

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

**July 20, 2017**

The Forest Hills Board of Commissioners (also referred to herein as the "Board") held its regular monthly meeting on Thursday, July 20, 2017 at the City's Offices located at 6300 Hillsboro Pike, Nashville, Tennessee, commencing at 5:00 p.m. Mayor John Lovell presided. Also present were Vice Mayor Lanson Hyde, Commissioner Henry Trost, City Manager Amanda Rhinehart, City Attorney Chad White, and City Engineer Brad Bivens. Others present at the meeting are as shown on the attached sign-in sheet. A copy of the agenda for the meeting is also attached to these Minutes.

1. **Approval of the Minutes of the June 15, 2017 Meeting.** Mayor Lovell noted that the minutes had been circulated for review and asked for any comments concerning same. There being none, Mr. Trost motioned to approve the minutes from the June 15, 2017 meeting. Mr. Hyde seconded the motion, and the motion passed unanimously.
2. **Approval of the June 2017 Financial Statement.** Ms. Rhinehart reported one needed revision to the financials to revise the amount shown for the State health insurance amount, being approximately a \$350.00 difference. My Hyde requested a minor formatting adjustment be made on future financials so as not to cut off any information at the bottom of the pages. Mr. Hyde motioned to approve the June 2017 Financial Statement with the noted revision. Mr. Trost seconded the motion, and the motion passed unanimously.
3. **Old Business.** None.
4. **New Business.**
  - a. **Financial Opportunities.** Ms. Rhinehart reported that she and the Mayor had met with Robert Ramsey with Baird Investments to discuss current CD investment arrangements, which bear a present rate of return of 1.30% and potential other investments opportunities. Mayor Lovell noted that the investment is fully insured. The City currently has five million invested in a mixture of investments with terms ranging from six months to three years. There was discussion to invest another three million. Mr. Hyde inquired about any forecasting for fluctuations in the rate of return. Ms. Rhinehart reported that Mr. Ramsey indicated that the rate of 1.30% is presently stable. Mr. Hyde also expressed interest in the length of terms for additional investments but indicated a willingness to defer to recommendations from the financial advisor. The commissioners confirmed their interest in pursuing an increase in the amount invested.

**ServisFirst.** Ms. Rhinehart made inquiry with ServisFirst, an FDIC institution, to discover possibility of moving the City's account with Pinnacle to ServisFirst. Ms. Rhinehart noted that the City has several direct debit accounts set up with the State of Tennessee and that she would like to make further inquiry to confirm there will not be in problem with moving the City's account to a new institution before proceeding with the consideration of the switch. Ms. Rhinehart indicated that she would follow-up with an additional report when same is available.

**Transit Alliance Donation Request.** Mayor Lovell reported that a request for a \$500.00 donation had been received from the Transit Alliance of Middle Tennessee and indicated that the City has made similar donations in the past. This group seeks to address transportation needs for Nashville and surrounding areas. Mr. Trost stated that this group does good work and supported the donation. Mayor Lovell requested that Ms. Rhinehart proceed with making the donation.

- b. **Fall Recycling Event.** The City is preparing for a fall recycling event scheduled for September 30<sup>th</sup>. Jennifer Hackett had spearheaded this event in previous years but is not available for the fall event. The City has received resident calls interested in the next event. Advertising for the event will increase as the date approaches. Both Mr. Trost and Mr. Hyde spoke about how involved and difficult the event is from a preparation and operational standpoint. Ms. Rhinehart reported that Mrs. Deaton-Moyer has been approached to assist with the fall event. Mr. Trost inquired about the cost and time to prepare for such event, and the Mayor reported that past events have cost the City around \$3,000.00. The Mayor also reported that Mrs. Jennifer Hackett had left a detailed playbook and contacts for such events.

5. **Report from City Manager, Amanda Rhinehart.**

- a. **Code Ratings.** Ms. Rhinehart and the City Building Inspector, Bill Burdette, met with an ISO representative. The ISO is responsible for rating governing entities code compliance and enforcement. Cities are re-evaluated every five (5) years, and Forest Hills is up for re-evaluation. Steps are being taken to achieve the best rating available to the City.
- b. **Bill Burdette.** Ms. Rhinehart reported that Mr. Burdette would be taking on some more regular part time hours with the City. Mr. Burdette will continue with plan review and inspection activities. Mr. Burdette would bolster the City's response to building, compliance, and service needs.
- c. **iWorQ.** Ms. Rhinehart reported that the new permit, code enforcement, etc. management and tracking software is installed and operational. The transfer from the prior system was difficult and time consuming, but the iWorQ personnel were most helpful in the transition. All of the historical information from the prior system has been imported.

6. **Report from the City Attorney, T. Chad White.**

- a. **Zoning Ordinance Revisions.** Mr. White reported that it had recently come to light that a few provisions in the Zoning Ordinance require some adjustments of a somewhat pressing nature. Staff has identified the provisions to be addressed and the proposed alternative provisions would be forthcoming and presented to the Commissioners and the Planning Commission for review and action.

7. **Report from the City Engineer, Brad Bivens.**

- a. **Street Preservation.** Mr. Bivens reported that preservation efforts had been completed on 15 streets. With respect to effectiveness and any potential undesirable conditions related to the preservation process, Mr. Bivens spoke with the assistant public works director for the City of Clarksville about his opinion concerning the street preservation process. Clarksville has used this process for 18 years. This assistant director reported that he has been most impressed with how well the preservation process has benefitted the treated streets. Mr. Bivens also reported that treated streets dry more quickly, which results in less frozen accumulation on streets during the winter. Mr. Bivens will continue to inquire about other jurisdictions' experience with the preservation process.

8. **Citizen Comments.** Brendan Finucane (1045 Lynnwood Blvd) spoke about a construction project behind his property. Mr. Finucane expressed frustration with the length of time the project has been active and compliance with silt barriers and other construction site conditions. Mr. Finucane presented a video of site conditions that he took during a recent rain event. Mr. Trost noted that a release of silt from a construction site would be a violation. Mr. Bivens confirmed that fact and spoke about storm water and erosion control obligations for construction projects. Mr. Trost confirmed that the City is able to enforce compliance and clean up for sediment release violations. Mr. Bivens confirmed this ability and the fact that the City had worked with the contractor on this project previously to address complaints concerning the site.

Mr. Bivens also reported an onsite visit that had occurred that day during which the contractor was ordered to reinstall a section of the silt fence that that the reinstallation work had commenced. In response to Mr. Hyde's inquiry concerning the City's response to non-compliance, Mr. Bivens indicated that a stop work order would be issued. Mr. Bivens noted that due to the small scope of the project, it would not typically fall under TDEC's jurisdiction, but when a violation such as a silt release is observed, TDEC will take action. A TDEC representative was present during the onsite meeting in response to a report made by Mr. Finucane. The representative noted the needed remediation and agreed with the course of action required by the City.

Mayor Lovell inquired about inspection requirements for the City. Mr. Bivens spoke briefly about inspection and oversight regulations applicable to TDEC projects versus smaller projects not under TDEC's jurisdiction. While stop work orders were noted as an effective compliance tool, both Mr. Finucane and Mr. Hyde commented that given the near

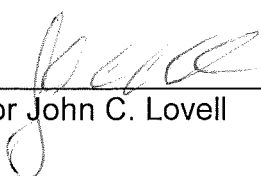
completed status of the project, there would be a preference that the work be completed. Mr. Hyde noted that given certain manpower limitations of the City, often action in response to code violation is triggered by complaints by residents. Mr. Finucane indicated that in response to his prior complaints, the previous City Manager had previously issued stop work orders. Ms. Rhinehart noted that the file for the project reflects that the City has responded to prior complaints and that she had recently responded to complaints.

Ms. Rhinehart affirmed the City's responsiveness to complaints about the site. Ms. Rhinehart stated that she had communicated with Mr. Finucane and the contractor on multiple occasions. Ms. Rhinehart noted that it appears that on multiple occasions unusually heavy rains damages sediment control measures, which resulted in repeated corrective action related to those measures. Mr. White noted that the status of the site needed to be assessed and to the extent any deficiencies exist same would need to be corrected. Mr. Hyde indicated a desire to have code or building violations dealt with more quickly and decisively. Mr. Trost inquired about fines for violations, and Mr. White spoke briefly about fines for multiple violations, single fine monetary limits, and related matters.

Mr. Finucane reported that the pool being constructed was not fenced and that he had recently heard what sounded to be people swimming in the pool. Mr. Hyde expressed concern about the pool fencing from a safety perspective. Mr. Bivens confirmed that fencing is required once a pool is filled with water and that the contractor was instructed to install the required fencing. Mr. Trost inquired about the use of the pool prior to final approvals. Ms. Rhinehart reported that the owner explained that his adult son swam in the pool after it had been filled with water. Use of the pool would cease until approved fencing was installed, and the necessary inspection occurred and passed.

Mr. Finucane also pointed out a fence segment under the NES utility. It was confirmed that the fence segment is located on the fence owner's property. Mr. White confirmed that the fence could be located in a utility easement, but it would be subject to the easement. Mr. Finucane also inquired about setbacks. Mr. Trost inquired about applicability of setback to other features such as retaining wall. Mr. White spoke briefly about setbacks and their applicability. Mayor Lovell noted the City's dedicated efforts of behalf of the City's residents despite limited manpower resources. Mr. Bivens suggested that some additional progress reports or other periodic updates could be required of contractors to assist in assuring proper progress of land disturbance projects. Mr. Bivens also noted that additional contractor education for land disturbance projects would be beneficial. Ms. Rhinehart stated that the City Staff would continue to do their best to achieve code compliance and proper progress of projects.

9. **Adjournment.** The meeting was adjourned.

  
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Mayor John C. Lovell

  
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Recorder, Amanda Rhinehart City Manager