

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

June 20, 2013

The Forest Hills Board of Commissioners (the “**Board**”) held its regular meeting on June 20, 2013 at City Hall, 6300 Hillsboro Road, Nashville, Tennessee, beginning at 5:00 p.m. Mayor Bill Coke presided. Also present were Commissioner Lanson Hyde, City Attorney Matt Foster, and City Engineer Brad Bivens. Others present are shown on the attached sign-in sheet. A copy of the Agenda is attached to these minutes.

Mayor Coke called the meeting to order at 5:00 p.m. He announced that City Manager Al Deck had decided to retire effective June 30, 2013. Mayor Coke read aloud Resolution 2013-03, A Resolution Honoring Al Deck For His Service As City Manager, a copy of which is attached to these minutes. Mr. Hyde made a motion to approve the resolution. Mayor Coke seconded the motion. The Board voted unanimously to adopt Resolution 2013-03.

1. Approval of the Minutes of the May 16, 2013 meeting. Mr. Hyde made a motion to approve the minutes as submitted. Mayor Coke seconded the motion. The Board voted unanimously to adopt the minutes of the May 16, 2013 meeting.

2. Appointment of City Manager and City Recorder. Mr. Hyde made a motion to appoint Ms. Amanda Deaton as City Manager and City Recorder effective as of July 8, 2013. Mayor Coke seconded the motion. The Board voted unanimously to appoint Ms. Amanda Deaton as City Manager and City Recorder.

3. Report from the City Attorney, Matt Foster.

(a) **Approval of Financial Statements for May 2013.** Mr. Hyde made a motion to approve the financial statements for May 2013 as submitted. Mayor Coke seconded the motion. The Board voted unanimously to approve the financial statements for May 2013.

(b) **Memorandum of Understanding between the State of Tennessee and City of Forest Hills for the provision of group health plan coverage through the State of Tennessee Local Government Health Insurance Plan.** In order to offer health insurance coverage to the City Manager and any employees through the State of Tennessee’s Local Government Health Insurance Plan, the city must execute a MOU. Mr. Foster stated that he had reviewed the MOU and approved its legal sufficiency. Mr. Hyde made a motion to approve the Memorandum of Understanding. Mayor Coke seconded the motion. The Board voted unanimously to approve the MOU.

(c) **Independent Contractor Agreement between City of Forest Hills and Budget & Management Services.** Mr. Foster presented a proposed agreement between the City and Budget & Management Services for certain transition services. The company will act as a consultant to the new City Manager for a term of two months. Mr. Hyde made a motion to approve the agreement. Mayor Coke seconded the motion. The Board voted unanimously to approve the Independent Contractor Agreement with Budget & Management Services.

(d) **Discussion of Transition Matters.** Mr. Foster stated that he had been in touch with the new City Manager. The city will incur expenses related to purchasing new computers and related technology once the City Manager starts work. The cost of the purchases is not expected to exceed the City Manager’s purchasing authority.

(e) **Discussion of Piedmont Natural Gas Project status.** Mr. Foster explained that Piedmont should deliver a revised Site Plan to the city by June 30, 2013, which revised site plan was required by the Board of Zoning Appeals. Also, Mr. Foster had prepared a letter agreement with Piedmont to memorialize the status of the project and Piedmont's deliverables.

4. Report from the City Engineer, Brad Bivens.

(a) **Contract for Annual Paving and Miscellaneous Street Repairs and Extension of Bikeway from Robert E. Lee to Otter Creek Road.** Mr. Bivens received bids from four contractors for the city's annual paving contract. Three of the bids came in within \$7,000 of each other. Mr. Bivens stated that 4 Star Paving was the apparent low bidder. Mr. Bivens stated that 4 Star Paving had provided services to the city in the past, most recently in 2011 for work on Tyne Boulevard. He stated that work on the bikeway extension is included in the bid price; however, there will be some additional costs not included in this contract, specifically the cost of landscaping, easements, and curb cuts.

Mr. Hyde stated that it appeared the three lowest bidders were relatively equal. He asked whether one of the bidders had a better track record of quality performance. Mr. Bivens stated that all four contractors provide equal quality work. Mr. Hyde stated that, in the absence of a difference in quality, he would prefer the lowest cost bidder.

Mayor Coke inquired about the cost of asphalt and the different prices quoted by the bidders. Mr. Bivens noted that the price of asphalt is up from last year. He noted that one bidder had a lower price on asphalt because it owns its own asphalt plant. However, another bidder still provided a lower bid. Mayor Coke asked why the Rogers Group had not bid on the contract. Mr. Bivens said that Rogers Group had chosen not to bid this year because it is already at capacity with another municipal paving contract. Mr. Bivens noted for the Board that the city's contract includes an asphalt price escalation and de-escalation clause, which allows the parties to equitably adjust the contract price if the cost of asphalt increases or decreases materially.

Mayor Coke asked whether Mr. Bivens will contact the Hound's Run Homeowners Association to coordinate with those persons regarding the work being performed within the subdivision. Mr. Bivens said he would ensure the association is contacted. The Board discussed what markings to paint on streets and whether to include bike lanes. Mr. Bivens said he would discuss that matter with the association's representatives.

Mr. Hyde made a motion to award the annual paving contract to 4 Star Paving. Mayor Coke seconded the motion. The Board voted unanimously to award the paving contract to 4 Star Paving.

Mr. Bivens asked that the Board also authorize the work on the bikeway extension. Mr. Bivens will determine what easements are necessary and coordinate drafting and executing the easements with the City Attorney. Mr. Bivens noted that the city will need to determine how and where to put in the cross walk across Granny White Pike, since that is not part of this contract. The city will need to coordinate this point with Metro because Granny White Pike is a state road managed by Metro.

Mr. Hyde made a motion to approve proceeding with construction of the bikeway extension. Mayor Coke seconded the motion. The Board voted unanimously to proceed with the work.

(b) **Report on Otter Creek Speed Humps.** Mr. Bivens stated that he has a meeting scheduled with the contractor to evaluate the speed humps. Neel-Shaffer measured the speed humps. Several are four inches and others are five inches.

Mr. Hyde asked if the city could get examples of modular speed humps for installation here instead of asphalt speed humps. Mr. Bivens stated that such modular humps are made of recycled tires. He said that he has been unable to find a similar sized speed hump in the Nashville area that the commissioners could visit and inspect.

Mayor Coke asked whether Mr. Bivens had received any information on the powder coated guard rails that appear to be peeling. Mr. Bivens stated that it appears certain guard rails were painted, not powder coated pursuant to the state contract. He stated that TDOT was determining whether it would fix the guard rails, or if TDOT would force the contractor to correct the deficiencies.

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

6. **Citizen's Comments.** Ms. Gretchen Howell from Percy Priest Elementary School gave an update on construction and improvements to the school. She stated that the school was resurfacing the playground and would probably complete that work in the next week. She said that the basketball surface and running track had been resurfaced. She expects all work to be complete in mid-July. Ms. Howell welcomed the community to use the play area.

Mayor Coke asked when the city should make its contribution to the school association. Ms. Howell stated that the school association will request payment upon full completion of the work.

The Board adjourned.

City Recorder

Mayor