MINUTES
OF THE MEETING OF THE
TRAFFIC AND PARKING COMMISSION
December 10, 2012

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m. on Monday, December 10, 2012, 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 - Absent
Breonus Mitchell Sr
Brenda Sanderson
Steven Turner

Staff Members

Korby Bowden, Engineering Tech II
Julie Herring, CNT
Theresa Costonis Legal Advisor
Chip Knauf, Traffic Engineer
Benny Word, Collier Engineering
Diane Marshall, Parking Administrator

Guests

As noted in minutes

Chairperson Gene Ward called the meeting of December 10, 2012 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 Rev. Mitchell and **approved with no opposition.**

APPROVAL OF MINUTES

Rev. Mitchell moved for **approval** of the Agenda, seconded by Mr. Green and **approved with no opposition.**

OLD BUSINESS

1. Request to appeal denial of all way stop at Brewer and Wessex Dr. Requested by Council Member Davette Blalock, District 27. Deferred from August 2012 meeting.

   Mr. Knauf stated that this was brought back to the Commission on behalf of Council Member Harrison at the August 2012 meeting. He requested a petition for the requested all way stop.

   Council Member Blalock stated that this stop sign has been requested by several of the neighbors. She also presented her petition from the neighbors in favor of this stop sign.

She noted that the entire street has a very high volume of cars and she would like to see the cars slow down.

Mr. Green asked if this area has been looked at by the traffic calming.

Mr. Word stated that this location is not currently in the traffic calming program and that he would speak with the Council Member about traffic calming.

Rev. Mitchell made a motion to **approve** the denial of the all way stop, seconded by Mr. Green and **approved with no opposition.**

2. 12th South Residential Permit Parking. Deferred from the November 2012 meeting.

Ms. Marshall stated that there was a neighborhood meeting on Saturday, December 8, and the residents and merchants are requesting a one month deferral to discuss a resolution to the problem.

Mr. Green made a motion to **approve** the one month deferral, seconded by Mr. Turner and **approved with no opposition.**

APPEALS

1. Request to appeal the recommendation to not remove the truck restriction on Swinging Bridge Rd. Requested by Mr. Pal Hawkins, District 11.

Mr. Knauf stated that the applicant requesting the removal of the truck restriction is requesting to indefinitely defer this item.

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

2. Request to appeal the revocation of individual vending permit no. 169275. Requested by Mr. Carl Jones

Mr. Knauf stated that the Commission decided to revoke Mr. Jones vending permit based off of the violations he incurred while vending on Davidson Co. Streets.

Council Member Gilmore stated she is here to support Mr. Jones. She also noted and that she would not like to see Mr. Jones lose his permit and would encourage him to follow the vending regulations should his permit remain valid.

Sgt. Keeter with MPD states that Mr. Jones has been cited several times for being in violation of the street vending codes. He stated that he has given several warnings to Mr. Jones and he continues to violate the regulations.

Mr. Jones stated that he has followed the regulations and he is not in violation. He states that Sgt. Keeter picks on him and does not want him to vend. He says he feels like it is miscommunication between him and the officer. He noted that he has his vending license and insurance.

Sgt. Keeter noted specific instances where Mr. Jones was in violation of the vending code.

Mr. Feller Brown made a motion to **revoke** Mr. Jones vending permit, seconded by Ms. Sanderson and **approved by a 4-2 hand vote.**

NEW BUSINESS

1. **BILL NO. BL2012-284 –** An ordinance amending Chapter 12.13 of the Metropolitan Code pertaining to the use of speed cushions as part of the neighborhood traffic management program. Introduced by Council Member Bruce Stanley.

Mr. Knauf stated that the intention of the speed cushion is to slow traffic down through residential neighborhoods and streets. He stated that they are not common in Davidson County and are noted to slow down emergency response times. He also noted that these cushions cannot go just anywhere, that the grade of the road and drainage issues have to be taken into consideration as well. Mr. Knauf stated that we have a traffic calming program that we would like to see utilized and not an ordinance stating that this has to be done. Mr. Knauf requested that this recommendation be denied to Council.

Council Member Stanley states that this request would allow the use of speed cushions as part of the neighborhood traffic management program. He noted that this ordinance is an attempt to address some of the noticeable subtractions that have been associated with this specific neighborhood. He state that Hickory Hill lane which is in his district, 14 was submitted to the traffic calming program and it has failed miserably. He said that the vast percentage of people who access this street are Wilson co. residents and are narrow two lane streets. He said that these streets should not be used as short cuts and the speed cushions would reduce this traffic.

Ms. Costonis with Metro Legal stated that she has read over Mr. Macy's memorandum and stated that there are some concerns with some consistency with prior provisions of the code. She noted as far as the charter is concerned pursuant to ***Sec. 8.402. - Functions.*** *The department of public works shall be responsible for: (a) The design, construction, maintenance, repair and cleaning of roads, highways, streets, alleys, storm sewers, other public places, bridges, viaducts, and other related structures.* She noted that this does make it clear the streets are the jurisdiction of Public Works.

Rev. Mitchell noted that his concern was that these speed cushions was for a specific area and that this ordinance was not clear on the area it pertains to. He noted that he would be more than willing to help with the traffic calming in that area that they are having trouble but does not feel that this ordinance would solve his problem.

Mr. Green feels that the 55% threshold was extremely low for this to pass.

Mr. Knauf agreed that this is a very low number and that he believes that this would open to a serious liability.

Mr. Turner feels like this ordinance is geared towards a particular neighborhood and should not be geared towards the city.

Mr. Green made a motion to **deny**, seconded by Mr. Morin and **approved with no opposition**.

2. **Proposal No. 2012M-014AB-001 –** Request to abandon a portion of Wyoming Av (easements to be retained) adjacent to properties located at 4100 Wyoming Ave and 4022 Media Street, (0.042 acres), requested by Dale & Associates, applicant, Woodland Street Partners, LLC and Jeremy Myers.

Mr. Green made a motion to approve, seconded by Mr. Brown and approved by a 7-0 hand vote.

3. **Proposal No. 2012M-017AB-001 –** A request to abandon a portion of Alley # 207 and 209 (easements to be retained) between Hume Street and Taylor Street. Requested by Littlejohn Engineering Associates, applicant, Werthan Packaging, Inc.

Mr. Green made a motion to approve, seconded by Mr. Brown and approved by a 7-0 hand vote.

4. Request to provide complimentary parking in the Library Garage from February 5th-10th 2013 for the Antique and Garden Show.

Ms. Marshall stated that the commission has approved this request for the last three years. She noted by code that the commission has to vote on this item and the she recommends approval.

Mr. Morin made a motion for approval, seconded by Mr. Turner and approved with no opposition.

5. **Resolution 12-12:**
   - Authorize stop sign on Starliner Ct at Starliner Dr.
   - Authorize stop sign on Gwen Dr. at Masonwood Dr.
   - Install "NO Left Turn 7am-9am on Gallatin Ave at N 11th St
   - Install "Truck Prohibition" signs on Old Harding Pike at Harding Pike to Post Rd.

Rev Mitchell made a motion to **approve** the resolution seconded by Ms. Sanderson and **approved with no opposition.**

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

Approved

Other Business

Megabus-

Mr. Knauf stated that, per commission decision, Megabus parking will be removed on Commerce St on Jan. 2, 2013. He noted that Megabus has several different locations that they are looking at and all are on private property.

Traffic and Parking Commission Resolution No. 12-12 authorized by Chapter 9 of the Charter of the Metropolitan Government of Nashville and Davidson County, Tennessee as amended

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

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: December 10, 2012 EFFECTIVE: December 15, 2012

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

ADJOURNMENT

There being no further business, Cpt. Jones moved to ***adjourn***, seconded by Mr. Morin and ***approved by voice vote with no opposition***. The meeting adjourned at 4:38 p.m.

Approved on this the 14th day of January, 2013.

Assistant Director
Department of Public Works

Chairperson
Traffic and Parking Commission