



CITY OF Belle Meade TENNESSEE

REGULAR MEETING
 OF THE BOARD OF COMMISSIONERS
 CITY HALL
 WEDNESDAY, JULY 17, 2019
 Commencing at 4:00 p.m.

COMMISSIONERS:
 James V. Hunt Sr., *Mayor*
 Louise Bryan, *Vice Mayor*
 Cathy Altenbern
 Rusty Moore
 Bob Weigel

There will be a Regular Meeting of the Board of Commissioners, with public hearing, on **Wednesday, July 17, 2019**, at 4:00 p.m. at City Hall, 4705 Harding Place, Nashville, TN for consideration of the following items:

| | INFO/DISC | ACT | PAGE |
|---|-----------|-------|------|
| I. PLEDGE OF ALLEGIANCE | | | |
| II. PUBLIC COMMENTS | | | |
| III. MINUTES – Regular Meeting – June 26, 2019 | ACT | JVH | |
| IV. PUBLIC WORKS | | | |
| 1. Monthly Report | info | LS | |
| 2. Quotes for Equipment & Installation for new Public Works Truck | ACT | JVH | |
| V. CITY SERVICES | | | |
| A. Public Safety - | | | |
| 1. Monthly reports | info | Chief | |
| B. Health and Sanitation | | | |
| 1. Monthly reports | info | LS | |
| C. Building/Zoning/Planning | | | |
| 1. Monthly Reports | info | LP | |
| 2. Introduction to Historic Overlay Ordinance | info | LP | |
| D. Waste Collection – No Matters | | | |
| E. Beautification/Landscape- | | | |
| 1. Monthly Report by Laura Katherine Wood | info | LKW | |

Board of Commissioner's Meeting
 Wednesday, July 17, 2019

INFO/DISC ACT PAGE

F. City Communications – No Matters

VI. ADMINISTRATION

A. Finance

1. Financial Statements- June, 2019
2. Investment Schedules
3. Approval of Invoices over \$5,000

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| info | AC |
| info | AC |
| ACT | JVH |

B. Facilities – No Matters

C. Personnel –

1. Introduce Dylan Hood- Sewer Maintenance

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| info | BR |
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VII. LEGISLATION –

1. Ordinance 2019-7, Amending Title Two, of the Belle Meade Municipal Code to Create the Historic Zoning Commission, on first reading

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| ACT | JVH |
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2. Ordinance 2019-8, Amending the Zoning Ordinance to Authorize the Creation of Historic Overlay Districts in the City of Belle Meade, on first reading.

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| ACT | JVH |
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3. Ordinance 2019-9, Amending Title Sixteen, Chapter One of the Belle Meade Municipal Code to Ban Dockless Electric Scooters and Bicycles, on first reading

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| ACT | JVH |
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4. Resolution 2019-04, Creating a Temporary Moratorium on the Issuance of Demolition Permits

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| ACT | JVH |
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VII. OTHER MATTERS

1. Engage Ridley Wills II to write a book on the history of the City of Belle Meade.

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| info | JVH |
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The next scheduled meeting of the Board of Commissioners will be **Wednesday, August 21, 2019.** The location is City Hall 4705 Harding Road Nashville, TN.

BY ORDER OF THE MAYOR


 Beth Reardon City Manager

ORDINANCE 2019-07

AN ORDINANCE TO AMEND TITLE TWO OF THE BELLE MEADE MUNICIPAL CODE TO CREATE THE HISTORIC ZONING COMMISSION

WHEREAS, the Commissioners of the City of Belle Meade find that the protection and preservation of the historical and architectural value of buildings, structures, and neighborhoods promotes the educational, cultural, and economic welfare of the citizens of the City of Belle Meade; and

WHEREAS, the Commissioners, pursuant to Tenn. Code Ann. §§13-7-401 to 13-7-409, wish to amend the Zoning Ordinance to create one or more historic districts or zones to regulate the construction, repair, alteration, rehabilitation, relocation, and demolition of any building or structure located in, or intended to be located in, any such historic district or zone, in accordance with the procedures set out herein; and

WHEREAS, it is necessary for the City to create an historic zoning commission to make recommendations to the Board of Commissioners concerning the creation of historic districts, promulgate design guidelines governing construction activity in such districts and to review applications for building and other permits in such districts, issue certificates of appropriateness, and carry out other duties consistent with this ordinance and state statute;

NOW, THEREFORE:

SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Title 2 of the Belle Meade Municipal is hereby amended to add a new Chapter Two which shall read as follows:

TITLE 2

BOARDS AND COMMISSIONS

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CHAPTER TWO

HISTORIC ZONING COMMISSION

2-201. Historic Zoning Commission. The Historic Zoning Commission (“HZC”) is hereby created and shall consist of a representative of a local patriotic or historical organization; an architect, if available; a person who is a member of the local planning commission at the time of such person's appointment; and the remainder from the community in general. The HZC shall be appointed by the Mayor subject to confirmation by the Board of Commissioners (“Board”). The terms of members of the HZC shall be five (5) years, except that the members appointed initially shall be appointed for staggered terms so that the terms of at least one (1) member but not more than two (2) members shall expire each year. All members shall serve without compensation. The HZC may adopt rules and regulations consistent with this part, as well as by-laws governing its own procedure, election of officers, agendas, and the like.

2-202. Powers and Duties of HZC. The HZC shall have the following powers:
(1) submit written recommendations to the Board regarding the creation of any historic zoning district; (2) prior to the establishment of any historic district, and after reasonable public notice and opportunity for public comment, by public hearing or otherwise, adopt for each proposed district or zone a set of review guidelines, which it will apply in ruling upon the granting or denial of a certificate of appropriateness, such review guidelines to be consistent with state statute and with regulations and standards adopted by the secretary of the interior pursuant to the National Historic Preservation Act of 1966, compiled in 16 U.S.C. § 470 et seq., applicable to the construction, alteration, rehabilitation, relocation or demolition of any building, structure or other improvement situated within a historic district which has been certified by the secretary of the interior as a registered historic district.; (3) review and make decisions on applications for certificate of appropriateness related to any building or other permit in an historic district; (4) such other powers and duties as it is granted by state statute or the Zoning Ordinance.

SECTION TWO: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE THAT THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS REQUIRING IT.

Passed on first reading:

July__ 2019

Passed on Second Reading:

August __, 2019

James V. Hunt, Mayor

Charlotte Hunter, City Recorder

ORDINANCE 2019-08

AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO AUTHORIZE THE CREATION OF HISTORIC OVERLAY DISTRICTS IN THE CITY OF BELLE MEADE.

WHEREAS, the Commissioners of the City of Belle Meade find that the protection and preservation of the historical and architectural value of buildings, structures, and neighborhoods promotes the educational, cultural, and economic welfare of the citizens of the City of Belle Meade; and

WHEREAS, the Commissioners, pursuant to Tenn. Code Ann. §§13-7-401 to 13-7-409, wish to amend the Zoning Ordinance to create one or more historic districts or zones to regulate the construction, repair, alteration, rehabilitation, relocation, and demolition of any building or structure located in, or intended to be located in, any such historic district or zone, in accordance with the procedures set out herein; and

WHEREAS, the purposes of this Ordinance are to preserve and protect the historical and/or architectural value of buildings, structures, or areas of significant importance; to regulate exterior design, arrangement, texture and materials proposed to be used within the historic districts to insure compatibility; to create an aesthetic appearance which complements the historic or other structures; to stabilize and improve property values; and to foster civic beauty;

NOW, THEREFORE:

SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Section 14-203 of the Zoning Ordinance is hereby amended to add the following sub-section (3), which shall read as follows:

14-203. Boundaries of districts-zoning map.

* * *

(3) The zoning map shall also reflect any historic overlay districts created by the board of commissioners.

SECTION TWO: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Section 14-204 (2) (“District regulations”) of the Zoning Ordinance is hereby amended to add the following sub-part (e), to read as follows:

14-204. Area, set back, yard, height and parking requirements.

* * *

(2) District Regulations.

* * *

(e) Historic Overlay Districts. (i) Historic overlay district provisions are hereby established to preserve and protect the historical and/or architectural value

of buildings, structures, or areas of significant importance; to regulate exterior design, arrangement, texture and materials proposed to be used within the historic districts to insure compatibility; to create an aesthetic appearance which complements the historic or other structures; to stabilize and improve property values; and to foster civic beauty.

(ii) Historic overlay districts shall be of two types: historic preservation and neighborhood conservation. These districts are both defined as geographic areas which possess a significant concentration, linkage or continuity of sites, buildings, or structures that are united by past events or aesthetically by plan or physical development, and that meet one or more of the following criteria:

(A) The district is associated with an event that has made a significant contribution to local, state or national history; or

(B) It includes structures associated with the lives of persons significant in local, state or national history; or

(C) It contains structures or groups of structures that embody the distinctive characteristics of a type, period or method of construction, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) It has yielded or may be likely to yield archaeological information important in history or prehistory; or

(E) It is listed or is eligible for listing in the National Register of Historic Places.

(iii) The permitted uses, bulk regulations, and any other regulations or procedures otherwise applicable for any district in which an historic overlay is enacted shall remain unchanged, to the extent not inconsistent with this part.

(iv) The creation of historic overlay districts shall be only in accordance with recommendations of the Historic Zoning Commission ("HZC") and consistent with the review guidelines established for the district by that body.

(v) The creation of historic overlay districts shall be by amendment to the Zoning Code and also in accordance with all procedures established under the Code and state law for zoning ordinance amendments.

SECTION THREE: BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that the Zoning Code is hereby amended to add a new Section 14-209 to be captioned "Procedure before the Historic Zoning Commission" with all subsequent sections to be renumbered accordingly:

Section 14-209. Procedure before the Historic Zoning Commission.

- (1) From and after the creation of any historic overlay district by the board of commissioners, any application for construction, repair, alteration, rehabilitation, relocation, or demolition of any building or structure located in, or intended to be located in, any such historic district must first be referred to the HZC for review, and no permit of any kind shall be issued until such a certificate of authority has been issued by the HZC.
- (2) The HZC may required detailed construction plans and data pertinent to its review.
- (3) The HZC shall act on any application within thirty (30) days of submission of sufficient data or information, and shall grant the certificate of appropriateness with or without conditions or deny the same, and shall state the grounds for any denial in writing.
- (4) In making its review the HZC shall rely upon the adopted guidelines for the district and give primary consideration to:
 - (a) Historic or architectural value of the present structure;
 - (b) The relationship of the exterior architectural features of such structure to the rest of the structure, surrounding areas, and to the character of the district;
 - (c) The general compatibility of exterior design, arrangement, texture, and materials proposed to be used;
 - (d) Any other factor, including aesthetic, which is reasonably related to the purpose of this part.
- (5) Review of any decision of the HZC shall be by writ of certiorari under Tenn. Code Ann. §§27-8-101 et seq

SECTION FOUR: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE THAT THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS REQUIRING IT.

Passed on first reading:

July___ 2019

Planning Commission Review:

August ___ 2019

Passed on Second Reading after Public Hearing:

August ___, 2019

James V. Hunt, Mayor

Charlotte Hunter, City Recorder

ORDINANCE 2019-9

AN ORDINANCE TO AMEND TITLE SIXTEEN CHAPTER ONE OF THE BELLE MEADE MUNICIPAL CODE TO BAN DOCKLESS ELECTRIC SCOOTERS AND BICYCLES.

SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE that Title 16, Chapter 1 of the Municipal Code is amended to add a new section, which shall be as follows:

16-113. Dockless Electric Scooters and Bicycles.

(1) Definitions. For the purposes of this section, the following words and phrases shall have the meanings set forth below, unless the context clearly requires otherwise:

“Dockless Small Vehicle System” or *“System”* means a system which provides bicycles, scooters, electric bicycles, electric scooters, or other small vehicles for short-term rentals for point- to-point trips and which may be locked and unlocked without the requirement of a bicycle rack or other docking station.

“Dockless Small Vehicle” means a bicycle, scooter, electric bicycle, electric scooter, and other small, wheeled vehicle designed specifically for shared use utilizing GPS technology and can be deployed as part of a Dockless Small Vehicle System.

(2) Use of Dockless Small Vehicles Prohibited.

- (a) It is unlawful to provide or offer for use a Dockless Small Vehicle anywhere within the City.
- (b) It is unlawful to park, leave standing, leave lying, abandon, or otherwise place a Dockless Small Vehicles in a public right-of-way or on public property anywhere within the City.
- (c) It is unlawful to operate a Dockless Small Vehicles in a public right-of-way or on public property anywhere within the City.

(3) Violations; Impoundment.

(a) A violation of subsection (2) is punishable by a fine not to exceed Fifty Dollars (\$50.00) for each offense.

(b) Dockless Small Vehicles operated in violation of this section shall be considered a traffic and pedestrian hazard and shall immediately be removed from right-of-way and impounded. A Dockless Small Vehicle shall be impounded by the City, its designee, or its contractors, with an initial impoundment fee of Fifty Dollars (\$50.00) and a daily storage fee after the first twenty-four (24) hours of storage of Five Dollars (\$5.00) per twenty-four (24) hours of storage or part thereof. The owner of the Dockless Small Vehicle shall be responsible for all fees.

SECTION TWO: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE THAT THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS REQUIRING IT.

Passed on first reading:

July ___ 2019

Passed on Second Reading

August ___ 2019

James V. Hunt, Mayor

Charlotte Hunter, City Recorder

RESOLUTION NO. 2019-04

**A RESOLUTION CREATING A TEMPORARY MORATORIUM
ON THE ISSUANCE OF DEMOLITION PERMITS**

WHEREAS, the Belle Meade City Commission is currently considering Ordinances 2019-7 and 2019-8 (“the Ordinances”), which would create an historic zoning commission and authorize the creation of historic districts or zones in the City; and

WHEREAS, the Commissioners hereby find that it will take additional time to create and appoint an historic zoning commission, study and adopt construction review guidelines, and create historic zoning districts; and

WHEREAS, it would be contrary to and destructive of the purposes of the Ordinances, as well as eventual ordinances creating historic districts, if persons were allowed to evade their operation by taking certain actions while their adoption was pending; and

WHEREAS, the Commissioners find that under the “pending ordinance doctrine” a moratorium upon the issuance of any demolition permits within the City during the ordinance adoption process, both with respect to the Ordinances and any subsequent ordinances creating actual historic districts is in the interest of the health, safety, and welfare of the citizens of Belle Meade;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Belle Meade as follows:

1. Effective on the date of passage of this Resolution, the building official shall issue no permit for demolition of any building or structure during the time of the pendency of the adoption process of the Ordinances, or any subsequent ordinances creating historic districts, such period, however, not to exceed one-hundred fifty (150) days.
2. Exceptions to this policy may be granted by the building official in cases of partial damage by fire, water, or other natural cause, or in the case of an emergency.

IT IS SO RESOLVED AND DONE on this the 17th day of July, 2019.

ATTEST:

CITY OF BELLE MEADE TENNESSEE

By: _____
CHARLOTTE HUNTER
City Recorder

By: _____
JAMES V. HUNT, SR.
Mayor