

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

**JUNE 8, 2006**

The Forest Hills Board of Commissioners (herein also the "Board") held its regular monthly meeting on June 8, 2006 at the City's Offices, 4012 Hillsboro Road, Nashville, Tennessee, and beginning at 5:00 p.m. Mayor Evers presided. Also present were Commissioner Coke, Vice Mayor Lovell, Al Deck, City Manager, Jonathan Harwell, City Attorney and Brad Bivens, City Engineer. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes.

1. Comments from Forest Hills residents: Mr. J. B. Paul, 6113 Gardendale, addressed the Board of Commissioners about older neighborhoods losing ranch style houses and being replaced by construction of much larger residences that are out of character, with the neighborhood. He also expressed his concerns about speculators moving or demolishing houses, prior to either the neighbors, Board of Commissioners, or anyone having any information about what might be built on the vacant lot.

2. Approval of the Minutes for May 11, 2006. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously approved the minutes for the May 11, 2006 regular meeting.

3. Report from the City Manager, Al Deck.

(a) Approval of the monthly financial report. Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Coke, the Board unanimously approved the financial report for the month of May.

(b) Second and final reading of Ordinance No. 06-164, the 2006/07 Budget. Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Coke, the Board unanimously voted to approve the 2006/07 Budget Ordinance, No. 06-164, on second and final reading.

(c) Second and Final reading of Ordinance No. 06-165 – Driveway Permit & Fee. The City Attorney, suggested in was his opinion, this proposed Ordinance

is redundant. Driveway permits are covered in the Zoning Ordinance (Adopted August 9, 2001, Ord. No. 01-157) and the associated fee is covered under the Comprehensive Fee Ordinance (Adopted March 10, 2005, Ord. No. 05-163). Therefore, Ordinance No. 06-165 was withdrawn.

(d) First Reading of Ordinance No. 06-166 – Change of Regular Meeting Dates. A question was raised about the source of this ordinance. The ordinance was the result of a discussion in the previous meeting about the volume of business the Board now handles and its desire to communicate with its citizens and the general public. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, and the Board voted unanimously to approve Ordinance No. 06-166 on first reading. Additional Commissioner Coke made a motion that the Board set a special meeting at 9:30 a.m., Friday, June 23, 2006 for the purpose of the second and final reading of Ordinance No. 06-166. The special meeting will allow the new format (meeting twice per month, first and third Thursdays) to begin with the new fiscal year 2006/2007, Thursday, July 6, 2006.

(e) Budget Amendments for 2005/06. Upon a motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the first amendment of the 2005/06 budget as follows:

Revenue:	32600 Licenses, Permits & Other	\$135,000
	33700 Grants (Bikeway)	205,000
	33550 State Street Aid (Metro Road)	< 83,000 >
	36110 Interest	20,000
	Total in excess of budget	<u>277,000</u>
Expenditures:	41500-390 Bikeway	\$ 62,000
	41500-290 Cultural Resources	19,000
	41500-310 Office Expense	5,000
	41500-519 Insurance	20,000
	41621 Lakewood Lawsuit	115,000
	41670 Engineering	75,000
	43400 Public Works	<u>75,000</u>
	Total expenses over budget	\$ 356,000

(f) Resolution – Rules of Conduct for Members of the General Public. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the Rules of Conduct, governing the conduct of persons appearing before the City of Forest Hills.

4. Report from the City Engineer, Brad Bivens.
  - (a) Home inspections: 7 footing; 5 foundation; 10 framing; 15 final; 6 slab; 13 other; 8 plan reviews; and 0 revised plans, for a total of 64.
  - (b) Saint James Storm Water. Mayor Evers requested that this matter be resolved by the next regular Board of Commissioners meeting.
  - (c) Status of 1230 Cliftee Drive. Mayor Evers inquired about the bill from Qore and any response by Mr. Batsuk, owner of the property at 1230 Cliftee Drive. The City Manager informed the Board that a letter was mailed to Mr. Batsuk, requesting payment of the Qore engineering services, required for his property. There has been no response.
  - (d) F.E.M.A Report. Brad Bivens reported that the FEMA study and flood map has been completed. A ninety day period is reserved for public review and comment. Unless a challenge is filed, the plan will become final September 21, 2006.
  
5. Report from the City Attorney, Mr. Jonathan Harwell.
  - (a) Lakewood lawsuit. Mr. Harwell reported the Board that the Lakewood lawsuit will continue to be litigated until December 31, 2006, unless tht time is extended.
  - (b) Ordinance of Gunfire in City of Forest Hills. The City is still waiting for a response from Mr. Karl Dean, Attorney for Metro.
  - (c) NES Property. Commissioner Coke requested that the Board add a discussion of the NES property and how the City of Forest Hills would like to see it used, to the June 23, 2006 Special Meeting and the Board approved the request.
  - (d) 5654 Hillsboro Pike. Mr. Harwell has requested a report from the Bridges' attorney, Sam McAllister, regarding presentation of an application for lifting the stop work order and specific construction details, but has received no response.
  
6. Report on the Bikeway, Vice Mayor Lovell. No report available.
  
7. Old Business. The Board added to the agenda discussion and or action on the two (2) streets that need repair due to collapse of storm water facilities. Mr. Wayne

DeMoss of Session Sealing & Paving was present. The discussion centered on the fact that the City issued a work order for repairs on Balbade and Sessions agreed to be on site April 24<sup>th</sup>. After seven (7) weeks, Sessions has not started the repair of Balbade and the City Manager began seeking other companies to effect the repairs. Also during the last 7 weeks, a sinkhole opened on the edge of E. Ashland and poses a traffic hazard. The Board of Commissioners declared that incident an emergency repair and authorized work without the bidding process.

The Mayor asked the City Manager what he wanted to do. The Manager requested that the Board of Commissioners also declare Balbade an emergency repair and allow him to let a contract to an excavation company and proceed with repairs. He also stated he would like to issue a work order to Session for the E. Ashland repair and do that work as soon as possible. Upon a motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board declared Balbade and emergency situation and authorized repair as soon as possible, the City Manager to let the contract.

There being no further matters to be discussed and there being no further business to come before the Board, the meeting was adjourned.

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Recorder

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Mayor