

SUMMARY OF MINUTES

PUBLIC WORKS COMMITTEE

6:05 P.M., TUESDAY, AUGUST 11, 2009

COMMITTEE ROOM

ROOM 239, CITY HALL

MEMBERS PRESENT: Council Member Joycelyn V. Johnson, Chair
Council Member Evelyn A. Terry, Vice Chair
Council Member Dan Besse
Council Member Robert C. Clark

Chair Johnson called the meeting to order at 6:05 p.m. and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Clark requested to pull Item C-2. Council Member Besse requested to pull Item C-4. No other items were removed for discussion.

Council Member Clark 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-1. RESOLUTION APPROVING A CONTRACT WITH MULKEY ENGINEERS AND CONSULTANTS TO CONDUCT AN ENVIRONMENTAL DESIGN STUDY FOR A PORTION OF THE PROPOSED EBERT STRATFORD ROAD CONNECTOR - *Western end of Pope Road to Griffith Road and East Kimwell Drive - \$112,440.*
- C-3. CONSIDERATION OF STREET CLOSING PETITIONS:
 - a. PETITION TO CLOSE AND ABANDON A PORTION OF BOWEN BOULEVARD (NORTHEAST WARD) – *Petition of the City of Winston-Salem. Public Hearing: September 21, 2009.*
 - b. PETITION TO CLOSE AND ABANDON UNNAMED ALLEYS OFF OF NINTH STREET AND OFF OF MAIN STREET (EAST WARD) – *Petition of James Perkins. Public Hearing: September 21, 2009.*
- C-5. CITY/COUNTY UTILITY COMMISSION EXECUTIVE SUMMARY.
- C-6. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *July 14, 2009.*

C-2. RESOLUTION APPROVING AN ENCROACHMENT AGREEMENT WITH ATC ASSOCIATES OF NORTH CAROLINA, P.C. (EAST WARD) - *Petition of ATC Associates of North Carolina, P.C.*

In response to Council Member Clark's questions, Mr. Greg Turner, Assistant City Manager/Public Works, stated that staff does not know the extent of the issue but does not think it is serious because of the fact that the wells have been capped for many years. The survey was requested by the private sector as they have to have encroachment authority from the City to put the wells in the ground. The City's only involvement with the project is the encroachment agreement. The owner of the contaminated land is unknown since the City is dealing with a consultant. He also stated that the City will be receiving a report regarding further usage of the property.

In response to Council Member Besse's question, Mr. Turner noted that the preliminary studies seem to indicate that groundwater contamination is expanding and the consultants want to evaluate if the contamination is expanding by the installation of peripheral wells and at what rate.

Council Member Besse requested to know the contaminants of concern.

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

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

In response to Council Member Besse's question, Mr. Turner stated that no projects have been completed because the funding has not yet been awarded. The City is designated to receive funding and in some cases, the funding will be received in the form of reimbursements. Interstate-40 pavement rehabilitation work was begun because the North Carolina Department of Transportation (NCDOT) was designated to do the construction. He also stated that the City has not been authorized to spend any money yet nor have contracts been authorized. He further stated that staff submitted all requests to receive formula funds and competitive grants but are waiting on federal agencies to award them.

In response to Council Member Terry's question, Mr. Turner stated that there are deadlines on both formula funds and competitive grants for when the funding is to be spent, but there are generally no deadlines for notification to the municipality.

Council Member Clark noted that it has been commented nation-wide that stimulus funds have been slowly distributed, but there may have been an overwhelming amount of applications.

GENERAL AGENDA

G-1. FOLLOW UP ON ISSUES WITH STREAM EROSION AT 995 SOMERSET DRIVE.
[Item continued from the July meeting of the Public Works Committee.]

Mr. Turner noted that this item was discussed at previous meetings, regarding the severe erosion

caused by a stream and an improper bridge replacement project a few years ago. The bridge was constructed by the City, via funding from the NCDOT. He also noted that staff has reviewed concerns from the resident, overall construction of the bridge and upstream development. It was determined that several factors affected the erosion but it appears that the replacement of the bridge and installation of the culvert exacerbated the erosion, so the City could pay the remaining 30% of a 70/30 repair project. If the Committee agrees, staff will make a case that the bridge fund of the Streets Division will cover 30% of the repair costs and Stormwater will fund the remaining 70%.

Council Member Besse made a motion to approve the item as presented by Mr. Turner. The motion was duly seconded by Council Member Terry.

Council Member Clark noted that the cost of the project exceeds \$150,000 and he thought the 70/30 program has a cap of \$100,000.

Mr. Turner noted that the project guidelines will allow for \$50,000 in repairs per affected property owner.

Mr. Keith Huff, Stormwater Director, noted that there are at least two property owners affected in the reach of the stream and in accordance with the ordinance, staff will have to make repairs below Mrs. Whalen's property, which may involve additional property owners. In response to Council Member Clark's question, he stated that the capacity is greater in a triple barrel box culvert in comparison to the bridge cross section, but the issue at hand is the longitudinal impact of the culverts, which are approximately 103 feet in length from start to finish, whereas the bridge was only about 25 feet long.

In response to Council Member Clark's question regarding capacity, Mr. Turner stated that the water loses no energy going through the culvert whereas it did lose energy going under the bridge.

Mr. Huff stated that to relieve some of the energy, staff would reduce capacity within the culvert, but the issue at hand is the alignment of the culverts to release energy from within, rather than the output source absorbing the energy of the stream flow.

In response to Council Member Clark's question regarding the installation of rip-rap along the stream bank, Mr. Turner noted that staff would implement an armoring of the stream bank at the exit point of the culvert to prevent further erosion. In regards to Council Member Clark's earlier question regarding energy reduction devices, Mr. Turner noted that once the water level reaches a certain elevation above those devices, they would no longer be effective.

Mr. Huff noted that in addition to the installation of rock baskets along the stream bank, the stream channel will be realigned to a more efficient flow pattern.

In response to Council Member Terry's question regarding engineering, Council Member Besse noted that NCDOT's engineering design was either flawed, or it did not take into account future downstream impacts.

Mr. Turner noted that staff investigated the possibility of NCDOT participation in repair costs and

were unsuccessful.

In response to Council Member Clark's request for a formal written motion, Mr. Turner noted that the item will go back to staff to prepare a 70/30 project and will then be brought back to the Committee before presentation to the full Council.

Council Member Clark requested that Mr. Pat Ivey, NCDOT Division Engineer, be invited to that meeting.

Chair Johnson requested that Mr. Ralph Womble, NCDOT, be invited to that meeting as well.

The motion for approval carried unanimously.

ADDITIONAL ITEM- Baseball Stadium Update

Mr. Turner stated that the Citizen Baseball Stadium Review Committee met last Thursday and City staff has been meeting with the stadium contractor regularly for the last several weeks to discuss when construction will resume. Once the property closes and contractors are free to pay subcontractors, they anticipate any additional work will begin. Prior to ending construction, the contractor got the project to a stable point and ensured it was protected from the environment. The contractor indicated that additional money was expended beyond what had been reimbursed in order to get the stadium to that point, and those will be eligible project expenses once the closing takes place and all expenses have been accounted for. The contractor has a list of subcontractors and equipment that has been purchased and warehoused, so as the consultant and members of the Review Committee review the project, there may be items warehoused at a manufacturer, such as parking lot lights, awaiting delivery to the site when the time is appropriate. The City's consultant is reviewing preliminary information from the contractor on his pay request that will be due at closing.

ADJOURNMENT: 6:30 p.m.