

LAW AND FINANCE MEETING

Wednesday, January 13, 2010

1:20 P.M.

The Law and Finance Committee met on Wednesday, January 13, 2010, at 1:20 P.M., in the Council Chambers at City Hall, immediately following the special meeting of the City Council. The following people were present:

Law and Finance Committee:

Mayor Cornelia P. Olive	Council Member James Williams
Council Member Sam Gaskins	Council Member Linwood Mann
Mayor Pro Tem Mike Stone	Council Member L.I. (Poly) Cohen
Council Member Walter McNeil, Jr.	City Clerk Bonnie D. White
City Attorney Susan Patterson	
City Manager Hal Hegwer	
Council Member Charles Taylor (left at the beginning of the meeting and returned around 1:55 P.M.)	

Mayor Olive called the meeting to order.

Consider Discussion Regarding Bike Race from Dr. Parker McConville – (Exhibit A)

Dr. Parker McConville explained that for the past years during the last weekend in April, they have put on a bike race in Downtown Sanford. Last year, they were not only able to put on a bike race, they put on a 5K run and a festival in Depot Park and raised a significant amount of money and gave \$6,500 back to charities - \$3,000 to Temple Theatre, \$1,500 to a local gymnastics group that helped out with the event and the rest of the money went to charities outside of Sanford, but one was the North Carolina Children's Hospital. For the two years they have done the race, they had some issues with not allowing people to get to certain stores that were open during the day of the race, particularly on Moore Street and the Antique Mall. Mayor Olive and he sat down with Mr. Youngblood, owner of the Antique Mall store, to think of ways that they could help people be able to get to his store and also still put on the bike race. Dr. McConville said that he looked at various options of moving the race, but the main point of the event is to have it central to downtown and to run it down Steele Street.

Dr. McConville said that the route he has come up with is to run it down Steele Street, take a left on Gordon Street, a left on Horner Boulevard, then a left on Wicker Street and a left back onto Steele Street. Horner Boulevard is a busy street. He is asking today for the route to be considered and for a consensus of approval by Council so they can take it to the N. C. Department of Transportation for its approval. If it is not okay, he will continue to work with Mr. Youngblood to come up with an alternative, or use the same course, but come up with a way to get people to his store without an issue. The good thing is the communication started early.

Council Member Sam Gaskins said that if Dr. McConville has a good thing going with the Downtown merchants, he is thrilled and does not want to disrupt anything, but he is curious because Cary had it through its residential area and in the spring. If everybody Downtown is happy, that is far more important but why the decision to go more on Horner Boulevard. Dr. McConville replied to keep it mainly on Steele Street. For two years, the Shops of Steele Street

typically do not open on Sunday, and they have opened and have done decent business. The Wine Bar sold smoothies last year on the first day and they sold out that day. Steele Street is a good venue. The type of race they are doing is a Criterion so it needs to be around a loop anywhere from .5 to .78 miles long, so shortening the block around the Temple would be too short of an area. Several towns that have Criterion races annually are Charlotte, Mooresville, Taylorsville, Mocksville, and Lexington. Mayor Olive agreed with Council Member Gaskins that in the springtime, the streets in Historic District are beautiful with the dogwoods and spring flowers. Dr. McConville said they may move the 5K route to some of those streets.

City Manager Hal Hegwer stated that Council needed to understand that the detour would be very comparable to the Christmas parade. We would be re-routing traffic from down Horner Boulevard around; it would be a longer duration of time such as 8 A.M. to 5 P.M. We would be required to handle the set up of that detour and maintain the detour throughout the duration of that event. Staff would need to get a perspective on the event and the route of the bike race from Council and pass it along to the D.O.T.

Council Member James Williams asked Downtown Executive Director David Montgomery how the other merchants felt about the race. Mr. Montgomery replied that the only issue he felt would be from the BP Station on the corner of Horner Boulevard and Carthage Street and the Billiards Hall on Wicker Street. Other than that, most businesses are not open on Sunday. He said that you are always going to affect somebody; it is the nature of these types of events.

Mayor Olive asked for a consensus from Council on the bike race. Council members were in consensus to allow the race. Mr. Hegwer stated that staff will bring this issue back to Council with the D.O.T.'s decision.

Consider Memorandum of Agreement between the North Carolina Department of Transportation and the City of Sanford – (Exhibit B)

Refuse Superintendent Larry Craig advised that the Solid Waste Division and General Services Division would like for the City Council to consider an agreement with the N.C. Department of Transportation for the purpose of vegetative debris removal from FEMA designated routes in the event of a Declaration of a State of Emergency or disaster. This agreement would allow the D.O.T. the ability to release authority for City forces to remove vegetative debris from N.C.D.O.T. streets within the City limits, excluding the major thoroughfares such as U. S. Highway #1. The agreement, otherwise, could take six to eight weeks to implement. This agreement can only be activated after a Federal Declaration and allows local governments to be eligible for reimbursement. This agreement would allow us to be reimbursed for picking up debris on N.C. D.O.T. streets, as well as our own streets.

Consider Reimbursement Contract Between the City of Sanford and Thomas Phillips and David Walton – (Exhibit C)

City Engineer Paul Weeks advised that last year, Mr. David Walton and Mr. Thomas Phillips approached City staff with a desire to extend City sewer services to their residences. That particular project was completed. Mr. Walton and Mr. Phelps paid for that work and they have asked for us to consider a reimbursement contract. There is only one parcel that would be

involved with the reimbursement contract and that is what they could recoup based on our policy, should that owner tap on to sewer.

Consider Ordinance Establishing Four – 30 Minute Parking Spaces and One Handicap Parking Space on a Portion of South Gulf Street - (Exhibit D)

Street Superintendent Magda Holloway stated that we have received a request to take five existing parking spaces and change them to be four parking spaces limited to 30 minutes, Monday through Friday, 8 A.M. – 6 P.M., and one parking space be designated as a Handicap parking space on a portion of Gulf Street.

Consider Ordinance Repealing No Parking Areas Along Portions of Industrial Drive, Frazier Drive, and Keith Drive of the City of Sanford – (Exhibit E)

General Services Manager Tim Shaw explained that the ordinance repeals no-parking areas along portions of Industrial Drive, Frazier Drive, and Keith Drive.

Jet Vac on GovDeals

General Services Manager Tim Shaw informed Council that we placed our used jet-vac truck for sale on GovDeals. It was purchased by a local vendor here in town with a sale price of \$51,827; our net was \$49,939.97. It was posted for 23 days on GovDeals due to the holidays. There were 130 bids on the unit and 3,573 hits on the webpage to look at the unit.

Discussion Regarding Sewer Problem Along Highway 78 – (Exhibit F)

Public Works Director Vic Czar stated that at the end of the last meeting, Mayor Pro Tem Mike Stone asked that this item be brought up for discussion. Mr. Czar said that he wanted to explain sewer odors in general and how they develop and what we do to try to manage this situation and maybe some opportunities we have going forward. Mr. Stone also brought up the area along Highway 78 at the Dreamland Trailer Park and how they may be impacted.

Mr. Czar explained that sewer odors are fairly common and plague a lot of sewer systems around the state. Most of the sewer odors are created with the presence of sulfur compounds - sulfides; it is commonly referred to as a rotten egg odor that you smell. We have two areas that are problems; one is on Highway 78 at St. Andrews Church Road and the other is on Cool Springs Road at the Muirfield Subdivision entrance. Our creation of this problem is similar at each location. Each location is a discharge of a force main from a sewer lift station. He referred to a map (Exhibit F) and in the shaded areas on the map is a gravity sewer system. The materials are collected from the different customers and transported by gravity to a lift station at the bottom of a hill and then when a certain level is reached in a tank called the wetwell, the pumps come on and the materials are pumped to the top of the hill where it is discharged and moved along its path to the wastewater treatment plant. Each time the pump comes on, it has a very limited amount of material to pump; it only pumps what is available in that wetwell, so it does not clear the force main – it just moves what's in the force main along. Each force main is fairly long and there are fairly long detention times in each of those force mains – five to six hours.

It is a problem that is a function of the amount of flow that we have into those lift stations. Those lift stations were built to handle those basins that are shaded on the map when they are fully developed, and they are roughly about half developed; this is the problem. This is

an issue you commonly have through development and how to operate your wastewater collection system. What happens is when you are holding that material in the force main, there is an abundance of bacteria in wastewater and it has a progression on how it lives. The first thing that it uses in its life cycle is oxygen. Those bacteria are in the force main and they use the oxygen that is available until it is no longer available.

Mr. Czar stated that the next step in this food chain is nitrates. Nitrates are not very common in typical household waste; it is not an abundant food source for them, so it does not take long to work their way through the nitrates.

The next thing is sulfur. There is a lot of sulfur in wastewater. When the bacteria act on that sulfur, it creates hydrogen sulfide. So, that hydrogen sulfide is now contained in that force main until it discharges at the downstream manhole where it is going. In solution, hydrogen sulfide does not have an odor; it does when it is agitated at the discharge – when it comes out of the force main and gets discharged into the gravity system, it gets stirred up. The hydrogen sulfate comes out; it forms a gas and that is where you get the complaints about the odors if it is not addressed in some way.

Another thing that happens when the hydrogen sulfide comes out, it creates an acid that attacks your sewer system. Manholes are made of concrete; some of the pipes are made of concrete. This acid deteriorates the system and that is how we get our sewer odor.

Mr. Czar said it is going to happen. What do you do with it? Mr. Czar stated that you can put in some scrubbers at the downstream manhole; it requires some land; they are fairly complicated and are a large capital investment. The reality is hopefully your drainage basin develops and you do not need them in the future so it is an option you can use. Another way is the additives. You can put in a masking agent where you do not smell it or you smell something different – picking what you want it to smell like is somewhat of a problem because not everybody thinks the same thing smells good. It is not a very common solution. Another way is to use oxygen in some way. Some people use a concentrate form of oxygen peroxide to increase your oxygen, so, that those bacteria don't move along in the food chain to get to the sulfur. Most of those are hazardous type situations and those lift stations are in residential areas that we really don't man 24 hours a day; it is not the best solution for us.

Mr. Czar advised that another additive you could use is to increase your nitrates and that is what we do. We add a solution you call bioxide; it's from the Siemens Company and is used fairly commonly. You supply enough nitrates so that the bacteria does not move along into the sulfur to create rotten egg odor. The other benefit that bioxide does is you do not get that acid formation. If you dose enough, you do not get the acid formation at the discharge of your force main; so you do not have the deterioration of your system. Mr. Czar stated that it is not hazardous; it has a relatively small capital expense; it's a five-thousand gallon or two-thousand gallon tank. It is pretty reliable; it has a little pump that does it at whatever you set it at. You get the benefit of eliminating the acids that attack your system. The disadvantage is it can be expensive; the liquid costs \$2.50 per gallon. At the Gaster Creek's lift station, we spend \$90,000 a year adding this material to help prevent odors; that is 60 percent of the chemical budget at the wastewater treatment plant. We spend \$25,000 a year at the Patterson Creek lift station; that is the one that discharges at the Muirfield Subdivision. We spend approximately \$115,000 to

\$120,000 a year adding this material to our wetwells to help eliminate the odor. It is a difficult situation to get exactly right. There are a lot of things that affect how much of this material you should add at the lift station. Weather affects it; when the humidity gets right and the temperature gets right, you need to add more than when it is cold. The concentration of the waste affects it because there may be more oxygen demanding material in your waste depending on where you are and the amount of flow affects it; the more you have, the more you need to add. There is no technology available to predict what's going to come out the end. We have studied what comes out the end. We have tried to see if there is a pattern; we have tried to see if there is a concentration limit that may help us do a better job of the dosing of the bioxide.

Staff came to the conclusion that there is no pattern; there is a slight pattern in the morning and the afternoon where you see some increase but it is not consistent to a level. There is some change throughout the day and night. We have a situation where we use the data that we collected during the study to set our initial pacing. Then we enter the art of sewer odor control. We try to pace our addition of bioxide to the sewer to eliminate the odors. Inevitably, that means we miss it sometimes and there will be odors at the discharge at the force main. We try not to have them but we also try to minimize the cost that we have going in. If you add too much of this solution, it can cause problems at the lift station or in the treatment process and we need to avoid that also. It is a balance that we are trying to achieve.

Going forward, there are some things that are happening that may pose us some opportunities to help the situation especially at Gaster's Creek. We are in the process of expanding the wetwell there; that is the tank the gravity sewer discharges into. It will give us a larger volume of flow that is aerated to put into the force main to possibly reduce the detention time in the force main. Another item we are looking at with the addition of the wetwell is maybe a smaller pump at the Gaster's Creek Lift Station. The Gaster's Creek Lift Station has two very large pumps that run for a few minutes then they are off for seven minutes. It is a very short cycle; the possibility is if we could have a pump in there that is smaller and runs on a more continuous basis, we keep the flow 1 and we also keep more oxygen in it to help reduce the formation of the hydrogen sulfides. We are always looking to find some way to help reduce our costs and do a better job.

Mr. Czar said that one thing that does help us in pacing and trying to figure out the right thing to do with this is, when people smell the odor, to call us and let us know when because it helps us. The cycle we are trying to establish is where we should dose and how much; it helps us figure those things out. Typically when we get a complaint, we go to the lift station and it is a mechanical problem or it's a situation where the temperature has changed and we need to up our dosage.

Mr. Czar stated that he has been contacted by the owner of Dreamland Trailer Park and the owner told him that if staff is looking at the City's situation and they see anything on his property that may cause the odor, to let him know. The owner is trying to do the right thing. Whenever we receive a complaint, we walk the line and make sure we do not have a structure problem or a blockage in the line, etc.

Mayor Pro Tem Stone said that he is the one that brought this issue up. He pointed out that he went through the process before bringing it up, and the number one cause is the odor and

we add bioxide and every time it was very expensive. His problem is you drive through that section every day; we are polluting that neighborhood. We have got to find a way to solve it. We send an employee to check every water meter in town, why can't we send an employee to check those two wells. Those folks are living at a disadvantage. With the amount of money we spend, we deserve to help the communities on both sides. He made several calls to Mr. Hegwer and Mr. Czar that this odor is terrible. He suggested calling someone in from DENR. He would like to see something done to alleviate that problem. He said that in 2010, there should be some modern technology to alleviate the problem. If the price tag is too hefty, say it; we raised the water and sewer rates last year.

Council Member Cohen added that he has lived in Sanford for 51 years and he has noticed that smell also and with the modern technology today, there are smell detectors, etc. He suggested contacting the other cities about what they are doing.

Council Member Gaskins asked what the chemical formula is for the bioxide. Mr. Czar did not know and said that he would get the information for him. Mr. Gaskins asked how much the scrubbers cost. Mr. Czar did not remember. How do the vapors escape? Mr. Czar replied that all the manholes have holes in them so it can breathe. Mr. Gaskins asked about using carbonates? Mr. Czar replied that some do; but it is more costly and there are some other problems with it. We have talked with other cities. Raleigh, Apex, Fuquay, Durham, and some others all use the bioxide; it is non-hazardous and there are some real advantages. It addresses the creation of sulfuric acid and you get some benefit from the system; it is very simple to use.

Mr. Czar informed Council that we have done air quality testing and we have just done it. At the manhole, the readings were zero in terms of parts per million of hydrogen sulfide gas that was in the manhole. There was a nitrate residual; that means we were overdosing it, so we are putting in more bioxide than we needed to neutralize to go through this process. We are trying to do it in the most cost-effective manner possible and the reality is, if there is a pump failure, you will get complaints.

Council discussed the issue at length. Mr. Gaskins asked Mr. Czar to follow up on the capital costs, because if we are spending 60 percent of the chemical budget for the bioxide, we might be better off to go with the scrubbers.

Other Business

Council Member Walter McNeil, Jr. invited everyone to the Martin Luther King ceremony Monday, January 18 and hoped everyone will purchase a brick for the park.

Council Member Poly Cohen felt the sound system in the council chambers is not adequate and wants to get some input on how we can improve it.

Mayor Pro Tem Mike Stone asked Gordon Anderson, reporter with the *Sanford Herald*, to put an article in the paper about a tax reduction for seniors on their property taxes. If you are disabled, over 65, (either one of those) and you have an income less than \$27,000, you can get your property taxes reduced by as much as 50 percent. There are a lot of struggling seniors that do not know this information. City Manager Hal Hegwer said that we would put this information on the television station.

Council Member Charles Taylor said that back in the fall, we took action to rezone a property by Glenwood Subdivision, and that property was going to have a facility built on it by the end of the year. It was a requirement on us to take the action up in a timely fashion. He would like to have an update on that and he has not seen any construction and they were supposed to be in it by December 31. We gave them a sewer easement and if we continue to do this, we need to look at doing it for other people as well. He asked for an update on the sidewalk on Horner Boulevard at Kentucky Fried Chicken. Two cars collided on Carthage Street because of two wheelchairs were in the middle of the road. He would like to know the current status of this issue.

City Manager Hal Hegwer announced that the City Council will hold its annual retreat on Wednesday, January 20 from 8 A.M. – 1 P.M.; Thursday, January 21, from 1:30 P.M. – 5 P.M.; and Friday, January 22, from 8:00 A.M. to 12 Noon.

Mayor Olive announced the groundbreaking for the Endor Iron Furnace Greenway Trail on January 29, at 2 P.M., at the entrance of Riverbirch Shopping Center.

ALL EXHIBITS CONTAINED HEREIN ARE HEREBY INCORPORATED BY REFERENCE AND MADE A PART OF THESE MINUTES.

Adjournment

Having no further business to come before the Law & Finance Committee, the meeting was adjourned upon the motion of Council Member Walter McNeil, Jr.; seconded by Mayor Pro Tem Mike Stone, the motion carried unanimously.

Respectfully submitted,

Cornelia P. Olive, Mayor

Bonnie D. White, City Clerk