

PUBLIC WORKS COMMITTEE

July 14, 2009

Councilman Rico called the meeting of the Public Works Committee to order with Councilmen Scott, Berz, McGary, Gilbert, Robinson, Murphy, Ladd and Benson present. City Attorney Mike McMahan and Council Clerk Carol O'Neal were also present.

Others present included Dan Johnson, Phil Noblett, Steve Leach, Lee Norris, Vickie Haley, Jerry Stewart, Bill Payne, Dennis Malone and Jim Templeton.

AGENDA: JULY 14, 2009

Adm. Leach referred to tonight's agenda, noting the closure and abandonment for Vitality Livarchuk (MR-2008-150).

Dennis Malone explained half of the closure would go to Mr. Livarchuk and the other to the owner of the property.

Councilwoman Scott asked if this was ever a road all the way through, to which Mr. Malone responded that it was platted but never all the way through.

Resolutions b, c, d, e, f, g and h on tonight's agenda were all explained through PowerPoint by Dennis Malone which were, respectively: Agreements w/ CTI Engineers, Inc. for the new Eastgate Pump Station and Force Main Project and upgrade of the South Chickamauga Creek Pump Station and Force Main Project that were deferred from June 30; an Offer to Purchase Tract 19 of Enterprise South Industrial Park; accept grant from Lyndhurst Foundation; Change Order #2 with Dennis Smith; Maintenance Contract with TDOT; and a Contract to East Tennessee Grading, Inc. for the Enterprise South Roadway Extension Phase 1B

Councilman McGary inquired as to why the CTI agreements were deferred to which Adm. Leach explained there were questions in reference to the language in the agreement and the City Attorney looked at it.

City Attorney McMahan stated that they met with the engineers and there were a couple clauses that were changed; that the contract is a standard form engineering contract endorsed by different engineering groups.

Councilwoman Scott inquired why it looked different from others that had not been deferred.

City Attorney McMahan stated he was not sure; that the others had clauses dealing with deferral in the event the contractor went over the normal contract time and the engineering supervisor would supply someone to maintain the supervision. He stated the owner would seek liquidated damages from the contractor for not completing on time and pay additional charges for keeping someone on the site longer. He stated this contract had language indemnifying the engineer in the event the contractor brought claims against the city and we corrected that. He stated the contract forms are recognized by nationally professional organizations.

Jerry Stewart stated the American Council of Consulting Engineers, the Association of Professional Engineers and the Association of General Contractors looked at and endorsed it.

AGENDA: JULY 21, 2009

Adm. Leach stated Resolution (c) involves a Change Order relative to the Shallowford Road Sewer Relocation contract with Mayse Construction.

Dennis Malone stated they had to relocate pieces of the existing sanitary sewer due to the work being done by the State that has been going on for three years. He stated the project just finished up.

At this point Larry Zehnder explained Resolution (d) referencing the agreement with the Tennessee Valley Railroad Museum and stated no money is involved as it is just an agreement to encroach on their easement. He stated that it allows the Railroad Museum to finish the crossing tracts and signalization and actually pave the road up to Holtzclaw. He stated they want to get this done as quickly as they can so it can be finished this summer.

Councilman McGary asked if there are any architectural renderings. Adm. Leach responded that this involves only the crossing with signals.

MINUTE APPROVAL

On motion of Councilwoman Ladd, seconded by Councilwoman Robinson, the minutes of the meeting of June 30 were approved as published.

PURCHASES

Adm. Leach stated the following purchases will be presented at tonight's Council meeting for approval: MHC Kenworth, Best bid for purchase of Refuse Recycling Collection Trucks (\$440,762.19); ACS Government Systems for purchase of Software and Maintenance Agreement for Banner Financial Software System and Philadelphia Electrical Equipment (\$63,150.13), Purchase of a Used Natural Gas Generator (\$38,446.00). He stated the department is asking to rescind the bid for Harry Lewis Chrysler for purchase of a 2009 Dodge Charger in the amount of \$19,186.00.

BRUSH AND TRASH POLICY UPDATE

Councilman Benson asked for a progress report on the new brush and trash policy noting that he has had a lot of calls about this.

Jim Templeton stated the Brush on Demand has been up several days and several people at still signing up. He stated there were 205 people who had questions or complaints and as of yesterday it was down to 105. He stated they are in Area 2 this week as they have not had service in a month; that they are trying to work it out.

Councilwoman Berz stated she has had several questions from people in her district who are having difficulty understanding why if a person knows of nine different locations on the street there would have to be nine separate calls for service.

Mr. Templeton explained that all routes are service requests and they need addresses.

Councilwoman Berz stated they are driving past houses with brush and that household has to make the call.

Mr. Templeton stated if the house is next door they have been picking it up, to which Councilwoman Berz responded “no, you have not”.

Mr. Templeton stated that they worked out routes based on 40 stops. Councilwoman Berz acknowledged that she heard Mr. Templeton, indicating that the truck drives past other houses needing pickup and asked how this saves money.

Dan Johnson stated that the savings is in overtime.

Mr. Norris stated until everyone understands how the system works we will have these problems.

Councilwoman Berz stated a person called and said there were eight houses needing pickup services and they were told they would have to call eight times and it makes no sense! Mr. Templeton expressed that he understood.

Adm. Leach stated there was a lot of damage the first week this kicked off and threw a “money wrench” in their work and they had to have time to work it out.

The meeting was adjourned at 4:10 p.m.

(The Clerk of the Council maintains a digital recording of this Committee meeting that is incorporated herein by reference and available for public review in the Council Office.)