

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON APRIL 14, 2020**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on April 14, 2020 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed stated that because of COVID-19, the meeting is being conducted in compliance of Governor Lee's Executive Order #17.

Mayor Reed called the meeting to order. The invocation was offered by Vice-Mayor Marc Adkins. The pledge of allegiance was led by Town Clerk Dianne Waldron.

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 March 10, 2020 and April 2, 2020 meetings.**

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the March 10, 2020 regular session of the Town Council and the April 2, 2020 special called meeting 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 North Alabama Fire Equipment Company (N.A.F.E.C.O.) relative to Fire Department bunker boots, turnout coats and turnout pants.
- b. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Diversified Inspections/ITL, Inc. relative to Fire Department ground ladder and aerial device testing.
- c. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Southeast Fire, LLC relative to Fire Department apparatus servicing.
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Pye Barker relative to fire extinguisher services.
- e. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Synagro South, LLC relative to lagoons lime sludge removal at Water Treatment Plant.
- f. Approval of the terms of, and authorization for the Mayor to execute, a contract with Yeary, Howell and Associates relative to audit services for the fiscal year ending June 30, 2020.
- g. Approval of the terms of, and authorization for the Mayor to execute, Addendum #2 with Barge Solutions relative to construction administration and construction engineering services for the Nolan Drive Relocation Project.

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 Steve Sullivan. 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 the 2,870 linear feet of the existing right-of-way of Rocky Fork Almaville Road.

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 the 2,870 linear feet of the existing right-of-way of Rocky Fork Almaville Road. 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 "2". (Resolution #20-08).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation of 2,870 linear feet of the existing right-of-way of 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. 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 2,870 linear feet of the existing right-of-way of Rocky Fork Almaville Road. 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 H. G. Cole. 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 #20-05).

- c. **PUBLIC HEARING:** Consideration of a resolution in memorandum of Ordinance #20-05 relative to the annexation of 2,870 linear feet of the existing right-of-way of Rocky Fork Almaville Road.

The Town Council next considered a resolution in memorandum of Ordinance #20-05 relative to the annexation of 2,870 linear feet of the existing right-of-way of Rocky Fork 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 "4". (Resolution #20-09).

- d. **PUBLIC HEARING:** Consideration of an ordinance amending the text of the Smyrna Municipal Zoning Ordinance relative to Article 11, Section 2.020 "Definitions"; Article V, Section 5.052.7 "C-5 Highway Service District"; Section 5.053.1 "I-1 Light Industrial District"; Section 5.053.2 "I-2 Light Industrial District"; and 5.053.3 "I-3 Heavy Industrial District" and to add Article IV, Section 4.200 "Supplemental Provisions for Auto Towing Services". 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 amending the text of the Smyrna Municipal Zoning Ordinance relative to Article 11, Section 2.020 "Definitions"; Article V, Section 5.052.7 "C-5 Highway Service District"; Section 5.053.1 "I-1 Light Industrial District"; Section 5.053.2 "I-2 Light Industrial District"; and 5.053.3 "I-3 Heavy Industrial District" and to add Article IV, Section 4.200 "Supplemental Provisions for Auto Towing Services". 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 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 "5". (Ordinance #20-06).

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 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,

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. First Reading.

The Town Council next considered on first reading an ordinance 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, 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) a traffic study submitted for the subdivision and account for the existing approved project and study should be inclusive of Highwood Boulevard and Blair Road, 2) sewer must come from the proposed Olive Branch gravity line and 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 and development of the commercial area will require installation of the 12" water line under I-24 for adequate fire flow. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said ordinance, with the three conditions, 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 "6". (Ordinance #20-07).

- ii. 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 and Land on behalf of Stanley Holt and Barbara Ann Harris). Properties are located at 6914 Lee Road. First Reading.

The Town Council next considered on first 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 and Land 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. The developer's representative, Rob Molchan of SEC, Inc., addressed the Town Council regarding water service. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance, with the two conditions, 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 "7". (Ordinance #20-08).

- iii. 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. First Reading.

The Town Council next considered on first 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, 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 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 #20-09).

- iv. Consideration of an ordinance relative to amending the text of the Smyrna Municipal Zoning Ordinance to amend Article III, Section 3.100 "Accessory Use Regulations" related to accessory buildings that are used for agricultural purposes. First Reading.

The Town Council next considered on first reading an ordinance relative to amending the text of the Smyrna Municipal Zoning Ordinance to amend Article III, Section 3.100 "Accessory Use Regulations" related to accessory buildings that are used for agricultural purposes. The recommendation of the Planning Commission was that the Town Council approve the amendment. Following discussion, Council Member Gerry Short made a motion to approve and adopt said ordinance on first reading. The motion was duly seconded by Council Member Racquel Peebles. Following 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 #20-10).

**b. Packaged Liquor Board Report:**

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

**c. Appointment of one (1) educator from a secondary school in North Rutherford County to the Sister City Committee to serve an unexpired term ending in 2022.**

Mayor Mary Esther Reed next nominated Chris Bissinger as the educator from a secondary school in North Rutherford County to the Sister City Committee to serve an expired term ending in 2022. With no further nominations, the appointment was approved unanimously.

**d. Consideration of submission of Public Debt Notice to the Comptroller of the Treasury.**

The Town Council next considered a submission of Public Debt Notice to the Comptroller of the Treasury by Attorney Jeff Peach. Vice-Mayor Marc Adkins made a motion to approve the submission. The motion was duly seconded by Council member H. G. Cole. Following discussion, the submission was approved unanimously.

**e. Other.**

- i. Approval of the terms of, and authorization for the Mayor to execute, a contract with Beech Construction relative to Utility Customer Service Renovation Project.

The Town Council next considered a motion by Council Member Tim Morrell to approve the terms of and authorize the Mayor to execute a contract with Beech Construction relative to Utility Customer Service Renovation Project. The motion was duly seconded by Council Member Gerry Short. 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 "10".

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 the City of Mt. Juliet thanking the Town of Smyrna's Street Department and Police Department for their aid after the tornado. He thanked Jerome Dempsey for donating five gallons of hand sanitizer to the town. Condolences were offered to Dennis Johnson on the loss of his grandmother, Candy Johnson on the loss of her father, and Judge Alexander on the loss of her father.

He encouraged all citizens to follow the CDC guidelines for COVID-19, and comply with Governor Lee's Executive Order # 27. He also announced that the Top Gun Night Run has been postponed. He stated this is National Public Safety Telecommunicators Week.

The Mayor and Council Members offered condolences to those employees who lost family members.

Council Member Racquel Peebles congratulated all 2020 graduates and especially her daughter Nora.

Council Member H. G. Cole asked citizens to support local businesses during the pandemic.

Council Member Tim Morrell thanked all the front line people and their families during COVID-19.

Council Member Gerry Short thanked employees for keeping the town running. He wished his son Josh a "Happy Birthday".

Council Member Steve Sullivan thanked Town Manager Brian Hercules, Assistant Town Managers Rex Gaither and Todd Spearman, and Town Attorney Jeff Peach for their leadership during the pandemic.

Vice-Mayor Marc Adkins wished everyone a "Happy Belated Easter". He stated this Easter was unique and different. He commented on the budget retreat.

Mayor Mary Esther Reed stated Rutherford County Mayors are talking on a weekly basis and also with Governor Lee regarding COVID-19. She thanked staff members for their work making sure the citizens are informed of changes.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

  
\_\_\_\_\_  
MARY ESTHER REED, Mayor

ATTEST:

  
\_\_\_\_\_  
DIANNE WALDRON, Town Clerk