

BOARD OF COMMISSIONERS' MEETING

Minutes

November 21, 2017

7:00 p.m.

- I. **Call to Order** – Mayor Roberts called the meeting to order at 7:00 p.m. and asked for a moment of silence in memory of Red Bank Firefighter Robbie Wilson's wife who passed away this past Sunday.
- II. **Roll Call** – City Manager Smith called the roll. Mayor Roberts, Vice Mayor Pierce, Commissioner LeCompte and Commissioner Pope were present. Commissioner Rose was absent. Also present was City Attorney Arnold Stulce, Deputy Fire Chief Brent Sylar, Police Chief Robert Simpson, Finance Director John Alexander and those listed on Exhibit "A".
- III. **Invocation** – Vice Mayor Pierce gave the Invocation.
- IV. **Pledge of Allegiance** – Mayor Roberts led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
 - A. **November 7, 2017 Agenda Work Session**
 - B. **November 7, 2017 Commission Meeting**Commissioner LeCompte made a motion to approve the minutes as printed, second by Vice Mayor Pierce. Both sets of minutes were approved with all Commissioners voting "yes".
- VI. **Communication from the Mayor**
 - Welcomed everyone.
 - Wished all a happy and safe Thanksgiving
- VII. **Commissioners Report**
 - **Vice-Mayor Eddie Pierce**
 - Welcomed everyone.
 - Wished all a happy Thanksgiving
 - 1 year anniversary of the Woodmore Elementary bus accident that killed six students. Asked everyone to pray for and remember the families of the victims.
 - **Commissioner Ed LeCompte**
 - Thanked everyone for coming.
 - Attended the Chamber Lunch, Sentator Bo Watson was the speaker. The Chamber presented the Family Justice Center's satellite office, located at White Oak United Methodist Church, with a \$2,500.00 donation.
 - **Commissioner Terry Pope**
 - Welcomed everyone.
 - Wished luck to the Red Bank Lion's football team. They will be in the playoffs to hopefully advance to the State Chamionship.
 - Red Bank High School is selling fruit.
 - **Commissioner Carol Rose**
 - Absent
- VIII. **City Manager Report**
 - Invited all to attend the annual Christmas Parade and Festival on December 2nd, vendors open at 4:00 p.m. parade starts at 5:30.

PUBLIC HEARING

Mayor Roberts advised that the purpose of the Public Hearing was to consider citizen input in regard to the following two items:

A) Amending the Zoning Ordinance in regard to Flag Lots.

Mayor Roberts explained that if this ordinance is approved the setback requirements for flag lots will be decreased from 200 feet to 120 feet, and that there are other provisions related to the spacing and of permissibility of flag lots that are being revised. He advised that this item was reviewed by the Planning Commission and that they recommended approval. There were no further comments on this item.

B) Request to rezone adjoining properties at 3500 Tacoma Avenue and 216 E. Euclid Avenue from R-1 Residential Zone to RZ-1 Residential Zero Lot Line Zone.

Mayor Roberts called the applicant/owner of the property, John C. Scott, forward. Mr. Scott advised that there are two homes located on the property of 3500 Tacoma Avenue and that 216 E. Euclid Avenue is a vacant lot. He explained that he would like to rezone the parcels and then subdivide into two

separate parcels so that he can sell the homes separately. Mr. Scott also had the proposed plat available for review and it was noted that the rezoning has conditions related to the smaller structure. There were no citizens that spoke in favor of or against the requested rezoning. None of the Commissioners had and questions or statements.

After no further discussion the Public Hearing was adjourned.

X. Unfinished Business –

A. ORDINANCE NO. 17-1098 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND RED BANK MUNICIPAL CODE, TITLE 20, CHAPTER 1, AIR POLLUTION CONTROL REGULATIONS, BY PROVIDING FOR REVISED RULES FOR NEW SOURCE REVIEW; INCREASED PERMIT FEES; REVISED AMBIENT AIR QUALITY STANDARDS; AND CERTAIN HOUSEKEEPING PROVISIONS (SECOND AND FINAL READING)

Vice Mayor Pierce made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1098 was approved on second and final reading with all Commissioners voting “yes”.

B. ORDINANCE NO. 17-1100 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT 109 WOODROW AVENUE FROM R-1 RESIDENTIAL ZONE TO C-1 COMMERCIAL ZONE (FIRST READING)

Pete Philips, property owner and applicant, explained that this property has been historically zoned and used as a commercial property for many years but that during the 2015 mass rezoning it was zoned back to R-1 residential. It was also noted that the Planning Commission recommended approving the application. There were no citizen comments. Commissioner LeCompte made a motion to approve the ordinance, second by Commissioner Pope. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1100 was approved on first reading with all Commissioners voting “yes”.

C. ORDINANCE NO. 17-1101 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT 103 WOODROW AVENUE, HAMILTON COUNTY TAX MAP PARCEL 109J-B-010.04 FROM R-1 RESIDENTIAL ZONE TO C-1 COMMERCIAL ZONE (SECOND AND FINAL READING)

Mayor Roberts advised that there was a public hearing on this ordinance on November 7th and that this is the second reading. It was noted that the Planning Commission recommended approving the application to rezone. Motion to approve the ordinance was made by Commissioner Terry Pope, second by Vice Mayor Pierce. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1101 was approved on second and final reading with all Commissioners voting “yes”.

D. ORDINANCE NO. 17-1102 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE AMENDING THE ZONING MAP TO REZONE PROPERTY AT HAMILTON COUNTY TAX PARCEL NUMBER 126C-G-014 AT 217 W. RIDGEWOOD AVENUE FROM R-1 RESIDENTIAL ZONE TO R-T/Z RESIDENTIAL TOWNHOUSE, ZERO LOT LINE ZONE, SUBJECT TO CONDITIONS (FIRST READING)

Nathan Heffner explained that his grandfather owns the property in question and provided documentation that he holds the Power of Attorney in this matter for his grandfather. Mr. Hefher advised that his grandfather would like to rezone the property to eventually subdivide and build a single family home on each lot. City Attorney Stulce noted that the Planning Commission recommended approving the rezoning with the requirement that stormwater best practices are required during initial development and maintained at all times thereafter, even if the property changes ownership.

Citizen Comments: Shannon Kelly, 215 W. Ridgewood Ave., Had several concerns in regard to land disturbance and storm water runoff onto her property.

There were no further comments. Commissioner LeCompte made a motion to approve the ordinance, second by Vice Mayor Pierce. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1102 was approved on first reading with all Commissioners voting “yes”.

XI. New Business – None

A. ORDINANCE NO. 17-1104 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING FLAG LOT REQUIREMENTS IN SECTION 204.08 OF THE RED BANK ZONING ORDINANCE, CODIFIED AT SECTION 14-101, ET SEQ. RED BANK CITY CODE (FIRST READING)

Mayor Roberts advised that this item was discussed during the earlier Public Hearing. It was noted that the Planning Commission recommended approving the ordinance. Mayor Roberts made a motion to approve the ordinance, second by Commissioner Pope. There were no

citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1104 was approved on first reading with all Commissioners voting “yes”.

B. ORDINANCE NO. 17-1105 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE ADJOINING PROPERTIES AT 3500 TACOMA AVENUE (HAMILTON COUNTY TAX PARCEL NUMBER 118A-M-028) AND 216 E. EUCLID AVENUE (HAMILTON COUNTY TAX PARCEL NUMBER 118A-M-028) FROM R-1 RESIDENTIAL ZONE TO RZ-1 RESIDENTIAL ZERO LOT LINE ZONE, SUBJECT TO CONDITIONS (FIRST READING)

Mayor Roberts advised that this item was discussed during the earlier Public Hearing. It was noted that the Planning Commission recommended approving the application to rezone. Vice Mayor Pierce noted a clerical error on the ordinance and made a motion to approve the ordinance as corrected, second by Mayor Roberts. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1105 was approved on first reading with all Commissioners voting “yes”.

C. RESOLUTION NO. 17-1196 – A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND MORELAND ALTOBELLI ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$41,195.00 FOR RIGHT-OF-WAY SERVICES IN REGARD TO CONSTRUCTION EASEMENTS

City Attorney Stulce explained that this agreement is in regard to ongoing sidewalk projects and the necessity to acquire temporary right-of-way construction easements along a small portion of Dayton Blvd. He explained that because federal funds are being used that there are very stringent requirements imposed by the Federal Government and that these requirements are passed down through TDOT. The City Attorney, City Manager and Public Works Director advised that it is in the best interest of the City to approve this agreement for services. Commissioner Pope made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval by the City Attorney, second by Vice Mayor Pierce. There were no citizen comments. Resolution No. 17-1196 was approved with all Commissioners voting “yes”.

D. RESOLUTION NO. 17-1197 – A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING A PROGRAM SERVICES GRANT FOR ALPINE CREST ELEMENTARY SCHOOL, IN THE AMOUNT OF \$2,800.00

City Manager Smith explained that Alpine Crest Elementary School has been holding fund raisers to raise money to replace playground equipment at the school. He advised that he received a request from the school advising that they are short of funds by \$2,800.00 and requested that the City provide a grant to assist with the purchase. Mayor Roberts advised that he would not be voting on this item because his son attends the school. Commissioner Pope made a motion to approve the resolution, second by Vice Mayor Pierce. There were no citizen comments. Resolution No. 17-1197 was approved with all Commissioners voting “yes” and Mayor Roberts abstaining.

E. ORDINANCE NO. 17-1106 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, DECLARING A MORATORIUM UPON THE ERECTION, INSTALLATION, CONSTRUCTION OR OTHER UTILIZATION AND/OR PLACEMENT OF SOLAR PANELS OR SOLAR ARRAYS WITHIN THE CITY OF RED BANK (FIRST READING)

City Manager Smith advised that the city has been contacted in regard to installing solar panels on residential homes and/ or properties. He advised that there are very limited regulations in regard to this issue and asked that this ordinance be approved to allow time to formulate regulations. He advised that is approved, this ordinance will place a moratorium for a period of one year upon the use, installation, placement, orientation, utilization setbacks, construction and/or other use of and kind or nature whatsoever related to solar panels, solar arrays, and photo electrical generated cells. Commissioner LeCompte made a motion to approve the ordinance, second by Commissioner Pope. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”.** Ordinance No. 17-1106 was approved on first reading with all Commissioners voting “yes”.

XII. Citizen Comments –

XIII. Adjournment

The meeting was adjourned at 7:35 p.m.

MAYOR