

WORK SESSION AGENDA

August 7, 2018

12:00 p.m.

1. Gerald Parish – Land Conversion
2. Public Hearing / Re-Zoning Ordinance Lullwater Road
3. Resolution - Amend engineering agreements with Wisser Consultants
4. Resolution – Approve Johnson Controls Security Solutions Agreement
5. Resolution – Talley Construction, Secondary Paving
6. Resolution – Surplus Property
7. Resolution – Approve purchase of a Breathing Air System
8. Tag Readers – Police Department
9. Any other business

City of Red Bank

John Roberts
Mayor

Randall G. Smith
City Manager

BOARD OF COMMISSIONERS' MEETING

Agenda
August 7, 2018
7:00 p.m.

- I. **Call to Order – Mayor John Roberts**
- II. **Roll Call – City Manager**

Mayor Roberts _____, Vice-Mayor Pierce _____, Commissioner LeCompte _____,
Commissioner Pope _____, Commissioner Rose _____
- III. **Invocation –**
- IV. **Pledge of Allegiance –**
- V. **Consideration of the Minutes for approval or correction:**
 - A. July 17, 2018 Agenda Work Session
 - B. July 17, 2018 Commission Meeting
- VI. **Communication from the Mayor**
- VII. **Commissioner's Report**
 - A. Vice Mayor Pierce
 - B. Commissioner Ed LeCompte
 - C. Commissioner Terry Pope
 - D. Commissioner Carol Rose

VIII. **City Manager Report**

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Public Hearing

The purpose of the public hearing is to receive citizen input in regard to a rezoning request to rezone property located at 621 Lullwater Rd. (Map Tax Parcel 117N A 007), 637 Lullwater Rd. (Map Tax Parcel 117N A 002) and an unaddressed property located on Lullwater Rd. at Map Tax Parcel 117N A 006, from R-1 and R-1A Residential to R-T/Z Residential Townhouse/Zero Lot Line

IX. **Unfinished Business –**

- A. **ORDINANCE NO. 18-1126 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ADD A NEW SECTION 6-108 TO TITLE 6 OF THE RED BANK CITY CODE WITH RESPECT TO THE IMPLEMENTATION AND MANAGEMENT OF THE STATE PLAN OF OPERATIONS RELATIVE TO ACQUISITION BY THE RED BANK POLICE DEPARTMENT OF U.S. DEPARTMENT OF DEFENSE TRANSFER OF MILITARY GRADE PERSONAL PROPERTY VEHICLES, AND MISCELLANEOUS EQUIPMENT AS AUTHORIZED BY THE PROVISIONS OF TITLE 10, U.S.C. SECTION 2576(A), ET SEQ. (SECOND AND FINAL READING)**

X. **New Business**

- A. **ORDINANCE NO. 18-1127 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT 621 LULLWATER ROAD, HAMILTON COUNTY TAX PARCEL 117N A 007, 637 LULLWATER ROAD, HAMILTON COUNTY TAX PARCEL 117N A 002 AND AN UNADDRESSED PROPERTY AT HAMILTON COUNTY TAX PARCEL 117N A 006, FROM R-1 RESIDENTIAL AND R1-A RESIDENTIAL TO R-T/Z TOWNHOUSE ZERO LOT LINE (FIRST READING)**
- B. **RESOLUTION NO. 18-1238 – A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A SECURITY ACCESS AND VIDEO MONITORING SYSTEM FROM JOHNSON CONTROLS SECURITY SOLUTIONS LLC, IN THE AMOUNT OF \$20,732.38**

- C. RESOLUTION NO. 18-1239– A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND TALLEY CONSTRUCTION COMPANY INC., IN AN AMOUNT NOT TO EXCEED \$1,137,481.00
 - D. RESOLUTION NO. 18-1240– A RESOLUTION TO AMEND THE ENGINEERING AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND WISER CONSULTANTS LLC. FOR TRANSPORTATION IMPROVEMENT PROJECTS
 - E. RESOLUTION NO. 18-1241 – A RESOLUTION TO AMEND THE ENGINEERING AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND WISER CONSULTANTS LLC. FOR THE ASHLAND TERRACE CULVERT REPAIR PROJECT AND THE FAIR STREET STREAM BANK REPAIR PROJECT
 - F. RESOLUTION NO. 18-1242 – A RESOLUTION DECLARING CITY OF RED BANK OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE TRADE THEREOF
 - G. RESOLUTION NO. 18-1243 – A RESOLUTION AUTHORIZING THE PURCHASE OF A BREATHING AIR SYSTEM, CONSISTING OF A COMPRESSOR, FILL STATION AND CASCADE SYSTEM, FROM BREATHING AIR SYSTEMS, IN THE AMOUNT OF \$34,199.00
 - H. RESOLUTION NO. 18-1244 – A RESOLUTION APPOINTING CITY RECORDER RUTH ROHEN AS THE LOCAL ADMINISTRATOR FOR LOCAL GOVERNMENT CORPORATION NEXTGEN FINANCIAL ACCOUNTING SOFTWARE
- XI. Citizen Comments from Red Bank Citizens about Red Bank business (3 minute limit)

IF YOU WILL BE SPEAKING PLEASE STATE YOUR NAME AND ADDRESS AND FILL OUT THE INFORMATION BELOW AND TURN IN TO THE CITY MANAGER

NAME: _____

RED BANK ADDRESS: _____

XII. Adjournment

John Roberts
Mayor

City of Red Bank
COMMISSIONERS AGENDA WORK SESSION
RED BANK CITY HALL

Randall G. Smith
City Manager

Minutes
July 17, 2018
5:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on July 17, 2018 at 5:00 p.m. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Mayor John Roberts, Vice Mayor Eddie Pierce, Commissioners Ed LeCompte, Terry Pope and Carol Rose. Also present were City Manager Randall Smith, Police Chief Robert Simpson, Fire Chief Mark Mathews, Public Works Director Tim Thornbury, Finance Director John Alexander and City Recorder Ruth Rohen. There were no public attendees.

1. Mayor Roberts advised that first reading of an ordinance that will allow the Police Department to participate in the Department of Defense's LESO Program is on the agenda tonight. He explained that by participating in this program the city is eligible to receive surplus equipment and vehicles at no cost. The ordinance has provisions for Commission oversight of the program.
2. Commission members reviewed recommendations for amendments to the listed permitted and prohibited uses in the C-3 Commercial Zone. Ordinance to amend the zoning ordinance and the zoning maps to rezone properties along Dayton Blvd. from E. Meadowbrook Dr. to Ormand Dr. on the east side of Dayton Blvd., and from W. Meadowbrook Dr. to Glenron St. on the west side of Dayton Blvd. from C-1 Commercial Zone to C-3 Commercial Zone, will be placed on an upcoming Commission Meeting agenda.
3. Mayor Roberts advised that a resolution to approve the purchase of upgraded financial accounting software and software maintenance and support services in on the agenda tonight. He explained that the software vendor is Local Government Corporation and that this purchase will upgrade the current financial accounting and court software.
4. Mayor Roberts advised that there is a resolution on the agenda tonight to approve an agreement with the Humane Education Society for animal control services for fiscal year 2019.
5. Mayor Roberts advised that there is a resolution on the agenda tonight to approve the purchase of four, Ford Explorer Interceptors for the Police Department. It was explained that this is a budgeted item and that the vehicles will be purchased from Murfreesboro Ford under the State of Tennessee BID contract.
6. Mayor Roberts advised that there is a resolution on the agenda tonight to approve the purchase of nine portable radios from Motorola Solutions. It was explained that this is a budgeted item and that the radios will be purchased under the State of Tennessee BID contract.
7. Mayor Roberts advised that there is a resolution on the agenda tonight to approve an agreement with Hamilton County GIS for GIS data access and mapping services. Based on the price formula therein, but not to exceed \$12,500.00

The meeting was adjourned at 5:14 p.m.

Mayor

City Recorder

BOARD OF COMMISSIONERS' MEETING

Minutes
July 17, 2018
7:00 p.m.

- I. **Call to Order** – Mayor Roberts called the meeting to order at 7:00 p.m.
- II. **Roll Call** – City Manager Smith called the roll. Mayor Roberts, Vice Mayor Pierce, Commissioner LeCompte, Pope and Rose were present. Also present was City Attorney Arnold Stulce, Fire Chief Mark Mathews, Police Chief Robert Simpson, Public Works Director Tim Thornbury, Finance Director John Alexander, City Recorder Ruth Rohen and those listed on Exhibit “A”.
- III. **Invocation** – Vice Mayor Pierce, gave the Invocation.
- IV. **Pledge of Allegiance** – Fire Chief Mark Mathews led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
 - A. **July 3, 2018 Agenda Work Session**
 - B. **July 3, 2018 Commission Meeting**Vice Mayor Pierce made a motion to approve both sets of minutes as printed, second by Commissioner Rose. Both sets of minutes were approved with all Commissioners voting “yes”.
- VI. **Communication from the Mayor**
 - Welcomed all
- VII. **Commissioners Report**
 - **Vice-Mayor Eddie Pierce**
 - Welcomed everyone and wished all a happy July 4th.
 - **Commissioner Ed LeCompte**
 - Welcomed all.
 - Enjoyed attending the Chamber Luncheon today.
 - **Commissioner Terry Pope**
 - Welcomed all.
 - Was honored to play TAPS at an American Legion Post 95 ceremony honoring the “Fallen Five” service members.
 - **Commissioner Carol Rose**
 - Welcomed all.
- VIII. **City Manager Report**
 - Kids Corner renovations are complete.
 - Encourage everyone to check on their neighbors during the hot weather.
 - Read a portion of a proclamation that the City Commission approved in 2015 honoring the “Fallen Five” service members who lost their lives during the July 16, 2015 attack of recruiting offices in Chattanooga.
- IX. **Unfinished Business** –
 - A. **ORDINANCE NO. 18-1108 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND TITLE 9 OF THE RED BANK CITY CODE BY ENACTING A NEW / ADDITIONAL**

CHAPTER 16 THEREOF TO ADDRESS REGULATION OF SHORT TERM RENTAL UNITS WITHIN THE CITY OF RED BANK (SECOND AND FINAL READING)

Mayor Roberts explained that the State of Tennessee has recently passed legislation that addresses the topic of Short Term Rental Units. He explained that the City of Red Bank has to adhere to the state laws for regulation of short term rental units and advised that this ordinance is in regard to permitting, inspections and operational standards. The concepts have been discussed thoroughly at several Agenda Work Sessions and in the context of the first reading of the ordinance. Commissioner Rose made a motion to approve the ordinance, second by Commissioner LeCompte. Mayor Roberts invited citizen comment.

- Bonnie Brown, 3013 Lancaster Circle, Has owned a short term rental unit for approximately a year and asked procedures for operation of the short term rental unit after the ordinance is approved.
- Erin Spann, 308 Hedgewood Dr., Asked which zones short term rental units would be allowed in and asked the Commission to consider tabling the ordinance for further consideration.
- Shirley Stewart, 211 Greenleaf St., Is in favor of short term rental units in all zones and asked the Commission to table the item for further consideration.
- Ellie Stafford, 2016 Ashmore Ave., Is in favor of allowing short term rental units in all zones.

It was noted that the Red Bank Planning Commission reviewed this ordinance and recommended approval. There were no further comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1108 was approved on second and final reading with all Commissioners voting “yes”.

B. ORDINANCE NO. 18-1109 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND ORDINANCE NO. 15-1020, THE RED BANK ZONING ORDINANCE TO CLARIFY PROVISIONS RELATED TO SHORT TERM RENTAL UNITS (SECOND AND FINAL READING)

City Manager Smith explained that this ordinance is an accompanying ordinance to Ordinance No. 18-1108 and pertains to zoning districts where short term rental units are permitted and where they are prohibited, subject to state imposed grandfathering restrictions. The concepts have been discussed thoroughly at several Agenda Work Sessions and in the context of the first reading of the ordinance. Commissioner LeCompte made a motion to approve the ordinance, second by Commissioner Pope. Mayor Roberts invited citizen comment.

- Shirley Stewart, 211 Greenleaf St., Asked about the location of the “grandfather clause” within the ordinance.

It was noted that the Red Bank Planning Commission reviewed the ordinance and recommended approval. There were no further comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1109 was approved on second and final reading with all Commissioners voting “yes”.

X. New Business –

A. RESOLUTION NO. 18-1233 – A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND LOCAL GOVERNMENT CORPORATION IN THE AMOUNT OF \$43,621.70 FOR UPGRADED FINANCIAL ACCOUNTING SOFTWARE AND COURT SOFTWARE, AND FOR ANNUAL SOFTWARE SUPPORT AND MAINTENANCE SERVICES

City Manager Smith explained that this resolution will approve the purchase of updated financial accounting software and court software, along with annual support and maintenance of the software, from Local Government Corporation. He advised that this item was budgeted in the FY 2019 Operating Budget. Vice Mayor Pierce made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval of the form by the

City Attorney, second by Mayor Roberts. There were no citizen comments. Resolution No. 18-1233 was approved with all Commissioners voting "yes".

B. RESOLUTION NO. 18-1234 – A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE HUMANE EDUCATION SOCIETY, IN THE AMOUNT OF \$69,990.00 FOR ANIMAL CONTROL SERVICES

City Manager Smith advised that this resolution will authorize an agreement for animal control services with the Humane Education Society. He explained that the annual fee for these services is \$69,990.00 and that approval of the resolution will authorize him to sign the agreement upon approval of the form by the City Attorney. Mayor Roberts made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 18-1234 was approved with all Commissioners voting "yes".

C. RESOLUTION NO. 18-1235 – A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR, 2018 POLICE INTERCEPTOR UTILITY VEHICLES FROM FORD OF MURFREESBORO, IN THE AMOUNT OF \$116,396.00

Mayor Roberts explained that this resolution will approve the purchase of four Ford Interceptor Explorers for use by the Police Department. He advised that this item was budgeted in the FY 2019 Operating Budget and that the vehicles will be purchased on the State of Tennessee contract from Ford of Murfreesboro. Mayor Roberts made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 18-1235 was approved with all Commissioners voting "yes".

D. RESOLUTION NO. 18-1236 – A RESOLUTION AUTHORIZING THE PURCHASE OF NINE PORTABLE RADIOS AND ONE CHARGER FROM MOTOROLA SOLUTIONS, IN THE AMOUNT OF \$45,175.92, FOR THE FIRE DEPARTMENT

Mayor Roberts explained that this resolution will approve the purchase of portable radios from Motorola Solutions on the State of Tennessee contract. He advised that this item was budgeted in the FY 2019 Operating Budget. Mayor Roberts made a motion to approve the resolution, second by Vice Mayor Pierce. There were no citizen comments. Resolution No. 18-1236 was approved with all Commissioners voting "yes".

E. RESOLUTION NO. 18-1237 – A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN HAMILTON COUNTY, TENNESSEE, AND THE CITY OF RED BANK, TENNESSEE, RELATING TO GEOGRAPHIC INFORMATION SYSTEMS

City Manager Smith advised that this resolution will approve an agreement with Hamilton County for GIS and mapping services, based upon the price formula stated therein but not to exceed \$12,500.00. Mayor Roberts made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval of the form by the City Attorney, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 18-1237 was approved with all Commissioners voting "yes".

F. ORDINANCE NO. 18-1126 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ADD A NEW SECTION 6-108 TO TITLE 6 OF THE RED BANK CITY CODE WITH RESPECT TO THE IMPLEMENTATION AND MANAGEMENT OF THE STATE PLAN OF OPERATIONS RELATIVE TO ACQUISITION BY THE RED BANK POLICE DEPARTMENT OF U.S. DEPARTMENT OF DEFENSE TRANSFER OF MILITARY GRADE PERSONAL PROPERTY, VEHICLES, AND MISCELLANEOUS EQUIPMENT AS AUTHORIZED BY THE PROVISIONS OF TITLE 10, U.S.C. SECTION 2576(A), ET SEQ. (FIRST READING)

Mayor Roberts advised that this is an ordinance that authorizes the Police Department to receive certain surplus military equipment and vehicles at no cost to the city. He explained that all requested equipment requires pre-approval from the Board of Commissioners prior to application for or receipt of the property. Mayor Roberts made a motion to approve the ordinance, second by Commissioner Pope. Mayor Roberts invited citizen comments.

- John Lennon, 401 Crisman Street, Asked if the City is receiving items at this time and if the public would have prior knowledge of any equipment that is being requested.

There were no further comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner LeCompte “yes”, Commissioner Pope “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1126 was approved on first reading with all Commissioners voting “yes”.

XI. Citizen Comments – None

XII. Adjournment

The meeting was adjourned at 7:33 p.m.

Mayor John Roberts

City Recorder Ruth Rohen

ORDINANCE NO. 18-1126

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO ADD A NEW SECTION 6-108 TO TITLE 6 OF THE RED BANK CITY CODE WITH RESPECT TO THE IMPLEMENTATION AND MANAGEMENT OF THE STATE PLAN OF OPERATIONS RELATIVE TO ACQUISITION BY THE RED BANK POLICE DEPARTMENT OF U.S. DEPARTMENT OF DEFENSE TRANSFER OF MILITARY GRADE PERSONAL PROPERTY, VEHICLES, AND MISCELLANEOUS EQUIPMENT AS AUTHORIZED BY THE PROVISIONS OF TITLE 10, U.S.C. SECTION 2576(A), ET SEQ.

WHEREAS, pursuant to Title 10 United States Code Section 2576(a), et seq. the United States Department of Defense is authorized to release and transfer possession of certain military grade assets of the United States for utilization by Local Law Enforcement Agencies, such as the Red Bank Police Department, for the purposes of support of various law enforcement activities, etc. Said authorization and enabling legislation is additionally on occasion referred to as the “1033 Program” and/or the “LESO Program”; and

WHEREAS, as required by the enabling legislation, the LESO Program is required to be administered, as is relevant herein, initially by the Governor of the State of Tennessee who/which acts in turn by and through the duly constituted, authorized and appointed Department of General Services for the State of Tennessee and;

WHEREAS, the Department of General Services for the State of Tennessee has enacted its State Plan of Operation, to govern such programs and transfers and that the same has been proposed, in contract form, between the State of Tennessee, and the City of Red Bank, which Contract is hereby approved by the City Commission for the City of Red Bank, Tennessee and by Resolution dated the ____ day of _____, 2018 by which the City Commission has and does hereby authorize the Chief of Police of the City of Red Bank to sign and accept the said State Plan of Operations Contract Form on behalf of the City of Red Bank;

WHEREAS, the City Commission hereby adopts this Ordinance to govern and address with greater particularity the actions of the City, the City Manager and the Chief of Police with respect to the LESO Program and the referred State Plan of Operation, long term, short term, intermediate and of all and any of the aspects of the LESO Program and of the City’s interaction with the State Plan of Operation, and to govern the day to day implementation of the LESO Program by the City of Red Bank.

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Red Bank, Tennessee:

That there is hereby enacted a new and additional Chapter and Section to Title 6 of the Red Bank City Code, codified at new section 6-108 hereby as follows:

SECTION 1. Section 6-108, LESO Program, Implementation:

(A) The City Commission hereby approves this City's participation in the State of Tennessee sponsored LESO Program such that the City may be eligible to receive military grade personal property, assets and equipment made available to various local law enforcement agencies such as the Red Bank Police Department by the United States Department of Defense and as authorized by the provisions of Title 10 of the United States Code, Section 2576(A) et seq. and as further authorized and implemented by the Governor of the State of Tennessee, acting by and through the Tennessee Department of General Services.

(B)(1) The Chief of Police is authorized to execute for and on behalf of the City, following final approval of the form of contract by the City Manager and City Attorney, the authorizing and implementing Contract and agreement with respect to the City's participation in the said "LESO Program" and entitled State Plan of Operations Between the State of Tennessee and the City of Red Bank, Tennessee.

(2) The City Manager and Chief of Police are authorized and directed to return an executed copy of the said State Plan of Operations Between the State of Tennessee and the City of Red Bank, Tennessee to the Department of General Services and to perform any and all additional administrative tasks necessary in order to implement and carry out its broadly stated purposes.

(C)(1) Notwithstanding any other provisions set forth as contained within the terms, provisions and conditions of said State Plan of Operations Between the State of Tennessee and the City of Red Bank, Tennessee, the Chief of Police shall not make any applications or requests for transfers of any personal property, equipment, commodities, vehicles, assets, expendables (such as ammunition) without the written approval of the City Commission, by resolution duly adopted, and preceded by a written request prepared by the Chief of Police and submitted to the City Commission through the City Manager explaining the necessity and requesting authority and approval from the City Commission to make further application to the State of Tennessee / Department of Defense and providing a detailed rationale for such requested acquisition(s) together with a projected budget / cost benefit analysis with respect to acquisition, usage, oversight, maintenance and anticipated length of service of any and all such assets. In forwarding same to the City Commission, the City Manager shall recommend in writing, whether to approve or reject same and shall give explanation for such recommendations.

(2) No application shall be made to the Department of General Services for any manned or unmanned aircraft, fixed or rotary winged aircraft, unmanned aerial vehicles, wheeled armored vehicles, wheeled vehicles, wheeled vehicles of any sort, armored vehicles of any sort, all-terrain vehicles utilizing any combination of wheels and/or tracks and/or treads, any specialized ammunition and whether or not over or under .50 caliber ammunition (except for standard issue arms and/or ammunition for previously authorized police department issued service weapons), and explosives or pyrotechnics of any kind or nature, all as defined in the State Plan of Operations Between the State of Tennessee and the City of Red Bank as "Controlled Property," without express written approval, via duly adopted resolution of the City Commission of the City of Red Bank, and only after written report of the City Manager detailing budgetary and potential liability issues.

(D) No application shall be filed with the Tennessee Department of General Services, or any other entity under the LESO Program except upon express written approval of the City Commission.

(E) The City Manager and the Chief of Police shall jointly develop a written plan and policy to address all aspects of implementation of the hereinabove referenced LESO Program, to include but not be limited to the following provisions:

(1) The Chief of Police shall certify to the City Commission, with copy to the City Manager, coincident with the end of each fiscal year that the City and the Police Department are in compliance of all aspects of the State Plan of Operations Between the State of Tennessee and the City of Red Bank authorized hereby and entered in and by and between the State of Tennessee and the City of Red Bank including but not limited to any and all requirements, rules, regulations and standards related to “controlled equipment” as defined in the State Plan of Operations, any and all inventory requirements as further specified and set forth in the State Plan of Operations, any and all reporting and accounting requirements to the Department of General Services or any other governmental entity, with respect to conducting a certified annual inventory and reporting all as is required by the State Plan of Operations. A program compliance review certifying compliance with all the terms and conditions of any State Plan of Operation, any and all records management, and all terms, conditions as set forth in the State Plan of Operations shall be tendered to the City Manager who shall make same available to the City Commission and shall be provided by the Chief of Police during the month of June of each year.

(2) The policy written, promulgated and filed by the City Manager and Chief of Police shall be submitted to the City Commission for review, modification, objection and/or approval prior to any application(s) for access to or possession of any of the military grade properties, commodities, equipment, vehicles, or any other assets from the State Department of General Services and/or indirectly from the Department of Defense / United States Government.

SECTION 2. Every section, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not effect or impair any other section, sentence, clause, or phrase.

SECTION 3. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

Mayor

City Recorder

July 17, 2018

Passed on First Reading

Passed on Second and Final Reading

Approved as to form:

City Attorney

ORDINANCE NO. 18-1127

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE,
AMENDING THE ZONING MAP TO REZONE PROPERTIES LOCATED AT 621
LULLWATER ROAD, HAMILTON COUNTY TAX PARCEL 117N A 007, 637
LULLWATER ROAD, HAMILTON COUNTY TAX PARCEL 117N A 002 AND AN
UNADDRESSED PROPERTY AT HAMILTON COUNTY TAX PARCEL 117N A 006,
FROM R-1 RESIDENTIAL AND R1-A RESIDENTIAL TO R-T/Z TOWNHOUSE / ZERO
LOT LINE

WHEREAS, *Tennessee Code Annotated* (TCA) § 13-7-201 allows municipal governments the authority to regulate land use through zoning of its jurisdictional territory; and

WHEREAS the Red Bank municipal planning commission has certified zoning districts as provided for in TCA § 13-7-202; and

WHEREAS TCA §13-7-204 authorizes amendments to the municipal zoning map and provides for that process; and

WHEREAS the rezoning of the subject property to the R-T/Z zoning district would allow for development that promotes the goals of the Red Bank 2020 Land Use Plan; and

WHEREAS the applicant, Michael Cinelli, has requested that his three properties on Lullwater Road be rezoned from R-1 and R1-A to R-T/Z; and

WHEREAS the legal description for said properties are included in Exhibit A within Deed Book 11342 Page 336, Deed Book 11289 Page 483 and Deed Book 11307 Page 794; and

WHEREAS the Red Bank Planning Commission provided an opportunity for citizens to submit comments in favor of or against the proposed rezoning at an advertised public hearing held in conjunction with its regular meeting on June 21, 2018; and

WHEREAS, the Planning Commission recommended approval and it is consistent with and promotes the goals of the Red Bank 2020 Land Use plan; and

WHEREAS the City Commission provided an opportunity for citizen's to submit comments in favor of or against the proposed rezoning at an advertised public hearing on August 7, 2018 prior to the final reading of this ordinance; and

WHEREAS the City Commission finds that the proposed development afforded by the rezoning request would not have a negative impact on adjacent properties and is consistent with and promotes the goals of the Red Bank 2020 Land Use Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RED BANK,
TENNESSEE, AS FOLLOWS:

Section 1. The Zoning Ordinances and Zoning Maps of this City are hereby amended by rezoning the three properties located on Lullwater Road, shown in Exhibit B as Hamilton County tax parcel numbers 117N A 007, 117N A 006, and 117N A 002, from R-1 Residential and R1-A Residential to R-T/Z Townhouse/Zero Lot Line.

Section 2. Upon the adoption of this Ordinance, the Zoning maps of the City shall be amended and revised to reflect the rezoning of the three parcels as is specified herein.

BE IT FURTHER ORDAINED that every section, sentence, clause, and phrase of this ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not affect or impair any other section, sentence, clause, or phrase.

FINALLY, BE IT ORDAINED that this ordinance shall take effect from and after the date of its final passage, the public welfare of the City of Red Bank, Tennessee requiring it.

Mayor John Roberts

ATTEST:

City Recorder Ruth Rohen

Approved on First Reading

Approved on Second and Final Reading

Approved as to Form:

City Attorney

EXHIBIT A. Legal Description

Deed Book 11342 Page 336

IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE:

BEGINNING on the Western line of Lullwater Road at the North end of the Cemetery Wall which marks the Northeast corner of the Jewish Cemetery, as shown by Deed of record in Book C, Volume 29, Page 676, in the Register's Office of Hamilton County, Tennessee; thence North along the West line of Lullwater Road 28 degrees East 332 feet to an iron pipe located in the Northeast corner of a six-acre tract, which is the beginning point; thence from this beginning point, on the same course along the Western line of Lullwater Road 100 feet to a stake; thence North 62 degrees West on a line 100 feet distant from and parallel to the North line of said six-acre tract 850 feet, more or less, to a point where said line intersects with the Western line of said six-acre tract, extended Northwardly; thence South 14 degrees 30 minutes West on a straight line 105 feet, more or less, to a point marking the Northwest corner of said six-acre tract; thence along the Northern line of said six-acre tract South 62 degrees East 847.5 feet, more or less, to the point of beginning.

LESS AND EXCEPT that property conveyed by Deed recorded in Book 2827, Page 13, in the Register's Office of Hamilton County, Tennessee.

REFERENCE is made for prior title to Deeds recorded in Book 8012, Page 40 and Book 8649, Page 45, in the Register's Office of Hamilton County, Tennessee.

Tax Parcel No. 117N-A-007

Subject to restrictions recorded in Book 944, Page 117, in the Register's Office of Hamilton County, Tennessee, but omitting and not republishing any covenant, condition, restriction, or limitation to the extent that the specific covenant, condition, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

Subject to Governmental zoning and subdivision ordinances or regulations in effect thereon.

Taxes for the year 2018 are assumed by the Grantee herein.

Deed Book 11289 Page 485

IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE:

BEGINNING at a stake in the Western line of Lullwater Road, 432 feet North 28 degrees East from the North end of the Jewish Cemetery wall, which beginning point also is located at the Northeast corner of a two (2) acre tract designated as the "Second Tract" in Deed to John B. Shropshire and wife, dated April 24, 1946; thence from this beginning point on the same course Northward along the Western line of Lullwater Road a distance of 100 feet; thence North 62 degrees West on a line parallel to and 100 feet distant from the North line of said "Second Tract" a distance of 885.5 feet; thence South 30 degrees 27 minutes West 100 feet, more or less, to a stake in the Northwest corner of said Shropshire "Second Tract"; thence South 62 degrees East along the Northern line of said Shropshire "Second Tract" a distance of 889.8 feet, more or less, to the point of beginning and being Lot Thirty-four (34) of a Private Plat dated March 8, 1946 and prepared by E. G. Murrell, Engineer.

LESS AND EXCEPT that part sold to Tennessee Department of Transportation in Book 3144, Page 765, in the Register's Office of Hamilton County, Tennessee.

REFERENCE is made for prior title to Deed recorded in Book 6200, Page 946, in the Register's Office of Hamilton County, Tennessee.

Tax Parcel No. 117N-A-006

Subject to restrictions recorded in Book 944, Page 117, in the Register's Office of Hamilton County, Tennessee, but omitting and not republishing any covenant, condition, restriction, or limitation to the extent that the specific covenant, condition, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

Subject to controlled access as set out in Book 3144, Page 765, in the Register's Office of Hamilton County, Tennessee.

Subject to Governmental zoning and subdivision ordinances or regulations in effect thereon.

Taxes for the year 2018 are assumed by the Grantee herein.

Deed Book 11307 Page 794

In the Third Civil District of Hamilton County, Tennessee:

Lot Thirty-Seven (37), Suburban Estates, as shown on the Map of Survey by E. F. Murrell dated March 8, 1946, on Lullwater Road Property. According to said survey, said lot fronts 200 feet on the Northwestern line of said Lullwater Road and extends Northwesterwardly (about North 62 degrees West) between parallel lines that are parallel to the Northern or Northeastern line of the property conveyed to Ed W. Fryar and Sarah Shropshire on September 14, 1946, 810 feet, more or less, to the Northwestern line of said Subdivision. Its Southeastern corner is 200 feet Northeastwardly along said Lullwater Road from the Northeastern corner of said Fryar and Shropshire tract and 723 feet from the Northern end of the Old Cemetery Wall; said beginning point is the Northeastern corner of the property conveyed R. L. Gadd and K. T. Shropshire on July 16, 1952, now Link.

Subject to Governmental Zoning and Subdivision ordinances or regulations in effect thereon

Tax Map Parcel 117N-A-002

EXHIBIT B. Map

ORDINANCE 18 -1127

**R-1 and R1-A to R-T/Z Rezoning Request
621 and 637 Lullwater Road, Tax Map 117N Group A Parcels 7,6 and 2
Owner: Cinelli**



RESOLUTION NO. 18-1238

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A SECURITY ACCESS AND VIDEO MONITORING SYSTEM FROM JOHNSON CONTROLS SECURITY SOLUTIONS LLC, IN THE AMOUNT OF \$20,732.38

WHEREAS, the City of Red Bank is in the process of renovating a building located at 3105 Dayton Boulevard for use as a new City Hall; and

WHEREAS, the renovation project includes the purchase and installation of several access points and a video monitoring system; and

WHEREAS, the City of Red Bank, Tennessee, requested written quotes from three (3) security installation companies, with the lowest bid being from Johnson Controls Security Solutions LLC, in the amount of twenty thousand seven hundred and thirty-two dollars and thirty-eight cents (\$20,732.38); and

WHEREAS, funding is budgeted and available in the Fiscal Year 2019 Operating Budget; and

WHEREAS, pursuant to the City of Red Bank Purchasing Policy, it is necessary for the City Commission to approve the purchase.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee, that the purchase and installation of security access points and a video monitoring system for the new City Hall building, located at 3105 Dayton Boulevard, from Johnson Controls Security Solutions LLC, in the amount of \$20,732.38, be and is hereby approved.

BE IT FURTHER RESOLVED that the City Manager or Mayor is authorized to sign and execute the purchase documents upon approval by the City Attorney.

Adopted and approved this 7th day of August 2018

Mayor

City Recorder

RESOLUTION NO. 18-1239

A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE AND TALLEY CONSTRUCTION COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$1,137,481.00

WHEREAS, the City of Red Bank advertised in the Chattanooga Times Free Press on June 13, 2018 for competitive bids for secondary roadway paving; and

WHEREAS, two (2) bids were received and opened on July 13, 2018; and

WHEREAS, the lowest responsive bid was from Talley Construction Company, Inc. in the amount of \$1,496,356.50; and

WHEREAS, one of the conditions of the paving bid affords the City the right to add or remove streets from the paving list depending on available funding; and

WHEREAS, during fiscal year 2019 the City intends to pave secondary roadways with an estimated cost not to exceed \$1,137,481.00; and

WHEREAS, as a result of the planned paving and available budgeted funds, the contract amount between the City of Red Bank and Talley Construction Company, Inc. will be in an amount not to exceed \$1,137,481.00; and

WHEREAS, it is necessary for the Commission to approve the bid and contract for secondary roadway paving.

NOW, THEREFORE BE IT RESOLVED by the Commission of the City of Red Bank, Tennessee that the bid and contract with Talley Construction Company, Inc. in the amount not to exceed \$1,137,481.00 be and is hereby approved.

BE IT FURTHER RESOLVED that the City Manager or Mayor is authorized to sign and execute the contract upon approval by the City Attorney.

Resolved this 7th day of August 2018

Mayor

City Recorder

RESOLUTION NO. 18-1240

A RESOLUTION TO AMEND THE ENGINEERING AGREEMENTS BETWEEN THE CITY OF RED BANK, TENNESSEE, AND WISER CONSULTANTS LLC. FOR TRANSPORTATION IMPROVEMENT PROJECTS

WHEREAS, the City of Red Bank approved certain agreements with Wisser Consultants LLC., in regard to engineering services, which are more particularly described herein below; and

WHEREAS, the original agreements included engineering costs incurred during the design phase of the projects, and Construction Engineering Inspection and Post-Construction Phase Services were not made a part of the original agreement; and

WHEREAS, in order to proceed with these projects, it is necessary to amend the agreements to include these Construction Engineering Inspection and Post-Construction Phase Services costs as described herein below:

- 1) PIN: 121881.00 Resurfacing and Milling of Dayton Boulevard from Greenleaf Street to Browntown Road, Contract #C-1562, Original Resolution No. 15-1061, Approved on July 21, 2015, Original Amount \$56,760.00, Amendment Amount \$44,656.71, Total Agreement Amount \$101,416.71**
- 2) PIN: 121880.00 Signalization Improvements, Contract #C-15-1062, Original Resolution No. 15-1062, Approved on July 21, 2015, Original Amount \$39,490.00, Amendment Amount \$45,265.26, Total Agreement Amount \$84,755.26**
- 3) PIN: 121917.00 Pedestrian and Traffic Calming Islands, Contract #C-1564, Original Resolution No. 15-1063, Approved on July 21, 2015, Original Amount \$40, 590.00, Amendment Amount 78, 512.18, Total Agreement Amount \$119, 102.18**

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee, that the afore described agreements between the City of Red Bank, Tennessee, and Wisser Consultants LLC, for engineering services be and is hereby amended to included Construction Engineering Inspection and Post-Construction Phase Engineering Services.

BE IT FURTHER RESOLVED that the City Manager or the Mayor is authorized to sign and execute the agreements upon approval by the City Attorney.

Approved this the 7th day of August 2018

Mayor John Roberts

City Recorder

RESOLUTION NO. 18-1241

A RESOLUTION TO AMEND THE ENGINEERING AGREEMENTS BETWEEN THE CITY OF RED BANK, TENNESSEE, AND WISER CONSULTANTS LLC. FOR THE ASHLAND TERRACE CULVERT REPAIR PROJECT AND THE FAIR STREET STREAM BANK REPAIR PROJECT

WHEREAS, the City of Red Bank approved certain agreements with Wisser Consultants LLC., in regard to engineering services, which are more particularly described herein below; and

WHEREAS, the original agreements included engineering costs incurred during the design phase of the projects, and Construction Engineering Inspection and Post-Construction Phase Services were not made a part of the original agreement; and

WHEREAS, in order to proceed with these projects, it is necessary to amend the agreements to include these Construction Engineering Inspection and Post-Construction Phase Services costs as described herein below:

- 1) Ashland Terrace Culvert Repair, Contract #C-1895, Original Resolution No. 18-1211, Approved on March 20, Original Amount \$61,600.00, Amendment Amount \$41,726.95, Total Agreement Amount \$103,326.95**
- 2) Fair Street Stream Bank Repair, Contract #C-1896, Original Resolution No. 18-1212, Approved on March 20, 2018, Original Amount \$43,582.00, Amendment Amount \$42,499.10, Total Agreement Amount \$86,081.10**

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee, that the afore described agreements between the City of Red Bank, Tennessee, and Wisser Consultants LLC, for engineering services be and is hereby amended to included Construction Engineering Inspection and Post-Construction Phase Engineering Services.

BE IT FURTHER RESOLVED that the City Manager or the Mayor is authorized to sign and execute the amended agreements upon approval by the City Attorney.

Approved this the 7th day of August 2018

Mayor John Roberts

City Recorder

RESOLUTION NO. 18-1242

A RESOLUTION DECLARING CITY OF RED BANK OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE TRADE THEREOF

WHEREAS, the City of Red Bank, Tennessee, is the owner of certain equipment that has been in use by the Fire Department for many years, (Attached hereto as Exhibit A) and which is outdated and is in need of replacement; and

WHEREAS, the City would like to trade this surplus equipment to Breathing Air Systems for credit towards the purchase of a new breathing air system for use by the Fire Department; and

WHEREAS, the City of Red Bank recommends declaring the equipment as surplus and authorizing the trade of the equipment, which will thereby reduce the cost of purchasing a new breathing air system.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee, that the attached equipment (Exhibit A) be declared surplus equipment and traded to Breathing Air Systems for credit towards the purchase of a new breathing air system for use by the Fire Department.

Resolved this 7th day of August 2018

Mayor

City Recorder

Fire Dept. items to be declared surplus to allow for the trade in:

(1) Compressor (serial # 7001)

(1) 5 bottle Cascade System (No serial numbers on Cascade System)



(1) 4 bottle Cascade System (No serial numbers on Cascade System)



RESOLUTION NO. 18-1243

A RESOLUTION AUTHORIZING THE PURCHASE OF A BREATHING AIR SYSTEM, CONSISTING OF A COMPRESSOR, FILL STATION AND CASCADE SYSTEM, FROM BREATHING AIR SYSTEMS. IN THE AMOUNT OF \$34,199.00

WHEREAS, the City of Red Bank advertised in the Chattanooga Times Free Press on July 16, 2018 for competitive bids for a breathing air system, consisting of a compressor, fill station and cascade system and trade in of old breathing air system for credit; and

WHEREAS, two (2) bids were received and opened on July 24, 2018; and

WHEREAS, the lowest responsive bid was from Breathing Air Systems in the amount of \$34,199.00, which included the trade in credit; and

WHEREAS, funds are budgeted and available in the Fiscal Year 2019 Operating Budget

WHEREAS, it is necessary for the City Commission to approve the bid and purchase for the breathing air system.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee, that the bid and purchase with Breathing Air Systems in the amount of \$34,199.00 be and is hereby approved.

Resolved this 7th day of August 2018

Mayor

City Recorder

RESOLUTION NO. 18-1244

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE APPOINTING CITY RECORDER RUTH ROHEN AS THE LOCAL ADMINISTRATOR FOR LOCAL GOVERNMENT CORPORATION NEXTGEN FINANCIAL ACCOUNTING SOFTWARE

WHEREAS, the City Commission recently approved the purchase of NextGen financial accounting software from Local Government Corporation; and

WHEREAS, as a condition of software use, Local Government Corporation requires that a Local Administrator be appointed by the City Commission; and

WHEREAS, the Local Administrator is responsible for adding, deleting and/or modifying software users and determining permissions and security profiles for employees accessing the software.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank that City Recorder Ruth Rohen is hereby appointed as the City of Red Bank Local Administrator for the NextGen financial accounting software as required by Local Government Corporation.

Resolved this 7th day of August 2018

Mayor

City Recorder