

# *City of Red Bank*

Ruth Jenó  
Acting Mayor

Tim Thornbury  
City Manager

## **BOARD OF COMMISSIONERS' MEETING**

Agenda  
July 21, 2020  
6:00 p.m.

- I. Call to Order –Mayor Ruth Jenó**
- II. Roll Call – City Manager**  
Acting Mayor Jenó \_\_\_\_\_, Commissioner Howell \_\_\_\_\_ Commissioner LeCompte \_\_\_\_\_,  
Commissioner Rose \_\_\_\_\_
- III. Invocation –**
- IV. Pledge of Allegiance –**
- V. Consideration of the Minutes for approval or correction:**
  - A. July 7, 2020 Agenda Work Session**
  - B. July 7, 2020 Commission Meeting**
- VI. Communication from Mayor Ruth Jenó**
- VII. Commissioner's Report**
  - A. Commissioner Tyler Howell**
  - B. Commissioner Ed LeCompte**
  - C. Commissioner Carol Rose**
- VIII. City Manager's Report**
- IX. Unfinished Business –**
  - A. ORDINANCE NO. 20-1174 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT 5005 DAYTON BOULEVARD, HAMILTON COUNTY TAX MAP PARCEL NUMBER 0990 B 001.01, FROM R1-A RESIDENTIAL TO R-3 RESIDENTIAL, SUBJECT TO CONDITIONS (SECOND AND FINAL READING)**
  - B. ORDINANCE NO. 20-1175 - AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING ORDINANCE NO. 02-853, SECTION 5(C), THE STORM WATER UTILITY SERVICE CHARGE (SECOND AND FINAL READING)**
- X. New Business**
  - A, RESOLUTION NO. 20-1353 – A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND PRO-SHOT CONCRETE, INC., IN AN AMOUNT NOT TO EXCEED \$29,749.50, FOR THE REPAIR AND RELINING OF A DRAINAGE CULVERT ON CLOUDVIEW LANE**
  - B. RESOLUTION NO. 20-1354 – A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2020 FORD INTERCEPTOR UTILITY ALL WHEEL DRIVE, FROM LONNIE COBB FORD, IN THE AMOUNT OF \$34,892.00 FOR THE POLICE DEPARTMENT**
  - C. RESOLUTION NO. 20-1355 – A RESOLUTION AUTHORIZING THE PURCHASE OF TWELVE PORTABLE RADIOS FROM MOTOROLA SOLUTIONS, IN THE AMOUNT OF \$47,655.00, AND DECLARING AS SURPLUS TWELVE CURRENTLY OWNED PORTABLE RADIOS AND AUTHORIZING THE TRADE THEREOF TO USE TOWARDS THE PURCHASE**
  - D. RESOLUTION NO. 20-1356 – A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2021 INTERNATIONAL 14 FOOT FLAT BED DUMP TRUCK FROM LEE SMITH INCORPORATED, IN THE AMOUNT OF \$94,349.00, FOR THE SOLID WASTE DEPARTMENT**

**E. RESOLUTION NO. 20-1357 – A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2021 INTERNATIONAL 16 FOOT FLAT BED DUMP TRUCK FROM LEE SMITH INCORPORATED, IN THE AMOUNT OF \$94,193.00, FOR THE SOLID WASTE DEPARTMENT**

**F. RESOLUTION NO. 20-1158 – A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2021 INTERNATIONAL AUTOMATED SIDE LOAD REFUSE COLLECTION TRUCK FROM LEE SMITH INCORPORATED, IN THE AMOUNT OF \$206,936.00 FOR THE SOLID WASTE DEPARTMENT**

**XI. Citizen Comments from Red Bank Citizens about Red Bank business (3 minute limit)**

**XII. Adjournment**

*City of Red Bank*

**COMMISSIONERS AGENDA WORK SESSION**

**RED BANK CITY HALL**

Minutes

July 7, 2020

5:00 p.m.

*Tim Thornbury*  
City Manager

*Ruth Jenó*  
Acting Mayor

The Board of Commissioners met in a public and advertised Agenda Work Session on July 7, 2020 at 5:00 p.m. To better comply with social distancing requirements, the meeting was held at the Joe Glasscock Community Center. The date, time and location of the meeting was advertised in a paper of local circulation and on the City of Red Bank web-site. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Acting Mayor Ruth Jenó, Commissioner Tyler Howell, Commissioner Ed LeCompte and Commissioner Carol Rose. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce, Police Chief Dan Seymour, Fire Chief Mark Mathews, Finance Director John Alexander, City Recorder Ruth Rohen and those listed on Exhibit A.

1. City Manager Thornbury advised that there is a resolution on the agenda tonight to approve the purchase of a backhoe loader for use by the solid waste department. He advised that the equipment will be purchased under the State of Tennessee contract from Stowers Machinery at a cost of \$98,967.93. He advised that this is a budgeted item and will be a cash purchase without the need for financing.
2. City Manager Thornbury advised that there is a resolution on the agenda tonight to authorize the city to apply for a Safety Partners Grant through Public Entity Partners. He explained that this is a 50 percent matching grant, up to \$2,000 and that funds will be used to purchase forty firefighter protective hoods.
3. City Manager Thornbury advised that there are two public hearings on the agenda tonight. The first public hearing is regarding a rezoning request to rezone property at 5005 Dayton Boulevard. from R-1A to R-3 for development of a Planned Unit Development consisting of single family homes and single family attached townhomes, and subject to conditions. The second public hearing is in regard to a Special Exceptions Permit to develop a Planned Unit Development on Pinebreeze Road, also subject to conditions.
4. Commissioner Rose requested an update regard the old middle school property development.
5. Acting Mayor Jenó requested that the City Manager and the City Attorney review the current wrecker ordinance as it relates to requirements that wrecker companies have a storage lot physically located within the city of Red Bank in order to be placed on the wrecker rotation list.

**The meeting was adjourned at 5:12 p.m.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Date

**BOARD OF COMMISSIONERS' MEETING**

Minutes

July 7, 2020

6:00 p.m.

- I. **Call to Order** – Acting Mayor Jenó called the meeting to order at 6:00 p.m. This meeting was held at the Joe Glasscock Community Center to better follow current Hamilton County Health Department and Governor Lee's COVID 19 virus social distancing requirements. The date, time and location of the meeting had been duly advertised in a paper of local circulation and on the City of Red Bank website.
- II. **Roll Call** – Mayor Jenó called the roll. Those present were Acting Mayor Ruth Jenó, Commissioner Tyler Howell, Commissioner Ed LeCompte and Commissioner Carol Rose. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce, Police Chief Dan Seymour, Fire Chief Mark Mathews, Finance Director John Alexander, City Recorder Ruth Rohen and those listed on Exhibit A.
- III. **Invocation** – Commissioner Howell 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. **June 16, 2020 Commission Meeting**
  - B. **June 16, 2020 Agenda Work Session**Commissioner LeCompte made a motion to approve both sets of minutes as printed, second by Commissioner Howell. The minutes were approved with all Commissioners voting "yes".
- VI. **Communication from Mayor Jenó**
  - Welcomed everyone.
  - Was honored to attend the Red Bank High School Class of 2020 graduation ceremony.
  - Thanked the fire department for the quick response and great job saving a house from being destroyed by a house fire on Briggs Avenue.
- VII. **Commissioners Report**

**Commissioner Tyler Howell**

  - Welcomed everyone.
  - Congratulated the Class of 2020 on their graduation.
  - Thanked all city staff and Department Heads for their hard work.

**Commissioner Ed LeCompte**

  - Welcomed everyone.
  - Glad to be back in town after a short vacation.

**Commissioner Carol Rose**

  - Welcomed all.
  - Advised that she has received several calls regarding the old middle school property. She advised that the city is still moving on the property and working through several issues.
- VIII. **City Manager's Report**
  - Welcomed everyone.
  - Reminded everyone to stay safe and practice social distancing during the ongoing COVID 19 pandemic.

## IX. Public Hearings

- 1) City Manager Thornbury advised that this Public Hearing is regarding a request to rezone property at 5005 Dayton Boulevard, Hamilton County Tax Map Parcel 098 O B 001.01 from R-1A residential to R-3 residential for development of a Planned Unit Development consisting of singled family detached houses and single family attached townhomes, subject to conditions. Mr. Thornbury advised that the applicant on this project was running late so this public hearing was closed and will be reopened when the applicant arrives.

Upon later arrival of Chris Anderson, the Public Hearing was re-opened and Acting Mayor Jenó called the applicant, Chris Anderson with Greentech Homes forward. Mr. Anderson explained that he is requesting the property be rezoned for development of a Planned Unit Development consisting of singled family detached houses and single family attached townhomes. It was noted that the Planning Commission reviewed the request to rezone the property and recommended approval. There were no questions from the commissioners. The Mayor opened the floor for public comments or questions but there were none. After no further comments, this public hearing was closed.

- 2) City Manager Thornbury advised that this Public Hearing is regarding a request for a Special Exceptions Permit for development of a Planned Unit Development consisting of single family homes and single family attached townhomes on Pinebreeze Road, Hamilton County Tax Map Parcels 126 E B 013, 126E B 014, 126E B 015 and 126E B 020. John Coffelt with HGH Construction and Derrick Blackwood with MAP Engineers were in attendance to present project details. They explained that the development will have a maximum of 29 units as conditioned by the recently approved rezoning. Mr. Blackwood advised that the development will be a mix of single family detached homes and single family attached townhomes with the entrance and exit on Pinebreeze Road. There were no questions from the commissioners. Mayor Jenó invited citizen comments:

- Nell Reed, 3808 Oakland Terrace, Advised she is not familiar with the location and asked for clarification of where this property is located in the city.
- Rick Rushworth, 501 W. Oxford Drive, Advised that the developers have been very helpful and accommodating through this process.

It was noted that the Planning Commission reviewed the request for a Special Exceptions Permit and recommended approval, subject to conditions. After no further comments, this public hearing was closed.

## X. Unfinished Business –

- A. **ORDINANCE NO. 20-1171 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING ORDINANCE AND MAPS OF THIS CITY TO REZONE PROPERTY LOCATED AT 14 KINGSTON STREET, HAMILTON COUNTY TAX MAP PARCEL 118A F 004, FROM R-1 RESIDENTIAL TO R-T/Z TOWNHOUSE / ZERO LOT LINE RESIDENTIAL, SUBJECT TO CONDITIONS (SECOND AND FINAL READING)**

City Manager Thornbury read aloud the conditions of the rezoning. He advised that there was a Public Hearing held during the Commission Meeting on June 16<sup>th</sup> and noted that the Planning Commission thoroughly studied the request to rezone this property and recommended approval, with conditions. Commissioner Howell made a motion to approve the ordinance, second by Commissioner Rose. There were no citizen comments. **Roll Call Vote: Acting Mayor Jenó “yes”, Commissioner Howell “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 20-1171 was approved on second and final reading with all Commissioners voting “yes”.

- B. **ORDINANCE NO. 20-1172 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE ZONING ORDINANCE NO. 15-1020, CODIFIED AT RED BANK CITY CODE, TITLE 14, CHAPTER VII, SECTIONS 14-701 ET. SEQ. (SECOND AND FINAL READING)**

City Manager Thornbury explained that the city’s current ordinances regarding Adult Oriented Establishments has not been updated in several years. He explained that this ordinance will update the requirements and regulations related to operation of Adult Oriented Establishments so that the regulations more closely resemble the City of Chattanooga’s ordinance on Adult Oriented Establishments. It was noted that the Planning Commission reviewed this ordinance and

recommended approval, The City Commission has previously studied the need for and the contents of this ordinance. Commissioner LeCompte made a motion to approve the ordinance, second by Commissioner Rose. Citizen Comments:

- Elizabeth Mayfield, 3514 Lamar Avenue, Advised that in her opinion some convenience stores sells items that are inappropriate and that can be seen by minors.

There were no further comments. **Roll Call Vote: Acting Mayor Jenó "yes", Commissioner Howell "yes", Commissioner LeCompte "yes", Commissioner Rose "yes"**. Ordinance No. 20-1172 was approved on second and final reading with all Commissioners voting "yes".

**C. ORDINANCE NO. 20-1173 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE ZONING ORDINANCE NO. 15-1020, CODIFIED AT TITLE 14 OF THE RED BANK CITY CODE, CHAPTER IV, SECTION 14-402 AND CHAPTER V, SECTION 14-501 AND SECTION 14-502 AS RELATES TO "PERMITTED USES" IN THE ZONES THEREIN SPECIFIED (SECOND AND FINAL READING)**

City Manager Thornbury advised that this ordinance is complimentary to Ordinance No. 20-1172 and will amend the zoning ordinance relating to permitted uses in the C-1 Commercial Zone to permit Adult Oriented Establishments, under the newly enacted regulatory ordinance, in the C-1 Commercial zone. The Planning Commission reviewed the proposed amendment and recommended approval. Commissioner Rose made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Acting Mayor Jenó "yes", Commissioner Howell "yes", Commissioner LeCompte "yes", Commissioner Rose "yes"**. Ordinance No. 20-1173 was approved on second and final reading with all Commissioners voting "yes".

**D. RESOLUTION NO. 20-1347 – A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, WHETHER AND UPON WHAT CONDITIONS A SPECIAL EXCEPTIONS PERMIT WILL BE ISSUED TO IMMUNOTEK BIOCENTERS, 2101 DAYTON BOULEVARD**

City Manager Thornbury advised that this resolution was tabled from the June 16, 2020 Commission Meeting, after through discussion. Commissioner Howell advised that he feels this was not an appropriate use for this location because it is incompatible with the neighborhood and so closely abuts a residential zone. Commissioner Howell made a motion to deny the Special Exceptions Permit, second by Commissioner Rose, who additionally stated that she felt this business will not attract new homeowners or new businesses and will not generate any sales tax revenue for the city, and further that the location was compatible with the surrounding area, with which Commissioner Howell agreed.

Citizen comments:

- Doug Downey, 2112 Dayton Boulevard, Is opposed to ImmunoTek Biocenters application for a Special Exceptions Permit to locate in Red Bank.

- Andrea Abercrombie, 409 E. Midvale Avenue, Is opposed to ImmunoTek Biocenters application for a Special Exceptions Permit to locate in Red Bank.

- Elizabeth Mayfield, 3514 Lamar Avenue, Is opposed to ImmunoTek Biocenters application for a Special Exceptions Permit to locate in Red Bank.

- Donna Sullivan, 2027 James Avenue, Is opposed to ImmunoTek Biocenters application for a Special Exceptions Permit to locate in Red Bank.

- Lori Kyle, 3406 Redding Road, Is opposed to ImmunoTek Biocenters application for a Special Exceptions Permit to locate in Red Bank.

- Tammy Way 433 Lullwater Road, Is opposed to ImmunoTek Biocenters application for a Special Exceptions Permit to locate in Red Bank.

Aaron Renshaw, Property Acquisitions Manager for Immunotek Biocenters, gave an overview of the company and its screening, standards and regulations for plasma collection. Mr. Renshaw also explained several health conditions that utilizes plasma as a form of treatment.

After no further comments, the motion to deny the application for a Special Exceptions Permit for Immunotek Biocenters for 2101 Dayton Boulevard was approved with all Commissioners voting "yes".

**XI. New Business –**

**A. ORDINANCE NO. 20-1174 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT 5005 DAYTON BOULEVARD, HAMILTON COUNTY TAX MAP PARCEL 0990 B 001.01 FROM R1-A RESIDENTIAL TO R-3 RESIDENTIAL, SUBJECT TO CONDITIONS (FIRST READING)**

City Manager Thornbury advised that the applicant for this rezoning had arrived and Mayor Jenó re-opened the earlier Public Hearing (See reference to Item IX (1) of these minutes). Thereafter, Mr. Thornbury read the caption of the ordinance and conditions contained in the ordinance, as recommended by the Planning Commission. Commissioner Howell made a motion to approve the ordinance, second by Commissioner Rose. There were no citizen comments. **Roll Call Vote: Acting Mayor Jenó "yes", Commissioner Howell "yes", Commissioner LeCompte "yes", Commissioner Rose "yes".** Ordinance No. 20-1174 was approved on first reading with all Commissioners voting "yes".

**B. ORDINANCE NO. 20-1175 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING ORDINANCE NO. 02-853, SECTION 5(C), THE STORM WATER UTILITY SERVICE CHARGE (FIRST READING)**

City Manager Thornbury advised that pursuant to storm water program Federal mandates, the city established a storm water program in 2002. He explained that an annual fee of \$36.00 per equivalent residential household was assessed at that time to offset expenses related to the program. Mr. Thornbury explained that the fee has not been increased in the past 18 years, but that expenses have increased and that the general fund has had to cover more and more costs associated with storm water related issues. He advised that this ordinance will increase the annual storm water utility fee from \$36.00 to \$40.00 per equivalent residential unit. The Commission had reviewed the necessity of doing so in previous work sessions. Commissioner Rose made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Acting Mayor Jenó "yes", Commissioner Howell "yes", Commissioner LeCompte "yes", Commissioner Rose "yes".** Ordinance No. 20-1175 was approved on first reading with all Commissioners voting "yes".

**C. RESOLUTION NO. 20-1349 – A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE ISSUANCE OF A SPECIAL EXCEPTIONS PERMIT FOR A PLANNED UNIT DEVELOPMENT ON PINEBREEZE ROAD, HAMILTON COUNTY TAX MAP PARCELS 126E B 020, 126E B 013, 126E B 014 AND 126E B 015, SUBJECT TO CONDITIONS**

City Manager Thornbury advised that this item was presented and discussed during the Public Hearing portion earlier in tonight's meeting. Mr. Thornbury read the conditions associated with issuance of the Special Exceptions Permit and advised that the Planning Commission reviewed this item and recommended approval. Commissioner Rose made a motion to approve the resolution, second by Commissioner LeCompte. Citizen Comments:

- Nell Reed, 3808 Oakland Terrace, Asked for clarification of the conditions that were read.

There were no further comments or questions. Resolution No. 20-1149 was approved with all Commissioners voting "yes".

**D. RESOLUTION NO. 20-1350 – A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE PURCHASE OF ONE CATERPILLAR 416F2 BACKHOE LOADER FROM STOWERS MACHINERY CORPORATION, IN THE AMOUNT OF \$98,967.93, FOR THE SOLID WASTE DEPARTMENT**

City Manager Thornbury explained that this resolution is to approve the purchase of a backhoe loader under the State of Tennessee contract. He advised that after checking pricing with various vendors, the State contract price of \$98,967.93 was the best price received. He explained that the purchase of the equipment is budgeted and will be purchased using solid waste funds without the need of financing. Commissioner LeCompte made a motion to approve the resolution, second by Commissioner Howell. There were no citizen comments. Resolution No. 20-1350 was approved with all Commissioners voting "yes".

**E. RESOLUTION NO. 20-1351 – A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS “SAFETY PARTNERS” MATCHING GRANT PROGRAM**

City Manager Thornbury advised that this resolution will authorize the city to apply for a grant offered by its insurance carrier, Public Entity Partners. He advised that this is a 50/50 matching grant and that the city will be reimbursed expenses of up to \$2,000.00. If awarded grant funds will be used by the Fire Department to purchase firefighter protective hoods. Commissioner Howell made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 20-1351 was approved with all Commissioners voting “yes”.

- F. Commissioner Rose made a motion to declare a moratorium with respect to the acceptance and/or issuance of any zoning permits, special exceptions permits, and/or business licenses for the location of laboratory facilities, plasma collection and/or donation facilities and/or “clinics” where direct treatment of conditions or illnesses and/or general health check-ups does not occur, for a period of six months to allow time for study and review of permitted uses in certain zones. The motion was seconded by Commissioner Howell. Motion was approved as Resolution No. 20-1352, with all Commissioners voting “yes”.

**XII. Citizen Comments –**

- Marissa Brown, 127 W. Ridgewood Avenue, Asked if the Save-A-Lot will remain at its current location at 2101 Dayton Boulevard.

**XIII. Adjournment**

The meeting was adjourned at 6:50 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Recorder Ruth Rohen

\_\_\_\_\_  
Date

**ORDINANCE NO. 20-1174**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE,  
AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT  
5005 DAYTON BOULEVARD, HAMILTON COUNTY TAX MAP PARCEL NUMBER  
0990 B 001.01, FROM R-1A RESIDENTIAL ZONE TO R-3 RESIDENTIAL,  
SUBJECT TO CONDITIONS**

**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 applicant, Green Tech Homes LLC, acting on behalf of the property owner, Pinnacle Financial Partners, Inc. as successor interest to Pioneer Bank and Capital Mark Bank & Trust, has requested that the property at 5005 Dayton Boulevard be rezoned from R-1A to R-3; and

**WHEREAS**, the legal descriptions for said property is included with Deed Book 5158 Page 510 in Exhibit B; and

**WHEREAS**, the Red Bank Planning Commission provided an opportunity to submit comments in favor of or against the proposed rezoning at an advertised public hearing held in conjunction with its meeting on June 9, 2020; and

**WHEREAS**, the Red Bank Planning Commission recommended approval of the rezoning request subject to certain conditions; and

**WHEREAS**, the City Commission provided an opportunity to submit comments in favor of or against the proposed rezoning at an advertised public hearing on July 7, 2020 during its regularly scheduled Commission Meeting; and

**WHEREAS**, the City Commission finds that the proposed development afforded by the rezoning request would not have a negative impact on adjacent properties.

**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 property located at 5005 Dayton Boulevard, as more particularly described per Exhibit B and as graphically illustrated per Exhibit A and identified as Hamilton County Tax Map Parcel number 0990 B 001.01, from R-1A Residential Zone to R-3 Residential Zone subject to the following conditions:

- (a) Owner and applicant shall use the property only for a Planned Unit Development.
- (b) Only single-family homes and townhomes are to be constructed.

- (c) No other R-3 Residential Zone uses are permitted.
- (d) The density of housing units is not to exceed 5 units per acre.

SECTION 2. Upon the adoption of this Ordinance, the Zoning maps of the City shall be amended and changed to reflect this rezoning with the limited condition noted.

SECTION 3. 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.

SECTION 4. 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

\_\_\_\_\_  
CITY RECORDER

July 7, 2020  
PASSED ON FIRST READING

\_\_\_\_\_  
PASSED ON SECOND READING

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

ACCEPTED, ACKNOWLEDGED AND  
AGREED AS TO THE LIMITING FACTORS,  
CONDITIONS AND REQUIREMENTS HEREOF

Owner: Pinnacle Financial Partners, Inc.

BY: \_\_\_\_\_  
Signature Title Date

Applicant: Green Tech Homes, LLC

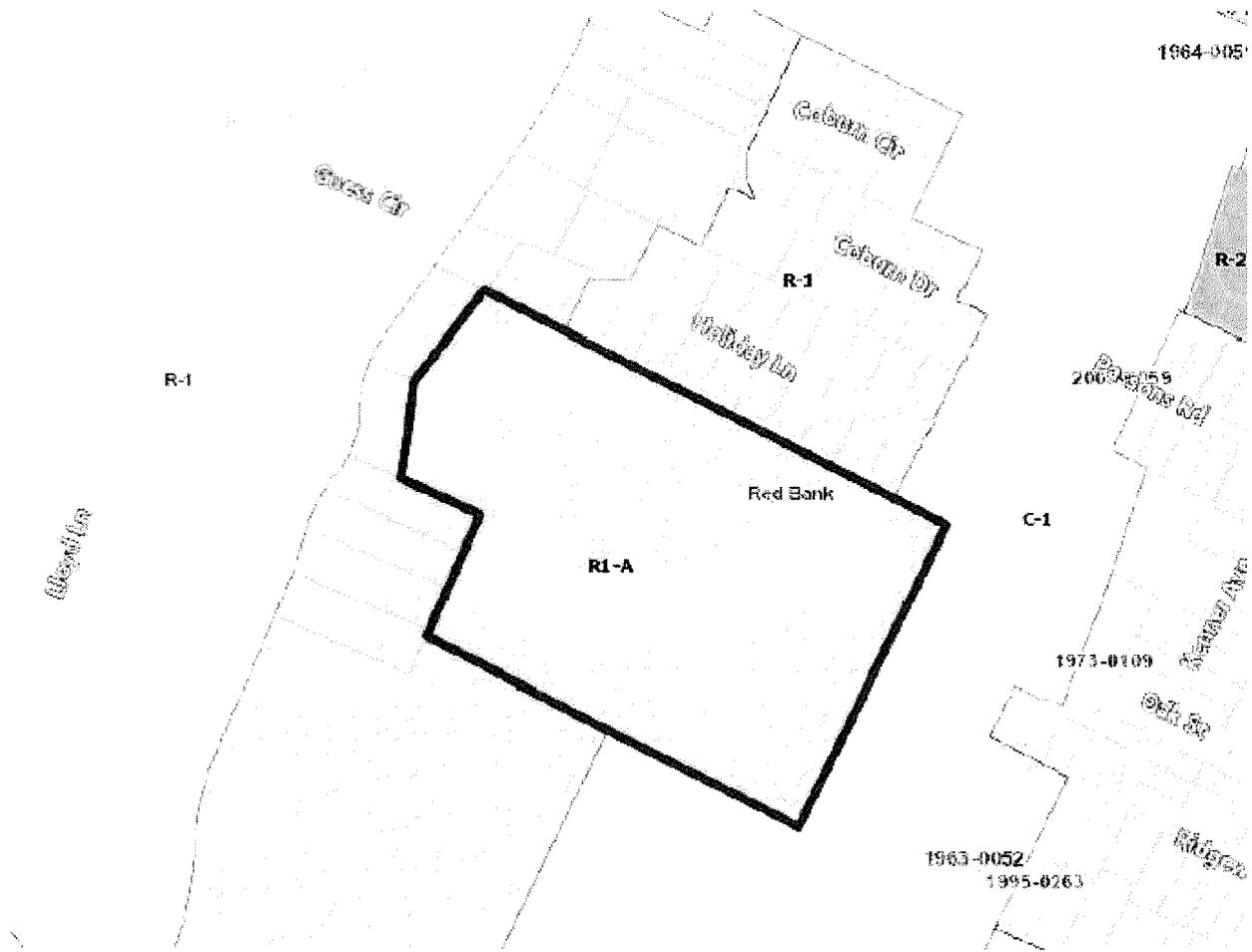
BY: \_\_\_\_\_  
Signature Title Date

**Exhibit A. Map**

**ORDINANCE NO. 20-1174**

**0990 B 001.01**

**5005 Dayton Boulevard**



**Exhibit B. Legal Description from Deed Book 5158 Page 510**  
**ORDINANCE NO. 20-1174**

ADDRESS OF NEW OWNER(S): Pioneer Bank, Trustee John F. Paalzow Trust (Name)	SEND TAX BILLS TO: Same (Name)	MAP PARCEL NO. 0990 R-001.01
801 Broad Street (Street Address)	(Street Address)	
Chattanooga, TN 37402 (City) (State) (Zip)	(City) (State) (Zip)	

**QUITCLAIM DEED**

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) and other good and valuable consideration not herein mentioned, the receipt and sufficiency of which are hereby acknowledged, I, JOHN F. PAALZOW, JR., do hereby grant, bargain, transfer, convey and forever quitclaim unto PIONEER BANK, Chattanooga, Tennessee, TRUSTEE under the Revocable Trust Agreement of JOHN F. PAALZOW, JR., dated October 8, 1997, its successors and assigns, all of my right, title and interest in and to the following described tract or parcel of land:

IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE: Bounded on the East by the West line of Dayton Boulevard (U.S. Highway No. 27, formerly known as Dry Valley Road, and prior to that known as Washington Road), on the North by the 5-foot strip of ground conveyed by John H. Gadd and wife to A. Peterson by a Deed dated about the 16th day of December, 1913, and registered March 2, 1914 in Book V, Vol. 12, page 321, of the Register's Office of Hamilton County, Tennessee; on the West by the old Russell Brown Tract; and on the South by what has been heretofore known as the George Plumlee tract, later owned by Samuel Hixon and sold to Tulsa, and later conveyed unto John F. Paalzow and Mary L. Paalzow, his wife, by a Deed recorded in Book 694, page 365, in the Register's Office of Hamilton County, Tennessee, containing 30 acres, more or less. SUBJECT to Governmental zoning and subdivision ordinances or regulations in effect thereon.

GRANTORS' SOURCE OF EQUITABLE TITLE is Deed recorded in Book 2477, page 416, Register's Office, Hamilton County, Tennessee.

No survey made. Legal description is identical to that of record in Book 2477, page 416, Register's Office, Hamilton County, Tennessee.

IN WITNESS WHEREOF, I have hereunto set my hand, this 11th day of August, 1998.

  
John F. Paalzow, Jr.

*JCH*  
This instrument prepared by:  
CHAMBLISS, BANNER & STOPHEL, P.C.  
1000 Taliss Bldg, Two Union Square  
Chattanooga, Tennessee 37402-2502  
1716365.1

Instrument: 1998081200205  
Book and Page: 61 5158 510  
Deed Recording Fee \$8.00  
Data Processing Fee \$2.00  
Probate Fee \$1.00 XMDT  
Total Fees: \$10.00  
User: BTAYLOR  
Date: 12-AUG-1998  
Time: 03:13:07 P  
Contact: Pam Hurst, Register  
Hamilton County Tennessee

STATE OF TENNESSEE :

COUNTY OF HAMILTON :

Before me, a Notary Public of the state and county aforesaid, personally appeared JOHN P. PAALZOW, JR., to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

WITNESS my hand and seal, at office in Chattanooga, Hamilton County, Tennessee, this 11<sup>th</sup> day of August, 1998.

*Janett H. Langan*  
Notary Public

My Commission Expires ~~4<sup>th</sup>~~ My Commission Expires April 21, 2002

STATE OF TENNESSEE :

COUNTY OF HAMILTON :

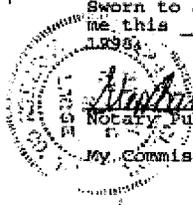
I hereby swear or affirm that the actual consideration for this transfer is \$ -0-.

PIONEER BANK, Chattanooga,  
Tennessee

By Ralph West EVP/TFO  
Ralph West, Ex. Vice President  
and Trust Officer

Sworn to and subscribed before  
me this 12 day of August,

1998



*Stephanie Clark*  
Notary Public

MY COMMISSION EXPIRES FEBRUARY 5, 2000

My Commission expires: \_\_\_\_\_

**ORDINANCE NUMBER 20-1175**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING ORDINANCE NO. 02-853, SECTION 5(C), THE STORM WATER UTILITY SERVICE CHARGE**

**WHEREAS**, pursuant to Phase II Regulations of the Water Pollution Control Act of 1973, and by the State of Tennessee the City of Red Bank instituted a storm water management system for the protection and preservation of the public health, safety, and welfare of the community; and

**WHEREAS**, the City of Red Bank approved Ordinance No. 02-853 on June 18, 2002 establishing a storm water utility fee of \$36.00 per Equivalent Residential Unit (ERU); and

**WHEREAS**, this storm water fee has remained the same for the past eighteen (18) years, even though costs of continuing the mandated storm water program has increased steadily over the past eighteen (18) years; and

**WHEREAS**, after careful study and review of the ever increasing cost of services and funding requirements, the City of Red Bank feels that it is necessary to increase the storm water utility fee; and

**WHEREAS**, City Administration has advised that an increase of four dollars (\$4.00) per year per ERU is the minimum increase necessary to allow the Storm Water Utility function to continue to operate without overburdening the General Fund for support of the Storm Water Utility.

**NOW, THEREFORE, IN ORDER TO MEET THE REQUIREMENTS OF THE FEDERALLY MANDATED OBJECTIVES OF ORDINANCE NO, 02-853 AND REGULATIONS AND REQUIREMENTS IMPOSED BY THE STATE OF TENNESSEE, BE IT ORDAINED BY THE CITY OF RED BANK, TENNESSEE, AS FOLLOWS:**

SECTION 1. Ordinance No. 02-853, SECTION 5 (c) be deleted in its entirety and the following be inserted in its place and stead:

(c) Storm water utility service rate per equivalent residential unit (ERU) or increment thereof. The storm water service charge per equivalent residential unit shall be \$40.00 per year per ERU.

SECTION 2. The storm water service charge shall accrue beginning July 1, 2020, and shall be billed periodically thereafter, beginning with the 2020 Property Tax billing cycle.

SECTION 3. All other sections, rules, regulations and requirement of Ordinance No. 02-853 remain in effect.

SECTION 4. 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.

SECTION 5. 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 OF RED BANK

\_\_\_\_\_  
CITY RECORDER

July 7, 2020  
\_\_\_\_\_  
PASSED ON FIRST READING

\_\_\_\_\_  
PASSED ON SECOND READING

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

**RESOLUTION NO. 20-1353**

**A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND PROSHOT CONCRETE, INC. , IN AN AMOUNT NOT TO EXCEED \$29,749.50, FOR THE REPAIR AND RELINING OF A DRAINAGE CULVERT ON CLOUDVIEW LANE**

**WHEREAS**, the City of Red Bank advertised for competitive proposals in the Chattanooga Times Free Press on June 3, 2020 for the repair and relining of a drainage culvert located on Cloudview Lane;

**WHEREAS**, two (2) proposals were received and publicly opened on June 19, 2020; and

**WHEREAS**, the lowest responsive proposal that meets the requested Scope of Work, is from Proshot Concrete, Inc. in the amount \$27,045.00; and

**WHEREAS**, due to the nature of the project and potential unforeseen issues that have and may arise when performing this type of work, the City of Red Bank feels that a contingency amount of 10% equaling \$2,704.50, should be added to the proposed amount; and

**WHEREAS**, the cost of the culvert repair is budgeted and available in the FY 2021 operating budget; and

**WHEREAS**, it is necessary for the City Commission to approve the proposal for the repair and relining of the drainage culvert.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee that the agreement between the City of Red Bank and Proshot Concrete, Inc. in the amount of \$29,749.50 for repairs and relining of a drainage culvert on Cloudview Lane, be and is hereby approved.

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

Resolved this 21st day of June 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

**RESOLUTION NO. 20-1354**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE AUTHORIZING THE PURCHASE OF ONE 2020 FORD INTERCEPTOR UTILITY ALL WHEEL DRIVE FROM LONNIE COBB FORD, IN THE AMOUNT OF \$34,892.00 FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Red Bank is in need of one (1) patrol vehicle; and

**WHEREAS**, pursuant to state law and the Purchasing Policies for the City of Red Bank, the City of Red Bank is permitted to purchase the patrol vehicle under the State of Tennessee Contract No. 64473 without the requirements for the formal competitive bidding process; and

**WHEREAS**, the patrol vehicle, a 2020 Ford Interceptor Utility All Wheel Drive, will be purchased under the State of Tennessee Contract No. 64473 from Lonnie Cobb Ford, at a purchase price of \$34,892.00; and

**WHEREAS**, funds are budgeted and available in the Fiscal Year 2021 Drug Fund Operating Budget; and

**WHEREAS**, it is necessary for the City Commission to approve the purchase of the patrol vehicle.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee, that the purchase of one (1) new 2020 Ford Interceptor Utility All Wheel Drive, in the amount of \$34,892.00, from Lonnie Cobb Ford under the State of Tennessee Contract No. 64473, be and is hereby approved.

Adopted and approved this 7<sup>th</sup> day of July 2020

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Mayor

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City Recorder

**RESOLUTION NO. 20-1355**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE AUTHORIZING THE PURCHASE OF TWELVE PORTABLE RADIOS FROM MOTOROLA SOLUTIONS, AND DECLARING AS SURPLUS TWELVE CURRENTLY OWNED PORTABLE RADIOS AND AUTHORIZING THE TRADE THEREOF TO USE TOWARDS THE PURCHASE PRICE**

**WHEREAS**, the City of Red Bank is in need of portable radios for the Police Department; and

**WHEREAS**, pursuant to state law and the Purchasing Policies for the City of Red Bank, the City of Red Bank is permitted to purchase the portable radios under the State of Tennessee Contract No. 65725 without the requirements for the formal competitive bidding process; and

**WHEREAS**, the City of Red Bank requests that twelve (12) currently owned older model portable radios be declared surplus and traded to Motorola Solutions for a trade in amount of \$4,800.00, which will be deducted from the purchase price of the new radios; and

**WHEREAS**, a list of the surplus radios is attached hereto and made a part hereof as Exhibit A; and

**WHEREAS**, the twelve new radios will be purchased under the State of Tennessee Contract No.65725 from Motorola Solutions, at a purchase price of \$47,655.00, which includes a trade in value of surplus radios of \$4,800.00 and

**WHEREAS**, funds are budgeted and available in the Fiscal Year 2021 Drug Fund Operating Budget; and

**WHEREAS**, it is necessary for the City Commission to approve the purchase of the twelve (12) new portable radios from Motorola Solutions, and to declare the attached Exhibit A list of currently owned portable radios as surplus and authorize the trade thereof.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee, that the purchase of twelve (12) new portable radios, in the amount of

\$47,655.00, from Motorola Solutions under the State of Tennessee Contract No. 65725, be and is hereby approved.

**BE IT FURTHER RESOLVED**, that the attached Exhibit A, list of portable radios be declared surplus property and authorized for trade towards the purchase of new radios.

Adopted and approved this 21<sup>st</sup> day of July 2020

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Mayor

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City Recorder

**RESOLUTION NO. 20-1355 (EXHIBIT A)**

<b>MAKE</b>	<b>MODEL</b>	<b>SERIAL #</b>
Motorola	XTS2500ND	205CFP1084
Motorola	XTS2500 T2	205CHZ7732
Motorola	XTS2500 T2	205CHZ7735
Motorola	XTS2500 T2	205CHZ7736
Motorola	XTS2500 T2	205CHZ7741
Motorola	XTS2500 T2	205CHZ7743
Motorola	XTS2500 T2	205CHZ7744
Motorola	XTS2500 T2	205CHZ7745
Motorola	XTS2500 T2	205CHZ7746
Motorola	XTS2500 T2	205CHZ7750
Motorola	XTS2500 T2	205CHZ7751
Motorola	XTS2500 1.5	205CKZ8190

**RESOLUTION NO. 20- 1356**

**A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2021 INTERNATIONAL 14 FOOT FLAT BED DUMP TRUCK FROM LEE SMITH INCORPORATED, IN THE AMOUNT OF \$94,349.00 FOR THE SOLID WASTE DEPARTMENT**

**WHEREAS**, the City of Red Bank advertised in the Chattanooga Times Free Press on June 19,2020 for competitive bids for the purchase of one new 2021 14 foot flatbed dump truck; and

**WHEREAS**, seven (7) bids were received and publicly opened on July 10, 2020; and

**WHEREAS**, after reviewing the bids and associated documentation, it was found that the best and lowest bid, meeting the minimum specifications was from Lee Smith Incorporated, in the amount of \$94,349.00.; and

**WHEREAS**, the purchase of the 14 foot flatbed dump truck is budgeted and funds are available in the Fiscal Year 2021 Operating Budget.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank. Tennessee that the purchase of one 14 foot flatbed dump truck from Lee Smith Incorporated, in the amount of \$94,394.00 be and is hereby approved.

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

Resolved this 21<sup>st</sup> day of July 2020

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Mayor

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City Recorder

**RESOLUTION NO. 20-1357**

**A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2020 INTERNATIONAL 16 FOOT FLAT BED DUMP TRUCK FROM LEE SMITH INCORPORATED, IN THE AMOUNT OF \$94,193.00 FOR THE SOLID WASTE DEPARTMENT**

**WHEREAS**, the City of Red Bank advertised in the Chattanooga Times Free Press on June 19, 2020 for competitive bids for the purchase of one new 2021 16 foot flatbed dump truck: and

**WHEREAS**, five (5) bids were received and publicly opened on July 10, 2020; and

**WHEREAS**, after reviewing the bids and associated documentation, it was found that the best and lowest bid, meeting the minimum specifications was from Lee Smith Incorporated, in the amount of \$94,193.00; and

**WHEREAS**, the purchase of the flatbed dump truck is budgeted and funds are available in the Fiscal Year 2021 Operating Budget.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee that the purchase of one 2021 16 foot flatbed dump truck from Lee Smith Incorporated, in the amount of \$94,193.00 be and is hereby approved.

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

Resolved this 21<sup>st</sup> day of July 2020

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Mayor

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City Recorder

**RESOLUTION NO. 20-1358**

**A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2021 INTERNATIONAL AUTOMATED SIDE LOAD REFUSE COLLECTION TRUCK FROM LEE SMITH INCORPORATED, IN THE AMOUNT OF \$206,936.00 FOR THE SOLID WASTE DEPARTMENT**

**WHEREAS**, the City of Red Bank advertised in the Chattanooga Times Free Press on June 19, 2020 for competitive bids for the purchase of one new 2021 automated side load garbage truck ; and

**WHEREAS**, four (4) bids were received and publicly opened on July 10, 2020; and

**WHEREAS**, after reviewing the bids and associated documentation, it was found that the best and lowest bid was from Lee Smith Incorporated, in the amount of \$206,936.00.; and

**WHEREAS**, the purchase of the garbage truck is budgeted and funds are available in the Fiscal Year 2021 Operating Budget.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank. Tennessee that the purchase of one automated side load garbage truck from Lee Smith Incorporated, in the amount of \$206,936.00 be and is hereby approved.

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

Resolved this 21<sup>st</sup> day of July 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder