



Metro Council

H. Resolutions on Public Hearing

1. [RS2023-2011](#)

A resolution exempting Hearts, located at 2701 B 12th Avenue South from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Hearts, located at 2701 B 12th Avenue South.

The Metro Code of Laws prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

Sponsors: Cash

2. [RS2023-2012](#)

A resolution exempting Frankie J's, located at 1314 6th Avenue North from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining

a beer permit for Frankie J's, located at 1314 6th Avenue North.

The Metro Code of Laws prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

Sponsors: OConnell

3. [RS2023-2013](#)

A resolution exempting Taco Mamacita Nashville, located at 1234 6th Avenue North from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Taco Mamacita Nashville, located at 1234 6th Avenue North.

The Metro Code of Laws prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

Sponsors: OConnell

4. [RS2023-2014](#)

A resolution exempting Uptown Fresh Market, located at 3901 Apache Trail from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Uptown Fresh Market, located at 3901 Apache Trail.

The Metro Code of Laws prevents a beer permit from being issued to any establishment located within 100 feet of a religious institution, school, park, daycare, or one- or two-family residence. However, several exceptions exist to the distance requirements. For example, facilities within the USD separated from these protected establishments by state or federal four-lane highways are exempt, as are retailer on-sale beer permit holders in MUL districts and events catered by holders of caterers' permits. (See, Code section 7.08.090(A)).

Additionally, the Code provides a mechanism to exempt (a) restaurants or (b) any retail food store from Metro's minimum distance requirements, allowing such facilities to obtain beer permits upon the adoption of a resolution by the Council. (See, Code section 7.08.090(E)). Restaurants are no longer required to have state on-premises liquor consumption licenses in order to obtain such exemption.

A public hearing must be held by the Council prior to voting on resolutions brought under Section 7.08.090(E).

Sponsors: Sepulveda

I. Consent Resolutions and Resolutions**5. [RS2023-1978](#)**

An initial resolution determining to issue general obligation bonds of The Metropolitan Government of Nashville and Davidson County in an aggregate principal amount of not to exceed \$478,540,000.

Analysis

This resolution authorizes the issuance of up to \$478,540,000 in general obligation bonds to provide funding for various projects contained in the Mayor's proposed capital spending plan.

This resolution provides \$313,520,000 for the General Government, \$139,020,000 for Metropolitan Nashville Public Schools, and a contingency of \$26,000,000.

The capital spending plan filed by the administration includes the information required by Ordinance No. BL2019-77, which requires disclosure of full cost itemizations prior to submission of capital expenditure authorization legislation to the Council. Approval of this initial resolution would allow the Metropolitan Government to use its commercial paper program to

provide short-term financing to commence construction prior to the sale of the long-term bonds.

A memo from the Director of Finance was provided to Council in accordance with Metro Code of Laws Section 5.04.110.

A list of the capital projects to be funded through this spending plan, including the estimated cost for each of the projects, is attached to the resolution. Each of these capital projects is properly listed within the Capital Improvements Budget.

Fiscal Note: This resolution would authorize issuance of up to \$478,540,000 in general obligation bonds to provide funding for the Mayor's proposed capital spending plan.

Sponsors: Rhoten and Gamble

6. [**RS2023-1979**](#)

A resolution reducing the authority of The Metropolitan Government of Nashville and Davidson County to issue general obligations bonds pursuant to certain initial resolutions previously adopted by the Metropolitan County Council.

Analysis

This resolution deauthorizes the issuance of approximately \$2,404,239 in previously approved general obligation bonds. Resolution RS2013-559, previously adopted on February 5, 2013, would be reduced by \$2,300,000 and Resolution RS2015-1500, previously adopted on June 9, 2015, would be reduced by \$104,239. This deauthorization will have the effect of reducing the par amount of Metro's total outstanding issuance authorization by \$2,404,239.

Sponsors: Rhoten, Johnston and Gamble

7. [**RS2023-1980**](#)

A resolution appropriating to certain accounts for the benefit of the Administrative Department, Police Department, Fire Department, Finance Department, Information Technology Services, Parks Department, Nashville Department of Transportation (NDOT), Department of General Services, Nashville General Hospital and NDOT-Surplus Parking Funds in the amount of Eighty-Eight Million Nine Hundred Eight Thousand Two Hundred Dollars (\$88,908,200).

Analysis

This resolution approves supplemental appropriations in a total amount of \$88,908,200 for the benefit of various departments.

A total of \$84,726,300 would be appropriated from the GSD General Fund to the Administrative Equipment & Major Maintenance Fund 2023, which would then be appropriated for the following purposes:

- Police - Motorola Contract Payment -- \$4,300,000
- Police - MDC/ICC Patrol Car Outfitting -- \$2,336,000
- Fire - Generators -- \$600,000
- Finance - Operations -- \$2,400,000

- Finance - Treasury -- \$808,000
- Finance - Procurement -- \$16,000
- ITS - Public Safety Radio Contract -- \$2,200,000
- ITS - End-of-Life Network Backbone -- \$9,751,000
- ITS - Capital Projects Support -- \$2,000,000
- Parks - EAB Tree Removal -- \$5,000,000
- Parks - Paving -- \$2,525,000
- Parks - Playgrounds -- \$1,650,000
- Parks - Athletic Field Lighting -- \$1,275,000
- Parks - Building Mechanicals -- \$1,850,000
- Parks - Roof Replacement -- \$1,700,000
- Parks - Courts Repair (Tennis & Basketball) -- \$4,500,000
- NDOT - Equipment / Major Maintenance Repair -- \$2,500,000
- General Services - MNPD Safety Center Buildout -- \$3,500,000
- General Services - Maintenance & Roofing -- \$13,500,000
- General Services - Fleet -- \$22,000,000
- Nashville General Hospital -- \$315,300

A total of \$1,000,000 would be appropriated from the GSD General Fund to Administrative Property Loss-Extreme Weather Deductible.

A total of \$3,181,900 would be appropriated from the undesignated fund balance of the Surplus Parking Fund to the NDOT- Surplus Parking Fund.

Sponsors: Rhoten and Gamble

8. [RS2023-1981](#)

A resolution appropriating the amount of \$16,779,600.00 from the General Fund Reserve Fund for the purchase of equipment and building repairs for various departments of The Metropolitan Government of Nashville and Davidson County.

Analysis

This resolution appropriates \$16,779,600 from the General Fund Reserve Fund (4% Fund) to 19 departments for various purchases of equipment and building repairs. Section 6.14 of the Metropolitan Charter requires that 4% of all the general fund revenue of the General Services District be set aside each year solely for the purchase of equipment and building repairs.

Ordinance No. O86-1534 and Section 5.04.015.F of the Metro Code require that allocations from the 4% Fund each be supported by information sheets, which are attached to the resolution. The resolution further provides that “the Director of Finance may schedule acquisitions authorized herein to ensure an appropriate balance in the Fund.”

The following departments would receive funding:

- Beer Permit Office -- \$41,000 for office reconfiguration, laptops for staff, and recording equipment for meetings
- Codes and Building Safety -- \$47,200 for Development Services Center office reconfiguration

- Criminal Court Clerk -- \$65,000 for replacement of old office chairs and furniture
- Davidson County Sheriff's Office -- \$2,000,000 for jail management system technology - Phase 1, and miscellaneous repairs and maintenance
- Department of Emergency Communications -- \$3,000 for new laptops for additional employees
- Department of Finance -- \$1,060,000 for treasury management system and R12 expense and travel module
- Department of General Services -- \$2,440,000 for fleet - new and replacement vehicles, fencing, and equipment/material for drainage and grading
- Information Technology Services -- \$4,916,000 for end of life equipment, hardware and software and Microsoft enterprise agreement
- Justice Information Services -- \$225,000 for disaster recovery EXS hosts and Datacenter 2022 court applications and data
- Metropolitan Nashville Police Department -- \$750,000 for bullet-proof vests and training, body-worn and in-car camera (BWC/ICC) video audit section vehicles, WorkBrain time accounting smartphone app integration, NetMotion mobile security for officer smartphone access to police applications, IT-SafetyKam Trailer - 4G connectivity
- Metropolitan Parks and Recreation -- \$500,000 for equipment and supplies for Parks administration, regional/neighborhood community centers, consolidated maintenance, safety and security, and golf/Sportsplex/Wave County/Parthenon
- Metropolitan Historical Commission -- \$50,000 for historical markers/placards - new and repair/replacement
- Nashville Department of Transportation -- \$600,000 for miscellaneous software technology updates - custom applications
- Nashville Fire Department -- \$750,000 for medical and safety supplies, repair and maintenance of facilities, and personal safety equipment/supplies
- Nashville Public Library -- \$1,500,000 for books, periodicals, library materials, and miscellaneous repairs
- Office of Emergency Management -- \$150,400 for WebEOC emergency management and critical incident management system
- Sports Authority -- \$15,000 for stormwater permeable paver repairs at First Horizon Ballpark
- State Trial Courts -- \$1,167,000 for replacement chairs in courtrooms and hardware for video recordings
- Metro Water -- Waste Services -- \$500,000 for convenience center upgrades and improvements and carts

Sponsors: Rhoten

9. [RS2023-2015](#)

A resolution accepting a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Metropolitan Government, acting by and through the Davidson County General Sessions Court, to provide Tennessee Mental Health Court Program services to enable the establishment of adult mental health court programs and treatment services to non-violent offenders.

Analysis

This resolution accepts a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Davidson County General Sessions Court in an amount not to exceed \$300,000 with no cash match required. This grant enables the establishment of adult mental health court programs and treatment services to non-violent offenders. The grant period begins on March 15, 2023, and ends on June 30, 2023.

Sponsors: Rhoten, Welsch and Hurt

10. [RS2023-2016](#)

A resolution approving amendment one to a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Metropolitan Government, acting by and through the Davidson County General Sessions Court, for the provision of the Tennessee Certified Recovery Court Program.

Analysis

This resolution approves the first amendment to a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Davidson County General Sessions Court, originally approved by Resolution No. RS2022-1522. This grant is used for the provision of the Tennessee Certified Recovery Court Program. The end date of this grant is June 30, 2023.

This amendment increases the total grant award by \$6,000, from \$60,000 to \$66,000. The grant budget attachment would be replaced to reflect this change. No other changes would be made to the agreement.

Sponsors: Rhoten, Welsch and Hurt

11. [RS2023-2017](#)

A resolution approving amendment one to a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Metropolitan Government, acting by and through the State Trial Courts, to provide a Tennessee Certified Recovery Court Program (TCRCP) at the Davidson County Residential Drug Court to enable the establishment of adult drug court programs to address the needs of non-violent offenders.

Analysis

This resolution approves the first amendment to a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the State Trial Courts, originally approved by Resolution No. RS2022-1586. This grant is used to provide a Tennessee Certified Recovery Court Program at the Davidson County Residential Drug Court to enable the establishment of adult drug court programs to address the needs of non-violent offenders. The grant ends June 30, 2023.

This amendment increases the grant amount by \$50,000, from \$575,000 to \$625,000. No other changes will be made to this grant.

Sponsors: Rhoten, Welsch and Hurt

12. [RS2023-2018](#)

A resolution to appropriate grant funds from The Martha O'Bryan Center's Tennessee Opportunity Pilot Initiative Implementation Grant to the Metropolitan Government, acting by and through the Metropolitan Action Commission, to formalize the party's relationship while collaborating on direct services, capacity building, collaborative activities, and grant compliance.

Analysis

The Martha O'Bryan Center ("MOBC") has been awarded a Tennessee Opportunity Pilot Initiative Implementation Grant and serves as the coordinating agency for the grant from the Tennessee Department of Human Services. MOBC is providing the Metropolitan Action Commission ("MAC") a grant in an amount not to exceed \$160,000 with no cash match required, as memorialized in the memorandum of understanding attached to this resolution.

This resolution appropriates the grant to MAC. This grant funds two family-centered coaches and capacity-building activities. The term of this grant is one year.

Sponsors: Rhoten and Welsch

13. [RS2023-2019](#)

A resolution to approve the First Amendment to the Lease Agreement between The Metropolitan Government of Nashville and Davidson County and Joslin Sign and Maintenance Company, Inc. for the real property located at 630 Murfreesboro Pike, Nashville, Tennessee, for parking purposes. (Proposal No 2023M-001AG-001).

Analysis

This resolution approves the first amendment to a lease agreement between the Metropolitan Government and Joslin Sign and Maintenance Company, Inc. ("Joslin"), previously approved by Ordinance No. BL2018-1041. The lease agreement provides 97 parking spaces at 630 Murfreesboro Pike for use by the police headquarters. Under the agreement, Metro pays Joslin \$4,000 per month for the use of this property. This agreement is set to expire on February 8, 2023. That ordinance provided that amendments to the agreement may be approved by resolution.

This amendment extends the lease term through February 2026. The rent would be increased to \$7,000 per month.

Fiscal Note: This amendment will increase the rent that Metro pays from \$4,000 to \$7,000 per month during the extended term.

Sponsors: Rhoten and Withers

14. [RS2023-2020](#)

A resolution accepting the terms of a cooperative purchasing master agreement for the purchase of special purpose vehicles for the transport of heavy sludge-waste for the department Water Services.

Analysis

This resolution accepts the terms of a cooperative purchasing master agreement for the purchase of special purpose vehicles for the transport of heavy sludge-waste for the Department of Water Services. The purchasing agreement is between Sourcewell, which is a State of Minnesota local government agency, and National Auto Fleet Group. The agreement is valid through August 1, 2024.

T.C.A. § 12-3-1205(b) authorizes local governments to participate in cooperative purchasing agreements with governmental entities outside of the state as long as the goods or services were competitively procured by the other governmental entity. T.C.A. § 12-3-1205(b) further provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement.

Sponsors: Rhoten and Pulley

15. [RS2023-2021](#)

A resolution approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Development Street Development, LLC, to provide stormwater infrastructure improvements through funding the design and construction of an improved stormwater system (MWS Project No. 2021083334 and Proposal No. 2023M-006AG-001).

Analysis

This resolution approves a participation agreement between the Metropolitan Department of Water and Sewerage Services (“MWS”) and Development Street Development, LLC (“the Developer”).

The Council passed Ordinance No. BL2022-1214 on May 17, 2022, which authorizes MWS to enter into participation agreements with developers for infrastructure projects via resolutions. This is codified at Metropolitan Code of Laws Section 15.36.130.

Pursuant to the terms of this participation agreement, the Developer will provide on-site stormwater control measures related to the construction of an office building in the Browns Creek Basin. The Developer will also provide \$60,000 to MWS to fund the design and construction of the current and new stormwater systems.

Fiscal Note: Metro would receive \$60,000 from Development Street Development, LLC for the stormwater infrastructure improvements in the Browns Creek Basin under this participation agreement.

Sponsors: Sledge, Rhoten, Withers and Pulley

16. [RS2023-2022](#)

A resolution authorizing The Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Water and Sewerage Services, to enter into a Utility Relocation Contract No. 9313 with the State of Tennessee, Department of Transportation, to

construct PIN Number 125526.08, SR-1 (Murfreesboro Road) from Division Street to near Vultee Boulevard in Nashville, located in Davidson County, Tennessee, (State Project No. 19021-2253-94, MWS Project No. 22-WG-0077 and Proposal No. 2023M-004AG-001).

Analysis

This resolution approves a Utility Relocation Contract No. 9313 between the Tennessee Department of Transportation (“TDOT”) and the Metropolitan Department of Water and Sewerage Services (“MWS”) to allow for the construction of a project from Division Street to near Vultee Avenue.

Pursuant to the contract, the estimated cost of relocating the facilities is \$60,656. MWS agrees to pay a \$60,656 deposit to TDOT for the utility work in the contract.

T.C.A. § 12-9-104 authorizes intergovernmental agreements with the State of Tennessee to be approved by resolution.

Fiscal Note: Metro will pay the estimated cost of \$60,656 to Tennessee Department of Transportation (TDOT) for the relocation of utilities under this agreement.

Sponsors: Sledge, Rhoten, Withers and Pulley

17. [RS2023-2023](#)

A resolution approving two amendments to two agreements between The Metropolitan Government of Nashville and Davidson County and the State of Tennessee, Department of Environment and Conservation, concerning maintenance of closed solid waste disposal facilities.

Analysis

This resolution approves two amendments to two agreements between the Metropolitan Government and the Tennessee Department of Environment and Conservation (“TDEC”) concerning the maintenance of closed solid waste disposal facilities.

The Metropolitan Government owns the Bordeaux Sanitary Landfill and the Thermal Ash Monofill, Phases II and III. Both are closed solid waste disposal facilities maintained pursuant to agreement between TDEC and the Metropolitan Government. Ordinance No. BL2010-719 provides that amendments to these agreements may be approved by a resolution receiving 21 or more affirmative votes.

Each agreement lists the “total penal sum” that TDEC may collect in the event the Metropolitan Government fails to properly perform its duties relative to the closed solid waste facility. The amendment to the Bordeaux Sanitary Landfill agreement reduces the total penal sum from \$1,969,954.18 to \$1,640,577.84. The amendment to the Thermal Ash Landfill agreement would reduce the total penal sum from \$826,592.97 to \$809,866.62.

No other changes would be made to either agreement.

Fiscal Note: These two amendments will reduce the total penal sum that the State of Tennessee, Department of Environment and Conservation (TDEC) may collect in the event Metro fails to properly perform its duties relative to the closed solid waste disposal facility. The Bordeaux Sanitary Landfill penal sum will be reduced from \$1,969,954.18 to \$1,640,577.84 and the Thermal Ash Landfill from \$826,592.97 to \$809,866.62.

Sponsors: Rhoten and Pulley

18. [RS2023-2024](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of George Sawers against the Metropolitan Government for \$25,466.01, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On September 23, 2022, an employee of Metro Water Services (“MWS”) was driving a waste truck. The employee was backing the truck out of the parking lot at 306 East Thompson Lane when the vehicle struck the storefront sign of Ramzy’s Meat and Three, damaging the steel support beams of the sign. The estimated cost for the repair, replacement, and installation of a new storefront sign is \$25,466.01.

The Metropolitan Department of Law recommends settlement of this property damage claim for \$25,466.01.

No disciplinary action was taken against the driver, as the individual has resigned.

Fiscal Note: This \$25,466 settlement, along with the settlement per Resolution Nos. RS2023-2030, and RS2023-2031 would be the 20th, 21st and 22nd payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$732,640. The fund balance would be \$17,298,619 after these payments.

Sponsors: Rhoten

19. [RS2023-2025](#)

A resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville and Davidson County, acting by and between the Nashville Department of Transportation, for the repairing of existing pavement failures and resurfacing of 0.660 miles of Old Hickory Boulevard; State Project No. 19 SAR1-S8-010, PIN: 128722. (Prop. No. 2022M-038AG-001)

Analysis

This resolution approves an agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation (“NDOT”) for the repairing of existing pavement failures and resurfacing of 0.660 miles of Old Hickory Boulevard, from the bridge over I-40 to Bell Road. The total cost estimate is \$717,600. Seventy-five percent, or \$538,200, will be funded by TDOT and twenty-five percent, or \$179,400, will be funded by NDOT. The term of this agreement begins upon the last date of signature and will extend until November

30, 2024. After completion of the project, the Metropolitan Government will assume ownership and responsibility for maintenance of the project.

T.C.A. § 12-9-104 authorizes the approval of intergovernmental agreements with the State of Tennessee by resolution.

Fiscal Note: The Metropolitan Government will contribute twenty-five percent of the total cost of the project. Metro's estimated contribution is \$179,400.

Sponsors: Evans, Rhoten, Withers and Pulley

20. **RS2023-2026**

A resolution authorizing Camden Nations, LLC to construct and install an aerial encroachment at 4901-5003 Louisiana Ave and 4908-5010 Tennessee Ave. (Proposal No.2022M-021EN-001).

Analysis

This resolution authorizes Camden Nations, LLC to construct, install, and maintain an aerial encroachment at 4901-5003 Louisiana Avenue. The encroachment includes an unoccupied parking deck above alley 1208, encroaching the public right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the sign. Prior to receiving a permit, the applicant must file a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk and the Nashville Department of Transportation and Multimodal Infrastructure naming the Metropolitan Government as an insured party.

Sponsors: Roberts, Withers and Pulley

21. **RS2023-2027**

A resolution accepting a donation in the amount of \$10,000 as a contribution to NDOT for studying roadway infrastructure improvements in Pie Town near 7th Avenue South and Middleton Street.

Analysis

This resolution accepts a \$10,000 donation from CA South Development LLC to the Nashville Department of Transportation and Multimodal Infrastructure to be used for studying roadway infrastructure improvements near 7th Avenue South and Middleton Street, as outlined in the Pie Town Mobility Study. CA South Development LLC is a real estate development company in Middle Tennessee and the developer of a residential project in the vicinity of Pie Town near 7th Avenue South and Middleton Street. The officers of CA South Development LLC are Meg Epstein, CEO; Chris Stranix, CFL; Fiona Haulter, COO; Ken Erickson, CDO, and its website is [<https://www.casouthdevelopment.com/>](https://www.casouthdevelopment.com/).

The Council is authorized to approve donations by resolution pursuant to Metropolitan Code of Laws Section 5.04.120.B.

Sponsors: OConnell

22. [RS2023-2028](#)

A resolution approving Amendment 2 to an Agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and through the Department of Transportation and Multimodal Infrastructure, for the acceptance of work in connection with the construction of Hart Lane, from East of Whitney Park Drive to Near SR-6 in Davidson County, Fed. No. TAP-4925(2); State No. 19LPLM-F3-136; PIN119913.01 (Prop No. 2023M-007AG-001).

Analysis

This resolution approves the second amendment to an agreement between the Tennessee Department of Transportation (“TDOT”) and the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”). Resolution No. RS2015-1594 approved Agreement No. 150109 for the remediation of a rock cut slope for the reconstruction of sidewalks along Hart Lane from Jere Baxter Middle School to Ellington Parkway. The project also includes signage, a crosswalk, and the relocation of utilities. The project was required to be completed by November 1, 2020. The completion date was extended to April 30, 2022 by the first amendment, approved by Resolution No. RS2022-1320.

This amendment extends the completion date to February 28, 2023, to allow for the completion of all final close-out construction tasks on the subject property. No other changes would be made to the agreement.

Sponsors: Rhoten, Withers and Pulley

23. [RS2023-2029](#)

A resolution approving a Bloomberg Initiative for Cycling Infrastructure (BICI) grant application from Bloomberg Philanthropies to the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), to provide consultant and technical assistance in finding creative solutions to deliver safer, more comfortable bike lanes.

Analysis

This resolution approves an application for a Bloomberg Initiative for Cycling Infrastructure grant from Bloomberg Philanthropies to the Nashville Department of Transportation and Multimodal Infrastructure. The application for \$800,000 and will require a cash match of \$800,000. If the grant is awarded, the funds will be used to provide consultant and technical assistance in finding creative solutions to deliver safer, more comfortable bike lanes. The bike lanes would be located between 12th Avenue S and 14th Avenue S connecting to the Demonbreun Hill bikeway project.

Sponsors: Rhoten, Pulley and Welsch

24. [RS2023-2030](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jenny Men against the Metropolitan Government of Nashville and Davidson County in the amount of \$85,000.00, and that said amount be paid from the Self-Insured Liability Fund.

Analysis

On April 15, 2021, an employee of the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) was in a parking lot at 3930 Clarksville Highway. As the employee left the parking space, he drove across the parking lot, through other parking spaces and struck the side of a vehicle in which Jenny Men was a passenger. There was significant damage to the vehicle on the passenger side. A claim related to the vehicle was previously settled for \$5,554.53.

Ms. Men was transported to the hospital with a headache, pain in her neck and lower back, inability to bend over, and difficulty walking. She was diagnosed with neck and back sprains and a potential concussion. She was later referred to physical therapy, which required 12 visits and was completed in September 2021. Ms. Men’s out of pocket expenses for medical treatment totaled \$47,651.02.

The Metropolitan Department of Law recommends settlement of this personal injury claim for \$85,000.

Disciplinary action taken against the NDOT employee consisted of a written reprimand and a mandatory defensive driving course.

Fiscal Note: This \$85,000 settlement, along with the settlement per Resolution Nos. RS2023-2024, and RS2023-2031 would be the 20th, 21st and 22nd payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$732,640. The fund balance would be \$17,298,619 after these payments.

Sponsors: Rhoten

25. [RS2023-2031](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Elizabeth Giddens against the Metropolitan Government of Nashville and Davidson County in the amount of \$30,000.00, and that said amount be paid from the Self-Insured Liability Fund.

Analysis

On March 10, 2018, Elizabeth Giddens was visiting Nashville and walking on the sidewalk in front of 150 Third Avenue South to meet her rideshare driver. While walking, she tripped in a hole in the concrete and struck her head and face on a car and the curb, resulting in injury. The hole was caused by a missing sign in the sidewalk.

Ms. Giddens was transported to the hospital by the Nashville Fire Department with a severe headache, nausea, and pain in her neck. She was diagnosed with a closed head injury with concussion, post-concussion syndrome, and facial contusions. She returned to her home and experienced headache, dizziness, and changes in vision. She was again diagnosed with post-concussion syndrome and was referred to a neurologist as well as physical therapy and chiropractic care. Ms. Giddens completed three neurologist visits, two physical therapy visits,

and 15 chiropractic visits. Her out of pocket medical expenses total \$18,490.24.

The Metropolitan Department of Law recommends settlement of this personal injury claim for \$30,000.

Fiscal Note: This \$30,000 settlement, along with the settlement per Resolution Nos. RS2023-2024, and RS2023-2030 would be the 20th, 21st and 22nd payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$732,640. The fund balance would be \$17,298,619 after these payments.

Sponsors: Rhoten

K. Bills on Second Reading

40. [BL2022-1449](#)

An ordinance creating Chapter 2.153 of the Metropolitan Code of Laws establishing a Bicycle and Pedestrian Advisory Commission.

Analysis

This ordinance creates a Bicycle and Pedestrian Advisory Commission, who will advise the mayor, council, and relevant Metropolitan departments and provide written formal recommendations when necessary. This will be a thirteen-member commission. Eleven members will be appointed by the mayor, one member will be appointed by the vice mayor, and one member will be elected by the council. All appointments must be confirmed by a majority of the membership to which the council is entitled. All members serve without compensation. The membership of the commission must reflect the diversity of the citizens of Nashville and Davidson County. The mayor will select the chair from the voting membership of the committee and the chair will serve for one year.

The eleven members appointed by the mayor would be selected from the following categories:

- One member from a non-profit community group advocating biking and walking;
- One member who is a student or faculty member from a local university;
- One member from a local organization that represents disabled persons;
- One member who is a transportation planning, policy, or design professional;
- One member from either AARP, Fifty-Forward, or other senior citizen advocacy organization;
- One member of a local bicycle club;
- One member of a walking, running, or hiking club;
- One member from an urban planning or multi-modal transportation support organization;
- One member from a parks or greenways friends group; and
- Two members who are interested in biking and walking.

In addition to the thirteen voting members, the mayor, the director of the metro health department, the director of the parks department, the director of the department of

transportation and multimodal infrastructure, the chief of the metropolitan police department, the superintendent of metro public schools, the director of the metro planning department, and the director of WeGo would serve as ex officio members. Ex officio members have no vote and do not count toward quorum.

Members of the committee will serve staggered four-year terms. A position on the committee will be deemed vacant based upon failure to attend two consecutive meetings.

The duties and purpose of the Bicycle and Pedestrian Advisory Commission is to advise the mayor, council, and relevant departments and to provide formal recommendations related to the following:

- Promotion of bicycling and walking to the mayor, council, and departments.
- Promotion of the WalknBike Strategic Plan, the Vision Zero Plan and bicycle, greenway and pedestrian infrastructure projects to the mayor and council.
- Promotion of the integration of bicycling, shared mobility devices, and walking in the metropolitan government's planning, design, and development of transportation facilities including bikeways and greenways.
- Working with local businesses, governmental agencies, and community organizations to encourage bicycling and walking and promote community investment in bicycle racks, signage, markings and other facilities and programs.
- Working with the metropolitan government, board of education, and community groups to foster programs to educate all age groups on safe bicycling and walking skills.
- Developing and distributing informational, educational, and promotional materials for bicyclists, pedestrians, and motorists.
- Providing guidance and serving as a resource to the department of transportation and multimodal infrastructure, department of parks and recreation and the planning department in developing long-range plans to encourage increased micromobility, bicycling, and walking.
- Build a more inclusive bicycling community by representing the needs of the diverse population of bicyclists in the city.
- Provide guidance to the mayor, council, and departments on the implementation of bike share systems and shared micromobility programs.

The commission will hold regular monthly meetings and meet no less than ten times per year. Special meetings can be called by the chair. Meetings must be publicly noticed at least two weeks in advance and all relevant documents must be made available on Nashville.gov.

The commission will report quarterly to the council's Transportation and Infrastructure Committee and the Public Facilities, Arts, and Culture Committee, as needed and requested. The report may be by writing or by appearance. The commission will also submit an annual report to the council and mayor on the activities of the commission during that year, including a report on improvements and remaining needs in the bicycling and walking infrastructure. The commission will also hear from members of the public at called meetings to the extent possible.

Departments will work cooperatively with the commission in meeting these requirements and provide assistance as required. The Department of Transportation and Multimodal Infrastructure will provide day to day staffing and assistance to the commission as it may require.

Because this ordinance has been deferred for more than 90 days, it will be automatically deferred for one meeting pursuant to Council Rule 43.

Sponsors: OConnell, Parker, Benedict, Allen, Porterfield, Cash, Welsch and Styles

41. [BL2023-1689](#)

An ordinance creating a permit program for parklets and streateries in Davidson County and establishing a fee structure for such licenses; by amending chapter 13.32 by adding to it a new section to be designated section 13.32.166 of the Metropolitan Code of Nashville and Davidson County.

Analysis

This ordinance creates a permit program and fee structure for parklets and streateries in Davidson County.

A “parklet” is defined as “a small public gathering space, occupying up to two parking stalls or a loading zone, as applicable, on the public street, and treated in all respects as a public sidewalk, but the facilities of which are privately owned and maintained.” A “streatery” is defined as “up to two parking stalls or a loading zone, as applicable, used either as an extension of, or a stand-alone sidewalk café, connected visually to, and for use by patrons of, a nearby restaurant or bar and service at which is subject to all terms and conditions of the nearby restaurant or bar’s food service permits and alcohol licenses.”

The Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) will create an application for an annual permit for parklets and streateries. This application must include a nonrefundable fee of \$150 to cover the cost of processing the application. A streatery must also pay an annual fee based on the lost revenue from the metered or nonmetered parking spaces occupied by the streatery.

The application must include information like a site plan, a maintenance plan, documentation of community support, and proof of insurance of not less than \$1,000,000 and an agreement to hold the Metropolitan Government harmless from any liability resulting from operations under the permit.

After the initial application is submitted, a construction permit application and fully detailed site plan must be submitted. Within five days of the submission of a final plan and satisfaction of all requirements, NDOT will issue final approval and a permit for the parklet or streatery. Applicants must meet with NDOT no less than ten days before commencing construction of the parklet or streatery.

The ordinance provides circumstances where a parklet or streatery must be removed, including

failure to maintain the parklet or streatory, violation of policies and regulations, violations of the permit, modifications not previously approved by NDOT, and when the parklet or streatory causes a dangerous condition or threat of danger to life or property. Metro would be able to remove the parklet or streatory at the sole cost of the permittee. Metro would also be able to fund the removal if it determines funding or partially funding removal to be in the public interest.

Fiscal Note: Metro would receive an annual fee of \$150 for each application for a parklet or streatory to fund the cost of processing the application. Metro would also receive an annual fee from streateries to cover the lost revenue due to the use of parking spaces owned by Metro. This fee would be based on whether the parking space is metered or non-metered.

Sponsors: Parker

42. [BL2023-1690](#)

An ordinance amending the Metropolitan Code of Laws to establish a stormwater capacity fee.

Analysis

This ordinance establishes a stormwater capacity fee for Davidson County.

A stormwater capacity fee would be required for any project that requires a development permit and results in 800 square feet or more of impervious surface. The stormwater capacity fee would be \$0.71 per square foot of impervious surface within the project area. The maximum fee chargeable in the aggregate to any separate parcel would be \$500,000 for 705,000 square feet of impervious area.

For projects in the combined sewer service area, funds generated pursuant to the stormwater capacity fee will be deposited into the extension and replacement fund. For the separated sewer service area, funds will be deposited into the Stormwater Capital Fund, which will receive an annual budgetary allocation.

Stormwater capacity fees will not apply to properties located in satellite cities.

Metropolitan Code of Laws Sections 15.20.045 and 15.36.040 establish water and sewer capacity fees, respectively.

The stormwater capacity fee will take effect on July 1, 2023.

Fiscal Note: The proposed Stormwater Capacity Fee will be \$0.71 for each square foot of Post Development Impervious Surface Project Area exceeding 800 square feet. The maximum fee chargeable in the aggregate to any separate parcel will be \$500,000 for 705,000 square feet of Impervious Area.

Sponsors: Syracuse, Rhoten and Pulley

43. [BL2023-1692](#)

An ordinance adopting the Geographic Information Systems Street and Alley Centerline Layer, with the recordation of renaming, additions and deletions of acceptances and abandonments as reflected on the Centerline Layer to date, as the Official Street and Alley Acceptance and Maintenance Record for the Metropolitan Government of Nashville and Davidson County, (Proposal Number 2023M-001OT-001).

Analysis

This ordinance adopts the Geographic Information Systems Street and Alley Centerline Layer, with the changes as reflected on the Centerline Layer to date, as the official Street and Alley Acceptance and Maintenance Record for Metro. The updated Centerline Layer shows the dedicated streets and alleys that were either accepted or abandoned for public maintenance by Metro since it was last adopted by Ordinance Number BL2021-1053 on January 18, 2022.

This ordinance has been approved by the Planning Commission.

Sponsors: Withers and Pulley

44. [BL2023-1693](#)

An ordinance providing the honorary street name designation of “One Vanderbilt Way” for the entirety of Kirkland Circle.

Analysis

This ordinance adds the honorary street name designation of “One Vanderbilt Way” for the entirety of Kirkland Circle. This street provides access from West End onto the Vanderbilt University campus.

Section 13.08.025 of the Metro Code provides a procedure for the designation of honorary street signs whereby the Council, by ordinance, can authorize and direct the Nashville Department of Transportation and Multimodal Infrastructure to install two honorary street signs per street - at each end of a street - beneath the official street name sign for any street identified on the official Street and Alley Centerline Layer map. No honorary street sign can be installed honoring a living person; and each member of Council can sponsor only one such ordinance each calendar year. This ordinance does not officially re-name the designated street. Therefore, there would be no change of official address for properties on Kirkland Circle.

Sponsors: Cash

45. [BL2023-1694](#)

An ordinance approving an agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Nashville Police Department, and Airbus Helicopters, Inc. for the lease of a MNPD helicopter to be used at the HAI Heli-Expo 2023 show.

Analysis

This ordinance approves an agreement between the Metropolitan Nashville Police Department (“MNPD”) and Airbus Helicopters, Inc. (“Airbus”) for the lease of an MNPD helicopter to be

used at the HAI Heli-Expo 2023 show.

Airbus desires to lease one MNPDP Airbus Helicopter for an approximately five-day period, beginning on or about March 3, 2023, to be used for ferry and static display purposes at the HAI Heli-Expo 2023 show being held in Atlanta, Georgia. Airbus will pay \$1,200 per flight hour for the ferry flight to and from Atlanta, Georgia by MNPDP pilots. In addition, Airbus will pay \$1,200 per day for each day the helicopter is displayed at the convention. These fees will be in the form of a credit to MNPDP's trade account with Airbus. MNPDP will provide two personnel for the rental period. Airbus will provide entrance to the convention as well as lodging and reimbursement of meal expenses for these individuals, based upon applicable governmental rates and actual receipts. Airbus will also provide aviation liability insurance in the amount of \$10,000,000 and \$7,000,000 of all risk hull insurance.

Fiscal Note: Metropolitan Nashville Police Department will receive \$1,200 per flight hour from Airbus Helicopters, Inc. for the ferry flights to and from Atlanta, Georgia including the fees or assessments, fuel, oil and daily helicopter maintenance. The rental of the aircraft Airbus Helicopters Model H125, S/N 9160 Registration No. N849NP will be used for the HAI Heli-Expo 2023 show in Atlanta, Georgia. MNPDP will also receive \$1,200 per day for each day the aircraft is static displayed.

Sponsors: Rhoten and Syracuse

46. [BL2023-1695](#)

An ordinance authorizing the granting of temporary construction easements to Piedmont Natural Gas Company, Inc. on certain property owned by the Metropolitan Government located at 0 Brick Church Pike (Parcel No. 07110001800) and 1354 Brick Church Pike (Parcel No. 07106005300) (Proposal No. 2023M-011ES-001).

Analysis

This ordinance authorizes the granting of temporary construction easements to Piedmont Natural Gas Company, Inc. on property owned by the Metropolitan Government at 0 Brick Church Pike and 1354 Brick Church Pike. Piedmont will use this easement for the purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading, and protecting one or more pipelines. Piedmont has agreed to pay fair market value as compensation for these easements.

Fiscal Note: Piedmont will pay Metro a total of \$30,450 for the temporary easements approved by this ordinance.

Sponsors: Toombs, Rhoten, Withers and Pulley

47. [BL2023-1696](#)

An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County and PSI Water Technologies, Inc. to provide Microclor On-Site Hypochlorite Generation System parts and services.

Analysis

This ordinance approves a sole source contract between the Metropolitan Government and PSI Water Technologies, Inc. to provide Microclor On-Site Hypochlorite Generation System parts and services.

Section 4.12.060 of the Metropolitan Code of Laws authorizes the Metropolitan Purchasing Agent to enter into sole source contracts when the Purchasing Agent determines in writing according to standards adopted by the Procurement Standards Board that there is only one source for the supply or services required.

According to the sole source justification form attached to the agreement, PSI Water Technologies, Inc. is the sole manufacturer and distributor of the Microclor system, which provides disinfection for drinking water.

The term of this contract is 120 months, beginning upon approval by all required parties and filing with the Metropolitan Clerk's Office. The estimated contract value is \$10,000,000.

Fiscal Note: The estimated value over the 10-year life of this contract is \$10,000,000 to be paid from Fund 67331, Business Unit 65560210.

Sponsors: Rhoten and Pulley

48. [BL2023-1697](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public utility easement, for property located at 730 8th Avenue South (Proposal No. 2022M-197ES-001).

Analysis

This ordinance abandons a portion of an existing 20-foot public utility easement on the south side of the property recorded on the plat of Edgehill Estates Subdivision, Section 107, Book 5050, Page 20, R.O.D.C., TN for property located at 730 8th Avenue South.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Pulley

49. [BL2023-1698](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main, sanitary sewer manholes and easements, for property located at 3105 Hamilton Church Road, also known as Hamilton Church Road Sewer Extension (MWS Project No. 22-SL-163 and Proposal No. 2022M-186ES-001).

Analysis

This ordinance accepts approximately 383 linear feet of new eight-inch sanitary sewer main (PVC), two sanitary sewer manholes and easements for property located at 3105 Hamilton Church Road, also known as Hamilton Church Road Sewer Extension.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

50. [**BL2023-1699**](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 3161 Hamilton Church Road, also known as Grinstead Townhomes, (MWS Project Nos. 18-WL-09 and 18-SL-14; and Proposal No. 2022M-173ES-001).

Analysis

This ordinance accepts approximately 864 linear feet of new eight-inch water main (DIP), approximately 1,694 linear feet of new eight-inch sanitary sewer main (DIP), approximately 753 linear feet of new eight-inch sanitary sewer main (PVC), two fire hydrant assemblies, 15 sanitary sewer manholes and easements for property located at 3161 Hamilton Church Road, also known as Grinstead Townhomes.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

51. [**BL2023-1700**](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer main, fire hydrant assembly and sanitary sewer manhole, for property located at 825 6th Avenue South, also known as Modera Sobro Phase 1, (MWS Project Nos. 22-WL-42 and 22-SL-100 and Proposal No. 2022M-188ES-001).

Analysis

This ordinance accepts approximately 20 linear feet of six-inch water main (DIP), approximately 40 linear feet of eight-inch sanitary sewer main (DIP), one fire hydrant, and one sanitary sewer manhole for property located at 825 6th Avenue South also known as Modera Sobro Phase 1.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Pulley

52. [BL2023-1701](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon public fire hydrant assembly, for property located at 1215 21st Avenue South (MWS Project No. 22-WL-103 and Proposal No. 2022M-175ES-001).

Analysis

This ordinance abandons one fire hydrant assembly for property located at 1215 21st Avenue South.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Cash, Withers and Pulley

53. [BL2023-1702](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public water main and easements, and to accept new public water main, for properties located at 1233E Lischey Avenue and 1300 North 5th Street, also known as Starlet East Townhomes (MWS Project No. 22-WL-102 and Proposal No. 2022M-185ES-001).

Analysis

This ordinance abandons approximately 415 linear feet of existing eight-inch water main (DIP) and easement, and to accept approximately 12 linear feet of new eight-inch water main (DIP), for properties located at 1233E Lischey Avenue and 1300 North 5th Street, also known as Starlet East Townhomes.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Parker, Withers and Pulley

54. [BL2023-1703](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to

abandon existing water mains, fire hydrant assemblies and easements, and to accept new public water mains, fire hydrant assemblies, sanitary sewer manhole and easements, for property located at 334 Ewing Drive, also known as Ewing Heights (MWS Project Nos. 22-WL-76 and 22-SL-160 and Proposal No. 2022M-194ES-001).

Analysis

This ordinance abandons approximately 774 linear feet of existing six-inch water main (CIP), approximately 956 linear feet of existing two-inch water main (GAL), two fire hydrant assemblies and easements, and accepts approximately 47 linear feet of new 16-inch water main (DIP), approximately 729 linear feet of new 12-inch water main (DIP), approximately 27 linear feet of new six-inch water main (DIP), two fire hydrant assemblies, one sanitary sewer manhole, and easements for property located at 334 Ewing Drive, also known as Ewing Heights.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Toombs, Withers and Pulley

55. [BL2023-1704](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of existing public water main, for property located at 1421 Rural Hill Road, also known as Novo Antioch (MWS Project No. 22-WL-109 and Proposal No. 2022M-191ES-001).

Analysis

This ordinance relocates approximately 51 linear feet of existing eight-inch water main (DIP) for property located at 1421 Rural Hill Road, also known as Novo Antioch.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

56. [BL2023-1705](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water main and fire hydrant assembly, for property located at 1631 Corporate Place, (MWS Project No. 22-WL-114 and Proposal No. 2022M-195ES-001).

Analysis

This ordinance accepts approximately 478 linear feet of new eight-inch water main (DIP) and one fire hydrant assembly for property located at 1631 Corporate Place.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Withers and Pulley

57. [BL2023-1706](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 3500 Brick Church Pike, also known as Thornton Grove Phase 4, (MWS Project Nos. 21-WL-74 and 21-SL-162 and Proposal No. 2022M-193ES-001).

Analysis

This ordinance accepts approximately 890 linear feet of new eight-inch water main (DIP), approximately 2,388 linear feet of new eight-inch sanitary sewer main (PVC), approximately 820 linear feet of new eight-inch sanitary sewer main (DIP), two fire hydrant assemblies, 14 sanitary sewer manholes, and easements for property located at 3500 Brick Church Pike, also known as Thornton Grove Phase 4.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: Gamble, Withers and Pulley

58. [BL2023-1707](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer main and sanitary sewer manhole, for property located at 600 Southgate Avenue, (MWS Project No. 22-SL-165 and Proposal No. 2022M-189ES-001).

Analysis

This ordinance accepts approximately 26 linear feet of new eight-inch sanitary sewer main (PVC) and one sanitary sewer manhole for property located at 600 Southgate Avenue.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value

according to the Department of Water Services.

Sponsors: Sledge, Withers and Pulley

L. Bills on Third Reading

59. [BL2022-1471](#)

An ordinance to amend Sections 16.24.030 and 17.04.060 of the Metropolitan Code of Laws to amend the definitions of “dwelling unit” and “family”. (Proposal No. 2022Z-017TX-001).

Analysis

This ordinance amends the definition of “Family” in Titles 16 and 17 of the Metropolitan Code to change the allowance of unrelated persons living together from 3 to seven persons and provide that this group can include a combination of related and unrelated persons.

Additionally, this ordinance amends the portion of the “Family” definition in Title 17 related to group homes for persons with disabilities to update terminology to modern standards and to align with state law more closely. The ordinance also adds a definition of “dwelling unit” to clarify that it is a single nit for use by one family.

This has been approved with a substitute by the Planning Commission.

Sponsors: Parker and Welsch

62. [BL2022-1508](#)

An ordinance amending Sections 17.08.030, 17.16.030, and 17.16.160 of the Metropolitan Code, Zoning Regulations to change the Multi-family use in the IWD - Industrial Warehousing/Distribution and IR - Industrial Restrictive zoning districts from being permitted with conditions to requiring a special exception (Proposal No. 2022Z-019TX-001).

Analysis

This ordinance amends Title 17 of the Metropolitan Code to change the multi-family use in the IWD - Industrial Warehousing/Distribution and IR - Industrial Restrictive zoning districts from being permitted with conditions to requiring a special exception. Special exceptions require a public hearing and approval by the Board of Zoning Appeals, whereas uses permitted with conditions are administratively approved by the Codes Department if all listed conditions for the use in Chapter 17.16 of the Metropolitan Code are met. The proposed special exception regulations for the multi-family use are the same as the currently required conditions, with the exception that being located within the Downtown Donelson Urban Design Overlay (UDO) will no longer exempt a potential adaptive residential building from the requirement that its parcel have the majority of its frontage on an arterial or collector street. There are no IWD or IR zoned parcels within the Downtown Donelson UDO.

This item was approved by the Planning Commission at its January 12, 2023 meeting.

Sponsors: Toombs

63. [BL2022-1509](#)

An ordinance amending Chapters 17.36 and 17.40 of the Metropolitan Code to create a Two-Story Residential Overlay district (Proposal No. 2022Z-018TX-001).

Analysis

This ordinance amends Chapters 17.36 and 17.40 of the Metropolitan Code to create a Two-Story Residential Overlay district. The proposed overlay district limits the height of a principal structure to two stories up to 35 feet and an accessory structure to one story up to 16 feet and not to exceed the height of its principal structure. All heights would be measured from finished grade. The proposed overlay can only be implemented in areas with underlying R, R-A, RS, or RS-A zoning and does not affect land uses.

Under standard zoning, the maximum height for single family and two-family residential units in residential zoning districts is three stories and the maximum height of an accessory structure is one story of 16 feet in zoning districts with a minimum lot size of less than 40,000 square feet. In districts with a minimum lot size of 40,000 or greater, an accessory structure may have a height of up to two stories and 24 feet.

This item was approved by the Planning Commission at its January 12, 2023 meeting.

Sponsors: Syracuse

75. [BL2023-1648](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming Horton Avenue, between 11th Avenue South and 18th Avenue South, to “DeFord Bailey Avenue (Proposal Number 2022M-005SR-001).

Analysis

This ordinance renames Horton Avenue between 11th Avenue South and 18th Avenue South as “DeFord Bailey Avenue”.

This name change has been approved by the Planning Commission and the Emergency Communications District Board. The required report from the Historical Commission has also been received and is available as an attachment to this ordinance.

Sponsors: Sledge, Withers, Pulley, Benedict, Hurt, Syracuse and Toombs

76. [BL2023-1649](#)

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming Lifeway Plaza, between Rev Kelly M Smith Way and the 12th Avenue North/14th Avenue North intersection to “Josephine Holloway Avenue”. (Proposal Number 2022M-004SR-001).

Analysis

This ordinance renames Lifeway Plaza between Rev Kelly M Smith Way and the 12th Avenue

North/14th Avenue North intersection to "Josephine Holloway Avenue".

This name change has been approved by the Planning Commission and the Emergency Communications District Board. The required report from the Historical Commission has also been received and is available as an attachment to this ordinance.

Sponsors: OConnell, Withers, Pulley, Henderson, Porterfield and Toombs

98. [BL2023-1683](#)

An ordinance approving an amendment to a lease agreement between the Metropolitan Government and Meharry Medical College relating to the land and improvements used in the operation of Nashville General Hospital.

Analysis

This ordinance approves the third amendment to a lease agreement between the Metropolitan Government and Meharry Medical College ("Meharry") relating to the land and improvements used in the operation of Nashville General Hospital.

The Metropolitan Government and Meharry entered into a lease agreement on December 1, 1994. This third amendment extends the lease term of the agreement through December 31, 2027. In addition, it sets forth rental payments effective July 1, 2022 that Metro will pay to Meharry. The rental payments are in the following amounts:

- July 1, 2022 - June 30, 2023 -- \$6,300,000
- July 1, 2023 - June 30, 2024 -- \$6,457,500
- July 1, 2024 - June 30, 2025 -- \$6,618,938
- July 1, 2025 - June 30, 2026 -- \$6,784,411
- July 1, 2026 - June 30, 2027 -- \$6,954,021
- July 1, 2027 - December 31, 2027 -- \$3,563,936

The amendment takes effect upon (1) the execution of the amendment by all parties, (2) the execution of the settlement agreement by all parties, and (3) the approval of both the amendment and the settlement agreement by the Metropolitan Government, as required by law. The settlement agreement was approved by the Council pursuant to Resolution No. RS2022-1899 at the December 20, 2022 meeting.

Sponsors: Rhoten, Syracuse, Hurt and Welsch

99. [BL2023-1684](#)

An ordinance authorizing the Metropolitan Government of Nashville and Davidson County, by and through the Department of Parks and Recreation, to swap 3140 Parthenon Avenue (Parcel No. 10402004300) and a portion of 3138 Parthenon Avenue (Parcel No. 10402004200) for 3136 Parthenon Avenue (Parcel No. 10402004100) to allow for a future expansion of the Centennial dog park (Proposal No. 2022M-051AG-001).

Analysis

This ordinance, as amended, authorizes the Metropolitan Department of Parks and Recreation

("Parks") to enter into an agreement to swap 3140 Parthenon Avenue and a portion of 3138 Parthenon Avenue, currently owned by Parks, for 3136 Parthenon Avenue.

The newly acquired 3136 Parthenon Avenue property will be used for the future expansion of the Centennial dog park. The current owner of 3136 Parthenon has agreed to demolish all structures and restore the natural conditions of the land, clear underbrush, remediate the site with seed and straw, and remove the paved drive running along the northeast property line of 3136 Parthenon Avenue from the east corner to the north corner of the property within 60 days of the enactment of this ordinance and to maintain all healthy and mature trees on the property.

The Director of Public Property Administration is also authorized to execute any necessary documents to carry out the intent of this ordinance.

Ordinance No. BL2022-1570 and its companion bill BL2022-1629 relate to a proposed Specific Plan rezone for a portion of 3138 Parthenon Avenue and 3140 Parthenon Avenue as part of this proposed land swap.

Sponsors: Taylor, Rhoten, Withers and Hurt

100. [BL2023-1685](#)

An ordinance readopting the Code of The Metropolitan Government of Nashville and Davidson County, Tennessee, prepared by Municipal Code Corporation including supplemental and replacement pages thereof, containing certain ordinances of a general and permanent nature enacted on or before August 17, 2022.

Analysis

This ordinance is a routine re-adoption of the Metro Code to include all ordinances enacted on or before August 17, 2022.

Sponsors: Murphy and Rosenberg

101. [BL2023-1686](#)

An ordinance authorizing the granting of permanent and temporary construction easements to Piedmont Natural Gas Co. on certain property owned by the Metropolitan Government (Proposal No.2022M-170ES-001).

Analysis

This ordinance authorizes the granting of permanent and temporary construction easements to Piedmont Natural Gas Co. on property owned by the Metropolitan Government at 0 Whites Creek Pike, 385 Whites Creek Pike, 0 Whites Creek Pike, 3832 Whites Creek Pike, 0 Buena Vista Pike, 2715 Tucker Road, and 3200 Kings Lane. Piedmont will use this easement for the purposes of constructing, installing, maintaining, operating, repairing, altering, replacing, removing, relocating, inspecting, upgrading, and protecting one or more pipelines. Piedmont has agreed to pay fair market value as compensation for these easements.

Fiscal Note: Piedmont will pay Metro a total of \$128,600 for the permanent and temporary

easements approved by this ordinance.

Sponsors: Toombs, Gamble, Rhoten, Withers and Pulley

102. [BL2023-1687](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new public sanitary sewer manhole, for property located at 910 Commerce Street, also known as Nashville Yards Parcel 9 (MWS Project No. 21-SL-268; and Proposal No. 2022M-178ES-001).

Analysis

This ordinance accepts one new public sanitary sewer manhole, for property located at 910 Commerce Street, also known as Nashville Yards Parcel 9.

This ordinance has been approved by the Planning Commission. Future amendments to this ordinance may be approved by resolution.

Fiscal Note: This ordinance has no cost to Metro. Donated easements have no market value according to the Department of Water Services.

Sponsors: OConnell, Withers and Pulley