

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

AUGUST 3, 2006

The Forest Hills Board of Commissioners (herein also the "Board") held its regular monthly meeting on August 3, 2006 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, Brad Bivens, City Engineer, and City Attorney, Jonny Harwell. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes.

1. Comments for Forest Hills residents. No comments.

2. Approval of the Minutes for July 20, 2006. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously approved the Minutes for the July 20, 2006 regular meeting.

3. Report from the City Manager, Al Deck.
 - (a) Ordinance No. 06-168 proposed Code of Ethics. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously approved Ordinance No. 06-168, Code of Ethics, on First Reading.

 - (b) Tennessee Roadscapes Grant. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve all expenses incurred in making application for a Tennessee Department of Transportation grant. The grant is intended to develop landscaping projects along state

and federally funded rights-of-way. If awarded, the grant would fund 80% of the expenses incurred, after the grant is approved and T.D.O.T has issued a Notice to Proceed. The Board approved obtaining the services of Hodgson & Douglas to complete and submit the grant application.

(c) 1230 Cliftee Drive - Batsuk Property. The City Manager informed the Board that Mr. Turner Snodgrass, 95 Whitebridge Road, 37205, representing Mr. Batsuk, contacted the City and stated Mr. Batsuk and Mr. Looney have agreed to arbitration , concerning the landslide at 1230 Cliftee. Included in the arbitration is \$17,995 the City incurred for a slope stability study by Qore Property Sciences. The arbitration is scheduled for August 8th and Mr. Snodgrass will inform the City of the outcome.

4. Report from the City Engineer, Brad Bivens.

(a) Home inspections: 10 footing; 2 foundation; 4 framing; 10 final; 10 plan review; 1 retaining wall; 4 slab; and 6 other.

(b) Saint James Storm Water. Mr. Bivens reported that Sessions Paving has cut the pavement and is scheduled to begin work on Monday, August 7th. The work on St. James is an effort to correct the flooding, which was created by the excessively wide street.

5. Report from the City Attorney, Mr. Jonathan Harwell.

(a) Lakewood lawsuit. All smaller cities joined Forest Hills in the motion for summary judgment. However, Metro filed a motion to stop the scheduled

hearing on August 18th, regarding the motion for summary judgment, and go forward with discovery. The Metro motion will be heard on August 11th.

(b) NES Property. Mr. Harwell stated that he delivered the NES proposal on the 28th of July.

(c) Ordinance No. 06-167, Demolition & Removal. Second and Final reading of Ordinance No. 06-167, to supplement control of demolition, removal, and transportation of buildings and structures and land disturbance in the City of Forest Hills. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve Ordinance No. 06-167 on final reading. Prior to approval the City Manager requested that the Board authorize the manager to issue two possible demolition permits to: Wes Cook, 6121 Gardendale and Baird Graham, 4518 Wayland Drive. These two projects have contracts to move the houses; however, both are experiencing problems completing the transportation. The City is also experiencing difficulty with the mover and would like to have alternate plans available, if needed. The Board agreed to exempt these two houses from the newly enacted Ordinance No. 06-167.

(d) Ordinance No. 06-169 Amending Section 403 to the Zoning Ordinance relative to the location of Accessory Uses. Upon request of the City Attorney, the Board deferred this item, to allow time for further study.

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

Recorder

Mayor