

BOARD OF COMMISSIONERS' MEETING

Minutes
September 4, 2018
7:00 p.m.

- I. **Call to Order** –Mayor Roberts called the meeting to order at 7:00 p.m.
- II. **Roll Call** – Interim City Manager Thornbury called the roll. Mayor Roberts, Vice Mayor Pierce, Commissioner Pope and Rose were present. Commissioner LeCompte was absent. Also present was City Attorney Arnold Stulce, Fire Chief Mark Mathews, Police Chief Robert Simpson, 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. **August 21, 2018 Agenda Work Session**
 - B. **August 21, 2018 Commission Meeting**

Mayor Roberts 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
 - Advised that B & B Discount Sales on north Dayton Blvd. is open for business Monday – Friday from 9 a.m. – 5 p.m.
- VII. **Commissioners Report**
 - **Vice-Mayor Eddie Pierce**
 - Welcomed everyone
 - **Commissioner Ed LeCompte**
 - Absent
 - **Commissioner Terry Pope**
 - Welcomed all
 - **Commissioner Carol Rose**
 - Welcomed all
- VIII. **City Manager Report – None**
Interim City Manager Thornbury advised that the city has completed the first round of secondary roadway paving and that the second round of street will be paved in the Spring of 2019.

Public Hearing

Mayor Roberts advised that the purpose of the Public Hearing was to hear a proposed development presentation from the owner/applicant and receive citizen input in regard to a rezoning request for three properties located on Lullwater Road; 621 Lullwater Rd. (Map Tax Parcel 117N A 007), 637 Lullwater Rd. (Map Tax Parcel 117N A 002) and an unaddressed property 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, Travis Mullis, to come forward. Upon inquiry Mr. Mullis gave an overview of his intended project. Mr. Mullis explained, that if the rezoning is approved, he plans to sub-divide the lots and build six single family dwellings on the property. He advised that each home will consist of 1600 square feet with three bedrooms and two baths. He also explained that these will be two story homes with a two car garage. Mayor Roberts invited citizen comments, of which there were none. It was noted that the Red Bank Planning Commission reviewed this request at a Public Hearing and recommended approval. Mayor Roberts advised the owner/applicant that the ordinance to rezone this property will be considered later in this meeting and that, if approved on first reading, second reading of the ordinance will be on September 18th at 7:00 p.m. and that his attendance is required for the City Commission to act on the ordinance. After no further comments or questions, the Public Hearing was closed

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- IX. **Unfinished Business –**
 - A. **ORDINANCE NO. 18-1127 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY 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 ordinance was discussed in detail in the earlier Public Hearing. He reiterated that the Red Bank Planning Commission did review this rezoning request and recommended approval. Mayor Roberts made a motion to approve the ordinance, second by Vice Mayor Pierce. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner Pope “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1127 was approved on first reading with all Commissioners present voting “yes”.

B. ORDINANCE NO. 18-1128 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT 2622 BERKLEY DRIVE, HAMILTON COUNTY TAX PARCEL NUMBER 117N G 017, FROM R-1 RESIDENTIAL TO T-T/Z TOWNHOUSE ZERO LOT LINE ZONE, SUBJECT TO CONDITIONS (SECOND AND FINAL READING)

Mayor Roberts advised that this ordinance was discussed in detail during a Public Hearing held on August 21st. He advised that this is the second reading of the ordinance and that the Red Bank Planning Commission did review this rezoning request and recommended approval. Mayor Roberts made a motion to approve the ordinance, second by Vice Mayor Pierce. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner Pope “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1128 was approved on second and final reading with all Commissioners present voting “yes”.

X. New Business –

A. ORDINANCE NO. 18-1129 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND ORDINANCE NO. 15-1020, THE RED BANK ZONING ORDINANCE TO AMEND TITLE 14, SECTION 204.11 (FIRST READING)

Interim City Manager Thornbury explained that this ordinance relates to the number and size of accessory buildings that are allowed on residentially zoned properties. He advised that property sizes up to ½ acre are allowed, in addition to a detached garage, one accessory building with square footage up to 144 square feet and properties with more than ½ acre are allowed, in add to a detached garage, two accessory buildings up to 144 square feet each. Vice Mayor Pierce noted that the Red Bank Planning Commission reviewed and recommended approving the ordinance. Mayor Roberts made a motion to approve the ordinance, second by Commissioner Pope. There were no citizen comments. **Roll Call Vote: Mayor Roberts “yes”, Vice Mayor Pierce “yes”, Commissioner Pope “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1129 was approved on first reading with all Commissioners present voting “yes”.

B. RESOLUTION NO. 18-1248 – A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR RED BANK WINE AND SPIRITS, 3849 DAYTON BOULEVARD, SUITE 113, RED BANK, TENNESSEE

Attorney Casey Hong with Wooden Law Firm, came forward and advised that he was in attendance to represent the owner of Red Bank Wine & Spirits, Allyn Pruett. City Attorney Stulce explained that the Tennessee Alcoholic Beverage Commission regulates the sale of liquor in the state. He advised that each business selling wine and liquor is required to obtain a Certificate of Compliance from the local governing body every two years. Upon inquiry Police Chief Simpson advised the he had reviewed the application, distance requirements and background check of the owner/applicant and found nothing in the background investigation and that there had been no know violation of law in the preceding year at the location that would prevent the issuance of the Certificate of Compliance. Vice Mayor Pierce made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 18-1248 was approved with all Commissioners present voting “yes”.

C. RESOLUTION NO. 18-1249 – A RESOLUTION AUTHORIZING A CONTRACT WITH KLEENCO CONSTRUCTION OF TENNESSEE, INC. IN AN AMOUNT NOT TO EXCEED \$457,639.60 FOR THE DEMOLITION AND RECONSTRUCTION OF A BOX CULVERT AT THE INTERSECTION OF ASHLAND TERRACE AND DAYTON BOULEVARD

Mayor Roberts advised that the city requested bids for demolition and replacement of a box culvert that runs underneath the roadway at the intersection of Ashland Terrace and Dayton Boulevard. He explained that Kleenco Construction of Tennessee was the only bidder and that this resolution, if approved will authorize the City Manager to sign the construction agreement, in an amount not to exceed \$457,639.60, upon approval of the form by the City Attorney. Mayor Roberts advised that work on the project should begin in early October and detour routes would be posted. 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. There were no citizen comments. Resolution No. 18-1249 was approved with all Commissioners present voting “yes”.

D. RESOLUTION NO. 18-1250– A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING A PROGRAM SERVICE GRANT FOR RED BANK HIGH SCHOOL QUARTERBACK CLUB IN THE AMOUNT OF \$17,000.00

Mayor Roberts advised, as was discussed at today’s public Agenda Worksession, that he was approached by the president of the Red Bank High School Quarterback Club with a request

that the City of Red Bank donate grant funding to the Club for the purpose of purchasing a new sound system for the Red Bank High School football stadium. He explained that the football stadium sound system was destroyed by a lighting strike two years ago. Mayor Roberts advised that the Red Bank High School Quarterback Club is a 501(C)(3) charitable organization and that the funds, if approved, are designated for use towards the purchase of the sound system and for no other purpose. He explained that there is funding available in the budget for economic development that can be utilized for this purpose. Mayor Roberts made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 18-1250 was approved with all Commissioners present voting “yes”.

E. RESOLUTION NO. 18-1251 – A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL SAFETY PARTNERS “DRIVER SAFETY” MATCHING GRANT PROGRAM

Interim City Manager Thornbury explained that this is a resolution authorizing the city to apply for the TML Risk Management Pool’s Driver Safety Grant. He advised that this is a 50/50 matching grant of up to \$4,000.00 and if approved will be used to pay for the GPS monitoring system installed on city vehicles. Mayor Roberts made a motion to approve the resolution, second by Commissioner Pope. There were no citizen comments. Resolution No. 18-1251 was approved with all Commissioners present voting “yes”.

F. RESOLUTION NO. 18-1252 – A RESOLUTION APPROVING A STATE PLAN OF OPERATION BETWEEN THE STATE OF TENNESSEE AND THE CITY OF RED BANK, TENNESSEE, RELATING TO ACCESS TO THE DEPARTMENT OF DEFENSE PROPERTY TRANSFER “LESO” PROGRAM

Interim City Manager Thornbury advised that this resolution will authorize an agreement, signed by the Chief of Police, with the State of Tennessee in regard to participation in the Department of Defense’s LESO Program, which will allow the Police Department to acquire surplus military equipment at no cost to the city. Mayor Roberts made a motion to approve the resolution, second by Vice Mayor Pierce. There were no citizen comments. Resolution No. 18-1252 was approved with all Commission present voting “yes”.

XI. Citizen Comments – None

XII. Adjournment

The meeting was adjourned at 7:27 p.m.

Mayor John Roberts

City Recorder Ruth Rohen