

## SUMMARY OF MINUTES

### PUBLIC WORKS COMMITTEE

5:30 P.M., TUESDAY, SEPTEMBER 15, 2009

COMMITTEE ROOM

ROOM 239, CITY HALL

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*MEMBERS PRESENT:* Council Member Joycelyn V. Johnson, Chair (in at 5:32 p.m.)  
Council Member Dan Besse  
Council Member Robert C. Clark, Acting Chair

*MEMBER ABSENT:* Council Member Evelyn A. Terry, Vice Chair

*OTHERS PRESENT:* Council Member Molly Leight

Acting Chair Clark called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Besse requested to pull Item C-3. No other items were removed for discussion.

Acting Chair 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. CONSIDERATION OF A CANDIDATE FOR RECOGNITION ON THE CITIZEN'S MEMORIAL WALL LOCATED IN EVERGREEN CEMETERY - *Donice Maria Harbor.*
- C-2. RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION - *New Career and Technical Education Center located on Highland Avenue.*
- C-4. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY - *82 Shadylawn Drive. [\$2,800 from Stormwater Fund.]*
- C-5. PETITION FOR THE ANNEXATION OF 0.12 ACRE LOCATED OFF OF MOUNT HOPE DRIVE (SOUTHEAST WARD) - *Petition of John and Kim Parsons. Public Hearing: October 19, 2009.*
- C-6. CONSIDERATION OF ITEMS RELATING TO DECORATIVE STREETLIGHTING:
  - a. RESOLUTION APPROVING AN AGREEMENT WITH GLEN VILLAGE HOMEOWNERS ASSOCIATION, INC. TO MAINTAIN A DECORATIVE STREETLIGHTING SYSTEM.

- b. RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH FOX RIDGE HOMEOWNERS ASSOCIATION, INC. FOR ADDITIONAL DECORATIVE STREETLIGHTING ASSOCIATED WITH THE ANNEXATION OF FOX RIDGE SUBDIVISION.
- C-7. CITIZENS' BASEBALL STADIUM REVIEW COMMITTEE SEPTEMBER 2009 REPORT TO THE CITY COUNCIL .
- C-8. MONTHLY REPORT ON ECONOMIC STIMULUS PROJECTS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT.
- C-9. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *August 11, 2009.*
- C-3. CONSIDERATION OF ITEMS RELATING TO THE DOWNTOWN CENTER FOR THE ARTS: [*Receipt of \$144,000 from the N.C. Department of Transportation.*]
- a. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO RECEIVE FUNDS TO IMPROVE DRAINAGE AND PROVIDE BETTER ACCESSIBILITY FOR PEDESTRIANS AND BUSES ON SPRUCE STREET.
  - b. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ASSUMPTION AGREEMENT WITH THE ARTS COUNCIL, INC. TO PASS THROUGH FUNDING FOR DRAINAGE AND ACCESSIBILITY IMPROVEMENTS ON SPRUCE STREET.
  - c. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2009-2010.

Council Member Besse noted that the Arts Council's receipt of these funds should be contingent upon their taking it as part of the credit needed for the Kresge Foundation Grant Challenge, which was presented at Monday's Finance Committee meeting.

Mr. Greg Turner, Assistant City Manager/Public Works, clarified that the Arts Council needs to have a commitment of public funds and Council Member Besse proposes that they take credit for this funding if approved by Council.

Acting Chair Clark reviewed the item as presented at the Finance Committee meeting, whereby the Arts Council has to identify municipal funding sources. Approximately \$585,000 in funding has been identified and the \$144,000 allotted for improvements at the Downtown Center for the Arts is a portion of that funding.

Mr. Turner noted that the Arts Council may be eligible for additional money from the North

Carolina Department of Transportation (NCDOT) and if so, there may be a revised resolution forthcoming. The Arts Council could take advantage of that additional funding as well as public funding.

*Chair Johnson in at 5:32 p.m.*

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

Council Member Clark requested to know the interest rate being charged to the North Carolina Municipal Leasing Agency on funds borrowed to purchase the A/C Delco building and the interest rate being charged to the Arts Council.

The motion for approval carried unanimously.

Chair Johnson noted that in reference to Item C-1, Ms. Donice Maria Harbor was recommended for recognition on the Citizen's Memorial Wall. She was a Winston-Salem resident, served as Lieutenant Governor Bev Purdue's assistant, worked in government across the State and died at 35 years of age after a battle with cancer.

#### GENERAL AGENDA

- G-1. CONSIDERATION OF AMENDMENTS TO THE FY 09-10 ANNUAL APPROPRIATION/TAX LEVY AND PROJECT BUDGET ORDINANCES FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA TO PROVIDE ADDITIONAL FUNDING TO THE CURRENT CAPITAL IMPROVEMENT PROJECT TO RESURFACE STREETS FROM THE POWELL BILL FUND BALANCE:
- a. ORDINANCE AMENDING THE ANNUAL APPROPRIATION AND TAX LEVY ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2009-2010.
  - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2009-2010.

Mr. Turner noted that the City receives a certain amount of money each year for use on eligible activities. Due to budget constraints, there has not been as much staff time to dedicate to eligible projects, and there was excess left over from the City's allocation. This item allows funding that has not been spent to be spent on resurfacing. Before staff considers contracts and requests for bids, it is requesting budget authorization from the Council to consider bids. Eligible types of work the City can use Powell Bill funding on are maintenance of City roads, for activities such as signs, signals, marking and resurfacing.

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

Chair Johnson noted that the portion of Stratford Road heading west, by the Interstate Business 40

intersection is in poor shape and requested that staff review that area. She also noted that she thought median installation and improvements in that area would have brought attention to the need.

Mr. Turner confirmed that portion of Stratford Road was City-maintained, rather than State-maintained, so staff would review it.

G-2. CONSIDERATION OF ITEMS RELATING TO CITY PARTICIPATION IN A DRAINAGE PROJECT:

- a. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY - *890 and 995 Somerset Drive, and Vacant Lots on Somerset Drive and Brookridge Drive. [\$110,180 from Stormwater Fund.]*
- b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2009-2010.

Mr. Turner stated that the City Attorney's office advised staff that as the 70/30 project ordinance is written, it does not allow for completion of the project as proposed and staff will revise the resolution to outline a City construction project to be funded 30% by the Bridge Fund and 70% by the Stormwater Fund.

Committee members requested that Mr. Pat Ivey, NCDOT, explain its position on the Somerset Drive project.

Council Member Clark noted that as the project was explained to Committee members, it was an NCDOT project, but the City completed the construction, and NCDOT has not backed up its project design. He expressed reluctance to partner with NCDOT on future projects.

Mr. Ivey questioned whether or not it was an NCDOT project, and noted that the Somerset Drive area was added to the City system in the 1990s, prior to project completion. He also noted that it was probably a City project, funded and designed by the State's Municipal Bridge Project. He further noted that he has been told there are no funds available for repair but will be happy to review.

Mr. Turner stated that the issue as presented to the Committee, is that by changing the bridge to a culvert, it increased the nozzle effect, increasing water velocity, and exacerbating erosion. The design was not necessarily deficient but rather the change from a bridge to a culvert, increased the erosion.

Mr. Ivey requested a timeline, what has occurred, the design of the project and any other applicable information so he may review it to determine mitigation.

In response to Council Member Clark's question regarding the completion of the Northeast Beltway, Mr. Ivey noted that there are currently two lawsuits in regards to the Northeast Beltway and NCDOT hopes for a ruling by end of the year, so it can resume construction. He also noted that as a result of the first lawsuit, it has been alleged that NCDOT did not adequately take into account future roadway facilities to be constructed or account for the southern loop of the beltway. He further

noted that NCDOT has provided the judge with all information it believes is needed to dismiss both lawsuits.

In response to Chair Johnson's question regarding the Interstate Business 40 area between US 52 and Peters Creek Parkway, known as the Pavement Rehabilitation Project, Mr. Ivey stated that NCDOT is in the process of planning for the next phase of public involvement to discuss bridges and design of the facility, but is unsure of the scheduled time. NCDOT is planning for the next five years of projects based on available funding.

Council Member Besse clarified that if citizens request a time status of that project, he may communicate that the project was scheduled to start in 2013, but is more likely to begin in 2015 or 2016.

Mr. Ivey noted that citizens will see much more public involvement later this year to determine the design of the project, and will be bringing specialized groups together to discuss bridges and aesthetics, probably in November.

In response to Council Member Leight's question, Mr. Ivey stated that culverts work well in certain locations based on hydraulic design. NCDOT is not building as many culverts currently based on environmental mitigation required for wetlands and stream restoration. It is working with resource agencies, such as Water Quality and the Department of Environmental and Natural Resources, which would prefer to bridge all of those areas rather than installing culverts. When appropriate, culverts are installed because they are cheaper to maintain and if there is not an excess of environmental impact, but bridges are mostly used.

Mr. Turner noted that there are a number of locations around the city where culverts have been installed on properties, but they may not be as environmentally healthy as other options.

In response to Chair Johnson's question regarding US 52 improvements and the rerouting of Martin Luther King, Jr. Boulevard (MLK), Mr. Ivey stated that there are two projects on US 52, one being a project to replace bridges over Liberty Street and the railroad, including a modification of the interchange at 25<sup>th</sup> and 28<sup>th</sup> Streets. NCDOT has completed the right-of-way purchases on that project and is scheduled to begin construction in February 2010. A temporary detour on US 52 during construction will allow for two lanes in each direction, as well as a short time period when traffic will need to be redirected to the new bridge. Improvements to MLK will eliminate ramps at 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Streets, provide an additional lane north and southbound from Interstate Business 40 to the MLK interchange, and improvements to the Akron Drive interchange. That project is currently in the right-of-way acquisition phase and is scheduled to begin construction early in 2011.

In response to Chair Johnson's question regarding access, Mr. Turner stated that a small section of 3<sup>rd</sup> the Street ramp will become two-way from the closure point up to 3<sup>rd</sup> Street. He also stated that Mr. Ivey will be making a presentation to the Transportation Advisory Committee this week, outlining these projects and others.

Council Member Besse made a motion to approve the item with the understanding that staff will make the needed aforementioned changes. The motion was duly seconded by Council Member Clark and carried unanimously.

ADJOURNMENT: 5:57 p.m.