

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON JUNE 11, 2024**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on June 11, 2024, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Prior to beginning the meeting, Council Member Steve Sullivan presented a Certificate of Recognition to Mr. Almus Raymer for his selfless service in the United States Army and of the 80th anniversary of D-Day.

Next, the following individuals addressed the Council under citizens' comments:

George Powell, 101 Dale Street, Smyrna "In Opposition to Agenda Item 8E- Reverie @Music City Development."

Yvonne Decker, 8320 Rocky Fork Almadale Road, Smyrna, "In Opposition to Horseshoe Bend Development."

Mayor Reed then called the meeting to order at 5:12 p.m. The invocation was led by Smyrna Police Department Chaplain, Bob Horn, and the Pledge of Allegiance was led by Smyrna Police Chief, Jason Irvin.

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

4. Approval or Correction of Minutes of the May 14, 2024 regular meeting, the May 30, 2024 special-called and workshop meetings and the June 5, 2024 special-called meeting of the Town Council.

The Town Council first considered a motion by Council Member Steve Sullivan to approve the minutes of the May 14, 2024 regular meeting, the May 30, 2024 special-called and workshop meetings and the June 5, 2024 special-called meeting of the Town Council. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved 7-0.

5. Correspondence/Communications.

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

6. Awards and Recognitions.

There were no additional awards and recognitions to be presented to the Town Council at this time.

7. 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, an agreement for the design of water line improvements on Front Street.**
- b. **Approval of the terms of, and authorization for the Mayor to execute, the annual Water, Sewer and Gas material bids.**
- c. **Approval of the terms of, and authorization for the Mayor to execute, Change Order #2 for the 1R lift station project.**
- d. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with Konica Minolta for the lease of 2 printers for the Police Department Roll Call and Records areas.**
- e. **Approval of the terms of, and authorization for the Mayor to execute, an agreement to accept the U.S. Department of Homeland Security State and Local Cybersecurity Grants administered by the State of Tennessee.**
- f. **Approval of the terms of, and authorization for the Mayor to execute, Change Order #4 with Cleary Construction for the Spring Hill Drive Extension Project.**
- g. **Approval of the terms of, and authorization for the Mayor to execute, the Scope and Fee proposal with Energy Land & Infrastructure for the Industrial Boulevard Retaining Wall and Guardrail Repair Project.**
- h. **Approval of the terms of, and authorization for the Mayor to execute, a Lease / License Agreement with the State of Tennessee for two Gateway Monument Signs on State Route 1 (Lowry Street).**
- i. **Approval of the terms of, and authorization for the Mayor to execute, a contract with Volunteer Paving for Construction Services for the Rock Springs Road over Harts Branch Bridge project.**
- j. **Approval of the terms of, and authorization for the Mayor to execute, the proposal with Haworth-Meyer-Boleyn Professional Engineers, LLC for Construction Engineering and Inspection (CEI) Services for the Rock Springs Road over Harts Branch Bridge Project.**
- k. **Approval of the terms of and authorization for the Mayor to execute an annual agreement with TDOT relative to the Town being reimbursed for**

mowing, road repairs, and litter pickup along all state routes in the Town Limits.

- l. **Approval of the terms of, and authorization for the Mayor to execute an agreement with Hawkins Asphalt Paving LLC to perform milling and resurfacing on various roads during fiscal year 2025.**
- m. **Approval of the terms of, and authorization for the Mayor to execute an agreement with Sessions Paving to oversee our annual road repair and maintenance contract.**
- n. **Approval of the terms of, and authorization for the Mayor to execute an agreement with Rutherford County to maintain traffic signals at I-840 and SR 266 and I-840 and SR 452.**
- o. **Approval of the terms of, and authorization for the Mayor to execute a 1 year extension agreement with Rollins Construction for concrete repairs.**
- p. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with Kimley-Horn and Associates, Inc., relative to professional services for the update to the Major Thoroughfare Plan/Bicycle and Pedestrian Plan.**

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".

8. Old Business.

- a. **PUBLIC HEARING: Consideration of an Ordinance adopting the property tax rate for fiscal year 2024-2025.**

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

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 Steve Sullivan, 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 #24-11)

b. PUBLIC HEARING: Consideration of an Ordinance relative to a Budget Amendment for Fiscal Year 2024.

The Town Council next considered on second and final reading an Ordinance relative to final Budget Amendment for Fiscal Year 2024.

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, Vice-Mayor Marc Adkins made a motion to approve said Ordinance on second and final reading. The motion was duly seconded by Council Member Steve Sullivan, 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 #24-13)

c. PUBLIC HEARING: Consideration of an Ordinance adopting the budget for fiscal year 2024-2025.

The Town Council next considered on second and final reading an Ordinance relative to adopting the budget for fiscal year 2024-2025.

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 Gerry Short made a motion to approve said Ordinance on second and final reading. The motion was duly seconded by Council Member Steve Sullivan, 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 "4." (Ordinance #24-12)

d. PUBLIC HEARING: Consideration of a Resolution relative to a Plan of Services for property located on Tax Map 73, Parcels 16.01, 16.02, and 17.00.

The Town Council next considered a Resolution relative to a Plan of Services for property located on Tax Map 73, Parcels 16.01, 16.02, and 17.00.

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 Resolution. The motion was duly seconded by Council Member H.G. Cole, and following further discussion, was approved 6-0-1, with Vice-Mayor Marc Adkins abstaining from the vote.

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 #24-8)

- e. PUBLIC HEARING: 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 second and final 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.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. The following citizens spoke relative to this agenda item: Kyle Griffin, 305 Pine Avenue, Nashville spoke on behalf of the developer. Property owner, Teresa Sivils, 7441 Rocky Fork Road, Smyrna, spoke in favor of said agenda item. Citizen, Dan Epright, 114 Seward Street, Smyrna, spoke neither in favor or opposition, but rather made comment.

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, incorporating the requirement for the developer to

extend the buffer to Alnaville Road. The motion was duly seconded by Council Member Steve Sullivan, and following further discussion was approved 4-2-1 with Vice-Mayor Marc Adkins abstaining from the vote and Council Members Racquel Peebles and Gerry Short voting in opposition to the agenda item. A copy of said Ordinance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6." (Ordinance #24-15)

f. Consideration of a Resolution in Memorandum of Ordinance #24-15 relative to the annexation and rezoning of certain property on Tax Map 73, Parcels 16.01, 16.02 & 17.

The Town Council next considered a Resolution in Memorandum of Ordinance #24-15 relative to the annexation and rezoning of certain property on Tax Map 73, Parcels 16.01, 16.02 & 17. This is a housekeeping item required to accompany the annexation of certain property.

Following discussion, the Resolution was approved unanimously. A copy of said Resolution, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "7." (Resolution #24-9)

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

9. New Business:

a. Planning Commission Report:

1. Consideration of an ordinance relative to the rezoning of Tax Map 33, Parcel 73.03, from R-3 with ESO to PRD with ESO requested by Janet Ibrahim Nasef. The property requested to be rezoned contains 2.13 acres and is located on Rocky Fork Road.

The Town Council next considered on first reading an ordinance relative to the rezoning of Tax Map 33, Parcel 73.03, from R-3 with ESO to PRD with ESO requested by Janet Ibrahim Nasef. The property requested to be rezoned contains 2.13 acres and is located on Rocky Fork Road. The recommendation of the Planning Commission was that the request be denied.

Following discussion, Council Member Steve Sullivan made a motion to DENY said ordinance on first reading. The motion to deny was duly seconded by Council Member Racquel Peebles. 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 "8." (Ordinance #24-20)

2. Consideration of an ordinance relative to the annexation and C-2 zoning of property located on Tax Map 55C, Group B, Parcel 35.00, requested by Hardik Patel on behalf of Shhriya Inc. containing .87 acre.

The Town Council next considered on first reading an Ordinance relative to the annexation and C-2 zoning of property located on Tax Map 55C, Group B, Parcel 35.00, requested by Hardik Patel on behalf of Shhriya Inc. containing .87 acre. The recommendation of the Planning Commission was that the request be approved.

Following discussion, Council Member Gerry Short made a motion to approve said Ordinance on first 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 on first reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9." (Ordinance #24-21)

3. Consideration of an ordinance relative to the rezoning of Tax Map 54, Parcel 50.01, from R-3 to PRD requested by Kyle Griffin on behalf of SCollins2 Properties, LLC. The property requested to be rezoned contains approximately 3.53 acres and is located at 8286 Rocky Fork Almaville Road.

The Town Council next considered on first reading an Ordinance relative to the rezoning of Tax Map 54, Parcel 50.01, from R-3 to PRD requested by Kyle Griffin on behalf of SCollins2 Properties, LLC. The property requested to be rezoned contains approximately 3.53 acres and is located at 8286 Rocky Fork Almaville Road. The recommendation of the Planning Commission was that the request be approved with the condition that the plans show a buffer between the proposed lots 4, 5, and 6 and the adjoining property to the west.

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, and following further discussion, was approved 6-0-1 with Vice-Mayor Marc Adkins abstaining from the vote.

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 "10." (Ordinance #24-22)

4. Consideration of an ordinance relative to the rezoning of Tax Map 34I, Group B, Parcel 6.00, from R-2 to P&O-2 owned and requested by Eduardo Moreno. The property requested to be rezoned contains .32 acre and is located at 11514 Old Nashville Highway.

The Town Council next considered on first reading relative to the rezoning of Tax Map 34I, Group B, Parcel 6.00, from R-2 to P&O-2 owned and requested by Eduardo Moreno. The property requested to be rezoned contains .32 acre and is located at 11514 Old Nashville Highway. The recommendation of the Planning Commission was that the request be denied.

Following discussion, Council Member Steve Sullivan made a motion to DENY said ordinance on first reading. The motion to deny was duly seconded by Vice-Mayor Marc Adkins. 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 "11." (Ordinance #24-23)

5. Consideration of an ordinance relative to the rezoning of Tax Map 33, Parcel 87.00 from R-1 with ESO to PRD with ESO requested by Rob Molchan on behalf of Odessa Louise Settles. The property requested to be rezoned contains approximately 6.78 acres and is located on Gambill Lane.

The Town Council next considered on first reading an Ordinance relative to the rezoning of Tax Map 33, Parcel 87.00 from R-1 with ESO to PRD with ESO requested by Rob Molchan on behalf of Odessa Louise Settles. The property requested to be rezoned contains approximately 6.78 acres and is located on Gambill Lane. 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 Steve Sullivan, and following further discussion, was approved 7-0.

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 "12." (Ordinance #24-24)

6. Consideration of an ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article III, General Provisions, and Article VII, Administration and Enforcement.

The Town Council next considered on first reading an ordinance relative to amending the text of the Smyrna Municipal Zoning Ordinance Article III, General Provisions, and Article VII, Administration and Enforcement. The recommendation of the Planning Commission was that this Ordinance 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, and following further discussion, approved unanimously.

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 "13." (Ordinance #24-19)

b. Consideration of an Ordinance relative to an amendment to Title 12 "Building and Utility Codes" Chapter 11 "Electric Code" Section 12-1102 "Modifications."

The Town Council next considered on first reading an ordinance relative to an amendment to Title 12 "Building and Utility Codes" Chapter 11 "Electric Code" Section 12-1102 "Modifications."

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 unanimously.

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 "14." (Ordinance #24-14)

c. Consideration of an Ordinance relative to an amendment to Title 8 "Alcoholic Beverages" Chapter 3 "Retail Sales of Alcoholic Beverages" Section 8-327 "Regulation of Sales."

The Town Council next considered on first reading an ordinance relative to an amendment to Title 8 "Alcoholic Beverages" Chapter 3 "Retail Sales of Alcoholic Beverages" Section 8-327 "Regulation of Sales."

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, the motion approved unanimously.

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 "15." (Ordinance #24-17)

d. Consideration of an Ordinance to amend Title 1 "General Administration," Chapter 1 "Town Council," Section 1-104 "Order of Business" relative to an update to the Town's citizen comment policy.

The Town Council next considered on first reading an ordinance to amend Title 1 "General Administration," Chapter 1 "Town Council," Section 1-104 "Order of Business" relative to an update to the Town's citizen comment policy.

Following discussion, Council Member Steve Sullivan made a motion to approve said ordinance on first reading. The motion was duly seconded by Vice-Mayor Marc Adkins. Following further discussion, the motion approved unanimously.

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 "16." (Ordinance #24-18)

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

10. Other.

11. Status Reports.

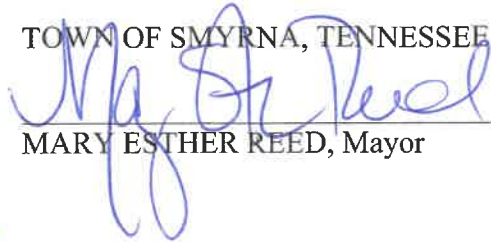
Finance Director and Assistant Town Manager, Rex Gaither, presented Council with April State Shared Tax and April Local Sales Tax numbers.

12. 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 7:07 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk

**MINUTES OF THE WORKSESSION OF THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON JUNE 27, 2024**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in a work session at 5:00 p.m. on June 27, 2024, at Town Hall to discuss various agenda items. The following Town Council Members were present:

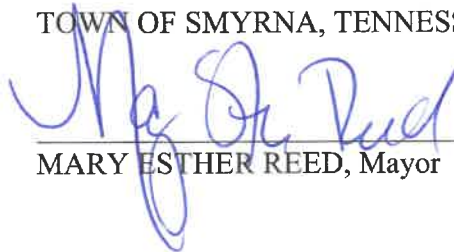
Gerry Short
Racquel Peebles
Steve Sullivan
Vice-Mayor Marc Adkins
Mayor Mary Esther Reed

Council Members Tim Morrell and H.G. Cole were not present for the meeting.

In addition to the members of the Town Council, various staff members, citizens and members of the media attended.

After further discussion, without objection, the meeting was adjourned at 5:41 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk