

BOARD OF COMMISSIONERS' MEETING

Minutes
February 19, 2019
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 Pope, Commissioner Jenó, Commissioner and Commissioner LeCompte were present. Commissioner Rose was absent. Also present were City Attorney Arnold A. Stulce Jr., Fire Chief Mark Mathews, Interim Police Chief John Wright, Finance Director John Alexander, City Recorder Ruth Rohen and those listed on Exhibit A.
- III. **Invocation** – 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. **February 5, 2019 Agenda Work Session**
 - B. **February 5, 2019 Commission Meeting**

Commissioner 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.
- Enjoyed speaking at the Chamber Lunch today.

VII. **Commissioners Report**

- **Vice-Mayor Terry Pope**
 - Welcomed everyone
 - Thanked the Police Department for responding to his home on a stolen vehicle that was abandoned in his yard.
- **Commissioner Ruth Jenó**
 - Welcomed all.
 - Reminded everyone that the Seniors on the Go meet on Mondays and Thursdays at the Community Center. Thanked Benchmark Physical Therapy for leading their exercise program, free of charge.
- **Commissioner Ed LeCompte**
 - Welcomed all
 - Enjoyed attending the Chamber Lunch today and enjoyed Mayor Pierce’s State of the City Speech.
- **Commissioner Carol Rose**
 - Absent.

VIII. **City Manager Report** –

Welcomed everyone. Several ongoing projects, including Sidewalk installation, traffic signal improvements and paving, will enter the construction phase soon.

IX. **Unfinished Business** –

A. ORDINANCE NO. 19-1144 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE HAMILTON COUNTY TAX PARCEL 109B-E-005 AT 4707 DAYTON BOULEVARD FROM C-1 COMMERCIAL ZONE TO L-1 LIGHT MANUFACTURING ZONE, SUBJECT TO CONDITIONS (SECOND AND FINAL READING)

Mayor Pierce advised that this item was discussed in detail during a Public Hearing on February 5, 2019. He explained this rezoning is conditioned upon use for indoor climate controlled storage only and no other use. He also explained that if this type use is not commenced within one year or if the use is discontinued for a period of one year, the zoning will automatically revert back to C-1. Commissioner LeCompte made a motion to approve the ordinance, second by Vice Mayor Pope. Mayor Pierce invited citizen comments.

- Kate Sonberg, California Ave., Feels that there could be a better use for the property and is against the rezoning.
- Becky Potts, 406 Paragon Drive, Inquired if there would be more area added to the parking lot.
- Jamie Buttram, 1 Orlando Drive, Is opposed to the rezoning.

- Preston Dunsseau, 4821 Appian way, Asked if there was a long term plan for the City of Red Bank.

After no further citizen comments, Mayor Pierce asked for a roll call vote. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jeno “yes”, Commissioner LeCompte “yes”.** Ordinance No. 18-1144 was approved on second and final reading by all Commissioners present voting “yes”.

B. ORDINANCE NO. 19-1145 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REPEAL AND REPLACE ORDINANCE NO. 18-1140 AND TO AMEND TITLE 16, CHAPTER 1, SECTION 16-115 (11) OF THE RED BANK CITY CODE, IN ORDER TO PERMIT , UNDER CERTAIN LIMITED CIRCUMSTANCES AND CONDITIONS, THE UTILIZATION OF THE PUBLIC RIGHT-OF-WAY FOR PRIVATE OR QUASI-PRIVATE PURPOSES (SECOND AND FINAL READING)

City Manager Thornbury advised that this ordinance establishes procedures for temporary use of public right of way for private purposes. He further explained that this establishes a permitting application process and as part of the process the applicant/user acknowledges that temporary use may be revoked at any time by the city, at the applicant/owner’s expense. Commissioner Jeno made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jeno “yes”, Commissioner LeCompte “yes”.** Ordinance No.19-1145 was approved on second and final reading with all Commissioners present voting “yes”.

X. New Business

A. ORDINANCE NO. 19-1146 – AN ORDINANCE GRANTING A FRANCHISE TO ZAYO GROUP, LLC. FOR THE PURPOSE OF ALLOWING IT TO CONSTRUCT, INSTALL AND OPERATE CERTAIN TELECOMMUNICATIONS WIRES AND CABLING WITHIN THE PUBLIC RIGHT-OF-WAY IN ORDER TO PROVIDE TELECOMMUNICATIONS SERVICES WITHIN THE CITY, SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE PUBLIC RIGHTS-OF-WAY IN CONJUNCTION WITH THE CITY’S RIGHT-OF-WAY ORDINANCES, AND PRESCRIBING PENALTIES AND REMEDIES FOR THE VIOLATIONS OF THE PROVISIONS HEREOF (FIRST READING) (FIRST READING)

City Manager Thornbury explained that this ordinance will authorize a franchise agreement with Zayo Group that will allow them to install fiber optic cable on city owned right of way. He advised that the fiber optic cables are for telecommunications purposes. Mayor Pierce made a motion to approve the ordinance, second by Vice Mayor Pope. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jeno “yes”, Commissioner LeCompte “yes”.** Ordinance No.19-1146 was approved on second and final reading with all Commissioners present voting “yes”.

B. RESOLUTION NO. 19-1279 – A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR MAPCO #3683, 314 MORRISON SPRINGS ROAD, RED BANK, TENNESSEE

City Attorney Stulce advised that this resolution will authorize the Mayor to sign a Certificate of Compliance for the MAPCO, located on Morrison Springs Road. He explained that the Alcoholic Beverage Commission regulates the sale of liquor and that this certificate is part of the procedure for the store to be able to sell wine. Interim Chief Wright verified that the police department conducted an investigation on the applicant and location with no disqualifying results. Commissioner LeCompte made a motion to approve the resolution, second by Mayor Pierce. Resolution No.

19-1279 was approved with all Commissioners present voting “yes”.

C. RESOLUTION NO. 19-1280 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE PURCHASE OF ONE NEW 2019 FORD F-150 PICK-UP TRUCK, IN THE AMOUNT OF \$22,845.12, FROM MOUNTAIN VIEW FORD

City Manager Thornbury advised that, if approve, this resolution will authorize the purchase of a pick-up truck for the Solid Waste department. He explained that the city received quotes and the lowest quote was from Mountain View Ford in the amount of \$22,845.12. He also explained that this was a budgeted item and will require no financing. Commissioner Jeno made a motion to approve the resolution, second by Mayor Pierce. Resolution No. 19-1280 was approved with all Commissioners present voting “yes”.

XI. Citizen Comments – None

XII. Adjournment

The meeting was adjourned at 6:27 p.m.

Mayor

City Recorder Ruth Rohen