

SUMMARY OF MINUTES

PUBLIC WORKS COMMITTEE

5:45 P.M., TUESDAY, JANUARY 12, 2010

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: *Council Member Robert C. Clark, Chair*
 Council Member Derwin L. Montgomery, Vice Chair
 Council Member Denise D. Adams
 Council Member Dan Besse

OTHERS PRESENT: *Council Member Molly Leight*

Chair Clark called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Montgomery requested to pull Item C-4 and Chair Clark requested to pull Items C-2 and C-3. No other items were removed for consideration.

Council Member Besse made a motion to approve the balance of the Consent Agenda. The motion was duly seconded by Council Member Adams and carried unanimously.

CONSENT AGENDA

- C-1. RESOLUTION APPROVING THE ABANDONMENT OF PUBLIC UTILITY EASEMENTS (EAST WARD) – *Petition of Winston-Salem State University.*
- C-5. CITIZENS' BASEBALL STADIUM REVIEW COMMITTEE MONTHLY REPORT TO THE CITY COUNCIL.
- C-6. CITY/COUNTY UTILITY COMMISSION EXECUTIVE SUMMARY.
- C-7. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *December 15, 2009.*
- C-2. RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH HART & HICKMAN, P.C. (WEST WARD) - *Petition of Hart & Hickman, P.C.*

In response to Chair Clark's question as to whether or not the neighborhood had been informed regarding the groundwater contamination monitoring device, Mr. Gregory M. Turner, Assistant City Manager/Public Works, stated that they will be notified if the item is approved.

Chair Clark made a motion to approve the item. The motion was duly seconded by Council Member

Adams and carried unanimously.

- C-3. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM NORTH CAROLINA FOR FY 2009 - 2010 TO APPROPRIATE FUNDING FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TRAFFIC SIGNAL UPGRADES. [\$410,000.]

In response to Chair Clark's question, Mr. Turner stated that each traffic signal cabinet is individually metered, so the City receives credit from Duke Energy for reduced consumption at that cabinet. Each traffic signal has two consumers of power: the signal head itself and the traffic controller inside the cabinet. By switching from incandescent lights to light emitting diodes (LED), electricity costs can be reduced to a minimum.

In response to Council Member Montgomery's question, Mr. Turner stated that there is a potential savings of a 40-50% in overall energy consumption. He also stated that all the City's lights have been converted to LED at this point and the State is paying the City to convert theirs to save on electricity costs as well.

Council Member Besse made a motion for approval. The motion was duly seconded by Council Member Adams and carried unanimously.

- C-4. MONTHLY REPORT ON ECONOMIC STIMULUS PROJECTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT.

Council Member Montgomery requested an understanding of progress already made and what can be expected with stimulus funding.

Mr. Turner stated that since this information was published, staff has received feedback from the Finance Department that \$1.1 million in funding has been received and is in the City's account, so he will distribute an updated version of this item with the Council Member's Thursday package. Some of the funding is reimbursable and the City has spent approximately \$2 million, so progress is being made.

Chair Clark suggested that Council Members take this list to Washington, D.C. in March for the National League of Cities Congressional City Conference, to see if any items can be expedited.

GENERAL AGENDA

- G-1. RESOLUTION APPROVING AN AGREEMENT WITH THE GRANDVIEW PLACE HOMEOWNERS ASSOCIATION, INC. TO MAINTAIN DECORATIVE STREETLIGHTS IN GRANDVIEW PLACE.

Mr. Turner noted that the City provides standard lights for roadways at no cost to property owners, which is a wooden pole with a light fixture on top. The standard model is less attractive than some communities would like, and Duke Energy offers five decorative fixtures with some modifications, and economic traditional is the most frequently selected decorative fixture. Decorative fixtures have to be closer together to meet street lighting standards for a certain amount of light and uniformity of

light, which requires more fixtures, thus increasing the cost. The City requires property owners desiring the decorative fixtures to pay the extra cost above and beyond the standard fixture cost. Neighborhoods pay up front for the fixtures and pay on an annual basis for the cost of extra electricity required by the additional fixtures. The neighborhood benefits from the City's rate structure and the City does not pay more than it would for standard fixtures. In response to Council Member Adams' question, Mr. Turner noted that typically, decorative structures are requested when a neighborhood is being constructed so there is rarely a need to remove standard fixtures. If standard lights are installed before decorative lights are requested, there is a contract with Duke Energy to leave the standard fixtures in place for three years. He also noted that this development has occurred through a phased construction process since it was annexed.

In response to Council Member Besse's question, Mr. Turner stated if annual recurring costs are not paid, the decorative fixtures are removed and replaced with standard fixtures.

Chair Clark noted that originally, neighborhoods could rent street lighting fixtures or purchase them; however, when several rental contracts were up for renewal, it was discovered to be more cost effective to purchase the fixtures up front.

Mr. Turner noted that in the case described by Chair Clark, that particular homeowner's association was controlled by the developer who decided to rent the fixtures rather than purchase them because he controlled the majority of the properties.

Council Member Adams made a motion for approval. The motion was duly seconded by Council Member Besse and carried unanimously.

G-2. CONSIDERATION OF ITEMS RELATING TO INTERLOCAL COOPERATION AGREEMENTS WITH WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION:

- a. RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION CONCERNING GLENN HIGH SCHOOL.
- b. RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION CONCERNING SPEAS ELEMENTARY SCHOOL.

Mr. Turner stated that the stormwater ordinance requires an institution to demonstrate a financial ability to maintain stormwater management devices. One provision of the ordinance is an allowance for any financial commitment acceptable to the City to demonstrate that financial capacity. Staff reviewed institutions that would never dissolve, such as the Winston-Salem/Forsyth County School Board and Forsyth County, and noted that it would be reasonable not to require them to post a bond but rather to assure through resolution or action of their governing board that they would provide funding. This item states that these entities will pass a resolution and enter into an agreement with the City to maintain those devices. A similar agreement was recently executed for the Career Center/Kennedy Middle School project.

Council Member Besse made a motion for approval. The motion was duly seconded by Council Member Adams and carried unanimously.

ADDITIONAL ITEM – CONCERN INVOLVING KERR SCOTT RESERVOIR IN WILKESBORO

Chair Clark noted that the City owns the rights to the top 30 feet of water in Kerr Scott Reservoir, located in the City of Wilkesboro, and if the Yadkin River gets too low, the dam can be opened to make up the difference. This option has not been utilized in the City's history of ownership, but it is tested periodically to ensure it works. He also noted that he has a friend, whom owns property on the lake, and that he was informed the City of Wilkesboro is entering into an agreement to install a hydroelectric plant, and expressed concern that the City may lose its authority to control the discharge of water and read a portion of the letter of concern. He requested the Utility Commission investigate the concern and staff report back at the February 9 Public Works Committee meeting with definitive answers as to whether or not the City's control is at stake.

Mr. Turner confirmed that Chair Clark's request was for a legal opinion to go to the Utility Commission on its protections if the plant were to go forward.

Mrs. Marilena Jensen-Guthold, Assistant City Attorney, stated that the City has two agreements regarding the reservoir, one with the City of Wilkesboro and one with the Army Corp of Engineers, and she would review Chair Clark's concerns. In response to Council Member Besse's question, Mrs. Jensen-Guthold stated she would review if this was a Federal Energy Regulatory Commission (FERC) re-licensing procedure for the reservoir.

Council Member Besse expressed concern that a re-licensing would take precedent over other controls and could alter the terms of other agreements. The FERC controls licensing for dams and many of the licenses are up for renewal. If the license is not up for renewal for the dam itself, the hydroelectric plant should not be able to obtain authority for control of the release of water.

Chair Clark questioned if the hydroelectric plant was compensating the City of Wilkesboro.

In response to Council Member Adams' question, Mr. Turner stated that there are situations where there could be a financial loss if there is no water for the City to sell and the result would be a rate increase to compensate that loss and cover the City's debt ratio.

ADJOURNMENT: 6:08 p.m.