

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON APRIL 12, 2022**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on April 12, 2022, at Town Hall with the Honorable Mary Esther Reed, Mayor, presiding.

Prior to calling the meeting to order, Mayor Reed announced that citizen comments were to be heard from Michael Blanks, 9410 Paw Paw Springs Road; however, Mr. Blanks called to notify that he was not going to make it to this month's meeting.

Mayor Reed then called the meeting to order at 5:02p.m. The invocation was offered by Smyrna Police Chaplain, Tim York. The pledge of allegiance was led by Fran Dunne, Executive Director of Senior Activity Center of Smyrna.

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

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

3. Approval or Correction of Minutes of the March 8, 2022 and March 24, 2022 meetings.

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the March 8, 2022 regular session of the Town Council and the March 24, 2022 work session of the Town Council. The motion was duly seconded by Council Member Steve Sullivan. 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.

Mayor Reed and Council Members presented two Proclamations at this meeting; one for “Senior Citizens Day” and another for “Fair Housing Month.” Representatives from the Senior Activity Center of Smyrna and various Smyrna realty groups were present to accept these proclamations.

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 agreement with Galls, Inc for uniforms for the police department.
- b. Approval of the terms of, and authorization for the Mayor to execute, an agreement relative to the rental of Thomas Edison's Secret Lab exhibit from the Betty Brinn Museum.
- c. Approval of the terms of, and authorization for the Mayor to execute, a sublease relative to a portion of Sharp Springs Park to Batey Farms for wildlife and agricultural purposes.
- d. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Thomas and Hutton to perform limited Construction, Engineering, and Inspection (CEI) services for the Fire Hall #1 addition project.
- e. Approval of the terms of, and authorization for the Mayor to execute, an agreement with SEC Engineering to perform engineering design to add a pedestrian signal at the intersection of Sam Ridley and Weakly Lane.
- f. Approval of the terms of, and authorization for the Mayor to execute, an agreement with SEC Engineering to perform engineering design for a new traffic signal at One Mile Lane and Almaville Road (SR-102).
- g. Approval of the terms of, and authorization for the Mayor to approve the ranking of the selection committee for the Lowry Street Streetscape Project Phase 3.
- h. Approval of the terms of, and authorization for the Mayor to execute, an agreement with HDR to prepare traffic responsive timing plans for the signals along the Sam Ridley Corridor between I-24 and Old Nashville Highway.
- i. Approval of the terms of, and authorization for the Mayor to execute, a work agreement with Monitoring and Management Services, LLC to update the Fats, Oils and Grease Control Program for the WWTP.
- j. Approval of the terms of, and authorization for the Mayor to execute, a Professional Services Agreement with the firm of Kious, Rodgers, Barger, Holder, King PLLC (K&R)

to perform title work, closing services and lender release documentation for the N Lowry Waterline Project.

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 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 Almadale 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 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 Almadale Road. The recommendation of the Planning Commission was that the Town Council approve the request.

At this time, Mayor Mary Esther Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. Kevin Estes, 5060 Regent Drive, Nashville, spoke on behalf of both the Collins and himself, and in favor of the agenda item. Mr. Estes owns the property next to the related agenda item and informed Council that he will be granting access to the property through an easement.

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 on second and final 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 from the vote. 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 #22-07).

- b. **PUBLIC HEARING:** Consideration of a Resolution relative to a Plan of Services for property located on Tax Map 54, Parcel 19.00.

The Town Council next considered a Resolution relative to a Plan of Services for property located on Tax Map 54, Parcel 19.00. 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 resolution. The motion was duly seconded by Council Member Steve Sullivan and, after further discussion, approved 6-0-1, with Vice-Mayor Marc Adkins abstaining from the vote. A copy of said resolution is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3". (Resolution #22-08).

- c. Consideration of a Resolution in Memorandum of Ordinance #22-07 relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 19.00.

The Town Council next considered a resolution in memorandum of Ordinance #22-07 relative to the annexation and R-3 zoning of property located on Tax Map 54, Parcel 19.00. Following discussion, Council Member Tim Morrell 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 "4". (Resolution #22-07).

- d. PUBLIC HEARING: 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 second and final 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.

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.

Vice-Mayor Marc Adkins made a motion to approve said ordinance. The motion was duly seconded by Council Member Tim Morrell and, after further discussion, approved 7-0. A copy of said ordinance is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5". (Ordinance #22-08).

- e. PUBLIC HEARING: 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 second and final 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.

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.

Council Member Gerry Short made a motion to approve said ordinance. The motion was duly seconded by Council Member Tim Morrell and, after further discussion, approved 7-0. A copy of said ordinance is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6". (Ordinance #22-09).

- f. **PUBLIC HEARING:** 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 second and final 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.

At this time, Mayor Reed announced that this agenda item would be deferred to the May 2022 council meeting, at the request of the applicant.

8. New Business:

a. Planning Commission Report:

- 1. Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcel 14.00 requested by Jennifer Speich on behalf of Collins Corner Ventures, LLC containing 9.4 acres. Property is located at 4412 Morton Lane.

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcel 14.00 requested by Jennifer Speich on behalf of Collins Corner Ventures, LLC containing 9.4 acres. Property is located at 4412

Morton Lane. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions:

- i. Submit a traffic study. The developer is responsible for any improvements recommended by the traffic study.
- ii. The developer is required to improve three lane Morton Lane with a sidewalk and dedicate the right-of-way as required along Rocky Fork Almaville Road with no construction required there due to the Town's improvement project.
- iii. Depending on the final uses for the commercial lots, additional parking may be required.
- iv. All buildings will be required to meet Design Review regardless of the materials shown on any renderings or pictures within the pattern book.

Following discussion, Council Member Tim Morrell made a motion to approve said ordinance on first reading, with the conditions recommended. The motion was duly seconded by Council Member Raquel Peebles. Following further discussion, the motion was approved 6-0-1, 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 the rezoning of property located on Tax Map 54, Parcels 48.00, 48.03, and 50.02 from R-3 to PUD requested by Jennifer Speich. The properties requested to be rezoned contain approximately 5.92 acres and are located on Rocky Fork Almaville Road and Morton Lane.

The Town Council next considered on first reading an ordinance relative the rezoning of property located on Tax Map 54, Parcels 48.00, 48.03, and 50.02 from R-3 to PUD requested by Jennifer Speich. The properties requested to be rezoned contain approximately 5.92 acres and are located on Rocky Fork Almaville Road and Morton Lane. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions:

- i. Submit a traffic study. The developer is responsible for any improvements recommended by the traffic study.
- ii. The developer is required to improve three lane Morton Lane with a sidewalk and dedicate the right-of-way as required along Rocky Fork Almaville Road with no construction required there due to the Town's improvement project.
- iii. Depending on the final uses for the commercial lots, additional parking may be required.
- iv. All buildings will be required to meet Design Review regardless of the materials shown on any renderings or pictures within the pattern book.

Following discussion, Council Member Tim Morrell made a motion to approve said ordinance on first reading, with the conditions recommended. 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 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 "8."

3. Consideration of an ordinance relative to the amendment of the approved PUD for property located on Tax Map 28, Parcel 72.07 requested by Allen Jones. The property requested to be rezoned contains approximately 1.76 acres and is located on Isabella Lane.

The Town Council next considered on first reading an ordinance relative to the amendment of the approved PUD for property located on Tax Map 28, Parcel 72.07 requested by Allen Jones. The property requested to be rezoned contains approximately 1.76 acres and is located on Isabella Lane. The recommendation of the Planning Commission was that the Town Council approve the request. The recommendation of Staff was that Council consider maintaining the sign ordinance specs for single use commercial building, which allows for 200 square feet total on site signage. Staff stated that they believe our sign ordinance is fair to business owners while maintaining limits in order keep the aesthetics of the Town in good order.

Following discussion, Council Member Gerry Short made a motion to approve said ordinance on first reading, to include the condition that signage shall not exceed 200 square feet as outlined in the Town's sign ordinance. The motion was duly seconded by Council Member Steve Sullivan with the same condition.

At this time, being exactly 6:00p.m. as required, Mayor Reed recessed the regular meeting without objection, and a discussion and public hearing was opened related to SRF loan funding for the next phase of the I&I Sewer project, along with SRF loan funding for the planning and design of the Almadillo Road/Stewart Creek sewer expansion project. Jerome Dempsey spoke as to each of these projects.

At this time, the public hearing was closed without objection, and the Council meeting was resumed at 6:07p.m.

Once the regular meeting was called back into order, and following further discussion, the motion on New Business Agenda Item 8.a.3. was approved 7-0. 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 33, part of Parcel 33.00 from C-2 to PRD requested by Ayoub Eshak. The property requested to be rezoned contains 13.85 acres and is located on Todd Lane and Delacy Lane.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 33, part of Parcel 33.00 from C-2 to PRD requested by Ayoub Eshak. The property requested to be rezoned contains 13.85 acres and is located on Todd Lane and Delacy Lane. The recommendation of the Planning Commission was that the Town Council approve the request with the following conditions:

- i. The 8 units on the west side of Mason Tucker Drive that have garages are to be flipped so that the front faces Old Nashville Highway/Mason Tucker Drive with parking in the rear.
- ii. Eliminate the 6 units facing Todd Lane east of Mason Tucker Drive and add playground space in that area.
- iii. All back patios are required to be fenced with a vinyl fence.
- iv. The minimum square footage of the townhomes is 1,350 square feet.

Following discussion, Council Member Tim Morrell made a motion to approve said ordinance on first reading, with the conditions recommended. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved 6-1, with Council Member H.G. Cole voting against the 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."

5. Consideration of an ordinance relative to the rezoning of property located on Tax Map 55, Parcel 7.02 from I-2 to C-2 requested by Hardik Patel. The property requested to be rezoned contains approximately 2.94 acres and is located at the corner of Almaville Road, Poplar Wood Road, and Seminary Road. The recommendation also includes the rezoning of Parcel 7.01 owned by Consolidated Utility District from I-2 to C-2.

The Town Council next considered on first reading an ordinance an ordinance relative to the rezoning of property located on Tax Map 55, Parcel 7.02 from I-2 to C-2 requested by Hardik Patel. The property requested to be rezoned contains approximately 2.94 acres and is located at the corner of Almaville Road, Poplar Wood Road, and Seminary Road. The recommendation also includes the rezoning of Parcel 7.01 owned by Consolidated Utility District from I-2 to C-2. 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 Steve Sullivan. 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 "11."

b. Packaged Liquor Board Report:

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

c. Consideration of items to be sold at Surplus sale through GovDeals, an online auction company.

The Town Council next considered a list of surplus items to be sold through online auction with GovDeals. Following discussion, Vice-Mayor Marc Adkins made a motion to

approve the sale of said surplus items. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved unanimously.

d. Consideration of a Resolution and corresponding SRF loan documents authorizing and providing for the financing of the next phase of the I & I Sewer Rehabilitation project.

The Town Council next considered a Resolution authorizing and providing for the financing of the next phase of the I & I Sewer Rehabilitation project through SRF loan funding. Following discussion, Vice-Mayor Marc Adkins made a motion to approve said resolution authorizing corresponding SRF loan documents. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved unanimously.

e. Consideration of a Resolution and corresponding SRF loan documents authorizing and providing for the planning and design of the Almaville Road/ Stewart Creek sewer expansion.

The Town Council next considered a Resolution and corresponding SRF loan documents authorizing and providing for the planning and design of the Almaville Road/ Stewart Creek sewer expansion. Following discussion, Council Member Steve Sullivan made a motion to approve said resolution authorizing corresponding SRF loan documents. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved unanimously.

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

9. Other.

10. Status Reports.

Finance Director, Rex Gaither, presented Council with February Shared Tax numbers.

11. Announcements.

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

Mayor Reed announced that Town Hall would be utilized as an early voting polling site beginning April 13-April 28, and encouraged citizens to get out and vote.

Mayor Reed announced Kids Safety Day scheduled for May 7, 2022.

Mayor Reed announced that there would be no city property tax increase this year for Town citizens.

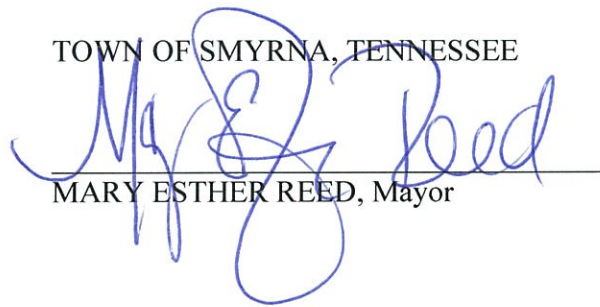
Town Manager Brian Hercules thanked the Town's dispatchers in recognition of National Public Safety Tele Communicators Week.

Town Manager Brian Hercules announced that offices will be closed Friday, April 15, 2022, in observance of Good Friday and the upcoming Easter holiday. He, along with Council, wished everyone a Happy Easter.

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. He announced that Town employees will participate on Earth Day in trash pick-up around town, and invited Council to attend and participate.

Without objection, the meeting was adjourned at 6:54 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk