

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON OCTOBER 10, 2017**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on October 10, 2017 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Council Member Steve Sullivan. The pledge of allegiance was led by Chief Bill Culbertson, Smyrna Fire Department.

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
Racquel Peebles
Steve Sullivan

Council Member Lori North was not in attendance.

1. Approval or Correction of Minutes of the September 12, September 28, and October 4, 2017 meetings.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the September 12, 2017 regular session of the Town Council, the September 28, 2017 regular work session of the Town Council, and the October 4, 2017 special called work session of the Town Council. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

Town Manager Harry Gill reminded the citizens that Rutherford County is now collecting property taxes for the Town of Smyrna. The county tax and city tax are on the same notice.

Fran Dunne, Executive Director of the Smyrna Senior Citizens, addressed the Town Council. Representatives of the Senior Citizens presented the Mayor and Town Council with homemade cookies in appreciation of their support.

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 Motorola relative to annual maintenance for radio system.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with HDR relative to additional services for Enon Springs West Extension Project plan revisions.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Universal Linen/American Towel relative to Event Center linen services.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with MR Systems relative to telemetry maintenance for Water Treatment Plant and Wastewater Treatment Plant.
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pall Corporation relative to microfiltration maintenance support for Water Treatment Plant.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with Barge Waggoner Sumner & Cannon, Inc. relative to update of plans for the Nolan Drive Relocation Project.
- g. Consideration of the declaration of surplus items.

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 to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article V, Section 5.052.2 “C-2 General Commercial Highway District”, and Section 5.052.7 “C-5 Highway Service District”. 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 text of the Smyrna Municipal Zoning Ordinance to amend Article V, Section 5.052.2 “C-2 General Commercial Highway District”, and Section 5.052.7 “C-5 Highway Service District”. 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 “2”. (Ordinance #17- 42).

- b. **PUBLIC HEARING:** 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. 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 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 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 "3". (Ordinance #17- 43).

- c. **PUBLIC HEARING:** 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. 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 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 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 "4". (Ordinance #17-44).

6. **New Business:**

- a. **Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation of property located on Tax Map 55, Parcels 4.01, 5.01, and 5.02, containing approximately 1.86 acres, (requested by Jason Buell). Zoning would be C-4 for Parcels 4.01 and 5.02 and R-1 for Parcel 5.01. Properties are located between Seminary Road and Poplar Wood Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation of property located on Tax Map 55, Parcels 4.01, 5.01, and 5.02, containing approximately 1.86 acres, (requested by Jason Buell). Zoning would be C-4 for Parcels 4.01 and 5.02 and R-1 for Parcel 5.01. Properties are located between Seminary Road and Poplar Wood 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 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 "5". (Ordinance #17-45).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 18, Parcels 13.01 and 13.02 to add an H-2 Height Overlay, containing approximately 25.87 acres, (requested by Timothy Yok on behalf of Motlow State Community College). Property is located at 5002 Motlow College Boulevard. First Reading.

The Town Council next considered on first reading an ordinance ordinance relative to the rezoning of property located on Tax Map 18, Parcels 13.01 and 13.02 to add an H-2 Height Overlay, containing approximately 25.87 acres, (requested by Timothy Yok on behalf of Motlow State Community College). Property is located at 5002 Motlow College Boulevard. 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. 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 "6". (Ordinance #17- 46).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 27, Parcel 6.02, containing approximately 21.7 acres, (requested by Brian Thure on behalf of Taylor Farms), from C-2 to I-1. Property is located at 442 Nissan Drive. First Reading.

This item was withdrawn prior to the meeting.

- iv. Consideration of request for approval of a subdivision utilizing a septic system by Roy Gossett. Request is for a one lot subdivision on 2.88 acres located at 4250 Rock Springs Road in the R-1 zone.

The Town Council next considered a motion by Council Member Tim Morrell to approve the request for approval of a subdivision utilizing a septic system by Roy Gossett. Request is for a one lot subdivision on 2.88 acres located at 4250 Rock Springs Road in the R-1 zone. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved unanimously.

- v. Consideration of an ordinance to amend the text of the Smyrna Municipal Zoning Ordinance to amend Article V to add Section 5.057 adding the Lowry Street Overlay (LSO) District. 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 to add Section 5.057 adding the Lowry Street Overlay (LSO) District. 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 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 "7". (Ordinance #17-47).

Town Planner Kevin Rigsby announced that the Town of Smyrna's Corridor Overlay Plan won an award from the Tennessee Chapter of the American Planning Association for Outstanding Plan for Communities Less Than 50,000 Population.

b. Packaged Liquor Board Report:

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

c. Consideration of a resolution authorizing the Mayor to sign and forward a letter to the State of Tennessee Department of Transportation outlining the development of a Transition Plan for the Town of Smyrna based upon the Americans with Disabilities Act (ADA) Compliance and Self-Certification.

The Town Council next considered a resolution authorizing the Mayor to sign and forward a letter to the State of Tennessee Department of Transportation outlining the development of a Transition Plan for the Town of Smyrna based upon the Americans with Disabilities Act (ADA) Compliance and Self-Certification. 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 "8". (Resolution #17- 20).

d. Consideration of naming soccer fields at Rotary Soccer Park as the following: Field A in honor of H.G. Cole, Field B in honor of Nigel Clements, Field C in honor of Rich Wyckoff, and Field D in honor of Bill Jordan.

The Town Council next considered a motion by Council Member Tim Morrell to approve the naming of soccer fields at Rotary Soccer Park as the following: Field A in honor of H.G. Cole, Field B in honor of Nigel Clements, Field C in honor of Rich Wyckoff, and Field D in honor of Bill Jordan. The motion was duly seconded by Council Member Steve Sullivan. Following discussion, the motion was approved 5-0-1, with Council Member H. G. Cole abstaining from the vote.

- e. **Approval of amendment to the Employee Handbook to include Specialized Disaster Relief Services Leave Policy.**

The Town Council next considered a motion by Council Member Steve Sullivan to approve the amendment to the Employee Handbook to include Specialized Disaster Relief Services Leave Policy. The motion was duly seconded by Council Member Racquel Peebles. Following discussion, the motion was approved unanimously.

- f. **Consideration of an ordinance relative to the amendment of the Town of Smyrna Municipal Code, Title 13 “Property Maintenance Regulations”, Chapter 1 “Miscellaneous”, Section 13-103 “Weeds, bushes, shrubs, etc.”. First Reading.**

The Town Council next considered on first reading an ordinance relative to the amendment of the Town of Smyrna Municipal Code, Title 13 “Property Maintenance Regulations”, Chapter 1 “Miscellaneous”, Section 13-103 “Weeds, bushes, shrubs, etc.”. 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 “9”. (Ordinance #17-48).

- g. **Consideration of an ordinance relative to the amendment of the Town of Smyrna Municipal Code, Title 2 “Boards and Commissions”, Chapter 1 “Arts Commission”, Section 2-102 “Chairman /Membership”. First Reading.**

The Town Council next considered on first reading an ordinance relative to the amendment of the Town of Smyrna Municipal Code, Title 2 “Boards and Commissions”, Chapter 1 “Arts Commission”, Section 2-102 “Chairman/Membership”. 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 “10”. (Ordinance #17-49).

- h. **Appointment of one (1) member from the Planning Commission to serve on the Historic Zoning Commission.**

Mayor Mary Esther Reed next appointed Gerry Short from the Planning Commission to serve on the Historic Zoning Commission.

- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Romach, Inc. relative to the construction of the Captain Jeff Kuss USMC Memorial.**

The Town Council next considered a motion by Council Member Steve Sullivan to approve the terms of and authorize the Mayor to execute a contract with Romach, Inc. relative to the construction of the Captain Jef Kuss USMC Memorial. The motion was duly seconded by Council Member Tim Morrell. 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 "11".

- j. Consideration and approval of litigation settlement.**

The Town Council next considered a motion by Council Member Steve Sullivan to approve the litigation settlement of Mayhew vs. Town of Smyrna. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

- k. Other.**

Mayor Mary Esther Reed asked Department Heads to give the Town Council at least a 48 hour notice if an item is put under "Other" and to keep such items at a minimum.

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 Racquel Peebles commented on the Art Crawl, Car Show, and Depot Days. She announced the Senior Citizens will have a Health Info Expo on October 24th and a craft sale on November 3rd and 4th. She stated the Arts Commission will be participating in Nashville Creative Days on October 21st.

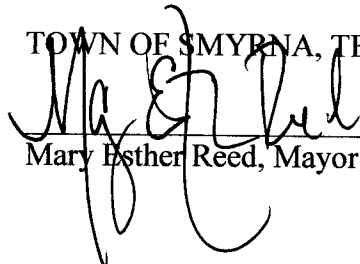
Council Member H. G. Cole, on behalf of SiMA, thanked the departments and citizens for their participation in Depot Days.

Vice-Mayor Marc Adkins thanked Ron Alley of Carpe Artista for his contribution to Depot Days. He congratulated Kevin Rigsby on the Town of Smyrna's Corridor Overlay Plan award. He reminded everyone that October is Breast Cancer Awareness month. He recognized Mayor Reed on being awarded the Maynard Pate Regional Leadership Award from the Greater Nashville Regional Council.

Mayor Mary Esther Reed announced the following events: SOAC Fright Night-October 13th and 14th, Smyrna Fire Department Open House – October 15th at Station 1, Halloween in the Park – October 28th, and Kuss Memorial groundbreaking – October 18th at 2:00 p.m. She read a letter from Nashville Mayor Megan Barry regarding the Comprehensive Transit Plan. She reported that *VIP Magazine* contains an article on Smyrna. She wished her father a “Happy Birthday”.

Vice-Mayor Marc Adkins also wished his daughter a “Happy Birthday”.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE


Mary Esther Reed, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk