



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Regular Meeting, Monday, April 4, 2005 - 8:30 a.m.

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

EXCUSED: Mr. Braier

ALSO W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.; J. Kroll, Spec. Proj. Eng.;;
PRESENT: W. Tarman-Ramcheck, Public Works Program Analyst; T. Wontorek, City Admin.;;
Alds. Treis, Birschel

Mr. Wheaton in the Chair.

The Chair requested any additions or corrections to the minutes of the previous meeting.

It was moved by Mr. Kesner, seconded by Ms. Welch to approve the minutes as printed. Ayes: 4

Variance from Roof Drainage Requirements at 10944 W. Capitol Drive. The Board reviewed an application from Jason Krasno, 1417 Wauwatosa Avenue, for a variance from the city code requirement to mechanically connect a planned Mountain Mudd Espresso facility at 10944 W. Capitol Drive to a storm sewer. Mr. Krasno was present and stated that a prefabricated building will be placed at this location. The building will not increase the impervious surface area of the existing paved parking lot nor cause increased water shed. He said that the expense of mechanically connecting to a storm system would probably exceed the cost of the unit itself. This issue has been raised in connection with facilities in several other communities including Milwaukee, South Milwaukee, Oshkosh, and Stevens Point, and all have been approved.

The Chair noted that the strip mall goes back quite a few years but it was recently refurbished and the lot repaved. He clarified that the variance would be to Chapter 15 of the plumbing code, which requires all buildings to have downspouts that discharge directly to the storm sewer. Mr. Kesner questioned whether the lot otherwise meets all current drainage requirements. Mr. Wehrley said that the plans presented do not show the storm sewer network, but the building code does require storm sewers when reconstructing a parking lot.

It was moved by Mr. Kesner, seconded by Ms. Ledesma to approve the requested variance contingent on confirmation that the parking lot meets the requirements of the stormwater code –

Ms. Welch said that other variances approved by the Board have been in cases where there were extremely large grassy areas or some other stormwater retention on site. A variance has never been approved in a case where a building is completely surrounded by impervious surface.

Mr. Krasno said that there will not be any downspouts but the roof will be gabled to direct flow to the corners. Mr. Kesner asked if gutters could be added or roof drainage directed away to avoid problems with traffic. Tony Gazzana of Milwaukee Mudd, 1417 Wauwatosa Avenue, said the building is prefabricated, and they plan to take care of any ice or snow that accumulates around it. They will serve only auto traffic that pulls up on one side and then drives on.

The Chair said that the concern is that without gutters, there is no way to direct water coming off the roof, which is a big concern with the freeze and thaw cycles in spring that could produce icing conditions. The plumbing code requires directing drainage away from the building. The Chair said he would be open to a one-year trial, since this would be the first time someone would be allowed to do this without directing water to a grassy area or accommodating water coming from the roof in some other way. Mr. Gazzana indicated acceptance of a one-year term.

With consent of the second, Mr. Kesner amended the motion by adding a suggestion that the applicants make every effort possible to find a way to gutter that side of the building where traffic goes through to direct any roof drainage away from the traffic area; and to approve the variance under a one-year trial period, reserving the right to revoke the variance a year after the building is placed on the site if there are problems with icing or other water-related conditions; all of the foregoing contingent upon other approvals that are required. Ayes: 4

Encroachment – 6742 W. Wells Street. The Board reviewed an application by Leo Krainz and Merry Turner to encroach onto city right-of-way with a sign to be hung under an existing overhang at 6742 W. Wells Street. Ms. Turner, owner of La Tarte at 6742 W. Wells Street was present and indicated that the sign would be perpendicular to the storefront within the depth of the overhang. It would not be any lower than the adjacent awning and would project no farther than the overhang, which is about 11 ft. 6 in. from the ground. There would be 9 ft. between the bottom of the sign to the sidewalk.

Photos of the storefront, a drawing of the sign, and a sample of the sign material were provided. Ms. Turner said that there are some grandfathered signs at businesses on 68th Street. The hair salon and tailor adjacent to her business have signage on their windows, and the plumbing business has identification on its awnings.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend approval of the encroachment subject to execution of a hold harmless agreement –

Ald. Treis said that he spoke with the owner and brought this request forward after having difficulty finding the store himself. He noted that the proposed sign is small and would not protrude beyond the overhang.

The Chair said that this would be the first encroachment approval for an overhanging sign, although some overhanging awnings have been approved. Existing overhanging signs are grandfathered. Ms. Welch added that this is a unique situation where the building itself overhangs into the right-of-way and the overhang is high enough that a sign would not create a safety hazard or a problem with maintaining the right-of-way.

Vote on the motion, Ayes: 4

Contract 05-6, Asphalt Concrete 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, asphaltic or concrete pavement and work incidental thereto under Contract 05-6 Asphaltic Concrete Repaving in:

<u>LOCATION</u>	<u>CONST. TYPE</u>
59th Street Wisconsin Ave. to Wells St.	B
61st Street Wisconsin Ave. to Wells St.	B
75th Street 220' South of Clarke St. to W. Center St.	B
Pasadena Boulevard W. North Ave. to North City Limits	B.
Wright Street N. 68th St. to N. 74th St.	B.

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 2005 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 April 14 and April 21; bids are to be opened April 28, 2005 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 Ms. Ledesma, seconded by Mr. Kesner to approve the foregoing. Ayes: 4

Contract 02-3, Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension – Final Payment. Mr. Wehrley reported that the comptroller's office has requested that this item be held until the next meeting.

It was moved by Ms. Ledesma, seconded by Ms. Welch to hold this item until the next meeting. Ayes: 3; Present: 1 (Kesner)

Extension of HVAC Service Agreement and Prequalification of Contractors. The Board reviewed a memo from the Special Projects Engineer and the Purchasing Manager recommending a one-year extension of an existing service agreement with Downey, Inc., for preventative maintenance services to city HVAC systems and boilers. Their proposal for 2005 totals \$8,412 for HVAC work and \$5,212 for boiler work, representing a 3.3% increase from 2004. Mr. Kroll said that Downey has performed well over the past four or five years. He also recommended accepting the pre-qualification submittals and service rates of two additional contractors for use on miscellaneous projects an as-needed basis.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend approval of a one-year extension of the HVAC and boiler service agreement with Downey, Inc., and acceptance of the pre-qualification statements of other contractors for service on an as-needed basis based on price and availability.
Ayes: 4

Contract 05-1A, Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension and – Contract 05-1B, Reconstruction of Fully Deteriorated Sanitary Sewers Using a Structural CIPP Relining Process – Award of Contracts. The Board reviewed a memo from the Director of Public Works recommending award of Contract 05-1A to American Sewer Services, Inc., at their bid price of \$1,220,845.80, the only bid. The engineer's estimate was \$1,166,679.05. A second memo from the Director of Public Works recommended award of Contract 05-1B to Visu-Sewer Clean & Seal, Inc., at their bid price of \$60,889.30, the lowest of two bids. The engineer's estimate on Contract 05-1B was \$46,009.50.

Mr. Wehrley reported that these are the first two utility contracts associated with paving. The budgeted amount for all 2005 utility contracts associated with paving (Contracts 05-1 A and B and 05-2 A and B) is \$2,400,358. Portions of Contracts 05-1A and B are eligible for partial CDBG funding. Although higher than estimated and future amounts for Contracts 05-2A and 2B are unknown, there is sufficient money to fund Contracts 05-1A and B.

Addressing a request he received from the accounting manager to withhold action until the next meeting, the Chair commented that this is a fairly typical situation where funds are available but some determination by the comptroller's office is needed. No one from that office was available at this time. Mr. Kappel expressed concern that the contract work may not be completed on time if award is delayed.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend award of Contract 05-1A to American Sewer Services, Inc., in the amount of \$1,220,845.80 and award of Contract 05-1B to Visu-Sewer Clean & Seal, Inc., in the amount of \$60,889.30, contingent upon confirmation from the comptroller's office before Council action is taken. Ayes: 4

Contract 05-12, Salt Storage Facility – Award of Bid. The Board reviewed a memo from the Special Projects Engineer recommending award of Contract 05-12 to Dome Corporation of North America, the lowest of four bidders, in the amount of \$361,679 plus \$15,234 for Alternate Bid A1, for a total award amount of \$376,913. With \$300,000 budgeted for this work, a fund transfer from the unallocated capital projects funds balance is needed to cover the cost of the work.

Mr. Wehrley explained that Alternate Bid A1 is for a new dispensing station for liquid deicer, which increases activation of the salt. Including that alternate in this contract would be cost effective since there would be additional mobilization costs to have the contractor return. Mr. Wehrley suggested referring the matter of funding to the Budget and Finance Committee.

It was moved by Mr. Kesner, seconded by Ms. Welch to forward the matter of an appropriate fund transfer to the Committee on Budget and Finance with a recommendation for award of the contract to Dome Corporation of North America in the amount of \$376,913, including Alternate Bid A1. Ayes: 4

Sign for Village Fountain Construction Project. Mr. Wehrley reported that the Mayfair Rotary Club had planned to appear with a temporary banner they would like to hang in the Village fountain area announcing their planned reconstruction project. They are also working on the design of a permanent sign they would like to erect.

Mr. Kesner said that, although the concept has been initially approved, this hasn't yet gotten to the point of final approvals. One issue still to be discussed is the concept of naming the area, which the Rotary Club would like to designate as "Rotary Village Green." Ald. Treis expressed some concern with the timing of the project and the proposed name. Although the goal is completion in time for Tosafest in September, he noted that they reportedly have collected only about \$1,800 of the \$200,000 needed.

It was moved by Mr. Kesner, seconded by Ms. Ledesma to hold this matter for two weeks or until there is some more definite indication of the project's progress and timing. Ayes: 4

Contract 05-27, Fire Alarm Modifications Wauwatosa Municipal Complex – Award of Bid. The Board reviewed a memo from the Special Projects Engineer and the Purchasing Manager recommending award of Contract 05-27 to Roman Electric, Inc., in the amount of \$20,742, the lowest of three bids. It is also recommended that the components for this project be purchased directly from Fire Detection Group in the amount of \$7,945. The total cost of this project, including labor and materials, is \$28,687. There are adequate budgeted funds to cover this work.

Mr. Kroll explained that the existing system is being retrofitted so the components are proprietary. They cannot be purchased directly from the factory, and there is only one local distributor.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend award of Contract 05-27 to Roman Electric, Inc., in the amount of \$20,742, and to authorize purchase of the components from Fire Detection Group in the amount of \$7,945. Ayes: 4

Contract 05-18, Aggregate Sealcoating – Plans and Specifications. This contract was held from the last meeting pending changes in the specifications to address questions about performance of the 2004 contract. Mr. Wehrley reported that staff met with the contractor and toured the streets. The general consensus at this point is that the asphalt oil that was applied last year differed slightly from previous years' applications. Although it met specifications, variables such as application temperature could account for having stiffer asphalt with reduced penetration of stones. With a softer asphalt and easier penetration, however, there is a concern about bleeding up on hot days. Chicago Testing has been contacted for confirmation on the values. The contractor indicated that a change in those values would not materially affect pricing. Staff would like to proceed now so that the work can be done in July. Any minor modifications that may be needed could still be made between now and July.

Board Resolution

WHEREAS, it is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary to sealcoat various streets in the City of Wauwatosa and work incidental thereto under Contract 05-18 Aggregate Sealcoating,

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 aggregate sealcoating and work incidental thereto, be and the same are hereby approved.

Section 2. That the work is intended to be done during the 2005 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 05-18 Aggregate Sealcoating on April 14 and 21, 2005, bids are to be opened on April 28, 2005, 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 Scale in the contract documents be and the same is hereby accepted.

It was moved by Mr. Kesner, seconded by Ms. Ledesma to approve the foregoing with the understanding that some change orders may be needed to address viscosity and other issues. Ayes: 4

Refuse Cart Purchase. Mr. Kappel reported that the need to purchase new garbage carts to replace those currently in use was discussed at budget time. The low profile carts the city currently uses are no longer being manufactured. Over the past six months, prototype carts were obtained from all the major manufacturers and two surveys were done, one with in-house staff and one with Recycling Committee members. An RFP was issued in early March followed by sealed bids on March 30, per the bid summary provided.

Mr. Kappel recommended purchase of a truckload of UltraCarts from RNOW. A sample cart was available for viewing. Although not the low bidder, they were the only one providing a cart with a 15-year warranty, which results in significant future savings. The UltraCart was ranked first in tests by the city's collection crews and the Citizens Advisory Solid Waste Recycling Committee and was deemed closest to the currently used PolyCarts. At \$45.64 per cart, the UltraCarts are cheaper than the current carts, which cost \$55 each. A truckload quantity would provide an amount similar to that needed for yearly replacements in the past. Mr. Kappel said he is recommending that carts not be available for purchase by residents who want a second cart since the budget will allow for only one truckload per year. In addition, some changes will be needed to provide appropriate lifters on each truck that will handle both the current and the new carts. Staff has been negotiating with the vendor on sharing the cost involved in that conversion. An industry lift standard has been established so that new lifters will work with all carts. Extensive testing at the city yard indicates that, from a mechanical standpoint, the new lifts will be easier to maintain. Mr. Kappel estimated annual savings of about \$57,000 per year for years 11-15 of the new carts. The recommended carts have a better wheel system and were found to be the easiest to move about and the most maneuverable.

Mr. Kappel recommended forwarding this matter to the Committee on Budget and Finance for review of the proposed purchase and the required fund transfers.

It was moved by Mr. Kesner, seconded by Ms. Welch to forward this matter to the Committee on Budget and Finance with a recommendation for approval of the purchase of UltraCarts from RNOW. Ayes: 4

Partial Payments and Contract Updates. 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	03-14 N. 124th Street Ruby to Hampton (2175-06-00)	\$7,929.67

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

Mr. Wehrley reported that final restoration for the sewer trench on 83rd and Stickney will begin tomorrow. The Honey Creek siphon has been videotaped, but the tape has not yet been reviewed. The contractor may start placing riprap next week.

The meeting adjourned at 9:11 a.m.

Secretary to the Board

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