

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

JANUARY 17, 2008

The Forest Hills Board of Commissioners (herein also the "Board") held its regular meeting on January 17, 2008 at the City's Offices, 4012 Hillsboro Road, Nashville, Tennessee, beginning at 5:00 p.m. Mayor Evers presided. Also present were Commissioner Coke, Vice Mayor Lovell, Al Deck, City Manager, and City Attorney, Matt Foster. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes.

1. Approval of the Minutes for January 3, 2008. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously approved the minutes for the January 3, 2008 regular meeting.

2. Citizens Comments. No comment offered

3. Report from the City Manager, Al Deck.

(a) Financial Statements for December, 2007: Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Coke, the Board unanimously voted to approve the Financial Statements for the month of December 2007.

(b) Proposals for Street Signs & Post: The City Manager provided information on three vendors for signs and posts: the first is Brandon Industries, a mail order company from Texas, which was originally used by Hodgson & Douglas; the

second vendor is Herndon & Merry of Nashville, and the third is SignMaster of Murfreesboro. After hearing the information, the Board suggested the Cultural & Natural Resources Committee review the companies and make a recommendation to the Board of Commissioners.

(c) Gateway Entrances: The Parke Company. The City Manager introduced the topic by stating that he & Mr. Brown met the previous day and that he understood that Mr. Brown is prepared to sign the contract and post the letter of credit; however, he first wishes to address the Board and request a 50% deposit. Mr. Brown informed the Board that he felt it would be in the best interest of everyone if he withdrew his bid. He felt there had been poor communication with the City Manager. The Board of Commissioners suggested he reconsider and return to the February 7th meeting.

4. Brad Bivens, City Engineer:

(a) Mr. Bivens informed the Board that the grant for the left turn lane at Kingsbury has been submitted to the Tennessee Department of Transportation. The application should be reviewed in March.

(b) Mr. Bivens stated that the review and award period for the Bikeway application will be approximately one year.

5. Report from the City Attorney, Matt Foster

(a) Stone Wall Preservation: Mr. Foster addressed the issue of preservation of stone walls on both public and private property. Walls located on private property fall under private property rights and an attempt to regulate them could be

considered a taking of property. However, he said that it is possible to enter into an agreement with interested owners, and create a cooperative maintenance agreement. Walls located within the right-of-way may afford the City more control and regulation, but may not provide for complete regulation. He also discussed Historical Regulations, as a preservation method, as well as offering Grants to property owners, in order to restore or maintain stone walls. Mr. Foster did mention that Lexington, KY has discontinued their cooperative Grant program. He will continue his study of this issue and the Board recommended the Cultural & Natural Resources review this matter and offer a recommendation.

(b) Ordinance No. 08-179, An Ordinance To Regulate the Discharge of Weapons Within the City of Forest Hills, Second & Final Reading: The Ordinance was offered by Mr. Foster for final approval. The Ordinance will become effective after publication in the local paper. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve Ordinance 08-179 on second and final reading.

(c) Leon Russell Bridges Update: Mr. Foster informed the members that Mr. Bridges miss the January 15th deadline to post the Letter of Credit for Demolition of the house at 5654 Hillsboro Road. Mr. McAllester, attorney for Mr. Bridges, has requested a twenty-five day extension, to allow Mr. Bridges sufficient time to collect pending funds for the LOC. Mr. Foster outlined several options for the members and several possible reactions available to Mr. Bridges. Following the discussion, the Board of Commissioners expressed a desire to enforce the City's Zoning Ordinance. Upon motion by Vice Mayor Lovell, which was seconded by Mayor Evers, the Board

unanimously voted to declare Mr. Bridges in default on the contract with the City, which was approved by the Board on December 6, 2007, and to go forward with demolition of the house at 5654 Hillsboro Road.

There being no further matters to be discussed and there being no further business to come before the Board, the meeting was adjourned, upon motion by Vice Mayor Lovell, which was seconded by Mayor Evers.

Recorder

Mayor