

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON JANUARY 12, 2021**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on January 12, 2021 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 Town Planner Kevin Rigsby.

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 8, 2020 and December 22, 2020 meetings.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the December 8, 2020 regular session of the Town Council and the December 22, 2020 regular worksession of the Town Council. The motion was duly seconded by Council Member H. G. Cole. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

There was no correspondence/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.

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 MTEMC for them to share GIS files related to street light locations.
- b. Approval of the terms of, and authorization for the Mayor to execute, the completed "Special Event Application" to the U.S. Army Corps of Engineers relative to Boat Day and Water Fest event.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with John Bouchard and Son relative to the 4R Lift Station Upgrade Project.
- d. Approval of Smyrna Police Standard Operating Procedures, 2-57 LPR Policy.
- e. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Allen's Air Care relative to the purchase and installation of a HVAC unit for Fire Station 1.
- f. Consideration of the declaration of surplus items.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with S&W Contracting Company, Inc. relative to the GIS Fiber Line relocation on the SR-1 (US-41, US-70S, South Lowry Street/North Lowry Street) Project, from Jackson Street to Sam Davis Road Project.
- h. Approval of the terms of, and authorization for the Mayor to execute, Change Order #3 with Jones Brothers Contractors, LLC relative to the Enon Springs West Extension 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 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 amendment of the existing Sterling at Stonecrest PUD located on Tax Map 33, Parcel 1.04, containing approximately 6.09 acres (requested by

Traditions of Smyrna, LLC). Property is located at 700 Great Circle.
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 existing Sterling at Stonecrest PUD located on Tax Map 33, Parcel 1.04, containing approximately 6.09 acres (requested by Traditions of Smyrna, LLC). Property is located at 700 Great Circle. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) building is required to comply with the Housing for Older Persons Act; 2) development will be required to meet all aspects of the adopted Fire Code with regard to access for the necessary apparatus. This could result in changes to the drive layout and locations of parking, and 3) additional parking is required as discussed at the Planning Commission meeting with at least 4 additional spaces being provided for the overall site. Following discussion, Council Member Gerry Short made a motion to approve and adopt said ordinance, with conditions, 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 "2". (Ordinance #20-32).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the amendment of the existing PRD and the rezoning of property located on Tax Map 54, Parcels 51.00 and part of Parcel 50.01, containing approximately 15.4 acres (requested by Andre Jaeckle) to amend the existing PRD (14.2 acres) and rezone from PRD to R-3 (1.2 acres). Properties are located at 8162 and 8286 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.

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PRD to R-3 (1.2 acres). Properties are located at 8162 and 8286 Rocky Fork Almadale 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 6-0-1 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 #20-33).

- c. **PUBLIC HEARING:** Consideration of an ordinance to amend the Town of Smyrna Municipal Code, Title 8 "ALCOHOLIC BEVERAGES", Chapter 3 "RETAIL SALES OF ALCOHOLIC BEVERAGES" to allow manufacturing of wine. 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 to amend the Town of Smyrna Municipal Code, Title 8 "ALCOHOLIC BEVERAGES", Chapter 3 "RETAIL SALES OF ALCOHOLIC BEVERAGES" to allow manufacturing of wine. 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 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 "4". (Ordinance #20-34).

6. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the annexation and R-3 zoning of properties located on Tax Map 55, Parcels 4.01 and 5.02, requested by Sammy Said on behalf of Les Lazarus and Dan Heichelbech containing approximately .8 acre. Property is located at 6070 Seminary Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and R-3 zoning of properties located on Tax Map 55, Parcels 4.01 and 5.02, requested by Sammy Said on behalf of Les Lazarus and Dan Heichelbech containing approximately .8 acre. Property is located at 6070 Seminary 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 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 on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5". (Ordinance #21- 01).

- ii. Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 48.00 requested by Shawn Collins on behalf of Wael and Hilary S. Altaqi, containing approximately 4.8 acres. Property is located at 8706 Rocky Fork Almaville Road. First Reading.

The Town Council next considered on first reading an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 48.00 requested by Shawn Collins on behalf of Wael and Hilary S. Altaqi, containing approximately 4.8 acres. Property is located at 8706 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 said ordinance on first reading. The motion was duly seconded by Council Member Gerry Short. Following further discussion, the motion was approved 6-0-1 with Vice-Mayor Marc Adkins abstaining. A copy of said ordinance, as approved on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6". (Ordinance #21-02).

- iii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 27O, Group D, Parcel 10.00, requested by Huddleston-Steele Engineering on behalf of Dr. Egbert Rebeiro from C-2 to PRD. The property requested to be rezoned contains approximately 2.14 acres and is located on Pinto Drive. First Reading.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 27O, Group D, Parcel 10.00, requested by Huddleston-Steele Engineering on behalf of Dr. Egbert Rebeiro from C-2 to PRD. The property requested to be rezoned contains approximately 2.14 acres and is located on Pinto Drive. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions: 1) a water line will have to be extended from Joyner Drive to serve the development; 2) gravity sewer will have to connect to the line on Joyner Drive near the proposed detention pond for the development and an easement will have to be obtained from the adjoining property owner to achieve this; and 3) a Type C buffer strip is required along all property lines other than along Pinto Drive. Following discussion, Council Member Tim Morrell made a motion to approve said ordinance, with conditions, 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 on first reading, is attached hereto

and incorporated herein by reference as if set forth at length verbatim as Exhibit "7". (Ordinance #21-03).

- iv. Consideration of an ordinance relative to the rezoning of properties located on Tax Map 28, Parcels 116.00 and 117.00 from R-1 to C-2 requested by James Victory on behalf of Fruitwood Properties, LLC. The properties requested to be rezoned contain approximately 2.79 acres and are located at 1896 and 1907 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 28, Parcels 116.00 and 117.00 from R-1 to C-2 requested by James Victory on behalf of Fruitwood Properties, LLC. The properties requested to be rezoned contain approximately 2.79 acres and are located at 1896 and 1907 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 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 on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "8". (Ordinance #21-04).

b. Packaged Liquor Board Report:

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

c. 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 addressed the issue of blasting and littering in the Town. He thanked the Fire and Police Departments and dispatchers for the role they played in the Christmas Day loss of emergency phone lines. He stated United Way is collecting items for their annual Baby Shower. He offered condolences to Keith Weatherly on the loss of his brother.

The Mayor and Town Council also offered condolences to the Weatherly family and all in the community who had lost loved ones.

Council Member Racquel Peebles wished her son a "Happy Birthday".

Council Member H. G. Cole encouraged citizens to shop local.

Council Member Gerry Short wished his sons and wife a "Happy Birthday".

Council Member Steve Sullivan stated the first softball tournament will be next weekend with 56 teams participating.

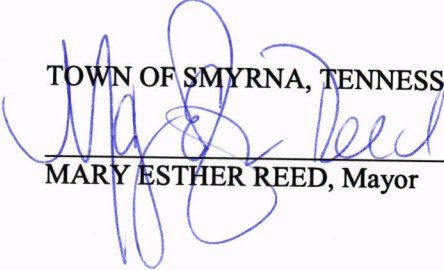
Vice-Mayor Marc offered condolences to the Sharrock family.

Mayor Mary Esther Reed noted that the Town of Smyrna will keep Christmas lights up through January 31st in support of front line health care workers. She also stated applications are being accepted for boards and committees.

Town Manager Brian Hercules announced that Town offices will be closed January 18th in observance of Martin Luther King Day.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



DIANNE WALDRON, Town Clerk