



Metro Council

F. Bills on Public Hearing

1. [BL2021-831](#)

An ordinance amending Sections 6.28.030, 17.04.060, and 17.20.030 of the Metropolitan Code to amend the definition of “Short term rental property (STRP)-Not owner-occupied” and to amend parking requirements related to “Short term rental property (STRP)-Not owner-occupied” (Proposal No. 2021Z-012TX-001).

Analysis

This ordinance amends Sections 6.28.030, 17.04.060, and 17.20.030 related to “Short term rental property (STRP)- Not owner-occupied” uses. The definition of “Short term rental property (STRP)- Not owner-occupied” would be amended in two different Code provisions to remove “residential” from the definition. This use is already considered a commercial use under Title 17. Further, this ordinance would require that the STRP-Not owner-occupied use have a parking minimum of one space per bedroom/sleeping area.

This has been disapproved by the Planning Commission.

Sponsors: OConnell, Bradford and Parker

2. [BL2021-832](#)

An ordinance to amend various sections of Title 17 of the Metropolitan Zoning Code to incentivize Inclusionary Housing with any residential development that seeks additional development entitlements beyond that permitted by the current base zoning district (Proposal No. 2021Z-013TX-001).

Analysis

This ordinance, as substituted, amends Title 17 of the Metro Code to create a voluntary program for inclusionary housing to promote affordable and workforce housing. Under this program, a developer could voluntarily elect to create inclusionary housing as an option for receiving bonus height under the Downtown Code’s bonus height program. Metro would provide subsidies to developers for the voluntary provision of inclusionary housing in accordance with the regulations set forth in this ordinance.

Metro would use the estimated new tax revenue generated by the bonus height to subsidize the inclusionary housing units within the development, making it so that the units would then rent at market rate.

Developments of fewer than five units would not be eligible for this program. No benefit would be provided if the average unit sale price or rental rate is less than, or within 5% above, 100% of the Area Median Income rental rate for Nashville and Davidson County, as determined by the U.S. Department of Housing and Urban Development.

The inclusionary housing requirement is included in a chart in the text of the legislation.

The developer would be required to submit an Inclusionary Housing Plan (“the Plan”), which includes the total residential units provided under the site plan, whether the development uses public resources or public property, the number of inclusionary housing units provided, the income levels of families eligible for the inclusionary housing units, the proposed market rates for the units, the location, sizes, and bedroom counts of the inclusionary housing units, and the market rate for comparable units within the same census tract.

The Plan would also be required to include a Proposed Master Lease with MDHA, or another entity competitively selected to administer this ordinance. The master lease would require approval from the Mayor’s Office Director of Housing Programs, or another Metro official responsible for overseeing and administering affordable housing programs. The master lease agreements must provide a minimum term of 15 years for Inclusionary Housing rental units, reassess the market rate for each unit every five years during the lease term, and ensure that the units are occupied by eligible households.

Further, exterior and interiors of Inclusionary Housing units could not differ materially from other units in the development.

Before the issuance of a building permit, compliance with the requirements of this ordinance must be documented on the permit plans. Before a use & occupancy permit could be issued, the above requirements must be satisfied, and documentation provided to the Codes Department.

During the subsidized rental period, the administering agency would be required to submit a compliance report to the Mayor’s Office Director of Housing programs, or another such official responsible for overseeing and administering affordable housing programs, in the form and manner determined by such official with assistance from the Finance Department.

Additional regulations related to the implementation of this program are found in the companion bill, Ordinance No. BL2021-912.

This has been referred to the Planning Commission.

Sponsors: Allen and OConnell

6. [**BL2021-922**](#)

An ordinance amending Sections 17.04.060, 17.08.030, and 17.16.070 of the Metropolitan Code, Zoning Regulations to implement a distance requirement for the “bar or nightclub” use

(Proposal No. 2021Z- 018TX-001).

Analysis

This ordinance amends Title 17 of the Metro Code to define the “bar or nightclub” use. It also implements a condition requiring a distance of 100 feet between a bar or nightclub use and parcels containing single family residential, two family residential, day care center (up to 75), day care center (over 75), day care home, school day care, orphanage, monastery or convent, religious institution, or community education uses in all zoning districts where the bar or nightclub use is currently permitted, excluding the DTC. This bill does not affect bar or nightclub uses located within the DTC.

The current conditions of a maximum size of 2,500 sq. ft. of gross floor area per establishment and no more than one establishment per lot shall remain for the MUN, MUN-A, MUN-NS, MUN-A-NS, CN, CN-A, CN-NS, CN-A-NS, SCN, and SCN-NS.

This has been referred to the Planning Commission.

Sponsors: Taylor, Glover, Murphy, OConnell and Porterfield

8. [BL2021-974](#)

An ordinance amending Title 17 of the Metropolitan Code of Laws regarding the design and operation of outdoor electrical lighting to clarify application of Dark Sky regulations by public utilities and on public property (Proposal No. 2020Z-014TX-002).

Analysis

This ordinance amends Title 17 of the Metro Code to clarify how leased public utility security lighting as a type of lighting is regulated by the Lighting section of the Zoning Code (Section 17.28.100). Currently, this type of lighting is not well accounted for, as the regulatory framework of the Lighting section of the Zoning Code is divided between residential/agricultural and commercial applications. If the ordinance is adopted, the lighting type, intensity and uniformity, color temperature, and luminaire standard of leased public utility security lighting would be regulated by the Zoning Code.

This item was recommended for approval by the Planning Commission at their November 18 meeting.

Sponsors: Allen, Styles and Roberts

9. [BL2021-975](#)

An ordinance amending Section 17.40.660 of the Metropolitan Code to amend the limitations of rebuilding a nonconforming structure (Proposal No. 2021Z-019TX-001).

Analysis

This ordinance amends Title 17 of the Metro Code to allow nonconforming single and two family uses that are damaged or destroyed by any involuntary means (such as a natural disaster) to be fully reconstructed as long as there is not a substantial increase in the degree of

nonconformity of the structure. This ordinance is similar to BL2020-277, which amended Title 17 to allow any structure damaged or destroyed by the March 3, 2020 tornado to be fully reconstructed so long as there is not a substantial increase in the degree of non-conformity.

A housekeeping amendment is anticipated.

This item was recommended for approval by the Planning Commission at their November 18 meeting.

Sponsors: Sepulveda

G. Consent Resolutions and Resolutions

37. [RS2021-1201](#)

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 \$568,855,000.

Analysis

This resolution authorizes the issuance of up to \$568,855,000 in general obligation bonds to provide funding for various projects contained in the Mayor's proposed capital spending plan.

This resolution would provide \$415,411,000 for the General Government, \$134,200,00 for Metro Nashville Public Schools, and a contingency of \$19,244,000.

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.

For context, the amounts of the last five prior capital spending plans are as follows:

- RS2021-757 \$481,610,000
- RS2020-213 \$154,000,000
- RS2018-1454 \$351,100,000
- RS2017-963 & 713 \$421,215,000
- RS2016-245 \$475,000,000

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.

Sponsors: Allen

38. [RS2021-1204](#)

A resolution appropriating \$1,933,000.00 in American Recovery Plan Act funds from Fund #30216 to Metro Parks to be used for managing homeless encampments, and the renovation and repair of Brookmeade Park.

Analysis

This resolution, as amended, appropriates \$1,933,000 in American Recovery Plan Act funds to Metro Parks to be used for managing homeless encampments and the renovation and repair of Brookmeade Park.

The resolution accepts the COVID-19 Financial Oversight Committee's recommendation to use American Rescue Plan (ARP) funds in recognition of the additional burdens the COVID-19 pandemic has placed on the Metro Parks Department to fulfill its mission to provide safe and enjoyable parks and greenway space, primarily due to an increase in the number of urban camps and the increase of homeless individuals living in Metro parks. Parks has identified vehicles and equipment necessary to enhance safety and maintain Metro parks, including Eye in the Sky cameras and renovations and repairs to Brookmeade Park. Exhibit A to the resolution shows the use of the \$1,933,000 in funding, including equipment to clean up and transport debris, sanitization of pavilions, shelters, and playgrounds, and portable lighting trailers to light parks for safety as needed. Eye in the Sky cameras would be purchased for parks listed on the exhibit, including Ascend Amphitheater, Brookmeade Park, Centennial Park, Public Square Park, and others. Further, renovations would be made to Brookmeade Park including trailhead signage and maps, improvements to the parking lot and trails, demolition and replacement of the bridge, new decking, railing on the overlook, and installation of electronic gates at the parking lot. The equipment and cameras would be \$1,083,000 and the Brookmeade Park Renovation would be \$850,000, for a total of \$1,933,000.

An amendment added at the November 16 meeting states that no funds allocated under this resolution can be used for the purpose or effect of removing, inconveniencing, or otherwise disturbing residents from existing homeless encampments. No funds could be used to free up resources related to those purposes, either.

Fiscal Note: This appropriation, along with the appropriations per Resolution No. RS2021-1203, Resolution No. RS2021-1205, Resolution No. RS2021-1206 and Resolution No. RS2021-1207 would be the 5th, 6th, 7th, 8th, and 9th resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$19,427,996. The total grant award is \$259,810,600 and the first half of this amount was received in July 2021.

Sponsors: Gamble, Johnston, Allen, Bradford and Hausser

39. [RS2021-1209](#)

A resolution authorizing the Director of Public Property Administration, or his designee, to exercise an option to purchase a certain parcel of property located at 1354 Brick Church Pike

and 0 Brick Church Pike (Parcel Nos. 07106005300 and 07110001800) (Proposal No. 2021M-020PR-001).

Analysis

This resolution authorizes the Director of Public Property to exercise an option to purchase approximately 13.94 acres located at 1354 Brick Church Pike and 0 Brick Church Pike for use as the Nashville Youth Campus for Empowerment. The parcel is currently owned by the Al Menah Temple. Pursuant to the option agreement, Metro would pay \$9,000,000 for this property.

Section 2.24.250.F of Metro Code allows for the acquisition of property through the exercise of a negotiated option to sell at a fixed price, subject to approval of the Council by resolution. This acquisition was approved by the Board of Parks and Recreation and the Planning Commission.

Fiscal Note: According to the Assessor of Property's website, the total appraised value for the purposes of assessment for 1354 Brick Church Pike is \$3,657,400 and 0 Brick Church Pike is \$146,600.

Sponsors: Toombs, Allen and Withers

42. [RS2021-1259](#)

A resolution approving amendment two to a grant from the Tennessee Emergency Management Agency to the Metropolitan Government, acting by and through the Department of Finance, to provide public assistance pursuant to Presidential Disaster Declaration number FEMA-4476-DR-TN for costs incurred for severe storms, tornadoes, straight-line winds, and flooding on March 3, 2020.

Analysis

Resolution No. RS2021-701 accepted a grant in the amount of \$4,811,668.25 from the Tennessee Emergency Management Agency (TEMA) to the Metropolitan Department of Finance to provide reimbursement for costs incurred for severe storms, tornadoes, straight-line winds, and flooding on March 3, 2020. Resolution No. RS2021-1022 approved the first amendment to that grant, which increased the award by \$2,364,595.64 and increased the local cash match requirement by \$341,701.93.

The resolution under consideration approves the second amendment to this grant agreement. TEMA has awarded an addition \$6,302,202.74, for an increase from \$7,176,263.89 to \$13,478,466.63. The local cash match would also be increased by \$900,314.67, from \$1,029,083.10 to 1,929,397.77.

The term of the agreement remains March 3, 2020 through March 2, 2024.

Sponsors: Allen and Welsch

43. [RS2021-1260](#)

A resolution appropriating \$20,200,000.00 in American Rescue Plan Act funds from Fund

#30216 to supplement The Barnes Fund, to establish a Catalyst Fund for affordable housing purchases, and to create a centralized database of subsidized housing.

Analysis

This resolution appropriates \$20,200,000 in American Rescue Plan Act funds to supplement the Barnes Fund for Affordable Housing, to establish a Catalyst Fund for affordable housing purchases, and to create a centralized database of affordable housing.

This resolution approves the COVID-19 Financial Oversight Committee's recommendation to use ARP funds to appropriate \$10 million for a Catalyst Fund, \$200,000 for the creation of a centralized housing platform to allow residents to seek affordable housing in one place, and \$10 million for the Barnes Fund. More information on the proposed uses of this funding can be found on the exhibit attached to the resolution.

Fiscal Note: This appropriation, along with the appropriations per Resolution No. RS2021-1261, Resolution No. RS2021-1262, Resolution No. RS2021-1263 and Resolution No. RS2021-1264 would be the 10th, 11th, 12th, 13th, and 14th resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$59,054,250. The total grant award is \$259,810,600 and the first half of this amount was received in July 2021.

Sponsors: Sepulveda, Johnston, Gamble, Allen, Welsch, Suara and Styles

44. [RS2021-1261](#)

A resolution appropriating \$750,000.00 in American Rescue Plan Act funds from Fund #30216 to the Nashville Convention and Visitors Corporation to expand its sponsorship of new and culturally diverse events in Nashville.

Analysis

This resolution appropriates \$750,000 in American Rescue Plan Act funds to the Nashville Convention and Visitors Corporation (CVC) to expand its sponsorship of new and culturally diverse events in Nashville.

As part of the Fiscal Year 2021 Governor's Local Support Grant, Metro awarded \$500,000 to the CVC to expand its sponsorship of new and culturally diverse events in Nashville. Due to the success of these events, the CVC has requested additional funds to expand tourism opportunities and attract more diverse visitors to the city. These events include, but are not limited to, the following:

- Jefferson Street Jazz and Blues Festival
- Jazzmania (Nashville Jazz Workshop)
- Native American Pow Wow
- Nashville Pride Festival
- Stellar Awards (Black Gospel)
- Fisk Jubilee Singers Spring Sing
- Gospel Music Association Dove Awards
- Americana Music Awards/Festival

- National Black Caucus of Local Elected Officials Conference

Fiscal Note: This appropriation, along with the appropriations per Resolution No. RS2021-1260, Resolution No. RS2021-1262, Resolution No. RS2021-1263 and Resolution No. RS2021-1264 would be the 10th, 11th, 12th, 13th, and 14th resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$59,054,250. The total grant award is \$259,810,600 and the first half of this amount was received in July 2021.

Sponsors: Gamble, Sepulveda, Johnston, Allen and Styles

45. [RS2021-1262](#)

A resolution appropriating \$7,226,000.00 in American Rescue Plan Act funds from Fund #30216 to select Metro departments to upgrade various HVAC systems throughout the Metropolitan Government for improved ventilation.

Analysis

This resolution appropriates \$7,226,000 in American Rescue Plan Act funds to select Metro departments to upgrade various HVAC systems throughout the Metropolitan Government for improved ventilation.

This resolution approves the COVID-19 Financial Oversight Committee’s recommendation to use ARP funds for various HVAC upgrades based on CDC recommendations in order to help prevent the transmission of COVID-19. The funds would be used as follows:

<u>Department</u>	<u>Equipment & Installation</u>	<u>Annual Operating</u>
General Services	\$2,750,000	\$220,000
DCSO	\$1,139,000	\$91,200
Health	\$1,127,000	\$91,000
Library	\$495,000	\$39,600
NDOT	\$300,000	\$24,000
NFD	\$255,000	\$20,400
Parks	\$1,000,000	\$80,000
Metro Action Commission	\$160,000	\$12,800
TOTAL	\$7,226,000	\$579,000

Fiscal Note: This appropriation, along with the appropriations per Resolution No. RS2021-1260, Resolution No. RS2021-1261, Resolution No. RS2021-1263 and Resolution No. RS2021-1264 would be the 10th, 11th, 12th, 13th, and 14th resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$59,054,250. The total grant award is \$259,810,600 and the first half of this amount was received in July 2021.

Sponsors: Sepulveda, Gamble, Johnston, Allen and Styles

46. [RS2021-1263](#)

A resolution appropriating \$9,069,614.00 in American Rescue Plan Act funds from Fund #30216 to General Services to expand the vehicle fleet of the Metro Nashville Police

Department, the Nashville Department of Transportation, and the Davidson County Sheriff's Office.

Analysis

This resolution appropriates \$9,069,614 in American Rescue Plan Act funds to General Services to expand the vehicle fleet of the Metropolitan Nashville Police Department (MNPd), the Nashville Department of Transportation (NDOT), and the Davidson County Sheriff's Office (DCSO).

This resolution approves the COVID-19 Financial Oversight Committee's recommendation to use ARP funds to purchase 128 marked pursuit SUVs for MNPd, five standard cab pickups and five crew cab pickups for NDOT, and three marked pursuit vehicles and one passenger van for DCSO.

Fiscal Note: This appropriation, along with the appropriations per Resolution No. RS2021-1260, Resolution No. RS2021-1261, Resolution No. RS2021-1262 and Resolution No. RS2021-1264 would be the 10th, 11th, 12th, 13th, and 14th resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$59,054,250. The total grant award is \$259,810,600 and the first half of this amount was received in July 2021.

Sponsors: Gamble, Johnston, Allen, Bradford and Styles

47. [RS2021-1264](#)

A resolution appropriating \$2,380,640.00 in American Rescue Plan Act funds from Fund #30216 to General Services to temporarily expand the trash disposal fleet of Metro Water Services to ensure timely trash collection and avoid public health issues.

Analysis

This resolution appropriates \$2,380,640 in American Rescue Plan Act funds to General Services to temporarily expand the trash disposal fleet of Metro Water Services to ensure timely trash collection and avoid public health issues.

This resolution accepts the COVID-19 Financial Oversight Committee's recommendation to use ARP funds rent 13 trash trucks for six months, at a rental cost of \$2,313,600 and an estimated cost of operation of \$67,040.02 for fuel and maintenance.

Fiscal Note: This appropriation, along with the appropriations per Resolution No. RS2021-1260, Resolution No. RS2021-1261, Resolution No. RS2021-1262 and Resolution No. RS2021-1263 would be the 10th, 11th, 12th, 13th, and 14th resolutions appropriating from the American Recovery Plan Act (ARP) Fund for a cumulative total of \$59,054,250. The total grant award is \$259,810,600 and the first half of this amount was received in July 2021.

Sponsors: Johnston, Sepulveda, Gamble, Allen and Styles

48. [RS2021-1265](#)

A resolution approving amendment one to an intergovernmental agreement by and between

the State of Tennessee, Department of Health, and the Metropolitan Government, acting by and through the Metropolitan Board of Health, to provide Child Fatality Review Services in the Sudden Death of the Young (SDY) in children under age 19 investigated by the Medical Examiner's Office.

Analysis

This resolution amends an intergovernmental agreement between the Tennessee Department of Health and the Metropolitan Board of Health originally approved by Resolution No. RS2018-1500. The agreement provides Child Fatality Review Services in the Sudden Death of the Young (SDY) in children under age 19 investigated by the Medical Examiner's Office.

This amendment increases the amount of the grant agreement by \$7,000, from \$28,000 to \$35,000. It also extends the end date of the contract by one year, from September 29, 2022 to September 29, 2023.

Section 10.104(8) of the Metropolitan Charter provides that the Board of Health has the duty to contract for such services as will further the programs and policies of the Board, subject to confirmation by resolution of Council.

Fiscal Note: Metro would be compensated up to \$35,000 for these services during the term of the contract, which is an increase of \$7,000 from the previous agreement.

Sponsors: Allen, Evans and Styles

49. [RS2021-1266](#)

A resolution approving an application for a Child and Adult Care Food Program (CACFP) grant from the Tennessee Department of Human Services to the Metropolitan Government, acting by and through the Metropolitan Parks and Recreation Department, to provide nutritious meals and snacks for children attending after school programs in nine park locations.

Analysis

This resolution approves an application for a Child and Adult Care Food Program (CACFP) grant from the Tennessee Department of Human Services to the Metropolitan Parks and Recreation Department. If the grant application is awarded, the grant award would be \$652,757.56 with no required local cash match. The grant proceeds would be used to provide nutritious meals and snacks for children attending after school programs in nine park locations. The term of the grant would be October 1, 2021 to September 30, 2022.

Sponsors: Allen, Bradford, Welsch, Suara, Gamble and Styles

50. [RS2021-1267](#)

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 the next phase of improvements in the Warner Parks.

Analysis

This resolution accepts an in-kind grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation. This in-kind grant is in an amount not to exceed \$3,998,649 with no required cash match and will provide funding for the next phase of improvements in the Warner Parks.

Sponsors: Henderson, Allen and Bradford

51. [RS2021-1268](#)

A resolution approving amendment one to a grant from the Friends of Mill Ridge Park to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, for the construction of a primitive trailhead at Mill Ridge Park.

Analysis

This resolution approves the first amendment to a grant from the Friends of Mill Ridge Park to the Metropolitan Board of Parks and Recreation. The agreement, previously approved by RS2021-1130, was for the construction of a primitive trailhead at Mill Ridge Park. This amendment changes the grant from a cash contribution to an in-kind contribution with an estimated value of \$40,000.

Sponsors: Lee, Allen, Bradford and Styles

52. [RS2021-1269](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Lynda Patton against the Metropolitan Government of Nashville and Davidson County in the amount of \$54,010.00, with said amount be paid out of the Self-Insured Liability Fund.

Analysis

On September 10, 2019, an employee of Metro Water Services (MWS) was driving a Metro dump truck westbound on Buena Vista Pike. Ms. Lynda Patton was also traveling westbound on Buena Vista Pike in the adjacent lane. The MWS employee attempted to merge from one lane into another but struck Ms. Patton's vehicle in the process.

Ms. Patton was transported to the hospital with complaints of a headache and pain in her neck, left shoulder, left hip, and ankle. She was diagnosed with bulging disks with positional cord impingement and required treatment by a neurologist and physical therapist.

Ms. Patton's damages totaled \$31,414.09, including medical treatment and lost earnings. Metro previously paid \$7,267.34 for property damage to her vehicle.

The Department of Law recommends settlement of this claim for \$54,010.

Fiscal Note: This \$54,010 settlement would be the 16th payment from the Self-Insured Liability Fund in FY21 for a cumulative total of \$928,078. The fund balance would be \$7,106,899 after these payments.

Sponsors: Allen

53. [RS2021-1270](#)

A resolution to amend Ordinance No. BL2021-704 to authorize The Metropolitan Government of Nashville and Davidson County to abandon additional combination sewer main and easements, and to accept additional combination sewer main, combination sewer manholes and easements, for property located at 622 Merritt Avenue, also known as The Finery Residential (MWS Project Nos. 20-SL-308 and 20-WL-42 and Proposal No. 2021M-024ES-002).

Analysis

Ordinance No. BL2021-704, passed by the Council on May 4, 2021, authorized the abandonment of approximately 200 linear feet of existing 45 inch combination sewer and easements, authorizes the relocation of two existing fire hydrant assemblies, and accepts approximately 205 linear feet of new 48 inch combination sewer, four combination sewer manholes, two fire hydrant assemblies, and easements for property located at 622 Merritt Avenue, also known as The Finery Residential.

This resolution amends BL2021-704 to authorize the abandonment of an additional approximately 183 linear feet of existing 45 inch combination sewer (Brick) and easements, and the acceptance of an additional approximately 195 linear feet of new 48 inch combination sewer (RCP), three additional combination sewer manholes and easements. It has been determined that these changes are necessary to construct the project.

This has been approved by the Planning Commission.

Sponsors: Sledge, Withers and Young

I. [Bills on Second Reading](#)

90. [BL2021-912](#)

An ordinance amending Chapter 2.213 of the Metropolitan Code to create a mechanism for the implementation of the Inclusionary Housing Incentive program.

Analysis

This ordinance amends the Metro Code to create a program to implement the inclusionary housing incentive that is proposed in Ordinance No. BL2021-832. This ordinance establishes an Inclusionary Housing Incentive Payment Fund within the Department of Finance to consist of funds appropriated by the Council for the Inclusionary Housing program established by BL2021-832.

The Planning Department is responsible for determining whether a project is eligible for a height bonus in accordance with the Downtown Code for participation in the inclusionary housing incentive program (“the Program”). Upon determination of eligibility, the Planning Director must submit written notice of the determination to the Director of Finance.

The Director of Finance, upon consultation with the Davidson County Assessor's Office, would then determine the estimated new tax revenue that would be generated by the bonus height to subsidize the rental of workforce or affordable housing units for the development qualifying for the Program. The Council would then consider whether to appropriate this amount for the program, either as part of the operating budget or by a separate resolution.

The administering agency responsible for administering the Program would be responsible for administering payments to developers eligible under the Program. Funds would be transferred from Finance to the administering agency upon receiving the compliance report required in BL2021-832, and in accordance with the terms of the master lease.

Sponsors: Allen, OConnell, Suara, Porterfield, Welsch, Bradford, Toombs and Styles

91. [BL2021-971](#)

An ordinance to amend Title 2 of the Metropolitan Code of Laws to create an Office of Housing and Homelessness.

Analysis

This ordinance creates an office of housing and homelessness in the Metropolitan Government. This office would consist of a director and any other officers and employees as may be necessary. The director would be appointed by the mayor and would be an unclassified service employee.

The duties of this office would be:

- (1) the promotion of affordable housing in Nashville and Davidson County;
- (2) providing expertise and coordinate a community response to homelessness;
- (3) providing resources regarding affordable housing and homelessness throughout Nashville and Davidson County;
- (4) providing staff and resources for the Metropolitan Homelessness Commission and the Nashville Davidson County Continuum of Care Homelessness Planning Council; and
- (5) assisting with the administration of the Metropolitan Housing Trust Fund Commission and the Barnes Fund for Affordable Housing.

This ordinance would also transfer the homeless impact division from metro social services to the office of housing and homelessness. The affordable housing program manager and director of housing programs would also be transferred to this office.

Sponsors: OConnell, Evans, Suara, Sepulveda, Sledge, Welsch, Roberts, Allen, Porterfield, Rosenberg, Johnston, Parker, Druffel, Bradford, Benedict, Taylor and Styles

92. [BL2021-973](#)

An ordinance to amend Title 8 of the Metropolitan Code of Laws related to animals.

Analysis

This ordinance, as amended, amends Title 8 related to vicious dogs. The ordinance would create a new definition for “vicious dog”, which excludes a dog securely confined by a physical or electrical fence or enclosure under some circumstances. It would also amend the requirements for impoundment to authorize fees covering the costs of impoundment to be paid by the owner of a dog found to be vicious.

Further, the ordinance would require investigations into vicious dogs be completed within 72 hours of a complaint, or that an update be provided to a complainant. Each complaint would be subject to the review of the Director of Metro Animal Services or an animal control officer prior to initiating any action against the dog’s owner. If probable cause exists, supported by affidavits of two or more witnesses, to believe that a dog is vicious, proceedings may be initiated in general sessions court against the owner of the dog in question.

Finally, this ordinance would provide that a defendant should be served in person whenever practicable, but allows service by mail after three unsuccessful attempts to serve a defendant in person.

Fiscal Note: The estimated cost to expand the facility space at MACC and staffing needs for this legislation is \$6,108,217 according to Metro Health Department.

Sponsors: Styles and Porterfield

93. [BL2021-1011](#)

An Ordinance to amend Chapter 7.08 of the Metropolitan Code of Laws pertaining to the sale of beer and beer permits.

Analysis

This ordinance amends Chapter 7.08 of the Metropolitan Code of Laws to create a “managed BYO beer permit” to allow passengers to bring their own beer onto pedal carriages, horse drawn carriages, and entertainment transportation vehicles, and to allow retailer on-sale beer permits to be issued for carriages and vehicles.

A managed BYO beer permit could be issued to an “MTLC-regulated establishment”, which is defined as a pedal carriage, horse drawn carriage, or entertainment transportation vehicle permitted by the Metropolitan Transportation Licensing Commission. This permit would authorize the permittee to allow beer to be brought onto the premises of the MTLC-regulated establishment. Beer could be carried to and from the office of the establishment and the carriage or vehicle, but not off the premises and not across a public street or sidewalk. Beer could be sold sealed by the MTLC-regulated establishment and opened by the purchaser.

Further, the newly amended Section 7.24.040, which prohibits the consumption of alcoholic beverages or beer by a passenger during the operation of an unenclosed vehicle, would be amended to clarify that this would not apply to any vehicle with a managed BYO beer permit.

Sponsors: OConnell

94. [BL2021-1012](#)

An ordinance to amend Title 16 of the Metropolitan Code pertaining to the examination and approval of permit applications and drawings.

Analysis

This ordinance amends Section 16.28.080, subsection B, of the Metro Code of Laws to authorize the Director of Codes and the Fire Marshal to accept plans that have been reviewed by a registered architect or engineer. Along with the plans, a sworn affidavit affixed with the seal of the architect or engineer stating that the plans confirm with all applicable provisions, laws, and ordinances would be required.

The Director of Codes and the Fire Marshal would be authorized to rely upon this affidavit in their approval of the plans submitted, without further review. The architect or engineer who provided the affidavit would assume full responsibility for the compliance of the plans.

This ordinance would not waive the inspection requirements for a project, nor the ability of the Director of Codes or Fire Marshal to reject work not in compliance with applicable laws.

Sponsors: Hancock

95. [BL2021-1013](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and Liberty Collegiate Academy (Proposal No. 2021-013PR-001).

Analysis

This ordinance approves a lease agreement between Metro Nashville Public Schools (MNPS) and Liberty Collegiate Academy (Liberty) for use of property at 3515 Gallatin Pike as a charter school. The property includes approximately 35,158 square feet of the building.

The term of the lease begins on July 14, 2021 and ends on June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$14,649.17 per month, which represents a rate of \$5.00 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS's contracted providers, as well as major building systems components and capital repairs. The lease payment will increase from \$5.00 per square foot in Year 1 to \$6.00 per square foot in Year 2, and then increase 3% each year throughout the term of the lease.

MNPS is responsible for the major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. Liberty is responsible for custodial services, utilities, routine maintenance of the premises, and ADA compliance, building, fire, and zoning codes and regulations. Liberty must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Fiscal Note: The basic lease per square foot price is \$5.00/square foot or \$14,649.17 per month for the approximate square footage of 35,158 during year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase to \$6.00 per square foot in Year 2 and will increase by 3% each year beginning in year 3 and throughout the term of the lease.

Sponsors: VanReece, Allen, Withers and Lee

96. [BL2021-1014](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and Cameron College Prep (Proposal No. 2021-011PR-001).

Analysis

This ordinance approves a lease agreement between Metro Nashville Public Schools (MNPS) and Cameron College Prep (Cameron) for use of property at 1034 1st Avenue South as a charter school. The property includes approximately 125,835 square feet of the building.

The term of the lease begins on July 14, 2021 and ends on June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$31,458.75 per month, which represents a rate of \$3.00 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS's contracted providers, as well as major building systems components and capital repairs. The lease payment will increase from \$3.00 per square foot in Year 1 to \$4.00 per square foot in Year 2, and then increase 3% each year throughout the term of the lease.

MNPS is responsible for the major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. Cameron is responsible for custodial services, utilities, routine maintenance of the premises, and ADA compliance, building, fire, and zoning codes and regulations. Cameron must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Fiscal Note: The basic lease per square foot price is \$3.00/square foot or \$31,458.75 per month for the approximate square footage of 125,835 during year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase to \$4.00 per square foot in Year 2 and will increase by 3% each year beginning in year 3 and throughout the term of the lease.

Sponsors: Sledge, Allen, Withers and Lee

97. [BL2021-1015](#)

An ordinance approving a Lease Agreement by and between the Metropolitan Government of Nashville and Davidson County acting by and through the Metropolitan Board of Education and Nashville Prep (Proposal No. 2021-014PR-001).

Analysis

This ordinance approves a lease agreement between Metro Nashville Public Schools (MNPS) and Nashville Prep for use of property at 1300 56th Avenue North as a charter school. The property includes approximately 42,227 square feet of the building.

The term of the lease begins on July 14, 2021 and ends on June 30, 2031. Upon termination of the lease, the property will revert to MNPS. For the first year, the lease payment will be \$14,075.67 per month, which represents a rate of \$4.00 per square foot. The lease includes the cost of grounds maintenance, preventative maintenance, and refuse removal provided by MNPS's contracted providers, as well as major building systems components and capital repairs. The lease payment will increase from \$4.00 per square foot in Year 1 to \$5.00 per square foot in Year 2, and then increase 3% each year throughout the term of the lease.

MNPS is responsible for the major building system components and their capital repairs. This includes the building's roof, foundation, structural members of exterior walls, HVAC system components, and more. MNPS is also responsible for the refuse collection and ground maintenance, the cost of which is included in the lease payment. Nashville Prep is responsible for custodial services, utilities, routine maintenance of the premises, and ADA compliance, building, fire, and zoning codes and regulations. Nashville Prep must maintain commercial general liability insurance of not less than \$1,000,000 per occurrence.

Fiscal Note: The basic lease per square foot price is \$4.00/square foot or \$14,075.67 per month for the approximate square footage of 42,227 during year 1. The basic lease per square foot includes the cost of grounds maintenance preventive maintenance, refuse removal, major building systems components and capital repairs. The lease rate will increase to \$5.00 per square foot in Year 2 and will increase by 3% each year beginning in year 3 and throughout the term of the lease.

Sponsors: Allen, Withers, Roberts and Lee

98. [BL2021-1016](#)

An Ordinance naming the landing and steps in front of the Historic Metropolitan Courthouse in honor of Diane Nash.

Analysis

This ordinance would name the landing and steps in front of the Historic Metropolitan Courthouse in honor of Diane Nash. Diane Nash came to Nashville when she began studying at Fisk University. She became a notable civil rights activist and a leader and strategist of the student-led wing of the Civil Rights Movement. She was a founding member of the Student Nonviolent Coordinating Committee and was a member of the Freedom Riders.

On April 19, 1960, Diane Nash led a group of protesters to the steps of Historic Metropolitan Courthouse after the bombing of attorney and civil rights activist Z. Alexander Looby's home in Nashville. On the steps of the Courthouse, Nash asked Mayor Ben West if he felt it was wrong to discriminate against people solely based on race or color, to which he replied "yes", leading Nashville to become the first southern city to integrate lunch counters a mere three weeks later on May 10, 1960.

Section 13.26.010 of the Metropolitan Code provides that no building or structure of the Metropolitan Government may be named except pursuant to an ordinance duly adopted by the Metropolitan Council. This ordinance would rename the landing along the entire front of the Historic Metropolitan Courthouse, including the large fountains and the steps to the landing, as "Diane Nash Plaza".

The Department of General Services would be directed to erect proper signage reflecting this designation.

Sponsors: VanReece, Hurt, Mendes, Porterfield, Benedict, Bradford, OConnell, Suara, Sepulveda, Toombs, Welsch, Styles, Nash, Rosenberg, Syracuse, Gamble, Pulley, Johnston, Rhoten, Evans, Rutherford, Hancock, Cash, Hausser, Withers, Henderson, Taylor, Lee and Allen

99. [BL2021-1017](#)

An ordinance approving an agreement between Trevecca Nazarene University and the Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department ("MNPD"), to partner with the Criminal Justice Studies Department of Trevecca Nazarene University to provide career opportunities to qualified students.

Analysis

This ordinance approves an agreement between Trevecca Nazarene University (Trevecca) and the Metropolitan Nashville Police Department (MNPD) to partner with the Criminal Justice Studies Department of Trevecca to provide career opportunities to qualified students.

The agreement begins starting in the fall semester of 2021 and is renewable each year thereafter. It may be terminated upon 60 days written notice prior to the beginning of a new academic calendar year. MNPD would provide a minimum of 10 internship positions to qualified students each semester in various locations throughout the department. Trevecca agreements to make available students eligible to enroll and participate in the internship program.

The internship is for one full semester during the spring, fall, and summer. Interns will not receive monetary compensation or employee benefits through the Metropolitan Government. Interns must be 18 years of age, must receive college credit, must not have been convicted or pleaded guilty to any felony charge or any federal, state, or local laws relating to force, violence, theft, dishonesty, gambling, liquor or controlled substances, among other qualifications.

Fiscal Note: There is no cost to Metro for the performance of this agreement. The interns will not receive any monetary compensation or be eligible for employee benefits offered through the Metropolitan Government.

Sponsors: Evans and Allen

100. [BL2021-1018](#)

An ordinance approving an agreement between Lights On! and the Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department (“MNPDP”), for the participation in the Lights On! program that provides bulb repair vouchers that officers may distribute to a targeted area in lieu of traffic tickets.

Analysis

This ordinance approves an agreement between Lights On! and the Metropolitan Nashville Police Department (MNPDP) for the participation in the Lights On! program that provides bulb repair vouchers that officers may distribute to a targeted area in lieu of traffic tickets.

Light’s On! provides bulb repair vouchers that officers can distribute in a given area instead of traffic tickets. The goal is to replace traffic citations for defective equipment with vouchers that citizens can use to obtain free auto bulb repair with participating auto repair shops. These vouchers would be distributed by MNPDP officers when appropriate and at the discretion of the officer. This agreement will be in effect until either party withdraws its participation.

Fiscal Note: This agreement will be funded by Lights On! for \$10,000 on a yearly basis.

Sponsors: Allen, Evans, Gamble and Porterfield

101. [BL2021-1019](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and sanitary sewer manholes and to accept new sanitary sewer main and sanitary sewer manholes, for two properties located at 2982 and 3010 Brick Church Pike (MWS Project No. 21-SL-197 and Proposal No. 2021M-083ES-001).

Analysis

This ordinance approximately 223 linear feet of existing eight inch sanitary sewer main and two sanitary sewer manholes and accepts approximately 223 linear feet of new eight inch sanitary sewer main (DIP) and two sanitary sewer manholes, for two properties located at 2982 and 3010 Brick Church Pike. Future amendments to this ordinance may be approved by resolution.

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: Toombs, Withers and Young

102. [BL2021-1020](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assembly and easements, and to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at 1201 Hillside Avenue, also known as The Reservoir - Zone 4A (MWS Project Nos. 21-SL-160 and 21-WL-71 and Proposal No. 2021M-082ES-001).

Analysis

This ordinance approximately 637 linear feet of existing eight inch sanitary sewer main, approximately 394 linear feet of existing six inch water main, approximately 396 linear feet of existing 30 inch water main, eight sanitary sewer manholes, one fire hydrant assembly and easements, and accepts approximately 311 linear feet of new eight inch sanitary sewer main (DIP), approximately 482 linear feet of new six inch water main (DIP), approximately 481 linear feet of new 30 inch water main (DIP), five sanitary sewer manholes, two fire hydrant assemblies and easements, for property located at 1201 Hillside Avenue, also known as The Reservoir - Zone 4A. Future amendments to this ordinance may be approved by resolution.

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, Withers and Young

J. Bills on Third Reading**103. [BL2021-621](#)**

An ordinance amending Sections 17.40.720 and 17.40.730 of the Metropolitan Code, Zoning Regulations, to require additional public notice regarding applications for permits from the Historic Zoning Commission (Proposal No. 2021Z-003TX-001).

Analysis

This ordinance, as substituted, amends Sections 17.40.720 and 17.40.730 of the Metropolitan Code of Laws to require public notice for applications for permits from the Historic Zoning Commission. A preservation permit would require that written notice of the Historic Zoning Commission meeting where the permit would be considered by US Mail of the date, time, and place to all property owners adjacent to the subject property at least eleven days prior to the meeting. The applicant would be responsible for preparation and mailing of the written notices.

Further, public notice signs would be required for a property subject to consideration by the historic zoning commission of a preservation permit application which proposes the demolition of a historic building, new construction of a primary building, an addition or outbuilding for a corner lot, or any other preservation permit that requires a setback determination. The sign would be required to be installed on the subject property no less than eleven days prior to the

consideration by the historic zoning commission. The applicant would be responsible for the costs of preparing and placing the signs.

This ordinance has been approved by the Planning Commission.

Sponsors: Murphy, Allen, OConnell and Bradford

105. [BL2021-784](#)

An ordinance amending Sections 17.36.680 and 17.36.690 of the Metropolitan Code, Zoning Regulations to expand the allowable locations of a Detached Accessory Dwelling Unit (DADU) Overlay District (Proposal No. 2021Z-008TX-001).

Analysis

The ordinance, as substituted, amends Section 17.36.690 of the Metro Code to allow for the Highland Heights neighborhood (as defined by the adopted Highland Heights Study Area) to be eligible for the recently adopted DADU Overlay. The DADU Overlay was passed by the Council on May 18, 2021 through Ordinance No. BL2021-620 and enables the DADU use on RS zoned lots located within the overlay area. Currently, the eligible area for a DADU overlay is restricted to the Urban Zoning Overlay (UZO).

The prior version of this ordinance included additional provisions related to the definition of "Accessory dwelling, detached" and also required this use to have one parking space. These provisions were removed by the substituted adopted by the Council on August 3, 2021.

The ordinance has been disapproved by the planning commission.

Sponsors: Parker

113. [BL2021-970](#)

An ordinance to amend Section 2.24.250 of the Metropolitan Code of Laws to require the proceeds of the sale of delinquent tax sale properties to be deposited into the Barnes Fund for Affordable Housing.

Analysis

This ordinance amends Section 2.24.250 of the Metropolitan Code of Laws to require the proceeds of the sale of delinquent tax sale properties to be deposited into the Barnes Fund for Affordable Housing. The Metropolitan Government acquires properties through the delinquent tax-sale process established under state law. Prior to the sale of Metro property, Metro departments are given the opportunity to use the property. Pursuant to state law, delinquent tax sales properties are also eligible to be conveyed to nonprofit organizations for the purpose of building affordable housing. If these parcels cannot be used by other metro departments or by nonprofit organizations for the purpose of affordable housing, they can be sold.

The ordinance under consideration requires that funds acquired from the sale of a delinquent tax-sale property be deposited into the Barnes Fund for Affordable Housing.

Sponsors: Allen, Welsch, Hausser, Suara, Sledge, Toombs, Porterfield, Styles and Benedict

114. [BL2021-972](#)

An ordinance amending Title 5 of the Metropolitan Code of Laws relative to providing funds for restoring and maintaining Nashville and Davidson County's tree canopy.

Analysis

This ordinance creates a mechanism for providing funds for restoring and maintaining the tree canopy in Nashville and Davidson County. An allocation from the general fund equivalent to one percent of the annual revenues for building permits, the annual revenues for grading permits, and the five-year average of net proceeds of general obligation bonds issues to fund construction projects. These allocations would be deposited, set aside, and made available to fund tree canopy restoration and maintenance. The funds would be used by the Stormwater Division of Metro Water Services for the purposes of planting, replacement, irrigation, maintenance, betterment, or improvement of trees, tree planting projects, or tree canopy improvement projects.

There would be an annual funding cap of \$2,500,000 per fiscal year. If the funding generated from the sources identified above exceeds this cap, the surplus funds would be restored to the general fund.

The Stormwater Division of Metro Water Services would be directed to adopt tree canopy restoration guidelines, procure tree planting and maintenance services, landscape design services, and other services required for maintenance and restoration of the tree canopy, and allocate funding from the sources identified above for tree canopy maintenance and restoration. Stormwater would also be authorized to promulgate rules and regulations to facilitate the implementation of these responsibilities. The rules and regulations would be subject to approval by resolution of the Metro Council.

This program would sunset on June 30, 2023, unless extended by a resolution of the Metro Council.

Sponsors: Allen, Henderson, Young, Bradford, Toombs, Welsch, OConnell, Sledge, Hancock, Porterfield, Styles, Benedict, Roberts and Taylor

115. [BL2021-976](#)

An ordinance approving a lease agreement between the Metropolitan Government of Nashville and Davidson County and The United Way of Greater Nashville for office space at 217 South 10th Street, Nashville, Tennessee (Parcel No. 08313000300) (Proposal No. 2021M-030AG-001).

Analysis

This ordinance approves a lease agreement between the Metropolitan Government and The United Way of Greater Nashville (United Way). United Way would lease from Metro

approximately 4,300 square feet of office space located at 217 South 10th Street. Metro would receive \$6.47 per square foot, for a total monthly lease payment of \$2,318.41. The term of the lease agreement is five years. Either party could terminate the agreement upon 180 days written notice.

Future amendments to this lease agreement could be approved by the Metro Council by a resolution receiving at least 21 affirmative votes.

Fiscal Note: United Way of Greater Nashville will pay rent to Metro in the amount of \$2,318.41 per month for approximately 4,300 square feet of office space on 217 S. 10th Street, Nashville, TN 37206 during the term of this agreement.

Sponsors: Withers and Allen

116. [BL2021-977](#)

An ordinance to provide for the designation of public property within specified areas of downtown Nashville as a temporary "Special Event Zone" during the time period beginning at nine o'clock (9:00) p.m. on December 30, 2021, and ending at 6 o'clock (6:00) a.m. on January 1, 2022, relative to the use of these areas in conjunction with the 2021 New Year's Eve Celebration and related activities and events.

Analysis

This ordinance approves a temporary "Special Event Zone" for the downtown area, in conjunction with the 2021 New Year's Eve Celebration and related activities and events from December 30, 2021 to January 1, 2022. A map of the Special Event Zone areas established under this ordinance is attached to the ordinance. Activity restrictions within the Special Event Zone would begin at 9:00 p.m. on Thursday, December 30, 2021, and end at 6:00 a.m. on Saturday, January 1, 2022. Activities on public property or in the public right-of-way within the Special Event Zone are regulated as follows:

The sale of any food, beverages, goods, or merchandise would be prohibited, unless street vendors obtain a "Special Event Zone" permit from the Nashville Convention and Visitors Corporation (CVC) in order to sell within the geographic area listed above.

- Alcoholic beverages provided, served, or sold from any temporary outdoor would be prohibited, except as authorized.
- The sale or distribution of merchandise pertaining to the New Year's Eve Celebration, where it is apparent on its face that the merchandise is not licensed by CVC, would be prohibited.
- No tents or membrane structures of any kind would be permitted, except as authorized by CVC or Metro for public safety purposes.
- The construction, placement, occupation, or use of any temporary structure would be prohibited except those sanctioned and authorized by the CVC.
- The distribution, promotional give-away activity, or provision of free products, services, or coupons by persons or entities that are not event sponsors officially sanctioned and

authorized by CVC would be prohibited, except within any Public Participation Area.

- Vehicles would be allowed only as directed by Metropolitan Nashville Police.
- No shared urban mobility devices, as defined by Metropolitan Code of Laws Section 12.62.010, would be permitted within the Special Event Zone.
- No handguns, rifles, or firearms would be permitted. (Tennessee Code Annotated § 39-17-1359)
- No knives, swords, or other fighting devices would be permitted.
- No fireworks, firecrackers, or explosive devices of any type would be permitted, except exhibitions permitted by CVC.
- The Special Event Zone would be a “no fly zone.”

This ordinance requires at least one Public Participation Area within the Special Event Zone while the zone is in effect. This Area would allow for the reasonable expression by the public in a manner that is not disruptive to the New Year's Eve Celebration, activities, and events.

Fiscal Note: This ordinance places restrictions on the activities that would be allowed to take place within the special event zone during the New Year's Eve Celebration. However, no additional Metro personnel or overtime would be required just for the enforcement of these restrictions.

Sponsors: OConnell

117. [BL2021-978](#)

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 June 16, 2021.

Analysis

This ordinance is a routine readoption of the Metro Code to include all ordinances enacted on or before June 16, 2021.

Sponsors: Vercher and Johnston

118. [BL2021-979](#)

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 Alley Number 1883 right-of-way east of Foster Avenue, (Proposal Number 2021M-015AB-001).

Analysis

This ordinance abandons a portion of Alley Number 1883 right-of-way east of Foster Avenue. The easements would be retained by Metro. This has been requested by The Comfort Group.

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

Fiscal Note: This ordinance has no cost to Metro. In the opinion of the Transportation and Multi-modal Infrastructure department, abandoned right-of-way has no market value when the Department has agreed that the abandoning of said right-of-way is considered acceptable. Additionally, the abandonment of rights-of-way that are unimproved, unmaintained, and serve no current or future purpose for Metro allows the abandoned area to be assessed for property tax purposes.

Sponsors: Welsch, Withers and Young

119. [BL2021-980](#)

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 Alley Number 1090 right-of-way northeastward from Haynie Avenue to dead end, (Proposal Number 2021M-016AB-001).

Analysis

This ordinance abandons a portion of Alley Number 1090 right-of-way northeast from Haynie Avenue to dead end. The easements would be retained by Metro. This has been requested by Crunk Engineering, LLC.

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

Fiscal Note: This ordinance has no cost to Metro. In the opinion of the Transportation and Multi-modal Infrastructure department, abandoned right-of-way has no market value when the Department has agreed that the abandoning of said right-of-way is considered acceptable. Additionally, the abandonment of rights-of-way that are unimproved, unmaintained, and serve no current or future purpose for Metro allows the abandoned area to be assessed for property tax purposes.

Sponsors: Toombs, Withers and Young

120. [BL2021-981](#)

An ordinance authorizing Silo Capital, LLC to install, construct and maintain underground encroachments in the right of way located at 6100 Robertson Avenue (Proposal No. 2021M-011EN-001).

Analysis

This resolution authorizes Silo Capital, LLC to install and maintain underground encroachments at 6100 Robertson Avenue. Silo Capital, LLC plans to install a 97 foot patio, stairs and ramp encroaching approximately three feet into the public right-of-way. The applicant must indemnify the Metropolitan Government from all claims in connection with the construction and maintenance of the signs, and is required to post a certificate of public liability insurance in the amount of \$2,000,000 with the Metropolitan Clerk naming the Metropolitan Government as an insured party.

This ordinance has been approved by the Planning Commission.

Sponsors: Roberts, Withers and Young

121. [BL2021-982](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a fire hydrant assembly for a property located at 1700 Pearl Street (MWS Project No. 19-WL-118 and Proposal No. 2021M-080ES-001).

Analysis

This ordinance authorizes the Metropolitan Government to accept one fire hydrant assembly for property located at 1700 Pearl Street. Future amendments to this ordinance may be approved by resolution.

This ordinance has been approved by the Planning Commission.

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 Young