

**LEGISLATIVE REPORT**  
**March 10, 2009**

ITEM NUMBER	ACTION	DESCRIPTION
	Citizen Comments	Clayton Kirk, 902 General Barksdale Drive – “Beer Ordinance Section 8-215 Paragraph 6” Lee Nettles, 4961 Bethesda Duplex Road, College Grove – “Package Liquor Stores” John Tinkham, 653 Potomac Place – “Package Liquor Stores” Helen Kent, 10017 Syracuse Drive – “Utility Due Dates”
3	Approved 6-0	Approval or Correction of Minutes of February 10 and February 26, 2009 meetings.
4	N/A	Correspondence/Communications: None
5	Approved 6-0	Awards and Recognitions: Resolution – Smyrna High School Bowling Team
6	Approved 6-0	Consent Agenda:
		a. Approval of the terms of, and authorization for the Mayor to execute, a Tennessee Wildlife Resources Agency Aquatic Habitat Protection Program Grant submittal.
		b. Approval of the terms of, and authorization for the Mayor to execute, contract amendment with Huddleston-Steele Engineering, Inc. relative to Smyrna Greenway engineering.
		c. Approval of the terms of, and authorization for the Mayor to execute, a contract with John E. Green Company relative to replacement of boiler and water storage tanks at the Town Centre.
		d. Approval of the terms of, and authorization for the Mayor to execute, Change Order #9 relative to Enon Springs West Road Improvements.
		e. Approval of the terms of, and authorization for the Mayor to execute, a contract with the State of Tennessee, Department of Transportation for the local share of engineering and right-of-way acquisition for the improvement of Jefferson Pike.
		f. Approval of the terms of, and authorization for the Mayor to execute, Consent Judgment and Final Order related to Town of Smyrna v. Moshea as to the Rock Springs Road Improvement Project.

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7		Old Business
	Approved 6-0	a. Consideration of an ordinance relative to the amendment to the text of the Smyrna Municipal Zoning Ordinance regarding Article V, Section 5.053.1 I-1, Light Industrial District, to add boat dealers as a use permitted as a special exception. Second Reading.
	Approved 6-0	b. Consideration of an ordinance to the amendment of the Town of Smyrna Municipal Code, Title 11 “Municipal Offenses”, Chapter 4 “Offenses Against the Peace and Quiet”, Section 11-402 “Anti-noise regulations” to add a provision making it unlawful to engage in commercial garbage pick-up during certain hours. Second Reading.
	Approved 6-0	c. Consideration of an ordinance to amend Ordinance No. 08-14, adopting the 2008-2009 Fiscal Year Budget relative to Isabella/Rock Springs Road traffic signal and the aerial platform truck. Second Reading.
8		New Business
		a. Planning Commission Report:
	Approved 6-0	i. Consideration of an ordinance relative to the rezoning of property located on Tax Map 19, part of Parcel 14.01, comprising approximately .25 acre, (requested by Michael and Felicia Sparks), from C-2 to C-4. Property is located at 301 Jefferson Pike. First Reading.
	Approved 6-0	ii. Consideration of the calling of the letter of credit for Home Depot USA, Inc. for the Home Depot subdivision.
	Approved 6-0	iii. Consideration of a request from Trinity Christian Church for a 15’ sanitary sewer service easement across Town property on Lee Victory Parkway.
	Approved 6-0	b. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 5 “Municipal Finance and Taxation”, Chapter 5 “Impact Fees”, Section 5-501 “General impact fee provisions”, Subsection (13) “Developer agreements” related to when such developer agreements may be entered into. First Reading.
	Approved 6-0	c. Approval of the terms of, and authorization for the Mayor to execute, a development agreement with Smyrna Commons, LLC relative to rebates of future roadway impact fees.
	Approved 6-0	d. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 12 “Building, Utility, Etc. Codes”, Chapter 6 “International Residential Code”, Section 12-602 “Modifications” as related to foundations and footings. First Reading.

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	Approved 6-0	e. Approval of the terms of, and authorization for the Mayor to execute, contracts with Resultz Lawn Care and A & R Lawn Service relative to annual mowing.
	Approved 5-1	f. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 5 “Municipal Finance and Taxation”, Chapter 8 “Purchase, Sale, and Inventory of Town Property”, Section 5-823 “Procedure for sale of surplus real property” to add provisions for alternate disposition of surplus real property. First Reading.
	Deferred 6-0	g. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 8 “Alcoholic Beverages”, Chapter 3 “Retail Sales of Alcoholic Beverages” to add an ordinance authorizing the sale of packaged liquor in the corporate town limits. First Reading.
	Deferred 6-0	h. Consideration of an ordinance to amend Ordinance No. 08-14, adopting the 2008-2009 Fiscal Year Budget, specifically the 2008-2009 Fee Schedule to add fees within the Treasury Department related to packaged liquor. First Reading.
		i. Consideration of appointments to the following Boards and Committees:
	Deferred 6-0	i. Appointment of five (5) members to the Beautification Committee to serve two (2) year terms ending 2011.
	Approved 6-0	ii. Appointment of one (1) member to the Board of Zoning Appeals to serve three (3) year term ending 2012. – Howard Brindley – reappointed
	Deferred 6-0	iii. Appointment of two (2) members to Citizens for Sister City Relations to serve three (3) year terms ending 2012.
	Approved 6-0	iv. Appointment of four (4) members to Parks Advisory Board to serve two (2) year terms ending 2011. Danny Brewer, Cynthia Vaughn –reappointed, Rene’ Drain, Doak Sharrock
	Deferred 6-0	v. Appointment of three (3) members to Planning Commission to serve two (2) year terms ending 2011.
	Approved 6-0	vi. Appointment of two (2) members to Project Assistance to serve three (3) year terms ending 2012. Bill Brown, Ronnie Simmons – reappointed

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	Approved 6-0	vii. Appointment of three (3) members to serve three (3) year terms ending 2012 and two (2) members to serve one (1) year terms ending 2010 to the Board of Adjustment and Appeals. Rob White, Steve Bryan – other 3 appointments deferred to next month
	Approved 6-0	viii. Appointment of two (2) members to the Beer Board to serve four (4) year terms ending 2013. Danny Bass
	Approved 6-0	ix. Appointment of four (4) members to Storm Water Advisory Committee to serve two (2) year terms ending 2011. Paul Johns Council Rep, others deferred
	Deferred 6-0	x. Mayor to appoint one (1) member to Historic Zoning Commission to serve five (5) year term ending 2014.
	Deferred 6-0	xi. Appointment of three (3) members to Industrial Development Board to serve six (6) year terms ending 2015.
	Deferred 6-0	xii. Mayor to appoint one (1) member to Smyrna Housing Authority to serve five (5) year term ending 2014.
	Deferred 6-0	xiii. Appointment of one (1) member to Smyrna/Rutherford County Airport Authority to serve five (5) year term ending 2014.
	N/A	j. Other.
9	N/A	Status Reports.
10	N/A	Announcements.
11	N/A	Adjournment.