

City of Red Bank

Ruth Jenó
Acting Mayor

Tim Thornbury
City Manager

BOARD OF COMMISSIONERS' MEETING

Agenda
September 15, 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. September 1, 2020 Agenda Work Session**
 - B. September 1, 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 - None**
- X. New Business –**
 - A. ORDINANCE NO. 20-1177 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO ACCEPT THE 2021 TENNESSEE HIGHWAY SAFETY OFFICE “DISTRACTED DRIVING REDUCTION PROGRAM” GRANT AND TO AMEND THE FISCAL YEAR 2021 OPERATING BUDGET TO INCORPORATE GRANT FUNDING, TOTALING \$40,000.00 FOR THE POLICE DEPARTMENT (FIRST READING)**
 - B. RESOLUTION NO. 20-1373 – A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS “DRIVER SAFETY” MATCHING GRANT PROGRAM**
 - C. RESOLUTION NO. 20-1374 – A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND KLEENCO CONSTRUCTION OF TENNESSEE, INC. IN THE AMOUNT OF \$380,742.50 FOR THE CONSTRUCTION OF SIDEWALKS**
- XI. Citizen Comments from Red Bank Citizens about items not on the Agenda (3 minute limit)**
- XII. Adjournment**

City of Red Bank
COMMISSIONERS AGENDA WORK SESSION
RED BANK CITY HALL

Minutes
September 1, 2020
5:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on September 1, 2020 at 5:00 p.m. The date, time and location of the meeting was advertised in the Hamilton County Herald 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 and Commissioner Carol Rose. Commissioner Ed LeCompte was not able to attend. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce Jr. City Recorder Ruth Rohen, Police Chief Dan Seymour and those listed on Exhibit A.

1. City Manager Thornbury advised that there is resolution on the agenda tonight to approve a Special Exceptions Permit for a Planned Unit Development of a 72 lot sub-division at 5005 Dayton Boulevard, presently named Five Thousand Acres Subdivision. He advised that the Planning Commission recommended approving the Special Exceptions Permit for the development as platted, pursuant to conditions that minor changes to the PUD plan, as defined in the zoning ordinance, may be approved by the Planning Commission, no building permits may be issued until and after approval of the final PUD Plan and that the Special Exceptions Permit shall automatically expire 12 months after issuance if construction and operations have not substantially commenced or an extension of the Special Exceptions Permit is granted.
2. City Manager Thornbury advised that there is a resolution on the agenda tonight to authorize the Chief of Police to sign an agreement between the City of Red Bank and the United States Department of Justice Drug Enforcement Administration Southeast Tennessee Task Force. He advised that the city has had a police officer assigned to the task force for the past several years and all overtime worked with the taskforce is 100% reimbursed through grant funding.
3. City Manager Thornbury advised that there is a resolution on the agenda tonight to approve an agreement with Talley Construction Company for secondary roadway paving. He advised that the city advertised for sealed bids and Talley Construction Company submitted the lowest bid, at \$1,191,205.50.
4. City Manager Thornbury advised that there is resolution on the agenda tonight to approve an agreement with Kleenco Construction of Tennessee for construction of a parking lot at 3121 Dayton Blvd, between the Police Department and Fire Hall Station 1. He advised that the contract also includes ADA upgrades to the entrance of the Police Department. He explained that the city advertised for sealed bids and that Kleenco Construction of Tennessee submitted the only response at \$99, 780.50. He advised that the resolution contains a 10% contingency for unforeseen issues or changes to the scope of work, bringing the total contract amount to not to exceed \$109,758.55.
5. City Manager Thornbury advised that there is a resolution on the agenda tonight to declare several weapons in the possession of the Police Department that have been seized, abandoned and / or are unclaimed, as surplus property and authorize disposal of the firearms pursuant to T.C.A regulations. He explained that weapons will be traded to a licensed and authorized dealer for store credit to purchase equipment needed by the Police Department.
6. City Manager Thornbury advised that there is a resolution on the agenda tonight to adopt the Tennessee Department of Safety's Consultant Selection Policy. He explained that TDOT requires that cities have in place a written policy regarding consultant selection for projects funded partially or in whole by State and Federal funds.
7. City Manager Thornbury advised that there is a resolution on the agenda tonight to amend the Tennessee Department of Safety sidewalk contract to extend the completion deadline to April 30,

2021. He advised that bids for construction of the sidewalk were opened and he is awaiting selection recommendation by the city's contracted engineer and approval by TDOT.

8. Commissioner Rose inquired if Jack's Restaurant will be installing a monument sign or use the pole sign structure that is currently located on the property. City Manager Thornbury advised that they are allowed to use the pole sign because there is currently a moratorium in place on the enforcement of certain portions of the pole sign regulations, including erection of new pole sign structures.

The meeting was adjourned at 5:17 p.m.

Mayor

Date

City Recorder

Date

BOARD OF COMMISSIONERS' MEETING

Minutes

September 1, 2020

6:00 p.m.

- I. **Call to Order** – Acting Mayor Jenó called the meeting to order at 6:00 p.m. The date, time and location of the meeting had been duly advertised in the Hamilton County Herald and on the City of Red Bank website.
- II. **Roll Call** – City Manager Thornbury called the roll. Those present were Acting Mayor Ruth Jenó, Commissioner Tyler Howell and Commissioner Carol Rose. Commissioner Ed LeCompte was unable to attend. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce Jr., City Recorder Ruth Rohen, Police Chief Dan Seymour and those listed on Exhibit A.
- III. **Invocation** – Commissioner Howell gave the Invocation.
- IV. **Pledge of Allegiance** –Police Chief Seymour led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
 - A. **August 18, 2020 Commission Meeting**
 - B. **August 18, 2020 Agenda Work Session**Commissioner Howell made a motion to approve both sets of minutes as printed, second by Mayor Jenó. The minutes were approved with all Commissioners voting “yes”.
- VI. **Communication from Mayor Jenó**
 - Welcomed everyone, special recognition to four commission candidates in attendance and Planning Commission Chairman David Hafley.
 - Red Bank Church of Christ was featured in a news article recently for donating quilts to women with cancer and hospitalized children.
 - New box library has been installed on Lynda Drive. Donated books are appreciated.
 - Red Bank Food Pantry pick up hours this Thursday between 5:00 p.m. – 6:00 p.m.
 - Thanked Department Heads, City Manager and employees for the hard work they do.
- VII. **Commissioners Report**

Commissioner Tyler Howell

 - Welcomed everyone.
 - Congratulated Red Bank High School football coach, Coach Brown and the players for three great seasons, they were 34-6.
 - Excited to see the Request for Proposals going out for purchase and development of the old Middle School Property.

Commissioner Ed LeCompte

 - Absent

Commissioner Carol Rose

 - Regretted missing the last meeting, she was in quarantine for COVID 19.
 - Glad to see that the old middle school RFP's have gone out.
- VIII. **City Manager's Report**
 - Advised that the Request for Proposals for purchase and development of the old middle school property is on the city's website. Interested parties can also call City Hall for information regarding the RFP.

IX. PUBLIC HEARING

Mayor Jenó opened the Public Hearing. City Manager Thornbury advised that the purpose of the Public Hearing is to hear information concerning an application for a Special Exceptions Permit for development of a Planned Unit Development at 5005 Dayton Boulevard, presently named Five Thousand Acres Subdivision. He advised that the Planning Commission reviewed this request and recommended approval of the project as plated with conditions that the Planning Commission is authorized to approve minor changes, however major changes shall be resubmitted to the Planning Commission and City Commission for review and approval, no building permits shall be issued until final approval of the PUD plan and the special exceptions permit shall automatically expire after 12 months unless construction and operations have substantially commenced. Mayor Jenó called the developer, Chris Anderson, forward to explain the project further. Mr. Anderson advised that the development will consist of 68 new homes and townhomes. Upon inquiry by Commissioner Rose regarding the 72 lots that are reference in the resolution, Mr. Anderson advised that 4 lots will be developed as community space. In answer to Commissioner Howell, Mr. Anderson advised that construction is scheduled to begin during the second quarter of 2021. Mayor Jenó invited citizen comments or questions, of which there were none. After no further discussion, the Public Hearing was closed.

X. Unfinished Business –

A. ORDINANCE NO. 20-1176 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET, BEGINNING JULY 1, 2020 AND ENDING JUNE 31, 2021, IN ORDER TO APPROPRIATE CARRYOVER ENCUMBRANCES AND GRANT FUNDING (SECOND AND FINAL READING)

City Manager Thornbury advised that this ordinance will amend the budget to incorporate carry over expenses and revenues for projects that were started but not completed in last year's budget. These include transportation improvement grants, Red Bank Soddy Daisy Foundation grants, HIDTA grant, distracted driving grant, parking lot construction, secondary roadway paving and ADA upgrades. Commissioner Rose made a motion to approve the ordinance. Commissioner Howell seconded the motion and noted that has been discussed in several open meetings and is standard operating procedure for the city. There were no citizen comments. **Roll Call Vote: Mayor Jenó "yes", Commissioner Howell "yes", Commissioner Rose "yes".** Ordinance No. 20-1176 was approved on second and final reading with all Commissioners voting "yes".

XI. New Business –

A. RESOLUTION NO. 20-1366 – A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE ISSUANCE OF A SPECIAL EXCEPTIONS PERMIT FOR THE PLANNED UNIT DEVELOPMENT AT 5005 DAYTON BOULEVARD. Presently named

Mayor Jenó advised that this item was discussed thoroughly earlier in the Public Hearing portion of the meeting. Mayor Jenó made a motion to approve the resolution, second by Commissioner Howell. There were no citizen comments. Resolution No. 20-1366 was approved with all Commissioners voting "yes".

B. RESOLUTION NO. 20-1367 – A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO SIGN A STATE AND LOCAL HIDTA TASK FORCE AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE AND THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION SOUTH TENNESSEE TASK FORCE

City Manager Thornbury advised that this resolution will authorize the Chief of Police to sign an agreement with the Drug Enforcement Administration, which authorizes a Red Bank Police officer to work with the DEA Tack Force while being compensated by the City of Red Bank. He explained that overtime, up to a certain monetary limit, incurred while working with the task force will be reimbursed at 100% through a HIDTA grant. It was noted that the city has participated in this program for the last several years. Commissioner Rose made a motion to approve the resolution, second by Commissioner Howell. There were no citizen comments. Resolution No. 20-1367 was approved with all commissioners voting "yes".

C. RESOLUTION NO. 20-1368 – A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND TALLEY CONSTRUCTION COMPANY, INC., IN AN AMOUNT NOT TO EXCEED \$1,191,205.50 FOR SECONDARY ROADWAY PAVING

City Manager Thornbury advised that the city advertised for and received sealed bids for secondary roadway paving. He explained that two bids were received with the lowest bid being

from Talley Construction Company, Inc. in the amount of \$1,191,205.50. Mayor Jenó made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval by the City Attorney, second by Commissioner Howell. There were no citizen comments. Resolution No. 20-1368 was approved with all Commissioners voting "yes".

D. RESOLUTION NO. 20-1369 – A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF RED BANK, TENNESSEE, AND KLEENCO CONSTRUCTION OF TENNESSEE, INC., IN AN AMOUNT NOT TO EXCEED \$109,758.55 FOR CONSTRUCTION OF A PARKING LOT AT 3121 DAYTON BOULEVARD

City Manager Thornbury advised that the city received sealed bids for construction of a parking lot between the Police Department and Fire Hall Station 1. He advised that the bid also includes ADA upgrades to the entrance of the Police Department. He explained that one bid was received, being from Kleenco Construction of Tennessee, Inc. in the amount of \$99,780.50. He advised that the resolution includes a 10% contingency to address possible amendments to the scope of the work, for a total contract amount not to exceed \$109,758.55. Commissioner Rose made a motion to approve the resolution, including authorizing the City Manager to sign the agreement upon approval by the City Attorney, second by Commissioner Howell. There were no citizen comments. Resolution No. 20-1369 was approved with all Commissioners voting "yes".

E. RESOLUTION NO. 20-1370 – A RESOLUTION DECLARING SEIZED, FOUND, UNCLAIMED PROPERTY AS SURPLUS AND AUTHORIZING THE SALE, TRADE, OR DESTRUCTION THEREOF

City Manager Thornbury advised that this resolution will declare weapons that have been legally seized, found or abandoned and are in the possession of the Police Department as surplus and authorize the city to trade the weapons to a licensed and authorized dealer for needed equipment for the Police Department. Commissioner Rose made a motion to approve the resolution, second by Mayor Jenó. There were no citizen comments. Resolution No. 20-1370 was approved with all Commissioners voting "yes".

F. RESOLUTION NO. 20-1371 – A RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, ADOPTING THE TENNESSEE DEPARTMENT OF TRANSPORTATION; LOCAL GOVERNMENT GUIDELINES FORM 1-2, "CONSULTANT SELECTION POLICY"

City Manager Thornbury advised that as a condition of receiving state or federal grant funds, the city is required to have in place a written policy regarding selection criteria for consulting services to manage projects. He explained that this resolution will adopt the State of Tennessee Local Guidelines Form 1-2 "Consultant Selection Policy". Commissioner Howell made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 20-1371 was approved with all Commissioners voting "yes".

G. RESOLUTION NO. 20-1372 – A RESOLUTION TO AMEND CONTRACT #C-1778 BETWEEN THE CITY OF RED BANK, TENNESSEE, AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR A TRANSPORTATION IMPROVEMENT SIDEWALK INSTALLATION GRANT, WITH RESPECT TO PROJECT COMPLETION DATE

City Manager Thornbury advised that this resolution will extend the completion date for the sidewalk project to April 30, 2021. He explained that bids were recently opened for construction of the sidewalks and the city is awaiting TDOT approval of the bid. He explained that the current completion date of December 31, 2020 will not allow enough time for construction and grant close-out, so the date needs to be amended. Commissioner Howell made a motion to approve the resolution, second by Mayor Jenó. Commissioner Rose noted that this project is for sidewalks from Newberry Street to Greenleaf Street and sidewalks on Ashland Terrace. There were no citizen comments. Resolution No. 20-1372 was approved with all Commissioners voting "yes".

**XII. Citizen Comments –
None**

XIII. Adjournment

The meeting was adjourned at 6:20 p.m.

Mayor

Date

City Recorder Ruth Rohen

Date

ORDINANCE NO. 20-1177

AN ORDINANCE BY THE CITY OF RED BANK, TENNESSEE, TO ACCEPT AMEND THE 2021 TENNESSEE HIGHWAY SAFETY OFFICE “DISTRACTED DRIVING REDUCTION PROGRAM” GRANT AND TO AMEND THE FISCAL YEAR 2021 OPERATING BUDGET TO APPROPRIATE GRANT FUNDING’ TOTALING \$40,000.00 FOR THE POLICE DEPARTMENT

WHEREAS, the City of Red Bank Police Department has been awarded a grant for “Distracted Driving Reduction” by the State of Tennessee, Tennessee Highway Safety Office in the amount of \$40,000.00; and

WHEREAS, this is a 100% grant and requires no local agency match; and

WHEREAS, it is necessary for the City of Red Bank to accept grant funding and amend the Fiscal Year 2021 Operating Budget to appropriate these funds totaling \$40,000.00 for use by the Police Department, and

WHEREAS, the City Manager is authorized to sign and execute the Grant Contract upon approval by the City Attorney.

NOW, THEREFORE, BE IT ORDAINED, by the City Commission of the City of Red Bank, Tennessee as follows:

SECTION 1: That the THSO “Distracted Driving Enforcement Grant” be and is hereby accepted;

SECTION 2: That the City Manager is authorized to sign and execute the Grant Contract on behalf of the City of Red Bank Police Department, upon approval by the City Attorney;

SECTION 3: That the Fiscal Year 2021 Operating Budget be and is hereby amended as provided:

REVENUES

GENERAL FUND

| | |
|---------------|--------------------|
| Grant Revenue | <u>\$40,000.00</u> |
|---------------|--------------------|

| | |
|-----------------------|---------------------------|
| TOTAL REVENUES | <u>\$40,000.00</u> |
|-----------------------|---------------------------|

EXPENDITURES

| | |
|--------------------------------|-----------------|
| Police | |
| <i>Salaries & Benefits</i> | \$39,542.98 |
| <i>Travel</i> | <u>\$457.02</u> |

| | |
|---------------------------|---------------------------|
| TOTAL EXPENDITURES | <u>\$40,000.00</u> |
|---------------------------|---------------------------|

SECTION 4. This Ordinance shall take effect upon the date of its passage upon second and final reading, the welfare of the citizens of the City of Red Bank requiring it.

Mayor Ruth Jenó

ATTEST:

City Recorder

Passed on First Reading

Passed on Second and Final Reading

Approved as to Form:

City Attorney

RESOLUTION NO. 20-1373

A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS “DRIVER SAFETY” MATCHING GRANT PROGRAM

WHEREAS, the safety and well being of the employees of the City of Red Bank is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Red Bank employees; and

WHEREAS, the TML Risk Management Pool seeks to encourage the establishment of a safe workplace by offering a “Safety Partners” Driver Safety Matching Grant Program; and

WHEREAS, the City of Red Bank now seeks to participate in this important program.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF RED BANK, TENNESSEE the following:

SECTION 1. That the City of Red Bank, Tennessee is hereby authorized to submit application for a “Safety Partners” Driver Safety Matching Grant through the TML Risk Management Pool.

SECTION 2. That the City of Red Bank, Tennessee is further authorized to provide a matching sum to serve as a match for any monies provided by this grant, not to exceed \$4,000.00.

Resolved this the 15th day of September, 2020

Mayor

City Recorder

RESOLUTION NO. 20-1374

A RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE CITY OF RED BANK, TENNESSEE AND KLEENCO CONSTRUCTION OF TENNESSEE, INC. IN THE AMOUNT OF \$380,742.50 FOR THE CONSTRUCTION OF SIDEWALKS

WHEREAS, the City of Red Bank advertised in the Chattanooga Times Free Press on April 4, 2018 for competitive bids for construction of SIDEWALKS FROM Newberry Street to Greenleaf Street and on Ashland Terrace from Bank Street to Knollwood Drive, Transportation Improvement Project Grant PIN:116152.00 ; and

WHEREAS, two (2) bids were received and opened on August 25, 2020; and

WHEREAS, the bids were reviewed by the City of Red Bank and their contracted engineering firm, Arcadis Engineering Company, for conformity and correctness; and

WHEREAS, after reviewing the bids and associated documentation, it was found that Kleenco Construction of Tennessee, Inc. was the lowest responsive bidder; and

WHEREAS, funds are available in the FY 2021 budget; and

WHEREAS, award of the contract is dependent upon TDOT concurrence, and in the event that TDOT does not concur with the contract award, the contract shall become null and void.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee that the bid and contract between the City of Red Bank, Tennessee, and Kleenco Construction of Tennessee, Inc. in the amount of \$380,742.50 be and is hereby approved.

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

Resolved this 15th day of September 2020

Mayor

City Recorder