



CITY OF WAUWATOSA  
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**BOARD OF PUBLIC WORKS**

Regular Meeting – Monday, May 15, 2006 – 8:30 a.m.

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

ALSO W. Wehrley, City Engineer; J. Wojcehowicz, Water Supt.; K. Walbrant, Parks &  
PRESENT Forestry Supt.; M. Maki, Stormwater Spec.; Ald. Treis, 8th Dist.

Mr. Kesner in the Chair.

**Air Conditioner Variance.** The Board reviewed an application by Tracy Spoerl, 9407 W. North Avenue, for a variance to place an air conditioning unit within the side yard setback on the west side of the building. Ms. Spoerl said she plans to add air conditioning for two units of this four-family building. The other units are served by existing condensers located to the rear where there is insufficient room for the proposed units.

A representative of Gross Heating & Air Conditioning said that there is a full driveway with grass on either side between this building and the one to the west. An alternative location would not allow space for the building's electric meters, which Ms. Spoerl plans to move outside in the future. That location would also not meet code requirements because of proximity of lines to the fuse boxes. In the proposed location, a projecting wall and shrubs would hide the units from the street. Ms. Spoerl added that the adjoining building's primary living space does not overlook the proposed site.

Mr. Wheaton confirmed that neighbors were notified and reported that no comments were received.

It was moved by Ms. Welch, seconded by Mr. Wheaton to approve the requested variance contingent upon appropriate vegetative screening of the units from front and side views. Ayes: 5

**Water Pumpage Report.** The water pumpage report and billing analysis for April 2006 listed pumpage of 143,554,800 gallons for the month and a year-to-date total of 588,945,700 gallons. The three-year average for April is 153,739,600 gallons. The Chair ordered the report placed on file.

**Temporary Use of Generator for Electrical Service at Pick 'N Save, 6950 W. State Street.** Mr. Mark Schneider of Briohn Building Corporation, 3885 N. Brookfield Road, Brookfield, presented a revision to the temporary use granted at the previous meeting. Rather than running a generator for two or three days in May, WE Energies now has said they will be able to do the necessary work in one day, either June 1 or June 5. Because electrical service is being upgraded along the whole north wall, the generator would be placed into the loading zone pit, which should help alleviate concerns about sound levels. It would be operated from 6 a.m. to 11 p.m., at which time the store would be temporarily shut down. A meeting with neighbors is scheduled later this week.

Mr. Wheaton foresaw no problems with the revised proposal, especially since placement in the loading dock would buffer noise to less than 70 dba.

It was moved by Mr. Wheaton, seconded by Ms. Welch to approve the revised request subject to notification of residential neighbors and maintaining a reasonable sound level as determined by the Building Department. Ayes: 5

**Proposal by Village BID for “Pocket Park” at Harwood and Wauwatosa Avenues.** Dennis Webb, 7532A W. State Street, Chair of the Village Business Improvement District (BID), reported that the BID has developed preliminary plans for redevelopment of the Village “pocket park” area, formerly known as the fountain area, at Wauwatosa and Harwood Avenues. He said that they plan to have discussions with stakeholders and others in the community as well as city representatives before coming up with a final design. He spoke last week with the Director of Public Works about some technical aspects and questions.

Rich Conley of Metropolitan Development, a member of the BID board and owner of property at 7616 Harwood Avenue, distributed copies of the preliminary plan and a letter to the board from Mr. Webb. They understand that plans for this “Root Common” area will require approval of this board, the Committee on Community Development, and the Common Council. They have worked for the past six or seven months with Peot-Schields Architecture, a landscape architecture firm that has done other projects of this type in Wauwatosa. They felt that an earlier redesign proposed by the Rotary Club did not meet the desired design criteria or the highest and best use of the land. They envision something of an entertainment venue and have attempted to provide open space for school and community events. They also have tried to make the design as maintenance free as possible. The plan does not include any grass. With a grove of trees rather than small bushes or shrubs, little pruning would be needed, although some arrangement would be needed for watering the trees, especially in the first three years. Mr. Conley noted that they will meet continually with the Historical Society on incorporating an historical representation of this area.

Mr. Conley said he met with Water Superintendent Jim Wojcehowicz to discuss the water main that lies under the proposed area of brick pavers, but he understands that no funds would be budgeted for that area until 2009. Mr. Wojcehowicz said that this is a 6-inch main dating to 1897. He has questions about how far down they would be going and whether construction would disturb the main. There is one service from that main that is active, but it could possibly be rerouted. Due to concerns about accessibility and the fact that finding a leak here would disrupt more than just brick pavers, he would recommend abandoning the main prior to beginning this project. He also would like to know more about potential water use on the site.

Mr. Wehrley suggested that the intent today has moved from simply requesting authorization to come up with a plan to requesting approval of a preliminary plan. Staff has some significant concerns about information in the preliminary plan and information not in plan and would not favor approval at this point. Mr. Webb said he told Mr. Kappel last week that they were seeking approval to move forward with spending the rest of their funds. Although they have gone quite far with the plan, they are flexible with some of the details and intend to have further discussions.

Asked to comment on the proposed grove of birch trees, Mr. Walbrant expressed some concerns about survival of those at the edge. He noted that each time those on the edge are removed, a vulnerable new edge would be created. Birches like cool, damp soils, and he does not see them as being native to this area. They also like low pH, which is the opposite of what they’d get with the crushed lime base proposed there.

Anything involving limestone compaction throws a red flag for arborists, who don't want compacted soils and high pH. There are three maple trees there right now. Also, he suggested planting an evergreen that could be used for holiday decorations rather than merely providing a space for one that would have to be brought in each year.

Joy Peot-Shields of Peot-Shields Architecture, 3033 N. Hacket Avenue, Milwaukee, said they are not committed to birch trees but would like to use native species. Birches are nicely shaped columnar trees that would work well in a grove. A buffer around the edge with a small birch grove in the middle would be fine. They would like the area to be usable and envision it as similar to the PAC site in downtown Milwaukee where people sit beneath the chestnut trees during concerts and other events.

Ms. Welch felt that the stated connection to the "rich history of the Village" is not immediately apparent in the concept. She also expressed concern with the level of approval that is presumed here, especially any assumption of assurance that the plan will ultimately be approved. A concept unlike the current one could result from further discussions with the Historical Society and the Public Works Director.

Mr. Conley responded that a variety of details on historical aspects of the project would come in with the final plans through meetings with the Historical Society and others. Right now there is an open area with pavers and a grove of trees of a species to be determined, and he doesn't see any resistance to the concept. Some things may need to be revisited or worked out together such as a final decision on the trees and more detail on the historical aspects. Mr. Webb added that the question of the water main is critical.

Mr. Braier commented favorably on the concept and the fact that it is low maintenance. He would be concerned that a dense area of trees may raise some safety concerns. He agreed with abandoning the water main but would like to see a drinking fountain in the area, which Mr. Conley said is in their design criteria.

The Chair said that currently there is no perception of a road going through the area, but he is concerned that the open area and pavers in this design visually look like a continuation of the road. Moving the open area to one side might help dispel that perception. Mr. Conley explained the objective was to create an entertainment venue with space for a large group to continue down the street. They would like to achieve the highest and best use in a package that benefits the entire Village.

Ms. Welch cautioned that this is public property that belongs to the entire city, and she spoke of the need for appropriate input. She believes there is still some concept work to be done and is concerned that the revisions would encompass merely selecting tree species and some details of the paving but would not include work on changing the design. She is reluctant to give that kind of approval. Mr. Conley responded that if they work with Mr. Walbrant and Mr. Wojcehowicz, they will have to continue to define this project in the next several weeks or month. They would come back with a revised plan with more detail. He believes that the whole concept is okay but more detail is needed.

Discussion ensued on the merits of referring the preliminary plan to a Council committee at this point. As chair of the Community Development Committee, Ald. Treis felt that body would be interested in looking at it when there are more facts. He said that the BID is simply seeking approval of transferring the concept of developing this land from the Rotary Club to the BID. They should be encouraged to work with the various departments and historical entities to develop a plan they can present to the committee

Mr. Webb said that their contract does cover more about history and the stories they want to tell as well as many other things that represent the city's history. They see it as an educational feature for the community, perhaps as a kind of walking tour that would lead to the river.

It was moved by Mr. Braier, seconded by Mr. Wheaton to hold this matter until the BID comes back with some answers to the questions raised and a more detailed plan, requesting in the meantime that copies of the preliminary plan be forwarded to the entire Council for informational purposes along with the minutes of this meeting so that they are informed of the progress –

There was further discussion of the motion. The Chair said that the concept of the BID moving forward to develop the plan is inherent in the motion. The board is giving approval to move forward with a concept, not particularly *this* concept. Ms. Welch said she agrees with moving forward to develop the concept, which is different than approving the current concept and just working out the final construction details. She would not be willing to approve this concept until there are more answers. Mr. Braier said that he would want the approval of the Parks and Forestry Superintendent, the Public Works Director, and the Community Development Director, and Ms. Welch added the Historical Society and the Historic Preservation Commission. The Chair indicated that the Public Works Director would be able to determine when the matter should come back to this board.

Vote on the motion, Ayes: 5

**Contract 06-5, Sanitary Sewer Manhole Rehabilitation – Change Order No. 1.** Mr. Wehrley explained that the change order to Contract 06-5 in the amount of \$57,000 provides for additional manhole rehab within the 2006 sealcoat area. Manhole inspection work done prior to letting this contract focused primarily on paved roadways scheduled for sealcoating. Inspections made after the contract deadline identified additional manholes requiring rehab in places not being sealcoated but within this same area. If not done now, this work would be added to a later contract. Mr. Maki added that the 2007 contract will cover another part of the city and could involve additional mobilization costs for including this work.

Mr. Braier asked about the length of time that manholes would be disrupted. Mr. Maki said that the contractor probably would do slurry and backfill on a number of manholes in one day and then do final restoration on a larger group later. Mr. Wehrley said that the contract does not specify a window of time per structure, but there are provisions regarding progress of work and an overall deadline of completion prior to sealcoating, which will occur in July. The budget identifies \$500,000 for this year's manhole rehab work.

It was moved by Ms. Ledesma, seconded by Ms. Welch to recommend to Council approval of Change Order No. 1 in the amount of \$57,000.  
Ayes: 5

**Contract 05-31, Storage Building at Wauwatosa Police Department – Final Payment.** The Board reviewed the following:

Board Resolution

WHEREAS, the Board of Public Works has accepted the work of Storage Building Wauwatosa Police Department and work incidental thereto in the City of Wauwatosa under Contract 05-31 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 Storage Building Wauwatosa Police Department under Contract 05-31 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 two hundred five dollars and sixty-two cents (\$1,205.62) in favor of Burkhart Construction Corp. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

It was moved by Mr. Wheaton, seconded by Ms. Welch to approve the foregoing subject to final inspection by the Building Department. Ayes: 5

**Revisions to Special Assessments for 2005 Sidewalks.** The following revisions to assessments for 2005 sidewalk work were recommended:

<u>Address</u>	<u>Tax Key #</u>	<u>Orig. Assessment</u>	<u>Revised Assessment</u>
1. 602 N. 61st Street	384-0495-00	\$181.77	\$175.61
2. 6436 Betsy Ross Place	345-0743-00	\$106.06	\$ 92.31
3. 6500-6606 Revere Avenue	345-0776-00	\$603.08	-0-
4. 6500-6606 Revere Avenue	345-0613-00	-0-	\$603.08
5. 6331 W. Wisconsin Avenue	384-0407-00	\$957.83	\$100.00

Mr. Wehrley reported that the first two revisions correct measurement discrepancies; the third and fourth remove the assessment from an improper key number and assign it to the proper tax key number for the Washington Highlands Association.

Mr. Wehrley explained that the fifth change was made because of a change in ownership that apparently occurred after the initial notices were sent to property owners. The new property owner did not receive a notice and thereby was not given the opportunity to have the work done himself. The assessment was reduced to \$100, which is the most that can be assessed in that situation. Mr. Braier requested more details regarding notification. If the owner of record was notified, it may still be possible to hold the current owner responsible for the assessment.

It was moved by Mr. Braier, seconded by Ms. Ledesma to recommend approval of revisions 1-4. Ayes: 5

**Revisions to Special Assessments for 2005 Paving.** The following revisions to assessments for 2005 street improvements were recommended:

<u>Address</u>	<u>Tax Key #</u>	<u>Orig. Assessment</u>	<u>Revised Assessment</u>
1. 2860 N. Park Drive	298-0086-00	\$100.00	-0-
2. 7002 W. Wright Street	331-0126-00	\$ 87.70	-0-

Mr. Wehrley reported that the first revision removes charges for a drive approach that was damaged by the sewer contractor. The second change involves a service walk that was requested by a resident who later denied having made the request. The walk was subsequently removed.

It was moved by Mr. Braier, seconded by Ms. Ledesma to recommend approval of the revisions. Ayes: 5

The meeting adjourned at 9:27 a.m.

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Secretary to the Board