



**Metropolitan Council**

**PROPOSED AMENDMENTS TO  
ORDINANCES, SUBSTITUTE  
RESOLUTIONS, LATE-FILED  
RESOLUTION, AND SECOND  
SUBSTITUTE ORDINANCE TO  
BE FILED WITH THE METRO  
CLERK**

**FOR THE COUNCIL MEETING OF  
TUESDAY, DECEMBER 4, 2018**

AMENDMENT NO. \_\_\_\_\_  
TO  
ORDINANCE NO. BL2018-1399

Mr. President –

I move to amend Ordinance No. BL2018-1399 as follows:

I. By amending Section 1 by deleting it in its entirety and substituting therefore the following:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from AR2a to CS zoning on property located at 1488 and 1492 Bell Road, approximately 820 feet East of Brook View Estate Drive, (6.72 acres), being Property Parcel No. ~~113~~113.01 and 152 as designated on Map 162-00 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

INTRODUCED BY:

\_\_\_\_\_  
Fabian Bedne  
Member of Council

2018Z-092PR-001  
Map 162, Parcel(s) ~~113~~113.01, 152  
Subarea 12, Southeast  
District 31 (Bedne)  
Application fee paid by: MA Williams Properties Inc

A request to rezone from AR2A to CS zoning for properties located at 1488 and 1492 Bell Road, approximately 820 feet East of Brook View Estate Drive, (6.72 acres), requested by Williams Properties LLC., applicant; Peggy Maxwell-Coleman and Henry Lee Jordan, owners.



**SUBSTITUTE RESOLUTION NO. RS2018-1507**

**A resolution requesting that the Metropolitan Government of Nashville and Davidson County refrain from providing economic incentives to Amazon or to any other entity unless and until employees of the Metropolitan Government receive cost of living adjustments.**

WHEREAS, on November 13, 2018, Amazon.com, Inc. ("Amazon") announced intentions to open an Operations Center of Excellence in downtown Nashville, bringing an anticipated 5,000 jobs to the city; and

WHEREAS, in the same announcement, Amazon disclosed economic incentives which have been offered by the State of Tennessee and the Metropolitan Government of Nashville and Davidson County; and

WHEREAS, governmental incentives from both the State and Metropolitan Government are expected to total approximately \$102 million; and

WHEREAS, incentives from the Metropolitan Government to Amazon are expected to total approximately \$15 million, based upon a \$500 grant for each job created over seven years, subject to approval of the Metropolitan Council and the Industrial Development Board; and

WHEREAS, the Metropolitan Government has awarded millions of dollars in economic incentives to other companies, including the Healthcare Corporation of America (HCA), Bridgestone Americas, Inc., Asurion, LLC, and UBS Group AG (UBS), in recent years, and is likely to continue offering incentives to companies relocating to Nashville in the future; and

WHEREAS, in June 2018, the Metropolitan Council adopted Resolution No. RS2018-1249 which set forth a pay plan for Fiscal Year 2019 and repealed the scheduled three percent (3%) cost of living adjustment for Metro employees for FY19 and FY20 previously adopted pursuant to Resolution No. RS2017-719; and

WHEREAS, if the Metropolitan Government is unable to provide previously committed cost of living adjustments for its employees in the current fiscal year, inducements such as the \$15 million in expected economic incentives for Amazon should not be offered; and

WHEREAS, conversely, if the Metropolitan Government is able to afford \$15 million in economic incentives for Amazon, it should provide cost of living adjustments for current Metro employees; and

WHEREAS, the Metropolitan County Council requests that the Metropolitan Government of Nashville and Davidson County refrain from awarding economic incentives to Amazon or to any other entity unless and until employees of the Metropolitan Government receive cost of living adjustments.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan Council hereby goes on record as requesting that the Metropolitan Government of Nashville and Davidson County provide cost of living adjustments to employees of the Metropolitan Government if economic incentives are to be awarded to Amazon or any other entity. If the Metropolitan Government is unable to provide cost of living adjustments to Metro employees, however, no economic incentives should be given to Amazon or to any other entity.

Section 2. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Bill Pridemore  
Member of Council

**SUBSTITUTE RESOLUTION NO. RS2018-1509**

**A resolution calling upon supporting the Davidson County Election Commission's plan to purchase to ensure that the voting machines it purchases in the future provide that provide a voter-verifiable paper audit trail and that pledging Metro Council support for the implementation of such functionality. is implemented**

WHEREAS, free and equal elections are a guaranteed right of our citizens under Article I, Section 5 of the Constitution of the State of Tennessee; and

WHEREAS, free, equal, and fair elections require secure, accessible, and accurate methods to cast and count votes; and

WHEREAS, a voter-verifiable paper audit trail is a method of providing feedback, typically via a paper slip, to a voter verifying that his or her vote was cast correctly; and

WHEREAS, voting machines currently used in Davidson County lack a voter-verifiable paper audit trail; and

WHEREAS, Tennessee is one of just fourteen (14) states that use electronic voting machines but do not require that they provide a voter-verifiable paper audit trail; and

WHEREAS, the lack of a voter-verifiable paper audit trail makes accurate tabulation of results in the event of a malfunction or hacking incident unachievable; and

WHEREAS, the lack of a voter-verifiable paper audit trail further makes it more difficult to identify whether a malfunction or hacking incident has occurred and imperils the ability to effectively audit the extent of such an incident; and

WHEREAS, it is necessary for the health of our democracy that our citizens have confidence in the electoral process; and

WHEREAS, the Davidson County Election Commission has announced its intention to replace the voting machines currently in use for implementation prior to the 2020 Presidential, State, and City Election; and

WHEREAS, the Davidson County Election Commission further plans to purchase voting machines that provide a voter-verifiable paper audit trail; and

WHEREAS, the Metropolitan Council is the sole appropriating authority for the Davidson County Election Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Council hereby goes on record as ~~calling upon~~ supporting the Davidson County Election Commission's ~~plan to ensure that the purchase~~ purchase voting machines ~~it purchases in the future have the capability to~~ that provide a voter-verifiable paper audit trail.

Section 2. The Metropolitan Council further goes on record as ~~calling upon the Davidson County Election Commission to implement~~ supporting the implementation of the voter-verifiable paper audit trail functionality in such machines.

Section 3. The Metropolitan Clerk is hereby directed to send a copy of this Resolution to the members of the Davidson County Election Commission and Administrator of Elections.

Section 4. This Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Dave Rosenberg  
Member of Council

**RESOLUTION NO. RS2018-\_\_\_\_**

**A resolution honoring the life, legacy, and contributions of Richard H. Fulton, former congressman and mayor of Nashville and Davidson County, Tennessee.**

WHEREAS, on November 28, 2018, Nashville lost one of its most influential leaders, Richard Harmon Fulton; and

WHEREAS, born and raised in East Nashville, Fulton attended Warner Elementary and graduated from East High School where he excelled as a football star, eventually attending the University of Tennessee on a football scholarship; and

WHEREAS, before attending college, however, Fulton served his country in the United States Navy during World War II aboard the naval ship USS O'Hare; and

WHEREAS, after attending college, Fulton returned home to East Nashville where he helped his brother Lyle Fulton operate a neighborhood market and pursue other business ventures; and

WHEREAS, in 1954, Fulton was elected to the Tennessee State Senate after the untimely death of his brother Lyle who tragically succumbed to liver cancer after securing the Democratic nomination for the seat. However, at age 29, Fulton fell below the minimum age for senators required under the Tennessee Constitution and was unseated by a vote of the Tennessee Senate, only to successfully run for the same seat two years later. Fulton served in the Tennessee Senate from 1956 until 1963; and

WHEREAS, in 1962, Fulton entered the Democratic primary for the 5<sup>th</sup> U.S. Congressional District in Nashville. After the incumbent congressman was initially declared the winner, corruption was reported at the election commission and Fulton successfully sued to throw out the primary results. In a repeat primary election, Fulton was elected to the United States House of Representatives where he served for seven terms until 1975; and

WHEREAS, while in Congress, Fulton took courageous – often isolating – positions on controversial issues of the day, casting one of the few “yea” votes among Southern congressional representatives in support of the Civil Rights Act of 1964. Fulton also supported the Voting Rights Act, the Fair Housing Act, and the Medicare Act. His campaigns were among the first in Nashville to prioritize support within the African-American community, and he was the first member of Tennessee’s delegation to hire African-American staff members; and

WHEREAS, in 1975, Fulton was elected as Mayor of the Metropolitan Government of Nashville and Davidson County, serving as only the second mayor of the consolidated local government until 1987; and

WHEREAS, during his mayoral terms, Fulton forged a pro-business, socially progressive agenda -- an approach that proved influential among Nashville’s successive mayors. Fulton focused on the development of downtown, including the construction of Riverfront Park and the Nashville Convention Center, the redevelopment of key downtown streets, as well as the preservation of Union Station and the Hermitage Hotel. He also was influential in the construction of Interstate 440, the expansion of the Metropolitan Development and Housing Agency, and the addition of 485 acres to Nashville’s parks system; and

WHEREAS, after leaving office in 1987, Fulton pursued a successful career in business and real estate, opening a consulting firm and serving as a founding member of the Bank of Nashville; and

WHEREAS, on November 28, 2018, at the age of 91, Fulton passed away peacefully in his sleep, leaving behind an enduring legacy of courageous yet gracious public service at the local, state, and federal levels which truly transformed Nashville for the better.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan Council hereby goes on record as honoring the life, legacy, and enormous contributions of former congressman and Mayor of Nashville and Davidson County, Richard Harmon Fulton.

Section 2. The Metropolitan Clerks Office is requested to send a copy of this Resolution to Sandra Fulton, beloved and devoted wife of Richard H. Fulton.

Section 3. This Resolution shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

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Kathleen Murphy

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Bob Mendes  
Members of Council



AMENDMENT NO. \_\_\_\_

TO

ORDINANCE NO. BL2018-1407

Mr. President:

I move to amend Ordinance No. BL2018-1407 by deleting Section 1 in its entirety and substituting in lieu thereof the following:

Section 1. That Title 15, Section 15.64.170(B) be amended by deleting ~~the first paragraph~~ in its entirety and replacing it with the following:

"B. Notwithstanding the provisions of subsection A. to the contrary, the stormwater division may allow the construction of the following types of structures within the floodway, consistent with the provisions of the stormwater management manual, provided that the structure is designed and engineered, in such a manner so as to have no adverse impact:"

INTRODUCED BY:

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Freddie O'Connell  
Member of Council

**SECOND SUBSTITUTE ORDINANCE NO. BL2018-1365**

**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 R10 to RS10 zoning for various properties located on General Hood Trail, Robin Road, and Winston Place, south of Woodmont Boulevard (~~5.30~~ 4.41 acres), all of which is described herein (Proposal No. 2018Z-108PR-001).**

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from R10 to RS10 zoning for various properties located on General Hood Trail, Robin Road, and Winston Place, south of Woodmont Boulevard (~~5.30~~ 4.41 acres), being various Property Parcel Nos. as designated on various Maps of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 118 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

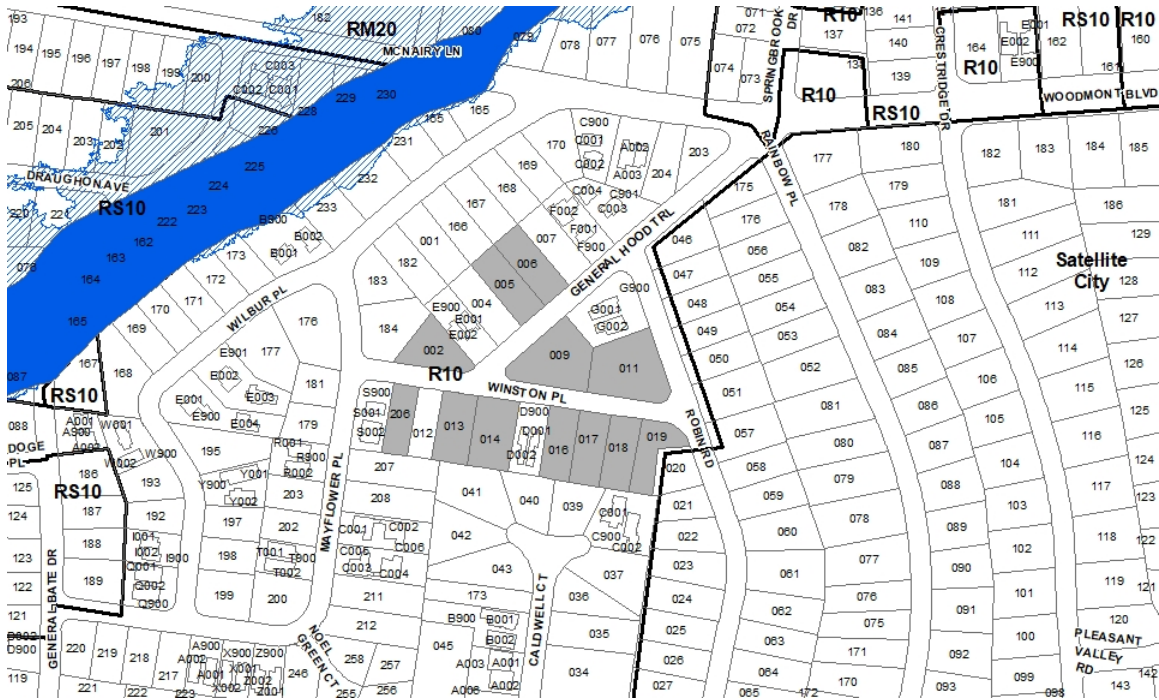
INTRODUCED BY:

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Russ Pulley  
Member of Council

2018Z-108PR-001  
Map 118-13, Parcel(s) 206  
Map 118-14, Parcel(s) 002, ~~004-007~~ 005,006, 009, ~~011-014~~, 011, 013,  
014, 016-019  
Subarea 10, Green Hills - Midtown  
District 25 (Pulley)  
Application fee paid by: Fee waived by Council

A request to rezone from R10 to RS10 zoning for various properties located on General Hood Trail, Robin Road, and Winston Place, south of Woodmont Boulevard (5.30 ~~4.41~~ acres), requested by Councilmember Russ Pulley, applicant; various property owners.



APN	Owner	Prop Addr	Prop City	Prop State	Prop Zip
11814000600	BEESELY, FREDERICK W.,III & CLAUDIA H.	3507 GENERAL HOOD TRL	NASHVILLE	TN	37204
11814000500	KIM, THOMAS & DILLARD, LARA KRISTIN	3509 GENERAL HOOD TRL	NASHVILLE	TN	37204
11814000200	VLAHAKIS, GEORGE S.	3515 GENERAL HOOD TRL	NASHVILLE	TN	37204
11814000900	PATTANAYEK, SABUJ & SUCHETA	3510 GENERAL HOOD TRL	NASHVILLE	TN	37204
11814001100	KECK, DAVID A. & ABBE	3507 ROBIN RD	NASHVILLE	TN	37204
11813020600	ECKSTEIN, EMMELINE S.	917 WINSTON PL	NASHVILLE	TN	37204
11814001300	BHOWMIK, DILIP KUMAR & SHUBHA GOLIME	913 WINSTON PL	NASHVILLE	TN	37204
11814001400	QUINN, MARTIN J. & LISA K.	911 WINSTON PL	NASHVILLE	TN	37204
11814001600	MENG, LAYTON	907 WINSTON PL	NASHVILLE	TN	37204
11814001700	CULLEY, JOHN O. ETUX	905 WINSTON PL	NASHVILLE	TN	37204
11814001800	LOVELL, HOLLY A.	903 WINSTON PL	NASHVILLE	TN	37204
11814001900	TRAVERSARI, CORY A. & CAPUTY, LISA	901 WINSTON PL	NASHVILLE	TN	37204

AMENDMENT NO. \_\_\_\_\_  
TO  
ORDINANCE NO. BL2018-1376

Mr. President –

I move to amend Ordinance No. BL2018-1376 as follows:

I. By amending Section 1 by deleting it in its entirety and substituting therefore the following:

Section 1. That Section 7.16.030 of the Metropolitan Code is hereby amended by deleting subsection A.2 in its entirety and substituting therefore the following:

2. The proposed location is on, or has its principal access to, an existing arterial-boulevard as shown on the major street plan as adopted by the metropolitan planning commission; provided this arterial-boulevard street access requirement shall not be applicable for the following:

(a) a retail location with an entertainment event center adjoining as a separate business to said retail location, on a commercial property that consists of 2.24 acres within a strip shopping center as of 2018, located seven hundred fifty feet (750') from the nearest existing arterial boulevard and located on a collector-avenue or local street no more than 3,960 feet in length that intersects, at two or more locations, the same existing arterial boulevard as depicted on the major street plan as adopted by the metropolitan planning commission.

(b) an artisan distillery as defined in Section 17.04.060 of the Metropolitan Code;

INTRODUCED BY:

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Jeff Syracuse  
Member of Council