



CITY OF WAUWATOSA  
 7725 WEST NORTH AVENUE  
 WAUWATOSA, WI 53213  
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**BOARD OF PUBLIC WORKS**

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

PRESENT: Mr. Braier, Finance Dir.; Mr. Kesner, City Atty.; Ms. Ledesma, City Clerk; Mr. Wheaton, Chief Insp. -4

EXCUSED: Ms. Welch

ALSO

PRESENT: W. Wehrley, City Eng.; Chief D. Redman, Fire Dept.

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. Ledesma to accept the minutes as printed. Ayes: 4

**Proposed 2010 Street Improvement Projects.** Mr. Wehrley reported that the listed streets were included in the approved Capital Improvements plan.

Board Resolution

BE IT RESOLVED, by the Board of Public Works of the City of Wauwatosa, Wisconsin, that

Section 1. The Board of Public Works of the City of Wauwatosa, Wisconsin hereby declares its intention to exercise its police power, under Section 66.0703 of the Wisconsin Statutes, to levy special assessments upon property in the City of Wauwatosa within the following described area for the benefits conferred upon such property by the repaving of:

<u>Street &amp; Location</u>	<u>Ald. Dist.</u>	<u>Exist &amp; (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
N. 120 <sup>th</sup> St. – W. Locust St. to W. Chambers St.	6	30'	C	No
N. 124 <sup>th</sup> St. – W. Walnut Rd. to North of W Garfield Ave.	7	24' (30')	C	No +
W. Burleigh St. – N. Mayfair Rd. to East City Limit	6	32'-22'-32'	C	Yes
W. Concordia Ave. – N. 96 <sup>th</sup> St. to W. Argonne Dr.	6	30'	C	No *
Glenway St. – Glenway Ct. to W. Ruby Ave.	8	30'	C	No
Glenway Ct. – N. 110 <sup>th</sup> St. to Glenway St.	8	30'	C	No
+ Joint project with Village of Elm Grove.				

\* Joint project with City of Milwaukee

Section 2. Said public improvement shall include the following work to be done during the 2010 construction season:

Resurfacing: Type "C" (Asph.) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and resurfacing with asphalt pavement. Also included is the placing of necessary water and sewer service pipes and storm sewer and appurtenances, and relaying sanitary sewer and storm sewer as required.

Section 3. The total amount assessed shall be upon a reasonable basis as determined by the Common Council.

Section 4. That the owners of the respective parcels of land fronting or abutting the street improvements, on which a public hearing has been held and preliminary assessments have been confirmed, shall have payment of the special assessments scheduled as follows:

- (a) Each special assessment and special charge, pursuant to Section 66.0703 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 sale of corporate purpose bonds, which include the project which is the subject of the special assessment, 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 5. The properties against which the assessments are proposed are benefited. Such benefits may include, but are not necessarily limited to, enhancement of value or marketability, improved drainage, improved pedestrian safety (walks), improved vehicular access, improved skid resistance and cross sectional elements.

Section 6. The Director of Public Works has prepared a report consisting of:

- a) Preliminary and/or final plans and specifications for said improvements
- b) An estimate of the entire cost of the proposed improvements
- c) A schedule of the proposed assessments in connection therewith upon a reasonable basis as determined by the Board of Public Works.

The Director of Public Works is directed to file a copy of these in the City Clerk's Office for public inspection.

BE IT FURTHER RESOLVED, By the Board of Public Works of the City of Wauwatosa, Wisconsin, that the City Clerk is directed to give notice, as by law provided, of a public hearing to all owners, to be assessed for the proposed improvements herein before listed, and to publish notice of the hearing at least once in the official newspaper at least ten days and not more than 40 days before the time set for the hearing; and

BE IT FURTHER RESOLVED, That the Common Council be requested to schedule the public hearing to be held before the Common Council in the Council Chambers, at 7:30 P.M., on Tuesday, January 19, 2010 in the City Hall of the City of Wauwatosa, Wisconsin at which times all persons interested, or their agents or attorneys, concerning matters contained in the resolution and report, including the proposed assessment of benefits will be heard.

Moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the foregoing. Ayes: 4

**Public Hearing - Proposed 2010 Street Improvements.** A resolution will be forwarded to the Common Council setting January 19, 2010, as the public hearing date for the proposed 2010 street improvement projects.

Moved by Ms. Ledesma, seconded by Mr. Wheaton to recommend approval. Ayes: 4

**Contract 09-75 – Fire Station #1 and Administrative Offices – Change Orders #7-10.** Jack Blume of Zimmerman Architects reported that change orders #7 and 8 cover landscaping restoration at 1604 and 1612 Church Street, the two residential properties along the west lot line that were affected by the project. It was understood during the design process that these costs, which were negotiated with the property owners, would be outside the bidding process. Change order #9 is for a larger doorframe at the electrical room to facilitate moving equipment in and out. Change order #10 is a credit for a change from a digital to an analog video security system per police department requirements.

#### 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>Change Order No.</u>	<u>Contract No.</u>	<u>Amount</u>
J.P. Cullen & Sons, Inc.	7 Landscape restoration 1604 Church St.	09-75 Fire Station #1 and Admin. Offices	\$10,865.00
J.P. Cullen & Sons, Inc.	8 Landscape restoration 1612 Church St.	09-75 Fire Station #1 and Admin. Offices	\$ 8,495.00
J.P. Cullen & Sons, Inc.	9 Change doorframe and electrical	09-75 Fire Station #1 and Admin. Offices	\$ 230.00
J.P. Cullen & Sons, Inc.	10 Change video cameras from digital to analog	09-75 Fire Station #1 and Admin. Offices	(\$ 6,450.00)*

Moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the foregoing. Ayes: 4

**Contract 09-75 Fire Station #1 and Administrative Offices – Partial Payment #5.** Jack Blume of Zimmerman Architects reported that approximately 26.9% of the project is complete at the five-month point.

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<u>Contractor</u>	<u>Payment No.</u>	<u>Contract No.</u>	<u>Amount</u>
J.P. Cullen & Sons, Inc.	5	09-75 Fire Station #1 and Administrative Offices	\$237,929.40

Moved by Mr. Wheaton, seconded by Ms. Ledesma to approve the foregoing. Ayes: 4

**Contract 09-76 Hart Park Athletic Field Improvements – Partial Payment #10.** Jacqueline Herington of Graef reported that two items remain to be completed in the spring. A \$10,000 retainage should more than adequately cover the cost of resurfacing the bounding board area and restoration of an area where topsoil was stockpiled. Total project cost to date with approved change orders is \$4,224,534.89. Some additional change orders will be presented at the next meeting, and a request for final payment is anticipated in May or early June.

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<u>Contractor</u>	<u>Payment No.</u>	<u>Contract No.</u>	<u>Amount</u>
Triad Construction, Inc.	10	09-76 Hart Park Athletic Field Improvements	\$91,433.43

Moved by Mr. Wheaton, seconded by Ms. Ledesma to approve  
the foregoing. Ayes: 4

**Contract Updates.** Mr. Wehrley reported that all roads are open to traffic and all driveways are back in service. Grading work is underway in Hart Park between 68<sup>th</sup> and 70<sup>th</sup> Streets, and some utility work may be done as weather allows.

The meeting adjourned at 8:40 a.m.

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Secretary to the Board

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