

State Building Commission votes to go ahead with Conservation Hall at Governor's Residence

The State Building Commission of Tennessee recommended January 10 moving forward with plans to construct an underground ballroom adjacent to the Governor's Residence on South Curtiswood Lane.

The vote came after state architect Mike Fitts gave his response to concerns raised by the Oak Hill Planning Commission, which rejected the plans in December 2007 due to insufficient information about the impact of the project and the lack of finalized plans.

For more information go to www.oakhilltn.us.

Planning Commission rejects underground facility

A large crowd of Oak Hill residents was on hand December 20 when the Oak Hill Planning Commission held a special public hearing on the State of Tennessee's proposal to build a 14,000+ square-foot underground meeting facility in the front yard of the Executive Residence on South Curtiswood Lane.

Following the public hearing, the Planning Commission voted unanimously to deny the State's application. (See Findings of Facts on page 6.)

The meeting at the Brentwood Hills Church of Christ generated over two hours of public comment. (See excerpts on pages 4–5, and the full transcript at oakhilltn.us/transcript.html.) Most opposed the proposal, primarily based upon:

- The non-residential use of the project, contrary to the residential quality and nature of the surrounding neighborhood and of Oak Hill in general.
- Traffic generated by the utilization of Conservation Hall, projected to have an occupancy capacity of over 1,200, on South Curtiswood Lane, which would create major safety problems.
- Significant safety issues, including trying to evacuate over 1,200 event attendees from the underground meeting hall, as well as trying to get major emergency vehicles to the Executive Residence.

Be sure to check the City of Oak Hill's official website—www.oakhilltn.us—for the latest developments in the Executive Residence issue.



State architect Mike Fitts describes the proposed underground facility to a crowd of more than 200.

Board of Commissioners to discuss traffic, police service, more at January 17 meeting

The Board of Commissioners meeting on Thursday, January 17, will have a full plate of agenda items, including:

- Exploring possibilities of acquiring additional police services for Oak Hill, primarily for increased neighborhood patrols and traffic enforcement.
- Discussion of a recently completed traffic study related to both volumes of cars and their speeds, on a sample of local residential streets, in order to discuss possible "traffic calming" measures that might be implemented.
- Current status and update on the future of the 65-acre historical Glen Leven home and farm. The Land Trust

for Tennessee continues to go through the review process of proposals for the property, including that of the City of Oak Hill's.

- A report by Preston Morris, managing director of Morris, Smith, and Hayden on the current status of the City's reserve funds.
- Update from the Tennessee
 Department of Transportation on the
 I-65 soundwalls.
- Commissioner mid-year review of the 2007–2008 City of Oak Hill Annual Budget, reflective of actual income and expenses for the first half of the fiscal year as well as projections through June 30, 2008.

City of Oak Hill

Tommy Alsup

Oak Hill Office: 371-8291 780-0037

Vice Mayor

Tommy Jacobs 837-9863

Commissioner

Ray Throckmorton 255-3559

Planning Commission

Mike Allison, Chair

Patricia Carlson

Judy Hoover

Trevor Howell Art McWilliams

Annelle Rucker

Julia Wesley

The mayor, vice mayor, and

commissioner also sit on this commission.

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Office Hours **Monday through Friday** 8:30 a.m. to 4:30 p.m.



Third Thursday

Planning Commission, Board of Commissioners Meeting

Oak Hill City Hall,

5548 Franklin Pike, 5 p.m.

Tuesday before Commissioners' Meeting **Board of Zoning Appeals**

Oak Hill City Hall, 5548 Franklin Pike, 5 p.m. From the desk of the city manager

Thank you . . . Oak Hill!

Most of you know about the proposal by the State of Tennessee to build a 14,000+ squarefoot underground "Conservation Hall" in the front yard of the Executive Residence on South Curtiswood Lane. It has evoked significant reactions from many, many people, not just from throughout Oak Hill, but across Tennessee. Increasingly, questions have arisen about actual costs and yearly operational expenses, the magnitude of its size with a potential occupancy in excess of 1200, and what impact this non-residential project would have on a beautiful, single-family residential neighborhood like Curtiswood/Glen Leven.

When this concept was first presented to the Oak Hill office staff in early 2007 by Assistant State Architect Alan Robertson, the immediate response was:

- This conference center is indeed not residential in nature or character and would dramatically change the use of the overall Executive Residence property from residential to institutional; and
- The mere total size and scope of the planned facility would create major negative impacts upon traffic, public safety, and the current role of the Governor's "Home," thereby creating a critical threat to the peace, serenity, and property values of the general community.

Those of you who have been ongoing readers of the Oak Hill News for the past nearly five years that I have served as your City Manager know that my passion, commitment, and "top priority" for Oak Hill is the preservation of the outstanding residential quality and special beauty of this community. In achieving this main cornerstone of public policy, I am so very grateful to our Board of Commissioners, the Planning Commissioners, and members of the Board of Zoning Appeals, who have, on an ongoing basis, collectively and individually, been totally supportive of maintaining the purely residential nature of Oak Hill, the primary reason we became a city in 1952.

Kudos are also indeed appropriate to so many of you who were there to support residential preservation at a number of public hearings along the way.

Accolades are also due First Lady Andrea Conte for a masterful job on the restoration of the residence in Phase I. We had the opportunity to tour the residence before work began in 2005

and again as it neared completion in 2007. It is beautiful in all

My past becomes an issue

At the same time we were dealing with the expansion at the Governor's Residence, my involvement in a real estate issue in Southern California more than 20 years ago surfaced in the news media.

Contrary to what was reported in the media, the facts are these:

In 1986 I pled no contest to a misdemeanor charge of failing to report a personal loan and paid a fine.

In 1985 I was charged in connection with a real estate deal that involved many people on larger issues. I was a participant on just one of the specified cases. I pled guilty, cooperated with authorities, and paid fines and restitution for the offense to put my poor judgment behind me.

I realize now that I should have disclosed this past problem to the City of Oak Hill when I was hired in 2003, but at the time I did not think that an incident that occurred in my personal life two decades ago was relevant to the job I could and would do for the City of Oak Hill.

I don't know—nor care—who is behind this continuing effort against me. Bitter opponents, whether they are angry with me because I don't go along with their agendas or because I may have recommended non-renewal of a contract for services rendered, only have to live with themselves.

Anonymous mailings

Many Oak Hill citizens have received postcards and a publication called Oak Hill Gazette. These anonymous mailings, which made claims that are either exaggerated or totally untrue, did NOT come from the City of Oak Hill. The

copyrighted material from the City of Oak Hill website was reprinted without permission. Any mailing from the City of Oak Hill will be clearly labeled as "Official Publication" or "Official Notice" with a proper return address.

We think we know who is behind these cowardly attacks and are exploring our legal options to deal with them.

I'll keep fighting

It has always been my philosophy of life to remain completely focused on what are the real issues at hand. In this particular case, it is to continue fighting for the preservation of Oak Hill, to keep as it is the place where nearly 5,000 of us call home.

Finally, my sincerest and deepest apologies to you all for having to go through this unpleasantness. I am so very sorry that bitter experiences from a time long ago have been brought up, something my family and I experienced in the 1980s.

Be assured that I will try even harder to continue to be a responsive City Manager as we embark upon new adventures, challenges, and opportunities in 2008.

Thank you, my Oak Hill friends, for your wonderful and most appreciated calls, cards, letters, e-mails, and personal visits, sharing your personal support during these difficult times.

Most gratefully, Bill Kraus 🗱

Write in 1907 on tax return

Be sure your state income tax return contains "City of Oak Hill" and 1907, the four-digit location code.

This is necessary for the City to receive its due portion of various local and state taxes including Hall Income Tax. These annual reimbursements fund the City's operating budget, which includes services for garbage pickup, leaf and limb removal, and street maintenance.



The City is prepared if it gets a repeat of a winter storm like this one several years ago.

"Snowtime" like the present . . . or the future

It seems like only yesterday that all of us were talking about the "long, hot summer" that we were experiencing, and winter seemed way into the future.

However, as we are approaching the winter season, there is always the possibility of experiencing snow!

The City of Oak Hill, every year, contracts with a service to salt those roads in the event of potential icing, thus gener-

ally maintaining most, if not all, local streets to remain passable during snow conditions. Naturally, if we do experience a rare blizzard and the dumping of excessive snow over a short period of time, this service would be delayed.

Generally, the salting of streets in Oak Hill begins at the higher elevations, due to their earlier icing, and then proceeds to the lower areas of the city.

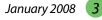
Urban coyotes a growing issue

Citizens of Oak Hill are facing a growing problem as coyotes expand their habitat into our City. The Tennessee Wildlife Resources Agency has provided some useful tips on the best way to deal with the problem.

- **Do not feed coyotes!** When coyotes begin associating humans with food they lose their natural fears and may become dangerous.
- **Eliminate water sources.** These areas attract rodents, birds, and snakes that coyotes eat.
- Position bird feeders so coyotes can not get to the feed. Coyotes may also be attracted to birds and small mammals that have been lured in by the feeder.
- **Do not discard edible garbage.** Coyotes are opportunistic and will eat any table scraps.
- Secure garbage containers. Use trash barrels with lids that clamp down tight even when tipped over.
- Do not place trash cans out the night before scheduled pick up. Placing cans out the morning before pick up will give coyotes less time to scavenge without the cover of darkness.

- Do not leave barbecue grill outside and uncovered. The smell of the grill and the contents of the grill's drip pan attract coyotes.
- Feed pets indoors whenever possible. Remove any leftovers if feeding outdoors. Store pet food in area not accessible to other animals.
- Clear brush and weeds from around property. This deprives the coyotes prey (small mammals and birds) of protective cover and deters coyote from hunting around your property.
- A fenced yard may deter coyotes. The fence must be at least six feet high. Preferably the bottom of the fence should extend six inches below around level.
- Do not leave small children outside alone if coyotes have been frequenting the area.
- Do not allow pets to run free. Provide secure housing especially at night. Small pets (cats, rabbits, small dogs) are favorite prey of
- Discourage coyotes from frequenting your area. Harass them by throwing rocks, shouting, and making loud noises when one is seen.





Excerpts from the transcript of the December 20 public meeting of the Planning Commission about the underground facility at the Governor's Residence

I assume you normally require final plans. And therefore, I think you have no choice but to disapprove this project on the basis that their final plans have not been submitted.

—Eugene Lotochinski

Is it the position of the state that they have the right to erect a nonconforming use, i.e. nonresidential buildings within the city of Oak Hill which doesn't even let its own City Hall get in Oak Hill? I have found no legal authority for the state to go outside of a municipality's codes with respect to conforming use.

-Richard Frank

It seems to me and many people here the issue is not what will be done or how well it will be done, but by whether it should be done at all. The facility we've been talking about here is the executive residence — not a structure that's intended for large public assembly or public entertainment even. Those matters can be taken care of elsewhere.

—John Parker

Does it have a Halon system? It's what they call an oxygen depleting chemical activated by the fire alarm system. After a horn sounds, there's 30 seconds before the Halon gas is released. The door must be secure. Anyone who is still in the kitchen will not be able to get out. Anyone who is outside the kitchen will not be able to get in. If the door is breached, and the Halon gas is released, it goes out into the exit hallway where attendees will be trying to get out of the building. One of two things will happen: Either, A, the gas will deplete the oxygen where the occupants of the building are, which would cause problems for those occupants;

or B, it will suck the oxygen into the kitchen where the fire is. Both are significant problems.

Also I noticed the design of the driveway. Only one 25-passenger bus would be able to get in and out at a time because of the atheistic curves in the driveway. It has to be one bus in; turn; discharge 25 passengers; turn; and go back out. That would take ten minutes to get one bus in and out with 25 passengers. If you're talking about 500 people, you're talking about an hour and a half to get everybody out.

—Tom Kovach

Mr. Fitts, these were your words —that the governors in the past did not want to be disturbed by doing maintenance to the mansion. And I would respectfully ask that the governor understand that we as citizens don't want to be disturbed by such a large project.

As a homeowner who is about to tear down their house and rebuild, I must come before the Board as an Oak Hill resident, and submit those plans, and get their approval. And frankly, I'm offended that the governor is not here. If this is something he would like to do, he should have to do the same thing that I have to do as an Oak Hill resident.

-Rebecca Berchum

We're told that the whole body of General Assembly can be seated. While the Executive does not have to operate under open meeting laws, the legislature does. And I for one am not very excited about the legislature getting together in an underground room behind a fence with security.

—Susan Kaestner

The power supply into Oak Hill and along Glen Leven and Curtiswood particularly seem rather tenuous most of the time. It's not infrequent during the summer especially to have one or two transformers blow off the poles along Glen Leven. And this is going to add considerably to the needed power supply. How can we ensure adequate power supply, particularly during the summer months?

—John Flanagan

What have you planned for in terms of interruption to this community of Oak Hill? You haven't done any traffic study or a formal study. You haven't done any disaster planning apparently. You haven't done any additional use for water and sewer.

—Tom Lawless

If any other residents in the city of Oak Hill proposed to build this facility, would it be approved? If not, then I think it must be disapproved.

—Judd Scott

Who knows where that money comes from? Who is going stop it when the next governor wants another \$15,000,000? This is going to be nicest house maybe in the country. When it gets right down to it, you all are the last people who can stop this thing right now.

—Crom Camichael

One of the very core issues is a legal question. Who does have the authority? I feel intimidated and maybe even threatened by the letter from the state government insinuating that we as a city do not have authority to make these

decisions. It is an offense and affront to us as citizens of Oak Hill, a local municipality, when we have to follow the rules, and the governor doesn't.

—Barbara Jenkins

The state's history with underground facilities is interesting, most recently Legislative Plaza, and the millions of dollars spent dealing with water infiltration there. One of the things as a taxpayer that concerns to me is the life cycle of maintenance costs, the costs of restoring barrier membranes, and things to move: all the grass and the turf up above.

—Louis Brady

Our friends, just a thought: Of all those beautiful trees that are going to be annihilated on Curtiswood Lane for the sake of having some more room. I'm opposed to this type of undertaking for whatever reason, that its use would be in any residential area. A building of this sort needs to be in some other place.

—John Wilder

This is not an important building to the state of Tennessee. It's not as important as a school. It's not as important as a hospital. This is not a residential building. I know it's been identified as such. It's not a conforming use. It's not safe. It's not really open to the public. It's behind a fence. It's not efficient. It's not cheap. It's not necessary, and it's not green. It's not wanted. And it's not something that you gentlemen should approve.

—Todd Kaestner

Community Comments

I really don't think this is about taxes. This is about Oak Hill, and how this will fit into our community, how it fits into the design, the landscaping, and the process of our city. I've lived there for 15 years, and the years that I've lived there, I've never had any problem with the governor's mansion party buses. They are no more offensive than the tour buses that come down here.

---Wade Hill

How deep -- how many feet are you going to blast underground? How much rock are you going to be removing? How many days of blasting do the residents, people living next door to this project, people living across the street?

—Becky Scott

It's very disturbing that the people have come with conviction in their hearts to this meeting tonight, and expressed them; and then it appears that the state of Tennessee can overrule them. I would hope that the state of Tennessee would also listen, and honor, and respect the people of this community.

—Edie Moore

I can't sleep tonight if I didn't tell you I am embarrassed and appalled at the amount of private and public money that's been used up to this point to build that facility, and we're going to get more. If I came to you folks wanting to build that, would you let me build that on Crestwood Drive?

—Lonnie Hill

See the full transcript of the Public Hearing at www.oakhilltn.us/transcript.html





Letter to the State Building Commission

December 26, 2007

State Building Commission State of Tennessee William R. Snodgrass Tennessee Tower 21st Floor 312 8th Avenue North Nashville, Tn 37243 Attn: Mike Fitts, State Architect

Gentlemen:

On behalf of the City of Oak Hill, may I take this opportunity to formally advise you that the Oak Hill Planning Commission, at a regularly scheduled meeting on December 20, 2007, took unanimous action to disapprove construction of Phase II at the Executive Residence, also known as "Conservation Hall," in accordance with Tenn. Code Ann. § 13-4-104.

You will find enclosed:

- An excerpt from the Minutes of the Planning Commission meeting of December 20, 2007, highlighting the action taken on this matter, including the Findings of Facts supporting the motion made, and
- An official copy of the transcript from the above referenced Planning Commission meeting, reflecting public comment received during the hearing.

We have the following serious concerns relating to the proposal:

- 1. The community where the Executive Residence is located, as an integral part of the neighborhood, has been zoned Single Family Residential for over fifty years. There have been no exceptions or zoning variances. In fact, to further preserve the residential quality and nature of this area, the Oak Hill Planning Commission and Board of Commissioners in 2006 reduced the allowable residential density of this zone from one home per two acres, to one home per three acres.
- 2. This change of use proposed by the Tennessee Residence Foundation is

excessive, both in its size and scope, and cannot reasonably be considered in a totally single-family residential neighborhood. This is clearly evidenced by the proposed footprint of the Conservation Hall is nearly fifty percent (50%) greater than that of the current residence, changing the land use of the property from residential to institutional.

Oak Hill's zoning ordinances do not permit a second kitchen in any single-family residential zone, primarily to prevent the utilization of houses as duplexes. The proposed kitchen in Phase II is clearly a commercial/institutional kitchen, which would be in violation of Oak Hill's current ordinances dealing with land use.

3. The occupancy load of this proposed facility is significantly greater than has been given by the spokespersons on behalf of the Tennessee Residence Foundation. Immediately on receiving the latest plans and specifications for Phase II, the City of Oak Hill engaged the services of Gresham, Smith and Partners, one of Tennessee's finest engineering and architectural firms, to provide us with a third-party, professional and totally objective review of the plans presented. The firm concluded from its detailed analysis that the potential capacity of this facility is 1,217 persons, not the 150-200 previously stated by the representatives of the proposal. The expanded occupancy load is also confirmed by the total number of stalls and urinals in the two restrooms, designed to accommodate an attendance in the facility of over 1,000. This variation has huge implications regarding negative impacts this facility can have, both internally and externally,

Having 1,217 persons underground in the event of a major fire or similar occurrence could lead to a disaster. With only two escape routes, and the primary route being adjacent to the commercial kitchen, it would be a near impossibility to save hundreds of lives.

The extreme narrowness of South Curtiswood Lane, with major drainage ditches on both sides of the street, would prevent the required number of emergency vehicles accessing the "Conservation Hall", where potentially 1,217 people would be in need of immediate

Twelve hundred seventeen people would generate 160 trips of shuttle busses per event, creating major traffic problems for a street not able to accommodate this type of volume. (1,217 passengers in 30-passenger shuttle bus = 80+ trips to take people to the Residence and return to the parking facilities for another load; then another 80+ trips to return the guests to their vehicles following the event.)

- 4. The destruction of approximately thirty (30) mature and stately trees at the front of the Executive Residence would create an instant reduction in the overall beauty and environmental quality of both the Residence and the neighborhood.
- 5. The lack of parking available within a reasonable radius of the Executive Residence is a serious problem. In the past, when temporary tents were set up infrequently on the ground of the Residence for special events, nearby churches and schools, in the spirit of being good neighbors, would allow parking. No plans were presented that churches and schools had been contacted concerning parking needs for more frequent and larger events, which could jeopardize their Conditional Use Permits. In addition, the utilization of any onstreet parking would be prohibited by the existing narrowness and configuration of nearby streets.
- 6. The ultimate number of people attending events at the Governor's Residence is a major concern. In response to a citizen's question at the Planning Commission meeting December 20, State Architect Mike Fitts acknowledged that tents could still be used in addition to Conservation Hall.
- 7. There has been no Environmental Impact Report prepared by the State Architect's Office to address such critical issues as loss of economic value to the

neighboring areas, and impact upon the general environment including traffic and noise pollution.

- 8. The blasting identified as necessary for excavating approximately thirtyfive (35) feet to build the "Conservation Hall" potentially presents an unacceptable hazard to both nearby residents as well as the recently renovated Executive Residence itself. There is also the possibility of affecting a "blue-line" stream along Curtiswood Lane.
- 9. A large non-residential center at this specific location can negatively impact property values due to the dramatic change of character of surrounding neighborhoods, requiring immediate reassessment of properties. Subsequently, property devaluation can create both a legal and fiscal liability for the State of Tennessee, the Metropolitan Government of Nashville and Davidson County, and the City of Oak Hill.
- 10. The State Architect informed the Planning Commission that there is no final set of plans for "Conservation Hall." Without a final set of plans, there is no way for the Planning Commission to be certain that it is evaluating what the true

extent of this construction will be. This uncertainty is exemplified by the facts that (a) when the project was initially proposed, it was to be an above-ground conservatory, and there has been no additional funding for what will undoubtedly be a much more expensive and extensive underground construction project; and (b) the extent of a separate project of improvements related to "Conservation Hall" has grown dramatically.

11. Although the construction is proposed for state-owned property, the documents supplied to the City of Oak Hill and the explanation of those documents by the State Architect reflect that the project will be owned by the Tennessee Residence Foundation until it is completed and then given to the State. Although we appreciate the State Architect's appearance to answer questions about the project, the fact that the project is privately owned gives us some pause.

There are many other issues that were related to the proposed project that were not within the purview of the Planning Commission that will be left to others, including your commission, to review, including public and non-profit funding for this facility, projected yearly operational and maintenance costs, and future utilization options available for "Conservation Hall".

There are many viable, safer, and more cost-effective options to consider that would meet the need for this type of facility advocated by the Tennessee Residence Foundation. We urge that a study of possible alternative public, non-profit, and private land and facilities instituted as quickly as possible.

Would any of you be in favor of this project next door to your home? We seriously doubt it. The City of Oak Hill cannot approve the construction of a 15,000 square foot institutional facility that is fundamentally at odds with the residential character of the neighborhood where it is proposed.

On behalf of my fellow citizens of Oak Hill, thank you for your consideration of our concerns.

Respectfully submitted,

Thomas C. Alsup, II Mayor 🗱

Excerpts from Planning Commission Findings of Facts

EDITOR'S NOTE: Following are excerpts from the Planning Commission's Findings of Facts regarding "Conservation Hall" at the Governor's Residence. The full document is online at www.oakhilltn.us/fof.html

- No final plans were submitted with this application, thereby precluding the Planning Commission from being able to give consideration to a proposal that remained vague and unclear.
- No traffic study has been prepared, addressing a number of key concerns, including:
- The near impossibility of getting emergency vehicles to the "Conservation Hall.
- Projected volumes of traffic

generated as a result of the proposed 15,000 square foot facility.

- No parking plan to serve this proposed volume of traffic presented.
- No emergency plan for successful evacuation of 1,217 visitors from an underground facility was presented.
- No infrastructure improvements approved, as the State Architect at the Public Hearing was unable to address this issue, including:
- Water
- Sewer
- Gas/Electricity: Similar questions as those listed above are asked for gas and electric utilities in the area.
- The entire topic of street access is one of the most vital issues surrounding this proposal. To date, representatives from the Tennessee

Residence Foundation have made no reference to the severe limitation of Curtiswood Lane.

- Possible commercial use has, to date, not been responded to by representatives of the Tennessee Residence Foundation. There are concerns that this facility could have commercial utilization of the property.
- No discussion of the repairing of damage to streets was held.

In view of these findings of facts, the application for the construction was denied.

Mike Allison, Chair City of Oak Hill Planning Commission Dated December 26, 2007

6 Oak Hill News

January 2008 **7**



CITY OF OAK HILL

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Non-Emergency Fire 327-1300

Non-Emergency Police

862-8600

West Sector Patrol

862-7747

Thank garden club for greenery

Many of you surely noticed the beautiful green Christmas swags hung from the street signs in the Oak Valley area.

"This tradition has been a part of the Oak Valley Garden Club for several years," said Garden Club president Cindy Smith. The members meet early in the season to assemble the beautiful decorations. The greenery is brought in from the neighborhood, arranged into the swags, and then attached to the street signs with help from the women's spouses.

This year the meeting for this project took place at the home of Mary Wherry and Janet Clough; and—also a tradition—Ruth Hessey supplied the group with her famous vegetable soup and cornbread for lunch!

The Garden Club members sincerely hope the project has brought a smile to the faces of many during the season, Smith said.

For more information on the Oak Valley Garden Club, contact Cindy Smith at 376-0577.



Glendale Spanish Immersion Curriculum requires lottery application

Glendale Spanish Immersion Elementary School reports that all incoming kindergarten students interested in its Spanish Immersion Curriculum must apply for admission through a lottery, whether they are in-zone

or out of zone.

Apply at the Board of Education Magnet Office, 2601 Bransford Avenue, by January 18.

No application is needed for the Traditional Curriculum, but children in both curriculums must apply at Glendale during kindergarten registration, April 7-11.

Call Glendale at 279-7970, the Board of Education at 815/259-INFO, or email mnpscustomerservice@mnps.org.

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