

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON JANUARY 8, 2019**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on January 8, 2019 at Town Hall with the Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Rex Gaither, Finance Director. 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
Gerry Short
Steve Sullivan

1. Approval or Correction of Minutes of the December 11, 2018 and January 2, 2019 meetings.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the December 11, 2018 regular session of the Town Council and the January 2, 2019 work session of the Town Council. The motion was duly seconded by Council Member Gerry Short. 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.

There were no awards or recognitions to be presented to the Town Council at this time.

- 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.

7. 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.
- 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.

8. New Business:

- a. Planning Commission Report:
 - i.
- 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.
- d. Other.

9. Status Reports.

10. Announcements.

11. Adjournment.

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 51, Parcels 12.00 and 14.00. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services. Following discussion, Council Member Gerry Short 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 "3". (Resolution #19-01).

- b. **PUBLIC HEARING:** 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. 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 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. 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 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 #18-42).

- c. Consideration of a resolution in memorandum of Ordinance #18-42 relative to the annexation and PRD zoning of property located on Tax Map 51, Parcels 12.00 and 14.00.

The Town Council next considered a resolution in memorandum of Ordinance #18-42 relative to the annexation and PRD zoning of property located on Tax Map 51, Parcels 12.00 and 14.00. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution. The motion was duly seconded by Vice

Mayor Marc Adkins. 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 #19-02).

6. New Business:

a. Planning Commission Report:

- i. 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. First Reading.

The Town Council next considered on first 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, Vice-Mayor Marc Adkins 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 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 "6". (Ordinance #19-01).

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28E, Group A, Parcel 15.00, containing approximately 3.2 acres (requested by Tyler King), from R-4 to C-2. Property is located at 389 Rock Springs Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28E, Group A, Parcel 15.00, containing approximately 3.2 acres (requested by Tyler King), from R-4 to C-2. Property is located at 389 Rock Springs Road. The recommendation of the Planning Commission was that the Town Council deny the request. Following discussion, Council Member Tim Morrell made a motion to deny and reject 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 denied and rejected on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #19-02).

- iii. 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. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 33, Parcel 15.00, containing approximately 3.2 acres (requested by Tyler King), from R-4 to C-2. Property is located at 389 Rock Springs Road. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) the architectural elevations will be a minimum of brick, stone, and fiber cement siding on all sides, 2) HVAC units will be to the rear of the houses, 3) the homeowner's association will have a third party administrator, and 4) side setbacks are 5' minimum. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said ordinance with the four provisions. 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 #19-03).

b. Packaged Liquor Board Report:

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

c. Consideration of a resolution approving the Town of Smyrna to apply for Community Development Block Grant (CDBG) funds.

The Town Council next considered a resolution approving the Town of Smyrna to apply for Community Development Block Grant (CDBG) application. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said resolution. The motion was duly seconded by Vice Mayor Marc Adkins. 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 "9". (Resolution #19-03).

d. Consideration of a resolution approving the Town of Smyrna to secure the assistance of Community Development Partners in the preparation and administration of the Town's 2019 Community Development Block Grant (CDBG) application.

The Town Council next considered a resolution approving the Town of Smyrna to secure the assistance of Community Development Partners in the preparation and administration of the Town's 2019 Community Development Block Grant (CDBG) application. Following discussion, Council Member Gerry Short 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 "10". (Resolution #19-04).

- e. Consideration of a resolution approving the Town of Smyrna to secure the assistance of Dempsey, Dilling & Associates in the engineering and design of the Town's 2019 Community Development Block Grant (CDBG) application.**

The Town Council next considered a resolution approving the Town of Smyrna to secure the assistance of Dempsey, Dilling & Associates in the engineering and design of the Town's 2019 Community Development Block Grant (CDBG) application. 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 "11". (Resolution #19-05).

- f. Other.**

- i. Consideration of an amendment to the Limited Term Wholesale Water Supply Agreement with Nolensville/College Grove Utility District.**

The Town Council next considered a motion by Council Member Steve Sullivan to amend the Limited Term Wholesale Water Supply Agreement with Nolensville/College Grove Utility District. The motion was duly seconded by Vice-Mayor Marc Adkins. 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".

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

7. Status Reports.

Mayor Mary Esther Reed next discussed the new U.S. Postal Service regulation that eliminates mailboxes in new residential developments. Town Planner Kevin Rigsby will provide more information at a later date.

Mayor Mary Esther Reed stated applications for boards and committees are now being taken. Staff will be reviewing absences from current members.

8. Announcements.

Town Manager Brian Hercules recognized Kathy Ferrell and Matt Stearns, two participants in Leadership Rutherford that were in the audience. He reminded everyone of the joint meeting of the Town Council and Planning Commission on February 12th at

4:00 p.m. for a roads update. He thanked the Building and Grounds Department for the renovations done at Town Hall.

Town Attorney Jeff Peach stated the Legislature is in session, and he will be monitoring legislation.

Vice-Mayor Marc Adkins thanked Jeff for his work in keeping the council abreast of any new laws.

Town Manager Brian Hercules wished Kevin Rigsby a "Happy Birthday".

Council Member Racquel Peebles congratulated the family of the late Ernest Long on receiving the Congressional Gold Medal for service during WWII. She also wished her son a "Happy Birthday".

Council Member H. G. Cole commented on the efficiency of the Fire and Police Departments during the recent accident in front of his business.

Council Member Steve Sullivan thanked Kathy Ferrell of the Red Cross for the assistance during the apartment fires in the town.

Vice-Mayor Marc Adkins thanked Jean Coop for her work with the Red Cross. He congratulated Police Chief Kevin Arnold on his selection as the 2018 Pinnacle Award recipient. He complimented the Police Department on their conduct at funeral processions.

Mayor Mary Esther Reed spoke at the Senior Citizens Center today.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk