

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

**June 19, 2014**

The Forest Hills Board of Commissioners (the “Board”) held its regular monthly meeting on June 19, 2014 at City Hall, 6300 Hillsboro Road, Nashville, Tennessee, beginning at 5:00 p.m. Mayor Bill Coke presided. Also present were Vice-Mayor John Lovell, Commissioner Lanson Hyde, City Attorney, Matt Foster, City Manager, Amanda Deaton-Moyer. Others present are shown on the attached sign-in sheet. A copy of the Agenda is attached to these minutes.

- 1. Approval of the Minutes of the April 17 and May 15, 2014 Meetings.** Commissioner Hyde made a motion to approve the April 17th minutes as submitted. Mayor Coke seconded the motion. The Board voted unanimously to approve the minutes of the April 17, 2014 meeting.

Vice-Mayor Lovell made a motion to approve the May 15th minutes as submitted. Mayor Coke seconded the motion. The Board voted unanimously to approve the minutes of the May 15, 2014 meeting.

- 2. Approval of Financial Statement from May 2014.** Commissioner Hyde made a motion to approve the May Financial Statements. Vice-Mayor Lovell seconded the motion and it passed unanimously.

- 3. Report from City Manager, Amanda Deaton-Moyer**

- a.) Second Reading: Ordinance to adopt the annual budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015.** Mrs. Deaton-Moyer said she had made all the changes discussed during the last meeting which mainly included adding money for the Cultural and Natural Resources Committee. Mayor Coke called to order a public hearing for the fiscal year 2015 budget. He asked if there was anyone present to discuss the budget. Hearing no comment, he closed the public hearing. *Commissioner Hyde made a motion to approve the Ordinance 2014-214 on Second Reading, Vice-Mayor Lovell seconded it, and it was approved unanimously.*

- b.) Discussion- Vehicles parking in the right-of-way:** Mrs. Deaton-Moyer said that the ordinance that had been circulated during the week was a starting point for discussion purposes. In the presented form, it regulated all parking, commercial and private vehicles, consistently and provided a set of guidelines. She asked the Board for feedback. Commissioner Hyde said not all of it was applicable and while he understood the guidelines, he felt the real problem was commercial vehicles parking on the streets. The ordinance in its current state did not address these problems. Mrs. Deaton-Moyer stated that she was not a

fan of the line of sight being defined a distance 200 feet because that would be difficult to enforce and difficult for residents to report. Mayor Coke said that the Commissioners should follow the same model as for construction activity: make it easily reportable and enforceable.

Commissioner Hyde said that they had received a few complaints about this issue in the previous year and something needed to be done regarding landscaping trucks and other large vehicles that cause a hazard. Mrs. Deaton-Moyer and Mr. Foster thanked the Board for the feedback and said they would have a new ordinance next month for adoption on first reading.

- c.) **Landscaping bid; awarding contract to successful bidder.** Mrs. Deaton-Moyer said that the bids had gone out April 30 and were due back May 30. She had advertised the bid with the Green Hills News, placed the bid on the website, and personally emailed several vendors. The City received one (1) bid from the Parke Company. Parke had continually done a good job for the city and his bid was slightly lower than the current landscaping cost at \$45,139 (compared \$45,500). Mrs. Deaton-Moyer recommended approval for the Parke Company. *Commissioner Hyde made a motion to approve the Parke Company as the vendor for landscaping. Vice-Mayor Lovell seconded the motion and it was approved unanimously.*
- d.) **Update on Goodwill-** Mrs. Deaton-Moyer said she had been working with Goodwill's communication/public relations staff and had been very impressed. An email introducing the program had gone out on June 18<sup>th</sup> and post cards as well as full mailers were expected to go out in early July. The program was slated to start August 4<sup>th</sup> she said. Goodwill was planning to hold a meet and greet at City Hall on July 24 to promote the program. Mrs. Deaton-Moyer said she was initially worried that residents would feel pressured to have something every week or that workers would waste time coming every week. However, the program would work on an "as called or as online requested" basis.

#### 4. **Report from City Attorney**

- a.) **First Reading: Ordinance to amend Sections 12-101 and 12-201, Section, 101 to adopt the 2012 Edition of the International Building Code with amendments.** Mr. Foster described all of the key changes of the ordinance from the current form. In particular he noted the chapters of the Residential Code and appendices that were being adopted, which did not include any of the chapters regarding electrical, mechanical, plumbing, or HVAC because Metro Nashville administered those codes. The ordinance also repealed the existing building code, the Model Energy Code, and the International Energy Conservation Code. Appendix J was modified to increase the

threshold from 50% to 66% before an alteration is considered a reconstruction and required to be brought entirely to the newest adopted code. Mr. Foster said the residences were controlled through the international residential code but the Churches, schools, and one commercial building were governed by the international building code. The ordinance made amendments only to the International Residential Code. Mr. Foster also pointed that chapter 3 of the ordinance stated when there is a conflict, the City of Forest Hills Code prevails. Commissioner Hyde said he was satisfied by this ordinance, but wanted the City to have the option to tweak it if Metro Nashville adopted a different version that needed to be considered. Mr. Foster said it could always be amended. *Commissioner Hyde made a motion to approve Ordinance 2014-216 on first reading. Vice-Mayor Lovell seconded the motion and it was approved unanimously.*

- b.) **First Reading: An ordinance to Amend Title 11, Chapter 2, Section 203 of the Municipal Code related to Construction site restrictions.** The ordinance was amended to regulate construction activity instead of noise. The amendments included allowing construction activity during the hours of 7:00 am to 6:00 pm on weekdays; 8:00 am to 5:00 pm on Saturdays; and no work allowed on Sundays or holidays recognized by the state of Tennessee. *Vice-Mayor Lovell made a motion to approve Ordinance 2014-215 on second reading. Commissioner Hyde seconded the motion and it was approved unanimously.*
- c.) **Update on landscaping easements for Bike Path.** Mr. Foster told the Board he had traded emails and phone calls with the Smiths but had not yet reached resolution. With the passing of the FY15 budget there would be finite amount of resources that could be expended on the project. This will serve as a helpful negotiating tool.

**5. Report from City Engineer, (Brad Bivens was absent; Joe Deering (from Neel-Schaefer) was present)**

- a.) **Bike Path-** Mrs. Deaton-Moyer stated that the bike path was going to be paved any day now: she expected Friday June 21 or Monday June 23. Mayor Coke asked when the landing pad on the other side of Otter Creek would be completed. Mrs. Deaton-Moyer responded that it was not currently being constructed because of easement details and the decision had not been made, but it could be constructed this summer. Mayor Coke and the Commissioners agreed that it should be the next step. Mrs. Deaton-Moyer said that she would inform Mr. Bivens and they would start working on it.
- b.) **Beddington Park Landslide-** Mrs. Deaton-Moyer stated that she had made contact with Dr. Rankin. He had hired a few geotechnical

engineers to offer opinions about the course of action he should take. He had also asked to review the options in the right of way. Mrs. Deaton-Moyer said she sent them for his review. She recommended allowing Dr. Rankin to discuss options with his geotechnical engineers. She also stated that she had shared plans with the homeowners association.

- c.) **Renewal of Contract with 4 Star Paving and Summer Paving Schedule-** Mrs. Deaton-Moyer stated that the current contract had a single renewal. She add that the Contractor, 4-Star Paving did a great job during the past year in terms of quality of work. She recommended renewal. Mr. Joe Deering presented the Commissioners with an estimated cost of the summer paving that included a few change orders to the original contract. The change order additions included corrugated metal culverts, bridge cleaning, ditch repair, speed humps, and culvert repair. *Vice-mayor Lovell made a motion to renew the contract with 4-Star Paving, Commissioner Hyde seconded it, and it was approved unanimously.*

Mr. Deering said that Neel-Shaffer had created schematics for the paving of both roads. He added that one of the challenges was the bridge on Kingsbury. The bridge was a barrel box bridge and the foundation would have to be undercut to reinforce stability. Another challenge was the significant ditching that would be needed on Stanford Drive. Mrs. Deaton-Moyer pointed out the ditching that would be needed on the Stanford Drive schematic. Going back to Kingsbury Drive, Mrs. Deaton Moyer said they would be using the same schematics for the speed humps as they had used for Otter Creek. She showed the Board schematics for the speed humps.

## 6. Citizens Comments:

- a. **Mr. Don Swain, resident of 2013 Earlington Drive** spoke. He said he had noticed ditching being redone and wondered if the straw matting was absolutely necessary. He said that it did not biodegrade very quickly and it made mowing difficult. He wondered if there was another product that could be used. Mr. Deering said that erosion matting or some type of erosion was required. If not present, the dirt would not stay graded. He stated that there was another type of matting that was a bit more expensive, but it did biodegrade faster. Vice-Mayor Lovell said he understood the issue because there was still some remnants of matting at the end of Andover. Mrs. Deaton-Moyer said they could look into it and report back.
- b. **Ms. Anna Thorton, resident of 6230 Gardendale Drive** spoke. She asked the Board if they would be willing to support a stop light at the intersection of Hillsboro and Cromwell. She was

concerned about accidents at this intersection. Her understanding was that request must first go to Metro and then they would consult TDOT. Mayor Coke asked Mr. Deering if he knew more about the process. He said the request would have to go to TDOT initially for a warrant analysis. Depending on the outcome of the analysis, they would determine whether a stop light was needed. Ms. Thorton asked if the Board would be willing to explore this option. Commission Hyde asked that the City begin the process and the Board concurred.

Ms. Thorton's next question was regarding the implementation of a four way stop on Cromwell and Gardendale. Mayor Coke asked for clarification of whether this was already a two way stop or not. Ms. Thorton said it was currently a two way stop. Mrs. Deaton-Moyer said that she could ask Mr. Bivens to conduct a warrant analysis and determine whether a four way stop was needed. The Board agreed that we should move forward with this review as well.

- c. **Patrick MCAnally, resident of 5811 Still Hollow spoke.** He commented on the discussion regarding parking in the streets. He asked that leniency be shown to residents and that the language be focused on commercial vehicles. While he was not planning on having a large number of people to his home, he would prefer there be an exception for birthday parties and other types of events.
- d. **Mrs. Patti Czarnik, resident of 408 Oakleigh Hill spoke.** She said the Homeowner's Association (HRHA) determined that they should also communicate with Dr. Rankin regarding the landslide on his lot. Dr. Rankin gave the HRHA the same response he had given the City. She said depending on the outcome, the HRHA may elect to create a site specific covenant to govern that lot. She also asked that if a right of way solution was determined to be the course of action that HRHA design covenants be followed. Commissioner Hyde stated that he was comfortable with that as long as the engineering still works and it did not become cost prohibitive.

Next, Ms. Czarnik asked if the Board had given any consideration to replacing asphalt curbs on Edenbridge Road. Mrs. Deaton-Moyer responded that she and Mr. Bivens would walk it when they were preparing to pave Beddington Park and would make a decision then. She added that the HRHA was welcome to pay for additional curbing as they did when the first portion of Beddington Park was paved.

Last, Ms. Czarnik stated that Hound's Run was experiencing a skateboarder problem. She said skateboarders would start at the top of Oakleigh Hill and try to make it to the bottom of Granny White Pike. This was dangerous to both drivers and the skateboarders. She

asked that the Commissioners be aware of this as they make changes to the code regarding safety.

**7. The meeting was adjourned.**

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**Mayor**

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**Recorder**