

May 5, 2022

The City Council of the City of Murfreesboro, Rutherford County, Tennessee, met in regular session at its regular meeting place in the Council Chambers at City Hall at 6:00 p.m. on Thursday, May 5, 2022, with Mayor Shane McFarland present and presiding and with the following Council Members present and in attendance, to wit:

Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright

The following representatives of the City were also present:

Craig Tindall, City Manager
Adam Tucker, City Attorney
Jennifer Brown, City Recorder/
Finance Director
Angela Jackson, Executive Director/
Community Services
Raymond Hillis, Executive Director/
Public Works
Sam Huddleston, Executive Director/
Development Services
Michael Bowen, Chief of Police
Trey Duke, City Schools Director
Cathy Smith, Purchasing Director
Greg McKnight, Planning Director
Matthew Blomeley, Assistant Planning Director
Thomas Laird, Assistant Parks and Recreation Director
Scott Elliot, Project Manager
Joshua Miller, Administrative Assistant

Vice-Mayor Scales Harris commenced the meeting with a prayer followed by the Pledge of Allegiance.

Mayor McFarland proclaimed that, in the City of Murfreesboro, May 5, 2022 would be known as a day to recognize Ms. Raeven Brooks a teacher at Black Fox Elementary School and one of this year winners of the national Milken Family Foundation Educator of the Year Awards.

Mayor McFarland proclaimed that, in the City of Murfreesboro, February 19, 2022 would be known as a day to recognize Mrs. LaShan Dixon the 2022 National Title Holder for the United States of America's Mrs. Pageant System.

Mayor McFarland recognized the first non-City Employee STARS Award recipients Paramedic Tara Melton and EMT Maclin Eckhardt. Both were nominated after responding to a residence due to a request for help after the resident had fallen to the floor and could not get up. The two evaluated the patient and determined that she was not injured. The patient was very grateful for their response and the caring attitude and empathy they portrayed. Mayor McFarland presented plaques recognizing Ms. Melton's and Mr. Eckhardt's ability to exhibit core values and creating a better quality of life for the citizens of Murfreesboro.

The Consent Agenda was presented to the Council for approval:

1. Agreements for Psychological Evaluation Services (Police)
2. NEOGOV Services Agreement for PowerDMS Software (Police)
3. Solid Waste 10-yr Plan Update and FY35 Pro Forma (Solid Waste)
4. Asphalt and Concrete Purchase Report (Street)
5. Asphalt Purchases Report (Water Resources)
6. 2022 Water Treatment Plant Chemical Contracts (Water Resources)
7. Barton Lawn Care – Contract Amendment (Water Resources)
8. Contract for Custodial Services (Water Resources)
9. High Service Pump Station & Membrane Feed Pump (Water Resources)
10. Specific Energy Annual Service Fee (Water Resources)
11. Cross Connection Control Vehicle Replacement (Water Resources)
12. Purchase of Ultraviolet (UV) Disinfection Parts (Water Resources)

(Insert letters from Police, Solid Waste, Street,
& Water Resources (8) Departments here.)

Mr. Martin made a motion to approve the Consent Agenda. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

The following letter from the City Recorder/Finance Director was presented to the Council:

(Insert letter dated May 5, 2022 here with regards
to approval of Minutes of City Council Meetings.)

Mr. LaLance made a motion to approve the minutes as written and presented for the public comment meeting held on April 7, 2022; the regular meeting held on April 7, 2022; the regular meeting held on April 13, 2022; and the regular Meeting held on April 21, 2022. Mr. Wright seconded the motion and all members of the Council voted "Aye".

The following letter from the City Recorder was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Ordinance 22-O-03
Amending City Code Regarding Retail Liquor Store Regulations.)

An ordinance, entitled "ORDINANCE 22-O-03 amending the Murfreesboro City Code, Chapter 4, Alcoholic Beverages, Sections 4-2 and 4-7, regarding defined terms and retail liquor certificates of compliance; initial application; approval," which passed first reading on April 21, 2022, was read to the Council and offered for passage on second and final reading, upon motion made by Mr. Martin, seconded by Vice-Mayor Scales Harris. Upon roll call said ordinance was passed on second and final reading by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

(Insert ORDINANCE 22-O-03 here.)

The following letter from the City Recorder was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Ordinance 22-O-04: Amending City Code Regarding Special Event Hours for Beer Sales.)

An ordinance, entitled "ORDINANCE 22-O-04 amending the Murfreesboro City Code, Chapter 4, Alcoholic Beverages, Article II, Section 4-51, regarding classification of beer permits," which passed first reading on April 21, 2022, was read to the Council and offered for passage on second and final reading, upon motion made by Mr. Wade, seconded by Mr. Wright. Upon roll call said ordinance was passed on second and final reading by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

(Insert ORDINANCE 22-O-04 here.)

The following letter from the City Schools Director was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Fiscal Year 2022 City Schools Budget Amendment No. 8.)

The following RESOLUTION 22-R-11 was read to the Council and offered for adoption upon motion made by Vice-Mayor Scales Harris, seconded by Mr. Shacklett. Upon roll call said resolution was adopted by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

(Insert RESOLUTION 22-R-11 here amending the 2021-2022 Murfreesboro City Schools Budget (8th Amendment).)

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Fiscal Year 2023 Recommended Water Rate Increases.)

An ordinance, entitled "ORDINANCE 22-O-09 amending Chapter 33, Water and Sewers, Section 33-1 of the Murfreesboro City Code, dealing with minimum monthly water charges and minimum monthly sewer charges," was read to the Council and offered for

passage on first reading upon motion made by Mr. LaLance, seconded by Mr. Wade. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

The following letter from the Assistant Planning Director was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to holding a public hearing to consider zoning of approximately 238 acres located along Northwest Broad Street [2022-409].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 22-R-PH-08 adopted by the City Council on April 21, 2022, to consider rezoning approximately 238 acres along Northwest Broad Street by removing it from the GDO-1 Zoning Overlay District; City of Murfreesboro, applicant, [2022-409]. Notice of said public hearing was published in the April 19, 2022 edition of a local newspaper as follows:

(Insert notice here.)

Mr. Matthew Blomeley, Assistant Planning Director, presented the recommendation of the Planning Commission to approve removing approximately 238 acres located along Northwest Broad Street from the Gateway Design Overlay One (GDO-1) District.

Mayor McFarland then declared the public hearing, open and invited those present who wished to speak for or against the zoning request, step forward to the lectern.

There was no one present who wished to speak for or against the zoning request and, after ample time had been given, Mayor McFarland declared the public hearing closed.

An ordinance, entitled "ORDINANCE 22-OZ-08 amending the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, as heretofore amended and as now in force and effect, to rezone approximately 238 acres along Northwest Broad Street by removing it from the GDO-1 Zoning Overlay District; City of Murfreesboro, applicant, [2022-409]," was read to the Council and offered for passage on first reading upon motion made by Mr. Wade, seconded by Mr. Wright. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance
Bill Shacklett
Kirt Wade
Shawn Wright

Shane McFarland

Nay: Ronnie Martin

The following letter from the Assistant Planning Director was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to holding a public hearing to consider amending the Zoning Ordinance regarding industrial accessory structures, recreation field lighting, and floodplain regulations [2022-801].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 22-R-PH-06 adopted by the City Council on April 7, 2022, to consider amending the Murfreesboro City Code, Appendix A-Zoning, Sections 2, 18, 25, 34, Chart 2, and Chart 2 Endnotes, dealing with maximum building height for accessory structures in industrial districts, maximum height of light fixtures at recreation fields and regulations pertaining to development in regulatory floodways, City of Murfreesboro Planning Department, applicant [2022-801]. Notice of said public hearing was published in the April 19, 2022 edition of a local newspaper as follows:

(Insert notice here.)

Mr. Matthew Blomeley, Assistant Planning Director, presented the recommendation of the Planning Commission to approve amending the Zoning Ordinance regarding industrial accessory structures, recreation field lighting, and floodplain regulations and presented examples to Council of the proposed changes.

Mayor McFarland then declared the public hearing, open and invited those present who wished to speak for or against amending the Zoning Ordinance, step forward to the lectern.

There was no one present who wished to speak for or against amending the Zoning Ordinance and, after ample time had been given, Mayor McFarland declared the public hearing closed.

An ordinance, entitled "ORDINANCE 22-O-06 amending Murfreesboro City Code Appendix A—Zoning, Sections 2, 18, 25, 34, Chart 2, and Chart 2 Endnotes, dealing with maximum building height for accessory structures in industrial districts, maximum height of light fixtures at recreation fields and regulations pertaining to development in regulatory floodways, City of Murfreesboro Planning Department, applicant [2022-801]," was read to the Council and offered for passage on first reading upon motion made by Mr. Wade, seconded by Mr. LaLance. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
Rick LaLance

Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

The following letter from the Project Manager was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Hangar 1 Construction Change Order No. 5.)

Mr. Scott Elliot, Project Manager, presented the request to approve Change Order No. 5 with Morgan Construction Co., in the amount of \$78,016, funded from the CIP and Airport Fund Balance, for cost efficiencies in the upcoming fuel farm relocation.

Mr. Shacklett made a motion to approve Change Order No. 5 with Morgan Construction Co., in the amount of \$78,016, funded from the CIP and Airport Fund Balance, for cost efficiencies in the upcoming fuel farm relocation. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The following letter from the Director of Schools was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to purchase of two 90 Passenger Transit Style School Buses.)

Dr. Trey Duke, Director of Schools, presented the request to approve the Agreement with Mid-South Bus Center, Inc., in the amount of \$225,966, funded from County Shared Bonds, for purchase of two 90 Passenger Transit Style School Buses.

Vice-Mayor Scales Harris made a motion to approve the Agreement with Mid-South Bus Center, Inc., in the amount of \$225,966, funded from County Shared Bonds, for purchase of two 90 Passenger Transit Style School Buses. Mr. Shacklett seconded the motion, Mr. LaLance voted "Abstain" and all remaining members of the Council voted "Aye".

The following letter from the Director of Schools was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Contract for replacement of bleachers at Northfield & Black Fox Elementary Schools.)

Dr. Trey Duke, Director of Schools, presented the request to approve the Agreement with Toadvine Enterprises, in the amount of \$112,744, funded from County Shared Bonds, for replacement of bleachers at Northfield and Black Fox Elementary Schools.

Vice-Mayor Scales Harris made a motion to approve the Agreement with Toadvine Enterprises, in the amount of \$112,744, funded from County Shared Bonds, for replacement of bleachers at Northfield and Black Fox Elementary Schools. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

The following letter from the Director of Schools was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Construction Contract for floor replacement at Erma Siegel Elementary School.)

Dr. Trey Duke, Director of Schools, presented the request to approve the Construction Contract with Carpets by Ozburn, LLC, in the amount of \$201,224, funded from County Shared Bonds, for replacement of carpets at Erma Siegel Elementary School.

Mr. LaLance made a motion to approve the Construction Contract with Carpets by Ozburn, LLC, in the amount of \$201,224, funded from County Shared Bonds, for replacement of carpets at Erma Siegel Elementary School. Mr. Wright seconded the motion and all members of the Council voted "Aye".

The following letter from the Executive Director of Public Works was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to HVAC Preventative Maintenance Contract.)

Mr. Raymond Hillis, Executive Director of Public Works, presented the request to approve the Agreement with Lee Company, in the amount of \$83,646, funded from the Operating Budgets of the Airport, Solid Waste, Fleet, City Hall, Parks and Recreation, Street, MPD, MFRD, and Old Fort Golf Department's, for HVAC inspection and maintenance services.

Mr. Martin made a motion to approve the Agreement with Lee Company, in the amount of \$83,646, funded from the Operating Budgets of the Airport, Solid Waste, Fleet, City Hall, Parks and Recreation, Street, MPD, MFRD, and Old Fort Golf Department's, for HVAC inspection and maintenance services. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the Executive Director of Public Works was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to purchase of Rock Salt.)

Mr. Raymond Hillis, Executive Director of Public Works, presented the request to approve the purchase of 1,000 tons of Rock Salt, through a State Contract with Morton Salt, Inc., in the amount of \$81,660, funded from the Department's Operating Budget.

Vice-Mayor Scales Harris made a motion to approve the purchase of 1,000 tons of Rock Salt, through a State Contract with Morton Salt, Inc., in the amount of \$81,660, funded from the Department's Operating Budget. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to O&M – Jet/Vacuum Sewer Cleaner.)

Mr. Darren Gore, Assistant City Manager, presented the request to approve the Purchase Agreement, through the Sourcewell Cooperative Purchase Program, with GapVax

Inc., in the amount of \$503,640, funded from O&M's Capital Budget, for purchase of a 2023 Western Star 47x-SF vehicle for jet-vac cleaning of the City's sanitary sewer system.

Mr. LaLance made a motion to approve the Purchase Agreement, through the Sourcewell Cooperative Purchase Program, with GapVax Inc., in the amount of \$503,640, funded from O&M's Capital Budget, for purchase of a 2023 Western Star 47x-SF vehicle for jet-vac cleaning of the City's sanitary sewer system. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Lagoon
Water Treatment Residuals Removal 2nd Renewal.)

Mr. Darren Gore, Assistant City Manager, presented the request to approve Amendment No. 3 to the Contract with Slurry Systems Company, in the amount of \$249,000, funded from the Department's Operating Budget, for second renewal of the Contract related to the cleaning of Lagoon No. 1 at the Stones River Water Treatment Plant.

Mr. Wright made a motion to approve Amendment No. 3 to the Contract with Slurry Systems Company, in the amount of \$249,000, funded from the Department's Operating Budget, for second renewal of the Contract related to the cleaning of Lagoon No. 1 at the Stones River Water Treatment Plant. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to
Task Order Amendment for Smith Seckman Reid.)

Mr. Darren Gore, Assistant City Manager, presented the request to approve Task Order 2141013.0 Amendment No. 1 with Smith Seckman Reid, in the amount of \$175,300, funded from the Stormwater Management Fund, for regulatory assistance related to water quality, a part-time contract consultant position for assistance with stormwater quality management, regulation and ordinance revisions.

Mr. LaLance made a motion to approve Task Order 2141013.0 Amendment No. 1 with Smith Seckman Reid, in the amount of \$175,300, funded from the Stormwater Management Fund, for regulatory assistance related to water quality, a part-time contract consultant position for assistance with stormwater quality management, regulation and ordinance revisions. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the Assistant City Manager was presented to the Council:

(Insert letter dated May 5, 2022 here
with regards to Water Model Update.)

Mr. Darren Gore, Assistant City Manager, presented the request to approve Task Order 22-41-009.0 with Smith Seckman Reid, in the amount of \$48,835, funded from the Department's Operating Budget from existing Reserves, for services related to updating the Department's Water Model.

Mr. Martin made a motion to approve Task Order 22-41-009.0 with Smith Seckman Reid, in the amount of \$48,835, funded from the Department's Operating Budget from existing Reserves, for services related to updating the Department's Water Model. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the City Recorder/Finance Director was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to a Special Event Beer Permit Application for United Way on 05/06/22 at 2273 Oakleigh Dr.)

Mr. Wade made a motion to approve the Special Event Beer Permit for United Way of Rutherford & Cannon Counties on 05/06/22 at 2273 Oakleigh Drive. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

Upon recommendation of Mayor McFarland, Mr. LaLance made a motion to reappoint Ms. Candy Joyce (term expires May 4, 2028), Mr. Paul M. Myers (term expires May 4, 2028), and Mr. Harold Yokley (term expires May 4, 2028) to the Public Building Authority. Mr. Wright seconded the motion and all members of the Council voted "Aye".

The City Recorder/Finance Director stated that there were no statements to consider.

Under other business Mr. Thomas Laird, Assistant Parks and Recreation Director, presented the request to approve Change Order No. 1 with Stubblefield Construction LLC, in the amount of \$4,427, funded from the CIP, for a change of concrete materials in the McFadden Basketball Court Project Phase 1.

Mr. LaLance made a motion to approve Change Order No. 1 with Stubblefield Construction LLC, in the amount of \$4,427, funded from the CIP, for a change of concrete materials in the McFadden Basketball Court Project Phase 1. Mr. Shacklett seconded the motion and all members of the Council voted "Aye".

Under other business the following letter from the Airport Director was presented to the Council:

(Insert letter dated May 5, 2022 here with regards to Hangar One Grant Amendment.)

Mr. Craig Tindall, City Manager, presented the request to approve the Amendment to the Tennessee Airports Economic Development Grant to extend the term of the Grant one year.

Mr. Martin made a motion to approve the Amendment to the Tennessee Airports Economic Development Grant to extend the term of the Grant one year. Mr. Wright seconded the motion and all members of the Council voted "Aye", except Mr. LaLance who voted "Abstain".

Mr. Craig Tindall, City Manager, stated that there would not be a Council Meeting next week.

Council Member Bill Shacklett stated that JazzFest would begin on May 6, 2022 through May 7, 2022.

Council Member Rick LaLance updated Council on a zoning request that was held at the May 4, 2022 Planning Commission Meeting and expressed his views on allowing more apartment complexes to be built in the City.

Mayor Shane McFarland updated everyone on a report he had received regarding the housing market in Rutherford County.

There being no further business, Mayor McFarland adjourned this meeting at 7:08 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

JENNIFER BROWN - CITY RECORDER