

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON MAY 14, 2024**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on May 14, 2024, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Prior to beginning the meeting, Mayor Mary Esther Reed and members of the Capt. Jeff Kuss USMC Memorial Scholarship announced the inaugural scholarship recipients:

Carlos Leon - Smyrna High School  
Sherlyn Morales-Navor - Smyrna High School  
Emma Grey - Central Magnet School

Next, the following individuals addressed the Council under citizens comments in opposition to the proposed Mabel Farms development for consideration on the agenda for first reading:

Ken Hill, 5007 Rock Springs Road, Smyrna  
Dawn Hill, 5007 Rock Springs Road, Smyrna  
Sandy Mahla, 5428 Cooks Lane, Smyrna  
Lisa Reasonover, 4821 Rock Springs Road, Smyrna  
Susan Crutchfield, 5308 Cooks Lane, Smyrna  
Robert Stephens, 4821 Rock Springs Road, Smyrna  
Mike Smith, 5074 Rock Springs Road, Smyrna

In addition to those that spoke in opposition to the Mabel Farms development, the following spoke in favor of the agenda item:

John Lewis, 5534 Cooks Lane, Smyrna  
Timothy Sanders, 5003 Mary Ellen Circle, Smyrna  
Trey Woodruff, 1502 Sugarwood Drive, Not in Town Limits  
Kyle Griffin, 2305 Kline Avenue, Nashville, Not in Town Limits

Mayor Reed then called the meeting to order at 5:47 p.m. The invocation was led by Smyrna Police Department Chaplain, Jim Hunt, 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  
Steve Sullivan  
Racquel Peebles

Vice-Mayor Marc Adkins  
Mayor Mary Esther Reed

**3. Approval or Correction of Minutes of the April 9, 2024 regular meeting, the April 25, 2024 workshop meeting, and the May 6, 2024 special-called meeting of the Town Council.**

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the April 9, 2024 regular meeting, the April 25, 2024 workshop meeting, and the May 6, 2024 special-called meeting of the Town Council. The motion was duly seconded by Council Member Tim Morrell. 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 additional awards and 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, a renewal with Azteca System LLC - Cityworks for the building department software.**
- b. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with The Barn Store to construct a metal storage building at Sharp Springs Park.**
- c. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with NAFECO for Fire Department Turnout Gear.**
- d. **Approval of the terms of, and authorization for the Mayor to execute, Change Order #6 and Change Order #8 with Cleary Construction for the Genie Lane Extension Project.**
- e. **Approval of the terms of, and authorization for the Mayor to execute, a contract with S&W Contracting Company, LLC for the installation of seven streetlights on the Genie Lane Extension Project.**
- f. **Approval of the terms of, and authorization for the Mayor to execute an agreement with S & W Contracting to install pedestrian signals at the intersection of Sam Ridley and Weakly Lane.**
- g. **Approval of the terms of, and authorization for the Mayor to execute a change order with TTL for testing services associated with Fire Hall 4.**

- h. **Approval of the terms of, and authorization for the Mayor to execute, contract extensions for 2024-2025 with various vendors for chemicals for the Water and Wastewater Treatment Plants.**
- i. **Approval of the terms of, and authorization for the Mayor to execute, a contract extension with J&B Tanker for the Water Treatment Plant lagoon sludge removal.**
- j. **Approval of the terms of, and authorization for the Mayor to execute, a contract extension with IM&E for mechanical maintenance at the Water and Wastewater Treatment Plants for 2024-2025.**
- k. **Approval of the terms of, and authorization for the Mayor to execute, the 2024-2025 annual bid contracts for chemicals for the Water Treatment Plant and Waste Water Treatment Plant.**
- l. **Approval of the terms of, and authorization for the Mayor to execute, an extension agreement with Dan Weaver for the water system leak survey.**
- m. **Approval of the terms of, and authorization for the Mayor to execute, an extension agreement with BH Holmes for Emergency Water Line replacements.**
- n. **Approval of the terms of, and authorization for the Mayor to execute, a contract for audit services for the fiscal year ending June 30, 2024.**
- o. **Approval of the Town of Smyrna Classification and Compensation Plan for the fiscal year 2024-25.**

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 relative to the rezoning of property located on Tax Map 33, part of Parcel 58.00 to amend the approved PRD requested by Matt Huff. The property requested to be rezoned contains 18.93 acres and is located west of Fortitude Trail.**

The Town Council next considered on second and final reading an ordinance relative to relative to the rezoning of property located on Tax Map 33, part of Parcel 58.00 to amend the approved PRD requested by Matt Huff. The property requested to be rezoned contains 18.93 acres and is located west of 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 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 #24-9)

- b. PUBLIC HEARING: Consideration of an ordinance relative to the rezoning of property located on Tax Map 33, Parcel 58.01 and part of Parcel 58.00 to amend the approved PRD requested by Rob Molchan. The properties requested to be rezoned contain approximately 37.68 acres and are located on Ryan Hill 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 58.01 and part of Parcel 58.00 to amend the approved PRD requested by Rob Molchan. The properties requested to be rezoned contain approximately 37.68 acres and are located on Ryan Hill 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. Jack Closson, 5420 Maple Creek Drive, Smyrna, spoke in opposition to said item.

At this time, the public hearing was closed without objection, and the Council meeting was resumed.

Following discussion, Council Member H.G. Cole made a motion to approve said Ordinance on second and final reading. The motion was duly seconded by Council Member Tim Morrell, 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 "3." (Ordinance #24-10)

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 PRD zoning of property located on Tax Map 73, Parcels 16.01, 16.02, and 17.00, requested by Kyle Griffin with CSDG on behalf of Delery D. and Teresa S. Sivils and First Baptist Church of Smyrna Tennessee containing 109.65 acres. The properties are located at 5100 Almaville Road and 7441 Rocky Fork Almaville Road.**

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 73, Parcels 16.01, 16.02, and 17.00, requested by

Kyle Griffin with CSDG on behalf of Delery D. and Teresa S. Sivils and First Baptist Church of Smyrna Tennessee containing 109.65 acres. The properties are located at 5100 Almaville Road and 7441 Rocky Fork Almaville Road. The recommendation of the Planning Commission was that the request be approved with the following conditions:

- i. A traffic study is required. Any improvements recommended by the traffic study must be completed by the developer.
- ii. The required minimum fire flow is 1,000 GPM at 20 PSI for the residential portion of the development. The amenity building may have a greater requirement depending on the capacity of the building and the type of construction.
- iii. This development will require submittal for a floodplain development permit from the Town of Smyrna, as well as review by FEMA for any LOMA or LOMR applications.

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, Mayor Mary Esther Reed called for a roll call vote. Council Members Racquel Peebles, H.G. Cole, and Gerry Short were opposed to the motion to approve the ordinance. Council Members Tim Morrell, Steve Sullivan and Mayor Mary Esther Reed were in favor of the motion to approve. Vice-Mayor Marc Adkins abstained from any discussion and vote on this agenda item. Because this left a tie vote, Interim Town Manager & Town Attorney, Jeff Peach, advised the Council that they could either defer the agenda item, or continue the vote until a positive number was reached one way or the other.

At this time, Council Member H.G. Cole made a motion to defer said agenda item. Council Member Steve Sullivan seconded the motion to defer. Following further discussion, Council Member Steve Sullivan requested to withdraw his second to Council Member Cole's motion to defer. Subsequently, Council Member Cole requested to also withdraw his motion to defer.

Next, Council Member Steve Sullivan mad a motion to approve said ordinance on first reading. The motion was duly seconded by Council Member Tim Morrell. Following further discussion, the motion to approve the ordinance on first reading passed 4-2-1, with Council Members Gerry Short and Racquel Peebles voting against said item and Vice-Mayor Marc Adkins abstaining from the vote.

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 "4." (Ordinance #24-15)

- 2. Consideration of an ordinance relative to the rezoning of Tax Map 32, Parcels 29.00, 29.02, 29.03, 29.04, and 29.05 from R-1 to PRD requested by Kyle Griffin with CSDG on behalf of the property owners. The properties requested to be rezoned contain 40.1 acres and are located on Rock Springs Road.**

The Town Council next considered on first reading an ordinance relative to the rezoning of Tax Map 32, Parcels 29.00, 29.02, 29.03, 29.04, and 29.05 from R-1 to PRD requested by Kyle Griffin with CSDG on behalf of the property owners. The properties requested to be rezoned contain 40.1 acres and are located on Rock Springs Road. The recommendation of the Planning Commission was that this request be approved with the following conditions:

- i. The required minimum fire flow is 1,000 GPM at 20 PSI. This will increase if the building square footage is over 3,600 total for everything under the roof. The amenity building may have a greater requirement depending on the capacity of the building and type of construction.
- ii. A temporary turn around will be required near Lot 95 if the road from the adjoining development is not constructed from Cooks Lane when Phase I of this development is recorded.

Following discussion, Council Member H.G. Cole made a motion to DENY said ordinance on first reading due to the road not being designed according to standards that will meet the need of the development. The motion was duly seconded by Council Member Gerry Short.

Following further discussion, Vice-Mayor Marc Adkins made a motion to suspend the rules of the meeting to allow the developer to speak and request a deferral to meet Council and surrounding neighbors concerns. Council Member Tim Morrell duly seconded the motion to suspend the rules to allow the developer to speak. The motion to suspend the rules was approved unanimously. The developer requested a deferral at this time rather than denial.

At this time, Town Clerk Amber Hobbs took a roll call vote on the motion to DENY said ordinance on first reading that was originally on the floor. Council Members Racquel Peebles, H.G. Cole, Gerry Short, Steve Sullivan, and Mayor Mary Esther Reed voted in favor of the motion to DENY. Vice-Mayor Marc Adkins and Council Member Tim Morrell voted in opposition to said motion. The motion to DENY was approved 5-2.

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 "5." (Ordinance #24-16)

**b. Consideration of a Resolution requested by the Tennessee Department of Transportation relative to the Jefferson Pike (SR-266) Intersection Improvements at Nissan Drive (SR-102) / Sam Ridley Parkway (SR-266).**

The Town Council next considered a Resolution requested by the Tennessee Department of Transportation relative to the Jefferson Pike (SR-266) Intersection Improvements at Nissan Drive (SR-102) / Sam Ridley Parkway (SR-266).

Following discussion, Council Member Gerry Short made a motion to approve said Resolution. The motion was duly seconded by Vice-Mayor Marc Adkins. 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 "6." (Resolution #24-7)

**c. Consideration of a Resolution approving amendments to the Smyrna Police Tow Manual, 3rd Edition.**

The Town Council next considered a Resolution approving amendments to the Smyrna Police Tow Manual, 3rd Edition.

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 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 "7." (Resolution #24-5)

**d. Consideration of an Ordinance adopting the property tax rate for fiscal year 2024-2025.**

The Town Council next considered on first reading an Ordinance adopting the property tax rate for fiscal year 2024-2025.

Following discussion, Council Member H.G. Cole 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 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 "8." (Ordinance #24-11)

**e. Consideration of an Ordinance relative to a Budget Amendment for Fiscal Year 2024.**

The Town Council next considered on first reading an Ordinance relative to a Budget Amendment for Fiscal Year 2024.

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 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 "9." (Ordinance #24-13)

**f. Consideration of an Ordinance adopting the budget for fiscal year 2024-2025.**

The Town Council next considered on first reading an Ordinance adopting the budget for fiscal year 2024-2025.

Following discussion, Council Member Steve Sullivan 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 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 "10." (Ordinance #24-12)

**g. Announcement of approval of a Professional Services Agreement with Mercer Group Associates, an Executive Search firm, relative to the Town Manager position.**

The Town Council next announced the approval of a Professional Services Agreement with Mercer Group Associates relative to the executive search and assistance in hiring of the Town Manager position.

A copy of the Professional Services Agreement, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "11."

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

**9. Other.**

The Town Council requested that a special called meeting be scheduled to include staff and the Town Council relative to the discussion, review and possible revision of planning and development regulations.

**10. Status Reports.**

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

**11. Announcements.**

Mayor Reed and other Council members, as well as Interim Town Manager & Town Attorney, Jeffrey L. Peach, 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 8:26 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk