

June 3, 2021

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, June 3, 2021, 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
Melissa Wright, City Recorder/
Finance Director
Gary Whitaker, Assistant City Manager
Darren Gore, Assistant City Manager
Angela Jackson, Executive Director/
Community Development
Raymond Hillis, Executive Director/
Public Works
Sam Huddleston, Executive Director/
Development Services
Greg McKnight, Planning Director
Pam Russell, Human Resources Director
Kim Williams, City Schools Finance Director
Jennifer Brown, Assistant Finance Director
Rachel Singer, Assistant Parks and Recreation Director
Vickie Ordonez, Chief Court Clerk
Joshua Miller, Administrative Assistant

Council Member Ronnie Martin commenced the meeting with a prayer followed by the Pledge of Allegiance.

The Consent Agenda was presented to the Council for approval:

1. Report of New Debt Obligation (Finance)
2. Approval of use of Competitive Sealed Proposals for Wide Area Network (WAN) Services (Information Technology)
3. Fox Collection Center Contract (Judicial)
4. Banner Request to Hang Across East Main Street for Mayors Annual New Year's Day 5k to be displayed December 21-31, 2021 (Street)
5. Approval of State Maintenance Contract for FY 2021-2022 (Street)
6. Asphalt Purchases Report (Water Resources)
7. Mechanical/Electrical Services Contract Extension (Water Resources)

(Insert letters from Finance, IT, Judicial, Street (2)
& Water Resources (2) Departments here.)

Mr. Wade 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 June 3, 2021 here with regards to approval of Minutes of City Council Meetings from April 22, 2021.)

Mr. LaLance made a motion to approve the minutes as written and presented for the regular meeting held on April 22, 2021. Mr. Wade 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 June 3, 2021 here with regards to Solid Waste Ordinance Revisions.)

An ordinance, entitled "ORDINANCE 21-O-06 amending the Murfreesboro City Code, Chapter 14, GARBAGE, WEEDS, TRASH AND OTHER SOLID WASTE, involving a complete amendment of the chapter," which passed first reading on April 22, 2021, was read to the Council and offered for passage on second and final reading.

Mr. Darren Gore, Assistant City Manager, presented proposed changes to fees and the effective date as approved by Council on first reading.

Mr. Martin made a motion to amend ORDINANCE 21-O-06 to adjust charge amounts for residential collection and commercial "go back" service, include fees for commercial drop-off of brush at the Florence Road Facility, establish fees for bulk item collection and change the effective date of the ordinance from July 1, 2021 to August 1, 2021. Mr. Wright seconded the motion and all members of the Council voted "Aye".

Mr. Martin made a motion to pass ORDINANCE 21-O-06, as amended, on second and final reading. Mr. Wright seconded the motion. 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

Said ordinance so passed on second and final reading is as follows:

(Insert ORDINANCE 21-O-06 here.)

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

(Insert letter dated June 3, 2021 here with regards to Fiscal Year 2022 water rate and pricing increases.)

An ordinance, entitled "ORDINANCE 21-O-12 amending Chapter 33, Water Resources, Sections 33-1, 33-2, and 33-50 of the Murfreesboro City Code, dealing with water resources rates, charges and fees," which passed first reading on May 6, 2021, was read to the Council and offered for passage on second and final reading upon motion made

by Mr. LaLance, 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
Bill Shacklett
Kirt Wade
Shane McFarland

Nay: Ronnie Martin
Shawn Wright

Said ordinance so passed on second and final reading is as follows:

(Insert ORDINANCE 21-O-12 here.)

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

(Insert letter dated June 3, 2021 here with regards to amending the One East College PUD zoning along East College Street.)

An ordinance, entitled "ORDINANCE 21-OZ-09 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 amend the conditions applicable to approximately 2.42 acres in the Planned Unit Development (PUD) District (One East College PUD) located along East College Street, North Spring Street, East Lytle Street, and North Church Street as indicated on the attached map, 705 4th Avenue South Holding Company, LLC, applicant [2021-404]," which passed first reading on May 20, 2021, was read to the Council and offered for passage on second and final reading upon motion made by Mr. Wright, seconded by Mr. Shacklett. 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

Said ordinance so passed on second and final reading is as follows:

(Insert ORDINANCE 21-OZ-09 here.)

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

(Insert letter dated June 3, 2021 here with regards to zoning approximately 52.9 acres along Veterans Parkway.)

An ordinance, entitled "ORDINANCE 21-OZ-11 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 zone approximately 52.9 acres located along Veterans Parkway, Burnt

Knob Road, and Vaughn Road by adding Gateway Design Overlay One (GDO-1) District to the current zoning; City Administration Department, applicant(s) [2021-406],” which passed first reading on May 20, 2021, was read to the Council and offered for passage on second and final reading upon motion made by Mr. Wade, seconded by Mr. LaLance. Upon roll call said ordinance was passed on second and final reading by the following vote:

Aye: Rick LaLance
Bill Shacklett
Kirt Wade
Shane McFarland

Nay: Madelyn Scales Harris
Ronnie Martin
Shawn Wright

Said ordinance so passed on second and final reading is as follows:

(Insert ORDINANCE 21-OZ-11 here.)

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

(Insert letter dated June 3, 2021 here with regards to zoning approximately 0.66 acres along Lee Street.)

An ordinance, entitled “ORDINANCE 21-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 0.66 acres located along Lee Street from Medical District - Residential (CM-R) District and City Core Overlay (CCO) District to Planned Residential Development (PRD) District and City Core Overlay (CCO) District (Lee Street Towns PRD); Lee Street Partnership, applicant [2021-402],” which passed first reading on May 20, 2021, was read to the Council and offered for passage on second and final reading upon motion made by Mr. Wright, seconded by Mr. Shacklett. 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

Said ordinance so passed on second and final reading is as follows:

(Insert ORDINANCE 21-OZ-08 here.)

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

(Insert letter dated June 3, 2021 here with regards to Fiscal Year 2021 City Schools Budget Amendment No. 8.)

Ms. Kim Williams, City Schools Finance Director, presented the budget amendments for the City Schools.

The following RESOLUTION 21-R-22 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Vice-Mayor Scales Harris. 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 21-R-22 here amending the 2020-2021 Murfreesboro City Schools Budget (8th Amendment).)

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

(Insert letter dated June 3, 2021 here with regards to sewer allocation variance – North Tennessee Blvd. – The Pointe at Raiders Campus Apartments.)

Mr. Greg McKnight, Planning Director, presented the request to approve The Pointe at Raiders Campus Apartment’s request for additional density above the sewer allocation ordinance’s zoning allowance. He stated that the proposed remodel of the apartments will increase the number of dwelling units to 346 and that the developer is requesting a variance to allow the 346 units, which is 128 more units than currently exist. Mr. McKnight recommended that approval of the variance be conditioned upon approval of the properties rezoning and that it is staff’s belief that the proposed remodel will reduce the developments sanitary sewer usage.

Vice-Mayor Scales Harris made a motion to approve the proposed variance to allow 346 units in the remodeled apartment complex, conditional upon approval of the properties rezoning. Mr. Wade seconded the motion and all members of the Council voted “Aye”, except Mr. Martin and Mr. Wright who voted “Nay”.

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

(Insert letter dated June 3, 2021 here with regards to sewer allocation variance – Memorial Blvd. – Brookhaven, Lot 1.)

Mr. Greg McKnight, Planning Director, presented the request to approve the proposed Memorial Boulevard multi-tenant commercial building’s request for additional density above the sewer allocation ordinance’s zoning allowance. He stated that the proposed development will use approximately 2.2 sfu’s more than the ordinance allows, but staff views the advantages of commercial tax rate revenue generation and payment of one-time development fees as a greater benefit.

Mr. Wade made a motion to approve the proposed Memorial Boulevard multi-tenant commercial building's request for additional density above the sewer allocation ordinance's zoning allowance by 2.2 sfu's. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye", except Mr. Martin who voted "Nay" and Mayor McFarland who voted "Abstain".

The following letter from the Executive Director of Development Services was presented to the Council:

(Insert letter dated June 3, 2021 here with regards to option for Right-of-Way along Butler Drive.)

Mr. Sam Huddleston, Executive Director of Development Services, presented the request to approve the Option Agreement for Conveyance of Real Estate and Memorandum of Option with Mahle Filter Systems North America Inc. to preserve a parcel of Mahle property, the Butler Drive Right-of-Way, for the future realignment of Butler Drive.

Mr. LaLance made a motion to approve the Option Agreement for Conveyance of Real Estate and Memorandum of Option with Mahle Filter Systems North America Inc. to preserve a parcel of Mahle property, the Butler Drive Right-of-Way, for the future realignment of Butler Drive. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The following letter from the Human Resources Director was presented to the Council:

(Insert letter dated June 3, 2021 here with regards to candidate review for City Recorder/City Treasurer position.)

Ms. Pam Russell, Human Resources Director, introduced Ms. Patricia Heminover, Baker Tilly, US, LLP, who presented the recruiting process Baker Tilly used, the criteria that Baker Tilly considered when recruiting for this position and gave Council a summary of the backgrounds of the top five candidates. Council discussed with Ms. Heminover the qualifications and experience of the top five candidates reaching the consensus that they were very impressed with candidate no. 2. Ms. Jennifer Brown, the internal candidate and current Assistant Finance Director was candidate No. 2.

Mr. LaLance made a motion to enter contract negotiations with Ms. Jennifer Brown for the City Recorder/City Treasurer position. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

The following letter from the Parks and Recreation Director was presented to the Council:

(Insert letter dated June 3, 2021 here with regards to Contract for vehicle purchases.)

Ms. Rachel Singer, Assistant Parks and Recreation Director, presented the request of the Parks and Recreation Department to approve the Purchase Contract with Ford of Murfreesboro through State Contract No. 64470 in the amount of \$61,994 funded from CIP funds for the purchase of ¾ ton crew cab truck and a 15-passenger van.

Mr. Shacklett made a motion to approve the Purchase Contract with Ford of Murfreesboro through State Contract No. 64470 in the amount of \$61,994 funded from CIP funds for the purchase of ¾ ton crew cab truck and a 15-passenger van. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

The following letter from the Parks and Recreation Director was presented to the Council:

(Insert letter dated June 3, 2021 here with regards to Bernhard MMC, LLC Construction Contract for Patterson Park Cooling Tower and Unit Replacement.)

Ms. Rachel Singer, Assistant Parks and Recreation Director, presented the request of the Parks and Recreation Department to approve the Construction Contract with Bernhard MMC, LLC in the amount of \$245,128 funded from the Department's Fiscal Year 2021 Operating Budget for the repair of the chiller and compressors at Patterson Park.

Mr. Wade made a motion to approve the Construction Contract with Bernhard MMC, LLC in the amount of \$245,128 funded from the Department's Fiscal Year 2021 Operating Budget for the repair of the chiller and compressors at Patterson Park. Mr. Martin 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 June 3, 2021 here with regards to Storm Sewer Camera Inspection System Purchase.)

Mr. Raymond Hillis, Executive Director of Public Works, presented the request to approve the Purchase Agreement with Sansom Equipment Company, Inc. in the amount of \$196,436, funded by the Department's Stormwater Fund, for a sewer camera inspection system.

Vice-Mayor Scales Harris made a motion to approve the Purchase Agreement with Sansom Equipment Company, Inc. in the amount of \$196,436, funded by the Department's Stormwater Fund, for a sewer camera inspection system. Mr. LaLance 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 June 3, 2021 here with regards to Town Creek Daylighting – Griggs & Maloney proposal.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve the Engineering Proposal with Griggs & Maloney, Inc. in an amount not to exceed \$14,500 funded from Stormwater Working Capital Reserves for engineering services related to the design of the water relocation necessary for the daylighting of Town Creek.

Mr. LaLance made a motion to approve the Engineering Proposal with Griggs & Maloney, Inc. in an amount not to exceed \$14,500 funded from Stormwater Working Capital Reserves for engineering services related to the design of the water relocation necessary for the daylighting of Town Creek. 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 June 3, 2021 here with regards to WRRF elevators modernization.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve the Agreement with United Elevator Services, LLC in the amount of \$190,000 funded from the Department's Rate Funded Capital Budget for modernization of the elevators at the Water Resource Recovery Facility and the Administration/Lab Buildings.

Mr. LaLance made a motion to approve the Agreement with United Elevator Services, LLC in the amount of \$190,000 funded from the Department's Rate Funded Capital Budget for modernization of the elevators at the Water Resource Recovery Facility and the Administration/Lab Buildings. 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 June 3, 2021 here with regards to WRRF HACH equipment and software – Sole Source Purchase.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve the Sole Source Purchase Contract with HACH Company in the amount of \$90,000 funded from the Department's Rate Funded Capital Budget for a Polymer Reduction HACH Real Time Control Module and four Solitax with Mounts and Hardware.

Mr. LaLance made a motion to approve the Sole Source Purchase Contract with HACH Company in the amount of \$90,000 funded from the Department's Rate Funded Capital Budget for a Polymer Reduction HACH Real Time Control Module and four Solitax with Mounts and Hardware. Mr. Shacklett 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 June 3, 2021 here with regards to Hobas Pipe Inspection & LJA Task Order - Sole Source Purchase.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve the Task Order with LJA Engineering and the Sole Source Purchase of Lidar, Sonar and CCTV from Vortex Services in an amount not to exceed \$48,250 and \$174,330, respectively, funded from the Department's Working Capital Reserves for the televising of 22,611 feet of the Hobas Pipe Sewer Interceptor and engineering services related to the televising.

Mr. LaLance made a motion to approve the Task Order with LJA Engineering and the Sole Source Purchase of Lidar, Sonar and CCTV from Vortex Services in an amount not to exceed \$48,250 and \$174,330, respectively, funded from the Department's Working Capital Reserves for the televising of 22,611 feet of the Hobas Pipe Sewer Interceptor and engineering services related to the televising. 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 June 3, 2021 here with regards to WRRF UV Parts - Sole Source Purchase.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve the Sole Source Purchase Contract with Southern Sales Company in the amount of \$60,342 funded from the Department's Rate Funded Capital Budget for ultraviolet parts for the Water Resource Recovery Facility's effluent disinfection system.

Mr. LaLance made a motion to approve the Sole Source Purchase Contract with Southern Sales Company in the amount of \$60,342 funded from the Department's Rate Funded Capital Budget for ultraviolet parts for the Water Resource Recovery Facility's effluent disinfection system. 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 June 3, 2021 here with regards to Beer Permit Applications for Costco Wholesale #1448 at 1524 Beasie Road Chuck E. Cheese's at 1720 Old Fort Parkway and a Special Event Permit for Main Street Murfreesboro Rutherford Co. on 7/17/21 at 312 S Front Street.)

Mr. LaLance made a motion to approve Beer Permits for Costco Wholesale #1448, 1524 Beasie Road (New Location); Chuck E. Cheese's, 1720 Old Fort Parkway (Ownership Change), pending building and codes completion and a Special Event Beer Permit for Main

Street Murfreesboro Rutherford Co. on 7/17/21 at 312 South Front Street. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

Upon recommendation of Mayor McFarland, Vice-Mayor Scales Harris made a motion to appoint Ms. Cathy Smith (one-year plan participant term) to the Pension Committee to fill the vacancy left by Ms. Valerie Smith. Mr. Shacklett seconded the motion and all members of the Council voted "Aye".

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

There being no further business, Mayor McFarland adjourned this meeting at 6:48 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

MELISSA B. WRIGHT - CITY RECORDER