

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON DECEMBER 10, 2019**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on December 10, 2019 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Chaplain Winfred Warren, Smyrna Police Department. The pledge of allegiance was led by Mike Strange, Director of Utilities.

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 Gerry Short was not in attendance.

1. Approval or Correction of Minutes of the November 12, 2019 and November 26, 2019 meetings.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the November 12, 2019 regular session of the Town Council, the November 26, 2019 special called workshop of the Town Council and Planning Commission, and the November 26, 2019 regular work session of the Town Council. The motion was duly seconded by Council Member Tim Morrell. 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 awarded the following Christmas Parade winners: Best Christmas Spirit – Smyrna Ready Mix and Debbie’s School of Dance; Most Creative – Smyrna Baseball League and Azteca Bakery; Best Use of Theme – Smyrna Parks and Recreation and Smyrna Fast Pitch; and Mayor’s Cup – Crye-Leike Realtors and Town of Smyrna Food Bank Float. Crye-Leike Realtors collected the most food items for Nourish Food Bank at the parade. She thanked Stewarts Creek High School TV for producing the parade.

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 Memorandum of Understanding for use of the Town Event Center relative to a mass medical emergency by Tri-Star Stonecrest.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Energy Land & Infrastructure relative to Old Jefferson Pike Drainage Design Project.
- c. Approval of the terms of, and authorization for the Mayor to execute, Change Order #1 with Boatman Construction relative to the Taylor Farms Sewer Upgrade Project.
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Parker Hannifin relative to maintenance for the THM Analyzer at the Water Treatment Plant.
- e. Approval of the terms of, and authorization for the Mayor to execute, an Inter-local Agreement with La Vergne relative to placing Gas AMI Connected Grid Routers on two poles plus installation of additional pole.
- f. Approval of the adoption of the revised employee handbook.
- g. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with CIGNA relative to third party administrator, provider network, and reinsurance (stop loss) for the Town’s health insurance plan.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract with InfoArmor relative to fraud and identity protection services for employees.

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 a resolution relative to a Plan of Services for property located on Tax Map 54, Parcel 15.15.

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, Parcel 15.15. 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 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 "2". (Resolution #19-34).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 15.15, containing approximately 19.76 acres (requested by Shawn Collins on behalf of David P. and Gayle Mehoskey). Property is located at 8964 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. The following individuals spoke concerning the item: Michael Murphy, Shawn Collins and Rob Molchan.

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 annexation and R-3 zoning of properties located on Tax Map 54, Parcel 15.15, containing approximately 19.76 acres (requested by Shawn Collins on behalf of David P. and Gayle Mehoskey). Property is located at 8964 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 second and final 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 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 #19-61).

- c. Consideration of a resolution in memorandum of Ordinance #19-61 relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 15.15.

The Town Council next considered a resolution in memorandum of Ordinance #19-61 relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 15.15. 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 #19-35).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 34, Parcel 23.00, containing approximately .4 acre (requested by Porfirio Alfaro), from I-3 to I-1. Property is located on Wade Herrod 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 34, Parcel 23.00, containing approximately .4 acre (requested by Porfirio Alfaro), from I-3 to I-1. Property is located on Wade Herrod 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 #19-62).

- e. **PUBLIC HEARING:** 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 Ayoub Eshak), from R-1 to PRD. Properties are located on Old Nashville Highway. 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 properties located on Tax Map 49, Parcels 2.00 and 2.02, containing approximately 3.03 acres, (requested by Ayoub Eshak), 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 with the condition that the HOA is managed by a third party. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance on second and final reading with the condition. 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 "6". (Ordinance #19-63).

- f. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 27P, Group B, Parcel 18.01, containing approximately .42 acre, (requested by Ann Gannon), from R-2 with H-1 to C-4 with H-1. Property is located at 102 Hazelwood 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 27P, Group B, Parcel 18.01, containing approximately .42 acre, (requested by Ann Gannon), from R-2 with H-1 to C-4 with H-1. Property is located at 102 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 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 #19-64).

- g. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of properties located on Tax Map 28M, Group G, Parcels 23.00 and 24.00, containing approximately .49 acre and .56 acre, respectively, (requested by Maggie Johnson and Frank Richardson), from R-2 to C-4. Properties are located on Enon Springs Road, West. 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 properties located on Tax Map 28M, Group G, Parcels 23.00 and 24.00, containing approximately .49 acre and .56 acre, respectively, (requested by Maggie Johnson and Frank Richardson), from R-2 to C-4. Properties are located on Enon Springs Road, West. 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 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 "8". (Ordinance #19-65).

- h. **PUBLIC HEARING:** Consideration of an ordinance relative to adding language to the Town of Smyrna Municipal Code, Title 15 "Motor Vehicles, Traffic and Parking", specifically adding a new Chapter 8 pertaining to "Dockless Small Vehicle Systems". 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 adding language to the Town of Smyrna Municipal Code, Title 15 "Motor Vehicles, Traffic and Parking", specifically adding a new Chapter 8 pertaining to "Dockless Small Vehicle Systems". 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 "9". (Ordinance #19-66).

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the annexation and C-2 zoning with the Enon Springs Gateway Overlay District of property located on Tax Map 33, Parcel 62.01, containing approximately 3.87 acres (requested by Camden Properties, LLD). Property is located at 3760 Rocky Fork Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and C-2 zoning with the Enon Springs Gateway Overlay District of property located on Tax Map 33, Parcel 62.01, containing approximately 3.87 acres (requested by Camden Properties, LLD). Property is located at 3760 Rocky Fork Road. The recommendation of the Planning Commission was that the Town Council deny 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 Tim Morrell. Following further discussion, the motion was approved unanimously. 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 "10". (Ordinance #19-67).

b. Packaged Liquor Board Report:

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

c. Consideration of a resolution to update the Town of Smyrna Social Media Policy.

The Town Council next considered a resolution to update the Town of Smyrna Social Media Policy. Following discussion, Council Member Steve Sullivan 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 "11". (Resolution #19-36).

d. Consideration of a resolution authorizing the formal adoption of the "ADA Self-Evaluation and Transition Plan".

The Town Council next considered a resolution authorizing the formal adoption of the "ADA Self-Evaluation and Transition Plan". 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 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 #19-37).

- e. **Appointment of one (1) member to the Arts Commission to serve an unexpired term ending 2021.**

Mayor Mary Esther Reed next appointed Diana Hague to the Arts Commission to serve an unexpired term ending 2021. The appointment was approved unanimously.

- f. **Approval of the terms of, and authorization for the Mayor to execute, a contract with Greenway of Nashville relative to the Zama Park construction.**

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 Greenway of Nashville relative to the Zama Park construction. 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 "13".

- g. **Approval of the terms of, and authorization for the Mayor to execute, an Interlocal Water Service Boundary Agreement with Consolidated Utility District.**

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the terms of and authorize the Mayor to execute an Interlocal Water Service Boundary Agreement with Consolidated Utility District. 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 "14".

- h. **Other.**

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

7. Status Reports.

There were no status reports to be presented to the Town Council at this time.

8. Announcements.

Town Manager Brian Hercules announced that Town Hall offices will be closed December 24th and 25th and January 1st. He congratulated Smyrna Public Library Branch Manager Ginger Graves on completion of the Public Library Management Institute. He stated the Nolan Drive Project will be closed for 60 days due to wet weather. He read a letter from a citizen, whose home had burned, thanking the Town of Smyrna especially the Fire and Police Departments and Building Inspector Gary Rinehart in Codes for their help. He asked everyone to remember the Jenny Davis family in the loss of her father

and her husband's recent heart attack, and Kristina Barrett's family as her father will be having heart surgery tomorrow.

Council Member Racquel Peebles thanked all that she challenged for the food drive. She commented on the Employee Christmas Luncheon. A toy drive is being held at her office to benefit Casa of Rutherford County.


Council Member H. G. Cole stated his grandchildren enjoyed "Christmas at the Depot". He encouraged citizens to shop local for Christmas.

Mayor Mary Esther Reed and the Town Council thanked all the citizens for attending the parade and bringing canned goods. A special "thank-you" to Jill Strange in organizing the event and all employees that assisted.

Mayor Mary Esther Reed announced the 6K Top Gun Night Run is May 29th at 8 p.m. at Lee Victory Recreation Park. She thanked Parks and Recreation Director Mike Moss and staff on "Christmas at the Depot". She also thanked Chris with Stewarts Creek High School TV. She gave a shout out to her Cousin Ruie visiting from Seattle.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MAY ESTHER REED, Mayor
Marc Adkins, Vice-Mayor

ATTEST:



DIANNE WALDRON, Town Clerk