

City of Red Bank

Eddie Pierce
Mayor

Tim Thornbury
City Manager

BOARD OF COMMISSIONERS' MEETING

Agenda

December 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. **December 3, 2019 Agenda Work Session**
 - B. **December 3, 2019 Commission Meeting**
- VI. **Communication from the Mayor**
- VII. **Commissioner's Report**
 - A. **Vice Mayor Ruth Jenó**
 - B. **Commissioner Tyler Howell**
 - C. **Commissioner Ed LeCompte**
 - D. **Commissioner Carol Rose**
- VIII. **City Manager's Report**
- IX. **Public Hearing –**
THE PURPOSE OF THE PUBLIC HEARING IS TO CONSIDER AN APPLICATION TO REZONE PROPERTY LOCATED IN THE 1800 BLOCK OF PINEBREEZE ROAD AT HAMILTON COUNTY TAX MAP PARCEL NUMBERS 126E B 020, 126E B 014, AND 126E B 013 FROM RT-1 RESIDENTIAL TOWNHOUSE ZONE TO R-3 HIGH DENSITY RESIDENTIAL ZONE ZERO LOT LINE, SUBJECT TO CONDITIONS
- X. **Unfinished Business –**
 - A. **ORDINANCE NO. 19-1160 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PLACE AN ENFORCEMENT MORATORIUM UPON AND FOR A STATED PERIOD OF TIME, SUSPEND THE RED BANK DESIGN REVIEW ORDINANCE, ORDINANCE NOS. 17-1090 AND 19-1143 (SECOND AND FINAL READING)**
 - B. **ORDINANCE NO. 19-1161 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO PLACE A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME SUSPEND THE OPERATION AND ENFORCEMENT OF RED BANKS CITY CODE, SECTION 9-845(2)(C) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES (SECOND AND FINAL READING)**
- XI. **New Business**
 - A. **ORDINANCE NO. 19-1162 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTIES LOCATED ON PINEBREEZE ROAD, HAMILTON COUNTY TAX MAP PARCEL NUMBERS 126E B 020, 126E B 014, AND 126E B 013 FROM RT-1 RESIDENTIAL TOWNHOUSE ZONE TO R-3 HIGH DENSITY RESIDENTIAL ZONE ZERO LOT LINE, SUBJECT TO CONDITIONS (FIRST READING)**
 - B. **RESOLUTION NO. 19-1328 – RESOLUTION OF THE CITY OF RED BANK, TENNESSEE TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF RED BANK AND THE FINANCIAL COMMISSION FOR APPALACHIA HIGH INTENSITY DRUG TRAFFICKING AREAS, TOTALING &18,000.00 FOR THE POLICE DEPARTMENT**
- XII. **Citizen Comments from Red Bank Citizens about Red Bank business (3 minute limit)**
- XIII. **Adjournment**

Eddie Pierce
Mayor

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

Tim Thornbury
City Manager

Minutes
December 3, 2019
5:00 p.m.

The Board of Commissioners met in a public and advertised Agenda Work Session on December 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, Vice Mayor Ruth Jenó, Commissioner Tyler Howell, Commissioner Ed LeCompte and Commissioner Carol Rose. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce Jr., Police Chief Dan Seymour, Finance Director John Alexander and City Recorder Ruth Rohen. There were no citizen attendees.

1. Mayor Pierce advised that there is an ordinance on the agenda tonight for first reading to suspend the Design Review Ordinance for a time period of up to one year. He explained that the overall intent of the standards are to increase the quality of life and livability of citizens, but that in some instances there has been and continues to be inconveniences and hardships placed on current and potential commercial property owners and in some cases may have resulted in losses of potential business expansion or new businesses. Commissioner Rose cited several concerns she has if the Design Review Standards are suspended relating to sidewalk construction, parking lots and lighting, landscaping, building materials and screenings. City Manager Thornbury advised that there are regulations within the zoning ordinance that will address these items. It was also noted that if the ordinance is approved, the moratorium will be for a period of one year, or until an amended Design Review ordinance is adopted, whichever occurs earlier.
2. Mayor Pierce advised that there is an ordinance on the agenda tonight to place a moratorium on and to suspend the operation and enforcement of the sign ordinance with respect to the removal of existing pole signs. He explained that this will allow businesses with existing pole sign to continue use of the pole sign for a period of time that is yet to be determined, possibly seven years or longer. He advised that the intent of the city is to eventually have all pole signs removed. He advised that businesses and property owners where pole signs are located will be notified of Public Hearings regarding this subject. Commissioner Howell asked other Commissioners to reconsider the section of the sign ordinance that regulates wall murals and suggested that businesses be allowed to advertise on a wall mural.

The meeting was adjourned at 5:50 p.m.

Mayor

City Recorder

BOARD OF COMMISSIONERS' MEETING

Minutes

December 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, Vice Mayor Jeno, Commissioner Howell, Commissioner LeCompte and Commissioner Rose were present. Also present were 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** – Finance Director John Alexander led the Pledge of Allegiance.
- V. **Consideration of the Minutes for approval or correction:**
 - A. **November 19, 2019 Agenda Work Session**
 - B. **November 19, 2019 Commission Meeting**Commissioner Rose made a motion to approve both sets of minutes as printed, second by Mayor Pierce. Both sets of minutes were approved with all Commissioners voting “yes”.
- VI. **Communication from the Mayor**
 - Welcomed all
 - Thanked the Public Works Department for all of the Christmas decorations that have been put up.
- VII. **Commissioners Report**
 - **Vice-Mayor Ruth Jeno**
 - Welcomed everyone
 - Forwarded regrets from State Representative Patsy Hazelwood, she will not be able to attend the Christmas Parade this year.
 - Thanked Public Works for hanging the Christmas decorations.
 - Relayed a compliment to the Police Department from a couple that were recently involved in an accident. Police Officers that responded were very professional and courteous.
 - The Red Bank Food Pantry will be open this Thursday from 12:00 – 2:00. Volunteers and donations are still needed.
 - **Commissioner Tyler Howell**
 - Thanked everyone for coming tonight.
 - Reminded everyone about the Christmas Parade this Friday at 6:00.
 - Thanked City staff for their hard work.
 - **Commissioner Ed LeCompte**
 - Glad to be back at the meeting after a recent illness.
 - Thanked City employees for the work they do.
 - **Commissioner Carol Rose**
 - Welcomed all.
 - Welcomed Commissioner LeCompte back after his recent illness.
 - Advised that the Christmas lights are being installed and tested this week in anticipation of the Christmas Parade on Friday night.

VIII. City Manager's Report

- Dayton Blvd. from Newberry Street to Morrison Springs Rd. will be closed this Friday beginning at 5:00 p.m. for the Christmas Parade.
- Curb-side loose leaf pick-up has begun.

IX. Unfinished Business –

A. ORDINANCE NO 19-1159 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY LOCATED AT HAMILTON COUNTY TAX MAP PARCEL NUMBERS 126C D 012 THROUGH 126C D 015 AND 126F C 028 AND 126F C 028.01, LOCATED AT 201, 205, 207, 209 AND 224 HEDGEWOOD DRIVE AND 123 EVERLY DRIVE, FROM R-1 RESIDENTIAL TO R-T/Z RESIDENTIAL TOWNHOUSE ZERO LOT LINE (SECOND AND FINAL READING)

Mayor Pierce advised that this item was discussed at an advertised Public Hearing during the Commission Meeting on November 19, 2019. He advised that the Planning Commission has also reviewed the rezoning request at an advertised Public Hearing and recommended approval. Commissioner Howell made a motion to approve the ordinance, second by Commissioner LeCompte. 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. 19-1159 was approved on second and final reading with all Commissioners voting “yes”.

X. New Business –

A. AGENDA ITEM 19-849 – PRESENTATION OF THE FISCAL YEAR 2019 AUDIT REPORT 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 only the Stormwater Fund operating at a deficit of \$708.00. Mr. Wright thanked the Commission for allowing his firm to conduct the audit and thanked Finance Director John Alexander, City Recorder Ruth Rohen and City Staff for all their help during the audit process.

B. ORDINANCE NO. 19-1160 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PLACE AN ENFORCEMENT MORATORIUM UPON, AND FOR A STATED PERIOD OF TIME, SUSPEND THE RED BANK DESIGN REVIEW ORDINANCE. ORDINANCE NOS. 17-1090 AND 19-1143 (FIRST READING)

Mayor Pierce advised that this ordinance, if approved, will suspend the Design Review Ordinance for a time period of up to one year. He explained that the overall intent of the standards are to increase the quality of life and livability of citizens, but that in some instances there has been and continues to be inconveniences and hardships placed on current and potential commercial property owners and in some cases may have resulted in losses of potential business expansion or new businesses. Commissioner Rose advised that she had some reservation about this ordinance, but was advised in the preceding Agenda Work Session tonight that there are regulations in the zoning ordinance that address her concerns. Vice Mayor Jenó advised that the intent is to work through the Design Review standards and adopt new regulations as soon as possible. Commissioner LeCompte made a motion to approve the ordinance, second by Vice Mayor Jenó. Mayor Pierce invited citizen comments:

- **David Hafley, 4621 Hunter Trail**, Asked how long the moratorium would last and was advised one year or until new standards are adopted, whichever occurs earlier.

There were no further comments or questions. **Roll Call Vote: Mayor Pierce “yes”, Vice Mayor Jenó “yes”, Commissioner Howell “yes”, Commissioner LeCompte “yes”, Commissioner Rose “yes”.** Ordinance NO. 19-1160 was approved on first reading with all Commissioners voting “yes”.

C. ORDINANCE NO. 19-1161 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PLACE A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME SUSPEND THE OPERATION AND ENFORCEMENT OF RED BANK CITY CODE, SECTION 9-845(2)(C) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES (FIRST READING)

Mayor Pierce advised that one of the intents of the sign ordinance is to eventually eliminate pole signs within the city. He explained that there have been several discussion and recommendations of how to achieve this goal. He explained that this ordinance, if approved, will allow businesses to continue using their existing pole sign and will allow new businesses to use existing pole signs. He advised that there have been discussions about time periods that will be allowed for removal of pole signs and notification to business owners and property owners regarding public meetings prior to adoption of a new ordinance. Commissioner Howell made a motion to approve the ordinance, second by Mayor Pierce. 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. 19-1161 was approved on first reading with all Commissioners voting “yes”.

XI. Citizen Comments –

- **David Hafley, 4621 Hunter Trail**, Complimented the City for great comments published in the Chattanooga Times recently about the Red Bank Police and Fire Departments. Thanked the Public Works Department for hanging the Christmas decorations, everything looks great.
- **Ray Towers, 212 Woodrow Avenue**, Advised that the fence around his yard backs up to Ashland Terrace and that it has been knocked down several times by vehicles traveling sown Ashland Terrace. He requested a guardrail or some other type barrier be installed by the city to protect his fence.

XII. Adjournment

The meeting was adjourned at 6:31p.m.

Mayor Eddie Pierce

City Recorder Ruth Rohen

ORDINANCE NO. 19-1160

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO PLACE AN ENFORCEMENT MORATORIUM UPON AND FOR A STATED PERIOD OF TIME, SUSPEND THE RED BANK DESIGN REVIEW ORDINANCE, ORDINANCE NOS. 17-1090 AND 19-1143

WHEREAS, effective on second and final reading on May 16, 2017, the City Commission for the City of Red Bank adopted Ordinance No. 17-1090 and later amended by Ordinance No. 19-1143 and thereby put in place and later amended a set of regulations with respect to and with the stated intent of improving the overall quality of commercial development in the City of Red Bank, enhancing pedestrian safety in the City's commercial corridor, ensuring the compatibility of new and revitalized developments and land uses and to ensure that a design review process is accessible and easy to understand; and

WHEREAS, in the almost twenty-four (24) months since its initial adoption, later amendment and implementation, City Administration has worked diligently to implement and to enforce the terms, provisions and conditions set out within the Design Review Ordinance as amended; and

WHEREAS, experience has dictated and shows that, in multiple instances, that while the overall concept is extremely well received, that there have been and continue to be instances of impositions and some hardships being placed upon current property owners, prospective property purchasers, businesses and developments which result, may result, or may have resulted in lost opportunities for businesses and property owners in the context of perhaps overly detailed requirements as otherwise set out within the Design Review Ordinance; and

WHEREAS, the City Commission has, over time, been made aware of multiple circumstances, situations and instances related to the Design Review regulations and especially concerning commercial design review standards that may be having unanticipated negative impacts upon the City and its Citizens and Businesses; and

WHEREAS, after consideration and review of specific occurrences, conversation in open meetings, consideration of certain specific situations and requirements, the City Commission is of the opinion that some and various of the regulations of the Design Review Standards may be too stringent and/or overly burdensome for property owners, business owners, prospective property owners and developments and so it is appropriate to revisit and conduct a comprehensive study of the Design Review Ordinance and the regulations contained therein, their respective interrelated workings, requirements and mandatory provisions in order to balance the rights, concerns and legitimate interest of owners, prospective owners, developers and business located or intending to locate in the City as those requirements, provisions and regulations were enacted and implemented when the Design Review Ordinance was first implemented and as later amended.

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

SECTION 1:

- (a) A MORATORIUM, for a period from the date of the enactment of this Ordinance on second and final reading, extending up through and including December 31, 2020 is hereby declared during which time the Design Review Ordinance, as amended, shall not be applicable and shall not be enforced.
- (b) The City Manager appoint a Committee and shall conduct and oversee a comprehensive study of the City's current Design Review Ordinance regulations and standards all in the best interest of the citizens of the City of Red Bank and the safety, health, morals and welfare of the citizens of the City of Red Bank, Tennessee.

- (c) This MORATORIUM shall expire at 11:59 p.m. on December 31, 2020, unless modified or extended, and shall become null and void upon that date and at that time and the terms, provisions and conditions of the Design Review Ordinance No. 17-1090 as amended by Ordinance No. 1-1143 shall automatically and ipso facto be once again in full force and effect and shall thereafter be enforced; this Moratorium shall be of no further force or effect unless the City Commission shall, in the interim, otherwise act, by Ordinance to lift, remove, and declare null and void this MORATORIUM and/or shall lawfully enact, in the interim alternative terms, provisions, ordinances, regulations and/or other legislative acts in the nature of Design Review Standards to be codified at Title 14, Chapter 5 of the Red Bank Municipal Code.
- (d) This Ordinance and the MORATORIUM enacted and set in place hereby may and shall be interpreted as a temporary and time limited REPEAL of the terms, provisions and conditions of Ordinance No. 17-1090.

SECTION 2: The Red Bank Municipal Planning Commission shall not, during the period of this MORATORIUM have any right, power, or authority as the Design Review Commission except, and when and as the City Manager and the City Commission shall otherwise lawfully assign duties to the Red Bank Municipal Planning Commission.

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 effect 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, subject to the time limited provisions set forth hereinabove and until such time as the same shall be further modified, superseded and/or overridden by the City Commission of the City of Red Bank, Tennessee, all being required by the public welfare of the City of Red Bank, Tennessee.

MAYOR

CITY RECORDER

December 3, 2019

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NO. 19-1161

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE TO PLACE A MORATORIUM UPON AND FOR A STATED PERIOD OF TIME SUSPEND THE OPERATION AND ENFORCEMENT OF RED BANK CITY CODE SECTION 9-845(2)(c) WITH RESPECT TO REMOVAL OF “POLE SIGNS” IN CERTAIN CIRCUMSTANCES.

WHEREAS, the City Commission for the City of Red Bank has previously enacted the Red Bank Sign Ordinance, and codified at Title 9, Chapter 8, Sections 800 et seq., of the Red Bank City Code for the purpose of regulating 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 that effect traffic sightlines, traffic obscuring distraction and visual clutter of Pole Signs is an undesirable aspect of the existence of “Pole Signs” within the City of Red Bank; and

WHEREAS, the City Commission 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, 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 providing for the timed amortization and gradual sunseting 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 phase out the existence of Pole Signs over a period of years; and

WHEREAS, the Sign Ordinance in general and as particularly codified at Red Bank City Code Section 9-845(2)(c) contains provisions which while intended to address the matters set forth hereinabove and the general health, safety and welfare of the Citizens of the City of Red Bank including but not limited to issues related to traffic sightlines, pedestrian sightlines, and usage of sidewalks, streets, and roads in the City of Red Bank may not be appropriate for continued enforcement while other means, mechanisms and solutions are addressed.

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

SECTION 1:

- (a) A MORATORIUM, for a period from the date of the enactment of this Ordinance on second and final reading, extending up through and including December 31, 2020 is hereby declared during which time the provisions of Red Bank City Code Section 9-845(2)(c) shall not be applicable and shall not be enforced.
- (b) The City Manager shall appoint a Study Committee and shall conduct and oversee a comprehensive study of the City’s current Ordinance with respect to sunseting and amortized the usages and existence of “Pole Signs” in the City of Red Bank all in the best interest of the citizens of the City of Red Bank and the safety, health, morals and welfare of the citizens of the City of Red Bank, Tennessee.

- (c) This MORATORIUM shall expire at 11:59 p.m. on December 31, 2020, unless modified or extended, and shall become null and void upon that date and at that time and the terms, provisions and conditions of the currently existing Red Bank City Code Section 9-845(2)(c) shall automatically and ipso facto be once again in full force and effect and shall thereafter be enforced and this Moratorium shall be of no further force or effect unless the City Commission shall, in the interim, otherwise act, by Ordinance to lift, remove, and declare null and void this MORATORIUM and/or shall lawfully enact, in the interim alternative terms, provisions, ordinances, regulations and/or other legislative acts of and with respect to the regulation, removal and sunseting of Ordinances otherwise permitting the existence of pole signs in the City of Red Bank.
- (d) This Ordinance and the MORATORIUM enacted and set in place hereby may and shall be interpreted as a temporary and time limited REPEAL of the terms, provisions and conditions of Red Bank City Code Section 9-845(2)(c).

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 effect 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, subject to the time limited provisions set forth hereinabove and until such time as the same shall be further modified, superseded and/or overridden by the City Commission of the City of Red Bank, Tennessee, all being required by the public welfare of the City of Red Bank, Tennessee.

MAYOR

CITY RECORDER

December 3, 2019

PASSED ON FIRST READING

PASSED ON SECOND AND FINAL READING

APPROVED AS TO FORM:

CITY ATTORNEY

ORDINANCE NUMBER 19-1162

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTIES LOCATED IN THE 1800 BLOCK OF PINE BREEZE ROAD, TAX MAP PARCEL NUMBERS 126E B 020, 126E B 013, AND 126E B 014 FROM RT-1 RESIDENTIAL TOWNHOUSE ZONE TO R-3 HIGH DENSITY RESIDENTIAL ZONE ZERO LOT LINE, SUBJECT TO CONDITIONS

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 applicant/owner, George Bock, has requested that the property on Pine Breeze Road, in the 1800 block, be rezoned from RT-1 Residential Townhouse to R-3 High-Density Residential; and

WHEREAS, the legal descriptions for said property is included with Deed Book 9972 Page 123 and is attached hereto as Exhibit B; 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 November 21, 2019; and

WHEREAS, the Red Bank Planning Commission recommended approval of the rezoning request, subject to conditions; and

WHEREAS, the City Commission provided an opportunity for citizens to submit comments in favor of or against the proposed rezoning at an advertised public hearing on December 17, 2019; and

WHEREAS, after thoroughly reviewing the rezoning request, the City Commission finds that the proposed development afforded by the rezoning request would not have a negative impact on adjacent properties.

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 property located in the 1800 block of Pine Breeze Road, shown in Exhibit A as Hamilton County tax parcel numbers 126E B 020, 126E B 014, and 126E B 013, from RT-1 Residential Townhouse Zone to R-3 High Density Residential Townhouse / Zero Lot Line Zone subject to the following conditions:

- (a) Owner and applicant shall use the property only for a Planned Unit Development, the particulars of and requirements of are subject to the approval of the Planning Commission.

- (b) The maximum number of residential units shall not exceed twenty-nine (29).
- (c) Zoning of the property shall automatically revert back to RT-1 Residential Townhouse if development of the property has not commenced within thirty-six (36) months of final passage of this ordinance, i.e. January 7, 2023.

SECTION 2. Upon the adoption of this Ordinance, the Zoning maps of the City shall be amended and changed to reflect this rezoning with the limited condition noted.

SECTION 3. 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.

SECTION 4. 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.

MAYOR OF RED BANK

CITY RECORDER

PASSED ON FIRST READING

PASSED ON SECOND READING

APPROVED AS TO FORM:

CITY ATTORNEY

CONDITIONS ACCEPTED:

George Bock

Exhibit A. Map

ORDINANCE 19 - 1162

126E B 020, 126E B 014, and 126E B 013
PINE BREEZE ROAD

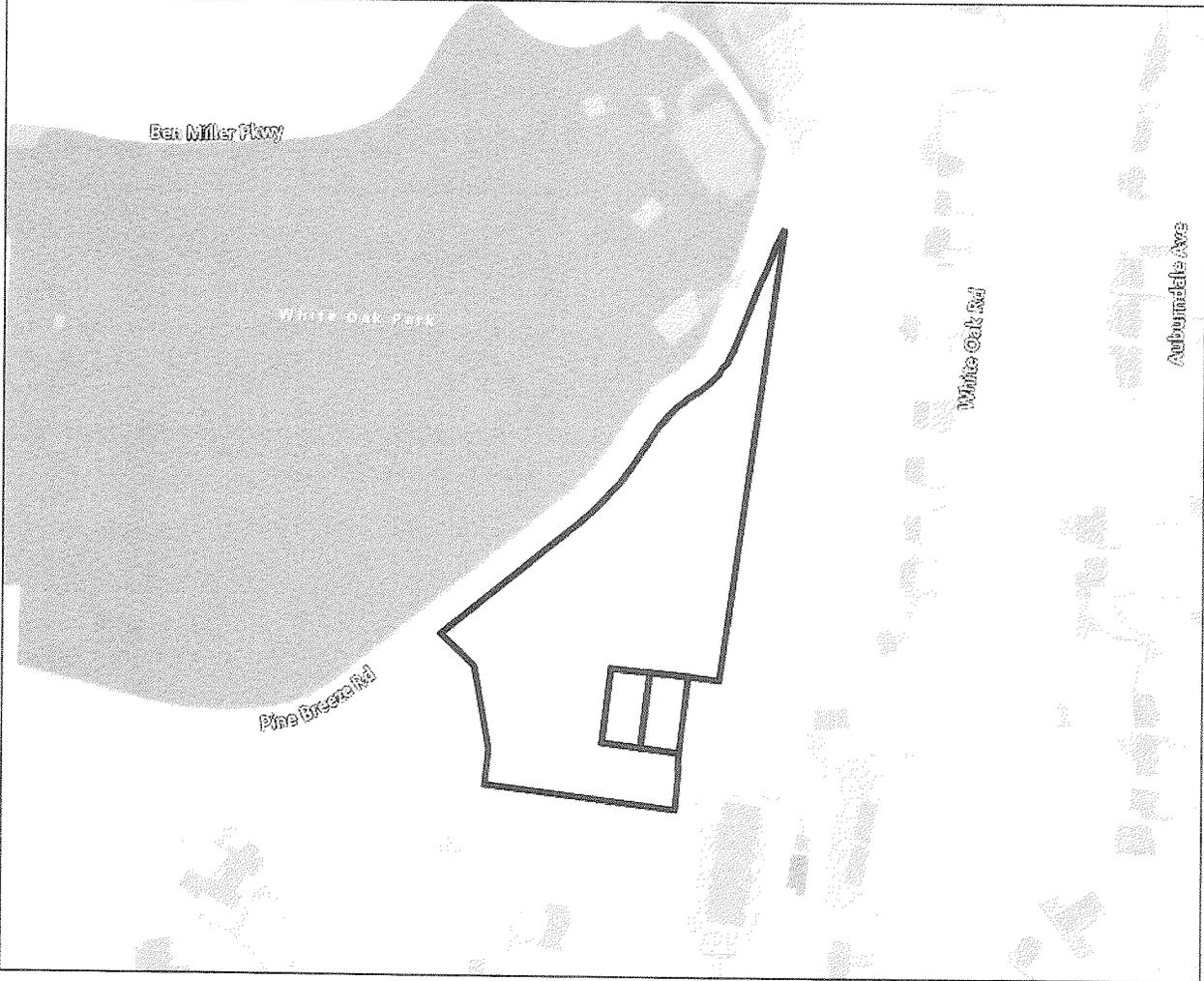


Exhibit B. Ordinance 19-1162 Legal Description from Deed Book 9972 Page 123

2

This Instrument Prepared By:
 Hon & Kopet, Attorneys
 Title Guaranty & Trust Company
 617 Walnut Street
 Chattanooga, TN 37402

Instrument: 2013060500164
 Book and Page: 01 9972 123
 DEED RECORDING FEE \$20.00
 DATA PROCESSING FEE \$2.00
 CONVEYANCE TAX \$1,239.50
 PROBATE FEE \$1.00
 Total Fees: \$1,262.50
 User: KML
 Date: 6/5/2013
 Time: 2:26:13 PM
 Contact: Pam Hurst, Register
 Hamilton County, Tennessee

H&K/16/13/32923/2013/1181

NAME & ADDRESS OF NEW OWNERS:	SEND TAX BILLS TO:
GEORGE I. BOCK, III and JAMY F. BOCK P.O. BOX 71856 CHATTANOOGA, TN 37407	SAME
Tax Map/Parcel Nos.: 126E-B-013, 126L-B-014, 126F-B-015.01 and 126F-B-020	

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of One and No/100 (\$1.00) Dollars, cash in hand paid by the hereinafter named Grantees, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we, RALPH M. KILLEBREW, JR. and wife, CARYLON KILLEBREW, herein the Grantors, do hereby transfer, convey and forever quitclaim unto GEORGE I. BOCK, III and wife, JAMY F. BOCK, herein the Grantees, their heirs and assigns, all our right, title and interest in and to the following described property:

OK 116111

BEING PARTLY IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE AND PARTLY IN THE CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE:
 Beginning at an iron pipe in the west right-of-way line of White Oak Road at the Southeast corner at the property of Stephen R. Gilmore described in Book 3641, Page 789, in the Register's Office of Hamilton County, Tennessee; thence with the south line thereof, South 87 degrees 34 minutes 14 seconds West 222.44 feet to the southwest corner thereof; thence with and along the west line of the partition of Swafford and Lyons property, and a north extension thereof, as shown by plat recorded in Plat Book 21, Page 53, in the Register's Office of Hamilton County, Tennessee; North 3 degrees 44 minutes 01 second West 772.98 feet to a post in the east right-of-way of Pine Breeze Road; thence southwardly with said east line to a post at the Northeast corner of the property of Caryl Ann Cooper Austin, described in Book 3383, Page 838, in the Register's Office of Hamilton County, Tennessee; thence with an east line thereof, South 0 degrees 10 minutes 05 seconds West 125.67 feet; thence with a north line of Austin North 87 degrees 54 minutes 45 seconds East 165 feet to an iron pipe; thence with an east line thereof, South 0 degrees 22 minutes 46 seconds East 64.08 feet to a post; thence with the north line of the property of Derrick C. Rushworth described in Book 4271, Page 11, in the Register's Office of Hamilton County, Tennessee, South 89 degrees 25 minutes 12 seconds East 324.98 feet to a post; thence with the west line of the property of White Oak Apartments North 01 degree 20 minutes 20 seconds East 60.06 feet, South 87 degrees 34 minutes 14 seconds West 3.11 feet and North 02 degrees 25 minutes 46 seconds West 150 feet to an iron pipe; thence with the north line of the said property, North 87 degrees 34 minutes 14 seconds East 384.25 feet to an iron pipe in the west right-of-way line of White Oak Road; thence with the west line thereof,

h:\deeds\2013\deed-quitclaim\13-killebrew to bock-white oak rd-12923

North 02 degrees 11 minutes 35 seconds East 50.49 feet to the point of beginning. Being shown on survey by Robert H. Chappell, dated July 31, 1995, Drawing No. 9511-1.

EXCEPTING THEREFROM that portion of the above-described property conveyed to William David Bruco and wife, Lisa Ann Smith, by Warranty Deed from Carylton Ann Killebrew, s/k/a Carylton Killebrew, and husband, Ralph M. Killebrew, Jr., dated July 29, 2011 and recorded on August 2, 2011 in Book 9448, Page 643, in the Register's Office of Hamilton County, Tennessee.

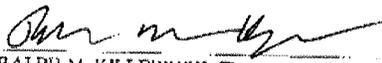
FOR PRIOR TITLE, see Deed from Southern Realty Company, a Tennessee corporation, Trustee, to Ralph M. Killebrew, Jr. and wife, Carylton Killebrew, dated September 28, 1995 and recorded on September 29, 1995 in Book 4368, Page 956, in the Register's Office of Hamilton County, Tennessee.

THIS CONVEYANCE MADE SUBJECT TO THE FOLLOWING:

Any governmental zoning and subdivision ordinances in effect thereon.

Grantors and Grantees acknowledge that this Deed was prepared from information furnished by them. No title examination has been made and neither Hon & Kopot, Attorneys, nor the Title Guaranty and Trust Company of Chattanooga shall have any liability for the status of title to the property or for the accuracy of such information.

TO BE EFFECTIVE as of the 4th day June 2013.


RALPH M. KILLEBREW, JR.


CARYLTON KILLEBREW

STATE OF TENNESSEE
COUNTY OF HAMILTON

On this 4th day of June 2013, before me personally appeared RALPH M. KILLEBREW, JR., to me known to be the person described in and who executed the foregoing instrument (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the same as his free act and deed.

Witness my hand and Notarial Seal



Kathy Burkhart
NOTARY PUBLIC
My Commission Expires: 8-7-16

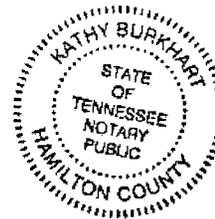
STATE OF TENNESSEE
COUNTY OF HAMILTON

On this 4th day of June 2013, before me personally appeared CAROLYN KILLEBREW, to me known to be the person described in and who executed the foregoing instrument (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the same as her free act and deed.

Witness my hand and Notarial Seal.

Kathy Burkhart
NOTARY PUBLIC

My Commission Expires: 8-7-16



STATE OF TENNESSEE
COUNTY OF HAMILTON

I hereby swear or affirm that the actual consideration for this transfer is \$ 335,000.00

[Signature]
AFFIANT

Sworn and subscribed before me this 4th day of June, 2013.

Kathy Burkhart
NOTARY PUBLIC

My Commission Expires: 8-7-16



RESOLUTION NO. 19-1328

RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF RED BANK AND THE FINANCIAL COMMISSION FOR APPALACHIA HIGH INTENSITY DRUG TRAFFICKING AREAS, TOTALING \$18,000.00 FOR THE POLICE DEPARTMENT

WHEREAS, the City of Red Bank Police Department has been awarded A 2020 High Intensity Drug Trafficking Areas Grant by the Office of National Drug Control Policy in the amount of \$18,000.00; and

WHEREAS, this is a 100% reimbursing grant that will be used for overtime purposes and requires no local agency match; and

WHEREAS, the Chief of Police is authorized to sign and execute the Grant Agreement, upon approval by the City Attorney.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Red Bank, Tennessee, that the High Intensity Drug Trafficking Areas Grant agreement, in the amount of \$18,000.00, be and is hereby approved.

BE IT FURTHER RESOLVED, that the Chief of Police is authorized to sign the Grant Agreement upon approval of the form by the City Attorney.

Resolved this the 17th day of December 2019

Mayor

City Recorder