

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

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on October 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 Vice-Mayor Marc Adkins. The pledge of allegiance was led by Sophie Short, Thurman Francis Arts Academy.

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  
Gerry Short  
Steve Sullivan

**1. Approval or Correction of Minutes of the September 11 and September 27, 2018 meetings.**

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the September 11, 2018 regular session of the Town Council and the September 27, 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 Brian Hercules read a letter from the Rutherford County Sheriff's Office thanking the Smyrna Fire Department Honor Guard for participation in the 911 Remembrance Ceremony.

**3. Awards and Recognitions.**

There were no awards and 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 contract with Wood Environment & Infrastructure Solutions, Inc. relative to CEI services for the Stonecrest/Sam Ridley Intersection Improvements Project.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sessions Paving relative to the construction of the Sam Ridley at Stonecrest Parkway Intersection Improvements Project.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Garland/DBS, Inc. relative to the replacement of the roof at the Smyrna Event Center.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Kerr Brothers relative to sealing and striping the Event Center parking lot.
- e. Approval of the terms of, and authorization for the Mayor to execute, an enrollment form with Carfax for the Police Department.
- 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 five (5) rear dividers/cages.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Regional Transportation Authority (RTA) relative to the Relax and Ride Service FY 18-19.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract with Experitec relative to Natural Gas SCADA Upgrade Project.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Tennessee Highway Safety Office relative to the highway enforcement act.
- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with John Bouchard and Sons relative to Variable Frequency Drive (VFD) for Rock Springs Road Booster Station.

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 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".

**5. Old Business.**

- a. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for properties located on Tax Map 72, part of Parcel 9.00, and Tax Map 73, Parcel 14.00.

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 properties located on Tax Map 72, part of Parcel 9.00, and Tax Map 73, Parcel 14.00. 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 H. G. Cole. Following further discussion, the motion was approved 6-0-1 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 "2". (Resolution #18-23).

- b. **PUBLIC HEARING:** 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). Properties are located at 4750 Almaville Road and 7616 Rocky Fork 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 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).

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 Steve Sullivan 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 6-0-1 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 "3". (Ordinance #18-27).

- c. Consideration of a resolution in memorandum of Ordinance #18-27 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.

The Town Council next considered a resolution in memorandum of Ordinance #18-27 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. 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 "4". (Resolution #18-24).

- d. **PUBLIC HEARING:** 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. 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 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, 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 #18-28).

- e. **PUBLIC HEARING:** 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. 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 individuals spoke concerning the item: James Lawrence and Laws Bouldin.

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 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 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 #18-29).

- f. **PUBLIC HEARING:** 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. 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 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 Gerry Short 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 "7". (Ordinance #18-30).

- g. PUBLIC HEARING:** 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. 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 increase in the monthly salary for the Mayor, Vice-Mayor, and Town Council Members of the Town of Smyrna. 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 Steve Sullivan. Following further discussion, the motion was approved 6-1 with Council Member Tim Morrell voting “no”. 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 “8”. (Ordinance #18-31).

## **6. New Business:**

### **a. Planning Commission Report:**

- i.** Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcels 52.00 and 52.01, containing approximately 44.9 acres, (requested by Thomas Steffen). The property is located northeast of Rocky Fork Almaville Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcels 52.00 and 52.01, containing approximately 44.9 acres, (requested by Thomas Steffen). The property is located northeast of 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 Racquel Peebles. Following further discussion, the motion was approved 6-0-1 with Vice-Mayor Marc Adkins 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 “9”. (Ordinance #18-32).

- ii. Consideration of an ordinance relative to the amendment of the PRD on land referenced by Tax Map 54, Parcel 49.00, containing approximately 77.1 acres, (requested by Thomas Steffen). Property is located south of Morton Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the PRD on land referenced by Tax Map 54, Parcel 49.00, containing approximately 77.1 acres, (requested by Thomas Steffen). Property is located south of Morton Lane. 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 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 "10". (Ordinance #18-33).

- iii. Consideration of an ordinance relative to the amendment of the text of the Smyrna Municipal Zoning Ordinance to amend Article II, Sections 2.036.3 and Article V, Section 5.052.C. regarding car washes. First Reading.

The Town Council next considered on first reading an ordinance relative to the text of the Smyrna Municipal Zoning Ordinance to amend Article II, Sections 2.036.3 and Article V, Section 5.052.C. regarding car washes. 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 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 "11". (Ordinance #18-34).

- iv. Consideration of an ordinance relative to the amendment to the text of the Smyrna Municipal Zoning Ordinance to amend Article III, to add Section 3.200 Traffic Impact Studies. First Reading.

The Town Council next considered an ordinance relative to the amendment to the text of the Smyrna Municipal Zoning Ordinance to amend Article III, to add Section 3.200 Traffic Impact Studies. 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 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 #18-35).

- v. Consideration of a resolution authorizing the acquisition of property for the future road identified as Potomac Place on the northwest side of Sam Ridley Parkway.

The Town Council next considered a resolution authorizing the acquisition of property for the future road identified as Potomac Place on the northwest side of Sam Ridley Parkway. The recommendation of the Planning Commission was that the Town Council approve the resolution. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Gerry Short. 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 "13". (Resolution #18-25).

**b. Packaged Liquor Board Report:**

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

- c. **Consideration of an ordinance to amend Chapter 7 "Temporary Sign Provisions", Section A "General Requirements" of the Town of Smyrna Sign Ordinance regarding banners. First Reading.**

The Town Council next considered on first reading an ordinance to amend Chapter 7 "Temporary Sign Provisions", Section A "General Requirements" of the Town of Smyrna Sign Ordinance regarding banners. 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 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 "14". (Ordinance #18-36).

- d. **Consideration of an ordinance to amend Ordinance #17-23, adopting the 2017-2018 Fiscal Year Budget. First Reading.**

The Town Council next considered on first reading an ordinance to amend Ordinance #17-23, adopting the 2017-2018 Fiscal Year Budget. 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 Tim Morrell. Following 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 "15". (Ordinance #18-37).



- e. **Consideration of a resolution approving the conveyance of a certain portion of real property, comprising approximately .2 acre, as fee simple, to the State of Tennessee Board of Regents for the purpose of expanding the Smyrna campus of Motlow State Community College and authorizing the Mayor to execute any necessary conveyance documents related thereto.**

The Town Council next considered a resolution approving the conveyance of a certain portion of real property, comprising approximately .2 acre, as fee simple, to the State of Tennessee Board of Regents for the purpose of expanding the Smyrna campus of Motlow State Community College and authorizing the Mayor to execute any necessary conveyance documents related thereto. The recommendation of the Planning Commission was that the Town Council approve the resolution. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Raquel Peebles. 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 "16". (Resolution #18-26).

- f. **Consideration of a resolution to set dates and times for the 2019 Council Meetings and Work Sessions.**

The Town Council next considered a resolution to set dates and times for the 2019 Council Meetings and Work Sessions. 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 "17". (Resolution #18-27).

- g. **Consideration of a resolution to enact a policy for the periodic compensation study, as determined prudent by the Town Manager, of Town employees to include the elected positions of the Town of Smyrna.**

The Town Council next considered a resolution to enact a policy for the periodic compensation study, as determined prudent by the Town Manager, of Town employees to include the elected positions of the Town of Smyrna. Following discussion, Council Member Gerry Short 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 "18". (Resolution #18-28).

**h. Appointment of one (1) member to the Arts Commission Board to serve unexpired term ending 2019.**

Mayor Mary Esther Reed next opened the floor for nominations for the appointment of one (1) member to the Arts Commission Board to serve unexpired term ending 2019. Council Member Racquel Peebles nominated Carey Finch. With no further nominations, Carey Finch was approved unanimously.

**i. Appointment of one (1) Council Member to the Sister City Committee.**

Mayor Mary Esther Reed next appointed Council Member Gerry Short to the Sister City Committee. The appointment was approved unanimously.

**j. Appointment of one (1) Planning Commission representative to the Historic Zoning Committee.**

Mayor Mary Esther Reed next appointed Regina Medlin to the Historic Zoning Committee. The appointment was approved unanimously.

**k. Other.**

There was no further New Business to be considered by the Town Council.

**7. Status Reports.**

Town Manager Brian Hercules complimented the Fire and Police Departments on their job during the recent fire at Chalet Apartments. He stated this was "Fire Prevention Week", and an open house will be held Sunday, October 14<sup>th</sup>, at Station 1. He announced the following: Sunday Brunch at the Event Center on October 21<sup>st</sup> from 10 a.m. to 2 p.m., VFW Veterans Day Celebration November 11<sup>th</sup> at 11:00 a.m. at the Kuss Memorial, and November 13<sup>th</sup>, prior to the Town Council Meeting, a Roads Update Presentation at 4:30 p.m.

**8. Announcements.**

Council Member H. G. Cole stated his mother's birthday is November 11<sup>th</sup>.

Council Member Tim Morrell spoke at the Senior Citizens Center today.

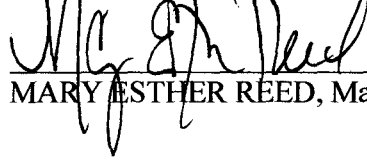
Council Members Gerry Short and Steve Sullivan commented on the car show and Depot Days.

Vice-Mayor Marc Adkins asked citizens to keep Braxton Harrell and Shannon Williams in their prayers. He thanked the Codes Department relative to Lowry Street improvements.

Mayor Mary Esther Reed announced the following: Maplevue Cemetery cleanup 10/1 through 10/15; SOAC Fright Nights October 12<sup>th</sup> and 13<sup>th</sup>; Halloween in the Park October 27<sup>th</sup> at Sharp Springs; early voting is October 17<sup>th</sup> through November 1<sup>st</sup> at Town Hall; Christmas Parade December 2<sup>nd</sup>; Nourish Food Bank drive; Stewarts Creek High and Smyrna High football game October 12<sup>th</sup>; Smyrna High School Hall of Fame recipients will be announced at game; and 50<sup>th</sup> Anniversary of Smyrna Youth Football League. She wished her dad a "Happy Birthday".

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:

  
DIANNE WALDRON, Town Clerk