

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON JUNE 10, 2014**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on June 10, 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 Bill Hunter, Smyrna Police Department. The colors were presented and the pledge of allegiance was led by the Rutherford County Young Marines.

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 May 13 and May 29, 2014 meetings.**

The Town Council first considered a motion by Council Member Rick Wise to approve the minutes of the May 13, 2014 regular session of the Town Council and the May 29, 2014 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.**

Town Manager Harry Gill reminded citizens that the Great Tennessee Airshow is this weekend, the Depot ribbon cutting and Simply Smyrna Celebration are Friday, and the first Farmers Market will be Saturday morning.

**3. Awards and Recognitions.**

The Town Council next considered a resolution thanking Detective Rick Hall for his commitment to the welfare and safety of citizens on March 21, 2014 while in Nashville investigating a car burglary. Following discussion, Council Member Paul Johns

made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Rick Wise. 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".

The Town Council next considered a resolution honoring Dr. Joe Phillips, school nurse Jonna McCracken, and SRO Matt Roe of John Coleman School for their use of life saving skills to save a student's life on May 13, 2014. Following discussion, Council Member Rick Wise 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 "2".

#### **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 Excel Energy relative to installation of energy saving products and replacement of interstate lighting.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sweeping Corporation of America, Inc. relative to street sweeping.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Gresham Smith Engineers relative to engineering services for Stonecrest/Sam Ridley Lane Expansion Project.
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Dan Weaver Services relative to water leak survey.
- e. Approval and declaration of Water/Sewer Maintenance items as abandoned inventory for 2014.
- f. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Top Tier Band relative to Music in the Park.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract amendment with Tennessee Department of Transportation (TDOT) relative to Jefferson Springs Greenway Extension Project.
- h. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Anderson Yards relative to Codes Department mowing.

Following discussion, Council Member Paul Johns 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 Vice-Mayor Marc Adkins. 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 "3".

## 5. Old Business.

- a. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 85, comprising approximately 1 acre, (requested by Sharon Durham), from R-3 to C-2. Property is located at 13946 Old Nashville Highway. 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 rezoning of property located on Tax Map 28, Parcel 85, comprising approximately 1 acre, (requested by Sharon Durham), from R-3 to C-2. Property is located at 13946 Old Nashville Highway. 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 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 "4". (Ordinance #14-16).

- b. **PUBLIC HEARING:** Consideration of an ordinance to amend the PUD for Lenox of Smyrna on property located on Tax Map 49, part of Parcel 108.00, comprising approximately 31.58 acres, (requested by Regent Homes/Lenox of Smyrna, LLC). Property is located west of Old Nashville Highway and south of Stewart Valley Drive. 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 the PUD for Lenox of Smyrna on property located on Tax Map 49, part of Parcel 108.00, comprising approximately 31.58 acres, (requested by Regent Homes/Lenox of Smyrna, LLC). Property is located west of Old Nashville Highway and south of Stewart Valley Drive. 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 Vice-Mayor 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 "5". (Ordinance #14-17).

- c. **PUBLIC HEARING:** Consideration of an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article III, Section 3.100 relative to residential detached accessory structure requirements. 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 the text of the Smyrna Municipal Zoning Ordinance to amend Article III, Section 3.100 relative to residential detached accessory structure requirements. The recommendation of the Planning Commission was that the Town Council approve the amendment. 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 Tim Morrell. Following 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 #14-18).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to Town of Smyrna Municipal Code, Title 10 "Animal Control", Chapter 1, Section 10-102 "Keeping near a residence or business restricted". 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 Town of Smyrna Municipal Code, Title 10 "Animal Control", Chapter 1, Section 10-102 "Keeping near a residence or business restricted". 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 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 "7". (Ordinance #14-19).

- e. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance #13-10, adopting the 2013-2014 Fiscal Year Budget relative to capital projects. 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 #13-10, adopting the 2013-2014 Fiscal Year Budget relative to capital projects. 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 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 "8". (Ordinance #14-20).

- f. **PUBLIC HEARING:** Consideration of an ordinance adopting the budget for fiscal year 2014-2015. 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 adopting the budget 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 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 "9". (Ordinance #14-21).

- g. **PUBLIC HEARING:** Consideration of an ordinance adopting the property tax rate for fiscal year 2014-2015. 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 adopting the property tax rate for fiscal year 2014-2015. 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 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 "10". (Ordinance #14-22).

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. **Approval of the terms of, and authorization for the Mayor to execute, a contract with Rollins Excavating Co., LLC relative to annual concrete work.**

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of and authorize the Mayor to execute a contract with Rollins Excavating Co., LLC relative to annual concrete work. The motion was duly seconded by Council Member Lance Lee. 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 "11".

d. **Consideration of a resolution to amend and restate the Town of Smyrna Classification and Compensation Plan.**

The Town Council next considered a resolution to amend and restate the Town of Smyrna Classification and Compensation Plan. 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 "12". (Resolution #14-16).

- e. **Appointment of one (1) member to the Parks Advisory Board to serve unexpired term ending 2015.**

The Town Council next considered a motion by Council Member Paul Johns to appoint Dennis Johnson, Sr. to the Parks Advisory Board to serve unexpired term ending 2015. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- f. **Appointment of one (1) member to the Historic Zoning Commission to serve unexpired term ending 2018.**

Mayor Mary Esther Reed deferred this item to next month's meeting.

- g. **Authorization of the implementation of the Tennessee Drug-Free Workplace Program.**

The Town Council next considered a motion by Council Member Tim Morrell to authorize the Mayor to implement the Tennessee Drug-Free Workplace Program. 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 "13".

- h. **Other.**

- i. **Approval of the terms of, and authorization for the Mayor to execute, an Interlocal Agreement for sewer with LaVergne, Tennessee.**

The Town Council next considered a motion by Council Member Lance Lee to approve the terms of and authorize the Mayor to execute, an Interlocal Agreement for sewer with LaVergne, Tennessee. The motion was duly seconded by Council Member Paul Johns. 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 "14".

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.**

Vice-Mayor Marc Adkins announced that a film review will be held at LifePoint Church on Friday, June 27<sup>th</sup> by Tina Hutchinson.

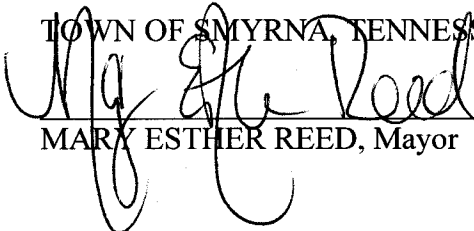
Council Member Tim Morrell commented on the upcoming airshow and its boost to local economy.

Council Member Paul Johns compared the tax rate with past years.

Mayor Mary Esther Reed commented on the Assembly Hall renovations. She read a letter from Dr. Rachel Collins-Wilson expressing her gratitude for Smyrna Golf Course hosting the PGA Jr. Golf Tournament. She announced that the Smyrna Police Department will be conducting a women's self-defense class.

Mayor Mary Esther Reed reminded citizens of the road closures during the Friday night and Saturday activities and that "Movies in the Park" will be Friday night at Rotary Soccer Park. She also wished all the fathers a "Happy Father's Day".

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE  
  
\_\_\_\_\_  
MARY ESTHER REED, Mayor

ATTEST:

  
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DIANNE WALDRON, Town Clerk