

**MINUTES OF A MEETING OF  
THE BOARD OF COMMISSIONERS OF  
THE CITY OF FOREST HILLS**

**DECEMBER 1, 2011**

The Forest Hills Board of Commissioners (herein also the "Board") held its regular meeting on December 1, 2011 at the City's Offices, 6300 Hillsboro Pike, and Nashville, Tennessee; at 5:00 p.m. Mayor Coke presided. Also present were Commissioner Hyde, Vice Mayor Lovell, Matt Foster, City Attorney, Brad Bivens, City Engineer, and Al Deck, City Manager. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes.

1. Approval of the Minutes: Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Hyde, the Board unanimously voted to approve the minutes of the November 17, 2011 meeting.

2. Report from the City Manager, Al Deck.

(a) Bids for Cherry Trees & City Hall Landscape: The Manager presented the Members with the three bids received for the advertised project. The bidders were:

The Parke Co. -----	\$69,362.50
Greathouse -----	\$61,524.16
Turfcare -----	\$54,968.80

The Members discussed the project and Commissioner Hyde offered a motion to award the bid to the lowest bidder, Turfcare. The motion was seconded by Vice Mayor Lovell, the Members unanimously voted to approve the motion, awarding the bid to Turfcare.

(b) Ridgewood Drive Landslide: The City Manager informed the Members about a development with Piedmont Gas. The gas line needs to be relocated during the construction process. However, Piedmont raised the issue of Forest Hills paying for, or handling the excavation of the gas line. They cited their contract with Metro and the franchise fee they pay for use of the right-of-way. The problem is the r-o-w is in and belongs to Forest Hills. This discrepancy has brought the project to a

standstill. The contractor (Jarrett Builders) has mobilized and is setting waiting to finish the job. The Manager requested the Members allow the Staff to try to negotiate a settlement in this matter. The Members instructed the City Manager to take all measures necessary to complete the job with the least disruption to residents, even at the cost of the City and then to recover the City's expense from Piedmont Gas or Metro, as applicable.

3. Report from the City Attorney, Matt Foster:

(a) Mr. Foster briefly discussed the Metro lawsuit to stop the new court from setting a docket and hearing cases. Metro has not requested or been granted a temporary injunction; however, it appears that Metro will delay proceeding with the case for several months. A trial in the case may not occur until the summer of 2012. Since there is nothing pending for the December court docket, and since there is no temporary or preliminary injunction preventing the court's operations, Mr. Foster suggested that the court clerk cancel the December court docket, but be prepared to hold court at its next regularly scheduled date in February. In the meantime, the City Attorney would like to schedule a trip for the court clerk, the municipal judge, and himself to visit the City of Farragut to observe and meet with that city's court and staff. The members concurred.

4. Report from the City Engineer, Brad Bivens:

(a.) Kingsbury Speed Humps: Mr. Bivens reported that he inspected the humps and determined that not only did the sub-contractor not implement the repairs as specified, but it appears they did not do the work they claimed to have done. Apparently the crew skimmed over the speed humps with asphalt topping. In doing so, they increased the height of the humps, causing smaller vehicles to drag as they cross the

humps. Mr. Bivens will specify the corrective action and the city will implement the repairs.

(b.) Update - - Cliftee and Ridgewood Projects: Mr. Bivens reported the excavation on Cliftee has been completed, the water line relocated, and the work will soon be complete. The Ridgewood project was previously discussed.

(c.) Hillsboro Signage: Mr. Bivens apologized for not having a complete answer, but will obtain from the Tennessee Department of Transportation confirmation that the proposed contractor has successfully performed the same type replacement projects and is approved and accepted by T.D.O.T. for the Hillsboro project. He will report to the B.O.C. as soon as possible.

5. New Business:

(a) Novelty Items – City Hall Announcement: Mayor Coke recognized Jan Stinson with Armour & Armour who suggested mailing refrigerator magnets to all Newsletter recipients, which will serve as a reminder of the change of address and phone number for City Hall. The Members agreed and approved the expenditure.

There being no further matters to be discussed and no further business to come before the Board, the meeting was adjourned.

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Recorder

Mayor