

BOARD OF COMMISSIONERS' MEETING

Minutes

December 18, 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. **December 4, 2018 Agenda Work Session**
 - B. **December 4, 2018 Commission Meeting**Commissioner LeCompte made a motion to approve both sets of minutes as printed, second by Commissioner Jenó. Both sets of minutes were approved with all Commissioners voting “yes”.
- VI. **Communication from the Mayor**
 - Welcomed all.
 - Enjoyed touring a CSPAN media production bus that visited Red Bank High School last week.
- VII. **Commissioners Report**
 - **Vice-Mayor Terry Pope**
 - Welcomed everyone
 - Wished all a Merry Christmas and Happy New Year.
 - **Commissioner Ruth Jenó**
 - Welcomed all.
 - Wished everyone a Merry Christmas and Happy New Year.
 - Thanked the Police Department, Public Works Department, City Recorder Ruth Rohen and Finance Clerk April Sledge for all of the hard work that went into planning and working the Christmas Festival and Parade. In her opinion it was the best parade the City has had in several years.
 - **Commissioner Ed LeCompte**
 - Welcomed all
 - Enjoyed attending the Christmas Parade and Festival.
 - Wished all a Merry Christmas and Happy New Year.
 - **Commissioner Carol Rose**
 - Welcomed all.
 - Expressed her appreciation for the effort that City staff put into planning and working the Christmas Parade.
- VIII. **City Manager Report** –

City Manager Thornbury advised that the leaf removal truck is running on schedule despite recent heavy rains. He wished all a Merry Christmas and Happy New Year.

Public Hearing

Mayor Pierce explained that the purpose of the Public Hearing was to receive information from the applicant and citizen input in regard to a rezoning request for property located at 4701 Delashmitt Road, from R-1A residential to R-T/Z Townhouse / Zero Lot Line. Mayor Pierce advised that the Red Bank Planning Commission reviewed the rezoning request and recommended approval, subject to conditions specified within the ordinance. Mayor Pierce invited the developer of the project, Ethan Collier, forward. Mr. Collier advised that his development will consist of 34 single family homes with side garages or parking pads at the rear of the homes. He explained that all of the homes will have ample room for parking either in the driveway, garage or parking area in the rear, which would alleviate any on-street parking. Mr. Collier also advised that the development consists of street curbing, sidewalks and underground electricity. Mr. Collier explained that he has addressed some concerns that area residents had concerning leaving a wooded buffer of just 10 feet. He explained that he will leave a 10 foot undisturbed buffer and an additional 10 foot landscaped buffer where this property abuts any R-1A zones. Mr. Collier explained that the property is currently zoned R-1A, which can be developed as is, but that he is requesting the rezoning so that he can make the lots and proposed roadways consistent and more conducive to future area development and roadway connectivity. Mayor Pierce invited citizen comment:

- Lee Hogan, Bouton Drive, Has concerns about the added traffic the development will cause on Delashmitt Road.
- Davis Skedrin, 4810 Appian Way, Concerned about stormwater runoff issues that he feels already exists in the area and may be worsened by the clearing of land.
- Rick Dixon, 4712 Stagg Road, Thanked Mr. Collier for his continued communication and working with area residents to ease some of their concerns. He is concerned about stormwater runoff issues that may be created by the development. Feels that this is a good development for the area but had concerns about the process of timber clearing on the property.
- Abbey Swartz, 4810 Stagg Road, Had concerns about stormwater runoff.
- Jacklyn Hand, Bouton Drive, Feels that the development will change the feel of the neighborhood area. Feels that cutting of the trees will disturb that wildlife habitat that currently exist in the area.

After no further citizen comments Mr. Collier addressed some of the issues brought up. He advised that a forestry group will be clearing the land and depending on the type of wood, that the large trees will be used for hardwood flooring or building material, He advised that the smaller trees will be ground up and used for mulch. He also from the development and in his opinion could alleviate some of the existing stormwater issues. Mr. Collier advised that if the rezoning is approved, construction should begin in late 2019.

City Attorney Stulce pointed out that as a condition of the rezoning, Mr. Collier is required to begin construction within 365 days or the property automatically reverts back to R-1A. After no further comments the public hearing was closed.

IX. Unfinished Business –

A. 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 (SECOND AND FINAL READING)(SECOND AND FINAL READING)

Mayor Pierce advised that this ordinance had been discussed thoroughly in prior work sessions and on first reading and will change the regular Commission Meeting time to 6:00 p.m. from 7:00 p.m. He explained that this is to allow more citizen attendance and allow city staff to get home earlier. Commissioner Rose made a motion to approve the ordinance, second by Commissioner Jenó. 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. 18-1141 was approved on second and final reading with all Commissioners voting “yes”.

X. New Business

A. ORDINANCE NO. 18-1142 – AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING MAP TO REZONE PROPERTY AT 4701 DELASHMITT ROAD AT HAMILTON COUNTY TAX PARCEL NUMBER 109C H 032, FROM R1-A RESIDENTIAL TO R-T/Z TOWNHOUSE / ZERO LOT LINE, SUBJECT TO CONDITIONS (FIRST READING)

Mayor Pierce advised that this item was discussed in detail during the earlier Public Hearing and an earlier Agenda Work Session. He advised that the Planning Commission reviewed the request and recommended approval, subject to conditions stated within the ordinance.

Commissioner Jenó advised that she feels like the development will be good for the area and Red Bank. Vice Mayor Pope pointed out that Mr. Collier is able to develop the property for residential use without the rezoning being approved but that he feels the proposed development will enhance the City. Commissioner Jenó made a motion to approve the ordinance, including the conditions listed within 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. 18-1142 was approved on first reading with all Commissioners voting “yes”.

B. RESOLUTION NO. 18-1271 – RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, CANCELLING THE REGULARLY SCHEDULED AGENDA WORK SESSION AND COMMISSION MEETING FOR JANUARY 1, 2019

Mayor Pierce advised that this resolution was thoroughly discussed at the prior work session and will cancel the January 1, 2019 Agenda Work Session and Commission meeting, due to the New Year’s holiday. Commissioner LeCompte made a motion approve the resolution, second by Vice Mayor Pope. There were no citizen comments. Resolution No. 18-1271 was approved with all Commissioners voting “yes”.

C. RESOLUTION NO. 18-1272 – RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, TO REALLOCATE DONATION FUNDING FROM THE RED BANK AND SODDY DAISY CHARITABLE FOUNDATION, TOTALING \$12,241.39 FOR THE DEPARTMENT OF PUBLIC WORKS

City Manager Thornbury advised that the City received a donation from the Red Bank Soddy Daisy Charitable Foundation for use with administrative services regarding right-of-way and easements while extending Stringer’s Ridge Park. He explained that there is \$12,241.39 remaining of the original donation and the Red Bank Soddy Daisy Charitable Foundation has given written authorization for the City to use the remaining funds to purchase an all-terrain vehicle for maintaining the park and emergency response to hard to reach areas of the park. Mr. Thornbury advised that this resolution will reallocate the remaining donation funds to purchase the ATV. Commissioner Rose made a motion to approve the resolution, second by Commissioner Jenó. There were no citizen comments. Resolution No. 18-1272 was approved with all Commissioners voting “yes”.

D. RESOLUTION NO. 18-1273 – RESOLUTION DECLARING CITY OWNED AND SEIZED PROPERTY AS SURPLUS AND AUTHORIZING THE SALE, TRADE OR DESTRUCTION THEREOF

Mayor Pierce advised that this resolution will declare city owned self-contained breathing apparatus as surplus and authorize that the property be auctioned on GOVDEALS.COM. Mayor Pierce made a motion to approve the resolution, second by Commissioner Rose. There were no citizen comments. Resolution No. 18-1273 was approved with all Commissioners voting “yes”.

E. RESOLUTION NO. 18-1274 – RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF RED BANK, TENNESSEE, GRANTING A VARIANCE TO TYLER SMITH, PURSUANT TO TITLE 7, CHAPTER 2, SECTION 201 AND 205 OF THE RED BANK CITY CODE WITH RESPECT TO PAVEMENT WIDTH AS CONTAINED THEREIN

City Manager Thornbury advised that Mr. Smith filled out the appropriate application requesting the variance due to the existing topography and which meets the standards and requirements of the recently passed Ordinance that allows the City Commission to grant variances in limited circumstances such as are present in this particular instance. He advised that Mr. Smith is developing a property located at 252 Hedgewood Drive and that due to the topography of the existing land, there is no way to meet the 22 foot roadway width requirement. He advised that, if approved, this resolution will grant Mr. Smith a variance and allow him to construct a 20 foot wide roadway. Fire Chief Mathews verified in writing that emergency apparatus would be able to access the development with a 20 foot roadway width. Commissioner Rose made a motion to approve the resolution, second by Commissioner LeCompte. There were no citizen comments. Resolution No. 18-1274 was approved with all Commissioners voting "yes".

F. RESOLUTION NO. 18-1275 – RESOLUTION OF THE CITY OF RED BANK, TENNESSEE, TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF RED BANK AND THE FINANCIAL COMMISSION FOR THE APPALACHIA HIGH INTENSITY DRUG TRAFFICKING AREAS FOR THE “2019 HIDTA GRANT” TOTALING \$18,000.00 FOR THE POLICE DEPARTMENT

City Manager Thornbury explained that this is a grant that will be used for Police overtime expenses incurred while working narcotics interdiction. He explained that this is a reimbursing grant that requires no local match. Commissioner Jenó made a motion to approve the resolution, including authorizing the Chief of Police to sign the grant agreement upon approval by the City Attorney, second by Vice Mayor Pope. There were no citizen comments. Resolution No. 18-1275 was approved with all Commissioners voting "yes".

XI. Citizen Comments –

- **David Hafley, 4621 Hunter Trail**, Complimented the City on the installation of new Christmas decorations on Dayton Blvd.

XII. Adjournment

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

Mayor

City Recorder Ruth Rohen