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

April 17, 2014

5 The Forest Hills Board of Commissioners (the “Board”) held its regular monthly meeting
6 on March 20, 2014 at City Hall, 6300 Hillsboro Road, Nashville, Tennessee, beginning at
7 5:00 p.m. Mayor Bill Coke presided. Also present were Commissioner Lanson Hyde,
8 City Attorney, Matt Foster, City Engineer, Brad Bivens and City Manager, Amanda
9 Deaton-Moyer. Others present are shown on the attached sign-in sheet. A copy of the
10 Agenda is attached to these minutes.

11 **1. Approval of Financial Statements from March 2014.** Commissioner Hyde
12 made a motion to approve the February Financial Statements as presented. Mayor
13 Coke seconded the motion and it passed unanimously.

14 **2. Report from City Manager, Amanda Deaton-Moyer**

15 a.) **Five Year Capital Plan-** Mrs. Deaton-Moyer presented a draft of the five-
16 year capital plan for the Commissioners comments and review. She said
17 that this plan represented the paving schedule completed by Neel-Schaffer.
18 The cycle is expected to be completed in 2019 and then repeated. She
19 drew the Commissioners attention to the “preservation line” in each of the
20 years. By taking actions to preserve streets paved in the last three years,
21 the streets’ useful lives could be extended by up to ten years. Mr. Bivens
22 explained that street preservation could consist of filling in pot holes,
23 repairing any utility cuts with infrared paving, adding reclamite, or
24 anything that is needed to repair the streets. Commissioner Hyde said that
25 he recalled that it would take about \$13 Million to pave all of our roads at
26 one time. Mr. Bivens agreed that this was a close estimate. Commissioner
27 Hyde commented that by dividing that estimate over 20 years, it would
28 make a requirement of about \$650,000 per year; therefore, the capital plan
29 should be increased to meet that requirement. Mrs. Deaton-Moyer said she
30 agreed, but she had planned conservatively, considering the ambiguity of
31 the Hall Income Tax. Commissioner Hyde said that it may be important to
32 have the needs-based plan in place to make the argument for keeping the
33 tax. Mrs. Deaton-Moyer said she understood and agreed. She would make
34 necessary changes and email it to the Board.

35 b.) **Current Drainage Projects-** Mrs. Deaton-Moyer stated that this was the
36 time of year for drainage problems. She said there were drainage projects
37 in progress at the top (cul-de-sac) of Priest Road, at the Corner of Robert
38 E. Lee and Otter Creek, on Robert E. Lee Ct, on Hemingway and on
39 Saxon Drive. She said many of these include cleaning out culverts and re-
40 ditching but others are a bit more complicated. The project to replace a
41 grate at the corner of Robert E. Lee and Otter Creek resulted in unleashing
42 a spring that flooded the area and required additional repair. Jarrett
43 Builders had done a great job accomplishing these jobs, but they were also
44 the contractor who would be doing the work on the bike path. As a result,
45 drainage and bike path work would need to be prioritized.

46 **3. Report from Brad Bivens, City Engineer.**

47 a.) **Bike Path-** Mr. Bivens placed a drawing of the proposed bike path on the
48 screen, showing the Board where the path had been marked off. He noted
49 that he and the City Manager had walked the path with Jason Jarrett who
50 would do the base work before the paving. They also walked the path with
51 Mr. Maynard, the paver. Mr. Bivens said he expected paving to begin
52 within in the next 30 days. Mrs. Deaton-Moyer and Mr. Bivens said they
53 could not be more specific because weather would be a major factor in
54 completing the project: 3-4 days of uninterrupted sunshine would be
55 needed.

56 Mr. Bivens stated that upon observation, he believed the path should cross
57 to the other side of Otter Creek Road and create a “landing pad.” This
58 would be so pedestrians/cyclists would not have to stand out in the street
59 while waiting to cross Granny White Pike. Mrs. Deaton-Moyer said she
60 preferred this approach. Commissioner Hyde stated there was no good
61 solution, but this was the best option. Mr. Bivens said they would have to
62 do some piping and possibly build a small retaining wall to accomplish
63 this task. This would create an opportunity to place landscaping in the
64 area. The landing pad would also serve as a connection point should Oak
65 Hill or Metro wish to continue the trail. Mayor Coke said he had
66 mentioned the path to Mayor McMullen of Oak Hill and was told Oak
67 Hills has no current plans for continuing the path.

68 b.) **Carlton Paving-** Mrs. Deaton-Moyer explained they had discovered the
69 cul-de-sac on Carlton Drive had never received the final overlay of asphalt
70 during the development phase. This development occurred in 2005 and
71 somehow the letter of credit had been released without the final paving.
72 As a result, the cul-de-sac is quickly deteriorating. Mr. Bivens suggested
73 to the Board that the cul-de-sac be paved in conjunction with the bike-way
74 paving. Commissioner Hyde asked Mr. Foster if there was any way to
75 hold the developer responsible. Mr. Foster responded that the statute of
76 limitations on the development had lapsed. The Board agreed to the
77 paving.

78 c.) **Beddington Park Landslide-** TTL hsubmitted a memo outlining their
79 findings. Their investigation suggested there was a shallow slide on the
80 homeowner's property. This could be remedied by removing the sliding
81 material and replacing it with rock or a number of other engineered
82 solutions. Mr. Bivens previously mentioned that this could cost up to
83 \$200,000 to complete. Mr. Bivens recommended that this information be
84 turned over to the homeowner for him to address. Mayor Coke and
85 Commissioner Hyde both commented that there was no guarantee the
86 homeowner would address the issue and certainly not on the City’s
87 timeframe. Mr. Bivens agreed and said that in the meantime, the City
88 would still be responsible for maintaining and protecting the right of way.
89 One option was for large stones to be used to create a barrier/retaining was
90 along the right of way. This could protect any debris from entering the
91 right of way. The entire cost was expected to be under \$10,000. The
92 drawback to this approach would be that the wall would be an obstruction
93 if the homeowner decided to address the slide. Mr. Bivens added that
94 another drawback was that all of this occurred over a natural gas line.
95 There was some discussion of whether Piedmont could help with this
96 endeavor. Mr. Bivens stated that the final report from TTL would have

97 further recommendations. Once in hand, a more clear recommendation
98 would be present.

99 **4. Recycling Report from Jennifer Hackett, Earth Savers**

100 a.) Jennifer Hackett reported on the previous week's recycling day. She said
101 there was terrific turnout, having more participants than ever. The
102 addition of on-site shredding was very popular. She added that most
103 residents were very pleasant. She also commented that the Police Officer
104 that came enjoyed it and had asked to return after the last event. She said
105 that an improvement might be to rearrange the vendors in a circle so that
106 cars drive through easier. She did not know if trailers could make that turn.
107 Mrs. Hackett asked if that could be determined. Mrs. Deaton-Moyer said
108 that could be determined when the landscapers and their trailers park in
109 the City parking lot.

110 **5. Report from City Attorney**

111 a.) **First Reading: An ordinance to amend Title 14, Chapter 5, of the**
112 **Municipal Code relating to Storm Water Management.** Mr. Foster said
113 that after considerable conversation and thought, staff determined that the
114 proper thresholds were in place to ensure storm water plans and erosion
115 plans were required when needed. Mr. Foster explained that as written, the
116 ordinance would require storm water and erosion plans for all new
117 constructions. The staff believed that the Zoning Ordinance properly
118 caught all other situations that would require these plans. Staff
119 recommended changing the quarter acre language to 10,000 square feet.
120 This amount was slightly smaller than a quarter of an acre and made it
121 parallel with other square footage thresholds. For clarity, Mr. Foster also
122 added the specific exemptions that were also exempted in the Zoning
123 Ordinance. The other changes made the ordinance compliant with the
124 City's updated storm water permit. Those updates included requiring new
125 structures to treat the first inch of rainwater on site and better
126 specifications of best management practices. *After brief discussion, Mr.*
127 *Hyde made a motion to approve as presented. Mayor Coke seconded the*
128 *motion and it was approved unanimously.*

129 b.) Mr. Foster asked the Board to return to the topic of the Bike Path and
130 landscaping. He provided specifics of the per square foot cost of the
131 landscaping easements for the two parcels where the Bike Path is intended
132 to be placed. For the Robert E. Lee parcel, the appraisal said the cost was
133 \$4.30 per square foot and for the Granny White Market parcel, it was
134 \$8.00 per square foot. Mr. Foster said that after comparing it to Metro
135 Nashville's appraisals, the Robert E. Lee's parcel was in line, but the
136 Granny White Market parcel should be a quite a bit lower. Mr. Foster
137 added that these costs were congruent, adjusting for inflation, with the
138 costs of the other easements acquired for the Bike path several years
139 earlier.

140 Mr. Foster recommended that the City approach Haury and Smith and
141 offer to pay a sum, but not at their appraised value. By showing that there
142 will be added value with landscaping and perpetual maintenance the cost
143 should be negotiated. Mayor Coke concurred and asked Mr. Foster to go
144 back to Haury and Smith and ask them to be reasonable. Mr. Bivens added

145 that the easements could be further narrowed if needed. Mr. Foster asked
146 Mr. Bivens to pursue that option.

147 **6. Citizens Comments-** There were no citizen comments.

148 **7. Adjourn**

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Mayor

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City Recorder

