

City Council Meeting Minutes

The Shelbyville City Council met in regular **Study Session** on **Tuesday, June 1, 2021**, at the Shelbyville Recreation Center, 220 Tulip Tree Road. The meeting was called to order at 6:00 PM by Vice Mayor Henry Feldhaus. Mayor Wallace Cartwright was absent.

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

RC Cola & Moon Pie Festival Request: City Manager Ray advised this item was mentioned previously during a recent Tourism discussion. With no one currently being designated to handle Tourism issues these requests will go through the City Council. The RC Cola & Moon Pie Festival is a 2-day event and the request for \$5,000.00 is the same as in the past several three years. Councilmember Feldhaus advised the Chamber has been granting this \$5,000.00 in prior years with funds from the Hotel/Motel taxes. Councilmember Ewing ask if there were any other requests at this time and City Manager Ray stated not at this time and the goal is to establish a Tourism Board to handle these items.

Fairfield Pike Project Extension Request: Manager Ray noted this project currently is set to expire in September 2021 and a three-year extension request is needed. He further stated the NEPA had been completed and approved by FHWA. The project is currently in the design phase and will then proceed to the right-of-way (ROW) acquisitions.

231 N. Business Park Addendum: Vice Mayor Feldhaus advised this a request to change the language in the Interlocal Agreement for the Business Park to change the Chamber Representative to the Shelbyville-Bedford Partnership, Inc. Executive Director. The 231 N. Business Park Oversight Committee did vote to approve this addendum.

Option to Purchase Real Property: Vice Mayor Feldhaus stated the 231 N. Business Park Committee which he serves as Chairman, has been looking at for additional land for the Business Park. There has been a recommendation from TDEC and TVA representatives that a second entrance to the Business Park is needed. The Carlton land which consists of approximately 33 acres is the best option for this. The 231 N. Business Park Committee has recommended that the City and County move to purchase this property. Currently we have a 90-day Option at no cost to be signed. City Manager Ray added that during the 90-day option period the City and County will use that time to do due diligence on the research of the property such as environmental and jurisdictional water assessments. Additionally, they will do a complete overview of water, sewer, electric and natural gas options. Councilmember Ewing ask about the total cost of \$2.1 million which is to be split with the City and County and amounts to around \$63,000 an acre. Councilmember Christie ask if the intention would be to be the newly approved TCAT campus on this property. Vice Mayor Feldhaus stated the State would be the ones to decide where that campus would go. City Manager Ray advised the main desire is the access road. Christie noted that if the TCAT was put on the highway it would be a great draw. Councilmember Ewing ask what the drawback would be to not purchasing the additional property. Councilmember Feldhaus stated with TCAT and two other projects that are currently looking at locating here the park would be full.

Annexation Request – Barlee Ventures (Tax Map 069, Parcel 25.09): Acting Planner Chastine advised this is a request to annex 3.9 acres located at Highway 437 Bypass and Fairfield Pike. In compliance with MTAS best practices this request comes before the Council to be considered for referral to the Planning Commission

for further study. It is adjacent to the City Limits located in Bedford County and currently zoned C-1 and A-1. The property is in the growth boundary and does continue the pattern of development in the area. Chastine reviewed the surrounding properties and their current uses. Staff recommends Council approve the referral to the Planning Commission for further study. Councilmember Feldhaus noted he felt this would be a prime commercial spot. Chastine advise the current Land Use Map does show this area as residential, however at the time the map was developed the Bypass was not there. The purposed new Future Lane Use Map does show this area as the Bypass corridor and would allow both residential and commercial development.

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 2020-2021, the Period Ending June 30, 2021.

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

An Ordinance (As Amended) of the Shelbyville City Council to Amend Article I General Provisions of the Shelbyville Zoning Ordinance by Replacing Section 1.9 Severability with Section 1.9 Board of Zoning Appeals and Renumbering Section 1.9 Severability to Section 1.10, Interpretation to Section I.I 1, Penalties to Section 1.12, and Remedies to Section 1.13 and to Repeal Any Ordinance or Part of An Ordinance in Conflict Therewith. There have been no changes to this Ordinance since First Reading and no further discussion.

An Ordinance of the Shelbyville City Council to Amend Article II Definitions of the Shelbyville Zoning Ordinance by Adding A Definition Of FENCE, Amending the Definition of Accessory Use and Structure, Amend Article III by Adding Section 3.14 Fencing, and Amend Section 6.3(E) Destruction and To Repeal Any Ordinance or Part of An Ordinance in Conflict Herewith. There have been no changes since the First Reading and there was no further discussion.

An Ordinance (As Amended) of the City of Shelbyville, Tennessee, Establishing the Municipal Property Tax Rate for the Fiscal Year 2021-2022 at \$1.69 on Each \$100 of Assessed Valuation of Property and Providing for an Effective Date of July 1, 2021. There was no discussion on this item.

An Ordinance (As Amended) of the City of Shelbyville, Tennessee, Adopting the Annual Operating and Capital Improvements Budget, All Funds, For the Fiscal Year 2021-2022 and Providing for an Effective Date of July 1, 2021. There was no discussion of this item.

An Ordinance to Make Final Amendments to 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. City Manager advised this is the Final Budget Amendments for the FY 20-21.

NEW BUSINESS:

ORDINANCES- First Reading

An Ordinance of the City of Shelbyville, Tennessee To Approve the Rezoning of .44 (+/-) Acres Owned by Anastacio Hernandez, located at 121 Bethany Lane and Referenced on Bedford County Tax Map 089F, Group F, Parcel 21.00 From Residential-3 (R-3) (Medium Density Residential District) to Residential-4 (R-4) (High Density Residential), and Repealing any Ordinance or Portion of Ordinance in Conflict Therewith. Acting Planner Chastine advised this is a request to rezone the property from R-3 to R-4. He then gave a review of the zoning of the surrounding properties and advised this did receive a favorable recommendation from the Planning Commission. It was further

noted that unlike a recent request that was turned down this property does have two larger properties across the street that have the same type of development and commercial higher intensity use behind.

RESOLUTIONS:

A Resolution of the City of Shelbyville, Tennessee to Approve and Adopt a Capital Improvements Program Guide for Fiscal Years 2022 to 2026. City Manager Ray advised this is the Capital Improvements Program Guide which is updated annually and included in the Budget documents.

A Resolution to Authorize Appropriations for Non-Profit Organizations. City Manager Ray this is a requirement to advertise the Non-Profits included in the annual Budget. Councilmember Ewing questioned if this is the asked dollar amount from the organizations. City Treasurer Parker advised that in a previous year Council had voted to reduce the amount by 20% to eventually eliminate them completely however based on the way the Motion was worded the amount being reduced by 20% annually would go on forever. Councilmember Christie stated the intent of the Council was to have it eliminated within five (5) years. City Manager Ray stated if Council desired Staff could send out new letters with a plan to completely eliminate the payments within three (3) years. Councilmember Feldhaus noted the purpose was because citizens wanted to donate their funds to the charities of their choices not have the City decide. After discussion this will be a business item on the Agenda next week.

PURCHASING/BID ITEMS:

Purchasing:

Rocks – Vulcan Materials (2nd year of 2-year Option to Renew) - City Manager Ray advised this a renewal option on this contract and this is the final year.

Rock – Rodger Group (2nd year of 2-year Option to Renew) – same comment as item above.

Photography Services for Sports Leagues – Mac Brown Photographers – This is a 2nd renewal also and there was a slight increase, however this is not something we pay it is provided to the Sports Leagues at their costs.

Bids:

Boiler Replacement – Recreation Center: City Manager Ray advised there were two bids received and the low bidder was the same company that replaced the last boiler. The Bid was for \$21,938 and \$17,000 was allocated but City Treasurer Parker advised the Parks and Recreation Capital has enough money to absorb the difference.

Paving of City Streets – 2021 w/two-year Option to Renew: City Manager Ray stated there were two companies that bid, Volunteer Paving and Wright Paving and based on the numbers Staff recommends Wright Paving.

Oil Change & Vehicle Service – 2021 w/two-year Option to Renew: City Manager Ray noted Tire & Muffler USA was the Bidder and we have used them previously and Staff is comfortable going with them again.

APPOINTMENTS: None

OTHER BUSINESS: Councilmember Overcast stated he would request that Staff work on a proposal to deal with the Panhandlers. He noted they are getting worse on several street corners and there should be a way to regulate them.

ANNOUNCEMENTS: Councilmember Ewing requested a report on the work that Akerman is doing for the City.

CITIZENS COMMENTS: Truly Ponder spoke concerns about the proposed tax increase. He noted he did not feel that the increase had not been advertised well. Further he felt the Newspaper article was deceptive. He then spoke on the revenue surplus and that there was no need for a 25% property increase and that the citizens are not aware of the increase.

ADJORN:

With nothing further to discuss Vice Mayor Feldhaus adjourned the meeting at approximately 7:08 PM.

Approved:



Vice Mayor Henry Feldhaus

Attest:



City Recorder Lisa Smith

Approved as to Form:



City Attorney Ginger Bobo Shofner