

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON MAY 10, 2016**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on May 10, 2016 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 Smyrna Police Department Honor Guard presented the colors. The pledge of allegiance was led by Brandon Sudbury, Senior Patrol Leader, Boy Scout Troop 422.

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 April 11-12, April 12 and April 28, 2016 meetings.**

The Town Council first considered a motion by Council Member Rick Wise to approve the minutes of the April 11-12, 2016 Town Council Retreat, April 12, 2016 regular session of the Town Council, and the April 28, 2016 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.**

Town Manager Harry Gill stated that Sunday, May 15<sup>th</sup>, is Police Officer's Memorial Day. He read a commendation by Ashley Moody for the Police Department.

**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 renewal contract with Sweeping Corp. of America relative to street sweeping.
- b. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Jones Bros. Contractors, LLC relative to paving.
- c. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with North Alabama Fire Equipment Company relative to Fire Department turnout gear (boots, coats, pants, suspenders, and hoods).
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Safe Industries relative to Fire Department turnout gear (gloves and helmets).
- e. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Diversified Inspections relative to Fire Department ladder testing.
- f. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Pye Barker relative to fire extinguisher service.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Cummins Crosspoint relative to Fire Department generator maintenance.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract with IM&E relative to mechanical work for Water Plant, Wastewater Plant, and Distribution/Collection Systems.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Beltline Electric Company relative to electrical maintenance for Water Plant, Wastewater Plant, and Distribution/Collection Systems.
- j. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Jason Lee McKinney Band relative to the Summer Music Series.

- k. Approval of the terms of, and authorization for the Mayor to execute, contracts with Best Litter Receptacles relative to plastic-coated equipment and Mid-South Recreation relative to steel equipment for Parks Department.
- l. Approval of the terms of, and authorization for the Mayor to execute, a contract with MorphoTrak relative to maintenance on AFIS (fingerprint) machine for Police Department.
- m. Consideration of the declaration of surplus items.

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 Tim Morrell. 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 relative to the rezoning of property located on Tax Map 33, Parcel 53, containing approximately 102.5 acres, (requested by Scott Butler), from R-1 to R-3 and C-2. Property is located at 3423 Old Rocky Fork 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 33, Parcel 53, containing approximately 102.5 acres, (requested by Scott Butler), from R-1 to R-3 and C-2. Property is located at 3423 Old Rocky Fork 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 "2". (Ordinance #16-07).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 35, Parcel 86.01 from R-6 to I-3

and Parcels 87.00, 87.01, 15.02 and 15.03 from R-1 to I-3, containing approximately 14.38 acres, (requested by Jim Murphy on behalf of Project Triple Crown). Properties are located on Florence Road and Rebel 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. The following individuals spoke concerning the item: Jim Murphy, Robert Percy, Gail Owens, and Randall Patterson.

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 35, Parcel 86.01 from R-6 to I-3 and Parcels 87.00, 87.01, 15.02, and 15.03 from R-1 to I-3, containing approximately 14.38, (requested by Jim Murphy on behalf of Project Triple Crown). Properties are located on Florence Road and Rebel Road. The recommendation of the Planning Commission was that the Town Council approve the request. Mayor Mary Esther Reed suspended the rules to allow Brian Hercules of the Chamber of Commerce speak. 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 Paul Johns. 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 #16-08).

**6. New Business:**

**a. Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcels 15.01, 15.04, 15.05, 15.06, 15.07, 15.11, 15.12, and 15.22, containing approximately 19.8 acres, (requested by Jerry Butler). Properties are located along and east of Kedron Church Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcels 15.01, 15.04, 15.05, 15.06, 15.07, 15.11, 15.12, and 15.22, containing approximately 19.8 acres, (requested by Jerry Butler). Properties are located along and east of Kedron Church 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 Council Member Tim Morrell. 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 “4”. (Ordinance #16-09).

- ii. Consideration of an ordinance to the rezoning of property located on Tax Map 34G, Group A, Parcel 1.00 from C-2 to PUD, containing approximately 1.45 acres, (requested by Robert Latimer). Property is located at the corner of Stewart Drive and South Lowry Street. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 1.00 from C-2 to PUD, containing approximately 1.45 acres, (requested by Robert Latimer). Property is located at the corner of Stewart Drive and South Lowry Street. 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 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 on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “5”. (Ordinance #16-10).

- iii. Consideration of a request for the abandonment of existing public right-of-way from Jeffrey Lewandoski with The Dennis Group, LLC on behalf of Taylor Farms.

The Town Council next considered a motion by Council Member Tim Morrell to approve the request for the abandonment of existing public right-of-way from Jeffrey Lewandoski with The Dennis Group, LLC on behalf of Taylor Farms. The motion was duly seconded by Council Member Rick Wise. 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. Consideration of an ordinance adopting the budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017. First Reading.**

The Town Council next considered on first reading an ordinance adopting the budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017. Following discussion, Council Member Rick Wise 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 “6”. (Ordinance #16-11).

**d. Consideration of an ordinance establishing the property tax levy for the fiscal year beginning July 1, 2016 and ending June 30, 2017. First Reading.**

The Town Council next considered on first reading an ordinance establishing the property tax levy for the fiscal year beginning July 1, 2016 and ending June 30, 2017. 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 on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #16-12).

**e. Other.**

Utility Director Mike Strange announced an emergency repair on Water Treatment Plant 4R 12" force main. The repair was done by SBW Constructors, LLC.

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

**7. Status Reports.**

There were no status reports to be considered by the Town Council.

**8. Announcements.**

Town Manager Harry Gill thanked the Rutherford County Board of Education for the donation of land for a fire station on Rocky Fork Road. He announced a Public Open House for Lowry Street Revitalization Overlay Study will be Thursday, May 12<sup>th</sup> at 5:30 p.m. at the Smyrna Event Center.

Council Member Tim Morrell attended ribbon cuttings at the newly remodeled Buffalo Wild Wings and Smyrna Modern Dentistry. He commented on the development of healthcare in the community. He commended Town Manager Harry Gill and Mayor Mary Esther Reed on their ability to work with all government entities.

Council Member Paul Johns performed a wedding ceremony for two former Town employees.

Council Member Lori North wished her mother a "Happy Birthday".

Council Member Rick Wise commented on a list of Arts Committee events.

Vice-Mayor Marc Adkins thanked Town Manager Harry Gill and Town Attorney Jeff Peach for their work on legislative bills. He also thanked Finance Director Rex Gaither and his team for preparation of the budget. He announced a Starbucks will be built on Almaville Road. He wished his grandson a "Happy 1st Birthday".

Mayor Mary Esther Reed reminded citizens that a Memorial Day service will be held in from Smyrna Town Hall. She complimented Chef Michael Osborne on the Mother's Day buffet at the Smyrna Event Center. She spoke at the Senior Citizens Center and presented a proclamation at StoneCrest for Nurse's Week this past week. She read a list of events planned for the summer in the Town of Smyrna.

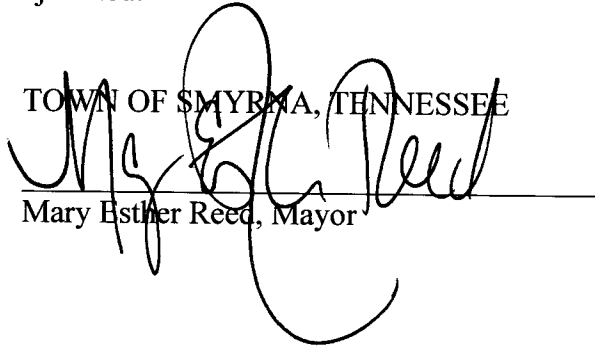
Council Member Rick Wise also noted a movie theatre will open downtown.

Mayor Mary Esther Reed congratulated all the graduates and their families.

Council Member H. G. Cole acknowledged Charles "Big Daddy" Deal's "100<sup>th</sup> Birthday".

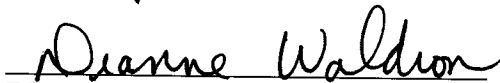
Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

A large, stylized handwritten signature in black ink, appearing to read "Mary Esther Reed". The signature is written over a horizontal line.

Mary Esther Reed, Mayor

ATTEST:

  
DIANNE WALDRON, Town Clerk