

## City Council Meeting Minutes

The Shelbyville City Council met in regular **Study Session** on **Tuesday, March 2, 2021** at the Shelbyville Recreation Center, 220 Tulip Tree Road. The meeting was called to order at 6:00 PM by an Officer of the Shelbyville Police Department.

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 City Manager Josh Ray, City Recorder Lisa Smith, City Attorney Ginger Shofner, and City Treasurer Kay Parker (by zoom).

**FY 2019-2020 Annual Audit & Comprehensive Financial Report:** Patrick Lile gave a report on the FY 2019-2020 Audit advising there did not appear to be any negative impact due to COVID. He further advised the result of the audit was a clean unmodified opinion.

**Shelbyville Power Board Appointment Advertisement:** City Manager Ray stated there will be two seats on the Shelbyville Power Board up for appointment in May and Staff is requesting the authorization to advertise for applications and asks that those application be turned in by April 23<sup>rd</sup>. Interviews will be conducted prior to the May Business meeting.

**Proposed Budget Calendar:** Ray advised he has handed out a draft of the Budget Calendar and it was a little different than past years. He is requesting Council consider a meeting prior to the Budget workshops to discuss their visions and priorities for the FY 22 Budget. After a short discussion the Council decided to have a Special Called Meeting on April 7<sup>th</sup> at 12:00 PM. Ray further noted that in order to streamline the process he will present the Budget to Council on May 18<sup>th</sup>. Additionally, unless Council wishes to hear from a specific Department there will be no individual Department presentations. Departmental Budget meetings will take place with the City Manager and Finance the week of April 12<sup>th</sup> through April 16<sup>th</sup>.

**Interlocal Agreement Amendment:** Manager Ray stated the changes from the Interlocal Agreement are being presented to the City and County for approval. Actions taken will be to create a 501c6 and 501c3 for Economic Development and for the position of Economic Director to be an employee of the 501c6. The City County joint funds currently held by the City will be turned over to these new entities except for \$10,000 that will be retained to fund the Shelbyville Bedford County Joint Economic Advisory Board. Councilmember Feldhaus advised this will move Economic Development to the nonprofits and the joint board will focus on tourism and workforce development. Attorney Shoffner noted this Amendment also allows for the City to be reimbursed for the \$72,000 that came from the Hotel/Motel Fund and was given to the County to help pay the costs of hiring Shane Hooper.

### OLD BUSINESS:

#### **ORDINANCES – Public Hearing – Second & Final Reading:**

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 15.36 (+/-) Acres Owned by Thomas and Norma J. Wright, Located North of Railroad Avenue and Referenced on Bedford County Tax Map 077, Parcel 24.00 from R-1 (Low Density Residential District) to I-2 (General Industrial District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith.** It was advised by Manager Ray that there would be a small amendment to both Second Reading Ordinances, that being the rewording of the bottom lead in paragraph to read “Be it Ordained by the City of Shelbyville, Tennessee” as this is the correct form stated in the Charter. There was no additional discussion.

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 9.76 (+/-) Acres of 15.04 (+/-) Acres Owned by Brayne Development and Located East of U.S. Highway 231 Just North of McDale Lane and Referenced on Bedford County Tax Map 069, Parcel 5.00 from C-2 (General Business District) to R-4 (High Density Residential District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith.** The same change as listed in the item above with no further discussion.

**NEW BUSINESS:**

**ORDINANCES- First Reading**

**An Ordinance to Amend Title 4 Building, Utility, and Housing Codes of the Shelbyville Municipal Code to Introduce Chapter 17 Fences and Providing an Effective Date.** Manager Ray advised in reviewing the City Code we do not currently have a Fencing Code. Building and Codes Director stated this is being added to give a framework of what would be allowed for fencing, such as establishing boundaries and materials. He noted it had been developed using neighboring communities for guidance. Attorney Shofner questioned the administrative aspects and if this will fall under the Building Code or Zoning. Ray noted that it will be falling under the Municipal Code Building Ordinance. Shofner advised this will require a new complete administration with how violations will be handled and who the appeals would report to. Ray advised the questions will be addressed and Ordinance updated prior to the Business Meeting.

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 5.46 (+/-) Acres Owned by James B. Rollins, located South of Madison Street at the Intersection with Richland Drive and Referenced on Bedford County Tax Map 090, Part of Parcel 113.00 From C-2 (General Business District) to R-4 (High Density Residential District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. This item received a favorable recommendation from the Planning Commission.** Acting Planner Kevin Chastine advised this follows a recent annexation request. The property is C-2 and will remain that along the road frontage on Madison Street for 200 feet with the back of the property becoming R-4 which is in compliance with the current Future Land Use Map. Additionally, as noted the Planning Commission forwarded the request to the Council with a favorable recommendation.

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 10.31 (+/-) Acres Owned by Global Development, LLC, located on the Northside of Highway 437 By-Pass and Fairfield Pike and Referenced on Bedford County Tax Map 069, Parcel 61.02 From R-1 (Low Density Residential District) to C-2 (General Business District), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. This item received a favorable recommendation from the Planning Commission.** Chastine stated this item was a large tract that was bisected by the Bypass and this is the smaller portion. It is currently zoned R-1 but there is little likelihood of residential being able to fit on this parcel due to the shape. When the Future Land Use Map was developed there was no plan for the Bypass, so this area was not felt to be used for commercial but now it seems appropriate.

**An Ordinance of the City of Shelbyville, Tennessee to Approve the Rezoning of 29.00 (+/-) Acres Owned by Curl Properties, LLC, located North of Brown Lane, and Referenced on Bedford County Tax Map 069, Parcels 74.00, 74.01 and 77.00 from R-2 (Low Density Residential) to PUD (Planned Unit Development District) and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. This item received an unfavorable recommendation from the Planning Commission.** Planner Chastine noted this property was before the Council last month with a request to rezone to R-3 and the request failed as the requested zone did not comply with the classification of low-density use. As the new request is to rezone to PUD there are no restrictions, and they will have to create a Pattern Book to set those regulations for lot size, density, and setbacks. The Comprehensive Plan that we currently have allows for a PUD, but it would require no more than four units per acre, therefore Staff was able to provide a favorable recommendation as PUD has no density requirements at this point. The next step if approved would be the Pattern Book and then it would be approve based on the classifications at that time. However,

the Planning Commission did provide an unfavorable recommendation for this request and Chastine felt it was based on that the Future Land Use Map does not allow for more than four units.

**RESOLUTIONS:**

**A Resolution of the Mayor and City Council of the City of Shelbyville Authorizing and Directing the City Attorney to File the 2019 Tax Bills for the Collection of All Delinquent Taxes for that Year.** City Treasurer Parker stated she was thinking the deadline to pay the 2019 Tax Bills at City Hall will be Monday, March 29<sup>th</sup> and any unpaid bills will then be turned to the Chancery Court Office. City Attorney Shofner reminded that there was no tax sale last year due to COVID restrictions which are still in place. However, the hope is the rules will lift and allow a sale in the summer.

**BUSINESS ITEMS:**

**Winnett & Associates, PLLC Engagement for Audit FY 2021.** Manager Ray advised this is the Engagement for the Audit services for the current Fiscal Year Audit. The cost increased \$1,125.00 from the FY 20 Audit.

**PURCHASING/BID ITEMS:**

**Fire Department – Purchase of Two (2) Trucks \$82,982:** City Manager Ray stated the City currently has five (5) non apparatus vehicles. With the opening of Fire Hall 3 the Fire Chief and Training Officer have given up their vehicles to have a vehicle at each Fire Hall. The request is to purchase two new trucks on State Contract at a cost of \$41,491.00, each, which includes the lights, sirens, consoles, and radio mounts, however, this purchase is not in the current year's Budget. The new vehicles would replace the Fire Chief and Training Officer's old trucks stationed at the Fire Halls and the older trucks would go back to the Chief and Training Officer. The trucks are currently on the lot at the Ford Dealership in Murfreesboro and Ray noted that if you wait until Budget time to purchase these the wait for delivery could be delayed.

**APPOINTMENTS:** Planning Commission – Mayor Appointment – one (term expires December 2022)  
Library Board – Charity Troyer moved to County Appointment / Council Approval

**OTHER BUSINESS: None**

**ANNOUNCEMENTS:**

City Manager Ray advised there will be a Dinner Meeting with Representative Pat Marsh and Senator Shane Reeves for a discussion of the Legislative update on March 18<sup>th</sup>.

Councilmember Ewing questioned what happened to the properties that were up for tax sale last year and City Attorney Shofner advised they will roll over and the sale this year will be for two years.

**CITIZENS COMMENTS: None**

**ADJORN:**

With nothing further to discuss Mayor Cartwright adjourned the meeting at approximately 7:09 PM.

Approved:

  
Mayor Wallace Cartwright

Attest:



City Recorder Lisa Smith

Approved as to Form:



City Attorney Ginger Bobo Shofner