

PUBLIC WORKS COMMITTEE
March 27, 2012

Councilman Rico, Chairman, called the meeting of the Public Works Committee to order with Councilmen Benson, Berz, Gilbert, Ladd and Robinson present; Councilman Murphy was out of the city on business; Councilwoman Scott was in transit from Nashville. City Attorney Michael McMahan and Council Clerk Carol O'Neal were also present.

Others present included Daisy Madison, Dan Johnson, Steve Leach, Bill Payne, Jerry Stewart, Dennis Malone, Lee Norris and Richard Beeland.

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

Mr. Leach invited Council members to look at the new trucks the department has that are parked out front of the Council building, noting that one is equipped for snow and has a spreader on the back and plow on the front and the other is a leaf truck; that the component sets modify the chassis and the loads can be changed out.

Mr. Leach noted **Ordinance (b) on tonight's agenda for second reading references the ethanol pipeline and Resolutions (a) and (b) are unarmed special policemen appointments** for Moccasin Bend Waste Resources; that **(d) authorizes application for a Clean Tennessee Energy Grant** for an energy conservation project for the installation of variable frequency drive units to replace oxygenation tank units. He stated **(e) is for a temporary use for the Fairfax Bagwell Neighborhood Association** to use the rights-of-way to install markers and **(f) is for a temporary use of the right-of-way in the 5200 block of Jim Snow Way** to allow operation of the IBI Power Company to use part of the right-of-way subject to conditions. He stated the cul-de-sac will be maintained and mid-block would be an additional cul-de-sac to turn around large trucks as they have to use crane systems now; that the folks in the apartments at the end of the cul-de-sac have concerns.

Dr. Lentz Reynolds spoke out from the audience voicing his vehement objection. Councilwoman Berz stated that it is her understanding there is opposition; that she is missing something when it first came to us and inquired as to the Planning Commission's recommendation.

Mr. Leach stated the recommendation was to deny but at the time it was a closure which was withdrawn before it came to Council; that it came back as a temporary use for the property and not a permanent closure; that the stipulations in our proposed approval require them to reestablish it if requested and they have a 120 day cycle.

Councilwoman Berz asked "reestablish what if it is requested". Mr. Leach stated the use of the remainder of this property; that there will be another cul-de-sac built for the other folks on the street and the remainder of the end would be private at that point unless required to be reestablished.

Councilwoman Berz stated she understands when it first came back from Planning the recommendation was to deny; then it was withdrawn and came back as a temporary use and asked when it came back were the people in opposition “at the table” and understand all that would happen.

Bill Payne stated the Staff recommended denial because closure would have landlocked property being utilized for primary and secondary access and there was opposition at Planning; that Planning never voted to recommend approval or denial as it was withdrawn by the applicant and at that point there was no abandonment case to bring. He stated this temporary use request has gone through the same process.

Councilwoman Berz asked if this is an effort to go around the plan to which Mr. Payne responded “no”; this is a temporary permit.

Councilwoman Berz stated if it is a temporary use then something was added and asked what that was about.

Mr. Payne explained that Mr. Leach’s comment was to convey this would be conditioned on giving them 120 days notice to be able to locate another place to perform this function and get that set up; that there is a financial investment they would be making and the standard time for most temporary uses is 30 days notice; that they have given 60 and 90 day notices.

Councilwoman Berz inquired as to why a notice is given. Mr. Payne explained it is done in order for them to have an opportunity to use the investment for their business purposes as that operation is not something he can pick up and move.

Councilwoman Berz inquired as to what would be the city’s reason. Mr. Payne stated if there was a need for some sort of change; that he is being asked to speculate about what changes could happen; that as it stands today with primary access to the apartment complex being in a different location there still needs to be emergency access maintained on this location.

Councilwoman Berz stated if there is opposition who had no opportunity to know what is being done and what could be detrimental to their property and asked if there were some meetings held where this happened and the opposition was not included. Mr. Payne responded “yes”; which is not usual for temporary uses, again noting they did not follow anything different in the process.

Councilwoman Berz clarified that she is not accusing them. . . Mr. Payne stated he wanted that to be clear for the other members of the Council.

Councilwoman Berz stated it is a good idea between now and six p.m. or for another week to defer so the opposition could be made aware of what is going on. Mr. Payne stated that can be done.

Councilwoman Berz stated opposition is here now and there may not be an issue; that if an alternative plan comes up that is a win-win for both, again asking if the matter can be discussed with the person in opposition. Mr. Payne stated he just answered that question. Dr. Reynolds spoke again from the audience stating “that has been done”.

Councilman Rico suggested that Dr. Reynolds come to the Council meeting at 6 p.m. so the matter could be fully discussed. City Attorney McMahan clarified the matter would be heard tonight. Mr. Leach suggested that Dr. Reynolds meet with Mike Price prior to tonight’s meeting.

Dr. Reynolds stated that would be a good idea as the matter had come up before and now again for the purpose of egress for fire trucks; that they were told when the complex was built that they had to have that road with a turnaround for fire trucks and have a fence with an opening so trucks can come through at any time.

Mr. Leach stated one of the recommendations is to maintain emergency access.

Councilman Rico again stated that the matter would be discussed at tonight’s Council meeting.

Mr. Leach stated **Resolution (g) is a temporary use request for Ray Debarge** to install two awnings behind Fire Station No. 1; that **(h) and (i) are related with Atkins North America Inc. relative to the ITS system, Phase I and the other with CEI Construction** for an engineering inspection system that goes along with any major project like that; that the system allows them to “talk” to each other. He stated **(j) with Yerbey Concrete Construction** is part of the CDBG monies with streets and districts included; **(l) is for the Safe Routes to School Grant** relative to Woodmore School; and **(m) is for a TDEC Grant** for collection of household hazardous waste which is a reoccurring grant countywide. He stated household hazardous waste is collected the second Saturday of each month at the Hawthorne facility.

NEXT WEEK’S AGENDA: APRIL 3, 2012

Mr. Leach stated **Resolutions (b) and (c) are for unarmed special policemen for the Water Quality Division.**

The meeting was adjourned.

Mr. Leach again invited everyone to view the trucks parked in front of the Council Building.