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BOARD OF PUBLIC WORKS

Regular Meeting – Monday, May 1, 2006 – 8:30 a.m.

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

EXCUSED: Mr. Kesner

ALSO PRESENT W. Kappel, Dir. of Public Works; W. Wehrley, City Engineer; J. Bembenek, Purch. Mgr.

Ms. Welch in the Chair.

Air Conditioner Variance – 2558 N. 88th Street. The Board reviewed an application by Paul Klees, 2558 N. 88th Street for a variance to place an air conditioning unit within the side yard setback. Mr. Klees distributed photos of the proposed site adjacent to a new addition. It will be a smaller 18" by 18" unit and, with 4 feet 4 inches to the lot line, it would encroach into the setback by 3-4 inches. Mr. Klees distributed photos of other side yard air conditioning unit installations in the neighborhood, which he said seems to be fairly common. He explained that the unit doesn't fit in their backyard or side yard as it is right now.

Robert and Adria Dowling, 2564 N. 88th Street, who had previously submitted a letter dated April 12, 2006, were present in opposition to the variance. Mr. Dowling explained that they tried to resolve this situation with Mr. Klees, expressing concern that the location would not only be in violation of city codes but would result in substantial disruption to enjoyment of their property since it would be right outside their back door, living room, family room, and two upstairs bedrooms. He said that Mr. Klees indicated at that time that he wanted more room on his patio and was not interested in putting it where the present unit is located. Their builder reportedly told them that the proposed location would not be a problem. Mr. Dowling said that he contacted the Building Inspector's office on April 11, and the variance application was filed on April 26. He distributed photos showing the placement of the proposed unit as it would be seen from various places in their home. He noted that other options are available that would to comply with the code and avoid detriment to the use of his home. The back of the Klees home on the east side, for example, would be feasible and legal. Mr. Dowling disagreed that the proposed placement is typical. He also questioned the timeliness of the variance application, noting that it is his understanding that there is a 10-day period in which property owners can appeal once they are notified of a problem.

Mr. Wheaton said it is very clear that air conditioning units should go to the rear of the house, and that is what all contractors are advised. Looking at the land survey, there doesn't seem to be any reason why the unit couldn't be placed at the rear. When considering practical difficulties, sometimes there is a distance issue but that is not a problem here. The furnace is located near the front of the house. Mr. Wheaton concluded that a variance is not merited.

Asked what is in the backyard, Mr. Klees said there is a patio and swing set. Their plan is for French doors to open to the patio. Mr. Dowling noted that the patio is not yet in place. It is just rough ground at this stage.

> It was moved by Mr. Wheaton, seconded by Mr. Braier to deny the requested variance because practical difficulty has not been shown and it is obvious that an air conditioning unit can be located other than in the proposed location. Ayes: 4

Mr. Wheaton recommended that Mr. Klees work with the inspection department and the contractor to identify an alternate location.

Use of Parking Lot for Private Party – 2655 N. Mayfair Road. The Board reviewed a request by Rita Derleth of Market Probe, 2655 N. Mayfair Road, for authorization to use their parking lot for a private employee party on May 19, 2006. Ms. Derleth said that the company is celebrating their 30th anniversary with a series of events including a mid-day employee barbecue in the parking lot. The lot has 140 spaces, which is more than sufficient for the 40-50 employees on site. The tent would be erected on the south side the day before the event and parking would be on the north side. Mr. Kappel asked if there is 24-hour security on site in case of any off-hours emergency. Ms. Derleth said there is not but agreed to provide Mr. Kappel with a contact name and number.

> It was moved by Mr. Braier, seconded by Mr. Wheaton to approve the requested use. Ayes: 4

Encroachment – 4406 N. 108th Street. The Board reviewed an application by Terry and Beth Nortrup, 4406 N. 108th Street, to encroach into city right-of-way with a driveway and retaining wall. Mr. Nortrup explained that the current driveway, which is on the Congress Street side of this corner property, is wide enough for two cars with little room in between and no room to exit a vehicle onto firm concrete. He would like to extend a 3-ft. wide piece on the east side back about 20 feet from the garage. On the west side, which is toward the house, he would like to extend the width about 6 feet, making it slightly wider than the garage. The west side property grade at patio height is roughly 2 feet higher than the driveway near the garage and tapers until it meets the driveway grade near the street. A retaining wall is proposed as an aesthetic option to that grassy elevation. Because of the 27-ft. public right-of-way here, both the retaining wall and the driveway widening would extend into the right-of-way.

Mr. Wehrley stated that the standard maximum driveway width is 24 feet at the sidewalk section and 32 feet with flanges at the curb. Although there are no public sidewalks here, the proposed width at what is considered the walk section is 1 ft. 2 in. wider than standard. Also, the retaining wall would be over an 8-inch sanitary sewer, although its height would not be too egregious and probably would not impact any future sewer construction work that might be needed. There is also a gas main near the curb that should be identified through Diggers Hotline.

Mr. Wheaton noted that, technically, cars cannot park overnight in city right-of-way, although any parking on that portion of a driveway within public right-of-way would be enforced only on a complaint basis. Mr. Wehrley said that the applicants have two vehicles and a two-vehicle garage, and Mr. Nortrup concurred that there should not be a problem with parking. Mr. Wehrley said he would not object to the retaining wall

provided that the encroachment agreement clarifies the property's owner responsibility for any reconstruction costs necessitated by work on the underlying sewer.

> It was moved by Mr. Braier, seconded by Mr. Wheaton to recommend to Council approval of the encroachment subject to execution of a standard hold harmless agreement. Ayes: 4

Temporary Use of Generator for Electrical Service at Pick 'N Save, 6950 W. State Street. The Board reviewed a request from Mark Schneider of Briohn Building Corporation, 3885 N. Brookfield Road, Brookfield, for permission to operate a generator for 2-3 days to provide electrical service to the Pick 'N Save store at 6950 W. State Street. The generator is 30 ft. long, 8 ft. wide, and 13 ft. 6 in. tall and has a sound rating of 70 dba at 50 feet. The proposed placement is as close as possible to the service entrance on the north wall of the building along St. James Street.

In the process of remodeling the store and upgrading electrical service, WE Energies needs to disconnect the service and do some work on two power poles and transformers. In addition, the store will be installing new electric service switchgear. It is thought that the work can actually be accomplished in one or two days. The size of the four conductors to connect the generator to the building is such that the generator cannot be located elsewhere.

Mr. Wheaton spoke of concerns about noise relative to the adjacent residential area. He noted that there are sound barriers on the roof because of those ongoing concerns. The generator's projected sound level of 70 dba at 50 feet would be acceptable based on past practice, but some muffling would be needed to keep it to that level since it would almost double by being located close to the building and reflecting back. Mr. Wheaton mentioned that PSC rules limit the number of hours WE Energies can shut down service unless there is an emergency. He felt that those rules would require WE Energies to bring in a loop to maintain service

Mr. Schneider said that WE Energies has not offered that option and he was not aware of the requirement. He believes this is at the end of a three-phase run. He indicated that he has not yet talked to the neighbors but plans to do so. A few of the neighbors have come to meetings to talk about fencing and other issues, and the new store management intends to improve relations with residents.

The Chair noted that there was a great deal of concern about the store's relationship with residents when Pick 'N Save's Conditional Use was approved recently. As part of that use, they are required to keep all refrigerated trucks on the south side in order to reduce noise. With the proposed generator on the north side, which is closest to the neighbors, she is concerned about noise levels and alternatives.

Mr. Wheaton indicated that his department could monitor noise levels with the assistance of the Health Department's monitoring equipment. A level of less than 70 dba at the lot line would not be any louder than a typical residential air conditioning unit at the lot line. He suggested setting up a demonstration for the residents so that they could hear what the noise would be like.

> It was moved by Mr. Braier, seconded by Mr. Wheaton to approve the requested variance subject to notification of residential neighbors and maintaining a reasonable sound level as determined by the Building Department. Ayes: 4

Mr. Braier asked Mr. Schneider to provide a copy of the letter that is sent to neighbors. Mr. Schneider indicated that he would turn a copy over to the building department.

Sidewalk Replacement in Connection with Street Improvement – 2444 Pasadena Boulevard. The question of sidewalk replacement in connection with the 2005 paving of Pasadena Boulevard was held from the previous meeting so that Board members could view the subject sidewalks. David Price and Lori Schultz, 2444 Pasadena Boulevard, were present. At the previous meeting and in a letter to the Board, they contended that sidewalks in front of their property should have been replaced as part of the street improvement project. A further concern that penalties assessed against the contractors should be deducted from special assessments to homeowners was referred to the Budget and Finance Committee.

Mr. Braier noted that the clarity of the letters sent to property owners informing them of the improvement project was questioned at the previous meeting. Having reviewed those letters, he indicated that he found them to be fairly clear, although he conceded that his opinion may not be objective given the many years he has been dealing with special assessments. Upon examination, the sidewalks themselves seemed to be three types, including some replaced in 1991 that seemed to be pretty good and some old ones that did seem to have some variation. He recalled occasions in the past in which property owners did not think that type of variation was big enough to warrant replacement but said he would favor replacement of perhaps five or six of the oldest blocks if they could be added to this year's sidewalk replacement contract. Asked by Mr. Kappel about age and unevenness criteria or if the walk exceeds the three-fourths inch variation criteria, Mr. Braier said he believes one did.

Mr. Wehrley explained that sidewalks are replaced under both the annual sidewalk and paving programs. He noted that the condition of the subject sidewalks is similar to some on 86th Street that were not replaced when the street was paved. If replaced as part of this year's sidewalk contract, he estimated a cost to the city of $1,137.50 for work outside of the program area. The stones are aged and the surface does show some pitting but there are no loose stones as seen at the end of the driveway. Had loose spalling been seen, they would have been replaced. The question here would be one of establishing new sidewalk replacement criteria or making an exception to current criteria.

Mr. Wheaton said that for a number of years the city did not have established criteria for sidewalks, but once we established criteria, most of the other communities in the area adopted it. He believes it is a good set of parameters and would be concerned about modifications. If there is a special exception, he would be looking for what is unique to that situation. Is it possible there has been some movement and some stones are no longer in compliance?

Ms. Ledesma said she observed that the stones are level, although they are obviously three different ages. They are not cracked but there is some spalling. They didn't seem to be pitched.

Noting that one of the complaints was drainage, Mr. Kappel said that he checked the walk this morning, following this weekend's rain, and found no drainage problem whatsoever. Before accepting a decision to replace based on exceeding the 3/4 inch variation criteria, he would want to have that drop measured.

Ms. Schultz said that there is pooling water. Freezing weather changes the drainage and creates a sheet of ice in that area. Mr. Price added that there are actually two problem spots because it isn't level side to side. He asked about replacement standards and if pooled water creating sheets of ice would be an issue.

Ms. Welch said that there is a difference between sidewalks being pitched improperly and some other drainage problems. She drove by this morning and did not observe any pooling. In the winter when the ground is frozen snow accumulates, a dam may form and prevent normal drainage. Homeowners often have to dig a ditch to allow water to drain off.

Mr. Price asked if pooling only on one side wouldn't indicate a tilt. Mr. Kappel explained that the stones are pitched toward the roadway rather than toward the house. Snow piled on the west side of the sidewalk, therefore, would dam the drainage. Replacement criteria include spalling similar to that seen on the driveway, a 3/4 inch difference in adjacent stones, cracks, or erosion of the joints. A stone would not be replaced if less than 2/3 is pitted. That is just some of the criteria applied. Mr. Kappel confirmed that levels are used when necessary to measure variations.

Ms. Schultz said that the replacement process is arbitrary. Theirs is the only property in their block that did not have even one slab replaced. A number of the slabs that were replaced did not meet the criteria just set forth. Some sidewalks were replaced at owners' requests after the initial determination was made.

Mr. Wehrley said that other issues that go into the replacement determination might be damage by the contractor or removal to create a handicapped ramp, which is replaced without charge. Owners can also have additional stones replaced at their cost. Stones that change due to frost heave after being measured in the fall are also replaced. Stones also move due to tree roots or ground settlement, so the city has a continuous 10-year sidewalk program. The stones replaced at this location in 1991 were apparently considered more hazardous at that time than at present.

Mr. Braier said he does not want to set a precedent that a property owner can simply request replacement because they don't like their sidewalks, but it seems there is enough subjectivity that these could have and probably should have been replaced.

> It was moved by Mr. Braier to replace slabs at this property under the current sidewalk contract without cost to the homeowner, charging that cost to last year's contract – Motion fails for lack of a second.

Ms. Welch noted that the Board would be setting a precedent or stating a special exception, in which case it would be important to define any special circumstances that would merit a special exception. Ms. Ledesma asked about having staff flood the stones and remeasure. Mr. Kappel said that could be done but would not identify conditions that were present when the determination was initially made.

Ms. Schultz asked if there is room for subjectiveness under the guidelines and standards. Ms. Welch said that the Board can deal with subjective issues, but she pointed out that procedures and criteria were set up to ensure that people are treated fairly. She expressed concern about making subjective judgments about determinations made a year or more ago by engineering staff or conditions at that time. Ms. Schultz then asked about procedures in place to address errors. She reiterated that she views this as an arbitrary decision considering that at least 80% of the sidewalks were replaced. Ms. Welch said it is an arbitrary determination that staff is entrusted to do throughout the city every year. In order to be consistent, we have to rely on that, whether it is arbitrary or subjective or not.

> It was moved by Ms. Ledesma, seconded by Mr. Wheaton to place the matter of sidewalk replacement on file. Ayes: 4

Ms. Welch clarified that placing the matter on file means that this Board will not overrule the decision of staff. The policy matter regarding penalties assessed against the contractor will be considered by the Budget and Finance Committee meeting at their meeting at 8 p.m. on May 9. Mr. Kappel noted that the penalty issue was discussed at last week's Budget and Finance Committee but was held because the homeowners were not present. He suggested forwarding to that committee the minutes of this meeting for additional background information.

Traffic Signal Lamps, Modules, and Mounting Brackets. The Board reviewed a memo from the Purchasing Manager regarding bids for LED traffic signal lamps, modules, and mounting brackets. Mr. Bembenek recommended award to Traffic & Parking Control of Elm Grove, the low bidder in the amount of $29,269.22. He noted that the bid of Leotek Electronics Corp. of California was incomplete, offering no prices at all for two major items.

> It was moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council award to Traffic & Parking Control in the amount of $29,269.22. Ayes: 4

Appeal of Charges for Removal of Diseased Elm Tree at 2313 N. 69th Street. Following the previous meeting when this matter was held, the property owner was informed that his request to cancel the invoice for removal of a diseased elm tree would be placed on file if there was no contact or follow-up on his part. Mr. Kappel reported that he has not heard from the property owner.

> It was moved by Ms. Ledesma, seconded by Mr. Braier to place the matter on file. Ayes: 4

Contract 06-03, Sanitary Sewer, Storm Sewer and Water Main Relay, Repair, Relining and Extension – Plans and Specifications. The Board reviewed the following:

Board Resolution

WHEREAS, the Board of Public Works of the City of Wauwatosa is of the opinion that it is necessary to relay, repair, reline and extend sanitary sewers and storm sewers; to relay and extend water mains; and to perform incidental underground utility work at various locations in the City of Wauwatosa which are either on or adjacent to streets included in the 2006 capital improvement repaving program as follows:

(COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM)

N. 118th Street:	From:	W. Center Street
	To:	W. Locust Street
N. 122nd Street:	From:	W. Center Street
	To:	W. Locust Street
W. Hadley Street:	From:	W. of N. Park Drive
	To:	N. 122nd Street

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

Section 1. That the plans and specifications and form of contract and bond, together with the contract documents submitted therewith for furnishing all labor, material and equipment necessary for this work be and the same are hereby approved.

Section 2. That the work be separated into two contracts, one containing normal open cut work and the other containing special no-dig trenchless type work. Contract 6-03 Sanitary Sewer, Storm Sewer and Water Main Relay, Repair, Relining and Extension in the City of Wauwatosa, all in accordance with said plans and specifications.

Section 3 That the work is to be let to the lowest responsible bidder meeting the requirements of the Community Development Block Grant Program (CDBG) following competitive bidding therefor.

Section 4. That the City Clerk be and she is hereby authorized and instructed to advertise for bids for Contract 06-03 on May 18 and May 25, 2006 and open bids on June 1, 2006. The work is to be completed by September 2, 2006, and to provide in so doing that bids may be submitted with a contract and bond, with sureties, as prescribed by the form furnished, complete with the exception of the signatures on the part of the City; and in lieu of the foregoing provision that the bidder may accompany his bid with a certified check equal to five (5) percent of the bid, payable to the city as a guarantee that if his bid is accepted, he will execute and file the proper contract and bond within ten (10) days after the award, all in accordance with the provision of the Wisconsin Statutes.

Section 5 That the Wage Rate Scales from the State of Wisconsin Department of Work Force Development and the U.S. Department of Labor, Wage and Hour Division in the contract documents be and the same is hereby accepted.

Section 6. That the Engineering Division forward a copy of this resolution along with the project plans, specifications and computations to the Milwaukee Metropolitan Sewerage District and the Wisconsin Department of Natural Resources for their approval.

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

Contract 06-6, Asphalt Pavement Repaving – Plans and Specifications. The Board reviewed the following:

Board Resolution

WHEREAS, the Common Council of the City of Wauwatosa is of the opinion that it is necessary to rebuild, including milling, grading, concrete curb and gutter, asphalt or concrete pavement and work incidental thereto under Contract 06-6 Asphalt Pavement Repaving in:

LOCATION	CONST. TYPE
Stickney Avenue - Jackson Park Blvd. to Ludington Ave.	B
Alley – North Ave.-Jackson Park Blvd./90th St.-Ludington Ave.	C
Alley – North Ave.-Meinecke Ave./62nd St.-63rd St.	A-Conc.

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

Section 1. That the plans and specifications and form of contract and bond, together with the contract documents submitted therewith for furnishing all labor, material and equipment for rebuilding, including milling, grading, concrete curb and gutter, and asphaltic or concrete pavement and work incidental thereto, in the above described locations, be and the same are hereby approved.

Section 2. That the elevations and widths, for the aforementioned streets, are hereby fixed and permanently established or re-established in accordance with the elevations and widths set forth on the said plans above approved.

Section 3. That the Board of Public Works be and it is hereby instructed and directed to cause said improvement project to be done during the year 2006 construction season in the City of Wauwatosa all in accordance with said plans and specifications.

Section 4. That the work is to be let to the lowest responsible bidder following competitive bidding therefor.

Section 5. That the owners of the respective parcels of land fronting or abutting the street improvements, on which public hearings have been held and preliminary assessments scheduled as follows:

(a) Each special assessment and special charge, pursuant to Section 66.0627 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 issuance of General Obligation Debt which include the project which is the subject of the special assessments, 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 6. That the Board of Public Works hereby authorizes and instructs the City Clerk to advertise for bids on May 11 and May 18, 2006; bids are to be opened May 25, 2006 and to provide in so doing that bids may be submitted with a contract and bond, with sureties, as prescribed by the form furnished, complete with the exception of the signatures on the part of the City; and in lieu of the foregoing provision that the bidder may accompany his bid with a certified check equal to five (5) percent of the bid, payable to the city as a guarantee that if his bid is accepted,

he will execute and file the proper contract and bond within ten (10) days after the award, all in accordance with the provision of the Wisconsin Statutes.

Section 7. That the Wage Scale in the contract documents be and the same is hereby accepted.

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

Contract 06-18, Aggregate Sealcoating – Award of Bid. The Board reviewed a memo from the Director of Public Works recommending award of Contract 06-18 to Fahrner Asphalt Sealers, Inc., the low bidder. Since the bid amount of $180,530.80 exceeded the budgeted amount, quantities will be reduced to limit work to the budgeted amount of $168,000.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council award of Contract 06-18 to Fahrner Asphalt Sealers, Inc., in an amount not to exceed $168,000. Ayes: 4

Agreement with State DOT for Purchase of Road Salt. The Board reviewed a memo from the Director of Public Works regarding participation with the State of Wisconsin Department of Transportation for the cooperative purchase of road salt, which the city has done for many years. For 2004-05, the order was a season fill of 3,000 tons with a 4,000-ton reserve. With completion of the new salt dome in 2005, we were able to order an early fill of 3,000 tons and reserved 4,000 tons but had no guaranteed purchase amount. A change in the rules for 2006-07 purchases requires that the reserve amount equal no more than 25% of the total amount ordered. Mr. Kappel recommended requesting an early fill amount of 2,000 tons, for which delivery must be accepted by November; a seasonal fill of 3,000 tons, 100% of which must be purchased by the end of April; and a reserve amount of 1,650 tons for discretionary purchase. This request must be forwarded to the state no later than May 3, 2006.

Mr. Kappel reported that the department has sufficient funds in the current operating budget for the 2,000 ton early fill purchase even if prices increase as much as 20% over 2005-06. It is anticipated that the second fill of 3,000 tons would be purchased with funds to be budgeted for 2007. There is no need to cover the reserve amount at this time. Since the short time that the state has allowed for a response does not allow for review by the Budget and Finance Committee, Mr. Kappel indicated that he will brief the Common Council as needed prior to their vote.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council execution of a cooperative purchase agreement with the State Department of Transportation as outlined. Ayes: 4

Partial Payments and Contract Updates. Mr. Wehrley reported that underground utility work on Contract 06-01 is nearing completion. Trench restoration is underway on Stickney Avenue. Some planned gas main work on Stickney Avenue will have to be accommodated prior to paving. Trench restoration is underway along State Street in connection with the water main project. Two manhole rehab contracts are in progress, and final work is proceeding on last year's pavement repair contract.

The Board discussed the timing of partial payment requests, which was held from the previous meeting. Mr. Kappel reported that engineering staff believes there would be no problems with handling partial payments at the first meeting of each month, as apparently had been the practice for some time in the past.

He would like to be able to bring some exceptions, however; and he would like to be sure that final payments are not held to that criteria. Mr. Braier indicated that contractor language specifying once-a-month payments would be followed. If a contractor wants to clarify the payment schedule ahead of time, that would be fine. He noted that payments are tied into the timing investments so that funds are available when needed.

It was moved by Mr. Wheaton, seconded by Mr. Braier to direct that partial payment requests be placed on the Board agenda for the first meeting of each month with the exception of those in connection with HUD or other federal funding –

For anything outside of that criteria, Mr. Kappel said that his assumption would be that they would have to check with Mr. Braier to see if funds are available. With that approval, there was consensus that a partial payment could then be placed on the agenda as an exception.

Vote on the motion, Ayes: 4

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.

Contractor	Payment No.	Contract No.	Amount
Schreiber/Anderson Associates, Inc.	1	Contract 06-24 Hart Park Expansion Preliminary Design	$ 3,605.00
Schreiber/Anderson Associates, Inc.	2	Contract 06-24 Hart Park Expansion Preliminary Design	$ 12,176.25
American Sewer Services, Inc.	2	Contract 06-01 Sanitary Sewer and Storm	$205,306.68

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

The meeting adjourned at 9:40 am.

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es Secretary to the Board