

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

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on December 11, 2018 at Town Hall with the Honorable Marc Adkins, Vice-Mayor, presiding.

Vice-Mayor Adkins called the meeting to order. The invocation was offered by Chaplain Bill Hunter, Smyrna Police Department. The pledge of allegiance was led by Town Planner Kevin Rigsby.

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

Vice-Mayor Marc Adkins
H. G. Cole
Tim Morrell
Racquel Peebles
Gerry Short
Steve Sullivan

Mayor Mary Esther Reed was not in attendance.

1. Approval or Correction of Minutes of the November 13 and November 29, 2018 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the November 13, 2018 regular session of the Town Council and the November 29, 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.

Jill Strange next presented the following Christmas parade winners with certificates and cash: Most Creative – Smyrna Fast Pitch; Most Christmas Spirit – Smyrna Church of the Nazarene; Best Use of Theme – Parks Realty; and Mayor’s Cup –

Crye-Leike Realtors. The “Food Drive Challenge Trophy” was presented to Crye-Leike Realtors for collecting the most items for the Nourish Food Bank.

Fire Chief Bill Culbertson thanked the schools, businesses and Fire Department employees for helping with the annual food drive. He extended special thanks to Lt. Burt Wilson for heading up the drive. Over 34,000 items were collected.

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 revised proposal with Ragan-Smith Associates, Inc. relative to CEI services for the Weakley/Swan Intersection Improvements Project.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Dempsey, Dilling & Associates relative to part time CEI services for the Potomac Place Extension Project.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Morton Salt relative to annual road salt purchase.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Rawso, LLC. relative to the construction of the Potomac Place Extension Project.
- e. Approval of the terms of, and authorization for the Mayor to execute, a donation agreement between the Town and 333 Lowry St., Inc. relative to the Nolan Drive Relocation Project.
- f. Approval of the terms of, and authorization for the Mayor to execute, an agreement with LifePoint Church relative to practice field area.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Carehere! relative to onsite health center services.
- h. Approval of change to employee health plan to include bariatric procedures for calendar year 2019.
- i. Approval of the terms of, and authorization for the Mayor to execute, a memorandum of understanding with Volunteer Behavioral Health Care System relative to psychological testing for police officer applicants.
- j. Approval of the terms of, and authorization for the Mayor to execute, a 3-year contract with ESRI (Environmental Systems Research Institute) relative to GIS mapping software.

- k. Approval of the terms of, and authorization for the Mayor to execute, a contract with Linko Technology relative to a software package for the Waste Water Treatment Plant.
- l. Approval of the terms of, and authorization for the Mayor to execute, a contract amendment with Bush Construction relative to natural gas construction.
- m. Approval of the terms of, and authorization for the Mayor to execute, a contract with SEC, Inc. relative to professional services for the Genie Lane Extension Study.
- n. Approval of the terms of, and authorization for the Mayor to execute, a contract with Jones Brothers relative to the construction of the Enon Springs West Extension.

Following discussion, Council Member Tim Morrell 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 Racquel Peebles. 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 28, Parcel 129.00, containing approximately 8.13 acres (requested by Wendal Miller), from R-1 to C-2. Property is located at 2124 Stonecrest Parkway. Second Reading.

At this time, Vice-Mayor Marc Adkins 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 reaching an ordinance relative to the rezoning of property located on Tax Map 28, Parcel 129.00, containing approximately 8.13 acres (requested by Wendal Miller), from R-1 to C-2. Property is located at 2124 Stonecrest 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 Gerry Short. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as

approved and 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 #18-39).

b. PUBLIC HEARING: Consideration of an ordinance enacting a Code of Ordinances for the Town of Smyrna. Second Reading.

At this time, Vice-Mayor Marc Adkins 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 enacting a Code of Ordinances for the Town of Smyrna. 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 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 #18-40).

c. Consideration of an ordinance to amend the Smyrna Municipal Code relative to the adoption of the 2018 International Codes and the National Electric Code (NEC) 2017 ed. Second Reading.

At this time, Vice-Mayor Marc Adkins 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 of an ordinance to amend the Smyrna Municipal Code relative to the adoption of the 2018 International Codes and the National Electric Code (NEC) 2017 ed. 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 “4”. (Ordinance #18-41).

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 51, Parcels 12.00 and 14.00, containing approximately 22 acres (requested by SEC, Inc. on behalf of Kenneth and Marilyn Mitcham). Property is located east of Montgomery Way and north of Lee Road and south and east of the Woodmont development. 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 51, Parcels 12.00 and 14.00, containing approximately 22 acres (requested by SEC, Inc. on behalf of Kenneth and Marilyn Mitcham). Property is located east of Montgomery Way and north of Lee Road and south and east of the Woodmont development. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) sewer extension plan from adjoining parcel finalized prior to the Town Council's second reading; 2) add a note in the book that all HVAC units will be located to the rear of the houses; 3) no vinyl siding allowed in development, cement siding required on any elevation where vinyl is shown, in addition to brick or stone being allowed; and 4) amend the book to reflect that the Town does not provide solid waste service. Following discussion, Council Member Tim Morrell made a motion to approve said ordinance with the provisions 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 #18-42).

b. Packaged Liquor Board Report:

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

c. PUBLIC HEARING: 2019 Application for Community Development Block Grant.

At this time, Vice-Mayor Marc Adkins recessed the meeting without objection, and a public hearing was opened related to the agenda item. The following individuals spoke concerning the item: Dan Ephright and Laura Hewgley.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection.

The Town Council next considered a motion by Council Member H. G. Cole to approve the 2019 Application for Community Development Block Grant. The motion was duly seconded by Council Member Steve Sullivan. 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".

d. Approval and authorization for the Mayor to execute necessary documents with the excess carriers relative to the 2019 Property, Casualty and Workers' Comp Excess Insurance.

The Town Council next considered a motion by Council Member Gerry Short to approve and authorize the Mayor to execute necessary documents with the excess carriers relative to the 2019 Property, Casualty and Workers' Comp Excess Insurance. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously. A copy of said documents are attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7".

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

Vice-Mayor Mark Adkins next opened the floor for nominations for one (1) member to the Arts Commission Board to serve unexpired term ending 2019. Council Member Racquel Peebles made a motion to nominate Dora Baynes. The motion was duly seconded by Council Member Tim Morrell. Following discussion and no further nominations, the motion was approved unanimously.

f. Appointment of Vice-Mayor for two (2) year term.

Town Attorney Jeff Peach next opened the floor for nominations for Vice-Mayor. Council Member Tim Morrell made a motion to nominate Marc Adkins as Vice-Mayor for a two (2) year term. The motion was duly seconded by Council Member Steve Sullivan. Following discussion and no further nominations, the motion was approved unanimously.

g. Other.

i. Discussion regarding the Sterling at Stonecrest PUD requirements.

The Town Council next considered amending the PUD relative to the requirement that a traffic signal be installed at least 30 days prior to the issuance of any certificate of occupancy to 90 days due to issues beyond their control obtaining the steel mast arms in a timely manner. Chad Gilbert, part of the development group for the project, addressed the Town Council. Following discussion, the Town Council asked that a bond be issued prior to the issuance certificate of occupancy.

Vice-Mayor Marc Adkins next recessed the meeting to allow a presentation on the State Revolving Loan Fund. Director of Utilities Mike Strange introduced Jerome

Dempsey, P.E. who gave the presentation on the extension of the Waste Water Treatment Plant.

Following the recess, the Town Council next considered a motion by Council Member Tim Morrell to approve the PRD amendment relative to the installation of a traffic signal 90 days prior to issuance of a certificate of occupancy and that a bond is issued. The motion was duly seconded by Council Member H. G. Cole. Following further discussion, the motion was approved unanimously.

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

7. Status Reports.

There were no status reports to be reported at this time.

8. Announcements.

Mike Strange, Director of Utilities, announced an emergency purchase from B & B Excavating in the amount of \$89,567.51 relative to the replacement of a water line on Mingle Lane.

Town Manager Brian Hercules announced the following: Over 56,000 items were collected during the Food Drive, Sunday Brunch at the Event Center is December 16th, Employee Holiday Luncheon is December 7th, Police Chief Kevin Arnold received the Pinnacle Award from the Chamber of Commerce, Tip-A-Cop will be held at Toot's on December 13th, the SOAC will host a New Year's Eve Bash for kids, and Codes Enforcement employees will be working on weekends. He also read a thank you note from Mrs. Blanks.

Vice-Mayor Marc Adkins offered condolences to the family of Linda Collette, a former Town of Smyrna employee.

Town Attorney Jeff Peach congratulated daughter, Hallie, who is graduating from MTSU this weekend.

Council Member Racquel Peebles also sent condolences to Linda Collette's family and congratulated Police Chief Kevin Arnold on his award. She commented on Christmas @ The Depot and Town Manager Brian Hercules' interview on WGNS Radio pertaining to the parade. She thanked the citizens for contributing to The Victory House's fundraiser for CASA.

Council Member Gerry Short also congratulated Police Chief Kevin Arnold. He commented on the Front Street Christmas. He stated his son is also graduating from MTSU this weekend.

Council Member H. G. Cole also offered condolences to the Collette family. He encouraged citizens to shop local.

Council Member Steve Sullivan also congratulated Police Chief Kevin Arnold and thanked him for his leadership.

Council Member Tim Morrell also offered condolences to the Collette family and congratulated Police Chief Kevin Arnold.

Vice-Mayor Marc Adkins thanked Jerome Dempsey for his service in the community. He thanked Town Manager Brian Hercules for hosting the Legislative Breakfast. He also thanked all the service men and women and their families for the sacrifice.

Vice-Mayor Marc Adkins and the entire Town Council wished everyone a "Merry Christmas".

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARC ADKINS, Vice-Mayor

ATTEST:



DIANNE WALDRON, Town Clerk