

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

**OCTOBER 2, 2008**

The Forest Hills Board of Commissioners (herein also the “Board”) held its regular meeting on October 2, 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 September 18, 2008. Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Coke, the Board unanimously approved the minutes for the September 18, 2008 regular meeting.

2. Report for the City Manager, Al Deck:

(a) The Manager presented the Metro Police Report for August

(b) Newsletter: the Manager informed the Members he would like Armour & Armour to publish the Quarterly Newsletter as soon as possible.

(c) Chipping Contract with the Parke Company: Mr. Deck informed the Members that Parke Brown has requested the Board consider a fuel escalation clause for diesel. Mr. Deck offered to consult with the City Engineer and City Attorney and discuss this proposal in detail at the next meeting.

(d) Johnson Landscape—Snow Removal Contract: The manager reported that the City of Belle Meade has advertised for snow removal service and

obtained only one bid and that was from the current provider, Johnson Landscape. Forest Hills had the same result in its last bidding. Therefore, the Manager requested that Johnson Landscape be designated as a sole supplier of this service and that the City renew the existing contract. The only change in pricing is the cost of salt, which increased from \$85 to \$110 per ton. Upon motion by Commissioner Coke, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the renewal of the Snow Removal Contract with Johnson Landscape.

3. Report from the City Attorney, Matt Foster:

(a) NES Lease: Mr. Foster reported the NES Power Board approved the ground lease on the approximate 7.616 acres, located on the corner of Hillsboro Pike and Old Hickory Boulevard. The lease provides an initial term of fifty (50) years, commencing the 1<sup>st</sup> day of October, 2008. The lease may be extended for up to two (2) additional periods of twenty-five (25) years each, upon certain conditions described in the Lease. Copy of Lease attached.

(b) Report on 1200 Old Hickory Boulevard –acquisition of property: Mr. Foster explained that the City is scheduled to close the 24<sup>th</sup> of October on this property. Vice Mayor Lovell suggested that since the NES Lease has been approved, the City now has another option to consider. Following a discussion, it was suggested that the City Manager arrange for a landscape architect to evaluate both sites and develop preliminary suggestions for the proper location of parking, placement of building (new construction), landscape recommendations for screening, and estimated cost for each site.

(c) Second and Final Reading of Ordinance No. 08-184, Revision of the Zoning Ordinance and Subdivision Regulations, to increase the period for review and recommendation of submitted plans from 30 days to 35 days. This will bring the City's Ordinances into compliance with State Law. Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Coke, the Board unanimously voted to approve Ordinance 08-184 on second and final reading.

(d) Proposed Federal Guidelines on Cell Tower Applications: Mr. Foster informed the Members that the FCC is considering placing limitations on the period of time cities have to review cell tower applications. The Attorney suggested the City submit a letter opposing the time limitation. The members authorized the City Attorney to file a letter of opposition.

(e) AT&T Franchise Fee: Mr. Foster informed the Board that he is looking into the City ability to receive Franchise Fee generated by AT&T's entrance into the cable TV business.

4. Old Business:

(a) Dedication Ceremony set for November 1st: Commissioner Coke. Mr. Coke informed the Members that Saturday November 1<sup>st</sup>, the City will dedicate the Gateway Entrance at Old Hickory Boulevard & Hillsboro Pike, at 10:00 a.m. The City will also recognize Mayor Charles Evers on his retirement, after serving the City of Forest Hills for twenty years.

(b) Creation of a Task Force for the Green Community Framework Report: The members and the City Attorney discussed several viable options to establish

a Task Force for the purpose of advising the Board of Commissioners, regarding the implementation of the Open Space Report, by McBride Dale. The City Attorney and Commissioner Coke will draft a presentation for the next meeting.

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