

April 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, April 21, 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
Michael Bowen, Chief of Police
Erin Tucker, Budget Director
Randolph Wilkerson, Employee Services Director
Russell Gossett, Solid Waste Director
Matthew Blomeley, Assistant Planning Director
Rachel Singer, Assistant Parks and Recreation Director
Roman Hankins, Assistant City Attorney
Russ Brashear, Assistant Transportation Director
Joshua Miller, Administrative Assistant

Mayor McFarland commenced the meeting with a prayer followed by the Pledge of Allegiance.

Mr. Randolph Wilkerson, Employee Services Director, recognized STARS Award recipients Mr. David Bricker, Fire and Rescue Captain, and Mr. Jaydin Davis, MPD Officer who was unable to attend due to his enrollment in the Tennessee Law Enforcement Training Academy. Both were nominated after responding to a residence due to the water not working at the house. The two realized that the water had in fact been shut-off for nonpayment. Mr. Bricker and Mr. Davis paid out of their pockets for bottled water and snacks as well as assisting the elderly resident in contacting family to help her restore her water service. Mayor McFarland presented plaques recognizing Captain Bricker and Officer Davis'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. Hangar 1 Construction Change Order (Administration)
2. Proposed Annual Adjustment to Rental Rates (Airport)
3. Relocation of CIP Funds for New Fuel Farm (Airport)
4. Affordable Housing Program – Legacy Pointe Development (Community Development)

- 5. Town Creek Project ARPA Funding Shift and Budget Supplement (Development Services)
- 6. Purchase and Installation of Mack Engine (Fleet)
- 7. Annual Audit Contract (Finance)
- 8. FY22 City Manager Approved Budget Amendments (Finance)
- 9. Retail Liquor Certificate of Compliance – Warrior Wine & Spirits – Ownership Change (Finance)
- 10. Purchase Extrication Tools for New Ladder Truck (Fire Rescue)
- 11. Mandatory Referral for Abandonment of Drainage and Sanitary Sewer Easements along Manchester Pike (Planning)
- 12. Mandatory Refereral for Dedication of an Easement on Property along Franklin Road (Planning)
- 13. Purchase of RADAR Units (Police)
- 14. Purchase of Police Department Taser Equipment (Police)
- 15. Main Street Banner Request (Street)

(Insert letters from Administration, Airport (2), Community Development, Development Services, Fleet, Finance (3), Fire Rescue, Planning (2), Police (2), & Street Departments here.)

Mr. Shacklett made a motion to approve the Consent Agenda. Mr. Martin seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated April 21, 2022 here with regards to Fiscal Year 2022 Budget Amendment Ordinance.)

An ordinance, entitled "ORDINANCE 22-O-07 amending the 2021-2022 Budget (5th Amendment)," which passed first reading on April 13, 2022, was read to the Council and offered for passage on second and final reading, upon motion made by Mr. LaLance, 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

(Insert ORDINANCE 22-O-07 here.)

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

(Insert letter dated April 21, 2022 here with regards to Zoning for approximately 258.8 acres along Northwest Broad Street.)

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],” which passed first reading on April 7, 2022, was read to the Council and offered for passage on second and final reading, upon motion made by Mr. Wright, 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
Bill Shacklett
Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

Abstain: Ronnie Martin

(Insert ORDINANCE 22-OZ-02 here.)

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

(Insert letter dated April 21, 2022 here with regards to correcting the Zoning Boundary for the Oakland Court PRD.)

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],” which passed first reading on April 7, 2022, was read to the Council and offered for passage on second and final reading, upon motion made by Mr. Wright, 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

(Insert ORDINANCE 22-OZ-05 here.)

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

(Insert letter dated April 21, 2022 here with regards to Ordinance 22-O-03: Amending City Code Regarding Retail Liquor Store Regulations.)

Mr. Roman Hankins, Assistant City Attorney, summarized the changes the Ordinance made to the administrative processes of the City Recorders office and answered questions from Council regarding the changes.

An ordinance, entitled "ORDINANCE 22-O-03 amending the Murfreesboro City Code, Chapter 4, Alcoholic Beverages, Sections 4-2 and 4-7, regarding defined terms and retail liquor certificates of compliance; initial application; approval," was read to the Council and offered for passage on first reading upon motion made by Mr. LaLance, seconded by Mr. Wade. 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 City Recorder/Finance Director was presented to the Council:

(Insert letter dated April 21, 2022 here with regards to Ordinance 22-O-04: Amending City Code Regarding Special Event Hours for Beer Sales.)

An ordinance, entitled "ORDINANCE 22-O-04 amending the Murfreesboro City Code, Chapter 4, Alcoholic Beverages, Article II, Section 4-51, regarding classification of beer permits," was read to the Council and offered for passage on first reading upon motion made by Mr. Wade, seconded by Vice-Mayor Scales Harris. 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 Budget Director was presented to the Council:

(Insert letter dated April 21, 2022 here with regards to City Schools Resolution for Inflation-Related Bonus.)

The following RESOLUTION 22-R-10 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
Rick LaLance
Ronnie Martin
Bill Shacklett

Kirt Wade
Shawn Wright
Shane McFarland

Nay: None

(Insert RESOLUTION 22-R-10 here amending the 2021-2022 Murfreesboro City Schools Budget (7th Amendment).)

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

(Insert letter dated April 21, 2022 here with regards to sewer allocation variance – Memorial Boulevard – Whataburger.)

Mr. Matthew Blomeley, Assistant Planning Director, presented the request to approve Whataburger’s request for additional density above the sewer allocation ordinance’s zoning allowance. He stated that the proposed development will use approximately 2.72 sfu’s more than the ordinance allows, but staff views the advantages of job creation and commercial tax rate revenue as a greater benefit.

Mr. LaLance made a motion to approve Whataburger’s request for additional density above the sewer allocation ordinance’s zoning allowance. Mr. Wright 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 April 21, 2022 here with regards to scheduling a public hearing for May 5, 2022 for a Zoning Application [2022-409] for approximately 238 acres located along Northwest Broad Street to be removed from GDO-1 zoning overlay district (with approximately 20.8 acres remaining in the GDO-1 overlay).)

The following RESOLUTION 22-R-PH-08 was read to the Council and offered for adoption upon motion made by Mr. Wade, seconded by Mr. Shacklett. Upon roll call said resolution was adopted by the following vote:

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

Nay: Ronnie Martin

(Insert RESOLUTION 22-R-PH-08 here fixing the time for holding a Public Hearing with respect to the proposed amendment of the Zoning Ordinance and the Zoning Map of the City of Murfreesboro, Tennessee, constituting a part of said Ordinance, as heretofore amended and as now in force and effect, so as to consider a proposed amendment to rezone approximately 238 acres along Northwest Broad Street by removing it from the GDO-1 Zoning Overlay District; City of Murfreesboro, applicant, [2022-409].)

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

(Insert letter dated April 21, 2022 here with regards to Fourth of July Fireworks Show Agreement.)

Ms. Rachel Singer, Assistant Parks and Recreation Director, presented the request to approve the Agreement with Pyro Shows, Inc., in the amount of \$35,000, funded from the Department's Operating Budget, for the City's Fourth of July Fireworks Show.

Mr. Wade made a motion to approve the Agreement with Pyro Shows, Inc., in the amount of \$35,000, funded from the Department's Operating Budget, for the City's Fourth of July Fireworks Show. Vice Mayor Scales Harris seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated April 21, 2022 here with regards to Purchase of Uniforms, Clothing, and Equipment Items.)

Mr. Michael Bowen, Chief of Police, presented the request to approve the Agreement with Galls, LLC for Police and Fire uniforms, in the amount of \$350,000 and \$220,000, respectively, funded by each Department's Operating Budget.

Mr. Wright made a motion to approve the Agreement with Galls, LLC for Police and Fire uniforms, in the amount of \$350,000 and \$220,000, respectively, funded by each Department's Operating Budget. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated April 21, 2022 here with regards to purchase of new Police Vehicles.)

Mr. Michael Bowen, Police Chief, presented the request to approve the Purchase Contracts with TT of F Murfreesboro and Wilson County Motors, LLC, in the amount of \$1,048,592, funded from the American Rescue Plan Act Funds, for 30 new police vehicles.

Mr. LaLance made a motion to approve the Purchase Contracts with TT of F Murfreesboro and Wilson County Motors, LLC, in the amount of \$1,048,592, funded from the American Rescue Plan Act Funds, for 30 new police vehicles. Mr. Wright seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated April 21, 2022 here with regards to Rehrig Cart Purchase.)

Mr. Russell Gossett, Solid Waste Director, presented the request to approve the Second Amendment to the Contract with Rehrig Pacific Company in the amount of \$93,900, funded by the Department's Budget, for the purchase of 1,404 residential solid waste carts.

Vice-Mayor Scales Harris made a motion to approve the Second Amendment to the Contract with Rehrig Pacific Company in the amount of \$93,900, funded by the

Department's Budget, for the purchase of 1,404 residential solid waste carts. Mr. LaLance seconded the motion and all members of the Council voted "Aye".

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

(Insert letter dated April 21, 2022 herewith regards Amendment 1 to Contract with Mid-Cumberland Human Resource Agency.)

Mr. Russ Brashear, Assistant Transportation Director, presented the request to approve Amendment No. 1 to the Contract with Mid-Cumberland Human Resource Agency in the amount of a \$100,000 reduction in cost to the Department's Operating Budget.

Vice-Mayor Scales Harris made a motion to approve Amendment No. 1 to the Contract with Mid-Cumberland Human Resource Agency in the amount of a \$100,000 reduction in cost to the Department's Operating Budget. 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 21, 2022 here with regards to a Beer Permit Application for San Marcos Supermercado, 1156 E Main St.)

Mr. LaLance made a motion to approve the Beer Permit for Sam Marcos Supermercado, 1156 East Main Street (Ownership & Name Change), pending Building and Codes approval. Mr. Wright seconded the motion and all members of the Council voted "Aye".

Upon recommendation of Mayor McFarland, Mr. Wade made a motion to reappoint Mr. Roger Heinrich (term expires April 30, 2025) and Mr. Douglas Cook (term expires April 30, 2025) to the Cable Television Commission and to reappoint Mr. Robert Sain (term expires January 31, 2025), Mr. Whit Turnbow (term expires January 31, 2025), and Mr. Larry Wilkerson (term expires January 31, 2025) to the Murfreesboro Gold Commission. Mr. Martin seconded the motion and all members of the Council voted "Aye".

The following statement was presented to the Council with the recommendation of the City Manager and City Recorder/Finance Director that its payment be approved:

From CIP:

E. Evan Cope: Client Trust Account \$ 276,871.70

Mr. LaLance made a motion to approve payment of the statement as recommended by the City Manager and City Recorder/Finance Director. Mr. Shacklett seconded the motion and all members of the Council voted "Aye".

Mr. Craig Tindall, City Manager, stated that the Council Retreat Meeting would be a full-day session on April 27, 2022, beginning at 9:00 a.m.

Vice-Mayor Scales Harris suggested that the City make Good Friday a City Holiday. She also expressed her concern with the policy for full-time employees who do not receive pay increases due to being outside of the pay range.

There being no further business, Mayor McFarland adjourned this meeting at 6:46 p.m.

ATTEST:

SHANE MCFARLAND – MAYOR

JENNIFER BROWN - CITY RECORDER