

**PUBLIC WORKS COMMITTEE**  
**APRIL 2, 2013**  
**3:10 P.M.**

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

Others present included Daisy Madison, Dennis Malone, Gary Hilbert, Dan Johnson, Steve Leach, Lee Norris, Chief Parker, Chief Maffett, Joachim Volz, Alice Cannella, Mike Boyd, Bill Payne, Chief Kennedy, Chief Dodd, Jim Templeton, Danny Thornton, Larry Zehnder, Fritz Brogden, Donald Green, Ron Swafford, Dickie Hutsell, and Mayor Littlefield.

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

Adm. Leach mentioned an Article that was published in the City & County concerning our Driver Education Program that was submitted by Traffic Engineering.

**Ordinance 5(a) Final Reading** pertains to the Board of Electrical Examiners, making it necessary to re-take the exam if their license is not renewed in three years.

**Resolution (g)** authorizes a contract with Talley Construction Co., Inc. in the amount of \$95,400, not to exceed \$100,000 for manhole adjustment.

**Resolution (h)** authorizes a contract with Highways Inc. in the amount of \$598,790, not to exceed \$658,790 for Hamill Road Rehabilitation. There were severe base failures, and a full depth rehab of the road is required. Councilwoman Ladd thanked Public Works since this was in her district, and there had been many constituent complaints. Councilman Murphy asked if the lanes would be the same width? Adm. Leach responded that it is a basic standard arterial road, with Mr. Malone confirming that the lanes would be the same width.

**Resolution (i)** authorizes an agreement with Arcadis U.S., Inc. for professional services for a Roundabout Design at the intersection of Norcross Road at Gadd Road not to exceed \$134,000. Adm. Leach asked Fritz Brogdon to go over this. He explained that we are not dealing with a traffic circle or rotary, which are not pedestrian-friendly; we are talking about a compact circular intersection where the entering traffic yields and which will be pedestrian-friendly and keep the traffic at 15-25 mph, which would not cause fatalities; there will be no signals and no one running yellow lights and pedestrian injuries are extremely low. Adm. Leach mentioned the limited sight distance, stating that this should solve problems with accidents.

**Resolution (j)** authorizes an agreement with Volkert, Inc. for professional services for the design of Gunbarrel Rd. Widening for an amount not to exceed \$144,600. This is a 1600 ft. section with lots of hills and sight distance problems. Adm. Leach stated that this was a good project. Councilman Benson added that it is a condition that this right-of-way be given to the city; that this is a very dangerous road with sharp, steep hills, and we are getting a lot of “bang for our bucks”. He urged the Council to go ahead and get this approved.

**Resolution (k)** authorizes a Change Order for Yerbey Concrete Construction for the City Sidewalk Requirements Contract for an increased amount of \$100,029.99, for a revised contract not to exceed \$575,104.99. This comes from CDBG funds. A list of sidewalks was shown.

At this point, the meeting shifted to **Resolution (v)** that authorizes the transfer of funds from the Interceptor Sewer Fund to the Clean Water Authority, as needed, to pay for legal, accounting and other expenses. Mayor Littlefield spoke to this issue, noting that all we are dealing with is water and trying to incorporate these functions under a single umbrella, similar to EPB, which is a private sector board. He also noted that some years ago we created the Airport Authority, which operates like the private sector and has been very successful. He stated that he was here tonight for questions and to create an ability for this Authority—they will have to employ their own attorney and accounting people, and we will allow use of sewer funds for this purpose. This Resolution will allow that Board to begin to tap into these funds in order to operate—much like the Council. He added that Bill Payne has been appointed the Interim Director to get this up and running.

Councilwoman Berz stated that she would like language added to “cap” the amount.

Councilwoman Scott noted that the \$250,000 was for legal fees, questioning if this were a duplication of services. She wanted to know if this Board would be looking at the \$10 million dollars worth of projects on the agenda tonight that would be before the Council? Mayor Littlefield explained that these projects are for engineering and design. She asked if they would be looking at these, and he responded “yes”; however, he went on to say that this is not a duplication—that EPB and the Airport Authority have their own legal counsel; that this will be a large operation, which might become regional. She asked if any regional partners were a part of this, and he responded “yes”. She asked who they were, and he responded that he was not ready to “out” them right now because of the politics involved; that everyone is part of the same watershed.

Councilman Benson stated that he did think we needed to get this Authority set up; however he had some sensitive questions to ask the Mayor. He stated that the word was going around that this is another way of having a RIF (reduction in force) of employees and also that this was another way to create a job for Mayor Littlefield.

Mayor Littlefield responded that his wife had plenty of jobs for him—that his job would not be on this Authority; that there is a need for a single Authority—in the same watershed. He acknowledged that WWTA is nervous about this; however we are the “center” and should be more concerned than any other entity; that this Authority will be expandable and probably will not eliminate jobs—that we are talking about “fear of change”.

Councilman Murphy stated that he was not afraid of change and thought that this was the right direction. He wanted to know how long this “spending” would last? He noted that the new Council and Mayor could “pull the plug”. He wanted to know how long this \$250,000 would go?

Mayor Littlefield responded that this was not inviting a check for \$250,000; that the City Attorney had advertised for attorneys; that the Board will look at all of this and come up with a budget; that eventually this cost should lift from our shoulders; that nothing is being done behind the scenes, and this is being covered by the news—that lawsuits are not dealt with very well within the public arena, and we want to take this out of the heat of politics.

Councilman Murphy responded that he agreed—that a quasi-governmental agency could do a much better job than is being done; that we don’t know an hourly rate and how long this \$250,000 will take us.

Attorney McMahan acknowledged that he did not have this information—that there will be pension and bond issues, and we will need financial advisors—that there are a lot of unknowns—that we have the problem but not the answers.

Mayor Littlefield stated that he had the flyer that was going around—that he had never done anything intentional to people at this level—that it questioned if there would be a “real” pension or a 401—that we can’t control this; that the old form of pensions are going away, and this is a change that this Authority will have nothing to do with; that pensions are “hot” everywhere, and there are many fears as to how the world is changing; that we have been talking about this for ten years.

**Resolution (x)** sets up an April 22<sup>nd</sup> workshop. Adm. Leach asked Donald Green to speak to this. He explained that this is part of Supplemental Environmental Project (SEP) and green infrastructure; that we will do infiltration and need specific soils (compost); there will be a workshop on how to develop compost that will teach architects and companies; that it will train our people and the private people, as well.

At this point, Mayor Littlefield discussed the Consent Decree. He noted that those on the agenda today are the second group of contracts; that this takes a large amount of preparation; that we have already seen the first group of projects with the Consent Decree. He reiterated that this is the second group and \$10 million dollars worth and weeks of preparation. He noted that the question had been asked “if we had selected the companies, why did we not start earlier?” He stated that “we did”; that we made an agreement with the State and promises to the Federal Government—that the Federal Courts would “bless this”; that they would surely approve it. He stated that this was not taking anything away from the incoming Council and Administration; that he had talked about this with Mayor-Elect Berke and Travis McDonough, and it was critical that we get started; that there is no mystery, and there are a wide range of engineering firms and ten projects on the agenda.

Adm. Leach again started with **Resolution (l)** authorizing an agreement with Arcadis U.S., Inc. for professional services for the Friars Branch Pump Station Improvements for an amount not to exceed \$1,292,978.00. He noted that this Resolution, and the next nine Resolutions are all in regards to the Consent Decree and all in Phase One. **Resolution (m)** authorizes an Agreement with Brown and Caldwell for professional services relative to South Chickamauga Creek 5 Sub-Basin for an amount not to exceed \$1,020,000.00. He noted that there were 100 of these mini-basins, and this is for evaluation and assessment. Councilman Murphy asked him to give an idea of what areas we are talking about? Mr. Malone responded that it was close to the Shallowford Rd. area. Councilman Gilbert stated that he would like to stress that we are looking at millions of dollars, and he wanted the public to understand that if we don’t do this, it will cost us more in the future—that we have no choice.

Adm. Leach appointed a person to continue, who also agreed that we should continue with education as to the Consent Decree—that this is underground and expensive work.

Councilwoman Scott stated that she wanted to understand more about what the engineers will be doing. She wanted to know if this was rehabilitation or just another Study? She wanted to know if this would include oversight and installation and fixing? She wanted to know if other contracts would be coming to us to also pay these engineers?

The gentleman explained that this is for planning and engineering and is about 20% of the total cost—that this is for professional services, and the City has to contract this out; that 50% of the pipe will need rehabilitation; that this represents the study portion and is similar to other projects that the City puts out; that there will be a larger dollar amount for clearing the pipes, as well.

Councilwoman Scott wanted to know the timeframe for the “colonoscopy”? He responded that the specific duration is 16 months; that this should be finished within the next three years and will be an improvement to the City.

Councilman Benson stated that he was the only councilperson with an election to run. He wanted to know why we have to do this right now? He stated that he thought it was to be in compliance with the Consent Decree; that this was for 1250 miles of pipe, and he wanted to know if this was a Study?

Mayor Littlefield responded that it was far beyond a Study; that we are focusing on problem areas, and there is no advantage to delay—that it will not get cheaper.

Councilman Benson stated that “people were jumping on him because of this”. Mayor Littlefield responded that they would really be “jumping on him” if something goes wrong, and we have not taken any action to fix it. Councilman Benson wanted to know where the money was coming from? Mayor Littlefield responded that it was not property tax money—that it is fee based or usage—that it is self-funding. Councilman Benson asked if it were for overflow and rehabilitation of sewer lines? Mayor Littlefield responded that it was for problems cited by EPA—that we are not unique in this and have gotten off lighter than other cities. Councilman Benson asked if it was for overflow of sewerage on streets—water that goes into the river? Mayor Littlefield noted that the water goes into the neighborhoods; that it is part of a regional system. Councilman Benson acknowledged that he had a lot of questions, with Mayor Littlefield asking him if he had a failure at his house, would he ignore it? Councilman Benson asked why not let the new Council and Mayor deal with this? Mayor Littlefield responded that we had spent years to get to this point, and wanted this problem solved; that this puts a period at the end of the process; that we have made commitments.

Councilwoman Berz stated that there was a simple answer—that we had agreed to do it; that the Mayor had made an excellent explanation—step by step, and she thanked him.

Councilwoman Ladd added that where we are now did not just happen during this Administration; that the “can” had been kicked down the road, and we have to deal with it; that this had been going on and EPA had stepped in—that there was no getting around this.

Adm. Leach noted that the remainder of the Resolutions were similar—just different locations, and the Council agreed to move on.

#### **AGENDA ITEMS FOR APRIL 9, 2013**

Adm. Leach continued with **Resolution (b)**. This was supposed to be on tonight’s agenda, but they needed to do more review; that this is for pavement repairs, and the company is Jarrett at a cost of \$250,000. He asked Mr. Malone to explain this.

Mr. Malone explained that it was a surface repair contract and was new technology; that there was no one local that did this, and we had to go out of town—that this company is from the Brentwood area—they were the low bidder, and we had to do more research because we were not completely comfortable with this; that they had discussed this this morning with someone from that company and now feel comfortable.

Councilwoman Scott stated that this sounded experimental to her and asked if this concept was widely accepted? Mr. Malone responded that it was widely used in the northeast but not a lot in the southeast; that these people are out of Brentwood and work in the Nashville area. Councilwoman Scott stated that she was having a flashback to “chip seal”. Mr. Malone responded that that was why they asked this person to come down and talk to them—that it was for a comfort level. She asked about the track record and the history of this process? Mr. Payne responded that the company we are talking with has a foreman with ten years of experience—that they had been around for many years—in excess of 15 years. She asked how long the roads would last? Mr. Payne indicated that the intent was for a long time—that we had problems with asphalt, itself, and these panels are infrared heaters.

Councilman Murphy confirmed that it was a much less expensive method. Mr. Payne stated that it was \$3.60 per sq. ft. Councilman Murphy asked if this addressed intersections of heat and was told “yes”.

At this point, Chairman Ladd acknowledged that this concluded Ms. Crownover’s last meeting of taking minutes for the Council. She expressed her appreciation and that of the entire Council for the work that Ms. Crownover had done and thanked her. (Ms. Crownover expresses her thanks to the Council and her appreciation of them and also expresses her thanks to everyone that have had to endure reading these “exciting” minutes. Her thoughts also go out to all the wonderful city employees who have attended these meetings—she will miss them very much!!)

This meeting was adjourned.