

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON APRIL 11, 2017**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on April 11, 2017 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 Dianne Waldron, Town Clerk.

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
Tim Morrell
Lori North
Racquel Peebles
Steve Sullivan

1. Approval or Correction of Minutes of the March 14 and March 30, 2017 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the March 14, 2017 regular session of the Town Council and the March 30, 2017 regular work session of the Town Council. The motion was duly seconded by Council Member Steve Sullivan. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

Mayor Mary Esther Reed read a thank you note from the family of the late Murfreesboro Councilman Doug Young.

3. Awards and Recognitions.

Mayor Mary Esther Reed presented a proclamation for "Senior Citizen Day" to Fran Dunne of the Smyrna Senior Citizens Center. Fran gave a report on various activities at the center and the \$100,000 grant for center renovations. She also thanked the Town for the new parking lot.

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 Pyro Shows relative to 2017 Independence Day Fireworks Show.
- b. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with CMS Uniforms relative to Fire Department uniforms.
- c. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Cummins Crosspoint relative to Fire Department generator maintenance.
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Pye Barker relative to fire extinguisher services.
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Neely Coble Company relative to 2018 pumper tanker for Fire Department.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with GOLFNOW relative to online tee time reservation for Golf Course.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Yeary, Howell and Associates relative to audit services for fiscal year ending June 30, 2017.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Sciencenter relative to exhibit rental.
- i. Approval of the terms of, and authorization for the Mayor to execute, a professional services agreement with PennAvenue Strategies relative to fundraising consultation and marketing services for community project.
- j. Approval of the terms of, and authorization for the Mayor to execute, a professional services agreement with All Coast Aircraft Recovery, Inc.

Council Member Lori North asked that Item "6i" be taken off the Consent Agenda.

Following discussion, Council Member Steve Sullivan 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 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".

Following further discussion, Council Member Tim Morrell made a motion to approve Item "6i". The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved 6-1, with Council Member Lori North voting "no". 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 33, Parcel 86.00, containing approximately 6.8 acres, (requested by Sharilla, LLC), from R-1 to R-3. Property is located on Gambill 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 an ordinance relative to the rezoning of property located on Tax Map 33, Parcel 86.00, containing approximately 6.8 acres, (requested by Sharilla, LLC), from R-1 to R-3. Property is located on Gambill 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 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 #17-06).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 27, Parcel 9.00, containing approximately .68 acre, (requested by Tim Raybon), from C-2 to R-4. Property is located at the corner of Pinto Drive and 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 27, Parcel 9.00, containing approximately .68 acre, (requested by Tim Raybon), from C-2 to R-4. Property is located at the corner of Pinto Drive and Joyner 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 Steve Sullivan. Following further discussion, the motion was approved 6-0-1, with Council Member Lori North 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 "4". (Ordinance #17-07).

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to the amendment of previously approved PRD for properties located on Tax Map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00, containing approximately 91.5 acres, (requested by Land Solutions Company, LLC). Properties are located along Morton Lane directly adjacent to the proposed Amberton Development and Cedarstone Community Park. 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 previously approved PRD for properties located on Tax Map 54, Parcel 49.00 and Tax Map 55, Parcel 30.00, containing approximately 91.5 acres, (requested by Land Solutions Company, LLC). Properties are located along Morton Lane directly adjacent to the proposed Amberton Development and Cedarstone Community Park. 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 Steve Sullivan. Following further discussion, the motion was approved 6-0-1, with Vice-Mayor Marc Adkins 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 "5". (Resolution #17-08).

- d. **PUBLIC HEARING:** Consideration of an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article IV, Section 4.190 relative to required parking for vehicular sales use. 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 text of the Smyrna Municipal Zoning Ordinance to amend Article IV, Section 4.190 relative to required parking for vehicular sales use. The recommendation of the Planning Commission was that the Town Council approve the amendment. Following discussion, Council Member Steve Sullivan 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 "6". (Ordinance #17-09).

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the amendment of the previously approved PRD for property located on Tax Map 50, Parcel 7.03, containing approximately 12.89 acres, (requested by Bob Parks). Property is located along Seven Oaks Boulevard. First Reading.

The Town Council next considered on first reading an ordinance relative to the previously approved PRD for property located on Tax Map 50, Parcel 7.03, containing approximately 12.89 acres, (requested by Bob Parks). Property is located along Seven Oaks 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 H. G. Cole. 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 "7". (Ordinance #17-11).

- ii. Consideration of an ordinance relative to the amendment of the text of the Smyrna Municipal Zoning Ordinance to amend Article II, "Definitions", Section 2.020 "Definitions", and Article III, "General Provisions", Section 3.110 "Buffer strip", regarding buffer strips. 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, "Definitions", Section 2.020 "Definitions", and Article III, "General Provisions", Section 3.110 "Buffer strip", regarding buffer strips. 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 Racquel Peebles. 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 "8". (Ordinance #17-12).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 49, Parcel 103.00, containing approximately 31.4 acres, (requested by John Floyd), from R-1 to PRD. Property is located on Chicken Pike and Old Nashville Highway. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 49, Parcel 103.00, containing approximately 31.4 acres, (requested by John Floyd), from R-1 to PRD. Property is located on Chicken Pike and Old Nashville Highway. 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 with a traffic study being done. 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 "9". (Ordinance #17-13).

b. Packaged Liquor Board Report:

- i. Consideration of an application for a Certificate of Compliance for a packaged liquor store from Shirley Hasan (Smyrna Divine Wine & Spirits) located at 292 Sam Ridley Parkway East.

The Town Council next considered a motion by Council Member Steve Sullivan to approve the application for a Certificate of Compliance for a packaged liquor store from Shirley Hasan (Smyrna Divine Wine & Spirits) located at 292 Sam Ridley Parkway East. The motion was duly seconded by Council Member Racquel Peebles. The recommendation of the Package Liquor Board was that the Town Council approve the application. Following discussion, the motion was approved unanimously. A copy of said application is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "10".

- c. **Consideration of an ordinance relative to the amendment of the Town of Smyrna Municipal Code, Title 12 “Building, Utility, Etc. Codes”, Chapter 6 “International Residential Code”, Section 602(N) “Modifications. Townhouse automatic fire sprinkler systems”. First Reading.**

The Town Council next considered on first reading an ordinance relative to the amendment of the Town of Smyrna Municipal Code, Title 12 “Building, Utility, Etc. Codes”, Chapter 6 “International Residential Code”, Section 602(N) “Modifications. Townhouse automatic fire sprinkler systems”. Following discussion, Council Member H. G. Cole 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 “11”. (Ordinance #17-14).

- d. **Consideration of a resolution to request refunds on unclaimed property held by the State of Tennessee.**

The Town Council next considered a resolution to request refunds on unclaimed property held by the State of Tennessee. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Steve Sullivan. 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 “12”. (Resolution #17-05).

- e. **Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 8 “Alcoholic Beverages”, Chapter 3 “Retail Sales of Alcoholic Beverages”, Section 317(4) “Building, signage, and design review provisions”. First Reading.**

The Town Council next considered on first reading an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 8 “Alcoholic Beverages”, Chapter 3 “Retail Sales of Alcoholic Beverages”, Section 317(4) “Building, signage, and design review provisions”. 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 approved and adopted on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “13”. (Ordinance #17-15).

- f. **Appointment of one (1) member to the Arts Commission to serve a one (1) year term ending 2018.**

The Town Council next considered a nomination by Vice-Mayor Marc Adkins to appoint Debbie Michaelson to the Arts Commission to serve a one (1) year term ending

2018. With no further nominations, Mayor Mary Esther Reed called for the nominations to cease. Following discussion, the appointment was approved unanimously.

- g. Appointment of one (1) member to the Smyrna Charity Assistance Board to serve a one (1) year term ending 2018.**

Mayor Mary Esther Reed next appointed Eric Mowers to the Smyrna Charity Assistance Board to serve a one (1) year term ending 2018. Following discussion, the appointment was approved unanimously.

- h. Appointment of two (2) members to serve three (3) year terms ending 2020 and three (3) members to serve one (1) year terms ending 2018 on the Board of Adjustments and Appeals.**

This item was deferred to the May Town Council meeting.

- i. Other.**

- i. Consideration of a resolution authorizing the acquisition of property, specifically a utility easement, by negotiation or condemnation for the purpose of installing a sewer line at Westfork Park.**

The Town Council next considered a resolution authorizing the acquisition of property, specifically a utility easement, by negotiation or condemnation for the purpose of installing a sewer line at Westfork Park. 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 "14". (Resolution #17-06).

Mayor Mary Esther Reed asked Parks Director Mike Moss to give an update on the Westfork Park.

- ii. Consideration of date change for May Town Council meeting.**

The Town Council next considered a motion by Vice-Mayor Marc Adkins to move the May meeting from May 9th to May 16th. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

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

7. Status Reports.

Town Manager Harry Gill commented on the recent Budget Retreat.

8. Announcements.

Council Member Racquel Peebles complimented Fire Chief Bill Culbertson and the Smyrna Fire Department and also the Smyrna Police Department on the recent Easter egg hunt. She announced that the Sam Davis Home will be hosting an egg hunt on Saturday.

Council Member Steve Sullivan commented on the upcoming building fundraiser for Motlow College.

Council Member Lori North announced that the Smyrna/LaVergne Food Bank changed their name to Nourish Food Bank.

Vice-Mayor asked Ron Alley of Carpe Artista to speak about the upcoming Pollen Fest on April 22nd.

Council Member Steve Sullivan announced that Town offices will be closed on Good Friday.

Town Manager Harry Gill announced that the Town will be partnering with Stonecrest to host "Kid's Safety Day" on May 20th at the Smyrna Event Center.

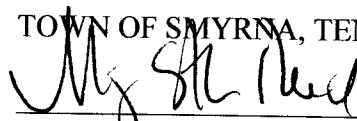
Mayor Mary Esther Reed thanked Town Manager Harry Gill and all department heads for their work on the budget retreat. She reminded the public of the Easter buffet at the Smyrna Event Center on April 16th.

The Mayor and Council Members wished everyone a "Happy Easter".

Council Member H.G.Cole wished his brother a "Happy Birthday".


Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



Mary Esther Reed, Mayor

ATTEST:


DIANNE WALDRON, Town Clerk