

July 21, 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, July 21, 2022, with Mayor Shane McFarland present and presiding and with the following Council Members present and in attendance, to wit:

Madelyn Scales Harris
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright

Council Member Rick LaLance was absent and excused from this session.

The following representatives of the City were also present:

Craig Tindall, City Manager
Adam Tucker, City Attorney
Jennifer Brown, City Recorder/
Finance Director
Darren Gore, Assistant City Manager
Angela Jackson, Executive Director/
Community Services
Chris Griffith, Executive Director/
Public Infrastructure
Sam Huddleston, Executive Director/
Development Services
Erin Tucker, Budget Director
Greg McKnight, Planning Director
Randolph Wilkerson, Employee Services Director
Russell Gossett, Solid Waste Director
Marina Rush, Principal Planner
Joshua Miller, Administrative Assistant

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

Mr. Randolph Wilkerson, Employee Services Director, recognized STARS Award recipients Murfreesboro Fire Rescue Department employees Captain Tim Lampitt, Engineer Marcus Cartwright, Firefighter Tyson Donaldson, and Firefighter Richard Goodyear. The crew of Engine 9 were nominated for responding to a call and being notified that there was a possibility of an infant in a locked car. With the assistance of an off duty nurse the crew's quick actions helped save the life of the child. Mayor McFarland presented plaques recognizing Captain Tim Lampitt, Engineer Marcus Cartwright, Firefighter Tyson Donaldson, and Firefighter Richard Goodyear's ability to represent the best of what Murfreesboro City Employees have to offer, exhibiting core values and creating a better quality of life for citizens.

The Consent Agenda was presented to the Council for approval:

1. Housing Rehabilitation – 306 First Avenue (Community Development)
2. Vehicle Purchase of 2022 Ford F-150 4x4 (Engineering)
3. Acquisition of ROW and Easements for River Rock/Beasie Connector (Engineering)

4. Retail Liquor Certificate of Compliance – Murfreesboro Wine & Spirits – Ownership Change (Finance)
5. City Manager Approved Budget Amendments for FY22 (Finance)
6. Public Records Request Annual Report (Finance)
7. St. Clair Senior Center Grant with Greater Nashville Regional Council (Parks)
8. Mandatory Referral for Abandonment of Raw Water Line Easement along Dejarnette Lane (Planning)
9. Mandatory Referral for Dedication of Electric Easements along Joe B Jackson Parkway (Planning)
10. Edward Byrne Memorial Justice Assistance Grant Application (JAG) Program and MOU with Rutherford County Sheriff’s Office for 2022 (Police)
11. Contract with On Duty Depot, Inc. for Police Vehicle Equipment (Police)
12. Asphalt Purchases Report (Water Resources)
13. Commercial Painting Inc. Contract Change Order No. 4 (Water Resources)
14. WRRF Sodium Hypochlorite Contract Amendment (Water Resources)

(Insert letters from Community Development, Engineering (2), Finance (3), Parks, Planning (2), Police (2), & Water Resources (3) Departments here.)

Mr. Martin made a motion to approve the Consent Agenda. Vice-Mayor Scales Harris seconded the motion and all members of the Council present voted “Aye”.

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

(Insert letter dated July 21, 2022 here with regards to approval of Minutes of City Council Meetings.)

Mr. Wright made a motion to approve the minutes as written and presented for the regular meeting held on June 23, 2022 and the regular Meeting held on June 30, 2022. Mr. Martin seconded the motion and all members of the Council present voted “Aye”.

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

(Insert letter dated July 21, 2022 here with regards to removal of accessible Sewer Charges.)

An ordinance, entitled “ORDINANCE 22-O-24 amending the Murfreesboro City Code, Chapter 33, Water Resources, Section 33-1, Water Resources rates & charges, regarding accessible sewer charges,” which passed first reading on June 30, 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
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

(Insert ORDINANCE 22-O-24 here.)

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

(Insert letter dated July 21, 2022 here with regards to rezoning approximately 13.8 acres located at the southwest corner of Medical Center Parkway and Robert Rose Drive [2022-403].)

An ordinance, entitled "ORDINANCE 22-OZ-17 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 13.7 acres along Medical Center Parkway, Robert Rose Drive, and Maplegrove Drive from Mixed Use (MU) District and Gateway Design Overlay One (GDO-1) District to Planned Unit Development (PUD) District, Commercial Highway (CH) District and Gateway Design Overlay One (GDO-1) District (Vintage Apartments and TDK Office PUD); TDK Construction, applicant [2022-403]," which passed first reading on June 30, 2022, 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
Ronnie Martin
Bill Shacklett
Kirt Wade
Shawn Wright

Nay: None

Abstain: Shane McFarland

(Insert ORDINANCE 22-OZ-17 here.)

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

(Insert letter dated July 21, 2022 here with regards to Pension Plan Amendments.)

An ordinance, entitled "ORDINANCE 22-O-19 amending Appendix C, Employees' Revised Pension Plan, of the Murfreesboro City Code, to comply with requirements regarding Setting Every Community Up for Retirement Enhancement Act of 2019 (the "SECURE" Act)," was read to the Council and offered for passage on first reading upon motion made by Mr. Wright, seconded by Mr. Shacklett. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
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 July 21, 2022 here with regards to Amending the Zoning Ordinance [2022-803].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 22-R-PH-20 adopted by the City Council on June 23, 2022, with respect to amending the Murfreesboro City Code, Appendix A -Zoning, Chart 1, Chart 1 Endnotes, Chart 4, and Section 9 pertaining to uses permitted, City of Murfreesboro Planning Department, applicant [2022-803]. Notice of said public hearing was published in the July 5, 2022 edition of a local newspaper as follows:

(Insert notice here.)

Ms. Marina Rush, Principal Planner, presented the recommendation of the Planning Commission to approve amending the ordinance pertaining to uses permitted, specifically relating to parking.

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-20 amending Murfreesboro City Code Appendix A, Zoning, Chart 1, Chart 1 Endnotes, Chart 4, and Section 9 pertaining to uses permitted, City of Murfreesboro Planning Department, applicant [2022-803]," was read to the Council and offered for passage on first reading upon motion made by Mr. Martin, seconded by Mr. Wright. Upon roll call said ordinance was passed on first reading by the following vote:

Aye: Madelyn Scales Harris
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 July 21, 2021 here with regards to Outside the City Sewer Request – 3905 Ashley Drive.)

Ms. Marina Rush, Principal Planner, presented the recommendation of the Planning Commission to approve the property located at 3905 Ashley Drive as an outside the City sewer customer due to the failing septic tank located on the property and drainage issues making it unlikely that a septic tank can adequately service the property.

Mr. Martin made a motion to approve the property located at 3905 Ashley Drive as an outside the City sewer customer due to the failing septic tank located on the property and drainage issues making it unlikely that a septic tank can adequately service the property. Vice-Mayor Scales Harris seconded the motion and all members of the Council present voted "Aye".

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

(Insert letter dated July 21, 2022 here with regards to sewer allocation variance – Beasie Road – ML Rose.)

Mr. Greg McKnight, Planning Director, presented the request to approve ML Rose Restaurant's request for additional density above the sewer allocation ordinance's zoning allowance. He stated that the proposed development will use approximately 2.96 sfu's more than the ordinance allows, but staff views the advantages of job creation and additional property and sales tax revenue of greater benefit than the requested additional number of units above what is allowed by the ordinance.

Vice-Mayor Scales Harris made a motion to approve ML Rose Restaurant's request for additional density above the sewer allocation ordinance's zoning allowance. Mr. Wright seconded the motion and all remaining members of the Council present 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 21, 2022 here with regards to rescheduling public hearings from July 21, 2022 to September 22, 2022 an Annexation petition and plan of services [2022-501] for approximately 68 acres located along Highway 99 south of Clearidge Drive; and a zoning application [2022-401] for approximately 68 acres located along Highway 99 south of Clearidge Drive to be zoned PRD simultaneous with annexation.)

The following RESOLUTION 22-R-PH-18.1 was read to the Council and offered for adoption upon motion made by Mr. Wright, seconded by Mr. Martin. Upon roll call said resolution was adopted by the following vote:

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

Nay: None

(Insert RESOLUTION 22-R-PH-18.1 here rescheduling the time for Public Hearings to consider (1) adoption of a Plan of Services for and annexation of approximately 68 acres located along Highway 99 south of Clearidge Drive and (2) zoning of approximately 68 acres located along Highway 99 south of Clearidge Drive to Planned Residential Development (PRD) District; which have been proposed to be annexed to the City of Murfreesboro, Tennessee, Ferrari Partners, LP and Patterson Company, applicants [2022-501 & 2022-401].)

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

(Insert letter dated July 21, 2022 here with regards to scheduling public hearings for September 1, 2022 for a Zoning application [2022-410] for approximately 19.5 acres to be rezoned from RS-15 to RS-8 and approximately 6.0 acres to be rezoned from RS-15 to CF located along Franklin Road; a Zoning application [2022-413] for approximately 10.8 acres located along Wilkinson Pike to be rezoned from RS-15, MU, GDO-1, & GDO-2 to PRD, GDO-1, & GDO-2; Annexation petition and plan of services [2022-505] for approximately 0.9 acres located along Elam Road as well as approximately 3,700 linear feet of Elam Road right-of-way and the right-of-way of the Elam Road/I-24 frontage road; and a Zoning application [2022-412] to amend the Parkway Place PID on approximately 151 acres located along Joe B Jackson Parkway and Richard Reeves Drive and to zone approximately 0.9 acres located along Elam Road to PID simultaneous with annexation.)

The following RESOLUTION 22-R-PH-26 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Mr. Wright. Upon roll call said resolution was adopted by the following vote:

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

Nay: None

(Insert RESOLUTION 22-R-PH-26 here fixing the time for a Public Hearing to consider a proposed amendment to rezone approximately 19.5 acres from Single-Family Residential Fifteen (RS-15) District to Single-Family Residential Eight (RS-8) District and approximately 6.0 acres from Single-Family Residential Fifteen (RS-15) District to Commercial Fringe (CF) District along Franklin Road, Beazer Homes applicant, [2022-410].)

The following RESOLUTION 22-R-PH-27 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Mr. Wright. Upon roll call said resolution was adopted by the following vote:

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

Nay: None

(Insert RESOLUTION 22-R-PH-27 here fixing the time for Public Hearings to consider a proposed amendment to rezone approximately 10.8 acres along Wilkinson Pike from Single-Family Residential Fifteen (RS-15) District, Mixed Use (MU) District, Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2) District to Planned Residential Development (PRD) District (Toll Brothers at Gateway PRD), Gateway Design Overlay One (GDO-1) District and Gateway Design Overlay Two (GDO-2) District; Toll Brothers, applicant, [2022-413].)

The following RESOLUTION 22-R-PH-28 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Mr. Wright. Upon roll call said resolution was adopted by the following vote:

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

Nay: None

(Insert RESOLUTION 22-R-PH-28 here fixing the time for Public Hearings to consider (1) adoption of a Plan of Services for and annexation of approximately 0.9 acres located along Elam Road as well as approximately 3,700 linear feet of Elam Road right-of-way and the right-of-way of the Elam Road/I-24 frontage road and (2) proposed amendment to approximately 151 acres in the Planned Industrial Development (PID) District (Parkway Place PID) along Joe B. Jackson Parkway and Richard Reeves Drive and zoning of approximately 0.9 acres along Elam Road to Planned Industrial Development (PID) District; which have been proposed to be annexed to the City of Murfreesboro, Tennessee, Swanson Developments, LP, applicant [2022-505 & 2022-412].)

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

(Insert letter dated July 21, 2022 here with regards to Community Investment Program Funds Transfer.)

Mrs. Erin Tucker, Budget Director, presented the request to approve the CIP transfer of \$125,000 from the land acquisition/contingency line items to Parks – Land purchase line items in the FY18 and FY21 CIP bond issuances for the purchase of 42 acres of park land approved by Council on June 23, 2022.

Mr. Shacklett made a motion to approve the CIP transfer of \$125,000 from the land acquisition/contingency line items to Parks – Land purchase line items in the FY18 and FY21 CIP bond issuances for the purchase of 42 acres of park land approved by Council on June 23, 2022. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

Mayor McFarland announced that Item No. 25 on the Agenda, Development Agreement with Notes Live, Inc., was to be pulled at this time.

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

(Insert letter dated July 21, 2022 here with regards to HOME Affordable Housing Program Funding Participation Threshold.)

Mr. Sam Huddleston, Executive Director of Development Services, presented the request to approve the designation of \$244,702 from the General Fund as local funding to meet the HOME program minimum funding threshold of \$750,000.

Vice-Mayor Scales Harris made a motion to approve the designation of \$244,702 from the General Fund as local funding to meet the HOME program minimum funding threshold of \$750,000. Mr. Martin seconded the motion and all members of the Council present voted "Aye".

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

(Insert letter dated July 21, 2022 here with regards to Medical Center Parkway and Gateway Boulevard Projects.)

Mr. Chris Griffith, Executive Director of Public Infrastructure, presented the request to approve reallocation of Fiscal Year 2019, Fiscal Year 2021, and Fiscal Year 2022 bond funds for the widening of Medical Center Parkway and extension of Gateway Boulevard, in the estimated amount of \$26 Million, funded from the CIP.

Vice-Mayor Scales Harris made a motion to approve reallocation of Fiscal Year 2019, Fiscal Year 2021, and Fiscal Year 2022 bond funds for the widening of Medical Center Parkway and extension of Gateway Boulevard, in the estimated amount of \$26 Million, funded from the CIP. Mr. Martin seconded the motion and all members of the Council present voted "Aye".

The following letter from the Solid Waste Director was presented to the Council:

(Insert letter dated July 21, 2022 here with regards to Purchase of Roll-Off Truck.)

Mr. Russell Gossett, Solid Waste Director, presented the request to approve the Contract with Municipal Equipment, Inc., in the amount of \$1,114,778, funded from the Department's Fiscal Year 2023 Operating Budget, for the purchase of three automated side loader garbage trucks.

Mr. Martin made a motion to approve the Contract with Municipal Equipment, Inc., in the amount of \$1,114,778, funded from the Department's Fiscal Year 2023 Operating Budget, for the purchase of three automated side loader garbage trucks. Vice-Mayor Scales Harris seconded the motion and all members of the Council present voted "Aye".

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

(Insert letter dated July 21, 2022 here with regards to CCTV Equipment Purchase.)

Mr. Darren Gore, Assistant City Manager, presented the request to approve the Sourcewell Contract with 502 Equipment, LLC, in the amount of \$223,577, funded from the Department's O&M Capital Budget, for purchase of CCTV Equipment.

Vice-Mayor Scales Harris made a motion to approve the Sourcewell Contract with 502 Equipment, LLC, in the amount of \$223,577, funded from the Department's O&M Capital Budget, for purchase of CCTV Equipment. Mr. Martin seconded the motion and all members of the Council present voted "Aye".

The City Recorder/Finance Director stated that there was no licensing nor any statements to consider.

Upon recommendation of Mayor McFarland, Mr. Martin made a motion to reappoint Mr. Richie Bolin (term expires June 30, 2026); Mr. Alton Fann (term expires June 30, 2026); and Mr. Phillip Lim (term expires June 30, 2026) to the Board of Electrical Examiners and to reappoint Mr. Eddie Miller (term expires June 30, 2025) and Dr. Trey Duke, City Schools Liaison (term expires June 30, 2025) to the Parks and Recreation Commission. Mr. Wright seconded the motion and all members of the Council present voted "Aye".

There being no further business, Mayor McFarland adjourned this meeting at 6:33 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

JENNIFER BROWN - CITY RECORDER