



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Regular Meeting – Monday, December 4, 2006 – 8:30 a.m.

PRESENT: Mr. Braier, Finance Dir.; Ms. Ledesma, City Clerk; Ms. Welch, Community Dev. Dir.; Mr. Wheaton, Chief Insp. -4

EXCUSED: Mr. Kesner

ALSO

PRESENT: W. Wehrley, City Engineer

Ms. Welch 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. Ledesma to accept the minutes as printed. Ayes: 4

Contract 05-29 Replacement of Street Lighting Distribution Cabinets – Final Payment. The Board reviewed the following:

Board Resolution

WHEREAS, the Board of Public Works has accepted the work of Replacement of Street Lighting and Distribution Cabinets and work incidental thereto in the City of Wauwatosa under Contract 05-29 and the same is ready for final payment;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Public Works of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the work of Replacement of Street Lighting Distribution Cabinets under Contract 05-29 is hereby accepted.

Section 2. That the proper City officers be and they are hereby authorized and directed to draw and sign a City order in the sum of one thousand nine hundred sixty-eight dollars and ninety-three cents (\$1,968.93) in favor of Pieper Electric, Inc. as the final payment under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the foregoing. Ayes: 4

2007 Street Improvement Projects. The Board reviewed the following resolution declaring the intent to perform certain street improvements during the 2007 construction season and to levy special assessments for such improvements:

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>
N. 97 th Street – Sarasota Place to Fiebrantz Avenue	8	30	C	No
W. Congress Street – N. 92 nd Street to N. 94 th Street	8	30-30-30	C	No
W. Congress Street – N. Mayfair Road to Menomonee River Parkway	8	30	C	No
Maple Lane – N. Mayfair Road to East End	8	30	C	No
W. Sarasota Place – N. 95 th Street to N. 100 th Street	8	30	C	No

Section 2. Said public improvement shall include the following work to be done during the 2007 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, January 16, 2007 [Note: date later changed to February 6, 2007] 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 Ms. Ledesma, seconded by Mr. Wheaton to approve the foregoing. Ayes: 4

Public Hearing for 2007 Street Improvement Projects. The Board reviewed a Council resolution setting a public hearing date of January 16, 2006, for the 2007 street improvement projects. [Note: Date changed on Council floor to February 6, 2007.]

Moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend approval. Ayes: 4

Partial Payments and Contract Updates. Mr. Wehrley reported that all 2006 construction has been completed. Change orders will be submitted at a future meeting for about \$30,000 in additional curb and gutter repair under Contract 06-07 and for about \$35,000 in base repair under Contract 06-06.

Mr. Braier requested the removal of a partial payment on Contract 06-07. The Board reviewed the following:

Board Resolution

BE IT RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin that the proper City Officers be and they are hereby authorized and directed to issue City orders in favor of the contractor listed below in the amount listed in the column headed "Amount" as partial payment for work completed as indicated on the attached Exhibit pursuant to the terms of the contract noted.

<u>Contractor</u>	<u>Payment No.</u>	<u>Contract No.</u>	<u>Amount</u>
Wisc. Dept. of Transportation	N/A	State Project No. 2175-06-70 (05-14)	\$ 16,452.84
Graef, Anhalt, Schloemer & Assoc.	3	Contract 06-25 Floodproof Muellner and Parks Administration Buildings	\$ 15,358.89
Milwaukee Metropolitan Sewerage Commission	1	Contract 06-23 Hart Park MMSD Floodplain Lowering	\$151,698.20
American Sewer Services, Inc.	6	Contract 05-54 Water Main Relay Servicing Areas within TIF No. 3	\$110,451.83
D.C. Burbach, Inc.	4	Contract 06-6 Asphalt Concrete Repaving	\$ 23,045.55

Moved by Mr. Braier, seconded by Mr. Wheaton to approve the foregoing.

The meeting adjourned at 8:37 a.m.

Secretary to the Board

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