

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

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

Prior to calling the meeting to order, Mayor Reed participated in various drawings for Boat Day prizes courtesy of Academy Sports.

Next, under citizen comments, Mr. Tyler Ford, a Mentor from TNAchieves addressed the Council about the program.

Mayor Reed called the meeting to order at 5:07p.m. The invocation was offered by Smyrna Police Chaplain, Bob Horn. The pledge of allegiance was led by Town Clerk, Amber Hobbs.

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

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

Council Member Gerry Short was not present at this meeting.

3. Approval or Correction of Minutes of the June 7, 2022 regular meeting and June 23, 2022 special-called and worksession meetings of the Town Council.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the June 7, 2022 regular meeting and June 23, 2022 special-called and worksession meetings of the Town Council. The motion was duly seconded by Council Member Tim Morrell. Following discussion, the motion was approved 6-0.

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 or 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 agreement with ESO Solutions Inc. for upgrade of the Fire Department's records management software.
- b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Sherwood Shoes relative to safety footwear for Town employees.
- c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Anderson Yards relative to extension of the existing contract for codes' mowing on abandoned or neglected properties.
- d. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Mosca Design and Blachere Illumination to provide holiday decorations for the Town of Smyrna.
- e. Approval of the terms of, and authorization for the Mayor to execute, an equipment purchase relative to the golf course.
- f. Approval of the terms of, and authorization for the Mayor to execute, a five (5) year renewal agreement for the aircraft loan with the National Naval Aviation Museum.
- g. Approval of the terms of, and authorization for the Mayor to execute, a renewal agreement with Rockwell Automation for technical support at the Water Plant.
- h. Approval of the terms of, and authorization for the Mayor to execute, a contract extension with Thomas & Hutton for CEI Services for Olive Branch.
- i. Approval of the terms of, and authorization for the Mayor to execute, a contract extension with Thomas and Hutton for CEI services for the WWTP.
- j. Approval of the terms of, and authorization for the Mayor to execute, a contract with Cleary Construction for gas line bore in Olive Branch area.
- k. Approval of the terms of, and authorization for the Mayor to execute, contracts with Cleary Construction for the Sam Ridley and Weakley Lane water improvements.
- l. Approval of the terms of, and authorization for the Mayor to execute, the FOG Food Service & Waste Hauler Enforcement Response Guide.

- m. Approval of the terms of, and authorization for the Mayor to execute, the Fats, Oils and Grease (FOG) Management Policy.

Following discussion, Vice-Mayor Marc Adkins 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 61.00 requested by Shawn Collins on behalf of Jamie L. Turner containing 1.1 acres. Property is located at 8269 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 61.00, requested by Shawn Collins on behalf of Jamie L. Turner. The property requested to be annexed and rezoned R-3 contains approximately 1.1 acres and is located at 8269 Rocky Fork Almadale 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.

Following further discussion, Council Member Tim Morrell made a motion to approve said ordinance. The motion was duly seconded by Council Member Steve Sullivan. 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 second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "2." (Ordinance #22-20)

- b. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 54, Parcel 61.00.

The Town Council next considered a resolution relative to a Plan of Services for property located on Tax Map 54, Parcel 61.00.

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.

Following further discussion, Council Member Tim Morrell made a motion to approve said resolution. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved 5-0-1, with Vice-Mayor Marc Adkins abstaining from the vote. A copy of said resolution, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3." (Resolution #22-17)

- c. Consideration of a Resolution in Memorandum of Ordinance #22-20 relative to the annexation and R-3 zoning of property located on Tax Map 54, part of parcel 61.

The Town Council next considered on a resolution in memorandum of Ordinance #22-20 relative to the annexation and R-3 zoning of property located on Tax Map 54, part of parcel 61.00.

Following discussion, Council Member Tim Morrell made a motion to approve said ordinance. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved 6-0. A copy of said resolution, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4." (Resolution #22-16)

- d. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 28G, Group A, Parcel 1.01 from R-4 to C-2 requested by John Lee. The property requested to be rezoned contains approximately 0.4 acre and is located south of Sam Ridley Parkway, West.

The Town Council next considered on second and final reading an ordinance relative to the rezoning of property located on Tax Map 28G, Group A, Parcel 1.01 from R-4 to C-2 requested by John Lee. The property requested to be rezoned contains approximately 0.4 acre and is located south of Sam Ridley Parkway, West. The recommendation of the Planning Commission was that the Town Council approve the request with the following condition:

- Prior to the effective date of rezoning, a combination plat must be submitted, approved and recorded with the Register of Deeds office.

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.

Following further discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved 6-0. A copy of said ordinance, as approved on

second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5." (Ordinance #22-22)

8. New Business:

a. Planning Commission Report:

1. Consideration of an ordinance relative to the rezoning of property located on Tax Map 49, Parcel 107.00 from C-4 to PRD requested by Petergaye Taylor. The property requested to be rezoned contains approximately 4.38 acres and is located at 10259 Old Nashville Highway.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 49, Parcel 107.00 from C-4 to PRD requested by Petergaye Taylor containing approximately 4.38 acres. Property is located at 10259 Old Nashville Highway. 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 dies for lack of a second. At this time, Council Member Steve Sullivan made a motion to deny said ordinance on first reading based on concerns with parking arrangements. Council Member H.G. Cole seconds the motion to deny. Following further discussion, the motion to deny was approved 5-1, with Council Member Tim Morrell voting against the denial. A copy of said ordinance, as denied on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6." (Ordinance #22-23)

2. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28M, Group G, Parcels 23.00 and 24.00 from C-4 to C-2 requested by Maggie Johnson and Gamil Kamel. The properties requested contain approximately 1.05 acres and are located on Enon Springs Road, West.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28M, Group G, Parcels 23.00 and 24.00 from C-4 to C-2 requested by Maggie Johnson and Gamil Kamel, and containing approximately 1.05 acres. The properties are located on Enon Springs Road, West. The recommendation of the Planning Commission was that the Town Council deny the request.

Following discussion, Council Member Tim Morrell made a motion to deny said ordinance on first reading. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion to deny was approved 6-0. A copy of said ordinance, as denied on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7." (Ordinance #22-24)

3. Consideration of an ordinance relative to the rezoning of property located on Tax Map 28M, Group C, Parcel 6.00 from R-2 to R-4 requested by Gamil Kamel.

The property requested to be rezoned contains approximately .33 acre and is located at 102 & 104 Weakley Lane.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 28M, Group C, Parcel 6.00 from R-2 to R-4 requested by Gamil Kamel. The property requested to be rezoned contains approximately .33 acre and is located at 102 & 104 Weakley Lane. 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 with the condition that there be no driveway access to Frank Street. The motion was duly seconded by Council Member Steve Sullivan. 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 "8." (Ordinance #22-25)

4. Consideration of an ordinance relative to the rezoning of property located on Tax Map 271, Group B, Parcel 1.01 from C-2 with LSO to R-2 with LSO requested by Caleb Spearing. The property requested contains approximately .59 acre and is located at 103 Maple Street.

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 271, Group B, Parcel 1.01 from C-2 with LSO to R-2 with LSO requested by Caleb Spearing. The property requested contains approximately .59 acre and is located at 103 Maple Street. 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 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." (Ordinance #22-26)

5. Consideration of an ordinance relative to the rezoning of a portion of Tax Map 33, Parcels 71.00 and 71.03 from R-1 with ESO to PUD with ESO, as well as the amendment of the approved PUD for Tax Map 33, Parcels 71.00, 71.01, and 71.03 requested by Nathan Melson. The properties requested to be rezoned and amended contain approximately 12.61 acres and are located on Enon Springs Road, West and Big Son Lane.

The Town Council next considered on first reading an ordinance relative to the rezoning of a portion of Tax Map 33, Parcels 71.00 and 71.03 from R-1 with ESO to PUD with ESO, as well as the amendment of the approved PUD for Tax Map 33, Parcels 71.00, 71.01, and 71.03 requested by Nathan Melson. The properties requested to be rezoned and amended contain approximately 12.61 acres and are located on Enon Springs Road, West and Big Son Lane. The recommendation of the Planning Commission was that the Town Council approve the request with the following condition:

- i. A traffic study will be required for a convenience store/gas station use within this development, and the developer will be required to make any improvements recommended by the traffic study.

Following discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance on first reading with the condition of a traffic study. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved 5-1, with Council Member Racquel Peebles voting against said item. A copy of this 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 #22-27)

6. Consideration of a request for approval of a final plat utilizing septic systems from James P. and Juanita Still at 3178 Morton Lane.

The Town Council next considered a request for approval of a final plat utilizing septic systems from James P. and Juanita Still at 3178 Morton Lane. The Planning Commission approved the plat and would recommend the same to Council.

Following discussion, Council Member Tim Morrell made a motion to approve said plat. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved 6-0. A copy of said plat, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "11."

7. Consideration of a donation of land to the Town on Hickory Grove Road from SRM Concrete.

The Town Council next considered a donation of land to the Town of Smyrna from SRM Concrete. Said property contains approximately 2 acres and is located on Hickory Grove Road. This land donation was included as part of the PUD approval for Cornerstone at Smyrna and is for a Town public safety building. The Planning Commission is required to review the acquisition of the land by the Town and recommended approval.

Following discussion, Council Member Tim Morrell made a motion to approve said plat. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved 6-0. A map of said donation, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "12."

There were no further planning items to consider.

b. Packaged Liquor Board Report:

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

- c. **Consideration of a revision to the Sewer Use Ordinance Section 18-216 to include language requiring food service establishments to comply with the Town's Fats, Oil and Grease Management Policy.**

The Town Council next considered on first reading an ordinance relative to the revision of the Sewer Use Ordinance, Section 18-216 to include language requiring food service establishments to comply with the Town's Fats, Oils and Grease Management Policy.

Following discussion, Vice-Mayor Marc Adkins 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 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 "13." (Ordinance #22-21)

d. Consideration of a Resolution appropriating funds for non-profit organizations for fiscal year 2022-2023.

The Town Council next considered a Resolution appropriating funds for non-profit organizations for fiscal year 2022-2023.

Following discussion, Council Member Steve Sullivan made a motion to approve 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 "14." (Resolution #22-18)

c. Consideration of a list of surplus items to be sold at online auction through GovDeals.

The Town Council next considered a list of surplus items to be sold at online auction through GovDeals.

Following discussion, Council Member Tim Morrell made a motion to approve said online auction of surplus items through GovDeals. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved unanimously. A list of said auction items, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "15."

f. Consideration and approval of revisions to the Town of Smyrna's PTO Donation and Nepotism policies included in the Employee Handbook.

The Town Council next considered changes to the Town of Smyrna's PTO Donation and Nepotism policies included in the Employee Handbook.

Following discussion, Council Member Steve Sullivan made a motion to approve said changes. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved unanimously. A copy of said changes, as approved, are attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "16."

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 May Shared Tax numbers.

11. Announcements.

Town Manager Brian Hercules spoke of the success of the Town's Independence Day event and thanked all Town personnel involved in the planning and work put into the success.

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.

Mayor Reed spoke of many upcoming community events such as Top Gun Night Run 6k in September, Food Truck Friday on July 22, and Depot Days. She encouraged citizens to get out and enjoy these events.


Without objection, the meeting was adjourned at 6:24 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk