

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON FEBRUARY 12, 2019**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on February 12, 2019 at Town Hall with the 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 the Smyrna High School Bowling Team.

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

Council Member Steve Sullivan was not in attendance.

1. Approval or Correction of Minutes of the January 8, January 30, and January 31, 2019 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the January 8, 2019 regular session of the Town Council, the January 30, 2019 special called session of the Town Council, and the January 31, 2019 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 the Smyrna High School Bowling Team on attaining the 2019 State Championship title.

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 with Middle Tennessee Electric Membership Corporation relative to utility relocation for the Enon Springs West Extension Project.
- b. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Energy, Land & Infrastructure (ELI) relative to the preparation of a grant application for milling and resurfacing Old Nashville Highway and sidewalk/ramp improvements for ADA compliance.
- c. Approval of the terms of, and authorization for the Mayor to execute, a professional services agreement with Daniel Peterson, CPA relative to working with CUSI Utilities Billing System to complete monthly sales tax report.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pyro Shows relative to 2019 Independence Day Fireworks Show.
- e. Approval of the terms of, and authorization for the Mayor to execute, an extension contract with Vision relative to website design services.
- f. Approval of the terms of, and authorization for the Mayor to execute, a change order with Romach Construction relative to additional work at the Captain Jeff Kuss Memorial.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Ragan Smith Associates relative to design services for 38 South Lowry Street (formerly Tire World).
- h. Approval of the terms of, and authorization for the Mayor to execute, a Memorandum of Understanding between the U.S. Army Corps of Engineers and the Town of Smyrna relative to tree replacement along the Jefferson Springs Greenway Extension.

Following discussion, Council Member Gerry Short 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 property located on Tax Map 27H, Group F, Parcel 31.00, containing approximately 1.7 acres, (requested by Mary Jenkins Kline), from R-2 to R-2 with Historic Overlay. Property is located at 112 Oak Street. 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 and final reading an ordinance relative to the rezoning of property located on Tax Map 27H, Group F, Parcel 31.00, containing approximately 1.7 acres, (requested by Mary Jenkins Kline), from R-2 to R-2 with Historic Overlay. Property is located at 112 Oak Street. 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 #19-01).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 33, a portion of Parcel 53.00, containing approximately 73.85 acres (requested by Jerry Butler), from R-3 to PRD. Property is located on Big Son Lane. 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 and final reading an ordinance relative to the rezoning of property located on Tax Map 33, a portion of Parcel 53.00, containing approximately 73.85 acres (requested by Jerry Butler), from R-3 to PRD. Property is located on Big Son 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 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 #19-03).

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance to amend the Smyrna Municipal Zoning Ordinance relative to amending Article V, Section 5.055.E regarding setbacks in the A-1 District. First Reading.

The Town Council next considered on first reading an ordinance to amend the Smyrna Municipal Zoning Ordinance relative to amending Article V, Section 5.055.E regarding setbacks in the A-1 District. The recommendation of the Planning Commission was that the Town Council approve the amendment. 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 Gerry Short. 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 “4”. (Ordinance #19-04).

- ii. Consideration of an ordinance relative to the rezoning of properties located on Tax Map 33, Parcels 71.00 and 71.01, containing approximately 12.61 acres (requested by Alcorn Properties), from R-1 to PUD. Properties are located on Rocky Fork Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of properties located on Tax Map 33, Parcels 71.00 and 71.01, containing approximately 12.61 acres (requested by Alcorn Properties), from R-1 to PUD. Properties are located on Rocky Fork 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 “5”. (Ordinance #19-05).

- iii. Consideration of an ordinance relative to the rezoning request to amend the approved PRD of properties located on Tax Map 54, Parcels 49.00, 52.00, and 52.01, containing approximately 122 acres (requested by Cedar Hills Holding LP). Properties are located south of Morton Lane. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning request to amend the approved PRD of properties located on Tax Map 54, Parcels 49.00, 52.00, and 52.01, containing approximately 122 acres (requested by Cedar Hills Holding LP). Properties are located south of Morton Lane. 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 H. G. Cole. Following further discussion, the motion was approved 5-0-1, 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 "6". (Ordinance #19-06).

- iv. Consideration of an ordinance relative to the rezoning of property located on Tax Map 27P, Group C, Parcel 8.00, containing approximately .4 acre (requested by Ed Davenport), from R-2 to C-4. Property is located at 407 Hazelwood Drive. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 27P, Group C, Parcel 8.00, containing approximately .4 acre (requested by Ed Davenport), from R-2 to C-4. Property is located at 407 Hazelwood 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 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 "7". (Ordinance #19-07).

- v. Consideration of an ordinance relative to the rezoning of property located on Tax Map 19, Parcel 33.00, containing approximately 4.11 acres (requested by Gary Duncan), from I-2 to PUD. Property is located at 100 G Street. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 19, Parcel 33.00, containing approximately 4.11 acres (requested by Gary Duncan), from I-2 to PUD. Property is located at 100 G Street. 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 "8". (Ordinance #19-08).

- vi. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28M, Group C, Parcel 4.00, containing approximately .5 acre (requested by Abhi Patra), from R-2 to R-4. Property is located at 507 Enon Springs Road, West. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28M, Group C, Parcel 4.00, containing approximately .5 acre (requested by Abhi Patra), from R-2 to R-4. Property is located at 507 Enon Springs Road, West. 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 Gerry Short. 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 #19-09).

- vii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 44.00, containing approximately 22.26 acres (requested by Gary Martin on behalf of R & J Family LP), from R-6 to C-2. Property is located on Sam Ridley Parkway, West. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 44.00, containing approximately 22.26 acres (requested by Gary Martin on behalf of R & J Family LP), from R-6 to C-2. Property is located on Sam Ridley Parkway, West. 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 "10". (Ordinance #19-10).

- viii. Consideration of an ordinance relative to the rezoning of properties located on Tax Map 49, Parcels 2.00 and 2.02, containing approximately 3.03 acres (requested by Samuel Riyad), from R-1 to PRD. Properties are located on Old Nashville Highway. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of properties located on Tax Map 49, Parcels 2.00 and 2.02, containing approximately 3.03 acres (requested by Samuel Riyad), from R-1 to PRD. Properties are located on Old Nashville Highway. The recommendation of the Planning Commission was that the Town Council approve the request. Following discussion, Vice-Mayor Marc

Adkins made a motion to deny and reject said ordinance on first reading. The motion was duly seconded by Council Member H. G. Cole. Following further discussion, the motion was approved 5-1 with Council Member Tim Morrell voting “no”. A copy of said ordinance, as denied and rejected on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “11”. (Ordinance #19-11).

b. Packaged Liquor Board Report:

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

c. Consideration of a resolution for State Revolving Fund \$3,000,000 Cap Grant for the WWTP Expansion Project.

The Town Council next considered a resolution for State Revolving Fund \$3,000,000 Cap Grant for the WWTP Expansion Project. Following discussion, Council Member H. G. Cole 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 unanimously. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “12”. (Resolution #19-06).

f. Other.

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

7. Status Reports.

Town Manager Brian Hercules reported he is working through the budget process with the aid of Finance Director Rex Gaither. Budget meetings with department heads are completed. He is assisting Human Resources with the employee benefits and earnings information sheet.

8. Announcements.

Town Manager Brian Hercules stated a joint meeting of the Town Council and Planning Commission will be held on March 7th at 4:00 p.m. to discuss the Downtown Overlap Plan. He announced a Seafood Feast will be held at the Event Center on February 22, 2019 from 5-8 p.m.

Town Attorney Jeff Peach stated training for new board members will be held after appointments in March.

Council Member Racquel Peebles thanked John Coleman Elementary School for allowing her to speak at Workday Wednesday. She also spoke to Iota Phi Lambda

Sorority at the Hilltop Rosenwald Park. She and Mayor Mary Esther Reed participated in Facebook Live to promote Smyrna.

Council Member H. G. Cole stated SiMA is currently having a scavenger hunt. He wished everyone a “Happy Valentine’s Day”.

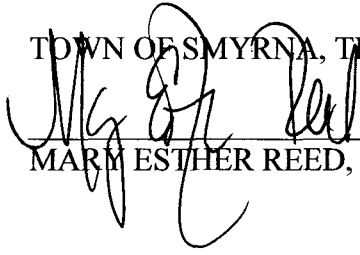
Council Member Gerry Short announced that Smyrna High School is hosting the district high school tournament, and Sister City is having a chili supper on February 23rd at the Senior Citizen’s Center.

Vice-Mayor Marc Adkins thanked Tom Rose and Kevin Riggsby on the roads update meeting held prior to the council meeting. He wished his wife a “Happy Valentine’s Day”.

Mayor Mary Esther Reed announced the following: the deadline for board and committee applications is March 4th and appointments will be made at the March meeting; Volunteer of the Year Banquet is February 15th at the Event Center; Family Safety Expo will be March 30th from 9:00 a.m. to 2:00 p.m. at the Event Center; the Top Gun Night Run will be May 31st beginning at 9:00 p.m. at Lee Victory Park; stream cleanup events are scheduled for March 23rd, April 20th, and May 11th; registration for 2019 summer camps at the Smyrna Outdoor Adventure Center opens March 4th; and Town offices will be closed February 18th for President’s Day.

Mayor Mary Esther Reed thanked Town Manager Brian Hercules for continuing to keep everyone updated on road projects. She recognized Scout Cedric McCarroll with Scout Troop 219 and a student at Smyrna High School who was in the audience.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE


MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk