

MINUTES
OF THE MEETING OF THE
TRAFFIC AND PARKING COMMISSION
August 8, 2011

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m. on Monday, August 8, 2011, at the Sonny West Conference Center. The following were present unless noted otherwise:

Commission Members

Gene Ward, Chairperson
Feller Brown
Breonus Mitchell Sr
Richard Morin
Steven Turner

Council Member Carl Burch-Absent
Capt. Brian Johnson
John Green
Brenda Sanderson- Absent

Staff Members

Chip Knauf, Traffic Engineer
Corey Harkey, Legal Advisor
Korby Bowden, Engineering Tech II

Benny Word, Collier Engineering
Diane Marshall, Parking Administrator
Julie Herring, CNT

Council Members

Guests

As noted in minutes .

Chairperson Gene Ward called the meeting of August 8, 2011 to order at 3:00 p.m.

CALL TO ORDER

Chairperson Gene Ward mentioned Ordinance No. BL2006-1050 regarding the appeals process of the Traffic and Parking Commission.

"If you are not satisfied with a decision made by the Traffic & Parking Commission, you may appeal the decision by filing for a writ of certiorari with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of the entry of the Commission's decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met."

APPROVAL OF AGENDA

Mr. Morin moved for **approval** of the Agenda, seconded by Mr. Feller Brown and **approved with no opposition**.

APPROVAL OF MINUTES

Mr. John Green moved for approval of the July 11, 2011 Minutes and seconded by Mr. Morin and **approved by voice vote with no opposition**.

CONSENT AGENDA

Chairperson Ward read a list of items proposed for **approval** on consent agenda. Mr. Morin made a motion to approve seconded by Rev. Breonus Mitchell and **approved with no opposition**.

NEW BUSINESS

1. Musician Loading Zones

Mr. Knauf stated that this would be an agreement between Public Works, Police Department, musicians, and businesses of downtown, to acknowledge that musicians frequent the loading zones in the area, especially at night. With a permit a motorist can park in a loading zone, yet the police department will know that they are entitled to park there for the verified time to load and unload their equipment. Mr. Knauf stated that Public Works has worked out an agreement with the Musicians Union.

Mr. Pomeroy, from the musicians union, stated that he appreciates Public Works and the Mayors office's working on this. He also asked that Public Works look at putting a musician loading zone in front of BB Kings on 2nd Ave. He states that they will get the word out that this is the honor system and not to abuse it. He states that he does understand there is a 30 minute time limit.

Mr. Knauf stated that Public Works is working with the permits office and business owners to get the permit process regulated. He states that this will operate as a typical loading zone. The acknowledgement of musicians is intended to provide information to law enforcement and not intended to affect existing laws or codes.

Mr. Morin made a motion to **approve** and seconded by Rev. Breonus Mitchell and **approved by a 7-0 voice vote.**

2. Mobile Food Vendor Parking

Commissioner Ward welcomed all that wants to speak on behalf of the Mobile Food Vendors.

Mr. Knauf stated that an Ordinance passed in 1998 gave the Commission the jurisdiction to develop the regulations that cover encroachments on sidewalks and roadways. The current regulations only addresses sidewalks. What needs to happen over the next few weeks is to draft a set of regulations to address mobile food vending on Metro streets. He stated that we are here to get public input. Using those comments a draft set of regulations will be written.

Commissioner Ward stated that the Commission would like to hear from both the merchants and vendors, and proceeded to open up the public forum.

Mr. Alexies Gooch introduces himself and states that he represents Gooch & Gooch water. He noted that the problem is there is not clear signage as to where he can work. Mr. Gooch states that merchants tell him he can't be there and that he is impeding. He states that he has worked out a few partnerships that let him sell water outside of businesses. He said he is not in direct competition with anyone as he is just supplying water in the Nashville heat. He asked the Commission to come to a conclusion that is supportive to the vendors.

Mr. Steven Smith states that he is with Mere Bulls Mobile Vending. He states that they have restaurants in Brentwood and Coolsprings and operated on 2nd ave for years. He said it is important for the vendors to know where they can and cannot park. He said this trend is nationwide and hopefully we can do some research on the established cities. He states that as an operator he does understand that there need to be regulations. He states that as this goes forward he hopes there can be fair regulations for the Mobile Food Vendors and the citizens of Nashville.

Mr. BJ Loffback with Riffs Fine Street Foods states that he represents other mobile food vendors. He states their intentions are not to cause problems with the city or other business. He understands

the need for reasonable regulations and a level playing field. He states that it is their collective opinion not only food truck owners but their fans to welcome these regulations. He said cities across the country have a rich street food culture and this would bring a lot to Nashville. He states that food truck vendors will abide by the regulations and urged the Commission to make this reasonable and fair to the merchants as well.

Ms. Nancy Manus states that she owns a large building on 2nd Ave and there are two ways to get in and out of that building and that is on 1st and 2nd ave. She notes that brick and mortar should take priority as they are here all year long. She states that she has 3 large restaurants in this building, the trash area for this building is very narrow for the amount of trash they have. The vendors are pulling up and parking in front of the doors and they are blocking the exits. She states that there needs to be a regulated area and laws that the mobile food vendors have to go by.

Mr. Jon Heidelberg of Jonbalaya catering said it is a very difficult process to get a permit to run these mobile vending units. He said that they are not trying to break the rules. He said that this is a growing trend and doesn't think they are in direct competition with the brick and mortar's. He said the mobile food vendors do understand and take into consideration where they park. He states that they are bringing an exciting new element to the city and look forward to working all of this out. He states that some of these trucks have been nationally recognized and hope to bring more tourist to Nashville.

Mr. Adam Dread states that he is legal counsel and a lobbyist for a group of businesses downtown. He states that they are in the middle, they do think the mobile vendors are a good idea, however, we don't think it's a good idea to have an ice cream truck in front of a brick and mortar ice cream shop. He states that we keep discussing this issue and take our time to come up with a proper way of doing so. He asks that Ms. Sanderson recuse herself from this vote as she is a brick and mortar business owner herself and she would be in direct conflict to the mobile food vendors.

Ms. Sherry Cert says she is here as an interested observer. She states that the process has been trying. She states that every one of these trucks are legal vehicles and the same size as a Cintas uniform truck. She said it would be no different than if she was here in her RV parked legally for two hours. She states that she hopes the Commission can come to a fair and reasonable set of regulations and hope they take all the facts into consideration.

Mr. Fred Haas with German Food Mobile Vendors. He states that he thinks there should be some mobile food zones like Public Works is doing for the musician loading zones.

Ms. Sarah Baber stated she owns the Bang candy company. She wanted to note that she was the trailer that Ms. Nancy Manus was referring to and stated that she was permitted to be there. She stated that they were not breaking any rules.

Ms. Laura Meyers with Happy Eating stated that she wanted to reiterate what her coworkers have stated. She notes that she hopes The Commission doesn't penalize the food trucks for mistakes they made in the beginning. She stated that this has been a trying time and that they are all trying to learn what they can and cannot do. She said she has visited other cities and they a lot a certain number of trucks per street at the end of the street. She said she hopes that the Commission will take the ideas into consideration.

Mr. Steve Newton owns Maggie Moos on West End. He states that he understands the regulations and wants the commission to be fair as he is for both sides as well.

Ms. Melody Adams states that if they are a part of a festival, they have to pay a high vendor fee as well.

Ms. Alice Carpenter stated that we should be able to utilize our parks and that it would be a great and safe place for vendors.

Commissioner Ward closed the public hearing.

Mr. John Green questions how the other trucks that are not in the CBD will be regulated.

Rev. Mitchell asked where can they be and where can't they be?

Mr. Knauf states that when potential vendors receive their permits they get a set of regulations and a map. He states that there is a lot of grey in these regulations and that is why we are drafting a new set. Public Works wants this to be fair for everyone so we are going to come up with a clear set of rules that will address not only the CBD but West End, Nolensville Road and other areas of Davidson County.

Commissioner Ward states that the Commission wants to do what is right and wants to work with both the Merchants and the Mobile Food Vendors.

Decision was made to present draft regulations at the September Traffic and Parking Commission meeting.

3. Ridgefield Dr. Parking

Mr. Knauf stated that when citizens are picking their kids up from school, they are parking on the street and blocking sight distance and creating a potentially dangerous situation due to width of road. He stated the proposed parking to the Commission and noted a loading zone at the end of the street

Mr. Morin stated that he does not agree with the loading zone and would rather the No Parking go all the way down.

Mr. Knauf states the recommendation is for No parking on the north side of Ridgefield Dr to 300 feet east of Ridgefield Way to Kenner.

Mr. Morin made a motion to **approve**, seconded by Rev. Breonus Mitchell and **approved with no opposition**.

4. Resolution 11-08: Consent Agenda

- **Authorize Valet Stands on:**
 - **The north side of 1812 Hayes St**
 - **The north side of 1806 Hayes St.**
- **Remove No Left Turn on 9th Av N at Broadway**

Mr. Knauf stated that he wants to pull off Sunrise at Wingate. Commission approved.

Commissioner Ward stated all in favor of the amendment.

5. REPORTS

1. Parking – *on consent agenda*
2. Engineering – *on consent agenda*

3. Accepted Roadway Report – *on consent agenda*

Commissioner Ward recommended **approval**, seconded by Mr. John Green and **approved with no opposition**.

Traffic and Parking Commission Resolution No. 11-08 authorized by Chapter 9 of the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee as amended

BE IT RESOLVED by the Traffic and Parking Commission of the Metropolitan Government of Nashville and Davidson County, Tennessee as follows:

Resolution 11-08: Consent Agenda

- Authorize Valet Stands on:
 - The north side of 1812 Hayes St
 - The north side of 1806 Hayes St.
- Remove No Left Turn on 9th Av N at Broadway

SECTION I: That Chapter 12 of said Metropolitan Code, said Chapter being entitled 'Vehicles and Traffic' is amended as follows:

SECTION II. BE IT FURTHER RESOLVED that this Resolution be published in a daily newspaper in

Metropolitan Nashville/Davidson County, Tennessee and that a certified copy be filed with the Chief of Police of the Metropolitan Police Department, and that a certified copy be filed with the Metropolitan clerk, and that said Resolution take effect five (5) days thereafter.

APPROVED: September 12, 2011

EFFECTIVE: September 17, 2011

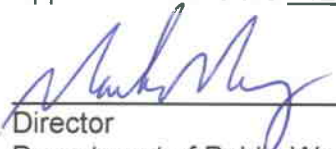
The above mentioned Resolution items were previously approved under the Consent Agenda.

OTHER BUSINESS

ADJOURNMENT

There being no further business, Cpt. Brian Johnson moved to ***adjourn***, seconded by Mr. Morin and ***approved by voice vote with no opposition***. The meeting adjourned at 4:15 p.m.

Approved on this the 12th day of September, 2011.



Director
Department of Public Works



Chairperson
Traffic and Parking Commission