

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

ITEM NUMBER	ACTION	DESCRIPTION
	Citizen Comments	None
3	Approved 6-0	Approval or Correction of Minutes of March 10, March 19 and March 31, 2009 meetings.
4	N/A	Correspondence/Communications: None
5	Approved 6-0 6-0	Resolution – Lt. Nick Johns, Smyrna Fire Department Resolution – Donald Ries
6	Approved 6-0	<p>Consent Agenda:</p> <p>a. Approval of the terms of, and authorization for the Mayor to execute, a contract with Cummins Cumberland, Inc. relative to annual generator maintenance for Fire Stations 1, 2, 3 and 5 and Moore’s Hill Radio Tower sight.</p> <p>b. Approval of the terms of, and authorization for the Mayor to execute, a contract with Dempsey, Dilling &amp; Associates relative to design services on 12” water line portion of Almadillo Road Improvement Project.</p> <p>c. Approval of the terms of, and authorization for the Mayor to execute, a contract with Utility Service Co., relative to Nissan Water Storage Tank Repairs and Rehabilitation Project.</p> <p>d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Yeary, Howell &amp; Associates relative to annual financial audit for fiscal year ending June 30, 2009.</p> <p>e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Modern Day Wrecking relative to demolition of house located at 806 Enon Springs Road.</p>
7		Old Business
	Approved 6-0	a. <b>PUBLIC HEARING:</b> 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. Second Reading.

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	Approved 6-0	b. <b><u>PUBLIC HEARING:</u></b> Consideration of an ordinance to the amendment of the 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. Second Reading.
	Approved 6-0	c. <b><u>PUBLIC HEARING:</u></b> 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. Second Reading.
	Approved 6-0	d. <b><u>PUBLIC HEARING:</u></b> 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. Second Reading.
8		New Business
		a. Planning Commission Report:
	Approved 6-0	i. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Zoning Ordinance, Article II “Definitions”, Section 2.020 “Definitions” and Section 2.036.22 “Activity Type-Retail Sales of Alcoholic Beverages”, and Article V “Zoning Districts”, Section 5.052.2 “C-2, Highway Service District”, Subsection B. “Uses Permitted” and Section 5.052.3 “C-3, Restricted Commercial District”, Subsection B. “Uses Permitted” related to retail sales of alcoholic beverages. First Reading.
	Approved 6-0	ii. Consideration of calling of the letter of credit for Clarion Development Cedar Forest, LLC, or the Cedar Forest commercial development.
	Approved 6-0	iii. Consideration of a request from Southcampus Partnership for the abandonment of right- of-way on Hazelwood Drive south of Old Nashville Highway.
	Approved 6-0	b. 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 and setting forth the requirements for the issuance of a certificate of compliance from the town for the privilege of selling such packaged liquor. First Reading.
	Approved 6-0	c. 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.
	Approved 6-0	d. Approval of the terms of, and authorization for the Mayor to execute, a contract with Thomas & Associates relative to Mayfield Sidewalk improvements.

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	Approved 6-0	e. Approval of the terms of, and authorization for the Mayor to execute, a contract with Jeff Vaughn Engineering relative to construction administration for Mayfield Sidewalk Improvement Project.
	Approved 6-0	f. Consideration of the declaration of surplus property.
	Deferred 6-0	g. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 8 “Alcoholic Beverages”, Chapter 2 “Beer”, Sections 8-214 “Permits for certain premises prohibited”; 8-215 “Application for and issuance or refusal of permit”; 8-222 “Prohibited conduct or activities by beer permit holders”; 8-224 “Sales to minors prohibited; employment of ex-convicts prohibited”; and 8-226 “Penalties; violation”, related to distance requirements, applicant/employee convictions, and internal signage. First Reading.
	Approved 6-0	h. Consideration of an ordinance relative to the amendment of Town of Smyrna Municipal Code, Title 2 “Boards and Committees, Etc.”, Chapter 1 “Beautification Committee”, related to disbanding of the committee and the elimination of the Beautification Ordinance. First Reading.
		i. Consideration of appointments to the following Boards and Committees:
	Approved 6-0	i. Appointment of two (2) members to Citizens for Sister City Relations to serve three (3) year terms ending 2012. <i>Marc Michaelson, Ginny Williams</i>
		ii. Appointment of three (3) members to Planning Commission to serve two (2) year terms ending 2011. <i>Mike Sparks, Marc Adkins, Rob White</i>
	Approved 6-0	iii. 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. <i>Mike Allen, Kenneth Victory, James Yates</i>
	Approved 6-0	iv. Appointment of one (1) member to the Beer Board to serve four (4) year terms ending 2013. <i>Richard Jeffries</i>
	Approved 6-0	v. Appointment of three (3) members to Storm Water Advisory Committee to serve two (2) year terms ending 2011. <i>Rhett Kimble, Gunner Miller, Charles King, Lisa Brindley to fill vacancy</i>
	Approved 6-0	vi. Mayor to appoint one (1) member to Historic Zoning Commission to serve five (5) year term ending 2014. <i>Brad Turner</i>
	Approved 6-0	vii. Appointment of three (3) members to Industrial Development Board to serve six (6) year terms ending 2015. <i>Bill Lee, Tom Pugh, Lee Cole</i>
		viii. Mayor to appoint one (1) member to Smyrna Housing Authority to serve five (5) year term ending 2014. <i>Steven Barnes</i>

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	Approved 6-0	ix. Appointment of one (1) member to Smyrna/Rutherford County Airport Authority to serve five (5) year term ending 2014. <i>Clyde Jones</i>
	Approved 6-0	j. Other. i. Authorization for Staff or Mayor to apply for applicable grants under the Recovery Act.
9	N/A	Status Reports.
10	N/A	Announcements.
11	N/A	Adjournment.