

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON NOVEMBER 10, 2015**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on November 10, 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 John Upchurch, Smyrna Police Department. The pledge of allegiance was led by Bill Culbertson, Fire Chief.

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 October 13 and October 29, 2015 meetings.

The Town Council first considered a motion by Council Member Paul Johns to approve the minutes of the October 13, 2015 regular session of the Town Council, as corrected, and the October 29, 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.

Town Manager Harry Gill gave an update on the census.

3. Awards and Recognitions.

There were no awards or recognitions for the Town Council to consider 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 Gresham, Smith and Partners relative to engineering services for the Corridor Study of Sam Ridley Parkway from I-24 to US Highway 70.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Northwest Tennessee Development District relative to special census.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Tyler Technologies relative to electronic citation equipment.
- d. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Old Tyme Carriage relative to carriage rides at Christmas Celebration in Depot District.
- e. Consideration of the declaration of surplus items.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with Tennessee Court Services relative to probation services for Smyrna Court.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with CCMSI relative to 2016 property, casualty and workers' comp excess insurance.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract with Ragan Smith Associates relative to engineering for Phase One of the Lowry Street Project.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Business Information Systems relative to online property tax payments.

Attorney Jeff Peach asked that Item "f" be approved contingent upon approval by the Legal Department. Following discussion, Council Member Tim Morrell made a motion to approve and adopt the Consent Agenda, as advised by Counsel, 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 "1".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 32, part of Parcel 19.01.

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 a resolution relative to a Plan of Services for property located on Tax Map 32, part of Parcel 19.01. 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 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 "2". (Resolution #15-20).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 32, part of Parcel 19.01, comprising approximately 7.74 acres, (requested by Oliver Constable). Property has frontage on both Rock Springs Road and Lee 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 annexation and R-3 zoning of property located on Tax Map 32, part of Parcel 19.01, comprising approximately 7.74 acres, (requested by Oliver Constable). Property has frontage on both Rock Springs Road and Lee Road. 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 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 #15-21).

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 34, Parcel 19.01 and part of Parcels 12.00 and 17.01, as well as Tax Map 49, Parcels 12.00 and 12.01, comprising approximately 77.42 acres, (requested by John Willems), from I-3 to PID. Properties are located on Sam Griffin Road and Wade Herrod 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.

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- d. Consideration of an ordinance to amend Town of Smyrna Municipal Code, Title 20, "Miscellaneous" Chapter 1 "Mapleview Cemetery". First Reading.

Town Attorney request this item be considered on first reading due to the significant changes made. The Town Council next considered on first reading an ordinance to amend Town of Smyrna Municipal Code, Title 20, "Miscellaneous" Chapter 1 "Mapleview Cemetery". Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance on first reading, with the changes. 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 "5". (Ordinance #15-23).

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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.

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- d. Consideration of an ordinance to amend Town of Smyrna Municipal Code, Title 20, "Miscellaneous" Chapter 1 "Mapleview Cemetery". First Reading.

Town Attorney request this item be considered on first reading due to the significant changes made. The Town Council next considered on first reading an ordinance to amend Town of Smyrna Municipal Code, Title 20, "Miscellaneous" Chapter 1 "Mapleview Cemetery". Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance on first reading, with the changes. 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 "5". (Ordinance #15-23).

- e. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 14-21, adopting the 2014-2015 Fiscal Year Budget relative to Mapleview Cemetery. 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 Ordinance No. 14-21, adopting the 2014-2015 Fiscal Year Budget relative to Mapleview Cemetery. 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 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 #15-24).

6. **New Business:**

a. **Planning Commission Report:**

- i. 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. First Reading.

The Town Council next considered on first 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, Vice-Mayor Marc Adkins 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 adopted first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #15-25).

- ii. 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. 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 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 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 adopted first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "8". (Ordinance #15-26).

- iii. 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. First Reading.

The Town Council next considered on first 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 Tim Morrell made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Council Member Lori North. 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 #15-27).

b. Packaged Liquor Board Report:

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

c. Consideration of a resolution relative to the acceptance and adoption of amendments to the Smyrna Police Standard Operating Procedures (SOP).

The Town Council next considered a resolution relative to the acceptance and adoption of amendments to the Smyrna Police Standard Operating Procedures (SOP). 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 "10". (Resolution #15-21).

d. Approval of the terms of, and authorization for the Mayor to execute, an agreement relative to the termination of lease agreement with Middle Tennessee Electric Membership Corporation.

The Town Council next considered a motion by Council Member Paul Johns to approve the terms of and authorize the Mayor to execute an agreement relative to the termination of lease agreement with Middle Tennessee Electric Membership Corporation. The motion was duly seconded by Council Member Tim Morrell. 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".

g. Other.

- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Morton Salt relative to annual road salt purchase.

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 with Morton Salt relative to annual road salt purchase. 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 "12".

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.

Council Member Tim Morrell commented on the ribbon cutting at StoneCrest's Spinal Center.

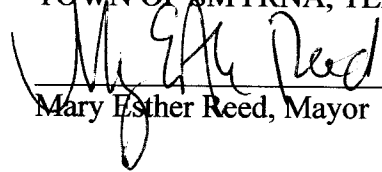
Vice-Mayor Marc Adkins spoke about the Veteran's Day Ceremony. He wished Joy Johns a speedy recovery.

Mayor Mary Esther Reed announced that the Lighting Ceremony is November 24th at 6:00 p.m. and the Christmas Parade is December 6th at 2:00 p.m. She also commented on the ribbon cutting at MTEMC's new location.

Town Manager Harry Gill wished his mother a "Happy Birthday".

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



Mary Esther Reed, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk