



## CITY OF WAUWATOSA

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### **BOARD OF PUBLIC WORKS**

Regular Meeting, Monday, November 14, 2005 – 8:30 a.m.

PRESENT: Mr. Kesner, City Attorney; Ms. Ledesma, City Clerk; Ms. Welch, Community Dev. Dir.;  
Mr. Wheaton, Chief Insp. (8:39 a.m.) -4

EXCUSED: Mr. Braier

ALSO PRESENT: W. Kappel, Dir. of Public Works; J. Wojcehowicz, Water Supt.

Mr. Kesner in the Chair. -3

**Encroachment – 1522 N. 124th Street.** The Board reviewed an application by Robert and Karen Kraemer, 1522 N. 124th Street, to encroach onto city right-of-way with a driveway turn-around area. Mr. Kraemer was present and explained that they would like to create the 10 ft. by 16 ft. turnaround area to make it easier and safer to exit onto N. 124th Street. The new area would abut a similar driveway portion on the property of their neighbors at 1532 N. 124th Street, who have no objection to the proposal.

Mr. Kappel noted that the proposed driveway extension is directly over an 8-inch water main. Should any water main work needed there in the future disrupt this pavement, the property owner would be responsible for associated repair of the driveway. This was agreeable to Mr. Kraemer and will be detailed in the required encroachment agreement.

Ms. Welch ascertained that there are no sidewalks at this location and no current plans to install sidewalks. She reminded Mr. Kraemer that this area cannot be used for parking since the city does not allow vehicles to be parked in front yards.

It was moved by Ms. Ledesma, seconded by Ms. Welch to recommend approval subject to execution of a hold harmless agreement. Ayes: 3

### **Request for Variance to Extend Work Hours for Demolition Work at Froedtert East Clinics**

**Parking Structure.** The Board reviewed a letter from Robert Peschel of The Sigma Group, 1300 W. Canal Street, Milwaukee, requesting a variance to modify the allowed hours of demolition work in progress at the Froedtert Hospital East Clinics parking structure. If approved, weekday hours of operation would be extended to 12 midnight and Sunday hours allowed from 7 a.m. to 7 p.m. for activities limited to hand tool methods, operation of a remote-controlled jackhammer, and skidster loading.

Mr. Peschel explained that this is a very fine type of demolition to separate the parking structure from the clinic building. They tried working during clinic hours, but the noise and vibration were so disruptive that patient health and safety were compromised. It is very difficult to accomplish the work if it is limited to the hours between 4 and 7 p.m. Demolition work done during the extended hours would be limited to the hand-tool work performed by a three-person crew.

John Balzer, 7808 Germalayne Circle, president of Froedtert Hospital, said that the concern with patient care is not as much the noise as the vibrations that carry through the structure. He reported that he and his wife checked on noise levels between 6 and 7 p.m. at various locations south of the project site and did not find anything that residents would find objectionable.

(Mr. Wheaton present. -4)

Mr. Peschel said that there would be no trucking during the extended hours but possibly some skidster activity to move demolition materials away as work proceeds. Considering weather conditions, they would like to close up the clinic building as quickly as possible.

Mr. Welch pointed out that the Board has already approved one variance for work on the parking garage and would not want this to become normal operating procedure. While accommodating safety and quality of care is important, it is the neighbors who have to compromise by putting up with a little more noise.

Mr. Balzer said they pushed very hard for other means and methods but couldn't come up with an alternative. Mr. Peschel clarified that the variance is requested through December 16.

It was moved by Ms. Welch, seconded by Ms. Ledesma to approve a variance to extend weekday work hours to 12 midnight and Sunday hours from 7 a.m. to 7 p.m. for activities limited to hand tool methods, operation of a remote-controlled jackhammer, and skidster loading. Ayes: 4

**Contract 05-54, Water Main Relay Servicing Areas within TIF District No. 3 – Award of Bid.** The Board reviewed a memo from the Water Superintendent recommending award of Contract 05-54 to American Sewer Services, Inc., the lowest of seven bidders, in the amount of \$1,609,949. The engineer's estimate was \$1,734,390.

Mr. Wojcehowicz reported that this work, which covers an area from N. 72nd and W. Blanchard Streets, down State Street to N. 62nd Street, and north to Martin Drive, will help provide reliability of fire flows for existing properties and possible new developments in that area. Regarding availability of sufficient TIF financing, he said that the Finance Director is aware of the bid amount.

It was moved by Mr. Wheaton, seconded by Ms. Welch to recommend award American Sewer Services in the amount of \$1,609,949, subject to confirmation of available funding. Ayes: 4

**Encroachment – 2525 N. 88th Street.** The Board reviewed an application by Daniel and Karen Diedrich, 2525 N. 88th Street, to encroach onto city right-of-way with a service walk. The homeowners plan to replace an existing concrete service walk with a bluestone walk to match the new walk to the house.

It was moved by Ms. Ledesma, seconded by Ms. Welch to recommend approval subject to execution of a hold harmless agreement. Ayes: 4

**Removal of Alleys from 2005 Paving Program.** The Board reviewed a memo from the City Engineer recommending removal of the north/south and east/west alleys between N. 122nd, N. 124th, W. Chambers, and W. Burleigh Streets from the 2005 paving program. Mr. Kappel said vacation of the alleys was

proposed during the past year but later withdrawn. Also, an abutting property owner had a private contractor mill and overlay the north/south alley at his cost. The condition of the alleys will be monitored and the alley segments placed back into the paving program when appropriate.

It was moved by Ms. Welch, seconded by Mr. Wheaton to recommend approval of formally removing the alleys from the 2005 paving program.  
 Ayes: 4

**Intent to Perform Certain 2006 Street Improvement Projects.** The Board reviewed the following:

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 &amp; Location</u>	<u>Ald. Dist.</u>	<u>Exist &amp; (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
N. 116 <sup>th</sup> Street - Watertown Plank Road to Walnut Road	7	36'	C	No
N. 118 <sup>th</sup> Street - W. Center Street to Locust Street	6	30'	C	No
N. 122 <sup>nd</sup> Street - W. Center Street to Locust Street	7	30'	C	No
Harmonee Avenue - Wauwatosa Avenue to Menomonee River Parkway	2	44'	C	No
Mayfair Frontage Road - Walnut Road to South End	7	36'	C	No
Stickney Avenue - Ludington Avenue to Jackson Park Boulevard	2	30'	B	Yes
Wauwatosa Avenue - Harwood Avenue to Milwaukee Avenue	2	34'	C	No
Alley - North Avenue to Jackson Park Boulevard from Ludington Avenue to 90 <sup>th</sup> Street	2	16.5'/18'/20'	C	No
Alley - North Avenue to Meinecke Avenue from N. 62 <sup>nd</sup> Street to N. 63 <sup>rd</sup> Street	5	15'	A - Conc	No

Section 2. Said public improvement shall include the following work to be done during the 2006 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 20, 2005 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.

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

**Assessment Policy and Rates for 2006 Street Improvement Projects.** The Board reviewed a Council resolution setting the assessment policy and rates for 2006 street improvement projects. Mr. Kappel pointed out that there is one change, which is an increase from \$7.90 to \$8.50 per frontage foot for sidewalk replacement done in conjunction with type A or B repaving.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend adoption. Ayes: 4

**Public Hearing Date for 2006 Street Improvement Projects.** The Board reviewed a Council resolution setting a public hearing date of December 20, 2005, for the proposed 2006 street improvement projects.

It was moved by Ms. Welch, seconded by Mr. Wheaton to recommend adoption. Ayes: 4

**Water Pumpage Report.** The water pumpage report and billing analysis for October 2005 showed that 157,631,400 gallons were pumped, a decrease in consumption compared to October 2004 and the three-year and 10-year averages for the month. The Chair ordered the report placed on file.

**Purchase of Stone, Sand, and Gravel.** The Board reviewed a memo from the Purchasing Manager regarding bids for the purchase of stone, sand, and gravel for annual 2006 requirements. He reported that

prices on the six bids received reflect increases from 4% to 21%, with most vendors adjusting prices to reflect increased fuel costs both in mining the materials and in delivery. Award to all responding bidders on an as-needed basis was recommended.

It was moved by Ms. Ledesma, seconded by Mr. Wheaton to recommend award to the six responding bidders on an as-needed basis based on price, convenience, and availability. Ayes: 4

**Contract 05-11, Cleaning and Televising of Storm Sewer Lines – Award of Bid.** The Board reviewed memos from the Purchasing Manager and the Director of Public Works recommending award of Contract 05-11 to Northern Pipe Equipment, Inc., the lowest of six bidders, in the amount of \$31,270.07. The amount budgeted for this work is \$53,543.

It was moved by Mr. Wheaton, seconded by Ms. Welch to recommend award to Northern Pipe Equipment, Inc., in the amount of \$31,270.07. Ayes: 4

**Partial Payments and Contract Updates.** Mr. Kappel reported that all remaining asphalt paving work should be completed today. Water main work at N. 72nd and W. State Streets continues. Results from inspection of the Portland Avenue bridge have been received, and plans and specifications are being prepared. Traffic signal work at Innovation Drive and Watertown Plank Road is in progress. Bids are still being sought for crack sealing.

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>
Visu-Sewer Clean & Seal, Inc.	2	05-03B Reconstruction of Fully Deteriorated Sewers Using a Structural CIPP Relining Process	\$29,606.30
Snorek Construction, Inc.	1	05-20 Citywide Pavement Repair	\$37,052.23

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

The meeting adjourned at 8:49 a.m.

Secretary to the Board

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