

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON NOVEMBER 9, 2022**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on November 9, 2022, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Mayor Reed called the meeting to order at 5:00p.m. The invocation was led by Smyrna Police Department Chaplain, Tim York, and the pledge of allegiance was led by Smyrna Fire Department Chief, Bill Culbertson.

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
Vice-Mayor Marc Adkins
Mayor Mary Esther Reed

Council Member Steve Sullivan was not present.

3. Approval or correction of the minutes of the October 11, 2022 regular meeting and October 27, 2022 works session meeting of the Town Council.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the October 11, 2022 regular meeting and October 27, 2022 work session meeting of the Town Council. The motion was duly seconded by Council Member Racquel Peebles. Following discussion, the motion was approved 6-0.

4. Correspondence/Communications.

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

5. Awards and Recognitions.

At this time, Mayor Reed, on behalf of the Town Council, presented a certificate of congratulations to Paul Plunket from the Smyrna Skate Center.

Next, Mayor Reed, on behalf of the Town Council presented a proclamation for Family Court Awareness Month to Karen Naughton, FCAM committee member.

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, a no-cost contract with TDOT to share access to their live video via CCTV.
- b. Approval of the terms of, and authorization for the Mayor to execute, an Intergovernmental Agreement with TDOT regarding roles and responsibilities for maintenance of a portion of the I-24 Smart Corridor System within Town limits.
- c. Approval of the terms of, and authorization for the Mayor to execute, an agreement with TDOT to provide TAP Grant funds for the Enon Springs / Hazelwood / Mason Tucker sidewalk project.
- d. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Kimley Horn to complete the NEPA, Design, ROW, and Utility Clearance for the Enon Springs Sidewalk Project.
- e. Approval of the terms of, and authorization for the Mayor to sign, the TDEC Notice of Intent permit application for the Town's MS4 program.
- f. Approval of the terms of, and authorization for the Mayor to execute, an easement agreement with the U.S. Army Corps of Engineers for a storm water outfall along Florence Road.
- g. Approval of the terms of, and authorization for the Mayor to execute, a service extension agreement for the Town's Annual Pest Control.
- h. Approval of the terms of, and authorization for the Mayor to execute, a renewal contract with MR Systems, Inc. relative to work at the Water Treatment Plant for 2022-2023.
- i. Approval of the terms of, and authorization for the Mayor to execute, the annual maintenance contract with Experitec.
- j. Approval of the terms of, and authorization for the Mayor to execute, contract amendment #3 with Thomas & Hutton for CEI service extension for the Olive Branch sewer project.
- k. Approval of the terms of, and authorization for the Mayor to execute, a contract with Thomas & Hutton for construction admin, SRF loan admin and inspection for Basin A8/A9 Sewer Rehab Project.
- l. Approval of the terms of, and authorization for the Mayor to execute, an engineering service proposal with Thomas & Hutton to continue sewer flow monitoring.
- m. Approval of the terms of, and authorization for the Mayor to execute, Change Order #4 relative to the Waste Water Treatment Plant expansion.
- n. Approval of the terms of, and authorization for the Mayor to execute, Change Order #5 relative to the Waste Water Treatment Plant expansion.
- o. Approval of the terms of, and authorization for the Mayor to execute, a Natural Gas 50-year easement with the U.S. Army Corps of Engineers.
- p. Approval of the terms of, and authorization for the Mayor to execute, a contract with Autmow for the purchase and support of an athletic field robot painter for the Parks and Recreation Department.

- q. 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.
- r. Approval of the terms of, and authorization for the Mayor to execute, a contract with Minnesota Children's Museum for the rental of Wild Kratts: Ocean Adventure for the Smyrna Outdoor Adventure Center.
- s. Approval of the terms of, and authorization for the Mayor to execute, a grant contract with the State of Tennessee Department of Environment and Conservation for tennis and pickleball courts at Cedar Stone Park.
- t. Approval of the terms of, and authorization for the Mayor to execute, a contract with CIGNA for the Town of Smyrna's employee health, medical, dental, and stop loss coverage for calendar year 2023.

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 H.G. Cole, 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 property located on Tax Map 28, Parcel 78.00, from PUD to C-4 requested by Rock Springs, LLC. The property requested to be rezoned contains approximately .74 acre and is located at 1071 Rock Springs Road.

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of property located on Tax Map 28, Parcel 78.00, from PUD to C-4 requested by Rock Springs, LLC. The property requested to be rezoned contains approximately .74 acre and is located at 1071 Rock Springs Road. The recommendation of the Planning Commission was that the request be approved.

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 Gerry Short. 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 "2." (Ordinance #22-39)

- b. **PUBLIC HEARING:** Consideration of a resolution relative to a Plan of Services for property located on Tax Map 26, Parcel 18.00.

The Town Council next considered a resolution relative to a Plan of Services for property located on Tax Map 26, Parcel 18.00. The recommendation of the Planning Commission was that the plan of services be approved.

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 resolution. The motion was duly seconded by Council Member Tim Morrell. 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 "3." (Resolution #22-22)

- c. **PUBLIC HEARING:** Consideration of an ordinance relative to the annexation and C-2 zoning of property located on Tax Map 26, Parcel 18.00 requested by Michael Hollingshead containing 4.03 acres. Property is located on W. Jefferson Pike and Hickory Grove Road.

The Town Council next considered on second and final reading an ordinance relative to the annexation and C-2 zoning of property located on Tax Map 26, Parcel 18.00 requested by Michael Hollingshead containing 4.03 acres. Property is located on W. Jefferson Pike and Hickory Grove Road. The recommendation of the Planning Commission was that the request be approved.

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 Gerry Short made a motion to approve said ordinance. The motion was duly seconded by Council Member Raquel Peebles. 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 "4." (Ordinance #22-40)

- d. Consideration of a Resolution in Memorandum of Ordinance #22-40 relative to the annexation and C-2 zoning of property located on Tax Map 26, Parcel 18, containing approximately 4.03 acres.

The Town Council next considered a Resolution in Memorandum of Ordinance #22-40 relative to the annexation and C-2 zoning of property located on Tax Map 26, Parcel 18, containing approximately 4.03 acres. This is a housekeeping item required for annexation of property.

Following discussion, Council Member Tim Morrell made a motion to approve said Resolution on first reading. Vice-Mayor Marc Adkins seconded the motion. 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 "5." (Resolution #22-23)

- e. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 19, Parcel 25.03 from I-2 to PUD requested by Camden Venture, LLC. The property requested to be rezoned contains approximately 6.3 acres and is located at 704 Swan Drive.

The Town Council next considered on second and final reading of an ordinance relative to the rezoning of property located on Tax Map 19, Parcel 25.03 from I-2 to PUD requested by Camden Venture, LLC. The property requested to be rezoned contains approximately 6.3 acres and is located at 704 Swan Drive. The recommendation of the Planning Commission was that the Town Council approve the request with the conditions that no repair work of any kind is done at this location, and that vehicles for sale be stored inside the building.

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 discussion, Council Member Tim Morrell made a motion to approve said ordinance on second reading, incorporating said conditions. The motion to approve was duly seconded by Council Member H.G. Cole. 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 "6." (Ordinance #22-41)

- f. **PUBLIC HEARING:** Consideration of an ordinance relative to the rezoning of property located on Tax Map 28E, Group A, Parcel 16.01 from R-4 to C-2 requested by Barry Royal. The property requested to be rezoned contains approximately 20 acres and is located on Imperial Boulevard.

The Town Council next considered an ordinance relative to the rezoning of property located on Tax Map 28E, Group A, Parcel 16.01 from R-4 to C-2 requested by Barry Royal. The property requested to be rezoned contains approximately 20 acres and is located on Imperial Boulevard. 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 discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance on second and final reading. The motion was duly seconded by Council Member Gerry Short, and following further discussion, 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 "7." (Ordinance #22-42)

There were no further old business items for the Council to consider.

8. New Business:

a. Planning Commission Report:

- i. Consideration of an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcels 57.03, 57.04, and 57.05 requested by Paul Lebovitz on behalf of Porfirio Alfaro containing .96 acre. Property is located at the corner of Rocky Fork Almaville Road and Briley Road.

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcels 57.03, 57.04, and 57.05 requested by Paul Lebovitz on behalf of Porfirio Alfaro. The property requested to be rezoned contains approximately .96 acre and is located at the corner of Rocky Fork Almaville Road and Briley Road. The recommendation of the Planning Commission was that the request be approved with the condition to widen the driveway on Lot 2 to 20 feet.

Following discussion, Council Member Tim Morrell made a motion to approve said ordinance on first reading to include the commission's recommendation. 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 "8." (Ordinance #22-43)

- ii. Consideration of an ordinance relative to the rezoning of property located on Tax Map 50, part of Parcel 14.00 from C-2 to PUD requested by Dixon Pitt. The property requested to be rezoned contains approximately 6.88 acres and is located on Safari Drive.

Mayor Reed announced that the applicant formally withdrew his application for this items prior to the Council meeting.

There were no further planning items to consider.

b. Packaged Liquor Board Report:

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

c. Consideration of a resolution to set dates & times for 2023 Council meetings and work sessions.

The Town Council next considered a Resolution setting dates for 2023 Council meetings and works sessions.

Following discussion, Council Member Racquel Peebles made a motion to approve said Resolution. Council Member Tim Morrell seconded the motion. 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 "9." (Resolution #22-24)

d. Consideration of the appointment of one (1) member to the Town's Municipal Industrial Development Board to serve an unexpired term ending in 2025.

Mayor Reed announced that there had been no applicants for the vacancy at this time, and therefore, the item will be added to the agenda for the next meeting.

e. Consideration of the appointment of one (1) member to the Storm Water Advisory Committee to serve an unexpired term ending in 2024.

Mayor Reed announced that there had been no applicants for the vacancy at this time, and therefore, the item will be added to the agenda for the next meeting.

f. Consideration of the appointment of one (1) member to serve an unexpired term on the Rutherford County Library System Board ending in 2024.

Mayor Reed announced that there had been no applicants for the vacancy at this time, and therefore, the item will be added to the agenda for the next meeting.

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

9. Other.

10. Status Reports.

Assistant Town Manager and Finance Director, Rex Gaither, presented Council with September State Shared Tax and local sales tax numbers.

11. Announcements.

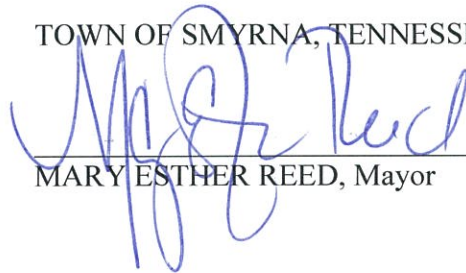
Town Manager Brian Hercules announced the Town's Veteran's Day ceremony for November 11, 2022 and wished all a Happy Thanksgiving.

Town Manager Brian Hercules encouraged citizens to continue participating in the Town's Love Where You Live campaign and "No Litter November" by refraining from littering and getting involved in projects to assure the community remains free from unnecessary trash.

Mayor Reed and other Council members spoke of attendance at various community events and announced upcoming events such as the annual Tree Lighting and Christmas Parade event, as well as the Fire Department's food drive. She encouraged citizens to get out and enjoy these events.

Without objection, the meeting was adjourned at 6:11p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk