



## ***Operations Committee - Board of Representatives***

Joseph Coppola, Jr., Chair   John Zelinsky, Jr., Vice Chair

# **Committee Report**

**Date:** Wednesday, May 27, 2015

**Time:** 7:00 p.m.

Republican Caucus Room, 4<sup>th</sup> Floor, Government Center, 888

**Place:** Washington Boulevard

The Operations Committee met as indicated above. In attendance were Chair Coppola, Vice Chair Zelinsky, and Committee Member Reps. Coleman, Mahoney, McMullen and Reeder. Absent or Excused committee members were Adams and Giraldo. Also present were Reps. Heaphy and Kolenberg; Ernie Orgera, Director of Operations; and Lou Casolo and Anne Brown, Engineering.

Chair Coppola called the meeting to order at 7:03 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
<sup>1</sup> 1. <a href="#">O29.039</a>	ORDINANCE for publication; Amending Section 137-2(A) and 137-13 of the Code of Ordinances regarding the Placement and Removal of Refuse and Recyclable Containers from the Street and/or Curb. 05/06/15 – Submitted by Mayor Martin	<b><i>Committee Held 5-2-0</i></b>

Mr. Orgera asked about this ordinance change because citizens are not putting their trash containers back on their property after pick-up and it has become a quality of life and public safety issue.

The Committee discussed this item with several concerns. Some of the concerns include: fines; private property rights; wording of the proposed ordinance such as “discretion of the Director of Operations” in Section 137-2 A (5) and to possibly include “by end of day” in Section 137-2 A (4); Chair Coppola agreed to hold this item but would like the committee to come back next month with a rational solution.

*A motion to hold this item was made, seconded and approved to hold by a vote of 5-2-0. (Coppola, Buckman, Mahoney, McMullen, and Reeder in favor; Coleman and Zelinsky opposed)*

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<sup>1</sup> Video time stamp 00:01:52

- <sup>2</sup>2. O29.037      ORDINANCE, for publication; Amendment to Chapter 214, Article II of the Code to require Utility Companies to repair poorly done repaving after Excavation.      **Committee Held 7-0-0**  
05/07/15 – Submitted by Rep. Zelinsky

Mr. Zelinsky stated this has become an issue with Utility Companies. Many of his constituents have complained about road conditions after excavation and would like to see more strict rules included in Section 214-30 (A) of the code. He would like to add another year to the bond so the repaving will not fall on the City tax payers.

Mr. Casolo clarified that when he issues permits to utility companies for excavation the principal and surety bond is for 2 years from the time of completed work. The committee agreed that since his paperwork includes a 2 year surety bond, there will need to be changes to this ordinance. It was suggested to get a legal opinion from the law department.

*A motion to hold this item was made, seconded, and approved to hold by a vote of 7-0-0. (Coppola, Zelinsky, Coleman, Buckman, Mahoney, McMullen, and Reeder in favor)*

- <sup>3</sup>3. O29.038      REVIEW; loss of street parking on East Main Street, affecting small business owners.      **Report Made**  
05/07/15 – Submitted by Rep. Zelinsky

Anne Brown spoke briefly regarding the Urban Transitway which is impacting the businesses on lower East Main Street. She said they did have several public meetings regarding Urban Transitway Phase II which is East Main Street and no parking was discussed at the meetings and the public did have issues with the no parking in that area. Ms. Brown discussed potential recess parking but property owners at these locations strongly disagreed.

Mr. Casolo stated the project is designed and in construction and there is no way to alter the design. He explained that East Main Street is a State highway and the CDOT did approve this plan. It was explained that all the property acquired for this project that are excess land, must be a transit use per the Federal Transit Administration (FTA).

Director Orgera agreed to work with the East Side Partnership and come up with a solution.

- <sup>4</sup>4. O29.040      REVIEW; Ways to improve Chapter 214, Article II of the Code of Ordinances, encroachment and excavations of sidewalks.      **Report Made**  
04/08/15 – Submitted by Rep. Kolenberg  
04/13/15 – Held at Steering

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<sup>2</sup> Video Time Stamp 00:35:25

<sup>3</sup> Video Time Stamp 00:46:33

Rep. Kolenberg brought this item to the board because of complaints from constituents. He knows chapter 214 covers snow and ice, but not sure about other items.

Mr. Orgera explained he has trouble with illegal dumping city wide and brought this to the attention of the board before. He explained they use cameras at frequently illegal dumping areas and they have worked out well.

After a brief discussion, Rep. Kolenberg agreed to get an opinion from the Law Department to make sure this ordinance is not redundant.

Chair Coppola adjourned the meeting at 8:35 p.m.

Respectfully submitted,

Joe Coppola, Chair

This meeting is on [video](#).

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<sup>4</sup> Video Time Stamp 01:21:30