

April 7, 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, April 7, 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
Sam Huddleston, Executive Director/
Development Services
Trey Duke, City Schools Director
Greg McKnight, Planning Director
Nate Williams, Parks and Recreation Director
Rhonda Darnell, Employee Services Assistant Director
Thomas Laird, Parks and Recreation Assistant Director
Rachel Singer, Parks and Recreation Assistant Director
Valerie Smith, Water Resources Assistant Director
Marina Rush, Principal Planner
Joshua Miller, Administrative Assistant

Council Member Shawn Wright commenced the meeting with a prayer followed by the Pledge of Allegiance.

Mayor McFarland announced the passing of Mr. Miles Tate the co-founder of the Middle Half Marathon and stated that a run beginning at Civic Plaza down Main Street would be held on April 8, 2022 in his honor.

Mayor McFarland proclaimed that, in the City of Murfreesboro, April 8, 2022 through April 10, 2022 would be known as days to honor the Rutherford Arts Alliance, specifically its Leading Ladies of Rutherford County History and that the community-involved play, Party of Twelve, would be performed at the Washington Theatre on those days.

Mayor McFarland also proclaimed that, in the City of Murfreesboro, April 10, 2022 through April 16, 2022 would be known as National Public Safety Telecommunicators Week to honor the compassion, understanding, and professionalism each Public Safety Telecommunicator has exhibited while performing their duties in the past year and thanked representatives of the City Dispatchers, Mr. Seth Russell, Manager/Director of the City's Emergency Communication Center and Ms. Becki Green, Telecommunicator of the Year and a supervisor at the City's Emergency Communication Center.

The Mayor and Council honored eleven-year-old Hagan Williams and played a video showcasing his golf talent and recognizing that he placed 2nd overall at the Drive, Chip, and Putt Finals Tournament in Georgia at the Augusta National Golf Club.

The Mayor and Council recognized Mr. Cameron L. Mitchell, Murfreesboro Poet Laureate, who performed his spoken word poem, "I am".

The Consent Agenda was presented to the Council for approval:

1. Barge Design Solutions Work Authorization Amendment 2 (Airport)
 2. Tennessee Aeronautics Division Pavement Maintenance Project (Airport)
 3. Amendment to Kimley-Horne Agreement for Patterson Park Master Plan (Parks)
 4. McFadden Basketball Court Fencing (Parks)
 5. Donation of Tactical Body Armor and Helmets to Blount County Law Enforcement Training Academy (Police)
 6. Approval for City-wide Car Wash Services (Purchasing)
 7. Approval of use of Competitive Sealed Proposals for Financial Consultant Services for ARPA Grant Fund (Purchasing)
 8. Approval of use of Competitive Sealed Proposals for IT Consultant Services (Purchasing)
 9. Approval of use of Competitive Sealed Proposals for Low-Voltage Communication Cabling Services (Purchasing)
 10. Asphalt Purchases Report (Water Resources)
 11. Granular Activated Carbon First Amendment (Water Resources)
 12. Water/Wastewater Mechanical/Electrical Services Contract Task Order No. 22-03 (Water Resources)
 13. Cherry Ln. Pump Station Study-CIA Engineering Proposal (Water Resources)
- (Insert letters from Airport (2), Communications, Parks (2), Police, Purchasing (4), & Water Resources (4) Departments here.)

Mr. Shacklett 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 April 7, 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 regular meeting held on March 9, 2022 and the regular Meeting held on March 17, 2022. Mr. Wade seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated April 7, 2022 here with regards to Fiscal Year 2022 City Schools Budget Amendment #6.)

The following RESOLUTION 22-R-09 was read to the Council and offered for adoption upon motion made by Vice-Mayor Scales Harris, 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 22-R-09 here amending the 2021-2022 Murfreesboro City Schools Budget (6th Amendment).)

Mr. Shacklett made a motion to match the bonuses the City Schools were giving to the full-time and part-time City Schools employees from the General Fund. Vice-Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

Mr. Craig Tindall, City Manager, stated that a resolution and budget amendment ordinance would be coming to Council at a later date to reflect the one-time initiative matching the bonuses from the General Fund, with a \$500 bonus for the full-time employees and a \$250 bonus for the part-time employees.

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

(Insert letter dated April 7, 2022 here with regards to holding a public hearing to consider Plan of Services, annexation and zoning of approximately 258.8 acres located along Northwest Broad Street [2021-516 & 2021-433].)

Mayor McFarland announced that the next item on the agenda is to conduct a public hearing, pursuant to RESOLUTION 22-R-PH-02 adopted by the City Council on February 24, 2022, to consider (1) adoption of a Plan of Services for and annexation of approximately 258.8 acres located along Northwest Broad Street and (2) zoning of approximately 258.8 acres located along Northwest Broad Street to be zoned Commercial Highway (CH) District and Gateway Design Overlay One (GDO-1) District; which have been proposed to be annexed to the City of Murfreesboro, Tennessee, Hord Family and SEC, Inc. on behalf of Legacy Sports Tennessee, applicants [2021-516 & 2021-433]. Notice of said public hearing was published in the March 22, 2022 edition of a local newspaper as follows:

(Insert notice here.)

Mayor McFarland declared the public hearing open and invited those present who wished to speak for or against the Plan of Services and annexation for approximately 258.8 acres located along Northwest Broad Street, step forward to the podium.

Mr. David Nichols, 2021 Riverbend Drive, opposed the Plan of Services and annexation stating his concerns with noise and traffic, specifically with TDOT's classification of Broad Street and Thompson Lane as "F" roads.

Mr. Doug (Paul) Hutchins, 2220 Londonderry Drive, opposed the Plan of Services and annexation stating his concerns with flooding of the West Fork of the Stones River, traffic, noise, light, and decreased property values.

Mr. Jeffrey Smith, 2308 Londonderry Drive, opposed the Plan of Services and annexation stating his concerns with the development and its proximity to homes.

Mrs. Vicki Smith, 2308 Londonderry Drive, opposed the Plan of Services and annexation stating her concerns with light and traffic.

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

The following RESOLUTION 22-R-PS-02 was read to the Council and offered for adoption upon motion made by Mr. LaLance, seconded by Mr. Wade. 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-PS-02 to adopt a Plan of Services for approximately 258.8 acres located along Northwest Broad Street; Hord Family, applicant [2021-516].)

The following RESOLUTION 22-R-A-02 was read to the Council and offered for adoption upon motion made by Mr. Wade, 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-A-02 here to annex approximately 258.8 acres located along Northwest Broad Street (Tax Map 70, Parcel 7.02 and Tax Map 70, Parcel 7.03), and to incorporate the same within the corporate boundaries of the City of Murfreesboro, Tennessee, Hord Family, applicant [2021-516].)

Ms. Mariana Rush, Principal Planner, presented the recommendation of the Planning Commission to approve zoning approximately 258.8 acres located along Northwest Broad Street to be zoned Commercial Highway (CH) District and Gateway Design Overlay One (GDO-1) District, simultaneous with annexation.

Mayor McFarland then declared the public hearing to zone approximately 258.8 acres located along Northwest Broad Street to be zoned Commercial Highway (CH) District and Gateway Design Overlay One (GDO-1) District, simultaneous with annexation, open and invited those present who wished to speak for or against the zoning request, step forward to the lectern.

Mr. Doug (Paul) Hutchins, 2220 Londonderry Drive, opposed the zoning request stating his concerns with noise and the proximity to houses.

Mr. David Nichols, 2021 Riverbend Drive, opposed the zoning request stating his concerns with violations of the noise ordinance.

Mr. Brick Murfee, 1101 Glasgow Drive, supported the zoning request stating his intention to move to the area to live next to the development and enjoy its amenities.

Mr. Jeffrey Smith, 2308 Londonderry Drive, opposed the zoning request stating his concern with light from the development and regulations on signs and billboards.

Mr. Chad Miller, Legacy Sports Tennessee CEO, stated his desire to be a good neighbor to residents close to the development and to be a good neighbor to the City as a whole.

There was no one else 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.

Council questioned staff regarding the development's adherence to the City's noise and sign ordinances as well as how the development planned to handle light pollution.

City staff advised that meeting had taken place with TDOT commissioners regarding the increased traffic this development could bring and how the City and State planned to work together to mitigate that traffic.

An ordinance, entitled "ORDINANCE 22-OZ-02 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 258.8 acres located along Northwest Broad Street to Highway Commercial (CH) District and Gateway Design Overlay One (GDO-1) District simultaneous with annexation; SEC, Inc. on behalf of Legacy Sports Tennessee, applicant(s) [2021-433]," 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: None

Abstain: Ronnie Martin

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

(Insert letter dated April 7, 2022 here with regards to correcting the Zoning Boundary for the Oakland Court PRD [2019-423].)

Mr. Greg McKnight, Planning Director, presented the recommendation of the Planning Commission to approve correcting the zoning boundary for the Oakland Court PRD located along North Academy Street.

An ordinance, entitled "ORDINANCE 22-OZ-05 amending Ordinance 19-OZ-33 to correct the zoning boundary for the Oakland Court PRD along North Academy Street, East Lokey Avenue, East Hembree Street, Christy Court, Palm Court, and Jetton Drive, Planning Staff, applicant [2019-423]," 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
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 April 7, 2022 here with regards to scheduling a public hearing for May 5, 2022 for a proposed amendment to the Zoning Ordinance [2022-801] pertaining to Section 2: Interpretation and Definitions; Section 18: Regulations of General Applicability; Section 25: Temporary and Accessory Structures and Uses; Section 34: Floodplain Zoning and Chart 2: Minimum Lot Requirements, Minimum Yard Requirements, and Land Use Intensity Ratio (including Chart 2 endnotes).)

The following RESOLUTION 22-R-PH-06 was read to the Council and offered for adoption upon motion made by Mr. Martin, 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-PH-06 here fixing the time for a Public Hearing with respect to 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].)

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

(Insert letter dated April 7, 2022 here with regards to Overall Creek FEMA LOMR Supplemental Services.)

Mr. Sam Huddleston, Executive Director of Development Services, presented the request to approve the Agreement with Neel-Schaffer, Inc. for supplemental services for FEMA Letter of Map Revision for Overall Creek at Manson Pike in the amount of \$93,045 funded from the Stormwater Utility Fund reimbursement of the General Fund.

Mr. Martin made a motion to approve the Agreement with Neel-Schaffer, Inc. for supplemental services for FEMA Letter of Map Revision for Overall Creek at Manson Pike in the amount of \$93,045 funded from the Stormwater Utility Fund reimbursement of the General Fund. Mr. Wright 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 April 7, 2022 here with regards to Contract for Siegel Indoor Training Facility Netting and Padding.)

Mr. Thomas Laird, Parks and Recreation Assistant Director, presented the request to approve the Agreement with Grand Slam Safety, LLC, pending Legal approval, in the amount of \$164,500, funded from the CIP, for Netting and Padding at the Indoor Richard Siegel Soccer Complex.

Mr. Shacklett made a motion to approve the Agreement with Grand Slam Safety, LLC, pending Legal approval, in the amount of \$164,500, funded from the CIP, for Netting and Padding at the Indoor Richard Siegel Soccer Complex. 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 April 7, 2022 here with regards to Temporary Flow Monitoring Study Basin MF08 & MF12.)

Ms. Valerie Smith, Assistant Water Resources Director, presented the request to approve the additional allowance with ADS, LLC, in the amount of \$71,250, to conduct temporary flow monitoring in Basin MF08 and MF12.

Mr. Wade made a motion to approve the additional allowance with ADS, LLC, in the amount of \$71,250, to conduct temporary flow monitoring in Basin MF08 and MF12. 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 April 7, 2022 here with regards to Resident Project Representative for Overall Creek Pump Station.)

Ms. Valerie Smith, Assistant Water Resources Director, presented the request to approve Task Order No. 1941018.1 with Smith Seckman Reid Inc., in the amount of \$186,500, funded by the Department's Working Capital Reserves, for a SSR Resident Project Representative to perform construction inspections for the Overall Creek Pump Station Expansion.

Mr. LaLance made a motion to approve Task Order No. 1941018.1 with Smith Seckman Reid Inc., in the amount of \$186,500, funded by the Department's Working Capital Reserves, for a SSR Resident Project Representative to perform construction inspections for the Overall Creek Pump Station Expansion. Mr. Wright 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 April 7, 2022 herewith regards to Water/Wastewater Mechanical/Electrical Services Contract Task Order No. 22-02.)

Ms. Valerie Smith, Assistant Water Resources Director, presented the request to approve Task Order No. 22-02 with John Bouchard & Sons Company, in the amount of \$103,965, funded by the Department's Capital Budget, for services related to the replacement of ten actuators for the Stones River Drinking Water Treatment Plant's Granular Activated Carbon Contactors.

Mr. LaLance made a motion to approve Task Order No. 22-02 with John Bouchard & Sons Company, in the amount of \$103,965, funded by the Department's Capital Budget, for services related to the replacement of ten actuators for the Stones River Drinking Water Treatment Plant's Granular Activated Carbon Contactors. Mr. Shacklett seconded the motion and all members of the Council voted "Aye".

Mayor McFarland announced that Item No. 24 on the Agenda, Request for Sewer Variance: 285 N Rutherford Boulevard Apartments (NRB), was to be pulled from the meeting.

Under other business the following letter from the Parks and Recreation Director was presented to the Council:

(Insert letter dated April 7, 2022 here with regards to Boyce Ballard Construction Change Order #4 at Soccer Complex.)

Mr. Nate Williams, Parks and Recreation Director, presented the request to approve Change Order #4 with Boyce Ballard Construction, LLC, in the amount of \$16,023, funded from the CIP, to repair spalled concrete on the indoor practice facility foundation.

Mr. Martin made a motion to approve Change Order #4 with Boyce Ballard Construction, LLC, in the amount of \$16,023, funded from the CIP, to repair spalled concrete on the indoor practice facility foundation. 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 April 7, 2022 here with regards to Beer Permit Applications for for Seasoning Crab, 740 NW Broad St.; RaceTrac #2610, 3595 Shelbyville Pk.; West 22 Tacos, 2108 Medical Center Pkwy., Ste. A; Heroes Den, 2805 Old Fort Pkwy., Ste. O; Casa Blanca Mexican Restaurant Bar and Grill, 2069 Lascassas Pk. and Special Event Permits for Main Street Murfreesboro Rutherford Co. on 5/7/22 at the Downtown Public Square and on 7/23/22 at 900 N Maney Ave. and for Smyrna Lavergne Food Bank on 6/18/22 at 746 E Main St.)

Mr. Martin made a motion to approve the Beer Permits for Seasoning Crab, 740 Northwest Broad Street (Ownership & Name Change); RaceTrac #2610, 3595 Shelbyville Pike (New Location); West 22 Tacos, 2108 Medical Center Parkway, Suite A (New Location); Heroes Den, 2805 Old Fort Parkway, Suite O (Ownership & Name Change) and Casa Blanca Mexican Restaurant Bar and Grill, 2069 Lascassas Pike (Ownership & Name Change), pending Building and Codes approval, and Special Event Permits for Main Street Murfreesboro Rutherford Co. on 5/7/22 at the Downtown Public Square; on 7/23/22 at 900 North Maney Avenue; and for Smyrna-Lavergne Food Bank on 6/18/22 at 746 East Main Street. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

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

Mr. Craig Tindall, City Manager, announced that there would be a workshop session on April 13, 2022 and a Council Retreat scheduled for April 27, 2022.

Council Members Bill Shacklett and Ronnie Martin stated that they would be absent at the workshop meeting.

There being no further business, Mayor McFarland adjourned this meeting at 7:45 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

JENNIFER BROWN - CITY RECORDER