

August 19, 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, August 19, 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  
Jennifer Brown, City Recorder/  
Finance Director  
Angela Jackson, Executive Director/  
Community Services  
Chris Griffith, Executive Director/  
Public Infrastructure  
Michael Bowen, Chief of Police  
Margaret Ann Green, Principal Planner  
Joshua Miller, Administrative Assistant

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

The Consent Agenda was presented to the Council for approval:

1. Lease for Wee Care Day Care (Community Services)
2. Community Investment Program Funds Transfer (Finance)
3. Mandatory Referral for Right-of-Way Abandonment of Florence Road (Planning)
4. Purchase of Additional Filing and Shelving Systems (Police)
5. Donation of Tactical Helmets to Tennessee Law Enforcement Training Academy (Police)

(Insert letters from Community Services, Finance,  
Planning & Police (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 August 19, 2021 here with regards  
to approval of Minutes of City Council Meeting.)

Mr. Martin made a motion to approve the minutes as written and presented for the regular meeting held on July 29, 2021; the public comment meeting held on August 5, 2021 and the regular meeting held on August 5, 2021. Mr. Shacklett seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated August 19, 2021 here with regards to Plan of Services and Annexation for approximately 262.5 acres located west of Lebanon Pike [2021-505].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 21-R-PH-25 adopted by the City Council on July 8, 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; City of Murfreesboro, applicant(s) [2021-505]. Notice of said public hearing was published in the August 3, 2021 issue of the local newspaper as follows:

(Insert notice here)

Ms. Margaret Ann Green, Principal Planner, presented the recommendation of the Planning Commission to approve the Plan of Services and annexation, noting there was no companion zoning request for this annexation, and that at this time staff requests that, after the public hearing, the matters be deferred in order for the U.S. Army Corps of Engineers to finalize necessary paperwork.

Mayor McFarland then declared the public hearing open and invited those present who wished to speak for or against the proposed Plan of Services and annexation of approximately 262.5 acres located along the west side of Lebanon Pike step forward to the podium.

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

The following RESOLUTION 21-R-PS-25 was read to the Council and offered for deferral upon motion made by Mr. Shacklett, seconded by Mr. LaLance. Upon roll call said resolution was deferred by the following vote:

Aye: Rick LaLance  
Bill Shacklett  
Kirt Wade  
Shawn Wright  
Shane McFarland

Nay: Madelyn Scales Harris  
Ronnie Martin

The following RESOLUTION 21-R-A-25 was read to the Council and offered for deferral upon motion made by Mr. Shacklett, seconded by Mr. LaLance. Upon roll call said resolution was deferred by the following vote:

Aye: Rick LaLance  
Bill Shacklett

Kirt Wade  
Shawn Wright  
Shane McFarland

Nay: Madelyn Scales Harris  
Ronnie Martin

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

(Insert letter dated August 19, 2021 here with regards to Plan of Services and Annexation for approximately 15.5 acres located along the east side of Lebanon Pike [2021-506].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 21-R-PH-26 adopted by the City Council on July 8, 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; City of Murfreesboro, applicant(s) [2021-506]. Notice of said public hearing was published in the August 3, 2021 issue of the local newspaper as follows:

(Insert notice here)

Ms. Margaret Ann Green, Principal Planner, presented the recommendation of the Planning Commission to approve the Plan of Services and annexation, and that there was no companion zoning request for this annexation.

Mayor McFarland then declared the public hearing open and invited those present who wished to speak for or against the proposed Plan of Services and annexation of approximately 15.5 acres located along the east side of Lebanon Pike step forward to the podium.

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

The following RESOLUTION 21-R-PS-26 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Mr. LaLance. Upon roll call said resolution was adopted by the following vote:

Aye: Rick LaLance  
Bill Shacklett  
Kirt Wade  
Shawn Wright  
Shane McFarland

Nay: Madelyn Scales Harris  
Ronnie Martin

(Insert RESOLUTION 21-R-PS-26 here with regards to Plan of Services for approximately 15.5 acres located along the east side of Lebanon Pike, City of Murfreesboro, applicant(s) [2021-506].)

The following RESOLUTION 21-R-A-26 was read to the Council and offered for adoption upon motion made by Mr. LaLance, seconded by Mr. Shacklett. Upon roll call said resolution was adopted by the following vote:

Aye: Rick LaLance  
Bill Shacklett  
Kirt Wade  
Shawn Wright  
Shane McFarland

Nay: Madelyn Scales Harris  
Ronnie Martin

(Insert RESOLUTION 21-R-A-26 here with regards to annexation for approximately 15.5 acres located along the east side of Lebanon Pike, and to incorporate the same within the corporate boundaries of the City of Murfreesboro, Tennessee, City of Murfreesboro, applicant(s) [2021-506].)

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

(Insert letter dated August 19, 2021 here with regards to scheduling a public hearing for September 30, 2021 for a zoning application [2021-414] for approximately 17.48 acres located north of Mercury Boulevard, south of East Castle Street, east of South Highland Avenue, and west of First Avenue.)

The following RESOLUTION 21-R-PH-28 was read to the Council and offered for adoption upon motion made by Mr. Shacklett, seconded by Mr. LaLance. 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-28 here with regards to scheduling a public hearing for September 30, 2021 to consider rezoning approximately 17.48 acres located north of Mercury Boulevard, south of East Castle Street, east of South Highland Avenue and west of First Avenue from Residential Multi-Family Sixteen (RM-16) District, Duplex Residential (R-D) District, Single-Family Residential Eight (RS-8) District and City Core Overlay (CCO) District to Planned Unit Development (PUD) District and City Core Overlay (CCO) District; Murfreesboro Housing Authority, applicant [2021-414].)

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

(Insert letter dated August 19, 2021 here with regards to updates to Sale of Residual Land.)

Ms. Angela Jackson, Executive Director of Community Services, presented the request to approve the Sale and Purchase of Real Estate Agreement with IPM General Partnership in the amount of \$282,555 for the sale of undevelopable City land along Memorial Boulevard.

Mr. Shacklett made a motion to approve the Sale and Purchase of Real Estate Agreement with IPM General Partnership in the amount of \$282,555 for the sale of undevelopable City land along Memorial Boulevard. Mr. Wade seconded the motion and all members of the Council voted "Aye" except for Mr. LaLance, Mr. Martin and Mr. Wright who voted "Nay".

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

(Insert letter dated August 19, 2021 here with regards to Funding of Strategic Partnerships.)

Ms. Angela Jackson, Executive Director of Community Services, presented the request to approve the Strategic Partnerships Funding Schedule.

Mr. LaLance made a motion to approve the Strategic Partnerships Funding Schedule. Mr. Martin seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated August 19, 2021 here with regards to Town Creek – Professional Services Agreement.)

Mr. Chris Griffith, Executive Director of Public Infrastructure, presented the request to approve the Professional Services Contract with Griggs & Maloney, Inc. in the amount of \$176,560, funded by the CIP and the Stormwater Fund, for services related to the daylighting of Town Creek.

Mr. Martin made a motion to approve the Professional Services Contract with Griggs & Maloney, Inc. in the amount of \$176,560, funded by the CIP and the Stormwater Fund, for services related to the daylighting of Town Creek. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated August 19, 2021 here with regards to Road Development and ROW Agreement with City Church.)

Mr. Chris Griffith, Executive Director of Public Infrastructure, presented the request to approve the Road Development and Right-of-Way Agreement with City Church, Inc. for the future alignment of Malloy Lane which will cross the property owned by City Church, Inc. at 831 Bridge Avenue. Mr. Griffith stated that any costs associated with this project would be paid for by the reallocation of CIP Funds from other projects.

Mr. LaLance made a motion to approve the Road Development and Right-of-Way Agreement with City Church, Inc. for the future alignment of Malloy Lane which will cross

the property owned by City Church, Inc. at 831 Bridge Avenue. Mr. Wade seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated August 19, 2021 here with regards to Certificate of Compliance – Super 9 Wine & Spirits.)

Ms. Jennifer Brown, City Recorder/Finance Director, presented the request to consider a Retail Liquor Certificate of Compliance for Janessa M. Patel at Super 9 Wine & Spirits, 3035 New Salem Highway, Suite C. Ms. Brown indicated that the application was in order and recommended approval.

Mr. Wade made a motion to approve a Retail Liquor Certificate of Compliance for Janessa M. Patel at Super 9 Wine & Spirits, 3035 New Salem Highway, Suite C. Mr. Wright seconded the motion and all members of the Council voted "Aye" except Mr. LaLance who voted "Nay".

The following letter from the Chief of Police was presented to the Council:

(Insert letter dated August 19, 2021 here with regards to Purchase of new Police Vehicles.)

Mr. Michael Bowen, Chief of Police, presented the request to approve the Purchase Contract with TT of F. Murfreesboro, Inc., through State Contract 64470, in the amount of \$1,014,930, funded by the Fiscal Year 2021 CIP and from the Risk Management Fund, for the purchase of 30 new police vehicles.

Mr. Wade made a motion to approve the Purchase Contract with TT of F. Murfreesboro, Inc., through State Contract 64470, in the amount of \$1,014,930, funded by the CIP and from the Risk Management Fund, for the purchase of 30 new police vehicles. Mr. Wright 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 August 19, 2021 here with regards to Beer Permit Applications for Special Event Permits for Interfaith Dental of Nashville on 9/23/21 at 312 S Front Street and The Center for the Arts on 10/16/21 at 110 W College Street.)

Mr. Wade made a motion to approve the Special Event Beer Permits for Interfaith Dental of Nashville on 9/23/21 at 312 S Front Street and for The Center for the Arts on 10/16/21 at 110 W College Street. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The City Recorder/Finance Director announced that there were no statements nor any board and commission appointments to consider.

Under other business the following letter from the City Manager was presented to the Council:

(Insert letter dated August 19, 2021 here with regards to Funding for Central Tennessee Regional Solid Waste Planning Board.)

Mr. Craig Tindall, City Manager, presented the request to provide funding in the amount of \$50,000, provided by funds budgeted for unforeseen matters, to the Central Tennessee Regional Solid Waste Planning Board in order for the Board to function and fulfill its statutory responsibilities. As a response to a question from Mr. Martin, Mr. Tindall stated that the City could request that if any of the \$50,000 was unused that the Board return the funds to the City.

Mr. Martin made a motion to provide funding in the amount of \$50,000, provided by funds budgeted for unforeseen matters, to the Central Tennessee Regional Solid Waste Planning Board in order for the Board to function and fulfill its statutory responsibilities. Mr. Wright seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated August 19, 2021 here with regards to authorization for the City Attorney to facilitate the City's intervention as a party in the lawsuit brought by BFI Waste Systems of Tennessee against the Central Tennessee Regional Solid Waste Planning Board.)

Mr. Adam Tucker, City Attorney, presented the request to authorize the City Attorney to take any necessary actions, including hiring outside legal counsel, to facilitate the City intervening in the lawsuit brought by BFI Waste Systems of Tennessee against the Central Tennessee Regional Solid Waste Planning Board.

Mr. LaLance made a motion to authorize the City Attorney to take any necessary actions, including hiring outside legal counsel, to facilitate the City intervening in the lawsuit brought by BFI Waste Systems of Tennessee against the Central Tennessee Regional Solid Waste Planning Board. Mr. Wade seconded the motion and all members of the Council voted "Aye" except Vice-Mayor Scales Harris and Mr. Martin who voted "Nay".

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

(Insert letter dated August 19, 2021 here with regards to supplemental allocation for legal matters related to Middle Point Landfill.)

Mr. Adam Tucker, City Attorney, presented the request to allocate funds to the Legal Department for legal and other professional services related to challenging the proposed expansion of landfilling operations at Middle Point Landfill. Mr. Tucker stated that the funding will come from funds budgeted for unforeseen matters and that a budget amendment related to the funding will be brought to Council in September or October.

Mr. Wade made a motion to allocate funds to the Legal Department for legal and other professional services related to challenging the proposed expansion of landfilling operations at Middle Point Landfill. Mr. LaLance seconded the motion and all members of the Council voted "Aye" except Vice-Mayor Scales Harris and Mr. Martin who voted "Nay".

Mr. Craig Tindall, City Manager, announced that there would be no City Council meeting on August 26, 2021.

There being no further business, Mayor McFarland adjourned this meeting at 6:43 p.m.

ATTEST:

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SHANE MCFARLAND - MAYOR

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JENNIFER BROWN - CITY RECORDER