

# *City of Red Bank*

Ruth Jenó  
Acting Mayor

Tim Thornbury  
City Manager

## **BOARD OF COMMISSIONERS' MEETING**

Agenda  
October 20, 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. **October 6, 2020 Agenda Work Session**
  - B. **October 6, 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 -**
  - A. **ORDINANCE NO. 20-1178 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REPEAL ORDINANCE NO. 19-1161, A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME TO SUSPEND THE OPERATIONS AND ENFORCEMENT OF RED BANK CITY CODE SECTION 9-845(3)(C) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES AND TO REINSTATE THESE REQUIREMENTS OF THE SIGN ORDINANCE (SECOND AND FINAL READING)**
- X. **New Business –**
  - A. **RESOLUTION NO. 20-1376 – A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS “PROPERTY CONSERVATION” MATCHING GRANT PROGRAM**
  - B. **RESOLUTION NO. 20-1177 – A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR UMA PARTNERSHIP, 3603 DAYTON BOULEVARD, SUITE C, RED BANK, TENNESSEE**
  - C. **RESOLUTION NO. 20-1378 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, CANCELING THE REGULARLY SCHEDULED AGENDA WORK SESSION AND COMMISSION MEETING FOR NOVEMBER 3, 2020**
  - D. **RESOLUTION NO. 20-1379 – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF RED BANK, TENNESSEE, TO AUTHORIZE EMERGENCY REPAIRS TO THE BRIDGE IN THE 100 BLOCK OF VALLEY VIEW AVENUE**
- 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  
October 6, 2020  
5:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on October 6, 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, Commissioner Carol Rose and Commissioner Ed LeCompte. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce Jr. City Recorder Ruth Rohen and those listed on Exhibit A.

1. City Manager Thornbury advised that there is a resolution on the agenda tonight to approve him to move forward with the Multimodal grant process. He reminded everyone that grant funding is in the amount of up to \$950,000.00 and would require a local match of 5%. He explained that the grant rules require any improvements be maintained by the city.
2. City Manager Thornbury advised that there is an ordinance on the agenda tonight to repeal the moratorium that was placed upon enforcement of certain sections of the sign ordinance regarding pole signs. He advised that once those provisions are reinstated further information will be reviewed in reference to eventually eliminating pole signs.
3. City Manager Thornbury advised that Jacks Restaurant will be connecting to the sewer system, which will require Ashland Terrace to be temporarily closed for short periods of time. He advised work will take place on those several days between 10:00 p.m. and 7:00 a.m. Detour signs will be posted and Police Officers will be in the area for any needed assistance with traffic.
4. City Manager Thornbury advised that there is a bridge on Valley View Ave. that is in need of repair. He advised that this was discovered when a hole in the asphalt on the road was being filled. He advised that he is awaiting engineering information and then will be sending the project out for bids.
5. City Manager Thornbury advised that he has learned that the new development on Delashmitt Road is being purchased and will be maintained as a rental housing development. He advised that rent for the homes will be between \$1,800 and \$2,400 per month and that the properties will be maintained and kept up by a local company.
6. Discussion about the Christmas Parade and Festival.
7. Commissioner Rose broached the subject of requiring all businesses to screen their dumpsters on all sides and removing the grandfather clause relating to established businesses with dumpsters. She also pointed some perceived inconsistencies in the zoning ordinance as relates to Chapter 10 the Design Review Ordinance. Commissioner Rose also inquired if clarification of the purpose of a Special Exceptions Permit could be added to the zoning ordinance.

**The meeting was adjourned at 5:27 p.m.**

_____	_____
City Recorder	Mayor
_____	_____
Date	Date

## BOARD OF COMMISSIONERS' MEETING

Minutes

October 6, 2020

6:00 p.m.

- I. **Call to Order** – 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 Mayor Ruth Jenó, Commissioner Tyler Howell, Commissioner Carol Rose and Commissioner Ed LeCompte. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce Jr., City Recorder Ruth Rohen, and those listed on Exhibit A.
- III. **Invocation** – Commissioner Tyler Howell gave the Invocation.
- IV. **Pledge of Allegiance** – Commissioner Ed LeCompte led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
  - A. **September 15, 2020 Commission Meeting**
  - B. **September 15, 2020 Agenda Work Session**Commissioner Howell made a motion to approve both sets of minutes as printed, second by Commissioner Rose. The minutes were approved, with Commissioner LeCompte abstaining because he was absent at the September 15<sup>th</sup> meeting, and all other Commissioners voting “yes”.
- VI. **Communication from Mayor Jenó**
  - Welcomed everyone.
  - Gave a Mayor’s report on the State of the City detailing numerous ongoing projects, residential and commercial developments and other items of interest for the City of Red Bank
  - Thanked the City Manager, all Department Heads and employees for their hard work moving the city forward in a positive way.
- VII. **Commissioners Report**

**Commissioner Tyler Howell**

  - Welcomed everyone.
  - Advised that Red Bank Baptist Church will be distributing food boxes to the public this Saturday beginning at 8:00 a.m.

**Commissioner Ed LeCompte**

  - Welcomed everyone
  - Apologized for missing the last two meetings, he was dealing with some health issues.
  - Thanked Mayor Jenó for her report earlier tonight. The city has a lot of great things happening.

**Commissioner Carol Rose**

  - Thanked Mayor Jenó for her report tonight. The city has a lot of projects ongoing.
  - Will be glad when utility work on Morrison Springs Rd. and paving is complete and pressure washing of sidewalks can begin.
- VIII. **City Manager’s Report**
  - Advised that secondary roadway paving will begin next week.
  - Jacks Restaurant will be connecting to the sewer system and will be temporarily closing portions of Ashland Terrace. Work will take place at night between 10:00 p.m. and 7:00 a.m. and detours will be posted.

**IX. Unfinished Business – None**

**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 (SECOND AND FINAL READING)**

City Manager Thornbury advised that this is second reading of an ordinance to accept grant funding and to amend the budget for the 2020 – 2021 Tennessee Highway Safety Office Distracted Driving Grant. He advised that this is a 100% grant in the amount of \$40,000.00 that will be used for distracted driving training and enforcement. Commissioner Rose made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Mayor Jenó “yes”, Commissioner Howell “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 20-1177 was approved on second and final reading with all Commissioners voting “yes”.

**X. New Business –**

**A. ORDINANCE NO. 20-1178 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REPEAL ORDINANCE NO. 19-1161, A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME TO SUSPEND THE OPERATIONS AND ENFORCEMENT OF RED BANK CITY CODE SECTION 9-845(3)(C) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES AND TO REINSTATE THESE REQUIREMENTS OF THE SIGN ORDINANCE (FIRST READING)**

City Manager Thornbury advised that this ordinance will reinstate requirements of the sign ordinance relating to pole signs. Commissioner Howell made a motion to approve the ordinance, second by Commissioner Rose. There were no citizen comments. **Roll Call Vote: Mayor Jenó “yes”, Commissioner Howell “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 20-1178 was approved on first reading with all Commissioners voting “yes”.

**B. RESOLUTION NO. 20-1375 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, TO REPLACE RESOLUTION NO. 20-1362 AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR PARTICIPATION IN THE 2020 – 2021 MULTIMODAL ACCESS GRANT PROGRAM**

City Manager Thornbury advised that this resolution will replace Resolution No. 20-1362 and will authorize him to apply for a grant to improve traffic flow. He advised that TDOT has approved the City of Red Bank to move forward with the grant application. If approved funds will be used to install sidewalks on one side of Dayton Boulevard from Signal Mountain Road to Stringer’s Tunnel and to install a traffic signal at Ashmore Avenue and Dayton Boulevard. Commissioner LeCompte made a motion to approve the resolution, second by Mayor Jenó. There were no citizen comments. Resolution No. 20-1375 was approved with all Commissioners voting “yes”.

**XI. Citizen Comments –**

- **Hollie Berry, 2910 Martin Road**, Passed on citizen concerns about stormwater drainage issues; 2529 Lamar Ave., Johnson Blvd. / Dayton Blvd. and 113 Laurel St. Also passed on a citizen concern about speeders on Appian Way.

- **Resident of 3225 Easton Ave.**, Concerns about speeders on Easton Avenue.

**XII. Adjournment**

The meeting was adjourned at 6:24 p.m.

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Mayor

\_\_\_\_\_  
Date

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City Recorder Ruth Rohen

\_\_\_\_\_  
Date

**ORDINANCE NO. 20-1178**

**AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO REPEAL ORDINANCE NO. 19-1161, A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME TO SUSPEND THE OPERATION AND ENFORCEMENT OF RED BANK CITY CODE SECTION 9-845(3)(c) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES AND TO REINSTATE THESE REQUIREMENTS OF THE SIGN ORDINANCE**

**WHEREAS**, the City Commission for the City of Red Bank has previously enacted the Red Bank Sign Ordinance, codified at Title 9, Chapter 8, Sections 800 et seq., of the Red Bank City Code, for the purposes of regulating and governing the placement, replacement, repair, maintenance, compatibility, sight line distances, and overall visual attractiveness of advertising signs in commercial and, to a limited extent, residential and other zoned areas in the City of Red Bank, Tennessee; and

**WHEREAS**, the City Commission has determined, generally, that any continued proliferation and existence of Pole Signs as defined in the Red Bank sign Ordinance, effects traffic sightlines, contributes to traffic obscuring distraction and visual clutter of is an undesirable aspect of the existence and or further proliferation of “Pole Signs” within the City of Red Bank; and

**WHEREAS**, the City Commission, has by Ordinance No. 19-1161 placed a moratorium upon enforcement of certain aspects of the Sign Ordinance related to Pole Signs and has upon study, review, personal and corporate observation and based upon input from City Administration and from the Citizenry of the City of Red Bank, determined that the health, safety and welfare of the Citizens of the City of Red Bank would be better served by prohibiting any further proliferation of Pole Signs within the City and also by for the timed amortization and gradual sun setting of currently existing, erected and in place Pole Signs in the City of Red Bank; and

**WHEREAS**, the City Commission for the City of Red Bank declares and further affirms its intent to prohibit further erection of any more or additional Pole Signs in the City of Red Bank and in a timely, fair, and permissible manner to be hereafter determined by Ordinance to phase out the existence of Pole Signs and to lift and dissolve the moratorium put in place by Ordinance No. 19-1161 suspending the enforcement of Red Bank City Code Section 9-845(3)(c) as currently written.

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

SECTION 1. Ordinance No 19-1161, placing a MORATORIUM upon enforcement of the terms, provisions and conditions of the currently existing Red Bank City Code Section 9-845(3)(c), is hereby repealed.

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.

\_\_\_\_\_  
Mayor

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

**October 6, 2020**

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. 20-1376**

**A RESOLUTION AUTHORIZING THE CITY OF RED BANK TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS PROPERTY CONSERVATION MATCHING GRANT PROGRAM**

**WHEREAS**, the citizens of the City of Red Bank have entrusted this administration with the care and custody of city-owned property; and

**WHEREAS**, all efforts shall be made to protect city-owned property from various perils that may arise for the City of Red Bank; and

**WHEREAS**, Public Entity Partners seeks to encourage members with property coverage to develop and implement a property conservation program by offering the Property Conservation 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 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 the Property Conservation Matching Grant Program through the Loss Control Department of Public Entity Partners.

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 \$2,500.00.

Resolved this 20th day of October in the year of 2020

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Mayor

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City Recorder

**RESOLUTION NO. 20-1377**

**A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR UMA PARTNERSHIP, 3603 DAYTON BOULEVARD, SUITE C, RED BANK, TENNESSEE**

**WHEREAS**, Rikta Patel, and Pintukumar Patel has made application for a Certificate of Compliance to sell retail alcoholic beverages in the City of Red Bank, Tennessee, at 3603 Dayton Boulevard, Suite C, UMA Partnership; and

**WHEREAS**, an investigation has been undertaken of the applicant's criminal record and of the compliance of said business with local laws, ordinances, and resolutions; and

**WHEREAS**, the Certificate of Compliance verifies the following conditions:

(1) That the applicant or applicants who are to be in actual charge of the business have not been convicted of a felony within a ten-year period immediately preceding the date of application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and

(2) That the applicant or applicants have secured a location for the business which complies with all restrictions of any local law, ordinance, or resolution, duly adopted by the local jurisdiction, as to the location of the business; and

(3) That the applicant or applicants have complied with any local law, ordinance or resolution duly adopted by the local authorities regulating the number of retail licenses to be issued within the jurisdiction.

(4) That the applicant or applicants have complied with the residency provisions.

**NOW, THEREFORE BE IT RESOLVED** by the Commission of the City of Red Bank, Tennessee that the Mayor is authorized to sign the Certificate of Compliance for UMA Partnership, 3603 Dayton Boulevard, Suite C, Red Bank, Tennessee.

Resolved this 20<sup>th</sup> day of October 2020

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Mayor

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City Recorder

**RESOLUTION NO. 20-1378**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, CANCELLING THE REGULARLY SCHEDULED AGENDA WORK SESSION AND COMMISSION MEETING FOR NOVEMBER 3, 2020**

**WHEREAS**, the City of Red Bank has a regularly scheduled Agenda Work Session on November 3, 2020 at 5:00 p.m. and a regularly scheduled Commission Meeting on November 3, 2020 at 6:00 p.m.; and

**WHEREAS**, November 3, 2020 is the date of the Local, State and National elections and three Red Bank Commission Districts are up for election this year; and

**WHEREAS**, due to there being no foreseeable or pressing business items scheduled for November 3, 2020, the City Commission feels that it would be appropriate to cancel the regularly scheduled November 3, 2020 Agenda Work Session scheduled for 5:00 p.m. and the November 3, 2020 City Commission Meeting scheduled for 6:00 p.m.

**NOW, THEREFORE BE IT RESOLVED** by the City Commission of the City of Red Bank, Tennessee that the regularly scheduled Agenda Work Session for November 3, 2020 at 5:00 p.m. and the regularly scheduled City Commission Meeting for November 3, 2020 at 6:00 p.m. be and is hereby cancelled.

Resolved this 20th day of October 2020

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Mayor

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Ruth Rohen, City Recorder

**RESOLUTION NO. 20-1379**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF RED BANK, TENNESSEE, TO AUTHORIZE EMERGENCY REPAIRS TO THE BRIDGE IN THE 100 BLOCK OF VALLEY VIEW AVENUE**

WHEREAS, the Public Works Department has advised the Commission that the bridge located in the 100 block of Valley View Avenue has apparently been compromised, to some degree, likely as a consequence of the passage of Stringer's Branch under the bridge and recent and prolonged heavy rainfall; and

WHEREAS, concerns are manifested by some settling of the pavement surface and some settlement and erosion of the pavement on the bridge, causing a hole to develop in the pavement area where Stringer's Branch passes underneath the bridge; and

WHEREAS, the Public Works Department has engaged the services of a structural engineering firm to professionally evaluate the occurrences and the likely causation and to identify needed repairs and/or rebuilding of the infrastructure supporting the bridge surface; and

WHEREAS, in that the referenced bridge is the route residents take to access Dayton Boulevard and that there may be safety issues for the public implicated, the City Commission hereby authorizes the expenditure, on an emergency basis, of funds to immediately professionally evaluate the described circumstances and to effectuate repairs on an emergency basis without going through the normal bidding/public purchasing processes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF RED BANK, TENNESSEE, that the City Manager is authorized and directed to immediately retain professional services to evaluate the above expressed concerns for the erosion, cracking and settlement of the bridge surface in the 100 block of Valley View Avenue, within the City and is further authorized and directed to effectuate such repairs, replacements or reconstruction as is necessary, proper, and advised by the structural engineers/roadway engineers so as to protect the integrity of the roadway and the bridge and the health, safety and welfare of the citizens of the City of Red Bank and the motoring public that traverses the bridge.

It is further RESOLVED that the City Manager is authorized to expend up to the sum of One Hundred and Twenty Thousand (\$120,000.00) Dollars, without further authorization from the City Commission, the same to be done on an emergency basis and without further approval or review by the City Commission as to amount of expenditure (subject to the limits hereinabove set forth) and for the methodology for carrying out the expressed objective of the Resolution.

It is further RESOLVED that, as necessary, the City Manager is authorized to reroute traffic, if necessary, during the course of said repairs and/or replacement and to do such other things as are necessary to protect the safety of the public and the best interest of the City of Red Bank, Tennessee.

Approved this the 20th day of October, 2020 by unanimous vote of the City Commission.

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Mayor

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City Recorder