



CITY OF WAUWATOSA

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BOARD OF PUBLIC WORKS

Regular Meeting, Monday, October 31, 2005 – 8:30 a.m.

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

ALSO W. Kappel, Dir. of Public Works; W. Wehrley, City Engineer; J. Kroll, Spec. Projects Eng.;
PRESENT: W. Tarman-Ramcheck, Public Works Progr. Analyst; Ald. Birschel, 7th Dist.

Mr. Kesner in the Chair.

Street Vendor License for Christmas Tree Sales at 6700 W. State Street. The Board reviewed an application by Joseph C. Roeske of Nature's Nook Garden Center for a Street Vendor license for Christmas trees sales in an area at the front of the Sentry store at 6700 W. State Street from November 25 through December 24, 2005. Mr. Roeske, 2360 Swan Boulevard, said he has sold trees from the Sentry parking lot for 30 years but cannot continue to use parking spaces on the lot because of restrictions placed in connection with construction of a new Applebee's restaurant on this site. Instead, he would like to display a small number of trees in a cutout area behind the sidewalk at the front of the store. He would supply the trees and maintain the space, and Sentry is willing to handle the sales inside their store. They have had flowers, pumpkins, and hay bales in that area recently, and there also is a bike rack and picnic table there.

Mr. Wheaton noted that the fire department has had some concerns in the past when materials like this are placed against a building. Mr. Roeske acknowledged that there is a smoking facility outside that door, and said that Salvation Army bell ringers are often stationed there. Although the area would only hold about 35 trees at a time and wouldn't be manned, someone would often be there to restock inventory and care for the trees. He expects to sell about 400 trees from this location and would restock them from the other lot he expects to maintain at 6830 W. State Street (next agenda item).

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the requested Street Vendor license subject to review and approval by fire inspection staff –

Ms. Welch said the concern with tree sales in the usual place in the parking lot was the fact that available parking is already low on this site. Since the proposed location is not taking up any parking spaces, the only concerns would be with trees encroaching onto the sidewalk and any potential traffic problems in connection with loading or unloading. The fire department will be made aware of those concerns. Mr. Roseke said that they would restock as necessary from the area to the side of the building. If the lot generates a lot of sales, they could man it as needed.

Vote on the motion, Ayes: 5

Street Vendor License for Christmas Tree Sales at 6830 W. State Street. The Board reviewed a second Street Vendor application from Joseph C. Roeske of Nature's Nook Garden Center for Christmas

tree sales from the parking lot of the Proto Products building at 6830 W. State Street. Mr. Roeske said that the adjacent Pick "N Save parking lot would have been his first choice, but the new owner there is reluctant to set aside space until he has had time to review traffic patterns. The proposed location has access to State Street and available parking. Since it has no lighting, he will use a diesel generator powered light stand.

Ms. Welch expressed concerns about noise in connection with the diesel generator, noting that hours of operation are 9 a.m. to 10 p.m. and some residents in this area have complained about noise coming from another business in the past. Mr. Roeske said that the generator is quite quiet and the sound should be contained somewhat by its location in a grassy space 100 feet back between the Proto Products building and the sign company to the west. If noise is a problem, he would have to operate only during daytime hours.

It was moved by Mr. Wheaton, seconded by Ms. Welch to approve the requested Street Vendor license. Ayes: 5

Temporary Directional Signs for Event at Bowlero, 11737 W. Burleigh Street. In a letter dated October 26, 2005, Paulette Heney of the United States Bowling Congress (USBC), 5301 S. 76th Street, Greendale, requested permission to install temporary directional signage in connection with an event at Bowlero Bowling Center, 11737 W. Burleigh Street from Sunday, November 13 through Sunday, November 20, 2005. Jodi Brunner of USBC was present and reported that the signs would be placed at the corner of W. Burleigh and N. 117th Streets, on the frontage road to Bowlero, and at the driveway entrance. Similar signage has been approved and used in the past. Mr. Kappel indicated that he has no objection.

It was moved by Mr. Braier, seconded by Mr. Wheaton to approve the placement of temporary signs as requested. Ayes: 5

Contract 05-31, Storage Building Wauwatosa Police Dept. – Award of Bid. The Special Projects Engineer recommended award of Contract 05-31 to Burkhart Construction Corp., the lowest of three bidders, in the amount of \$48,225. There is \$49,000 budgeted for this work. Mr. Kroll reported that the specifications were amended to reflect the change in garage height previously requested by the Board. The specified completion date is December 16.

Moved by Ms. Ledesma, seconded by Mr. Braier to recommend to Council award to Burkhart Construction Corp. in the amount of \$48,225. Ayes: 5

Contract 05-12, Salt Storage Facility – Change Order No. 1 and Final Payment. The Special Projects Engineer requested approval of Change Order No. 1 to Contract 05-12, representing a credit in the amount of \$1,040. The final contract amount including the change order is \$375,873.

Board Resolution

WHEREAS, the Board of Public Works has accepted the work of construction of a Salt Storage Facility and work incidental thereto in the City of Wauwatosa under Contract 05-12 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 construction of a Salt Storage Facility under Contract 05-12 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 eight thousand three hundred eighty-two dollars and either-three cents (\$8,382.83) in favor of Dome Corporation of North America s the final payment under said contract, upon receipt of waivers of lien and for stipulating compliance with wage rate requirements.

It was moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the change order and final payment subject to final inspection by city staff. Ayes: 5

Revocation and Appeal Process for City Yard Permits. Mr. Kappel reported on a proposed policy statement for handling confiscation of drop-off center permits and an appeal process. A suspected violator would be asked to hand the permit to the attendant and then to provide his driver's license. The attendant would not reach into a vehicle to retrieve a permit. Mr. Kappel explained that several commercial operators have come in with residential permits. Other less frequent violations may involve non-residents who own Wauwatosa property and are allowed to have a permit but then hand it off to other non-residents.

Mr. Braier was concerned about placing a drop-off attendant in a confrontational situation for which he has not been trained. Mr. Kappel said that the attendant may call a supervisor for assistance. The intent is to be non-confrontational. If the permit is not turned over, action could later be taken by mail since the attendant would have the vehicle's license number. They would be turned away if they later tried to get into the yard.

The Chair suggested using the words "revoke" or "revocation" in place of "confiscation" to better reflect the intended action.

It was moved by Ms. Welch, seconded by Ms. Ledesma to approve the policy as drafted with the amendments suggested by the Chair. Ayes: 5

Contract 05-05, Sanitary Manhole Rehab – Plans and Specifications. The Board reviewed the following:

Board Resolution

WHEREAS, It is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary to make sanitary manhole rehabilitation improvements and work incidental thereto under Contract 05-03 Sanitary Manhole Rehabilitation citywide in the City of Wauwatosa.

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 Sanitary Sewer Rehab and Lining Improvements and work incidental thereto, be and the same are hereby approved.

Section 2. That the work is intended to be done during the 2005-2006 construction season 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 following competitive bidding therefor.

Section 4. That the City Clerk be and she is hereby authorized and instructed to advertise for bids for Contract 05-05 Sanitary Manhole Rehabilitation on November 10 and 17; bids are to be opened on December 1, 2005 and work to be completed by June 30, 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 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.

It was moved by Ms. Welch, seconded by Mr. Wheaton to approve the foregoing. Ayes: 5

Revised 2004 Sidewalk Assessments. The Board reviewed a memo from the Director of Public Works requesting the following revisions to final assessment amounts billed for 2004 sidewalk and drive approach repair:

<u>Address</u>	<u>Tax Key #</u>	<u>Original Assessment</u>	<u>Revised Assessment</u>
2262 N. 61st Street (drive approach--correct calculation error)	345-0006-00	\$326.97	\$240.81
2367 N. 63rd Street (correct error in field measurements)	330-0158-00	\$229.12	\$114.50
2328 N. 64th Street (owner not notified of work to be done)	330-0173-00	\$306.88	\$100.00
2111 N. 65th Street (offset for cost of damage to owner's fence)	345-0354-00	\$395.03	\$313.82
6427 W. Garfield Avenue (correct error in field measurements)	345-0368-00	\$312.10	\$266.60
6404 W. North Avenue (owner billed for work he did himself due to recordkeeping error)	330-0207-00	\$1,697.20	\$391.07

Mr. Braier raised a question about properly accounting for the offset for fence damage at 2111 N. 65th Street. Mr. Wehrley said that the offset would be deducted from the amount the city pays to the contractor. Mr. Braier felt that the assessment should remain as is and damage reimbursement handled separately.

It was moved by Ms. Ledesma, seconded by Ms. Welch to recommend approval of the revisions as presented with the exception that the assessment for 2111 N. 65th Street, Tax Key #345-0354-00, is to remain unchanged and reimbursement for fence damage handled separately. Ayes: 5

(Mr. Braier excused. -4)

Traffic Control Equipment Purchase. The Board reviewed a memo from the Purchasing Manager recommending purchase of traffic control equipment from Traffic and Parking Control Company (TAPCO), the only authorized State of Wisconsin distributor for Eagle traffic signal controllers in this area, in the amount of \$45,121. There is \$45,127.50 available for this purchase. Mr. Kappel explained that this continues the program to upgrade traffic control equipment around the city.

It was moved by Mr. Wheaton, seconded by Ms. Welch to recommend

approval of the purchase of traffic control equipment from Traffic and Parking Control Company (TAPCO) in the amount of \$45,121. Ayes: 4

Contract Updates and Partial Payments. Mr. Wehrley reported that the asphalt portion of the pavement repair contract will proceed this week, and the sidewalk cleanup list should be completed. Pasadena Boulevard, 75th, 59th, and 61st Streets are all paved as well as all main line alleys. Some side paving remains. Some asphalt base patching and manhole adjustments are underway on Type C streets with a possible surface course later this week. Both sides of 124th Street will be open today or tomorrow. Because MMSD's contractor is moving in one month sooner than expected, there will be discussion of a change order on Contract 05-01 to cover a portion of the TIF-funded water main relay in the State Street area.

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>
Payne & Dolan, Inc.	5	05-06 Asphaltic Concrete Repaving	\$226,592.00
Payne & Dolan, Inc.	3	05-07 Asphalt Pavement Resurfacing	\$163,997.59
American Sewer Services, Inc.	3	05-03A Sanitary Sewer and Storm Sewer Relay, Repair and Extension	\$ 20,528.64
American Sewer Services, Inc.	4	Sewer and Water Main Relay, Repair and Extension	\$ 54,975.81

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

The meeting adjourned at 8:58 a.m.

Secretary to the Board

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