

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON JULY 14, 2015**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on July 14, 2015 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Vice-Mayor Marc Adkins. The pledge of allegiance was led by Utilities Director Mike Strange.

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 June 9, June 17 and June 30, 2015 meetings.

The Town Council first considered a motion by Council Member Rick Wise to approve the minutes of the June 9, 2015 regular session of the Town Council, the June 17, 2015 special called session of the Town Council, and the June 30, 2015 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 the Tennessee Department of Transportation relative to the Lowry Street Project.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pye Barker relative to fire extinguisher service.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Safe Industries relative to Fire Department turnout gear (turnout gloves and fire helmets).
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with North Alabama Fire Equipment Company relative to Fire Department turnout gear (bunker boots, turnout coats, turnout pants, suspenders, and fire hoods).
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Taheri Construction relative to Espeyland Trailhead improvements.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with Kirkland's Pest Control relative to annual pest control service.
- g. Approval of the terms of, and authorization for the Mayor to execute, an extension agreement with Red Wing Shoes relative to safety shoes.
- h. Consideration of the declaration of surplus items.

Council Member Paul Johns asked that Item 6a be removed from the Consent Agenda.

Following discussion, Council Member Rick Wise made a motion to approve and adopt the remainder of the Consent Agenda and to authorize the Mayor to execute said documents. The motion was duly seconded by Council Member H. G. Cole. 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".

Following further discussion, Council Member Tim Morrell made a motion to approve Item "6a". 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 "2".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 27O, Group D, Parcels 7.00 and 8.00, comprising approximately 1.3 acres, (requested by Tim Raybon), from R-6 to R-4. Property is located on Joyner 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. 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 27O, Group D, Parcels 7.00 and 8.00, comprising approximately 1.3 acres, (requested by Tim Raybon), from R-6 to R-4. Property is located on Joyner Drive. 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 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 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 #15-12).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 14.00, comprising approximately .34 acre, (requested by Albert Toombs), from C-2 to R-2. Property is located at 113 Eastland 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. 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 34G, Group A, Parcel 14.00, comprising approximately .34 acre, (requested by Albert Toombs), from C-2 to R-2. Property is located at 113 Eastland 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, 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 "4". (Ordinance #15-13).

- c. **PUBLIC HEARING:** Consideration of an ordinance to adopt the 2008 National Electric Code. 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 individual spoke concerning the 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 adopt the 2008 National Electric Code. 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 Lori North. 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 "5". (Ordinance #15-14).

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. **Consideration of a resolution to accept grant funding for the Smyrna Outdoor Adventure Center from the Christy-Houston Foundation.**

The Town Council next considered a resolution to accept grant funding for the Smyrna Outdoor Adventure Center from the Christy-Houston Foundation. Following discussion, Council Member Rick Wise made a motion to approve and adopt said

resolution. The motion was duly seconded by Council Member H. G. Cole. 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 #15-15).

- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Christy-Houston Foundation relative to grant funding for the Smyrna Outdoor Adventure Center.**

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 the Christy-Houston Foundation relative to grant funding for the Smyrna Outdoor Adventure Center. 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 "7".

- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Atmos Energy Marketing Company relative to natural gas provider.**

The Town Council next considered a motion by Council Member Paul Johns to approve the terms of and authorize the Mayor to execute a contract with Atmos Energy Marketing Company relative to natural gas provider. The motion was duly seconded by Vice-Mayor Mark Adkins. 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 "8".

- f. Consideration of a resolution approving funding for non-profit organizations for fiscal year 2015-2016.**

The Town Council next considered a resolution approving funding for non-profit organizations for fiscal year 2015-2016. Following discussion, Vice-Mayor Marc Adkins 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 "9". (Resolution #15-16).

- g. Consideration of a resolution to reimburse expenses from a future debt issue.**

The Town Council next considered a resolution to reimburse expenses from a future debt issue. 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 "10". (Resolution #15-17).

- h. Consideration of an ordinance to amend Ordinance No. 15-11, adopting the 2015-2016 Fiscal Year Budget, specifically the 2015-2016 Fee Schedule to add fees with the Treasury Department related to special event beer permits and within the Utilities Department related to Special Assessment Districts. First Reading.**

The Town Council next considered on first reading an ordinance to amend Ordinance No. 15-11, adopting the 2015-2016 Fiscal Year Budget, specifically the 2015-2016 Fee Schedule to add fees within the Treasury Department related to special event beer permits and within the Utilities Department related to Special Assessment Districts. 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 approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "11". (Ordinance #15-15).

- i. Consideration of an ordinance to amend Smyrna Municipal Code Title 18 "Water and Sewers", Chapter 3 "Water and Wastewater Tap Fee and Rate Schedule", Section 304 "Special assessment zone" relative to Harts Branch. First Reading.**

The Town Council next considered on first reading an ordinance to amend Smyrna Municipal Code Title 18 "Water and Sewers", Chapter 3 "Water and Wastewater Tap Fee and Rate Schedule", Section 304 "Special assessment zone" relative to Harts Branch. 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 approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "12". (Ordinance #15-16).

- j. Consideration of request to add Johnny M. Sullivan as an approved real estate appraiser for Town projects.**

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the request to add Johnny M. Sullivan as a real estate appraiser for Town projects. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- k. Approval of the terms of, and authorization for the Mayor to execute contract amendment #1 with Tennessee Department of Transportation relative to construction of Phase I Greenway Improvements Project.**

The Town Council next considered a motion by Council Member H. G. Cole to approve the terms of and authorize the Mayor to execute contract amendment #1 with Tennessee Department of Transportation relative to construction of Phase I Greenway Improvements Project. 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 "13".

- l. Consideration of a resolution to endorse the application for an additional Tennessee Department of Transportation fence cut to Sam Ridley Parkway, West.**

The Town Council next considered a resolution to endorse the application for an additional Tennessee Department of Transportation fence cut to Sam Ridley Parkway, West. 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 "14". (Resolution #15-18).

- m. Other.**

Utility Director Mike Strange discussed fills and backfills related to creating roads. He stated they were now requiring the same as Murfreesboro.

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

7. Status Reports.

Town Manager Harry Gill thanked the departments for work done during the 4th of July celebration. He also thanked Utility Director Mike Strange for filling in as Interim Director of Public Works while the search for a new director was conducted. He stated that he has asked Mac Nolan of Rutherford County to come to a council meeting to give a presentation on recycling.

8. Announcements.

Council Member Paul Johns announced he would be celebrating his 60th class reunion on July 23rd at the Town Centre. He also reported that there will be a reunion for anyone that attended Old Jefferson School on September 19th at the Davenport Farm.

Council Member Rick Wise thanked Utility Director Mike Strange for his work in the Public Works Department.

Vice-Mayor Marc Adkins commented on the 4th of July celebration. He also thanked the departments that participated, the vendors and the band. He announced that the 1st Tee banquet will be held next Thursday.

Mayor Mary Esther Reed announced that the Sister City Exchange Delegation is in Japan. She thanked all employees for their willingness to step up and do extra work. She commented on the ribbon cutting for the Habitat for Humanity home on Enon Springs Road for Teresa McGowan. The Town of Smyrna donated the land. Habitat for Humanity presented a plaque to the Town for their continued support. She also thanked the Rotary Club for the work done on the house.

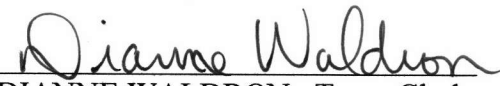
Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk