

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON AUGUST 12, 2014**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on August 12, 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 Jim Diamond, Smyrna Police Department. The pledge of allegiance was led by the Redhawks 12U Travel Baseball Team.

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
Lance Lee
Tim Morrell
Rick Wise

1. Approval or Correction of Minutes of the July 8 and July 31, 2014 meetings.

The Town Council first considered a motion by Council Member Rick Wise to approve the minutes of the July 8, 2014 regular session of the Town Council and the July 31, 2014 regular work session of the Town Council. The motion was duly seconded by Council Member Paul Johns. 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 Raymond and Associates to administer the 2012-2013 HOME Program.
- b. Approval of the terms of, and authorization for the Mayor to execute, the 2013-2014 annual report relative to NPDES Phase II, MS4 Program.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Josh LeFevre Construction relative to general construction and concrete work for Stormwater Department.
- d. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Missy Garnett and the Two Dollar Pistols relative to Music at the Mill.
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Morton Buildings, Inc. relative to replacement of Parks Department tractor shed.
- f. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Terminix International relative to pest control service.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pall Corporation relative to microfiltration support for the Water Treatment Plant.
- h. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Speedway, LLC relative to sewer main and pump station installation.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Kerr Brothers relative to additions to annual striping contract to include crack sealing and sealcoating.

Following discussion, Vice-Mayor 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 Rick Wise. 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 rezoning of properties located on Tax Map 50N, Group A, Parcels 5.00, 8.00, and 8.01, comprising approximately 7.7 acres, (requested by J. Michael Woods), from I-2 to I-1. Properties are located on Courier Place. 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 properties located on Tax Map 50N, Group A, Parcels 5.00, 8.00, and 8.01, comprising approximately 7.7 acres, (requested by J. Michael Woods), from I-2 to I-1. Properties are located on Courier Place. 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 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 #14-23).

- b. **PUBLIC HEARING:** Consideration of an ordinance to amend the Town of Smyrna Sign Ordinance relative to sign trucks. 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 to amend the Town of Smyrna Sign Ordinance relative to sign trucks. The recommendation

of the Planning Commission was that the Town Council approve the amendment. 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 Rick Wise. Following further discussion, the motion was denied on a roll call vote 3-4 with Council Members H.G. Cole and Lance Lee, Vice-Mayor Marc Adkins, and Mayor Mary Esther Reed voting “no”. A copy of said ordinance, as denied and rejected on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “3”. (Ordinance #14-24).

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 55, Parcel 10.04, comprising approximately 35.8 acres, (requested by Gary and Ann Gannon and Ole South Properties). Property is located at 2400 Almaville Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 55, Parcel 10.04, comprising approximately 35.8 acres, (requested by Gary and Ann Gannon and Ole South Properties). Property is located at 2400 Almaville Road. The recommendation of the Planning Commission was that the Town Council deny the request. Following discussion, Vice-Mayor Marc Adkins made a motion to deny and reject 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 denied and rejected on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “4”. (Ordinance #14-25).

- ii. 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. First Reading.

The Town Council next considered on first 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 Tim Morrell made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Vice-Mayor Marc Adkins. 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 "5". (Ordinance #14-26).

b. Packaged Liquor Board Report:

- i. Consideration of an application for a Certificate of Compliance for a packaged liquor store from Shirley Hasan (Smyrna Divine Wine & Spirits), located at 390 Quecreek Circle.

The Town Council next considered an application for a Certificate of Compliance for a packaged liquor store from Shirley Hasan (Smyrna Divine Wine & Spirits), located at 390 Quecreek Circle. The recommendation of the Packaged Liquor Board was that the Town Council approve the application for a certificate of compliance. Following discussion, Vice-Mayor Marc Adkins made a motion to approve the application. The motion was duly seconded by Council Member Rick Wise. The motion was approved unanimously. A copy of said application is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6".

c. Consideration of an ordinance revising the property tax rate for fiscal year 2014-2015. First Reading.

The Town Council next considered on first reading an ordinance revising the property tax rate for fiscal year 2014-2015. Following discussion, Council Member Rick Wise made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Council Member H. G. Cole. 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 #14-27).

d. 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. First Reading.

The Town Council next considered 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 Lance Lee made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Vice-Mayor Marc Adkins. 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 "8". (Ordinance #14-28).

e. Appointment of one (1) member to the Board of Zoning Appeals to serve unexpired term ending 2015.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to appoint Gary Wallbaum to the Board of Zoning Appeals to serve unexpired term ending 2015. The motion was duly seconded by Council Member H. G. Cole. Following discussion, the motion was approved unanimously.

f. Other.

i. Approval of the terms of, and authorization for the Mayor to execute, Change Order #1 with Excel Energy.

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of, and authorize the Mayor to execute, Change Order #1 with Excel Energy. The motion was duly seconded by Council Member Rick Wise. Following 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 "9".

Mayor Mary Esther Reed recessed the Town Council meeting to allow a public meeting relative to providing information about the Town of Smyrna's applications for one 20-year fixed interest rate Clean Water State Revolving Fund (SRF) loan.

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

ii. 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. First Reading.

The Town Council next considered on first 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 Lance Lee made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved 6-1, with Council Member Tim Morrell voting "no". 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 #14-29).

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

7. Status Reports.

There were no status reports to be reported to the Town Council at this time.

8. Announcements.

Town Manager Harry Gill reminded everyone of the BBQ Fest, Saturday, August 16th from 5-9 p.m. at the Depot. A Cruise In will be August 22nd at 5:00 p.m. on Front Street. He encouraged everyone to come to the Farmers Market on Saturday morning. A presentation regarding Lowry Street will be presented by Rhonda Allen at the September Council Meeting.

Council Member H. G. Cole announced "Music at the Mill" Friday night at Gregory Mill.

Council Member Tim Morrell commented on the recent article in the paper about the Town of Smyrna.

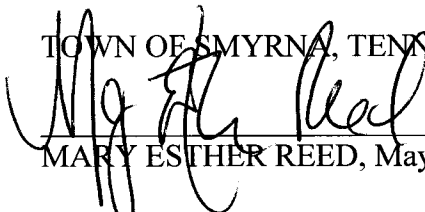
Mayor Mary Esther Reed stated that Smyrna was #9 for cities on the rise in Tennessee. She wished Council Member Paul Johns and his wife, Joy, a "Happy Birthday".

Council Member Lance Lee commented on the Nissan training center and extension of Jefferson Pike utilities. He stated that there will be a presentation from the Smyrna Charity Assistance Board at the next workshop.

Vice-Mayor Marc Adkins congratulated all who ran for office in the recent election.

Mayor Mary Esther Reed reported that the town judge and court clerk will be sworn in on Thursday, August 28th at 4:30 p.m. A reception will be held at 4:00 p.m. prior to the ceremony at Town Hall. She offered condolences to the family of the late John Ross. She congratulated Director of Parks and Recreation Mike Moss and his staff for work done on receiving a \$250,000.00 grant to build a neighborhood park on Florence Road.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE


MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk