

PUBLIC WORKS COMMITTEE

April 29, 2008

3:00 P.M.

Councilman Rico, Chairman, called the meeting of the Public Works Committee to order with Councilmen Page, Berz, Benson, Gaines, Bennett, and Robinson present. City Attorneys Randall Nelson and Phil Noblett and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Bill Payne, Gary Hilbert, Missy Crutchfield, Barry Bennett, Steve Leach, Lee Norris, Jerry Stewart, Richard Beeland, and Mayor Littlefield. Paul Page, Daisy Madison, and Dickie Hutsell joined the meeting later.

Adm. Leach stated that Missy Crutchfield had another important meeting to attend and wished to come first tonight to go over **Resolutions (a) and (e)**.

Ms. Crutchfield first went over **Resolution (a)** on tonight's agenda that applies for a Grant from the Target Stores Foundation in the amount of \$25,000.00 to initiate Phase II of the "Straight Talk—Let's Talk About Drugs" anti-drug campaign for Chattanooga youth. She stated that they did not have the money in their budget for this.

Resolution (e) authorizes payment to P&C Construction in the amount of \$245,740.00 relative to the expansion and renovation of the restroom facilities project at the Tivoli Theatre. This was the lowest and best bid.

On motion of Councilwoman Gaines, seconded by Councilwoman Berz, these two Resolutions will be recommended for approval by the entire Council.

AGENDA ITEMS FOR APRIL 29, 2008

Adm. Leach noted that **Ordinances (a) thru (e) on Final Reading** were all Public Works related and have been discussed.

Ordinances—First Reading (b), (c), (d), and (e) are all housekeeping items and Gary Hilbert was present to cover these.

Ordinance (b) amends the Chattanooga City Code, Part II, Chapter 3, Section 3-7, relative to sign permits. Mr. Hilbert explained that we are changing the Sign Ordinance to charge \$25.00 for a Plan Review Fee.

Ordinance © amends Chattanooga City Code, Part II, Section 10-2(a), to remove any reference to Appendix H-Signs and to amend Section 10-3 by deleting subsection (q) in its entirety. Mr. Hilbert explained that we are removing this reference because we now have a Sign Ordinance that covers this.

Ordinance (d) amends Chattanooga City Code, Part II, Section 10-3 concerning special amendments to the International Building Code and the International Residential Code. Mr. Hilbert noted that he talked to the Legal and Legislative Committee several months ago about the time limit on building permits with residential construction—that up to \$250,000 the time allotted to finish would be 12 months, with increments of 18 months and half million dollars investments, and above a million dollars would be given 36 months to finish. He noted that this applies to both residential and commercial.

Councilwoman Berz asked if we had not had time limits before? Mr. Hilbert responded “no maam”; that previously after six months a building permit would be void.

Ordinance (e) amends Chattanooga City Code, Part II, Chapter 32, Article XII, Section 32-64, relative to excavation permit application fees. Mr. Hilbert stated that this was a housekeeping matter; that on Street Cut Permits we were billing utility companies and now Internal Audit says we can’t collect fees up front; that this adds the right for the Land Development Division to bill utilities on a monthly basis.

Councilman Page asked who determined the quality or responsibility for street cuts?

Mr. Hilbert responded that Tom Baggett monitors these and works closely with the City Engineer.

Councilwoman Robinson asked about the condition of a certain street—Barton Ave.—when would it be repaired? Mr. Norris responded that it was on schedule this summer.

Councilwoman Bennett asked if someone went longer than the time limit if they would have to come back and reapply? Mr. Hilbert responded that we could extend the permit, but they would have to pay another fee.

On motion of Councilwoman Bennett, seconded by Councilwoman Robinson, the above Ordinances will be recommended for approval by the entire Council.

Resolution (b) amends Resolution No. 25458 that authorizes Richard Butler to temporarily use a right-of-way at the entrance of the Heritage Ridge Subdivision located off Cassandra Smith Road to install an entry sign and a 20 ft. flag pole, to correct the name of the Temporary User to Heritage Ridge Subdivision Association, revise Condition No. 1 and replace the agreement attached. Adm. Leach explained that actually we approved this temporary usage two weeks back and the applicant wanted additional language for the insurance side and was concerned about the “hold harmless” issue with the City.

Mr. Payne added that the applicant, Richard Butler, was handling this on behalf of the Heritage Ridge Subdivision; that this Resolution will revise it to apply to the Association as a whole and not just Mr. Butler, and he will provide a certificate of insurance.

On motion of Councilwoman Gaines, seconded by Councilwoman Berz, this Resolution will be recommended for approval by the entire Council.

AGENDA ITEMS FOR MAY 6, 2008

Ordinance—First Reading 6(a) is a closure and abandonment for Office Coordinators, Inc. for the 400 Block of Myrtle Place and two unnamed alleys from the 1500 Block of Washington Street to the 1500 Block of Wilhoit Road. Adm. Leach explained that Office Coordinators were getting ready to re-plat their property for a warehouse and there were unnamed alleys in the block and that they were recommending approval with conditions. **On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, this will be recommended for approval by the entire Council.**

Resolution 7© authorizes Contract No. E-06-024-201, Tunnel Boulevard Sidewalk Extension Project, to Talley Construction Company, Inc., in the amount of \$248,134.85, plus a contingency amount of \$25,815.15, for a total contract amount not to exceed \$283,950.00. This is the last section of Tunnel Blvd., and they have long awaited the completion of sidewalks. **On motion of Councilman Page, seconded by Councilwoman Gaines, this will be recommended for approval by the entire Council.**

Resolution 7(d) authorizes the award of Contract No. S-08-003-201, to Street Cuts, LLC, for Private Sewer Service Line Repair (SLAP), in the amount of \$12,925.00, plus a contingency amount of \$3,000.00, for a total amount not to exceed \$15,925.00. This area includes Wheeler Ave., North Orchard Knob and Davenport and Adm. Leach stated that it was good for the community. **On motion of Councilwoman Robinson, seconded by Councilwoman Bennett, this will be recommended to the entire Council for approval.**

Resolution 7(e) authorizes an Agreement with Environment Materials, Inc. (EMI) to provide services of a qualified, trained, and bonded scale operator to operate the scales at the City Landfill on Birchwood Pike. The duration of the contract will be for one (1) year with an option by the City and the Contractor to mutually agree to extend the contract for three additional one-year periods. This will be at no cost to the City. **On motion of Councilwoman Robinson, seconded by Councilwoman Berz, this will be recommended for approval by the entire Council.**

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Resolution 7(f) authorizes Amendment 1 to an agreement between GSL Energy Solutions, LLC (GSL) and the City of Chattanooga to provide biosolids and wood mulch for the express purpose of allowing GSL to perform a full scale test of their process to convert biosolids and/or wood mulch into bio-oil. This amendment extends the term of the agreement by 180 days from the effective end date of April 27, 2008 of the original agreement. All remaining conditions in Section 10 remain in force. Mr. Leach stated that as the Council would recall, Summitt Landfill allowed this company to make bio-oil; that in the process, they need to extend their time 180 days to perform necessary tests. He stated that this was definitely an experience. **Councilman Page moved that this Resolution be recommended for approval by the entire Council.** He did, however, ask that someone tell us about bio-fuel.

Adm. Leach stated that they had two pieces of equipment on trailers—that they put the material in and then fuel comes out.

Councilman Page stated that he was curious about the future market for this bio-oil.

A person who was with GSL Energy Solutions explained that this was attractive to the environment; that they go through a heating process so that the material has only 10% moisture; that they get rid of the moisture and heat up the material by transferring direct material, and this goes into gas and then becomes oil. He stated that they still had a lot of bugs to work out.

Councilman Page asked what kind of oil it would be—motor oil or cooking oil and what was the future market?

The GSL representative responded that it would be industrial oil for high speed diesels; that they were not to the production level yet.

Councilman Page's motion was seconded by Councilwoman Bennett for recommendation for approval by the entire Council. She added that she thought we had asked them to come back when they are up and running.

Resolution 7(g) authorizes Addendum No. 2 to its contract with Earthscapes, Inc. for the beneficial use of wood mulch and leaves. Adm. Leach explained that this is at the North Hawthorn site; that we are working with them to give us revenue on a yearly basis; that they convert this to high quality mulch to sell at market price, and we both benefit; that we get \$80,000+ per year for this.

Councilwoman Robinson confirmed that it was good for the City. Adm. Leach stated that it was another way to recycle. Councilwoman Berz had a question about the Addendum. **On motion of Councilwoman Robinson, seconded by Councilwoman Berz, this will be recommended for approval by the entire Council.**

Adm. Leach next went over the purchases on tonight's agenda. The first was for ten gas monitors from IE Monitoring in the amount of \$16,600.00. This is needed for safety. **On motion of Councilwoman Bennett, seconded by Councilwoman Robinson, this purchase will be recommended for approval by the entire Council.** The second purchase was for a sand spreader from Cherokee Truck Equipment in the amount of \$36,408.00. **On motion of Councilwoman Gaines, seconded by Councilman Page, this purchase will be recommended for approval by the entire Council.**

At this point, Bill Payne introduced **Eddie Tate**, who is the new Engineering Pavement Manager and **Ariel Soriano**, the new Engineering Design Manager. Mr. Payne noted that the Council had seen Ariel several times and that he had a lot of good experience and that Mr. Tate would move projects forward.

SIDEWALKS OVERVIEW

Adm. Leach stated that we had been talking about sidewalks and sidewalks requests; that this was an interesting subject and sidewalks were not cheap—that they were very expensive. He asked Mr. Payne to give an overview.

Mr. Payne stated that a couple of weeks ago we discussed sidewalk construction and plans for the next year, and they were working from a two-year old list; that when they get requests, they had to prioritize; that as a refresher, they received requests from citizens, neighborhood associations, businesses, the Council, and the Mayor's Office. He stated that once these requests come in, they maintain a list; that they visit the site to determine the scope, including utility adjustments, drainage, and the need for retaining walls; that they estimate the costs and do an evaluation and then prioritize according to budget constraints. He noted that a 5' wide sidewalk would cost \$35 per linear foot, which would amount to \$21,000 in one block on both sides. If there are no curbs and gutters, it would cost \$22 per linear foot plus the \$35 for the sidewalk, amounting to \$57 per linear foot combined, with one block costing \$34,200. The typical sidewalk cost is \$35, plus \$22 for curb and gutter, and \$50 for drainage and/or retaining walls if needed, which totals \$107 per linear foot or \$64,200 for one block.

Councilwoman Bennett asked what it would cost to repair an existing sidewalk? Mr. Payne responded it would be \$35 per linear foot because they have to demolish the old and put the new in.

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Mr. Payne next addressed Streetscape for a 13' sidewalk including pedestrian lights, underground conduits, trees, curb and gutter, and no pavers or stamped concrete, with the cost being \$206.00 per linear foot or \$123,600 for one block. The sidewalk evaluation criteria is proximity to churches, schools, civic centers, parks, recreation centers, greenways, mass transit stop, and special needs. Mr. Payne stated that this was important in dealing with funding and budgeting; that they had to be conscious of bus routes and ADA and Special Needs.

He ended by saying that this is a briefing on what they were doing with the requests that the Council sends in. He also noted that they were extending the time for the Council to get their requests in until tomorrow afternoon.

Councilwoman Berz asked that Mr. Payne e-mail this information to her.

Councilwoman Bennett asked about money from the "Safewalk to Schools" program; that if streets qualified for "Safewalk", does this include these dollars? Mr. Payne responded that streets have to meet certain criteria to qualify for "Safewalk"; that the money he was talking about today was general fund money, including CDBG money; that "SafeRoute" is TDOT administered, and they pay 100% of design and construction costs; that they have to be within two miles of a school, and they allow \$250,000 per project. He stated that they did not handle these projects out of Public Works.

Councilwoman Robinson asked if they matched up these streets? Mr. Payne responded that they did "weave" through the maze of different agencies. Councilwoman Robinson confirmed that Councilmembers do not have to break the streets into these funds. Mr. Payne responded that if streets are eligible for State funds for the School "SafeRoute", that they pull them out.

Councilman Page asked concerning new developments, at what point we ask them to do sidewalks? He wanted to know if we have this ability in new developments?

Mr. Payne responded that sidewalks are a developer's option, and on day one we request but usually we are "saddled" with this responsibility. He stated that they would be supportive of making this mandatory.

Councilman Benson mentioned that Zoning might require sidewalks.

Councilman Page wanted to know how much the City can require?

Councilman Benson thought that this might could be required if they change zones.

Councilwoman Robinson stated that since we are going "green" she thought that it was important that we make this request to the Planning Commission.

Adm. Leach stated that we had wrestled with requiring this and had asked if developers could do something like walking trails; that it was difficult to request sidewalks because sometimes it was difficult to get roads in, much less sidewalks.

Attorney Nelson noted that this would be considered Conditional Rezoning.

Adm. Leach mentioned Councilman Benson's district, where a subdivision had put in 3' sidewalks that made sense and looked attractive. Councilman Benson agreed—as long as you walk single-file.

Councilwoman Berz wanted to know what makes it so hard for us to require sidewalks.

Adm. Leach responded that sometimes the land does not lay well for sidewalks and there are also drainage issues; that it is difficult to fit sidewalks in on every application, and the cost is extraordinary.

Councilwoman Berz stated that they ask us for permission to build a subdivision, and if they don't supply sidewalks, it puts us on the "hook", and she questioned why we would not just require them—otherwise we are putting ourselves on the "hook". She wanted to know what she was missing?

Attorney Nelson again noted that it would be contract zoning.

Mr. Payne stated that there were two issues—contract zoning and the other is new subdivisions where there is no zoning requested—that this is under the Planning Commission's purview.

Councilwoman Berz confirmed that the Planning Commission could do this if they wanted to.

Mr. Payne responded that there is a provision for them to get out of putting in sidewalks.

Councilwoman Bennett stated that neighborhoods assume that when there is new development that sidewalks come along with it. She mentioned a situation in her district where the sidewalk runs out and sections do not connect.

Adm. Leach stated that this was not an easy subject.

BUDGET ORDINANCE AMENDMENT—DAISY MADISON

Ms. Daisy Madison went over **Ordinance VI(f) First Reading** on tonight's agenda that amends Ordinance No. 11994, so as to amend city employee position titles and pay grades. She explained that this effects the implementation of the Pay Study by amending the Budget Ordinance and amending the Pay Plan. She stated that she would like the Council to approve this as a new amendment; that it needs to be put on tonight's agenda.

Councilman Page stated that we started out with a poor product, but the last time this was presented, it made a lot of sense and addresses the problem; that he knows not everyone will be happy with this. **He made the motion that this be placed on tonight's agenda for first reading with a recommendation for approval by the entire Council. This was seconded by Councilwoman Gaines, with Councilwoman Berz abstaining.**

GENERAL SERVICES PURCHASES—PAUL PAGE

Mr. Page went over five purchases on tonight's agenda. The first was for an audio system for the Mayor's Conference Room on the third floor of City Hall from Gault and Associates, Inc. in the amount of \$26,316.00. **On motion of Councilwoman Gaines, seconded by Councilwoman Berz, this will be recommended for approval by the entire Council.**

The second purchase was for Change Order #1 in the amount of \$26,764.79 for additional moving services in the City Hall Annex. This is with Armstrong Relocation, and the total revised amount is \$71,764.79. **On motion of Councilwoman Gaines, seconded by Councilman Page, this will be recommended for approval by the entire Council.**

The third purchase was for truck tires as needed and requested by the Fleet Management Division of the General Services Dept. from Best One Tire in the amount of \$154,091.51 for a 12-month contract with the option to renew for three additional twelve-month terms. **On motion of Councilwoman Gaines, seconded by Councilwoman Berz, this will be recommended to the full Council for approval.**

The fourth purchase was for grounds maintenance services with Southeast Grounds Maintenance, Inc. in the amount of \$15,840.00. Mr. Page stated that they received 39 quotes on this. He explained that when vacant properties don't sell at auction, then we have to maintain them. **On motion of Councilwoman Gaines, seconded by Councilwoman Bennett this will be recommended for approval by the entire Council.**

The fifth purchase was for a truck lift and two truck stands from Heavy duty Lift & Equipment in the amount of \$18,820.00. **On motion of Councilman Page, seconded by Councilwoman Gaines, this will be recommended for approval by the entire Council.**

Going back to mowing the grass on vacant properties that do not sell at auction, Councilman Benson asked if the County does not help us on this. Mr. Page responded that he had asked them to a 100 times. Councilman Benson asked if we could not withhold our expenses when we pay county taxes on the lots. It was noted that they collect the taxes.

Attorney Nelson noted that this was a 35 year long battle.

Mr. Page next went over **Resolution (h)** on next week's agenda that authorizes a Right-of-Entry Agreement with Hamilton County and the University of Tennessee at Chattanooga. This is for an intramural ball field. Councilwoman Gaines asked if Councilman Pierce was aware of this? **On motion of Councilwoman Bennett, seconded by Councilwoman Robinson, this will be recommended for approval by the entire Council.**

Resolution (i) on next week's agenda declares as surplus and for sale a tract of land located at 2412 10th Avenue and authorizes the Director of General Services to execute any and all documents necessary for the sale of said property to C&L Rentals for the amount of \$25,000.00. Mr. Page noted that it was only worth from \$16,000 to \$17,000, and this owner wants to buy it for \$25,000.00.

Councilwoman Robinson asked if this would be subject to no cell towers on the property.

Councilman Benson moved that this be recommended to the full Council for approval with a Deed Restriction that says no cell towers.

Councilman Page asked if \$25,000 was market value and questioned if we had to bid this out? Mr. Paul Page noted that it was appraised at \$17,000. Councilman Page still questioned if we could sell it without bidding it out.

Attorney Nelson explained that we were getting \$8,000 more than it appraised for.

Mr. Page confirmed that the property was located at 2412 10th Ave.

The meeting was adjourned.