

**MINUTES OF MEETING OF THE REGULAR SESSION OF
THE
TOWN COUNCIL
OF THE TOWN OF SMYRNA
ON APRIL 13, 2010**

The Town Council of the Town of Smyrna, Rutherford County, Tennessee, met in regular session at 6:00 p.m. on April 13, 2010 at Town Hall with the Honorable Tony Dover, Mayor, presiding.

Mayor Dover called the meeting to order. The invocation was offered by Pastor Dan Parker, Parkway Baptist Church. The pledge of allegiance was led by Steve Smith, Building Official.

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

Mayor Tony Dover
Marc Adkins
H. G. Cole
Paul Johns
Lance Lee
Mary Esther Reed

Council Member Tim Morrell was not in attendance.

1. Approval or Correction of Minutes of the March 9 and March 30, 2010 meetings.

The Town Council first considered a motion by Council Member Paul Johns to approve the minutes of the March 9, 2010 regular session of the Town Council and the March 30, 2010 regular work session of the Town Council. The motion was duly seconded by Vice-Mayor Mary Esther Reed. Following discussion, the motion was approved unanimously.

2. Correspondence/Communications.

There was no correspondence or communications to be presented to the Town Council at this time.

3. **Awards and Recognitions.**

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

4. **Consent Agenda.**

There were no items to be considered by the Town Council at this time.

5. **Old Business.**

- a. **Public Hearing: Consideration of an ordinance to amend the approved Planned Residential Development for Southside (requested by Denny Hastings Family Limited Partnership). Property requested to be rezoned contains approximately 5.91 acres and is located east of South Lowry Street south of Stewart Drive. Second Reading.**

At this time, Mayor Dover recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

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

The Town Council next considered on second and final reading an ordinance to amend the approved Planned Residential Development for Southside (requested by Denny Hastings Family Limited Partnership). Property requested to be rezoned contains approximately 5.91 acres and is located east of South Lowry Street south of Stewart Drive. The recommendation of the Planning Commission was that the Town Council approve the rezoning request. Following discussion, Council Member Lance Lee made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Council Member Paul Johns. Following further discussion, the motion was approved 5-0-1 with Council Member Marc Adkins abstaining. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "1". (Ordinance #10-05).

- b. **PUBLIC HEARING: Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 13 "Property Maintenance Regulations", Chapter 1 "Miscellaneous", Section 13-103 "Weeds, Bushes, Shrubs, etc.". Second Reading.**

At this time, Mayor Dover recessed the meeting without objection, and a public hearing was opened related to the agenda item. No one spoke for or against the agenda item.

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

The Town Council next considered on second and final reading an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 13 "Property Maintenance Regulations", Chapter 1 "Miscellaneous", Section 13-103 "Weeds, Bushes, Shrubs, etc.". Following discussion, Council Member Marc Adkins made a motion to approve and adopt said ordinance on second and final reading. The motion was duly seconded by Vice-Mayor Mary Esther Reed. Following further discussion, the motion was approved unanimously. A copy of said ordinance, as approved and adopted on second and final reading, is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "2". (Ordinance #10-06).

6. New Business

a. Planning Commission Report:

There were no Planning Commission items to be presented to the Town Council at this time.

b. Packaged Liquor Board Report:

- i. Consideration of an application for a Certificate of Compliance for a packaged liquor store from Bina Ashok Patel (Smyrna Liquors) located at 1868 Almaville Road.

The Town Council next considered an application for a Certificate of Compliance for a packaged liquor store from Bina Ashok Patel (Smyrna Liquors), located at 1868 Almaville Road. The recommendation of the Packaged Liquor Board was that the Town Council approve the application for a certificate of compliance. Following discussion, Council Member H. G. Cole made a motion to approve the application. The motion was duly seconded by Vice-Mayor Mary Esther Reed. Following further discussion, the motion was approved unanimously. A copy of said application is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "3".

c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Yeary, Howell & Associates relative to annual financial audit for fiscal year ending June 30, 2010.

The Town Council next considered a motion by Council Member Marc Adkins to approve the terms of and authorize the Mayor to execute a contract with Yeary, Howell & Associates relative to annual financial audit for fiscal year ending June 30, 2010. The motion was duly seconded by Council Member Lance Lee. Following further discussion, the motion was approved unanimously. A copy of said document is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "4".

d. Consideration of appointments to the following Boards and Committees:

- i. Appointment of two (2) members to the Board of Adjustment & Appeals to serve three (3) year terms ending 2013 and two (2) members to serve one (1) year terms ending 2011.**

The Town Council next considered a motion by Vice-Mayor Mary Esther Reed to defer consideration of this item for two months. The motion was duly seconded by Council Member Marc Adkins. Following discussion, the motion was approved unanimously.

- ii. Appointment of one (1) member to the Storm Water Advisory Committee to serve a two (2) year term ending 2012.**

The Town Council next considered a motion by Mayor Dover to reappoint Nicole Fabian to the Storm Water Advisory Committee to serve a two (2) year term ending 2012. The motion was duly seconded by Council Member Marc Adkins. Following discussion, the motion was approved unanimously.

- iii. Mayor to appoint one (1) member to the Historic Zoning Commission to serve a five (5) year term ending 2015.**

The Town Council next considered a motion by Mayor Dover to defer consideration of this item for one month. The motion was duly seconded by Council Member H. G. Cole. Following discussion, the motion was approved unanimously.

e. Other.

- i. Consideration of the declaration of surplus property.**

The Town Council next considered a motion by Vice-Mayor Mary Esther Reed to declare certain items as surplus property. The motion was duly seconded by Council Member Marc Adkins. Following discussion, the motion was approved unanimously. A copy of said surplus property is attached hereto and incorporated herein by reference as if set forth at length verbatim as Exhibit "5".

There was no other New Business to be considered by the Town Council.

7. Status Reports.

There were no status reports to be reported to the Town Council at this time.

8. Announcements.

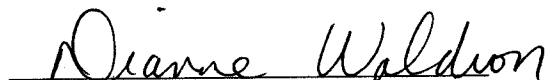
Council Member Marc Adkins commented on the start of baseball season.

Without objection, the meeting was adjourned.

TOWN OF SMYRNA, TENNESSEE


TONY DOVER, Mayor

ATTEST:


DIANNE WALDRON, Town Clerk