

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON SEPTEMBER 10, 2013**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 6:00 p.m. on September 10, 2013 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Chaplain Leonard Rader, Smyrna Police Department. The pledge of allegiance was led by David King, Director of Public Works.

The roll was called by the Town Clerk and the following Town Council Members were present:

Mayor Mary Esther Reed  
Marc Adkins  
H. G. Cole  
Paul Johns  
Lance Lee  
Tim Morrell

**1. Approval or Correction of Minutes of the August 13 and August 29, 2013 meetings.**

The Town Council first considered a motion by Council Member Paul Johns to approve the minutes of the August 13, 2013 regular session of the Town Council and the August 29, 2013 regular work session of the Town Council. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

**2. Correspondence/Communications.**

There was no correspondence or communications to be presented to the Town Council at this time.

**3. Awards and Recognitions.**

Mayor Reed deferred the resolution recognizing United States Navy Rear Admiral Upper Half Jimmie Taylor (Ret.) to the October meeting of the Town Council.

**4. Consent Agenda.**

The following Consent Agenda items were next presented for consideration by the Town Council:

- a. Approval for the Police Department to donate 6 cages and 7 push bumpers to the Gallatin Police Department.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with MorphoTrak relative to AFIS (fingerprint) machine maintenance.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with SPS VAR relative to IBM computer system hardware support.
- d. Approval of the terms of, and authorization for the Mayor to execute, a lease agreement with Smith Turf & Irrigation relative to golf course maintenance equipment.
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with MR Systems relative to telemetry maintenance for the WTP and WWTP.
- f. Consideration of the declaration of surplus property.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with First Tennessee Bank relative to banking services.
- h. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Jani-King relative to cleaning service.
- i. Approval and authorization for the Mayor to allow public works to remove fence for Sam Davis Home.

Following discussion, Council Member Marc Adkins made a motion to approve and adopt the Consent Agenda and to authorize the Mayor to execute said documents. The motion was duly seconded by Council Member Lance Lee. Following further discussion, the motion was approved unanimously. A copy of said documents referenced on the Consent Agenda is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "1".

## 5. Old Business.

- a. **PUBLIC HEARING:** Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 7 “Fire Protection and Fireworks”, Chapter 4 “Fireworks”, Section 7-408 “Retail sale of permissible items – time limitations – exceptions” and 7-415 “Permissible dates and times of discharge”. Second Reading.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 7 “Fire Protection and Fireworks”, Chapter 4 “Fireworks”, Section 7-408 “Retail sale of permissible items – time limitations – exceptions” and 7-415 “Permissible dates and times of discharge”. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member Paul Johns. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “2”. (Ordinance #13-14).

- b. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 12-08, adopting the 2012-2013 Fiscal Year Budget relative to General Fund, Drug Fund and Capital Projects Fund. Second Reading.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance to amend Ordinance No. 12-08, adopting the 2012-2013 Fiscal Year Budget relative to General Fund, Drug Fund and Capital Projects Fund. Following discussion, Council Member Marc Adkins made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member H. G. Cole. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “3”. (Ordinance #13-15).

- c. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Street Department van purchase. Second Reading.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Street Department van purchase. Following discussion, Council Member Paul Johns made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member Marc Adkins. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4". (Ordinance #13-16).

- d. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Enon Springs Road at Nissan Gate 9 Intersection Improvements Project. Second Reading.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Enon Springs Road at Nissan Gate 9 Intersection Improvements Project. Following discussion, Council Member Marc Adkins made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5". (Ordinance #13-17).

- e. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Fire Hall #4 roof replacement. Second Reading.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered on second and final reading an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Fire Hall #4 roof replacement. Following discussion, Council Member Lance Lee made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member Paul Johns. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6". (Ordinance #13-18).

## 6. **New Business.**

### a. **Planning Commission Report:**

There were no items for the Town Council to consider at this time.

### b. **Packaged Liquor Board Report:**

There were no applications for the Town Council to consider at this time.

### c. **Consideration of a resolution to formally adopt a town seal.**

The Town Council next considered a resolution to formally adopt a town seal. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Lance Lee. Following further discussion, the motion was approved unanimously. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Resolution #13-21).

### d. **Appointment of Vice-Mayor.**

Mayor Reed next opened the floor for nominations for Vice-Mayor. Council Member H. G. Cole nominated Council Member Marc Adkins. There being no further nominations, Mayor Reed asked that the nominations cease. Following discussion, Council Member H. G. Cole made a motion to appoint Council Member Marc Adkins as

Vice-Mayor. The motion was duly seconded by Council Member Lance Lee. Following further discussion, the motion was approved unanimously.

**e. Consideration of a resolution announcing one vacant council position.**

The Town Council next considered a resolution announcing one vacant council position. Following discussion, Council Member Paul Johns made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "8". (Resolution #13-22).

**f. Appointment of Council Member.**

The Town Council next considered appointment of a Council Member. The following applicants were considered: Tony Campbell, Anthony Johnson, Racquel Peebles, Jimmy Richardson, Cynthia Vaughn and Rick Wise. Mayor Reed opened the floor for nominations for Council Member. Council Member Tim Morrell nominated Rick Wise. There being no further nominations, Mayor Reed asked that the nominations cease. Following discussion, Council Member Tim Morrell made a motion to appoint Rick Wise as Council Member. The motion was duly seconded by Council Member Lance Lee. Following further discussion, the motion was approved unanimously.

**g. Other.**

**i. Consideration of offer of settlement as to Lisa and Ben Castleman vs. Horace Farmer, including authorization for the Mayor to execute necessary settlement documents related thereto.**

The Town Council next considered a motion by Council Member Tim Morrell to approve the offer of settlement as to Lisa and Ben Castleman vs. Horace Farmer, including authorization for the Mayor to execute necessary settlement documents related thereto in the amount of \$2,600.00. The motion was duly seconded by Council Member Paul Johns. Following discussion, the motion was approved unanimously.

There was no further New Business to be considered by the Town Council.

**7. Status Reports.**

Town Manager Mark O'Neal gave an update on the business park.

**8. Announcements.**

Council Member H. G. Cole announced that "Depot Days" will be September 27<sup>th</sup> and 28<sup>th</sup>.

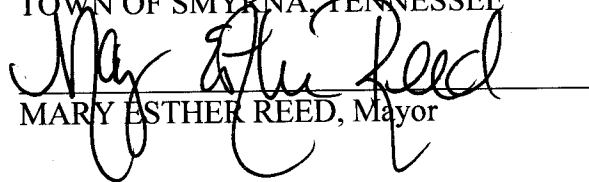
Council Member Tim Morrell commented on the property tax increase. He announced that the Wings of Freedom Fish Fry will be September 14<sup>th</sup>.

Council Member Marc Adkins commented on the 9/11 Memorial Stair Climb. Condolences were extended to the families of Harvey Butler and Matthew Grissom.

Mayor Reed asked everyone to remember Patriot's Day.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

  
MARY ESTHER REED, Mayor

ATTEST:

  
DIANNE WALDRON, Town Clerk