

**City of Forest Hills Board of Commissioners**

**October 15, 2015**

**5:00 p.m. at City Hall**

**Mayor John Lovell presiding**

- 1. Approval of the Minutes of the September 17, 2015**
- 2. Approval of Financial Statements: September, 2015**
- 3. Report from City Manager, Amanda Deaton-Moyer.**
  - (a) Public Hearing: An ordinance to amend Title 14, Chapter 2 of the Municipal Code relating to the Zoning Ordinance and impervious surface.
  - (b) Second Reading: An ordinance to amend Title 14, Chapter 2 of the Municipal Code relating to the Zoning Ordinance and impervious surface. (Pending Planning Commission Certification)
- 4. Report from City Attorney, Matt Foster**
  - (a) Bikeway Crossing at Granny White Pike- Update
- 5. Report from the City Engineer, Brad Bivens.**
  - (a) Bikeway along Tyne.
  - (b) Paving Update
  - (c) GIS Update
- 6. Other**
  - (a) Granny White Market
- 7. Citizen's Comments.**
- 8. Adjourn**

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

**October 15, 2015**

The Forest Hills Board of Commissioners (the "Board") held its regular monthly meeting on October 15, 2015 at City Hall, 6300 Hillsboro Road, Nashville, Tennessee, beginning at 5:00 p.m. Mayor John Lovell presided. Also present were Commissioner Henry Trost, City Attorney, Matt Foster, 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 September 17, 2015 Meeting.** Commissioner Trost motioned to approve the minutes as submitted. Mayor Lovell seconded the motion. The Board voted unanimously to approve the minutes of the September meeting.
2. **Approval of Financial Statements from September, 2015.** Commissioner Trost motioned to approve the September financial statements as submitted. Mayor Lovell seconded the motion and it passed unanimously.
3. **Report from City Manager, Amanda Deaton-Moyer.**
  - a.) **Public Hearing : Ordinance 2015-222 to amend Title 14, Chapter 2 of the Municipal Code relating to the Zoning Ordinance and impervious surface.** Mrs. Deaton-Moyer briefly described the change to the impervious surface definition in the Zoning Ordinance. This change would increase permeable pavements from counting at only 33% of impervious surface to counting as 67% of impervious surface, limiting developers' use of permeable systems to cover surface area. Mayor Lovell opened the public hearing. Hearing no comments he closed the public hearing. There was discussion regarding examples of pervious pavers use in Forest Hills. Mrs. Deaton-Moyer stated that there were no pending applications that would be effected by this change.
4. **Report from City Attorney, Matt Foster.**
  - a.) **Bikeway Crossing at Granny White Pike- Update.** Mr. Foster stated that he had heard from the elder and attorney for the church. SunTrust had approved the paperwork, but had erroneously released the wrong property. The paperwork had to be revised and resubmitted. Mr. Foster assured the Board that the church was moving forward with the sale.
  - b.) **Update on 1212 Otter Creek.** Mr. Foster stated that he had sent a letter to the trustee of 1212 Otter Creek regarding the dilapidation of the home on the lot. He had received a response and expected that the home would be demolished in the coming months.

**5. Engineer's report**

- a.) **Bikeway along Tyne.** Mr. Bivens said that they had finished about 60% of the survey and it would be completed in the next couple of weeks. Mr. Bivens also said he had reached out to Michael Skipper at the Metropolitan Planning Organization to add the bikeway to their plans. Mr. Bivens explained that most projects had to be on the MP plans before they were considered for funding from grants. This was also how to get on the priority lists for federal funding.
- b.) **Paving update:** All of the paving was complete. Mr. Bivens said the last item they lacked was placing thermoplastic markings on the speed humps, stop bars, and bikeway markings. He said he had measured the speed humps and they were accurate with the drawings.

**6. Other**

- a.) **Granny White Market.** Mrs. Deaton-Moyer stated that Mr. Smith, the proprietor of the Granny White Market, and Haury and Smith, the owner of the land, had entered into a lawsuit. The City of Forest Hills had no involvement in this suit. Commissioner Trost asked when the suit would be adjudicated. Mr. Foster responded that it would be heard in November. Mr. Trost also asked about the "Dan Fan" signs that littered the City. Mrs. Deaton-Moyer responded that she had not taken them down because they constituted political speech. Mr. Foster agreed that they were political speech. He said that they could control the size and location of the signs if needed. Commissioner Trost commented that the large sign at the market with the City's phone number was probably illegal. Mr. Foster and Mrs. Deaton-Moyer agreed that it was illegal, but stated they were attempting to stay above the fray. Commissioner Trost agreed that was the best course of action.

**7. Citizens Comments.**

- a.) **Mr. Craig Cole of 1427 Tyne Blvd** asked the Board several questions regarding the Bikeway along Tyne. The Board and staff assured Mr. Cole that the plans were very preliminary. The survey was to help address the feasibility of the path. Mr. Cole asked about the scope of the survey. Mr. Bivens explained that it was for the right-of-way and about 40 feet beyond. Mr. Cole expressed concern about how far the survey went onto private property. Mr. Bivens said this was required to "tie-in" the grades to make sure an accurate topography of the right-of-way was obtained. Mr. Cole asked if the City had completed a cost analysis. Mrs. Deaton-Moyer responded that a very broad analysis had been done, but that was the purpose of the survey. Mr. Cole also asked why the Board would consider this route. Commissioner Trost responded that the City sought to connect Radnor and Percy Warner Parks. This was part the larger Davidson County

connectivity plan. Mayor Lovell provided him that plan. Mr. Cole reviewed that plan and asked about how the public would be able to comment or weigh-in on the Board's decision. Mr. Foster responded that this was the forum for that comment. He added that all effected homeowners had been contacted by letter. Mr. Bivens told Mr. Cole that his home was not in the area of Tyne that would be effected. Mayor Lovell assured Mr. Cole that the City was taking this process slowly and making sure to do it properly. He thanked Mr. Cole for his comments.

**8. The meeting went into recess.**

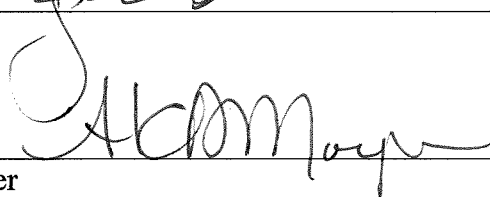
**9. The meeting was reconvened**

**a.) Second Reading: Ordinance 2015-222 to amend Title 14, Chapter 2 of the Municipal Code relating to the Zoning Ordinance and impervious surface.** Mrs. Deaton-Moyer briefly described the change to the impervious surface definition in the Zoning Ordinance. This change would increase permeable pavements from counting at only 33% of impervious surface to counting as 67% of impervious surface, limiting developers' use of permeable systems to cover surface area. Having been certified by the Planning Commission, and approved on first reading, Mayor Lovell motioned to approve the Ordinance 2015-222 on second reading. Commissioner Trost seconded the motion and it passed unanimously.

**10. The meeting was adjourned.**

  
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Mayor

  
\_\_\_\_\_

Recorder

ORDINANCE 2015-222

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF FOREST HILLS**

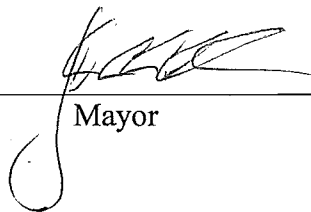
WHEREAS, the City of Forest Hills Planning Commission and City of Forest Hills Board of Commissioners have determined, after experience with the Zoning Ordinance, that adjustments are needed to achieve the desired objectives of the City of Forest Hills; and

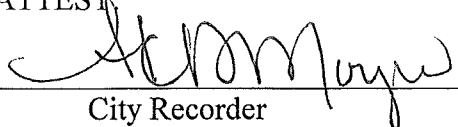
WHEREAS, the City of Forest Hills Planning Commission has reviewed and recommended the adoption of this Amendment to the Zoning Ordinance; and

WHEREAS, public notice has been given and a public hearing on this Amendment to the Zoning Ordinance has been held in accordance with T.C.A. §§ 13-7-203 and 204.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FOREST HILLS, TENNESSEE that the Zoning Ordinance for the City of Forest Hills, as codified in Title 14, Chapter 2 of the Municipal Code of the City of Forest Hills is hereby amended as follows:

1. The definition of "Impervious Surface" in Section 10.03 is hereby amended by deleting the number "0.33" and inserting "0.67" in place thereof.
2. If any section, phrase, sentence or portion of this ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and, such holding shall not affect the validity of remaining portions thereof.
3. The City Manager is directed to publish the caption and a description of this ordinance after final passage in a newspaper of general circulation in the city.
4. The remainder of this ordinance shall take effect fifteen (15) days after publication as described herein, the welfare of the city requiring it.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Recorder

**Passage:**

<b>First Reading:</b>	September 17, 2015
<b>Planning Commission Hearing:</b>	October 15, 2015
<b>Public Hearing:</b>	October 15, 2015
<b>Second and Final Reading:</b>	October 15, 2015

SIGN IN SHEET

CITY OF FOREST HILLS  
Board of Commissioners Meeting  
Date: October 15, 2015

NAME:

ADDRESS:

Jan Simon  
Henry Frost

A & A  
city

Cynthia Depert  
~~XXXX~~

City Assistant  
city

Matthew Foster

H/3rd

Bruce Binkus

city

Jason Reed

Earlington

Clay Jackson

5819 Hillbrow Pike

Ron King

1449 Otter Creek Rd.

Cynthia

1427 Tyne

Angie Henderson

District 34 Metro Council