

**MINUTES OF MEETING OF THE REGULAR SESSION OF THE  
TOWN COUNCIL  
OF THE TOWN OF SMYRNA  
ON JULY 9, 2024**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 5:00 p.m. on July 9, 2024, at Town Hall with the Honorable Mayor Mary Esther Reed presiding.

Prior to beginning the meeting, the following individuals addressed the Council under citizens' comments:

Marie Burke- In Favor of Agenda Item 9.a.1 (Weekley-Lee Road Phase 3)  
Mike Smith- In Opposition to Agenda Item 9.a.2 (Mable Farms)  
Mark Bryers- In Opposition to Agenda Item 9.a.2 (Mable Farms)  
Dawn Hill- In Opposition to Agenda Item 9.a.2 (Mable Farms)  
Ken Hill- In Opposition to Agenda Item 9.a.2 (Mable Farms)  
Lisa Reasonover- In Opposition to Agenda Item 9.a.2 (Mable Farms)  
Josh Miller- In Favor of Agenda Item 9.a.2 (Mable Farms)  
John Lewis- In Favor of Agenda Item 9.a.2 (Mable Farms)  
Joe Morgan- In Favor of Agenda Item 9.a.2 (Mable Farms)  
John Morgan- In Favor of Agenda Item 9.a.2 (Mable Farms)

Mayor Reed then called the meeting to order at 5:29 p.m. The invocation was led by Smyrna Police Department Chaplain, Tim York, and the Pledge of Allegiance was led by Interim Town Manager, Jeff Peach.

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

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

Council Member H.G. Cole was not present for the meeting.

**4. Approval or Correction of Minutes of the June 11, 2024 regular meeting, the June 26, 2024 special-called meeting and the June 27, 2024 workshop meeting of the Town Council.**

The Town Council first considered a motion by Council Member Tim Morrell to approve the minutes of the June 11, 2024 regular meeting, the June 26, 2024 special-called meeting and the June 27, 2024 workshop meeting of the Town Council. The motion was duly seconded by Vice-Mayor Marc Adkins. Following discussion, the motion was approved 6-0.

**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 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 a contract renewal with Lumen Technologies Group to provide phone and internet services for the Town of Smyrna.**
- b. **Approval of the terms of, and authorization for the Mayor to execute a renewal agreement with Threater for Internet Security devices and services.**
- c. **Approval of the terms of, and authorization for the Mayor to execute, contract Amendment Number 2 with TDOT relative to the SR-1 /US-41(Lowry Street) project, From Jackson Street to Bridge over Harts Branch.**
- d. **Approval of the terms of, and authorization for the Mayor to execute, the proposal with Haworth-Meyer-Boleyn Professional Engineers, LLC for Survey and Conceptual Design for the Almaville Road Project.**
- e. **Approval of the terms of, and authorization for the Mayor to execute, the proposal by Collier Engineering Co., Inc. for Construction Plans and Construction Engineering and Inspection (CEI) Services for the Enon Springs Road Improvements Project.**
- f. **Approval of the terms of, and authorization for the Mayor to execute a one year contract extension with Sweeping Corp of America for roadway sweeping.**
- g. **Approval of the terms of, and authorization for the Mayor to approve the rankings of the respondents to the Request for Qualifications for Right-of-Way acquisition services for Florence Road Sidewalks.**
- h. **Approval of the terms of, and authorization for the Mayor to execute, an agreement with Cummins Sales and Service for maintenance of Fire Department generators and related equipment.**
- i. **Consideration and authorization of a list of items to be declared surplus and auctioned online through GovDeals.**

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 Vice-Mayor Marc Adkins, 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 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 second and final reading an Ordinance relative to an amendment to Title 12 "Building and Utility Codes" Chapter 11 "Electric Code" Section 12-1102 "Modifications."

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 Racquel Peebles, 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 #24-14)

**b. PUBLIC HEARING: 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 second and final 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."

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 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 "3." (Ordinance #24-17)

**c. PUBLIC HEARING: 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 second and final 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.

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, spoke in favor of this amendment and revised policy.

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

Following discussion, Council Member Racquel Peebles 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 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 "4." (Ordinance #24-18)

**d. PUBLIC HEARING: 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 second and final reading an Ordinance 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 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, Vice-Mayor Marc Adkins made a motion to approve said Ordinance. The motion was duly seconded by Council Member Tim Morrell, 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 "5." (Ordinance #24-19)

**e. PUBLIC HEARING: Consideration of a Resolution relative to a Plan of Services for property located on Tax Map 55C, Group B, Parcel 35.00.**

The Town Council next considered a Resolution relative to a Plan of Services for property located on Tax Map 55C, Group B, Parcel 35.00. 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 citizens spoke relative to this agenda 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 Gerry Short, and following further discussion 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 "6." (Resolution #24-10)

**f. PUBLIC HEARING: 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 second and final 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.

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 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 "7." (Ordinance #24-21)

**g. Consideration of a Resolution in Memorandum of Ordinance #24-21 relative to the annexation and C-2 zoning of property located on Tax Map 55C, Group B Parcel 35.**

The Town Council next considered a Resolution in Memorandum of Ordinance #24-21 relative to the annexation and C-2 zoning of property located on Tax Map 55C, Group B Parcel 35. This is a housekeeping item required to accompany the annexation of certain property.

Following discussion, Council Member Tim Morrell made a motion to approve the Resolution. Council Member Racquel Peebles duly seconded the motion. Following further discussion, the motion 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 "8." (Resolution #24-11)

- h. PUBLIC HEARING: 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 second and final 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 following condition:

- i. Show a buffer between the proposed lots 4, 5 and 6 and the adjoining property to the west.

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 Tim Morrell, and following further discussion, was approved 5-0-1 with Vice-Mayor Marc Adkins abstaining from the vote.

A copy of said Ordinance, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "9." (Ordinance #24-22)

- i. PUBLIC HEARING: 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 second and final 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.

At this time, Mayor Reed recessed the meeting without objection, and a public hearing was opened related to the agenda item. Smyrna citizen, Rebecca Henderson, 3600 Gambill Lane, Smyrna, spoke regarding said item. She was neither for nor against said agenda item.

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 Council Member Tim Morrell, 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 "10." (Ordinance #24-24)

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 annexation and PRD zoning of property located on Tax Map 51, part of Parcel 8.11, requested by Adam Lawrence with Gamble Design Collaborative on behalf of Michael and Marie Burke containing 17.42 acres. The property is located at 6304 Lee Road.**

The Town Council next considered on first reading an ordinance relative to the annexation and PRD zoning of property located on Tax Map 51, part of Parcel 8.11, requested by Adam Lawrence with Gamble Design Collaborative on behalf of Michael and Marie Burke containing 17.42 acres. The property is located at 6304 Lee Road. 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 Gerry Short. Following further discussion, the motion to approve the ordinance on first reading was approved 5-0-1, with 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 "11." (Ordinance #24-26)

- 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 approximately 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 approximately 40.1 acres and are located on Rock Springs Road. The recommendation of the Planning Commission was that the request be approved with the following conditions:

- i. Provide the size of the on and off site sewer mains
- ii. On Page 4.01 add to comment #6 that the HVAC units shall be screened from the right-of-way if the rear of the home faces a public right-of-way.
- iii. Extend the 20' buffer strip along the western border of the project to include Lot 55.

Following discussion, Vice-Mayor Marc Adkins made a motion to approve said Ordinance on first reading with the conditions that a revised pattern book be submitted before second and final reading depicting percentages of homes within the development that will meet the square footage ranges of minimum 1,800 to 3,300, in addition to including the requirement for two (2) evergreen trees per lot along the Reasonover property line. The motion was duly seconded by Council Member Steve Sullivan, and following further discussion, was approved 5 -1, with Council Member Racquel Peebles voting "no".

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 #24-27)

**3. Consideration of an ordinance relative to the rezoning of Tax Map 33, Parcel 91.00, from R-1 with ESO to C-2 and PRD with ESO requested by Hollingshead Land, LLC. The property requested to be rezoned contains 6.24 acres and is located at the corner of Enon Springs Road, West and Gambill Lane.**

The Town Council next considered on first reading an Ordinance relative to the rezoning of Tax Map 33, Parcel 91.00, from R-1 with ESO to C-2 and PRD with ESO requested by Hollingshead Land, LLC. The property requested to be rezoned contains 6.24 acres and is located at the corner of Enon Springs Road, West and Gambill Lane. The recommendation of the Planning Commission was that the request be approved with the following conditions:

- i. A Type C buffer is required on the northern and eastern property lines. The applicant is proposing a Type A buffer with a fence in lieu of the Type C buffer. This request is recommended for approval with the fence required as a 6' tall vinyl fence.
- ii. All requirements of the ESO with regard to color palette, landscaping, lighting, buffering, and screening are required to be met and would be reviewed in detail with the site plan submittal if the rezoning is approved.

- iii. All sides of the buildings must be within 150' reach for the fire department.

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 4-2 with Vice-Mayor Marc Adkins and Council Member Racquel Peebles voting “no”.

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 “13.” (Ordinance #24-28)

**4. Consideration of an ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article III, General Provisions.**

The Town Council next considered on first reading an ordinance amending the text of the Smyrna Municipal Zoning Ordinance Article III, General Provisions. The recommendation of the Planning Commission was that the request be approved.

Following discussion, Council Member Steve Sullivan made a motion to approve said ordinance on first reading. The motion to approve was duly seconded by Vice-Mayor Marc Adkins. 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 “14.” (Ordinance #24-29)

**b. Consideration of a Resolution to approve funding for non-profit organizations for fiscal year 2025.**

The Town Council next considered a Resolution to approve funding for non-profit organizations for fiscal year 2025

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 unanimously.

A copy of the Resolution, as approved, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit “15.” (Resolution #24-12)

**c. Consideration of the appointment of one (1) member to the Historic Zoning Commission to serve an unexpired term ending in 2025**

The Town Council next considered the appointment of one (1) member to the Historic Zoning Commission to serve an unexpired term ending in 2025.

Following discussion, Mayor Reed nominated applicant, Raul Marrero, to fill the unexpired term ending in 2025. Mayor’s nomination was confirmed unanimously by Council Members.

**d. Consideration of the appointment of one (1) member to the Town's Industrial Development Board to serve an unexpired term ending in 2027.**

The Town Council next considered the appointment of one (1) member to the Town's Industrial Development Board to serve an unexpired term ending in 2027.

Following discussion, because there were no applications for consideration at this time, Mayor Reed asked that this item be added to the next month's agenda for consideration.

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

**10. Other.**

**Consideration of an Ordinance relative to a Budget Amendment for the Natural Gas Fund for FY'24-'25.**

The Town Council next considered on first reading an Ordinance relative to a Budget Amendment for the Natural Gas Fund for FY'24-'25.

Following discussion, Council Member Steve Sullivan made a motion to approve said ordinance on first reading. The motion to approve was duly seconded by Council Member Tim Morrell. Following further discussion, the motion to approve the ordinance on first reading 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 "15." (Ordinance #24-25)

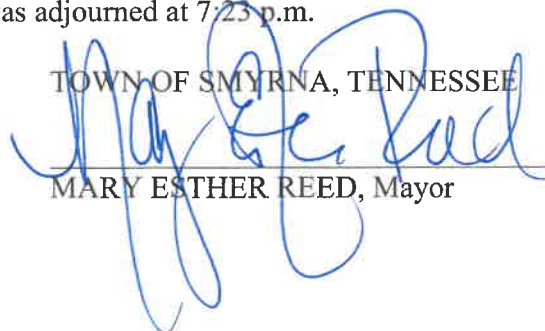
**11. Status Reports.**

Finance Director and Assistant Town Manager, Rex Gaither, presented Council with May State Shared Tax and May 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 7:23 p.m.

TOWN OF SMYRNA, TENNESSEE  
  
MARY ESTHER REED, Mayor

ATTEST:

  
AMBER HOBBS, Town Clerk