

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON FEBRUARY 13, 2018**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on February 13, 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 Alan Harrell, Boy Scout Troop 422.

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

Council Member Lori North was not in attendance.

1. Approval or Correction of Minutes of the January 9 and January 25, 2018 meetings.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the January 9, 2018 regular session of the Town Council and the January 25, 2018 work session of the Town Council. The motion was duly seconded by Council Member Racquel Peebles. 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 next presented a proclamation to Alan Harrell, Boy Scout Troop 422 on earning the ranking of Eagle Scout.

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 agreement amendment with Dempsey, Dilling & Associates relative to CEI services for the Florence Road Project.
- b. Approval of the terms of, and authorization for the Mayor to execute, Change Order #6 relative to Florence Road Widening Project.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Gresham Smith and Partners relative to engineering design services for improvements to Rotary Soccer Park and Downtown Smyrna based on the Hydrologic and Hydraulic Study.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with The Ingram Group relative to high-level general consulting counsel, as well as, government relations service.
- e. Approval of the terms of, and authorization for the Mayor to execute, a contract with All Coast Aircraft Recovery, Inc. relative to the assembly and mounting of the F-A-18 Hornet to the Capt. Jeff Kuss Memorial Site.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with E. Allan Brandon relative to marketing, public relations, and design services for the Capt. Jeff Kuss USMC Memorial.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Gresham Smith and Partners relative to NEPA and Engineering Design Services for Phases 3, 4, and 5 of the Intelligent Transportation System.

Council Member Racquel Peebles asked that Item 6c be removed from the Consent Agenda. Following discussion, Vice-Mayor Marc Adkins 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 Tim Morrell. 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".

The Town Council next considered a motion by Council Member Racquel Peebles to approve the terms of and authorize the Mayor to execute a contract with Gresham Smith and Partners relative to engineering design services for improvements to Rotary Soccer Park and Downtown Smyrna based on the Hydrologic and Hydraulic Study. The motion was duly seconded by Council Member Tim Morrell. 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 "2".

5. Old Business.

- a. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 76, Parcel 10.00

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 property located on Tax Map 76, Parcel 10.00. 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 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 "3". (Resolution #18- 01).

- b. **PUBLIC HEARING:** 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). 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 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 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 "4". (Ordinance #18- 01).

- c. Consideration of a resolution in memorandum of Ordinance #18-01 relative to the annexation and R-3 zoning of property on Tax Map 76, Parcel 10.00.

The Town Council next considered a resolution in memorandum of Ordinance #18-01 relative to the annexation and R-3 zoning of property on Tax Map 76, Parcel 10.00. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Tim Morrell. 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- 02).

- d. **PUBLIC HEARING:** 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. 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 individual spoke concerning the item: Ken Dalton.

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 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 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 "6". (Ordinance #18- 02).

- e. **PUBLIC HEARING:** 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. 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 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, Council Member Tim Morrell 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- 03).

- f. **PUBLIC HEARING:** 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. 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 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 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 "8". (Ordinance #18- 04).

6. **New Business:**

a. **Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation of property located on Tax Map 32, part of Parcel 19.01, containing approximately 16.53 acres, (requested by JM Byrnes, LLC). Zoning would be R-3. Property is located south of Rock Springs Road and adjacent to parcels previously annexed and zoned PRD (Woodmont, Buckingham Hills) as well as the Woodcrest development. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation of property located on Tax Map 32, part of Parcel 19.01, containing approximately 16.53 acres, (requested by JM Byrnes, LLC). Zoning would be R-3. Property is located south of Rock Springs Road and adjacent to parcels previously annexed and zoned PRD (Woodmont, Buckingham Hills) as well as the Woodcrest development. 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 #18-05).

- ii. Consideration of an ordinance relative to the annexation of property located on Tax Map 35, part of Parcel 81.04, containing approximately 1.75 acres, (requested by Savitabahen and Arkesh Patel). Zoning would be C-2. Property is located at 8216 Florence Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation of property located on Tax Map 35, part of Parcel 81.04, containing approximately 1.75 acres, (requested by Savitabahen and Arkesh Patel). Zoning would be C-2. Property is located at 8216 Florence 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 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 #18-06).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 49, Parcel 30.02, containing approximately 3.35 acres, (requested by Rocky Top Properties, LLC), from R-3 to I-3. Property is located at 215 Mill Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 49, Parcel 30.02, containing approximately 3.35 acres, (requested by Rocky Top Properties, LLC), from R-3 to I-3. Property is located at 215 Mill 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 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- 07).

b. Packaged Liquor Board Report:

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

c. Consideration of the adoption of an Anti-Bullying Policy to be included in the Employee Handbook.

The Town Council next considered a motion by Council Member Steve Sullivan to approve the adoption of an Anti-Bullying Policy to be included in the Employee Handbook. The motion was duly seconded by Council Member Racquel Peebles. 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 "12".

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

The Town Council next considered a nomination from Council Member Racquel Peebles to appoint Lauren Fitzgerald to the Arts Commission to serve unexpired term ending 2019. With no further nominations, Mayor Mary Esther Reed called for the nominations to cease. Following discussion, the nomination was approved unanimously.

e. Consideration of a resolution requesting the assistance of the Town of Smyrna's State Legislature Delegation in obtaining funds from the State of Tennessee to widen Almaville Road.

The Town Council next considered a resolution requesting the assistance of the Town of Smyrna's State Legislature Delegation in obtaining funds from the State of Tennessee to widen Almaville Road. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by

Council Member Tim Morrell. 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- 03).

f. 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.

Town Manager Harry Gill commented on the sewer leak and thanked those who helped with the cleanup. He congratulated Alan Harrell on earning the designation of Eagle Scout. He then announced he would be retiring August 31, 2018.

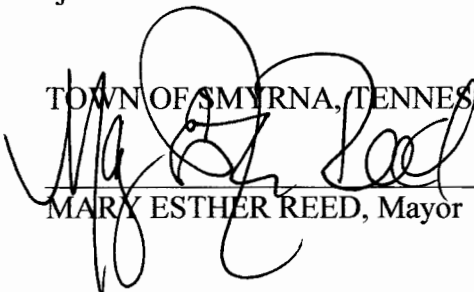
Mayor Mary Esther Reed and Council Members thanked Mr. Gill on doing a great job for the Town.

Vice-Mayor Marc Adkins wished his wife a "Happy Valentine's Day". He welcomed Fire Chief Bill Culbertson back after a brief absence.

Council Member Racquel Peebles also commented on the quick response off the sewer leak cleanup.

Mayor Mary Esther Reed stated applications are needed for the Town of Smyrna Boards and Committees. She announced the following: Sister City Chili Supper is February 24th and students are still needed for the program, the annual Easter Egg Hunt is scheduled for March 24th at Lee Victory Recreational Park, signups for recreational leagues are in process, June 9th is the ribbon cutting for the Jeff Kuss Memorial, Citizens Police Academy Trivia Night is March 19th, and the Lifetime Achievement Banquet is February 23rd.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE


MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk