

SUMMARY OF MINUTES

PUBLIC WORKS COMMITTEE

5:00 P.M., TUESDAY, AUGUST 9, 2011

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 and asked if any items needed to be removed for discussion. He requested to pull Item C-7. No other items were removed.

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. PETITION TO CLOSE AND ABANDON A PORTION OF VIRGINIA AVENUE (NORTHEAST WARD) – *Petition of VFW Post #1134. Public Hearing: September 19, 2011.*
- C-2. RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT ON WALKERTOWN AVENUE WITH VASTU INVESTMENT, LLC (EAST WARD) - *Petition of Vastu Investment, LLC.*
- C-3. RESOLUTION AUTHORIZING THE CITY TO ASSUME RESPONSIBILITY FOR CERTAIN SIDEWALK SECTIONS ALONG UNION CROSS ROAD.
- C-4. CONSIDERATION OF ITEMS RELATING TO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PEDESTRIAN IMPROVEMENTS IN THE CLOVERDALE AVENUE AREA:
 - a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PEDESTRIAN IMPROVEMENTS IN THE CLOVERDALE AVENUE AREA.

- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2011-2012.
- C-5. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE PRELIMINARY ENGINEERING PHASE OF A PROJECT TO REPLACE BRIDGE #296 ON WEST FIRST STREET.
- C-6. CONSIDERATION OF ITEMS RELATING TO A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION:
- a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF COSTS ASSOCIATED WITH THE CONVERSION OF FOURTH AND FIFTH STREETS TO TWO-WAY OPERATION BETWEEN LIBERTY STREET AND MARTIN LUTHER KING, JR. DRIVE.
 - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2011-2012.
- C-8. CITY/COUNTY UTILITY COMMISSION EXECUTIVE SUMMARY.
- C-9. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *July 12, 2011*.
- C-7. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE ADDITION OF MUNICIPAL OWNED FIBER OPTIC CABLE TO THE CONGESTION MITIGATION AND AIR QUALITY FUNDED PROJECT FOR COMPUTERIZED TRAFFIC SIGNAL SYSTEM MODERNIZATION/REHABILITATION/EXPANSION.

In response to Chair Clark's questions, Mr. Gregory M. Turner, Assistant City Manager/Public Works, responded that this is the fiber optic cable that will carry communications to stoplights, will provide a higher bandwidth and ability to transmit video. It will also provide the ability to transmit additional fiber optic systems onto that system and under this agreement, the City will pay for the upgrade of lines to carry additional fiber optic interconnect. This system could potentially carry additional data for other public and governmental purposes. For example, information from various City departments with remote facilities could be transmitted at high speeds between locations.

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

GENERAL AGENDA**G-1. PUBLIC HEARING ON THE PROPOSED RENAMING OF "MAURINE WAY NORTH" TO "AUSTIN PLACE COURT" - *South Ward.***

Mr. Paul Norby, City/County Planning Director, indicated that Emergency Services informed staff of some confusion while responding to calls on two different streets, having two similar names, but being located in two different subdivisions. In anticipation of the proposed renaming, staff notified five adjoining property owners, only two of whom have residences on the affected street, and received one response in opposition to any street renaming.

Council Member Besse asked Mr. Norby to indicate on the map the addresses with adjoining property to the street and which was the objecting property.

In response to Council Member Adams' question, Mr. Norby stated that Emergency Services has had difficulty reaching the correct street and residence during two separate emergency calls, on two different occasions.

In response to Council Member Montgomery's question regarding the development, Mr. Norby indicated the neighborhood was platted in the late 1990's but it was two separate subdivisions developed by two different developers, with an independently owned property in between. The streets were laid out such that if further development were to ever take place, the two segments of one street would be joined and have the same name, rather than separate names, as is currently in place.

Council Member Montgomery questioned if there was any assurance in current development to correctly join and name streets to prevent a similar mistake from happening.

Mr. Norby noted that since the neighborhood was initially developed in two separate portions by two different developers, with a privately owned lot separating the two, that left a disconnected segment of the street that was not picked up. It is specified in development not to leave a disconnected segment of a street but this problem occurred when there were two separate neighborhoods essentially using the same street with two different names.

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 Besse and carried unanimously.

G-2. INFORMATION ON THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION'S DESIGN ALTERNATIVE FOR BUSINESS 40.

Mr. Pat Ivey, North Carolina Department of Transportation (NCDOT) Division Engineer, 375 Silas Creek Parkway, and Ms. Amy Hubbard, Simon Resources, 1325 Reynolda Road, gave the presentation. They indicated that within several of the proposed changes for Business 40, any removed off-ramps will be signalized, some nearby side streets may be dead-ended, some streets

could be widened to accommodate additional turn lanes, breakdown lanes may be added, and traffic models will be generated to determine how traffic on affected side streets will flow.

In response to Council Member Adams' questions, Mr. Ivey stated that the City's Department of Transportation staff has worked closely with NCDOT and the Business 40 interchange itself will be able to handle a significant increase in traffic and some future development around the BB&T Ballpark may affect future traffic flow as to how commuters access the interstate at that point. Regarding modifications at Eighth Street and Martin Luther King, Jr. Drive (MLK) and Cherry and Marshall Streets, he stated that all upcoming changes will be included in the traffic studies to see what modifications need to be made. He also stated that the City has already completed a way-finding study which produced a signage project, helping commuters more easily understand how to get from one area of town to another.

In response to Chair Clark's inquiry, Mr. Ivey indicated that if the project begins on schedule in 2018, Business 40 will be closed no longer than two years and the project should be completed within three years.

G-3. UPDATE ON PRIVATE DRAINAGE COST SHARE POLICY UPDATE AND OPTIONS.

Mr. Turner stated that over the last several years, the Public Works Committee has dealt with various stormwater control issues, made changes to stormwater policies and developed a stormwater ordinance. It is the City's policy not to maintain stormwater devices on private property but it does participate in a 70/30 cost share program for drainage repair projects with property owners. Citizens have expressed concern that the costs of repair are too high, and staff has provided some options for the Committee's consideration. As some property owners do not qualify for Federal Emergency Management Assistance (FEMA) grant programs for flood repair, one option would provide City-funded repair, up to \$150,000, similar to the FEMA programs, for those properties threatened by erosion and flooding. A second option would allow for citizens who may not be able to afford 30% of the cost sharing program, to participate in a program whereby the City's participation costs increase based on a sliding scale as the affected property value decreases. Mr. Turner provided information regarding funding amounts spent on stormwater projects to date, on affected demographics, and on pending requests.

In response to Council Member Adams's question regarding recurrences in new developments, Mr. Turner indicated that more damage could be associated near the location of creeks and drainage basins rather than developments.

Chair Clark requested to see a map, such as the one on page 16, overlaid with area creeks.

Council Member Montgomery noted the importance of informing property owners of the responsibility of correct drainage. He requested that staff develop a method of assisting lower income individuals in repairing stormwater damage as they may be in need of the most assistance and noted that the sliding scale option may need to be re-evaluated.

Council Member Leight noted that stormwater damage is becoming more of a financial burden to the City especially with the increase in impervious surface and new development. Going forward, she

suggested that different building and paving practices be developed to help alleviate these issues.

In response to Council Member Montgomery's question regarding homeowners insurance, Mr. Keith Huff, Stormwater Director, indicated that he has not seen an insurance policy that addresses stormwater erosion. In speaking with citizens, he also indicated he has received feedback that when they contacted their insurance provider, unless their property was located in a specifically designated FEMA flood zone, erosion and stormwater damage was not covered under their policy.

Chair Clark noted that the City cannot change the past but it is making strides towards the future by increasing the City's participation and funding amount. He also noted that another challenge is the shared responsibility between the City and citizens on private property.

Council Member Leight noted that of three stormwater crews, one is dedicated to private property and two are dedicated to street drainage, so staff may need to reassess the allocation of manpower.

In response to Chair Clark's question, Mr. Huff stated the current backlog of 70/30 projects is one year.

Chair Clark noted that surety bonds are required under the stormwater ordinance to cover repair costs but are nearly impossible to obtain in today's economic environment. He questioned if staff had engaged in any further meetings or dialogue regarding amending this requirement.

Mr. Turner stated that no meetings had been held recently, as staff is trying to develop options that are viable in the current economic environment.

EXTRA ITEM- CONSIDERATION OF ITEMS RELATING TO A LEASE AGREEMENT:

- a. RESOLUTION AUTHORIZING LEASE AGREEMENT WITH KDM OF WILMINGTON, LLC PROVIDING A SITE FOR A LEAF MULCHING FACILITY FOR THE SANITATION DEPARTMENT – 3 W. *Thirty Second Street*. [*\$3,000 per month.*]
- b. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2011-2012.

Mr. Turner stated that the City is currently utilizing a site on Shorefair Drive which is a paved parking lot that was not designed with drainage to capture stormwater runoff. He also stated that when rainwater hits the collected leaves, it leaches out tannic acids in the leaves, which is a pollutant to local streams. Staff was notified by the Department of Environmental and Natural Resources (DENR) that the runoff is an issue at that location. Staff has also expressed an interest in improving the aesthetics of Odd Fellows Cemetery, located on Shorefair Drive, and the leaf collection facility located in front of it is counterproductive. He further stated there are two alternative locations for collection in the city, with the objective of offering three to four collections every season using existing equipment. Without a centralized facility, staff will have to reduce the collection cycle or add additional equipment and drivers. The proposed site is in close proximity and meets environmental obligations.

In response to Chair Clark's question, Mr. Turner stated that the City's environmental obligation is to capture and process any stormwater runoff, and it will need to be post-treated once it leaves the paved lot and pre-treated before it reaches the streams.

In response to Chair Clark's inquiry, Mr. Johnnie Taylor, Sanitation Director, stated the proposed lot is approximately three acres and according to the inspection by DENR, it meets buffer requirements.

In response to Council Member Leight's question, Mr. Turner stated that staff will bring back more information on impervious versus permeable surfaces, but he believes the surface needs to be impervious to prevent any substances from seeping into the groundwater uncontrolled.

Council Member Adams noted that she previously expressed concerns to staff regarding the appearance of the site and feels it would bring a higher quality of life to the area, would be a positive move for Odd Fellows Cemetery and expressed her support of the proposed site.

Mr. Turner clarified that the lease agreement is for one year and after that term, staff can review other potential locations if the City Council so chooses.

Chair Clark questioned how long the collection operations had operated out of the Shorefair Drive and Reynolds Park Road sites and expressed surprise at the lease cost. He suggested that staff consider purchasing land for this type of operation as it is a long-term use.

Mr. Turner noted that leaf collections have taken place there for many years.

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

ADDITIONAL COMMENTS

Ms. Joycelyn V. Johnson, 2426 Edison Court, expressed concern regarding design guidelines for MLK after the Fourth and Fifth Street two-way conversions. The current design shows a concrete median at Fourth Street, causing vehicular traffic to have to make a right turn, limiting pedestrian traffic, and causing further community concern.

Chair Clark confirmed that Mr. Turner had recorded this concern.

ADJOURNMENT: 6:10 p.m.