



## CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER  
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### BOARD OF PUBLIC WORKS

Monday, February 28, 2011 – 8:30 a.m.

PRESENT: Mr. Kesner, City Atty.; Ms. Ledesma, City Clerk; Ms. Welch, Dir. of Community Dev.; Ms. Plass, Acting Finance Dir.; Mr. Presnal, Plumbing Inspec. – 5

ALSO PRESENT: Mr. Wehrley, City Engineer/Acting Public Works Dir.

Mr. Kesner in the Chair called the meeting to order at 8:30 a.m.

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

It was moved by Ms. Ledesma, seconded by Ms. Welch to accept the minutes as printed. Ayes: 5

**Use of the parking lot for fund raiser, The Club Tap, 8828 W. North Avenue.** The board reviewed a request by Mr. Bill Poull, owner of The Club Tap, to use his parking lot for a fund raiser. The event would be held on Sunday, March 13<sup>th</sup> from noon to 6:00 p.m. with a DJ playing music from 1:00 p.m. to 5:00 p.m. Mr. Poull explained that he had two customers ask if they could hold a fund raiser in the bar's parking lot to raise money for the Susan B. Komen Breast Cancer Fund. He was also planning on having a tent in case the weather is bad.

Mr. Kesner recalled that there was some discussion in the past that the events would be limited to three or four per year. Mr. Poull recalled the same. Mr. Kesner suggested that notices be sent to neighbors from the City Clerk's office making them aware of the upcoming event and giving a chance for feedback.

Mr. Poull mentioned that he will be having his corn roast the first week in June. It was suggested that he apply for any permits and permissions about a month before to give time for the notices to go out.

Ms. Welch explained that the proximity of the residential homes is the reason for the notification.

It was moved by Ms. Welch, seconded by Ms. Plass to approve the use of The Club Tap parking lot for a fund raising event to be held on March 13<sup>th</sup> from noon to 6:00 p.m. contingent upon all trash being removed when the event is over – 5

**Appeal of a \$476 charge for snow removal at 2504 N. 68<sup>th</sup> Street.** The board reviewed an appeal by Cheryl Duffrin, owner of 2504 N. 68<sup>th</sup> Street regarding a bill of \$476 that she received for snow removal. Ms. Hyacinth Nembhardt of the same address appeared to recount her efforts as a tenant to remove the snow in a timely manner.

Mr. Wehrley tried to piece together a chronology of what happened. He noted that especially on arterial roads the snow needs to be removed by noon the day after a snow event. After recounting the dates that it had snowed during the time period in question, Mr. Wehrley pointed out that a notice had been delivered to the property on Monday, January 24<sup>th</sup> saying that the snow needed to be cleared immediately. The city crews showed up on Wednesday, January 26<sup>th</sup> and cleared the walk at 7:58 a.m.

Ms. Nembhardt referred to an email she had written to Cheryl Duffrin, the landlord, explaining the problems she was having with sharing the snow removal duties with the other tenant. The landlord spoke

with the other tenant, but it still didn't get done. She felt that she had done her due diligence with regard to her responsibility to remove the snow. She thought the other tenant was now doing better.

Ms. Welch commented that it is tough following the timeframe without hearing from the staff directly involved. Ms. Ledesma added that it was unclear when the photographs that were submitted were taken. Mr. Kesner noted that one of the photographs was taken on Tuesday, January 25<sup>th</sup>. Ms. Nembhardt maintained that she shoveled and salted that morning and then the city crews showed up on Wednesday morning.

Ms. Plass pointed out that a resident has 24-hours to remove the snow after they receive the notice. She asked if this was a first offense. Mr. Wehrley noted that there was one other offense in 2008. Ms. Nembhardt stressed that she has only lived in the building for five months.

It was moved by Ms. Plass, seconded by Ms. Ledesma to approve waiving the charges for snow removal --

Mr. Kesner commented that he would like to see proof of when city personnel got to the property and what it looked like. Mr. Presnal noted that even if Ms. Nembhardt had cleared the snow there was a lot of blowing snow and it could have blown back onto the sidewalk afterward. Mr. Kesner asked if the ramps are always cleared being that this is a corner property. Ms. Nembhardt responded that she always clears the ramps.

Vote on the motion was Ayes: 5

**Use of Hart's Mills parking lot for Tosa Farmers Market.** The board reviewed a request by Maureen Millmann for the use of Hart's Mills parking lot on Saturday mornings beginning May 21<sup>st</sup> and ending October 15<sup>th</sup> for the Tosa Farmers Market. Ms. Heather Zydek, working with the Tosa Farmers Market noted that they have made a few changes with the dates based on the popularity of the market. They have decided to move it up to beginning on May 21<sup>st</sup> until October 15<sup>th</sup> and to extend the hours of operation for one hour from 7:00 a.m. to 1:30 p.m. to accommodate for setup and take down. The regular operating hours will be 8:00 a.m. to 1:00 p.m.

Mr. Wehrley thought this was a great idea, he cautioned that there will be some construction going on toward the very back of the parking lot and he urged the Tosa Farmers Market organizers to keep in contact with his department about that.

Ms. Ledesma noted that the applicant requested that the city provide two each garbage and recycling carts as they have in the past.

It was moved by Ms. Welch, seconded by Ms. Plass to approve the request by Tosa Farmers Market to extend the number of days it is being held from May 21<sup>st</sup> to October 15<sup>th</sup> and to extend the hours from 7:00 a.m. to 1:30 p.m. to accommodate for setup and take down. The regular operating hours will be 8:00 a.m. to 1:00 p.m., and to include two each garbage and recycling carts for the premises – 5

**Annual Report of the Board of Public Works.** The board reviewed the Annual Report of the Board of Public Works for 2010.

It was moved Mr. Presnal, seconded by Ms. Ledesma to recommend approval of the Annual Report of the Board of Public Works for 2011 – 5

**Board resolution approving plans and specifications for bids on Contract 11-18 Aggregate Seal Coating.** The board reviewed a resolution approving plans and specifications for bids on Contract 11-18 Aggregate Seal Coating. Mr. Wehrley noted that this was the annual seal coating program.

**BOARD RESOLUTION**

WHEREAS, it is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary to sealcoat portions of Knoll Terrace, 102<sup>nd</sup> Street, 103<sup>th</sup> Street, 104<sup>th</sup> Street, 105<sup>th</sup> Street, 106<sup>th</sup> Street, Knoll Boulevard, Auer Avenue, 97<sup>th</sup> Street, 98<sup>th</sup> Street, 99<sup>th</sup> Street, 107<sup>th</sup> Street, Hibbard Avenue, Michigan Street, Potter Road, 117<sup>th</sup> Street, 119<sup>th</sup> Street in the City of Wauwatosa and work incidental thereto under Contract 11-18 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 2011 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 therefore.

Section 4. That the City Clerk be and she is hereby authorized and instructed to advertise for bids for Contract 11-18 Aggregate Sealcoating on March 10 and 17, 2011 bids are to be opened on March 24, 2011, 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 Ms. Ledesma, seconded by Ms. Welch to approve the foregoing resolution – 5

**Council resolution placing 2010 street improvements on the tax roll.** The board reviewed this Council resolution.

It was moved by Ms. Ledesma, seconded by Ms. Plass to recommend approval of the Council resolution placing 2010 street improvements on the tax roll – 5

**Council resolution placing 2010 sidewalk improvements on the tax roll.** The board reviewed this Council resolution.

It was moved by Ms. Welch, seconded by Mr. Presnal to recommend approval of the Council resolution placing 2010 sidewalk improvements on the tax roll - 5

**Water Pumpage Report for January, 2011.** With the January 2011 pumpage of 125,935,000, the year-to-date total stands at 125,935,000, below this time last year. The Chair ordered the report placed on file.

**Contract updates.** Mr. Wehrley updated the committee on status of projects currently being done in the city.

The meeting adjourned at 8:52 a.m.

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Secretary to the Board

svh