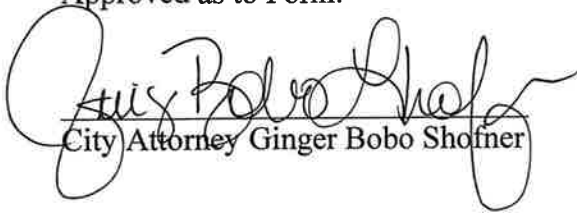
Mayor, Wallace Cartwright

Attest:



City Recorder Lisa Smith

Approved as to Form:



City Attorney Ginger Bobo Shofner