

## PUBLIC WORKS COMMITTEE

March 30, 2010

3:45 P.M.

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

Others present included Steve Leach, Lee Norris, Bill Payne, Jerry Stewart, Gary Hilbert, Jim Templeton, John Van Winkle, Frank Hamilton, Mark Keil, Kathie Fulghum, Dan Johnson, Chief Rawlston, Dennis Malone, Larry Zehnder, Chief Parker, Barry Bennett, Ariel Soriano, Solomon Hatch, Dickie Hutsell, Chief Snyder, Al Chapman, Mo Minkara, Barbara Readnower and Daisy Madison.

Adm. Leach began with **Resolution 7(d)**, authorizing Change Order #2 relative to the Northpoint Boulevard Extension Phase I with Stein Const. Co. for a decreased amount of \$122,178.81, for a revised contract amount not to exceed \$1,141,748.30, and to release the \$111,392.89 in contingency funds. **Resolution 7(f)** for a temporary right-of-way leading to 570 N. Crest Road will be deferred indefinitely. **Resolution 7(g)** authorizes a "Grants for Safe Routes to School" from TDOT for sidewalks at Big Ridge Elementary School and for crosswalks and related work in the vicinity of Battle Academy, Brown Academy, Chattanooga Middle, Dalewood Middle, and Thrasher Elementary Schools in the amount of \$346,029.00. This was in "Safe Routes '07" and TDOT gave us authorization to have the State release funds, and this needs the Council's approval. Adm. Leach added that this is TPO (Transportation Plan Organization) and is 100% grants and long-term. He noted that it was very difficult to get these grants. Councilwoman Berz complimented them on a good job.

Dennis Malone went over **Resolution (h)**, which authorizes Change Order No. 1 relative to Northpoint Boulevard Extension Phase 2 and 3 with Stein Construction Co. for a decreased amount of \$5,729.15, for a revised contract amount not to exceed \$1,985,524.70, and to release the \$200,000.00 in contingency funds.

**Resolution (i)**, explained by Dennis Malone, authorizes Change Order No. 1 (final) relative to Lake Hills Interceptor Relocation, with Haren Construction Company, Inc. for an increased amount of \$15,254.12, for a revised contract amount not to exceed \$425,469.12, and to release the remaining \$24,745.88 in contingency. This increase is due to sewer issues and relocation of Railroad track. The location is Lightfoot Mill Rd. and Cherry Lane.

**Resolution (j)** authorizes Change Order No. 1 relative to (SLAP), with C&C Construction Services, LLC, for an increased amount of \$3,500.00 and for a revised contract amount not to exceed \$14,700.00. Mr. Malone explained that this was an emergency repair that was added to the contract. Councilman McGary expressed thanks and Councilwoman Scott asked what fund this came from and was told the Water Quality Fund.

**Resolution (l)** authorizes Public Works to pay Stowers Machinery the monthly rental for a transformer needed at the Oxygen Plant in the amount of \$27,787.50. Mr. Stewart explained that this is a transformer that we needed, and we got three quotes on a rental; that the problem was that we had a transformer that shorted out last April; that we tried to find a used re-built one but got one to rent at Stowers, which was less costly. He explained that the transformer got left off of the items. He showed a picture of the new transformer and stated that this rental needs to be approved. He added that we were making a claim against the contractor that caused the problem.

Councilman Murphy asked if we had not voted on this before? Councilwoman Scott wanted to know if the contractor that had caused the problem had agreed to pay all of the expenses? Mr. Stewart responded “No ma’am”—that we have just made a claim. Councilwoman Scott read from the contract, with Mr. Stewart explaining that what she read had to do with the rental unit. She asked if the owner of the defective transformer had given us any indication that they understood the enormous amount of time and money that this had cost the City? Mr. Stewart responded that they made them aware of this on April 1<sup>st</sup> of last year. Councilman McGary asked if we had purchased a new one and now were renting one? Mr. Stewart explained that we were renting until we can purchase a new one. Councilman McGary pointed out that with the cost of the rental, we could have almost paid for a second transformer. Mr. Stewart responded that we can’t rent to own. Councilwoman Scott asked if the first one we bought was a used one. Mr. Stewart responded that we sent it back because it was non-functional. She wanted to know what we had to do additional that cost us money while this was not working? Mr. Stewart responded that we had to buy liquid oxygen and made it clear that we can’t guarantee what the one that had caused the problem will pay.

#### **AGENDA ITEMS FOR APRIL 6, 2010**

**Resolution 7(a)** authorizes Jay Floyd to use temporarily the right-of-way located at 320 North Market Street for placement of awnings over display windows and entrance to business. Mr. Malone went over **Resolution 7(b)** that authorizes Change Order No. 1 for Enterprise South Roadway Extension Phase I, with Talley Construction Co., decreasing the contract amount by \$240,000.00, for a revised contract amount not to exceed \$1,780,805.16, and the reduction of the contingency amount by \$202,979.84. This gives authorization for TDOT to move forward with the project. Contracts were broken into different phases.

**Resolution (c)** authorizes Change Order No. 1 relative to Enterprise South Roadway Extension Phase 1B, with East Tennessee Grading, Inc. for an increased amount of \$461,486.01, for a revised contract amount not to exceed \$1,394,771.77. Mr. Malone explained that this was bid out in June, and we started work in August; that there was a 90 degree intersection but the most efficient intersection was a round-about; that there were some erosion issues; a Study was made into entrance of Volkswagen, and it was found that the round-about was more efficient, and we had worked with TDOT. He went on to explain that we had to relocate the round-about further east; that we had a wet Fall and had some material that was non-usable and major undercuts were more than we expected.

**Resolution (d)** authorizes an Agreement with S&ME, Inc. for professional services for materials testing, relative to the North Warner Park Stormwater Detention Basin, in an amount not to exceed \$9,000.00. Mr. Malone noted that we had talked about these projects several times. Councilwoman Scott asked if the Contract had already been executed? Mr. Malone responded they had started the work. She wanted to know what the total was up to now? Mr. Malone responded that we had \$1.9 million for the contract and this is \$9,000 of it. Councilwoman Scott stated that these projects sure are expensive—to think about the fees and how easy it is for a lot of money to disappear. She was told that we can't do this cheaply.

**Resolution (e)** authorizes an Agreement with Gallet & Associates, Inc. for professional services for materials testing relative to the Passage Repair Project in an amount not to exceed \$7,500.00. Adm. Leach stated that this was part of the Passage Repair Project and that Gary Hilbert was here to answer any questions. Mr. Hilbert stated that in January of 2009 a contract was approved for repair of the Passage. This included a \$100,000 change order. He noted that we were still \$16,000 under cost and only one item left to be done, which is a waterproof box that is on order. He stated that the final walk-thru will take place next week, and they will take the fence down.

Mr. Malone went over **Resolution (f)** authorizing an Agreement with CSX Transportation, Inc. relative to the South Chickamauga Creek Greenway for the trail construction under the bridges in the vicinity of Mileposts, in an amount not to exceed \$95,304.00. He stated that this was for trail construction, and it would take 63 days and require flagmen. Mr. Zehnder added that most of this is TDOT funded. Councilwoman Scott asked if it was 100% funded? Mr. Zehnder responded that it was 100% with a match from foundations.

John Van Winkle was present to go over **Resolution (g)** authorizing Public Works to amend the contract with Haman's to pay an additional \$46,000.00 for additional driver's training classes. He introduced Caroline Johnson, who handed out a survey of the costs incurred so far, which is approximately \$70,000 of \$180,000.00 for the first part of the year, and the contract went through February; that they were requesting to add \$46,000 to carry us through the end of August, which will allow for four sessions during the summer. He stated that we had taught 171 students already and were well under the \$180,000.

Councilman Gilbert stated that this was a great program and positive situation.

Mr. Van Winkle stated that they were very pleased with the response and getting the word out.

Mr. Johnson added that this was a wonderful program and that Parks and Recreation were benefiting greatly; that they were thrilled that Parks and Recreation had offered their recreation centers around town; that they expected 130 kids in the summer and were going "gang busters".

Mr. Van Winkle added that this program was funded through the fines collected through photo-enforcement; that this would be coming up next week.

Councilwoman Scott asked if they could update the individuals at the State level who were so upset over this issue. Mr. Van Winkle responded that Matt Lea is working with the State on this and trying to push for support in engineering standards and funding for the Traffic Safety Program.

**Resolution (h)** authorizes the waiver of the landfill fees for the "Keep America Beautiful, Great American Cleanup" taking place March through June, 2010. This is about ten tons worth of waiver.

### **CLOSING NOAH REID ROAD**

Mr. Leach stated that they would be closing a road and asked Ariel Soriano to speak to this. Mr. Soriano stated that it was Noah Reid Rd. at the railroad crossing and there were several reasons why, mentioning the Norfolk Southern construction connector and the major railroad elevation changes. Councilwoman Berz stated that this was in her district and asked if they had notified people who live along Noah Reid Rd.? Mr. Soriano responded that they felt it would be inappropriate to put out a broadcast without the Council knowing first, and they were working with the Mayor's Office concerning communication. She asked how long it would be closed and was told permanently. She asked if this meant "permanently, forever" and was told "yes". She asked if the people would be given any alternative? Mr. Soriano responded that they were doing intersection

upgrades. Councilwoman Berz wanted to know when they would let the people know? Mr. Soriano responded “right after this meeting”; that they would put the word out through the newspaper. Mr. Norris added that homeowners’ associations and townhomes had been alerted. Councilwoman Berz stated that these were very active folks, including the Sheriff of Hamilton County. She wanted to know if signs would be posted? Mr. Soriano responded “yes”; that they were working with Traffic so that people do not get lost. Councilwoman Berz stated that signs and public meetings would be helpful.

A disc of the NPDES Permit 2008-2009 Annual Report was given to each Councilmember. A copy is also a part of this minute material.

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

The meeting adjourned at 4:30 p.m.