



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Regular Meeting – Monday, January 5, 2009 – 8:30 a.m.

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

ALSO W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.;
PRESENT: J. Wojcehowicz, Water Supt.; J. Archambo, City Admin.

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 previous meeting.

Moved by Ms. Ledesma seconded by Ms. Welch to accept the minutes as printed. Ayes: 4

Encroachment – 7707 Harwood Avenue. The Board reviewed a request from Sean Phelan, Phelan Development, to encroach into City right-of-way at 7707 Harwood Avenue with outdoor seating for a proposed restaurant. Mike Eitel, 1401 E. Brady Street, Milwaukee, the proposed tenant, described the restaurant as European café style serving food and beverages from breakfast through bar closing time. They propose using portions of adjacent public right-of-way, including the Harwood pedestrian bridge, for outdoor seating. They would meet or exceed ADA clearance requirements in the public spaces.

Mr. Wehrley noted that the submitted plan shows a fountain, bike racks, and other amenities in addition seating for which additional information regarding dimensions and clearances would be needed. Mr. Eitel explained that the intention was to present the overall idea. If approved, they will go back to the architect for more detail.

Ms. Welch noted that the overall project will require multiple layers of review and approval, including Plan Commission review and Common Council approval of a Conditional Use and liquor license.

Mr. Archambo requested that information be presented at a future meeting on the history of rental or lease of public spaces like this. Mr. Kappel reported that there is a lease in place for the popcorn wagon at the other end of the bridge.

Moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council approval of the requested encroachment subject to execution of an encroachment agreement and final approval by engineering staff on placement and location of items in the right-of-way. Ayes: 5

Payment on MMSD Intergovernmental Cooperation Agreement – Hart Park Project. Mr. Wojcehowicz reported that MMSD has completed the water main work associated with the Hart Park Project, which was performed under the Intergovernmental Cooperation Agreement between the City of Wauwatosa and the Milwaukee Metropolitan Sewerage District Concerning Design and Construction

Activities for the Hart Park Project. The work included main replacements on 70th Street, tunneling and boring beneath the railroad tracks at 63rd Street, and changing the main size between 68th and 72nd Streets. Following some negotiation, MMSD has agreed to adhere to the originally agreed-upon price of \$276,398 as the first and final payment for the water utility work. An amount of \$258,400 was budgeted, and the remainder would come from surplus.

Mr. Braier indicated that his office had a few questions about this payment that have not yet been answered. Upon further review, he may recommend referral to the Budget and Finance Committee and Common Council.

Moved by Mr. Wheaton, seconded by Ms. Welch to approve the payment of \$276,398 subject to approval of the Finance Director.

Ayes: 5

Surplus Equipment. The Board reviewed a memo from the Fleet Superintendent and Purchasing Manager recommending that fleet equipment #P-153, a 2006 Ford Crown Victoria Police Interceptor, be declared surplus.

Moved by Ms. Welch, seconded by Mr. Wheaton to recommend to Council that fleet equipment #P-153 be declared surplus for disposal in a manner most advantageous to the City. Ayes: 5

Contract 08-20 Pavement Repair – Final Payment. The Board reviewed the following:

Board Resolution

WHEREAS, the Board of Public Works has accepted the work of Pavement Repair and work incidental thereto in the City of Wauwatosa under Contract 08-20 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 Pavement Repair under contract 08-20 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 two thousand, seven hundred sixty dollars and seven cents (\$2,760.07) in favor of Wm. Beaudoin & Sons, Inc. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

Moved by Ms. Welch, seconded by Mr. Wheaton to approve the foregoing. Ayes: 5

Partial Payments. 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>
D.C. Burbach, Inc.	5	08-6 Street and Alley Repaving	\$ 23,422.62
Ford Construction Co., Inc.	6	08-09 Building Renovations Little Red Store	\$ 7,973.91
Faust Company, Inc.	1	08-36 Water Piping Modifications and Meter Installation Blanchard Street Pumping Station	\$ 48,925.00
D.C. Burbach, Inc.	3	08-7 Street Repaving	\$151,904.61

Moved by Mr. Wheaton, seconded by Ms. Welch to approve
the foregoing. Ayes: 5

The meeting adjourned at 8:40 a.m..

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Secretary to the Board