

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON NOVEMBER 9, 2021**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on November 9, 2021 at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Mayor Reed called the meeting to order. The invocation was offered by Police Chief Kevin Arnold. The pledge of allegiance was led by Mason Swift, 3<sup>rd</sup> grader at Rocky Fork Elementary.

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 October 12, 2021 and October 28, 2021 meetings.**

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the October 12, 2021 regular session of the Town Council and the October 28, 2021 regular worksession 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/communications to be presented to the Town Council at this time.

**3. Awards and Recognitions.**

Mayor Mary Esther Reed and the Town Council next presented Thurman Francis Arts Academy with a proclamation for being ranked among the top three middle schools in the State of Tennessee according to *U.S. News & World Report* and for their designation as a Tennessee Reward School for the 2020-2021 school year.

President Robert Stevens of the Smyrna Rotary Club next presented the Town of Smyrna with a donation for restrooms at the Freedom Playground.

**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 contract relative to banking services with First Horizon Bank.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Pall Corporation relative to WTP microfiltration maintenance.
- c. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with MR Systems, Inc. relative to Water Treatment Plant software and hardware maintenance and repair.
- d. Approval of the terms of, and authorization for the Mayor to execute, a contract with bid documents with Isinguard Construction Group, LLC relative to water line replacement along the east side of North Lowry from Sam Hager Street to Jackson Street.
- e. Approval of the terms of, and authorization for the Mayor to execute, an engineering services agreement with Thomas & Hutton relative to the rehabilitation of the Rock Springs Road elevated water storage tank.
- f. Approval of the terms of, and authorization for the Mayor to execute, an agreement with United Systems relative to support for the AMI Metering software and equipment.
- g. Approval of the terms of, and authorization for the Mayor to execute, a contract with Motorola Solutions relative to Police Department radio maintenance.
- h. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with Presidio relative to service of Smartnet and license for Cisco phone system and Cisco voicemail system.
- i. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Tennessee Rehabilitation Center relative to recreation field area use by the Parks and Recreation Department.
- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with Site Engineering Consultants, Inc relative to the design of the Rocky Fork Almaville Road Widening Project.

- k. Approval of the terms of, and authorization for the Mayor to execute, a contract addendum to the striping contract with Kerr Brothers to include spray thermoplastic striping for 4” and 6” wide white (Edge Marking) and 4” and 6” wide yellow (Centerline Marking) pavement markings.

Following discussion, Vice-Mayor Marc Adkins 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 Tim Morrell. 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 rezoning of property located on Tax Map 28, part of Parcel 44.00 from R-6 to PRD requested by Alissa Sieben. The property requested to be rezoned contains approximately 39.1 acres and is located on Sam Ridley Parkway, West and Motlow College Boulevard. 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.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection. The following individuals spoke concerning the item: Dan Epright and Alissa Sieben.

The Town Council next considered on second and final reading an ordinance relative to the rezoning of property located on Tax Map 28, part of Parcel 44.00 from R-6 to PRD requested by Alissa Sieben. The property requested to be rezoned contains approximately 39.1 acres and is located on Sam Ridley Parkway, West and Motlow College Boulevard. 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 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 “2”. (Ordinance #21-30).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 27, part of Parcel 6.00, from R-1 to C-2 requested by Matt Taylor on behalf of the Sam Davis Memorial Association. The property requested to be rezoned contains approximately 4.02 acres and is located at the corner of Nissan Drive and Sam Davis 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.

At this time, the public hearing was closed without objection, and the Council meeting was resumed without objection. No one spoke for or against the agenda item.

The Town Council next considered on second and final reading an ordinance relative to the rezoning of property located on Tax Map 27, part of Parcel 6.00, from R-1 to C-2 requested by Matt Taylor on behalf of the Sam Davis Memorial Association. The property requested to be rezoned contains approximately 4.02 acres and is located at the corner of Nissan Drive and Sam Davis 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 Gerry Short. Following further discussion, the motion was approved 6-1 with Council Member H. G. Cole 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 #21-43).

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 19, Parcel 12.02, from R-1 to PRD requested by Randy Sexton. The property requested to be rezoned contains approximately 6.53 acres and is located on Sharp 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. The following individuals spoke concerning the item: Selina Harvey, Amy Dearman, Ivy Williams, Randy Sexton, and Mike Strange.

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 property located on Tax Map 19, Parcel 12.02, from R-1 to PRD requested by Randy Sexton. The property requested to be rezoned contains approximately 6.53 acres and is located on Sharp 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 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 “4”. (Ordinance #21-44).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to amendment of the approved PUD for property located on Tax Map 57A, Group A, Parcel 24.01, requested by Clyde Rountree on behalf of Ed Freeman. The property requested contains approximately 9.47 acres and is located at 5916 New 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 amendment of the approved PUD for property located on Tax Map 57A, Group A, Parcel 24.01, requested by Clyde Rountree on behalf of Ed Freeman. The property requested contains approximately 9.47 acres and is located at 5916 New Nashville Highway. The recommendation of the Planning Commission was that the Town Council approve the request with the following condition: 1) revise the exterior elevations to meet the requirements of Design Review. Following discussion, Council Member Steve Sullivan made a motion to approve and adopt said ordinance, with the condition, 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 "5". (Ordinance #21-46).

- e. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 50C, Group A, Parcel 26.00, from R-1 to PRD requested by Clyde Rountree on behalf of Scott Butler. The property requested to be rezoned contains 2.2 acres and is located on Tarrytown 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. The following individuals spoke concerning the item: David Knight, Suzanne Biggerstaff, and Ryan Palmer.

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 property located on Tax Map 50C, Group A, Parcel 26.00, from R-1 to PRD requested by Clyde Rountree on behalf of Scott Butler. The property requested to be rezoned contains 2.2 acres and is located on Tarrytown Drive. 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 6-1 with Council Member Gerry Short 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 “6”. (Ordinance #21-47).

At this time, Mayor Mary Esther Reed recessed the Council Meeting to allow a public meeting relative to the State Revolving Fund Loan for the Sam Ridley Parkway/Weakley Lane Water Upgrade Project. Nathaniel Green of James C. Hailey give a project description. Mayor Mary Esther Reed introduced Emily Kelly from the State of Tennessee.

At this time, the public meeting was closed without objection, and the Council meeting was resumed without objection.

- f. **PUBLIC HEARING:** Consideration of an ordinance amending Ordinance 21-22, adopting the 2021-2022 Fiscal Year Budget specifically the Fee Schedule relative to municipal code violation. 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 Ordinance 21-22, adopting the 2021-2022 Fiscal Year Budget specifically the Fee Schedule relative to municipal code violation. 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 “7”. (Ordinance #21-48).

**6. New Business:**

**a. Planning Commission Report:**

- i. Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 8.05 requested by Shawn Collins on behalf of the Joe & Jean Spann Living Trust containing 9 acres. Property requested is located at 9351 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 8.05 requested by Shawn Collins on behalf of the Joe & Jean Spann Living Trust containing 9 acres. Property requested is located at 9351 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 H. G. Cole. 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 "8". (Ordinance #21- 49).

- ii. Consideration of a request for the abandonment and donation of a portion of an existing alley right-of-way north of Raikes Street on Tax Map 27.

The Town Council next considered a motion by Vice-Mayor Marc Adkins to approve the request for the abandonment and donation of a portion of an existing alley right-of-way north of Raikes Street on Tax Map 27. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously. A copy of said documents are attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9".

**b. Packaged Liquor Board Report:**

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

- c. **Consideration of an ordinance to amend Ordinance No. 20-12, adopting the 2020-2021 Fiscal Year Budget relative to the General Fund, State Street Aid Fund, Drug Fund, Storm Water Fund, and Capital Projects Fund. First Reading.**

The Town Council next considered on first reading an ordinance to amend Ordinance No. 20-12, adopting the 2020-2021 Fiscal Year Budget relative to the General Fund, State Street Aid Fund, Drug Fund, Storm Water Fund, and Capital Projects Fund. Following discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance on first 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 approved on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "10". (Ordinance #21- 50).

- d. **Consideration of a resolution to set dates and times for the 2022 Council Meetings and Work Sessions.**

The Town Council next considered a resolution to set dates and times for the 2022 Council Meetings and Work Sessions. 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 "11". (Resolution 21-24).

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

Mayor Mary Esther Reed next introduced Timothy Barrow, a student at MTSU majoring in journalism. He was filming the Council Meeting as a project.

**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 a citizen thanking Debra Walker and Jana Brooks for their help with a utility problem. He announced the following: Veteran's Day Ceremony November 11<sup>th</sup> at 11:00 a.m. at the Kuss Memorial or Event Center in case of rain, Fire Fighters for Food Drive will be at Walmart on November 13<sup>th</sup>, Lighting Ceremony November 23<sup>rd</sup> at 6:00 p.m. at the Event Center, and the Scholastic Book Fair November 30<sup>th</sup> through December 7<sup>th</sup> at Smyrna Library. He stated that he and Assistant Town Managers Rex Gaither and Todd Spearman attended the United Way Luncheon. The Town of Smyrna received a Gold Award in level of giving.

Mayor Mary Esther Reed and the Town Council congratulated Thurman Francis Arts Academy and thanked the Rotary Club for their donation. They also commented on the Kuss Run.

Council Member H. G. Cole wished his mother and grandson "Happy Birthday".

Council Member Tim Morrell wished all a "Happy Thanksgiving" and safe travels.

Council Member Gerry Short wished Assistant Town Manager Rex Gaither a "Happy Birthday".


Vice-Mayor Marc Adkins thanked Kathy Ferrell and Brett Beauregard for their work on the Veterans Day Celebration.

Mayor Mary Esther Reed thanked all the participants in the Top Gun Night Run. Proceeds go to the upkeep of the monument. She announced the following: Christmas Parade December 5<sup>th</sup> at 2:00 p.m. with a food drive to benefit Nourish Food Bank, and applications are being accepted for the Kenneth "Coon" Victory Lifetime Achievement Award and the Youth Leadership Award. She also commented on the Council's recent tour of the Waste Water Treatment Plant.



Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE

  
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MARY ESTHER REED, Mayor

ATTEST:

  
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DIANNE WALDRON, Town Clerk