

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

JUNE 4, 2009

The Forest Hills Board of Commissioners (herein also the "Board") held its regular meeting on June 4, 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.

1. Comments from Forest Hills residents. No comment.

2. Approval of the Minutes for May 21, 2009. Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously approved the minutes for the May 21, 2009 regular meeting.

3. Report from the City Manager, Al Deck.
 - (a) Public Hearing on the proposed budget for 2009/2010: Mayor Coke called the public hearing to order and asked for comment. The hearing was closed without any public comment.

 - (b) Ordinance No. 09-187, Budget Ordinance for 2009/2010: Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Tim Douglas, the

Board unanimously voted to approve Budget Ordinance No. 09-188 on second and final reading.

(c) Financial Statements: Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the Financial Statements for the month of May 2009.

(d) Home Office Requirements: the Manager informed the Members that the Tennessee Real Estate Commission requires signage, before it will authorize a home real estate office. The Forest Hills Zoning Ordinance prohibits any signage indicating an office on residential property. The City of Brentwood had the same policy and compromised by allowing a sign, no larger than a post card, on the exterior door. The City Manager called for no action, simply provided the information for the Board's future consideration.

4. Report from the City Attorney, Matt Foster.

(a) Mr. Foster addressed questions from the Commissioners regarding the legal relationship between the City of Forest Hills and Metro and submitted a memorandum addressing the City's powers. Mr. Foster specifically addressed four services that have been contentious for the two municipalities: streets and roads, storm water management, cable franchising, and policing.

Metro has stated it will no longer contract with Forest Hills for maintenance of streets and roads because Forest Hills no longer contracts with Metro for use of the City's local option sales tax. Mr. Foster stated this was an inappropriate justification for refusing to contract; however, he also stated that Metro was probably within its rights to refuse to

contract for streets and roads as Forest Hills receives state shared revenues earmarked specifically for road work.

Metro recently offered smaller cities an opportunity to surrender their storm water permits and consolidate all responsibility for storm water with Metro. Forest Hills chose to maintain control over storm water management in order to ensure a prompt response to failed culverts and clogged ditches.

Police protection continues to be a point of discussion between the two entities. The commissioners expressed a general sentiment that the City is underserved by Metro PD. Mr. Foster indicated that Metro believes smaller cities are prohibited from creating their own police department, although his analysis indicates otherwise.

Cable franchise fees are another area of debate. As previously noted, Forest Hills owns and controls the streets and rights-of-way. Therefore, the city should receive the franchise fees paid for cable fees within the City's boundaries.

(b) Codification of Ordinances: Mr. Foster requested the members delay first reading for two weeks. Changes to the code should be finalized by that date.

(c) Fees & Permits will also be addressed in the codification process.

5. New Business: City Hall Construction. Mayor Coke read a section from an M.T.A.S. management study prepared several years ago. The study indicated the City of Forest Hills could improve its service and image by having a city hall within its corporate boundary. Following a discussion of how best to move forward with the project, Mayor Coke stated that he will ask Mr. David Waller, a member of the Planning Commission, to assist him in gathering information, seeking assistance and public input,

for designing a process to design and build a new city hall on the property at Hillsboro Pike and Old Hickory Boulevard.

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