

## WORK SESSION AGENDA

September 18, 2018

5:00 p.m.

1. Brian Taylor, Southeast Tennessee Development
2. Tag Readers
3. Resolution – Self Contained Breathing Apparatus Purchase
4. Any other business

## Ruthie Rohen

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**From:** Tim Thornbury  
**Sent:** Thursday, September 6, 2018 5:21 AM  
**To:** Ruthie Rohen  
**Subject:** Fwd: LPRs'

We will need to print for next work agenda to hand out.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Robert Simpson <rsimpson@RedBankTN.gov>  
**Date:** 9/4/18 2:27 PM (GMT-05:00)  
**To:** Tim Thornbury <tim@RedBankTN.gov>  
**Subject:** LPRs'

I talked to a company "*Leonardo*" regarding LPRs' (Automated License plate readers) and they were able to give me some very loose figures as for pricing. The information they give me is that the LPRs' send and receive information to the portal operated by the DEA rather than the State of TN. Some systems are closed to only a municipality for unpaid fines and fees...but it's my understanding that ours would be mainly for State and/or Federal NCIC searches.

- A Single camera "fixed site" which could be fixed to a pole OR trailer is approximately **\$10,000ea** +/- added cost is power, Wi-Fi, secure link license to DEA information portal
- A 2 camera system for a police unit is approximately **\$14,000ea** + license fee to the DEA information portal
- A 4 camera system for a police unit is approximately **\$18,000ea** + license fee to the DEA information portal

This company, and others I talked to, wanted to come and assess what our needs are and where the cameras would be installed and how many we wished to install. All of these companies offer a fixed, trailer type system or mobile system. Only *Leonardo* would give me a "ball park" pricing.

# City of Red Bank

John Roberts  
Mayor

Tim Thornbury  
Interim City Manager

## BOARD OF COMMISSIONERS' MEETING

Agenda  
September 18, 2018  
7:00 p.m.

I. Call to Order – Mayor John Roberts

II. Roll Call – Interim City Manager Tim Thornbury

Mayor Roberts \_\_\_\_, Vice-Mayor Pierce \_\_\_\_, Commissioner LeCompte \_\_\_\_,  
Commissioner Pope \_\_\_\_, Commissioner Rose \_\_\_\_

III. Invocation –

IV. Pledge of Allegiance –

V. Consideration of the Minutes for approval or correction:  
A. August 29, 2018 Special Called Agenda Work Session  
B. September 4, 2018 Agenda Work Session  
C. September 4, 2018 Commission Meeting

VI. Communication from the Mayor

VII. Commissioner's Report  
A. Vice Mayor Pierce  
B. Commissioner Ed LeCompte  
C. Commissioner Terry Pope  
D. Commissioner Carol Rose

VIII. City Manager Report

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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 (SECOND AND FINAL READING)
- B) 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 (SECOND AND FINAL READING)

X. New Business

- A. RESOLUTION NO. 18-1253 – A RESOLUTION AUTHORIZING THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS FROM MUNICIPAL EMERGENCY SERVICES INC IN THE AMOUNT OF \$194,102 FOR THE FIRE DEPARTMENT

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

XII. Adjournment

*John Roberts*  
Mayor

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

*Tim Thornbury*  
Interim City Manager

Minutes  
August 29, 2018  
2:00 p.m.

The Board of Commissioners met in a public and advertised Special Agenda Work Session on August 29, 2018 at 2:00 p.m. The purpose of the meeting was to receive information with respect to the potential conversion of undeveloped property in the City of Red Bank encumbered by a United States Department of Housing and Urban Development Grant based restrictions dating back to the 1960's and which was partially transferred to the property located at 3715 Dayton Boulevard. Those in attendance were Mayor John Roberts, Vice Mayor Eddie Pierce, Commissioners Ed LeCompte and Carol Rose, Commissioner Terry Pope was absent. Also present from the City of Red Bank were Interim City Manager Tim Thornbury and City Recorder Ruth Rohen. State Representative Chuck Fleishman and members of his staff, Deputy Chief of Staff Bob White, and Jewells Doux were also present. There were no public attendees.

Representative Chuck Fleishmann was in attendance to meet with Commissioners to discuss the City's ongoing efforts to convert a portion of land, located at 3715 Dayton Boulevard that was designated and earmarked to be set aside for passive recreation pursuant to the terms of the above referenced HUD grant from the 1960's, and for various other undeveloped properties that the City owns. Mr. Fleishmann advised that he has, on several occasions, spoken with the Secretary of the Department of Interior about these efforts. He encourage the City to move forward with the application as quickly as possible due to the upcoming administration changes that will take place in January. Mayor Roberts and Interim City Manager Tim Thornbury explained the proposed areas of land and parks that will be developed on the land.

The meeting was adjourned at 2:52 p.m.

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Mayor

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City Recorder

John Roberts  
Mayor

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

Tim Thornbury  
Interim City Manager

Minutes  
September 4, 2018  
12:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on September 4, 2018 at 12:00 p.m. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Mayor John Roberts, Vice Mayor Eddie Pierce, Commissioners Carol Rose and Terry Pope, Commissioner Ed LeCompte was absent. Also present were Interim City Manager Tim Thornbury, Police Chief Robert Simpson, Finance Director John Alexander, Fire Chief Mark Mathews and City Recorder Ruth Rohen. There were no public attendees.

1. Small Cities Coalition liaison Bridgett Raper and City of Collegedale City Manager, Ted Rogers were in attendance to explain to the Commission the role of the Small Cities Coalition, which the City of Red Bank is a member of by and through a Memorandum of Understanding. They gave an overview of why the Coalition was formed and ways that the Coalition assists its members with on-going issues affecting small cities in Hamilton County.
2. Mayor Roberts advised that there is a resolution on the agenda tonight to approve the bi-annual Certificate of Compliance for Red Bank Wine and Spirits.
3. Mayor Roberts advised that the rezoning ordinance and Public Hearing is back on the agenda tonight for adjacent properties located at 621, 637 and an unaddressed parcel of Lullwater Road. He advised that this was rescheduled from the August 7<sup>th</sup> meeting because the owner/applicant was not in attendance at that meeting. He explained that the applicant/owner is requesting to rezone the properties from R-1 and R-1A Residential to R-T/Z Townhouse Zero Lot Line.
4. Mayor Roberts advised that there is a resolution on the agenda tonight to approve an agreement with Kleenco Construction of Tennessee for repair/replacement of the box culvert at Ashland Terrace and Dayton Boulevard. Interim City Manager Thornbury advised that work will commence in approximately 4 weeks and be completed approximately 30 days thereafter. He advised that traffic detour maps will be delivered to residents and detours signs posted.
5. Mayor Roberts advised that there is a resolution on the agenda tonight to approve a Program Services Grant for the Red Bank High School Quarterback Club, which is a 501 (C) (3) charitable organization. He explained that if the grant is approved, funds will be dedicated solely to the purchase of a new sound system for the Red Bank High School football stadium.
6. Mayor Roberts advised that there is an ordinance on the agenda tonight to amend the zoning ordinance in regard to accessory "storage type" buildings in all residential zones. Interim City Manager Thornbury explained that this amendment relates to the numbers and size of accessory buildings that are allowed at residentially zoned properties. He also advised that the Red Bank Planning Commission reviewed the ordinance and recommended approval.
7. Interim City Manager Thornbury advised that there is a resolution on the agenda tonight to authorize the City to apply for the annual TML Driver Safety Grant. He explained that, if awarded, the grant will be used to pay for the GPS monitoring service.
8. Interim City Manager Thornbury advised that there is a resolution on the agenda tonight to authorize an agreement with the State of Tennessee regarding the recently approved "LESO" Program for the police department. He explained that this agreement has to be authorized prior to the City being able to request equipment through the Department of Defense.

9. Commissioner Pope advised that he has purchased yard signs for a "Drive Like Your Kids Live Here" campaign. He explained that he would like citizens to be able to pick the signs up, free of charge, at City Hall. His goal is to get motorists to slow down on neighborhood streets.
10. Commissioner Rose recommended that the City invite former Hamilton County Commissioners Joe Graham and Jim Fields to the next Commission Meeting to present them with a plaque in recognition of their dedication to the City during their service on the Hamilton County Commission Board.
11. Commissioner Rose voiced her concerns that B & B Discount Sales has not posted hours of operation at their business.
12. Commissioner Rose asked if notices could be delivered to residents informing them of the Reach Alert System that is now available in the City of Red Bank. Interim City Manager Thornbury advised that he would include this information when he distributes detour maps for Ashland Terrace box culvert repair project.

The meeting was adjourned at 1:00 p.m.

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Mayor

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City Recorder

**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.

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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 18<sup>th</sup> 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.

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Mayor John Roberts

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City Recorder Ruth Rohen

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

**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 rezoning of the subject property to the R-T/Z zoning district would allow for development that promotes the goals of the Red Bank 2020 Land Use Plan; and

WHEREAS the applicant, Michael Cinelli, has requested that his three properties on Lullwater Road be rezoned from R-1 and R1-A to R-T/Z; and

WHEREAS the legal description for said properties are included in Exhibit A within Deed Book 11342 Page 336, Deed Book 11289 Page 483 and Deed Book 11307 Page 794; and

WHEREAS the Red Bank Planning Commission provided an opportunity for citizens to submit comments in favor of or against the proposed rezoning at an advertised public hearing held in conjunction with its regular meeting on June 21, 2018; and

WHEREAS, the Planning Commission recommended approval as it is consistent with and promotes the goals of the Red Bank 2020 Land Use plan; and

WHEREAS the City Commission heard a presentation by the owner describing the intended usage of the property contingent upon the application being approved and provided an opportunity for citizens to submit comments in favor of or against the proposed rezoning at an advertised public hearing on August 7, 2018 prior to the final reading of this ordinance; and

WHEREAS the City Commission finds that the proposed development afforded by the rezoning request would not have a negative impact on adjacent properties and is consistent with and promotes the goals of the Red Bank 2020 Land Use Plan.

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 three properties located at 621 Lullwater Road and 637 Lullwater Road and the single referenced but unaddressed property on Lullwater Road, shown in Exhibit B as Hamilton County tax parcel numbers 117N A 007, 117N A 006, and 117N A 002, from R-1 Residential and R1-A Residential to R-T/Z Townhouse/Zero Lot Line.

Section 2. Upon the adoption of this Ordinance, the Zoning maps of the City shall be amended and revised to reflect the rezoning of the three parcels as is specified herein.

BE IT FURTHER ORDAINED that 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.

FINALLY, BE IT ORDAINED that 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.

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Mayor John Roberts

ATTEST:

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City Recorder Ruth Rohen

**September 4, 2018**

Approved on First Reading

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Approved on Second and Final Reading

Approved as to Form:

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City Attorney

## EXHIBIT A. Legal Description

### Deed Book 11342 Page 336

IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE:

BEGINNING on the Western line of Lullwater Road at the North end of the Cemetery Wall which marks the Northeast corner of the Jewish Cemetery, as shown by Deed of record in Book C, Volume 29, Page 676, in the Register's Office of Hamilton County, Tennessee; thence North along the West line of Lullwater Road 28 degrees East 332 feet to an iron pipe located in the Northeast corner of a six-acre tract, which is the beginning point; thence from this beginning point, on the same course along the Western line of Lullwater Road 100 feet to a stake; thence North 62 degrees West on a line 100 feet distant from and parallel to the North line of said six-acre tract 850 feet, more or less, to a point where said line intersects with the Western line of said six-acre tract, extended Northwardly; thence South 14 degrees 30 minutes West on a straight line 105 feet, more or less, to a point marking the Northwest corner of said six-acre tract; thence along the Northern line of said six-acre tract South 62 degrees East 847.5 feet, more or less, to the point of beginning.

LESS AND EXCEPT that property conveyed by Deed recorded in Book 2827, Page 13, in the Register's Office of Hamilton County, Tennessee.

REFERENCE is made for prior title to Deeds recorded in Book 8012, Page 40 and Book 8649, Page 45, in the Register's Office of Hamilton County, Tennessee.

Tax Parcel No. 117N-A-007

Subject to restrictions recorded in Book 944, Page 117, in the Register's Office of Hamilton County, Tennessee, but omitting and not republishing any covenant, condition, restriction, or limitation to the extent that the specific covenant, condition, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

Subject to Governmental zoning and subdivision ordinances or regulations in effect thereon.

Taxes for the year 2018 are assumed by the Grantee herein.

### Deed Book 11289 Page 485

IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE:

BEGINNING at a stake in the Western line of Lullwater Road, 432 feet North 28 degrees East from the North end of the Jewish Cemetery wall, which beginning point also is located at the Northeast corner of a two (2) acre tract designated as the "Second Tract" in Deed to John B. Shropshire and wife, dated April 24, 1946; thence from this beginning point on the same course Northward along the Western line of Lullwater Road a distance of 100 feet; thence North 62 degrees West on a line parallel to and 100 feet distant from the North line of said "Second Tract" a distance of 885.5 feet; thence South 30 degrees 27 minutes West 100 feet, more or less, to a stake in the Northwest corner of said Shropshire "Second Tract"; thence South 62 degrees East along the Northern line of said Shropshire "Second Tract" a distance of 889.8 feet, more or less, to the point of beginning and being Lot Thirty-four (34) of a Private Plat dated March 8, 1946 and prepared by E. G. Murrell, Engineer.

LESS AND EXCEPT that part sold to Tennessee Department of Transportation in Book 3144, Page 765, in the Register's Office of Hamilton County, Tennessee.

REFERENCE is made for prior title to Deed recorded in Book 6200, Page 946, in the Register's Office of Hamilton County, Tennessee.

Tax Parcel No. 117N-A-006

Subject to restrictions recorded in Book 944, Page 117, in the Register's Office of Hamilton County, Tennessee, but omitting and not republishing any covenant, condition, restriction, or limitation to the extent that the specific covenant, condition, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

Subject to controlled access as set out in Book 3144, Page 765, in the Register's Office of Hamilton County, Tennessee.

Subject to Governmental zoning and subdivision ordinances or regulations in effect thereon.

Taxes for the year 2018 are assumed by the Grantee herein.

**Deed Book 11307 Page 794**

In the Third Civil District of Hamilton County, Tennessee:

Lot Thirty-Seven (37), Suburban Estates, as shown on the Map of Survey by E. F. Murrell dated March 8, 1946, on Lullwater Road Property. According to said survey, said lot fronts 200 feet on the Northwestern line of said Lullwater Road and extends Northwesterwardly (about North 62 degrees West) between parallel lines that are parallel to the Northern or Northeastern line of the property conveyed to Ed W. Fryar and Sarah Shropshire on September 14, 1946, 810 feet, more or less, to the Northwestern line of said Subdivision. Its Southeastern corner is 200 feet Northeastwardly along said Lullwater Road from the Northeastern corner of said Fryar and Shropshire tract and 723 feet from the Northern end of the Old Cemetery Wall; said beginning point is the Northeastern corner of the property conveyed R. L. Gadd and K. T. Shropshire on July 16, 1952, now Link.

Subject to Governmental Zoning and Subdivision ordinances or regulations in effect thereon

Tax Map Parcel 117N-A-002

**EXHIBIT B. Map**

**ORDINANCE 18 -1127**

**R-1 and R1-A to R-T/Z Rezoning Request  
621 and 637 Lullwater Road, Tax Map 117N Group A Parcels 7,6 and 2  
Owner: Cinelli**



**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 CHAPTER 14, SECTION 204.11**

**WHEREAS**, the City Commission for the City of Red Bank deems it necessary to provide for the health, safety and welfare of the citizens of the City of Red Bank to regulate the placement of the location, number, height and floor area of accessory use buildings on residentially zoned properties within the City of Red Bank;

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

SECTION 1. Ordinance No. 15-1020, codified at Red Bank City Code Section 14-204.11, shall be amended thereof by deleting the subsection as written and substituting in its place instead the following:

I. SECTION 14-204.11. Definitions

(A) Add a new subsection, to wit:

204.11 Notwithstanding any other provisions in this Zoning Ordinance related to the required front and/or rear yard setbacks, in addition to not more than one (1) single story detached garage as defined in 14-202.02, Accessory Use or Building, and in addition to not more than one single story detached garage, a single story detached accessory building no closer than five (5) feet from the interior side lot line and no closer than five (5) feet from the rear lot line shall be allowable on residential zoned property provided that, in addition, any such accessory building is to be separated by not less than three (3) feet from the principal structure and the garage (if any) located on the premises on residentially zone property, provided further;

(a) Properties with less than one-half (1/2) acre of land area will be permitted no more than one (1) single storied detached wood frame / metal accessory building which may be no larger than one hundred forty-four (144) square feet in floor space.

(b) Properties with more than one-half (1/2) acre of land area shall be permitted no more than two (2) single storied detached wood frame / metal accessory buildings, neither of which may be larger than one hundred forty-four (144) square feet in floor space.

(c) No such accessory buildings or structures shall be larger than one hundred forty-four (144) square feet in floor space. Such storage buildings and/or structures shall be no closer than five (5) feet, including overhangs or eaves, from the rear or side lot line on any residentially

zoned property. In addition, any such accessory buildings shall be separated by not less than three (3) feet, including overhangs or eaves, from the main or principle structure, and/or any other accessory building and each other.

(d) To assure compliance with this ordinance, the property owner(s)/tenant(s) and/or occupant(s) must first file with the Building Inspectors office, a site plan detailing the size and location(s) of any such structure intended to be placed or erected on the premises and its location and spacing from the applicable property lines and other permitted structures on the property before installation or construction. Failure to comply with this subsection shall result in a civil penalty of up to \$50 per day and any offending structure located on a property may also be ordered to be removed.

(e) Provided further that no portion of any such accessory building, of any kind, be utilized for human habitation, lodging or occupancy, of any kind long term, short term or under any circumstance.

SECTION 2. Every section, 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 effect or impair any other section, sentence, clause, or phrase.

SECTION 3. This Ordinance shall take effect from and after the date of its final passage the health, safety and welfare of the citizens of the City of Red Bank requiring it.

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Mayor

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City Recorder

**September 4, 2018**

Passed on First Reading

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Passed on Second and Final Reading

Approved as to form:

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City Attorney

**RESOLUTION NO. 18-1253**

**A RESOLUTION AUTHORIZING THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS FROM MUNICIPAL EMERGENCY SERVICES, INC. IN THE AMOUNT OF \$194,102.00 FOR THE FIRE DEPARTMENT**

**WHEREAS**, the City of Red Bank advertised in the Chattanooga Times Free Press on September 9, 2018 for competitive bids for the purchase of Self Contained Breathing Apparatus for the Fire Department; and

**WHEREAS**, due to only having twenty (20) certified air bottles for use by the entire department, this became an emergency purchase and so therefore the required fifteen (15) day bid period was decreased to five (5) days; and

**WHEREAS**, two (2) bids were received and opened on September 14, 2018, with only one (1) of the bids meeting the minimum bid specifications: and

**WHEREAS**, the bid id from Municipal Emergency Services, Inc. in the amount of \$194,102.00; and

**WHEREAS**, funding is budgeted and available in the FY 2018 operating budget to the Self Contained Breathing Apparatus.

**NOW, THEREFORE BE IT RESOLVED** by the Commission of the City of Red Bank. Tennessee that the purchase of Self Contained Breathing Apparatus from Municipal Emergency Services, Inc., in an amount not to exceed \$194,102.00 be and is hereby approved.

Resolved this 18th day of September 2018

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Mayor John Roberts

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City Recorder Ruth Rohen