



CITY OF WAUWATOSA

7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989

BOARD OF PUBLIC WORKS

Regular Meeting – Monday, August 20, 2007 – 8:30 a.m.

PRESENT: Mr. Braier, Finance Dir.; Mr. Kesner, City Atty.; Ms. Ledesma, City Clerk; Ms. Welch, Community Dev. Dir.; Mr. Wheaton, Chief Insp. -5

ALSO W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.; S. Presnal, Plumbing Insp.

PRESENT: R. Stingl, Fleet & Traffic Supt.

Mr. Kesner in the Chair.

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

It was moved by Mr. Wheaton, seconded by Ms. Welch to accept the minutes as printed. Ayes: 5

Request to Perform Nighttime Work on Mayfair Road. From the hold file was a request by James Coyle, Arnold & O'Sheridan, Inc., for authorization to perform nighttime work on N. Mayfair Road south of W. Blue Mound Road in the area of the St. Joseph's outpatient facility at 201 N. Mayfair Road. Mr. Coyle said that the work includes median modifications and the addition of two southbound right-turn entrances to the St. Joseph's facility as well as removal of one or two hydrants and rerouting of some catch basins. City staff has reviewed the plans and the state DOT has issued a permit. To expedite the construction process and minimize negative impacts, Mr. Coyle said that it is necessary to do most, if not all, of the paving work between 9 p.m. and 5:30 a.m. DOT restrictions regarding lane closures permit daytime work only during the hours of 9 a.m. to 3 p.m. Some landscape restoration and electrical work would occur during the day, but they are requesting authorization to do the bulk of the work at night.

Mr. Wehrley acknowledged that the six-hour daytime window is less than needed for a typical paving operation. He noted, however, that nighttime work is more typically allowed for laying the final surface, where any disruption or noise is easily resolved because the work is over by the next morning.

Referring to a schedule showing sequencing of the project from August into December, Mr. Coyle reiterated that anything that requires lane closures, including some sewer and water work, would require nighttime hours. They would do as much other work as possible during the day, and it is assumed that any city inspections or coordination on sewer and water work would need to take place during the day. They would try to eliminate or minimize noises that would be disturbing to residents to the west, who are buffered by the St. Joseph's facility and a parking lot. The state will allow this work to begin once work at Blue Mound and Mayfair Roads has been completed.

It was moved by Ms. Welch seconded by Ms. Ledesma to approve the request for nighttime work contingent upon approval by engineering staff for specific nights and specific work and also contingent upon written

notices to residents on Mt. Vernon Avenue and 110th Street with contact numbers for the contractor and for city staff, all with the understanding that this matter will be brought back, if necessary, for further consideration –

Ms. Welch was concerned about the duration of the project and its impact on neighbors and asked about possible consolidation of some of the work. Mr. Coyle said that work would begin on the west side of the street first and then move to the middle. It is unlikely there will be continuous lane closures for a month; the longest paving operation lasts seven days. They would move on to other items before getting to more lane closure work. They always need to have two lanes open in each direction and cannot work in the median at the same time they work on the west side.

With consent of the mover and second, Mr. Braier amended the motion to include review by the Board of Public Works at the next regular meeting 30 days after the start of the project.
Vote on the motion as amended, Ayes: 5

Encroachment – 7610 Harwood Avenue. The Board reviewed an application by Kent Ehley of Harwood, LLC, 7437 Kenwood Avenue, to encroach onto city property with a door overhanging the sidewalk at 7610 Harwood Avenue. Mr. Ehley explained that they are renovating an old bank next to the Lefeber building with plans for a restaurant. Because the business will accommodate more than 50 people, State code requires the exterior door to open out. The original design had the doorway inset, but there is too much of an elevation difference between the concrete floor and the sidewalk for that to be feasible. The floor is solid concrete with concrete beams and a basement underneath. There is concern about any structural impact that could result from the process of removing about four feet of that floor.

Mr. Wehrley reported that he found that all other doors along Harwood Avenue are set back in the face of the building so that any out-swinging door swings into the stoop area. Sidewalks go right up to the face of the building. While he was at the site, a child on a bike zoomed down the hill within about six inches of the face of the building where the proposed door would have opened right in his path. Mr. Wehrley said he would not recommend approval of this encroachment.

Mr. Wheaton said that historically, going back to about 1915, almost all of the doors adjacent to public right-of-way are inset. While he understands Mr. Ehley's concern, he is not convinced it cannot be resolved. He would have a difficult time approving an out-swinging door.

Mr. Ehley suggested placing a planter or other barrier to keep pedestrians or bikers at a distance. There is about 10 feet between the building and the curb. Other solutions would be very costly. The building had an in-swinging door inset at the left side, but he relocated the doorway to the center to provide access that is more level. He would need an area of about 3 ft. by 5 ft. to inset the door and cannot easily knock away enough concrete to do that. He asked about an exception to code requirements, which Mr. Wheaton said would require a petition to the state's department of commerce who, in turn, would seek the approval of the local building inspector. It is not something he would endorse.

Ms. Welch felt that more information is needed about possible alternatives. The proposed use was endorsed by the Plan Commission but must still be reviewed by the Community Development Committee and approved by the Common Council, allowing some time for further investigation.

It was moved by Ms. Welch, seconded by Ms. Ledesma to hold this matter to the September 4th meeting –

Mr. Wheaton noted that there is also an issue with meeting ADA requirements, which Mr. Ehley said involves providing a five-foot landing inside the door. The Chair advised Mr. Ehley to talk with the building inspector about the variance process. Mr. Braier suggested that Board members view the site and expedite the process. Ms. Welch spoke of the need to understand the implications of several code issues and other approvals that might be needed. Mr. Ehley mentioned time constraints he is under.

With consent of the mover and second, Mr. Wheaton amended the motion by moving to hold to a special meeting next Monday, August 27, at 8:30 a.m.

Vote on the motion as amended, Ayes: 5

Request for Code Exception for Clear Water Drainage System at 8415 Ravenswood Circle.

From the hold file, the Board again reviewed a request by David Schneider, 407 Glenview Avenue, for an exception to code requirements for a clear water drainage system at 8415 Ravenswood Circle. Mr. Schneider was not present.

Mr. Presnal, Plumbing Inspector, was asked about alternatives to the applicant's proposal, which has met with some concern and opposition. Mr. Presnal said that alternatives are to let the backyard flood or to tie into the storm sewer system on Blue Mound Road. He noted that the applicant has not provided any information on his calculations so that staff can determine if the plan is acceptable. The house on this site is not yet occupied; an occupancy permit would not be granted until this issue is resolved.

Mr. Wehrley said that this drainage situation has probably existed for decades, but as part of the adjacent property the area had only a basketball court and some green space. Past flooding, therefore, affected only uninhabited areas. The new house now on the site has a partially exposed basement with windows. When the applicant's engineer was informed about other yards draining down to this site, he estimated that runoff would double to 200 gallons per minute. He was told that staff would not be comfortable with allowing that amount of water to be discharged across a public sidewalk. He asked about alternatives and was told that the city would approve direct connection to the storm sewer system.

Ms. Welch said that the applicant obtained a storm water variance for the original house to allow discharge onto this site, which he now finds has no way to get drainage off site without going into the street. The property owner was informed of these problems before he divided the property and constructed on the second site. She would not be willing to grant an exception for a problem that was created in this way. Also, the applicant has not been willing to come in and work with staff.

It was moved by Ms. Welch, seconded by Mr. Wheaton to deny the requested code exception. Ayes: 5

Surplus Equipment. In a memo dated August 20, 2007, the Fleet & Traffic Superintendent recommended declaring the following equipment surplus: F-125, F-130, F-606, G-80, old P-70, P -121, P-133, P-135, P-133, P-146, R-12, R-15/T-64, R-27, T-53, T-54, T-56, T-57, T-63, T-72, T-80, V-48, X-01,

and X-19. The equipment includes police and fire vehicles, forestry equipment, a garbage packer, a mudjacking unit from the 1920s, and a trailer with an exterior generator that would be removed before sending it to auction unless it is found usable by another agency. The following equipment previously declared surplus remains in service at this time: P-116, P-117, P-131, and P-132.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council that the aforementioned equipment be declared surplus for disposal in a manner most advantageous to the city. Ayes: 5

Removal of Public Sidewalk at 6842 Kinsman Street. The Board reviewed a request by Rita Hale, 6842 Kinsman Street, to remove the public sidewalk in front of her house at the end of Kinsman Street. Her plans for re-landscaping the front yard include a new walkway from the front porch to the driveway. There would be no plantings in public right-of-way.

Mr. Kappel recommended approval of the request due to the unusual circumstances at this location. This is the last house at a dead end, and there are no plans to extend the right-of-way. An abutting property to the west has a walk that does not line up with this sidewalk.

It was moved by Mr. Wheaton, seconded by Ms. Welch to recommend to Council approval of the request subject to execution of a standard encroachment agreement. Ayes: 5

Water Pumpage Report. The water pumpage report for the month of July showed pumpage of 208,231,000 gallons and year-to-date pumpage of 1,136,945,300 gallons. This is up from comparable 2006 amounts of 197,019,500 for July and 1,117,408,200 year-to-date. The Chair ordered the report placed on file.

Contract 06-6, Asphalt Concrete Paving – Final Payment. The Board reviewed a memo from the Director of Public Works recommending final payment of \$6,393.60 on Contract 06-6. The bid price on this contract was \$363,348.25, but a change order of \$34,658 brought the total contract amount to \$398,006.25. Due to differences in bid quantities, however, the final cost of the work is \$425,107.45.

Mr. Braier asked about Stickney Avenue paving, expressing some concern about cracks in the final product. Mr. Wehrley explained that it was necessary to do some unanticipated concrete base repair on that street in order to reuse the existing base. Staff made the decision on how much to repair and split the cost with the contractor. Had the actual condition of that base been foreseen, this project would have been planned as a “Type A” total reconstruction. Asphalt cracks when the base moves, and it is likely that the base here will keep moving. Some of the cracks have been filled, and crack filling will continue to be needed. There is little more that can be done at this point short of tearing it out and rebuilding. The specifications call for patching where needed, which has been done where requested. Mr. Kappel added that when the condition of the base became apparent, it was impossible to turn this into a Type A project because of the cost, which he estimated to be at least \$500,000.

Mr. Wehrley explained that the paving mix that was used is derived from state DOT specifications that changed 4-5 years ago. The current mix appears to be a little stiffer than that previously used, which could contribute to more reflective cracking. Typically, that type of cracking relates to the thickness of the

surface. With a 3-inch overlay, cracking is normally anticipated in three years. Now we are seeing cracking within three days to a week. Once the cracks are sealed, it is just like any other road that would later be sealcoated. If the feeling is that no cracking is acceptable, perhaps we should abandon "Type B" reconstruction and go with only "Type A," which would result in a 25% increase in construction costs and assessments and a lengthier duration of construction. It would be necessary to have some direction on that possibility before planning begins for next year's projects.

Mr. Braier was concerned that making the final payment implies acceptance. He would like to get some input from the district alderpersons and let the contractor know we are considering options. The Chair commented that the current program seems to work for the most part, but there were other issues here because of the base. He suggested holding this to the next meeting, meanwhile raising with the contractor the question of the quality of the work and seeking comments from them if they so desire.

It was moved by Ms. Welch, seconded by Mr. Wheaton to hold this matter to the meeting of September 4, 2007. Ayes: 5

Contract Updates. Mr. Wehrley reported that open cut work in the Village area should be done before Tosafest begins on September 8. There will be some traffic disruption after the start of school, but staff does not yet have a schedule from the contractor. At this point there is not enough information to enable schools to notify parents of what conditions will be at the start of school. Ms. Welch suggested considering some alternative drop-off locations and routes, perhaps even routing traffic through a nearby parking lot. The Chair asked that as much information as possible be posted on the website regarding open routes and detours.

Mr. Wehrley reported on the progress of water main work in Wauwatosa and Harwood Avenues where trench restoration work and safe water sampling are underway. He also reported on the status of manhole rehab, pavement marking, sidewalk, and water main extension contracts as well as DOT work on Blue Mound Road and Mayfair Road.

Mr. Braier requested problems that arise with a particular contract be included in this report in the future.

The meeting adjourned at 9:28 a.m.

Secretary to the Board

es