

MINUTES
OF THE MEETING OF THE
TRAFFIC AND PARKING COMMISSION
November 14, 2011

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m. on Monday, November 14, 2011, at the Sonny West Conference Center. The following were present unless noted otherwise:

Commission Members

Gene Ward, Chairperson
Richard Morin, Vice Chair
Feller Brown
Sgt. Denton, MPD
John Green

Council Member Frank Harrison
Breonus Mitchell Sr
Brenda Sanderson
Steven Turner

Staff Members

Korby Bowden, Engineering Tech II
Julie Herring, CNT
Jenny Howard, Legal Advisor
Theresa Costonis, Legal Advisor

Chip Knauf, Traffic Engineer
Billy Lynch, Director MPW
Diane Marshall, Parking Administrator
Benny Word, Collier Engineering

Guests

Mr. Shawn Henry
Mr. David Klienfelter

Mr. Herman Parton
Mr. and Mrs. Oleana Roper

Chairperson Gene Ward called the meeting of November 14, 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. Green and **approved with no opposition**.

APPROVAL OF MINUTES

Council Member Harrison motioned to amend the minutes noting that he was present at the October 2011 Traffic and Parking Commission meeting.

Mr. John Green moved for approval of the October 12, 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 Ms. Brenda Sanderson and **approved with no opposition**.

OLD BUSINESS

1. Mobile Food Vendors

Ms. Brenda Sanderson requested to be recused from the discussion and vote on the Mobile Food Vending regulations.

Commissioner Ward approved Ms. Sanderson's request.

Commissioner Ward introduced the Director of Metro Public Works, Mr. Billy Lynch.

Mr. Billy Lynch addressed the Commission and the mobile food vendor representatives. He stated there are several departments within Metro that would like to collaborate a more comprehensive plan that will be suitable for all parties. He then noted that this would most likely go before Council and upon filing of the proper legislation.

Mr. Lynch requested an indefinite deferral.

Mr. Morin motioned to **approve**, seconded by Rev. Mitchell and **approved with no opposition**.

2. Proposal No. 2011M-011AB-001- a request to abandon a portion of 12th Ave S including all utility easements within portion of right – of – way adjacent to property located at 2516 12th Ave S, requested by Paul McRedmond, Owner.

Mr. Word stated that Council Member Moore talked to the constituents and stated that she is ok with the motion for approval.

Mr. John Green made a motion to **approve**, seconded by Ms. Brenda Sanderson and **approved with no opposition**.

NEW BUSINESS

1. Request to provide complimentary parking in the Library Garage for the volunteers for the Nashville Junior Leagues three day Christmas marketplace fundraiser.

Ms. Marshall requested approval for the complimentary parking.

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

2. Proposal No. 2011M- 010AB-001- A request to abandon a portion of Duncanwood Drive and to retain the utilities and easements within adjacent to properties located at 1120 Glendale Lane and 1121 Duncanwood Drive, requested by John and Oleana Roper Trustees, applicants; John and Oleana Roper Trustees and Monroe Harding Children's Home Owners.

Mr. Knauf noted that this was recommended for disapproval in October. He stated that anytime Metro Public Works recommends abandonment of right – of – way they require the cooperation of all the affected property owners. He said that one property owner did not sign.

Attorney Mr. Shawn Henry representing Mr. and Mrs. Roper stated that his client has owned this property for 60 years and maintained this property the entire time. He is requesting that the requested abandonment in mandatory referral no. 2011M – 010AB – 001 be modified so that all property owners that retain land would allow them to achieve future goals.

Mr. Herman Parton of Brook Meade Dr. asked that the Commission be familiar with the Metro Driveway Ordinance.

Jenny Howard, Metro Legal Rep, stated that was an issue that needed to be addressed **at Council via Metro Planning through the plan review process** and that did not pertain to the referenced issue.

Mr. David Klienfelter represents Monroe Harding, and states that they are in favor of the previous recommendation to disapprove this abandonment. He noted that Monroe Harding is glad to work with the Ropers, but to modify the mandatory referral could affect the development plans for the property.

Mr. Henry asked for a ninety day deferral so that everyone can review the developers plans and how they will impact the Ropers.

Mr. Klienfelter agreed with Mr. Henry.

Jenny Howard, Metro Legal Rep suggested a motion to rescind the recommendation of disapproval of the original application from September and postpone the vote indefinitely until it comes back in front of the board to vote at that time.

Mr. Green made a motion to **rescind September's action to disapprove** and a motion to **defer indefinitely**, seconded by Council Member Harrison. The motion to rescind was deferred indefinitely by a 8-0 vote.

3. Resolution 11-11: Consent Agenda

- Modify speed limit on Newsome Station Rd from McCrory Lane to Highway 70 from 35 mph to 40 mph
- Authorize all way stop on:
 - 18th Ave S at Horton Ave
- Authorize stop on:
 - Florence Ave at Elmore Ave
 - Valley Brook Pl at Hilldale Dr
- Authorize No Parking from 7 AM – 6 PM Mon- Fri
 - Both sides of Morena St from 21st Ave N to D B Todd
- Authorize Residential Permit Parking on both sides of Bernard Ave from 17th Ave S to 18th Ave S
- Authorize Valet Stand on the east side of 18th Ave S near Division St

4. REPORTS

1. Parking – *on consent agenda*
2. Engineering – *on consent agenda*
3. Accepted Roadway Report – *on consent agenda*

Mr. John Green made a motion to **approve**, seconded by Council Member Harrison 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 11-11: Consent Agenda

- Modify speed limit on Newsome Station Rd from McCrory Lane to Highway 70 from 35 mph to 40 mph

- Authorize all way stop on:
 - 18th Ave S at Horton Ave
- Authorize stop on:
 - Florence Ave at Elmore Ave
 - Valley Brook Pl at Hilldale Dr
- Authorize No Parking from 7 AM – 6 PM Mon- Fri
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- Authorize Valet Stand on the east side of 18th Ave S near Division St

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: November 14, 2011

EFFECTIVE: November 19, 2011

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

OTHER BUSINESS

Mr. Morin received a request to rescind the action for the request of residential permit parking on **Bernard Barton** Ave.

Mr. Knauf stated that we approved the request for residential permit parking, now we have a request to modify the permit parking. He noted he would like **a motion** to rescind this to further discuss this request.

Mr. Morin made a request to **rescind previous motion**, seconded by Mr. Green. A decision to **rescind was deferred for 30 days**.

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 3:57 p.m.

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



Assistant Director
Department of Public Works



Chairperson
Traffic and Parking Commission