

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

SEPTEMBER 17, 2009

The Forest Hills Board of Commissioners (herein also the “Board”) held its regular meeting on September 17, 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, Matt Foster, City Attorney and Al Deck, City Manager. 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: Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Tim Douglas, the Board unanimously voted to approve the minutes of the September 3, 2009 meeting.

2.. Report from the City Manager, Al Deck.

(a) Proposed Culvert Policy: The City Manager offer photos of various driveways across the City. The photos depicted the different finishes, styles and add-on features, such as headwalls, mailboxes and landscaping material. The driveways cross the city right-of-way and usually have a drainage culvert beneath. The manager expressed concern about the lack of a policy on the replacement of a culvert and the city obligation to restore the driveway and additional features. Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board

unanimously voted to authorize the City Manager to use the services of the City Engineer and City Attorney to draft a policy for review and consideration.

(b) Report on “Security Lights”: The Manager presented a report from NES regarding the installation dates of “night watchmen style” lights at all non-residential properties. These lights have photo cells which turn the lights on and off based on the amount of sunlight. The Members discussed with the Manager and Attorney the installations preexisting status. According to the report, only three new lights have been installed since 1997.

(c) Approval of Financial Statements August 2009: Upon motion by Vice Mayor Lovell, which was seconded by Commissioner Tim Douglas, the Members approved the Financial Statements for August.

3. Report from the City Attorney, Matt Foster:

(a) Discussion of the Fee Ordinance: Mr. Foster offered draft of the Fee Ordinance, as codified in the Municipal Code, to the Board of Commissioners. The Members and the City Manager discussed the expiration and renewal of the building permit. The Members agreed that completion of a construction project is a primary concern of the City and the neighbors. An extension of the current 18 month period or a reduction of the renewal fees did not seem to encourage completion of a project. Consequently the revised Fee Ordinance does not change the current renewal or expiration requirements.

(b) Adoption of the Fee Resolution 09-04: Deferred

(c) Ordinance 09-187, Codification of Ordinances: After addressing several issues and substantial changes, the City Attorney suggested that Ordinance 09-187 be approved again on First Reading. Upon motion by Commissioner Tim Douglas, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve Ordinance 09-187 on first reading. A public hearing on the ordinance will be scheduled and duly advertised and second reading will follow when the final revisions are made by the University of Tennessee.

(d) Update on WKRN: The City Attorney reported upon his research into the use of two broadcast towers located on property owned by WKRN and located on Old Hickory Boulevard. WNPT currently broadcasts a digital VHF signal from the older tower; WKRN currently broadcasts a digital UHF signal from the newer tower. When the newer tower was constructed, it was anticipated that both television stations would broadcast in digital UHF. At this time, technology does not exist to permit one antenna to broadcast in both digital VHF and digital UHF. Neither tower was constructed to support the weight of two antennae. Retrofitting the newer tower to support the weight of two antennae and moving the WNPT equipment to the retrofitted tower would be cost prohibitive at this time, not permitted by the FCC, and could violate certain lease rights to the older tower. The Board of Commissioners took no action.

4. Public Comment: Mr. Jack Zager requested the neighbors remain in the loop as major requirement as submitted and accepted by the City.

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

Recorder

Mayor