



CITY OF WAUWATOSA
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BOARD OF PUBLIC WORKS

Regular Meeting – Monday, June 1, 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

PRESENT: W. Kappel, Dir. of Public Works; W. Wehrley, City Eng.; P. Pyne, Civil Eng.

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 Mr. Wheaton, seconded by Ms. Welch to accept the minutes as printed. Ayes: 5

Air Conditioner Variance – 2530 N. 96th Street. The Board reviewed an application by Margaret McGuire, 2530 N. 96th Street, for a variance to place an air conditioning unit within the setback of the north lot line of her property. Referring to photos of the area, Ms. McGuire pointed out the proposed location. Although the current unit is at the rear entrance, the new energy efficient unit is quite a bit larger and would be less of an eyesore in the proposed location.

Ms. Welch noted that there appears to be adequate screening and the owners of the adjacent property have submitted a note stating that they have no objection to the proposed site.

Moved by Ms. Welch, seconded by Ms. Ledesma to approve the requested variance subject to maintaining adequate screening from the street and on the north side. Ayes: 5

Extension of Street Vendor License – 12121 W. North Avenue. The Board reviewed a request by William Bradshaw and Gerilynne Nolan of Fruit of the Bloom and Bradshaw Farms for extension of the current Street Vendor license for the sale of for the sale of flowers and plants in the Wauwatosa School District's parking lot at 12121 W. North Avenue through July 15. Mr. Bradshaw explained that they would like to sell seasonal produce at that same location through August 31. He purchases the produce from an Amish community north of Madison. The School District has approved the extended use of the parking lot.

Moved by Ms. Ledesma, seconded by Ms. Welch to approve an extension of the Street Vendor license through August 31, 2009, subject to obtaining the necessary food license. Ayes: 5

Exception to Code Requirements for Parking Lot Screening – 2201/2215 N. Mayfair Road. Brian DuPont of Jahnke & Jahnke Associates, Inc., 711 W. Moreland Boulevard, Waukesha, outlined his request for an exception to City Code requirements for parking lot screening for the Dave & Buster's

project at the former Ewald site at 2201/2215 N. Mayfair Road. Referring to site drawings and photographs, he requested an exception to the screening requirements in two locations. He is proposing a chain link fence with plastic slats across the westerly portion of the south side of the site that is adjacent to a non-customer area of the abutting Uptown dealership. The length of the fence would provide less than the 50% opacity required. The Uptown building itself abuts the eastern portion of the south property line and has no windows to the north.

The second area is along the west side of the property where there are railroad tracks with a high embankment and a chain link fence at the property line. He is proposing no screening along the west property line where 50% opacity is required by Code. On the north side adjacent to the Walgreens-DSW Shoes site, he proposes adding brown plastic slats to the existing chain link fence that is atop a retaining wall. Mr. DuPont presented a photograph of the slats for the Board's approval. He noted that the 7,000 sq. ft. of green space on the former Ewald site would increase to almost 26,000 sq. ft. under their plan.

Mr. Pyne supported an exception to the screening requirement along the railroad side but said the fence should remain there. He suggested a stipulation that this property bring the screening along the south property line up to Code should the Uptown building be removed.

Ms. Welch said that this area is transitioning and she would be reluctant to say that they have no obligation to screen the south side and place that obligation entirely on the Uptown site in the future. She would support adding slats to the north side fence only because there is a fence already in place, but she noted the goal of transitioning to a more attractively landscaped Mayfair Road.

Moved by Ms. Welch, seconded by Mr. Wheaton to 1) approve an exception to Code requirements for parking lot screening along the south property line adjacent to the existing Uptown building with the understanding that future reapplication may be required should the Uptown site be redeveloped and the existing building removed, and contingent upon erecting a new chain link fence with vinyl slats along the south property line west of the existing Uptown building; 2) to approve an exception to Code requirements for parking lot screening along the west property line; and 3) to approve the fence slats to be used on the north and south fences. Ayes: 5

Encroachments – Village Business Improvement District. The Board reviewed an application by the Village Business Improvement District (BID) to encroach into City right-of-way at various locations within Business Improvement District boundaries with litter containers, park benches, and planters. Kathy Ehley, Executive Director of the Village BID, reported that there are now only about four litter containers in the entire BID area, and there has been an increasing problem with litter. As a result of an informal study over the past two summers, they have mapped out strategic locations for new receptacles. Their vendor has designed a container with a special lid to accommodate Little Caesar's pizza boxes, and they will also accommodate a public works request for doors that swing open so that pickup crews do not have to lift the container. Mr. Kappel confirmed that the City will do pickups on Mondays and Fridays and indicated his support of the plan.

Ms. Ehley said that through donations and a fundraiser, the BID will be able to purchase three benches and three waste containers for the Root Common area, one place where litter is the heaviest. They are working with the Beautification Committee to develop plantings around the benches to make the area more welcoming. They will also purchase a planter that could be placed on the pedestrian bridge to help mark a place where there is a slight rise or could be placed elsewhere. Ms. Ehley noted that this project represents a \$21,000 investment by the BID.

Moved by Mr. Wheaton, seconded by Ms. Ledesma to recommend to Council approval of the requested encroachments contingent upon there being no advertising on the containers, benches, or planters with the exception of BID identification or donation acknowledgement. Ayes: 5

Contract 09-76 Hart Park Athletic Field Improvements – Request for Partial Payment and Authorization to Submit Bi-Monthly Partial Payment Requests. Jacqueline Herington, Project Engineer, Graef, 125 S. 84th Street, Milwaukee, reported that demolition of existing facilities at Hart Park is nearly complete with just a few utility items remaining, which equates to completion of approximately five percent of the project or \$209,798.00 of the total \$4,182,205.00 contract amount. After deducting \$10,489.90, the recommended five percent retainage, they are requesting a partial payment of \$199,308.10 to Triad Construction, Inc., for the work completed to this point.

Mr. Braier noted that the Comptroller’s office generally reviews partial payment requests prior to their submission to the Board. Ms. Herington indicated that future requests would be submitted 10 days in advance.

Moved by Mr. Wheaton, seconded by Ms. Welch to approve a partial payment to Triad Construction, Inc., in the amount of \$199,308.10. Ayes: 5

Because this is a fast-track project, Ms. Herington requested authorization to submit requests twice each month. She proposed appearing at the first Board meeting of each month to report on progress and updating Mr. Wehrley for the second meeting. Mr. Wheaton felt it preferable for a Graef representative to be present each time.

The Chair noted that the City has delegated construction administration on this project to the consultant, and it was established that any questions regarding payments could be directed to Ms. Herington or Joe Pepitone at Graef. The fire station project will be handled similarly, although that time frame is not as compressed. For both projects, Mr. Braier recommended submission of partial payment requests in the form of a Board resolution and then forwarding for Council approval as part of bills and claims.

Moved by Mr. Wheaton, seconded by Ms. Welch to authorize Graef to submit partial payment requests twice each month with the understanding that a Graef representative would be present at each meeting. Ayes: 5

Appeal of Snow Removal Charge – 1105 Glenview Avenue. Held from the previous meeting was a letter from Janie P. Morris, 1105 Glenview Avenue, protesting an \$81 charge for snow removal on January 16, 2009. There was a similar charge for this property in 2007. Ms. Morris was notified of this meeting as well as the previous meeting but was not present. Mr. Kappel recommended upholding the charge.

Moved by Mr. Wheaton, seconded by Ms. Welch to deny the appeal and uphold the \$81 snow removal charge. Ayes: 5

Contract 09-04 Sanitary Sewer, Storm Sewer and Water Main Relay, Repair, and Extension and Contract 09-04B Reconstruction of Fully Deteriorated Sewers Using a Structural 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 water mains; and to perform incidental utility work prior to repaving at various locations in the City of Wauwatosa which are either on or adjacent to streets included in the 2009 capital improvement repaving program or ongoing trouble spots as follows:

DIVISION A:

<u>N. 68th Street:</u>	From: W. Mount Vernon Avenue To: W. Blue Mound Road
<u>Auburn Avenue:</u>	From: N. 70 th Street To: N. 72 nd Street
<u>W. Blue Mound Road:</u>	From: USH 45 (Zoo Freeway) To: N. Mayfair Road
<u>Kinsman Street:</u>	From: Dead End W. of N. 68 th Street To: N. 68 th Street
<u>E-W Alley N. of W. North Avenue:</u>	From: N. 66 th Street To: 105' E. of N. 66 th Street
<u>N-S Easement E. of Honey Creek Pkwy.:</u>	From: Geralayne Circle To: MMSD MH at the Honey Creek

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 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 09-04A Sanitary Sewer, Storm Sewer and Water Main Relay, Repair and Extension shall contain all of the open cut work. Contract 09-04B Reconstruction of Fully Deteriorated 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 2009 construction season under said Contracts 09-04A and 09-04B 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 and that has in place a "Substance Abuse Prevention Program" that complies with State of Wisconsin Act 181.

Section 5. That the City Clerk be and she is hereby authorized and instructed to advertise for bids for Contract 09-04 on June 18 and June 25, 2009; bids are to be opened on July 2, 2009; the final completion date for the work and surface restoration shall be September 5, 2009; 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 from the Federal Department of Labor and the State of Wisconsin Department of Work Force Development 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.

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

Contract Updates. Mr. Wehrley reported on the status of State Street paving, the manhole rehabilitation contract, traffic signal work at Swan Boulevard and Ludington Avenue, and the Pick 'N Save southbound turn lane on Mayfair Road.

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>
C.W. Purpero, Inc.	7	08-02 State Street Repaving	\$218,566.59
Wisconsin Department of Transportation	4	State Project No. 2175-06 (Contract 05-14) N. 124 th Street, Ruby To Hampton Avenue	\$ 3,690.96
City of Milwaukee	N/A	State Project 2202-01 (Contract 04-29) Blue Mound Road, N. 66 th Street to N. Story Parkway	\$ 4,117.82
Graef	5	Contract 06-25 Hart Park Design Floodproofing	\$ 91,144.17
Milwaukee Metropolitan Sewerage	N/A	Contract 06-25 Hart Park Design Floodproofing	\$ 24,699.82

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

The meeting adjourned at 9:01 a.m.

Secretary to the Board

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