

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON AUGUST 13, 2013**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 6:00 p.m. on August 13, 2013 at Town Hall with the Honorable Tony Dover, Mayor, presiding.

Mayor Dover called the meeting to order. The invocation was offered by Chaplain Tim York, Smyrna Police Department. The pledge of allegiance was led by Kevin Arnold, Police Chief.

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

Mayor Tony Dover
Marc Adkins
H. G. Cole
Paul Johns
Tim Morrell
Mary Esther Reed

Council Member Lance Lee was not in attendance.

1. Approval or Correction of Minutes of the July 9 and July 30, 2013 meetings.

The Town Council first considered a motion by Council Member Paul Johns to approve the minutes of the July 9, 2013 regular session of the Town Council, the July 30, 2013 special called executive meeting of the Town Council, and the July 30, 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.

The Town Council next considered a resolution recognizing the Smyrna High School Lady Bulldogs Softball Team winning the 2012-2013 TSSAA Class AAA State Softball Championship. Following discussion, Council Member Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by Council

Member Tim Morrell. 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 "1". (Resolution #13-18).

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

4. Consent Agenda.

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

- a. Approval of the terms of, and authorization for the Mayor to execute, the 2012-2013 annual report relative to NPDES Phase II, MS4 Program.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with J & K Builders relative to annual concrete work.
- c. Approval of the terms of, and authorization for the Mayor to execute, Final Change Order #06 relative to Water Treatment Plant Improvements Project.
- d. Approval of the terms of, and authorization for the Mayor to execute, a lease agreement with Rutherford County Board of Education relative to practice field area located behind Smyrna Elementary School.
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with American Towel relative to Town Centre linen services.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with E-Z-Go relative to Golf Course utility vehicle.
- g. Approval of the terms of, and authorization for the Mayor to execute, an agreement relative to trustee between the Industrial Development Board of the Town of Smyrna and Deutsche National Trust Company.
- h. Consideration of the declaration of surplus property.

Following discussion, Vice-Mayor Mary Esther Reed 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 Paul Johns. 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 "2".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 55, Parcel 29.00.

At this time, Mayor Dover recessed the meeting without objection, and a public hearing was opened related to the agenda item. The following individual spoke concerning the item: Mike Harper.

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

The Town Council next considered a resolution relative to a Plan of Services for property located on Tax Map 55, Parcel 29.00. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Marc Adkins. 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 "3". (Resolution #13-19).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 55, Parcel 29.00, comprising approximately 70.23 acres, (requested by Norfolk Homes of Nashville), as well as approximately 830 feet of unimproved right-of-way of Inez Drive. Second Reading.

At this time, Mayor Dover recessed the meeting without objection, and a public hearing was opened related to the agenda item. The following individuals spoke concerning the item: Mike Harper, Margaret Ann Pope, Robert Gregg, Steven McCarthy, Troy Cave, James Barlow, Lee Robinson, Linda Jackson, Tina Reynolds, Emily McCarthy, Bryan Oakley, Bruce Wallace, Frank LeClaire, Alan Jackson, Jennifer Myers, Allen Gooch, Diane Barlow, George Swift, and Alyce Meadors.

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 annexation and PRD zoning of property located on Tax Map 55, Parcel 29.00, comprising approximately 70.23 acres, (requested by Norfolk Homes of Nashville), as well as approximately 830 feet of unimproved right-of-way of Inez Drive. The recommendation of the Planning Commission was that the Town Council approve the request. 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 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 "4". (Ordinance #13-13).

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 adopt an Open Records Policy in accordance with the Tennessee Open Records Act, codified under TCA § 10-7-504 et seq.

The Town Council next considered a resolution to adopt an Open Records Policy in accordance with the Tennessee Open Records Act, codified under TCA § 10-7-504 et seq. Following discussion, Council Member Paul Johns made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Marc Adkins. 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 "5". (Resolution #13-20).

d. 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". First Reading.

The Town Council next considered on first 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 first reading. The motion was duly seconded by Vice-Mayor Mary Esther Reed. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6". (Ordinance #13-14).

e. 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. First Reading.

The Town Council next considered on first 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 first reading. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #13-15).

f. Consideration of an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Street Department van purchase. First Reading.

The Town Council next considered on first 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 first 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 first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "8". (Ordinance #13-16).

g. 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. First Reading.

The Town Council next considered on first 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 Tim Morrell made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Vice-Mayor Mary Esther Reed. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9". (Ordinance #13-17).

h. Consideration of an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to Fire Hall #4 roof replacement. First Reading.

The Town Council next considered on first 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, Vice-Mayor Mary Esther Reed made a motion to approve and adopt said ordinance on first 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 first reading, is

attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "10". (Ordinance #13-18).

i. Other.

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

7. Status Reports.

There were no status reports to be considered by the Town Council.

8. Announcements.

Council Member Marc Adkins commented on Stewarts Creek High School's open house. He extended sympathy to Jerome Dempsey on the loss of his mother.

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

Council Member Tim Morrell thanked all departments for their help at the recent 5K race.

Council Member Paul Johns stated for the record that he is not in favor of layoffs in the Fire and Police Departments.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk