

BOARD OF COMMISSIONERS' MEETING

Minutes
February 18, 2020
6:00 p.m.

- I. **Call to Order** – Mayor Pierce called the meeting to order at 6:00 p.m.
- II. **Roll Call** – City Manager Thornbury called the roll. Mayor Pierce, Vice Mayor Jenó, Commissioner Howell, Commissioner LeCompte and Commissioner Rose were present. Also present were City Attorney Arnold Stulce Jr., Police Chief Dan Seymour, Fire Chief Mark Mathews, City Recorder Ruth Rohen and those listed on Exhibit A.
- III. **Invocation** – Mayor Pierce gave the Invocation.
- IV. **Pledge of Allegiance** – Fire Chief Mathews led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
 - A. **February 4, 2020 Agenda Work Session**
 - B. **February 4, 2020 Commission Meeting**Vice Mayor Jenó made a motion to approve both sets of minutes as printed, second by Commissioner LeCompte. Both sets of minutes were approved with all Commissioners voting “yes”.
- VI. **Communication from the Mayor**
 - Welcomed all.
 - Thanked City employees for the work they do daily. It is greatly appreciated.
- VII. **Commissioners Report**
 - **Vice-Mayor Ruth Jenó**
 - Welcomed everyone.
 - Seniors on the Go Program is still going strong and is well attended.
 - The Red Bank Food Pantry has a new schedule for putting food boxes together. They will be doing this on Wednesdays instead of Tuesdays, which has been the practice. This will start tomorrow at 10:00 a.m. at Red Bank Methodist Church, volunteers are welcome.
 - **Commissioner Tyler Howell**
 - Thanked everyone for coming tonight.
 - The City is looking beautiful, thanked all employees for the work they do to keep everything looking good and running smoothly.
 - **Commissioner Ed LeCompte**
 - Welcomed everyone.
 - **Commissioner Carol Rose**
 - Sorry to have missed the last meeting, had a family member pass away and was in Memphis for the funeral.
 - Attended the Planning Commission Work Session today. Thanked the members for all of their hard work and diligence considering matters brought before them. Thanked City Manager Thornbury for attending the Work Session today.

VIII. City Manager's Report

- Welcomed all.

IX. Public Hearing – RIGHT OF WAY ABANDONMENT WOODROSE LANE (ORDINANCE NO. 20-1165)

Mayor Pierce called the applicant, Phil Rose, forward. Mr. Rose advised that his father developed the property several years ago and they believed that the right-of-way in question had already been abandoned. He advised that his mother lives at 517 Woodrose Lane and owns the unaddressed and undeveloped property that abuts the right-of-way on the opposite side. He explained that the unaddressed parcel cannot be developed because of the City owned right of way. Mr. Rose advised that he is asking the City to abandon the 472.19 foot long and 40 foot wide right-of-way so that it can be used as a shared driveway to access the property that is currently land-locked. It was noted that the Planning Commission reviewed this request and recommended that the city abandon the right-of-way and that the right of way then be divided in half, according to applicable law, with adjoining property owners receiving 20 feet, paralleling the boundary of each lot of record. After no further comments or questions the Public Hearing was closed.

X. Unfinished Business -

A. ORDINANCE NO. 20-1164 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO SUPERSEDE ORDINANCE NO. 14-1015, TO BE CODIFIED AT TITLE 3, CHAPTER 2, SECTION 202 ET. SEQ. OF THE RED BANK CITY CODE, IN ORDER TO RE-AUTHORIZE AND PROVIDE IN GENERAL FOR ASSESSMENT AND PAYMENT OF COURT FINES, FEES AND COURT COST IN THE RED BANK CITY COURTS AND TO INCLUDE SPECIFICALLY THOSE FINES, FEES AND COSTS PERMITTED IN THE CONTEXT OF T.C.A. 55-10-207 “CITATIONS” AND AS GOVERNED BY TENNESSEE CODE ANNOTATED 55-10-207 (SECOND AND FINAL READING)(SECOND AND FINAL READING)

Mayor Pierce advised that this ordinance will reauthorize fees associated with issuance and processing of E-Citations. He explained that the City Commission approved an ordinance five years ago that established and authorized these fees and costs along with other court fees and fines that were updated, but that state law requires re-adoption of the E-Citation fee every five years. He advised that this fee, as required by State law, is used for technology purposes and to defray costs of implementation associated with the E-Citation system utilized by the Police Department. Commissioner Rose made a motion to approve the ordinance, second by Commissioner Howell. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Jeno “yes”, Commissioner Howell “yes” Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 20-1164 was approved on second and final reading with all Commissioners voting “yes”.

B. AGENDA ITEM 19-849 – CLINT CAMERON, 124 BROWNTOWN ROAD CONDEMNATION ORDER

Mr. Clint Cameron and his attorney, Sam Robinson, were called forward. Mr. Robinson advised that he was retained by Mr. Cameron to represent him in regard to the Condemnation Order that was issued for Mr. Cameron's property at 124 Browntown Road. After inquiry by Mr. Robinson, City Attorney Stulce advised that the Condemnation Order that Mr. Robinson was in possession of is the only Order and that no other Order has been issued. Upon questioning by his attorney, Mr. Cameron advised that he has retained a contractor that began demolition of some portions of plaster on the inside of the home on or around January 6th. Mr. Cameron provided some photos of the inside of the home showing some plaster removal. Upon inquiry by Mayor Pierce, Mr. Cameron advised that his contractor is Terry Case and that he does not have a written contract for Mr. Case to work on the home, just a verbal agreement. He explained that he has paid Mr. Case approximately \$1,000 to date for materials. Attorney Stulce gave an overview of the Condemnation Order that was issued by the City Commission and the timelines contained therein. After no further discussion, comments or questions, Mayor Pierce advised Mr. Clinton and his attorney that the Condemnation Order, as issued, remains in effect.

XI. New Business –

A. ORDINANCE NO. 20-1165 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, ABANDONING A CERTAIN RIGHT-OF-WAY BETWEEN 517 WOODROSE LANE, HAMILTON COUNTY TAX MAP PARCEL 099N E 049 AND 5105 DELASHMITT ROAD, HAMILTON COUNTY TAX MAP PARCEL 099N E 047, AND 5107 DELASHMITT ROAD, HAMILTON COUNTY TAX MAP PARCEL 099N E 046 AND A PARCEL WITHOUT AN ASSIGNED POSTAL ADDRESS AT HAMILTON COUNTY TAX MAP PARCEL 099N E 048 (FIRST READING)

Mayor Pierce advised that this item was discussed thoroughly in the earlier Public Hearing tonight. Commissioner Howell noted that the Planning Commission reviewed this item and has recommended approval and that the City Manager advised that the right of way has no potential for use by the city now or in the future. Commissioner Rose advised that she will be abstaining from voting on this item, due to a conflict of interest. Vice Mayor Jenó made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Jenó “yes”, Commissioner Howell “yes” Commissioner LeCompte “yes”, Commissioner Rose “abstain”.** Ordinance No. 20-1165 was approved on first reading, with Commissioner Rose abstaining.

B. ORDINANCE NO. 20-1166 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, EXTENDING THE TIME LIMIT FOR COMMENCEMENT OF OPERATION OF AN INDOOR CLIMATE CONTROLLED STORAGE FACILITY AT 4707 DAYTON BOULEVARD AND THEREBY AMENDING ORDINANCE NO. 19-1144 (FIRST READING)

Mayor Pierce called Mr. Eric Everett forward. Mr. Everett explained that he is requesting an extension of 6 months to commence operation of an indoor climate controlled storage facility at 4707 Dayton Blvd. He advised that he has had several issues arise that has hindered him from reaching the one year standard that was a condition of the rezoning a year ago. He explained it took approximately 4 months to complete the design review process and two months to secure financing for the business. He advised that work on the building is approximately 70% complete and requests an additional six months to commence operations. Commissioner Howell made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Jenó “yes”, Commissioner Howell “yes” Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 20-1166 was approved on first reading with all Commissioners voting “yes”.

C. RESOLUTION NO. 20-1332 – RESOLUTION AND PROCLAMATION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, DEDICATING THE PORTION OF DAYTON BOULEVARD BETWEEN ASHLAND TERRACE AND GADD ROAD TO JOSEPH GLASSCOCK IN HONOR OF HIS MERITORIOUS SERVICE TO THE CITY OF RED BANK

Mayor Pierce advised that this is a resolution to dedicate the portion of Dayton Blvd. between Ashland Terr. and Gadd Rd. to Joe Glasscock for his many years of public service to the City of Red Bank. Vice Mayor Jenó gave an overview of Mr. Glasscock’s many years of service and advised that she was contacted by State Representative Patsy Hazelwood, who initiated this item. Commissioner LeCompte made a motion to approve the resolution, second by Commissioner Jenó. There were no citizen comments. Resolution No. 20-1332 was approved with all Commissioners voting “yes”.

D. RESOLUTION NO. 20-1333 – RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, SUPPORTING THE DEDICATION OF A SECTION OF HIGHWAY 27, WHERE IT INTERSECTS WITH MORRISON SPRINGS ROAD, TO BE KNOWN AS THE RICHARD FLOYD INTERCHANGE

Mayor Pierce advised that this resolution is in support of the State of Tennessee, having stated its intent to name the interchange at Highway 27 and Morrison Springs Road in honor of Richard Floyd, who is a Former State Representative and a Red Bank resident. Vice

Mayor Jenó advised that this item was initiated by State Representative Patsy Hazelwood in recognition of Mr. Floyd's many years of service. Vice Mayor Jenó made a motion to approve the resolution, second by Mayor Pierce. Resolution No. 20-1333 was approved with all Commissioners voting "yes".

E. RESOLUTION NO. 20-1334 – A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND HAMILTON COUNTY, TENNESSEE AND THE HAMILTON COUNTY SHERIFF'S OFFICE RELATING TO INFORMATION TECHNOLOGY SERVICES

Mayor Pierce advised that this resolution will authorize an agreement between the City of Red Bank and Hamilton County that will allow the Police Department to participate in the utilization of the electronic Records Management System that is currently in use by the Hamilton County Sheriff's Department. He explained that this is a twelve month agreement that will start on July 1, 2020, with yearly automatic renewals, unless either party elects, after a notice period, not to renew. He explained that the first year cost for the utilization of the system is \$10,256.41. Commissioner Rose made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 20-1334 was approved with all Commissioners voting "yes".

XII. Citizen Comments – None

XIII. Adjournment

The meeting was adjourned at 6:40 p.m.

Mayor Eddie Pierce

Date

City Recorder Ruth Rohen

Date