



# Metropolitan Nashville and Davidson County, TN

## Metropolitan Council

### Meeting Minutes

Historic Metro Courthouse  
1 Public Square, 2nd floor  
Nashville, TN 37201

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Tuesday, September 21, 2021

6:30 PM

Metropolitan Courthouse

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#### Call to Order

The Metropolitan Council met in regular session on this date at 6:30 p.m. in the Metropolitan Courthouse.

The invocation was offered by Reverend Dr. Kelly Miller Smith of First Baptist Church Capitol Hill.

#### Pledge of Allegiance

The Metropolitan Council gave the pledge of allegiance to the American Flag.

#### Roll Call

The roll was called and the following members were present during the progress of the meeting: Shulman, Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg (38); Absent: Hall, Murphy, Lee (3).

#### Approval of Minutes

The minutes of the regular meeting on September 7, 2021 were approved.

### Elections and Confirmations

The President announced two (2) vacancies on the Metropolitan Audit Committee, one (1) vacancy on the Planning Commission, and one (1) vacancy on the Traffic and Parking Commission which will be filled by an election at the next regular meeting.

The President announced one (1) vacancy on the Procurement Standards Board, for which nominations will be taken at the next regular meeting, with an election to be held October 19, 2021.

[21-080](#)

Auditorium Commission

Appointment of Mr. Fletcher Foster for a term expiring June 30, 2024.

Council Member Johnston moved to defer the appointment, which motion was seconded and approved by a voice vote of the Council.

**21-081**

Auditorium Commission

Reappointment of Mr. Blake McDaniel for a term expiring June 30, 2024.

Council Member Johnston moved to confirm the appointment, which motion was seconded and approved by unanimous of the Council.

[21-082](#)

Auditorium Commission

Appointment of Mr. Jerry Pentecost for a term expiring June 30, 2024.

Council Member Johnston moved to defer the appointment, which motion was seconded and approved by a voice vote of the Council.

**21-083**

Industrial Development Board

Election to fill three vacancies for terms expiring August 23, 2027.

- Brian Cordova (Nominated by CM Sepulveda)
- Amr El-Husseini (Nominated by CM Suara)
- Joshua Haston (Nominated by CM VanReece)
- Nigel Hodge (Nominated by CM Withers)
- Quin Segall (Nominated by CM Cash)

The President called for nominations. Council Member VanReece nominated Joshua Haston. Council Member Sepulveda nominated Brian Cordova. Council Member Cash nominated Quin Segall. Council Member Suara nominated Hamr Al Hussein. Council Member Withers nominated Nigel Hodge. There being no further nominations, the President declared the nominations closed with an election to be held at the next regular meeting.

**21-084**

Tourism and Convention Commission

Reappointment of Ms. Leesa LeClaire for a term expiring June 30, 2024.

Council Member Johnston moved to defer the appointment, which motion was seconded and approved by a voice vote of the Council.

**21-085**

Tourism and Convention Commission

Reappointment of Mr. Hank Locklin for a term expiring June 30, 2024.

Council Member Johnston moved to confirm the appointment, which motion was seconded and approved by unanimous of the Council.

**21-086**

Tourism and Convention Commission

Appointment of Mr. Q-Juan Taylor for a term expiring June 30, 2024.

Council Member Johnston moved to confirm the appointment, which motion was seconded and approved by unanimous of the Council.

### **Late Appointments**

**21-087**

Equalization (Tax) Board

Appointment of Mr. Truitt Ellis for a term expiring April 1, 2022.

Council Member Johnston moved to suspend the rules of procedure to introduce a late appointment. Without objection, Council Member Johnston moved to confirm the appointment, which motion was seconded and approved by unanimous vote of the Council.

**21-088**

Equalization (Tax) Board

Appointment of Ms. Sharilyn Pettus for a term expiring April 1, 2022.

Council Member Johnston moved to suspend the rules of procedure to introduce a late appointment. Without objection, Council Member Johnston moved to confirm the appointment, which motion was seconded and approved by unanimous vote of the Council.

### **Proposed Rules Amendments**

Proposed amendment to Rule 14 of the Council Rules of Procedure.

Council Member Johnston moved to defer the proposed rule amendment, which motion was seconded and approved by a voice vote of the Council.

### **Resolutions on Public Hearing**

**[RS2021-1143](#)** A resolution exempting Emery Wood Fired, located at 2500 12th Avenue South, from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Council Member Sledge requested a hearing from the public on this resolution which had been previously advertised. The President asked if anyone desired to be heard for or against the bill and a member of the public was heard in favor of the resolution. The President declared the public hearing closed. Council Member Sledge moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (35): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

**[RS2021-1144](#)** A resolution exempting Fait La Force Brewing Company, located at 1414 3rd Avenue South #101, from the minimum distance requirements for obtaining a beer permit pursuant to Section 7.08.090.E of the Metropolitan Code.

Council Member Sledge requested a hearing from the public on this resolution which had been previously advertised. The President asked if anyone desired to be heard for or against the bill and no one came forward to be heard. The President declared the public hearing closed. Council Member Sledge moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (34): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Withers, Benedict, VanReece, Hancock, Young, Hagar, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

### **Resolutions Adopted on Consent**

**[RS2021-1146](#)** A resolution appropriating a total of \$80,000 from the Juvenile Court to The F.I.N.D. Design, a nonprofit organization selected to receive Community Partnership Fund grants.

**[RS2021-1149](#)** A resolution approving an application for an American Rescue Plan grant from the National Endowment for the Arts to the Metropolitan Government, acting by and through the Metropolitan Nashville Arts Commission, to promote arts grants to organizations and individuals.

**[RS2021-1150](#)** A resolution appropriating \$4,745,500.00 in American Recovery Plan Act funds from Fund #30216 to the Nashville Fire Department to be used for light fleet

vehicles and equipment.

- RS2021-1152** A resolution appropriating \$3,148,980 in American Recovery Plan Act funds from Covid American Rescue Plan Fund #30216 to the Office of Family Safety for the Metropolitan Government, to be used to address increased demand for therapy and services for victims of abuse, human trafficking and interpersonal violence.
- RS2021-1154** A resolution accepting a Coronavirus Emergency Supplemental Funding (CESF) grant from the Tennessee Department of Finance and Administration to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department's Internet Crimes Against Children Unit, to utilize funding to prevent, prepare for, and respond to the coronavirus.
- RS2021-1155** A resolution accepting a grant from the Tennessee Department of Health to the Metropolitan Government, acting by and through the Metropolitan Board of Health, for the Healthy Start Home Visiting Program to identify and provide comprehensive services to improve outcomes for eligible families who are part of at-risk communities.
- RS2021-1156** A resolution accepting a grant from the U. S. Department of Housing and Urban Development to the Metropolitan Government, acting by and through the Metropolitan Social Services Commission, to fund staffing of the Homeless Management Information System (HMIS).
- RS2021-1157** A resolution approving an assignment and assumption grant agreement amendment from Safe Haven Family Shelter and the U.S. Department of Housing and Urban Development (HUD) to the Metropolitan Government, acting by and through the Metropolitan Social Services Department, of the Continuum of Care Coordinated Entry Grant for support services and administrative costs to strengthen and improve the effectiveness of the program.
- RS2021-1158** A resolution approving an application for a Federal COVID Relief Funds for Transportation Improvements grant from the Greater Nashville Regional Council to the Metropolitan Government, acting by and through the Nashville Department of Transportation and Multimodal Infrastructure, for pedestrian safety and multimodal intersection improvements.
- RS2021-1159** A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Kristi Copeland against the Metropolitan Government of Nashville and Davidson County in the amount of \$193,000.00, and that said amount be paid out of the Self-Insured Liability Fund.
- RS2021-1160** A resolution authorizing the Metropolitan Department of Law to compromise and settle the property damage claim of the Waste Management - River Hills Recycling Center against the Metropolitan Government of Nashville and Davidson County in the amount of \$45,173.35, with said amount to be paid out of the Self-Insured Liability Fund.
- RS2021-1162** A resolution honoring the life of Connie Denell Cato Dickerson.

Council Member Johnston moved to adopt the Consent Agenda Resolutions, which motion was seconded and approved by the following vote: Yes (36): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston,

Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

## Resolutions

**RS2021-1125** A resolution requesting the Nashville Department of Transportation and Multimodal Infrastructure (NDOT) conduct a study to determine the feasibility and cost of contracting with the State of Tennessee to allow for NDOT to maintain state routes in Davidson County.

Council Member Nash moved to defer the resolution, which motion was seconded and approved by a voice vote of the Council.

**RS2021-1145** A resolution accepting an in-kind grant from The Community Foundation of Middle Tennessee to the Metropolitan Government, acting by and through the Mayor's Office, for David Gardiner and Associates to help Nashville civic leaders develop recommendations of feasible climate actions within operating and capital budget constraints.

Council Member Toombs moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (32): Mendes, Hurt, Allen, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Bradford, Rhoten, Syracuse, Welsch, Sledge, O'Connell, Roberts, Hausser, Druffel, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

**RS2021-1147** Initial resolution authorizing and providing for the issuance and sale of water and sewer revenue bonds in an aggregate principal amount of not to exceed Five Hundred Million Dollars of The Metropolitan Government of Nashville and Davidson County.

Council Member Toombs moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (33): Mendes, Hurt, Allen, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Bradford, Rhoten, Syracuse, Welsch, Sledge, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

**RS2021-1148** Resolution supplementing Substitute Resolution No. RS2010-1442 to authorize the execution, terms, issuance, sale and payment of water and sewer revenue bonds in an aggregate principal amount of not to exceed \$780,000,000 and authorizing the use of available funds of the Metropolitan Government's Water and Sewer Department to defease the Metropolitan Government's remaining outstanding Subordinate Lien Water and Sewer Revenue Refunding Bonds, Series 2012.

Council Member Toombs moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (35): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

**RS2021-1151** A resolution accepting a Port Security Grant from the U.S. Department of Homeland Security to the Metropolitan Government, acting by and through the Office of Emergency Management, for equipment to enhance current land

based and maritime response capabilities.

Council Member Mendes moved to suspend the rules of procedure to introduce a late amendment. Without objection, Council Member Mendes moved to amend the resolution, which motion was seconded and approved by a voice vote of the Council. Council Member Toombs moved to adopt the resolution as amended, which motion was seconded and approved by the following vote: Yes (34): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

[RS2021-1153](#) A resolution approving an application for the Edward Byrne Memorial Justice Assistance Grant from the U. S. Department of Justice to the Metropolitan Government, acting by and through the Metropolitan Nashville Police Department, for specialized training and equipment to ensure personnel maintain needed certifications for criminal investigation and crime reduction initiatives.

Council Member Toombs moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (34): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

[RS2021-1161](#)

A resolution honoring the life of Dr. Ernest "Rip" Patton.

Council Member Suara moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (33): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Evans, Bradford, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

[RS2021-1163](#) A resolution recognizing Judge William Higgins for his 50 years of service to Nashville and Davidson County upon the occasion of his retirement.

Council Member Mendes moved to defer the resolution, which motion was seconded and approved by a voice vote of the Council.

[RS2021-1164](#) A resolution congratulating Vanderbilt University Associate Head Coach Josie Earnest Barnes on winning the U.S. Women's Open in Bowling.

Council Member Hurt moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (36): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

### Late Resolutions

[RS2021-1165](#) A resolution recognizing September 15th through October 15th as Hispanic

Heritage Month in Nashville and Davidson County.

Council Member Sepulveda moved to suspend the rules of procedure to introduce a late resolution. Without objection, Council Member Sepulveda moved to adopt the resolution, which motion was seconded and approved by the following vote: Yes (33): Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble, Swope, Parker, Withers, Benedict, VanReece, Hancock, Young, Evans, Bradford, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Johnston, Nash, Vercher, Sepulveda, Rutherford, Styles, Henderson, and Rosenberg; No (0); Abstain (0).

### **Bills on Introduction and First Reading**

**[BL2021-911](#)** An ordinance amending Chapter 2.100 of the Metropolitan Code pertaining to the composition of the Metropolitan Transportation Licensing Commission, amending Title 6 of the Metropolitan Code pertaining to the operation and regulation of Entertainment Transportation Vehicles, amending Section 9.20.020 pertaining to vehicle noise, and amending Sections 6.75.240, 7.24.040, and 12.54.210 of the Metropolitan Code pertaining to the consumption of alcoholic beverages in vehicles.

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

**[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.

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

**[BL2021-913](#)** An ordinance to amend Substitute Ordinance No. BL2019-1633 to permit certain individuals with active permits on file with the Department of Codes Administration as of January 1, 2022 to be eligible for Short Term Rental Property - Not Owner Occupied Permits.

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

**[BL2021-914](#)** An ordinance approving a contract between The Metropolitan Government of Nashville and Davidson County, acting by and through the Mayor's Office, and the United Way of Middle Tennessee to provide financial counseling and other financial education activities to low-income residents in accordance with the Financial Empowerment Center program model.

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

**[BL2021-915](#)** An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Parks and Recreation ("Parks"), and Memphis Basketball, LLC to allow Parks to participate in a youth basketball program operated by Memphis Basketball, LLC.

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

**[BL2021-916](#)** An ordinance providing the honorary street name designation of "Billy Sherrill Way" for a portion of 18th Ave S.

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

[BL2021-917](#) An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to negotiate and accept permanent easements for the Neighborly Avenue Stormwater Improvement Project for six properties located on Neighborly Avenue, (Project No. 21-SWC-278 and Proposal No. 2021M-069ES-001).

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

[BL2021-918](#) An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon an existing storm sewer easement for two properties located at 900 and 902 Dickerson Pike (Proposal No. 2021M-067ES-001).

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

[BL2021-919](#) An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer and water mains, sanitary sewer manholes, fire hydrant assemblies and easements, for property located at Burkitt Road (unnumbered), also known as Burkitt Ridge Phase 6 (MWS Project Nos. 20-SL-76 and 20-WL-41 and Proposal No. 2021M-065ES-001).

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

[BL2021-920](#) An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main and easements, and to accept new sanitary sewer mains, sanitary sewer manholes and easements, for three properties located at 5540 Oakmont Circle and 262 and 264 White Bridge Pike, (MWS Project No. 20-SL-317 and Proposal No. 2021M-071ES-001).

Upon motion duly seconded, the bill passed first reading and will be considered at the next regular meeting.

### **Bills on Second Reading**

[BL2021-654](#)

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RM2 to RS40 property located at 6000 Rivervalley Drive, at the southeast corner of Rivervalley Drive and Newsom Station Road and located within a Planned Unit Development Overlay (58.48 acres), all of which is described herein (Proposal No. 2021Z-026PR-001).

Council Member Rosenberg moved to defer the bill to the December 7, 2021 meeting, which motion was seconded and approved by a voice vote of the Council with Council Member Mendes abstaining.

[BL2021-655](#) An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by canceling a portion of the Riverwalk Planned Unit Development district located at 6000 Rivervalley Drive, at the southeast corner of Rivervalley Drive and Newsom Station Road, (58.48 acres), approved for 61 multi-family dwelling



units, all of which is described herein (Proposal No. 2000P-003-003).

Council Member Rosenberg moved to defer the bill to the December 7, 2021 meeting, which motion was seconded and approved by a voice vote of the Council with Council Member Mendes abstaining.

**BL2021-849** 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 403 right-of-way from 8th Avenue South to Alley Number 404. (Proposal Number 2021M-011AB-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**BL2021-866** An ordinance amending Chapter 11.12 of the Metropolitan Code of Laws to prohibit passengers in a motor vehicle from consuming or possessing an alcoholic beverage or beer during the operation of the vehicle.

Council Member Parker moved to defer the bill to the October 19, 2021 meeting, which motion was seconded and approved by a voice vote of the Council.

**BL2021-867** An ordinance to amend Section 12.40.190 of the Metropolitan Code of Laws regarding night parking restrictions.

Council Member O'Connell moved to defer the bill, which motion was seconded and approved by a voice vote of the Council.

**BL2021-870** An ordinance approving a documentary film agreement between the Metropolitan Government of Nashville and Davidson County and Eureka Entertainment, LLC.

Council Member Mendes moved to suspend the rules of procedure to allow for consideration of the bill. Without objection, Council Member Toombs moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**BL2021-871** An ordinance establishing a program for the purpose of providing assistance to low-income elderly residents of the Metropolitan Government for the fiscal year 2021-2022.

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**BL2021-872** An ordinance to require masks be worn by all individuals in public spaces, as further described herein.

Council Member Styles moved to pass the bill on second reading, which motion was properly seconded. After discussion, Council Member Young called for the previous question, which motion was seconded and failed by the following roll call vote: Yes (23): Glover, Toombs, Gamble, Swope, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Sledge, Cash, O'Connell, Roberts, Taylor, Druffel, Pulley, Johnston, Nash, Rutherford, and Rosenberg; No (13): Hurt, Allen, Suara, Parker, Withers, Benedict, Welsch, Hausser, Vercher, Porterfield, Sepulveda, Styles, and Henderson; Abstain (1): Mendes. After further discussion, Council Member Rosenberg called for the previous question, which motion was seconded and approved by the following roll call vote: Yes (27): Hurt, Glover, Toombs, Gamble, Swope, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash,

Rutherford, Henderson, and Rosenberg; No (8): Allen, Suara, Withers, Benedict, Vercher, Porterfield, Sepulveda, and Styles; Abstain (2): Mendes and Parker.

The matter recurred on the motion to pass the bill, which was approved by the following roll call vote:

**Yes:** Mendes, Hurt, Allen, Suara, Toombs, Gamble, Parker, Withers, Benedict, Evans, Bradford, Sledge, Cash, Roberts, Taylor, Hausser, Druffel, Porterfield, Sepulveda, Styles, and Rosenberg

**No:** Glover, Swope, Hancock, Young, Rhoten, Welsch, OConnell, Pulley, Johnston, Nash, Vercher, and Rutherford

**Absent:** Hall, Murphy, and Lee

**Abstain:** VanReece, Hagar, Syracuse, and Henderson

[BL2021-873](#) An ordinance authorizing the acquisition 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, initially for purposes of the Department of Transportation and Multimodal Infrastructure, Project Number 2017-B-001, Lickton Pike bridge replacement. (Proposal No. 2021M-010PR-001)

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

[BL2021-874](#) An ordinance authorizing the conditional abandonment of a portion of Alley 371, approving the acquisition of an interest in certain real property and improvements thereon comprising a new alley, and the granting of an easement above that new alley in connection with the development of a project in Nashville. (Proposal No. 2021M-013AB-001).

Council Member O'Connell moved to defer the bill, which motion was seconded and approved by a voice vote of the Council.

[BL2021-875](#) 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 Lincoln Street right-of-way from McKinley Street to Alley Number 1024. (Proposal Number 2021M-006AB-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

[BL2021-876](#) An ordinance to amend the Geographic Information Systems Street and Alley Centerline Layer for the Metropolitan Government of Nashville and Davidson County by abandoning Alley Number 442 and an Unnumbered Alley right-of-way and easement between 17th Avenue South and 18th Avenue South. (Proposal Number 2021M-012AB-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

[BL2021-877](#) An ordinance approving a contract between the Metropolitan Government of Nashville and Davidson County, through the Department of Water and Sewerage Services and LightWave Renewables, LLC for the design, construction, operation, management, and administration services related to

photovoltaic solar facilities located at Central Wastewater Treatment Plant, Whites Creek Wastewater Treatment Plant and Omohundro Water Treatment Plant.

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**[BL2021-878](#)** An ordinance approving a participation agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services, and Regent Homes, LLC, to provide public sewer service improvements for Regent's proposed development, as well as other existing properties in the area (MWS Project No. 18-SL-0084 and Proposal No. 2021M-022AG-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**[BL2021-879](#)** An ordinance approving an agreement between the Metropolitan Government of Nashville and Davidson County, acting by and through the Metropolitan Department of Water and Sewerage Services ("MWS"), and Piedmont Natural Gas Company ("Piedmont") for shared use of MWS' Access Drive (Proposal No. 2021M-024AG-001).

Council Member Toombs moved to defer the bill, which motion was seconded and approved by a voice vote of the Council.

**[BL2021-880](#)** An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer mains, sanitary sewer manholes and easements, for two properties located at 1101 Chadwell Drive and Chadwell Drive (unnumbered), (MWS Project No. 21-SL-75 and Proposal No. 2021M-061ES-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**[BL2021-881](#)** An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing water main and easements, to relocate existing fire hydrant assemblies, and to accept new water main and easements, for property located at 1 Terminal Drive, also known as BNA Garage B Phase 1 (MWS Project No. 21-WL-60 and Proposal No. 2021M-064ES-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**[BL2021-882](#)** An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main, sanitary sewer manholes and easements, for seven properties located on Rio Vista Drive, (MWS Project No. 21-SL-81; and Proposal No. 2021M-063ES-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

**[BL2021-883](#)** An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to accept new sanitary sewer main and a sanitary sewer manhole, for property located on 2176 B Carson Street, (MWS Project No. 21-SL-69 and Proposal No. 2021M-066ES-001).

Council Member O'Connell moved to pass the bill on second reading, which motion was seconded and approved by a voice vote of the Council.

[BL2021-884](#) An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon existing sanitary sewer main, sanitary sewer manhole and easements, and to accept new sanitary sewer main, sanitary sewer manholes and easements, for property located on 4005 Utah Avenue, (MWS Project No. 21-SL-89 and Proposal No. 2021M-068ES-001).

Council Member Nash moved to defer the bill, which motion was seconded and approved by a voice vote of the Council.

### **Bills on Third Reading**

[BL2021-793](#) An ordinance amending Section 13.08.030 of the Metropolitan Code with respect to liability insurance coverage requirements in connection with certain public right of way encroachments.

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

[BL2021-811](#) An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from R6 to RM9 for properties located at 5607, 5607 B, 5609 and 5611 Morrow Road, approximately 60 feet southeast of 57th Avenue North (2.46 acres), all of which is described herein (Proposal No. 2021Z-035PR-001).

Council Member Roberts moved to pass the bill on third reading, which motion was seconded and approved by the following roll call vote:

**Yes:** Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg

**Absent:** Hall, Gamble, Swope, Murphy, Johnston, and Lee

**Abstain:** Henderson

[BL2021-840](#) An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS5 to R6-A zoning on property located at 706 26th Avenue North, approximately 175 feet north of Clifton Avenue (0.22 acres), all of which is described herein (Proposal No. 2018Z-068PR-002).

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

[BL2021-855](#) An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by applying a Contextual Overlay District to various properties located along a

portion of Preston Drive, Sheridan Road, and Harwood Drive, approximately 200 feet south of Porter Drive, zoned R10 (19.47 acres), all of which is described herein (Proposal No. 2021COD-001-001).

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

**BL2021-856**

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by applying a Contextual Overlay District to various properties located approximately 150 feet south of Eastland Avenue and 150 feet north of Fortland Drive, along Brittany Court, Brittany Drive and Barclay Drive, zoned R10 (30.48 acres), all of which is described herein (Proposal No. 2021COD-003-001).

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

**BL2021-858**

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from SP-MU to R15 zoning for property located at 401 Kinhawk Drive, at the southwest corner of Kinhawk Drive and Nolensville Pike (0.39 acres), all of which is described herein (Proposal No. 2021Z-051PR-001).

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

**BL2021-860**

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from CS to MUL-A zoning for various properties located along Largo Drive, Wallace Road, and Linbar Drive, at the southeast corner of Linbar Drive and Harding Place (15.78 acres), all of which is described herein (Proposal No. 2021Z-062PR-001).

Council Member Sepulveda offered a substitute bill and moved that it be accepted, which motion was seconded and approved by a voice vote of the Council. Council Member Sepulveda moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Gamble Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, Henderson, and

Rosenberg; No (0); Abstain (0).

**BL2021-861** An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS5 to R6-A zoning for property located at Booker Street (unnumbered), approximately 410 feet east of 25th Ave N (0.22 acres), all of which is described herein (Proposal No. 2021Z-010PR-001).

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

**BL2021-862** An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from IR to SP zoning for properties located at 1212, 1300, 1302, 1304 Herman Street and Herman Street (unnumbered), and a portion of 907 12th Avenue North, at the northwest corner of Herman Street and 12th Avenue North (1.79 acres), to permit up to 250 multi-family residential units, all of which is described herein (Proposal No. 2021SP-039-001).

Council Member O'Connell moved to defer the bill, which motion was seconded and approved by a voice vote of the Council.

**BL2021-863** An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from IR to SP zoning for property located at 1301 Herman Street, at the southwest corner of Herman Street and 12th Avenue North (2.11 acres), to permit a mixed use development (2.11 acres), all of which is described herein (Proposal No. 2021SP-040-001).

Council Member O'Connell moved to defer the bill, which motion was seconded and approved by a voice vote of the Council.

**BL2021-864** An ordinance amending Metropolitan Code Chapters 5.20 regarding the abatement of property taxes for certain improvements or restorations made to historic properties as authorized under the provisions of Tennessee Code Annotated Section 67-5-218.

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt, Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

**BL2021-865** An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to abandon an existing public water main and easements, and to accept new water and sanitary sewer mains, fire hydrant assemblies, sanitary sewer manholes and easements, for property located at 3517 Brick Church Pike, also known as Mulberry Downs Phase 2 (MWS Project No. 21-WL-108 and 21-SL-214; and Proposal No. 2021M-058ES-001).

Council Member Withers moved to pass the bill on third reading, which motion was seconded and approved by the following vote: Yes (34) Mendes, Hurt,

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Allen, Glover, Suara, Toombs, Parker, Withers, Benedict, VanReece, Hancock, Young, Hagar, Evans, Bradford, Rhoten, Syracuse, Welsch, Sledge, Cash, O'Connell, Roberts, Taylor, Hausser, Druffel, Pulley, Johnston, Nash, Vercher, Porterfield, Sepulveda, Rutherford, Styles, and Rosenberg; No (0); Abstain (0).

**Adjournment**

Requests for ADA accommodation should be directed to the Metropolitan Clerk at 615-862-6770.