



# **Metropolitan Council**

**PROPOSED AMENDMENTS PACKET  
FOR THE COUNCIL MEETING OF  
TUESDAY, JULY 2, 2024**

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SUBSTITUTE

AMENDMENT TO RULES OF PROCEDURE, RULE 13

Madam President:

I move to amend the 2023-2027 Metropolitan Council Rules of Procedure by amending Rule 13 as shown below:

**13. Filing deadlines; emergency items**

13.1 The following deadlines apply:

1. All ordinances and resolutions shall be filed in the Clerk's Office not later than noon on the Tuesday at least one week prior to a regular meeting of the Council and not later than 11:00 a.m. of the third day, excluding Saturdays and Sundays, preceding the day of any other Council meeting.
2. No ordinance or resolution may be filed by the Council Office unless the originals have first been delivered to the Council Office not later than noon on the second Friday preceding the regular meeting date or not later than noon the fourth day, excluding Saturdays and Sundays, preceding the day of any other Council meeting.
3. Legislation prepared by the Council Office must be requested in writing at least 48 hours prior to this delivery deadline.
4. Subject to Section 6.13 of the Metropolitan Charter, the Capital Improvements Budget shall be filed in the Clerk's Office on or before May 15 at 4:30 p.m. for consideration at the next regular Council meeting.

13.2 All amendments to, or substitutes for, an ordinance or a resolution, ~~or any requested late-filed legislation,~~ shall be delivered to the Council Office not later than noon on the Friday immediately preceding the regular meeting date. In the event of a special meeting, delivery shall occur not later than noon the second day -- excluding Saturdays and Sundays -- preceding the day of such Council meeting. Amendments or substitutes will be prepared in a manner that indicates deletions by striking through such content and insertions by underlining such content.

13.3 The Council may not consider any ordinance, resolution, amendment, or substitute unless filed in accordance with the two preceding paragraphs, with the exception of legislation filed directly with the Clerk by a Councilmember.

13.4 No ordinance, ~~binding~~ resolution, amendment, or substitute submitted after these prescribed deadlines ("late-filed legislation") will be considered by the Council except on an emergency basis. ~~Nonbinding resolutions submitted after the prescribed deadlines are not eligible to be considered on an emergency basis.~~ It is not the responsibility of the Council Office to prepare late-filed legislation.

13.5 Any sponsor of such late-filed legislation must appear before the Rules Committee immediately prior to the regular meeting to disclose (1) the nature of the emergency; (2) whether the legislation could have been timely filed; and (3) whether the matter can wait until the next Council meeting. Late-filed legislation ordinances and late resolutions will be referred to other appropriate committees per Rule 7.

13.6 Late-filed legislation introduced during a Council meeting is not subject to Section 13.5 however the rules must be suspended, per Rule 7, for the late-filed legislation to be considered.

13.7~~6~~ Upon consideration of the late-filed legislation, At the subsequent regular meeting, the sponsor must state on the introduction thereof that an emergency exists, must state the nature of the emergency, and must request a suspension of the rules. The Council recommends that memorializing late-filed legislation be filed for the subsequent Council meeting.

INTRODUCED BY:

\_\_\_\_\_  
Emily Benedict  
Member of Council

SUBSTITUTE

AMENDMENT TO RULES OF PROCEDURE, RULE 13

Madam President:

I move to amend the 2023-2027 Metropolitan Council Rules of Procedure by amending Rule 13.4 as shown below:

**~~13. Filing deadlines; emergency items~~**

~~13.1 The following deadlines apply:~~

~~1. All ordinances and resolutions shall be filed in the Clerk's Office not later than noon on the Tuesday at least one week prior to a regular meeting of the Council and not later than 11:00 a.m. of the third day, excluding Saturdays and Sundays, preceding the day of any other Council meeting.~~

~~2. No ordinance or resolution may be filed by the Council Office unless the originals have first been delivered to the Council Office not later than noon on the second Friday preceding the regular meeting date or not later than noon the fourth day, excluding Saturdays and Sundays, preceding the day of any other Council meeting.~~

~~3. Legislation prepared by the Council Office must be requested in writing at least 48 hours prior to this delivery deadline.~~

~~4. Subject to Section 6.13 of the Metropolitan Charter, the Capital Improvements Budget shall be filed in the Clerk's Office on or before May 15 at 4:30 p.m. for consideration at the next regular Council meeting.~~

~~13.2 All amendments to, or substitutes for, an ordinance or a resolution, or any requested latefiled legislation, shall be delivered to the Council Office not later than noon on the Friday immediately preceding the regular meeting date. In the event of a special meeting, delivery shall occur not later than noon the second day, excluding Saturdays and Sundays, preceding the day of such Council meeting. Amendments or substitutes will be prepared in a manner that indicates deletions by striking through such content and insertions by underlining such content.~~

~~13.3 The Council may not consider any ordinance, resolution, amendment, or substitute unless filed in accordance with the two preceding paragraphs, with the exception of legislation filed directly with the Clerk by a Councilmember.~~

13.4 No ordinance, ~~binding~~ resolution, amendment, or substitute submitted after these prescribed deadlines (~~"late-filed legislation"~~) will be considered by the Council except on an emergency basis. Nonbinding resolutions submitted after the prescribed deadlines are not eligible to be considered on an emergency basis. It is not the responsibility of the Council Office to prepare late-filed legislation.

~~13.5 Any sponsor of such late filed legislation must appear before the Rules Committee immediately prior to the regular meeting to disclose (1) the nature of the emergency; (2) whether the legislation could have been timely filed; and (3) whether the matter can wait until the next Council meeting. Late filed legislation ordinances and late resolutions will be referred to other appropriate committees per Rule 7.~~

~~13.6 Late filed legislation introduced during a Council meeting is not subject to Section 13.5 however the rules must be suspended, per Rule 7, for the late filed legislation to be considered.~~

~~13.76 Upon consideration of the late filed legislation, At the subsequent regular meeting, the sponsor must state on the introduction thereof that an emergency exists, must state the nature of the emergency, and must request a suspension of the rules. The Council recommends that memorializing late filed legislation be filed for the subsequent Council meeting.~~

INTRODUCED BY:

\_\_\_\_\_  
Kyonzte Toombs  
Member of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2024-417

Madam President –

I move to amend Ordinance No. BL2024-417 as follows:

- I. By substituting the current sketch page associated with this legislation for the one attached to this amendment, marked as Exhibit A.

INTRODUCED BY:

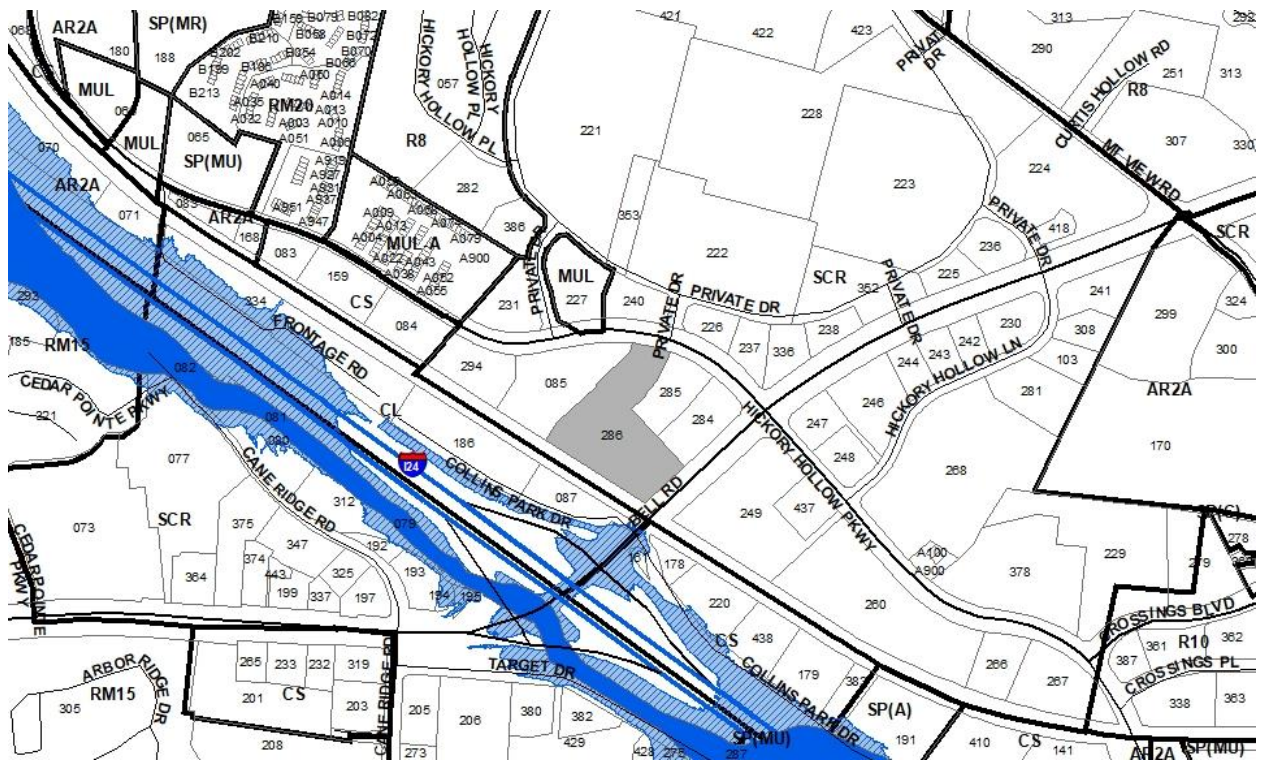
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Joy Styles  
Member of Council



1-74P-016  
PUD CANCELLATION 5255 HICKORY HOLLOW PKWY  
Map 163, Parcel(s) 286  
Subarea 13, Antioch - Priest Lake  
District 32 (Joy Styles)  
Application fee paid by: Fee waived by Council

A request to cancel a portion of a Planned Unit Development (PUD) for property located at 5255 Hickory Hollow Parkway, approximately 422 feet west of Bell Road and Hickory Hollow Parkway intersection, zoned SCR (4.83 acres), requested by Councilmember Joy Styles, applicant; TNCT, LLC, owner.



AMENDMENT NO.   1    
TO  
RESOLUTION NO. RS2024-559

Madam President –

I hereby move to amend Charter Amendment 1 to Resolution No. RS2024-559 as follows:

I. By amending Section I as follows:

I. Section 8.102 of Article 8 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended as follows:

Sec. 8.102. – Director of finance—Qualifications, appointment and vacancy.

The director of finance shall have proven administrative ability and a well-founded reputation in public finance, or a record of exceptional performance for at least five (5) years as a comptroller or financial head of a large business. The mayor shall appoint the director of finance subject to confirmation by a majority of the whole membership of the council. He or she shall serve at the pleasure of the mayor making the appointment and until his or her successor is qualified. The director's salary shall be fifteen thousand (\$15,000) dollars per annum, payable semimonthly. In the absence of the director of finance or in the event of a vacancy in his or her office, the ~~metropolitan treasurer~~ mayor shall appoint via communication to the metropolitan council an individual who shall perform the duties thereof until the director returns or the vacancy is filled. This individual shall be selected from among the budget officer, chief accountant, and metropolitan treasurer, and he or she shall serve for no more than 90 days prior to confirmation as interim finance director by a majority of the whole membership of the council.

II. By deleting the summary language following “For the Ballot” and replacing it with the following:

This amendment would designate ~~the metropolitan treasurer, a specific position~~ an eligible officer within the department of finance, to perform the duties of the finance director for a limited time in the absence of the finance director and if the office of finance director becomes vacant.

SPONSORED BY:

\_\_\_\_\_  
Sheri Weiner  
Member of Council

AMENDMENT NO. 2  
TO  
RESOLUTION NO. RS2024-559

Madam President –

I move to amend Resolution No. RS2024-559 by adding the following proposed additional amendment to the Charter of the Metropolitan Government of Nashville and Davidson, following “Amendment No. 3”:

AMENDMENT NO. \_\_\_\_\_

I. Section 3.04 of Article 3 of the Charter of The Metropolitan Government of Nashville and Davidson County shall be amended as follows:

Sec. 3.04. - Regular meetings; adjourned meetings; special meetings.

The council shall hold regular meetings only on the first and third Tuesday of each month and may hold an adjourned meeting of a regular meeting on any week day or hour it may fix. However, no regular meeting of the council shall be held during the month of September. At such an adjourned meeting the council may transact any business which it might transact at a regular meeting. Special meetings of the council may be held when called by the mayor or vice mayor and shall be called by either official when the public welfare requires it or when requested in writing by a majority (21) of the members of the council. At least forty-eight (48) hours' written notice shall be given for any special meeting, stating the object or objects thereof, and the business of such meeting shall be restricted to the objects so stated. All meetings of the council shall be open to the public and shall be held in a metropolitan building unless by reasons of casualty a different meeting place shall be selected, with public announcement thereof.

FOR THE BALLOT

Amendment No. \_\_\_\_

This amendment provides that no regular meeting of the Metropolitan Council may be held in the month of September. Special or adjourned meetings of the Metropolitan Council could still be held in September.

INTRODUCED BY:

\_\_\_\_\_  
Kyonzte Toombs  
Members of Council

SUBSTITUTE ORDINANCE NO. BL2024-441

An ordinance to amend Section 16.24.340 of the Metropolitan Code of Laws regarding algae, ~~moss, mold~~, mildew, lichen, and fungus, ~~and certain plants on exterior walls and roofs.~~

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 16.24.340 of the Metropolitan Code of Laws is amended by deleting Subsections F and G in their entirety and replacing them with the following:

F. Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials, and shall be maintained weatherproof and properly surface coated where required to prevent deterioration. All exterior walls shall be free of algae, moss, ~~mold~~, mildew, lichen, and fungus, ~~and uncultivated plants listed as invasive by the Tennessee Invasive Plants Council.~~

G. Roofs and Drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. All roofs shall be free of algae, moss, ~~mold~~, mildew, lichen, and fungus, ~~and uncultivated plants listed as invasive by the Tennessee Invasive Plants Council.~~ Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the building or structure. Roof drains, gutters, and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

\_\_\_\_\_  
Joy Styles  
Member of Council

Ordinance No. \_\_\_\_\_

An ordinance approving three option agreements authorizing the purchase of properties for a new elementary school in Antioch, Tennessee. (Proposal No. 2024M-019AG-001).

WHEREAS, it is in the public interest for the Metropolitan Government of Nashville and Davidson County to acquire certain property located at 555 Bell Road (Parcel No. 14900013100), 567 Bell Road (Parcel No. 14900017900), 0 Bell Road (Parcel No. 14900023200 ), 1058 Rural Hill Road (Parcel No. 14900012200 ), 1050 Rural Hill Road (Parcel No. 14900013300), 1070 Rural Hill Road (Parcel No. 14900034100 ), and 5211 Rice Road (Parcel No. 14900012300 ) for the construction of a new elementary school; and,

WHEREAS, Section 2.24.240(l) of the Metropolitan Code of Laws provides:

Prior to the adoption of an ordinance, on second reading, by the council authorizing the acquisition by purchase or condemnation of real estate to be utilized as a site for the construction of a new public school or relocation of existing public school, a public hearing shall be held on said ordinance. The metropolitan planning commission shall give notice in two newspapers of general circulation in the area of metropolitan government at least fifteen days but no more than thirty days prior to the public hearing and shall provide additional written notice of such hearing to the district member of council in whose district the property to be acquired is to be located and to all members of the metropolitan board of public education. In addition to such notice, the metropolitan planning commission shall cause signs to be posted on the site in the same manner and under the same conditions as provided in Article XV of Chapter 17.40 and Section 17.08.030 of the Metropolitan Code; provided, however, the wording shall clearly state the intended use rather than zoning provisions. Such public hearing shall be held in the council chambers; however, such hearing need not be held during a regular meeting of the council.; and,

WHEREAS, pursuant to section 2.24.250(F) of the Metropolitan Code of Laws, the Director of Public Property Administration has negotiated the attached Option Agreements; and,

WHEREAS, the Metropolitan Board of Education recommends approval of the acquisition of the Property; and,

WHEREAS, approval of the Option Agreements and authorizing the Director of Public Property to purchase said Property is in the best interest of the citizens of the Metropolitan Government.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE:

Section 1. The Option Agreements attached hereto granting the Metropolitan Government an option to purchase the Properties located at 555 Bell Road (Parcel No. 14900013100), 567 Bell Road (Parcel No. 14900017900), 0 Bell Road (Parcel No. 14900023200 ), 1058 Rural Hill Road (Parcel No. 14900012200 ), 1050 Rural Hill Road (Parcel No. 14900013300), 1070 Rural Hill

Road (Parcel No. 14900034100 ), and 5211 Rice Road (Parcel No. 14900012300 ) are hereby approved.

Section 2. The Director of Public Property Administration, or his designee, is hereby authorized to execute and record such documents as may be necessary to carry out the purchase of said Property in substantially the form of the Option Agreement attached hereto.

Section 3. This ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

adrienne battle  
Dr. Adrienne Battle, Director  
Metropolitan Nashville Public Schools

Joy L. Styles  
Joy Styles

Abraham Wescott  
Abraham Wescott, Director  
Public Property Administration

\_\_\_\_\_  
Member(s) of Council

APPROVED AS TO AVAILABILITY  
OF FUNDS:

Kevin Crumb  
Kevin Crumb, Director  
Department of Finance

APPROVED AS TO FORM AND  
LEGALITY:

Macy Amos  
Assistant Metropolitan Attorney

### FEE SIMPLE ACQUISITION OPTION

PROJECT: **Acquisition for Metropolitan Nashville Public Schools**

Property Location: **555 Bell Road  
Antioch, TN 37013**

Map Number: **149 -00-0**  
Parcel: **131.00**

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of the mutual benefits that will accrue by reason of the hereinafter described acquisition, we/I hereby grant and give to the Metropolitan Government of Nashville and Davidson County, Tennessee ("Metropolitan Government"), its agents or assigns, the right and option to purchase at any time within **180** days from the date hereof or within a reasonable period of time thereafter necessary to obtain the required documents to conclude the closing, upon the terms set forth, the fee simple interest in the herein described property located in Metropolitan Nashville and Davidson County, Tennessee:

Being Parcel **131.00 consisting of .71 acres**

And Grantor(s) hereby agree(s) upon written notice of the desire of the Metropolitan Government to exercise said right or option, within the time set out above (the Notice), to convey to said Metropolitan Government, its agents or assigns, by good and sufficient warranty deed, the stated interest in the described tract of land. In the event the Metropolitan Government does not give notice of exercise of this option within the time set out above, this instrument is to become null and void. Closing shall take place not later than **30** days after delivery of the Notice.

It is agreed that consideration paid to Grantor(s) by the Metropolitan Government will be applied consistent with applicable lien-holder agreements, if applicable, unless waived by said lien holders. The Metropolitan Government will pay all normal closing costs, including title insurance.

It is agreed that when this option is executed, Grantor(s) shall vacate and give complete possession of above-described property by date of deed.

It is agreed should the Metropolitan Government exercise said right or option within the time set out above, that Grantor(s) will be paid the fair market value of **Five Hundred Fifty Thousand Dollars (\$550,000.000)** upon execution of the aforesaid deed to the Metropolitan Government. Grantor(s) will pay taxes for the current year (pro-rated) and all back taxes, if any, assessed on above-described property.

It is agreed that within ten (**10**) days from this agreement, the Metropolitan Government will be granted access to the property for the purpose of performing a Site Survey, Phase I Environmental Site Assessment and any and all other inspections deemed necessary. It is agreed Seller does not waive any claim for damage in any manner for the negligence of any agent, representative or contractor for the Metropolitan Government during the times granted access to the property.


**The purchase of this property is contingent upon the approval of the Metropolitan Council and appraisal of the property.**

IN WITNESS WHEREOF, we/I hereunto set our/my hand(s), and obligate ourselves/ myself and our/my heirs, executors and assigns to faithfully perform this agreement, in its entirety, on this, the \_\_\_\_\_ day of \_\_\_\_\_, **2023**.

Grantor(S) **Signature Required:**

**For the Metropolitan Government:**

  
\_\_\_\_\_  
**Paul H. Silveira**

  
\_\_\_\_\_  
**Abraham Wescott**  
**Director, Public Property Administration**

  
\_\_\_\_\_  
**Ana Caroline Silveira**



## FEE SIMPLE ACQUISITION OPTION

PROJECT: **Acquisition for Metropolitan Nashville Public Schools**

Property Location: **567 Bell Road  
Antioch, TN 37013**

Map Number: **149 -00-0**  
Parcel: **179.00**

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of the mutual benefits that will accrue by reason of the hereinafter described acquisition, we/I hereby grant and give to the Metropolitan Government of Nashville and Davidson County, Tennessee ("Metropolitan Government"), its agents or assigns, the right and option to purchase at any time within **180** days from the date hereof or within a reasonable period of time thereafter necessary to obtain the required documents to conclude the closing, upon the terms set forth, the fee simple interest in the herein described property located in Metropolitan Nashville and Davidson County, Tennessee:

**Being Parcel 179.00 consisting of .98 acres**

And Grantor(s) hereby agree(s) upon written notice of the desire of the Metropolitan Government to exercise said right or option, within the time set out above (the Notice), to convey to said Metropolitan Government, its agents or assigns, by good and sufficient warranty deed, the stated interest in the described tract of land. In the event the Metropolitan Government does not give notice of exercise of this option within the time set out above, this instrument is to become null and void. Closing shall take place not later than **30** days after delivery of the Notice.

It is agreed that consideration paid to Grantor(s) by the Metropolitan Government will be applied consistent with applicable lien-holder agreements, if applicable, unless waived by said lien holders. The Metropolitan Government will pay all normal closing costs, including title insurance.

It is agreed that when this option is executed, Grantor(s) shall vacate and give complete possession of above-described property by date of deed.

It is agreed should the Metropolitan Government exercise said right or option within the time set out above, that Grantor(s) will be paid the fair market value of **Three Hundred Forty Five Thousand Dollars (\$345,000.000)** upon execution of the aforesaid deed to the Metropolitan Government. Grantor(s) will pay taxes for the current year (pro-rated) and all back taxes, if any, assessed on above-described property.

It is agreed that within ten (**10**) days from this agreement, the Metropolitan Government will be granted access to the property for the purpose of performing a Site Survey, Phase I Environmental Site Assessment and any and all other inspections deemed necessary. It is agreed Seller does not waive any claim for damage in any manner for the negligence of any agent, representative or contractor for the Metropolitan Government during the times granted access to the property.

**The purchase of this property is contingent upon the approval of the Metropolitan Council and appraisal of the property.**

IN WITNESS WHEREOF, we/I hereunto set our/my hand(s), and obligate ourselves/myself and our/my heirs, executors and assigns to faithfully perform this agreement, in its entirety, on this, the 1<sup>st</sup> day of March, 2024.

Grantor(S) Signature Required:

For the Metropolitan Government:

Billy R. King  
Billy R. King

Abraham Wescott  
Abraham Wescott  
013 Director, Public Property Administration



### Fee Simple Acquisition Option Agreement

**Project:** Acquisition for Metropolitan Nashville Public Schools

**Property Locations:**

0 Bell Road  
Antioch, TN 37013  
Map Number: 149-00-0  
Parcel: 232.00

1070 Rural Hill Road  
Antioch, TN 37013  
Map Number: 149-00-0  
Parcel Number: 341.00

1058 Rural Hill Road  
Antioch, TN 37013  
Map Number: 149-00-0  
Parcel: 122.00

5211 Rice Road  
Antioch, TN 37013  
Map Number: 149-00-0  
Parcel Number: 123.00

1050 Rural Hill Road  
Antioch, TN 37013  
Map Number: 149-00-0  
Parcel: 133.00

This Fee Simple Acquisition Option Agreement ("**Agreement**") has been entered into by **James M. Lenahan and Deborah J. Lenahan** (Owners of 0 Bell Road and 1058 Rural Hill Road), **Engles J. Pope and Nancy M. Pope** (Owners of 1050 Rural Hill Road), **Bridget A. Jackson** (Owner of 1070 Rural Hill Road), and **Bridget A. Jackson and Kimberly Craighead** (Owners of 5211 Rice Road) (collectively, "**Grantor**") and **The Metropolitan Government of Nashville and Davidson County** ("**Grantee**").

#### Recitals

I. Grantor owns certain real property that is listed above in the section entitled "Property Locations" and that is located in Davidson County, Tennessee, being Parcels 232.00, 122.00, 133.00, 341.00, and 123.00 on Map Number 149-00-0 and consisting of 10.89 acres (collectively, the "**Property**");

II. Grantee is interested in acquiring said Property if it appears, after further investigation, to be suitable for Grantee's purposes; and

III. Grantee desires to know that the Property will be available for purchase if Grantee determines that the Property is suitable for Grantee's purposes.

#### Agreement

1. Grant of Option. In consideration of the sum of Ten Dollars (\$10.00) paid by Grantee, the receipt of which is hereby acknowledged by Grantor, Grantor hereby grants to Grantee the exclusive option to purchase the Property (the "**Option**") under the terms hereinafter set forth.
2. Expiration Date. This Option shall expire at 11:59 p.m. on the date that is ninety (90) days after the date of this Agreement (the "**Expiration Date**"), with the date of this Agreement being day zero (0). This 90-day period shall be referred to herein as the "**Option Period**."
3. Exercising the Option. This Option may be exercised by giving written notice via e-mail, hand delivery, or registered or certified mail, return receipt requested, to the Grantor during the Option Period (the "**Notice**"). If this Option is exercised, it is agreed that Grantor shall then become obligated to sell and Grantee obligated to purchase the Property at the price mentioned herein.
4. Purchase Price. The purchase price shall be **Three Million Six Hundred Thousand Dollars (\$3,600,000.000)** in cash ("**Purchase Price**"). Any sums paid for this Option shall be credited to the Purchase Price at the time of Closing. It is agreed that consideration paid to Grantor by Grantee will be applied consistent with applicable lienholder agreements unless waived by said lienholders.
5. Failure to Exercise the Option. If Grantee does not exercise this Option within the Option Period, this Agreement shall become null and void, any sums paid by Grantee shall belong to Grantor, and any rights granted to Grantee hereunder shall terminate and expire.

6. Access to Property. It is agreed that within ten (10) days from this Agreement, Grantee will be granted access to the Property for the purpose of performing a Site Survey, Phase I Environmental Site Assessment, and any and all other inspections deemed necessary. It is agreed that Grantor does not waive any claim for damage done in any manner and resulting from the negligence of any agent, representative, or contractor for the Grantee during the times that Grantee is granted access to the Property.

7. Title Examination. Within thirty (30) days subsequent to the execution of this Agreement, Grantee shall obtain a title insurance commitment in the amount of the Purchase Price, in form and content reasonably acceptable to Grantee together with true, correct, and legible copies of all documents referred to therein, and together with true, correct, and legible copies of all documents which vest title in Grantor, issued by the office of **Signature Title Services, LLC** (the "**Title Company**"), which shall not be required to split the title premium with another entity. Title Company agrees to issue to Grantee, after Closing, an owner's policy of title insurance in the amount of the Purchase Price in the event the Option is exercised.

Grantee shall have ten (10) days from the date of delivery of said Title Commitment to notify Grantor in writing of any objections to title. Thereafter, Grantor shall have a period of ten (10) days within which to attempt to correct any such defects of which it is advised and provide satisfactory written notice of such corrections to Grantee. If Grantor notifies Grantee within said ten-day period that it cannot reasonably cure such exceptions, then this Agreement shall be void at the option of Grantee and of no effect, and any money paid by Grantee shall be returned to Grantee. Any title exceptions not objected to in writing by Grantee shall be deemed permitted title exceptions.

Grantee shall receive at Closing a recently downdated owner's Title Commitment issued by Title Company and proposing to insure good and indefeasible fee simple title in Grantee in the full amount of the Purchase Price and containing no exceptions or conditions other than Permitted Title Exceptions and any standard exceptions which are not able to be deleted based upon a survey and/or owner's affidavit.

8. Closing and Closing Costs. Upon exercising the Option provided herein, the parties agree that closing hereunder shall occur on a mutually agreed upon date that is no later than **September 30, 2024** ("**Outside Closing Date**"). The parties may extend the Outside Closing Date by written agreement. Grantor will close with **Attorneys Title Company, Inc.**, 2927 Berry Hill Dr., Nashville, Tennessee 37204. At the Closing the following shall occur:

- a. Grantor shall deliver to Grantee a General Warranty Deed in recordable form and otherwise in form and substance reasonably satisfactory to Grantee, conveying good and indefeasible fee simple title to the Property to Grantee, free and clear of all liens, charges, and encumbrances except taxes which cannot be paid at closing and except for permitted title exceptions.
- b. Grantor will pay for the preparation of the General Warranty Deed, their attorney's fees, and the fees charged by their closing agent.
- c. Grantee will pay for all closing fees charged by Title Company, the cost of recording the General Warranty Deed, the transfer taxes (if any), the costs of the owner's title insurance, the costs of the lender's title insurance (if any), any endorsements to the owner's and lender's title insurance policies, and their attorney's fees.
- d. All real estate taxes payable upon the Property in the year in which the Closing occurs shall be prorated between Grantor and Grantee as of the date of Closing, which proration shall be based upon the most recent tax appraisal records and tax rates as determined by the applicable government authority. Grantor shall pay all back taxes, if any.

9. Risk of Loss. Grantor shall bear the risk of loss on the Property until Closing.

10. Damage, Destruction, and Eminent Domain. Grantor hereby covenants and agrees not to deal with or make any arrangements with any public authority, quasi-public authority, or third party relating to any taking or intended taking of any portion of the Property or any transfer by agreement in lieu thereof, without the prior written consent of Grantee. Grantor warrants to Grantee that to the best of Grantor's knowledge, no such taking, intended taking, or transfer is pending or contemplated. In the event that the Property or any portion thereof is taken or intended to be taken, or is transferred by agreement in lieu thereof, Grantee, at its option, may elect to terminate this transaction and receive a refund of any money paid hereunder, whereupon this Agreement shall be deemed null and void and of no further force and effect, and neither party hereto shall thereafter have any rights, duties, liabilities, or obligations to the other, or Grantee may elect to proceed with the transaction contemplated herein.

11. **Brokers' Commission.** Grantor hereby covenants and agrees to defend, indemnify, and hold harmless Grantee against and from any and all loss, liability, cost, claim, demand, damages, action, cause of action, and suit arising out of or in any manner relating to the alleged employment or use by Grantor of any broker in connection with this transaction. Grantee hereby covenants and agrees to defend, indemnify, and hold harmless Grantor against and from any and all loss, liability, cost, claim, demand, damages, action, cause of action, and suit arising out of or in any manner relating to the alleged employment or use by Grantee of any broker in connection with this transaction.
12. **Assignment.** Grantee may assign its rights, duties, and obligations, or any part thereof, under this Agreement to one or more persons without the consent of Grantor, before or after Closing, so long as Grantee shall be and remain obligated to Grantor in the event of a default hereunder.
13. **Contingency. Closing is contingent upon the approval of the Council of the Metropolitan Government of Nashville and Davidson County and appraisal of the Property.**
14. **Entire Agreement, Modification.** This written Agreement constitutes the entire and complete agreement between the parties hereto and supersedes any prior oral or written agreements between the parties with respect to the Property. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants, and conditions herein set forth, and that no modification of this Agreement and no waiver of any of its terms and conditions shall be effective unless made in writing and duly executed by the parties hereto.
15. **Binding Effect.** All covenants, agreements, warranties, and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors, personal representatives, and permitted assigns.
16. **Time Is of the Essence.** All actions to be undertaken by the parties hereto must be performed within the time limits strictly set forth herein, unless otherwise agreed to in writing by the parties, time being of the essence.
17. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Tennessee.
18. **Severability.** This Agreement is intended to be performed in accordance with and only to the extent permitted by all applicable laws, ordinances, rules, and regulations. If any provisions of this Agreement, or the application thereof to any personal circumstance, shall for any reason or to any extent be invalid or unenforceable, the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby but rather shall be enforced to the greatest extent permitted by law.
19. **Paragraph Headings.** Headings inserted at the beginning of each paragraph are for convenience of reference only and shall not be deemed as part of this Agreement.

**[Signatures appear on the following page.]**

In witness whereof, we set our hands and obligate ourselves and our heirs, successors, personal representatives, and permitted assigns to faithfully perform this Agreement, in its entirety, on this the 4<sup>th</sup> day of May, 2024.

**Grantor:**

Authentisign  
James M Lenahan 06/04/24

James M. Lenahan,  
Owner of 0 Bell Road and 1058 Rural Hill Road

Authentisign  
Deborah J Lenahan 06/03/24

Deborah J. Lenahan,  
Owner of 0 Bell Road and 1058 Rural Hill Road

Authentisign  
Engles J Pope 06/04/24

Engles J. Pope,  
Owner of 1050 Rural Hill Road

Authentisign  
Nancy M Pope 06/04/24

Nancy M. Pope,  
Owner of 1050 Rural Hill Road

Authentisign  
Bridget A Jackson 06/03/24

Bridget A. Jackson,  
Owner of 1070 Rural Hill Road and 5211 Rice Road

Authentisign  
Kimberly Craighead 06/03/24

Kimberly Craighead  
Owner of 5211 Rice Road

**Grantee:**

The Metropolitan Government of Nashville and Davidson County

Authentisign  
Abraham Wescott 06/04/24

By: Abraham Wescott  
Its: Director, Public Property Administration



April 22, 2024

To: Ronald Colter Metro Department of Finance

**Re: Antioch Assemblage Acquisition for MNPS  
Planning Commission Mandatory Referral 2024M-019AG-001  
Council District #32 Joy Styles, Council Member**

On behalf of the Metropolitan Planning Commission, the following item, referred to the Commission as required by the Metro Charter, has been recommended for *approval* to the Metropolitan Council:

*A resolution approving three option agreements authorizing the purchase of properties for a new elementary school in Antioch, Tennessee. (Proposal No. 2024M-019AG-001).*

The relevant Metro agencies (Metro Parks, Nashville Department of Transportation, Metro Water Services, Metro Emergency Communications, the Nashville Electric Service, Metro Finance – Public Property and the Metro Historical Commission) have reviewed the proposal and concur in the recommendation for approval. This request must be approved by the Metro Council to become effective. A sketch showing the location of the request is attached to this letter.

**Conditions that apply to this approval: none**

This recommendation for approval is given as set forth in the Metropolitan Planning Commission Rules and Procedures. If you have any questions about this matter, please contact Delilah Rhodes at [Delilah.Rhodes@nashville.gov](mailto:Delilah.Rhodes@nashville.gov) or 615-862-7208

Sincerely,

A handwritten signature in black ink that reads "Lisa Milligan". The signature is written in a cursive, flowing style.

Lisa Milligan  
Assistant Director Land Development  
Metro Planning Department  
cc: Metro Clerk

**Re: Antioch Assemblage Acquisition for MNPS  
Planning Commission Mandatory Referral 2024M-019AG-001  
Council District #32 Joy Styles, Council Member**

*A resolution approving three option agreements authorizing the purchase of properties for a new elementary school in Antioch, Tennessee. (Proposal No. 2024M-019AG-001).*



ORDINANCE NO. BL2024-\_\_\_

An ordinance amending Section 17.04.060 of the Metropolitan Code, Zoning Regulations to amend the definitions of “commercial amusement, inside” and “commercial amusement, outside” (Proposal No. 2024Z-013TX-001).

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.04.060 of the Metropolitan Code is hereby amended by deleting the definitions for “commercial amusement, inside” and “commercial amusement, outside” in their entirety and replacing them with the following:

“Commercial amusement, inside” or “inside commercial amusement” means the provision of entertainment, performances or games of skill to the general public for a fee, or a permanent event space, and that is wholly enclosed in a building, including but not limited to a bowling alley, billiard parlor, batting facility, golf driving range, skating rink, wall climbing, arcade, or sport simulation. This use does not include an arena.

“Commercial amusement, outside” or “outside commercial amusement” means the provision of entertainment or games of skill to the general public for a fee, or a permanent event space, where any portion of the activity takes place outside of a building, including but not limited to a golf driving range, archery range, miniature golf course, batting facility, or go-kart track. This use does not include a stadium.

Section 2. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 3. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Jason Spain  
Member of Council



AMENDMENT NO. 1  
TO  
ORDINANCE NO. BL2024-293

Madam President –

I hereby move to amend Ordinance No. BL2024-293 as follows:

I. By amending Section 1 as follows:

Section 1. That section 16.04.200 of the Metropolitan Code of Laws is hereby amended by deleting existing subsections E. and F. and adding new subsections E, F, G, H, and I as follows:

- E. No fence shall be constructed in the floodway or floodplain without the approval of the department of water and sewerage services. A fence must comply with all applicable regulations, including standards for fences established by the department of water and sewerage services, rules and regulations established by the Nashville department of transportation and multimodal infrastructure governing the placement of fences in the public right-of-way, and all applicable provisions of the metropolitan code of laws.
- F. The construction of a fence, including the installation of a new fence, the addition of fence sections to an existing fence, the replacement of more than fifty percent of an existing fence, or the change in location, type, or materials of a fence, shall require a fence permit to be issued by the department of codes administration prior to construction. The applicant for a fence permit must acknowledge, in writing, adherence to all applicable provisions of this code. The department of codes administration is authorized to create rules and regulations necessary to effectuate a fence permitting program. All associated fees required for a fence permit shall be determined by the director of the department of codes administration and approved by a resolution of council. The department of water and sewerage services shall review each fence permit to ensure compliance with subsection E. The Nashville department of transportation and multimodal infrastructure shall review each fence permit to ensure compliance with applicable rules and regulations governing the placement of fences in the public right-of-way.
- G. The provisions of subsections C. and D. of this section shall not apply to temporary construction fencing, temporary tree protection fencing, temporary festival fencing, fencing around a place of incarceration, or to any fence located on property in the AR2A and AG zoning districts as designated on the official zoning map of the metropolitan government.
- H. Fences shall be constructed in such a manner so that all fence cross beams and cross bracing shall face the interior of the property and shall not be oriented toward the street or an adjacent property.
- I. ~~Fences shall not be located within public utility easements, public utility and drainage easements, and easements for sanitary and/or storm sewers, water mains, pumps, and appurtenances without written consent from the applicable utility. No fence shall be constructed in a utility easement if the fence would interfere with the use of the easement~~



by the utility or violate any conditions on the easement. Any questions regarding the details of an easement should be directed to the utility or easement holder.

II. By amending Section 3 as follows:

Section 3. This Ordinance shall take effect on September 1, 2024 ~~from and after its adoption~~, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

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Erin Evans  
Member of Council

AMENDMENT NO.   2    
TO  
ORDINANCE NO. BL2024-293

Madam President –

I hereby move to amend Ordinance No. BL2024-293 as follows:

I. By amending Section 1, proposed Section 16.04.200, Subsection F, as follows:

- F. The construction of a fence, including the installation of a new fence, the addition of fence sections to an existing fence, the replacement of more than fifty percent of an existing fence, or the change in location, type, or materials of a fence, shall require a fence permit to be issued by the department of codes administration prior to construction. The applicant for a fence permit must acknowledge, in writing, adherence to all applicable provisions of this code. The department of codes administration is authorized to create rules and regulations necessary to effectuate a fence permitting program. All associated fees required for a fence permit shall be determined by the director of the department of codes administration and approved by a resolution of council. The department of water and sewerage services and the Nashville department of transportation and multimodal infrastructure shall review each fence permit to ensure compliance with subsection E.

II. By amending Section 1, proposed Section 16.04.200, Subsection I, as follows:

- I. Fences shall not be located within public utility easements, public utility and drainage easements, and easements for sanitary and/or storm sewers, water mains, pumps, and appurtenances ~~without written consent from the applicable utility.~~

III. By amending Section 3 as follows:

Section 3. This Ordinance shall take effect on September 1, 2024 ~~from and after its adoption,~~ the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

\_\_\_\_\_  
Erin Evans  
Member of Council

AMENDMENT NO. 3  
TO  
ORDINANCE NO. BL2024-293

Madam President –

I hereby move to amend Ordinance No. BL2024-293 by amending Section 1 as follows:

Section 1. That section 16.04.200 of the Metropolitan Code of Laws is hereby amended by deleting existing subsections E. and F. and adding new subsections E, F, G, and H, ~~and I~~ as follows:

- E. No fence shall be constructed in the floodway or floodplain without the approval of the department of water and sewerage services. A fence must comply with all applicable regulations, including standards for fences established by the department of water and sewerage services.
- ~~F. The construction of a fence, including the installation of a new fence, the addition of fence sections to an existing fence, the replacement of more than fifty percent of an existing fence, or the change in location, type, or materials of a fence, shall require a fence permit to be issued by the department of codes administration prior to construction. The department of codes administration is authorized to create rules and regulations necessary to effectuate a fence permitting program. All associated fees required for a fence permit shall be determined by the director of the department of codes administration and approved by a resolution of council. The department of water and sewerage services shall review each fence permit to ensure compliance with subsection E.~~
- ~~G.~~ F. The provisions of subsections C. and D. of this section shall not apply to temporary construction fencing, temporary tree protection fencing, temporary festival fencing, fencing around a place of incarceration, or to any fence located on property in the AR2A and AG zoning districts as designated on the official zoning map of the metropolitan government.
- ~~H.~~ G. Fences shall be constructed in such a manner so that all fence cross beams and cross bracing shall face the interior of the property and shall not be oriented toward the street or an adjacent property.
- ~~I.~~ H. Fences shall not be located within public utility easements, public utility and drainage easements, and easements for sanity and/or storm sewers, water mains, pumps, and appurtenances without written consent from the applicable utility.

SPONSORED BY:

\_\_\_\_\_  
Jason Spain  
Member of Council

AMENDMENT NO. 4  
TO  
ORDINANCE NO. BL2024-293

Madam President –

I hereby move to amend Ordinance No. BL2024-293 by amending Section 1, proposed Metro Code of Laws Section 16.04.200, subsection F, as follows:

- F. The construction of a fence, including the installation of a new fence, the addition of fence sections to an existing fence, the replacement of more than fifty percent of an existing fence, or the change in location, type, or materials of a fence, shall require a fence permit to be issued by the department of codes administration prior to construction. The department of codes administration is authorized to create rules and regulations necessary to effectuate a fence permitting program. All associated fees required for a fence permit shall be determined by the director of the department of codes administration and approved by a resolution of council. The department of water and sewerage services or its designee shall review each fence permit to ensure compliance with subsection E.

SPONSORED BY:

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Quin Evans Segall  
Erin Evans  
Member of Council

AMENDMENT NO. 1  
TO  
ORDINANCE NO. BL2024-343

Madam President –

I hereby move to amend Ordinance No. 2024-343 by amending Section 1 as follows:

Section 1. That Section 2.112.020 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

2.112.020 - Membership and term of office.

The commission shall be composed of sixteen members. Fifteen members are to be appointed by the mayor and to serve without compensation. All members of the commission appointed by the mayor shall be confirmed by the metropolitan county council. One member shall be a member of council who serves on the arts, parks, libraries, and entertainment committee of the council, or a successor committee to which arts-related legislation is referred, ~~selected~~ nominated by that committee and elected by a majority vote of the whole membership of the council, who shall serve in a nonvoting capacity. ~~The tenure of the members appointed by the mayor shall be as follows: the successors of the two members whose terms are set to expire January 1, 1993 shall serve a four-year term to expire on January 1, 1997; the successors of those members whose terms are set to expire on January 1, 1994 and who joined the commission in August, 1992 shall serve a three-year term to expire on January 1, 1997; the successors of those members whose terms are set to expire on January 1, 1994 and who joined the commission in November, 1990; March, 1989; April 1989; and September, 1992 shall serve a term of four years to expire January 1, 1998; the successors of those members whose terms are set to expire January 1, 1995 and who joined the commission in August, 1992 shall serve a term of four years to expire January 1, 1999; the successors of those members whose terms are set to expire January 1, 1995 and who joined the commission in February, 1991 and March 1992 shall serve a term of five years to expire January 1, 2000; and the successor of that member whose term is set to expire January 1, 1996 shall serve a term of four years to expire January 1, 2000. Each commission member shall thereafter serve a period of four years from their appointment dates of January 1, 1997; January 1, 1998; January 1, 1999 and January 1, 2000.~~ The members appointed by the mayor shall serve staggered terms of four years. The term of the member of council shall be two years. In no event shall the term of the council member extend beyond the council term in which they were elected. All vacancies of any commission member shall be filled for the balance of the unexpired term in the same manner as original appointments.

SPONSORED BY:

\_\_\_\_\_  
Burkley Allen  
Member of Council

AMENDMENT NO.   2    
TO  
ORDINANCE NO. BL2024-343

Madam President –

I hereby move to amend Ordinance No. 2024-343 by amending Section 2 as follows:

Section 2. That Section 2.112.040 of the Metropolitan Code of Laws is further amended by deleting Subsection H in its entirety and replacing it with the following:

H. Award funds appropriated to it by the metropolitan council to deserving nonprofit civic and nonprofit charitable organizations. Criteria for the awarding of such funds shall be established by the Metropolitan Nashville Arts Commission and approved by ~~ordinance~~ resolution of the metropolitan council each year before funds are awarded. ~~The criteria for the awarding of funds must be presented to the arts, parks, libraries, and entertainment committee, or a successor committee to which arts related legislation is referred, of the metropolitan council prior to the filing of the ordinance.~~

1. A "nonprofit charitable organization" is defined as one in which no part of the net earnings benefit any private shareholder or individual and which provides year-round services benefiting the general welfare of the residents of the municipality.

2. A "nonprofit civic organization" is defined as a civic organization exempt from taxation pursuant to Section 501(c) of the IRS Code. A nonprofit civic organization must operate primarily for the purpose of bringing about civic betterment and social improvements through efforts to maintain and increase employment opportunities in the municipality.

3. For purposes of this code section, both nonprofit charitable organizations and nonprofit civic organizations shall be involved in the study, participation in and appreciation of the visual, performing and literary arts for the Metropolitan Nashville and Davidson County area.

SPONSORED BY:

\_\_\_\_\_  
Burkley Allen  
Member of Council

AMENDMENT NO. 3  
TO  
ORDINANCE NO. BL2024-343

Madam President –

I hereby move to amend Ordinance No. BL2024-343 by amending Section 1 as follows:

Section 1. That Section 2.112.020 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

2.112.020 - Membership and term of office.

The commission shall be composed of sixteen members. Fifteen members are to be appointed by the mayor and to serve without compensation. All members of the commission appointed by the mayor shall be confirmed by the metropolitan county council. One member shall be a member of council ~~who serves on the arts, parks, libraries, and entertainment committee of the council, or a successor committee to which arts-related legislation is referred, selected by that committee~~ elected from its membership by a majority vote of the whole membership of the council. The tenure of the members appointed by the mayor shall be as follows: the successors of the two members whose terms are set to expire January 1, 1993 shall serve a four-year term to expire on January 1, 1997; the successors of those members whose terms are set to expire on January 1, 1994 and who joined the commission in August, 1992 shall serve a three-year term to expire on January 1, 1997; the successors of those members whose terms are set to expire on January 1, 1994 and who joined the commission in November, 1990; March, 1989; April 1989; and September, 1992 shall serve a term of four years to expire January 1, 1998; the successors of those members whose terms are set to expire January 1, 1995 and who joined the commission in August, 1992 shall serve a term of four years to expire January 1, 1999; the successors of those members whose terms are set to expire January 1, 1995 and who joined the commission in February, 1991 and March 1992 shall serve a term of five years to expire January 1, 2000; and the successor of that member whose term is set to expire January 1, 1996 shall serve a term of four years to expire January 1, 2000. Each commission member shall thereafter serve a period of four years from their appointment dates of January 1, 1997; January 1, 1998; January 1, 1999 and January 1, 2000. The term of the member of council shall be two years. In no event shall the term of the council member extend beyond the council term in which they were elected. All vacancies of any commission member shall be filled for the balance of the unexpired term in the same manner as original appointments.

SPONSORED BY:

\_\_\_\_\_  
Kyonzté Toombs  
Member of Council

AMENDMENT NO. 1  
TO  
ORDINANCE NO. BL2024-344

Madam President –

I hereby move to amend Ordinance No. 2024-344 as follows:

I. By amending Section 1 as follows:

Section 1. That Section 2.147.030 of the Metropolitan Code of Laws is hereby amended by deleting subsection B in its entirety and replacing it with the following:

B. The commission shall be composed of ~~fifteen~~ sixteen members. Four members shall be appointed by the mayor and confirmed by the council. Three members shall be selected by the council from nominations submitted by council members. Four members shall be selected by the council from nominations submitted from the entertainment industry at large. One member shall be selected by the International Alliance of Theatrical Stage Employees (IATSE) from its membership and confirmed by the council. One member shall be selected by the Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA) from its membership and confirmed by the council. One member shall be selected by the American Federation of Musicians (AFM) from its membership and confirmed by the council. One member shall be selected by the Nashville Songwriters Association International (NSAI) from its membership and confirmed by the council. One member shall be a council member who serves on the arts, parks, libraries, and entertainment committee, or a successor committee to which entertainment-related legislation is referred, selected by that committee. The council member shall serve a term not to exceed two years. In no event shall the term of the council member extend beyond the council term in which they were elected. The executive director of the Metropolitan Arts Commission, the director of visual and performing arts for Metropolitan Nashville Public Schools, a representative of the Nashville Education, Community, and Arts Television Corporation, and a representative of the Nashville Convention and Visitors Corporation shall serve as ex officio members.

II. By amending Section 2 as follows:

Section 2. That Section 2.147.030 of the Metropolitan Code of Laws is hereby amended by deleting subsection D in its entirety and replacing it with the following:

D. Except for the council member, who shall serve a two-year term as described in Subsection B, commission members shall serve staggered four-year terms. Of the initial members appointed, the members selected by the council from nominations submitted by the council shall be appointed for one year, the members appointed by the mayor and NSAI shall be appointed for two years, the members appointed by AFM, SAG-AFTRA, and IATSE shall be appointed for three years, and the members selected by the council from nominations submitted by the entertainment industry at large shall be appointed for four years.



SPONSORED BY:

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Joy Styles  
Member of Council

AMENDMENT NO.   2    
TO  
ORDINANCE NO. BL2024-344

Madam President –

I hereby move to amend Ordinance No. BL2024-344 by amending Section 1 as follows:

Section 1. That Section 2.147.030 of the Metropolitan Code of Laws is hereby amended by deleting subsection B in its entirety and replacing it with the following:

B. The commission shall be composed of fifteen members. Four members shall be appointed by the mayor and confirmed by the council. Three members shall be selected by the council from nominations submitted by council members. Four members shall be selected by the council from nominations submitted from the entertainment industry at large. One member shall be selected by the International Alliance of Theatrical Stage Employees (IATSE) from its membership and confirmed by the council. One member shall be selected by the Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA) from its membership and confirmed by the council. One member shall be selected by the American Federation of Musicians (AFM) from its membership and confirmed by the council. One member shall be a council member ~~who serves on the arts, parks, libraries, and entertainment committee, or a successor committee to which entertainment-related legislation is referred, selected by that committee~~ elected by the council from its membership by a majority vote of the whole membership of the council. The council member shall serve a term not to exceed two years. In no event shall the term of the council member extend beyond the council term in which they were elected. The executive director of the Metropolitan Arts Commission, the director of visual and performing arts for Metropolitan Nashville Public Schools, a representative of the Nashville Education, Community, and Arts Television Corporation, and a representative of the Nashville Convention and Visitors Corporation shall serve as ex officio members. Section 1. That Section 2.112.020 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

SPONSORED BY:

\_\_\_\_\_  
Kyonzté Toombs  
Member of Council

AMENDMENT NO. 3  
TO  
ORDINANCE NO. BL2024-344

Madam President –

I hereby move to amend Ordinance No. 2024-344 as follows:

I. By amending Section 1 as follows:

Section 1. That Section 2.147.030 of the Metropolitan Code of Laws is hereby amended by deleting subsection B in its entirety and replacing it with the following:

B. The commission shall be composed of fifteen members. Four members shall be appointed by the mayor and confirmed by the council. Three members shall be selected by the council from nominations submitted by council members. Four members shall be selected by the council from nominations submitted from the entertainment industry at large. One member shall be selected by the International Alliance of Theatrical Stage Employees (IATSE) from its membership and confirmed by the council. One member shall be selected by the Screen Actors Guild - American Federation of Television and Radio Artists (SAG-AFTRA) from its membership and confirmed by the council. One member shall be selected by the American Federation of Musicians (AFM) from its membership and confirmed by the council. One member shall be selected by the Nashville Songwriters Association International (NSAI) from its membership and confirmed by the council. ~~One member shall be a council member who serves on the arts, parks, libraries, and entertainment committee, or a successor committee to which entertainment-related legislation is referred, selected by that committee. The council member shall serve a term not to exceed two years. In no event shall the term of the council member extend beyond the council term in which they were elected.~~ The executive director of the Metropolitan Arts Commission, the director of visual and performing arts for Metropolitan Nashville Public Schools, a representative of the Nashville Education, Community, and Arts Television Corporation, and a representative of the Nashville Convention and Visitors Corporation shall serve as ex officio members.

II. By amending Section 2 as follows:

Section 2. That Section 2.147.030 of the Metropolitan Code of Laws is hereby amended by deleting subsection D in its entirety and replacing it with the following:

~~D. Except for the council member, who shall serve a two-year term as described in Subsection B,~~ Commission members shall serve staggered four-year terms. Of the initial members appointed, the members selected by the council from nominations submitted by the council shall be appointed for one year, the members appointed by the mayor and NSAI shall be appointed for two years, the members appointed by AFM, SAG-AFTRA, and IATSE shall be appointed for three years, and the members selected by the council from nominations submitted by the entertainment industry at large shall be appointed for four years.

SPONSORED BY:

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Mike Cortese  
Member of Council

AMENDMENT NO. 1  
TO  
ORDINANCE NO. BL2024-390

Madam President –

I hereby move to amend Ordinance No. BL2024-390 by amending Section 1 as follows:

Section 1. That Section 2.63.020 of the Metropolitan Code of Laws is hereby amended as follows:

2.63.020 - Duties of office.

The duties of the office of homeless services shall include, but not limited to, the following: (1) providing expertise and coordinate a community response to homelessness including the management of emergency sheltering, coordinated entry, and the homeless management information system (HMIS); (2) providing resources and outreach regarding homelessness throughout Nashville and Davidson County; (3) providing staff and resources for the Metropolitan Homelessness Commission and the Nashville Davidson County Continuum of Care Homelessness Planning Council; and (4) maintaining an inventory of direct supportive services provided by third-party organizations to homeless populations by zip code to ensure that all areas of Davidson County are adequately served in a collaborative manner.

SPONSORED BY:

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Jordan Huffman  
Jason Spain  
Members of Council

AMENDMENT NO.   2    
TO  
ORDINANCE NO. BL2024-390

Madam President –

I move to amend Ordinance No. BL2024-390 by amending Section 1, proposed Metropolitan Code of Laws Section 2.63.020, as follows:

The duties of the office of homeless services shall include, but not limited to, the following: (1) providing expertise and coordinate a community response to homelessness including the management of emergency sheltering, coordinated entry, and the homeless management information system (HMIS); (2) providing resources and outreach regarding homelessness throughout Nashville and Davidson County; (3) providing staff and resources for the Metropolitan Homelessness Commission and the Nashville Davidson County Continuum of Care Homelessness Planning Council; and (4) maintaining an inventory of direct supportive services provided by third-party organizations to homeless populations to ensure that all areas of Davidson County are adequately served provided that (a) any publication or production of such information contain prominently displayed language stating that none of the providers listed therein or thereon have been vetted, verified, reviewed or approved by the office of homeless services; and (b) nothing provided herein shall be construed as a requirement that providers register with the office of homeless services.

SPONSORED BY:

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Quin Evans Segall  
Member of Council

AMENDMENT NO. \_\_\_\_  
TO  
ORDINANCE NO. BL2024-271

Madam President –

I hereby move to amend Ordinance No. BL2024-271 as follows by amending Section 4 to add the following conditions:

12. The developer shall work with NDOT to identify and construct road improvements necessary and feasible to improve pedestrian safety along Homestead Road at the developer's expense.
13. There shall be no more than 14 units utilized for the Not Owner Occupied Short Term Rental use within the development. There shall be no more than 14 Not Owner Occupied Short Term Rental permits granted within the development at any one time.

INTRODUCED BY:

\_\_\_\_\_  
Kyonzté Toombs  
Member of Council

SUBSTITUTE ORDINANCE NO. BL2024-317

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS10 to SP zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, (3.53 acres) to permit ~~46~~ 40 multi-family residential units, all of which is described herein (Proposal No. 2024SP-006-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from RS10 to SP zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, (3.53 acres) to permit ~~46~~ 40 multi-family residential units, being Property Parcel Nos. 034, 035, 049 as designated on Map 070-02 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 070 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of ~~46~~ 40 multi-family residential units. Short Term Rental Property (STRP) owner occupied and not owner-occupied shall be prohibited.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. With the final site plan submittal applicant shall submit a proposed phasing plan to show how access will be provided to the existing residence at Map: 070-02 Parcel: 33 throughout the construction period.
2. Setbacks shown on page three of the plan set are considered a part of the survey document but are not to be used in place of the setbacks shown on the cover sheet.
3. On the corrected copy, update maximum height to "3 stories within 45 feet." Maximum height shall apply to all units across the site.
4. Height shall be measured from average elevation (average of four most exterior corners) at the finished grade (final ground elevation) to the midpoint of the primary roof pitch or to the top of the parapet.
5. No master permit/HPR shall be recorded prior to final SP approval.
6. Final plat may be required prior to permitting.
7. Comply with all conditions and requirements of Metro reviewing agencies.



8. The final site plan shall label all internal driveways as "Private Driveways". A note shall be added to the final site plan that the driveways shall be maintained by the Homeowner's Association.
9. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
10. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
11. The developer shall construct a sidewalk extending northeast along the east side of Buena Vista Pike from the north property line of the development to the intersection of Buena Vista Pike and Stokers Lane and a crosswalk crossing Stokers Lane on the eastern side of the intersection at a cost not to exceed \$54,000. If construction costs for the sidewalk and crosswalk exceed \$54,000, the developer may make a payment in lieu of construction of \$54,000 to NDOT to be used for pedestrian improvements in the general area of the development.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the RM15 zoning district. Uses are limited as described in the Council ordinance.

Section 8. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 9. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

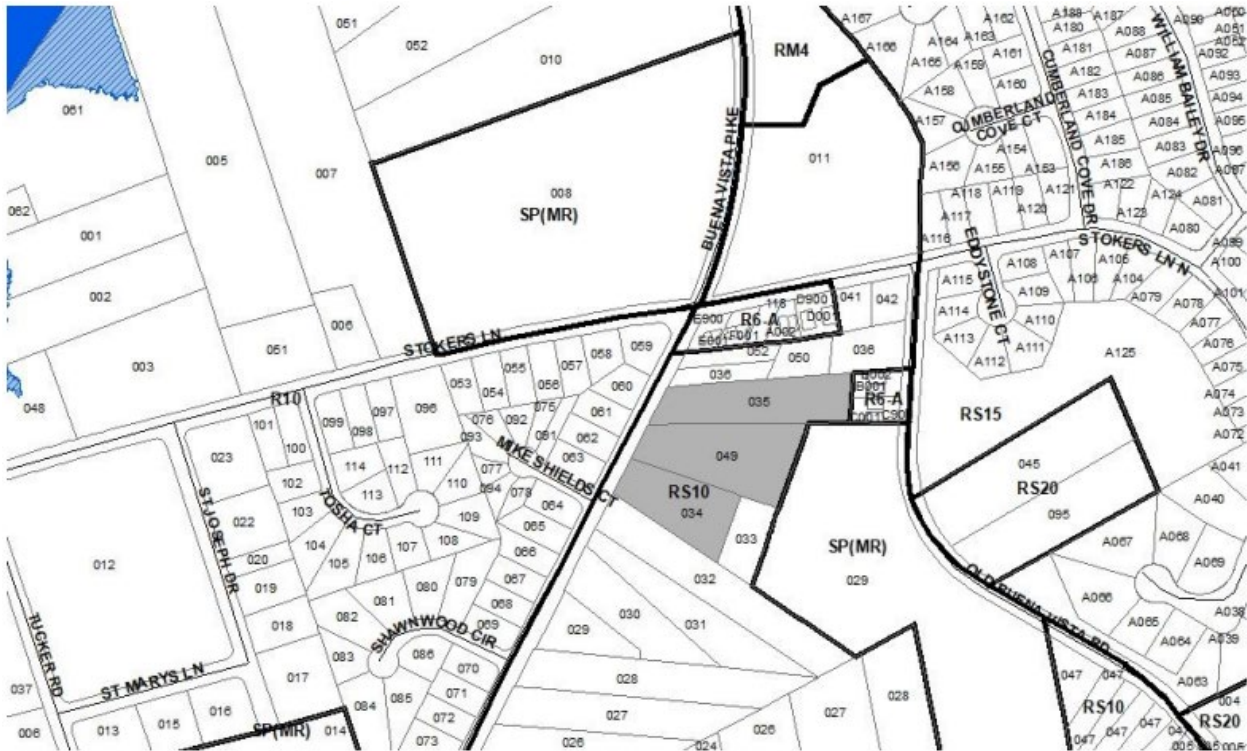
INTRODUCED BY:

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Kyonzté Toombs  
Member of Council

2024SP-006-001  
BUENA VISTA PIKE  
Map 070-02, Parcel(s) 034-035, 049  
Subarea 03, Bordeaux – Whites Creek – Haynes Trinity  
District 02 (Kyonzté Toombs)  
Application fee paid by: Roberto Gutierrez

A request to rezone from RS10 to SP zoning for properties located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, (3.53 acres) to permit 46 40 multi-family residential units, requested by SWS Engineering, applicant; Mickey Marston, Vickie Morris, Rickie & Barry Morris and R Squared Construction, LLC, owners



SUBSTITUTE ORDINANCE NO. BL2024-318

An ordinance to authorize building material restrictions and requirements for BL2024-317, a proposed Specific Plan Zoning District on properties located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, (3.53 acres) to permit ~~46~~ 40 multi-family residential units, all of which is described herein (Proposal No. 2024SP-006-001). **THE PROPOSED ORDINANCE REQUIRES CERTAIN MATERIALS TO BE RESTRICTED IN THE CONSTRUCTION OF BUILDINGS.**

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the following building material restrictions and requirements as a part of BL2024-317, a proposed Specific Plan Zoning District located at 2840 and 2842 Buena Vista Pike, approximately 58 feet east of Mike Shields Court, (3.53 acres), are hereby authorized:

- Building facades shall be constructed of brick, brick veneer, stone, cast stone, cementitious siding, and glass, or materials substantially similar in form and function, unless otherwise approved on detailed building elevations included with the preliminary SP.

Section 2. That this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Kyonzté Toombs  
Member of Council