

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON MARCH 8, 2022**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on March 8, 2022, at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Prior to calling the meeting to order, citizen comments were heard from North Rutherford Family YMCA Executive Director, Hodge Patterson, IV.

Mayor Reed then called the meeting to order at 5:04p.m. The invocation was offered by Smyrna Police Chaplain, Bob Horn. The pledge of allegiance was led by Assistant Town Manager, Todd Spearman.

The roll was called by the Town Clerk and the following Town Council Members were present:

H.G. Cole  
Gerry Short  
Tim Morrell  
Racquel Peebles  
Mayor Mary Esther Reed  
Vice-Mayor Marc Adkins

Council Member Steve Sullivan was not in attendance for this meeting.

**2. Approval or Correction of Minutes of the February 8, 2022 and February 24, 2022 meetings.**

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the February 8, 2022 regular session of the Town Council and the February 24, 2022 work session of the Town Council. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved unanimously.

**4. Correspondence/Communications.**

There were no correspondence/communications to be presented to the Town Council at this time.

**5. Awards and Recognitions.**

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

**6. 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 extension agreement with Pyro Shows, Inc. for the Town's 2022 Firework Show.
- b. Approval of the terms of, and authorization for the Mayor to execute, an agreement with R.J. Young relative to the purchase of a copier for the Fire Department Administrative Offices.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with the Minnesota Children's Museum for the rental of a Curious George exhibit for the Smyrna Outdoor Adventure Center.
- d. Approval of the terms of, and authorization for the Mayor to execute, an agreement relative to the extension of the contract with Barton Lawn Care for mowing Parks' properties through the 2023 mowing season.
- e. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Barton Lawn Care relative to the mowing of non-park properties.
- f. Approval of the terms of, and authorization for the Mayor to execute, an agreement with INRIX to share data related to vehicle travel times and origin and destination of travel flow.
- g. Approval of the terms of, and authorization for the Mayor to execute, an agreement with G & L Tank sandblasting and Coatings, LLC, for the Rock Springs Water Tank Rehab and Repaint.

Following discussion, Council Member Gerry Short made a motion to approve and adopt the Consent Agenda items and to authorize the Mayor to execute said documents. Said motion was seconded by Council Member Tim Morrell, and after further discussion, approved unanimously. A copy of said documents referenced on the Consent Agenda are attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "1".

**7. Old Business.**

- a. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of Tax Map 33, Parcels 28.00, 44.00, 44.04, and part of Parcel 44.02 from R-1, R-3, and C-2 with ESO to PRD with ESO. The properties requested to be rezoned contain 37.34 acres and are located on Old Nashville Highway and Rocky Fork Road.

The Town Council next considered on second and final reading an ordinance relative to the rezoning of Tax Map 33, Parcels 28.00, 44.00, 44.04, and part of Parcel 44.02 from R-1, R-3, and C-2 with ESO to PRD with ESO, requested by Matt Taylor, containing approximately 37.34 acres. Properties are located on Old Nashville Highway and Rocky Fork Road. The recommendation of the Planning Commission was that the Town Council approve the request with the following 6 conditions:

1. The units along Old Nashville Highway and Rocky Fork Road are required to face those two roads with the rear facing the internal parking areas.
2. The minimum size of the townhome units is 1,306 square feet.
3. There are no live/work units within this development.
4. All driveways for any townhomes with a garage are required to be at least 18' wide.
5. Additional brick or stone is required on the rear elevations of the garage units similar to what is shown for the non-garage units.
6. Add a left and right turn lane onto Rocky Fork Road from the neighborhood collector street.

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.

Following discussion, Council Member Tim Morrell made a motion to approve and adopt said ordinance, with the conditions listed, 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 "2". (Ordinance #22-04).

- b. **PUBLIC HEARING:** Consideration of an ordinance relative to the de-annexation of property located on Tax Map 54, Parcel 62.03 and part of Parcel 62.01, requested by John Hill containing 4.13 acres. Property requested is located at 8810 Briley Road.

The Town Council next considered on second and final reading an ordinance relative to the de-annexation of property located on Tax Map 54, Parcel 62.03 and part of Parcel 62.01, requested by John Hill containing 4.13 acres. Property requested is located at 8810 Briley Road. The recommendation of the Planning Commission was that the Town Council approve the request.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No individuals spoke concerning the item.

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

Vice-Mayor Marc Adkins made a motion to approve said ordinance. The motion was duly seconded by Councilwoman Racquel Peebles and, after further discussion, approved 6-0. A copy of said ordinance is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3". (Ordinance #22-05).

- c. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 32, part of Parcel 19.01.

The Town Council next considered a resolution relative to a Plan of Services for property located on Tax Map 32, part of Parcel 19.01. The recommendation of the Planning Commission was that the Town Council approve the Plan of Services.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No individuals spoke concerning the item.

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

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 "4". (Resolution #22-05).

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 32, part of Parcel 19.01, requested by SEC, Inc. on behalf of John Mitchell Byrnes containing .02 acre. Property requested is located south of Rock Springs Road.

The Town Council next considered on second and final reading an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 32, part of Parcel 19.01, requested by SEC, Inc. on behalf of John Mitchell Byrnes containing .02 acre. Property requested is located south of Rock Springs Road. The recommendation of the Planning Commission was that the Town Council approve the request.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. No individuals spoke concerning the item.

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

Council Member Tim Morrell made a motion to approve said ordinance. The motion was duly seconded by Vice-Mayor Marc Adkins and, after further discussion, approved 6-0. A copy of said ordinance is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5". (Ordinance #22-06).

- e. Consideration of a resolution in memorandum of Ordinance #22-06 relative to the annexation and R-3 zoning of property located on Tax Map 32, part of Parcel 19.01 comprising a total of approximately .02 acres.

The Town Council next considered a resolution in memorandum of Ordinance #22-06 relative to the annexation and R-3 zoning of property located on Tax Map 32, part of Parcel 19.01, requested by SEC, Inc. on behalf of John Mitchell Byrnes containing .02 acre. 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 "6". (Resolution #22-04).

## **8. New Business:**

### **a. Planning Commission Report:**

- 1. Consideration of an ordinance relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 19.00, requested by Shawn Collins on behalf of Keith and Carolyn Bryson containing 68 acres. Property requested is located west of Rocky Fork Almaville Road.

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 19.00, requested by Shawn Collins on behalf of Keith and Carolyn Bryson. Property requested contains approximately 68 acres and is located west of 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 5-0-1, with Vice-Mayor Marc Adkins abstaining from the vote. 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."

- 2. Consideration of an ordinance relative to the rezoning of property located on Tax Map 18, Parcels 6.12, 6.13, and part of Parcel 6.05, from I-2 to I-1, requested by Eli Waldron. The property requested to be rezoned contains approximately 2.39 acres and is located on Threet Industrial Road.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 18, Parcels 6.12, 6.13, and part of Parcel 6.05, from I-2 to I-1, requested by Eli Waldron. The property requested to be rezoned contains approximately 2.39

acres and is located on Threet Industrial 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."

3. Consideration of an ordinance relative to the rezoning of property located on tax Map 29, Parcel 19.06 and part of Parcel 19.08, from C-2 to C-2 with H-2 Height Overlay, requested by Nayan Patel. The property requested to be rezoned contains approximately 2.71 acres and is located at the corner of Sam Ridley Parkway, West, and Expo Drive.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on tax Map 29, Parcel 19.06 and part of Parcel 19.08, from C-2 to C-2 with H-2 Height Overlay, requested by Nayan Patel. The property requested to be rezoned contains approximately 2.71 acres and is located at the corner of Sam Ridley Parkway, West, and Expo Drive. 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 Vice-Mayor Marc Adkins. Following further discussion, the motion was approved 6-0. 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 "9."

4. Consideration of an ordinance relative to the rezoning of property located on Tax Map 50, part of Parcel 12.02, from C-2 to PCD, requested by Rob Molchan. The property requested to be rezoned contains approximately 1.05 acres and is located on Lee Victory Parkway.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 50, part of Parcel 12.02, from C-2 to PCD, requested by Rob Molchan. The property requested to be rezoned contains approximately 1.05 acres and is located on Lee Victory Parkway. The recommendation of the Planning Commission was that the Town Council approve the request.

After initial discussion, The Council requested to hear from Rob Molchan as to the aesthetics of the building and the incorporation of landscape design in the plans. Rob Molchan addressed the Council on these items. Following further discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance on first reading with the condition to incorporate the landscape design, as discussed. The motion was duly seconded by Council Member Tim Morrell with this condition. Following further discussion, the motion was approved 4-2, with Council Member Racquel Peebles and Council Member Gerry Short voting against said ordinance. 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."

**b. Packaged Liquor Board Report:**

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

**c. Consideration of the reappointment of LaVergne representative, Graeme Coates, to the Airport Board of Commissioners.**

The Town Council next considered the approval of reappointment of LaVergne representative, Graeme Coates, to the Airport Board of Commissioners. Following discussion, Council Member H.G. Cole made a motion to approve said reappointment. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved unanimously.

**d. Consideration of appointments to Boards and Committees**

1. Appointment of one (1) member to the Beer Board to serve a four (4) year term ending 2026 and one (1) member to serve an unexpired term ending in 2024.

The Town Council next considered a nomination from Vice-Mayor Marc Adkins to reappoint Miranda Swift to the Beer Board to serve a four (4) year term ending in 2026 and to appoint Crystal Stone to the Beer Board to serve an unexpired term ending in 2024. Following discussion, the nominations were approved unanimously.

2. Mayor to appoint two (2) members to the Planning Commission to serve two (2) year terms ending in 2024.

Mayor Mary Esther Reed next reappointed Mike Allen and Tim Slate to the Planning Commission to serve two (2) year terms ending in 2024.

3. Appointment of two (2) members to the Board of Zoning Appeals to serve a three (3) year term ending in 2025.

The Town Council next considered a nomination from H.G. Cole to appoint Phil Wilson and a nomination from Vice-Mayor Marc Adkins to appoint Jay Michaelson to the Board of Zoning Appeals to serve three (3) year terms ending in 2025. Following discussion, the nominations were approved unanimously.

4. Mayor to appoint one (1) member to the Historic Zoning Commission to serve a five (5) year term ending in 2027.

Mayor Mary Esther Reed next reappointed Carolyn Peebles to the Historic Zoning Commission to serve a five (5) year term ending in 2027. Following discussion, said reappointment was confirmed by Council 6-0.

5. Appointment of two (2) members to Project Assistance to serve a three (3) year term ending in 2025.

The Town Council next considered a nomination from Mayor Mary Esther Reed to reappoint Joy Gaylon and Tillie Hager to the Project Assistance Board to serve three (3) year terms ending in 2025. Following discussion, the nominations were approved unanimously.

6. Appointment of three (3) members to the Citizens for Sister City Relations Committee to serve a three (3) year term ending in 2025.

The Town Council next considered a nomination from Mayor Mary Esther Reed to reappoint Erica Williams and Jonathan Wright, and to appoint Amy Wise, to the Citizens for Sister City Relations Committee to serve three (3) year terms ending in 2025. Following discussion, the nominations were approved unanimously.

7. Mayor to appoint two (2) members to the Parks Advisory Board to serve two (2) year terms ending in 2024.

Mayor Mary Esther Reed next appointed Molly Jennings and Christina Treglia to the Parks Advisory Board to serve two (2) year terms ending in 2024. Following discussion, said appointments were confirmed by Council 6-0.

8. Appointment of one (1) member to the Packaged Liquor Board to serve a four (4) year term ending 2026.

The Town Council next considered a nomination from Mayor Mary Esther Reed to appoint Christina Treglia to the Packaged Liquor Board to serve a four (4) year term ending in 2026. Following discussion, said appointment was confirmed by Council 6-0.

9. Mayor to appoint one (1) member to the Smyrna Housing Authority to serve a five (5) year term ending in 2027.

Mayor Mary Esther Reed next appointed Linda Stephenson Cazel to the Smyrna Housing Authority to serve a five (5) year term ending in 2027.

10. Appointment of three (3) members to the Storm Water Advisory Committee to serve two (2) year terms ending in 2024.

The Town Council next considered a nomination from Mayor Mary Esther Reed for the reappointment of Katherine Green and Abhi Patra to the Storm Water Advisory Committee and appointment of Scott Burchyett to serve two (2) year terms ending in 2024. Following discussion, said nominations were approved by Council 6-0.

11. Appointment of two (2) members to the Charity Assistance Board to serve a three (3) year term ending in 2025 and one (1) Council Member Representative to serve a one (1) year term ending in 2023.



The Town Council next considered a nomination from Mayor Mary Esther Reed for the appointment of Natasha Floyd and Kennedy Wallace to the Charity Assistance Board to serve three (3) year terms ending in 2025. Following discussion, said nominations were approved by Council 6-0.

Mayor Mary Esther Reed next designated Council Member Racquel Peebles to serve as Council Representative on the Charity Assistance Board for a one (1) year term ending in 2023.

12. Appointment of one (1) member to the Memorial Sub Committee to serve a three (3) year term ending in 2025 and one (1) Council Member Representative to serve a four (4) year term ending in 2026.

The Town Council next considered a nomination from Mayor Mary Esther Reed for the reappointment of Kellye Goostree to the Memorial Sub Committee to serve a three (3) year term ending in 2025. Following discussion, said nomination was approved by Council 6-0.

Vice-Mayor Marc Adkins next nominated Council Member Steve Sullivan to serve as Council Representative on the Memorial Sub Committee for a four (4) year term ending in 2026. Following discussion, said nomination was approved by Council 6-0.

13. Appointment of one (1) Council Member Representative to the Sister City Sub Committee to serve a two (2) year term ending in 2024.

The Town Council next considered a nomination by Vice-Mayor Marc Adkins for Council Member Gerry Short to serve as Council Representative on the Sister City Sub Committee for a two (2) year term ending in 2024. Following discussion, said nomination was approved by Council 6-0.

- e. **Consideration of a Resolution to support restoring the historic revenue sharing relationship between the State of Tennessee and its local governments and to return the local share of the single article cap to local governments.**

The Town Council next considered a resolution to support restoring the historic revenue sharing relationship between the State of Tennessee and its local governments and to return the local share of the single article cap to local governments. Following discussion, Council Member Tim Morrell 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 "11". (Resolution #22-03).

- f. **Consideration of a Resolution relative to requesting refunds on unclaimed property held by the State of Tennessee.**

The Town Council next considered a resolution relative to requesting refunds on unclaimed property held by the State of Tennessee. Following discussion, Vice-Mayor Marc Adkins 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 "12". (Resolution #22-02).

**g. Consideration of a Resolution and corresponding SRF loan documents authorizing and providing for the financing of the Sam Ridley and Weakley Lane Water Improvements.**

The Town Council next considered a Resolution and corresponding SRF loan documents authorizing and providing for the financing of the Sam Ridley and Weakley Lane Water Improvements. Following discussion, Council Member Tim Morrell made a motion to approve and adopt said resolution and corresponding SRF loan documents. The motion was duly seconded by Council Member H.G. Cole. 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 #22-06).

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

**9. Other.**

The Town Council next considered a proposal by Town Manager, Brian Hercules, to implement an eight (8%) percent increase to all employee compensation, effective immediately, in addition to employees' merit based increases in July 2022. Following discussion, Vice-Mayor Marc Adkins made a motion to approve the immediate increase to employees pay, in addition to the merit adjustment in July 2022. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously.

**10. Status Reports.**

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

**11. Announcements.**

Mayor Reed congratulated TCAT for securing a \$500,000 grant from the Haas Foundation.

Mayor Reed acknowledged International Women's Day and shared her thanks to the women in her life.

Mayor Reed spoke about Mayor's Caucus and the opportunity for Stewarts Creek High School Senior, Rylee Frederick, to job shadow the event with her. Mayor asked Rylee to join her up front at the Council desk to present her with a Key to the Town.

Town Manager Brian Hercules recognized International Women's Day and Mayor Mary Esther Reed and Council Woman Racquel Peebles.

Town Manager Brian Hercules reminded citizens that the Town will be hosting United Way's VITA tax preparation program at Town Hall through April 9, 2022.

Town Manager Brian Hercules announced this weekend begins daylight savings time and reminded to change clocks on Sunday at 2:00a.m.

Town Manager Brian Hercules congratulated SRM on the opening of their new building in Smyrna, and also thanked them for donating the new sidewalk leading to the Capt. Jeff Kuss USMC Memorial.

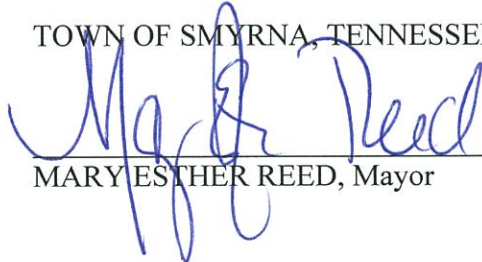
Town Manager Brian Hercules congratulated Truman Jones on his retirement.

Town Manager spoke pertaining to Plan Rutherford and the opportunity get involved in future comprehensive planning.

Lastly, Town Manager Brian Hercules encouraged citizens to continue participating in the Town's Love Where You Live campaign by refraining from littering and getting involved in projects to assure the community remains free from unnecessary trash.

Without objection, the meeting was adjourned at 6:48 p.m.

TOWN OF SMYRNA, TENNESSEE



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MARY ESTHER REED, Mayor

ATTEST:



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AMBER HOBBS, Town Clerk