

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON JUNE 13, 2017**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on June 13, 2017 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 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  
Tim Morrell  
Lori North  
Racquel Peebles  
Steve Sullivan

**1. Approval or Correction of Minutes of the May 16 and May 30, 2017 meetings.**

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the May 16, 2017 regular session of the Town Council, the May 30, 2017 special called session of the Town Council, and the May 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.**

Town Manager Harry Gill reported that the remains of Vietnam War Veteran U.S. Air Force Technical Sergeant William O’Kieff are being sent to Murfreesboro for burial. He then introduced Hannah Rowland, an intern in the Utility Department.

**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 renewal contract with Jones Bros. Contractors, LLC relative to annual paving.
- b. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Marking Impressions dba Pope Striping relative to annual street marking and striping.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sweeping Corporation of America, Inc. relative to annual street sweeping.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Rollins Excavating relative to annual concrete work.
- e. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with the Tennessee Department of Transportation relative to right-of-ways maintenance.
- f. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Robbie Hoffman relative to August Summer Music series.
- g. Approval of the terms of, and authorization for the Mayor to execute, renewal contracts with Best Litter Receptacles and Mid-South Recreation relative to park equipment.
- h. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with 2<sup>nd</sup> & Vine (Steve Holeman) relative to the 2017 Independence Day Celebration.
- i. Approval of the terms of, and authorization for the Mayor to execute, contracts with HD Supply, National Meter Automation, Southern Pipe, Hayes Pipe, G & C Supply, and Fortiline for water and sewer materials; and Kerotest, Equipment Controls, Advance Engineering, G & C Supply, EYSC/Elster American Meter, EYSC/Honeywell, CGS, Tri-State Meter, Stuart Steel, Experitec and National Meter Automation for gas materials.

Following discussion, Vice-Mayor Marc Adkins 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 Steve Sullivan. 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.**

Town Manager Harry Gill asked that Items j and k be moved to the head of "Old Business".

- a. **PUBLIC HEARING:** Consideration of an ordinance adopting the budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018. 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 adopting the budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018. 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 Racquel Peebles. 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 #17-23).

- b. **PUBLIC HEARING:** Consideration of an ordinance establishing the property tax levy for the fiscal year beginning July 1, 2017 and ending June 30, 2018. 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 establishing the property tax levy for the fiscal year beginning July 1, 2017 and ending June 30, 2018. 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-Chairman 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 "3". (Ordinance #17-24).

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to the amendment of the previously approved PRD for 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 74.3 acres, (requested by Tim McClure). Properties are located along Baker Road and One Mile Lane and are directly adjacent to Interstate 24. 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: Steve Steele.

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 amendment of the previously approved PRD for 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 74.3 acres, (requested by Tim McClure). Properties are located along Baker Road and One Mile 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 as amended. The motion was duly seconded by Council Member Steve Sullivan. 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 #17-16).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 33, Parcel 1.01, containing approximately 26.87 acres, (requested by John Elliott), from C-2 and R-1 to PUD. Property is located on Rock Springs 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: Lisa Reeder, Charlotte O'Neal, Barbara Handler, Ken Cowan, Mona Slaughter, Jennifer Pollard, Jerry Bauner, Patrick Beaucene, Kristy Shivers, Jim Handler, Tim Hendley, Tom Huebel, Paula Key, Blandon Batey, and John Elliott.

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 1.01, containing approximately 26.87 acres, (requested by John Elliott), from C-2 and R-1 to PUD. Property is located on Rock Springs Road. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion,

Council Member H. G. Cole made a motion to approve and adopt said ordinance on second and final reading requiring a traffic light be installed at Stonecrest & Rock Springs Road to be paid by developer within 30 days of certificate of occupancy and that the assisted living facility be built first. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved 6-1 with Council Member Lori North voting "no". 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 #17-17).

- e. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 33, part of Parcel 33.00, containing approximately 8.9 acres, (requested by William L. Roper), from R-1 to C-2. Property is located on Todd Lane and Delacy 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 rezoning of property located on Tax Map 33, part of Parcel 33.00, containing approximately 8.9 acres, (requested by William L. Roper), from R-1 to C-2. Property is located on Todd Lane and Delacy 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 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 #17-18).

- f. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 9.00, containing approximately .36 acre, (requested by Charles H. Gunn and Francisco Javier Reyes), from C-2 to R-3. Property is located at 302 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 9.00, containing approximately .36 acre, (requested by Charles H. Gunn and Francisco Javier Reyes), from C-2 to R-3. Property is located at 302 Eastland Drive. The recommendation of the Planning Commission was that the Town Council approve the request. 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 "7". (Ordinance #17-19).

- g. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for properties located on Tax Map 54, Parcels 15.01, 15.03, 15.04, 15.05, 15.06, 15.11, 15.12 and 15.22.

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 relative to a Plan of Services for properties located on Tax Map 54, Parcels 15.01, 15.03, 15.04, 15.05, 15.06, 15.11, 15.12 and 15.22. 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 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 "8". (Resolution #17-10).

- h. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and R-3 zoning of properties located on Tax Map 54, Parcels 15.01, 15.03, 15.04, 15.05, 15.06, 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. 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 properties located on Tax Map 54, Parcels 15.01, 15.03, 15.04, 15.05, 15.06, 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 Tim Morrell made a motion to approve and adopt said ordinance on second and final 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 adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9". (Ordinance #17-20).

- i. Consideration of a resolution in memorandum of Ordinance #17-20 relative to the annexation and R-3 zoning of properties located on Tax Map 54, Parcels 15.01, 15.03, 15.04, 15.05, 15.06, 15.11, 15.12 and 15.22.

The Town Council next considered a resolution in memorandum of Ordinance #17-20 relative to the annexation and R-3 zoning of properties located on Tax Map 54, Parcels 15.01, 15.03, 15.04, 15.05, 15.06, 15.11, 15.12 and 15.22. Following discussion, Vice-Mayor Marc Adkins mad 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 "10". (Resolution #17-11).

- j. **PUBLIC HEARING:** Consideration of an ordinance relative to the Town of Smyrna Municipal Code, Title 12 "Building, Utility, Etc. Codes", Chapter 11 "Electric Code" regarding adopting the 2014 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. 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 Town of Smyrna Municipal Code, Title 12 "Building, Utility, Etc. Codes", Chapter 11 "Electric Code" regarding adopting the 2014 National Electric Code. 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 H. G. Cole. 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 "11". (Ordinance #17-21).

- k. **PUBLIC HEARING:** Consideration of an ordinance to amend the Town of Smyrna Municipal Code relative to Title 5 “Municipal Finance and Taxation”, Title 18 “Water and Sewers”, and Title 19 “Electricity and Gas” regarding collection of various development fees upon issuance of the building permit. 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 Municipal Code relative to Title 5 “Municipal Finance and Taxation”, Title 18 “Water and Sewers”, and Title 19 “Electricity and Gas” regarding collection of various development fees upon issuance of the building permit. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance on second and final reading with an effective date of August 1, 2017. 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 “12”. (Ordinance #17-22).

6. **New Business:**

a. **Planning Commission Report:**

- i. Consideration of an ordinance relative to the rezoning of property located on Tax Map 34, Parcel 5.00, containing approximately 15.42 acres, (requested by Jeff Parnell), from C-2 to PRD. Property is located on 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 34, Parcel 5.00, containing approximately 15.42 acres, (requested by Jeff Parnell), from C-2 and PRD. Property is located on South Lowry Street. 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 Vice-Mayor Marc Adkins. 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 #17-25).



- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 33, Parcel 41.00, containing approximately 2 acres, (requested by Daniel Perez), from R-4 to R-6. Property is located at 2090 Rocky Fork Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 33, Parcel 41.00, containing approximately 2 acres, (requested by Daniel Perez), from R-4 to R-6. Property is located at 2090 Rocky Fork Road. The recommendation of the Planning Commission was that the Town Council deny the request. Following discussion, Council Member Steve Sullivan made a motion to deny and reject 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 denied and rejected on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "14". (Ordinance #17-26).

**b. Packaged Liquor Board Report:**

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

**c. Consideration of a resolution to amend and restate the Town of Smyrna Classification Compensation Plan.**

The Town Council next considered a resolution to amend and restate the Town of Smyrna Classification Compensation Plan. Following discussion, Council Member Tim Morrell 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 "15". (Resolution #17-12).

**d. Appointment of one (1) member to the Smyrna Charity Assistance Board to serve unexpired term ending 2018.**

Mayor Mary Esther Reed next opened the floor for nominations to the Smyrna Charity Assistance Board. Council Member H. G. Cole nominated Gary Smith. With no further nominations, Mayor Mary Esther Reed called for the nominations to cease. Gary Smith was appointed to the Smyrna Charity Assistance Board to serve an unexpired term ending 2018.

**e. Consideration and approval of revised Drought Management Plan. First Reading.**

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the revised Drought Management Plan on first reading. The motion was duly seconded by Council Member Steve Sullivan. 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 "16".

**f. Consideration of an ordinance to amend the Town of Smyrna Municipal Code, Title 2 "Boards and Commissions, Etc.", Chapter 5 "Sister City Committee", Section 502(2) "Composition". First Reading.**

The Town Council next considered on first reading an ordinance to amend the Town of Smyrna Municipal Code, Title 2 "Boards and Commissions, Etc.", Chapter 5 "Sister City Committee", Section 502(2) "Composition". 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 "17". (Ordinance #17-27).

**g. Other.**

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 Racquel Peebles commented on the Police and Fire Academy.

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

Mayor Mary Esther Reed stated Saturday, June 17<sup>th</sup>, will be the 10<sup>th</sup> Annual Boat Day. She expressed appreciation to Greg Upham for coordinating this event each year.

Council Member H. G. Cole reminded everyone that Sunday is Father's Day.

Mayor Mary Esther Reed reported that Smyrna Farmers Market is each Saturday morning at the Depot from 8:00 a.m. to 12:00 p.m. through September 17<sup>th</sup>.

Council Member Racquel Peebles stated that over 500 people attended the Art Crawl last Friday night.

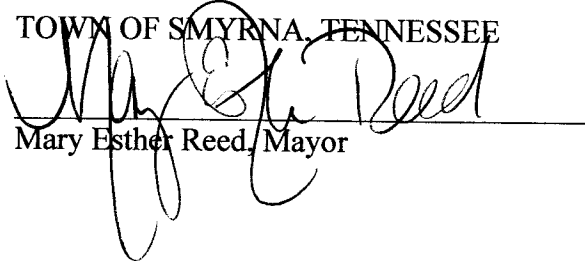
Mayor Mary Esther Reed wished Council Member H. G. a belated "Happy Birthday".

Council Member Steve Sullivan wished his son a "Happy Birthday".

Mayor Mary Esther Reed also wished her sister a "Happy Birthday". She also reported that the Capt. Jeff Kuss memorial fund has totaled over \$760,000 in contributions and pledges.

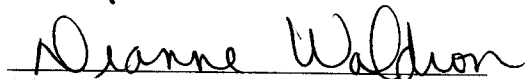
Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



Mary Esther Reed, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk