

## SUMMARY OF MINUTES

### PUBLIC WORKS COMMITTEE

6:48 P.M., TUESDAY, SEPTEMBER 14, 2010

COMMITTEE ROOM

ROOM 239, CITY HALL

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*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. He asked if any items needed to be removed for discussion.

Council Member Besse requested to pull Item C-4 and Council Member Montgomery requested to pull Item C-6. No other items were removed for discussion.

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

#### CONSENT AGENDA

- C-1. RESOLUTION CONSENTING TO ASSIGNMENT OF DUKENET COMMUNICATIONS, LLC RIGHT-OF-WAY ENCROACHMENT AGREEMENT - *Petition of DukeNet Communications, LLC.*
- C-2. CONSIDERATION OF ITEMS RELATING TO INTERSECTION IMPROVEMENTS ON EBERT STREET AND OAK GROVE ROAD:
  - a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR SURFACE TRANSPORTATION PROGRAM-DIRECT ATTRIBUTABLE FUNDS FOR INTERSECTION IMPROVEMENTS ON EBERT STREET AND OAK GROVE ROAD. [*\$172,000.*]

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011.
- C-3. RESOLUTION APPROVING CONTRACTS FOR GRIFFITH ENTERPRISES, INC. TO PROVIDE PROFESSIONAL ENVIRONMENTAL SERVICES FOR CITY PROJECTS INVOLVING SOIL AND GROUNDWATER ISSUES - *Griffith Enterprises, Inc. - Total Value of Contracts not to Exceed \$350,000.*
- C-5. SNOW REMOVAL REPORT.
- 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 - *August 10, 2010.*
- C-4. INFORMATION ON SIDEWALK PROJECTS.

Council Member Besse questioned the points ratings of some of the streets related to school locations within the Southwest Ward.

Mr. Gregory M. Turner, Assistant City Manager/Public Works, explained that a street receives up to seven points for being within a half mile of a school, per elementary, middle, high, or a college/university, for a total of 28 points. If any of those schools is within a mile, the points awarded are up to five points per school, and if the location is up to one and a half miles, streets are awarded up to three points per school. Mr. Turner indicated that in the Southwest Ward, some of the schools that were considered would have been New Redeemer School, Our Lady of Mercy School, Forsyth Technical College, and St. Johns School on Silas Creek Parkway. He noted that staff would confirm and report the actual schools for which the projects were credited within the Southwest Ward.

Council Member Besse expressed concern that this process does not factor in the layout of the schools, nor does it take into account the fact that some of the institutions are commuter-served schools. He suggested that action be postponed on a priority list to allow time for individual meetings with staff and Council Members to review sidewalks within their respective Wards to more accurately reflect the needs of those areas.

Chair Clark noted that there was a project he would like to add to the list and one he would like remove, in addition to prioritizing the list of projects within his Ward.

Mr. Turner indicated that most of the projects will be contracted out and there is no specific timeframe for work to begin on the projects.

By consensus, it was agreed to hold this item in Committee pending time for staff to meet individually with Council Members to discuss projects within their Wards.

C-6. MONTHLY REPORT ON THE CURBSIDE GARBAGE COLLECTION PROGRAM.

Council Member Montgomery asked staff to explain the issue with duplicate carts being delivered and the process for citizens to follow if they have received a duplicate cart.

Mr. Johnnie Taylor, Sanitation Director, explained that although there were some duplications in the cart delivery, staff has pursued a re-education process with the contractor, as well as utilized City crews to assist with cart distribution. He noted that there has been a reduction in the number of duplications since the first week of the process. Information has been provided to CityLink to relay to citizens calling to alleviate their fears about being billed for the duplicates. Mr. Taylor indicated that no one will be billed during this transition process to allow time for the issues to be worked out.

Council Member Montgomery inquired about the number of individuals who have asked for exemptions.

Mr. Taylor stated that currently, 1,700 exemptions have been requested. He pointed out that there seems to be a reduction, noting that at one time, staff was receiving approximately 100 requests per day, but today he indicated he only received 14 requests.

Council Member Montgomery asked for a comparison of the number of requests to the population.

Mr. Taylor indicated that the requests are at 2.5% and the industry standard is approximately 1% for a transition of this type.

Council Member Besse inquired about the situation he had e-mailed Mr. Taylor concerning the Westbrook neighborhood.

Mr. Taylor indicated that the situation had been handled and information forwarded to Risk Management. He noted that he had called the contractors in for a special meeting this morning to let them know he did not anticipate having to deal with that issue again, and he noted that was the first actual situation during distribution.

In response to Chair Clark's inquiry, Mr. Taylor indicated that approximately 13,000 carts have been distributed. He noted that a total of 20,000 carts should be distributed throughout the city, not taking into account those households requesting additional carts. Mr. Taylor explained that staff is three routes away from completing single-family detached residences. There will be some major challenges with multi-family residences, mainly topography and infrastructure. He noted that many of the facilities are spaced in a way that will make it easy to deliver the carts with the trucks.

Chair Clark expressed concern that the exemption requests are at 2.5% compared to the industry standard of 1%. He noted that the City does not require certification for exemption, but also noted that systems that are abused get changed.

#### GENERAL AGENDA

#### G-1. PUBLIC HEARING ON THE PROPOSED RENAMING OF A SEGMENT OF "FERNDALE AVENUE" TO "WINGHAVEN FOREST COURT" - *Southeast Ward.*

Ms. Glynis Jordan, Deputy Director, City/County Planning Board, explained that this item was continued from the June meeting of the Public Works Committee due to objections from some of the residents along Nancy Lane. She noted that "Winghaven Forest Court" was offered as the alternate name for the street by one of the residents and staff had only received one negative response from all of the correspondence sent to the residents along the street. Ms. Jordan indicated that there had been a person in the audience with some questions, but his questions were answered by staff and he has left.

Chair Clark asked if anyone wished to be heard in the matter. Seeing no one he closed the public hearing.

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

#### G-2. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINSTON-SALEM DIRECTING APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF WATER AND SEWER SYSTEM REVENUE BONDS AND REVENUE REFUNDING BONDS; REQUESTING LOCAL GOVERNMENT COMMISSION APPROVAL OF THE CITY'S WATER AND SEWER SYSTEM REVENUE BONDS AND REVENUE REFUNDING BONDS; AND CERTAIN RELATED MATTERS. [*\$185,000,000.*]

Chair Clark noted that this item was discussed at Finance Committee yesterday and asked if anyone had any additional questions.

Council Member Besse made a motion for approval of the item. The motion was duly seconded by Council Member Adams.

In response to Chair Clark's question, Mrs. Denise Bell, Chief Financial Officer, indicated that once approved, the City Council will have two years to spend 95% of the Bond funds. The balance can be spent within an additional year. If those spending requirements are not met, the penalty is any interest that would have been earned over and above the interest cost on the debt would have to be repaid to the Federal government.

The motion for approval of the item was unanimously carried.

- G-3. PETITION TO CLOSE AND ABANDON A PORTION OF WINNIPEG STREET, AKA WINNEPEG STREET (NORTHEAST WARD) – *Petition of Michael Carter and David Black. Public Hearing: October 18, 2010.*

Mr. Turner gave a brief overview of the item.

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

- G-4. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2010-2011 RELATING TO STORMWATER CLEANUP IN THE PIEDMONT TRIAD RESEARCH PARK. [*\$3,000,000.*]

Council Member Adams made a motion for approval of the item. The motion was duly seconded by Council Member Montgomery and was unanimously carried.

- G-5. RESOLUTION REAFFIRMING THE CITY OF WINSTON-SALEM'S INTENT TO ACQUIRE UNION STATION/DAVIS GARAGE. [*Item continued from the August meeting of the Public Works Committee.*]

Council Member Montgomery expressed concern with moving forward with purchase of the property by condemnation noting that it may not allow for greatest use of the property which would include the transportation center and commercial uses. He indicated he would prefer for the City to take ownership and allow time for the developer to obtain financing.

Council Member Besse indicated that although he has nothing against a public-private partnership, there appears to be major gaps in the financing proposed by the developer. He noted that at this time, he supports the option as approved by the Finance Committee, which would not preclude a future joint project.

Council Member Leight noted that at one time she would have been opposed to condemnation option, however, after the Finance presentation, she supports the motion made by the Finance Committee.

Chair Clark stated that he could not support the condemnation option, noting that accepting the federal funds will greatly restrict the use of the facility. Although it will be used as a transit center, he noted that we will want retail establishments in and around the facility. He expressed concern over the limitations of the public purpose use of the funding the City will use to purchase the facility.

Council Member Besse pointed out that Union Station in Washington, DC is mostly utilized by retailers, restaurants, etc. He indicated he did not think the City would have an issue in making an argument for those uses being a part of a transit center on behalf of the developer, with the City's primary involvement being the transit center. He also noted that if the City does not use the federal transit funds that are available, they will be lost.

Council Member Besse made a motion to approve the recommendation as acted upon by the Finance Committee, with the clear understanding that it does not preclude moving forward with a private partnership for development of attached uses. The motion was duly seconded by Council Member Adams.

The item will be forwarded to City Council with two in favor and two opposed. Voting in favor of the item were Council Members Besse and Adams, with Council Members Clark and Montgomery voting in opposition.

ADJOURNMENT: 7:22 p.m.