



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Regular Meeting – Monday, November 3, 2008 – 8:30 a.m.

PRESENT: Mr. Kesner, City Atty.; Ms. Welch, Community Dev. Dir.; Mr. Wheaton, Chief Bldg. Official -3

EXCUSED: Mr. Braier, Ms. Ledesma

ALSO W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.; J. Kroll, Spec. Proj. Eng.;
PRESENT: J. Archambo, City Admin.

Mr. Kesner in the Chair called the meeting to order at 8:30 a.m.

The Chair requested any additions or corrections to the minutes of the previous meeting.

Moved by Ms. Welch seconded by Mr. Wheaton to accept the minutes as printed. Ayes: 3

Contract 08-09 Little Red Store Renovation - Change Order. The Special Projects Engineer reported that a number of changes have been necessary in the ongoing Little Red Store renovation project. As outlined on the provided summary, the various additions and deductions add a total of \$18,623 to the contract cost, bringing the total contract amount to \$257,381.00. Some changes were necessary from a structural standpoint, and the Wauwatosa Historical Society requested some. The City has allocated \$150,000 in CDBG funds to the project with the understanding that the Historical Society would provide the remainder of funding. An additional Historical Society deposit is needed at this time.

Moved by Ms. Welch, seconded by Mr. Wheaton to approve the change order contingent upon deposit of additional funds by the Wauwatosa Historical Society. Ayes: 3

Easement Agreement with WE Energies – Blanchard Street Municipal Parking Lot. Mr. Kroll reported that in order to provide appropriately sized underground electrical service for a new street lighting cabinet, WE Energies requires an installation and maintenance easement across the Blanchard Street municipal parking lot. The transformer will not obstruct or remove any parking spaces.

Moved by Mr. Wheaton, seconded by Ms. Welch to recommend to Council approval of the requested easement. Ayes: 3

Authority for Overnight Parking in Municipal Parking Lots. Mr. Kappel reported that he received a request last week from the Chancery restaurant for some one-time overnight parking on Hart Park Lane. Residents can purchase a monthly permit for overnight parking at that location, but he has no authority to approve requests such as the Chancery's. The consensus of the Traffic and Safety Committee is that there should be an administrative way to handle similar requests expeditiously without having to come to the Board. Mr. Kappel noted that he does have authority in construction-related situations. If that authority is extended to other temporary situations involving municipal parking lots, he recommended assessing a

\$2.50 fee for one night and \$5 for multiple nights. As is the practice with periodic senior club overnight parking in the city hall lot, hold harmless agreements would be required.

Moved by Mr. Wheaton, seconded by Ms. Welch to grant the Director of Public Works authority to authorize overnight parking in municipal parking lots for a \$2.50 fee for one night and \$5 for multiple nights, such fee to be incorporated into the fee schedule next year. Ayes: 3

Purchase of 2009 Stone, Sand, and Gravel. The Board reviewed a memo from the Purchasing Manager outlining bids received for the purchase of stone, sand, and gravel and 2009 requirements. The eight bids received reflect a slight decrease from 2008 prices for some items and up to a 3% increase for others. In addition, one vendor has included a fuel surcharge stating that a 3% increase in the trucking rate will be applied to each delivery for every \$0.15 increase in fuel above \$3.49 per gallon.

Moved by Mr. Wheaton, seconded by Ms. Welch to recommend award to the bidders for purchase in 2009 on an as-needed basis based on price, convenience, and availability. Ayes: 3

Additional 2009 Street Improvement – Ruby Avenue. Mr. Wehrley reported that Ruby Avenue was inadvertently omitted from the list of intended 2009 street improvements recently approved by the Board. The following resolution adds Ruby Avenue to the list:

Board Resolution

BE IT RESOLVED, by the Board of Public Works of the City of Wauwatosa, Wisconsin, that

Section 1. The Board of Public Works of the City of Wauwatosa, Wisconsin hereby declares its intention to exercise its police power, under Section 66.0703 of the Wisconsin Statutes, to levy special assessments upon property in the City of Wauwatosa within the following described area for the benefits conferred upon such property by the repaving of:

<u>Street & Location</u>	<u>Ald. Dist.</u>	<u>Exist & (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
W. Ruby Avenue – from N. 100 th St. to N. 106 th St.	8	30'	C-Asph.	No

Section 2. Said public improvement shall include the following work to be done during the 2009 construction season:

Original Construction: New (Conc.) or (Asph.) Grading, placing new concrete curb and gutter, and concrete or asphalt pavement surface (as indicated) on a new stone or asphalt base.

Reconstruction: Type “A” (Asph.) or (Conc.) Completely removing existing curb and gutter and existing pavement, placing new concrete curb and gutter (excluding alleys), and asphalt or concrete pavement surface on a new base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Repaving Type “B” (Asph.) Completely removing existing curb and gutter, milling the existing asphalt pavement as required, and placing new concrete curb and gutter and asphalt pavement surface on the existing road base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Resurfacing: Type "C" (Asph.) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and resurfacing with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Section 3. The total amount assessed shall be upon a reasonable basis as determined by the Common Council.

Section 4. That the owners of the respective parcels of land fronting or abutting the street improvements, on which a public hearing has been held and preliminary assessments have been confirmed, shall have payment of the special assessments scheduled as follows:

(a) Each special assessment and special charge, pursuant to Section 66.0703 of the Wisconsin Statutes, levied in an amount of \$200 or less against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in one installment.

(b) Each special assessment for improvements levied in an amount exceeding \$200 against any parcel of land in the City of Wauwatosa shall be entered in the tax rolls in five equal annual installments of principal together with interest at the rate of twelve percent (12%) per year or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the sale of corporate purpose bonds, which include the project which is the subject of the special assessment, whichever figure is less, on the unpaid balance of said assessment. Individual assessments shall run concurrently except as provided under Section 3.08.040 of the City Code.

(c) Each special assessment levied against any parcel of land in the City of Wauwatosa for the installation of sanitary sewer main or water main or construction of permanent street pavement shall not be entered in the tax roll until all installments of special assessments for sanitary sewer or water main or construction of permanent street pavement levied previously against the same parcel of land have been entered into the tax rolls and have been paid. Such subsequent special assessment shall be deferred and only interest at the rate of twelve percent (12%) per year, or the percentage rounded out to the next highest whole percentage number above the interest rate paid by the City for the issuance of General Obligation Debt, which include the project which is the subject of the special assessment, whichever figure is less, on such subsequent special assessment shall be carried into the tax rolls in addition to the scheduled installments of such prior assessments. After the last installment of such prior special assessment has been entered in the tax rolls, installments of the subsequent special assessment shall, beginning with the next subsequent tax roll, be entered in the tax rolls pursuant to Section 3.08.030 of the City Code.

(d) Whenever special assessments are levied against the frontage and side of a corner parcel of land in the City of Wauwatosa for the installation of sanitary sewers or water mains or construction of permanent pavements arising out of the same public works project, such special assessments levied against a corner parcel of land shall be deemed to be two separate special assessments, and the special assessment levied against the frontage of the corner parcel of land shall first be scheduled on the tax rolls for payment as provided in Section 3.08.030 of the City Code and the special assessment levied against the side of the corner parcel of land shall be scheduled on the tax rolls pursuant to (c) above, following such scheduling of the special assessment levied against the frontage of the corner parcel of land.

(e) Notwithstanding the provisions of (c) and (d) above, any owners of parcels of land assessed may at their option elect to pay both the scheduled installments of prior assessments as well as scheduled installments of subsequent special assessments on the same tax rolls as entered on those tax rolls pursuant to Section 3.08.030 of the City Code.

(f) If, after special assessments have been placed on the tax rolls in installments or otherwise, the taxpayer fails to pay the same within the time allowed for payment of general taxes, the same shall become delinquent and shall be treated in the same manner and subject to the same laws as delinquent general property taxes.

Section 5. The properties against which the assessments are proposed are benefited. Such benefits may include, but are not necessarily limited to, enhancement of value or marketability, improved drainage, improved pedestrian safety (walks), improved vehicular access, improved skid resistance and cross sectional elements.

Section 6. The Director of Public Works has prepared a report consisting of:

- a) Preliminary and/or final plans and specifications for said improvements
- b) An estimate of the entire cost of the proposed improvements
- c) A schedule of the proposed assessments in connection therewith upon a reasonable basis as determined by the Board of Public Works.

The Director of Public Works is directed to file a copy of these in the City Clerk's Office for public inspection.

BE IT FURTHER RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin, that the City Clerk is directed to give notice, as by law provided, of a public hearing to all owners, to be assessed for the proposed improvements herein before listed, and to publish notice of the hearing at least once in the official newspaper at least ten days and not more than 40 days before the time set for the hearing; and

BE IT FURTHER RESOLVED, That the Common Council be requested to schedule the public hearing to be held before the Common Council in the Council Chambers, at 7:30 P.M., on Tuesday, December 2, 2008 in the City Hall of the City of Wauwatosa, Wisconsin at which times all persons interested, or their agents or attorneys, concerning matters contained in the resolution and report, including the proposed assessment of benefits will be heard.

Moved by Mr. Wheaton, seconded by Ms. Welch to approve the foregoing. Ayes: 3

Contract Updates. Mr. Wehrley reported that AT & T has not yet completed relocation of their facilities on State Street, which is hindering progression there. It is likely that only the binder course on the south side will be completed since the AT & T work will probably not be done until it is too far into winter to proceed with paving. The same paving contractor will proceed with work on other streets; but even with all his forces in Wauwatosa, 84th and 88th Streets may also only receive binder courses this year because the surface course is more temperature sensitive. The surface course would be completed in spring, which was common practice some years back. In the meantime, manholes and gutter pans would be ramped up to reduce ponding. Mr. Wheaton commented that any problems with the sub-surface would show up over winter, which will make for a better surface in the end.

Mr. Wehrley also reported that work on the contract for fire station parking lot improvements will begin today.

The meeting adjourned at 8:44 a.m.

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Secretary to the Board