

**PUBLIC WORKS COMMITTEE**  
**January 19, 2010**  
**3:30 P.M.**

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

Others present included Madeline Green, Susan DuBose, Bill Payne, Larry Zehnder, Greg Haynes, Gary Hilbert, Dennis Malone, Steve Leach, Lee Norris, Eddie Tate, Jim Templeton, Richard Beeland, Paul Page, Jerry Stewart, Dan Johnson and Barry Bennett.

**On motion of Councilman McGary, seconded by Councilman Gilbert, the minutes of the previous meeting were approved as published.**

Adm. Leach began with **Ordinance (b) Final Reading**, which is a closure and abandonment for Mario Forte of the right-of-way of an alley which intersects with the 2700 Block of Bryant Road and the 4600 Block of Charlotte Drive. He noted that last week there was heated discussion concerning this in regards to Mr. Coppinger and 17 acres to the west; that the applicant wishes to make this into two lots, which would be buildable; that the concern was access to the back of Mr. Coppinger's property should he wish to subdivide. Adm. Leach explained that an easement would not grant Mr. Coppinger the ability to subdivide; that he would have to build a road if he intends to subdivide for his family so that they could get access and fee across his property; that an easement would not qualify—that Barry and Greg were here to answer further questions; that Mr. Coppinger had discussed his options with Planning, which included options off other roads.

Mr. Bennett stated that he had talked to Mr. Coppinger; that he had met with the applicant and was unable to come to a reasonable resolution; that we can't just move the right-of-way over and an easement would not give the right to subdivide but alternative access; that there was no willingness to grant an easement; that the applicant was willing to sell a small lot for \$32,000, which was unacceptable to Mr. Coppinger. He went on to say that he believed Mr. Coppinger had sufficient road frontage on an existing right-of-way to be able to subdivide; that when he does subdivide, he would have to build a right-of-way to City standards; that RPA would not recommend abandonment if it were in use or a future use was planned. He went on to explain that they sent notification to property owners that abutted on the side and end; that apparently the Staff thought that this had changed and only notified those on the sides; that anyone abutting a right-of-way should receive notification.

Councilwoman Scott noted that it looks like a potential road. Mr. Bennett agreed that would have been the intent. She wanted to know why this was not considered. Adm. Leach explained some get built and some do not because of topography and lack of money.

Mr. Bennett went on to explain that it is a common practice for developers when dividing property that they have a future right-of-way platted. Adm. Leach added that the property owner owns the fee, with Attorney McMahan noting that usually when something is abandoned, if there are owners on each side, each gets one-half.

Bryant Williams was present and stated that in 1938 an easement was put in by his grandmother. Adm. Leach noted there were six platted lots and a road has to be built to public standards. Mr. Williams also noted that Mr. Coppinger was in the flood plain.

Councilwoman Scott wanted to know the amount of acreage in each lot and was told one acre.

**Resolution 7(a)** authorizes a change order with Earthworx, LLC, relative to Contract No. S-06-009-103, increasing the contract amount by \$397,500 for a revised contract amount not to exceed \$1,072,500.00.

Mr. Payne stated that we had a representative from Earthworx present tonight; that we had previously done a Pilot Project, and the total number of structures was 12,234; that we ran into two issues—that the areas mapped were more dense with more structures, and we were not able to use the GIS as much as thought; that the cost averaged \$90.00 a structure; that we expended the funds faster than we thought.

Councilwoman Berz stated that in her business, they estimated contracts and were tight on estimation; that these are actually existing structures; that she remembered we voted a lot of money for this contract; that she was having a problem with having people estimate contracts and being several thousands of dollars off. She questioned why we kept getting a wrong estimate; that it seemed you could count the structures.

Mr. Payne explained that we have the benefit of the City inventory, usually, but never in CSO's. He went on to say that we have \$5 to \$6 million in this project; that we have improved what is done and are much more efficient; that we are still well below the initial estimate. Councilwoman Berz stated yet you still always come back for more.

The representative from Earthworx explained that after the first estimate, they estimated more; that it is a difficult area because it is combined sewer. Councilwoman Berz asked her estimate and was told \$80 to \$90 a structure. Councilwoman Berz stated that we should not have to be "spoon-fed" but told that the real cost is \$900,000 and asking \$600,000 now and coming back to you; that when they ask for money, she would like a total picture and a long range look.

Mr. Johnson added that they were told \$10 to \$12 million; that it is much more efficient if we separate out.

Councilwoman Scott asked how a structure was defined? Mr. Payne responded that there were 19-20 types, and we were not paying by structure but by hour; that we use this as a gauge in estimating our budget. Councilwoman Scott asked why GIS does not work? The representative from Earthworx explained that downtown you have tall buildings and have to use traditional surveying—that satellites (GIS) can't get down between buildings.

**Resolution (b)** authorizes acceptance of funds from CNE, Inc. relative to the Jefferson Heights Community in the amount of \$8,000.00 for the installation of curbing along 18<sup>th</sup> St. Mr. Malone explained that we had been working in partnership over the last several years using CNE funds.

**Resolution (c)** authorizes Contract No. E-09-008-201, Pavement Surface Condition Data Collection and Analysis, to Engineering and Research International, Inc. (ERI) in an amount not to exceed \$376,250.00. Mr. Eddie Tate explained that there were three legs on the Pavement Management Plan, and this is the third leg today—that there is a three-year plan short-term and long-term is 5-10 years; that without the third leg, all falls by the wayside; that with the long-term plans, things may change a little bit. Mr. Norris added that we are under pressure to get this up and running. Councilwoman Scott verified that there were three indepth measures; that we take these three components and come up with a Plan; that if we wait five years, this data will be absolutely useless. Councilman McGary confirmed that ERI is not making the Plan for us and asked once we get the information, will there be an additional cost? The answer was “no”. Mr. Norris added that the public sees the results and not the raw data. Councilwoman Scott confirmed that this data explains the place on the list. The question arose as to whether this data could be used by industry, and Mr. Norris responded that by industry using this data, they can offer solutions and sometimes get streets paved for free.

**Resolution (d)** authorizes an agreement with Earthworx, LLC, relative to Contract No. S-09-007-101, Chattanooga Storm System As-Found GIS Phase VII Annexation Areas, in an amount not to exceed \$75,565.00. Mr. Payne explained that these are separated areas and what was dealt with in all other phases (As-Found). Councilwoman Scott noted that Annexation Area 1B (Cummings Cove) has four streets and asked if there is a charge for discharge. The response was “yes”—for illicit discharge. It was noted that Area 10B has 325 structures, and it is the same amount as Area 1B. Councilwoman Scott asked if these numbers would come down and was told “yes”. She wanted to know if the work had been done and was told “yes”—the field work that was necessary to move ahead.

**Resolution (e)** authorized the final change order relative to Warehouse Row Improvement Project, with Jamestown Warehouse Row, LP, decreasing the contract amount by \$24,486.00, for a revised contract amount not to exceed \$300,514.00. The parking has changed and sidewalks built. Councilwoman Ladd asked if purchasing and installation could be done within this decreased rate and was told “yes”.

Adm. Leach mentioned figures resulting from the inclement weather—84 employees were used for the clean-up; the total cost was \$128,000 for salt, sand and overtime. He stated the men worked hard hours and did a good job, but it did cost us something.

Councilman McGary inquired as to the status of the Walnut Street Bridge and was told by Mr. Malone that it is moving along as planned and is on schedule.

The meeting was adjourned at 4:20 p.m.