

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON AUGUST 8, 2023**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on August 8, 2023, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Mayor Reed called the meeting to order at 5:01 p.m. The invocation was led by Smyrna Police Department Chaplain, Tim York, and the Pledge of Allegiance was led by the Town's Assistant Town Manager, Todd Spearman.

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

Steve Sullivan
Racquel Peebles
Tim Morrell
Vice-Mayor Marc Adkins
Mayor Mary Esther Reed

Council Members H.G. Cole and Gerry Short were not present for this meeting.

3. Approval or Correction of Minutes of the July 11, 2023 regular meeting, the July 14, 2023 special-called meeting and the July 27, 2023 work session meeting of the Town Council.

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the July 11, 2023 regular meeting, the July 14, 2023 special-called meeting and the July 27, 2023 work session meeting of the Town Council. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved 5-0.

4. Correspondence/Communications.

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

5. Awards and Recognitions.

There no awards or recognitions to be presented 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, and agreement with J&B Tanker for the Water Treatment Plant Backwash Lagoon Sludge Removal Project.
- b. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Bison Construction for Phase 2A of the North Lowry Waterline project.
- c. Approval of the terms of, and authorization for the Mayor to execute, an agreement with United Communications to extend our Fiber Network to Cedar Stone Park and Fire Hall 6.
- d. Approval of the terms of, and authorization for the Mayor to execute, a renewal with Azteca System LLC - Cityworks for the building department software.
- e. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Hawkins Paving for annual asphalt paving.
- f. Approval of the terms of, and authorization for the Mayor to execute a contract with Rollins Excavation Co. to provide General Construction and Concrete Work for the Town of Smyrna.
- g. Approval of the terms of, and authorization for the Mayor to execute, a change order with Keller for remediation of the sinkhole near the intersection of Enon Springs and Hazelwood Drive.
- h. Approval of the terms of, and authorization for the Mayor to execute, an agreement with TTL to provide construction material testing for Fire Station #4.
- i. Approval of the terms of, and authorization for the Mayor to execute, an agreement with Ragan Smith to provide NEPA and Preliminary Design services for the Lowry Street Phase 3 project.
- j. Approval of the terms of, and authorization for the Mayor to execute, the GrayKey License for police department technology.
- k. Approval of the terms of, and authorization for the Mayor to execute, a contract with the State for POST (Peace Officers Standard and Training) retention/recruiting.
- l. Approval of the terms of, and authorization for the Mayor to execute, an agreement for the Police Department to begin the CALEA (Commission on Accreditation for Law Enforcement Agencies) Accreditation process.
- m. Approval of the terms of, and authorization for the Mayor to execute, a contract with Motorola for police department radio equipment.
- n. Approval of the terms of, and authorization for the Mayor to execute a contract with Carpets by Ozburn for flooring replacement at Smyrna Event Center.
- o. Approval of the terms of, and authorization for the Mayor to execute, a contract with Thomas and Hutton for engineering services related to the Cedar Stone Park Tennis and Pickleball Court Project.
- p. Consideration and authorization of a list of items to be auctioned through online surplus sale with GovDeals.
- q. Approval of the terms of, and authorization for the Mayor to execute, a Lease with Smyrna-LaVergne Food Bank (DBA Nourish Food Bank) for the premises at 140 Richardson Street.

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 Steve Sullivan, 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 amending the fee schedule in the 2023/2024 fiscal year budget for the adoption of new maximum impact fee rates.**

The Town Council next considered on second and final reading an ordinance amending the fee schedule in the 2023/2024 fiscal year budget for the adoption of new maximum impact fee rates. The planning commission recommended approval of said amendment.

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 Steve Sullivan made a motion to approve said ordinance with an effective date of October 1, 2023. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved 5-0.

A copy of said ordinance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "2." (Ordinance #23-32)

- b. PUBLIC HEARING: Consideration of an ordinance amending the Town's Municipal Code, Title 5 "Municipal Finance and Taxation", Section 5 "Impact Fees."**

The Town Council next considered on second and final reading an ordinance amending the Town's Municipal Code, Title 5 "Municipal Finance and Taxation", Section 5 "Impact Fees." The planning commission recommended approval of said amendment.

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 with an effective date of October 1, 2023. The motion was duly seconded by Council Member Steve Sullivan. Following further discussion, the motion was approved 5-0. A copy of said ordinance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3." (Ordinance #23-33)

- c. **PUBLIC HEARING: Consideration of an ordinance relative to the rezoning of property located on Tax Map 33D, Group A, Parcel 16.00 from R-2 to C-2 requested by Mecole Vaughn. The property requested to be rezoned contains .59 acre and is located at 12630 Old Nashville Highway.**

The Town Council next considered on second and final reading an ordinance relative to the rezoning of property located on Tax Map 33D, Group A, Parcel 16.00 from R-2 to C-2 requested by Mecole Vaughn. The property requested to be rezoned contains .59 acre and is located at 12630 Old Nashville Highway. The planning commission recommended approval of said 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, Council Member Tim Morrell made a motion to approve said ordinance. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved 5-0. A copy of said ordinance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4." (Ordinance #23-34)

- d. **PUBLIC HEARING: Consideration of an Ordinance relative to the rezoning of property located on Tax Map 33, Parcel 60.00, from R-1 to R-3 requested by Michael Daniel. The property requested to be rezoned contains 7.5 acres and is located at the end of Skinner Drive west of Patience Drive.**

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of property located on Tax Map 33, Parcel 60.00, from R-1 to R-3 requested by Michael Daniel. The property requested to be rezoned contains 7.5 acres and is located at the end of Skinner Drive west of Patience Drive. The planning commission recommended approval of said request.

Following discussion, 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. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved 5-0. A copy of said ordinance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5." (Ordinance #23-35)

- e. **PUBLIC HEARING: Consideration of an ordinance relative to the rezoning of property located on Tax Map 50, Parcel 14.00, from C-2 to I-2 requested by Rasesh Shah. The property requested to be rezoned contains 9.88 acres and is located on Tridon Drive and Safari Drive.**

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of property located on Tax Map 50, Parcel 14.00, from C-2 to I-2 requested by Rasesh Shah. The property requested to be rezoned contains 9.88 acres and is located on Tridon Drive and Safari Drive. Staff announced the applicant requested for this item to be deferred for thirty (30) days.

Following discussion, 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 DEFER said ordinance to the next council meeting. The motion to DEFER was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion to DEFER was approved 5-0. A copy of said ordinance, as approved on first reading and deferred, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6." (Ordinance #23-36)

There were no further old business items for the Town Council to consider at this time.

8. New Business:

a. Planning Commission Report:

1. Consideration of a request from Syndicate & Co. for a subdivision utilizing a septic system.

The Town Council next considered a request from Syndicate & Co. for a subdivision utilizing a septic system. The recommendation of the Planning Commission was that the request be approved with the following conditions:

- i. A Development Agreement will be required prior to any construction activity beginning per Smyrna Municipal Code Title 14, Chapter 7.
- ii. A NPDES permit will be required for land disturbance activities greater than one acre. The Town of Smyrna must have a copy of the NOC (Notice of Coverage) prior to issuance of any grading or building permits.
- iii. Fire Dept. access will be required to both lots with a turnaround compliant with the Fire Code. This can be accomplished with a 96' diameter turnaround or another alternative proposed by the developer. The Fire Dept. will need to be able to access each lot within 150 feet of all homes.
- iv. The required minimum fireflow is 1,000 GPM @ 20 PSI residual. If the homes exceed 3,600 square feet, additional fireflow will be required.

- v. The sewer easement shown as proposed on the plat must be obtained and recorded prior to the recording of this plat. This sewer extension will require submittal of sewer construction plans to the Town's Utilities Dept.
- vi. A fire hydrant is required within 500' of both homes.
- vii. Show the width of the existing driveway.
- viii. Lot 2 will have to be internally sprinkled or a dedicated line ran to it.
- ix. Plans are not printed to scale. Please submit plans to scale.

Following discussion, Council Member Tim Morrell made a motion to approve said request. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion was approved 5-0. A copy of the plat is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7."

b. Packaged Liquor Board Report:

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

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

9. Other.

10. Status Reports.

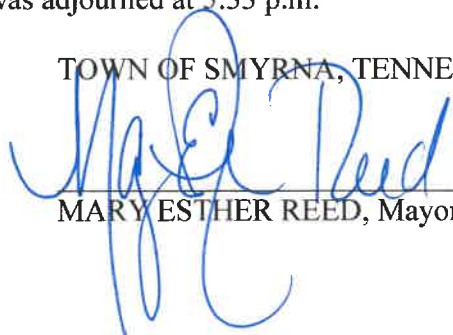
Assistant Town Manager and Finance Director, Rex Gaither, presented Council with June State Shared Tax and May Local Sales Tax numbers.

11. Announcements.

Mayor Reed and other Council members recognized various Town employees for a job well done; spoke of attendance at various community events and also extended well wishes, congratulations and condolences to various individuals.

Without objection, the meeting was adjourned at 5:33 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk