



Metropolitan Council

**PROPOSED AMENDMENTS PACKET
FOR THE COUNCIL MEETING OF
TUESDAY, JANUARY 17, 2023**

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AMENDMENT NO. _____

TO

RESOLUTION NO. RS2023-1947

Mr. President –

I hereby move to amend Resolution No. RS2023-1947 by amending Section 2 as follows:

Section 2. That \$10,000,000.00 from the Covid-19 American Rescue Plan Fund #30216 is hereby appropriated to establish a participatory budgeting fund. \$2,000,000 of the \$10,000,000 shall be used to continue the Bordeaux/North Nashville Participatory Budgeting process, previously funded pursuant to Substitute Resolution No. RS2021-757 and Substitute Resolution No. RS2021-1201.

SPONSORED BY:

Kyontzé Toombs
Member of Council

Resolution No. ____

A resolution congratulating Cane Ridge High School alumnus Adonai Mitchell on winning back-to-back College Football Playoff National Championships.

WHEREAS, world class student-athletes attend and graduate from Metro Nashville Public Schools; and

WHEREAS, among these student-athletes is Adonai Mitchell; and

WHEREAS, Adonai "AD" Mitchell graduated in 2020 from Cane Ridge High School, where he played football for the Ravens; and

WHEREAS, Mr. Mitchell was named the 2019 Tennessean Region 5-6A Athlete of the Year and was named to the MaxPreps Preseason Tennessee All-State Second Team Offense prior to the 2020 season; and

WHEREAS, Mr. Mitchell received scholarship offers from at least 17 colleges, including nine Southeastern Conference schools; and

WHEREAS, Mr. Mitchell is a Housing Management & Policy major and sophomore wide receiver for the Georgia Bulldogs; and

WHEREAS, Mr. Mitchell caught 29 passes for 426 yards in his freshman season, including a 40-yard, go-ahead touchdown pass in the 2021-22 National Championship Game that proved to be the game winner; and

WHEREAS, Mr. Mitchell fought injuries for most of his sophomore season but caught a 22-yard touchdown pass in the 2022-23 National Championship Game.

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

Section 1. That the Metropolitan Council goes on record congratulating Cane Ridge High School alumnus Adonai Mitchell on winning back-to-back College Football Playoff National Championships.

Section 2. That the Metropolitan Council further goes on record wishing Adonai Mitchell great success the rest of this academic year and in future academic years and football seasons.

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

Sponsored by:

Dave Rosenberg
Russ Pulley
Members of Council

Resolution No. ____

A resolution celebrating the unveiling of a historical marker to honor Kurdish Americans in Nashville and Davidson County.

WHEREAS, Nashville is home to the largest population of Kurdish people in the United States, with many people calling Nashville “Little Kurdistan”; and

WHEREAS, Kurdish immigrants have settled in Nashville since at least the 1970s and it is estimated that there are over 20,000 Kurds living in Nashville today; and

WHEREAS, Kurds fleeing horrific genocide and seeking refuge from political persecution have found a welcoming home and sense of community in Nashville; and

WHEREAS, while many Kurds practice Islam, there are Kurds of many faiths who reside in Nashville; and

WHEREAS, the Salahadeen Center was founded in 1998 and is widely considered to be the first Kurdish mosque in the United States; and

WHEREAS, in recognition of its large Kurdish American population, Nashville is also seeking to become a Sister City to Ebril, the capital and largest populated city in the Kurdistan region of Iraq; and

WHEREAS, Nashville will formally recognize its Kurdish American population with a new historical marker which will be unveiled on Saturday, January 21, 2023; and

WHEREAS, the ceremony for this historical marker begins at 9:00 am at Salahadeen Center of Nashville with the unveiling of the marker to follow at 3904 Nolensville Pike; and

WHEREAS, it is fitting and proper that the Metropolitan Council honor its Kurdish American population and the rich history and significant contribution of Kurdish Americans who call Nashville and Davidson County home.

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

Section 1. That the Metropolitan County Council hereby goes on record as celebrating the unveiling of a historical marker to honor Kurdish Americans in Nashville and Davidson County. This historical marker will be placed at 3904 Nolensville Pike in the heart of Little Kurdistan. The unveiling ceremony will occur on Saturday, January 21, 2023, beginning at 9:00 am at Salahadeen Center of Nashville.

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

Sponsored by:

Zulfat Suara
Member of Council

RESOLUTION NO. ____

A resolution conveying the Metropolitan Council's request that Vanderbilt University Medical Center and Humana, Inc. resolve their dispute regarding reimbursement rates expediently and in such manner as to maintain current services for all Metropolitan Government employees, retirees, and pensioners, and others throughout Davidson County, without disruption.

WHEREAS, Vanderbilt University Medical Center is the largest comprehensive research, teaching, and patient care health system in the Mid-South area, with over 1,700 licensed hospital beds across seven hospitals that sees more than three million patient visits per year; and

WHEREAS, Humana, Inc. is a for-profit American health insurance company based in Louisville, Kentucky. In 2021, the company ranked 41 on the Fortune 500 list and has been rated as the third largest health insurance provider in the nation; and

WHEREAS, on January 9, 2023, the Employee Benefit Board for the Metropolitan Government of Nashville and Davidson County was informed that Vanderbilt University Medical Center (VUMC) had notified Humana, Inc. that as of April 1, 2023, VUMC will no longer participate in Humana Medicare Advantage plans (Group and Individual) and Commercial Group plans as the result of reimbursement rate disputes; and

WHEREAS, VUMC is engaged as a significant provider in most network health care plans for Metropolitan Government employees, retirees, and pensioners; and all Metropolitan Government pensioners post-65 are enrolled in the Humana Medicare Advantage Plan; and

WHEREAS, any decision to terminate participation in the Humana Medicare Advantage Plans could pose sudden, drastic, and potentially harmful consequences for the valued pensioners and dependents within the Metropolitan Government. Additionally, termination could pose significant consequences for beneficiaries throughout Davidson County who are age 65 and over and who rely upon Humana Medicare Advantage for healthcare services; and

WHEREAS, VUMC has provided invaluable services under the Medicare Advantage Plan by allowing for services through in-network providers; and

WHEREAS, on January 10, 2023, Mayor John Cooper contacted representatives from Vanderbilt University Medical Center and Humana, Inc. requesting that both parties resolve their reimbursement dispute quickly in such manner as to preserve current healthcare services and coverage for Metropolitan Government employees, retirees, and pensioners – as well as all Davidson County residents receiving such coverage -- without disruption; and

WHEREAS, it is in the best interests of the citizens of Nashville and Davidson County that Vanderbilt University Medical Center and Humana, Inc. resolve any disputes expediently and without affecting the vital healthcare services provided to employees, retirees, and pensioners of the Metropolitan Government and others throughout Davidson County.

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

Section 1. That the Metropolitan County Council hereby goes on record as requesting that Vanderbilt University Medical Center and Humana, Inc. endeavor to resolve any disputes regarding reimbursement rates expediently and in such manner as to maintain current services for all Metropolitan Government employees, retirees, and pensioners – and all Davidson County residents -- without disruption.

Section 2. That the Metropolitan County Council further goes on record as requesting that, in the event the above-references negotiations are not successful, both parties allow for continued services by Vanderbilt University Medical Center to all Metropolitan Government Humana Medicare Advantage beneficiaries, billing for such services as an out-of-network provider on a non-par basis.

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

INTRODUCED BY:

Bob Nash
Jeff Syracuse
Tom Druffel
Joy Styles
Courtney Johnston
Members of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2022-1490

Mr. President –

I hereby move to amend Ordinance No. BL2022-1490 as follows:

I. By amending Section 4, by adding the following conditions as Conditions 6 and 7:

6. The overall maximum height shall be 5 stories in 75 feet.

7. The developer shall provide notice to the Salemtown Neighbors Neighborhood Association and the district councilmember whose district includes the subject parcel at the time of application for a Final SP and hold a community meeting prior to the approval of the Final SP.

INTRODUCED BY:

Freddie O'Connell
Member of Council

AMENDMENT NO. __
TO
ORDINANCE NO. BL2022-1570

Mr. President –

I move to amend Ordinance No. BL2022-1570 as follows:

I. By substituting the current SP plans associated with this bill for those contained in Exhibit A.

INTRODUCED BY:

Brandon Taylor
Member of Council

3140 Parthenon Avenue Rezoning Report from Metro Parks

Volunteer Builders, LLC, is the owner of 3136 Parthenon Avenue across from Centennial Park. This is one of only two privately-owned properties on this block. The rest of the parcels are park property. Volunteer Builders purchased the property in 2021 for the purpose of constructing a multifamily development on the property. The property is located between the dog park and other Metro Parks property.

3136 Parthenon Avenue Shown in Pink



Metro Parks would like to acquire 3136 Parthenon Avenue to allow for a possible future expansion of the dog park, and to prevent a development from “breaking up” the park area. Metro Parks proposed swapping 3136 Parthenon for 3140 and a portion of 3138 Parthenon (to create an equally-sized parcel). This would allow the two private development lots on the block to be adjacent to each other, which would create more contiguous area for the park.

3140 Parthenon Avenue Shown in Pink

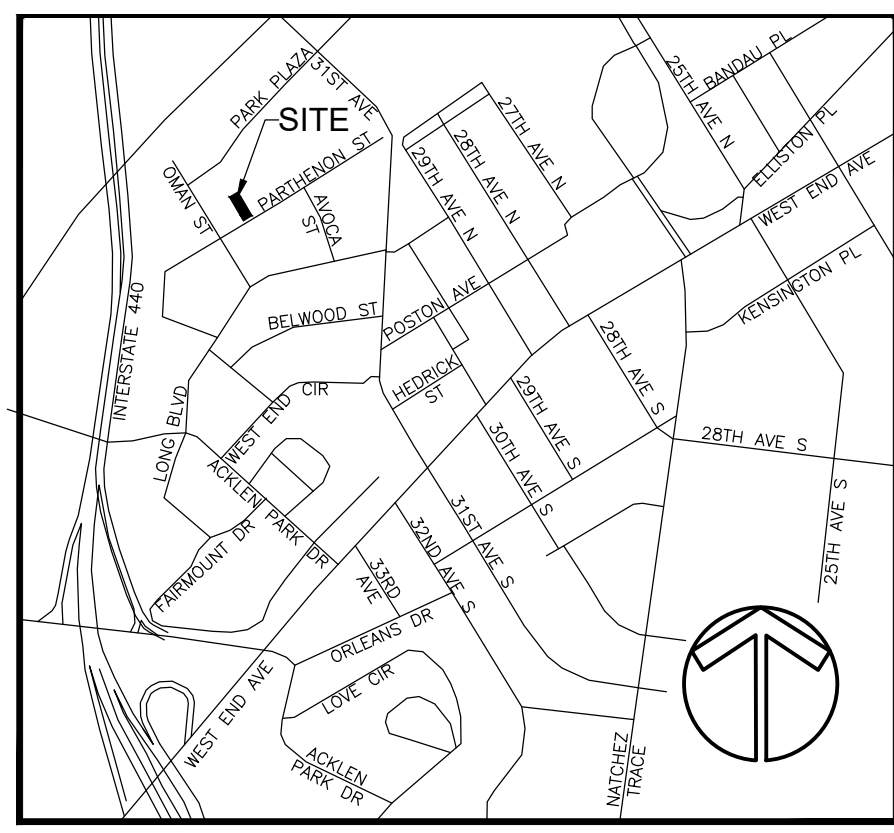


The plat that depicts the boundaries is attached to this report as Exhibit 1.

In order to accommodate Metro Parks' wishes, Volunteer Builders is willing to swap the property conditioned upon rezoning 3140 and a portion of 3138 Parthenon Avenue to a Specific Plan (SP) district to match the density on the other side of Parthenon Avenue. The conditions that will be included as part of the SP are as follows:

1. Development shall be limited to 10 multifamily dwellings.
2. Development shall comply with the bulk standards, building standards, architectural treatment standards, and parking standards of the 31st Avenue/Long Boulevard Urban Design Overlay district applicable to the G-3 Sub-district. Notwithstanding the foregoing to the contrary, the side setback on the southwest property line between Parthenon Avenue and the alley right-of-way shall be five feet (5') in accordance with Table 17.12.020.B.1 of the Metropolitan Zoning Code applicable to RM40.
3. Owner occupied and non-owner occupied short term rental (STRP) units shall be prohibited.

4. All other standards, regulations, and requirements not addressed in the UDO shall be subject to the standards, regulations and requirements of the RM40 zoning district as of the date of the applicable request or application.
5. Metro Park Board and Metro Council approval of the proposed swap.



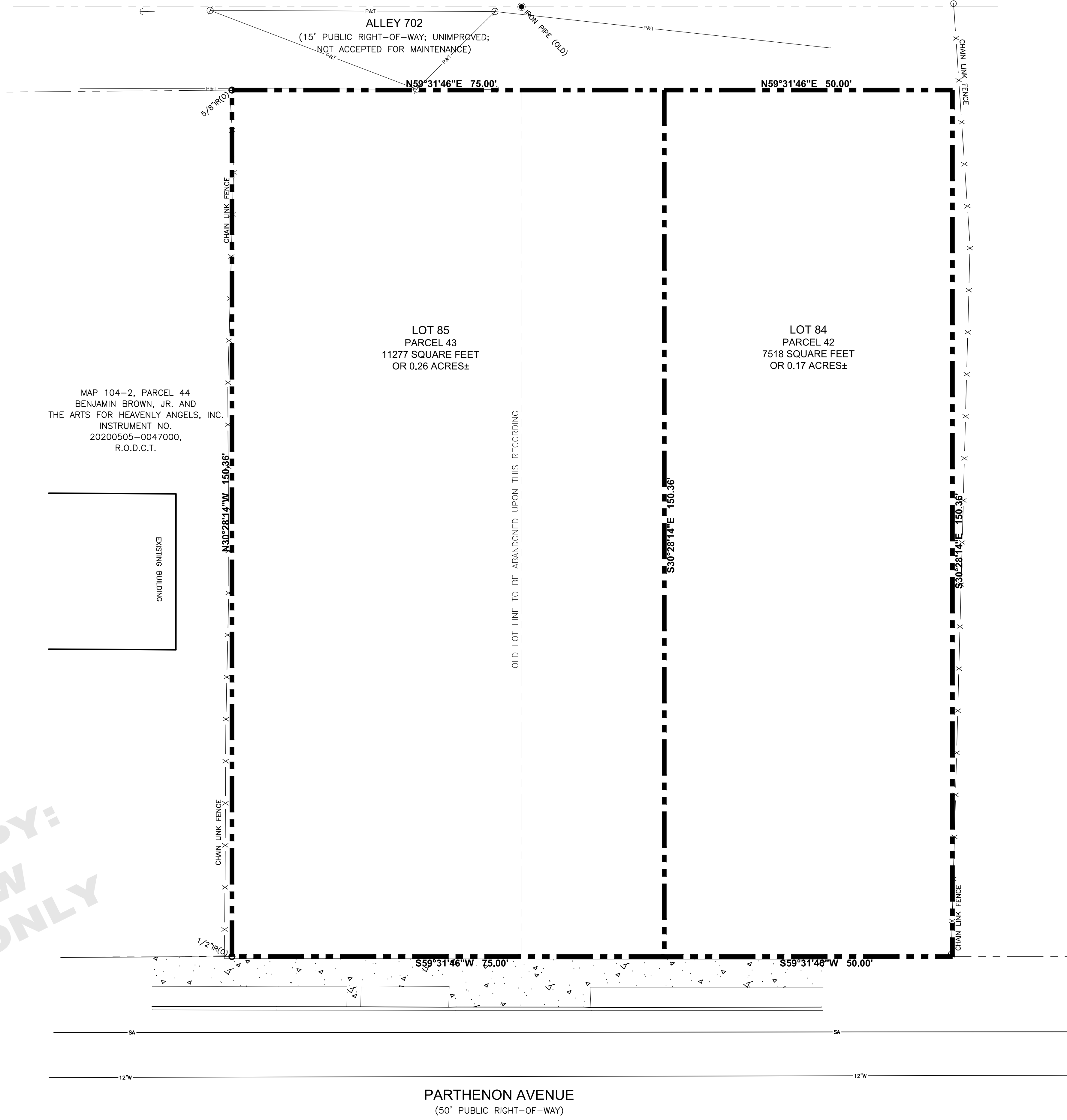
VICINITY MAP
(N.T.S.)



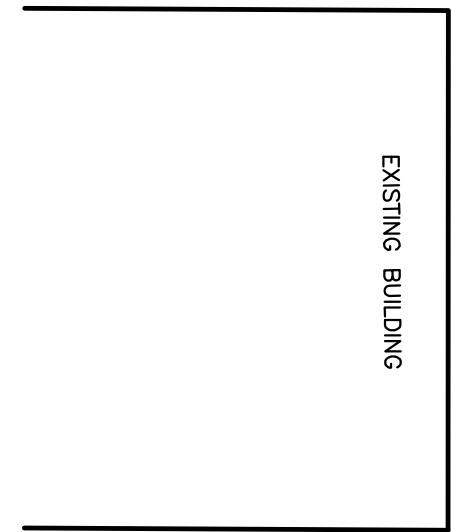
GENERAL NOTES

1. THE PURPOSE OF THIS PLAT IS TO MOVE THE INTERIOR LOT LINE.
2. BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983.
3. THIS PROPERTY IS CURRENTLY ZONED RM20, OV-U20, OV-IMP.
4. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47037C0239H WITH AN EFFECTIVE DATE OF APRIL 5, 2017, WHICH MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT; COMMUNITY NO. 470040 PANEL NO. 0239, SUFFIX H, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "OTHER AREAS" AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
5. BEING PARCEL NUMBERS 43 AND A PORTION OF PARCEL 42 AS SHOWN ON DAVIDSON COUNTY PROPERTY MAP NUMBER 104-2.
6. THE RECORDING OF THIS PLAT VOIDS, VACATES AND SUPERCEDES THE RECORDING OF LOT 84 AND PART OF LOT 85 AS SHOWN ON THE FINAL PLAT ENTITLED "WEST END PARK" OF RECORD IN BOOK 421, PAGE 82 AND 83, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.
7. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN (3) THREE NOR MORE THAN (10) TEN WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 811.

ADVANCE COPY:
FOR REVIEW
PURPOSES ONLY



MAP 104-2, PARCEL 44
BENJAMIN BROWN, JR. AND
THE ARTS FOR HEAVENLY ANGELS, INC.
INSTRUMENT NO.
20200505-0047000,
R.O.D.C.T.



LEGEND

- ^R(0) IRON ROD (OLD)
- ^{PK}(0) PK NAIL (OLD)
- ^P(0) IRON PIPE (OLD)
- X-X- FENCE
- R.O.D.C.T. REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE
- UTILITY POLE
- UTILITY POLE W/ ANCHOR
- P&T- OVERHEAD POWER AND TELEPHONE LINES
- ▣ CONCRETE SURFACE

G:\22-00561-SURVEY\PLAT\220056 PLAT.DWG

TOTAL AREA= 18796 SQUARE FEET OR 0.43 ACRES±

OWNERS CERTIFICATE

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN HEREON AS EVIDENCED AS DEED BOOK 7291, PAGE 117 R.O.D.C., TN, AND ADOPT THE PLAN OF SUBDIVISION OF THE PROPERTY AS SHOWN HEREON AND DEDICATE ALL PUBLIC WAYS AND EASEMENTS AS NOTED. NO LOT OR LOTS AS SHOWN HEREON SHALL AGAIN BE SUBDIVIDED, RE-SUBDIVIDED, ALTERED, OR CHANGED SO AS TO PRODUCE LESS AREA THAN HEREBY ESTABLISHED UNTIL OTHERWISE APPROVED BY THE METROPOLITAN PLANNING COMMISSION AND UNDER NO CONDITION SHALL SUCH LOT OR LOTS BE MADE TO PRODUCE LESS AREA THAN PRESCRIBED BY THE RESTRICTIVE COVENANTS AS OF RECORD IN INSTRUMENT NO. _____ R.O.D.C., TENNESSEE, RUNNING WITH TITLE TO THE PROPERTY.

METROPOLITAN GOVERNMENT

BY: _____ DATE: _____

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE HEREON SHOWN SUBDIVISION PLAT REPRESENTS A CATEGORY "T" SURVEY HAVING AN UNADJUSTED RATIO OF PRECISION OF 1: 10,000 AND IS TRUE AND CORRECT. APPROVED MONUMENTS HAVE BEEN PLACED AS INDICATED. ALL SIDE LOTS LINES ARE RIGHT ANGLES OR RADIAL TO A STREET UNLESS OTHERWISE NOTED.

RAGAN SMITH ASSOCIATES INC.

BY: _____ DATE: _____
TENNESSEE REGISTERED SURVEYOR NO. _____

COMMISSION APPROVAL
APPROVED BY THE METROPOLITAN PLANNING COMMISSION OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE.

RECORD

CASE NUMBER

FINAL PLAT
WEST END PARK

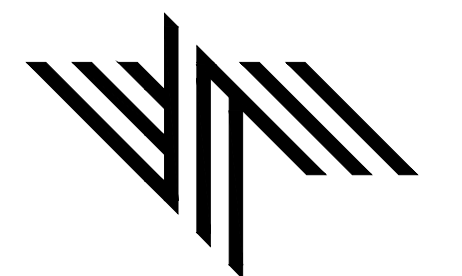
2ND REVISION

3138 & 3140 PARTHENON AVENUE,
21ST COUNCIL DISTRICT, NASHVILLE,
DAVIDSON COUNTY, TENNESSEE

DISTRICT COUNCIL MEMBER:

OWNER

JUNE 02, 2022
SCALE: 1"= 10'
JOB NO. 22-0056
SHEET 1 of 1



RaganSmith

Nashville - Murfreesboro - Chattanooga
ragansmith.com
315 Woodland Street, Nashville,
Tennessee 37206
615.244.8591; tstevenson@ragansmith.com
Ted Stevenson

SUBSTITUTE ORDINANCE NO. BL2022-1641

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer main and sanitary sewer manhole, for property located at 2040 B McKinley Street, also known as 810 McKinley Street development (MWS Project Nos. 22-1WL-91 and 22-1-SL-215 and Proposal No. 2022M-168ES-001).

WHEREAS, the acceptance of approximately 288 linear feet of new eight inch water main (DIP), approximately 166 linear feet of new eight inch sanitary sewer main (PVC) and one sewer manhole, for property located at 2040 B McKinley Street, also known as 810 McKinley Street development, is needed to construct project numbers 21-WL-91 and 21-SL-215; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2022M-168ES-001 on November 16, 2022, for the acceptance of said water and sanitary sewer main and sanitary sewer manhole.

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

Section 1. The Metropolitan Government of Nashville and Davidson County is authorized to accept approximately 288 linear feet of new eight inch water main (DIP), approximately 166 linear feet of new eight inch sanitary sewer main (PVC) and one sewer manhole, for property located at 2040 B McKinley Street, also known as 810 McKinley Street development, as shown on Exhibit 1, which is attached hereto and incorporated by reference.

Map & Parcel:

Address:

070080B90000CO

2040 B McKinley Street

Section 2. The Directors of Water and Sewerage Services and Public Property Administration are authorized to execute such documents as may be necessary and appropriate to carry out the acceptance authorized by this ordinance.

Section 3. Amendments to this legislation shall be approved by resolution.

Section 4. 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:

Kyonzte Toombs
Member of Council