

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

**May 16, 2013**

The Forest Hills Board of Commissioners (herein also the “**Board**”) held its regular meeting on May 16, 2013 at the City’s Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 5:00 p.m. Vice Mayor Johnny Lovell presided. Also present were Commissioner Lanson Hyde; Matt Foster, City Attorney; and Brad Bivens, City Engineer. 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 of the April 18, 2013 Meeting.** Commissioner Hyde asked that the minutes be revised to reflect that, with respect to work performed by a contractor pursuant to a contract for general maintenance items, the City Manager should notify the Board of any expenses in excess of \$10,000 and that the City Manager should competitively bid any project anticipated to cost more than \$20,000. Commissioner Hyde made a motion to approve the minutes as amended; Vice Mayor Lovell seconded the motion, and the Board unanimously voted to approve the minutes of the April 18, 2013 meeting.

**2. Approval of Financial Statements for April 2013.** Commissioner Hyde made a motion to approve the financial statements for April 2013; Vice Mayor Lovell seconded the motion, and the Board unanimously voted to approve the financial statements for April 2013.

**3. Report from the City Attorney.**

**3.1 Piedmont Natural Gas.** The City Attorney updated the Board on the inadvertent release, or “frac out” that occurred in Radnor Lake on May 7, 2013 when Piedmont Natural Gas commenced construction. 300 gallons of water and 12 pounds of bentonite clay were spilled into Radnor Lake and Otter Creek. The City Attorney reported that the spill did not appear to be a negligent act, but that the Tennessee Department of Environment and Conservation had not yet authorized Piedmont to recommence construction.

**3.2 Update on Memorandum of Understanding with Metro.** The Metro Budget and Finance committee will consider the proposed MOU at its next meeting on Monday, May 14, 2013 in the Metro Council chambers. The full Metro Council will vote on a resolution to approve the MOU on Tuesday, May 15 at 6:30 pm.

**3.3 Update on Adoption of Building Codes.** The City Attorney reported that he has purchased copies of the 2012 editions of the applicable codes and begun reviewing the same. The City Attorney will meet with Metro Codes officials and representatives from the Mayor’s Office

on Tuesday, May 28, 2013 to discuss Metro's efforts to adopt the 2012 edition as well as administration of trade permits within Forest Hills. The City Attorney has also solicited written recommendations on a local amendment package from the city's codes official, Bill Burdette.

**3.4 Appointment of a City Judge.** Commissioner Hyde made a motion to appoint Mr. David McMackin to a second term as City Judge; Vice Mayor Lovell seconded the motion, and the Board unanimously voted to appoint Mr. McMackin. The City Attorney will produce a formal written resolution appointing Mr. McMackin as well as make recommendations to the Board of Commissioners regarding salary, benefits, and related expenses for the City Judge.

**3.5 Discussion of Appointment of Administrative Hearing Officer.** The City Attorney requested that the Board of Commissioners defer action on appointing an administrative hearing officer until a new City Manager has been hired. The Board agreed to defer this matter until such time as a new City Manager is ready to proceed.

#### **4. Report from the City Engineer, Brad Bivens.**

**4.1 Report on Contract for As-Needed Maintenance and Construction.** The bids for the As-Needed Maintenance and Construction of Miscellaneous Street and Drainage Projects were opened on Wednesday, May 8, 2013. Two companies bid on the contract. All bids were tabulated and evaluated. The apparent low bidder was Jarrett Builders, Inc. Of 96 items, Jarrett Builders was the low or equal bidder on 59 items. The City Engineer recommended the Board of Commissioners award the contract to Jarrett Builders, Inc. Commissioner Hyde made a motion to award the contract to Jarrett Builders, Inc.; Vice Mayor Lovell seconded the motion, and the Board unanimously voted to so award the contract.

**4.2 Report on Contract for Annual Paving and Miscellaneous Street Repairs.** The City Engineer reported that the city will accept sealed bids for the annual paving and miscellaneous street repair contract. Sealed bids must be received at City Hall on or before noon, June 12, 2013. All bidders must be licensed contractors and eligible to bid state of Tennessee contracts. The city reserves the right to reject any or all bids. Specifications and contract documents will be available on May 30, 2013 from the City or from Neel-Schaffer, 210 25<sup>th</sup> Avenue North, Suite 800, Nashville, TN 37203.

**4.3 Discuss Addendum for Extension of Bikeway from Robert E. Lee to Otter Creek.** The City Engineer recommended that the city consider adding an extension of the bikeway from Robert E. Lee to Otter Creek to the annual paving contract. The Board agreed that soliciting bids for this work with the annual paving contract might lead to economies of scale and

directed the City Engineer to produce plans for the extension. The City Engineer acknowledged that it may be difficult to provide engineered plans by May 30, but that the plans can be added as an addendum to the specifications and contract documents in a timely manner to facilitate bidding.

4.4 **Report on Otter Creek Speed Humps & Review of Specifications.** The City Engineer reported that he is examining the speed humps installed on Otter Creek Road. The Board requested that the City Engineer investigate the cost and feasibility of purchasing pre-fabricated speed humps; and, the City Engineer agreed to do so.

5. **New Business.** There was no new business before the Board.

6. **Citizen's Comments.** There were no citizens comments.

7. **Adjournment.** The Board adjourned.