

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON NOVEMBER 14, 2017**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on November 14, 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 Mike Strange, Director of Utilities.

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 October 10 and October 26, 2017 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the October 10, 2017 regular session of the Town Council, the October 26, 2017 special called meeting of the Town Council, and the October 26, 2017 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 stated that the Sewer Rehab Project RFQ for professional services will be advertised November 20th. He thanked Jill Strange for her work on the annual Christmas parade. Mayor Mary Esther Reed reminded citizens of the canned food drive.

3. Awards and Recognitions.

Mayor Mary Esther Reed read a letter from Dr. McPhee of MTSU thanking Chief Kevin Arnold and the Smyrna Police Department for their assistance during the recent rally in Murfreesboro.

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 the Tennessee Department of Safety relative to highway enforcement grant.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Allen, McGee and Associates relative to hotel/motel audit.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with James C. Hailey and Company relative to creation of hydraulic model for Utility Department.
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Fox Collection relative to debt collection for Utility Department.

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 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 55, Parcels 4.01, 5.01 and 5.02.

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: Shawn Whitley and John Conzalina.

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 55, Parcels 4.01, 5.01 and 5.02. 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 Vice-Mayor Marc Adkins. 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 "2". (Resolution #17- 21).

- b. **PUBLIC HEARING:** 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 Woods 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: Teresa Whitten.

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 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 Woods Road. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Council Member Steve Sullivan made a motion to deny 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 denied and rejected 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- 45).

- c. **PUBLIC HEARING:** Consideration of a resolution in memorandum of Ordinance #17-45 relative to the annexation and C-4 zoning for property located on Tax Map 55, Parcels 4.01 and 5.02 and R-1 for Parcel 5.01.

This item is irrelevant due to the denial of the annexation.

- d. **PUBLIC HEARING:** 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. 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 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, 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 "4". (Ordinance #17- 46).

- e. **PUBLIC HEARING:** 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. 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 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 amendment. 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 "5". (Ordinance #17-47).

- f. **PUBLIC HEARING:** 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". 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 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 Steve Sullivan 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 "6". (Ordinance #17- 48).

- g. PUBLIC HEARING:** 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". 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 amendment of the Town of Smyrna Municipal Code, Title 2 "Boards and Commissions", Chapter 1 "Arts Commission", Section 2-102 "Chairman/Membership". Following discussion, Council Member Racquel Peebles 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 "7". (Ordinance #17- 49).

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the annexation of property located on Tax Map 51, Parcel 33.01, containing approximately 59.4 acres, (requested by John Lewis). Zoning

would be PRD. Property is located west of Cooks Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation of property located on Tax Map 51, Parcel 33.01, containing approximately 59.4 acres, (requested by John Lewis). Zoning would be PRD. Property is located west of Cooks 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 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 "8". (Ordinance #17-50).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 51, Parcel 1.02, containing approximately 35.08 acres, (requested by John Lewis), from R-1 to PRD. Property is located on Cooks Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 51, Parcel 1.02, containing approximately 35.08 acres, (requested by John Lewis), from R-1 to PRD. Property is located on Cooks 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 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- 51).

- iii. Consideration of an ordinance relative to the annexation of properties located on Tax Map 51, part of Parcel 9.00, containing approximately 7.9 acres and Parcel 9.01, containing approximately 25.3 acres, (requested by RHB, LLC). Zoning would be PRD. Properties are located south of Lee Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 51, part of Parcel 9.00, containing approximately 7.9 acres and Parcel 9.01, containing approximately 25.3 acres, (requested by RHB, LLC). Zoning would be PRD. Properties are located south of Lee Road. The recommendation of the Planning Commission was that the Town Council approve the request with the condition that a traffic study for the project with particular emphasis on the impact of the project to Lee Road and Rocky Fork Road be provided. Following discussion, Council Member Steve Sullivan 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 "10". (Ordinance #17- 52).

- iv. Consideration of an ordinance relative to the rezoning of properties located on Tax Map 51, part of Parcel 9.00 and Parcel 28.00, containing approximately 180.7 acres, (requested by RHB, LLC), to amend the existing approved PRD. Properties are located on Rocky Fork Road. First Reading.

The Town Council next considered The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 51, part of Parcel 9.00 and Parcel 28.00, containing approximately 180.7 acres, (requested by RHB, LLC) to amend the existing approved PRD. Properties are located on Rocky Fork Road. The recommendation of the Planning Commission was that the Town Council approve the request with the condition that a traffic study for the project with particular emphasis on the impact of the project to Lee Road and Rocky Fork Road be provided. 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 "11". (Ordinance #17- 53).

- v. Consideration of an ordinance relative to the annexation of properties located on Tax Map 54, Parcels 50.00 and 50.01, containing approximately 13.1 acres, (requested by Shawn Collins). Zoning would be R-3. Properties are located east of Rocky Fork Almaville Road and adjacent to Morton Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation of properties located on Tax Map 54, Parcels 50.00 and 50.01, containing approximately 13.1 acres, (requested by Shawn Collins). Zoning would be R-3. Properties are located east of Rocky Fork Almaville Road and adjacent to Morton 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 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 "12". (Ordinance #17-54).

- vi. Consideration of an ordinance relative to the rezoning of properties located on Tax Map 54, Parcels 47.00 and 62.00, containing approximately 109.5 acres, (requested by Shawn Collins), from R-3 to PRD. Properties are located at 8319 and 8575 Rocky Fork Almaville Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of properties located on Tax Map 54, Parcels 47.00 and 62.00, containing approximately 109.5 acres, (requested by Shawn Collins) from R-3 to PRD. Properties are located at 8319 and 8575 Rocky Fork Almaville 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 first reading. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved 4-3, with Council Members Lori North and Racquel Peebles and Mayor Mary Esther Reed voting "no". 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 #17-55).

- vii. 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 PUD. Property is located at 442 Nissan Drive. First Reading.

The Town Council next considered on first reading 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 PUD. Property is located at 442 Nissan Drive. The recommendation of the Planning Commission was that the Town Council approve the request with the following recommendations: (1) provide a traffic study for the project with particular emphasis on the impact the project to the Weakley Lane/Sam Ridley Parkway intersection, (2) modification of the traffic signal at Sam Ridley Parkway/Jefferson Pike intersection to add a fourth signal head will require TDOT review and approval, and (3) no subdivision of the land is allowed for industrial uses, but it would be allowed for C-2 uses. Mayor Mary Esther Reed then suspended the rule to allow Brian Thure, President of Taylor Farms, address the Town Council. 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 "14". (Ordinance #17-56).

- viii. Consideration of a request for the abandonment of existing public right-of-way from several property owners along Hunters Lane.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the request for the abandonment of existing public right-of-way from several property owners along Hunters Lane. The motion was duly seconded by Council Member Steve Sullivan. Following discussion, the motion was approved unanimously.

b. Packaged Liquor Board Report:

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

c. Consideration of the purchase of a parcel of land located at 38 South Lowry Street from World Crest Management Company.

The Town Council next considered a motion by Council Member Tim Morrell to approve the purchase of a parcel of land located at 38 South Lowry Street from World Crest Management Company. The motion was duly seconded by Council Member H. G. Cole. Mayor Mary Esther Reed stated she would not be participating in discussion on this item. Following further discussion, the motion was approved 6-0-1 with Mayor Mary Esther Reed abstaining from the vote.

d. Consideration of a resolution authorizing the Mayor to sign proposal with the Tennessee Department of Transportation for State Project No. 75002-1289-04.

The Town Council next considered a resolution authorizing the Mayor to sign proposal with the Tennessee Department of Transportation for State Project No. 75002-1289-04. 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 "15". (Resolution #17- 22).

e. Approval of the terms of, and authorization for the Mayor to execute, a proposal for environmental evaluation services of Sam Ridley SR 266 from the I-24 ramps to Old Nashville Highway, including extension of Potomac Place.

The Town Council next considered a motion by Council Member Steve Sullivan to approve the terms of, and authorization for the Mayor to execute, a proposal for environmental evaluation services of Sam Ridley SR 266 from the I-24 ramps to Old Nashville Highway, including extension of Potomac Place. The motion was duly seconded by Vice-Mayor Marc Adkins. 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 a resolution to set dates and times for the 2018 Council Meetings and Work Sessions.

The Town Council next considered a resolution to set dates and times for the 2018 Council Meetings and Work Sessions. Following discussion, Council Member H. G. Cole made a motion to approve and adopt said resolution. The motion was duly seconded by Vice-Mayor Marc Adkins. 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 "17". (Resolution #17- 23).

g. Other.

- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with American Melody Carriages relative to Christmas celebration in Depot District.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the terms of and authorize the Mayor to execute a contract with American Melody Carriages relative to Christmas celebration in Depot District. 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 "18".

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 stated Public Works Director Tom Rose and Fire Chief Bill Culbertson were absent from the meeting due to medical issues.

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

Council Member Tim Morrell commented on the Veteran's Day Celebration and thanked the veterans for their service.

Council Member Steve Sullivan stated that our Sister City students will be going to Zama next year and there are still openings for any student interested.


Council Member Lori North wished everyone a "Happy Thanksgiving".

Vice-Mayor Marc Adkins stated he was thankful for the opportunity to speak at the Veteran's Day Celebration, for the other council members, and staff.

Mayor Mary Esther Reed announced the following events: Tree Lighting 11-21-17 at the Event Center, 43rd Annual Christmas Parade 12-3-17, Fire Department Food Drive for Nourish Food Bank 11-13 through 11-19-17, Family Campfire at Sharp Springs Park 11-18-17, and Small Business Saturday 11-25-17. Mayor Mary Esther Reed congratulated Chief Bill Culbertson for being awarded the ESGR (Employer Support of the Guard and Reserve) Award. She noted Franke Food Service held a ground breaking for an expansion. She also gave an update on the Jeff Kuss Memorial Project. Applications are being accepted for the 2017 Kenneth "Coon" Victory Lifetime Service Award and the youth award.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



~~Mary Esther Reed, Mayor~~
Marc Adkins, Vice Mayor

ATTEST:



DIANNE WALDRON, Town Clerk