



Metro Council

F. Resolutions on Public Hearing

1. [RS2022-1661](#)

A resolution exempting Rincon Huasteco, located at 2413 Shumate Lane from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Analysis

This resolution approves an exemption from the minimum distance requirements for obtaining a beer permit for Rincon Huasteco located at 2413 Shumate Lane.

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

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

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

Sponsors: Vercher

G. Bills on Public Hearing

2. [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 ordinance is scheduled to be heard by the Planning Commission at their July 28, 2022 meeting.

Sponsors: Taylor, Glover (resigned 3/1/2022), Murphy, OConnell, Porterfield, Suara and Allen

6. [BL2022-1270](#)

An Ordinance amending Section 17.12.030 of Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to the calculation of required street setbacks for residential areas with an established development pattern (Proposal No. 2022Z-009TX-001).

Analysis

The ordinance amends Section 17.12.030 of the Metropolitan Code of Laws regarding the contextual street setback requirement in R, R-A, RS, RS-A, and MHP zoning districts. The contextual street setback only applies along streets with an established development pattern and is determined by calculating the average street setback of the four nearest single-family or two-family houses on the same block face oriented to the same street and follow the established development pattern, with a maximum required street setback of three times the standard setback provided in Table 17.12.030.A. The ordinance under consideration removes the three times the standard setback maximum, requiring contextual street setbacks to be calculated based on the average street setback with no maximum limit.

This ordinance has been deferred by the Planning Commission to their July 28, 2022 meeting.

Sponsors: Pulley

7. [BL2022-1271](#)

An Ordinance amending Section 17.20.030 of the Metropolitan Code, Zoning Regulations to establish a minimum depth for residential garages (Proposal No. 2022Z-008TX-001).

Analysis

This ordinance amends Section 17.20.030 of the Metropolitan Code to require all residential garages to have an interior clear floor area with a minimum depth of 23 feet and all side-by-side two-car garages to also have a minimum width of 20 feet. Currently there is no

standard garage size; however, Subsection 17.20.060.D of the Metropolitan Code, Zoning Regulations requires all required parking spaces for single-family and two-family uses to be a minimum of eight feet wide and twenty feet deep. The proposed text amendment standardizes residential garage size by providing a minimum depth for all garages and a minimum width for two-car garages to ensure that the minimum required residential parking dimensions can be met within.

There is a proposed substitute that would relocate the proposed garage requirements from Section 17.20.030 to Section 17.20.060 of the Metropolitan Code and exempt the Urban Zoning Overlay from the proposed garage requirements, as well as add several recitals for context.

This ordinance has been disapproved by the Planning Commission.

Sponsors: Styles

10. [BL2022-1328](#)

An Ordinance amending Section 17.16.060 of the Metropolitan Code, Zoning Regulations to delete the limitations on veterinarian facility size and the number of veterinarian establishments per lot in zoning districts where the veterinarian use is permitted conditionally (Proposal No. 2022Z-010TX-001).

Analysis

This ordinance amends Subsection 17.16.060.B of the Metropolitan Code of Laws to remove the limitations on veterinarian facility size and the number of veterinarian establishments per lot in zoning districts where the veterinarian use is permitted conditionally. Currently, in zoning districts where the veterinarian use is permitted conditionally, the building footprint of veterinary offices and facilities is limited to 2,500 square feet. There is also a limitation of no more than two veterinary establishments per lot.

This ordinance is scheduled to be heard by the Planning Commission at their August 25, 2022 meeting.

Sponsors: Evans

15. [BL2022-1346](#)

An Ordinance amending Chapters 17.04 and 17.12 of the Metropolitan Code to amend regulations on accessory structures and to amend regulations on the allowed building height of single and two family dwellings in the Urban Zoning Overlay District (Proposal No. 2022Z-012TX-001).

Analysis

This ordinance amends Chapters 17.04 and 17.12 of the Metropolitan Code of Laws to amend regulations on accessory structures and to amend regulations on the allowed building height of single and two family dwellings in the Urban Zoning Overlay District.

Regarding the regulation of accessory structures, the ordinance amends the definition of “Accessory or ancillary structure” in Subsection 17.04.060.B, Subsection 17.12.040.E.1, and Subsection 17.12.060.B to further require that such structures shall not be used as an accessory dwelling unit, as additional living or sleeping area outside of the principal structure, or for commercial activity that is not permitted as a home occupation. The provisions would also restrict the plumbing and electrical components to those traditionally found in non-livable accessory structures. Additionally, the ordinance amends requires accessory structures larger than 700 square feet to meet all required setbacks and height controls of the zoning district. Currently, the definition does not address what can or cannot be done within an accessory structure and there are no defined restrictions on what components can be within an accessory structure. These restrictions on accessory structures have been requested by the Zoning Administrator to prevent the conversion of accessory structures into illegal detached accessory dwelling units.

The ordinance under consideration also amends Subsection 17.12.060.C.1 to change how the height is measured for single- and two-family structures in the Urban Zoning Overlay District. Currently, the code requires height to be measured from natural grade, which is the grade of the property prior to any grading or construction on the site. The ordinance changes this height to be measured from finished grade, which is the grade of the property following grading and construction on the site at final inspection. This change brings the Code into alignment with how the Codes Department and Zoning Administrator have been measuring the height of these structures.

This ordinance is scheduled to be heard by the Planning Commission at their August 25, 2022

Sponsors: Murphy

16. [BL2022-1347](#)

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of the Metropolitan Government of Nashville and Davidson County, to amend Chapters 17.12 and 17.40 pertaining to lot averaging, all of which is described herein (Proposal No. 2022Z-011TX-001).

Analysis

This ordinance amends Section 17.12.080 and Chapter 17.40 of the Metropolitan Code of Laws to replace the lot averaging standards with a new “compact development” tool. The current lot averaging standards allow up to 10% of platted lots within each phase of a subdivision may contain as little as 90% of the minimum required lot area of the zoning district, provided that the average size of all lots within the same recorded phase of the subdivision is equal to or greater than the standard minimum lot size for the district.

This ordinance deletes the current lot averaging standards and replaces them with a new compact development tool that links the flexibility of lot size to the provision of recreation open space established in some residential subdivisions. The purpose of this change is to replace and update the Cluster Lot Option of Section 17.12.090 that was deleted and replaced by the Conservation Subdivision by BL2022-1121 to allow for lot size flexibility for subdivisions that do

not have environmental restraints that would make them eligible for the conservation subdivision tool.

This ordinance is scheduled to be heard by the Planning Commission at their July 28, 2022 meeting.

Sponsors: Withers

H. Consent Resolutions and Resolutions

33. [RS2022-1662](#)

A resolution appropriating a total of \$385,000 from Fund No. 30096 to the Center for Nonprofit Management, which has been selected to receive Public Safety Violence Reduction Pilot Grant Funds.

Analysis

This resolution appropriates a total of \$385,000 from the Public Safety Violence Reduction Pilot Grant Funds to the Center for Nonprofit Management. As a part of the plan for expenditure of a direct appropriation grant from the State of Tennessee in the amount of \$10,000,000 adopted by Resolution No. RS2021-842, the Metropolitan Council appropriated \$2,000,000 to Public Safety Violence Reduction Pilot Grant Fund to be administered by the Mayor's Office.

Section 7-3-314 of the Tennessee Code Annotated states that metropolitan forms of government may provide financial assistance to nonprofit organizations. Section 5.04.070 of the Metropolitan Code of Laws provides that the Council may, by Resolution, appropriate funds for the financial aid of nonprofit organizations.

The Community Safety Partnership Fund Advisory Board has recommended that \$385,000 be distributed to the Center for Nonprofit Management to be used to provide organizational capacity building to nonprofit organizations that have been awarded grants from the Public Safety Violence Reduction Pilot Grant Fund. The resolution also approves a grant contract between the Metropolitan Government and the Center for Nonprofit Management. The term of the grant will be twelve months, beginning July 1, 2022 and ending June 30, 2023.

Sponsors: Allen, Suara, Evans and Styles

34. [RS2022-1663](#)

A resolution amending Resolution RS2022-1310 by transferring \$100,000.00 in American Rescue Plan Act funds appropriated from Fund #30216 to the Metropolitan Department of Parks and Recreation, Metropolitan Nashville Police Department, and Metropolitan Nashville Public Library.

Analysis

This resolution amends Resolution No. RS2022-1310, which appropriated \$300,000 in American Rescue Plan Act ("ARP") funds to the Metropolitan Development and Housing

Authority to fund the Napier-Sudekum Community Safety Plan. RS2022-1310 was adopted by the Council on January 4, 2022.

The Mayor's Office has recommended using \$100,000 of the funds previously appropriated pursuant to RS2022-1310 for other purposes. The resolution under consideration transfers \$100,000 of those funds to as follows:

- \$60,000 to the Metropolitan Nashville Parks Department to provide facility upgrades and additional resources for youth programming at the Napier Community Center;
- \$30,000 to the Metropolitan Nashville Police Department for the expansion of the Napier-Sudekum Community Engagement Budget; and
- \$10,000 to the Nashville Public Library for equipment and additional programming at the Pruitt Library Branch.

Additional information for each program is available in the Exhibit attached to the resolution.

Sponsors: OConnell, Suara, Bradford and Evans

35. [RS2022-1664](#)

A resolution accepting a grant from the Tennessee Department of Mental Health and Substance Abuse Services, to the Metropolitan Government, acting by and through the Davidson County Juvenile Court, to develop and implement an evidence-based specialized infant and toddler court to serve children zero through thirty-six months.

Analysis

This resolution accepts a grant from the Tennessee Department of Mental Health and Substance Abuse Services to the Davidson County Juvenile Court in an amount not to exceed \$500,000 with no cash match required. The grant will be used to develop and implement an evidence-based specialized infant and toddler court to serve children zero through thirty-six months. The Safe Baby Court will work to reduce the incidents of child abuse, neglect, and endangerment to minimize the effects of childhood trauma on small children and provide family stability to participants in the program. The term of this grant begins on July 1, 2022 and ends on December 31, 2024.

Sponsors: Suara

36. [RS2022-1665](#)

A resolution accepting a grant from the Metropolitan Historical Commission Foundation to the Metropolitan Government, acting by and through the Metro Historical Commission, to assist with a portion of the costs associated with the site's master plan for Fort Negley Park.

Analysis

This resolution accepts a grant from the Metropolitan Historical Commission Foundation to the Metro Historical Commission in an amount not to exceed \$25,000 with no cash match required. This grant will be used to assist with a portion of the costs associated with the site's master plan for Fort Negley Park. The Metropolitan Historical Commission Foundation was recently awarded these funds from the Tennessee Civil War National Heritage Area for the Fort Negley

Park Master Plan.

Sponsors: Sledge, Suara, Withers, Bradford and Welsch

37. [RS2022-1666](#)

A Resolution authorizing the Metropolitan Development and Housing Agency to negotiate and enter into a PILOT Agreement and accept payments in lieu of ad valorem taxes with respect to a multi-family housing project located at 619 Main Street known as Stone Bridge Lofts.

Analysis

This resolution authorizes the Metropolitan Development and Housing Agency (MDHA) to enter into an agreement to accept payments in lieu of taxes (PILOT) for a multi-family housing project located at 619 North Main Street, known as Stone Bridge Lofts. In 2016, Ordinance Nos. BL2015-1281, BL2016-334 and BL2016-435 authorized MDHA to negotiate and accept PILOT payments from operators of low income housing tax credit (LIHTC) properties, capped at \$2,500,000 annually. If approved, this PILOT, would be the thirty-first such PILOT program overall, and the first for MDHA in 2022.

PILOT agreements essentially provide tax abatements for real and/or personal property taxes that would otherwise be owed to the Metropolitan Government. PILOTs were historically used by Metro to provide incentives through the Industrial Development Board (IDB) to large employers to create job opportunities. But Tenn. Code Ann. § 13-20-104 was amended several years ago to give MDHA the authority to enter PILOTs to create affordable rental housing subject to Council approval.

MDHA developed their PILOT program to provide additional financial incentives to developers considering construction or rehabilitation of affordable housing units through a federally funded LIHTC program. Subsidized LIHTC developments serve those at or below 60% of the average median income (AMI) for the Nashville area, which translates to an income cap of \$39,660 for individuals and \$58,020 for families of four in 2022. Once negotiated by MDHA, each PILOT agreement must be approved by the Council by resolution.

The maximum term for the PILOT payments under this program is 10 years. The PILOT agreement would only be available for additional tax liability over and above the pre-development assessed value of the property. The program is available for both existing and new developments, based on financial need. The PILOT lease is to be terminated if the property sits vacant for two years.

MDHA is required by state law to file an annual report with the Council, Assessor of Property, and State Board of Equalization identifying the values of the properties subject to PILOTs, the date and term for each PILOT, the amount of PILOT payments made, and a calculation of the taxes that would otherwise be owed.

The owner of the property, 619 at Old Stone Bridge Crossings, LP plans to construct approximately 311 units to be restricted to individuals and families earning at or below 60% AMI. The amount of the PILOT payment to Metro will be \$46,650. The owner will be required to

pay a monitoring and reporting fee to MDHA not to exceed 5% of the in lieu of tax payment. The estimated project valuation is \$44,259,316.

Fiscal Note: This PILOT request would require the developer to make a first-year payment of \$46,650 in lieu of property taxes, with a 3% annual increase through the remainder of the 10-year period.

In addition to the PILOT payments, the developer would be required to pay a monitoring and reporting fee to MDHA. This fee would be set by MDHA not to exceed five percent (5%) of the amount of the PILOT payment due each year.

The final assessed value of this project will not be known until completion. However, the value of the project when completed is estimated to be \$44,259,316. For purposes of this analysis, this number will be used as a reasonable estimate of the final project value.

Over the 10-year life of this PILOT agreement, a total of \$4,638,237 would be abated, although Metro would still receive \$534,792 in property taxes from this project, as depicted in the following table:

Real Property Tax (New)

| Year | Total Value | Standard Tax | Still Pay | Abatement | Abatement % |
|---------------|--------------|--------------|-----------|-------------|-------------|
| 1 | \$44,259,316 | \$517,303 | \$46,650 | \$470,653 | 91.0% |
| 2 | \$44,259,316 | \$517,303 | \$48,050 | \$469,253 | 90.7% |
| 3 | \$44,259,316 | \$517,303 | \$49,491 | \$467,812 | 90.4% |
| 4 | \$44,259,316 | \$517,303 | \$50,976 | \$466,327 | 90.1% |
| 5 | \$44,259,316 | \$517,303 | \$52,505 | \$464,798 | 89.9% |
| 6 | \$44,259,316 | \$517,303 | \$54,080 | \$463,223 | 89.5% |
| 7 | \$44,259,316 | \$517,303 | \$55,703 | \$461,600 | 89.2% |
| 8 | \$44,259,316 | \$517,303 | \$57,374 | \$459,929 | 88.9% |
| 9 | \$44,259,316 | \$517,303 | \$59,095 | \$458,208 | 88.6% |
| 10 | \$44,259,316 | \$517,303 | \$60,868 | \$456,435 | 88.2% |
| Totals | | \$5,173,029 | \$534,792 | \$4,638,237 | 89.7% |

After the property tax abatement from this project, \$1,448,926 would still be available within MDHA's annual cap of \$2.5 million for other PILOT projects in 2022.

Sponsors: Young, Parker and Suara

38. [RS2022-1667](#)

A resolution accepting a donation from the Firefighter Air Coalition to the Metropolitan Government, acting by and through the Nashville Fire Department, of a firefighter air replenishment system (FARS) to the Nashville Fire Department training facility.

Analysis

This resolution accepts a donation from the Firefighter Air Coalition, a firefighter replenishment system ("FARS"), to the Nashville Fire Department training facility to better prepare firefighters working in high rise buildings and large horizontal structures and tunnels. The approximately

value of the FARS is \$42,800.

The Firefighter Air Coalition is an advocacy group dedicated to promoting firefighter safety through the use of air management best practices. The group provides donations to underwrite equipment, education, and training to assist fire departments in the development, implementation, and enforcement of effective air management programs, including those related to FARS.

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

Fiscal Note: The Nashville Fire Department will receive a donation with an approximate value of \$42,800.

Sponsors: Suara and Evans

39. [RS2022-1668](#)

A resolution approving an agreement between the United States Drug Enforcement Administration (“DEA”), and the Metropolitan Government of Nashville and Davidson County, by and through the Metropolitan Nashville Police Department (“MNPDP”), concerning the use and abuse of controlled substances.

Analysis

This resolution approves the agreement between the United States Drug Enforcement Administration (“DEA”) and Metropolitan Nashville Police Department (“MNPDP”) that provides the terms of DEA Middle Tennessee Drug and Violent Crime Appalachia Task Force to perform activities and duties to eliminate or reduce drug trafficking.

Pursuant to the terms of the agreement, MNPDP will assign one experienced officer to the DEA Middle Tennessee Drug and Violent Crime Appalachia Task Force for a period of not less than two years. DEA will assign two Special Agents to the task force. The High Intensity Drug Traffic Areas (HIDTA) program will provide, subject to availability of annually appropriated funds, the necessary funds and equipment to support the activities of the DEA Special Agents and MNPDP officer assigned to the task force. This support will include office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training and other support items. The term of this agreement ends September 30, 2022, the end of the federal government’s fiscal year. It is anticipated that the program will continue into the next fiscal year.

Fiscal Note: MNPDP will be responsible for the officer’s salary, overtime and benefits assigned to the Task Force. MNPDP will submit reimbursement to HIDTA, subject to availability of funds, for the overtime incurred by the officer assigned to the Task Force.

Sponsors: Suara and Evans

40. [RS2022-1669](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Jenna Chism against the Metropolitan Government of Nashville and Davidson County in the amount of \$55,000.00 with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On November 24, 2021, a Metropolitan Nashville Police Department officer was traveling East on Church Street with activated emergency lights and siren in response to a call. While approaching the intersection of Church Street and George L. Davis Boulevard, the officer slowed down because the traffic signal was red but did not come to a complete stop. Ms. Jenna Chism was traveling North on George L. Davis Boulevard with a green traffic signal as she approached the intersection. Ms. Chism struck the MNPD vehicle on the passenger side. She stated that she did not see or hear the lights or sirens of the MNPD vehicle. Ms. Chism's vehicle was damaged and \$11,325.22 was previously paid for repairs to the vehicle.

Ms. Chism sought treatment for pain in her back, face, and right leg. She received treatment to relieve and decrease muscle spasms and back pain.

The Department of Law recommends settlement of this claim for \$55,000, which includes \$43,359 in medical expenses, \$840 to cover the costs of the loss of use of her personal vehicle, and \$10,801 in pain and suffering.

The disciplinary action against the MNPD employee consisted of a written reprimand.

Fiscal Note: This \$55,000 settlement, along with the settlement per Resolution Nos. RS2022-1671, RS2022-1672 and RS2022-1681 would be the 1st, 2nd, 3rd, and 4th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$102,859. The fund balance would be \$11,297,794 after these payments.

Sponsors: Suara

41. [RS2022-1670](#)

A resolution approving a contract between the Metropolitan Government, acting by and through the Metropolitan Board of Health, and the Martha O'Bryan Center to operate a mobile unit to provide services to current and potential Women Infants & Children (WIC) Program recipients.

Analysis

This resolution approves a contract between the Metropolitan Board of Health and the Martha O'Bryan Center to operate a mobile unit to provide services to current and potential Women, Infants & Children ("WIC") Program recipients.

Pursuant to the agreement, the Martha O'Bryan Center agrees to distribute information about marketing or outreach for the nutrition and family programs, provide WIC staff with adequate parking and physical space to conduct classes for current and potential WIC recipients, to provide on-site storage for program materials, and to work in full collaboration with Metro

Health staff regarding print or media coverage. Metro Health agrees to restrict use of disclosure of information received from applicants, provide professional WIC staff, provide services at the hours and days mutually agreed upon, comply with all relevant rules and regulations, and be responsible for directing and supervising officers, agents, or employees in performance of this agreement.

This contract will begin on June 1, 2022 and end on May 31, 2027.

Fiscal Note: There is no cost to Metro for the performance of services under this agreement.

Sponsors: Allen, Suara, Evans, Welsch and Styles

42. [RS2022-1671](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Shanice Brown against the Metropolitan Government of Nashville and Davidson County in the amount of \$11,573.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

This settlement arises out of the same incident as Resolution No. RS2022-1672. On September 28, 2021, Mr. Clarence Davis was driving Ms. Shanice Brown's vehicle southbound on Gallatin Pike near the intersection of Gallatin Pike and Broadmoor Drive. A Metropolitan Nashville fire truck with emergency equipment activated approached Mr. Davis, who slowed to allow the fire truck to pass. A Metropolitan Health Department van driven by a Metro employee collided with the rear of Ms. Brown's vehicle. Ms. Brown's vehicle was damaged and \$3,758.72 was previously paid for repairs to the vehicle.

Ms. Brown was in the front passenger seat and suffered back pain. She was transported to the hospital where she received x-rays and was ultimately diagnosed with an acute lumbosacral myofascial strain. She received treatment for the injury, but later followed up with complaints of neck, back, and head pain. Additional tests were ordered, and she was diagnosed with cervical, lumbar, and thoracic strains. She was referred to chiropractic care.

The Department of Law recommends settlement of this claim for \$11,573, which includes \$6,573.54 in medical costs and \$4,999.46 in pain and suffering.

The disciplinary action taken against the Metro employee involved consisted of a driving course and recertification.

Fiscal Note: This \$11,573 settlement, along with the settlement per Resolution Nos. RS2022-1669, RS2022-1672 and RS2022-1681 would be the 1st, 2nd, 3rd, and 4th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$102,859. The fund balance would be \$11,297,794 after these payments.

Sponsors: Suara

43. [RS2022-1672](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Clarence Davis against the Metropolitan Government of Nashville and Davidson County in the amount of \$25,286.00 with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

This settlement arises out of the same incident as Resolution No. RS2022-1671. On September 28, 2021, Mr. Clarence Davis was driving Ms. Shanice Brown's vehicle southbound on Gallatin Pike near the intersection of Gallatin Pike and Broadmoor Drive. A Metropolitan Nashville fire truck with emergency equipment activated approached Mr. Davis, who slowed to allow the fire truck to pass. A Metropolitan Health Department van driven by a Metro employee collided with the rear of Ms. Brown's vehicle. Ms. Brown's vehicle was damaged and \$3,758.72 was previously paid for repairs to the vehicle.

Mr. Davis sought treatment for back, neck, and right knee pain. He was diagnosed with an acute thoracic myofascial strain, a cervical strain, and right knee contusion. He was later diagnosed with cervical, lumbar, and thoracic strains and acute muscle spasms. He was referred for chiropractic care.

The Department of Law recommends settlement of this claim for \$25,286, which includes \$15,286.89 in medical costs and \$9,999.11 in pain and suffering.

The disciplinary action taken against the Metro employee involved consisted of a driving course and recertification.

Fiscal Note: This \$25,286 settlement, along with the settlement per Resolution Nos. RS2022-1669, RS2022-1671 and RS2022-1681 would be the 1st, 2nd, 3rd, and 4th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$102,859. The fund balance would be \$11,297,794 after these payments.

Sponsors: Suara

44. [RS2022-1673](#)

A resolution terminating an agreement between The Metropolitan Government of Nashville and Davidson County and the Tennessee Valley Authority, the Nashville Electric Service and the Adventure Science Center related to the installation of a solar powered electricity generating facility at the Adventure Science Center.

Analysis

This resolution terminates an agreement between the Metropolitan Government and the Tennessee Valley Authority ("TVA"), the Nashville Electric Service ("NES"), and the Adventure Science Center. In 2000, the TVA installed a small solar powered electricity generating facility on property owned by the Metropolitan Government. The contract for this installation was approved in May 2000 pursuant to Ordinance No. BL2000-248. The parties are seeking to transfer ownership of the solar facility to the Adventure Science Center and to terminate the

contract approved by BL2000-248.

This resolution approves a termination agreement between the Metropolitan Government, TVA, NES, and the Adventure Science Center that terminates the contract approved pursuant to BL2000-248. Pursuant to the agreement, the parties agree to terminate the contract and mutually release the other parties from any claims arising under or relating to the contract.

Fiscal Note: There is no cost to Metro for the performance of this agreement. The Adventure Science Center will continue to maintain and operate the solar facility.

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

45. [RS2022-1674](#)

A resolution accepting a grant from David P. Crabtree to the Metropolitan Government, acting by and through the Metropolitan Nashville Parks and Recreation Department, to provide funding for improvements to Elizabeth Park and the surrounding area.

Analysis

This resolution accepts a grant from David P. Crabtree in an amount not to exceed \$10,000, with no local cash match required, to the Metropolitan Nashville Parks and Recreation Department. This grant will provide funding for improvements to Elizabeth Parks and the surrounding area. There is no term for this grant.

Sponsors: Taylor, Suara, Bradford and Welsch

46. [RS2022-1675](#)

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 accepts a grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation in the amount of \$46,252.63 with no local cash match required. This grant is used to provide seasonal staffing for the Special Work Education and Trails (S.W.E.A.T.) program at Warner Parks. This grant will provide for continued funding of six summer S.W.E.A.T. positions and one winter S.W.E.A.T. position. The grant period is from July 1, 2022 to June 30, 2023.

Sponsors: Suara and Bradford

47. [RS2022-1676](#)

A resolution accepting a grants package from the Friends of Warner Parks to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to continue funding staff positions and copier costs.

Analysis

This resolution accepts a grant from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation in the amount of \$62,080.27 with no local cash match required. The grant will be used to continue funding staff positions and copier costs for the Warner Parks Headquarters. This grant funds five positions, including three part-time Naturalist I positions and two Seasonal Worker IV Nature Center Aide positions. The grant period is from July 1, 2022 to June 30, 2023.

Sponsors: Suara and Bradford

48. [RS2022-1677](#)

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 Warner Parks.

Analysis

This resolution accepts an in-kind grant in an amount not to exceed \$1,571,441 with no cash match required from the Friends of Warner Parks to the Metropolitan Board of Parks and Recreation. This in-kind grant will provide funding for the next phase of improvements in Warner Parks including tree plantings, park entrance gates, nature center operations and support, invasive plant removal and more. These improvements will be paid for directly by Friends of Warner Parks, but projects will be approved by appropriate Metro Parks staff. The grant period begins July 19, 2022 and has no end date.

Sponsors: Suara and Bradford

49. [RS2022-1678](#)

A resolution accepting an in-kind grant from Sweetens Cove to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, to support landscaping, a new flagpole, lighting, signage, and other improvements at the Ted Rhodes Golf course.

Analysis

This resolution accepts an in-kind grant, with an estimated value of \$8,000 and no local cash match, from Sweetens Cove to the Metropolitan Board of Parks and Recreation. Sweetens Cove will provide landscaping, a new flagpole, lighting, signage, and other improvements at the Ted Rhodes Golf course. There is no term for this grant.

Sponsors: Taylor, Suara, Bradford and Welsch

50. [RS2022-1679](#)

A resolution accepting a donation and grant from The Curb Center at Vanderbilt in conjunction with Creative Parks Nashville and the Centennial Park Conservancy to the Metropolitan Government, acting by and through the Metropolitan Board of Parks and Recreation, for the sculpture donation "Pathway to a Higher Note" and annual financial support for maintenance and repair.

Analysis

This resolution accepts a donation from the Curb Center at Vanderbilt, with an estimated value of \$4,000, of the sculpture "Pathway to a Higher Note" for public display on the grounds of the Centennial Arts Center. This resolution also accepts two grants in the amount of \$2,000 each from the Creative Parks Nashville and the Centennial Park Conservancy for annual financial support for maintenance and repair of the sculpture with no match required. The grants from Creative Parks Nashville and the Centennial Park Conservancy total \$4,000.

The grants from the Centennial Park Conservancy and Creative Parks Nashville will be disbursed in the amount of \$200 annually for the next 10 years for a total of \$2,000 each and a total of \$4,000. This funding will be used to establish a Maintenance Fund for the sculpture. A new business unit will be created at Parks for the Maintenance Fund.

Sponsors: Taylor, Suara, Bradford and Styles

51. [RS2022-1680](#)

A resolution approving an application for a Multimodal Access Grant from the Tennessee Department of Transportation to the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure, to provide additional funding for the construction phase of the Lebanon Pike Sidewalk Project, PIN 121791.00.

Analysis

This resolution approves an application for a Multimodal Access Grant from the Tennessee Department of Transportation (TDOT) to Nashville Department of Transportation and Multimodal Infrastructure to provide additional funding for the construction phase of the Lebanon Pike Sidewalk Project. If the application is approved, the award would be \$1,125,000 with a local match of \$125,000.

The Lebanon Pike Sidewalk Project would involve the construction of an eight-foot sidewalk and a four-foot grass furnishing zone with curb and gutter on the north side of Lebanon Pike. In addition, upgrades would be made at the intersections of McGavock Pike and Graylynn Drive that will include ADA ramps, crosswalk marking, and pedestrian signals.

Sponsors: Syracuse, Suara and Young

52. [RS2022-1681](#)

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Cenieta Smith against the Metropolitan Government of Nashville and Davidson County in the amount of \$11,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

Analysis

On September 22, 2021, a Metropolitan Water Services Department ("MWS") vehicle was backing out of a parking space at a restaurant at 2388 Lebanon Pike, when the rear of the MWS vehicle struck the driver's side of Ms. Cenieta Smith's vehicle, which she was in. The total estimated cost of repair to Ms. Smith's vehicle was \$4,662.79 and has been paid.

Ms. Smith reported neck and back pain and underwent medical treatment, including an MRI. The MRI indicated mild to moderate loss of disc height and endplate irregularity and spurring. Ms. Smith received treatment to relieve and decrease pain, muscle spasms, and tenderness in the neck and lower back.

The Department of Law recommends settlement of Ms. Smith's personal injury claim for \$11,000, which includes \$7,544.60 in medical costs and \$3,455.40 in pain and suffering.

No disciplinary action was taken against the MWS employee, at the discretion of the employee's supervisor.

Fiscal Note: This \$11,000 settlement, along with the settlements per Resolution Nos. RS2022-1669, RS2022-1671 and RS2022-1672 would be the 1st, 2nd, 3rd, and 4th payments from the Self-Insured Liability Fund in FY23 for a cumulative total of \$102,859. The fund balance would be \$11,297,794 after these payments.

Sponsors: Suara

J. Bills on Second Reading

83. [BL2022-1115](#)

An ordinance amending Section 13.08.080 of the Metropolitan Code of Laws pertaining to the use of License Plate Scanner (LPR) technology to exclude assisting with immigration enforcement as an allowed use of LPRs.

Analysis

This ordinance amends Section 13.08.080 of the Metropolitan Code of Laws by adding a new provision to subsection 13.08.080G(1)(a)(ii) to prohibit any department from using an LPR system or LPR information to assist any federal official in the identification, apprehension, detention, or removal of any person in connection with the immigration laws of the United States. The ordinance also adds a provision prohibiting the Metropolitan Government from utilizing, in conjunction with LPR, a "hot list" that is related to federal immigration enforcement, including lists created by, provided by, or containing information from ICE.

This ordinance could be interpreted by the State as a sanctuary policy a violation Title 7, Chapter 68, Part 101, et seq., of the Tennessee Code Annotated (the "Act"). The Act prohibits a local governmental entity from adopting a "sanctuary policy" defined as one that, among other things, "limits or prohibits any local governmental entity or official from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien." If the State were to determine that the ordinance is a sanctuary policy because it prohibits a department from using the LPR system/information to assist federal officials with immigration compliance the Metropolitan Government will be ineligible to enter any grant contract with the state department of economic and community development until the policy is repealed. Further, state law authorizes residents to bring a complaint in Chancery Court alleging that the ordinance violates the Act. If a court were to determine that the Metropolitan Council has adopted a sanctuary policy, it can order that the Metropolitan Government comply

with the Act, enjoin the Metropolitan Government from further interference with the Act, and take other necessary action to ensure compliance.

An amendment providing that cooperating with federal officials to use the LPR system or information to *verify or report the immigration status* of a person would likely mitigate the potential for the State to determine that the Metropolitan Government has adopted a sanctuary policy.

Sponsors: Mendes, Rosenberg, Allen, Welsch, Suara, Cash, Parker, Benedict and Porterfield

85. [BL2022-1250](#)

An Ordinance to amend Title 2 of the Metropolitan Code of Laws to create the Nashville Entertainment Commission.

Analysis

This ordinance establishes the Nashville Entertainment Commission (“NEC”). The NEC would promote the production of music, film, television, commercials, documentaries, music videos, and video games in Nashville and Davidson County, as well as market Nashville and Davidson County for regional, national, and international opportunities and promote job creation, economic development, and general and racial equity in the entertainment industry.

The NEC would be composed of 15 members. Six would be appointed by the council, four appointed by the mayor, and five nominated by members of the public and selected by the council. All members would be required to hold occupation in the film industry, music industry, and/or entertainment industry. One member would be required to be a member of an entertainment industry union, five members would be representatives of the music industry, five members would be representatives of the film industry, and four members would be representatives of the entertainment industry. Members would serve staggered five-year terms.

The director of the mayor’s office of economic and community development would serve as the executive director of the NEC.

Fiscal Note: The administrative costs to support the new commission has not yet been determined. Although not directly related to this legislation, the amount of \$100,000 is included in the Mayor’s Proposed FY23 Budget for a new Director of Music, Film and Entertainment position. This one position will work to coordinate between the private and public sectors on Music, Film and Entertainment opportunities and issues.

Sponsors: Styles, Welsch, Toombs, Swope, VanReece, Porterfield, Sepulveda, Hausser and Suara

87. [BL2022-1344](#)

An ordinance amending Title 5 of the Metropolitan Code to establish a development impact fee.

Analysis

This ordinance would implement a development impact fee in Nashville and Davidson County which would only become effective upon the enactment of legislation by the Tennessee

General Assembly authorizing the Metropolitan Government to levy an impact fee or privilege tax as set forth in the ordinance. Impact fees are monetary amounts paid by developers at the time a development commences that are designed to offset the impact the development will have on government services and infrastructure.

Provided that state enabling legislation authorizes this ordinance, there would be an impact fee at a rate of \$1.00 per gross square foot of residential development and \$2.00 per gross square foot of non-residential development. Certain development would be excluded from the impact fee, including public buildings, places of worship, barns or outbuildings used for agricultural purposes, replacement of structures destroyed by fire or natural disaster, additions to single-family dwellings, and structures owned by certain nonprofit organizations.

The impact fee would be collected at the time of application for a building permit and no permit could be issued until the impact fee has been paid to the Metropolitan Department of Codes Administration. The impact fees would be used to provide necessary public facilities related to new development. Public facilities includes roads, bridges, jails, law enforcement facilities, schools, government buildings, fire stations, landfills, water and wastewater projects, and drainage projects.

While the ordinance provides that the bill will only become effective upon approval of the state enabling legislation, the Council Office is of the opinion that enacting an impact fee is inconsistent with the 2006 Tennessee County Powers Relief Act (CPRA) (codified as T.C.A. § 67-4-2901, et seq.), and thus cannot be implemented in Davidson County absent a change in state law. Although there was a state public act from 1988 regarding impact fees that other counties used to implement impact fees, that act predated the CPRA. The 1988 public act has essentially been preempted by the CPRA, which provides that “after June 20, 2006, no county shall be authorized to enact an impact fee on development or a local real estate transfer tax by private or public act.” (T.C.A. § 67-4-2913). Since Metro did not have an impact fee enacted prior to 2006, Metro cannot rely on the 1988 public act.

In order to be eligible to enact an impact fee under the CPRA, Metro must meet one of the following:

1. The county experienced a growth rate of 20% or more in total population from the 1990 federal census to the 2000 federal census, or any subsequent federal decennial censuses; or
2. The county experienced a 9% or more increase in population over the period from the year 2000 to 2004, or over a subsequent four-year period, according to United States census bureau population estimates.

To date, Metro has not met the population increase thresholds articulated in the state law. In addition, a court would likely find there is not a sufficient nexus between the development paying the impact fee and the use of the funds.

There is no legislation pending before the Tennessee General Assembly that would authorize the Metropolitan Government to implement an impact fee. Further, the Council Office is not

aware of any intent to bring legislation before the Tennessee General Assembly in the 2023 session to implement an impact fee. While this legislation purportedly becomes effective only upon the enactment of enabling legislation by the Tennessee General Assembly, without that enabling legislation this ordinance cannot be effective.

Sponsors: Hall

88. [BL2022-1352](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to relocate a fire hydrant assembly, for property located at 17 White Bridge Pike, also known as Chuy's White Bridge Pike Restaurant (MWS Project No. 22-WL-32 and Proposal No. 2022M-084ES-001).

Analysis

This ordinance authorizes the relocation of a fire hydrant assembly for property located at 17 White Bridge Pike, also known as Chuy's White Bridge Road.

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

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

Sponsors: Murphy, Withers and Young

89. [BL2022-1356](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept a new sanitary sewer main, sanitary sewer manhole and easements, for properties located at 409 and 411 McAdoo Avenue, (MWS Project No. 22-SL-41 and Proposal No. 2022M-089ES-001).

Analysis

This ordinance accepts approximately 87 linear feet of new eight inch sanitary sewer main (DIP), one sanitary sewer manhole and easements for properties located at 409 and 411 McAdoo Avenue.

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

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

Sponsors: Murphy, Withers and Young

90. [BL2022-1372](#)

An ordinance to amend Title 2, Chapter 210, of the Metropolitan Code of Laws, by adding an additional requirement to Nashville's Do Better Bill.

Analysis

This ordinance amends Section 2.210.030 of the Metropolitan Code of Laws, which is part of the legislation known as the “Do Better Bill.” This legislation added reporting requirements for companies seeking economic and community development incentive grants and payment in lieu of taxes (“PILOT”) incentives. These requirements include the type and number of jobs the company will create, the number of jobs to be filled by residents of Davidson County, whether projects will use apprentices from programs certified by the U.S. Department of Labor, and the number and types of OSHA or TOSHA violations against the company or any contractor retained on the project, among other information.

The ordinance under consideration adds a requirement that the company report whether it provides its employees with benefits that include covering the cost of transportation, accommodations, and other related costs when necessary to obtain medical treatment not otherwise available in the employee’s home state. This would include reproductive healthcare treatment such as abortion.

Sponsors: Mendes and Benedict

91. [BL2022-1373](#)

An ordinance to amend Chapter 10.64 of the Metropolitan Code, pertaining to the Fire Prevention Code, Section 13.3.5.1 of the NFPA 101 Life Safety Code, and Section 18.5.5.1 of the NFPA 1 Fire Code.

Analysis

This ordinance amends Chapter 10.64 of the Metropolitan Code of Laws to update the NFPA Fire Code. The Council adopted the 2018 edition of the National Fire Protection Association (“NFPA”) 1 Fire Code pursuant to Ordinance No. BL2021-658. The applicable codes for fire, building, dwelling, energy, gas/mechanical, plumbing, and life safety standards are updated by international bodies on a periodic basis, and such updates are currently available.

This ordinance amends the Metropolitan Code to add references to the NFPA 101 Life Safety Code, which will be on file with the Nashville Fire Department and the Metropolitan Clerk’s Office. The ordinance also amends provisions of the NFPA 101 Life Safety Code and the NFPA 1 Fire Code.

Sponsors: Evans and Hancock

92. [BL2022-1374](#)

An ordinance amending Metropolitan Code of Laws Section 15.48.300, New Water Meter Installation Inspection Charge, to clarify charges for service related to meters.

Analysis

This ordinance clarifies an inconsistency created by Ordinance No. BL2019-45, an ordinance that amended various provisions of the Metropolitan Code regarding fees charged by the Department of Water and Sewerage Services (“MWS”). In part, BL2019-45 amended Section

15.48.300. The first paragraph of this Section provides that MWS shall collect a \$75 fee for the performance of an inspection of a water meter. The second paragraph states that MWS shall develop a fee schedule for services performed in connection with the inspection, maintenance, and repair of meters for commercial customers.

The ordinance under consideration deletes the first paragraph of Section 15.48.300 in order to clarify how fees for these services are set.

Sponsors: Allen and Young

93. [BL2022-1375](#)

An ordinance authorizing the granting of permanent and temporary construction easements to Piedmont Natural Gas Co. on certain property owned by the Metropolitan Government located at O County Hospital Road (Parcel No. 08000002900) (Proposal No. 2022M-092ES-001).

Analysis

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

Fiscal Note: Piedmont will pay Metro for the permanent easements in the amount of \$17,000 and temporary easements in the amount of \$3,100. Metro will receive a total of \$20,100 for these easements, based on the fair market value per acre of \$25,000.

Sponsors: Allen, Withers and Young

94. [BL2022-1376](#)

An ordinance authorizing the acquisition and conveyance of certain right-of-way easements, drainage easements, temporary construction easements and property rights by negotiation or condemnation for use in public projects of the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure (NDOT), for Dickerson Pike Sidewalk Improvements, Federal Project No. STP-M-11(84), State Project No. 19LPLM-F3-132, PIN 121730.00 (Proposal No. 2022M-101ES-001).

Analysis

This ordinance authorizes the acquisition of easements on Dickerson Pike from Douglas Avenue to Trinity Lane for the purposes of constructing a sidewalk project. The estimated cost for the right-of-way easements is \$1,550,000.

Fiscal Note: Metro will pay \$310,000, 20% of \$1,550,000 the total estimated cost of to acquire the right of way, towards the Dickerson Pike Sidewalk Improvements project. The rest of the project cost will be paid for by the federal government.

Sponsors: Parker, Allen, Withers and Young

95. [BL2022-1377](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer easement rights, for property located at 1620 Corporate Place (Proposal No. 2022M-093ES-001).

Analysis

This ordinance abandons an existing 20-foot sanitary sewer easement along the east and south sides of the property located at 1620 Corporate Place.

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

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

Sponsors: Withers and Young

96. [BL2022-1378](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing public sanitary sewer main and sanitary sewer manholes, and to accept new sanitary sewer main and sanitary sewer manholes, for property located at 1610 Church Street, also known as the Project C Hotel (MWS Project No. 20-SL-303 and Proposal No. 2022M-090ES-001).

Analysis

This ordinance abandons approximately 247 linear feet of existing 10 inch sanitary sewer main and two sanitary sewer manholes and accepts approximately 247 linear feet of new 10 inch sanitary sewer main and three sanitary sewer manholes for the property located at 1610 Church Street, also known as the Project C Hotel.

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

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

Sponsors: Taylor, Withers and Young

K. Bills on Third Reading

97. [BL2022-1131](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service (Proposal No. 2022M-022ES-001).

Analysis

This ordinance abandons easement rights located at 410 42nd Avenue North and 410 B 42nd Avenue North, formerly a portion of Alabama Avenue, except for those retained by Nashville Electric Service. Existing utility easement rights had originally been retained by Council Bill O68-652. The Metropolitan Government has determined that utility easement, except for those retained by Nashville Electric Service, are no longer needed. The abandonment has been requested by Ragan Smith on behalf of the owner.

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

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

Sponsors: Murphy, Withers and Young

100. [BL2022-1329](#)

An ordinance permitting the Metropolitan Tourism and Convention Commission to hold its public meetings at the offices of the Nashville Convention & Visitors Corp.

Analysis

This ordinance authorizes the Metropolitan Tourism and Convention Commission (“TCC”) to hold its public meetings at the offices of the Nashville Convention & Visitors Corporation (“NCVC”). Section 2.68.010(B) of the Metropolitan Code of Laws permits a board or commission to hold meetings in private buildings or on private property if such board or commission is specifically permitted to hold such meetings by a contract or lease agreement approved by ordinance adopted by the Council.

The TCC has entered into an agreement with the NCVC which, in part, that would permit the TCC to meet at the NCVC offices located at 500 11th Avenue North, Suite 650. The ordinance under consideration authorizes the TCC to hold its meeting at this location.

Fiscal Note: While there is no requirement in this legislation that the TCC meetings be recorded, the Council Office was asked to determine what cost, if any, there would be for the Metropolitan Nashville Network (“MNN”) to record or process recordings of TCC meetings.

According to ITS, there would be no additional budgetary funding required for MNN to record TCC meetings that occur at the NCVC offices, to record TCC meetings that occur at Metro buildings already equipped for recording and streaming video, or to process or upload TCC meetings that were recorded by the NCVC.

Sponsors: Allen and Bradford

101. [BL2022-1343](#)

An Ordinance to amend Title 3 of the Metropolitan Code of Laws to create a new chapter

relative to the hiring or selection of the head of a department or the executive director of a department, board or commission.

Analysis

This ordinance, as amended, amends the Metropolitan Code of Laws to require the workforce diversity manager of the Human Resources Department, or a designee, be included in the selection process for department heads or executive directors of Metropolitan boards and commissions.

This ordinance would require that the workforce diversity manager of the Human Resources Department, or a designee, be included on any panel used for the hiring or selection of a department head or director of a board or commission. It would also require that, when an external hiring firm is used for hiring or selection of a department head or executive director, the workforce diversity manager of the Human Resources Department, or a designee, must be included. This would only apply to departments, boards, or commissions created pursuant to the Metropolitan Code, and would not apply to those created by the Metropolitan Charter or state law.

Sponsors: Hurt, Porterfield and Toombs

102. [BL2022-1345](#)

An ordinance to amend Title 15 of the Metropolitan Code, Water, Sewers and Other Public Services Regulations, pertaining to Private Fire Hydrants.

Analysis

This ordinance makes various changes to the Metropolitan Code relative to private fire hydrants. Under the current Metropolitan Code Sec. 15.68.030, private water hydrants are inspected by or under the supervision of the Metropolitan Department of Water and Sewerage Services at intervals required by the Metropolitan Fire Chief. The ordinance under consideration would instead require the inspection be performed by a qualified service provider licensed in the state of Tennessee. The ordinance would also require the person responsible for a private water hydrant to obtain an annual “private fire hydrant - servicing and testing” permit from the Fire Marshal’s Office. A licensed service professional would also be required to perform any repairs, at the expense of the responsible party, and must be reported to the Fire Marshal’s Office.

The ordinance under consideration would keep the remaining requirement unchanged, but use updated language such as requiring the “responsible party” to perform maintenance instead of the “property owner”. These remaining requirements include performing six-month general preventative maintenance of the fire hydrant, monthly visual inspections of the private fire hydrant, and requiring that no one may open, operate, flow, test, maintain or repair a fire hydrant except as authorized by the Metro Code. The Nashville Fire Department and Metropolitan Department of Water and Sewerage Services are authorized to issue and promulgate rules for the provision of this chapter.

Sponsors: Evans and Young

103. [BL2022-1348](#)

An ordinance adopting property identification maps for The Metropolitan Government of Nashville and Davidson County, which shall be the official maps for the identification of real estate for tax assessment purposes.

Analysis

This ordinance would update Section 5.24.010 of the Metro Code of Laws by adopting the property identification maps for the Metropolitan Government as of January 1, 2022 as the official maps for the identification of real estate tax assessment purposes. This is a routine adoption made on a regular basis. This adoption is made in accordance with Tennessee Code Annotated § 67-5-806.

Sponsors: Withers

104. [BL2022-1350](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent easements for the Fairway Drive Stormwater Improvement Project for two properties located at 12 Fairway Drive and 2418 Dennywood Drive, (Project No. 21-SWC-222 and Proposal No. 2022M-082ES-001).

Analysis

This ordinance authorizes the negotiation and acceptance of a permanent easement for the Fairway Drive Stormwater Improvement Project for two properties located at 12 Fairway Drive and 2418 Dennywood Drive.

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

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

Sponsors: Syracuse, Withers and Young

105. [BL2022-1353](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 4775 Drakes Branch Road, also known as Drakes Branch Phase 2 (MWS Project Nos. 18-WL-204 and 18-SL-259 and Proposal No. 2022M-081ES-001)

Analysis

This ordinance accepts approximately 2,871 linear feet of new eight inch water main (DIP), approximately 1,119 linear feet of new eight inch sanitary sewer main (DIP), approximately 1,565 linear feet of new eight inch sanitary sewer main (PVC), approximately 189 linear feet of new 15 inch sanitary sewer main (PVC), eight fire hydrant assemblies, 16 sanitary sewer manholes and easements, for property located at 4775 Drakes Branch Road also known as

Drakes Branch Phase 2.

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

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

Sponsors: Withers and Young

106. [BL2022-1354](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water and combination sewer mains, combination sewer manholes and easements, to relocate a fire hydrant assembly, and to accept new water and combination sewer mains, combination sewer manholes and easements, for two properties located at 2600 Jess Neely Drive and 2555 West End Avenue, also known as Vanderbilt Athletics Phase 1 (MWS Project Nos. 22-WL-36, and 22-SL-80, and Proposal No. 2022M-087ES-001).

Analysis

This ordinance abandons approximately 47 linear feet of existing 10 inch water main (DIP), approximately 75 linear feet of existing 16 inch water main (DIP), approximately 210 linear feet of existing 87 inch combination sewer main (brick), approximately 151 linear feet of existing eight feet by eight feet combination sewer main (RCBC), two combination sewer manholes and easements, and relocates one fire hydrant assembly, and to accept approximately 71 linear feet of new 10 inch water main (DIP), approximately 87 linear feet of new 16 inch water main (DIP), approximately 347 linear feet of new eight feet by eight feet combination sewer main (RCBC), four combination sewer manholes and easements for two properties located at 2600 Jess Neely Drive and 2555 West End Avenue.

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

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

Sponsors: Cash, Withers and Young

107. [BL2022-1355](#)

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for four properties located on Cane Ridge Road, also known as The Parks at Cane Ridge Ph 1 (MWS Project Nos. 21-WL-70 and 21-SL-158 and Proposal No. 2022M-086ES-001).

Analysis

This ordinance accepts approximately 5,845 linear feet of new eight inch water main (DIP), approximately 1,692 linear feet of new six inch water main (DIP), approximately 5,685 linear

feet of new eight inch sanitary sewer main (PVC), approximately 2,917 linear feet of new eight inch sanitary sewer main (DIP), approximately 883 linear feet of new two inch sanitary sewer force main (PVC), 14 fire hydrant assemblies, 54 sanitary sewer manholes and easements for four properties located on Cane Ridge Road, also known as The Parks at Cane Ridge Ph 1.

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

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

Sponsors: Rutherford, Withers and Young