



Metro Council

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**G. Consent Resolutions and Resolutions**

1. [RS2021-932](#)

A resolution establishing the certified tax rate in the General Services District, and declaring the amount of the certified rate for the Urban Services District, pursuant to the provision of Tennessee Code Annotated § 67-5-1701, et seq.

Analysis

This resolution establishes the certified tax rate of the Metropolitan Government. State law requires that once the county reappraisal program is completed, a tax rate be set that will provide the same amount of revenue for the county that was levied during the previous year based on the old assessment values and tax levy, because a government may not realize greater revenue by means of a reappraisal program.

The purpose of the reappraisal program is to ensure that property assessments are “equalized” by having all property appraised at the same time. The present certified tax rate for the GSD is \$3.788 per \$100 of assessed value and \$0.433 for the USD, for a total combined rate in the USD of \$4.221. The new certified tax rate to be approved by this resolution will be lowered to \$2.953 in the GSD and \$0.335 in the USD, for a combined rate of \$3.288.

This resolution should be deferred to track with the operating budget ordinance and tax levy.

**Sponsors:** Toombs

2. [RS2021-933](#)

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FOUR HUNDRED FOUR MILLION DOLLARS (\$404,000,000) IN AGGREGATE PRINCIPAL AMOUNT OF TAX ANTICIPATION NOTES OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE.

Analysis

This resolution authorizes the issuance of up to \$404,000,000 in interfund tax anticipation notes (TANs) by the Metropolitan Government. These TANs would be issued pursuant to Tennessee Code Annotated § 9-21-101, et seq. for the purpose of meeting appropriations made for Fiscal Year 2022 in anticipation of the collection of taxes and revenues.

Money within Metro's various distinct funds is commingled and Metro has historically addressed temporary cash flow deficits by borrowing funds from the pooled cash account. This has the technical effect of one fund using money from another fund to pay for expenditures (until property tax receipts that fund each account are sufficient for the intended purpose).

In 2018, the Comptroller of the State of Tennessee advised that these transfers should be formalized by issuing interfund tax anticipation notes, as permitted under state law with the prior approval of the Comptroller's office. The Council authorized TANs for FY20 in compliance with the Comptroller's request pursuant to Resolution No. RS2019-1545 and for FY21 pursuant to Resolution No. RS2020-315. The pending resolution formalizes Metro's regular practice of interfund borrowing for FY22.

The resolution identifies the following as "lending funds" for purposes of the TANs: Water & Sewerage Services Fund, Education Services Special Revenue Fund, Event and Marketing Fund, CBID Event and Marketing Fund, General Fund Reserve Fund, General Government Self Insurance Fund, Hotel Occupancy General Fund, Hotel Tourist Promotion Fund, Information Technology Services Fund, Injured on Duty Fund, Office of Fleet Management Fund, Government Services Special Revenue Fund, Solid Waste Operations Fund, Stormwater Operations Fund, and Surplus Property Auction Fund.

**Sponsors:** Toombs

3. **[RS2021-935](#)**

A resolution approving the plan for the reappraisal and equalization of assessments in Davidson County as submitted by the Metropolitan Assessor of Property, approving a Memorandum of Understanding between the Metropolitan Assessor of Property and the Tennessee Division of Property Assessments for the responsibilities of parties involved in the 2025 Year Reappraisal Program for Davidson County, and approving receipt of state funds, if provided, to assist in the cost of the reappraisal.

**Analysis**

As required by state law, this resolution would approve the new four-year plan for reappraisal and equalization of assessment for Davidson County, finishing in FY2025. Tenn. Code Ann. §67-5-1601 authorizes a reappraisal of all real property and an equalization of assessments be completed every four years by the Assessor of Property with the review of the local governing body. Metro has followed this four-year schedule for many years. The reappraisal program will begin July 1, 2021, and will provide for the reevaluation of 274,958 parcels of property in Davidson County. The property reevaluation will be completed in the year 2025, which will be the next reevaluation year.

The plan provides that 54,196 parcels will be inspected in year one, 109,235 in year two, and 111,527 in year three. The fourth year is the reevaluation year in which all parcels are reviewed. The cost of the reappraisal program, which is funded in the annual operating budget of the Assessor of Property, funds the salary and benefits for the employees and other related

costs for the program. Tenn. Code Ann. § 67-5-1601(c) provides that subject to funding, the state shall pay a per-parcel grant to local governments to assist in the cost of reappraisal. The state has provided a modest level of funding for the reappraisal program, but Metro does not know what if any funding will be available in the next cycle. The resolution provides that any funds received from the state will be expended solely for assisting in the costs of the reappraisal. In addition to approving the reappraisal plan, this resolution would approve a Memorandum of Understanding (MOU) with the Tennessee Division of Property Assessments to document the specific areas of responsibility of all parties involved in the 2025 Year Reappraisal Program for Davidson County.

**Sponsors:** Toombs

4. [RS2021-936](#)

A resolution authorizing grants not exceeding \$9,407,278.00 from the Barnes Fund for Affordable Housing to certain nonprofit organizations for the express purpose of constructing and rehabilitating affordable or workforce housing.

Analysis

This resolution appropriates \$9,407,278 from the Barnes Fund of Affordable Housing to various nonprofit affordable housing nonprofit organizations. Tenn. Code Ann. § 7-3-314 authorizes Metro to provide financial assistance to nonprofit organizations. In addition, Section 5.04.070 of the Metro Code of Laws (MCL) provides that the Council may appropriate funds for the financial aid of nonprofit organizations by resolution. The term of the grant contracts is defined as being from the date of execution of the grant agreement until completion of the project, but not for longer than 24 months.

The resolution appropriates the following amounts:

- Affordable Housing Resources, Inc. --- \$784,300
- Habitat for Humanity --- \$1,999,580
- Be A Helping Hand --- \$249,000
- Samaritan Recovery Community --- \$2,000,000
- Mending Hearts, Inc. --- \$374,398
- Urban Housing Solutions --- \$2,000,000
- Woodbine Community Organization, Inc. --- \$2,000,000

**Sponsors:** Suara, Toombs, Sledge, Allen and Welsch

5. [RS2021-937](#)

A resolution approving the appointment of two additional commercial hearing officers by the Metropolitan Board of Equalization to conduct preliminary hearings and to make investigations regarding complaints before the Board.

Analysis

This resolution approves the appointment of two additional Davidson County citizens to serve as commercial hearing officers for the Metropolitan Board of Equalization (MBOE). The MBOE is authorized under state law to hear appeals of assessments on real property. State law requires that the MBOE members be approved by the county legislative body by resolution. (Tenn. Code Ann. § 67-5-1406). The Council previously approved 69 residential hearing officers and six commercial hearing officers in April 2021 (RS2021-841).

**Sponsors:** Toombs

6. [RS2021-938](#)

A resolution approving amendment three to a grant from Living Cities to the Metropolitan Government, acting by and through the Finance Department - Procurement Division, to support the city's work with the City Accelerator's Retake: Inclusive Procurement Cohort program to improve the participation of minority and women-owned businesses in the Metropolitan Government's procurement process.

Analysis

This resolution approves the third amendment to a grant previously approved by Resolution No. RS2020-152. The original grant awarded \$50,000 to the Finance Department - Procurement Division to support the city's work with the City Accelerator's Retake: Inclusive Procurement Cohort program to improve the participation of minority and women-owned businesses in the Metropolitan Government's procurement process. This amendment extends the end date of the grant from February 26, 2021 to June 30, 2021. No other changes to the grant are made.

**Sponsors:** Toombs and Suara

7. [RS2021-939](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Fred Ngongi against the Metropolitan Government of Nashville and Davidson County in the amount of \$19,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On June 19, 2020, Fred Ngongi was injured while staying at the Fairgrounds temporary COVID-19 housing when a privacy curtain partition fell and struck him in the head. Mr. Ngongi was initially diagnosed with a concussion after being transported to St. Thomas Midtown. He sought further treatment at Nashville General Hospital complaining of headaches, numbness, and blurred vision, and was prescribed physical therapy. Mr. Ngongi's medical bills total \$10,877.95.

The Department of Law recommends settling this claim for the amount of the medical bills plus \$8,122.05 for pain and suffering since the curtain stands were not appropriately anchored to the floor at the time.

*Fiscal Note: This \$19,000.00 settlement would be the 32nd payment from the Self-Insured*

*Liability Fund in FY21 for a cumulative total of \$1,766,061.00. The fund balance would be \$1,150,606 after these payments.*

**Sponsors:** Toombs

8. [RS2021-940](#)

A resolution approving an agreement by and between the Safety Net Consortium of Middle Tennessee, LLC and the Metropolitan Government, acting by and through the Metropolitan Board of Health, to participate as a member organization in a newly created entity with governance, structure, and bylaws to more effectively further the work of the Safety Net Consortium to provide health services to the uninsured.

Analysis

This resolution approves an agreement between the Metro Board of Health and the Safety Net Consortium of Middle Tennessee, LLC (the "Consortium"), to participate as a member organization in a newly created consortium entity. The Consortium has been in existence since 2000. It is made up of area hospitals, community partners, faith-based leaders, various care providers, academic institutions, and the Metro Health Department with the purpose of coordinating efforts to provide more effective health care services to the uninsured.

The Consortium has recently been established as a new entity with a governance structure and bylaws. This resolution approves the Health Department's participation in the Consortium. The Health Department will be required to provide a senior level representative to the Policy and Planning Council, and to participate on implementation teams as needed. The Department agrees to pay annual dues in the amount of \$2,500.

**Sponsors:** Toombs and Taylor

9. [RS2021-941](#)

A resolution accepting the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant from the U.S. Department of Health and Human Services to the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide a variety of services in reducing infant mortality for pregnant and parenting women.

Analysis

This resolution accepts the Healthy Start Initiative - Eliminating Racial/Ethnic Disparities Grant from the U.S. Department of Health and Human Services to the Metro Board of Health. This is a grant amount not to exceed \$986,796 with no local cash match required. The grant funds will be used to provide a variety of services to reduce infant mortality for pregnant and parenting women. The grant budget period begins April 1, 2021 and ends March 31, 2022.

**Sponsors:** Toombs, Taylor, Welsch and Suara

10. [RS2021-942](#)

A resolution accepting a T.O.T.A.L. (Totally Outstanding Teen Advocates for the Library) Grant from the Nashville Public Library Foundation to the Metropolitan Government, acting by and through the Nashville Public Library, to advocate for the library among their peers and the community at large and to represent the library at community events, meetings, and institutions.

Analysis

This resolution approves a grant in the amount of \$89,500 from the Nashville Public Library Foundation to the Nashville Public Library for the Totally Outstanding Teen Advocates program. This program uses teens to advocate for the library among peers and the community at large. This grant will fund a leadership team consisting of a program coordinator and two teens. The term of the grant is through June 30, 2021.

**Sponsors:** Toombs, VanReece, Allen and Welsch

11. [RS2021-943](#)

A resolution approving a license agreement between The Metropolitan Government of Nashville and Davidson County, acting by and through the Board of Parks and Recreation, and the United States of America, acting by and through the Department of the Army, to enter certain parks, operated and maintained by the Department of Parks and Recreation, for limited training purposes.

Analysis

This resolution approves a license agreement between the Metropolitan Board of Parks and Recreation and the United States Department of the Army. This agreement would allow the Army to enter certain parks for limited training purposes. Metro Code Section 13.24.400 prohibits landing any type of aircraft upon any Metro Park. However, the Board of Parks and Recreation has the authority to enter into license agreements pursuant to Metro Charter Chapter 11.1002.

This agreement would grant the Army a revocable license to enter the Cornelia Fort Airpark to conduct rotary wing military training. This would include MH-60Ms landing, hovering, and departing. The term of this license would be through January 1, 2025. The Army would be required to use its best efforts to notify Metro of the training at least 48 hours in advance, and must provide written or verbal confirmation of any training event and intent to use the property no later than 24 hours prior to such entry and actual use of the property.

A similar agreement was approved by the Council in 2017 pursuant to RS2017-979.

*Fiscal Note: There would be no cost to either party for this agreement.*

**Sponsors:** Withers and VanReece

12. [RS2021-944](#)

A resolution accepting a grant package from the Friends of Two Rivers Mansion to The Metropolitan Government, acting by and through the Metropolitan Nashville Parks and Recreation Department, to provide partial funding for one administrative support person and funding for two part-time docents to conduct historic tours during June, July, and August, and the Christmas 2021 season at Two Rivers Mansion.

Analysis

This resolution accepts a continuation grant in the amount of \$24,793.98 from the Friends of Two Rivers Mansion to the Metro Parks and Recreation Department to provide partial funding for employees. The grant will fund 19 hours of salary for an administrative support person and two 12 hour per week part-time positions to serve as docents at the mansion to provide tours in June, July, and August and during the Christmas 2021 season.

This grant has been approved by the Metro Board of Parks and Recreation.

**Sponsors:** Syracuse, Toombs, VanReece and Welsch

13. [RS2021-945](#)

A resolution accepting an in-kind grant from the Friends of Bells Bend Park to the Metropolitan Government, acting by and through the Metropolitan Nashville Parks and Recreation Department, to provide trail signs to improve visitor experience at the park.

Analysis

This resolution approves an in-kind grant valued at \$1,494 from the Friends of Bells Bend Park to the Metro Board of Parks and Recreation for the installation of trail signs at the park. There is no required local match for this grant.

**Sponsors:** Hall, Toombs, VanReece and Welsch

14. [RS2021-946](#)

A resolution accepting an in-kind grant from the Friends of Red Caboose Park to the Metropolitan Government, acting by and through the Metro Parks and Recreation Department, to fund the purchase and installation of two square cantilever shades.

Analysis

This resolution approves an in-kind grant valued at \$19,000 from the Friends of Red Caboose Park to the Metro Board of Parks and Recreation for the installation of two square cantilever shades at the park. There is no required local match for this grant.

**Sponsors:** Hausser, Toombs, VanReece and Welsch

15. [RS2021-947](#)

A resolution accepting a grant from the Friends of Warner Parks to The Metropolitan



Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide seasonal staffing for the Special Work Education and Trails (S.W.E.A.T.) program at Warner Parks.

Analysis

This resolution approves a grant in the amount of \$33,233.71 from the Friends of Warner Park to the Metropolitan Parks Department to provide continued funding for two seasonal staff positions.

**Sponsors:** Henderson, Toombs, VanReece and Welsch

16. [RS2021-948](#)

A resolution accepting an in-kind grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metro Parks and Recreation Department, to fund the next phase of improvements in the Warner Parks.

Analysis

This resolution approves an in-kind grant valued at \$1,196,000 from the Friends of Warner Parks to the Metro Board of Parks and Recreation to fund the next phase of improvements in the Warner Parks. The improvements will include nature center maintenance, gate replacement, trail and roadway improvements, invasive plant removal, stonework repairs, and memorial benches and gardens. There is no required local match for this grant.

**Sponsors:** Henderson, Toombs, VanReece and Welsch

17. [RS2021-949](#)

A resolution accepting an in-kind grant from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to provide funding for restoration and plant removal projects.

Analysis

This resolution approves an in-kind grant valued at \$750,000 from the Friends of Warner Parks to the Metro Board of Parks and Recreation to fund restoration and plant removal projects in the Warner Parks. The improvements will include the restoration of 100 historic stone columns along Highway 100, restoration of the Deep Well entrance gate, reestablishing Red Bud Alley along Highway 100, and the removal of invasive plants along Highway 100. There is no required local match for this grant.

**Sponsors:** Henderson, Toombs, VanReece and Welsch



**18. [RS2021-950](#)**

A resolution approving the property at 4601 Ashland City Highway to be used for a waste transfer facility.

Analysis

This resolution approves property located at 4601 Ashland City Highway to be used as a waste transfer station. Nashville Waste Solutions, LLC, has filed a request for a special exception with the Metro board of zoning appeals (BZA) to use this property for a waste transfer station. The Metropolitan Zoning Code requires the council to approve the location by adoption of a resolution before the BZA can act on the request. The council has 60 days from the date the request was submitted to act on this resolution or it is deemed approved. This request was submitted to the council office and district councilmember on May 4, 2021.

There is a companion piece of legislation for this project (Ordinance No. BL2021-744 on first reading) that would approve the proposed facility under the state Jackson Law (Tenn. Code Ann. §68-211-701, *et seq.*). The proposed facility would process, shred, and sort incoming municipal solid waste and construction and demolition waste to recycle the ferrous and non-ferrous metals, and then to compress and wrap the residual waste into bales. Section 17.16.210 of the Metro Code provides that all loading, unloading, compacting, sorting, processing, or storage associated with a waste transfer shall take place within a completely enclosed building, which would apply to this facility.

This resolution should be deferred to track with Ordinance No. BL2021-744.

**Sponsors:** Hall

**19. [RS2021-951](#)**

A resolution approving a Cooperative Agreement by and between the Federal Highway Administration United States Department of Transportation (FHWA), the Tennessee Department of Transportation (TDOT), and the Metropolitan Government of Nashville and Davidson County, acting by and through its Department of Public Works, for the Charlotte Avenue/Dr. Martin L King, Jr Blvd Transit Headways and Congestion Management Project to be executed under the Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) initiative. PIN 131476.00. (Proposal No. 2021M-015AG-001.)

Analysis

This resolution approves a grant agreement among the Federal Highway Administration (FHWA), the Tennessee Department of Transportation (TDOT), and Metro Public Works for a project to develop and implement connected transit technology on the Charlotte Avenue/Dr. Martin L King, Jr Blvd corridor. The technology enhancements will focus on WeGo Route 50 where the connected transit data (such as real-time bus spacing and occupancy data) will be provided to the drivers. The project will create a transit monitoring software application to compile the data. This project is to serve as a model program for future expansion.

The amount of the federal grant award is \$1,500,000, with a required match of \$1,500,000 to be funded by \$1,000,000 from the state and \$500,000 from Metro.

**Sponsors:** OConnell, Taylor, Murphy, Toombs and Nash

20. [RS2021-952](#)

A resolution approving an intergovernmental agreement by and between the State of Tennessee, Department of Transportation, and the Metropolitan Government of Nashville & Davidson County, acting by and between the Department of Public Works, for the acceptance of work in connection with the construction of pedestrian signals and sidewalk improvements on Hamilton Church Road from East of State Route 1 to West of Calumet Drive, Federal Project No. HSIP-4965(10), State Project No. 19129-3201-94, PIN 125999.00. (Prop. No. 2021M-018AG-001)

Analysis

This resolution approves an agreement with the Tennessee Department of Transportation (TDOT) for the construction of pedestrian signals and sidewalk improvements on Hamilton Church Road from State Route 1 to Calumet Drive. The total cost of the project is \$1,048,860, with the federal government paying \$943,974, TDOT paying \$14,500 for the engineering costs, and Metro paying \$90,386 for right-of-way and construction costs.

Tenn. Code Ann. § 12-9-104 authorizes Metro to enter into intergovernmental agreements with the state by resolution.

**Sponsors:** Toombs, Murphy and Nash

I. **Bills on Second Reading**

42. [BL2019-4](#)

An ordinance amending Chapter 6.04 of the Metropolitan Code of laws to prohibit aerial advertising.

Analysis

This ordinance, as amended, amends Chapter 6.04 of the Metropolitan Code of Laws to prohibit aerial advertising. Under this proposed Section 6.04.030, aircraft or other self-propelled or buoyant airborne object could not display any sign or advertising device. "Sign" or "advertising device" would be defined to include "a poster, banner, writing, picture, painting, light, model, display, emblem, notice, illustration, insignia, symbol or any other form of advertising sign or device." This prohibition would not apply to the display of an identifying mark or trade name affixed to the exterior of the body of an aircraft, any advertisements solely visible within the interior of an aircraft, or an advertisement placed on or attached to any ground, building or structure (which would instead be governed by other applicable law).

Additionally, the ordinance relocates existing provisions of Chapter 6.04 regarding the exemptions of various Metropolitan Government departments and agencies from provisions of the Chapter. The “conflict of provisions” section in Section 6.04.060 will be updated to reflect the relocation of these provisions. The term “advertising device” will be added to existing language within Chapter 6.04 for consistency with the new Section 6.04.030.

A similar ordinance from Honolulu, Hawaii has been upheld by the Ninth Circuit Court of Appeals as not being preempted by federal law and not in violation of the First Amendment to the United States Constitution.

This ordinance must be deferred pursuant to Rule 43 since it was previously deferred indefinitely for more than 90 days.

**Sponsors:** Sledge

**45. [BL2021-693](#)**

An ordinance establishing a Special Solid Waste Commission to review and identify solutions for the long-term disposal of Nashville’s solid waste.

**Analysis**

This ordinance would create a new Metro commission to explore solutions to Metro’s long term solid waste collection needs. The recitals of the ordinance note that under Metro’s solid waste disposal contract with Republic Services, Inc., Metro currently trucks its solid waste to the Middle Point Landfill in Rutherford County, which is nearing capacity. The Council recently extended Metro’s contract with Republic through FY2027.

This ordinance would establish an 11 member Special Solid Waste Commission to identify solutions and make recommendations to the Metro Council regarding the disposal of Nashville’s solid waste over the next 75 years. To the extent the below persons are willing to serve, then such persons shall automatically be included as members of the Commission:

- Former Governor and Mayor Phil Bredesen
- Former Mayor Bill Purcell
- Former Mayor Karl Dean
- Former Mayor David Briley
- Former Mayor Megan Barry
- Former Vice Mayor Howard Gentry
- Mayor John Cooper
- Vice Mayor Jim Shulman
- Councilmember Jonathan Hall
- Former Chief Operating Officer and Director of Finance Rich Riebeling
- Special Advisor Bernice Winfrey

If any of these persons are not willing to serve, then the Mayor would appoint the necessary members to reach a total of eleven Commission members, who are subject to confirmation by 21 Council votes.

The ordinance provides that the Commission should interview representatives from Republic and Red River Service Corporation, as well as consultants and former elected officials from New York, New Jersey, and California. The Commission is to explore various tools and options, including but not limited to: fees for waste generators and haulers, fines for commercial establishments who do not meet a certain recycling threshold, incentives for recycling, and anticipated property tax revenues that will be needed for long-term solid waste disposal.

The Commission would be staffed by Metro Public Works and then by Metro Water Services after the transfer of the solid waste functions takes place under the terms of the memorandum of understanding approved by Resolution No. RS2021-794. The Commission would be required to submit recommendations to the Council within one year of its first meeting.

**Sponsors:** Hall

**46. [BL2021-694](#)**

An ordinance requiring all existing culverts, inlets, storm drains, and ditches within the T2-Rural Neighborhood Policy and T3- Suburban Neighborhood Policy to be upgraded, retro-fitted and/or constructed to current Storm Water Management Manual Standards by December 31, 2026.

**Analysis**

This ordinance would require that all existing culverts, inlets, storm drains, and ditches within the T2- Rural Neighborhood Policy and T3- Suburban Neighborhood Policy be upgraded, retrofitted, and/or constructed to the specifications of the Stormwater Management Manual Standards. This work would be required to be completed by December 31, 2026. The justification for the ordinance in the recitals is that stormwater infrastructure improvements in many rural and suburban areas of the General Services District, specifically those areas within the T2- Rural Neighborhood Policy and T3- Suburban Neighborhood Policy, has failed to keep pace with the impact development has had on stormwater management.

*Fiscal Note: The costs to implement the improvements proposed by this ordinance are anticipated to range from tens of millions -- if not hundreds of millions -- of dollars. A precise estimate of costs has not yet been determined by Water Services due to expansive size of the proposed Stormwater project.*

**Sponsors:** Hall and Hurt

**47. [BL2021-718](#)**

An ordinance to amend Title 2 of the Metropolitan Code, Chapter 2.76 related to the Board of Electrical Examiners and Appeals, 2.84 related to the Board of Gas/Mechanical Examiners and Appeals, and 2.92 related to the Board of Plumbing Examiners and Appeals.

**Analysis**

This ordinance amends various sections in the Metro Code to combine the Board of Electrical Examiners and Appeals, the Board of Gas/Mechanical Examiners and Appeals, and the Board of Plumbing Examiners and Appeals into one new consolidated board. These separate boards

have been in existence for many years, dating back as early as 1965, to handle trade licensing and code appeals. Most contractors now have a state contractor's license, which has reduced the number of local licenses. The state license allows contractors to work in all counties, which is why contractors generally opt for that license instead of a Metro license.

Further, the modern versions of the trade codes have greatly reduced the number of appeals, and finding people to serve on the boards to hear the few appeals they have has become a challenge. The current codes (the International Code Council - ICC and the National Electric Code - NEC) are now very standardized, so the number of appeals have dwindled to the point where each board only meets a couple of times per year.

This ordinance abolishes the three boards and creates one new seven member board composed of the following:

- One registered Metropolitan/State gas/mechanical contractor
- Two registered Metropolitan/State plumbing contractors
- One registered Metropolitan/State electrical contractor
- One mechanical engineer registered with the State of Tennessee
- One electrical engineer registered with the State of Tennessee
- One member from the public at large as representative of the Mayor

The board would be responsible for hearing appeals for violations and decisions issued by the Codes Department under chapters 6.20, 6.52, 16.12, 16.16, and 16.20 of the Metro Code.

**Sponsors:** Cash and Murphy

**48. [BL2021-720](#)**

An ordinance to amend Section 16.24.330 of the Metropolitan Code to require homeowners association signs.

**Analysis**

This ordinance amends Section 16.24.330 of the Metro Code to require homeowners associations (HOAs) to install signs at each vehicular entrance of the subdivision notifying the public that the property is under the control of an HOA and whether the property is bound by restrictive covenants. The signs must measure at least 18 inches in height and 12 inches in width, and are to be installed outside of the public right-of-way. For existing subdivisions, the HOAs would be responsible for furnishing and installing the signs. New subdivision developers would be required to furnish and install the signs at the time the subdivision is built.

**Sponsors:** Styles

**49. [BL2021-725](#)**

An ordinance to amend Section 2.149.040 of the Metropolitan Code of Laws regarding the Barnes Fund for Affordable Housing.

**Analysis**

This ordinance would require 20% of the Barnes Fund for Affordable Housing grant funds to be set aside for small nonprofit organizations. The Metro Housing Trust Fund Commission was

created by Ordinance No. BL2013-487 to, in part, oversee the management and operation of the Barnes Fund for Affordable Housing. Part of the duties of the Commission are to establish criteria for the awarding of Barnes Fund grants and make recommendations to the Council regarding the awarding of grants to nonprofit organizations.

This ordinance would require that the criteria established by the Commission include setting aside at least 20% of the grant funds to be allocated to small affordable housing nonprofit organizations that have an annual operating budget of no more than \$4,000,000 and a housing budget of no more than \$1,000,000. This set aside would not apply if there are not a sufficient number of qualified small nonprofit applicants.

**Sponsors:** Suara

**50. [BL2021-727](#)**

An ordinance declaring surplus and approving the disposition of a parcel of real property known as 0 American Road (Map/Parcel No. 09011004700) (Proposal No. 2021M-003PR-001).

**Analysis**

This ordinance declares a 1.08 acre unbuildable parcel of property located on American Road to be surplus, and authorizes the sale of the property to the owner of one of the 10 adjacent tracts who offers the highest price. Metro Water Services has determined that it no longer needs this property. Metro's standard practice regarding unbuildable surplus lots is to sell them to an adjacent property owner. The proceeds of the sale will be credited to the Metro General Fund.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: The appraised value for the parcel of land is \$1,500 according to the Property Assessor's website.*

**Sponsors:** Roberts, Toombs, Murphy and Nash

**51. [BL2021-728](#)**

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County, by renaming a portion of Blake Drive from Sunnywood Drive to the dead end to "Sweet Oak Court". (Proposal Number 2021M-003SR-001).

**Analysis**

This ordinance renames a portion of Blake Drive between Sunnywood Drive and the cul-de-sac as "Sweet Oak Court." This street renaming request was submitted by the Department of Emergency Services because there are two different roadways with the name Blake Drive that are no longer proposed to connect, which could result in emergency services delays.

This name change has been approved by the Planning Commission and referred to the Emergency Communications District Board. The required historic report has been received and

is available as an attachment to the ordinance.

**Sponsors:** Rutherford, Murphy, Nash and OConnell

**52. [BL2021-729](#)**

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning a portion of Forest Ridge Drive right-of-way and easement, (Proposal Number 2021M-004AB-001).

**Analysis**

This ordinance abandons a portion of Forest Ridge Drive from the southwest corner of 4672 Forest Ridge Drive to the dead end. This abandonment has been requested by Civil Site Design Group. Metro Public Works has determined there is no future need for this portion of right-of-way and all abutting property owners have consented to the abandonment. This ordinance also abandons all utility easements within this portion of right-of-way.

This ordinance has been approved by the Planning Commission.

*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:** Evans, Murphy, Nash and OConnell

**53. [BL2021-730](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at 3449 Brick Church Pike, also known as Village By The Creek Section 10A, (MWS Project Nos. 20-SL-227 and 20-WL-116 and Proposal No. 2021M-028ES-001).

**Analysis**

This ordinance accepts new sewer mains, water mains, manholes, fire hydrant assemblies, and easements for property located at 3449 Brick Church Pike, known as Village By The Creek Section 10A. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: There is no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Gamble, Murphy and Nash

**54. [BL2021-731](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main and easements, and to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, for property located at 3449 Brick Church Pike, also known as Village By The Creek Section



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10B, (MWS Project Nos. 20-SL-228 and 20-WL-117 and Proposal No. 2021M-029ES-001).

Analysis

This ordinance abandons eight inch sewer main and easements, and accepts replacement sewer and water mains, sewer manholes, one fire hydrant assembly, and easements for property located at 3449 Brick Church Pike, known as Village By The Creek Section 10B. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: There is no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Gamble, Murphy and Nash

**55. [BL2021-732](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept the relocation of existing water main and easements, for property located at 4619 Hessey Road at the intersection of Leona Pass and Earhart Road, also known as the Ashton Park Watermain Relocation (MWS Project No. 21-WL-25 and Proposal No. 2021M-026ES-001).

Analysis

This ordinance accepts the relocation of water main and easements for property located at 4619 Hessey Road at the intersection of Leona Pass and Earhart Road. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: There is no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Evans, Murphy and Nash

**56. [BL2021-733](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main, sanitary sewer manhole and easements, and to accept new sanitary sewer main, sanitary sewer manholes and easements, for property located at 170 Antioch Pike, also known as Darrow Downs Sewer Extension (MWS Project No. 20-SL-156 and Proposal No. 2021M-031ES-001).

Analysis

This ordinance abandons approximately 70 linear feet of existing eight inch sanitary sewer main, and one sanitary sewer manhole, and accepts new eight inch sanitary sewer main, two sewer manholes, and easements for property located at 170 Antioch Pike. Future amendments

to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: There is no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Welsch, Murphy and Nash

**57. [BL2021-734](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept sanitary sewer main, a sanitary sewer manhole and easements, for property located at 526 Myatt Drive (MWS Project No. 20-SL-252 and Proposal No. 2021M-030ES-001).

**Analysis**

This ordinance accepts new eight inch sewer main, on sewer manhole, and easements for property located at 526 Myatt Drive. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: There is no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Hancock, Murphy and Nash

**J. Bills on Third Reading**

**58. [BL2021-620](#)**

An ordinance amending Chapters 17.36 and 17.40 of Title 17 of the Metropolitan Code to create a Detached Accessory Dwelling Unit (DADU) Overlay District. (Proposal No. 2021Z-002TX-001).

**Analysis**

This ordinance, as amended, creates a Detached Accessory Dwelling Unit (DADU) Overlay District in Title 17 of the Metropolitan Code.

The proposed overlay would permit a detached, self-sufficient dwelling unit accessory to a principal structure. The overlay would permit DADUs within the boundary of the overlay, subject to existing standards for detached accessory dwelling units in Section 17.16.030.G of Title 17. These standards include requirements for, but not limited to, ownership, lot area, setbacks, bulk & massing, design, and access. This ordinance does not apply the overlay to any areas; it only creates the tool that can be utilized. The process to apply the overlay is the same process as a rezoning and is similar to the process for other overlays, such as contextual overlays and residential accessory structure overlays.

An amendment added at the March 3 meeting clarifies that a DADU overlay is only applicable to properties zoned RS/RS-A or properties where a DADU is a legally permitted use prior to the establishment of the overlay. Further, properties within a DADU overlay cannot share lot lines with single-family residentially zoned properties that are not in the overlay district.

This ordinance was approved by the Planning Commission.

**Sponsors:** Allen, Parker, Welsch, OConnell, Withers, Taylor, Benedict and Suara

**63. [BL2021-675](#)**

An ordinance to amend Chapter 3.52 of the Metropolitan Code pertaining to elected official compensation.

Analysis

This ordinance, as substituted, would require the Metro Department of Human Resources (HR) to conduct an elected official compensation assessment at least once every four year term and submit a recommendation to the Civil Service Commission. The assessment is to include an examination of the salaries of Councilmembers, the Vice Mayor, and the Mayor in comparable cities. After completing the assessment, HR is to make a recommendation to the Civil Service Commission as to whether the salaries of these elected officials should be modified starting with the next Council term and taking into consideration the job duties, size of the comparable legislative bodies, and whether those elected officials are parttime or fulltime.

Section 18.05 of the Metropolitan Charter allows the Council to change the salary for the Mayor, Vice Mayor, and Councilmembers as a part of the general pay plan, but the salaries cannot change during the term of office.

*Fiscal Note: The Human Resources department indicated that it would be necessary to outsource the project to a vendor. The estimated cost to conduct the compensation study for FY2022 is between \$25,000 to \$27,000. The cost to perform this work will increase in later years in accordance with the applicable terms.*

**Sponsors:** Toombs, Styles, Benedict and Taylor

**73. [BL2021-717](#)**

An ordinance providing for the waiver of certain building permit fees for the repair or rebuilding of property damaged as a result of the March 27-28, 2021 flooding and amending Section 16.28.100 of the Metropolitan Code to allow for the waiver of permit fees in the event of future disasters.

Analysis

This ordinance, as substituted, waives permit fees for the repair or rebuilding of property damaged as a result of the March 27-28, 2021 flooding and amends the Metro Code to allow for future permit waivers by resolution. This ordinance is similar to Ordinance No. BL2020-234, as amended, which waived building permit fees for the repair or rebuilding of property damaged as a result of the March 3, 2020 tornado and Ordinance No. BL2021-618, which waived building permit fees for the repair or rebuilding of property damaged as a result of the December 25, 2020 bombing.

Under this ordinance, building permit fees would be waived if the following conditions are satisfied:

- The permits are obtained to repair damage to the owner's property caused by flooding from the March 27-28, 2021 excessive rainfall event.
- The permits are obtained on or before June 30, 2022.
- The owner must provide evidence that the work is being performed as a result of damage from this excessive rainfall event.
- Property owners who paid building permit fees for flooding related damage prior to the effective date of this ordinance will be entitled to a refund.

Property owners or their agents must sign an affidavit that the permit fees will not be reimbursed by insurance or other funding sources in order to receive the fee waiver.

The substitute expands the waiver to include electrical, gas/mechanical, and plumbing permits. It also amends Section 16.28.110 of the Metro Code to include a provision that allows for waivers of building, electrical, gas/mechanical, and/or plumbing permit fees by a resolution of Council when a state of emergency is declared by the Mayor.

*Fiscal Note: There were 486 properties classified as having sustained major damage caused by flooding from the March 27-28, 2021 excessive rainfall event. A reliable estimate of permit fees to be waived would be difficult to determine due to the unknown cost of construction on the damaged structures. Assuming the lowest permit fee of \$75, which would allow for up to \$2,000 worth of work, and issued by the deadline on June 30, 2022, the estimated permit fees that would be waived is \$36,450 according to the Codes Department.*

**Sponsors:** Johnston, Suara and Taylor

**74. [BL2021-723](#)**

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water main and easements, and to accept new water main, a fire hydrant assembly and easements, for two properties located at 1302 A and 1302 B Pillow Street, also known as the Pillow Street Water Main Extension (MWS Project No. 20-WL-142 and Proposal No. 2021M-023ES-001).

Analysis

This ordinance abandons approximately 1,001 linear feet of existing two inch water main and easements, and accepts 998 linear feet of new eight inch water main, one fire hydrant assembly, and associated easements for properties located at 1302A and 1302B Pillow Street. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

*Fiscal Note: There is no cost to Metro. Abandoned and donated easements have no market value according to the Department of Water Services.*

**Sponsors:** Sledge, Murphy and Nash

**75. [BL2021-724](#)**

An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning an Unnumbered Alley right-of-way and easement from 18th Avenue South to Alley Number 442. (Proposal Number 2021M-003AB-001).

Analysis

This ordinance abandons an unnumbered alley from 18th Ave S to Alley #442, between Horton Avenue and Wedgewood Avenue. This abandonment has been requested by Vanderbilt University. This ordinance also abandons the utility easements within this portion of the right-of-way. Metro Public Works has determined there is no future need for this portion of right-of-way and Vanderbilt is the only property owner that would be affected by the abandonment.

This ordinance has been approved by the Planning Commission.

*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:** Sledge, Murphy, Nash and OConnell