

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON DECEMBER 8, 2015**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on December 8, 2015 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Chaplain Winfred Warren, Smyrna Police Department. The pledge of allegiance was led by Kevin Rigsby, Town Planner.

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
Tim Morrell
Lori North
Rick Wise

1. Approval or Correction of Minutes of the November 10 and November 23, 2015 meetings.

The Town Council first considered a motion by Council Member Paul Johns to approve the minutes of the November 10, 2015 regular session of the Town Council and the November 23, 2015 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 for the Town Council to consider at this time.

3. Awards and Recognitions.

Town Manager Harry Gill read a letter from Griggs and Maloney, engineering and environmental consultants, complimenting Water Treatment Plant Manager Kevin Relford on the cleanliness of the water treatment plant and lime softening and filtration procedure. He reported that \$17,301 was raised for United Way.

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, an agreement with R.J. Young relative to supply and maintenance of Fire Department copy machine.
- b. Approval of the terms of, and authorization for the Mayor to execute, an amendment of the cell tower agreement with Crown Castle pertaining to site 878590.
- c. Approval of the terms of, and authorization for the Mayor to execute, an agreement with LifePoint Church relative to practice field area.
- d. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Tennessee Rehab Center relative to practice field area.
- e. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with CIGNA for third party administrator, network, and reinsurance services for the Town's health insurance plan.

Following discussion, Council Member Tim Morrell 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 "1".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of an ordinance to amend Town of Smyrna Municipal Code, Title 20, "Miscellaneous" Chapter 1 "Mapleview Cemetery". Second Reading.

Mayor Mary Esther Reed asked Town Manager Harry Gill to go over the current ordinance and the proposed changes before the public hearing.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. The following individuals spoke concerning the item: Michele Wisniowski, Gary Evans, Misty Dotson, Amy and Guy Dearmon, Melissa Burns, Robert Wells, Morgan Ward, Ashley North, Sherry Anderson, Whitney North, and Pam Rooker.

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 Town of Smyrna Municipal Code, Title 20, "Miscellaneous" Chapter 1 "Mapleview Cemetery". Following discussion, Council Member Paul Johns made a motion to defer this item to next month. The motion was duly seconded by Council Member Lori North. Following further discussion, the motion failed on a roll call vote of 2-5 with Council Members Paul Johns and Lori North voting "yes" and Mayor Mary Esther Reed, Vice-Mayor Marc Adkins, and Council Members H. G. Cole, Tim Morrell, and Rick Wise voting "no".

Following further discussion, Council Member H. G. Cole made a motion to approve and adopt said ordinance on second and final reading with the proposed changes listed in Exhibit "A". The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved 5-2 with Council Members Paul Johns and Lori North voting "no". A copy of said ordinance, as 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 #15-23).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the amendment of the text of the Smyrna Municipal Zoning Ordinance to amend Article II, Section 2.020 Definitions, Article V, Sections 5.052.2 C-2 Highway Service District and 5.052.3 Restricted Commercial District, as well as the addition of Article VII, Section 7.061.19 Special Conditions for Motor Vehicle Dealers (New and Used), Motorcycle Dealers, Boat Dealers, and Recreational and Utility Trailer Dealers and Section 7.061.20 Special Conditions for Automotive Service and Repair. 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 amendment of the text of the Smyrna Municipal Zoning Ordinance to amend Article II, Section 2.020 Definitions, Article V, Sections 5.052.2 C-2 Highway Service District and 5.052.3 Restricted Commercial District, as well as the addition of Article VII, Section 7.061.19 Special Conditions for Motor Vehicle Dealers (New and Used), Motorcycle Dealers, Boat Dealers, and Recreational and Utility Trailer Dealers and Section 7.061.20 Special Conditions for Automotive Service and Repair. 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 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 #15-25).

- c. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 55, Parcel 18.00 and part of Parcel 18.03 and Tax Map 50, part of Parcel 62.00.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. The following individuals spoke concerning the item: Randall Urban, Stacey Chandler, Joe Gourley, Carl Wigg, Wayne Jones, David Alcorn, Steve Steele, and Richard Lewis.

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 18.00 and part of Parcel 18.03 and Tax Map 50, part of Parcel 62.00. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services. 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 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 "4". (Resolution #15-22).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 55, Parcel 18.00 and part of Parcel 18.03 and Tax Map 50, part of Parcel 62.00, containing approximately 72 acres, (requested by Southern Lifestyle Homes). Property is adjacent to Interstate 24 and to the Town limits at Stewart Creek near Courier Drive. 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. The following individuals spoke concerning the item: Stacey Chandler, Erin Dennis, Carl Wigg, Joe Gourley, Carol Goff, Randall Urban, Steve Steele, Virginia Harrelson, and Maria Johnson.

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 18.00 and part of Parcel 18.03 and Tax Map 50, part of Parcel 62.00, containing approximately 72 acres, (requested by Southern Lifestyle Homes). Property is adjacent to Interstate 24 and to the Town limits at Stewart Creek near Courier 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 Rick Wise. Following further discussion, Council Member H. G. Cole made a motion for a traffic study to be done. The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved unanimously. Following further discussion, the motion to approve and adopt said ordinance on second and final reading was approved unanimously. A copy of said ordinance, as adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5". (Ordinance #15-26).

- e. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 36.00, comprising approximately 8.29 acres, (requested by BGS America, LLC), from R-4 to PRD. Property is located at 702 Rock Springs Road. 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 28, Parcel 36.00, comprising approximately 8.29 acres, (requested by BGS America, LLC), from R-4 to PRD. Property is located at 702 Rock Springs 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 second and final reading. The motion was duly seconded by Council Member Lori North. Following further discussion, Council Member Tim Morrell made a motion to add a deed covenant for 25 years. The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved unanimously. Following further discussion, the motion to approve the ordinance, as amended, on second and final reading was approved unanimously. A copy of said ordinance, as 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 #15-27).

6. **New Business:**

a. **Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation and C-2 zoning of property located on Tax Map 55C, Group B, Parcels 43.00 and 44.00, containing approximately 1.58 acres, as well as the existing public right-of-way of One Mile Lane from the existing Town limits at Almaville Road approximately 250 feet,

(requested by Mark and Lisa Dye). Property is located at corner of Almaville Road and One Mile Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and C-2 zoning of property located on Tax Map 55C, Group B, Parcels 43.00 and 44.00, containing approximately 1.58 acres, as well as the existing public right-of-way of One Mile Lane from the existing Town limits at Almaville Road approximately 250 feet, (requested by Mark and Lisa Dye). Property is located at corner of Almaville Road and One Mile Lane. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Vice-Mayor Marc Adkins 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 adopted first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #15-28).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 51, Parcel 12.01 to amend the existing approved PRD, containing approximately 7 acres, (requested by Adam Crunk on behalf of Lois Boles). Property is located on Lee Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 51, Parcel 12.01 to amend the existing approved PRD, containing approximately 7 acres, (requested by Adam Crunk on behalf of Lois Boles). Property is located on Lee Road. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Council Member Rick Wise 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 adopted first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "8". (Ordinance #15-29).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, Parcels 64.12, 64.13, and 64.14 and Tax Map 29, Parcels 16.01, 16.02, 17.01, 17.02, 17.03, 17.05, and 17.06 to amend the existing approved PUD, containing approximately 54.55 acres, (requested by Capref Smyrna, LLC). Property is located on Industrial Boulevard. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28, Parcels 64.12, 64.13, and 64.14 and Tax Map 29, Parcels 16.01, 16.02, 17.01, 17.02, 17.03, 17.05, and 17.06 to amend the existing approved PUD, containing approximately 54.55 acres, (requested by Capref Smyrna, LLC). Property is located on Industrial Boulevard. 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 Paul Johns. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9". (Ordinance #15-30).

- iv. Consideration of request for approval of a subdivision utilizing a septic system by Robert and Lisa Quigle. Request is for a four lot subdivision on 3.27 acres on Almaville Road in the R-1 zone.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the request for a subdivision utilizing a septic system by Robert and Lisa Quigle. Request is for a four lot subdivision on 3.27 acres on Almaville Road in the R-1 zone. The motion was duly seconded by Council Member Lori North. Following 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. **Approval of the terms of, and authorization for the Mayor to execute, a contract with Ragan Smith Associates relative to creation of a zoning overlay for Lowry Street.**

The Town Council next considered a motion by Council Member Rick Wise to defer this item to the next meeting. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously.

- d. **Consideration of adoption of official logo of the Smyrna Arts Commission.**

The Town Council next considered a motion by Council Member Rick Wise to approve the adoption of the official logo of the Smyrna Arts Commission. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved unanimously. A copy of said logo is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "10".

- e. **Consideration of a resolution endorsing the continuance of utilizing the services of the District Attorney's Office for appearances at Smyrna General Sessions Court.**

The Town Council next considered a resolution endorsing the continuance of utilizing the services of the District Attorney's Office for appearances at Smyrna General Sessions Court. Following discussion, Council Member Lori North made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Paul Johns. 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 "11". (Resolution #15-23).

f. Consideration and approval of the purchase of several parcels of land from Smyrna Church of Christ.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the purchase of several parcels of land from Smyrna Church of Christ. The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved unanimously. Maps of said parcels are attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "12".

g. Approval of the terms of, and authorization for the Mayor, to execute, a supplemental agreement with HDR relative to update of survey and plans for right-of-way acquisitions for Enon Springs Road West Extension Project.

The Town Council next considered a motion by Council Member Paul Johns to approve the terms of and authorize the Mayor to execute a supplemental agreement with HDR relative to update of survey and plans for right-of-way acquisitions for Enon Springs Road West Extension Project. The motion was duly seconded by Vice-Mayor Marc Adkins. 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. Approval of the terms of, and authorization for the Mayor, to execute, a supplemental agreement with HDR relative to right-of-way acquisitions for Weakley and Swan Intersection Project.

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of and authorize the Mayor to execute a supplemental agreement with HDR relative to right-of-way acquisitions for Weakley and Swan Intersection Project. 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 "14".

i. Consideration of a resolution to set dates and times for the 2016 Council Meetings and Work Sessions.

The Town Council next considered a resolution to set dates and times for the 2016 council meetings and work sessions. Following discussion, Council Member H. G. Cole 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 "15". (Resolution #15-24).

j. 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.

Mayor Mary Esther Reed and the Town Council wished everyone a "Merry Christmas".

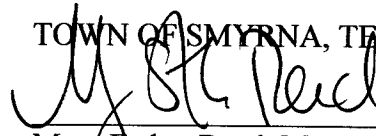
Council Member Lori North expressed condolences to the family of Tim Tomlin.

Vice-Mayor Marc Adkins thanked Jill Strange for her work in coordinating the Christmas parade. He asked citizens to remember Pearl Harbor Day and the troops.

Mayor Mary Esther Reed also thanked Jill Strange and stated awards for the parade will be made at the January 2016 council meeting. She reported over 1500 canned goods were collected during the parade for the Food Bank. She reminded citizens of the Christmas celebration at the Depot on Saturday night.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



Mary Esther Reed, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk