

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON MAY 12, 2020**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on May 12, 2020 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Council Member Gerry Short. The pledge of allegiance was led by Assistant Town Manager Rex Gaither.

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 April 13, 2020 and April 14, 2020 meetings.

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the April 13, 2020 Council Retreat and the April 14, 2020 regular 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.

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

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 renewal contract with Solitude Lake Management relative to pond maintenance at JJ McWilliams/Old Rock School Park.
- b. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Galls Incorporated relative to Police Department uniforms.
- c. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Bush Construction relative to installation of gas mains and services.
- d. Approval of the terms of, and authorization for the Mayor to execute, contracts with the following relative to chemicals at the Water and Waste Water Treatment Plants:
 - WTP
 - i. Carmeuse – Calcium Oxide (Lime)
 - ii. Univar – Hydrofluorosilicic Acid (Fluoride) and Sodium Chloride (Salt)
 - iii. Calgon Carbon Corp. – Powder Activated Carbon
 - iv. ADC – Calcium Thiosulfate
 - WWTP
 - i. Nich Chem – Liquid Aluminum Sulfate
- e. Approval of the terms of, and authorization for the Mayor to execute, renewal contracts with the following relative to chemicals at the Water and Waste Water Treatment Plants:
 - WTP
 - i. ChemTrade – Polyaluminum Hydroxychloride
 - ii. ADC – Sodium Ortho/Poly Phosphate (AquaMag), Sodium Hydroxide, Hydrogen Peroxide, and Potassium Permanganate
 - iii. Dycho – Sodium Hypochlorite
 - iv. Hawkins – Citric Acid
 - v. SNF PolyDyne – Clarifloc C 318
 - vi. Gulbrandsen – Aluminum Chlorohydrate GC -850
 - vii. NexAir – Carbon Dioxide
 - WWTP
 - i. SNF PolyDyne – Emulsion Polymer

- f. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with IM&E relative to mechanical maintenance for the Water and Waste Water Treatment Plants.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract addendum with Jones Bros., Inc. relative to placing fill material at the firing range from Enon Springs West jobsite.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract amendment with Dempsey, Dilling & Associates relative to construction engineering services for Cedar Stone Park.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Barton Lawn Care relative to mowing of park properties.
- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sweeping Corp. of America relative to annual street sweeping.

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 Gerry Short. 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 properties located on Tax Map 33, Parcels 100.00 and 101.00.

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 properties located on Tax Map 33, Parcels 100.00 and 101.00. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services. Following discussion, Vice-Mayor Marc Adkins 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 "2". (Resolution #20-10).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation of and PRD and C-2 zoning with the Enon Springs Gateway Overlay District of properties located on Tax Map 33, Parcels 100.00 and 101.00, containing approximately 91.5 acres (requested by Jerry Butler on behalf of Marshall L. Andrews, Sr. and Betty Andrews). Properties are located west of Interstate 24 at 3782 Rocky Fork 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 on second and final reading an ordinance relative to the annexation of and PRD and C-2 zoning with the Enon Springs Gateway Overlay District of properties located on Tax Map 33, Parcels 100.00 and 101.00, containing approximately 91.5 acres (requested by Jerry Butler on behalf of Marshall L. Andrews, Sr. and Betty Andrews). Properties are located west of Interstate 24 at 3782 Rocky Fork Road. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) submittal of a traffic study for the subdivision and account for the existing approved project; study should be inclusive of Highwood Boulevard and Blair Road, 2) sewer must come from the proposed Olive Branch gravity line; a temporary pump station is allowed until such time as the Olive Branch gravity line is completed, and 3) available fire flow is 1200 gpm at 20 psi; development of the commercial area will require installation of the 12" water line under I-24 for adequate fire flow. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance, with the conditions, on second and final reading. The motion was duly seconded by Council Member Gerry Short. Following further discussion, the motion was approved 6-1 with Council Member Racquel Peebles voting "no". 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 #20-07).

- c. **PUBLIC HEARING:** Consideration of a resolution in memorandum of Ordinance #20-07 relative to the annexation and PRD and C-2 zoning with the Enon Springs Gateway Overlay District of properties located on Tax Map 33, Parcels 100.00 and 101.00.

The Town Council next considered a resolution in memorandum of Ordinance #20-07 relative to the annexation and PRD and C-2 zoning with the Enon Springs Gateway Overlay District of properties located on Tax Map 33, Parcels 100.00 and 101.00. 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 "4". (Resolution #20-11).

- d. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for properties located on Tax Map 51, Parcels 5.00 and 6.00.

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 properties located on Tax Map 51, Parcels 5.00 and 6.00. 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 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 #20-12).

- e. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and PRD zoning of properties located on Tax Map 51, Parcels 5.00 and 6.00, containing approximately 30.8 acres (requested by Suncrest Real Estate on behalf of Stanley Holt and Barbara Ann Harris). Properties are located at 6914 Lee 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 individual spoke concerning the item: 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 PRD zoning of properties located on Tax Map 51, Parcels 5.00 and 6.00, containing approximately 30.8 acres (requested by Suncrest Real Estate on behalf of Stanley Holt and Barbara Ann Harris). Properties are located at 6914 Lee Road. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) amend the design of the entrance to Dale Drive to allow for fire truck access without leaving the pavement of the roadway and 2) show a two car parking pad for each townhouse per the prior PRD approval. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said ordinance, with the conditions, 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 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 #20-08).

- f. Consideration of a resolution in memorandum of Ordinance #20-08 relative to the annexation and PRD zoning of properties located on Tax Map 51, Parcels 5.00 and 6.00.

The Town Council next considered a resolution in memorandum of Ordinance #20-08 relative to the annexation and PRD zoning of properties located on Tax Map 51, Parcels 5.00 and 6.00. Following discussion, Vice-Mayor Marc Adkins 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 "7". (Resolution #20-13).

- g. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of properties located on Tax Map 32, Parcel 20.00 and Tax Map 51, Parcel 7.00 to amend the existing PRD (requested by Suncrest Real Estate and Land). Properties contain approximately 190.5 acres and are located at 4675 Rock Springs 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 on second and final reading an ordinance relative to the rezoning of properties located on Tax Map 32, Parcel 20.00 and Tax Map 51, Parcel 7.00 to amend the existing PRD (requested by Suncrest Real Estate and Land). Properties contain approximately 190.5 acres and are located at 4675 Rock Springs 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 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 "8". (Ordinance #20-09).

- h. **PUBLIC HEARING:** Consideration of an ordinance relative to the amendment of the Town of Smyrna Zoning Ordinance to amend Article III, Section 3.100 "Accessory Use Regulations" relative to accessory buildings used for agricultural purposes. 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 amendment of the Town of Smyrna Zoning Ordinance to amend Article III, Section 3.100 "Accessory Use Regulations" relative to accessory buildings used for agricultural purposes. The recommendation of the Planning Commission was that the Town Council approve the amendment. 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 #20-10).

There was no further Old Business for the Town Council to consider at this time.

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 1.00 to amend the existing PRD (requested by Robert Latimer). Property contains approximately 1.45 acres and is located at 655-673 South Lowry Street. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 34G, Group A, Parcel 1.00 to amend the existing PRD (requested by Robert Latimer). Property contains approximately 1.45 acres and is located at 655-673 South Lowry 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 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 "10". (Ordinance #20-11).

b. Packaged Liquor Board Report:

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

- c. Approval of the terms of, and authorization for the Mayor to execute, an addendum to the 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 addendum to the Interlocal Water Service Boundary Agreement with Consolidated Utility District. The motion was duly seconded by Council Member Steve Sullivan. 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 "11".

- d. Approval of the terms of, and authorization for the Mayor to execute, a grant application with the U.S. Department of Justice relative to the Coronavirus Emergency Supplemental Funding Program.**

The Town Council next considered a motion by Council Member Racquel Peebles to approve the terms of and authorization for the Mayor to execute a grant application with the U.S. Department of Justice relative to the Coronavirus Emergency Supplemental Funding Program. 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 "12".

- e. Approval of the terms of, and authorization for the Mayor to execute, the necessary documents relative to FY21 Property, Casualty and Workers' Comp Excess Insurance.**

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of and authorize the Mayor to execute the necessary documents relative to FY21 Property, Casualty and Workers' Comp Excess Insurance. The motion was duly seconded by Council Member Racquel Peebles. Following discussion, the motion was approved unanimously.

- f. Consideration of a resolution relative to acceptance of State of Tennessee grant funds.**

The Town Council next considered a resolution relative to acceptance of State of Tennessee grant funds. Following discussion, Vice-Mayor Marc Adkins made a motion to approve and adopt said resolution. The motion was duly seconded by Council Member Gerry Short. 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 #20-14).

g. Consideration of submission of Public Debt Notice to the Comptroller of the Treasury.

Assistant Town Manager/Finance Director Rex Gaither announced the submission of Public Debt Notice to the Comptroller of the Treasury.

h. Consideration of an ordinance adopting the budget for fiscal year 2020-2021. First Reading.

The Town Council next considered on first reading an ordinance adopting the budget for fiscal year 2020-2021. Assistant Town Manager/Finance Director Rex Gaither gave a presentation on the budget. Following discussion, Council Member Steve Sullivan 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 "14". (Ordinance #20-12).

i. Consideration of an ordinance adopting the property tax rate for fiscal year 2020-2021. First Reading.

The Town Council next considered on first reading an ordinance adopting the property tax rate of \$.7007 for the fiscal year 2020-2021. 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 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 "15". (Ordinance #20-13).

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

7. Status Reports.

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

8. Announcements.

Town Manager Brian Hercules read a note from Kroger's thanking the Fire and Police Departments for assistance during the recent COVID-19 testing at Motlow. He commented on the video done by Public Information Officer Kathy Ferrell and Media Program Producer Brett Beauregard thanking town employees providing services during the pandemic. He also thanked the Fire and Police Departments and dispatchers for their service during the recent storms. He commented on National Public Safety Telecommunicator's Week and National Police Officer's Week.

He announced that the Youth Academy, Memorial Day event with the VFW, and 4th of July celebrations are cancelled. He reported on the Jefferson Pike, Sam Ridley Parkway, Nolan Drive, and Enon Springs Road Projects.

Council Member Racquel Peebles wished all mothers a “Belated Happy Mother’s Day”. She thanked staff for their service during the pandemic and Rex and his staff on the preparation of the budget. She congratulated her daughter, Nora, on her recent high school graduation.

The Mayor and Council Members congratulated all recent graduates.

Council Member H. G. Cole commented on the recent loss of Citizen Rusty Griffin who was one of the founders of SiMA.

Council Member Tim Morrell sent condolences to the Jordan Warrick family.

Council Member Gerry Short congratulated his daughter-in-law on receiving a Master’s Degree.

Council Member Steve Sullivan announced the honor of getting to pin his son who is in the Marines.

Vice-Mayor Marc Adkins thanked Attorney Jeff Peach on the work he does for the town. He wished Jannette Gwynne and Annette Taylor a “Happy Birthday”.

Mayor Mary Esther Reed wished her husband, Britt, a “Happy Anniversary”. She stated the Farmer’s Market will open May 23rd with modifications. She asked Town Manager Brian Hercules to discuss procedures of opening buildings to the public on June 1st. She thanked Dana and staff with the Rutherford County Health Department for conducting testing in Murfreesboro and Smyrna for the coronavirus. Her niece, Mary Leigh Slate, graduated this year from Stewarts Creek High School.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk