

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON FEBRUARY 13, 2024**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on February 13, 2024, 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, Tim York, and the Pledge of Allegiance was led by Town Engineer, Charles King.

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

Steve Sullivan  
Racquel Peebles  
H.G. Cole  
Gerry Short  
Vice-Mayor Marc Adkins  
Mayor Mary Esther Reed

Council Member Tim Morrell was not present for this meeting.

**3. Approval or Correction of Minutes of the January 9, 2024 regular meeting and the January 25, 2024 work session meeting of the Town Council.**

The Town Council first considered a motion by Vice-Mayor Marc Adkins to approve the minutes of the January 9, 2024 regular meeting and the January 25, 2024 work session meeting of the Town Council. The motion was duly seconded by Council Member H.G. Cole. Following discussion, the motion was approved 6-0.

**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. **Consideration and approval of revisions to Smyrna Police Department policy regarding License Plate Readers (LPR's) in State right of ways.**
- b. **Approval of the terms of, and authorization for the Mayor to execute an agreement with Energy, Land, & Infrastructure to design Phase 2 of the Rock Springs Road Sidewalk project from Mason Tucker to Old Nashville Highway.**
- c. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with Randy Button and Associates to appraise properties along Rock Springs Road for drainage and construction easements for a new sidewalk.**
- d. **Approval of the rankings of the respondents for the Safe Streets for All Planning Grant by the Request for Qualifications Review Committee.**
- e. **Approval of the terms of, and authorization for the Mayor to execute an agreement with R & D Enterprises for easement negotiations for the Rock Springs Road Sidewalk Project.**

Following discussion, Council Member Gerry Short 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 Title 12 of the Municipal Code, specifically § 602 relative to the International Residential Code and § 702 relative to the International Energy Conservation Code.**

The Town Council next considered on second and final reading an Ordinance amending Title 12 of the Municipal Code, specifically § 602 relative to the International Residential Code and § 702 relative to the International Energy Conservation Code.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. Smyrna citizen, Dan Epright, 114 Seward Drive asked a question related to said agenda item which was answered by Assistant Town Manager Todd Spearman.

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 on second and final reading. The motion was duly seconded by Vice-Mayor Marc Adkins, and following further discussion, was approved 6-0.

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 #24-4)

- b. PUBLIC HEARING: Consideration of an ordinance relative to the rezoning of Tax Map 27, Parcel 36.01, from R-1 to PRD requested by Kevin Gangaware. The property requested to be rezoned contains 13.03 acres and is located at 9800 Florence Road.**

The Town Council next considered on second and final reading an Ordinance relative to the rezoning of Tax Map 27, Parcel 36.01, from R-1 to PRD requested by Kevin Gangaware. The property requested to be rezoned contains 13.03 acres and is located at 9800 Florence Road. The recommendation of the Planning Commission was that the request be approved with the following conditions:

- Any elevation fronting a road will be considered the primary façade and must meet the elevation requirements shown for the front of the home. If a lot has more than one road frontage or is visible from Florence Road, this requirement would be applicable to all elevations facing a public roadway.
- Critical lots as defined in the Subdivision Regulations would be identified at the preliminary plat stage.
- TVA approval must be provided for the pond and sidewalk within the TVA easement. Please provide documentation prior to receiving a grading permit.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. Rick Blackburn, 122 38<sup>th</sup> Avenue North, Nashville with Cane Ridge Communities, the developers of said project, offered to answer any questions that Council may have.

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 5-1, with Council Member Racquel Peebles voting against said 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 "3." (Ordinance #24-5)

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 54, Parcel 18.00, requested by**

**Jared Cunningham with Catalyst Design Group on behalf of the Rose C. Neal Revocable Trust containing 28.42 acres. Property is located on Rocky Fork Almadale Road.**

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 54, Parcel 18.00, requested by Jared Cunningham with Catalyst Design Group on behalf of the Rose C. Neal Revocable Trust containing 28.42 acres.

At this time, Town Planner Kevin Rigsby announced that the applicant requested to withdraw their application after originally requesting deferrals in December 2023 and January 2024. No further action was necessary.

**2. 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 first 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.

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 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 #24-3)

**3. Consideration of a request from Jennifer Speich for a two lot subdivision utilizing a septic system.**

The Town Council next considered a request from Jennifer Speich for a two lot subdivision utilizing a septic system. This subdivision plat has been submitted for 3510 Almadale Road approximately 500 feet north of Inez Drive. This subdivision is for two lots on 37 acres. The Planning Commission reviewed this final plat and recommended approval with the following conditions:

- Add the signatures of the owners, TDEC and CUD before the mylar is submitted to the Town for signatures.

- As land is shown being dedicated as right-of-way to TDOT, please provide either a signature block on the plat or other method of acknowledgement from TDOT that they are aware of the dedication and have accepted it either via the plat or other method.
- CUD's existing infrastructure is NOT adequate to meet the fire flow requirement of 1,500 GPM for the development. Please refer to the CUD Will Serve letter issued 11/5/2023 for instructions on next steps for facilities improvement study.
- Submit plat directly to [CUDengineering@cudrc.com](mailto:CUDengineering@ cudrc.com) for further review and comment.

Following discussion, Council Member H.G. Cole made a motion to approve said request for a two lot subdivision utilizing a septic system. The motion was duly seconded by Council Member Steve Sullivan.

**b. Packaged Liquor Board Report: -Consideration of a Certificate of Compliance for Smyrna Wine & Spirits, LLC dba Junction Liquors.**

The Town Council next considered a Certificate of Compliance for Smyrna Wine & Spirits, LLC dba Junction Liquors. This Certificate of Compliance application was reviewed before the Packaged Liquor Board at the regular February meeting, and was subsequently unanimously recommended to the Town Council for approval. This application was for a change of location only; all ownership is to remain the same.

Following discussion, Council Member Steve Sullivan made a motion to approve said Certificate of Compliance for Smyrna Wine & Spirits, LLC dba Junction Liquors. The motion was duly seconded by Council Member Racquel Peebles. Following further discussion, the motion was approved 6-0. A copy of the Certificate of Compliance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5."

**c. Consideration of a resolution authorizing the Town to file an application for a Transportation Planning Grant from TDOT for an update to the Major Thoroughfare and Bicycle and Pedestrian Plans.**

The Town Council next considered a Resolution authorizing the Town to file an application for a Transportation Planning Grant from TDOT for an update to the Major Thoroughfare and Bicycle and Pedestrian Plans.

Following discussion, Vice-Mayor Marc Adkins made a motion to approve said Resolution 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 the Resolution as approved is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "6." (Resolution #24-4)

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

**9. Other.**

**10. Status Reports.**

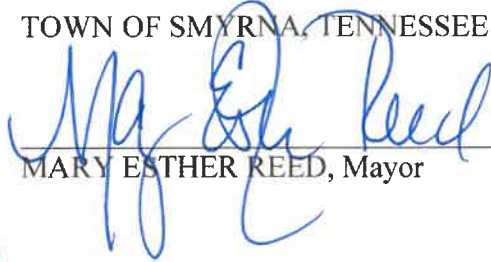
Finance Director and Assistant Town Manager, Rex Gaither, presented Council with December State Shared Tax and December Local Sales Tax numbers.

**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 5:54 p.m.

TOWN OF SMYRNA, TENNESSEE



MARY ESTHER REED, Mayor

ATTEST:



AMBER HOBBS, Town Clerk