

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON JUNE 12, 2018**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on June 12, 2018 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 Bill Culbertson, Fire Chief.

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

**1. Approval or Correction of Minutes of the May 8, May 9, and May 31, 2018 meetings.**

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the May 8, 2018 regular session of the Town Council, the May 9, 2018 special called meeting of the Town Council, and the May 31, 2018 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 recognized Tom Rose, Mike Moss, Lee Parnell, and Hal Loflin for their efforts in cleaning up the area prior to the Kuss Memorial Dedication. He also thanked Mike Hollingshead of Hollingshead Aviation for flying to Huntsville, Alabama to pick up the Kuss family.

**3. Awards and Recognitions.**

Mayor Mary Esther Reed presented a proclamation declaring July 1–7, 2018 as “Independents Week” to members of SiMA (Smyrna Independent Merchants Association).

#### **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 Kirkland's Pest Control relative to pest control service.
- b. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Red Wing Shoes relative to safety footwear.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Diversified Inspections relative to Fire Department ground ladder and aerial device testing.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pye Barker relative to Fire Department fire extinguisher service.
- e. Approval of the terms of, and authorization for the Mayor to execute, the Tennessee Department of Agriculture Lease Agreement and Memo of Understanding relative to Fire Department brush truck lease.
- f. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Anderson Yards relative to mowing for the Building Safety Department.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Tennessee Department of Transportation relative to right-of-way maintenance of state highways.
- h. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Sweeping Corp. of America relative to street sweeping.
- i. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Rollins Excavating Co., LLC relative to concrete work for Public Works Department.
- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with Hawkins relative to Water Treatment Plant for Citric Acid 50%.

- k. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with J&B Tanker, Inc. relative to lime sludge removal from lagoons at WTP.
- l. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Bush Construction relative to installation of gas mains and services.
- m. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Dan Weaver Service relative to water leak survey.
- n. Approval of the terms of, and authorization for the Mayor to execute, a contract with American Development Corporation for Water Treatment Plant Sodium Ortho-Phosphate (Aqua Mag).
- o. Approval of the terms of, and authorization for the Mayor to execute, contracts with the following relative to gas, water, and sewer materials: Water and Sewer – Core & Main, National Meter Automation, Southern Pipe, Hayes Pipe, G & C Supply, and Fortiline; Gas – Kerotest, Equipment Controls, G & C Supply, Honeywell/Elster American Meter, Honeywell/Mercury Instruments, CGS, and Experitec.
- p. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with Bad Dog Band (Stiles Sound) relative to music for Food Truck N’ Fun Event at the Event Center.
- q. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with GolfNow relative to Golf Course tee time reservation system and software.
- r. Approval of the terms of, and authorization for the Mayor to execute, a contract with Fuelmaster relative to gasoline tank maintenance.

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 Vice-Mayor Marc Adkins. 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 properties located on Tax Map 270, Group C, Parcels 1.00, 2.00, and 4.00, containing approximately 1.06 acres, (requested by Howard Spain), from

P&O-1 to C-4. Properties are located at 409, 413, and 415 Enon Springs Road, East. 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 relative to the rezoning of properties located on Tax Map 27O, Group C, Parcels 1.00, 2.00, and 4.00, containing approximately 1.06 acres, (requested by Howard Spain), from P&O-1 to C-4. Properties are located at 409, 413, and 415 Enon Springs Road, East. 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 "2". (Ordinance #18-16).

- b. **PUBLIC HEARING:** Consideration of an ordinance adopting the budget for fiscal year 2018-2019. 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 adopting the budget for fiscal year 2018-2019. Town Manager Harry Gill recommended a 1.5% cost of living adjustment for all employees. 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 "3". (Ordinance #18- 17).

- c. **PUBLIC HEARING:** Consideration of an ordinance adopting the property tax rate for fiscal year 2018-2019. 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 property tax rate for fiscal year 2018-2019. Finance Director Rex Gaither recommended the state certified rate of \$.7007. 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 "4". (Ordinance #18-18).

**6. New Business:**

**a. Planning Commission Report:**

- i. Consideration of an ordinance relative to the amendment of the previously approved PRD for property located on Tax Map 33, Parcel 58.01, containing approximately 33.44 acres (requested by Greentree LLC). Property is located south of Ryan Hill Drive and east of Hendricks Hill Drive adjacent to the Greentree, Mountain Brook, and Summer Ridge Subdivisions. First Reading.

The Town Council next considered on first reading an ordinance relative to the previously approved PRD for property located on Tax Map 33, Parcel 58.01, containing approximately 33.44 acres (requested by Greentree LLC). Property is located south of Ryan Hill Drive and east of Hendricks Hill Drive adjacent to the Greentree, Mountain Brook, and Summer Ridge Subdivisions. 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 "5". (Ordinance #18-19).

**b. Packaged Liquor Board Report:**

- i. Consideration of an application for a Certificate of Compliance for a packaged liquor store from Kong Yuan Ni (Spirits of Nissan Drive) located at 830 Nissan Drive.

The Town Council next considered an application for a Certificate of Compliance for a packaged liquor store from Kong Yuan Ni (Spirits of Nissan Drive) located at 830 Nissan Drive. The recommendation of the Packaged Liquor Board was that the Town Council approve the application. Following discussion, Council Member Tim Morrell made a motion to approve the application. The motion was duly seconded by Council Member H. G. Cole. Following further 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 "6".

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

The Town Council next considered a resolution to amend and restate the Town of Smyrna Classification and Compensation Plan. 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 "7". (Resolution #18-15).

**d. Approval of the terms of, and authorization for the Mayor to execute, an Employment Agreement with Brian Hercules as Smyrna Town Manager.**

The Town Council next considered a motion by Council Member Steve Sullivan to approve the terms of and authorize the Mayor to execute an Employment Agreement with Brian Hercules as Smyrna Town Manager. 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 "8".

**e. Consideration of a resolution announcing a vacancy for one Town Council Member.**

The Town Council next considered a resolution announcing a vacancy for one Town Council Member. 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 "9". (Resolution #18-16).

**f. Appointment of two (2) members to the Board of Directors of Linebaugh Public Library to serve three (3) year terms.**

Mayor Mary Esther Reed next opened the floor for nominations to the Board of Directors of Linebaugh Public Library. She asked that one of the nominations be a council member. Following discussion, Council Member Tim Morrell nominated Council Member Steve Sullivan, and Council Member H. G. Cole nominated Lynn Alexander to serve three year terms. With no further nominations, the nominations were approved unanimously.

**g. Appointment of one (1) member to the Packaged Liquor Board to serve an unexpired term ending 2019.**

Mayor Mary Esther Reed next opened the floor for nominations to the Packaged Liquor Board. Following discussion, Council Member Racquel Peebles nominated Daniel Newbern to the Packaged Liquor Board to serve an unexpired term ending 2019. With no further nominations, the nomination was approved unanimously.

**h. Other.**

**i. Approval of emergency purchase of Ladder 1 engine.**

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the emergency purchase of Ladder 1 engine not to exceed the amount of \$54,000.00. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

**ii. Approval of the terms of, and authorization for the Mayor to execute, a contract extension with the Tennessee Department of Transportation relative to the Jefferson Springs Greenway Project.**

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 extension with the Tennessee Department of Transportation relative to the Jefferson Springs Greenway Project. The motion was duly seconded by Council Member H. G. Cole. 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".

**iii. Discussion relative to Olive Branch Sewer Extension Project.**

The Town Council next discussed the Olive Branch Sewer Extension Project relative to engineering design and right-of-way acquisition. Following discussion, this item was deferred to the June workshop. Staff is to provide additional information on this project.

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 Attorney Jeff Peach wished his father a “Happy Father’s Day”

The Mayor and Town Council wished all dads a “Happy Father’s Day”.

Council Member Racquel Peebles commented on the recent Art Crawl. She announced the following winners: Adult Category: Adriana Castro and Robin Kalata, High School: Anna Beth Creel and Natalie Finch, Middle School: Julian Elliott, and Elementary School: Gabe Peebles-Ross. She thanked those who attended and assisted with the event.

Mayor Mary Esther Reed a resignation letter from Oliver Langston who was on the Arts Commission.

Council Members Racquel Peebles and Steve Sullivan clarified the statement made at the last meeting about Council’s pay. The budge did not include a pay raise for the Mayor or Town Council Members. They explained that Human Resource Director Jeff Craig had conducted a survey of elected officials including the court clerk, judge and town council. Any change in salary would have to be done as an ordinance. Vice-Mayor Marc Adkins also commented on this.

Council Member H. G. Cole commented on “Simply Smyrna” and the Kuss Memorial dedication.

Council Member Steve Sullivan stated he was proud of the Town this past weekend during the Kuss dedication. He wished his son a “Happy Birthday”. He stated his son is soon to be a marine.

Vice-Mayor Marc Adkins commented on the banquet for the Kuss dedication. He thanked Mayor Mary Esther Reed, Amber Hobbs, and Tiffany Lawson on their hard work preparing for this event.

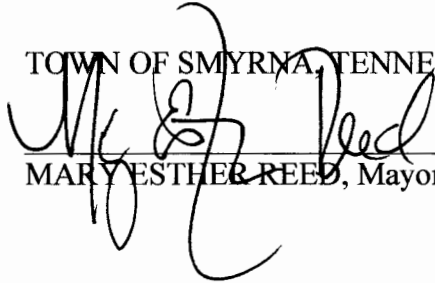
Mayor Mary Esther Reed announced the following: Food Truck N Fun, June 15<sup>th</sup>; Farmer’s Market each Saturday morning; Boat Day, June 23<sup>rd</sup>; the Fireworks Celebration, July 3<sup>rd</sup>, and Smyrna BBQ & Blue Jeans for Motlow State’s Smyrna building fund, June 16<sup>th</sup>.



She thanked Town Manager Harry Gill for securing the plane to pick-up Mrs. Kuss and family for the memorial events. She wished Council Member H. G. Cole a "Happy Birthday".

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



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MARY ESTHER REED, Mayor

ATTEST:

  
DIANNE WALDRON, Town Clerk