

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON FEBRUARY 7, 2023**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on February 7, 2023, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Mayor Reed called the meeting to order at 5:00 p.m. The invocation was led by Smyrna Police Department Chaplain, Bob Horn, and 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
Vice-Mayor Marc Adkins
Mayor Mary Esther Reed

Council Member Steve Sullivan was not present at the meeting.

3. Approval or correction of the minutes of the January 10, 2023 regular meeting and the January 26, 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 January 10, 2023 regular meeting and January 26, 2023, work session meeting of the Town Council. The motion was duly seconded by Vice-Mayor Marc Adkins. 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.

There were no awards and 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, a contract with J.Cumby Construction, Inc. for upgrading the 1R Lift Station.**
- b. **Approval of the terms of, and authorization for the Public Works Department to submit an application to the US Army Corps of Engineers relative to the use of Jefferson Springs Park for Boat Day on June 17, 2023.**
- c. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with gWorks (formerly PubWorks).**
- d. **Approval of the terms of, and authorization for the Mayor to execute, Change Order #2 for the Fire Hall 1 project.**
- e. **Approval of the terms of, and authorization for the Mayor to execute, a two (2) year agreement with Fostering Healthy Solutions (FHS) for contracted DEI services.**
- f. **Approval of the terms of, and authorization for the Mayor to execute, a contract amendment with Premise Health (formerly Carehere!) for onsite medical services.**

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 Gerry Short, 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.

- 1. PUBLIC HEARING: Consideration of an Ordinance relative to the rezoning of property located on Tax Map 28L, Group C, Parcel 16.01 from R-2 to C-1 requested by Jeremy Byrd. The property requested to be rezoned contains approximately .4 acre and is located at 102 Wright Street.**

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of property located on Tax Map 28L, Group C, Parcel 16.01 from R-2 to C-1 requested by Jeremy Byrd. The property requested to be rezoned contains approximately .4 acre and is located at 102 Wright Street. 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 Racquel 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 "2." (Ordinance #23-2)

2. PUBLIC HEARING: Consideration of an Ordinance relative to the rezoning of property located on Tax Map 27P, Group B, Parcel 19.00 from R-1 with H-1 to C-4 with H-1 requested by Sandra Elias. The property requested to be rezoned contains .32 acre and is located at 104 Hazelwood Drive.

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of property located on Tax Map 27P, Group B, Parcel 19.00 from R-1 with H-1 to C-4 with H-1 requested by Sandra Elias. The property requested to be rezoned contains .32 acre and is located at 104 Hazelwood Drive. 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 Tim Morrell. 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 "3." (Ordinance #23-3)

3. PUBLIC HEARING: Consideration of an Ordinance relative to the rezoning of property located on Tax Map 33, Parcel 58.00 from R-1 to PRD requested by Clay Wallace. The property requested to be rezoned contains approximately 23.13 acres and is located on Fortitude Trail.

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of property located on Tax Map 33, Parcel 58.00 from R-1 to PRD requested by Clay Wallace. The property requested to be rezoned contains approximately 23.13 acres and is located on Fortitude Trail. 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 Racquel 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 #23-3)

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 an ordinance relative to the annexation and R-1 zoning of property located on Tax Map 54, part of Parcel 8.02 requested by Lindsey Sadler containing approximately 3 acres. Property is located on Rocky Fork Almaville Road.**

The Town Council next considered on first reading an ordinance relative to the annexation and R-1 zoning of property located on Tax Map 54, part of Parcel 8.02 requested by Lindsey Sadler containing approximately 3 acres. Property is located on Rocky Fork Almaville Road. The recommendation of the Planning Commission was that the request be approved.

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 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 "5." (Ordinance #23-8)

- 2. Consideration of an ordinance relative to the rezoning of property located on Tax Map 50, part of Parcel 12.02, from PCD to C-2 requested by John McCleskey. 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 PCD to C-2 requested by John McCleskey. 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 request be approved.

Following discussion, Council Member Tim Morrell made a motion to approve said ordinance on first reading. The motion was duly seconded by Council Member Racquel Peebles. 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 "6." (Ordinance #23-9)

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

b. Packaged Liquor Board Report:

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

c. Consideration of an Ordinance relative to amendment of Municipal Code Title 18 "Water and Sewer," Chapter 3 "Water and Wastewater Tap Fee and Rate Schedule," Section 304 "Special Assessment Zone."

The Town Council next considered on first reading an ordinance relative to amendment of Municipal Code Title 18 "Water and Sewer," Chapter 3 "Water and Wastewater Tap Fee and Rate Schedule," Section 304 "Special Assessment Zone."

Following discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance on first reading. The motion was duly seconded by Council Member Racquel Peebles. 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 "7." (Ordinance #23-6)

d. Consideration of an Ordinance to amend Municipal Code Title 10 "Animal Control," Chapter 2 "Dogs and Cats," Section 209 "Sale of Dogs and Cats."

The Town Council next considered on first reading an ordinance to amend Municipal Code Title 10 "Animal Control," Chapter 2 "Dogs and Cats," Section 209 "Sale of Dogs and Cats."

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 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 #23-7)

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

9. Other.

There were no items under other for the Council to consider.

10. Status Reports.

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

11. Announcements.

Town Manager Brian Hercules recognized various Town employees for a job well done. He also called police chief, Jason Irvin to the podium to share accolades of various officers.

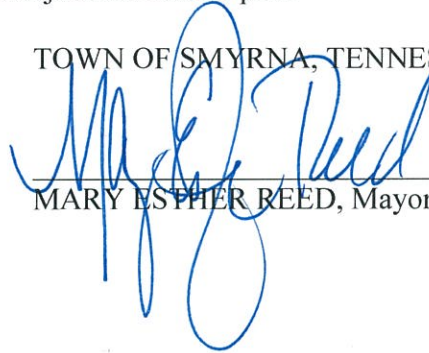
Town Manager Brian Hercules spoke of upcoming community events and announced that Town offices would be closed on January 20 in observation of Presidents Day.

Town Manager Brian Hercules encouraged citizens to continue participating in the Town's Love Where You Live campaign to assure the community remains free from unnecessary litter.

Mayor Reed and other Council members spoke of attendance at various community events and also shared praise of our Smyrna police officers in the work they put in each day to keep our community safe.

Without objection, the meeting was adjourned at 5:45 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk