

MEETING MINUTES
OF THE
TRAFFIC AND PARKING COMMISSION
SEPTEMBER 10, 2018

Note: The monthly meetings of the Traffic and Parking Commission are documented via video and are available through Metro ITS Department (<http://www.nashville.gov/Information-Technology-Services.aspx>) and Metro Nashville's YouTube Channel (<https://www.youtube.com/MetroNashville>)

The regular monthly meeting of the Traffic and Parking Commission was held at 3:00 p.m., on Monday, September 10th, 2018 in the Sonny West Conference Room. The following were present unless noted otherwise:

Commission Members

John Green, Chairman
Betsy Williams
Saralee Woods
Marvin Neal
Karen Robbins

Mike Gilliland, MNP
Nora Kern
Larry Hagar, CM
Feller Brown

Staff Members

Chip Knauf, Traffic Engineer
Diane Marshall, Parking Administrator
Korby Bowden, Engineer Tech Senior

Benny Word, Traffic Calming
Teresa Costonis, Legal Advisor
Mary Peoples, Administrative Assistant

Chairman John Green called the meeting of September 13, 2018 to order at 3:00 p.m.

CALL TO ORDER

Chairman John Green 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

Commissioner Woods moved for **approval** of the Agenda, seconded by Commissioner Hagar, and **approved with no opposition**.

APPROVAL OF MINUTES

Commissioner Kern moved for **approval** of the August Minutes, seconded by Commissioner Hagar, and **approved with no opposition**.

Commissioner Woods made a motion to request **revision** of the July 30, 2018 minutes for the Special Called meeting, seconded by CM Hagar, and **approved with no opposition**.

CONSENT AGENDA

Consent agenda 18-09 was presented and a request was made to remove item (b) from the agenda. Motion was made by Commissioner Kern and seconded by Commissioner Woods. Motion passed. All in favor with no opposition. A motion was made by Commissioner Kern and seconded by CM Hagar to remove item (e). Motion Passed. All in favor with no opposition. A motion was made by CM Hagar and

seconded by Commissioner Brown to approve the consent agenda. Motion passed. All in favor with no opposition.

CONSENT AGENDA - Resolution 18-09

Mandatory Referrals

- a) **CD17:** 2018M-024AB-001-A request for the abandonment of a portion of Alley #1805, from Hagan Street Northwest to terminus (see sketch for details), Utility Easement is to be retained; requested by Catalyst Design Group, applicant.
- b) **CD18:** 2018M-025AB-001- A request for the abandonment of a portion of Bernard Avenue, from Belmont Boulevard eastward approximately 325 feet, as well as Alley #439, from Bernard Avenue south to Compton Avenue, and Alley #951 eastward, approximately 250 feet (see sketch for details), requested by Catalyst Design Group, applicant.

A motion was made by Commissioner Kern and seconded by Commissioner Woods to remove this item from the consent agenda. All in favor, no opposition.

Commissioner Kern requested clarification on this item being that it is an active street. Andrew Walters from the Catalyst Design Group addressed the commissioners and stated that this is a steep section of Bernard Avenue which leads to the Curb Garage. This section of the street does have usage at this time, but would be relocated to extend to Compton. His firm has been working with the Belmont Neighborhood Advisory Committee as well as Metro Public Works on this project. The relocation will help with the long term goals of Belmont University overlay as well as public safety during icy conditions.

Jason Rogers, Vice President of Administration and University Counsel, stated that all of the affected parcels are owned by Belmont University and this change is setting the stage for planned future development. In addition, the 4 parcels on the east end of the street are a part of the mandatory referral paperwork.

Commissioner Kern made a motion to approve the request, seconded by Commissioner Woods. All in favor, no opposition, motion passed.

Parking Regulations

- c) **CD17:** Authorize valet parking at 1120 3rd Avenue North; requested by Omega Parking
- d) **CD17:** Modify parking on Capers Avenue from “no parking from 9 a.m. to 4 p.m. Monday thru Friday” to “2 hour parking Monday thru Friday” on the south side of Capers Avenue from the dead end to 19th and the north side from the dead end to the alley west of 18th Avenue South. Requested by CM Sledge
- e) **CD17:** Authorize valet parking at Montrose at 2526 12th Avenue South; requested by Parking Management Company

A motion was made by Commissioner Kern and seconded by CM Hagar to defer this item. All in favor with no opposition. Motion passed.

Traffic Regulations

- f) **CD4:** Authorize removal of yield sign and install stop signs at Dogwood Trail and Woodland Way intersection; requested by resident
- g) **CD7:** Authorize stop sign on Thistlewood Road at Berrywood Road; requested by resident
- h) **CD7:** Authorize stop sign on Pinewood Road at Berrywood Road; requested by resident
- i) **CD35:** Modify speed limit on River Road from Charlotte Pike to River Road Pike from 40 mph to 30 mph; requested by resident
- j) **CD9:** Authorize 4-way stop at intersection of Cumberland Avenue and Bixler Avenue; requested by CM Pridemore
- k) **CD21:** Authorize traffic signal at I-440 west bound and Murphy Road; requested by 3415 Development

- I) **CD22:** Authorize stop sign at intersection of Camelot Drive and Harness Drive; requested by resident

NEW BUSINESS

1. **CD20:** Request for all way stop control at: a) 51st Av at Kentucky Ave
b) 51st Av at Indiana Ave

Requested by CM Roberts

CM Roberts spoke regarding this request, she stated that the stop signs would help with safety issues and creates the complete street. With the new businesses in the area, it has created more pedestrian traffic and motorists have ignored the pedestrian crossings creating a safety issue. There are 4 crosswalks and most motorists don't stop. She is trying to break habits by having motorists stop at these two locations, she feels it would help to move in the right direction.

Timothy Brown, resident at 5303-A Kentucky Avenue, stated that he is a part of the Nations Association and has been working with Peter Bird, Metro Planning, on the Bikeways plans for the nations. Last year a task force was formed to review traffic calming in the nations area and these two stop signs were a part of the conversation to get put in place. He requests commission approval.

A motion was made by Commissioner Brown and seconded by CM Hagar to approve this request. All in favor, no opposition, motion passed.

2. **CD19:** Request for modification of designated parking for horse drawn carriages; requested by Sugar Creek Carriages

Kama Warren was present to speak; she stated that there were issues with parking in the designated areas on 1st Avenue, Broadway and 2nd Avenue. Particularly, Uber, Lyft, taxis and other carriage companies. Ms. Warren stated that there are traffic and safety issues that arise from the congestion in the designated areas. Additionally, their revenue has dropped since the Traffic and Parking Commission changes were made this year. She requests to get permission to begin parking on 2nd Avenue and that there are some businesses that are ok with the change if allowed.

Mr. Rubel and Mrs. Brenda Sanderson were present to speak on behalf of the four Honky Tonks they own on Broadway. She stated that all of the businesses are maxed on Broadway and 2nd Avenue. She mentioned several businesses that are concerned about adding anything to the mix. In addition, they feel it is important to keep the loading zones open because their businesses use them throughout the day. The request is to deny any additional spots for anything else downtown.

Mr. Dave Pomeroy, Professional musician and president of the Nashville Musicians Association local 257 spoke regarding this matter. He did state that improvements were made when the loading zone was created from 1st to 5th Avenues last year. He said there is an incredible problem with taxis; they do not obey the law. He feels that musicians are a big part of the reason for tourism downtown and requests that the commission deny the request.

Mr. Mark Burn represented Tootsies Entertainment, he echoes exactly what has already been said this afternoon. He asked the commission to deny the request because the horses have a smell that would not be enticing for the downtown atmosphere.

Mr. Rubel Sanderson spoke, he does not want the commission to grant the request because it's a continual problem. There are a lot of private businesses operating on public Nashville streets and pay little or no property taxes and they constantly request accommodations.

The commission discussed current parking accommodations for the carriage companies and the taxis. Commissioner Woods asked if the staff has a recommendation for the commission.

Chip Knauf, Metro Public Works, stated that they are looking at other options because there are limits as to where they can put all the companies. He would prefer a deferral for one month.

Commissioner Kern stated that the commission has deferred this three times in a row and doesn't really understand the request. Is there a plan of how to get past deferring this item?

Chip Knauf, stated that is why the item is back on the agenda because of the six month rule. If the commission takes action of any kind, it would be six months before anything else can be implemented. If an action is made to deny, then it would be six months before it would be back before the commission.

A motion was made by Commissioner Williams and seconded by Commissioner Woods to deny the request. The vote was 5 for and 2 against. Motion denied.

- 3. CD19: Request for approval to revoke vending permit of Carl T. Jones for excessive vending code violations; requested by MNPD**

Officer Charles Morgan of the Hermitage police precinct gave background information as to how this request came about. He stated that he works many of the events that go on downtown and has had frequent meetings with Mr. Carl Jones. This year alone, Mr. Jones has received 4 misdemeanor violations and each time he screams profanities and jumps in and out of the street when the officers speak with him. Officer Morgan shared pictures of the violations that have occurred on Broadway and explained how Mr. Jones endangers the people in the area when he is approached. On May 25th, Mr. Jones threatened to kill a hot dog vendor that was selling on the street. He has \$10,000 in outstanding fines in criminal court as well as citations that he has not paid. Officer Morgan stated that he continually disregards the rules.

Motion was made by CM Hagar and seconded by Commissioner Woods to approve the request. Officer Gilliland recused himself from the vote. All in favor, no opposition, motion passed.

Commissioner Williams asked for clarification as to why the commission was involved in this vending permit revocation. Teresa Costonis, Metro Legal, gave the code in Section 13.08.040.C and explained the procedure that is dictated in this section. She explained that Mr. Jones has 15 days to request reconsideration of the revocation, which is for 1 year.

DEFERRED BUSINESS

- 1. CD24: Authorize residential parking permit at 4500 Nebraska Avenue to 4501 Utah Avenue from 12:00 p.m. to 12:00 a.m.; requested by CM Murphy**

This item was withdrawn based on a meeting with CM Murphy, per Diane Marshall

- 2. CD18: Request for no parking or standing 24/7 on north side of West End from 20th Avenue South to 375' west of 20th Avenue South; requested by Graduate Hotel**

This item was withdrawn, per Chip Knauf

OTHER ITEMS

- 1. Parking Management and Modernization**

Mr. Brian Kelsey, Chief Strategist of Nashville Mayor's Office, stated that this is in open procurement at this time and discussion is limited for that reason.

Teresa Costonis, Metro Legal, stated that there is a state law (10.7.504.A.28) that addresses confidentiality when a proposal has been issued and bids are coming in. She explained that everything becomes public after intent to award is determined. They want to inform the commission, because at some time it will come before Traffic and Parking for approval before going to council.

Mr. Kelsey gave an overview about the project that started in January 2017. A consultant was hired to help identify how we can accomplish the goal of improving on street parking or curve management goals. A presentation was done by the advisors late last year. In May, budget assumptions were made in the Mayor's budget that was submitted to the Mayoral Council regarding revenue that could be achieved through this project. The RFP was issued on August 13th and will be open until October 18th. There is a multi-agency evaluation committee that represents impacted departments within Metro as well as one other non-metro entity. In addition, there is a group of advisors that is helping with subject matter expertise. This proposal is to do a concession lease and to find a private partner that can modernize the technology of our on street parking system and help us operate it more effectively. It only references the 2000 metered parking spaces; it does not include the Metro owned garages. Mr. Kelsey referenced item number 4 in the document given to the commissioners which stated that the goal of this is to maximize user convenience while achieving sustainability and travel demand management goals, to ensure that parking is affordable and produces revenue to support Metro priorities as well as ensuring that residents can park in proximity to their homes without competition. This also provides options for managing disability parking enforcement, produce real-time and accurate management data on parking trends, uses and revenues. The solicitations also explore new methods of managing curb space for uses such as drop-off and pick up zones for ride-sharing, access for autonomous vehicles and delivery trucks or other special permit parking. He reiterated that the commission would still oversee pricing and policy. If a contract is entered into, the commission would still oversee that as well.

CM Hagar asked Diane Marshall, Metro Public Works, how much does Metro make on parking meters at this time? Her response was approximately \$1.5 million per year. And how many employees would be affected? Ms. Marshall stated 10 employees would be affected. His biggest concern is how we can keep the affected employees. Mr. Kelsey stated that there is a provision that covers outsourcing.

CM Hagar asked if there would be improvements to the current system. Mr. Kelsey responded that there would be completely new technology and the company would be responsible for the cost of improvements.

Commissioner Woods stated she is always concerned, she hears that we are experiencing a shortfall and seems like we are giving away our assets. We have 988 spaces and could go to 4500 spaces. Why aren't we doing these things now? Mr. Kelsey responded, stating that the Planning Department was asked where we could add metered spaces. That is the explanation for the additional spaces. They looked at places that would make sense. CM Woods is concerned that homeowners would have to go back to fighting with the businesses to have parking in front of their house. She also asked how it would be handled for persons who do not have smartphones. Mr. Kelsey stated that they tried to address those concerns in the RFP.

Commissioner Green asked if there was a model city that we could look at. Mr. Kelsey responded that they had looked at Indianapolis, Ohio State, Las Vegas, Austin and Chicago. He can send the list. Commissioner Green then asked how does this work with cyclist and pedestrians. Mr. Kelsey answered by saying there would be technology improvements. There would be overall street scoping changes and improvements. Commissioner Green inquired about valet space management and wanted thoughts on that. Mr. Kelsey said they wrote this in a way that would guide for where we want to go but not constrain the companies.

2. Overview of proposed parklet application

Erin Hafkenshiel, Mayor's Office Director of Transportation and Sustainability, and Elwyn Gonzalez, Planning Department Transportation Planner were present to give the overview of the proposed parklets. Ms. Hafkenshiel explained that the Mayor's office often receives requests for creating temporary and permanent spaces within our right of way. The vision for this program is to improve public space and pedestrian safety throughout the county. This is a way for these parklets to be funded by the private sector.

Mr. Gonzalez, Planning office, explained that parklets are temporary placements over 1 to 2 on-street parking spaces creating an extension of sidewalk functionality. They are used for walking, sitting, bike racks, public art and other amenities. They support businesses that are already there and can only be placed on streets owned by Metro. We already have some located in downtown. This process is for one year for sponsors and applications will be taken from September 21st, 2018 until February 9th, 2019. The proposed projects go through the Planning Department, Parklet Review Committee, Metro Public Works and in some instances to the Traffic and Parking Commission. The overview partnership consists of ten Metro departments and the Parklet Review Committee consists of 8 Metro Departments. They have collaborated with at least five cities to research what works and doesn't work for this type of project. In addition, Mr. Gonzalez gave the overview of the application process for those companies that wish to receive approval to participate. There are project screening requirements such as posted speed limits of 30 mph or less and in urbanized areas. He also explained the design criteria for the parklets and they must have a permit. There are several Metro-identified issues, particularly in regards to safety. The parklets have operating hours and when it is open, it operates like a public park and when it is closed it must be vacated.

Commissioner Green opened the floor for questions from the commissioners.

Commissioner Neal stated that he was concerned as to how the homeless population would be monitored with these parklets. Mr. Gonzalez stated that the MNPD would be enlisted to deal with issues that arise.

Chip Knauf, Metro Public Works, asked what the September date is to preview the parklets in Nashville. Mr. Gonzalez responded, National Parking Day is September 21st.

3. The October 8, 2018 Traffic and Parking Commission meeting will be held at Sonny West Conference Center

Traffic and Parking Commission Resolution No. 18-08 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:

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 10th, 2018

EFFECTIVE: September 10th, 2018

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

ADJOURNMENT

There being no further business, Officer Gilliland moved to ***adjourn***, seconded by Commissioner Woods and ***approved by voice vote with no opposition***. The meeting adjourned at 4:29 p.m.

Approved on the **10th** day of **September** 2018.

Assistant Director
Department of Public Works

Chairperson
Traffic and Parking Commission