

PUBLIC WORKS COMMITTEE

May 13, 2008

3:00 P.M.

Councilman Rico, Chairman, called the meeting of the Public Works Committee to order with Councilpersons Robinson, Benson, Berz, and Gaines present. Councilman Franklin joined the meeting later. City Attorney Randall Nelson and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Richard Beeland, Jerry Stewart, Lee Norris, Adm. Leach, Karen Rennich, Greg Haynes, Barry Bennett, Paul Page, Bill Payne, Justin Holland, and Dan Johnson. Mayor Littlefield, Larry Zehnder, and Daisy Madison joined the meeting later.

Adm. Leach mentioned the Mayor's Proclamation for "Public Works Week" and two other Resolutions that would be discussed—one dealing with the Orange Grove Center for Parks and Recreation and the other for Neighborhood Watch Signage with the Police Department; also Paul Page had some purchases to go over.

AGENDA ITEMS FOR MAY 13, 2008

Ordinance 5(a) was a closure and abandonment for Office Coordinators, Inc., abandoning the 400 Block of Myrtle Place and two unnamed alleys from the 1500 Block of Washington Street to the 1500 Block of Wilhoit Road. This Ordinance is on the agenda for final reading tonight and was discussed last week.

Ordinance 6(a) amends the Chattanooga City Code relative to a standard Address Numbering System relative to street names. Adm. Leach stated that this had been discussed in Legal and Legislative Committee already and that he would proceed unless there were questions.

Councilman Benson stated that no one was happy about this but that the Council had recommended approval.

Ordinance 6© was a street name change of the 3700 Block of Polk Avenue to the 3700 Block of Seminary Street. Adm. Leach explained that this was a very segmented street and that the residents were agreeable to this.

On motion of Councilman Benson, seconded by Councilwoman Robinson, the above items will be recommended for approval by the entire Council.

Ordinance 6(g) was a street name change of the 5200 Block of Polk Avenue to the 5200 Block of Lomnick Drive. Adm. Leach stated that this was another segment of Polk Avenue and was the suggested name by the neighborhood. **On motion of Councilman Benson, seconded by Councilwoman Berz, this will be recommended for approval by the entire Council.**

Councilman Benson confirmed that we could not name a street after someone who is still living. Adm. Leach stated that it could be an honorary thing.

Resolution 7© authorizes acceptance of a donation in the amount of \$229.00 from Dean Construction LLC for the purchase of a Flash CAM-DBO-REFURBISHED Dummy System, for which the City has no obligation to enter into a contract/agreement or perform services. Adm. Leach explained that this was a Dummy Trash Camera and was a donation. **On motion of Councilwoman Berz, seconded by Councilwoman Gaines, this will be recommended for approval by the entire Council.**

Resolution 7(d) authorizes an Urban and Community Forestry Grant from the Tennessee Division of Forestry in an amount up to \$30,000.00, with the required equal match being provided by the City's Appropriations to General Funds. Adm. Leach added that this would continue our inventory of trees. **On motion of Councilwoman Robinson, seconded by Councilwoman Berz, this will be recommended for approval by the entire Council.**

Resolution 7(e) authorizes an agreement with Jordan, Jones & Goulding, Inc., relative to Contract No. W-08-006-101, Phase 2—Wastewater System CMOM and Miscellaneous Services, in an amount not to exceed \$50,000.00. **On motion of Councilman Franklin, seconded by Councilwoman Robinson, this will be recommended for approval by the entire Council.**

Resolution 7(f) authorizes an agreement with TranSystems/Litchenstein relative to Contract No. E-07-007-101, Walnut Street Bridge, Biennial Inspection, Design, and Construction Phase Services, in an amount not to exceed \$99,870.00. Adm. Leach explained that this also included the Holmberg Bridge, which is a pedestrian bridge. **On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, this will be recommended to the full Council for approval.**

Councilman Benson asked when the Walnut Street Bridge was last inspected? Mr. Payne responded in 2005; that they were waiting for another inspection until after the Market Street Bridge work was finished.

Adm. Leach added that the Holmberg Bridge has not been inspected as of yet.

Resolution 7(g) authorizes an agreement with Jordan, Jones & Goulding, Inc. relative to Contract No. W-08-005, J-VAP Remedial Action at the MBWWTP Solids Handling System Demonstration and Renovation of Plate and Frame Presses, in an amount not to exceed \$143,850.00, which amount shall be reimbursed by Siemens per their agreement with the City. Adm. Leach explained that one of the conditions of the agreement was that a third party Engineering Co. would look over their shoulder on this; that it would be passed through Siemens. **On motion of Councilwoman Gaines, seconded by Councilwoman Franklin, this will be recommended to the full Council for approval.**

Resolution 7(k) authorizes Alan Solon to temporarily use the right-of-way at the intersection of River Gorge Drive, Wildrose Lane, and Aetna Mountain to install a control gate for the construction entrance for current and future development, subject to certain conditions. Adm. Leach noted that there had been a discussion about Aetna Mountain on Chattanooga.com today; that it is a huge residential area in Lookout Valley; that there is an issue on the existing road with four-wheelers, and Mr. Solon is asking to be allowed to close this off—that it is a trespassing issue on private property, and this will just be temporary. **On motion of Councilwoman Robinson, seconded by Councilwoman Gaines, this will be recommended for approval by the entire Council.**

Councilman Franklin asked the total amount of property? Mr. Solon responded that it is 3200 acres with 2700 acres being on the mountain; that 1,000 acres is developable.

Adm. Leach added that a portion is in the City, and it is an unusual situation with the four-wheelers.

Since Adm. Zehnder was not present, Adm. Leach went over **Resolution 7(b)** that approves a payment to Orange Grove Center, Inc. in an amount not to exceed \$31,722.00 for custodial services at the Fitness Center and Warner Park/Frost Stadium during November 2006 through April 2008. Adm. Leach explained that there was a contract out there, and this makes the contract current; that there is money owed Orange Grove that has not been paid. **On motion of Councilwoman Berz, seconded by Councilwoman Robinson, this will be recommended to the full Council for approval.**

Resolution 7(j) authorizes acceptance of a Department of Homeland Security Citizen's Corp. Grant as a "pass through" from Hamilton County Emergency Services. The total grant to HS District III will be administered by Hamilton County and allots \$2,756.22 for the purchase of Neighborhood Watch signs. **On motion of Councilwoman Robinson, seconded by Councilman Franklin, this Resolution will be recommended to the full Council for approval.**

PAUL PAGE—PURCHASES

Mr. Page went over the following purchases: (1) A Blanket Contract for City-wide purchase of paint and paint supplies from Sherwin Williams Paint for approximately \$40,500.00 per year. **On motion of Councilwoman Robinson, seconded by Councilman Franklin, this will be recommended for approval by the entire Council.** The next purchase was for a Ford F550 Truck from Mountain View Ford in the amount of \$64,383.03. **On motion of Councilwoman Robinson, seconded by Councilwoman Berz, this will be recommended to the full Council for approval.** The last purchase was for three Toyota Prius, Hybrid Sedans to be used by the Meter Maids from Mountain View Ford in the amount of \$64,383.03. This was not the lowest bid but Mr. Page felt we needed to deal locally in order to get warranties. **On motion of Councilman Benson, seconded by Councilman Franklin, this will be recommended to the full Council for approval.**

PUBLIC WORKS' PURCHASES

Adm. Leach went over the following purchases: Wooden poles from Southern Lighting & Traffic Systems, ranging from \$205 to \$330. Adm. Leach stated that this was not a big item. **On motion of Councilwoman Robinson, seconded by Councilwoman Berz, this will be recommended for approval by the entire Council.**

The next purchase was a Requirements Contract for adjustable floating frames from Mueller Canada in the amount of \$545.00 per frame. This is a new product in the way of manhole covers. **On motion of Councilwoman Gaines, seconded by Councilman Franklin, this will be recommended for approval by the entire Council.**

The last purchase was for rubber speed cushions and curbing and asphalt speed humps from Williams Construction Co. This is also a Requirements Contract.

Councilman Benson asked what a Requirements Contract was? Adm. Leach explained that we enter into these contracts for a year. **On motion of Councilman Franklin, seconded by Councilwoman Gaines, this will be recommended to the full Council for approval.** In the way of explanation of a Requirements Contract, Attorney Nelson explained that it is used when you don't know exactly how much of an item you will need each year—"thus—as required".

ONE-WAY STREETS AND GARBAGE COLLECTION

Mr. Lee Norris went over a situation that Public Works had encountered. He stated that we had a lot of one-way streets that are narrow and short that pose a problem for our automated garbage trucks service; that we have these trucks backing down the road, which is a serious safety concern and is not economically feasible. He explained that they were planning to identify the side of the road that cars should park on garbage collection days; that the first targeted area would be Lupton City and then a street off Mississippi. He stated that this seems to be working well.

Councilman Rico mentioned that there was a street in his district that could not be used for automated garbage trucks because of cars being parked on both sides. Mr. Norris stated that Councilman Rico should let him know which street this is.

“PUBLIC WORKS WEEK” ACTIVITIES—JUSTIN HOLLAND

Mr. Holland presented a hand-out, which is made a part of this minute material. He stated that “Public Works Week” is a nationally recognized week and the last three years we have celebrated it. He stated that this was a unique opportunity and that on May 18th we would be at the Chattanooga Market with public works’ equipment and technology on display to visitors; that kids would be able to come through and touch and feel and that all their departments would be represented from 12:00 p.m. to 5:00 p.m. On Tuesday, May 20th there will be a Chattanooga State Community College Career Fair and all departments of Public Works will be represented to promote Public Works as a career and to promote technical trades for the community college. On May 22nd, employees of the Chattanooga Public Works Department will be honored during an appreciation lunch at the First Tennessee Pavilion from 11:00 a.m. to 1:30 p.m. In addition, there will be roadside displays in prominent areas along the roadway advertising Public Works Week. Mr. Holland stated that they were looking forward to this week and would appreciate the Council’s support and urged them to please come by.

Councilwoman Berz commended Mr. Holland, stating that he had done a terrific job. Mr. Holland responded that everyone was excited about this.

REZONING MATTERS—GREG HAYNES

Adm. Leach stated that this would be an informational presentation.

Mr. Greg Haynes was present with a power point presentation to go over agenda cases that are on tonight's agenda.

The first case was **2008-070/Rostis Timoshchuk from R-1 to R-T/Z**, rezoning a tract of land in the 8900 Block of Rostis Lane. Mr. Haynes noted that there was no opposition at the Planning Commission meeting, and the applicant wants less front setbacks so that the homes can be closer to the road. He stated that this was a reasonable request and that they recommended approval with two conditions—Single-family detached and traffic calming.

Councilman Benson stated that he was not so certain about the appropriateness of going through these cases in a public hearing; that he questioned the advisability of starting this.

Mr. Haynes stated that the request came from Councilwoman Bennett.

Councilman Benson stated that he felt if we were going to have public hearings on these cases that we should let all of the neighbors know; that he had some problems about this.

Councilwoman Berz stated that she thought the intent was just to present information and that there would be no discussion.

Mr. Haynes stated that he was just complying with a request from a Councilmember.

Councilwoman Berz stated that she appreciated getting a first glance at this.

Attorney Nelson noted that one public hearing was required before adopting an Ordinance.

Adm. Leach stated that the purpose of this briefing was not to vote.

Councilman Benson stated that we had never done this before, and he felt that we should let the neighborhoods come in to hear this.

Mr. Haynes stated that the original request was for this to come before the Economic Development Committee.

Councilman Benson still maintained that if we were going to hear these cases discussed, then all of the neighborhoods should come.

Councilman Franklin questioned if such hearings about zoning cases should be advertised?

Mr. Haynes stated that he would discourage advertising this.

Councilwoman Berz asked if the committee agendas are put on the website and wanted to know how people know that committee meetings are open to the public?

Attorney Nelson noted that committee meetings are announced at Council meetings on Tuesday night and are also posted on the bulletin board outside.

Councilwoman Berz asked if this met legal requirements and was told "yes".

Councilman Benson stated that if this practice continues that he would get the interested public out to committee meetings; that he felt this was appropriate if discussions were going to be held that affect the future of neighborhoods.

Adm. Leach stated that the Chairman of the Council was not here and that she was the one interested in having this done; that he did not want to replicate public hearings but the public was certainly welcome to be here. He stated that the purpose of this was just to give "you guys" information; that it was for information purposes.

Councilman Benson maintained that the Council already had this information in their books.

Councilwoman Berz stated that she appreciated the visual; that we could tell anyone we wanted to about the public meetings.

At this point, Mr. Haynes questioned if he should push the next button for the next case?

The next case was **2008-072 (Jeff Cannon)** from M-1 to C-3, to rezone a tract of land located at 81 East Main Street. Mr. Haynes stated that this case was also unopposed and that they were recommending approval with the typical conditions and that this be consistent with the downtown plan.

Councilman Benson stated that there would be problems with this tonight and questioned whether we were supposed to discuss this now or later?

The next case was **2008-073 (William H. Wilkerson)** from R-1 to R-4, to rezone a tract of land located at 921 Bradington Avenue. Mr. Haynes stated that there were some questions about stormwater runoff to the R-4 portion facing Hamill Road; that they wanted to extend the use and rezone the back portion; that there was no strong opposition.

The next case was **2008-074 (Ken Pritchard)** from M-1 to C-3, to rezone a tract of land located at 400 East Main St. Mr. Haynes stated that there was no opposition and that they recommended approval using C-3 conditions.

The next case was **2008-079 (Matt Brown)** from R-4 to C-3, rezoning a tract of land located in the 900 Block of East 8th St., 710 Palmetto Street, and 800 McCallie Ave. Mr. Haynes noted that there had been quite a bit of discussion on this, and they had received opposition from the MLK Neighborhood Association. This involves the Salvation Army, who is wanting rezoning to C-3 for new housing and also a parking plan. He explained that they recommended approval of a portion of the site; however this would be difficult to enforce.

The next case was **2008-080 (Matt Brown)** from R-1 to C-3, rezoning a tract of land located in the 900 Block of East 8th Street. Mr. Haynes stated that they were asking for withdrawal of this as there had been quite a bit of opposition in getting both rezoned; that they would be here tonight to ask that this be withdrawn.

Mayor Littlefield asked to go back to the former case and discuss conditions. Mr. Haynes responded that they would use the usual C-3 conditions.

Councilman Benson stated that he had questions but did not know whether to bring these up now or later at the Council meeting.

The next case was **2008-085 (David C. Miller)** to lift conditions imposed in Ordinance No. 10895 on a tract of land located at 1912 South Willow Street. Mr. Haynes explained that they were redeveloping the old Oak Grove School for Senior Apartments and this was a wide-open C-2 area; that they were recommending approving the area to be rezoned from C-2 to R-4; that they were recommending denial of lifting the conditions but would recommend approval for R-4 with conditions. He noted that the applicant was fine with this with the exception of the third condition, which was a sight-obscuring fence (3rd condition). He noted that the applicant wanted relief from this condition; that he had met with the neighborhood association and worked this out and that he would suggest alternative language.

Adm. Leach stated that Public Works had a question about the number of units that would be allowed.

Attorney Nelson asked that “elderly” be defined? Mayor Littlefield jokingly said “just put a picture of Jack Benson beside it”.

Councilwoman Berz also had questions about elderly housing?

Chairman Rico stated that usually this meant over 55 years of age.

Councilwoman Berz wanted to know if this meant elderly people or just that no kids would be allowed?

Councilman Benson agreed that this was not too clear—that elderly houses could just be “old” houses or could be houses for the “old”.

Mr. Haynes responded that they would rely on the applicant to define this—whether it is Senior Apartments or Elderly?

Councilwoman Berz still questioned what housing for the elderly meant?

Mr. Haynes explained that there would have to be a Special Permit for a Home for the Aged.

Councilwoman Berz wanted to know if there would be breaks in price? She also wanted to know if they would have to define this for federal funding?

Councilwoman Gaines asked if they had to be licensed by the State?

Attorney Nelson noted that the definition for a residential home for the aged was 60+.

Adm. Leach suggested that all of these questions be asked of the applicant tonight.

Mr. Haynes noted that they were recommending approval of this.

Councilwoman Gaines noted that she had a similar case in her district that went to the Board of Appeals.

Chairman Rico stated that this case was different.

Councilwoman Gaines wanted to know if the State would be controlling this? Mr. Norris responded that the applicant was trying to secure funding from the State to do this.

The last case was **2008-087 (Matt & Julie Rogers)** from R-1 to RT-1 on tracts of land located in the 300 Block of Pine Ridge Road. This is in North Chattanooga and would be two-unit townhouses in an area that is mostly R-1. Mr. Haynes explained that they were recommending denial because they did not feel this would be compatible with the neighborhood and there was opposition.

Resolution 7(h) was case no. **2007-212 (Habitat for Humanity c/o Dennis Neal—Final PUD)**, known as The Covenant Planned Unit Development on tracts of land located in the 1600 Block of Eucalyptus Drive. This is in Brainerd. Mr. Haynes noted that the Preliminary PUD had already been approved.

Chairman Rico thanked Mr. Haynes, stating that he would probably not have to do this again. He suggested that Councilman Benson and Chairman Bennett (our noble leader) get together on this.

The meeting adjourned at 3:50 p.m.