

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

FEBRUARY 19, 2009

The Forest Hills Board of Commissioners (herein also the “Board”) held its regular meeting on February 19, 2009 at the City’s Offices, 4012 Hillsboro Road, Nashville, Tennessee, beginning at 5:00 p.m. Mayor Coke presided. Also present were Commissioner Douglas, 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.

Approval of the Minutes for February 5, 2009. Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Tim Douglas, the Board unanimously approved the minutes for the February 5, 2009 regular meeting.

1. Comments from Forest Hills residents.

Mr. Clay Jackson & Mr. Joe Hodgson provided an update on the Gateway Entrance project. They offered a large scale map and listed all proposed location for “Piers” at secondary locations and proposed gateway wall at three primary locations: Old Hickory Boulevard @ Granny White Pike; Old Hickory Boulevard @ Chickering Road; and Harding Place @ Hillsboro Pike. Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the plan as submitted and authorized publication of Notice of Bid, as soon as the specifications are available.

Secondly, they presented a plan for the traffic island at the intersection of Hillsboro Pike and Harding Place. Mr. Hodgson proposed using a combination of grasses and flowers, all of which are drought tolerant and will not require irrigation. Parke Brown also addressed the installation, maintenance, and upkeep of the project. Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the planting for the traffic island.

2. Report from the City Manager, Al Deck

a. Storm Warning System, Location: The Manager informed the Members that the representative from Stansell Electric was not impressed with the possible location of the system on the WKRN hill. He would prefer the NES site or location in the right-of-way of Tyne Blvd., close to the Hillsboro Church of Christ. The Members expressed their preference for the NES site. The Manager said he would contact NES and attempt to work out the remaining details and proceed with location for the storm warning system at that site.

b. Office Space in Green Hills—Cost Comparison: The Manager presented current cost per square foot for commercial office space in Green Hills, as compiled by the City Attorney's office. Estimated range is \$27 to \$28 per foot, plus the cost of insurance, property taxes, maintenance, and utilities. Operations cost of rental space would actually exceed cost of ownership, since the City would be exempt from property tax on its own building. Based on the estimated cost of renting Green Hills office space (\$110,000 annually), and considering interest rates, the City could recover the cost of the building in 13 or 14 years.

3. Report from the City Attorney, Matt Foster

a. Retirement Plan (Tennessee Consolidated Retirement System vs. Deferred Compensation 401a): Mr. Foster's research revealed that three cities have previously withdrawn from the State Retirement System (Tennessee Consolidated Retirement System); therefore, it is possible for City of Forest Hills to withdraw. The City Manager added that if the Members desire to change from the State's Defined Benefit Plan to a Defined Contribution Plan, the City already was a vendor in place to handle the new plan. The Board of Commissioners previously approved sponsorship of a Deferred Compensation Plan through the International City/County Management Association (ICMA). If the Board elects to contract with ICMA for the 401a plan, there will be no management fees or cost associated with the program and an existing contract will save the legal expense of creating a document specifically designed for the City. ICMA-RC (Retirement Corporation) has been in business for 37 years, administers 8,000 plans for more than 800,000 local government employees. Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve withdrawal from the Tennessee Consolidated Retirement System. The Resolution will be prepared for the next meeting.

b. Proposed Revisions to the Zoning Ordinance:

1. Side & Rear Yard determination (Sec. 903-Definitions)
2. Accessory Buildings (Sec. 402 C)

The City Attorney addressed the two Zoning Ordinance items together. The Members participated in a discussion about the clarifying definitions of rear and side yards and also establish the preferred location of accessory buildings. The Board gave

Mr. Foster latitude in drafting the details of the Ordinance, which will be presented to the Planning Commission on March 19, 2009 and then presented to the Board of Commissioners for final reading on April 2, 2009.

Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the first reading on caption, of Ordinance No. 09- 186 Revision of Zoning Ordinance.

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

Recorder

Mayor