

## AGENDA

### PUBLIC WORKS COMMITTEE

6:00 p.m., Tuesday, August 9, 2016

COMMITTEE ROOM

Room 239, City Hall

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*COMMITTEE MEMBERS: Council Member Dan Besse, Chair  
Council Member Derwin L. Montgomery, Vice Chair  
Council Member Robert C. Clark  
Council Member James Taylor, Jr.*

### GENERAL AGENDA

#### G-1. CONSIDERATION OF STREET CLOSING PETITIONS:

- a. PETITION TO CLOSE AND ABANDON METROPOLITAN DRIVE (EAST WARD) – *Petition of United Metropolitan Missionary Baptist Church. Public Hearing: September 19, 2016.*
- b. PETITION TO CLOSE AND ABANDON DESHLER STREET (EAST WARD) – *Petition of Piney Grove Baptist Church. Public Hearing: September 19, 2016.*
- c. PETITION TO CLOSE AN ABANDON A PORTION OF A 10' ALLEY LOCATED BEHIND SPRINGDALE AVENUE (NORTHWEST WARD) – *Petition of Mr. & Mrs. Burton Reifler. Public Hearing: September 19, 2016.*
- d. PETITION TO CLOSE AND ABANDON A PORTION OF A 15' ALLEY LOCATED NORTH OF 12 ½ STREET (EAST WARD) – *Petition of New Jerusalem Baptist Church. Public Hearing: September 19, 2016.*

CONSENT AGENDA

- C-1. RESOLUTION APPROVING THE NOMINATION OF MOSES ALEXANDER “MO” LUCAS TO THE CITIZEN’S MEMORIAL WALL AT NEW EVERGREEN CEMETERY.
- C-2. CONSIDERATION OF ITEMS RELATED TO THE OLD SALEM INFRASTRUCTURE IMPROVEMENT PROJECT (SOUTH WARD):
- a. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS WITH STANTEC CONSULTING SERVICES INC. FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES AND CONSTRUCTION SERVICES FOR THE OLD SALEM INFRASTRUCTURE IMPROVEMENT PROJECT.
  - b. ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE CITY OF WINSTON-SALEM, NORTH CAROLINA FOR THE FISCAL YEAR 2016-2017.
- C-3. ORDINANCE AMENDING CHAPTER 26 OF THE CITY CODE REGARDING GARBAGE AND TRASH.
- C-4. RESOLUTION SUPPORTING THE NORTH CAROLINA HOUSE CONTINGENCY FUNDS FOR THE DRAINAGE IMPROVEMENTS ALONG HIGH POINT ROAD.
- C-5. RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT ACROSS PRIVATE PROPERTY ACCORDING TO SECTION 75-35 OF THE CITY CODE – *4203 Allistair Road* (WEST WARD).
- C-6. RESOLUTION AUTHORIZING AN AGREEMENT WITH MLA DESIGN GROUP, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE HAPPY HILL PARK RENOVATION PROJECT (EAST WARD).
- C-7. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES - *June 14, 2016*.

**City Council – Action Request Form**

**Date:** August 9, 2016

**To:** The City Manager

**From:** Gregory M. Turner, Assistant City Manager

**Council Action Requested:**

Consideration of a petition to close and abandon Metropolitan Drive, located between E. Fifth Street and E. Third Street. (East Ward) – Petition of United Metropolitan Missionary Baptist Church.

**Summary of Information:**

The City of Winston-Salem has received a petition to close and abandon that portion of Metropolitan Drive, located between E. Third Street and E. Fourth Street, and E. Fourth Street and E. Fifth Street. The area is bounded on the west by U.S. Highway 52, and on the east by Tax PINs 6835-57-2519 & 6835-57-1297.

The Public Works Department has reviewed the request. There are Planning concerns with connectivity if this street is closed. WSDOT is in agreement with the closure as long as the petitioner follow required City driveway policies and obtain the required driveway permits. No property owner would be denied access to their property if this petition is approved. Sanitation services would not be interrupted. There are no police or fire concerns with the closure of this street. There are public utilities located along this street, and easements will need to be retained for utilities, drainage, pedestrian traffic, and sidewalk maintenance.

Approval of the petitioner’s request to close and abandon Metropolitan Drive, located between E. Fifth Street and E. Third Street is recommended.

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____

**Remarks:**



NORTH CAROLINA)  
)  
FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A  
PORTION OF Metropolitan Drive;  
Winston-Salem, NC

TO: HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF WINSTON-SALEM

The undersigned respectfully petitions the Honorable Mayor and City Council of the City  
of Winston-Salem as follows:

I.

Your petitioner declares that he is the owner of 450 Metropolitan Drive;  
Winston-Salem, NC 27105 and  
that as to other property abutting the portion of Metropolitan Drive  
in its entirety which he wants to  
have closed and abandoned, the following are the owners:

Owner	Address
<u>City of Winston-Salem</u>	<u>Suite 140, City Hall;</u> <u>101 N. Main St.</u>
_____	_____
_____	_____

(If additional space is needed, please use separate sheet.)

Please state your reason / purpose for closing a portion of said street / alleyway

To provide greater safety to our members and provide additional  
parking due to the elimination of on-street parking along  
East Fourth and East Fifty Streets when they are converted  
to two-way as called for in Bus. 46 and Hwy 52 Improvement Plans.  
These two streets borders the church's property on the north and south.

Said portion of Metropolitan Drive was dedicated to public use upon the public records appearing in the Office of the Register of Deeds of Forsyth County, North Carolina. Its use as a street or public way is unnecessary for the normal flow of traffic through the surrounding area.

II.

Your petitioner respectfully petitions that the following described portion of said Metropolitan Drive officially be closed and abandoned: (insert property description of the property listed above)

All of publicly dedicated street named Metropolitan Drive stretching at East Third Street and ending at East 5<sup>th</sup> (Fifth) Street.

III.

No individual owning property in the vicinity of the aforesaid portion of Metropolitan Drive will be deprived of reasonable means of ingress to and from his property, nor is the closing thereof contrary to the public interest.

WHEREFORE, your petitioner respectfully requests the City of Winston-Salem, acting through its City Council to close and abandon for street purposes that portion of said METROPOLITAN DRIVE described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the 11<sup>th</sup> day of April, 20 11.

Prince Ray Rame  
(Title)  
 SENIOR PASTOR

ATTEST:  
Secretary Board of Deacons  
(Title) By: Joseph D. Crocker  
(Title)  
 JOSEPH D. CROCKER

NORTH CAROLINA)  
FORSYTH COUNTY)

Prince Ramey Rivers, being duly sworn, deposes and says that he/she is the petitioner in the above entitled matter; that he/she has read the foregoing petition and knows the contents thereof; that the same is true of his/her own knowledge except as to those matters therein stated on information and belief and as to those matters, he/she believes it to be true.

Prince Ramey Rivers  
Signature of Petitioner (s)

Date Petition Received in Engineering Office:

4/27/11

Signature of the person in the Engineering Office that verified information on this Street Closing Petition:

C. Hendrick

SWORN AND SUBSCRIBED before me, this the 12<sup>th</sup>, day of April, 20 11

Debra B. Ladd  
Notary Public

DEBRA B. LADD  
Notary Public - North Carolina  
Forsyth County

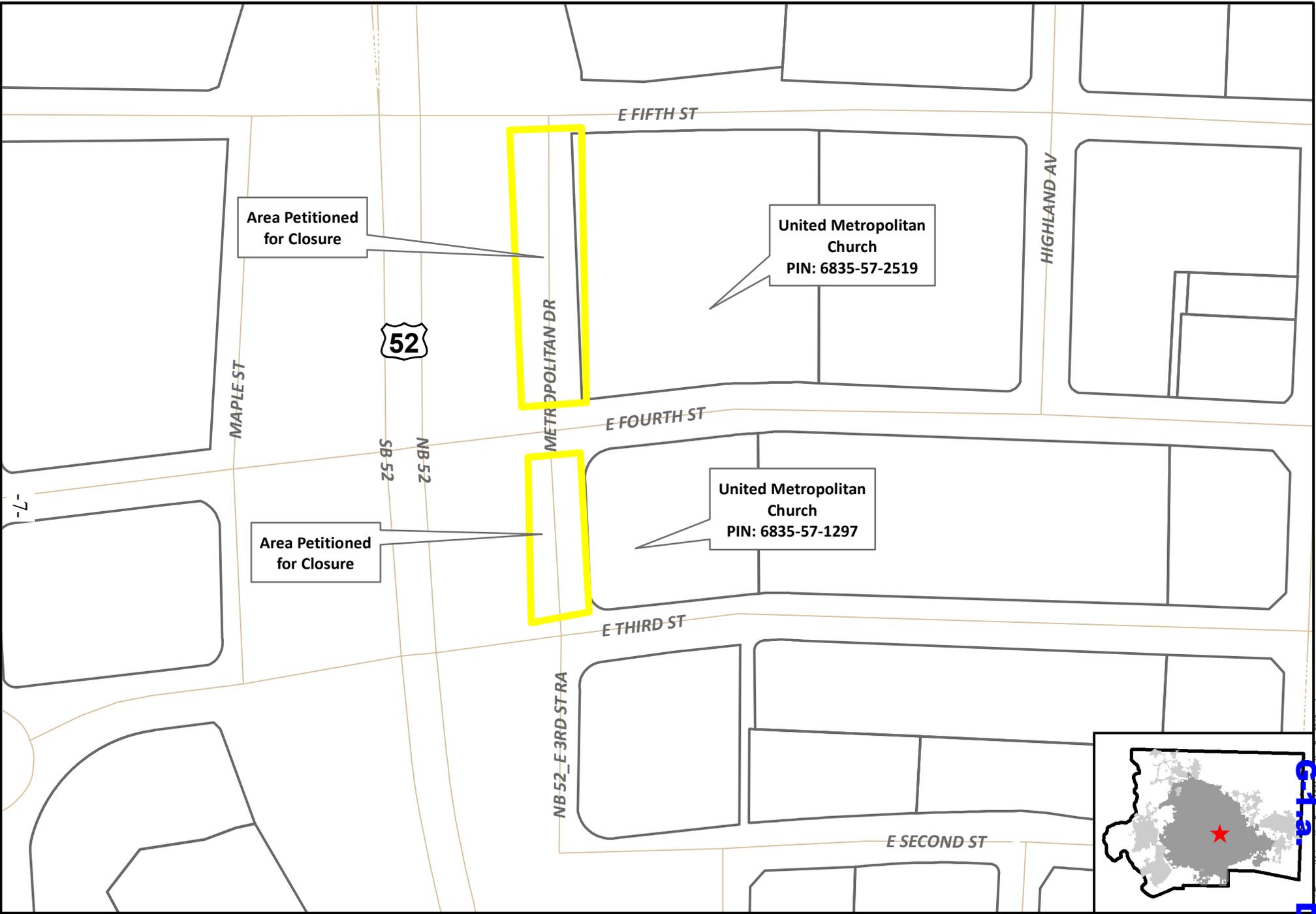
My Commission expires: August 25, 2015

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE:

del April 27, 2011 April 28, 2011

FEE PAID: \$1,400.00

8/08



**STREET CLOSURE PETITION: METROPOLITAN DRIVE BETWEEN E. FIFTH ST & E. THIRD ST**  
**Petition of United Metropolitan Missionary Baptist Church**

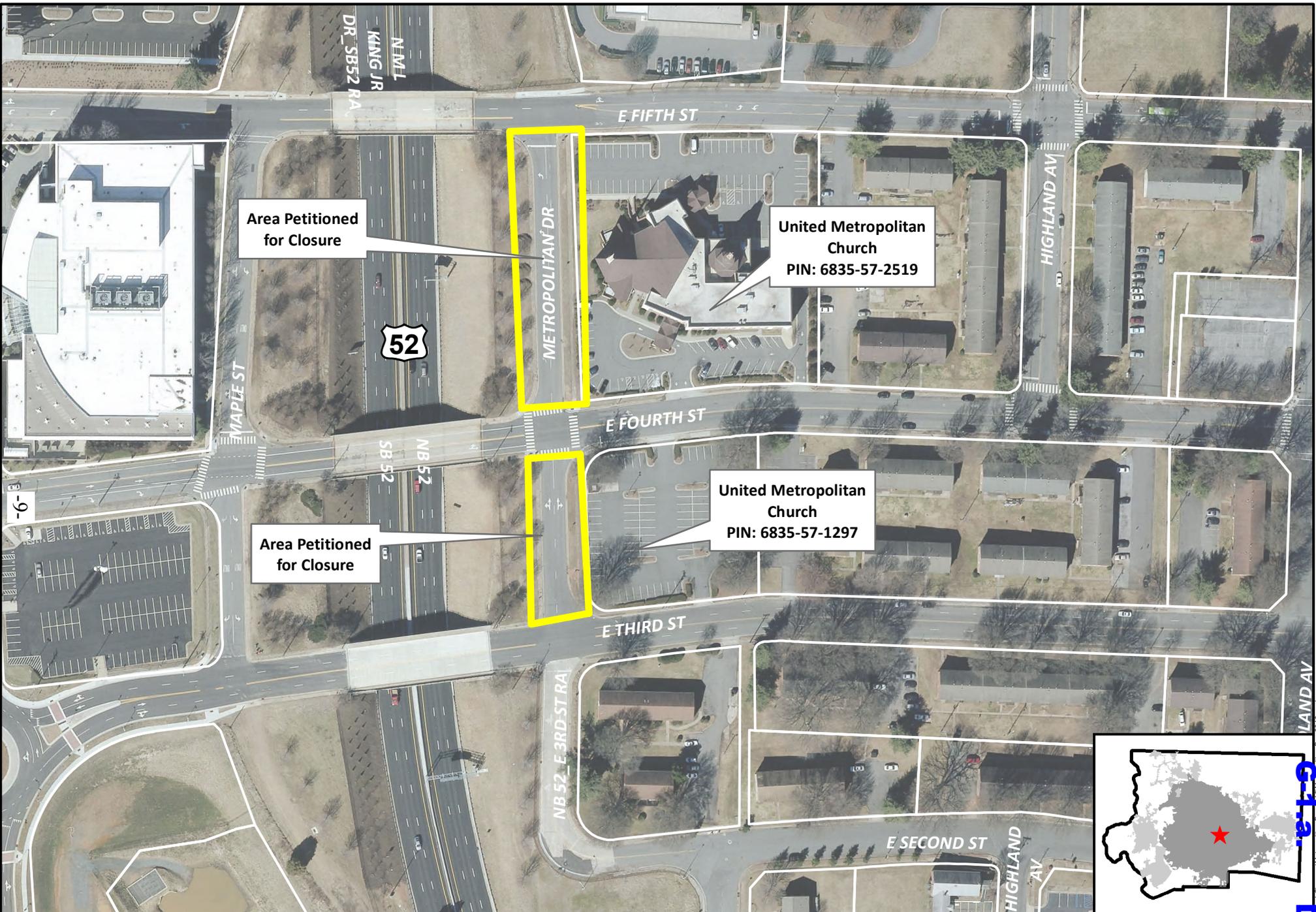


1 inch = 150 feet



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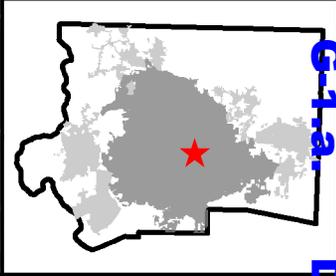


Area Petitioned for Closure

United Metropolitan Church  
PIN: 6835-57-2519

Area Petitioned for Closure

United Metropolitan Church  
PIN: 6835-57-1297



City of Winston-Salem  
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### STREET CLOSURE PETITION: METROPOLITAN DRIVE BETWEEN E. FIFTH ST & E. THIRD ST

Petition of United Metropolitan Missionary Baptist Church

1 inch = 150 feet





**City Council – Action Request Form**

**Date:** August 9, 2016

**To:** The City Manager

**From:** Gregory M. Turner, Assistant City Manager

**Council Action Requested:**

Consideration of a Petition to close and abandon Deshler Street, located off Indiana Avenue. (East Ward) – Petition of Piney Grove Baptist Church.

**Summary of Information:**

The City of Winston-Salem has received a petition to close and abandon Deshler Street, located off Indiana Avenue. Deshler Street is approximately 400 feet in length. The area is bounded on the south, east and west by parcels owned by Piney Grove Baptist Church.

The Public Works Department has reviewed the request. There are no Planning or WSDOT concerns if this street is closed. No property owner would be denied access to their property if this petition is approved. Public utilities are located in this right-of-way and easements should be retained. Sanitation services would not be interrupted. There are no police concerns with the closure of this street. The Fire Department would like the petitioners to use a Knox Padlock System on the gates to be installed.

Staff recommends approval of the petitioner’s request to close and abandon Deshler Street, located off Indiana Avenue, with the stipulation that a Knox Padlock System be installed on gates at site.

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____

**Remarks:** \_\_\_\_\_



336-744-5757 **G-1.b. DRAFT**  
336-416-4562 (C)

NORTH CAROLINA)  
 )  
FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A  
PORTION OF Deshler Street  
\_\_\_\_\_

TO: HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF WINSTON-SALEM

The undersigned respectfully petitions the Honorable Mayor and City Council of the City  
of Winston-Salem as follows:

I.

Your petitioner declares that he is the owner of properties on Deshler Street  
\_\_\_\_\_ and  
that as to other property abutting the portion of Indiana Avenue  
\_\_\_\_\_ which he wants to  
have closed and abandoned, the following are the owners: Copy of list and map attached.

<u>Owner</u>	<u>Address</u>
<u>Piney Grove Baptist Church of Winston-Salem, Inc</u>	<u>4633 Grove Garden Dr., Winston-Salem NC 27106</u>
_____	_____
_____	_____
_____	_____

(If additional space is needed, please use separate sheet.)

Please state your reason / purpose for closing a portion of said street / alleyway  
To deter wrongful entry of trespassers, causing physical damage to our structure or  
its contents. Vandalism of vehicles of private and personal properties.

Said portion of Deshler Street was dedicated to public use upon the public records appearing in the Office of the Register of Deeds of Forsyth County, North Carolina. Its use as a street or public way is unnecessary for the normal flow of traffic through the surrounding area.

**II.**

Your petitioner respectfully petitions that the following described portion of said Deshler Street officially be closed and abandoned: **(insert property description of the property listed above)**

PGBC Outreach Center and parking lot  
PGBC Family Life Center/Multi-Purpose Building and parking lot  
Parking lot for Senior Ministry House

**III.**

No individual owning property in the vicinity of the aforesaid portion of Deshler Street will be deprived of reasonable means of ingress to and from his property, nor is the closing thereof contrary to the public interest.

WHEREFORE, your petitioner respectfully requests the City of Winston-Salem, acting through its City Council to close and abandon for street purposes that portion of said Deshler Street described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the 4<sup>th</sup> day of May, 20 16.

James I. Link  
Signature(s) of Petitioner(s)

President & CEO  
Petitioner's Title (if representing an organization)

ATTESTED BY:

Linda D. Horns  
Signature of Witness

Corporate Secretary  
Witness's Title

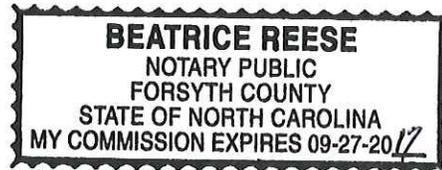
NORTH CAROLINA)  
)  
FORSYTH COUNTY)

I (we) Piney Grove Baptist Church of Winston-Salem, Inc., being duly sworn, depose and say that I am (we are) the petitioner(s) in the above entitled matter; that I (we) have read the foregoing petition and know the contents thereof; that the same is true of my (our) own knowledge except as to those matters therein stated on information and belief and as to those matters, I (we) believe it to be true.

James J. Luvell  
Signature(s) of Petitioner(s)

SWORN AND SUBSCRIBED before me, this the 4th, day of May, 20 16

Beatrice Reese  
Signature of Notary Public



My commission expires: \_\_\_\_\_

Date Petition Received in Engineering Office:

5/5/16

Signature of Engineering Office staff member verifying information in this petition:

Charles Hendrick

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE: May 5, 2016

FEE PAID: \$ 1400.00

AUTHORIZED AGENT

The authorized agent may be the petitioner or another person designated by the petitioner to answer questions and to represent the petition at public hearings. All correspondence will be sent to this agent.

Name: Pastor James E. Linville

Mailing Address: 4633 Grove Garden Drive

Winston-Salem, NC 27106

Daytime telephone number (landline and/or mobile): (336)744-5759 cell(336)416-4562

**List of Deshler Street Properties PIN:**

PIN 6827-47-9742.00  
Block lot 2093 063

PIN 6827-47-7487.00  
Block lot 2093 056

PIN 6827-47-9647.00  
Block lot 2093 062

PIN 6827-47-7571.00  
Block lot 2093 055

PIN 6827-47-9652.00  
4761 Deshler Street  
Block lot 2093 061

PIN 6827-47-7566.00  
4668 Deshler St.  
Block lot 2093 054

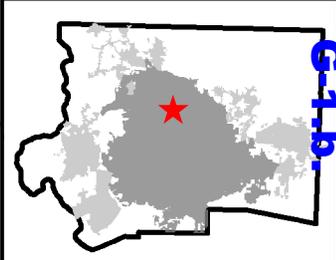
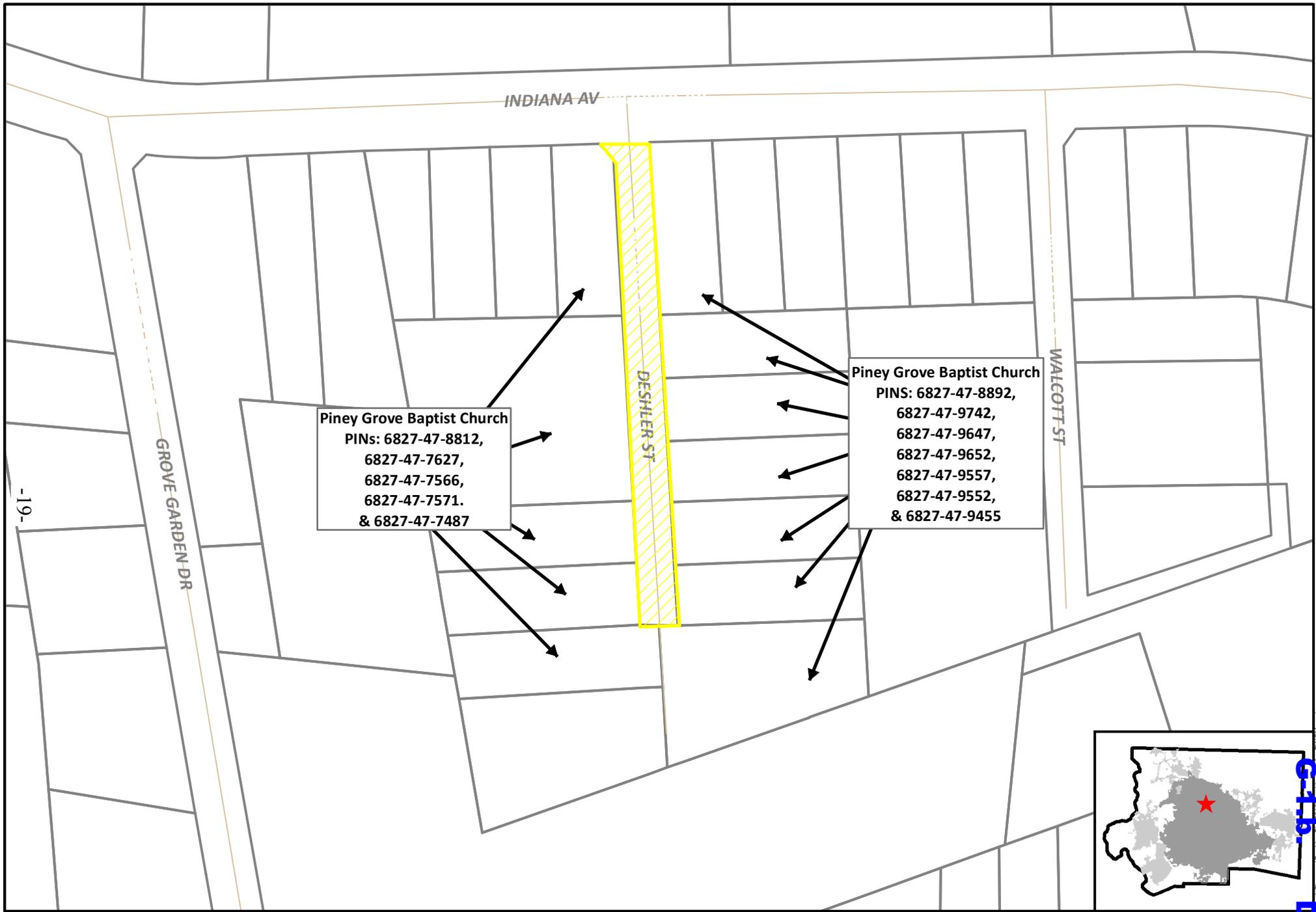
PIN 6827-47-9557.00  
Block lot 2093 060

PIN 6827-47-7627.00  
4676 Deshler St.  
Block lot 2093 052

PIN 6827-47-9552.00  
Block lot 2093 059

PIN 6827-47-9445.00  
Block lot 2093 058

PIN 6827-47-7490.00  
Block lot 2093 057



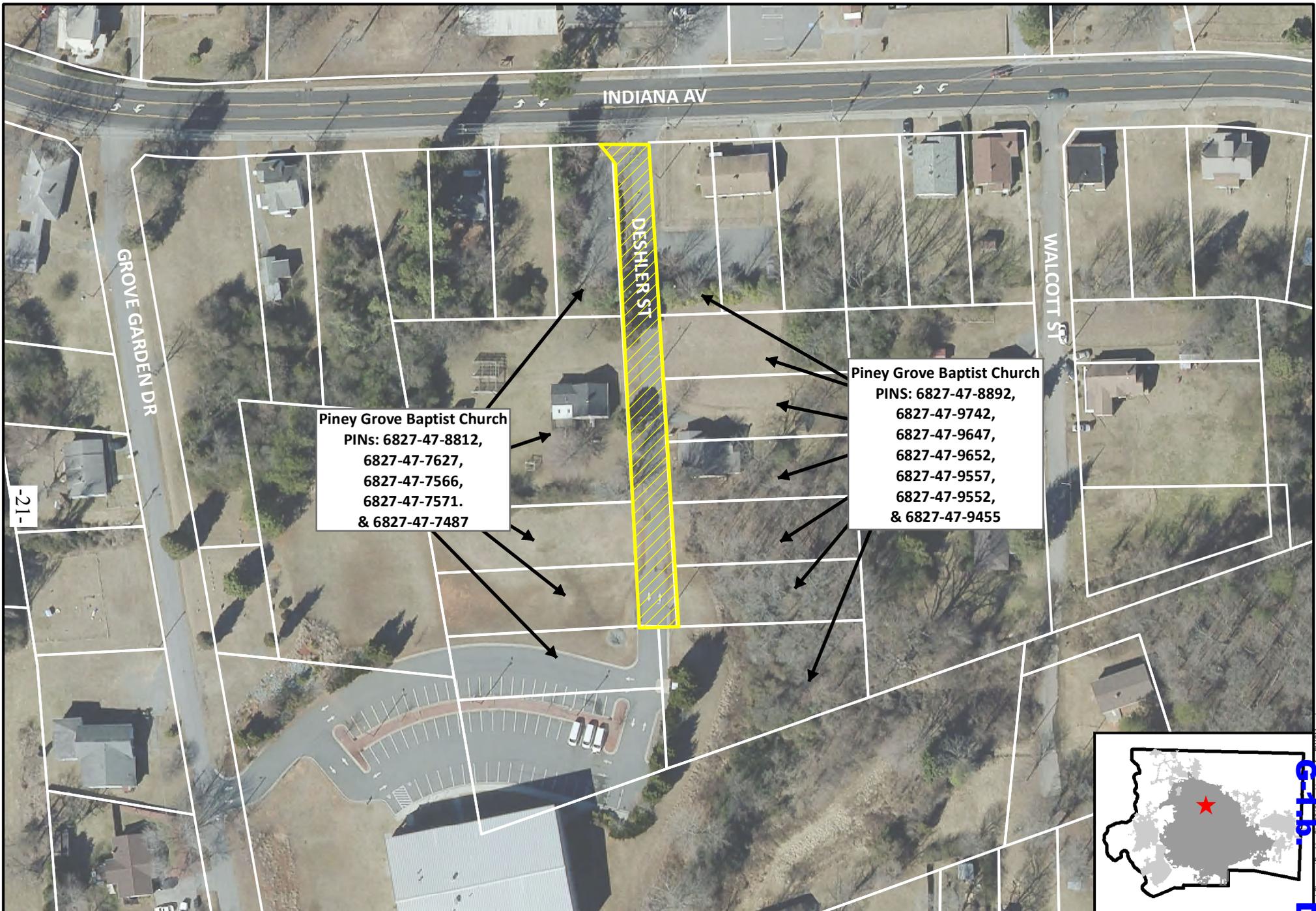
**STREET CLOSURE PETITION: DESHLER STREET**  
**Petition of Piney Grove Baptist Church**

1 inch = 100 feet



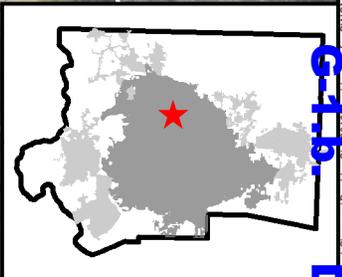
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**Piney Grove Baptist Church**  
PINs: 6827-47-8812,  
6827-47-7627,  
6827-47-7566,  
6827-47-7571.  
& 6827-47-7487

**Piney Grove Baptist Church**  
PINs: 6827-47-8892,  
6827-47-9742,  
6827-47-9647,  
6827-47-9652,  
6827-47-9557,  
6827-47-9552,  
& 6827-47-9455



**STREET CLOSURE PETITION: DESHLER STREET**  
**Petition of Piney Grove Baptist Church**



1 inch = 100 feet



**G-1-b-**  
**DRAFT**  
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**City Council – Action Request Form**

**Date:** August 09, 2016

**To:** The City Manager

**From:** Gregory M. Turner, Assistant City Manager

**Council Action Requested:**

Consideration of a petition to close and abandon a portion of a 10’ Alley located behind 437 Springdale Avenue, off of Buena Vista Road (Northwest Ward) – Petition of Mr. & Mrs. Burton Reifler.

**Summary of Information:**

The City of Winston-Salem has received a petition to close and abandon a portion of a 10’ Alley located behind 437 Springdale Avenue. The area petitioned for closure is an unopened 10-foot right-of-way, located behind 437 Springdale Avenue, between Buena Vista Road and Carolina Circle. This right-of-way is approximately 109 feet in length. The area is bounded on the East by Tax PIN 6825-49-2183, on the west by Tax PIN 6825-49-1113, and on the north by Tax PIN 6825-49-2311.

The Public Works Department has reviewed the request. There are no Planning or WSDOT concerns if this right-of-way is closed. No property owner would be denied access to their property if this petition is approved. There are no public utilities located in this right-of-way. Sanitation services will not be interrupted.

Approval of the petitioner’s request to close and abandon a portion of a 10’ Alley located behind 437 Springdale Avenue is recommended.

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____

**Remarks:** \_\_\_\_\_



NORTH CAROLINA)  
 )  
 FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A  
 PORTION OF alley through  
437 Springdale Ave

TO: HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF WINSTON-SALEM

The undersigned respectfully petitions the Honorable Mayor and City Council of the City  
 of Winston-Salem as follows:

I.

Your petitioner declares that he is the owner of 437 Springdale Ave,  
Winston-Salem, NC 27104 and  
 that as to other property abutting the portion of 437 Springdale Ave  
 \_\_\_\_\_ which he wants to  
 have closed and abandoned, the following are the owners:

<u>Owner</u>	<u>Address</u>
<u>Mr + Mrs Ken Moser</u>	<u>433 Springdale Ave</u>
<u>Mr + Mrs Peter Meier</u>	<u>1830 Buena Vista Rd.</u>
<u>United Metropolitan Methodist</u> Church (owns & maintains the lot/cemetery behind 437 Springdale) (If additional space is needed, please use separate sheet.)	<u>450 Metropolitan Dr,</u> <sup>was a church</sup> <u>Holiday St.</u> <sup>(property location)</sup>

Please state your reason / purpose for closing a portion of said street / alleyway

The alleyway is unused. It is inaccessible  
from any street and is blocked in on all sides.

Said portion of 437 Springdale Ave was dedicated to public use upon the public records appearing in the Office of the Register of Deeds of Forsyth County, North Carolina. Its use as a street or public way is unnecessary for the normal flow of traffic through the surrounding area.

**II.**

Your petitioner respectfully petitions that the following described portion of said 437 Springdale Ave officially be closed and abandoned: (insert property description of the property listed above)

*please see attached tax map*

**III.**

No individual owning property in the vicinity of the aforesaid portion of 437 Springdale Ave will be deprived of reasonable means of ingress to and from his property, nor is the closing thereof contrary to the public interest.

WHEREFORE, your petitioner respectfully requests the City of Winston-Salem, acting through its City Council to close and abandon for street purposes that portion of said 437 Springdale Ave described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the 20<sup>th</sup> day of January, 2016.  
[Signature]  
Signature(s) of Petitioner(s)      Petitioner's Title (if representing an organization)

ATTESTED BY:

[Signature]      BB&T Wealth  
Signature of Witness      Witness's Title

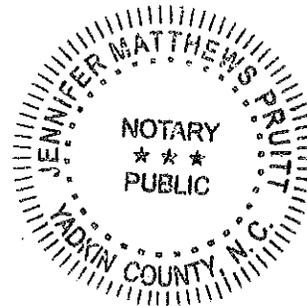
NORTH CAROLINA)  
)  
FORSYTH COUNTY)

I (we) Frances + Burton Reiter, being duly sworn, depose and say that I am (we are) the petitioner(s) in the above entitled matter; that I (we) have read the foregoing petition and know the contents thereof; that the same is true of my (our) own knowledge except as to those matters therein stated on information and belief and as to those matters, I (we) believe it to be true.

Frances H. Reiter  
Signature(s) of Petitioner(s)

SWORN AND SUBSCRIBED before me, this the 20<sup>th</sup> day of January, 20 16

Jennifer Matthews Pruitt  
Signature of Notary Public



My commission expires: 6/5/2017

Date Petition Received in Engineering Office:

9/16/15

Signature of Engineering Office staff member verifying information in this petition:

J. Charles Hendrick

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE:

January 20, 2016  
FEE PAID: \$400 00

AUTHORIZED AGENT

The authorized agent may be the petitioner or another person designated by the petitioner to answer questions and to represent the petition at public hearings. All correspondence will be sent to this agent.

Name: FRANCES + BURTON REIFLER

Mailing Address: 437 SPRINGDALE AVE

WINSTON-SALEM, NC 27104

Daytime telephone number (landline and/or mobile): 336-971-1507

REVISED FEB. 25, 1991

JUNE 10, 1987

"I certify that on ..... we surveyed the property shown on this plat; that the property lines and location of all structures are accurately shown hereon, that no structure located on this property encroaches on any adjacent street or property, and that no structure or adjacent property encroaches on the premises surveyed.  
EXCEPT: FENCE ENCROACHMENT  
(SEE BELOW)

UNITED LTD.

By

*[Signature]*  
WALTER D.

BUENA VISTA  
18, 4, 24, 13

BURTON V. REIFLER OF  
FRANCES H. -

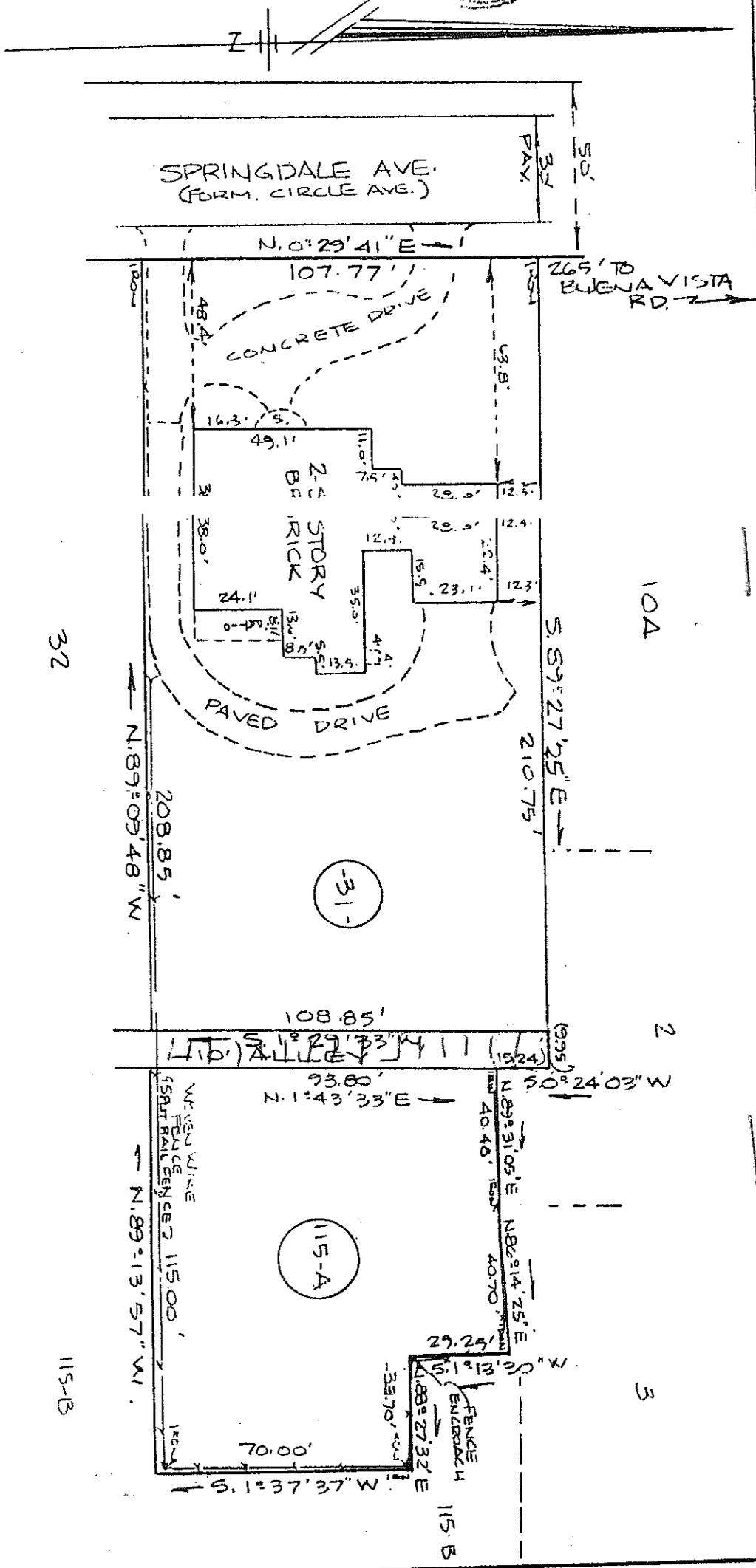
PROPERTY

LOT 31. TAX BLOCK 1143  
LOT 115-A TAX BLOCK 1921  
DEED BOOK 1447 PAGE 391

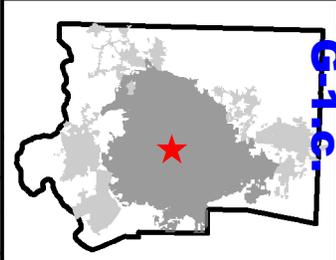
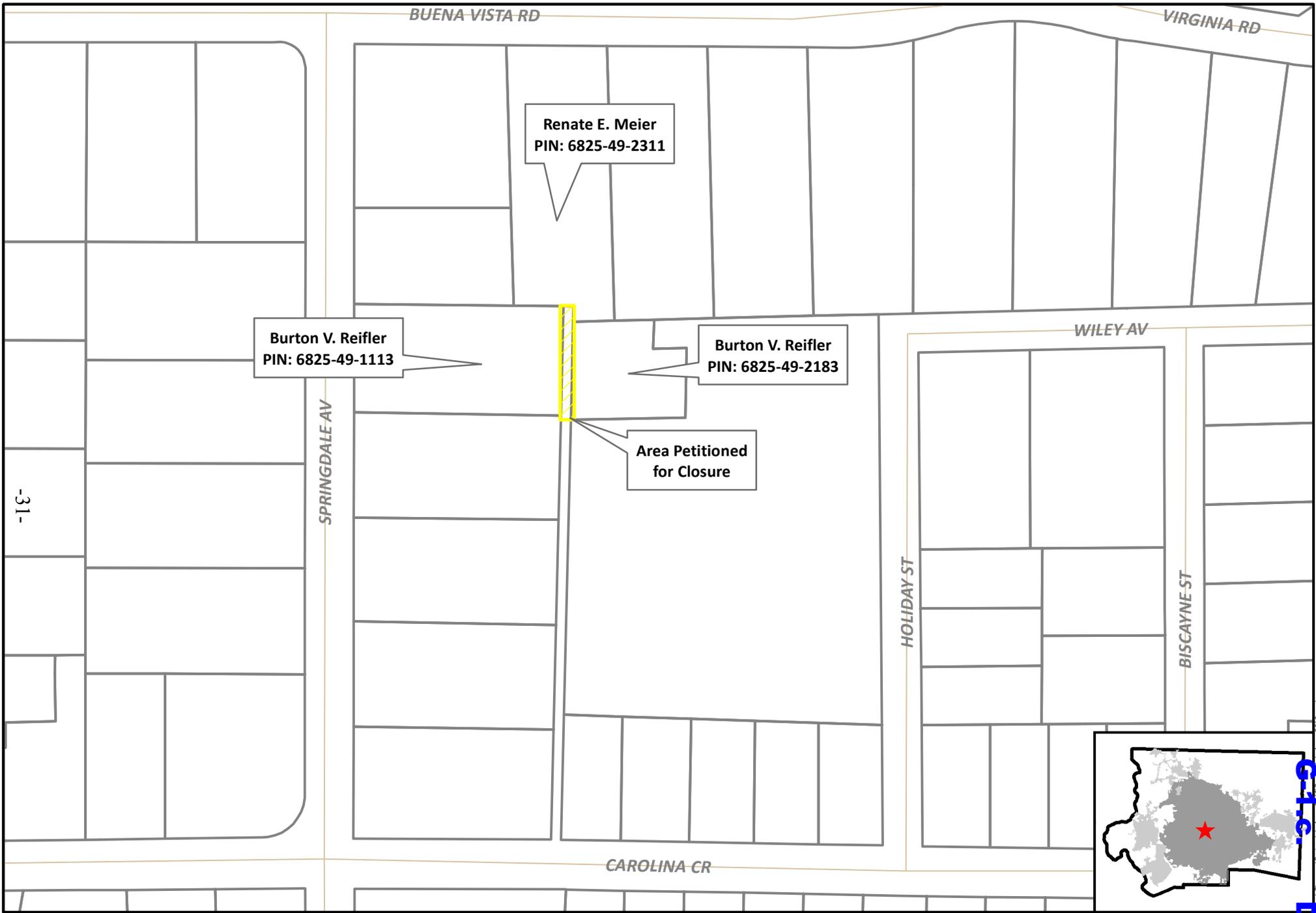
FORSYTH COUNTY, N. C.

SCALE 1" = 40' DATE: JUNE 10, 1987

UNITED, LTD.



1-1782



**STREET CLOSURE PETITION: 10' ALLEY BEHIND 437 SPRINGDALE AVE**  
**Petition of Mr. & Mrs. Burton Reifler**



1 inch = 125 feet



**G.I.C. DRAFT**  
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Renate E. Meier  
PIN: 6825-49-2311

Burton V. Reifler  
PIN: 6825-49-1113

Burton V. Reifler  
PIN: 6825-49-2183

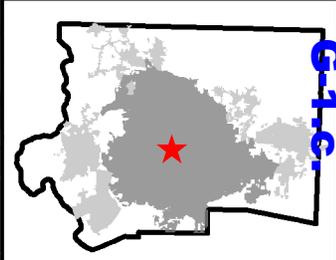
Area Petitioned  
for Closure

-33-



**STREET CLOSURE PETITION: 10' ALLEY BEHIND 437 SPRINGDALE AVE**  
**Petition of Mr. & Mrs. Burton Reifler**

1 inch = 125 feet



G.I.C. DRAFT  
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**City Council – Action Request Form**

**Date:** August 9, 2016

**To:** The City Manager

**From:** Gregory M. Turner, Assistant City Manager

**Council Action Requested:**

Consideration of a petition to close and abandon a portion of a 15’ Alley located north of 12 ½ Street, and lying between North Jackson Avenue and North Dunleith Avenue. (East Ward) – Petition of New Jerusalem Baptist Church.

**Summary of Information:**

The City of Winston-Salem has received a petition to close and abandon a portion of a 15’ Alley located north of 12 ½ Street, and lying between North Jackson Avenue and North Dunleith Avenue. The portion of the alley petitioned for closure is approximately 100 feet in length. The area is bounded on the west by Tax PINs 6836-71-7239 & 6836-71-7334 and on the east by Tax PINs 6836-71-8395 & 6836-71-8391 and on the south and east by Tax PIN 6836-71-8295.

The Public Works Department has reviewed the request. There are no Planning or WSDOT concerns if this right-of-way is closed. No property owner would be denied access to their property if this petition is approved. There are no public utilities located in this alleyway. Sanitation services will not be interrupted by this closure.

Approval of the petitioner’s request to close and abandon a portion of a 15’ Alley located north of 12 ½ Street, and lying between North Jackson Avenue and North Dunleith Avenue is recommended.

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____

**Remarks:**



NORTH CAROLINA)  
)  
FORSYTH COUNTY)

PETITION TO CLOSE AND ABANDON A  
PORTION OF 15-FOOT ALLEY NORTH OF 12 1/2  
STREET AND LYING BETWEEN JACKSON  
AVE. AND DUNLEITH AVE.

TO: HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF WINSTON-SALEM

The undersigned respectfully petitions the Honorable Mayor and City Council of the City  
of Winston-Salem as follows:

I.

Your petitioner declares that he is the owner of PARCEL  
6836-71-8391.00 (LOT 105) and  
that as to other property abutting the portion of 15-FOOT ALLEY NORTH OF 12 1/2 STREET  
AND LYING BETWEEN JACKSON AVE & DUNLEITH which he wants to  
AVE.  
have closed and abandoned, the following are the owners:

<u>Owner</u>	<u>Address</u>
<u>NEW JERUSALEM BAPTIST CHURCH</u>	<u>1223 N. DUNLEITH AVE. (6836-71-7239)</u>
<u>NEW JERUSALEM BAPTIST CHURCH</u>	<u>1229 N. DUNLEITH AVE. (6836-71-7334)</u>
<u>NEW JERUSALEM BAPTIST CHURCH</u>	<u>1224 N. JACKSON AVE. (6836-71-82)</u>
<u>NEW JERUSALEM BAPTIST CHURCH</u>	<u>N. JACKSON AVE. (6836-71-839)</u>

(If additional space is needed, please use separate sheet.)

Please state your reason / purpose for closing a portion of said street / alleyway

THE PURPOSE OF CLOSING THE ALLEYWAY IS FOR  
A NEW BUILDING FOR NEW JERUSALEM MISSIONARY  
BAPTIST CHURCH.

Street Closing Petition

James Paul -  
336-403-0850

Page 1 of 7

Said portion of 15-FOOT ALLEY NORTH OF 12 1/2 STREET AND LYING BETWEEN JACKSON AVE AND DUNLEITH AVE, was

dedicated to public use upon the public records appearing in the Office of the Register of Deeds of Forsyth County, North Carolina. Its use as a street or public way is unnecessary for the normal flow of traffic through the surrounding area.

II.

Your petitioner respectfully petitions that the following described portion of said 15-FOOT ALLEY NORTH OF 12 1/2 STREET AND LYING BETWEEN JACKSON AVE AND DUNLEITH AVE, officially be

closed and abandoned: (insert property description of the property listed above)

THAT 15' ALLEYWAY BEGINNING AT THE S.E. CORNER OF TAX PIN 6836-71-7239 AND A WESTERN CORNER OF TAX PIN 6836-71-8259; THENCE NORTHWARD TO THE N.E. CORNER OF TAX PIN 6836-71-7334 AND THE N.W. CORNER OF TAX PIN 6836-71-8395.

III.

No individual owning property in the vicinity of the aforesaid portion of 15-FOOT ALLEY NORTH OF 12 1/2 STREET AND LYING BETWEEN JACKSON AVE & DUNLEITH AVE will be deprived of

reasonable means of ingress to and from his property, nor is the closing thereof contrary to the public interest.

WHEREFORE, your petitioner respectfully requests the City of Winston-Salem, acting through its City Council to close and abandon for street purposes that portion of 15-FOOT ALLEY NORTH OF 12 1/2 STREET AND LYING SAID BETWEEN JACKSON AVE AND DUNLEITH AVE described, all as provided by law, particularly by Section 160A-299 of the General Statutes of North Carolina.

RESPECTFULLY SUBMITTED, this the 10th day of April, 2016.

James Paul for  
Signature(s) of Petitioner(s)  
New Jerusalem Baptist Church

Chairman of Deacon Board  
Petitioner's Title (if representing an organization)

ATTESTED BY:

Allyson W. Clinton  
Signature of Witness

Notary Public  
Witness's Title

NORTH CAROLINA)  
)  
FORSYTH COUNTY)

I (we) NEW JERUSALEM BAPTIST CHURCH being duly sworn, depose and say that I am (we are) the petitioner(s) in the above entitled matter; that I (we) have read the foregoing petition and know the contents thereof; that the same is true of my (our) own knowledge except as to those matters therein stated on information and belief and as to those matters, I (we) believe it to be true.

James Paul For  
New Jerusalem Baptist Church  
Signature(s) of Petitioner(s)

SWORN AND SUBSCRIBED before me, this the 12th, day of April, 20 16

Myra W. Clinton  
Signature of Notary Public



My commission expires: 11-28-17

Date Petition Received in Engineering Office:  
April 12, 2016

Signature of Engineering Office staff member verifying information in this petition:  
Charles Hendricks

DATE PETITION RECEIVED IN CITY SECRETARY'S OFFICE: April 18, 2016

FEE PAID: \$1400.00

AUTHORIZED AGENT

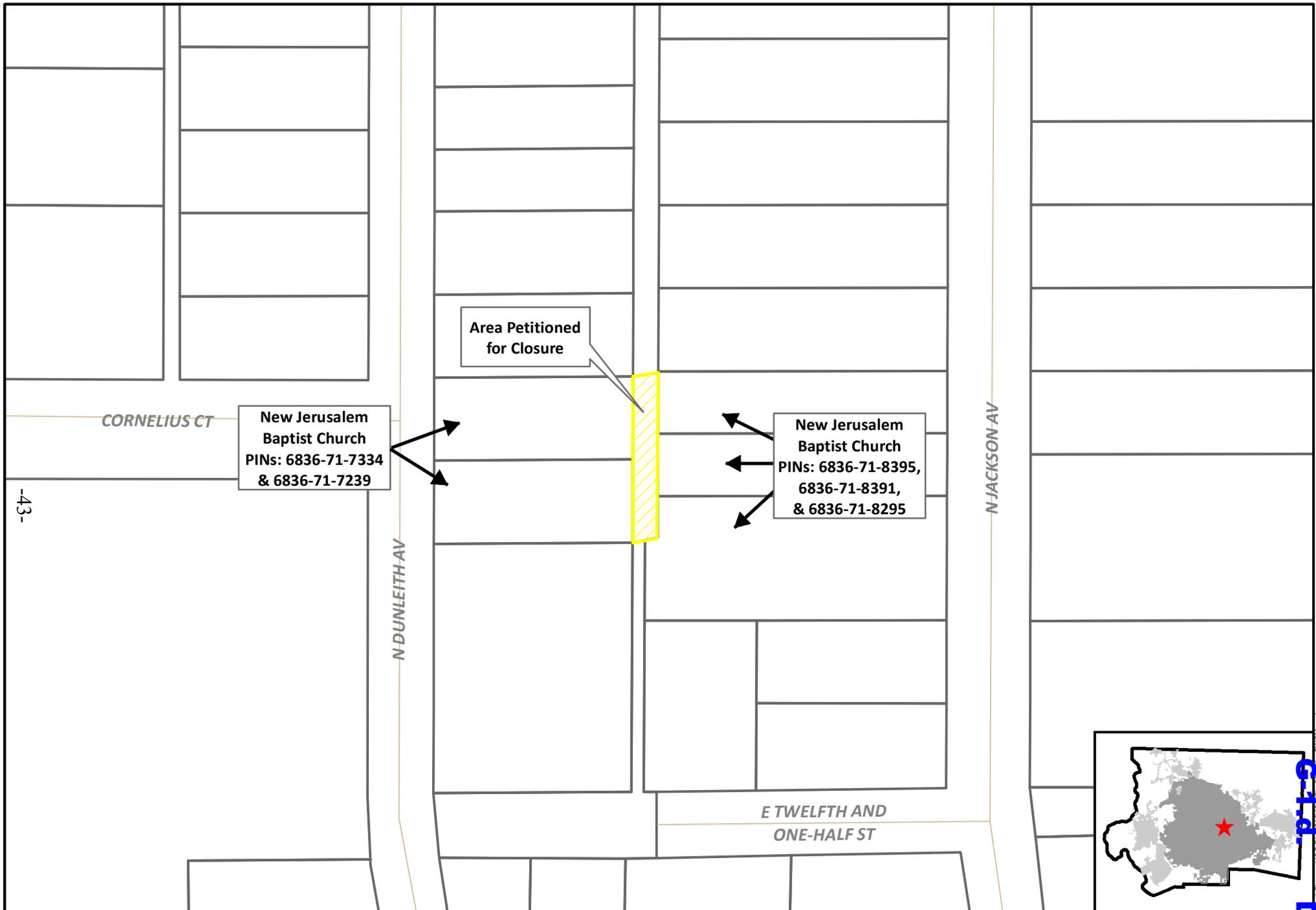
The authorized agent may be the petitioner or another person designated by the petitioner to answer questions and to represent the petition at public hearings. All correspondence will be sent to this agent.

Name: SAMUEL CORNELIUS JR.

Mailing Address: 11524 TAVERNAY PARKWAY  
CHARLOTTE, NC 28262

Daytime telephone number (landline and/or mobile): 803-417-1982





-43-

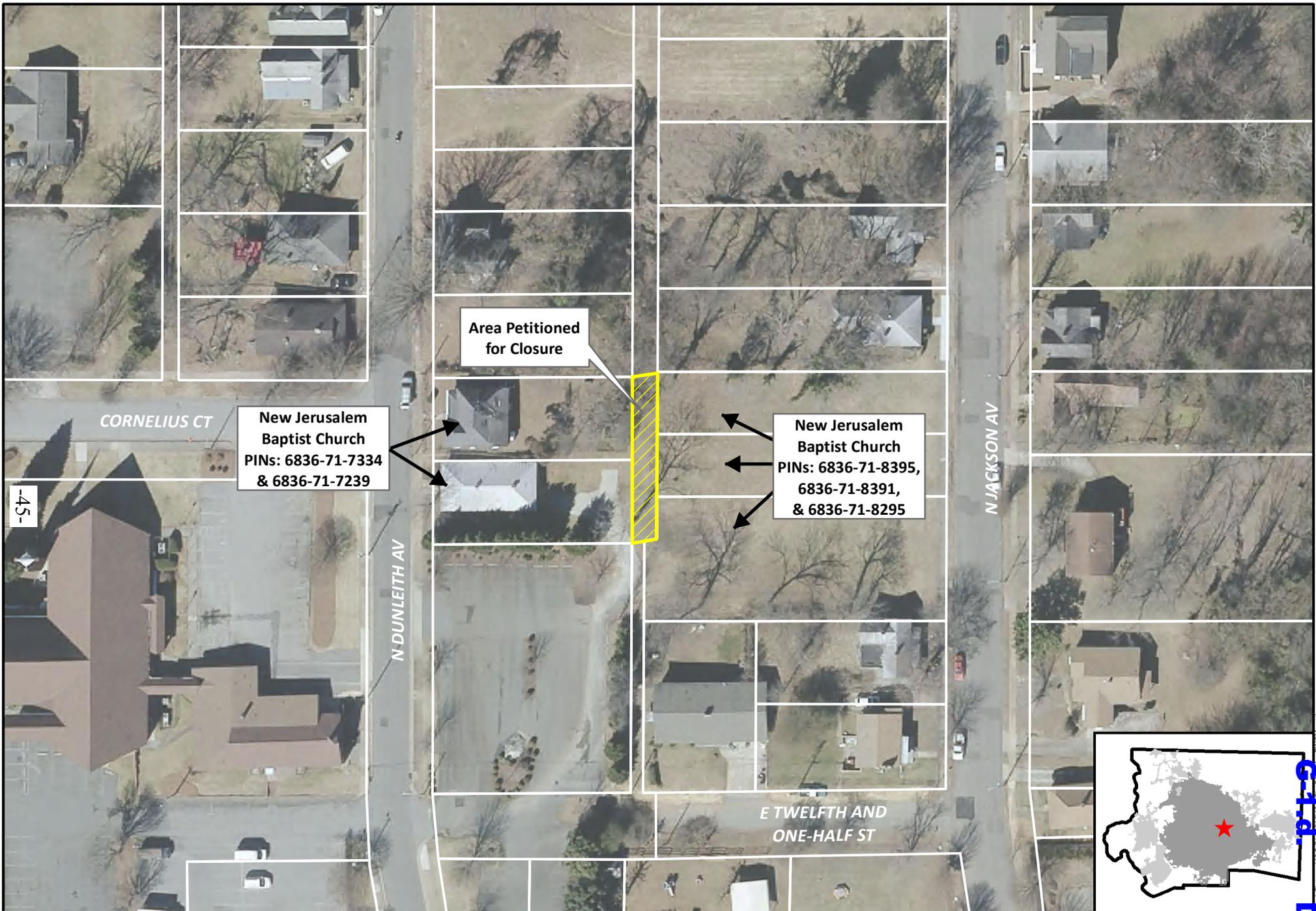
**ALLEY CLOSURE PETITION: 15' ALLEY NORTH OF 12 AND ONE HALF STREET**  
**Petition of New Jerusalem Baptist Church**

1 inch = 75 feet



**G-1-d**  
**DRAFT**  
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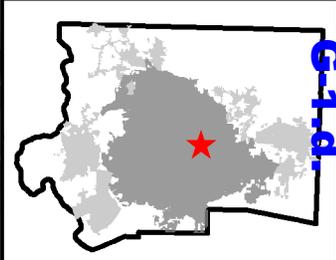




Area Petitioned for Closure

New Jerusalem Baptist Church  
PINs: 6836-71-7334 & 6836-71-7239

New Jerusalem Baptist Church  
PINs: 6836-71-8395, 6836-71-8391, & 6836-71-8295



**ALLEY CLOSURE PETITION: 15' ALLEY NORTH OF 12 AND ONE HALF STREET**  
**Petition of New Jerusalem Baptist Church**



1 inch = 75 feet



**G-1-d**  
**DRAFT**

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**City Council – Action Request Form**

**Date:** July 22, 2016

**To:** The City Manager

**From:** Ben Rowe, Assistant City Manager

**Council Action Requested:**

Consideration of a Resolution Approving the Nomination of Moses Alexander “Mo” Lucas to the Citizen’s Memorial Wall at New Evergreen Cemetery.

**Summary of Information:**

Moses Alexander "Mo" Lucas served the Winston-Salem community and mentored countless young men for more than 60 years through his work at the Patterson Avenue and Winston Lake Family YMCA. After retiring from the United States Army, Mr. Lucas joined the Patterson Avenue YMCA as a volunteer in 1954 and later as a full-time employee in 1960. He was best known for his mentoring of young men through his creation of a step team, which was distinguished by their fine attire and performances in community parades and events. The Mo Lucas Community Foundation's Yette Dancers and Boss Drummers have carried on his legacy of service to the community's youth. For the last few years, the community has honored Mr. Lucas' service through the Annual Moses "Mo" Lucas Father's Day Parade and Cookout.

Mr. Lucas passed away on June 21, 2016 at the age of 89. In recognition of his distinguished service to Winston-Salem and its youth, Mayor Pro Tempore Burke has nominated Mr. Lucas to the Citizen’s Memorial Wall at New Evergreen Cemetery. The attached resolution approves the nomination of Mr. Lucas by the City Council’s Public Works Committee.

**Committee**

**Action**

**For**

**Against**

**Remarks:**



**RESOLUTION APPROVING THE NOMINATION OF MOSES ALEXANDER “MO”  
LUCAS TO THE CITIZEN’S MEMORIAL WALL  
AT NEW EVERGREEN CEMETERY**

**WHEREAS**, Moses Alexander "Mo" Lucas served the Winston-Salem community and mentored countless young men for more than 60 years through his work at the Patterson Avenue and Winston Lake Family YMCA; and

**WHEREAS**, after retiring from the United States Army, Mr. Lucas joined the Patterson Avenue YMCA as a volunteer in 1954 and later as a full-time employee in 1960; and

**WHEREAS**, he was best known for his mentoring of young men through his creation of a step team, which was distinguished by their fine attire and performances in community parades and events; and

**WHEREAS**, the Mo Lucas Community Foundation's Yette Dancers and Boss Drummers have carried on his legacy of service to the community's youth; and

**WHEREAS**, for the last few years, the community has honored Mr. Lucas's service through the Annual Moses "Mo" Lucas Father's Day Parade and Cookout; and

**WHEREAS**, Mr. Lucas passed away on June 21, 2016 at the age of 89; and

**WHEREAS**, in recognition of his distinguished service to Winston-Salem and its youth, Mayor Pro Tempore Vivian H. Burke has nominated Mr. Lucas to the Citizen’s Memorial Wall at New Evergreen Cemetery.

**NOW, THEREFORE, BE IT RESOLVED** that the Public Works Committee of the City Council hereby approves the nomination of Moses Alexander “Mo” Lucas to the Citizen’s Memorial Wall at New Evergreen Cemetery.





Respecting the historic significance of the Old Salem District is a top priority. Achieving the project objectives has required a significantly different approach and additional efforts in planning and design than that of a typical sidewalk and streetlighting project. The consultant has identified design concepts that will meet the project objectives and reduce long-term maintenance costs. The design elements of this project will guide the ongoing maintenance needs of the entire district and staff recommends the additional efforts to ensure the project success.

A change order for the project design and HRC application includes four additional tasks: electrical design for streetlighting, installation of a Klingstone sidewalk test application, revisions to the HRC COA documentation to include the final designs, and bidding services.

The original contract included supplemental lighting provided by using existing fixture and pole types. Old Salem, Inc. manages, procures and maintains the existing streetlight. This maintenance is a burden due to the maintenance challenges of the fixtures and poles. Issues with the existing fixtures are water intrusion, light pollution into residences, and difficulty in procurement. Electrical wiring is buried without conduit and the concrete poles are a challenge to replace as they too are buried in concrete. With great effort, Stantec has identified modern fixtures that can be fabricated to closely resemble the existing fixtures that the City will be able to procure, install and maintain. The proposed fixture will address the many maintenance issues and with LED light will provide better output and coverage, energy savings, and reduced light pollution. Stantec has also identified a metal pole with similar shape and proportions. Further research of this commercially available pole should be considered for the maintenance benefits. This additional task will provide the City with the ability to simplify the many components of the Old Salem streetlight system and provide a consistent, safer, and more reliable streetlight system.

Sidewalk maintenance and repair in areas with large trees is a hazardous issue to be addressed. Project stakeholders also desire keeping as many of the existing trees as possible. Maintenance of brick and stone sidewalk over tree roots is an ongoing maintenance issue and is a very short-term solution as the roots continue to push sidewalk up. Klingstone Paths is a sidewalk product used in historic areas such as Colonial Williamsburg, James Madison's Montpelier, and the Booker T. Washington National Monument. This product was introduced at the public meetings as a method to address safe ADA pedestrian access while maintaining the existing trees to the greatest extent possible. When trees naturally age out and are removed, new trees will be placed in larger tree pits with structural soil to encourage roots to grow downward. At that time, the Klingstone would be replaced with brick sidewalks. Klingstone Paths has been approved by the HRC for a patio in the district, but the color of the existing patio is not appropriate for the public sidewalk area due to the coloring. Project stakeholders have asked for a full-scale mock-up of the Klingstone Path temporary sidewalk installation for the HRC to review. Stantec and the City requested an estimate from a local vendor. This estimate was much greater than expected. This approach could have broader applications citywide to address tree and sidewalk conflicts. As such, we are recommending City staff be trained on the installation methods and install the test areas. Stantec will plan the project approach, select the location, provide a materials list, and provide full-time assistance and oversight of the installation.

The above two additional services will result in changes to the HRC application previously prepared. This will include the Klingstone mock-up, lamppost option research, proposed new electrical service to new streetlights, and brick sample boards with side-by-side comparison photographs. The final project designs, specifications and cost estimates will also be revised.

The last task in the change order one is the provision of bidding services. Due to the historic elements, this project requires attention to the contractor's work quality, traffic control planning, and managing stakeholder and public expectations. Stantec will assist the City through the bidding process by providing all bidding documents, participating a mandatory pre-bid meeting, issuing addenda as needed to interpret or clarify the bid documents, attend the bid opening and prepare the bid tabulation, and assist in the evaluation of bids and recommendation of award.

A fee of \$96,200 has been submitted by Stantec Consulting Services Inc. to provide professional engineering services for the four additional tasks and project management. Staff believes this fee is fair and reasonable based on the scope of services to be provided. This work is estimated to take 4 months.

A second change order is also proposed to see the project through to completion. Construction administration and observation services are proposed due to the many historically significant elements of the project. The project will require a high level of attention to the contractor's work quality, review and approval of mock-up installations, traffic control issues, and coordination with stakeholders, the public and utility owners during construction. The scope includes providing construction drawings, conducting pre-construction meeting, review construction shop drawing submittals from contractors for compliance with the contract drawings, reviewing contractor schedule and construction staging and advising the City of acceptability, and reviewing contractor mock-ups and advising of acceptability. Stantec will also issue interpretations and clarification of the contract documents, and prepare change orders when significant revisions are required. They will also conduct monthly progress meetings and prepare meeting minutes.

Another important element is observation of work method. Stantec will provide full-time observation for the first two months. City staff will also be onsite to observe best practice for installation. Stantec will then provide part-time observations for the remaining contract duration which is anticipated at 5 months. The Engineer will make periodic visits to the site and conduct final inspection of the work.

Upon completion of the project, Stantec will prepare record drawings from the contractor's marked up drawings showing the constructed sidewalk repairs and replacements, tree replacements and streetlight installations.

The fee for the above scope of work on a not-to-exceed time and materials fee basis is \$159,400. Staff believes this fee is fair and reasonable based on the services to be provided.

Funds are available for both change orders totaling \$255,600 in the City Reserve Bond Funds. Attached is a Resolution authorizing the city manager to approve the proposed change orders and a Project Budget Ordinance to appropriate funds for the project expenditures.



**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS WITH STANTEC CONSULTING SERVICES, INC. FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES AND CONSTRUCTION SERVICES FOR THE OLD SALEM INFRASTRUCTURE IMPROVEMENT PROJECT**

**WHEREAS**, Council authorized the City Manager to enter into an agreement with Stantec Consulting Services, Inc. for professional engineering services for the Old Salem Infrastructure Improvement Project on February 16, 2015 and the contract was executed on April 14, 2015; and

**WHEREAS**, achieving the project objectives has required a significantly different approach and requires additional efforts in planning and design; and

**WHEREAS**, the design elements of this project will guide the ongoing maintenance needs of the historic district and staff recommends the additional efforts to ensure the project success; and

**WHEREAS**, Stantec Consulting Services, Inc. has provided a scope of work to include additional tasks for electrical design for streetlighting, installation of a Klingstone sidewalk test application, revisions to the HRC COA documentation to include the final designs, and bidding services for a fee not-to-exceed \$96,200; and

**WHEREAS**, construction administration and observation services are proposed due to the many historically significant elements of the project; and

**WHEREAS**, the project will require a high level of attention to the contractor's work quality, review and approval of mock-up installations, traffic control issues, and coordination with stakeholders, the public and utility owners during construction; and

**WHEREAS**, Stantec Consulting Services, Inc. has provided a scope of work for construction administration, project observation services, and record drawings for a fee not-to-exceed \$159,400; and

**C-2.a. DRAFT**

**WHEREAS**, staff believes the above fees to be fair and reasonable; and

**WHEREAS**, funds for these change orders are available in Capital Improvement Reserves.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council hereby authorize the City Manager and City Secretary to enter into an agreement with Stantec Consulting Services, Inc. to provide additional professional engineering and construction observation and administrative services for the Old Salem Infrastructure Improvement Project for a total fees of \$255,600.

**ORDINANCE AMENDING THE PROJECT BUDGET ORDINANCE FOR THE  
CITY OF WINSTON-SALEM, NORTH CAROLINA  
FOR THE FISCAL YEAR 2016-2017**

**BE IT ORDAINED** by the Mayor and City Council of the City of Winston-Salem that the Project Budget Ordinance for the Fiscal Year 2016-2017 be amended to transfer capital contingency funds for the Old Salem Infrastructure project.

**SECTION 1.** That the Project Budget Ordinance of the City of Winston-Salem, adopted on June 20, 2016, shall be further amended by changing the expenditure appropriations in the following fund.

**Capital Projects Fund**

Transportation Projects	
2014 GO Bond - Old Salem Infrastructure	\$255,600
Capital Improvement Reserve	
Capital Contingency	-255,600
<b>Total Capital Projects Fund Expenditures</b>	<b>\$0</b>

**SECTION 2.** That this amendment to the Project Budget Ordinance shall become effective as of the date of adoption.



**City Council – Action Request Form**

**Date:** July 26, 2016

**To:** The City Manager

**From:** Gregory Turner, Assistant City Manager

**Council Action Requested:**

Amendment to Chapter 26, Section 26-3 of the City Code pertaining to the Bulk Container Commercial program to require disposal of trash within bulk and approved non-bulk containers to avoid the accumulation of trash in and around the containers which creates a public health hazard.

**Summary of Information:** Some multi-family complexes utilize bulk containers (dumpsters) as a method of managing waste generated by occupants. Weekly collections are necessary to assure that waste has been properly contained and removed in order to maintain a healthy environment for those living in the facility.

The City has recently been notified of problems at several multi-family complexes where the dumpsters have not been serviced due to payment issues. Staff has investigated the concerns and notified management that collections should take place within a designated time period.

Some management groups have complied and removed the waste and others have failed to provide the service necessary to assure a clean and healthy environment. In the cases where the public health has been judged to be at risk, staff has cleaned up the facilities in order to restore a clean environment for the occupants.

Staff is asking Council to consider amending Chapter 26 section 26-3 of the City ordinance to explicitly require all multi-family complexes to provide dumpster collections weekly and to explicitly allow the department to bill the complex for all cost associated with the clean-up process. Staff is also asking permission to move forward with the clean-up process after providing a specific response time period to management to resolve the problem (two hours).

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____

**Remarks:**



**ORDINANCE AMENDING CHAPTER 26 REGARDING GARBAGE AND TRASH**

Section 1. Section 26-3 Bulk container and other receptacles. is hereby amended to read as follows:

**“Sec. 26-3. - Bulk container and other receptacles.**

(a) *Required.* Occupants, proprietors or owners of single-family residential units, multiple-family residential units and retail and commercial establishments where refuse is accumulated shall provide a sufficient number of refuse receptacles or bulk containers to contain all such refuse which may accumulate between the times of successive collections.

(b) *Maintenance; location.* Each person mentioned in subsection (a) of this section shall cause the receptacle required by this section to be tightly covered at all times and maintained in a manner to prevent the creation of a nuisance or unsanitary condition. Receptacles that are broken, or otherwise fail to meet the requirements of this section, shall be replaced with acceptable receptacles. Residents with an exemption from curbside collection shall store receptacles in a place easily accessible to the collectors. They shall not be placed in garages, or inside fences or other enclosed premises unless access to the receptacles may be by means of a gate or the like, obviating the need for the receptacles to be lifted upon and over the enclosure. If a receptacle is placed within an enclosure, no other item may be stored along with it.

(c) *Number.* Not more than three 96-gallon roll-out receptacles shall be emptied from the same premises at one collection.

(d) *Mandatory use of bulk containers.*

- (1) Business, commercial and retail establishments generating more than three 32-gallon refuse receptacles of refuse per week;
- (2) Any apartment development which contains more than ten individual dwelling units;
- (3) Any mobile home park, as defined in the city zoning ordinance, constructed or approved after adoption of the ordinance from which this chapter is derived and which contains more than ten lots; and
- (4) Residential condominium, townhouse or cluster home developments with a density of more than eight units per acre.

The assistant city manager/public works or his designee shall have the authority to: (i) require the use of bulk containers and the disposal of trash therein on a weekly basis or more

often if necessary to avoid a public health nuisance by any residential developments for public health or safety reasons; or may allow (ii) require the use of approved non-bulk containers or receptacles by residential developments where bulk containers are not feasible or pose a public health or safety hazard, as determined by the assistant city manager/public works or his designee; and (iii) prohibit the accumulation of trash outside the bulk container or approved non-bulk container, which accumulation is hereby declared a nuisance. Due to the health issues associated with said nuisance, the assistant city manager/public works or his designee shall attempt to provide the property owner with a two-hour written notice of the nuisance and violation by hand delivery or by posting the subject property with said notice and shall afford, by way of said notice, the property owner an opportunity to abate the nuisance and the conditions that lead to the nuisance such as the lack of capacity within the container. If the property owner does not abate the nuisance within said two hour time period, the assistant city manager/public works or his designee may abate the nuisance by removing the trash within and around the bulker container or approved non-bulk container. Pursuant to G.S. 160A-193 (a) and (b), the expense of the action shall become a lien on the real property from which the trash was removed and on any other real property owned by the person in default within the city limits or within one mile of the city limits, except for the person's primary residence unless that is where the violation occurred. Non-profit organizations or agencies approved by the assistant city manager/public works or his designee to use 96-gallon roll out containers instead of bulk containers shall pay the city an annual fee for collection in the amount of \$100.00 per roll out container.

(e) *Violations.* It shall be a violation of this section for anyone to fail to place and maintain garbage, refuse and yard trash receptacles or bulk containers as specified in this section. A civil penalty of \$50.00 per violation shall be assessed against the violator or owner of the premises where the violation occurred and notification of such assessment shall be given to the property owner or violator within five business days after discovery of the violation by the city.

(f) *Use of yard trash mobile roll-out containers.* Residents shall use approved roll-out containers only for yard trash. These containers will be collected year round. The cost of collection per container is \$60.00 per year, or any part thereof, except that a reduced fee of \$50.00 shall be allowed once to the same occupant(s) at any given address when the collection service is purchased between January 1 and June 30.

(g) *Use of recycling mobile containers.* Residents shall use city provided roll-out containers only for recycling. These containers will be collected year round. Service for one additional recycling container may be purchased for a fee of \$30.00 per year.

Section 2. This ordinance shall become effective upon adoption.

<b>City Council – Action Request Form</b>	
<b>Date:</b>	August 9, 2016
<b>To:</b>	The City Manager
<b>From:</b>	Gregory M. Turner, Assistant City Manager
<b>Council Action Requested:</b>	
Consideration of a Resolution of support for the North Carolina House Contingency Funds for the Drainage Improvements Along High Point Road.	
<b>Summary of Information:</b>	
<p>The North Carolina Department of Transportation is widening Union Cross Road in Winston-Salem which calls for a ditch section to be created along High Point Road at Union Cross Road. Union Cross Moravian Church is located in the northwest quadrant of this intersection and desires to have the ditch section repaired with a piped stormwater system under a gentle swale in order to facilitate easier mowing of the church lawn. Because the project’s budget is not able to accommodate the request, the church has requested available funds from the North Carolina Legislature House Contingency funds.</p> <p>The Speaker of the North Carolina House requires a resolution of support from the City of Winston-Salem to provide these funds to the project. The project will be funded entirely by the contingency funds and, therefore no City funding is required or requested.</p>	
<b>Committee Action:</b>	
<b>Committee</b>	<b>Action</b>
<b>For</b>	<b>Against</b>
<b>Remarks:</b>	

Respecting the historic significance of the Old Salem District is a top priority. Achieving the project objectives has required a significantly different approach and additional efforts in planning and design than that of a typical sidewalk and streetlighting project. The consultant has identified design concepts that will meet the project objectives and reduce long-term maintenance costs. The design elements of this project will guide the ongoing maintenance needs of the entire district and staff recommends the additional efforts to ensure the project success.

A change order for the project design and HRC application includes four additional tasks: electrical design for streetlighting, installation of a Klingstone sidewalk test application, revisions to the HRC COA documentation to include the final designs, and bidding services.

The original contract included supplemental lighting provided by using existing fixture and pole types. Old Salem, Inc. manages, procures and maintains the existing streetlight. This maintenance is a burden due to the maintenance challenges of the fixtures and poles. Issues with the existing fixtures are water intrusion, light pollution into residences, and difficulty in procurement. Electrical wiring is buried without conduit and the concrete poles are a challenge to replace as they too are buried in concrete. With great effort, Stantec has identified modern fixtures that can be fabricated to closely resemble the existing fixtures that the City will be able to procure, install and maintain. The proposed fixture will address the many maintenance issues and with LED light will provide better output and coverage, energy savings, and reduced light pollution. Stantec has also identified a metal pole with similar shape and proportions. Further research of this commercially available pole should be considered for the maintenance benefits. This additional task will provide the City with the ability to simplify the many components of the Old Salem streetlight system and provide a consistent, safer, and more reliable streetlight system.

Sidewalk maintenance and repair in areas with large trees is a hazardous issue to be addressed. Project stakeholders also desire keeping as many of the existing trees as possible. Maintenance of brick and stone sidewalk over tree roots is an ongoing maintenance issue and is a very short-term solution as the roots continue to push sidewalk up. Klingstone Paths is a sidewalk product used in historic areas such as Colonial Williamsburg, James Madison's Montpelier, and the Booker T. Washington National Monument. This product was introduced at the public meetings as a method to address safe ADA pedestrian access while maintaining the existing trees to the greatest extent possible. When trees naturally age out and are removed, new trees will be placed in larger tree pits with structural soil to encourage roots to grow downward. At that time, the Klingstone would be replaced with brick sidewalks. Klingstone Paths has been approved by the HRC for a patio in the district, but the color of the existing patio is not appropriate for the public sidewalk area due to the coloring. Project stakeholders have asked for a full-scale mock-up of the Klingstone Path temporary sidewalk installation for the HRC to review. Stantec and the City requested an estimate from a local vendor. This estimate was much greater than expected. This approach could have broader applications citywide to address tree and sidewalk conflicts. As such, we are recommending City staff be trained on the installation methods and install the test areas. Stantec will plan the project approach, select the location, provide a materials list, and provide full-time assistance and oversight of the installation.

The above two additional services will result in changes to the HRC application previously prepared. This will include the Klingstone mock-up, lamppost option research, proposed new electrical service to new streetlights, and brick sample boards with side-by-side comparison photographs. The final project designs, specifications and cost estimates will also be revised.

The last task in the change order one is the provision of bidding services. Due to the historic elements, this project requires attention to the contractor's work quality, traffic control planning, and managing stakeholder and public expectations. Stantec will assist the City through the bidding process by providing all bidding documents, participating a mandatory pre-bid meeting, issuing addenda as needed to interpret or clarify the bid documents, attend the bid opening and prepare the bid tabulation, and assist in the evaluation of bids and recommendation of award.

A fee of \$96,200 has been submitted by Stantec Consulting Services Inc. to provide professional engineering services for the four additional tasks and project management. Staff believes this fee is fair and reasonable based on the scope of services to be provided. This work is estimated to take 4 months.

A second change order is also proposed to see the project through to completion. Construction administration and observation services are proposed due to the many historically significant elements of the project. The project will require a high level of attention to the contractor's work quality, review and approval of mock-up installations, traffic control issues, and coordination with stakeholders, the public and utility owners during construction. The scope includes providing construction drawings, conducting pre-construction meeting, review construction shop drawing submittals from contractors for compliance with the contract drawings, reviewing contractor schedule and construction staging and advising the City of acceptability, and reviewing contractor mock-ups and advising of acceptability. Stantec will also issue interpretations and clarification of the contract documents, and prepare change orders when significant revisions are required. They will also conduct monthly progress meetings and prepare meeting minutes.

Another important element is observation of work method. Stantec will provide full-time observation for the first two months. City staff will also be onsite to observe best practice for installation. Stantec will then provide part-time observations for the remaining contract duration which is anticipated at 5 months. The Engineer will make periodic visits to the site and conduct final inspection of the work.

Upon completion of the project, Stantec will prepare record drawings from the contractor's marked up drawings showing the constructed sidewalk repairs and replacements, tree replacements and streetlight installations.

The fee for the above scope of work on a not-to-exceed time and materials fee basis is \$159,400. Staff believes this fee is fair and reasonable based on the services to be provided.

Funds are available for both change orders totaling \$255,600 in the City Reserve Bond Funds. Attached is a Resolution authorizing the city manager to approve the proposed change orders and a Project Budget Ordinance to appropriate funds for the project expenditures.



**RESOLUTION IN SUPPORT OF USE OF NORTH CAROLINA HOUSE  
CONTINGENCY FUNDS FOR THE DRAINAGE IMPROVEMENTS ALONG HIGH  
POINT ROAD**

**WHEREAS**, the North Carolina Department of Transportation is widening Union Cross Road in Winston-Salem; and

**WHEREAS**, the widening calls for a ditch section to be created along High Point Road at Union Cross Road; and

**WHEREAS**, the Union Cross Moravian Church at this intersection desires to have the ditch section repaired with a piped stormwater system under a gentle wale in order to facilitate easier mowing of the church lawn; and

**WHEREAS**, the widening project budget is not able to accommodate the church's request but there are funds available in the North Carolina Legislature House Contingency funds that could be used to infuse the project with the necessary resources; and

**WHEREAS**, the Speaker of the North Carolina House requires a resolution of support from the City of Winston-Salem to provide these funds to the project.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council hereby express their support for the Speaker of the House to fund the church's request from the House Contingency funds so long as that action does not reduce or delay any other funding scheduled to come to the City.



<b>City Council – Action Request Form</b>	
<b>Date:</b>	August 9, 2016
<b>To:</b>	The City Manager
<b>From:</b>	Gregory M. Turner, Assistant City Manager
<b>Council Action Requested:</b>	
Approval of City participation in a drainage project across private property according to Section 75-35 of the City Code.	
<b>Summary of Information:</b>	
<p>Section 75-35 of the City Code allows for City participation in drainage projects across private property with a single owner as long as the project meets certain criteria. The project must carry street water; the residences must have been occupied for at least two years; the drainage condition must threaten the structural integrity of the residence, flood the residence or cause severe erosion of the drainageway; and the action taken must significantly improve the conditions.</p> <p>The Stormwater Division was contacted by John and Helen Blount who requested assistance to repair an eroding drainage system at property located at 4203 Allistair Road. Their problems meet the requirements of Section 75-35. The estimated cost to repair the eroding drainage system is \$4,700. The property owner would be responsible for 30% (\$1,410) and the City's cost would be 70% (\$3,290). Staff recommends approval of this project.</p>	
<b>Committee Action:</b>	
<b>Committee</b>	<b>Action</b>
<b>For</b>	<b>Against</b>
<b>Remarks:</b>	



**RESOLUTION APPROVING CITY PARTICIPATION IN A DRAINAGE PROJECT  
ACROSS PRIVATE PROPERTY – 4203 Allistair Road**

**WHEREAS**, the drainage project at 4203 Allistair Road qualifies for City participation according to Section 75-35 of the City Code; and

**WHEREAS**, the property owners are responsible for 30% of the actual cost currently estimated at \$ 4,700; and

**WHEREAS**, the remaining 70% of the project cost will come from the Stormwater budget; and

**WHEREAS**, the storm drainage improvement will not become part of the storm drainage system that is maintained by the City.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and City Council upon the recommendation of the Public Works Committee, that the City of Winston-Salem Streets Division participate in the drainage project at 4203 Allistair Road.



# 4203 Allistair Road 70/30 Exhibit





**City Council – Action Request Form**

**Date:** August 9, 2016  
**To:** The City Manager  
**From:** Gregory M. Turner, Assistant City Manager

**Council Action Requested:**

Consideration of a resolution authorizing an agreement with MLA Design Group, Inc. for professional architectural services for the Happy Hill Park Renovation Project.

**Summary of Information:**

In line with the City Council’s strategic objective for expanded open space and recreation facilities, the Happy Hill Park Renovation Project will provide for the re-development and upgrade of Happy Hill Park as part of the overall Southeast Gateway Development Plan. Last year, the City entered into an agreement with MLA Design Group, Inc. (MLA) to develop a Master Plan for Happy Hill Park. Based on a year-long process of public input sessions, survey, cost opinions and consensus obtained, recommendation for Phase I improvements have been developed, which include: a new eight lane track with two grass fields (one within the track and another at a lower level), main pavilion building with restrooms and shelter, spray ground/splash park with associated building and restrooms, outdoor basketball courts, playground, associated parking areas, renovated trail, sidewalks, seat walls, and landscaping.

The City selects firms to provide architectural, engineering, and surveying services in accordance with public policy established in N.C.G.S. §143-64.31, which provides for a qualifications-based selection process. On March 18, 2015, the City received Letters of Interest/Statement of Qualifications (LOI/SOQ) to develop the Master Plan from four architectural firms. A panel consisting of the Assistant City Manager, City Engineer, Assistant to the City Manager, Recreation and Parks Director and the Parks Superintendent evaluated the proposals. Based on those evaluations, the proposals were ranked and MLA was rated as the most qualified firm to develop the Master Plan.

The request for LOI/SOQ’s stated that the City could elect to negotiate with the selected firm to perform additional services on the project, including, but not limited to, the preparation of final design plans, bid and construction documents, permitting, testing, and construction administration services. The request for LOI/SOQ’s indicated that the City reserved this right to

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____
<b>Remarks:</b>	_____		

negotiate for additional work, dependent on the performance of the architect on the initial scope of services. This provision was added in order to reduce the time to design and construct the project and to reduce the architectural fees associated with the project. The performance of MLA on the initial phase of the project has been satisfactory. Therefore, City staff recommends entering into an agreement with MLA to provide all design phase services for the renovation of Happy Hill Park including surveying, bid and construction documents, permitting, and construction administration services.

MLA's proposal meets the 10% M/WBE goal established for this professional service.

In accordance with N.C.G.S. §143-64.31, the City entered into contract negotiations with MLA, which included identifying the full scope of services to be provided and a proposed fee for this work. Based on these negotiations, MLA has submitted a fee proposal of \$375,000 (base fee of \$350,000 and \$25,000 for reimbursable expenses and contingency) for architectural, civil, survey, landscape, and other services necessary to construct improvements identified in the Master Plan. Based on the total scope of services to be provided, staff believes that this is a fair and reasonable fee.

Funds for this work are included in the recently approved bond referendum and funds have been previously appropriated for this project.

**RESOLUTION AUTHORIZING AN AGREEMENT WITH  
MLA DESIGN GROUP, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES  
FOR THE HAPPY HILL PARK RENOVATION PROJECT**

**WHEREAS**, the Winston-Salem City Council has developed a strategic objective for expanded open space and recreation facilities; and

**WHEREAS**, the Happy Hill Park Renovation Project will provide for the re-development and upgrade of Happy Hill Park as part of the overall Southeast Gateway Development Plan; and

**WHEREAS**, the City previously entered into an agreement with MLA Design Group, Inc. (MLA) to develop a Master Plan for Happy Hill Park and that plan identified certain improvements to the park, including: a new eight lane track with two grass fields (one within the track and another at a lower level), main pavilion building with restrooms and shelter, spray ground/splash park with associated building & restrooms, outdoor basketball courts, playground, associated parking areas, renovated trail, sidewalks, seat walls, and landscaping; and

**WHEREAS**, the City selects firms for professional services in accordance with public policy established in N.C.G.S. §143-64.31, which provides for a qualifications-based selection process; and

**WHEREAS**, on March 18, 2015, the City received Letters of Interest/Statement of Qualifications (LOI/SOQ) to perform architectural services for this project from four architectural firms; and

**WHEREAS**, after a review of these proposals, City staff identified MLA as the most qualified firm to provide architectural services for this project; and

**WHEREAS**, the request for LOI/SOQ's indicated that the City reserved this right to negotiate for additional work, dependent on the performance of the architect on the initial scope of services; and

**WHEREAS**, this provision was added in order to reduce the time to design and construct the project and to reduce the architectural fees associated with the project; and

**WHEREAS**, the performance of MLA on the initial phase of the project has met expectations and staff recommends entering into an agreement with MLA to provide all design phase services for the renovation of Happy Hill Park including surveying, bid and construction documents, permitting, and construction administration services; and

**WHEREAS**, the City and MLA have negotiated the full scope of architectural services to be provided for the Happy Hill Park improvements; and

**WHEREAS**, a fee of \$375,000 (base fee of \$350,000 and \$25,000 for reimbursable expenses and contingency) for architectural, civil, survey, landscape, and other services necessary to construct improvements identified in the Master Plan; and

**WHEREAS**, based on the total scope of services to be provided, staff believes that this is a fair and reasonable fee; and

**WHEREAS**, the selection process and fee negotiation followed public policy established in N.C.G.S. §143-64.31; and

**WHEREAS**, funds for these architectural services have been previously appropriated and are available in 305-532000-563201.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council that the City Manager and City Secretary are authorized to enter into an agreement with MLA Design Group, Inc. for professional architectural services for the Happy Hill Park Renovation Project in the estimated amount of \$375,000.

**SUMMARY OF MINUTES**

**PUBLIC WORKS COMMITTEE**

6:00 p.m., Tuesday, June 14, 2016

COMMITTEE ROOM

Room 239, City Hall

*MEMBERS PRESENT:* Council Member Dan Besse, Chair  
Council Member Derwin L. Montgomery  
Council Member Robert C. Clark

*MEMBERS ABSENT:* Council Member James Taylor, Jr.

*OTHERS PRESENT:* Council Member Jeff MacIntosh

Chair Besse called the meeting to order and stated that without objection, the Committee would first consider the Consent Agenda. Council Member Montgomery pulled Item C-5 for discussion.

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

CONSENT AGENDA

- C-1. CONSIDERATION OF ITEMS RELATED TO GRANTING PERMANENT UTILITY EASEMENTS TO DUKE ENERGY CAROLINAS, LLC:
  - a. RESOLUTION GRANTING PERMANENT UTILITY EASEMENTS PURSUANT TO N.C.G.S. 160A-273 TO DUKE ENERGY CAROLINAS, LLC FOR THE SITE OF POLICE DISTRICT THREE AT 2394 WINTERHAVEN LANE (SOUTHWEST WARD).
  - b. RESOLUTION GRANTING PERMANENT UTILITY EASEMENTS PURSUANT TO N.C.G.S. 160A-273 TO DUKE ENERGY CAROLINAS, LLC FOR THE SALEM LAKE MARINA PROJECT AT 815 SALEM LAKE ROAD (EAST WARD).
- C-2. RESOLUTION GRANTING THE CITY MANAGER AUTHORIZATION TO EXECUTE UTILITY EASEMENTS WITH DUKE ENERGY CAROLINAS, LLC FOR UTILITY EASEMENTS LOCATED ON CITY PROPERTY.
- C-3. RESOLUTION AUTHORIZING THE ACCEPTANCE OF A GIFT DEED FROM

WILLIAM DOUGLAS CONRAD HEIRS (WEST WARD) – *Property located between The east side of Silas Creek Parkway and Englewood Drive and Buena Vista Road.*

- C-4. RESOLUTION TO MODIFY AND RESTATE A WATER AND SEWER SERVICES AGREEMENT WITH THE TOWN OF KERNERSVILLE.
- C-6. APPROVAL OF PUBLIC WORKS COMMITTEE SUMMARY OF MINUTES – *May 10, 2016.*
- C-5. INFORMATION REGARDING CONTRACTOR SELF PERFORMING WORK.

Mr. Gregory Turner, Assistant City Manager, gave a presentation on this item.

In response to Council Member Montgomery, Mr. Turner stated, until two months ago, we did not see self-performing contracts. It has become more prevalent.

Council Member Montgomery requested additional information on this item.

GENERAL AGENDA

- G-1. PUBLIC HEARING ON PROPOSED STREET RENAMING OF “WAKEFIELD COURT” TO “ASPEN PLACE”.

Chair Besse opened the Public Hearing.

Mrs. Mary McClure, 502 Aspen Place stated she approves of the name change.

Chair Besse declared the Public Hearing closed.

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

- G-2. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KIMLEY-HORN FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DOWNTOWN PARKING ANALYSIS.

Mr. Turner gave a presentation on this item.

In response to Council Member Clark, Angela Carmon, City Attorney stated in the event we do not award the company that scored the highest based on staff procedure and analysis ahead of time we would be facing a potential legal challenge unless there is evidence of some type of deficiency.

Council Member Montgomery requested additional information on others proposed and won.

Council Member Clark made a motion to approve this item. The motion was duly seconded by Chair Besse and carried on a vote of two in favor, none opposed, and one abstaining. Those voting in favor were Council Member Clark and Chair Besse. Council Member Montgomery abstained.

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G-3. TRAFFIC CALMING POLICY REVIEW.

Ms. Toneq' McCullough, Director of Transportation, gave the staff report on this item.

Chair Besse requested additional information be provided at a later date in September as to what may be offered as alternatives to traffic calming devices.

G-4. REPORT ON POTENTIAL BIKE SHARE PROGRAM.

Mr. Matthew Burczyk, Bicycle and Pedestrian Coordinator, gave a brief overview of this item.

In response to Council Member Clark, Mr. Burczyk stated there are five companies in the first generation of this program and currently there are still five.

In response to Council Member Clark, Mr. Burczyk stated the City would contract with other companies to provide funding.

In response to Council Member Besse, Mr. Burczyk stated patrons must have a smartphone and a credit card to utilize the Bike service. Helmets are not provided.

Council Member Clark requested additional information and requested Mr. Burczyk to research the contractors that are interested in providing the service.

G-5. REVIEW OF STORMWATER FEE CREDIT POLICY CONCEPT.

Mr. Keith Huff, Director of Stormwater gave a presentation on this item.

In response to Chair Besse, Mr. Huff stated we benchmark a number of communities when we incorporate the cost benefit.

Committee requested staff provide a draft Resolution for the language of section 75 of the City Code which deals with stormwater language. Chair Besse requested this item will return in October.

G-6. PRESENTATION OF THE DOWNTOWN STREETScape PLAN REPORT.

Margaret Besette, Assistant Planning Director, gave a brief overview of this item and stated no action at this time and she hopes to be considered for funding in 2017 for action steps.

Amy Crum, Planning Staff, gave a presentation on this item.

In response to Council Member Montgomery, Mrs. Bessette stated the original plan was constructed to streetscape alongside the Innovation Quarter and not intervene with what they already have.

ADJOURNMENT: 7:27 p.m.