

**BOARD OF COMMISSIONERS' MEETING**

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

- I. **Call to Order** –Mayor Roberts called the meeting to order at 7:00 p.m.
- II. **Roll Call** – Mayor Roberts 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 17, 2018 Agenda Work Session**
  - B. **July 17, 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
  - Glad to see that the various infrastructure projects and roadway paving will begin soon
- VII. **Commissioners Report**
  - **Vice-Mayor Eddie Pierce**
    - Welcomed everyone
    - Glad to see all of the projects beginning soon
  - **Commissioner Ed LeCompte**
    - Welcomed all.
    - Thanked all City Departments for their hard work
  - **Commissioner Terry Pope**
    - Welcomed all
  - **Commissioner Carol Rose**
    - Welcomed all
    - Hamilton County Schools open for the first day tomorrow. Encourage all to drive safely in school zones and to not text and drive
- VIII. **City Manager Report – None**

City Attorney Stulce advised in the context of a mutually agreed and negotiated parting of the ways, that City Manager Randall Smith tendered his resignation earlier today, with an effective date of August 8, 2018 at 2:00 p.m. He explained that the City Commission was made aware of this and that this was a mutual and amicable separation of employment. Mr. Stulce explained that a severance package of six months’ salary and accrued vacation pay was negotiated with Mr. Smith. Mayor Roberts made a motion to accept Mr. Smith’s resignation, second by Commissioner Rose. Mr. Smith’s resignation was accepted with all Commissioners voting “yes”. Mayor Roberts made a motion to accept the negotiated severance package of \$75,000.00, which

includes six (6) months' salary and accrued vacation pay, second by Commissioner LeCompte. The severance package was approved with all Commissioners voting "yes".

Citing the upcoming election and that the new Commission should choose a City Manager, Mayor Roberts made a motion to appoint Public Works Director Tim Thornbury to the position of Interim City Manager, he said prior to starting the advertising process, second by Commissioner Pope. **Roll Call Vote: Mayor Roberts "yes", Vice Mayor Pierce "yes", Commissioner LeCompte "yes", Commissioner Pope "yes", Commissioner Rose "yes"**. Motion to appoint Public Works Director Tim Thornbury to the position of Interim City Manager was approved with all Commissioners voting "yes".

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Public Hearing

Mayor Roberts advised that the purpose of the Public Hearing was to receive citizen input in regard to a rezoning request for properties located at 621 Lullwater Road (Map Tax Parcel 117N A 007), 637 Lullwater Road (Map Tax Parcel 117N A 002) and an unaddressed property located on Lullwater Rd. at Map Tax Parcel 117N A 006, from R-1 Residential and R1-A Residential to R-T/Z Residential Townhouse/Zero Lot Line. Mayor Roberts called for the property owner to come forward. It was discovered that the property owner, Michael Cinelli, was not in attendance. Interim City Manager Tim Thornbury verified that Mr. Cinelli was informed about the date, time and location of the Public Hearing. The city's formal Policy of not acting on zoning matters without the property owner being present was reference by Mayor Roberts and confirmed by the City Attorney. Mayor Robert announced that the Public Hearing could not take place but invited citizen comments from parties anticipating a Public Hearing this evening and there were none that responded. It was noted that the Planning Commission held an advertised Public Hearing on this rezoning request and that the Planning Commission had recommended approving the rezoning with the conditions stated and set out within the ordinance. The Public Hearing will be postponed until September 4<sup>th</sup>, 2018.

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**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)**

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 authorizing the signing of the STATE PLAN OF OPERATIONS document referenced above, second by Vice Mayor Pierce. There were no citizen 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 second and final reading with all Commissioners voting "yes".

**X. New Business –**

**A. 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 (FIRST READING)**

Mayor Roberts advised that this proposed ordinance was referenced under the agenda heading of Public Hearing and recounted the city's policy that owner's attend the meeting and noting that

the owner/applicante was not present, made a motion to table the item until the September 4<sup>th</sup> Commission Meeting. The motion was seconded by Commissioner Pope. The motion to table Ordinance No. 18-1127 was tabled until September 4, 2018 with all Commissioners voting “yes”.

**B. RESOLUTION NO. 18-1238 – A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A SECURITY ACCESS AND A VIDEO MONITORING SYSTEM FROM JOHNSON CONTROLS SECURITY SOLUTIONS LLC., IN THE AMOUNT OF \$20,732.38**

Mayor Roberts explained that written quotes were solicited for the purchase and installation of security access points and a video monitoring system for the new City Hall building. He advised that Johnson Controls Security Solutions submitted the lowest price at a cost of \$20,732.38. 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 Rose. Resolution No. 18-1238 was approved with all Commissioners voting “yes”.

**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**

The City of Red Bank advertised for sealed bids for secondary roadway paving on a per unit BID basis. It was explained that Talley Construction Company submitted the lowest per unit bid. It was explained that this is an agreement for paving, not to exceed \$1,137,481.00. 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 Vice Mayor Pierce. Mayor Roberts invited citizen comments.

- Ruth Jenó, 4405 McCahill Road, Asked why Morrison Springs Road was on the paving list, it appears to be in good shape.

It was explained that the roadway will be paved in conjunction with some ongoing Transportation Improvement Projects that will affect the condition of the road. There were no further comments. Resolution No. 18-1239 was approved with all Commissioners voting “yes”.

**D. 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**

Interim City Manager Tim Thornbury explained that the City is currently in an agreement with Wisser Consultants in regard to design services for Transportation Improvement Projects consisting of paving, signalization upgrades and pedestrian islands. He explained that this resolution will amend those respective agreements to include engineering services for construction and project oversight services. He also explained that approval of the resolution will authorize him to sign the amended agreements upon approval of the form by the City Attorney. 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. 18-1240 was approved with all Commissioners voting “yes”.

**E. 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**

Interim City Manager Tim Thornbury explained that the City is currently in an agreement with Wisser Consultants in regard to design services for repairs to a culvert at Ashland Terrace and Dayton Boulevard and a stream bank repair at Fair Street and Dayton Boulevard. He explained that this resolution will amend those respective agreements to include engineering services for construction and project oversight services. He also explained that approval of the resolution will authorize him to sign the amended agreements upon approval of the form by the City Attorney. Mayor Roberts made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval by the City Attorney, second by Vice Mayor

Pierce. There were no citizen comments. Resolution No. 18-1241 was approved with all Commissioners voting “yes”.

**F. RESOLUTION NO. 18-1242 – A RESOLUTION DECLARING CITY OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE TRADE THEREOF**

Fire Chief Mark Mathews explained that approval of this resolution will declare the Breathing Air System, currently in use by the Fire Department, as surplus property and will authorize the City to trade the surplus equipment for credit on the purchase of a new Breathing Air System. Mayor Roberts made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 18-1242 was approved with all Commissioners voting “yes”.

**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**

Fire Chief Mark Mathews advised that the purchase of a new Breathing Air System was advertised for sealed bids. He explained that the lowest bid was from Breathing Air Systems in the amount of \$34,199.00, which includes credit for the surplus equipment detailed in Resolution No. 18-1242. Mayor Roberts made a motion to approve the resolution, second by Commissioner Pope. There were no citizen comments. Resolution No. 18-1243 was approved with all Commissioners voting “yes”.

**H. RESOLUTION NO. 18-1244 – A RESOLUTION APPOINTING CITY RECORDER RUTH ROHEN AS THE LOCAL ADMINISTRATOR FOR LOCAL GOVERNMENT CORPORATION NEXTGEN FINANCIAL ACCOUNTING SOFTWARE**

City Recorder Rohen explained that the City utilizes Local Government Corporation accounting software and that as a condition of use Local Government Corporation requires that a Local Administrator be designated for the purpose of assigning security rights for employees to use the various financial modules within the software. Mayor Roberts made a motion to approve the resolution, second by Commissioner Rose. Resolution No. 18-1144 was approved with all Commissioners voting “yes”.

**XI. Citizen Comments – None**

**XII. Adjournment**

The meeting was adjourned at 7:28 p.m.

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Mayor John Roberts

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City Recorder Ruth Rohen