

BOARD OF COMMISSIONERS' MEETING

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

- I. **Call to Order** –Mayor Pierce called the meeting to order at 7:00 p.m.
- II. **Roll Call** – City Manager Thornbury called the roll. Mayor Pierce, Vice Mayor Pope, Commissioner Jenó, Commissioner LeCompte, and Commissioner Rose were present. Also present were City Attorney Arnold Stulce, Fire Chief Mark Mathews, Interim Police Chief John Wright, 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. **November 20, 2018 Agenda Work Session**
 - B. **November 20, 2018 Commission Meeting**Commissioner LeCompte 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, and recognized Former State Representative Richard Floyd who was also in attendance,
 - Thanked Public Works and Commissioner Jenó for decorating the Commission Chambers
 - Excited that the city is moving forward in a positive direction.
- VII. **Commissioners Report**
 - **Vice-Mayor Terry Pope**
 - Welcomed everyone
 - Enjoyed attending the TML Workshop this past week.
 - **Commissioner Ruth Jenó**
 - Welcomed all.
 - Read a portion of a Letter to the Editor in regard to the good work that Public Works and the Police Department have done rerouting traffic around the Ashland Terrace repair project. Advised that the letter mentioned Police Officer Matt Goins for his compassion while working a traffic accident that the writer was involved in.
 - Welcomed former State Representative Richard Floyd and Planning Commission board member Rufus Smith.
 - Invited the Commissioners and the City Attorney to the Seniors on the Go Christmas Lunch on December 20th at noon at the Community Center.
 - **Commissioner Ed LeCompte**
 - Welcomed all
 - Reminded everyone about the Christmas Parade and Festival this Friday beginning at 4:00. Parade starts at 6:00.
 - Advised that the Hamilton County Health Department is giving free flu shots via a drive thru clinic at the old Bi-Lo location in the 4800 Block of Dayton Blvd., on December 5th between the hours of 12:00 to 6:00.
 - **Commissioner Carol Rose**
 - Welcomed all.
 - Reminded everyone that the Red Bank Lions Club is having their annual nut sale.
- VIII. **City Manager Report** –

City Manager Thornbury advised that the Ashland Terrace project completion date is delayed due to rainy and cold weather.

Public Hearing

Mayor Pierce explained that the Public Hearing is in regard to amendments to the Red Bank Zoning Ordinance relating to setbacks in the C1 and C3 zoning districts and that the Red Bank Planning Commission reviewed this ordinance and recommended approval. City Attorney Stulce explained that during 2016 and 2017 the Planning Commission and City Commission reviewed design standards for the city and that the Design Review Ordinance was approved in 2017. He explained that the amendments to the set-back requirements will update the zoning ordinance to

correspond with the Design Review Standards of not less than 7 foot rear yard set-back and not less than 25 foot front yard set-backs. Mayor Pierce invited citizen comments of which there were none. After no further comments the public hearing was closed.

IX. Unfinished Business –

A. ORDINANCE NO. 18-1135 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE AMENDING THE RED BANK ZONING ORDINANCE TO MODIFY THE SETBACK REQUIRMENTS IN THE C-1 AND C-3 COMMERCIAL ZONING DISTRICTS IN ORDER TO CORRESPOND TO PROVISIONS OF THE DESIGN REVIEW ORDINANCE NO. 17-1090 (SECOND AND FINAL READING)

Mayor Pierce advised that this item was explained during the earlier Public Hearing and discussed thoroughly at prior agenda work sessions and during the first reading.. Commissioner Jenó made a motion to approve the ordinance, second by Commissioner Rose. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1135 was approved on second and final reading with all Commissioners voting “yes”.

B. ORDINANCE NO. 18-1139 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING TITLE 7, CHAPTER 2, SECTION 201 AND 205 OF THE RED BANK CITY CODE, IN ORDER TO CLARIFY AND FURTHER ESTABLISH CERTAIN LIMITATIONS WITH RESPECT TO THE WIDTH OF PAVEMENT AS CONTAINED THEREIN (SECOND AND FINAL READING)

City Manager Thornbury explained that this ordinance will enact a mechanism for the City Commission to approve, under certain limited conditions, reduction of required roadway widths to not less than 20 feet. He explained that the request for a reduction in roadway width must be accompanied by an approval letter from the Fire Chief and the concept and text of the ordinance have been thoroughly discussed previously. He also advised that the Red Bank Planning Commission reviewed this ordinance and recommended approval. Vice Mayor Pierce made a motion to approve the ordinance, second by Commissioner LeCompte. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1139 was approved on second and final reading with all Commissioners voting “yes”.

C. ORDINANCE NO. 18-1140 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND TITLE 16, CHAPTER 1, SECTION 16-226(11) IN ORDER TO PERMIT, UNDER CERTAIN LIMITED CIRCUMSTANCES AND CONDITIONS OF UTILIZATION OF THE PUBLIC RIGHT OF WAY FOR PRIVATE OR QUASI-PRIVATE PURPOSES (SECOND AND FINAL READING)

City Manager Thornbury explained that this ordinance, which had been reviewed and discussed on prior occasions, will allow temporary use agreements between the City and private parties for private use of public right of way. He explained that any use would be approved on a case by case basis by the City Commission and may be revoked at any time by the City Commission, at the expense of the private party. Mr. Thornbury advised that this ordinance was reviewed by the Red Bank Planning Commission, which recommended approval. Commissioner Rose made a motion to approve the ordinance, second by Mayor Pierce. There were no citizen comments. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1140 was approved on second and final reading with all Commissioners voting “yes”.

X. New Business

A. AGENDA ITEM 18-840 – PRESENTATION OF THE FISCAL YEAR 2018 AUDIT BY BRIAN WRIGHT OF JOHNSON, MURPHY AND WRIGHT

Mayor Pierce invited Brian Wright forward. Mr. Wright gave an overview of the city's financial information including revenues, expenditures and fund balances for the various City Funds. He explained that all funds are in good financial shape with no deficiencies. Mr. Wright also advised that there were no findings during the audit and that this is the second year in a row that there have not been any findings. He thanked Finance Director John Alexander, City Recorder Ruth Rohen and City Staff for all their help during the audit process.

B. AGENDA ITEM 18-841 – APPOINTMENTS TO THE RED BANK PLANNING COMMISSION

City Manager Thornbury explained that terms of the Red Bank Planning Commission members coincide with the Red Bank City Commission and that due to the recent election of three City Commissioners, appointments by the Commissioners need to be made. The Commissioners needing to make appointments are Vice Mayor Pope, Commissioner Jenó and Commissioner LeCompte. Vice Mayor Pope re-appointed Rufus Smith, Commissioner Jenó appointed Richard Floyd, Commissioner LeCompte re-appointed Bill Cannon. It was explained that these are four year terms and will run concurrent to the appointing City Commission terms.

C. ORDINANCE NO. 18-1141 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING TITLE 1, CHAPTER 1, SECTION 1-103, TIME AND PLACE OF REGULAR MEETINGS (FIRST READING)

Mayor Pierce explained that if approved this ordinance will change the time of the regular scheduled City Commission meetings from 7:00 p.m. to 6:00 p.m. He advised that the meetings

will still be held on the first and third Tuesday of every month. He advised that this change is to encourage more citizen attendance and to allow staff members to get home earlier.

Commissioner Jenó made a motion to approve the ordinance, second by Commissioner LeCompte. Commissioner Rose noted that this item requires two readings and if approved would go into effect for the January 15th meeting. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Pope “yes”, Commissioner Jenó “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance No. 18-1141 was approved on first reading with all Commissioners voting “yes”.

D. RESOLUTION NO. 18-1265 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, ADOPTING BANK FORM RESOLUTION AND AUTHORIZING SIGNORS FOR BANK SIGNATURE CARDS

City Manager Thornbury advised that due to the recent elections, new bank signature cards are required for the various banking accounts that the city has with First Tennessee Bank. He explained that two signatures are required on all checks, with one of them being either the Mayor or Vice-Mayor. Vice Mayor Pope made a motion to approve the resolution, second by Commissioner Jenó. There were no citizen comments. Resolution No. 18-1265 was approved with all Commissioners voting “yes”.

E. RESOLUTION NO. 18-1266 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, ADOPTING BANK FORM RESOLUTION AND AUTHORIZING SIGNORS FOR BANK SIGNATURE CARDS

City Manager Thornbury advised that due to the recent elections and staff changes, new bank signature cards are required for the Confidential Drug Fund that the city has with First Tennessee Bank. He explained that two signatures are required on all checks, with one of them being either the Mayor or Vice-Mayor. Commissioner LeCompte made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 18-1266 was approved with all Commissioners voting “yes”.

F. RESOLUTION NO. 18-1267 – A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR MY DISCOUNT LIQUOR AND TOBACCO, 2105 DAYTON BOULEVARD, RED BANK, TENNESSEE

Mayor Pierce advised that this Certificate of Compliance is required by the Alcoholic Beverage Commission as a condition of renewing the store’s liquor license. It was explained that the city has very limited authority in the issuance of liquor licenses. Interim Police Chief Wright verified the setback distances, the background check for the permit holder and the lack of any alcohol related offences at the location. Commissioner Rose made a motion to approve the Certificate of Compliance, second by Commissioner Jenó. There were no citizen comments. Resolution No. 18-1267 was approved with all Commissioners voting “yes”.

G. RESOLUTION NO. 18-1268 – RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST-BEARING EQUIPMENT ACQUISITION CAPITAL OUTLAY NOTE SERIES 2018, IN AN AMOUNT NOT TO EXCEED \$285,000, AND PROVIDING FOR THE PAYMENT OF SAID NOTES

Finance Director Alexander advised that this is a three year note that will be used to purchase four police patrol vehicles and self-contained breathing apparatus for the Fire Department. Commissioner Rose noted that these purchases were approved in the FY 2019 operating budget. Vice Mayor Pope made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 18-1268 was approved with all Commissioners voting “yes”.

H. RESOLUTION NO. 18-1269 – A RESOLUTION AUTHORIZING THE MUNICIPAL TECHNICAL ADVISORY SERVICE TO PERFORM A COMPREHENSIVE STUDY, REVIEW AND UPDATE OF THE RED BANK CITY CODE BOOK AND AUTHORIZING FOR THE PAYMENT OF SUCH SERVICE

City Manager Thornbury advised that the last time a comprehensive review and update was done on the Municipal Code was 22 years ago. He advised that since that time there have been numerous laws and regulations that need to be updated or added to the code. He explained that this resolution will authorize MTAS to conduct a review and update of the Municipal Code. The cost of the review and suggested updates to the code is \$9,300.00, with half due up front and half due when the project is complete. Mayor Pierce made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 18-1269 was approved with all Commissioners voting “yes”.

I. RESOLUTION NO. 18-1270 – A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, APPOINTING MARTY HAWKINS AS THE CITY OF RED BANK REPRESENTATIVE TO THE MANAGEMENT COMMITTEE OF THE HAMILTON COUNTY WATER QUALITY PROGRAM

Mayor Pierce advised that the city has, in the past, had a representative serving on the Management Committee of the Hamilton County Water Quality Board. He advised that the most recent appointee had to resign for personal reason and that he would like to appoint Marty Hawkins as the City of Red Bank’s representative. He advised that Mr. Hawkins has worked in the stormwater department with the City of Chattanooga for several years and thanked Commissioner LeCompte for his recommendation of Mr. Hawkins. Mayor Pierce also thanked

Mr. Hawkins for agreeing to serve. Commissioner LeCompte made a motion to approve the resolution, second by Vice Mayor Pope. There were no citizen comments. Resolution No. 18-1270 was approved with all Commissioners voting “yes”.

XI. Citizen Comments –

- Deidra Hamill, 211 Woodrow Avenue, Feels that more notice should have been given about the detour of traffic around the Ashland Terrace project onto neighborhood streets.

XII. Adjournment

The meeting was adjourned at 7:47 p.m.

Mayor

City Recorder Ruth Rohen