

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON SEPTEMBER 9, 2014**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on September 9, 2014 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 the Stones River DAR Chapter.

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

Mayor Mary Esther Reed  
Vice- Mayor Marc Adkins  
H. G. Cole  
Paul Johns  
Rick Wise

Council Members Lance Lee and Tim Morrell were not in attendance.

**1. Approval or Correction of Minutes of the August 12 and August 28, 2014 meetings.**

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the August 12, 2014 regular session of the Town Council and the August 28, 2014 regular work session of the Town Council. The motion was duly seconded by Council Member Rick Wise. 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.**

There were no awards or recognitions to be presented to the Town Council at this time.

### **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, a contract with Keystone Construction relative to demolition of a residence at 407 Pioneer Drive.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Tennessee Department of Transportation relative to right-of-way maintenance.
- c. Approval of the terms of, and authorization for the Mayor to execute, a purchase order with Motorola relative to radio upgrade.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with MR Systems relative to telemetry maintenance for Water Treatment Plant and Wastewater Treatment Plant.
- e. Approval of the terms of, and authorization for the Mayor to execute, a sole-source Private-Public Partnership contract with the CLEAR Institute of Middle Tennessee State University to perform the permit required once per five year water quality monitoring.
- f. Approval of and authorization for the Town Attorney to utilize the legal services of the law firm of Littler Mendelson, P.C. on a case-by-case basis.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Fox Collection Center relative to collection services.

Following discussion, Item g. was removed from the Consent Agenda. Following further discussion, Council Member Rick Wise made a motion to approve and adopt the remainder of 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 "1".

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the terms of and authorize the Mayor to execute a contract, contingent on the terms of the Town Attorney, Court Clerk, and Finance Director, with Fox Collection



Center relative to collection services. The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved unanimously. A copy of said document 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 an ordinance relative to the rezoning of property located on Tax Map 34G, Group C, part of Parcel 6.00, (requested by Smyrna Commons Development Partners, LLC), to rezone property from PRD to C-2 as well as amend the PRD. Property requested to be rezoned to C-2 contains approximately 4.36 acres and the remaining PRD contains approximately 21.83 acres. Property is located on Ken Pilkerton Drive and Sgt. Asbury Hawn Way. Second Reading.

At this time, Mayor Mary Esther 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 rezoning of property located on Tax Map 34G, Group C, part of Parcel 6.00, (requested by Smyrna Commons Development Partners, LLC), to rezone property from PRD to C-2 as well as amend the PRD. Property requested to be rezoned to C-2 contains approximately 4.36 acres and the remaining PRD contains approximately 21.83 acres. Property is located on Ken Pilkerton Drive and Sgt. Asbury Hawn Way. The recommendation of the Planning Commission was that the Town Council approve the request. 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 Rick Wise. 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 #14-26).

- b. **PUBLIC HEARING:** Consideration of an ordinance revising the property tax rate for fiscal year 2014-2015. Second Reading.

At this time, Mayor Mary Esther 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 revising the property tax rate for fiscal year 2014-2015. Following discussion, Vice-Mayor 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 and adopted on second and final reading. 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 #14-27).

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to Town of Smyrna Municipal Code, Title 18 "Water and Sewers", Chapter 3 "Water and Wastewater Tap Fee and Rate Schedule", relative to the total capacity fee for the Sam Griffin Road basin sanitary sewer. Second Reading.

At this time, Mayor Mary Esther 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 Town of Smyrna Municipal Code, Title 18 "Water and Sewers", Chapter 3 "Water and Wastewater Tap Fee and Rate Schedule", relative to the total capacity fee for the Sam Griffin Road basin sanitary sewer. Following discussion, Council Member Rick Wise 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 and adopted on second and final reading. 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 #14-28).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to Town of Smyrna Municipal Code, Title 8 "Alcoholic Beverages", Chapter 3 "Retail Sales of Alcoholic Beverages", relative to limiting number of retail liquor stores. Second Reading.

At this time, Mayor Mary Esther 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 Town of Smyrna Municipal Code, Title 8 "Alcoholic Beverages", Chapter 3



“Retail Sales of Alcoholic Beverages”, relative to limiting number of retail liquor stores. 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 Vice-Mayor Mark Adkins. Following further discussion, the motion was approved and adopted on second and final reading. 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 #14-29).

**6. New Business:**

**a. Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation and PRD and R-1 zoning of property located on Tax Map 51, part of Parcel 10.00 and all of Parcel 24.10, (requested by CB Developments, LLC). Property requested to be annexed contains approximately 26.88 acres. Zoning would be PRD except for .5 acre which would be R- 1. Property is located on Lee Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and PRD and R-1 zoning of property located on Tax Map 51, part of Parcel 10.00 and all of Parcel 24.10, (requested by CB Developments, LLC). Property requested to be annexed contains approximately 26.88 acres. Zoning would be PRD except for .5 acre which would be R- 1. Property is located on Lee Road. The recommendation of the Planning Commission was that the Town Council approve the request. 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 Rick Wise. 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 “7”. (Ordinance #14-30).

- ii. Consideration of an ordinance to amend the Town of Smyrna Sign Ordinance relative to sign trucks. First Reading.

The Town Council next considered on first reading an ordinance to amend the Town of Smyrna Sign Ordinance relative to sign trucks. The recommendation of the Planning Commission was that the Town Council deny the request. Following discussion, Council Member H. G. Cole made a motion to deny and reject said ordinance on first reading. The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as denied and rejected on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “8”. (Ordinance #14-31).

**b. Packaged Liquor Board Report:**

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

**c. Consideration of a resolution authorizing the issuance of not to exceed five million five hundred thousand dollars (\$5,500,000) of general obligation bonds of the Town of Smyrna, Tennessee.**

The Town Council next considered a resolution authorizing the issuance of not to exceed five million five hundred thousand dollars (\$5,500,000) of general obligation bonds of the Town of Smyrna, Tennessee. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Rick Wise. 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 "9". (Resolution #14-19).

**f. Other.**

**i. Consideration of the declaration of surplus property.**

The Town Council next considered a motion by Council Member Paul Johns to declare certain items as surplus property. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously. A copy of said surplus property is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "10".

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

**7. Status Reports.**

Town Manager Harry Gill gave an update on the following projects: Florence Road Widening, Rocky Fork Interchange, Weakley Lane @ Swan Drive, Stonecrest Blvd @ Sam Ridley Parkway, Timing Project (Traffic Signals), September paving, right turn lane at Sam Ridley Parkway @ Motlow, Old Nashville Highway, sidewalk repair @ Wright Street, and Jefferson Pike Project.

**8. Announcements.**

Council Member Rick Wise congratulated Council Member Tim Morrell on the birth of a grandchild.

Town Manager Harry Gill wished Mayor Reed a happy birthday.

Vice-Mayor Marc Adkins noted that Smyrna was named one of the top twenty safest cities in Tennessee. He thanked Police Chief Kevin Arnold and Fire Chief Bill

Culbertson for their departments' work in achieving this distinction. He also commented on the Lowry Street Project.

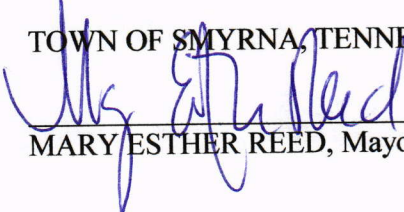
Council Member H. G. Cole announced the Rotary Club's annual Fish Fry will be Saturday, September 13<sup>th</sup> and Depot Days September 26<sup>th</sup> and 27<sup>th</sup>.

Council Member Rick Wise commented on the play at Spring House.

Mayor Mary Esther Reed commented on the recent Ice Bucket Challenge for ALS and the street dedication for Council Member H.G. Cole's father. Music @ the Mill will be Friday night and the Nashville Zoo will be at Gregory Mill Park on Saturday. A cornhole tournament will be held Saturday morning at the Smyrna Public Library.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

  
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MARY ESTHER REED, Mayor

ATTEST:

  
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DIANNE WALDRON, Town Clerk