



CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989

BOARD OF PUBLIC WORKS

Regular Meeting, Monday, February 28, 2005 - 8:30 a.m.

PRESENT: Mr. Braier, Finance Dir.; Mr. Kesner, City Attorney; Ms. Ledesma, City Clerk; Ms. Welch, Community Dev. Dir. -4

EXCUSED: Mr. Wheaton

ALSO W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.; J. Wojcehowicz, Water
PRESENT: Supt.; J. Kroll, Spec. Proj. Eng.; P. Pyne, Civil Eng.; J. Bembenek, Purch. Mgr.;
F. Knapp, Bldg. Insp.

Mr. Braier in the Chair.

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

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

Parking Lot Permit for 7600 W. State Street. Held from the last meeting, the Board continued discussion of an application for a parking lot permit by Russ Drover, 7530 W. State Street, for property at 7600 W. State Street. Mr. Drover and Atty. Christopher Carson, 13500 W. Watertown Plank Road, #102, Elm Grove, were present.

Mr. Pyne confirmed that two parking spaces would be eliminated in connection with a curb cut for the parking lot. DOT standards for sight lines would require elimination of one more space to the east, but eliminating just two spaces would replicate current conditions at the bank to the east.

Asked if the lot would be closed off in the evening, Mr. Drover said a tenant would park there at night. The tenant currently parks behind another private property owner's building, but that space is not guaranteed nor is it guaranteed that someone else could do the same.

In response to a question regarding uses in the two buildings he owns, Mr. Drover said there is a gift/garden shop, a clothing store, an apartment, and his real estate business plus another space for an apartment or other occupancy. He added that the parking lot could be used during Tosafest or for other Village activities. The approach would provide room for unloading and would be a safety point for pedestrians. It would be an overall improvement of the property. The gate would not necessarily be closed at all times and would not necessarily have to be locked.

Mr. Kesner asked if Mr. Drover would be willing to commit to using the space for up to 10 public activities per year that would benefit the neighborhood. Mr. Drover indicated that would be acceptable.

It was moved by Mr. Kesner, seconded by Ms. Ledesma to approve the parking lot and drive opening, as requested, with a commitment by the property owner to allow up to 10 public or semi-public uses, if requested, per year on the parcel for various approved public events or public access activities –

Ms. Welch asked for an estimate of square footage of the buildings at 7532 and 7528 W. State Street. Mr. Drover said that estimates have varied, but he agreed they might total about 4,500 square feet. Ms. Welch pointed out that, if constructing a new building, one parking space for every 250 square feet would be required in most parts of the city. These two buildings might require 16-18 spaces. Because they are located in the Village where the city has spent considerable sums to construct and maintain off-street parking, property owners have been relieved of that requirement. Mr. Kesner added that it is important to note that this is not required parking for the buildings under the city code and the city is not providing any right that would be protected under the code.

Vote on the motion, Ayes: 3; Noes: 1 (Welch)

Contract 05-12, Salt Storage Facility – 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 construct a salt storage facility and work incidental thereto under Contract 05-12,

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 and equipment for the salt storage facility 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 05-12 on March 17 and 24, 2005; bids are to be opened on March 31, 2005, work to be completed by August 31, 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. Welch to approve the foregoing. Ayes: 4

Contract 05-25, Overflow Reconstruction N. 64th Street Water Reservoir – Award of Bid. The Board reviewed a memo from the Director of Public Works recommending award of Contract 05-25 to Midwest Pipeline, Inc., the low bidder, in the amount of \$118,810. The amount budgeted for the work is \$118,000. There are sufficient funds available in other accounts to cover the work. Mr. Wojcehowicz indicated that the overage would be reimbursed to the water utility by means of a 2006 bond issue, per a procedure that was previously approved by the Common Council.

It was moved by Mr. Kesner, seconded by Ms. Ledesma to recommend award of Contract 05-25 to Midwest Pipeline, Inc., in the amount of \$118,810 with the understanding that the amount over the \$118,000 budgeted amount will be reimbursed to the water utility by means of a 2006 bond issue. Ayes: 4

Contract 05-26, Demolition of Building at 1222 N. 71st Street – Award of Bid. The Board reviewed memos from the Purchasing Manager and the Director of Public Works recommending award of Contract 05-26 to Badger Wrecking, Inc., in the amount of \$24,228, this being the lowest bid. Mr. Kroll indicated that Badger Wrecking has satisfactorily performed work for the city in the past. Mid-April completion is anticipated.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend award of Contract 05-26 to Badger Wrecking, Inc., in the amount of \$24,228. Ayes: 4

Emulsion and Street Patching Materials. The Board reviewed a memo from the Purchasing Manager outlining bids for emulsion and street patching materials for the spring/summer repair season. With three bidders responding, some prices rose somewhat while others decreased resulting in overall bids that were within the normal range.

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

Ready Mix Concrete. The Board reviewed a memo from the Purchasing Manager outlining bids for ready mix concrete for the two-year period from April 1, 2005 through March 31, 2007. Bid prices submitted by five vendors showed average increases of between 2% and 8% over the last contract period for the various mixtures utilized by the city.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend award to all bidders on an as-needed basis based on price, convenience, and availability. Ayes: 4

(Mr. Kesner excused. -3)

Special Assessments for 2004 Sidewalk Improvements. The Board reviewed a resolution entering the special assessments for 2004 sidewalk improvements on the tax roll.

It was moved by Mr. Kesner, seconded by Ms. Welch to recommend to Council approval of placing the 2004 sidewalk improvements on the tax roll. Ayes: 3

Contract 05-1, Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension; Reconstruction of Fully Deteriorated Sewers Using a Structural CIPP Relining Process – 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 utility work prior to repaving at the following locations in the City of Wauwatosa:

N. 59th Street: From: W. Wisconsin Avenue
To: W. Wells Street

N. 61st Street: From: W. Wisconsin Avenue
To: W. Wells Street

Pasadena Boulevard: From: W. North Avenue
To: W. Center Street

W. Wright Street: From: N. 68th Street
To: N. 74th Street

DIVISION B. (COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM)

N. 75th Street: From: W. Center Street
To: 220' S. of W. Clarke 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 contracts and bonds, 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 05-01A Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension shall contain all of the open cut work. Contract 05-01B Reconstruction of Fully Deteriorated Sanitary Sewers Using a Structural Relining Process shall contain all of the no-dig trenchless relining work.

Section 3. That the Board of Public Works be and it is hereby instructed and directed to cause said improvement projects to be done during the 2005 construction season under said Contracts 05-01A and 05-01B 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 meeting the requirements of the Community Development Block Grant Program (CDBG) following competitive bidding therefor.

Section 5. That the City Clerk be and she is hereby authorized and instructed to advertise for bids for Contracts 05-01A and 05-01B on March 17 and March 24, 2005; bids are to be opened on March 31, 2005 and work is to be completed by June 25, 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 6. That the Wage Scale in the contract documents be and the same is hereby accepted.

Section 7. 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 Ms. Ledesma, seconded by Ms. Welch to approve the foregoing. Ayes: 3

Contract 02-1A, Sanitary Sewer and Storm Sewer Relay, Repair, and Extension – Final Payment.

The Board reviewed a memo from the Director of Public Works recommending final payment on Contract 02-1A. The original total contract amount was \$506,321.10; but extras, emergency work outside the project limits, and adjustments to quantities have increased the final total to \$516,561.88.

It was moved by Ms. Welch, seconded by Ms. Ledesma to recommend approval of the final payment. Ayes: 3

(Mr. Kesner present. -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	03-9 124th Street Resurfacing - Burleigh to Capitol (2175-05-70)	\$ 10,412.77

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

Mr. Wehrley reported that sanitary sewer spot improvements are substantially complete. Due to a concern in connection with directional drilling that was done underneath the bed of Underwood Creek, the contractor has been asked to televise the area to help determine the quality of the work. The Chair expressed concern about water that is being pumped out in connection with MMSD's northwest relief sewer project in the area of Menomonee River Parkway and Ridge Boulevard. Mr. Kappel said that MMSD has a DNR permit for the pumping operation but indicated that he would check to assure that proper measures are being taken.

Appeal of an Order to Remove Foundation and Plumbing System at 2254 N. 61st Street. Mr. Knapp reported that Dean Sokol, 2254 N. 61st Street, obtained a building permit in 2002 for an addition to his home. Subsequently, he dug, placed footings, constructed a foundation, and put in below-floor plumbing without required inspections. Last year neighbors and an alderperson complained about the condition of the property. In June of 2004, Mr. Sokol committed to a construction schedule but was unable to maintain that timeline. The original permit has expired and Mr. Sokol has now been directed to remove the foundation and associated plumbing system and restore the yard to a grade and condition conforming to the city's standards.

Mr. Kesner reported that he has discussed this situation with Mr. Sokol. He proposed allowing him one more chance to complete the work.

It was moved by Mr. Kesner, seconded by Ms. Ledesma to allow the building permit to be reissued upon payment of a double fee, subject to the following conditions: 1) roof framing shall be done by April 30; 2) by the end of the September, the building shall be completed to the level of rough finishing, shall be secured and completed from the outside, and property maintenance conditions shall be addressed; 3) a letter from a structural engineer shall be provided asserting that the foundation is adequate for the purpose intended and, if not, necessary corrections shall be made to bring it up to code; 4) a performance bond or equivalent financial security

shall be provided to protect against the possibility that the city would have to have the improvements removed; and 5) Mr. Sokol shall maintain contact with the building inspection department on building and safety issues –

Mr. Knapp said that there is a length of pipe between a drain and sanitary catch basin that the plumbing inspector has indicated could remain in place if it is pressure tested. Ms. Welch commented that permits would also be required for any electrical work that may be done. Mr. Sokol indicated concurrence with the requirements and said that he would obtain all necessary permits. Mr. Kesner will send a letter to Mr. Sokol to finalize the agreement.

Vote on the motion, Ayes: 4

Annual Report of the Board of Public Works.

It was moved by Mr. Kesner, seconded by Ms. Welch to forward the report to the Common Council. Ayes: 4

Referring to a "proposed future" version of the annual report, Mr. Kappel said that he reduced the size of the overall report primarily by removing many charts and graphs that were difficult to read but maintaining the statistical information on which the charts and graphs were based. He also added some comparative data in the Parks and Forestry section. Mr. Kesner encouraged making the report available in an electronic format and perhaps also on the city website.

The meeting adjourned at 9:08 a.m.

Secretary to the Board

es