

BOARD OF COMMISSIONERS' MEETING

Minutes
March 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 LeCompte and Commissioner Rose were present. 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. **March 5, 2019 Agenda Work Session**
 - B. **March 5, 2019 Commission Meeting**

Commissioner Jenó 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 Terry Pope**
 - Welcomed everyone
 - Enjoyed attending the Chamber Lunch today
 - Thanked the Planning Commission for volunteering their time to serve on the board.
- **Commissioner Ruth Jenó**
 - Welcomed all, special recognition to several participants in the Seniors on the Go program.
 - Thanked the Planning Commission for all of the hard work they do for the city.
- **Commissioner Ed LeCompte**
 - Welcomed all
 - Thanked the Planning Commission members for all of the hard work they do.
- **Commissioner Carol Rose**
 - Welcomed all.
 - Thanked the Planning Commission for the work they do for the city.

VIII. **City Manager Report** –

Welcomed everyone. Announced that the 40th Anniversary Jubilee will be on May 4th with the parade starting at 10:00 and family friendly activities throughout the day.

IX. **Awards and Presentations**

- A. Trish Baker and Becky Browder with the Red Bank Soddy Daisy Charitable Foundation, presented the city with grant funding totaling \$23,200.00. Ms. Baker explained that as a stipulation of the grant, funds can be used for the sole purpose of purchasing Christmas

lights and decorations to replace decorations that were destroyed in a fire. Mayor Pierce thanked the Foundation for the grant and advised that an ordinance is on the agenda tonight to amend the budget to incorporate the grant funding.

- B. Mayor Pierce presented certificates of appreciation to Marlene Eberhart and Benchmark Physical Therapy for the voluntary work they do with the Seniors on the Go Program. He explained that Ms. Eberhart has been instrumental in planning events and spearheading the program for over five years. He thanked Benchmark Physical Therapy for leading the exercise program for the past five years for the seniors.

X. Public Hearings

A. Public Hearing on Ordinance No. 19-1148

Mayor Pierce advised that this Public Hearing is in regard to a draft small cell telecommunications ordinance that is on the agenda tonight for first reading. He advised that the State of Tennessee recently passed legislation that requires municipalities to allow telecommunications companies use of the public right of ways for installation of small cell facilities, but that also restricts, within certain guidelines, the ability of municipalities to regulate such facilities. He advised that this ordinance is designed to address those matters and includes some screening requirements and an application and fee process and other permitted guidelines. Mayor Pierce advised that the Planning Commission thoroughly reviewed this ordinance and recommended approval. Mayor Pierce invited citizen comments, of which there were none. After no further, this Public Hearing was closed.

B. Public Hearing on Ordinance No. 19-1149

Mayor Pierce explained that the purpose of this public hearing is to consider citizen comments in regard to rezoning properties abutting Dayton Boulevard on the East side from Meadowbrook Drive to Barker Road and on the West side from Meadowbrook Drive to Glenron Street from C-1 Commercial to C-3 Commercial. He explained that the intent of the rezoning is to enhance the livability of the residential neighborhoods that abut that portion of Dayton Boulevard while promoting permitted uses in the commercial zone. Mayor Pierce explained that the Planning Commission thoroughly reviewed this ordinance and recommended the rezoning. He also explained that the rezoning addresses the long range land use plan for the city. Mayor Pierce invited citizen comments.

- Brian Glasscock, Contractor and property owner: Mr. Glasscock advised that he owns townhomes located at the intersection of Dayton Blvd. and Santeelah St. and asked if townhomes are a permitted use in the C-3 zone. He was advised that they are.

- Demetrius Flengas, 4422 Dayton Blvd.: Advised that he is against the rezoning of his property from C-1 to C-3.

After no further this Public Hearing was closed.

X Unfinished Business –

A. ORDINANCE NO. 19-1147 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REPEAL THE EXISTING RED BANK SIGN ORDINANCE, CODIFIED AT RED BANK CITY CODE, TITLE 9, CHAPTER 8, SECTION 9-801 ET SEQ. AND TO ADOPT IN ITS PLACE AND STEAD THE RED BANK SIGN ORDINANCE, ALSO TO BE CODIFIED AT TITLE 9, CHAPTER 8, SECTION 9-801 ET SEQ. OF THE RED BANK CITY CODE (SECOND AND FINAL READING)

Mayor Pierce explained that this ordinance has been under consideration and review for many months, has gone through several drafts and revisions and is intended to upgrade the city's regulations and to meet current and projected needs. He noted that the Planning Commission has thoroughly reviewed this item and recommended approval. Commissioner Rose 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 Jenó "yes", Commissioner LeCompte "yes", Commissioner Rose "yes".** Ordinance No. 19-1147 was approved on second and final reading with all Commissioners voting "yes".

XI. New Business

A. ORDINANCE NO. 19-1148 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE RED BANK ZONING ORDINANCE NO. 15-1020, PURSUANT TO AUTHORITY GRANTED BY SECTION 13-7-201, TENNESSEE CODE ANNOTATED BY AMENDING TITLE 14, CHAPTER 11, SECTIONS 1101 ET SEQ., OF THE RED BANK CITY CODE, REGULATING TELECOMMUNICATIONS STRUCTURES (FIRST READING)

Mayor Pierce explained that this item was discussed during the earlier Public Hearing. He advised that if the ordinance is approved it will adopt regulations for installation of small cell telecommunications equipment within the city. He explained that the legislature has left limited authority to municipalities to regulate small cell equipment in right of ways but that there are some screening, application and fee requirements in the ordinance. Mayor Pierce advised that the Planning Commission thoroughly reviewed this ordinance and recommended approval. Commissioner LeCompte made a motion to approve the ordinance, second by Commissioner Jenó. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No.19-1148 was approved on first reading with all Commissioners voting “yes”.

B. ORDINANCE NO. 19-1149 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE FROM C-1 COMMERCIAL TO C-3 NEIGHBORHOOD COMMERCIAL, THE PROPERTIES FRONTING BOTH SIDES OF DAYTON BOULEVARD FROM TAX MAP 109I, GROUP C, PARCEL 010 AT 4301 DAYTON BOULEVARD NORTH TO AND INCLUDING TAX MAP 109B, GROUP D, PARCEL 004, AT AN UNADDRESSED PROPERTY ON DAYTON BOULEVARD AND FROM TAX MAP 109J, GROUP A, PARCEL 027 AT 4300 DAYTON BOULEVARD NORTH TO AND INCLUDING TAX MAP 109B, GROUP L, PARCEL 001 AT 1 PAULMAR DRIVE (FIRST READING)

Mayor Pierce explained that this ordinance was discussed earlier tonight during a public hearing. He advised that this rezoning is being considered in an effort to enhance the livability of the residential neighborhoods that are abutting Dayton Blvd. while also protecting the reasonable uses in the commercial district. He advised that the Planning Commission thoroughly studied this rezoning for several months and recommended approving the ordinance. He also explained that this rezoning addresses the long term land use plan for the city. Commissioner Rose 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 Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No.19-1149 was approved on first reading with all Commissioners voting “yes”.

C. ORDINANCE NO. 19-1150 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2018 OPERATING BUDGET TO APPROPRIATE DONATION FUNDING FROM THE RED BANK AND SODDY DAISY CHARITABLE FOUNDATION IN THE AMOUNT OF \$23,200.00, AND TO ACCEPT CONDITIONS OF THE GRANT (FIRST READING)

Mayor Pierce advised that this ordinance will amend the budget to add grant funding that was presented earlier in the meeting from the Red bank and Soddy Daisy Charitable Foundation. He advised that the funds will be used for the sole purpose of purchasing Christmas decorations as had been requested by the city. Commissioner LeCompte made a motion to approve the ordinance, including the stipulations of the grant that funds be used for the sole purpose of purchasing Christmas lights/decorations, second by Commissioner Rose. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No.19-1150 was approved on first reading with all Commissioners voting “yes”.

D. RESOLUTION NO. 19-1284 – A RESOLUTION AUTHORIZING PRATT FAMILY PARTNERS, 1734 DAYTON BOULEVARD, TO USE TEMPORARILY THE RIGHT OF WAY LOCATED ALONG 1738 DAYTON BOULEVARD FOR THE PURPOSE OF CONSTRUCTING A DUMPSTER ENCLOSURE FOR PERMITTEE’S USE BY MULTIPLE AREA BUSINESSES, AS SHOWN ON THE MAPS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS

Mayor Pierce advised that this resolution, if approved, will grant a temporary use agreement to Pratt Family Partners to use a portion of city right of way to extend a retaining wall along Commerce Street and to construct a concrete pad and enclosure for location of a dumpster. He explained that Pratt Family Partners will be required to cease use of the right of way if the city has further need of the right of way. Commissioner Jenó made a motion to approve the resolution, second by Vice Mayor Pope. There were no citizen comments. Resolution No. 19-1284 was approved with all Commissioners voting "yes".

XII. Citizen Comments – None

XIII. Adjournment

The meeting was adjourned at 6:28 p.m.

Mayor

City Recorder Ruth Rohen