

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON MARCH 12, 2024**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on March 12, 2024, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Prior to calling the meeting to order, Mayor Reed and the Town Council presented Marie Dingle with a certificate in recognition of her 100th birthday. They also presented Librarian, Rita Shacklett with a proclamation signifying retirement from 48 years with the Rutherford County Library System.

Next, the following individuals spoke under citizens comments:

Judge Brittany Stevens- 120 Buttonwood Drive "Town Court"
Smyrna Court Clerk, Lisa Brewer- 1006 Rosemont Terrace "Referendum Follow Up"
Moe Mondal- 326 TimberGlen Drive "Referendum Feedback"
Alison DeVore- 321 Saint Francis Avenue "Moving Time of Town Council Meeting"

Mayor Reed called the meeting to order at 5:24 p.m. The invocation was led by Smyrna Police Department Chaplain, Bob Horn, and the Pledge of Allegiance was led by Building Official, Kristi Worrell.

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
Vice-Mayor Marc Adkins
Mayor Mary Esther Reed

3. Approval or Correction of Minutes of the February 13, 2024 regular meeting and the February 29, 2024 work session meeting of the Town Council.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the February 13, 2024 regular meeting and the February 29, 2024 work session meeting of the Town Council. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved 7-0.

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/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, the Event Center's annual linen service contract with Universal Linen.**
- b. **Approval of the terms of, and authorization for the Mayor to execute, a contract renewal with Barton Lawn Care for the mowing of non-park properties.**
- c. **Approval of the terms of, and authorization for the Mayor to execute a contract with Minnesota Children's Museum for the rental of the Thomas and Friends: Explore the Rails exhibit for the Smyrna Outdoor Adventure Center**
- d. **Approval of the terms of, and authorization for the Mayor to execute, a mowing contract with Barton Lawn Care and D&S Lawn and Landscape for Parks properties.**
- e. **Approval of the terms of, and authorization for the Mayor to execute an agreement with Kimley Horn to conduct a Planning Study as part of the Safe Streets For All Grant.**
- f. **Approval of the terms of, and authorization for the Mayor to execute an agreement with YA Engineering Services to perform an investigation of the storm pipe concrete infiltration.**
- g. **Approval of the Public Works Department to submit a Special Event Permit Application to the US Army Corp of Engineers to use Jefferson Springs Recreation Area for 16th Annual Boat Day.**
- h. **Approval of the terms of, and authorization for the Mayor to execute a contract amendment with Kimley Horn for additional services as part of the NEPA investigation for the Old Nashville Highway Sidewalk project.**
- i. **Approval of the terms of, and authorization for the Mayor to execute, Change Order #3 with Brown Builders for the Tridon Bridge Replacement Project.**
- j. **Approval of the terms of, and authorization for the Mayor to execute, the proposal from MMS for the annual Fats, Oils and Grease (FOG) program.**
- k. **Approval of the terms of, and authorization for the Mayor to execute, a contract for construction of Phase 2 of the North Lowry Waterline project.**

- l. Approval of the terms of, and authorization for the Mayor to execute, the FY25 Budget Funding request for Commuter Bus Services with WeGo Public Transit.**
- m. Consideration and authorization of a list of items to be auctioned through online surplus sale with GovDeals.**

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 an amendment of the approved PUD on Tax Map 28E, Group A, Parcel 17.00 requested by Marian Masoud. The property requested to be rezoned contains .8 acre and is located at 540 Rock Springs Road.**

The Town Council next considered on second and final reading an ordinance relative to an amendment of the approved PUD on Tax Map 28E, Group A, Parcel 17.00 requested by Marian Masoud. The property requested to be rezoned contains .8 acre and is located at 540 Rock Springs Road.

The existing approved PUD was approved in 2004 and allows for single family residence or a fabric shop selling sewing supplies and offering sewing classes. The requested amendment was to add retail sales of clothing and bedding to the allowed list of uses. The Planning Commission reviewed the request and amended the wording from "retail sales of clothing and bedding" to "retail sales of clothing and linens." 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 one spoke regarding said 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 and final reading. The motion was duly seconded by Council Member Gerry Short, and following further discussion, was approved 7-0.

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 #24-3)

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 rezoning of property located on Tax Map 55, Parcels 4.01 and 5.02, from R-3 to C-4 requested by Sammy Said. The properties requested to be rezoned contain approximately .80 acre and are located at 6070 and 6092 Seminary Road.**

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 55, Parcels 4.01 and 5.02, from R-3 to C-4 requested by Sammy Said. The properties requested to be rezoned contain approximately .80 acre and are located at 6070 and 6092 Seminary Road.

At this time, Town Planner Kevin Rigsby stated that there is an existing house on one of these parcels. It is staff's understanding that the applicant wishes to convert the existing house into a dentist's office, but the rezoning would allow all uses within C-4. Sewer would be required to be extended from the intersection of Alnaville Road and Seminary Road to the adjoining property lines. Converting the existing residence to a commercial use will require submittal of a site plan and building plans meeting all requirements of the Town and the International Building Code for the intended use.

Following discussion, Vice-Mayor Marc Adkins made a motion to approve said ordinance on first reading incorporating staff comments. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion was approved 7-0. A copy of the ordinance, as approved on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3." (Ordinance #24-7)

- 2. Consideration of an ordinance relative to the rezoning of property located on Tax Map 27H, Group G, Parcels 5.00 and 19.00, from C-2 to R-2 requested by John Dunaway. The properties requested to be rezoned contain approximately .93 acre and are located at 403 and 405 Monroe Street.**

The Town Council next considered on first reading an ordinance relative to the rezoning of property located on Tax Map 27H, Group G, Parcels 5.00 and 19.00, from C-2 to R-2 requested by John Dunaway. The properties requested to be rezoned contain approximately .93 acre and are located at 403 and 405 Monroe Street. The Planning Commission reviewed this request and recommended denial.

Following discussion, Council Member Steve Sullivan made a motion to DENY said ordinance on first reading. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion to DENY was approved 7-0. A copy of the ordinance, as DENIED on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4." (Ordinance #24-6)

b. Consideration of a resolution to request refunds on unclaimed property held by the State of Tennessee.

The Town Council next considered a Resolution to request refunds on unclaimed property held by the State of Tennessee.

Following discussion, Vice-Mayor Marc Adkins made a motion to approve said Resolution. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved 7-0. A copy of the Resolution, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5." (Resolution #24-1)

c. Consideration of various Board and Committee Appointments.

The Town Council next considered various board and committee appointments. Terms were appointed as follows:

1. Appointment of one (1) member to the Beer Board to serve a three-year term ending in 2027.

Council Member Gerry Short nominated applicant, Jennifer Brittain, to serve a three-year term on the Beer Board ending in 2027. There were no other nominations made. The appointment of Jennifer Brittain was subsequently confirmed unanimously by the Council.

2. Appointment of two (2) members to the Planning Commission to serve a two-year term ending in 2026.

Mayor Reed appointed applicants Selena Scott and Matthew Carver to the Planning Commission to serve a two-year term ending in 2026.

3. Appointment of one (1) member to the Board of Zoning Appeals to serve a three-year term ending in 2027.

Vice-Mayor Marc Adkins nominated applicant, Steve Sullivan, to serve a three-year term on the Board of Zoning Appeals ending in 2027. There were no other nominations made. The appointment of Steve Sullivan was subsequently confirmed unanimously by the Council.

4. Appointment of one (1) citizen member and one (1) member of the Planning Commission to serve on the Historic Zoning Commission for a five-year term ending in 2029.

Mayor Reed nominated citizen member, Rhonda Allen, and Planning Commission representative, Miranda Swift, to serve a five-year term on the Historic Zoning Commission ending in 2029. The appointments were confirmed unanimously by Council.

5. Appointment of three (3) members to serve a six-year term ending in 2030 on the Town's Industrial Development Board.

Council Member Tim Morrell nominated applicant Raul Marrero. Vice-Mayor Marc Adkins nominated applicants Bill Davis and Ed Davenport. Council Member Racquel Peebles nominated applicant Stacey Wilder. Because there were four nominations, Mayor Reed asked that each council member name their top three of the four nominations.

Council Members H.G. Cole, Tim Morrell, and Gerry Short, along with Vice-Mayor Adkins and Mayor Reed all nominated applicants Bill Davis, Ed Davenport and Raul Marrero. Only two Council Members, Racquel Peebles and Steve Sullivan, named applicant Stacey Wilder as their nomination. With the majority, nominees Bill Davis, Ed Davenport and Raul Marrero were confirmed to serve a six-year term ending in 2030 on the Industrial Development Board.

6. Appointment of two (2) members to the Project Assistance Board to serve a three-year term ending in 2027.

Mayor Reed stated that there were only two applicants for this board, Cherie Tuck and Harrison Woodard. Being no other applicants, the appointments were confirmed unanimously by Council.

7. Appointment of two (2) members to serve a three-year term ending in 2027, one (1) member to serve an unexpired term ending in 2026 and one (1) member to serve an unexpired term ending in 2025 on the Sister City Committee.

Mayor Reed called upon Council Representative, Gerry Short, for his recommendation for Sister City committee nominations. Gerry Short recommended that applicants Fran Dunne and Shelby Olefud Sallee be appointed for the two (2) three-year terms ending in 2027, that applicant Marc Michaelson be appointed to the unexpired term ending in 2026 and that applicant Mary Ann Rogers be appointed to the unexpired term ending in 2025. Said terms were confirmed unanimously by Council.

8. Appointment of two (2) members to the Parks Advisory Board to serve a three-year term ending in 2027.

Mayor Reed called upon Council Representative, H.G. Cole, for his recommendation for Parks Advisory Board nominations. H.G. Cole recommended that applicants Christina Treglia and Molly Jennings be reappointed for another term on the Parks Advisory Board. Said appointments were confirmed unanimously by Council.

9. Appointment of one (1) member to the Packaged Liquor Board to serve a three-year term ending in 2027.

Mayor Reed stated that there was only one applicant for this board, Daniel Akpan. Being no other applicants, the Daniel Akpan was unanimously reappointed to serve on the Packaged Liquor Board for a three-year term ending in 2027.

10. Appointment of one (1) member to the Smyrna Housing Authority to serve a five-year term ending in 2029.

Mayor Reed appointed applicant Nathan Hudson to serve a five-year term ending in 2029 on the Smyrna Housing Authority.

11. Appointment of three (3) members to the Stormwater Advisory Committee to serve a three-year term ending in 2027.

Mayor Reed stated that there were only three applicants for the Stormwater Advisory Committee; William Shackelford, Andrew Eckenrode and Tyler Short. Being no other applicants, the appointments were confirmed unanimously by Council.

12. Appointment of three (3) members to the Smyrna Charity Assistance Board to serve a three-year term ending in 2027, as well as one (1) representative of the Town Council to serve a one-year term ending in 2025.

Mayor Reed called upon Council Representative, Racquel Peebles, for her recommendation for Smyrna Charity Assistance nominations. Racquel Peebles recommended that applicants Wyatt Christopher, Tabitha Richardson and Jennifer Davis be appointed to serve three-year terms on Charity Assistance ending in 2027. Mayor Reed next nominated Council Member Racquel Peebles to serve another year as Council Representative until 2025. Said appointments were confirmed unanimously by Council.

13. Appointment of one (1) member to the Kuss Memorial Maintenance & Funding Sub-Committee to serve a three-year term ending in 2027.

Mayor Reed stated that there was only one applicant for this sub-committee, Jerome Dempsey. Being no other applicants, Jerome Dempsey was unanimously reappointed to serve a three-year term ending in 2027 on the Kuss Memorial Maintenance & Funding Sub-Committee.

14. Appointment of one (1) member to the Sister City Funding Sub-Committee to serve a three-year term ending in 2027, as well as one (1) Town Council representative to serve a two-year term ending in 2026.

Mayor Reed stated that there was only one applicant for this sub-committee, Jeanne Nolan. Being no other applicants, Jeanne Nolan was unanimously appointed to serve a three-year term ending in 2027 on the Sister City Funding Sub-Committee. Further, Council Representative, Gerry Short, was reappointed to serve a two-year term ending in 2026.

15. Appointment of two (2) members to the Board of Adjustment and Appeals to serve a three-year term ending in 2027.

Mayor Reed asked Town Manager, Brian Hercules, for his recommendation for applicants to serve a three-year term ending in 2027 on the Board of Adjustment and Appeals. Being only two applicants, Steve Steele and Scott Butler were reappointed unanimously by Council to serve another term.

16. Consideration of the reappointment of Smyrna representative, Paul Lamb, to serve a five-year term ending in 2029 on the Smyrna/Rutherford County Airport Authority Board of Commissioners.

Mayor Reed nominated applicant, Paul Lamb, to serve another term on the Smyrna/Rutherford County Airport Authority Board of Commissioners. Said term ending in 2029 was confirmed unanimously by Council.

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

9. Other.

10. Status Reports.

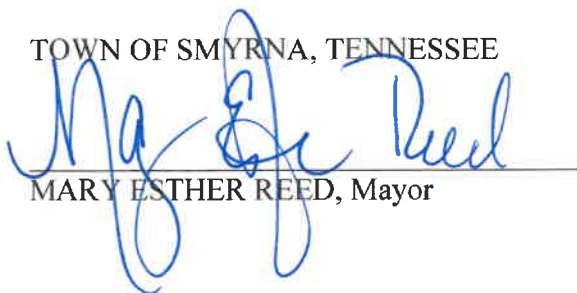
Finance Director and Assistant Town Manager, Rex Gaither, presented Council with January State Shared Tax and January Local Sales Tax numbers.

11. Announcements.

Mayor Reed and other Council members, as well as Town Manager, Brian Hercules, 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 6:22 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk