

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON SEPTEMBER 12, 2017**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on September 12, 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 Jimmy Carver, Smyrna Police Department. The pledge of allegiance was led by Connor Williams, David Youree Elementary School.

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 August 8, August 31, and September 8, 2017 meetings.**

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the August 8, 2017 regular session of the Town Council, the August 31, 2017 regular work session of the Town Council, and the September 8, 2017 special called 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 informed the Town Council that a safety plan is being developed for departments. Wellness Coordinator Annie Rinks has declared this month as "Stress Free September". He also commented on right-of-way acquisitions for the Enon Springs/Rocky Fork Road Project and funding for the Sam Ridley Project.

Mayor Mary Esther Reed read a thank-you note from Mrs. Rader for the peace lily the Town of Smyrna sent to Chaplain Leonard Rader's funeral.

**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 Morton Salt relative to annual road salt purchase.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with HDR relative to additional services related to the Weakley/Swan Project.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Barge Waggoner Sumner & Cannon, Inc. relative to engineering and environmental services.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Kline Swinney Associates relative to roof evaluation for the Criminal Justice Center.
- e. Approval of the terms of, and authorization for the Mayor to execute, a professional services agreement with Nashville Civil, LLC relative to peer review of a grading permit for lot 53 in the Oaks Subdivision.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with ArchiveSocial relative to social media archive services.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with SiteImprove relative to ADA compliance and quality control for Town of Smyrna website.
- h. Approval of the terms of, and authorization for the Mayor to execute, a lease agreement with Smith Turf & Irrigation relative to Golf Course maintenance equipment.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Dempsey Dilling & Associates relative to update of plans to Cedar Stone Community Park.

- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with Premier Fence relative to Rotary Soccer Park Annex fence installation.
- k. Approval of the terms of, and authorization for the Mayor to execute, a contract with Hellas Construction relative to resurfacing multiple courts at Lee Victory Recreation Park and Hilltop-Rosenwald Park.
- l. Consideration of the declaration of surplus items.
- m. Approval of the terms of, and authorization for the Mayor to execute, an agreement with the Regional Transportation Authority relative to regional bus service.
- n. Approval of the terms of, and authorization for the Mayor to execute, a contract with GNRC to receive the Arts Build Communities grant money.
- o. Approval of the terms of, and authorization for the Mayor to execute, a contract with Yellow Pages (YP) relative to annual free listings.

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.**

- a. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 32, part of Parcel 9.00, containing approximately 5.77 acres, (requested by Greg Gamble), from R-1 to PRD. Property is located on Blair 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 individual spoke concerning the item: Matt Taylor.

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 32, part of Parcel 9.00, containing approximately 5.77 acres, (requested by Greg Gamble), from R-1 to PRD. Property is located on Blair Road. 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 with staff recommendations and review of Planning Commission. 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 "2". (Ordinance #17-35).

- b. **PUBLIC HEARING:** Consideration of an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article IV, Section 4.020 F relative to temporary sales of food or retail merchandise. 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 reading an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article IV, Section 4.020 F relative to temporary sales of food or retail merchandise. The recommendation of the Planning Commission was that the Town Council approve the amendment. 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 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 #17-36).

- c. **PUBLIC HEARING:** Consideration of an ordinance to amend the Town of Smyrna Municipal Code, Title 5 "Municipal Finance and Taxation", Chapter 5 "Impact Fees". 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, Title 5 "Municipal Finance and Taxation", Chapter 5 "Impact Fees". Following discussion, Council Member H. G. Cole 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 "4". (Ordinance #17-37).

- d. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 17-23 adopting the Fiscal Year Budget relative to impact fees. 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 Ordinance No. 17-23 adopting the Fiscal Year Budget relative to impact fees. 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 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 "5". (Ordinance #17-38).

- e. **PUBLIC HEARING:** Consideration of an ordinance to amend Ordinance No. 17-23 adopting the Fiscal Year Budget relative to convenience fee for credit/debit cards. 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 to amend Ordinance No. 17-23 adopting the Fiscal Year Budget relative to convenience fee for credit/debit cards. 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 "6". (Ordinance #17-39).

- f. **PUBLIC HEARING:** Consideration of an ordinance to amend the Town of Smyrna Municipal Code, Title 7 “Fire Protection and Fireworks”, Chapter 4 “Fireworks”, Section 7-415 “Permissible dates and times of discharge”. 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 to amend the Town of Smyrna Municipal Code, Title 7 “Fire Protection and Fireworks”, Chapter 4 “Fireworks”, Section 7-415 “Permissible dates and times of discharge”. 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 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 “7”. (Ordinance #17-40).

6. **New Business:**

- a. **Planning Commission Report:**

- i. Consideration of an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article VII, Section 7.061.7 relative to Special Conditions for Special Personal and Group Care Facilities. First Reading.

The Town Council next considered on first reading an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article VII, Section 7.061.7 relative to Special Conditions for Special Personal and Group Care Facilities. The recommendation of the Planning Commission was that the Town Council deny the amendment. Following discussion, Council Member Tim Morrell made a motion to deny and reject 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 denied and rejected on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “10”. (Ordinance #17-41).

- ii. Consideration of an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article V, Section 5.052.2 and to add Section 5.052.7. First Reading.

The Town Council next considered on first reading an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article V, Section 5.052.2 and to add Section 5.052.7. 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 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 "11". (Ordinance #17- 42).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 1.00, containing approximately 1.45 acres, (requested by Robert Latimer), from PUD to C-2. 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 34G, Group A, Parcel 1.00, containing approximately 1.45 acres, (requested by Robert Latimer), from PUD to C-2. 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 Council Member Steve Sullivan. 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 #17- 43).

**b. Packaged Liquor Board Report:**

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

- c. **Consideration of an ordinance to amend Ordinance No. 16-11, adopting the 2016-2017 Fiscal Year Budget relative to General Fund and Capital Project Funds. First Reading.**

The Town Council next considered on first reading an ordinance to amend Ordinance No. 16-11, adopting the 2016-2017 Fiscal Year Budget relative to General Fund and Capital Project Funds. 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 Steve Sullivan. 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- 44).

**d. Consideration of a resolution to enter into a cooperative purchasing agreement with Clinch-Powell Educational Cooperative (CPEC).**

The Town Council next considered a resolution to enter into a cooperative purchasing agreement with Clinch-Powell Educational Cooperative (CPEC). 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 "14". (Resolution #17-19).

**e. Announcement of submission of Public Debt Notice to the Comptroller of the Treasury.**

Finance Director Rex Gaither announced the submission of Public Debt Notice to the Comptroller of the Treasury relative to the General Obligation Refunding Bond, Series 2017.

**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.**

Council Member Steve Sullivan gave updates on the Farmers Market, Movies in the Park, Depot Days, and Cruise-In.

Council Member Lori North reported the Wings of Freedom Fish Fry raised \$156,000 for charities. She offered condolences to the family of the late Gary Tenpenny.

Mayor Mary Esther Reed thanked all the Rotarians for a great fish fry.

Vice-Mayor Marc Adkins thanked Carolyn Peebles for the job she did for the fish fry. He wished Council Member Steve Sullivan, Council Member Lori North, and Mayor Mary Esther Reed a "Happy Birthday". He also wished his wife, Connie, a "Happy Anniversary".



Council Member Racquel Peebles thanked the Artist Cooperative for their support of the Art Crawl. She remembered the families of the hurricane. She also wished her daughter, Nora, a "Happy Birthday".

Council Member H. G. Cole encouraged citizens to shop local.

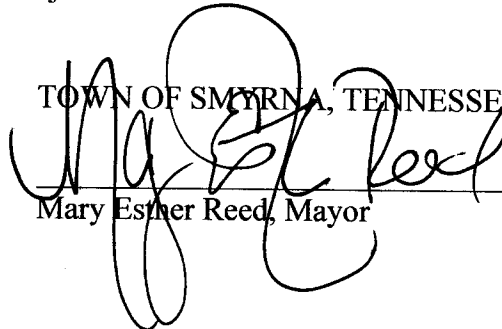
Council Member Tim Morrell stated that Rotary funds go to local charities.

Mayor Mary Esther Reed reported that the Farmer's Market ends September 16<sup>th</sup>. She encouraged the public to see the new exhibit at the SOAC named "Blood Suckers". The SOAC Fright Nights are October 13<sup>th</sup> and 14<sup>th</sup>. Halloween in the Park is October 28<sup>th</sup> at Sharp Springs Park. She stated that the Town does not designate a day for trick or treating. She gave the State of the Town address to the Senior Citizens and attended Stewart Creek High School's 9/11 Ceremony. She commented on the new Lowry Street bridge. She gave an update that the Jeff Kuss Memorial Fund has reached \$965,000. Bids will be opened October 3<sup>rd</sup> for the memorial with ground breaking the end of October.

Council Member Lori North announced the Lions Club will be having a golf tournament on September 13<sup>th</sup> at Cedar Crest Golf Course.

Council Member Steve Sullivan stated he would be absent at the next workshop.

Without objection, the meeting was adjourned.

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

ATTEST:

  
\_\_\_\_\_  
DIANNE WALDRON, Town Clerk