

PUBLIC WORK COMMITTEE
October 6, 2009
3:20 P.M.

Councilman Rico, Chairman, called the meeting of the Public Works Committee to order, with Councilmen Benson, Ladd, Scott, Robinson, Murphy, McGary and Gilbert present. City Attorneys Michael McMahan and Crystal Freiberg and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Steve Leach, Lee Norrs, Jerry Stewart, Gary Hilbert, John VanWinkle, Dennis Malone, Mo Minkara, Jim Templeton, Bill Payne, Dan Johnson, Chief Williams, Barry Bennett, Paul Page, Richard Beeland, David Johnson, Missy Crutchfield, and Greta Hayes. Daisy Madison joined the meeting later.

DRIVERS' EDUCATION PROGRAM—JOHN VANWINKLE

Adm. Leach introduced John VanWinkle to make the presentation on Driver's Education, which will be funded through Traffic Camera funds. He recognized the presence of Judge Bean, Judge Paty, and David Carroll. He turned the meeting over to Mr. VanWinkle.

Mr. VanWinkle stated that he would try to limit this to a ten minute presentation; that a Task Force was formed in 2005 with a call to action by David Carroll. It was called the Driver Education Task Force. He noted that Driver Education was dropped from our public schools as an elective in the 1980's and a committee was formed with David Rader as the Chairman and Judge Bean was a member of this committee; that in 2006, the School Board was asked to bring Drivers' Education back into the school process—they could not support this because of a lack of funds and curriculum restraints. Mr. VanWinkle did mention that parents funded this in East Ridge and there were also programs at Red Bank High School and Central High School, but the programs did not continue.

He went on to say that the Committee had no where to go until Photo Cameras offered an opportunity; that all revenues generated from the traffic cameras made it possible to focus on this. This money was to be appropriated to Driver Education and now the Committee can follow through; that they had developed a Training Plan and will select a local company for training services and bids will be opened, and this contractor will provide personnel and vehicles. This program will be open to any city resident and there will be no conflicts with schools as these training programs will be held at recreation centers. The first test site will be the Brainerd Recreation Center, and it will be a five-week class. In January two other sites will be available—John A. Patten and Washington Hills. Mr. VanWinkle indicated that they hoped to go citywide.

Mr. VanWinkle noted that the number one cause of death among young drivers between the ages of 15-24 is automobile accidents. Defensive Driving Classes will be offered with the help of the Chattanooga Police Dept. and “Street Survival”, which is where kids get behind the wheel and understand the responsibility they are taking. He went on to say that this program will be supported by several departments, including Public Works, Parks and Recreation facilities and audio-visual aids, along with Chief Williams and Joe Warren of the Police Dept. Members of the committee will be available to help with the training. He mentioned that Education, Arts and Culture will help with a promotional series to get kids signed up. The Fire Dept. will help with managing the \$180,000 to fund this for the first year. The cost of training will be \$400 per student, and the parents will be asked to pay \$50.00 as a buy-in; that they wanted to make this a very attractive program to parents. He went on to say that the Recreation Centers do not have the needed materials; that some materials could be donated, and we will need \$10,000 for publicity. He stated that they believed that funding sources were out there, mentioning Valvoline Racing to Excellence and the Chattanooga Regional Sports Car Club of America. He stated that they would start with a pilot program.

At this point, he recognized committee members present—David Carroll, Judy Appleby and Judge Bean.

Councilman Murphy asked Mr. VanWinkle if he had heard him correctly when he said no benefit death rate for teenagers? Mr. VanWinkle responded that the program in public schools had not been what they should have been, and we want to be the model in this. Councilman Murphy again asked if there would be no benefit for driver education? Mr. VanWinkle mentioned that when we had Drivers’ Education in public schools years ago there were no sustaining positive effects (Councilman Benson disagreed with this). He stated that we wanted this program to be more dynamic and comprehensive. Councilman Murphy asked if he had any data on the new program, and the answer was “no”. Mr. VanWinkle did say that he had done some research in other cities and Michigan had a program that was made a part of getting a driver’s license; that we need the defensive driving aspect.

Councilman Gilbert stated that he would provide two students—his twins. He asked if Allstate Ins. Co. had approached Public Works about a discount? Mr. VanWinkle agreed that they might help support these types of programs. Councilman Gilbert stated that insurance companies could give a discount, which would help out parents. Mr. VanWinkle stated that we should be able to get some advertisement that this would make our streets safer.

Councilman McGary mentioned the funding of \$180,000 and asked if this would be all city funding. He also asked about the \$76,000 difference. Mr. VanWinkle explained that they did an estimate and did not want to pad it—that we would not use this much money if we did not need it. Councilman McGary asked which Budget this was in and was told this year’s budget.

Mr. VanWinkle indicated that this program might run through the summer. Councilman McGary stated that the recreation centers should be equally distributed—north, south, east and west. Mr. VanWinkle indicated that this was designed to be spread around; that these first three recreation centers showed the most interest.

Councilwoman Ladd asked who would be responsible for the liability? Mr. VanWinkle responded that it would be the vendor's responsibility.

Judge Bean spoke, stating that they sent young drivers to Defensive Driving School, which changed their habits; that this program would help and was off to a great start; that the camera money could be used, and we could have a state-wide program; that he had a concern that this was limited to city residents only—that we need to get to all schools within the county.

Councilman Benson suggested that those outside the city could pay the full cost if space was available. Judge Bean noted that some could not even afford the \$50.00. Councilwoman Robinson asked about the availability of scholarships. Mr. VanWinkle responded that they were open to any ideas; that the State Legislation was having a meeting to discuss barring photo enforcement, and he was asking city leaders to attend this meeting; that the Committee was going to make a statement, and they needed some support from the City Council in order to make our streets safer.

WATER QUALITY FEE RATE STRUCTURE

Bill Payne stated that there was a full presentation of **Ordinance 5(a)** two weeks ago at the City Council 6:00 meeting; that this was a requirement under Federal Law, and we are under a Consent Order and were trying to bring this under a single funding. He present a break-down of the proposed revenue, noting that single family is 26%; commercial is 35%; industrial 16%; and institutional and utilities are the small amount that is left.

At this point **Ray Childers of CMA** was allowed to speak. He stated that he would read his presentation and would be making the same presentation at tonight's meeting; that he would make his report available tonight. He pointed out that CMA supports these changes but believed that the increase must be moderated and was unjustified; that it should be set at no higher than \$6.00, and this must be run like a business and be as lean as possible.

Adm. Leach indicated that there would be a longer presentation at tonight's meeting.

Councilwoman Robinson asked about offering incentives to businesses that further improve their runoff; that this is on the cutting edge; that she would like to see us look at this in more innovative ways.

Mr. Payne stated that we currently have a system of credits today.

Councilwoman Robinson stated that this needed to be fully articulated.

Mr. Childers stated that the credits are limited and should be expanded.

Councilman Benson was concerned as to how much this will enable us to go on private property; that he would never vote for this to go on private property without some guidelines. Mr. Payne responded that it would be the existing policy with some modifications.

Councilman Murphy noted that the credit in the past had been 50%; that we could never go to 100%. He wanted to know the rationale for 50%? Mr. Payne responded that no analysis had been done; that the 50% has to do with reducing pollution; that the City still has things they are required to do on a regular basis; that monitoring has to be factored into this. Councilman Murphy wanted to know the percentage of the Water Quality Budget for education, etc. Mr. Payne responded that they had not analyzed this number; that \$115 million and \$72 million is the amount for meeting regulation requirements—that it is a 2/3 and 1/3 split.

Councilwoman Scott stated that we knew it would take a certain amount of money to run this program and wanted to know what reductions homeowners could get. Mr. Payne responded that homeowners were not eligible for credits.

Adm. Leach stated that we would continue this later.

AGENDA ITEMS FOR OCTOBER 6, 2009

Proceeding with **Resolution (f)** that authorizes Public Works to spend an amount not to exceed \$350,000.00 to purchase used construction equipment, Mr. Norris explained that they could purchase used equipment and had done this in the past at a substantial savings to the City; that when they started looking for this, they needed to be able to “strike when the iron is hot”, and this was the reason for this Resolution.

Councilman Murphy asked if this equipment was only used intermittently? Mr. Norris responded that it is used across the board and not used every day. Councilman Murphy asked if he would say from 80 to 100 days a year, and the answer was “yes”. Councilman Murphy asked if the equipment could be rented? Mr. Norris responded that occasionally we do rent, but we can’t win with renting versus purchasing.

Councilwoman Scott wanted to know where the paperwork was on this—where was the Resolution?

AGENDA ITEMS FOR OCTOBER 13, 2009

Mr. Leach noted that **Resolutions (f) and (g)** are related—being the Oxygen Generation System at Moccasin Bend Wastewater Treatment Plant. Mr. Stewart explained that due to problems, the construction time ran longer, and there was an additional cost for on-site inspection. Mr. Malone added that this is 20 plus years old, and there were additional leaks. Mr. Stewart agreed that it was a 26 year old unit, and we had to re-hab it. Councilwoman Ladd asked if there were any warranties? Mr. Stewart responded that there was a one-year warranty.

Councilwoman Scott stated that this was very complex and long-term, and it was difficult for the Council to “wrap their hands around this”. She asked that Public Works do a spread sheet showing the expenses related and give a projection where we can see where we are going—that we needed to see where we have been and where we are going.

Resolution (h) authorizes a change order for the Traffic Impact Study of 36 intersections and four rail crossings near the Volkswagen Facility at Enterprise South Industrial Park with Volkert & Associates, Inc. increasing the contract amount by \$49,700.00, for a revised contract amount not to exceed \$216,000.00. Mr. Malone explained that last December we were looking at 36 intersections and four rail crossings for upgrading and signalization; that we had to re-calculate this because Volkswagen was redoing work.

Councilwoman Scott confirmed that Volkswagen changed their requirements and asked if the City had to pay for these changed requirements? Adm. Leach responded that it would be the City and County. Councilwoman Scott indicated that she thought we needed to share these costs.

Mr. Madison explained that it was not unusual for Volkswagen to change their course of action; that we could communicate to them that we should know about any additional costs on the front end.

Councilwoman Scott stated that she would personally feel better doing this; that Volkswagen might consider reimbursing us, as this was not to our advantage.

Councilman McGary asked if the work had already been performed and asked if we could not get a bill prior to the work being done. Mr. Malone indicated that it would be handled this way from this time forward.

Resolution (i) authorizes a change order relative to the Warner Park Combined Sewer Overflow Control Facility with CTI, increasing the contract amount by \$57,000, for a revised contract amount not to exceed \$528,550.00. Mr. Malone explained that the contractor was 108 days late on completing the work; that it was supposed to be April 7th, and it was completed on July 25th; that CTI continued to provide services.

Councilman Murphy verified that we had one contract and one sub-contractor did not move things along and CTI took care of the cost. He questioned why we were having to pay this? Mr. Malone responded that we were still dealing with this. The sub-contractor was Haren, and Councilman Murphy confirmed that we were fronting money to CTI and going after Haren on the back end.

Mr. Stewart added that we have 5% of the money.

Councilman McGary asked if they had been a good faith company in the past? Mr. Stewart stated that there were three of them and these were the best of the three; that we had had good success with them. Councilman McGary asked if they had communicated that they would be late in writing? Mr. Malone responded that we allowed them an extension of time for unforeseen items; that it was supposed to be completed by April 7th. Councilman McGary asked if we had a “Business Bad Behavior List”?

At this point Adm. Leach noted that the Land Development Office had talked to a few residential flood victims. Mr. Hilbert verified 2-3 or maybe 4. Adm. Leach stated that we might want to waive permits.

Councilman McGary went back to **Resolution (f)** on tonight’s agenda dealing with \$350,000 to purchase used construction equipment. He asked if there was a “wish list”; stating that it seemed we were writing a blank check with no control over who we were buying from. Mr. Norris responded that the Purchasing Dept. always get involved. Councilman Benson agreed that we do not know the vendor. Councilman Murphy asked what they were looking to shop for?

GARY BALL

Mr. Gary Ball asked to address the committee. He stated that he had talked to Councilman Rico; that some had spoke about going out of Chattanooga; that Public Works has two jobs and there is a 75% chance these jobs will be going out of Chattanooga; that they are setting up projects, and the money is leaving Chattanooga. He stated that he knew this would take more work on Steve Leach’s Department, but he felt the Council should put pressure on Mr. Leach to do this. He presented a handout, which is made a part of this minute material, and stated that none of these people are union people, and this does not help local contractors.

Mr. Ball mentioned \$500,000 Stimulus money that Chattanooga is sending elsewhere, and this was not what it was supposed to come to Chattanooga to do; that we were not hiring local people, and there were ways to make work available; that there was more to this than just local contractors getting work; that we need to make these jobs attractive to local people.

Councilman McGary asked him if he was talking about keeping this within city limits?

Mr. Ball responded that he was not fussing about Talley, who was in Rossville but about jobs going to Cookeville and Murfreesboro, which were not local; that there were ways to do this—that it might make it harder for Dennis Malone to administer, but we needed to get more local people involved, and the City had to want to do this.

Councilman Murphy asked him if he were saying we only have a few large companies locally and that smaller companies can't make the bond?

Mr. Malone noted that Mr. Ball's handout showed four contractors—that at last week's pre-bid meeting, at least ten showed up.

The meeting adjourned at 4:30 p.m.