

July 8, 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, July 8, 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
Darren Gore, Assistant City Manager
Sam Huddleston, Executive Director/
Development Services
Erin Tucker, Budget Director
Kayla Walker, Project Development Director
Jim Kerr, Transportation Director
Greg McKnight, Planning Director
Jennifer Brown, Assistant Finance Director
Kane Adams, Assistant Street Director
Matthew Blomeley, Assistant Planning Director
Joshua Miller, Administrative Assistant

Council Member Kirt Wade commenced the meeting with a prayer followed by the Pledge of Allegiance.

The Consent Agenda was presented to the Council for approval:

1. FY 2021 City Manager Approved Budget Amendments (Finance)
2. Professional Services Agreements with Tennis Instructors (Parks & Recreation)
3. Donation of D.A.R.E. Promotional Items to the LaVergne Police Department (Police)
4. Grants of Right-of-Way and Easements to TDOT for Thompson Lane and New Salem Highway (Transportation)
5. FY22 Contract with RTA for Provision of Transit Services (Transportation)
6. Cedar Glade Brews Water and Sewer Connection Fees (Water Resources)
7. Asphalt Purchases Report (Water Resources)
8. Oakleigh Pump Station Replacement Contract Amendment (Water Resources)
9. High Service Pump Station and Membrane Feed Pump Improvements Engineering Task Order Amendment (Water Resources)
10. Renewal of Memorandum of Understanding with MTSU (Water Resources)

(Insert letters from Finance, Parks & Recreation, Police, Transportation (2) & Water Resources (5) Departments here.)

Mr. LaLance made a motion to approve the Consent Agenda. Mr. Wade 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 July 8, 2021 here with regards to approval of Minutes of June 24, 2021 City Council Meeting.)

Mr. LaLance made a motion to approve the minutes as written and presented for the regular meeting held on June 24, 2021. Mr. Wright seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated July 8, 2021 here with regards to amendment to City Code to permit consumption of alcohol on Airport property.)

An ordinance, entitled "ORDINANCE 21-O-05 amending the Murfreesboro City Code, Chapter 3, Airport, Section 3-14, regarding Rules of Conduct," which passed first reading on June 24, 2021, was read to the Council and offered for passage on second and final reading upon motion made by Mr. Martin, 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

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

(Insert ORDINANCE 21-O-05 here.)

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

(Insert letter dated July 8, 2021 here with regards to amendment to City Code to reflect merger of UED and Street Departments.)

An ordinance, entitled "ORDINANCE 21-O-07 amending the Murfreesboro City Code, Chapter 2, Administration, Article II, Urban Environmental Commission and Chapter 32.5, Tree Management," which passed first reading on June 24, 2021, was read to the Council, as amended to include an effective date and offered for passage on second and final reading upon motion made by Mr. Shacklett, seconded by Mr. LaLance. 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-07 here.)

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

(Insert letter dated July 8, 2021 here with regards to rezoning for approximately 17.25 acres located along the north side of Ashers Fork Drive [2021-407].)

An ordinance, entitled "ORDINANCE 21-OZ-15 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 17.25 acres located along the north side of Ashers Fork Drive from Commercial Fringe (CF) District Single-Family Residential Six (RS-6) District; O'Brien Loyd, LLC, applicant(s) [2021-407]," which passed first reading on June 24, 2021, was read to the Council and offered for passage on second and final reading upon motion made by Mr. LaLance, seconded by Mr. Wade. 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-15 here.)

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

(Insert letter dated July 8, 2021 here with regards to rezoning for approximately 78 acres located along Medical Center Parkway, Robert Rose Drive, Wilkinson Pike and Willowoak Trail [2021-403].)

An ordinance, entitled "ORDINANCE 21-OZ-16 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 78 acres located along Medical Center Parkway, Robert Rose Drive, Wilkinson Pike, and Willowoak Trail from Mixed Use (MU) District, Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2) District to Planned Unit Development (PUD) District (Clari Park PUD), Highway Commercial (CH) District, Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2); Hines Acquisitions, LLC, applicant(s) [2021-403]," which passed first reading on June 24, 2021, was read to the Council and offered for passage on second and final

reading upon motion made by Mr. Wade, 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-16 here.)

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

(Insert letter dated July 8, 2021 here with regards to Public Record Request Policy Revisions.)

The following RESOLUTION 21-R-27 was read to the Council and offered for adoption upon motion made by Mr. LaLance, seconded by Mr. Wright. 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-27 here revising the Public Records Policy for the City of Murfreesboro.)

The following letter from the Mayor was presented to the Council:

(Insert letter dated July 8, 2021 here with regards to Resolution for Melissa Wright.)

The following RESOLUTION 21-R-25 was read to the Council and offered for adoption upon motion made by Mr. LaLance, seconded by Mr. Shacklett. The 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-25 here honoring City Treasurer/City Recorder Melissa Wright for her dedicated service to the City of Murfreesboro.)

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

(Insert letter dated July 8, 2021 here with regards to sewer allocation variance – Memorial Blvd. – Slim Chickens.)

Mr. Greg McKnight, Planning Director, presented the request to approve the proposed Memorial Boulevard Slim Chickens’s request for additional density above the sewer allocation ordinance’s zoning allowance. He stated that the proposed development, Slim Chickens, will use approximately 3.43 sfu’s more than the ordinance allows, but staff views the advantages of job creation and sales tax revenue as a greater benefit.

Mr. Wade made a motion to approve the proposed Memorial Boulevard Slim Chickens request for additional density above the sewer allocation ordinance’s zoning allowance by 3.43 sfu’s. Mr. LaLance seconded the motion and all members of the Council voted “Aye”, except Mr. Martin who voted “Nay”.

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

(Insert letter dated July 8, 2021 here with regards to sewer allocation variance – Old Fort Pkwy. – Whataburger.)

Mr. Greg McKnight, Planning Director, presented the request to approve the proposed Old Fort Parkway Whataburger’s request for additional density above the sewer allocation ordinance’s zoning allowance. He stated that the proposed development, Whataburger, will use approximately 1.38 sfu’s more than the ordinance allows, but staff views the advantages of job creation and sales tax revenue as a greater benefit.

Mr. LaLance made a motion to approve the proposed Old Fort Parkway Whataburger’s request for additional density above the sewer allocation ordinance’s zoning allowance by 1.38 sfu’s. Mr. Wade seconded the motion and all members of the Council voted “Aye”, except Mr. Martin who voted “Nay”.

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

(Insert letter dated July 8, 2021 here with regards to scheduling public hearings for August 19, 2021 for annexation petition and plan of services [2021-505] for approximately 262.5 acres located along the west side of Lebanon Pike and including 4.5 acres of the Lebanon Pike right-of-way and annexation petition and plan of services [2021-506] for approximately 15.5 acres located along the east side of Lebanon Pike.)

The following RESOLUTION 21-R-PH-25 was read to the Council and offered for adoption upon motion made by Mr. Wade, seconded by Mr. Wright. 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-PH-25 here with regards to scheduling a public hearing for August 19, 2021 to consider adoption of a Plan of Services for and annexation of approximately 262.5 acres located along the west side of Lebanon Pike and including 4.5 acres of Lebanon Pike right-of-way, which have been proposed to be annexed to the City of Murfreesboro, Tennessee, City of Murfreesboro (for the U.S. Army Corps of Engineers and TDOT), applicant(s) [2021-505].)

The following RESOLUTION 21-R-PH-26 was read to the Council and offered for adoption upon motion made by Mr. Wade, seconded by Mr. Wright. 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-PH-26 here with regards to scheduling a public hearing for August 19, 2021 to consider adoption of a Plan of Services for and annexation of approximately 15.5 acres located along the east side of Lebanon Pike, which have been proposed to be annexed to the City of Murfreesboro, Tennessee, City of Murfreesboro, applicant(s) [2021-506].)

The following letter from the Project Development Director was presented to the Council:

(Insert letter dated July 8, 2021 here with regards to Northfield Elementary Entrance Sidewalk Rehabilitation Contract.)

Ms. Kayla Walker, Project Development Director, presented the request to approve the Agreement with Rice Construction Co., LLC for the removal and replacement of the Northfield Elementary School Entrance Sidewalk in the amount of \$157,000 with primary funding coming from County Shared Bonds.

Mr. Shacklett made a motion to approve the Agreement with Rice Construction Co., LLC for the removal and replacement of the Northfield Elementary School Entrance Sidewalk in the amount of \$157,000 with primary funding coming from County Shared Bonds. 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 July 8, 2021 here with regards to Engineering Task Order for Waste-to-Energy Pro Forma.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Solid Waste Department to approve the Engineering Task Order with Griggs & Maloney, Inc. in the

amount of \$55,000, funded from the Fiscal Year 2022 General Fund Operating Budget for unforeseen contingencies, for an economic viability and engineering study regarding refuse derived fuel (WastAway SE3).

Mr. Martin made a motion to approve the Engineering Task Order with Griggs & Maloney, Inc. in the amount of \$55,000, funded from the Fiscal Year 2022 General Fund Operating Budget for unforeseen contingencies, for an economic viability and engineering study regarding refuse derived fuel (WastAway SE3). 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 July 8, 2021 here with regards to Full-Scale Biosolids Thermal Dryer Conceptual Design.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve Engineering Task Order 2141008.0 with Smith Seckman Reid, Inc. in the amount of \$267,010, funded from the Department's Working Capital Reserves, for an engineering evaluation and conceptual design services related to evaluation of multiple vendors for full-scale biosolids drying at the Water Resource Recovery Facility.

Mr. LaLance made a motion to approve Engineering Task Order 2141008.0 with Smith Seckman Reid, Inc. in the amount of \$267,010, funded from the Department's Working Capital Reserves, for an engineering evaluation and conceptual design services related to evaluation of multiple vendors for full-scale biosolids drying at the Water Resource Recovery Facility. 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 July 8, 2021 here with regards to Asset Management System (AMS) Software Licensing.)

Mr. Darren Gore, Assistant City Manager, presented the request of the Water Resources Department to approve Work Order Amendment MBORO002A1-0625021 with True North Geographic Technologies, LLC in the amount of \$54,167, funded from the Department's Working Capital Reserves with the expectation that the City General Fund will reimburse the Department their share on a pro-rata basis after City-wide full-scale implementation occurs, for increasing Cityworks Asset Management Software licensure from 10 seats to unlimited seats.

Mr. Shacklett made a motion to approve Work Order Amendment MBORO002A1-0625021 with True North Geographic Technologies, LLC in the amount of \$54,167, funded from the Department's Working Capital Reserves with the expectation that the City General Fund will reimburse the Department their share on a pro-rata basis after City-wide full-scale

implementation occurs, for increasing Cityworks Asset Management Software licensure from 10 seats to unlimited seats. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

Upon recommendation of Mayor McFarland, Mr. Wade made a motion to reappoint Mr. Troy Robinson (term expires June 30, 2024) to the Greenway Projects Committee; reappoint Mr. Norman Brown (term expires June 30, 2025) and Mr. Ricky Greenberg (term expires June 30, 2025) to the Board of Electrical Examiners; reappoint Mr. Lyle Lynch (term expires June 30, 2024), Mr. Ryan Maloney (term expires June 30, 2024) and Mr. John E. Murray (term expires June 30, 2024) to the Construction Board of Adjustment and Appeals; and appoint Mr. Charles Riggs to the MED Pension Committee to fill the vacancy left by Ms. Lori Williams. Mr. Shacklett 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 July 8, 2021 here with regards to Beer Permit Application for Stix & Ballz at 1810 Old Fort Parkway, Suite D.)

Mr. Wade made a motion to approve the Beer Permit for Stix & Ballz, 1810 Old Fort Parkway (New Location), pending building and codes completion. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

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

At the request of Mayor McFarland, Ms. Kayla Walker, Project Development Director, gave an update on the repairs at Sports*Com and stated that there was a tentative project completion date of July 20, 2021.

Mr. Rick LaLance presented an update on the work the Community Investment Citizens Advisory Committee had accomplished highlighting the committee's recommendations to invest locally, hire nonlocal investment consultants and support strategic partnerships through this fund rather than the City budget. Council discussed the committee's recommendations and suggested that Mr. LaLance develop a framework for Council to review items the Committee needs guidance on.

Mayor McFarland stated that he would like to adjourn the meeting with a roll call in honor of Mrs. Wright's last meeting. Vice-Mayor Scales Harris made a motion to adjourn the meeting. Mr. Wright seconded the motion and all members of the Council voted "Aye".

There being no further business, Mayor McFarland adjourned this meeting at 7:14 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

JENNIFER BROWN - CITY RECORDER