

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON AUGUST 9, 2016**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on August 9, 2016 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Golf Course Director Hal Loflin. The pledge of allegiance was led by Parks and Recreation Director Mike Moss.

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 July 12 and July 28, 2016 meetings.**

The Town Council first considered a motion by Council Member Rick Wise to approve the minutes of the July 12, 2016 regular session of the Town Council and the July 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 gave an update on the "Love Where You Live" campaign to cleanup Smyrna.

**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 EZ GO relative to golf cart purchase.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Motorola relative to Police Department radio maintenance for budget year 2016-2017.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Motorola relative to Police Department radio maintenance for 1/1/16 through 6/30/16.
- d. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with the O'Donnell's relative to 2016 Depot District BBQ Fest.
- e. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with the O'Donnell's relative to the Smyrna Parks and Recreation Cruise-In.
- f. Approval of the terms of, and authorization for the Mayor to execute, a lease agreement with the Rutherford County Board of Education relative to practice field area located behind Smyrna Elementary School.
- g. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Carpe Artista relative to the September 9<sup>th</sup> Summer Concert Series.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Betty Brinn Children's Museum relative to exhibit rental for the Outdoor Adventure Center.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Middle Tennessee State University relative to Leadership Training Academy.
- j. Approval of the terms of, and authorization for the Mayor to execute, an extension agreement with Josh LaFevre Construction relative to stormwater construction.
- k. Approval of the terms of, and authorization for the Mayor to execute, a contract with Bush Construction relative to construction additions for the Town of Smyrna Gas Department.

- l. Approval of the terms of, and authorization for the Mayor to execute, a contract with Calgon Carbon Corporation relative to Powder Activated Carbon for Water Treatment Plant.
- m. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sessions Paving relative to roadway patching.
- n. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pope Striping relative to street marking and striping.

Town Attorney Jeff Peach noted that an indemnity clause was added to Item "h". 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 a resolution relative to a Plan of Services for property located on Tax Map 51, part of Parcels 8.09 and 10.04.

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 motion by Vice-Mayor Marc Adkins to defer this item per applicant request. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 51, part of Parcels 8.09 and 10.04, containing approximately 13.86 acres, (requested by CB Developments, LLC). Property is located north of 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 a motion by Vice-Mayor Marc Adkins to defer this item per applicant request. The motion was duly seconded by Council Member Rick Wise. Following discussion, the motion was approved unanimously.

- c. Consideration of a resolution in memorandum of Ordinance #16-14 relative to the annexation and PRD zoning of property located on Tax Map 51, part of Parcels 8.09 and 10.04, containing approximately 13.86 acres.

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 motion by Council Member Paul Johns to defer this item per applicant request. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

- d. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00.

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 54, Parcel 49.00 and Tax Map 55, Parcel 30.00. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services. Following discussion, Council Member Tim Morrell made a motion to approve the resolution. The motion was duly seconded by Council Member Paul Johns. Following further discussion, the motion was approved 6-0-1, with Vice-Mayor Marc Adkins abstaining. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "2". (Resolution #16-15).

- e. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00, containing approximately 91.5 acres, (requested by NVR, Inc.). Property is located along Morton Lane. 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 PRD zoning of property located on Tax Map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00, containing approximately 91.5 acres, (requested by NVR, Inc.). Property is located along Morton Lane. 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 6-0-1, with Vice-Mayor Rick Wise abstaining. 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 #16-15).

- f. Consideration of a resolution in memorandum of Ordinance #16-15 relative to the annexation and PRD zoning of property located on Tax Map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00, containing approximately 91.5 acres.

The Town Council next considered a resolution in memorandum of Ordinance #16-15 relative to the annexation and PRD zoning of property located on Tax Map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00, containing approximately 91.5 acres. Following discussion, Council Member Rick Wise made a motion to adopt said resolution. The motion was duly seconded by Council Member Paul Johns. Following further discussion, the motion was approved 6-0-1, with Vice-Mayor Marc Adkins abstaining. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4". (Resolution #16-16).

- g. **PUBLIC HEARING:** Consideration of an ordinance to amend the Town of Smyrna Sign Ordinance relative to Chapter 2, "Definitions" and Chapter 3, Section E, "Signs Prohibited in All Districts". 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 the Town of Smyrna Sign Ordinance relative to Chapter 2, "Definitions" and Chapter 3, Section E, "Signs Prohibited in All Districts". The recommendation of the Planning Commission was that the Town Council approve the amendments. 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 "5". (Ordinance #16-17).

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. **Approval of the terms of, and authorization for the Mayor to execute, Change Order 1, Change Order 2, Change Order 3, and Change Order 4 relative to the Florence Road Widening Project.**

The Town Council next considered a motion by Council Member Rick Wise to approve the terms of and authorize the Mayor to execute, Change Order 1, Change Order 2, Change Order 3, and Change Order 4 relative to the Florence Road Widening Project. The motion was duly seconded by Council Member Paul Johns. Following discussion, the motion was approved unanimously. Copies of said documents are attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6".

d. **Appointment of one (1) member to the Beer Board to serve unexpired term ending 2019.**

The Town Council next considered a motion by Council Member Rick Wise to appoint Matt Fry to the Beer Board to serve an expired term ending 2019. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

**e. Approval of the terms of, and authorization for the Mayor to execute, PILOT agreements for properties of the Smyrna Housing Authority.**

Town Attorney Jeff Peach requested that this item be deferred for one month. Following discussion, Council Member Tim Morrell made a motion to defer this item. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved unanimously.

**f. Other.**

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 announced the Summer Concert Series on August 12<sup>th</sup> at the Event Center and the Depot District BBQ Festival on August 20<sup>th</sup> at the Smyrna Train Depot. He stated he had received an invitation to speak to the Rutherford County School Resource Officers.

Council Member Tim Morrell kicked off the Alert CDC Family Fun Fest. He asked Town Planner Kevin Rigsby to give a report on the billboard on Sam Ridley Parkway.

Council Member Lori North commented on the Citizen's Night Out and the Police Department's new Police to Citizen (P2C) website.

Council Member Rick Wise presented Mayor Mary Esther Reed a replica of a Blue Angel plane from Pensacola.

Mayor Mary Esther Reed gave an update on the Jeff Kuss memorial.

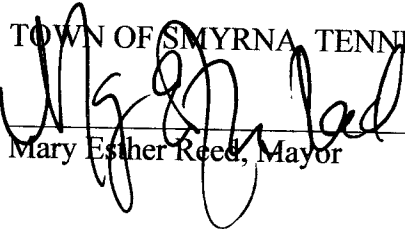
Vice-Mayor Marc Adkins commented on the Justice Center open house. He announced that TJ Maxx, Five Below, and Hobby Lobby are coming to Smyrna. He also announced the Senior Citizen's Spaghetti Dinner is August 26<sup>th</sup>. He thanked all the citizens that serve on boards and committees.

Mayor Mary Esther Reed thanked those council members for representing the Town at various events. She offered condolences to the family of Earline Floyd.

Mayor Mary Esther Reed recessed the meeting for five minutes.

Following the recess, the Town Council next considered the Town Attorney's evaluation. Following discussion, Council Member Tim Morrell made a motion to increase Town Attorney Jeff Peach's base pay by 1.75% and give him a 2.25% bonus. The motion was duly seconded by Council Member Rick Wise. Following further discussion, the motion was approved unanimously.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE  
  
\_\_\_\_\_  
Mary Esther Reed, Mayor

ATTEST:

  
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DIANNE WALDRON, Town Clerk