

SUMMARY OF MINUTES

PUBLIC WORKS COMMITTEE

6:41 P.M., TUESDAY, AUGUST 10, 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. He requested to pull Item C-4. Council Member Montgomery requested to pull Item C-6. 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 Adams and carried unanimously.

CONSENT AGENDA

- C-1. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUPPLEMENTAL MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR DIVISION MANAGED FUNDS FOR THE MARTIN LUTHER KING, JR. DRIVE MEDIAN PEDESTRIAN SAFETY IMPROVEMENTS AT WINSTON-SALEM STATE UNIVERSITY.

- C-2. CONSIDERATION OF ITEMS RELATING TO THE PIEDMONT TRIAD RESEARCH PARK:
 - a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER IN A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDS TO CONSTRUCT A RESEARCH PARKWAY TO SERVE THE PIEDMONT TRIAD RESEARCH PARK. *[\$4,000,000.]*

- b. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ASSUMPTION AND CONSTRUCTION AGREEMENT WITH THE PIEDMONT TRIAD RESEARCH PARK TO PASS-THROUGH FUNDS TO CONSTRUCT RESEARCH PARKWAY.
 - c. RESOLUTION SUPPORTING THE USE OF OUTSIDE COUNTY UTILITY SERVICES ECONOMIC DEVELOPMENT FUNDS TO CONSTRUCT RESEARCH PARKWAY. [*\$1,200,000.*]
 - d. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.
 - e. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.
- C-3. CONSIDERATION OF ITEMS RELATING TO THE USE OF THE CEMETERY FUND BALANCE TO COMPLETE PAVING PROJECTS WITHIN WOODLAND AND NEW EVERGREEN CEMETERIES [*\$184,500*]:
- a. RESOLUTION AUTHORIZING THE USE OF CEMETERY FUND BALANCE TO COMPLETE PAVING PROJECTS WITHIN WOODLAND CEMETERY AND NEW EVERGREEN CEMETERY.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.
- C-5. UPDATE ON THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S PLAN FOR THE US52 BRIDGE OVER 28TH STREET.
- C-7. CITIZENS' BASEBALL STADIUM REVIEW COMMITTEE MONTHLY REPORT TO THE CITY COUNCIL.
- C-8. CITY/COUNTY UTILITY COMMISSION EXECUTIVE SUMMARY.
- C-9. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *July 13, 2010.*
- C-6. MONTHLY REPORT ON CURBSIDE GARBAGE COLLECTION PROGRAM.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, stated that staff was currently distributing new carts and processing requested exemptions for the curbside collection program. He also noted that currently, less than 1% of citizens have requested an exemption. In response to

Council Member Montgomery's question, Mr. Turner stated that since so few have requested an exemption, there will be a special collection vehicle to collect the garbage from those residents only.

In response to Council Member Taylor's inquiry, Mr. Turner noted that any citizen who has received a second cart should contact City Link and City Link will notify the appropriate staff to collect the extra cart.

Chair Clark noted that he had been contacted by citizens who had also received a second cart and requested that staff check the distribution dates to determine the error whereby some residents received an additional cart.

In response to Council Member Leight's question, Mr. Turner noted that citizens can keep their old carts/trashcans, contact the City to have them picked up or have the City recycle them.

Council Member Adams expressed concern that when she contacted City Link regarding the collection of old carts, she was told there was no recycling program and that the City would not be collecting them.

Mr. Turner stated that staff will ensure that City Link and all involved parties know the proper procedure for recycling carts.

Mr. Lee Garrity, City Manager, noted that the full details of the recycling program have not yet been outlined, but all involved parties will be notified of the procedure once established.

In response to Council Member Adams' concern, Mr. Turner stated that staff is delivering new carts to property believed to be occupied. If a vacant property receives a cart, City Link should be notified so the city can collect the cart. He noted that staff is erring on the side of caution to ensure that anyone wanting to participate in curbside collection has that opportunity.

In response to Council Member Besse's question regarding recycling of old carts/trashcans, Mr. Turner stated that a special collection vehicle will run through the City on an on-call basis to collect the carts and cans to be taken to the recycling processor.

In response to Council Member Montgomery's statement, Mr. Turner confirmed that residents already possessing a City cart will not receive a new one unless theirs is damaged.

In response to Council Member Besse's question, Mr. Turner stated that if a citizen contacts the City and requests their can/cart to be picked up, staff will assume that is for recycling purposes.

In response to Chair Clark's question, Mr. Turner stated that all carts will be distributed by October.

C-4. RESOLUTION AWARDDING CONTRACT FOR CORRUGATED METAL PIPE -
Contech Construction Products, Inc. - \$66,254.20.

Chair Clark stated that he requested this item to be pulled in error and instead meant to pull Item C-3. He made a motion for approval of the item. The motion was duly seconded by Council Member Adams and carried unanimously.

C-3. CONSIDERATION OF ITEMS RELATING TO THE USE OF THE CEMETERY FUND BALANCE TO COMPLETE PAVING PROJECTS WITHIN WOODLAND AND NEW EVERGREEN CEMETERIES [*\$184,500*]:

- a. RESOLUTION AUTHORIZING THE USE OF CEMETERY FUND BALANCE TO COMPLETE PAVING PROJECTS WITHIN WOODLAND CEMETERY AND NEW EVERGREEN CEMETERY.
- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.

Chair Clark requested to know the balance of the Cemetery Fund prior to Monday's meeting.

GENERAL AGENDA

G-2. RESOLUTION REAFFIRMING THE CITY OF WINSTON-SALEM'S INTENT TO ACQUIRE UNION STATION/DAVIS GARAGE.

Chair Clark requested that staff ensure Council Member Adams receives the information distributed at Monday's Finance Committee meeting regarding this item.

Council Member Besse expressed concern that there were some gaps in information presented to the Committee regarding financing and that he would be interested in seeing the City's acquisition of the property as a transportation center. He also stated that he would like to see a proposal for a public/private partnership with any gaps filled in by October and if not, he would prefer to see the City move forward with the acquisition of the property with the funding already in place, rather than awaiting the public/private partnership.

Chair Clark expressed concern as to the functionality of the property as a transit center with only 87 parking spaces. He pointed out that by consensus, the item would remain in Committee until September.

G-1. PUBLIC HEARING ON THE PROPOSED RENAMING OF A SEGMENT OF "EIGHTEENTH STREET" TO "BRANNON LANE" - *Northeast Ward*.

Ms. Glynis Jordan, Deputy Planning Director, stated that this request was received from Canaan Missionary Baptist Church for a segment of 18th Street to be renamed to Brannon Lane in honor of its founding pastor, Reverend William Brannon.

Chair Clark stated that this was now a public hearing and asked if anyone wished to be heard. Seeing no one, he declared the public hearing closed.

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

Chair Clark requested that staff notify Council Member Burke of the error on the agenda and that this street renaming is in her ward.

G-3. UPDATE ON PROPOSED PRIORITY LIST FOR SIDEWALK PROJECTS.

Mr. Turner stated that the priority listing was prepared by staff based upon public comments, elected official comments and staff's review of the Pedestrian and Sidewalk Utilization Plan. These projects are intended to be completed before City Council reviews the next list. The projects are ranked based upon the characteristics of street type, proximity to schools, nearby pedestrian generators, connectivity and bus stops on that segment.

In response to Chair Clark's question, Mr. Turner stated that the projects total approximately \$1.9 million. There is currently \$1.3 million available in Two-Thirds Bonds and Motor Vehicle Privilege Tax funds, \$300,000 in Congestion Mitigation and Air Quality Funds and staff expects an additional \$300,000 in Motor Vehicle Privilege Tax funds each year. He also stated that he estimates \$300,000 worth of projects to be completed each year, based upon what the construction industry can tolerate and what staff can process.

Council Member Besse expressed concern at the low rank of sidewalk projects in the Southwest Ward and requested to know the details involved in the ranking scores.

In response to Council Member Montgomery's question regarding traffic calming, Mr. Turner stated that there is an established program, policy and funding source for the determination and construction of traffic calming devices in a neighborhood and that part of the Motor Vehicle Privilege Tax fee can be used for constructing the approved devices.

Council Member Montgomery expressed concern with motorized wheelchairs trying to cross New Walkertown Road from Martin Luther King, Jr. Drive to Carver School Road and requested that staff review the speed of traffic in that area.

Council Member Adams requested a report for comparative review regarding which sidewalks may have been on the previous list and were not repaired or areas that are appearing frequently on the list.

Chair Clark requested staff provide a list of identified projects within each ward to that Council Member to see if there are any suggestions. He also expressed concern about Meadowlark Drive's placement on this list as he feels it may need to be widened in the future, which would destroy any sidewalk.

Mr. Turner stated that staff would review that area against the Long-Range Transportation Plan but noted that if there is a plan to widen the road, there may be a way to install sidewalks that will not conflict with that process.

Council Member Montgomery requested that any sidewalk projects funded with American Recovery and Reinvestment Act funds be included as well.

G-4. PROPOSED ORDINANCE LIMITING DEVELOPMENT IN THE FLOODWAY FRINGE.

Mr. Glenn Simmons, Principal Planner, gave the presentation.

In response to Chair Clark's question, Mr. Simmons stated that floodway can be counted toward density of a property to meet the requirements of the tree ordinance.

Council Member Leight stated that the addition of 15% to the 50% limitation on flood plain encroachment already in place is a better option, but she fears that infill may adversely affect a property downstream and noted that some properties should not be built upon at all.

In response to Council Member Besse's question regarding infill at Alaris Village, Mr. Jeff Kopf, Erosion Control Engineer, noted that the slope was relatively steep and the builder could have achieved the same amount of buildable area if he had used retaining walls but that would have been a significant increase in cost. He also noted that what is in place for the fill slope was necessary for stability and does meet current slope standards.

Ms. Nancy Gould, Government Affairs Director for Home Builders and Realtors, 195 Executive Park Boulevard, noted that Council Members may need further information regarding how the floodway fringe is determined by the Army Corp of Engineers. If a builder fills 100% of the floodway fringe, then downstream and elsewhere should not see increased flood levels of more than a one-foot rise in the flood level elevation during a 100-year storm. She also noted that the City has a quantity control for new developments which should help to decrease flooding issues downstream. She further noted that various community agencies are working together to develop green development incentives and this would be an area where some incentive could be provided for not developing in the flood fringe.

Mr. Kopf noted that within the last two years there have been significant rain and flooding events, one in January 2009 and one in Clemmons, which by some estimates reached the level of a 250-year storm, but generally, this area does not see 100-year storm events. He also noted that the term "100-year storm" is an insurance actuarial item used to establish rates. Whenever a flood plain is constricted, water will rise, move faster or be displaced to another location. The best option is to keep development out of the flood plain so as not to worsen the condition of the flood plain.

In response to Council Member Montgomery's question, Mr. Kopf stated that it is unknown if a 50% fill would cause a significant flooding increase to a property downstream and that each property has specific challenges and is studied individually to determine any fill impacts. He also stated that if the elevation increase is more than half the fill, it is not permitted under the current ordinance.

Mr. Turner noted that if a 100-year flood and 100% infill would possibly cause flooding levels to rise one foot, it stands to reason that a 50% fill of the same area would cause less than one foot rise. In response to Council Member Adams' question regarding significant flooding, Mr. Turner stated that even with recent heavy rains, staff has received no flooding reports from the areas that usually see flooding from increased rain.

In response to Council Member Leight's questions, Mr. Kopf stated that when a flood study is performed, an engineer is required to start at the point where the flood elevation begins to increase to a point where the flood elevation comes back to the prior condition. In most cases, engineers see a pre-existing condition form less than 1,000 feet downstream from the construction site and there is typically a rise and return to a normal level after that distance. Once normal conditions have been achieved, that is the end of the study. He also stated that in regards to the flooding of Salem Creek at Main Street, that area was built below the 100-year storm elevation and areas such as that will see more localized flooding. He further stated that staff only has detailed flood studies dating back to the early 1970's and many of the conditions currently seen in structures prone to flooding were built prior to that time. Mr. Kopf noted that construction standards in place for the last 35 years have not typically seen flooding.

Chair Clark expressed concern that there may be too many layers of regulations for construction and that there may come a time when no one wants to build in this area.

In response to Council Member Adams' question, Mr. Paul Norby, City/County Planning Director, stated that during the stormwater ordinance discussions, staff considered further possible provisions to other ordinances that may coincide with stormwater requirements and some ordinances have been developed because of that.

Council Member Besse requested that Council Members visit some of the sites mentioned to better understand the infill proposal.

Chair Clark stated that by consensus, this item would remain in Committee until September and requested that Mr. Turner coordinate site visits for the Council Members and Mayor, and noted that the following areas should be visited: Grandview Golf Course, the Target store on University Parkway, Hanes Mall Boulevard and the Little Creek area.

G-5. PRESENTATION BY THE WINSTON-SALEM NEIGHBORHOOD ALLIANCE ON PEDESTRIAN ACCESSIBILITY IN WINSTON-SALEM.

Mr. Charlie Wilson, 1177 Edgebrook Drive, gave the presentation.

Council Member Besse questioned if Mr. Wilson had received any feedback from the Transportation Advisory Committee regarding the list of locations he had sent them.

Chair Clark requested that staff provide the list of suggestions Mr. Wilson provided to the Winston-Salem Police Department to Council Members.

Council Member Leight noted that pedestrian safety is a concern city-wide and that someone would be speaking to the Winston-Salem Neighborhood Alliance on that topic at its next meeting.

Chair Clark requested a staff report on the steps to increase pedestrian safety as suggested by Mr. Wilson and that staff have Police Chief Scott Cunningham prepare a list of causes for vehicular deaths based on data from the last three years.

Mr. Turner noted that the City has a Transportation Safety Program that identified patterns of accidents and addressed them.

Council Member Besse noted that staff may need to address crosswalks at some point in the future, given that the City is limited on what devices can be installed based upon the North Carolina Department of Transportation standards.

Council Member Taylor noted that the Public Safety Committee would like to review these concerns as well.

ADJOURNMENT: 8:22 p.m.