

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON JANUARY 9, 2018**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on January 9, 2018 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Police Chief Kevin Arnold. The pledge of allegiance was led by Cub Scout Pack 1001.

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 December 14 and January 2, 2017 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the December 14, 2017 regular session of the Town Council and the January 2, 2018 work session of the Town Council. The motion was duly seconded by Vice-Chairman Marc Adkins. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

Town Manager Harry Gill gave updates on the following projects: Enon Springs Road Extension, Nolan Drive realignment, Cedar Stone Park baseball fields, Sam Ridley Parkway Improvements, Blue Angel Memorial, and upcoming budget.

3. Awards and Recognitions.

Jill Strange next presented the following Christmas parade winners with certificates and cash: Most Creative – Smyrna Ready Mix; Best Use of Theme – Cub Scouts Pack 1001; Best Christmas Spirit – First Presbyterian Church; and Mayor’s Cup –

Lancaster Christian Academy. She presented the “Food Drive Challenge Trophy” to Crye-Leike Realtors for collecting the most items for the Nourish Food Bank.

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, an Interlocal Cooperation and Mutual Aid Agreement between Smyrna Police Department and other law enforcement agencies within Rutherford County.
- b. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Radio Systems Corporation relative to Tennessee Dog Park Grant.
- c. Approval of the terms of, and authorization for the Mayor to execute, a Special Event Application to the U.S. Army Corps of Engineers relative to 2018 Boat Day-WaterFest.

Following discussion, Council Member Steve Sullivan 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 Lori North. 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 50, Parcel 10.00, containing approximately 16.97 acres, (requested by John Floyd), from R-1 to PRD. Property is located at 401 Almaville 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 reading an ordinance relative to the rezoning of property located on Tax Map 50, Parcel 10.00, containing approximately 16.97 acres, (requested by John Floyd), from R-1 to PRD. Property is located at 401 Almaville 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 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- 57).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 72.06 and part of Parcel 72.03, containing approximately 3.56 acres, (requested by Greg Gamble), from C-2 to PUD. Property is located on Isabella 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 reading an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 72.06 and part of Parcel 72.03, containing approximately 3.56 acres, (requested by Greg Gamble), from C-2 to PUD. Property is located on Isabella 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- 58).

- c. **PUBLIC HEARING:** Consideration of an ordinance amending Municipal Code Title 3 "Municipal Court", Chapter 1 "Town Court Administration", Section 3-101 "Establishment of Full-Time Town Court", Section 3-102 "Maintenance of Dockets", Section 3-108 "Imposition of Fines, Penalties and Costs", and Section 3-110 "Disposition and Report of Fines, Penalties and Costs". 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 amending Municipal Code Title 3 "Municipal Court", Chapter 1 "Town Court Administration", Section 3-101 "Establishment of Full-Time Town Court", Section 3-102 "Maintenance of

Dockets”, Section 3-108 “Imposition of Fines, Penalties and Costs”, and Section 3-110 “Disposition and Report of Fines, Penalties and Costs”. 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 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 “4”. (Ordinance #17-59).

- d. **Public Hearing:** Consideration of an ordinance amending Municipal Code Title 16 “Streets and Sidewalks, etc.”, Chapter 1 “Miscellaneous”, Section 16-110 “Parades, etc. regulated”. 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 amending Municipal Code Title 16 “Streets and Sidewalks, etc.”, Chapter 1 “Miscellaneous”, Section 16-110 “Parades, etc. regulated”. 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 “5”. (Ordinance #17- 60).

6. **New Business:**

- a. **Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation of property located on Tax Map 76, Parcel 10.00, containing approximately 19.1 acres, (requested by S Collins Properties LLC). Zoning would be R-3. Property is located west of Almaville Road and adjacent to parcels previously annexed and zoned PRD (Lynnwood). First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation of property located on Tax Map 76, Parcel 10.00, containing approximately 19.1 acres, (requested by S Collins Properties LLC). Zoning would be R-3. Property is located west of Almaville Road and adjacent to parcels previously annexed and zoned PRD (Lynnwood). 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 "6". (Ordinance #18-01).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 50, Parcel 12.02 containing approximately 9.1 acres, (requested by Dewayne Beard), from R-1 and PRD to C-2. Property is located on Lee Victory Parkway. The recommendation also includes the rezoning of property located on Tax Map 50, Parcel 13.06, containing approximately .24 acre, (owned by Parkway Baptist Church), from R-1 to C-2 as well. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 50, Parcel 12.02 containing approximately 9.1 acres, (requested by Dewayne Beard), from R-1 and PRD to C-2. Property is located on Lee Victory Parkway. The recommendation also includes the rezoning of property located on Tax Map 50, Parcel 13.06, containing approximately .24 acre, (owned by Parkway Baptist Church), from R-1 to C-2 as well. 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 "7". (Ordinance #18- 02).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28M, Group C, Parcel 5.00, containing approximately .4 acre, (requested by Roy Saylor on behalf of Rutherford County Habitat for Humanity), from R-2 to R-4. Property is located at 503 Enon Springs Road, East. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28M, Group C, Parcel 5.00, containing approximately .4 acre, (requested by Roy Saylor on behalf of Rutherford County Habitat for Humanity), from R-2 to R-4. Property is located at 503 Enon Springs Road, East. 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 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 "8". (Ordinance #18- 03).

b. Packaged Liquor Board Report:

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

c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Gresham Smith relative to ITS Phases 3 and 4 and 5 NEPA and design services.

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of and authorize the Mayor to execute a contract with Gresham Smith relative to ITS Phases 3 and 4 and 5 NEPA and design services. 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 "9".

d. Other.

- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Gresham Smith and Partners relative to NEPA, Design and ROW Services associated with the Sam Ridley Widening and extension of Potomac Place Projects.

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of and authorize the Mayor to execute a contract with Gresham Smith and Partners relative to NEPA, Design and ROW Services associated with the Sam Ridley Widening and extension of Potomac Place Projects. 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 "10".

- ii. Consideration of an ordinance relative to the amendment of Ordinance No. 17-23, adopting the 2017-2018 Fiscal Year Budget, specifically the Fee Schedule regarding application fee for Parade and Gathering Permits through the Treasury Department. First Reading.

The Town Council next considered on first reading an ordinance relative to the amendment of Ordinance No. 17-23, adopting the 2017-2018 Fiscal Year Budget, specifically the Fee Schedule regarding application fee for Parade and Gathering Permits through the Treasury Department. 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 #18-04).

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 commented on the death of his father-in-law.

Council Member Racquel Peebles offered prayers to the Gill and Strange families on their recent family loss.

Council Member H. G. Cole asked Parks and Recreation Director Mike Moss to report on the Lifetime Achievement and Volunteer of the Year Banquet.

Council Member Tim Morrell noted today is "National Law Enforcement Day". He thanked all enforcement officers.

Council Member Steve Sullivan also thanked the Police Department for their service.

Vice-Mayor Marc Adkins thanked the Police Department for the respect they show during funeral processions and also their "Shop with a Cop" program.

Mayor Mary Esther Reed announced the following: Christmas tree drop-off site is at Lee Victory Recreation Park through January 14th, Frozen Winter Celebration is January 13th at the Smyrna Outdoor Adventure Center, the Sister City Student Program is still in need of students for the program, Town offices will be closed January 15th for Martin Luther King Day, the last day to purchase pavers for the Jeff Kuss Memorial site is February 16th, and condolences to Fireman Jeff Harris on the loss of his mother. She also acknowledged Heath Holtz of Nissan in the audience. He is enrolled in Leadership Rutherford.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

MARY ESTHER REED, Mayor

ATTEST:


DIANNE WALDRON, Town Clerk