

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

**APRIL 18, 2013**

The Forest Hills Board of Commissioners (herein also the “Board”) held its regular meeting on April 18, 2013 at the City’s Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 5:00 p.m. with Mayor Coke presiding. Also present were Commissioner Hyde, Vice Mayor Lovell, Matt Foster, City Attorney 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 Members unanimously voted to approve the Minutes of the March 21, 2013 meeting.

2. Members Discussion of Contracting for General Maintenance Items: Vice Mayor Lovell began by asking about the history of issuing long term contracts for General Maintenance & Drainage Repairs. The City Manager responded the process was in place when he was hired over 7 years ago. Sessions Paving & Sealing had served in that capacity for many years. Neel-Schaffer Engineering developed the line-item bid form and with modifications has been used since that time. The Manager displayed a copy of the line items and also displayed a copy of an actual work order issued based on the same schedule. The City advertises for bids under the General Services Contract and bidders provide their prices for the various individual items. The Engineering staff recommends a contractor, based on the lowest average bid and the staff’s knowledge and experience with the contractors. **Following the explanation the Members addressed questions to the staff and agreed to continue the procedure, with the stipulation that any Work Order with a value of \$25,000 be circulated to the Members by email.**

3. Report from the City Manager, Al Deck.

(a) Public Hearing on the proposed 2013-2014 Budget. Mayor Coke called the public hearing to order and called for questions or comments from the public. The Public Hearing was closed without comment.

(b) Second and Final Reading of Ordinance No. 2013-208, Adoption of the 2013-2014 Budget. Commissioner Hyde offered a motion to approve the 2013-2014 budget and Vice Mayor Lovell seconded. The Members unanimously voted to approve Ordinance No 2013-208 on second and final reading.

(c) Approval of the Financial Statements for March 2013: Motion was made by Commissioner Hyde to approve the Financial Statements. Vice Mayor Lovell seconded the motion and the March Statements were accepted.

4. Report from the City Attorney, Matt Foster:

(a) Resolution 2012-2, Memorandum of Understanding with the Metropolitan Government of Nashville Davidson County. The City Attorney answered questions regarding specific items in the agreement, such as building codes, inspections, and court. Following a short discussion the Resolution was unanimously adopted on a motion by Commissioner Hyde, which was seconded by the Vice Mayor.

(b) Discuss Upgrade of Building Code: Mr. Foster answered questions about the need to adopt a newer version of the International Build Code. The topic was first discussed following a visit by representatives from Insurance Services Office (ISO), approximately two years ago. Following that visit the City revised its plans review and inspection process for all construction projects. However, since that time the City has remained under the 2003 version of the International Building Code, while ISO has implemented the 2012 version. The City must implement a version of the Code

which is within 7 years of the version adopted by the State. The Members questioned Mr. Foster and also Mr. Bill Burdette (City's Building Inspector) about the advantages or disadvantages of adopting the 2012 version. Mr. Foster explained that items within the code, which are not acceptable to the Board, may be excluded from the 2012 version. He cited the requirement of sprinkler systems for new construction or large additions as an example of an excluded item. **The discussion concluded with agreement to begin reviewing the 2012 International Building Code.**

(c) Administrative Hearing Officer: Since the Board adopted the Memorandum of Understanding with Metro; Mr. Foster suggested the Board now adopt the Administrative Hearing Officer provision as approved by the State. This process will provide an opportunity for the City to enforce its Ordinances, without requiring residents to appear in court. The process will be much less expensive and time consuming for affected residents. Vice Mayor Lovell offered a motion to adopt, which was seconded by Commissioner Hyde and the motion was unanimously approved.

(d) Appointment of a City Judge: Mr. Foster suggested that with the Memorandum of Understanding in place, the Members may consider appointment of a Judge and creation of the long awaited City Court. He explained that the term of Judge David McMackin expired and will require a new appointment and suggested the Members add this item to May agenda. The Members were in agreement.

(e) Landscape Contract held by the Parke Company & the Watering Contract held by TurfCare Landscapes: The City Attorney informed the members that the watering contract (which was held by TurfCare Landscapes) has expired. He suggested that the Watering Contract be added to the Parke Company's Landscape Contract, which will expire soon and will also require rebidding. The Members agreed to consolidate the two contracts, until the expiration of the Parke Company's Contract.

(f) Chipper Contract: Mr. Foster also reminded the Members that the Chipper Contract will expire in September. The contract was initially established for two

years, with a provision for two, two-year extensions. The Chipper Service Contract will require advertisement and an open bid at that time.

5. Report from the City Engineer Brad Bivens:

(a) Update on the Paving Contract: Mr. Bivens reported that Andover Drive and the Speed Humps on Otter Creek Drive will be completed next week.

(b) Piedmont Gas Line Update: Mr. Bivens discussed Piedmont's progress on meeting the BZA's requirements. He stated that the Land Disturbance Permit should not be issued since the performance bond has not been negotiated (as required in the Special BZA meeting of March 28) and consequently is not in place. He suggested the permit be withheld until the appropriate bond is delivered to the City Manager.

The City Manager stated that Piedmont has requested a permit for cutting and boring the affected streets along the path. Piedmont has already delivered the bond and the Manager requested verification that the street Cut Permit can be issued. Mr. Bivens agreed, since this work is not included in the land disturbance area and the activity is restricted to the City's right-of-way that the street cuts could go forward.

Public Comments:

Ms. Gretchen Howell, representing the Percy Priest PTA provided an update on the proposed improvements to the playground and the requested funding of \$50,000 by the City of Forest Hills. The Members expressed their objections to installing lights on the school property. Their objection was based on the fact that the lighting will trespass onto neighboring properties.

Ms. Howell discussed the proposed lighting plan with the Members and stated the plan has been revised to include only one street light in the rear parking area, plus motion sensitive security lights on the playground. She will continue to update the Members.

There being no further matters to be discussed and no further business to come before the Board, the meeting was adjourned, upon motion by Vice Mayor Lovell, which was seconded by Commissioner Hyde.

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Recorder

Mayor