

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

November 20, 2014

The Forest Hills Board of Commissioners (the “Board”) held its regular monthly meeting on November 20, 2014 at City Hall, 6300 Hillsboro Road, Nashville, Tennessee, beginning at 5:00 p.m. Present were Former Mayor Bill Coke, Mayor John Lovell, Vice-Mayor Lanson Hyde, Commissioner Henry Trost, City Attorney, Matt Foster, City Engineer, Brad Bivens, and 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 October 16, 2014 Meeting.** Vice-Mayor Lovell made a motion to approve the minutes as submitted. Mayor Coke seconded the motion. The Board voted unanimously to approve the minutes of the October 16, 2014 meeting.
2. **Swearing in of New Officers.** Former Mayor Coke conducted the swearing in ceremony. Commissioners Lovell and Trost took the oath of office in unison. The oath of office is attached to these minutes.
3. **Election of Officers.** Vice-Mayor Lovell opened the floor for nominations for Mayor of Forest Hills. Commissioner Hyde made a motion to nominate Vice-Mayor Lovell to be Mayor. Commissioner Trost seconded it. The motion was approved unanimously. Commissioner Lovell was elected the Mayor of Forest Hills. Mayor Lovell nominated Commissioner Hyde to be Vice-Mayor. Commissioner Trost seconded the motion and it was approved unanimously. Commissioner Hyde was elected the Vice-Mayor of Forest Hills.
4. **Proclamation for Mayor Bill Coke.** Mr. Foster stated that a proclamation honoring Mayor Coke had been read on a former occasion and asked that it be read into the minutes. Commissioner Trost made a motion to have the proclamation read into the minutes, Vice-Mayor Hyde seconded the motion, and it was approved unanimously. A copy of the proclamation is attached to these minutes herein.
5. **Approval of Financial Statements from October 2014.** Vice Mayor Hyde made a motion to approve the October financial statements as submitted. Commissioner Trost seconded the motion and it passed unanimously.
6. **Report from City Manager, Amanda Deaton-Moyer.**
 - a.) **First Reading: Ordinance 2014-219 to Amend Title 11, Chapter 2, Section 203 of the Municipal Code related to Construction Site Restrictions.** Mrs. Deaton-Moyer stated that Board had passed the construction activity ordinance in June. It went into effect on July 5, 2014. Since then several warnings had been given and one stop work order had

been issued. This ordinance had been effective limiting construction activity as designed. One problem that staff and contractors encountered was construction restrictions on Holidays. As written, the ordinance limited construction on all state holidays. This included Columbus Day, Veteran's Day, Martin Luther King Jr. Day, Presidents Day, and a host of other holidays. This made it difficult for contractors to remember which days were regarded as holidays and placed pressure on staff to remind contractors. Mrs. Deaton-Moyer proposed reducing the number of holidays for restriction to only the "major holidays," which included New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. There was brief discussion from the Board. Mr. Foster commented whether Christmas meant Christmas Day or eve and day and likewise for Thanksgiving. Vice-Mayor Hyde agreed with that point. Mrs. Deaton said it was meant to the day of the Holidays and she would make the change. Vice Mayor Hyde made the motion to approve, Mayor Lovell seconded it and it was approved unanimously on first reading.

- b.) **Stone wall at Forest Hills City Hall.** Mrs. Deaton-Moyer showed the Board pictures of the proposed wall behind City Hall. This wall would connect and continue the current wall. In the pictures, she drew their attention to the two breaks in the wall. The breaks were meant to provide access for equipment behind the wall. One was proposed to be hidden behind a cedar tree and not very visible from the entrance to Forest Hill. The other break would be directly in front of City Hall Entrance and create direct access. She stated that she had found the person who had access to the quarry from where the other rocks had originated. They would use this person as a sole source the project. She asked the Board for feedback on the design. They generally agreed that the central break in the wall was not necessary and access could be gained from the east side of the wall. Vice Mayor Hyde asked about cost. Mrs. Deaton-Moyer said that \$10,000 was budgeted and so far that design was under the \$10,000 mark. Vice Mayor Hyde asked if the previous cost of the wall had been reviewed, he thought it might have been \$19,000. She said this had been reviewed. The key difference was that no footers would be needed thus reducing the cost.

- c.) **Work Session Discussion.** Mrs. Deaton-Moyer opened the topic of regularly scheduled work sessions. Such sessions would have to be public and regularly scheduled. They could be held as needed and the regularly scheduled meetings could be cancelled as needed. Mrs. Deaton-Moyer said that Mr. Foster had researched the option of members calling in for these sessions. He said that the population threshold to allow members to take action telephonically was 2,500 people or less. As long as public notice is given and the public has the opportunity to come and hear discussions, the Board would meet the intent of the law whether members were present physically or via telephone. It would be important to keep minutes of the meetings for review if needed. He stated that the remedy for violation of the open meetings act is rendering a decision or act void

until it is approved after deliberation in an open meeting. For that reason, he encouraged the Board to not vote during work sessions. He added that a quorum was not needed for work sessions, so it may not be an issue. Mr. Foster felt that they would not be strictly compliant to the law, but they would certainly meet the intent. Mr. Foster, Mr. Bivens, Mrs. Deaton-Moyer outlined how their regular sessions worked, noting that they were informal, but very productive. Mrs. Deaton-Moyer said she kept a running list for the next meeting and they used that as an agenda. They agreed, that this work-session could double as the Board's work-session.

Mayor Lovell noted that Oak Hill has begun work sessions with some success. He was willing to give it try and asked when the next scheduled meeting would take place. It was scheduled for the following Tuesday at 8:15.

7. Report from City Attorney, Matt Foster

- a.) **Public Hearing regarding Ordinance 2014-218 to amend the Zoning Code to redefine the definition of single-family dwellings.** Mr. Foster briefly described the ordinance stated that the public hearing was advertised. Mayor Lovell opened the public hearing and requested comment. After hearing no comment, he closed the public hearing. There was a question of when the Board needed to vote on the second reading of the ordinance. Mr. Foster stated that it needed to be certified by the Planning Commission first, and then the Board could take a vote. He stated that if the Board chose, they could recess and reconvene after the Planning Commission and vote on it. The Board opted to hear the second reading at the December meeting.

8. Report from City Engineer, Brad Bivens

- a.) **Paving Progress.** Since the last meeting, Stanford and Kingsbury have been completed with lines. During the process of lining Kingsbury, someone broke traffic control and spread yellow paint down the street. Four Star paving had agreed to blacken and/or mill the area. Mrs. Deaton-Moyer added that the company would not receive payment until the lining had been repaired.

Mr. Bivens commented on Beddington Park. He gave a brief statement about the landslide and the paving progress. Because of the time in the year, the Contractor, Four Star indicated that he could not get his sub-contractors out in a timely fashion before freezing temperatures became the norm. If the streets were milled and manholes were raised all winter long, we would have several complaints. As a result, Four Star recommended milling in late February, or early March and finishing up the paving. In the meantime, Mr. Bivens said he would stay in contact with Joel Tomlin and Dr. Rankin to see if they could act before paving

occurs in March. He stated that Mr. Tomlin had received preliminary approval from the Hound's Run Homeowners Association. Mrs. Deaton-Moyer added that paving would occur in the spring no matter the stage of Dr. Rankin's progress.

Mr. Bivens gave the Board like a brief synopsis of how the roads were selected for paving. He showed the map of roads were highlighted in color by the years they were paved. He also showed the road assessment stating that the assessment did not yet need to be updated. He noted that the assessment was reviewed annually before the budget to determine what roads would be paved in the upcoming year.

b.) Bike Path.

- (i) **Landing Pad and Associated Easement.** Mr. Bivens showed the board a preliminary drawing of the landing pad. It included a new drainage culvert and two retaining walls. He stated that the wall design work would need to come from a landscape person, perhaps Parke Brown or Joe Hodgson. It could be a great entrance into the City with proper design. Mrs. Deaton-Moyer added that they had received written confirmation that Metro would add a crosswalk and flashing lights on each side for crossing if we could get it done this year.

Mrs. Deaton-Moyer said she had been in contact with Strong Tower Bible Church. They looked at the easement as a partnership with us and Radnor Lake. They proposed to exchange the easement for help lining their parking lot, placing signs (allowing the public to park for Radnor access in non-church hours), and building access through stepping stones down to the landing pad. Mrs. Deaton-Moyer said Mr. Bivens and she had considered their request and thought they could give a sum rather than working on private property. Mr. Bivens estimated this cost to be \$4,000 or less. The City could offer engineering assistance as needed. The City would, in essence, be paying for the easement. Mr. Trost asked about the fair market value of the easement property. Mr. Foster answered that an appraisal had not been conducted, but that based on a previous appraisal this number might be reasonable. He stated that generally the City always asked for the easement to be donated and if that does not come to fruition an appraisal is sought. Mr. Trost stated that it appeared the Church wanted to be a good community member and would provide a significant resource to our residents. Mr. Hyde added that it would be excellent if the City could get Metro Nashville to create a pad on the other side of Granny White Pike as well. Mrs. Deaton-Moyer said she would certainly ask and push them in that direction.

- (ii) **Markings.** Mr. Bivens indicated that the cross walks had been added on the streets at the Robert E. Lee and at the Granny White Market. There was a brief discussion of safety and lines of sight. As a result, he said that 18 X 18 inch stop signs would be added for pedestrians and crosswalk notices would be added for motorists. Vice Mayor Hyde said that the crosswalks really made a noticeable difference.
- (iii) **Planters.** Mrs. Deaton Moyer stated that discussion of planters had been ongoing and she would keep the Board Informed.

9. Citizens Comments.

- a.) Mr. Clay Jackson of 5819 Hillsboro Pike spoke. He stated that he liked the idea of the landing pad but would really like the chance for the Cultural and Natural Resources Board to weigh in on the look and feel of the wall. Mayor Lovell agreed and thanked Mr. Jackson for his comment. Vice Mayor Hyde added that he had become excited about the project and should welcome that involvement.

10. The meeting was adjourned.

Mayor

Recorder