

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON MARCH 11, 2014**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on March 11, 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 Tim York, Smyrna Police Department. The pledge of allegiance was led by Boy Scout Troop #398.

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 February 11 and February 27, 2014 meetings.

The Town Council first considered a motion by Council Member Rick Wise to approve the minutes of the February 11, 2014 regular session of the Town Council and the February 27, 2014 regular work session of the Town Council. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

Town Manager Harry Gill offered condolences to the family of Mark Sherrill. Mayor Mary Esther Reed and Town Manager Harry Gill expressed appreciation to the Street Department and Police Department from citizens.

3. Awards and Recognitions.

The Town Council next considered a resolution honoring the life of Henry Grady Cole. Following discussion, Vice-Mayor Marc Adkins 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 "1". (Resolution #14-05).

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 renewal contract with Barton Lawn Care relative to mowing of park properties.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Five Star Lawn Management relative to mowing of non-park properties.
- c. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Jason Lee McKinney Band relative to 2014 Independence Day Celebration.
- d. Approval of the terms of, and authorization for the Mayor to execute, the Agreement of Resignation, Appointment and Acceptance relative to paying agent for general obligation bonds and water and sewer revenue and tax bonds.
- e. Approval of proposals from collection organizations relative to collections in accounts for utilities and courts.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with Preferred Sandblasting and Painting relative to Mason Tucker water tank repainting.
- g. Approval of the terms of, and authorization for the Mayor to execute, settlement relative to civil action claim of Donald Coode against the municipality.

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 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 "2".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of an ordinance to amend the Smyrna Municipal Zoning Ordinance relative to Article VIII Design Review. 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 Smyrna Municipal Zoning Ordinance relative to Article VIII Design Review. 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 Lance Lee. 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 #14-06).

- b. **PUBLIC HEARING:** Consideration of an ordinance to approve amendments to the Design Review Manual. 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 approve amendments to the Design Review Manual. The recommendation of the Planning Commission was that the Town Council approve the amendments. 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 Lance Lee. 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 #14-07).

6. **New Business:**

a. Planning Commission Report:

1. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 127.00, comprising approximately 2.41 acres, (requested by Donnie Williams), from C-2 to R-1. Property is located at 563 Stonecrest Parkway. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 127.00, comprising approximately 2.41 acres, (requested by Donnie Williams), from C-2 to R-1. Property is located at 563 Stonecrest Parkway. 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 Council Member Lance Lee. 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 #14-08).

- ii. Consideration of the calling of the letter of credit for Southside Development.

The Town Council next considered a motion by Council Member Tim Morrell to extend the letter of credit for Southside Development ninety (90) days. The motion was duly seconded by Council Member Lance Lee. Following further discussion, the motion was approved unanimously.

b. Packaged Liquor Board Report:

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

- c. **Consideration of a resolution for TDEC Grant relative to park property located near Westfork Subdivision.**

The Town Council next considered a resolution for TDEC Grant relative to park property located near Westfork Subdivision. Following discussion, Council Member H. G. Cole 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 "6". (Resolution #14-06).

d. Consideration of a resolution to request refunds on unclaimed property held by the State of Tennessee.

The Town Council next considered a resolution to request refunds on unclaimed property held by the State of 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 "7". (Resolution #14-07).

e. Consideration of an ordinance to amend Ordinance No. 13-10, adopting the 2013-2014 Fiscal Year Budget relative to mixed drink tax debt and in lieu of tax revenue. 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 mixed drink tax debt and in lieu of tax revenue. Following discussion, Council Member Lance Lee 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 #14-09).

f. Consideration of resolutions to request refunding bonds to retire General Obligation Bonds Series 2005 and Water and Sewer Revenue & Tax Bonds Series 2003A.

The Town Council next considered resolutions to request refunding bonds to retire General Obligation Bonds Series 2005 and Water and Sewer Revenue & Tax Bonds Series 2003A. 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 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". Resolutions #14-08 and #14-09).

g. Consideration of an ordinance to approve TDOT Proposal relative to improvement on Jefferson Pike. First Reading.

The Town Council next considered on first reading an ordinance to approve TDOT Proposal relative to improvement on Jefferson Pike. 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 Lance Lee. 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 #14-10).

h. Consideration of appointments to Boards and Committees:

- i. Appointment of one (1) member to the Packaged Liquor Board to serve a four (4) year term ending 2018.

The Town Council next considered a motion by Council Member Lance Lee to appoint Matt Fry to the Packaged Liquor Board to serve a four (4) year term ending 2018. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

- ii. Appointment of two (2) members to the Board of Zoning Appeals to serve three (3) year terms ending 2017.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to appoint Robbie Craton and Ryan Tilghman to the Board of Zoning Appeals to serve three (3) year terms ending 2017. The motion was duly seconded by Council Member H. G. Cole. Following discussion, the motion was approved unanimously.

- iii. Appointment of three (3) members to the Citizens for Sister City Relations to serve three (3) year terms ending 2017.

The Town Council next considered a motion by Mayor Mary Esther Reed to reappoint Fran Dunne, Melody Welshofer and Resha Oliphant to the Citizens for Sister City Relations to serve three (3) year terms ending 2017. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved unanimously.

- iv. Appointment of two (2) members and one (1) non-voting member, outside city, to the Parks Advisory Board to serve two (2) year terms ending 2016.

The Town Council next considered a motion by Council Member H. G. Cole to reappoint Ken Dalton as the non-voting member, reappoint John Grey, and appoint Beecher Frasier III to the Parks Advisory Board to serve two (2) year terms ending 2016.

The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved 6-1, with Council Member Paul Johns voting "no".

- v. Appointment of two (2) members to the Planning Commission to serve two (2) year terms ending 2016.

Mayor Mary Esther Reed appointed Thomas Hickerson and reappointed Ed Davenport to the Planning Commission to serve two (2) year terms ending 2016 and appointed Vice-Mayor Marc Adkins as the Mayor's representative. Following discussion, Council Member H. G. Cole made a motion to appoint Council Member Tim Morrell as the Council representative. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved unanimously.

- vi. Appointment of one (1) member to Project Assistance to serve a three (3) year term ending 2017.

The Town Council next considered a motion by Council Member Tim Morrell to reappoint Linda McNeill to Project Assistance to serve a three (3) year term ending 2017. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- vii. Appointment of two (2) members to serve three (3) year terms ending 2017 and two (2) members to serve one (1) year terms ending 2015 to the Board of Adjustment & Appeals.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to defer consideration of this item. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

- viii. Appointment of one (1) member to the Beer Board to serve a four (4) year term ending 2018.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to appoint Patrick Shrum to the Beer Board to serve a four (4) year term ending 2018. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- ix. Appointment of three (3) members to the Storm Water Advisory Committee to serve two (2) year terms ending 2016.

The Town Council next considered a motion by Mayor Mary Esther Reed to reappoint Ray Lee, Pam Thompson and Bobby Garland to the Storm Water Advisory Committee to serve two (2) year terms ending 2016. The motion was duly seconded by Council Member Paul Johns. Following discussion, the motion was approved unanimously.

- x. Appointment of one (1) member to the Historic Zoning Commission to serve a five (5) year term ending 2019.

The Town Council next considered a motion by Mayor Mary Esther Reed to appoint Rhonda Allen to the Historic Zoning Commission to serve a five (5) year term ending 2019. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved unanimously.

- xi. Appointment of two (2) members to the Industrial Development Board to serve six (6) year terms ending 2020.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to appoint Paul Collette and Bill Davis to the Industrial Development Board to serve six (6) year terms ending 2020. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- xii. Appointment of three (3) members to the Arts Commission to serve two (2) year terms ending 2016.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to appoint Council Member Rick Wise as the Council Representative, to reappoint Wade Hutchison and Walter Pope, and to appoint Melissa Taylor to the Arts Commission to serve two (2) year terms ending 2016. The motion was duly seconded by Council Member Paul Johns. Following discussion, the motion was approved unanimously.

- xiii. Appointment of one (1) member to serve a three (3) year term ending 2017 and Mayor to appoint one (1) Council Representative to serve one (1) year term ending 2015 to the Smyrna Charity Assistance Board.

Mayor Mary Esther Reed next appointed Council Member Lance Lee to serve as the Council Representative on the Smyrna Charity Assistance Board to serve a one (1) year term ending 2015. The Town Council next considered a motion by Council Member Lance Lee to appoint Kay Charles to the Smyrna Charity Assistance Board to serve a three (3) year term ending 2017. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- xiv. Mayor to appoint one (1) member to the Smyrna Housing Authority to serve a five (5) year term ending 2019.

Mayor Mary Esther Reed next reappointed Steven Barnes to the Smyrna Housing Authority to serve a five (5) year term ending 2019.

- xv. Appointment of one (1) member to the Smyrna/Rutherford County Airport Authority to serve a five (5) year term ending 2019.

The Town Council next considered a motion by Mayor Mary Esther Reed to reappoint Paul Lamb to the Smyrna/Rutherford County Airport Authority to serve a five (5) year term ending 2019. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

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 reported to the Town Council at this time.

8. Announcements.

Town Manager Harry Gill introduced Michael Strange as the new Director of Utilities.

Mayor Mary Esther Reed asked attendees of Boy Scout Troop 389 to introduce themselves.

Council Member H. G. Cole thanked the Town Council for the resolution honoring his father.

Council Member Paul Johns announced that the Rescue Squad will be having a ham breakfast on Saturday, March 15th.

Council Member Rick Wise stated he was looking forward to working with the Arts Commission. He passed the book from Read to Succeed to Council Member Lance Lee. He and Council Member Lance Lee commented on the bond rating.

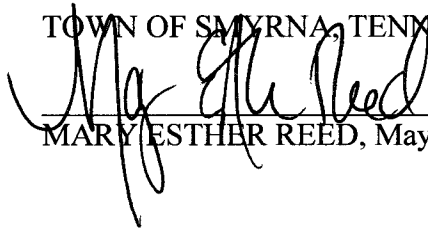
Council Member Lance Lee thanked the Cole Family for their contributions to the Town of Smyrna.

Vice-Mayor Marc Adkins reported that SunTrust Bank has set up a scholarship account in Mark Sherrill's name for the young people in the community. He extended sympathy to the family of Helen Blankenship. He also wished Tillie Hager a "Happy Birthday".

Mayor Mary Esther Reed congratulated Brandon and Katherine Witt for being named "Young Farmers of the Year". She announced that Lancaster Christian Academy has opened a new infant area. She also wished her son, Parker, a "Happy 17th Birthday".

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

A handwritten signature in cursive script, appearing to read "Mary Esther Reed", written over a horizontal line.

MARY ESTHER REED, Mayor

ATTEST:


DIANNE WALDRON, Town Clerk