

# *City of Red Bank*

Eddie Pierce  
Mayor

Tim Thornbury  
City Manager

## **BOARD OF COMMISSIONERS' MEETING**

Agenda

September 17, 2019

6:00 p.m.

- I. **Call to Order – Mayor Eddie Pierce**
- II. **Roll Call – City Manager**  
  
Mayor Pierce \_\_\_\_, Vice 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 3, 2019 Agenda Work Session**
  - B. **September 3, 2019 Commission Meeting**
- VI. **Communication from the Mayor**
- VII. **Commissioner's Report**
  - A. **Vice Mayor Ruth Jenó**
  - B. **Commissioner Tyler Howell**
  - B. **Commissioner Ed LeCompte**
  - C. **Commissioner Carol Rose**
- VIII. **City Manager Report**
- IX. **Unfinished Business - None**
- X. **New Business**
  - A. **AGENDA ITEM – CONDEMNATION HEARING 124 BROWNTOWN ROAD**
  - B. **RESOLUTION NO. 19-1312 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE RENTAL RATES FOR RENTAL OF THE JOSEPH GLASSCOCK COMMUNITY CENTER FOR PRIVATE EVENTS**
  - C. **RESOLUTION NO. 19-1313 – A RESOLUTION AUTHORIZING A MASTER AGREEMENT BETWEEN THE CITY OF RED BANK AND WISER CONSULTANTS LLC. FOR PROFESSIONAL SERVICES**
  - D. **RESOLUTION NO. 19-1314 – A RESOLUTION THE PROPOSAL FROM BROWN BROTHERS INCORPORATED FOR EMERGENCY REPLACEMENT OF A STORM WATER DRAIN PIPE ON HIGHPOINT DRIVE FOR AN AMOUNT NOT TO EXCEED \$26,829.79**
- 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  
September 3, 2019  
5:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on September 3, 2019 at 5:00 p.m. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Mayor Eddie Pierce, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Carol Rose. Also present were City Manager Tim Thornbury, Police Chief Dan Seymour, Fire Chief Mark Mathews, Finance Director John Alexander and City Recorder Ruth Rohen. There were no citizen attendees.

1. Mayor Pierce advised that there is a Beer Board Hearing tonight in regard to an alleged violation of selling beer to a minor by Sunny Express, 3200 Redding Road.
2. Mayor Pierce reminded Commissioners that there has been some discussion about amending the Design Review Standards to raise the substantial renovation percentage to 60% of the appraised value before Design Review Standards would be applicable to existing structure renovations. He advised that the City Manager has reviewed the Design Review Standards and that not all parts of the design standards apply to renovations. None of the commissioners indicated any interest for this topic to be addressed further.
3. City Manager Thornbury advised that Commissioner Jenó requested that he review the rental fees for public use of the Community Center for potential changes in order to make the fees more concise for users, regardless of event type. Mr. Thornbury suggested that the rental fees be set at \$140.00 for a four hour minimum and \$35.00 for each additional hour. He advised that a resolution to amend the fees would need to be approved before changes can take effect.
4. Mayor Pierce advised that there is a resolution on the agenda tonight to authorize the city to apply for a driver safety grant offered through the TML Safety Partners grant program. He advised that this is a matching grant up to \$4,000.00 and if approved it would be used to offset the cost of GPS monitoring services.
5. Mayor Pierce advised that there is a resolution on the agenda tonight to approve a quote from Brown Brothers Construction to make repairs to a portion of Highpoint Drive that is beginning to settle due to sewer line settlement. He advised that the cost of the repairs is in an amount not to exceed \$13, 845.00

The meeting was adjourned at 5:40 p.m.

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Mayor

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City Recorder

**BOARD OF COMMISSIONERS' MEETING**

Minutes

September 3 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, Commissioner Jenó, Commissioner LeCompte and Commissioner Rose were present. Also present were Fire Chief Mark Mathews, Police Chief Dan Seymour, 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. **August 20, 2019 Agenda Work Session**
  - B. **August 20, 2019 Commission Meeting**Commissioner LeCompte made a motion to approve both sets of minutes as printed, second by Commissioner Jenó. Both sets of minutes were approved with all Commissioners voting “yes”.
- VI. **Installation of Newly Appointed Commissioner**

Mayor Pierce advised that Tyler Howell was appointed by the Commission during the regular Commission Meeting on August 20<sup>th</sup> to serve the unexpired term of Commissioner Terry Pope, until the November 2020 election. He invited Mr. Howell forward and the Oath of Office for Commissioner was administered by Judge Gary Starnes.
- VII. **Election of Vice Mayor**

City Attorney Stulce explained the process for nominations and election of the Vice Mayor. There were no questions by Commissioners and the floor was opened for nominations. Mayor Pierce, citing her long and meritorious service to the City of Red Bank and its citizens, nominated Commissioner Ruth Jenó, The nomination was seconded by Commissioner Rose. There were no further nominations and Commissioner Rose made a motion that nominations cease, second by Commissioner LeCompte. The motion to cease nominations was approved with all Commissioners voting “yes”. Commissioner Jenó being the only nominee, Attorney Stulce called for a roll call vote. Mayor Pierce “yes”, Commissioner Howell “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”. Ruth Jenó was elected to fill the position of Vice Mayor by all Commissioners voting “yes”. Judge Gary Starnes administered the Oath of Office.
- VIII. **Communication from the Mayor**
  - Welcomed everyone, special recognition to the family and friends of Commissioner Howell.
  - Invited everyone to attend a fund raising BBQ on September 14<sup>th</sup> from 5:00 to 8:00 at the Red Bank City Park across from Food City on Dayton Blvd. He advised that proceeds will benefit the Red Bank Community Food Bank.
  - Advised that he was contacted by School Board Member Cathy Lennon, who advised that all of the schools servicing the City of Red Bank achieved Level 5 Status this year.
- IX. **Commissioners Report**
  - **Vice Mayor Ruth Jenó**
    - Welcomed all.

- Thanked the Commission for electing her Vice Mayor. Advised that this year is the 100 year anniversary of the Women's Suffrage Movement and feels honored to serve on the Commission Board.
- Thanked Gail Perry, with the Chattanooga News website, for writing a story on a blanket making charity event that was recently held at the Community Center. She advised that the blankets are donated to local hospitals for child cancer patients.

- **Commissioner Tyler Howell**

- Welcomed all and thanked his family and friends for attending.
- Thanked the Commission for his appointment to fill the District 1 seat and feels Terry Pope should be remembered for his countless years of service to the City.
- He is excited about the future of Red Bank as it continues to grow with residential and commercial development.

- **Commissioner Ed Lecompte**

- Welcomed all.
- Congratulated Commissioner Howell and Vice Mayor Jenó and thanked them for accepting their respective positions on the Commission Board.
- Thanked all city departments for the work they do to keep the city moving forward and looking good.

- **Commissioner Carol Rose**

- Welcomed all.
- Congratulated Commissioner Howell on his appointment to the Commission Board and thanked Vice Mayor Jenó for accepting the position of Vice Mayor.
- Advised that there will be a tailgate party and tours of the Red Bank High School, beginning at 6:00 p.m., prior to the football game this Friday.

**X. City Manager Report**

Welcomed everyone, with special recognition to Planning Commission members David Hafley and Rufus Smith. Advised that the Red Bank Swimming Pool has closed for the season.

**XI. Unfinished Business**

**A. ORDINANCE NO. 19 – 1157 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND ORDINANCE NO. 18-1126, CODIFIED AT RED BANK CITY CODE, TITLE 6, CHAPTER 1, SECTION 6-108, SUBPARTS (C)(1) AND (C)(2) WITH RESPECT TO AUTHORIZING THE CITY MANAGER TO DIRECTLY AUTHORIZE ACQUISITIONS THROUGH THE LESO PROGRAM WITHOUT PRIOR FORMAL APPROVAL BY THE CITY COMMISSION (SECOND AND FINAL READING)**

Mayor Pierce explained that this ordinance, if approved, will amend the LESO Program ordinance, which allows the Police Department to acquire equipment and vehicles from the State at no, or very little cost to the city. He explained that this amendment will authorize the City Manager to approve routine equipment acquisitions without prior formal approval by the City Commission. He explained that notification to the City Commission is still required and that no aircraft, vehicles or specialized weapons may be obtained without prior formal approval of the City Commission. Commissioner Rose made a motion to approve the ordinance, second by Commissioner Howell. There were no citizen comments. **Roll Call Vote: Mayor Pierce "yes", Vice Mayor Jenó "yes", Commissioner Howell "yes". Commissioner LeCompte "yes", Commissioner Rose "yes".** Ordinance No 19-1157 was approved on second and final reading with all Commissioners voting "yes".

**B. ORDINANCE NO. 19-1158 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, IN ORDER TO REPEAL AND REPLACE TITLE 13, SECTION 13-201 THROUGH 13-210 OF THE RED BANK CITY CODE WITH RESPECT TO ABANDONED AND/OR DISCARDED VEHICLES, MOTOR VEHICLES, BOATS AND/OR WATERCRAFT (SECOND AND FINAL READING)**

Mayor Pierce advised that this ordinance, if approved, will replace the current ordinance. He advised that there have been some instances of abandoned boats and watercraft and other types of vehicles that the current ordinance may not address with specific specificity. Commissioner LeCompte made a motion to approve the ordinance, second by Vice Mayor Jenó. There were no citizen comments. **Roll Call Vote: Mayor Pierce "yes", Vice Mayor Jenó "yes", Commissioner Howell "yes", Commissioner LeCompte "yes", Commissioner Rose "yes".** Ordinance No 19-1158 was approved on second and final reading with all Commissioners voting "yes".

## **XII. New Business**

### **A. RESOLUTION NO. 19-1310 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, APPROVING THE QUOTE FROM BROWN BROTHERS INC., FOR ROADWAY REPAIRS AND PAVING TO A PORTION OF ROADWAY ON HIGHPOINT DRIVE, IN AN AMOUNT NOT TO EXCEED \$13,845.00**

City Manager Thornbury advised that a portion of pavement on Highpoint Drive has begun to settle due to sewer lines settling. He explained that the city requested quotes from several contractors to repair and repave the portion of pavement. Mr. Thornbury advised that the lowest price was submitted by Brown Brothers in the amount of \$12,570.00. Mr. Thornbury advised that this resolution includes a 10% contingency for a total amount not to exceed, \$12,845.00. Upon inquiry by Commissioner Rose, Mr. Thornbury advised that funds are available in this year's budget to complete the repairs. Vice Mayor Jenó made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 19-1310 was approved with all Commissioners voting "yes".

### **B. RESOLUTION NO. 19-1311 – A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL SAFETY PARTNERS "DRIVER SAFETY" MATCHING GRANT PROGRAM**

Mayor Pierce advised that approval of this resolution will authorize the city to submit a grant application to TML Risk Management Pool for a driver safety grant. He explained that this is a 50/50 grant that requires a local match of up to \$4,000.00. Commissioner Howell made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 19-1311 was approved with all Commissioners voting "yes".

## **XIII. Citizen Comments - None**

## **XIV. Adjournment**

The meeting was adjourned at 6:25 p.m.

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Mayor

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City Recorder Ruth Rohen

## RESOLUTION NO. 19-1312

### **A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE AMENDING THE RENTAL RATES FOR THE JOSEPH GLASSCOCK COMMUNITY CENTER**

**WHEREAS**, the Commission of the City of Red Bank, Tennessee desires to make the Joseph Glasscock Red Bank Community Center, located at 3653 Tom Weathers Drive, available for privately sponsored events; and

**WHEREAS**, the City Commission approved Resolution No. 12-861 on April 3, 2012, setting forth rental rates determined to be an appropriate rental fee schedule associated with the rental of the Community Center for private events; and

**WHEREAS**, it has been determined that the rental rates are in need of adjustment to reflect the increase in costs associated with upkeep and supplies for the facility; and

**WHEREAS**, the Rate Schedule is attached hereto AS Exhibit A and is made a part hereof.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee that the attached Rental Rate Schedule for privately sponsored events be and is hereby approved.

Resolved this 17<sup>th</sup> day of September 2019

\_\_\_\_\_  
Mayor

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

## **Red Bank Community Center Rates and Fees**

### **Rental Fees**

- \$140.00 for 4 Hours Rental Time
- \$25 each additional hour
- \$150 *REFUNDABLE DAMAGE/CLEANING DEPOSIT*

### **City Partners, Dixie Youth, Girl's Softball, Red Bank Pool, Southeast Tennessee Development Agency, etc.**

- No charge

*The building must be left clean and in the condition it was when the event started.*

**RESOLUTION NO. 19-1313**

**A RESOLUTION AUTHORIZING A MASTER AGREEMENT BETWEEN THE CITY OF RED BANK AND WISER CONSULTANTS, LLC. FOR PROFESSIONAL SERVICES**

**WHEREAS**, the City of Red Bank, from time to time, requires certain professional engineering and survey services for various projects; and

**WHEREAS**, the City of Red Bank would like to utilize Wisser Consultants, LLC. for professional engineering and surveying services, on a case by case basis; and

**WHEREAS**, Wisser Consultant, LLC is willing to perform these services as requested; and

**WHEREAS**, this agreement is for an initial term of three (3) years with an option to extend or renew, with or without changes, by written amendment establishing a new term; and

**WHEREAS**, this agreement does not restrict the City of Red Bank from entering into an agreement with any other firm for like services if the City feels that it would be in the best interest of its citizens.

**NOW, THEREFORE, BE IT RESOLVED** by the Commission of the City of Red Bank, Tennessee that the Master Agreement with Wisser Consultants, LLC. for professional engineering and survey services be and is hereby approved.

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

Resolved this 17<sup>th</sup> day of September 2019

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Mayor

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City Recorder

RESOLUTION NO. 19-1314

**A RESOLUTION ACCEPTING THE QUOTE FROM BROWN BROTHERS INC. FOR EMERGENCY REPLACEMENT OF A STORM WATER DRAIN PIPE ON HIGHPOINT DRIVE, IN AN AMOUNT NOT TO EXCEED \$26,829.79**

WHEREAS, due to aging infrastructure and substantial rainfall events during the past year, a portion of roadway on Highpoint Drive has collapsed because of a deteriorating storm water pipe that crosses underneath the roadway, which has rendered the roadway to become unstable and subject to further collapse; and

WHEREAS, one lane of Highpoint Drive has been closed to traffic and unusable; and

WHEREAS, the City Manager has advised that the referenced section is not only unusable but cannot be restored by simply repaving same; and

WHEREAS, the City Commission declares the repair and reopening of Highpoint Drive an emergency, due to potential further collapse and complete roadway closure; and

WHEREAS, the normal bidding process for undertaking such a repair project would likely result in delays of 30 to 45 days before any such repair and restoration project could commence; and

WHEREAS, the City deems it an emergency and has obtained a Proposal from Brown Bros., Inc., a trustworthy engineering and construction company with which the City has experience over the years, to effect such repairs for the set price of \$24,390.72 and subject to a 10% contingency, for a total amount of not to exceed \$26,829.79; and

WHEREAS, the City has deemed the repair an emergency such that the bidding processes should be suspended for Highpoint Drive in the best interest of the citizens of Red Bank, Tennessee.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Red Bank, Tennessee, at its regularly scheduled and duly advertised bi-monthly commission meeting held on the 17<sup>th</sup> day of September, 2019 in the Commission Chambers at the Red Bank Police Department.

1. That upon the findings hereinabove recited, the necessary repairs to Highpoint Drive, a roadway with only one way of ingress and egress, be declared to be an emergency.
2. That the emergency repairs, if the normal bidding processes for financing such repairs were adhered to would delay in the commencement of repair activities of between 30 and 45 days.
3. That the bidding processes be suspended, that the City Manager be authorized to accept the proposed price for the emergency repair of Highpoint Drive, for the amount of not to exceed \$26,829.79.

Resolved this 17<sup>th</sup> day of September, 2019

CITY OF RED BANK

BY: \_\_\_\_\_  
Mayor

ATTEST:

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