

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

MARCH 1, 2012

The Forest Hills Board of Commissioners (herein also the “Board”) held its regular meeting on March 1, 2012 at the City’s Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 5:00 p.m. Mayor Bill Coke presided and called the meeting to order. Also present were Vice Mayor John Lovell, Commissioner Lanson Hyde; City Attorney Matt Foster; City Engineer Brad Bivens; 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: Vice Mayor Lovell offered a motion to approve the February 16, 2012 minutes, and Commissioner Hyde seconded the motion and the Members unanimously voted to approve the minutes.

2. Report from the City Manager Al Deck:

a. Update---Kingsbury Speed Humps: Since the City has continued to receive various suggestions from the sub-contractor and their engineer, the City Manager asked the City Engineer to draft a work order with a full description of the work to be completed.

b. City Retirement & Defined Contribution Plan: Forest Hills joined the Tennessee Consolidate Retirement System (TCRS) July 1973. March 2009 the City passed a Resolution withdrawing from TCRS. After the required waiting period, the termination was effective July 1, 2010 and the City of Forest Hills ceased to be an active participant. The Board took this action to eliminate increasing pension costs and the associated liabilities. Withdrawal from TCRS only affected employees hired after July 2010; retirees and existing employees remain covered, active members of TCRS. Prior to withdrawal from TCRS, (2007) the City Manager requested the City establish a 457 b, deferred compensation plan, using the International City Managers Association (ICMA). ICMA was selected because no other investment company would establish a plan for a city with only two employees. The plan was created for the employees' personal use as a pre-tax saving plan. Later, when the City withdrew from TCRS in 2010, it needed some vehicle to fill the retirement void. The City Manager suggested using the existing ICMA 457b. The Board agreed and designated ICMA as the employee's retirement saving plan. The Board agreed that during salary negotiations with future employees, employees would be responsible for establishing and funding their own retirement plan from their salary. Employees will not be required to use of the ICMA 457b plan; however, it is available for that purpose, if an employee desires the convenience of payroll deduction. New employees are free to use any vehicle they deem appropriate for their retirement savings, such as an IRA, or they may chose not to fund any savings plan at all.

In 2012 the State of Tennessee granted every city access to their 457b and 401k investment plans. With over 40,000 employees, the State of Tennessee was able to

negotiate a much better investment package for its employees than the City of Forest Hills has with ICMA. The City Manager brought the proposal to the Board of Commissioners and over a period of six weeks they discussed the opportunity and process to reduce investment costs for future employees. Depending of the investments selected, the State's costs are little as 25% of ICMA's annualized mutual fund fees. During the six week review, the City Attorney studied the information from the State and found no objections. City Manager submitted the proposal to the Members for action. Upon motion by Commissioner Hyde, which was seconded by Vice Mayor Lovell, the Members unanimously voted to approve adoption of the State of Tennessee Deferred Compensation Plan, and after the plan is implemented, the Board authorized the termination of the 457 plan with ICMA.

c. Discussion of Safe Route Grant: The City ask Metro Schools to provide a list of all Percy Priest students by address (without names). The list was used to plot student residences within the area surrounding Percy Priest school and determine how many students might be able to either walk or bike to school. The City is considering two sidewalks: the first would run along Priest Road from the school to East Ashland. The second proposed walkway would begin at the intersection of Priest Road & Otter Creek, across the school property, and terminate at the entrance to Otterwood subdivision.

The student census revealed that there are not enough potential students in the Priest / East Ashland area to justify a sidewalk. Secondly, the survey revealed only 5 students could be served by the sidewalk along Otter Creek and might also be an unlikely candidate for funding. However, the survey did reveal that a sidewalk along Otter Creek, extended all the way to E. Ashland had the potential to serve 21 students. The Members

authorized the Manager and Engineer to review the Otter Creek route and proceed with the grant application if it appears to be financially feasible.

3. Entrance to City Hall: The Members discussed options to both properly identify the City Hall entrance and provide low-level lighting. The consensus was to build stone piers, modeled after the stone Gateway Entrance at Old Hickory Blvd. and Hillsboro Pike. The piers would also be wired for low voltage and low height lighting. The Members discussed packaging the reconstruction of the old stacked stone wall with the piers and bidding the package for spring construction. Joe Hodgson will design the piers and draft plans for the bidders.

4. Report from the City Attorney Matt Foster:

a. Open Matters: Mr. Foster omitted this item.

b. Proposed Ordinance 2012-197, Amending the Municipal Code: Mr. Foster presented Ordinance 2012-197 for second and final reading, as amended in sections 5A; 4A, establishing the option for an annual bond of \$2,500. Following discussion, Vice Mayor Lovell made a motion to approve Ordinance 2012-197 on second and final reading, which will become final 15 days after publishing notice in the local paper. Commissioner Hyde seconded the motion and the Members unanimously voted to approve Ordinance 2012-197 on second and final reading.

c. Proposed Ordinance 2012-198, Licensing of Trash and Recycling Companies: The City Attorney and Members discussed this matter and Mr. Foster suggested amending page 3 on the requirement of an annual fee. Upon motion by Vice

Mayor Lovell, which was seconded by Commissioner Hyde, Ordinance 2012-198 was approved on second and final reading.

d. Model use Policy for City Hall: Mr. Foster requested this item be deferred.

e. International Building Code—Ordinance 2012-199: The City Attorney offered this Ordinance to correct and inadvertent error by M.T.A.S. in the Codification of the City Ordinances. The verbiage concerning the International Building Code was changed from 2003 to the 2009 version. The City has never adopted the 2009 and has continuously reviewed, inspected, and enforced construction under the 2003 version of the I.B.C. Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Hyde, the Members voted to correct the error as stated in the Municipal Code Book and changed the verbiage from 2009 to 2003. The Members instructed the City Attorney to proceed with the correction and notify M.T.A.S. of the mistake.

5. Report from the City Engineer Brad Bivens:

a. Update of Hillsboro Signage: Mr. Bivens is still seeking information about matching the existing paint color for the posts and a material to cover the aluminum back of the sign. The Members also discussed the next possible turn lane on Hillsboro. Mayor Coke asked Mr. Bivens to verify with T.D.O.T. which street ranked next in priority and begin the process of seeking T.D.O.T.'s assistance with the project.

b. Update on Ridgewood Landslide: Mr. Bivens informed the members that the project is approximately 4 or 5 weeks from completion. He presented photographs of the work in progress and the changes implemented during the process.

c. Open matters: no open matter discussed.

6. New business:

a. Proposed Development of the Eddie Arnold Property: The Members received a report from Mr. Bivens on the topography and drainage of the Arnold property. The property will require extensive detention / retention work to handle drainage from the 60 acre property. Mr. Bivens and Neel-Schaffer Engineering will continue to review and follow the progress of the development. As the developer makes their plans public, the engineers will review and test the information provided. Mr. Bivens recommended this procedure rather than Neel-Schaffer Engineering actually doing the studies. Reviewing the developer's plans would be substantially less expensive than generating plans. The members agreed and asked Mr. Bivens to continue monitoring the project.

Public Comments: No public comment was offered

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

Recorder

Vice Mayor