

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON SEPTEMBER 11, 2018**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on September 11, 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 Tim York, Smyrna Police Department. The pledge of allegiance was led by Public Works Director Tom Rose.

The roll was called by the Town Clerk and the following Town Council Members were present:

Mayor Mary Esther Reed
Vice-Mayor Marc Adkins
Tim Morrell
Racquel Peebles
Gerry Short
Steve Sullivan

Council Member H. G. Cole was not in attendance.

1. Approval or Correction of Minutes of the August 14 and August 30, 2018 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the August 14, 2018 regular session of the Town Council and the August 30, 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.

There was no correspondence or communications to be presented to the Town Council at this time.

3. Awards and Recognitions.

Mayor Mary Esther Reed presented letters of appreciation to the sailors from Navy Operational Support Center Nashville and marines from Kilo Company, 3rd Battalion, 23rd Regiment for their help during the Kuss Memorial Dedication.

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 Greater Nashville Regional Council relative to Arts Build Communities grant from the Tennessee Arts Commission.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with integritime Time Keeping System relative to time keeping software and terminals for the Water Treatment Plant.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with MR Systems relative to telemetry for the Water Treatment Plant and Waste Water Treatment Plant.
- d. 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.
- e. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Comcast relative to secondary internet service.
- f. Approval of the terms of, and authorization for the Mayor to execute, an agreement with the Cannon County Sheriff's Department relative to the donation of surplus police department.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Superior relative to software maintenance for the Police and Fire Departments.
- h. Approval of the terms of, and authorization for the Mayor to execute, a performance agreement with the O'Donnell's relative to Depot Days Cruise-In.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with American Melody Carriage relative to horse and carriage rides for the Christmas Celebration at the Depot.
- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sain Construction relative to Phase I Construction of Cedar Stone Community Park.
- k. Approval of the terms of, and authorization for the Mayor to execute, a contract with Dempsey Dilling and Associates relative to construction engineering services for Cedar Stone Community Park.

- l. Approval of the terms of, and authorization for the Mayor to execute, a contract with Musco Sports Lighting relative to athletic field lighting at Cedar Stone Community Park.
- m. Approval of the terms of, and authorization for the Mayor to execute, a contract with Kimley Horn and Associates, Inc. to conduct the ADA Self-Evaluation and Transition Plan.
- n. Approval of the terms of, and authorization for the Mayor to execute, a contract with Mint Condition relative to janitorial services.
- o. Consideration of the declaration of surplus items.

Council Member Racquel Peebles asked that Item 6m be removed from the Consent Agenda. Vice-Mayor Marc Adkins asked that Item 6f. be removed also from the Consent Agenda. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt the remainder of the Consent Agenda and to authorize the Mayor to execute said documents. The motion was duly seconded by Council Member Gerry Short. 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".

Chief Kevin Arnold requested that Item 6f. be removed from the Consent Agenda for consideration by the Town Council.

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 Kimley Horn and Associates, Inc. to conduct the ADA Self-Evaluation and Transition Plan. 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 "2".

5. **Old Business.**

- a. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for properties located on Tax Map 54, Parcels 53.00 and 54.00 and Tax Map 55, Parcel 29.01.

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 a resolution relative to a Plan of Services for property located on Tax Map 54, Parcels 53.00 and 54.00 and Tax Map 55, Parcel 29.01. 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 Council Member Racquel Peebles. Following further discussion, the motion was approved 5-0-1 with Vice-Mayor Marc Adkins abstaining. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3". (Resolution #18-20).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcels 53.00 and 54.00 and Tax Map 55, Parcel 29.01, containing approximately 11 acres, (requested by SCollins2 Properties, LLC). Properties are located at 7866 and 7906 Rocky Fork Almaville Road and 610 Inez Drive. 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 annexation and R-3 zoning of property located on Tax Map 54, Parcels 53.00 and 54.00 and Tax Map 55, Parcel 29.01, containing approximately 11 acres, (requested by SCollins2 Properties, LLC). Properties are located at 7866 and 7906 Rocky Fork Almaville Road and 610 Inez Drive. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Council Member Gerry Short 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 5-0-1 with Vice-Mayor Marc Adkins abstaining. 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 #18-24).

- c. Consideration of a resolution in memorandum of Ordinance #18-24 relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcels 53.00 and 54.00 and Tax Map 55, Parcel 29.01.

The Town Council next considered a resolution in memorandum of Ordinance #18-24 relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcels 53.00 and 54.00 and Tax Map 55, Parcel 29.01. 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 "5". (Resolution #18-21).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 34G, Group C, Parcel 14.01, containing approximately .96 acre, (requested by Steve Kroeger), from C-2 to PCD. Property is located on Sgt. Asbury Hawn Way and Nissan Drive. 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 property located on Tax Map 34G, Group C, Parcel 14.01, containing approximately .96 acre, (requested by Steve Kroeger). Property is located on Sgt. Asbury Hawn Way and Nissan Drive. 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 "6". (Ordinance #18-26).

6. **New Business:**

a. **Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation and R-3 zoning of properties located on Tax Map 72, part of Parcel 9.00, and Tax Map 73, Parcel 14.00, containing approximately 25.2 acres, (requested by Shawn Collins). The properties are located at 4750 Almaville Road and 7616 Rocky Fork Almaville Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and R-3 zoning of properties located on Tax Map 72, part of Parcel 9.00, and Tax Map 73, Parcel 14.00, containing approximately 25.2 acres, (requested by Shawn Collins). The properties are located at 4750 Almaville Road and 7616 Rocky Fork 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 and adopt said ordinance on first reading. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion

was approved 5-0-1 with Vice-Mayor Marc Adkins. 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 #18-27).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 78.00, containing approximately .75 acre, (requested by Jack Parker), from C-4 to PUD. Property is located at 1071 Rock Springs Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 78.00, containing approximately .75 acre, (requested by Jack Parker), from C-4 to PUD. Property is located at 1071 Rock Springs 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 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 #18-28).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 34, part of Parcel 52.04, containing approximately 8.5 acres, (requested by Legacy Joint Venture), from C-2 to PRD. Property is located on Legacy Drive and Lee Victory Parkway. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 34, part of Parcel 52.04, containing approximately 8.5 acres, (requested by Legacy Joint Venture), from C-2 to PRD. Property is located on Legacy Drive and Lee Victory Parkway. 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 "9". (Ordinance #18-29).

- iv. Consideration of the acquisition of property for the relocation of Nolan Drive.

Town Planner Kevin Rigsby stated the Planning Commission recommended the acquisition of property for the relocation of Nolan Drive.

b. Packaged Liquor Board Report:

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

c. Consideration of an ordinance authorizing the Clerk of the Municipal and General Sessions Court to engage the service of a collections agency to collect delinquent Municipal and General Sessions Court costs, fines, and fees. First Reading.

The Town Council next considered on first reading an ordinance authorizing the Clerk of the Municipal and General Sessions Court to engage the service of a collections agency to collect delinquent Municipal and General Sessions Court costs, fines, and fees. 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 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 #18-30).

d. Consideration of a resolution authorizing the acquisition of property for the purpose of carrying out the Nolan Drive Relocation Project.

The Town Council next considered a resolution authorizing the acquisition of property for the purpose of carrying out the Nolan Drive Relocation Project. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Racquel Peebles. Following 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 "11". (Resolution #18-22).

e. Consideration of an ordinance relative to the increase in the monthly salary for the Mayor, Vice-Mayor, and Town Council Members of the Town of Smyrna. First Reading.

The Town Council next considered on first reading an ordinance relative to the increase in the monthly salary for the Mayor, Vice-Mayor, and Town Council Members of the Town of Smyrna. Following discussion, Council Member Steve Sullivan 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 4-1-1 with Council Member Tim Morrell voting "no" and Council Member Racquel Peebles abstaining. 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 #18-31).

- f. Approval of the terms of, and authorization for the Mayor to execute, contract with S&ME relative to geotechnical assessment of a portion of Town Hall.**

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 S&ME relative to geotechnical assessment of a portion of Town Hall. The motion was duly seconded by Vice-Mayor Marc Adkins. 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 "13".

- g. Discussion relative to the AMC property on Plaza Drive.**

The Town Council next considered a motion by Council Member Tim Morrell for the Town of Smyrna to enter negotiations with AMC for purchase of property located on Plaza Drive. The motion was duly seconded by Council Member Gerry Short. Following further discussion, the motion was approved unanimously.

- h. Appointment of one (1) Town Council Representative to the Charity Assistance Fund Board to serve unexpired term ending 2019.**

Mayor Mary Esther Reed next appointed Council Member Racquel Peebles as the Town Council Representative to the Charity Assistance Fund Board to serve unexpired term ending 2019.

- i. 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.

Director of Utilities Mike Strange announced emergency purchases.

Town Manager Brian Hercules thanked those first responders that responded on 9-11. He congratulated the Rotary Club on a great Wings of Freedom Fish Fry and those council members who helped with the event. He also thanked Fire Chief Bill Culbertson for the American flag display.

Council Member Racquel Peebles wished her daughter a "Happy Birthday".

Council Member Tim Morrell announced a benefit for Braxton Harrell will be September 19th at each Blue Coast Burrito in Smyrna and Murfreesboro. He recognized each of the Purple Heart recipients at the fish fry.

Council Member Gerry Short also commented on the fish fry and stated he was honored to be a part of it this year.

Council Member Steve Sullivan commented on all the new businesses in town and encouraged citizens to shop local.

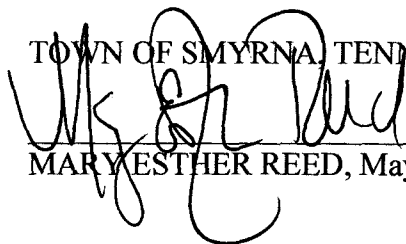
Vice-Mayor Marc Adkins stated the fish fry was about community and honoring those that served our country.

Mayor Mary Esther Reed announced the following: Cruise In and Depot Days – September 28th and 29th; last day for Farmer’s Market - September 15th; VFW Veteran’s Day Celebration - November 11th at 11:00 a.m. at the Kuss Memorial; pavers, magnets and shirts are still on sale; Reading in the Schools Day - September 21st; and Smyrna TV won a 1st place award for the Independence Day Celebration and honorable mention for the Special Olympics Golf Tournament. She stated committee applications are being taken for Arts Commission.

Mayor Mary Esther Reed and Town Manager Brian Hercules will be visiting he solid waste facilities in Sevier County.

Council Member Steve Sullivan announced that Janarty’s Ice Cream on Front Street is having a ribbon cutting on September 19th. The Jr. Pro Football league will be celebrating its 50th anniversary on September 23rd. A fund raiser for Braxton Harrell is tonight at Firehouse Subs.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE


MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk