

SUMMARY OF MINUTES

PUBLIC WORKS COMMITTEE

5:38 P.M., TUESDAY, FEBRUARY 9, 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*
 Council Member James Taylor, Jr.

Chair Clark called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda.

Council Member Adams requested to pull Item C-1. Council Member Montgomery requested to pull Item C-4. No other items were removed for discussion.

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

CONSENT AGENDA

- C-2. RESOLUTION APPROVING A CONTRACT INCREASE FOR HDR ENGINEERING OF THE CAROLINAS TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER MASTER PLAN UPDATES OF THE BRUSHY FORK, PETERS CREEK, AND LOWER SALEM CREEK WATERSHEDS - *Increase from \$487,600 to \$561,020.*
- C-3. CITY/COUNTY UTILITY COMMISSION ANNUAL REPORT TO THE CITY COUNCIL.
- C-5. REPORT ON W. KERR SCOTT DAM/HYDRO POWER PROJECT.
- C-6. CITIZENS' BASEBALL STADIUM REVIEW COMMITTEE MONTHLY REPORT TO THE CITY COUNCIL.
- C-7. MONTHLY REPORT ON ECONOMIC STIMULUS PROJECTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT.

- C-8. CITY/COUNTY UTILITY COMMISSION EXECUTIVE SUMMARY.
- C-9. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *January 12, 2009.*
- C-1. CONSIDERATION OF ITEMS RELATING TO AN AMENDMENT TO SECTION 42 OF THE CITY CODE RELATING TO PARKING RATES AND TIMES OF PARKING:
- a. ORDINANCE AMENDING SECTION 42 OF THE CITY CODE RELATING TO PARKING RATES AND TIMES OF PARKING.
 - b. RESOLUTION AUTHORIZING THE EXECUTION OF A LONG TERM LEASE FOR PARKING AT THE FOURTH AND CHURCH PARKING DECK PURSUANT TO N.C.G.S. 160A-267 AND 272.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, stated that this item will allow the City Council to offer a long-term lease to individuals willing to rent more than 400 parking spaces over a 25 year period, at a rate of \$25 per space, per month. Currently, a discounted rate is in place for the Fourth and Church Parking deck that is a tiered reduction, whereby the more spaces rented, the larger the discount. The larger discount is being offered to an interested party because of the long-term rental and up-front commitment of \$1.9 million in payment. Although the City is receiving the payment, the Parking Deck Fund will receive that money over the length of the lease in yearly disbursements.

Chair Clark noted this is an enticing option as the deck is under-utilized.

In response to Council Member Besse's question, Mr. Turner stated this lease agreement will reduce the City's annual contribution to the Parking Deck Fund by approximately \$60,000.

Chair Clark requested an update on the Parking Deck Fund.

Council Member Besse made a motion to approve the item. The motion was duly seconded by Council Member Adams and carried unanimously.

- C-4. REQUEST FOR INFORMATION ON STAFF ACTIONS REGARDING THE STORMWATER CONCERNS OF MS. DOREEN POLLOCK. [*Item continued from the December meeting of the Public Works Committee.*]

Mr. Turner noted that Ms. Doreen Pollock has expressed concern about water flow over her property during periods of heavy rain so staff reviewed the conditions of the property and the nearby railroad to determine if previously installed control devices are operating adequately. He also noted that the devices have been effective in stopping the flooding of Ms. Pollock's property with trash and that the report included in the Agenda Book summarizes staff's findings.

Ms. Pollock stated that the devices installed by the railroad have reduced the amount of trash flooding but the problem has not been solved, nor has the damage to her property been repaired. She also stated that iron rods have washed into her yard, that there is a cement block imbedded in the

ground that cannot be moved, and that debris and standing water still occur during periods of rain. Due to the excess moisture, mosquitoes and bugs are constant and the grass is brown. She further stated that she has lived on the property for 14 years and none of these issues were disclosed to her at the time of purchase. In response to Chair Clark's question, Ms. Pollock stated that the home builder is no longer in business and that the railroad has pushed debris to one side of the property, rather than removing it so vermin are abundant. She also stated that she does not feel she should have to maintain the railroad property behind the fence along her property. She further stated that nearby kudzu has been set on fire multiple times, and homeless individuals and drug users frequent there.

In response to Council Member Montgomery's question, Mrs. Angela I. Carmon, City Attorney, stated that staff would review whether or not Ms. Pollock has any recourse regarding information not disclosed to her at the time of purchase, but she is unsure if Ms. Pollock would due to the amount of time that has passed since the purchase date.

Chair Clark stated that the City has a 70/30 participation program, whereby the City will fund 70% and the citizen will fund 30% of the cost to correct erosion issues on private property.

Ms. Pollock stated that she feels she should not have to pay the 30% to repair her property.

Council Member Besse stated that the City has not been able to leverage the railroad to participate in funding a re-routing of the stormwater flow, and has exhausted all legal options and may not be able to meet Ms. Pollock's request. He also stated that the property conditions of the railroad, fire, vagrants and vegetation are separate issues from Ms. Pollock's stormwater concerns and could possibly be addressed through other avenues, such as a public safety concern or inspections concern. In response to Ms. Pollock's request to have the yard repaired, Council Member Besse stated that the engineering solution to solve the problem would be very pricey.

Mr. Turner noted that the City cannot test options to repair the property, rather it can only fund a viable solution to the problem.

Ms. Pollock stated that since the City sold the land to the builder, she feels that the City is responsible and that it should not allow building on properties with similar issues.

Chair Clark stated that the City cannot fix every property with similar issues but it will use its clout in an attempt to encourage the railroad to remove trash and keep the kudzu trimmed on their side of the property.

Council Member Besse requested that staff report back on additional options that may help to remedy Ms. Pollock's issues.

GENERAL AGENDA

G-1. RESOLUTION FOR APPROVAL TO PURSUE A GRANT FUNDING OPPORTUNITY FOR 96-GALLON CARTS TO BEGIN A BI-WEEKLY RECYCLING PILOT PROGRAM. [\$100,000.]

Mr. Johnnie Taylor, Sanitation Director, stated this proposal is for carts for a bi-weekly recycling

program that will offer additional convenience, an increased capacity for recyclables and will benefit the City on the collections end by not having to send vehicles to cover the same routes each week. Radio frequency identification tag technology will be utilized to monitor or inventory recyclable collection and will note when collections are made at particular residences. He also stated that the proposal does not include the equipment needed to track the information. He further stated there is a single stream pilot recycling program that has been ongoing for the last 13 months in two locations, with 292 participants. In response to Council Member Besse's question, Mr. Taylor noted the existing pilot program utilizes 64-gallon carts on a weekly collection basis. He also noted that typical recycling participation is for two bins, of 36 gallons each. He further noted that the City-wide average for recycling collection is approximately five pounds per household, while the pilot data shows that residents average approximately 12.5 pounds per household, with a set out rate of 32 to 40%. The increased capacity in the proposed pilot program will allow citizens to consolidate their recyclables for bi-weekly collection.

In response to Council Member Adams' question, Mr. Taylor noted that the two pilot areas were chosen because they are small neighborhoods confined to a small area. He also noted that for the proposed pilot program, homeowner's associations and neighborhoods will be notified of the option to participate.

Council Member Besse requested that Council Members be notified when staff begins to seek participants so they can notify neighborhoods as to how to participate.

Mr. Taylor stated that Sanitation staff will consult with the Marketing and Communications Department to develop color-coded calendars outlining the collection, staff will identify neighborhoods, finalize collection details and track data to ensure this will be a beneficial program to the City.

Chair Clark noted that the Solid Waste Disposal Fund (SWDP) is being depleted quickly and recycling is a costly operation for the City, but this program could offer substantial potential savings.

In response to Chair Clark's question, Mr. Taylor stated that the proposed program will offer reduced recycling costs, but the initial start-up cost will be high to transfer to a single stream recycling facility from a dual stream facility.

Mr. Lee Garrity, City Manager, stated that several sister cities have converted their recycling operations to similar processes recently and they seem to be operating well. He also stated that an additional cost for the proposed program is for collection trucks.

Mr. Taylor noted that automated side-loading trucks would be the collection vehicle of choice. In response to Council Member Leight's question, he stated that collection can be completed with the current trucks but it will diminish the efficiency by using a rear-loading truck as the most benefit comes from automated collection.

Chair Clark requested that staff consult other cities currently using the automated collection process to obtain information on how their recycling costs compare with years when collection was not

automated.

Mr. Garrity noted that an additional benefit would be better air quality because fewer trucks will be operating.

Council Member Besse made a motion to approve the item. The motion was duly seconded by Council Member Adams and carried unanimously.

G-3. PRESENTATION ON DOWNTOWN TRAILBLAZING SIGNS.

Mr. Steve Cavanaugh, Vice Chair of the Downtown Winston-Salem Partnership (DTWSP), provided an update on downtown trailblazing signs and noted that advertisements for bids are in place. He also noted that all bids received for the production of the signs are from local companies.

Council Member Besse noted that he serves on the Infrastructure Committee for the DTWSP.

Mr. Jason Thiel, DTWSP President, noted that he met with Inspections staff and all signage meets the requirements of the City's sign ordinance, and that all signs will have to be permitted and inspected. He also noted that the DTWSP will be having its annual meeting next Tuesday, and the Raleigh Planning Director will be the guest speaker.

G-2. LONG RANGE FINANCIAL PROJECTIONS FOR THE MASS TRANSIT TAX FUND AND THE SOLID WASTE DISPOSAL FUND.

Chair Clark noted that the City has various funds and feels it important to review them periodically to ensure they are not disguising budget issues. He also noted that the SWDF is close to being depleted so staff will review measures that can be taken to extend the fund.

Mr. Ben Rowe, Deputy Budget/Evaluation Director, gave the presentation.

In response to Chair Clark's question, Mr. David Saunders, City/County Utilities Director, stated that there are approximately five national organizations that offer recycling collection.

In response to Chair Clark's question, Mr. Saunders stated that the Hanes Mill landfill will be at capacity by 2025-2030, and a site for a new municipal solid waste (MSW) landfill will need to be identified by 2015.

In response to Council Member Besse's questions, Mr. Saunders stated that in most counties, solid waste disposal is a county responsibility rather than a City responsibility. He further stated that local government run landfills are the minority, as the trend is for privately owned facilities.

Council Member Besse noted that, at some point, staff should consider whether or not the City should continue to site and operate MSW landfills.

Mr. Saunders noted that publicly owned landfills do have an impact on tipping fees charged in the local market. In response to Council Member Besse's question, he noted that it is difficult to obtain regional cooperation for the operation of landfills because it is difficult to know which municipality

would be the host. He also noted that some bills have been proposed to the General Assembly for regionally operated landfills, but none of them have come to fruition.

In response to Chair Clark's question, Mr. Saunders stated that no new MSW facilities are currently being permitted, privately operated or otherwise, due to recent legislation.

Mr. Garrity noted that even privately operated landfills would have to come before the elected body for approval.

In response to Chair Clark's question in regards to an MSW site in another county, Mr. Saunders stated that prior to finding a site, the City would need to be in a position to offer the host county a financial benefit. At the Uwharrie MSW landfill, the private ownership pays a portion of its tipping fee to offset their county's General Fund costs.

Council Member Leight questioned if it would be possible to forgive tipping fees outside of the County.

Council Member Adams expressed concern at possible fallout from increased tipping fees.

Council Member Besse requested more information on the City's solid waste disposal customer base, any flexibility the City may have for City/County disposal, what types of businesses are contributing solid waste and any disincentives.

Mr. Garrity noted that a SWDF availability fee would appear as a separate line item on citizens' tax bill each year.

Mr. Saunders noted that the town of Kernersville utilizes municipal services to collect solid waste, which is then shipped to Greensboro to be sorted.

Council Member Besse noted that even with the elimination of a City-funded recycling program, an MSW landfill program would not pay for itself. He also noted that it is costing the City more to dispose solid waste than is being collected from tipping fees.

Mr. Rowe noted that there is a declining trend in the waste stream due to the current economy.

Mr. Garrity noted that staff is reviewing a scenario where the goal would be a mixture of maximizing the life of MSW landfills, tipping fees and reduced tonnage, to determine any cost savings in operational costs, Capital and closure costs, and will report that information back to Council.

In response to Chair Clark's question, Mr. Saunders noted that fixed costs for MSW landfill operations are equipment replacement, staffing and development costs, while the largest expense is closure/post-closure set aside costs, and as tonnage decreases, that expense decreases.

In response to Council Member Besse's question, Mr. Garrity stated that the costs of operating an MSW landfill only include the movement and burial of the waste, not collection costs.

Mr. Turner noted that due to the manner in which the fund is set up, staff will bring forward data for the total cost of collection and disposal, in comparison to the total cost of collection and recycling.

In response to Council Member Leight's question, Mr. Turner stated that staff has reviewed the incineration of waste in comparison to burial of waste but based upon research, the most cost effective solution is to bury waste if land is available.

Mr. Garrity noted that there is an individual proposing plasma gasification technology as a waste disposal option that will be presented to City Council.

Council Member Montgomery requested that staff review options for flow control and increased tipping fees to possibly expand the life expectancy of an MSW landfill.

Council Member Besse expressed concern that recycling is being treated separately when it should be considered along with solid waste. He urged that the City clarify as public policy that all solid waste and recyclable commodities are solid waste and should be funded by revenues made available for them. He also stated that it is in the best interest of citizens to maximize recycling and reduce the use of landfill facilities. He further expressed concern at adding a per capita or per household fee that is not a true user fee in preference to making adjustments to the general property tax rate.

Council Member Leight noted that she was in agreement with Council Member Besse and that the City should cover the costs of solid waste disposal and recycling rather than passing the cost through to citizens as a fee. She also noted that if there is an increase to property tax, it would only pay for the recycling component and will not offer a substantial extension to the SWDF.

Council Member Adams noted that this could be an opportunity to educate citizens on the need for sustainability, and the need to alter how the City manages solid waste disposal and recyclables. She also questioned when the County would be involved to resolve any of these issues.

Chair Clark stated that the County has had concerns regarding landfills, specifically the SWDF. He also stated that the Mayor mentioned at Finance Committee that there would be a solid waste summit in the future to discuss any issues and there will also be a joint meeting with Council Members, County Commissioners and the City/County Utility Commission (C/CUC). He further stated that three separate collections take place at his home, one each for solid waste, yard waste and recyclables and staff should review the best option for each system so efforts are not duplicated. Chair Clark noted that the time has come for recycling to be treated separate from solid waste and a per household fee to address that cost would be adequate.

Council Member Besse expressed concern that solid waste and recyclables may be treated as separate waste streams because they stem from the same pool of waste. He also stated that while it may not seem fair to charge County residents for City recycling, a service they do not benefit from, it is also unfair that City residents are taxed twice for property. He further stated that the original mistake was to transfer the solid waste program management to the C/CUC for it to be run like a business, and the C/CUC should only be in control of water and sewer services, where it has done a good job.

Chair Clark stated that the Mass Transit Fund presentation would be postponed to the March

meeting.

ADJOURNMENT: 7:15 p.m.