



CITY OF WAUWATOSA

BOARD OF PUBLIC WORKS

MINUTES • MARCH 31, 2014

Regular Meeting

Committee Room #1

8:30 AM

7725 West North Avenue, Wauwatosa, WI 53213

BOARD OF PUBLIC WORKS ITEMS

Attendee Name	Title	Status	Arrived
Carla Ledesma	City Clerk	Present	
John Ruggini	Finance Director	Present	
Alan Kesner	City Attorney	Excused	
Paulette Enders	Development Director	Present	
William Mainus	Building Inspector	Excused	

1. Minutes from previous meeting

Moved by Ms. Ledesma, seconded by Mr. Ruggini to accept the minutes as printed. Ayes: 3

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carla Ledesma, City Clerk
SECONDER:	John Ruggini, Finance Director
AYES:	Ledesma, Ruggini, Enders
EXCUSED:	Kesner, Mainus

2. Request by Robert Messinger, Hector's - A Mexican Restaurant, 7118 W. State St., for use of their parking lot for upcoming events

The Board reviewed a request by Robert Messing, Hector's A Mexican Restaurant, to use their parking lot for events on June 12, and September 6, 2014. The requested hours of operation are 11:00 a.m. - 10:00 p.m. There will be live music between 6:00 p.m. - 10:00 p.m. for both events.

Jill Tews, 330 W. Belle Avenue, Whitefish Bay, appeared on behalf of Hector's. She said there are no changes from last year. The fire department will be contacted regarding a tent permit.

Ms. Ledesma asked about displaced parking. Ms. Tews said there is street parking available and parking at Hart Park across the street.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to approve the requested use of the parking lot at 7118 W. State Street for events on June 12, 2014 and September 6, 2014. Ayes: 3

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Ruggini, Finance Director
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Enders
EXCUSED:	Kesner, Mainus

3. Request by Owen and Kim Sullivan for an air conditioner variance at 605 N. 79th Street

The Board reviewed an application by Owen & Kim Sullivan, 605 N. 79th Street, to replace an existing air conditioner and add a second conditioner adjacent to the existing location.

Don Mitchen, Bartelt Remodeling, explained that the homeowner is putting an addition on their home which necessitates the need for a second air conditioner. The second unit would be placed adjacent to the location of the first condenser which is being replaced. Mr. Mitchen said that major landscaping is planned around the area of the air conditioners and they will be concealed from the street view.

Moved by Ms. Ledesma, seconded by Mr. Ruggini to approve the requested variance contingent upon adequate screening to conceal the air conditioner units from 79th Street. Ayes: 3

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Carla Ledesma, City Clerk
SECONDER:	John Ruggini, Finance Director
AYES:	Ledesma, Ruggini, Enders
EXCUSED:	Kesner, Mainus

4. Request by Super Western to haul excavated materials from Mayfair Mall on various city streets

The Board reviewed a request by Super Western to haul excavated materials from Mayfair Mall on various city streets.

Super Western was contracted to excavate the Mayfair Mall site for future additions. Super Western would like to transport the excavated material to the Blue Mound Country Club, 10122 W. North Avenue. The time duration to move the fill would occur for three weeks in the month of April. The requested work hours are 7:00 a.m. - 4:30 p.m. Monday through Friday.

Mr. Regent-Smith felt that the project would take two - three weeks, with approximately 150 truck trips per day between the hours of 7:00 a.m. - 4:30 p.m.

Ms. Ledesma questioned whether Mayfair Mall would be willing to allow a fence section to be removed along the east fence line of the mall, and haul the materials directly onto Bluemound Country Club property.

Mr. Regent-Smith said they have had numerous conversations with Mayfair Mall but were unable to come to an agreement and that the mall wants nothing to do with this project.

Mr. Porter said his preference would be option #4, if he had to choose one of these options, with the following conditions attached. This option would have the trucks take the 104th Street exit, going east on North Avenue to a newly constructed median break directly opposite the Bluemound Country Club driveway. This option has the shortest haul mileage on public roads, does not route trucks on a local city street and does not go in front of residents' homes. With this option Mr. Porter felt the following conditions be attached:

- Super Western be required to bear the full cost of the removal and replacement of the median break according to standards to be set forth by the Engineering Dept.
- Super Western be required to obtain an erosion control permit from the City which would amongst other things specify how the inevitable mud on the pavement will be kept under control, how the berms will be stabilized until vegetation begins to grow, and how the City will be protected against any damaged pavement on public roads caused by the trucks.
- Strongly recommend using flagmen at the point where the trucks cross North Avenue into the Country Club.
- Limit the hauling hours to 9:00 a.m. - 3:00 p.m. avoiding rush hour traffic conflicts.

- Require Super Western to notify the affected neighborhoods in writing with a letter on their stationery with a name and contact person at the firm who is available to answer complaints during the day. A copy of the letter must also be provided to the City.

Mr. Porter suggested that Mr. Regent-Smith contact Mayfair Mall one last time to see if they can work out an arrangement utilizing a fence opening on the east end of the mall parking lot. Mr. Porter advised that he and the City Administrator had discussions with the mall and the door is open for further discussion. In the event that an agreement cannot be reached, the board agreed that a special Board of Public Works meeting be held to discuss other options.

Ald. Roznowski said he does not like any of the options presented. He felt that city streets will get torn up, there would be an inconvenience to drivers on North Avenue, and there would be disruption and noise concerns for the residents near the country club.

Ald. Roznowski encouraged Super Western to work with Mayfair Mall. Ald. Roznowski felt that Super Western would be saving money by not hauling the excavated materials to Pewaukee. The Bluemound Country Club is saving money, at their request to utilize the excavated materials for their berm. He felt that this savings between the two businesses should offset an agreement with Mayfair Mall.

The City Administrator questioned whether there would be a concern to the storm water system with the construction of the berms. Mr. Regent-Smith said that there are no water issues where the berms are proposed. All water goes to the north, there is no change being made to the water flow.

Mr. Pyne discussed the drainage from the sand traps and felt it would not affect the neighbors.

The City Engineer asked about a grading plan and was told that a grading plan is included with the erosion plan.

Mr. Ruggini agreed that Super Western should revisit discussion with Mayfair Mall and come to a negotiated agreement in the best interest of city residents, and people traveling North Avenue.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to hold this item to allow the applicant time to try and negotiate an agreement with Mayfair Mall. Ayes: 3

RESULT:	HELD
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5. Board resolution and request for approval of plans and specifications on Contract 14-18 Aggregate Sealcoating, various streets

Mr. Pyne reported that this project is for sealcoating on various streets in the city. Mr. Pyne discussed the line item in the budget and noted that money came out of this budget line to pay for street salt.

The 2014 budget for sealcoating is reduced to \$170,490, so some of the sealcoating will be held off until next year. Mr. Pyne answered a question that any work held from this year will be a priority for next year.

Mr. Ruggini noted that the regular line item for this budget is \$240,000 and hopefully next year will be back at that level.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to approve the foregoing. Ayes: 3

RESOLUTION

WHEREAS, it is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary

perform aggregate sealcoating on various streets in the City of Wauwatosa and work incidental thereto under Contract 14-18 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 2014 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 14-18 Aggregate Sealcoating on April 10 and 17, 2014 bids are to be opened on April 24, 2014, 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.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Ruggini, Finance Director
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Enders
EXCUSED:	Kesner, Mainus

6. *Memo from the Director of Public Works regarding agreement with the City of Milwaukee for operations of traffic signals at 68th Street and Blue Mound Road

The Board reviewed a memo from the Director of Public Works regarding an agreement with the City of Milwaukee for operations of traffic signals at 68th Street and Blue Mound Road.

Currently the City of Wauwatosa owns and maintains the traffic signals at the intersection of 68th Street and Blue Mound Road. According to our Traffic and Electrical Department, the signal system including poles, controller, and underground wiring are very old and past their standard useful life.

The City has been asked whether or not they are interested in having the Wisconsin Department of Transportation (WisDOT) replace the existing signal hardware at 68th Street and Blue Mound Road, which would then become part of an interconnected system of signals that run from 76th Street to Hawley Road.

WisDOT would also install their adaptive signal hardware to the controller at 68th Street and Blue Mound Road that will become part of a larger system of adaptively controlled signals running from Hawley Road on the east, to Moorland Road in Brookfield on the west.

Mr. Porter explained that the signals would be rebuilt with WisDOT funds. The City of Wauwatosa will continue to pay energy costs associated with this signal. The signal maintenance is spelled out in the agreement.

Mr. Porter noted that this agreement will have to be reviewed by the City Attorney prior to approval.

Moved by Ms. Ledesma, seconded by Mr. Ruggini to recommend to Council approval of the installation and operations of the traffic signals request at 68th Street and Blue Mound Road contingent upon approval by the City Attorney. Ayes: 3

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 4/1/2014 7:30 PM
TO:	Common Council	
MOVER:	Carla Ledesma, City Clerk	
SECONDER:	John Ruggini, Finance Director	
AYES:	Ledesma, Ruggini, Enders	
EXCUSED:	Kesner, Mainus	

7. *Council resolution placing 2013 sidewalk improvements and drive approaches on the tax roll

The Board reviewed a resolution placing the 2013 sidewalk and drive approach special assessments on the tax roll.

Mr. Pyne said that the total amount for these improvements is \$127,080.73. This includes 15 properties that are billed to Milwaukee County as the county owns the right-of-way.

April 11, 2014 is the estimated date that the invoices will be sent out.

Moved by Ms. Ledesma, seconded by Mr. Ruggini to recommend to Council approval of the 2013 sidewalk and drive approach improvements. Ayes: 3

RESOLUTION

BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin, that the attached account of the expense of sidewalk repairs under Contract 13-19 / Project 2001 Concrete Sidewalk Repairs be submitted to the Finance Director in accordance with Section 66.615(3)(f) of the Wisconsin Statutes.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby directed to send out the proper bills to the owners of the property, as listed in the accompanying assessment for sidewalk repairs under Contract 13-19 / Project 2001 Concrete Sidewalk Repair.

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 4/1/2014 7:30 PM
TO:	Common Council	
MOVER:	Carla Ledesma, City Clerk	
SECONDER:	John Ruggini, Finance Director	
AYES:	Ledesma, Ruggini, Enders	
EXCUSED:	Kesner, Mainus	

8. *Council resolution placing 2013 street improvements on the tax roll

The Board reviewed a resolution placing the special assessments for 2013 street improvements on the tax roll. The streets include Meinecke Ave. from Swan Blvd. to 81st St., 90th St. from Menomonee River Pkwy. to North Ave., Center St. from 124th St. to 117th St., Chambers St. from 124th St. to 120th St., Capitol Dr. from 92nd St. to Mayfair Rd., Blue Mound Rd. from Mayfair Rd. to 110th St., and alley work Grantosa Dr. - Palmetto Ave. from 95th St. to Byron Place.

Ms. Ledesma noted that there were a few corrections to be made on the final resolution.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to recommend to Council approval of the 2013 street improvements. Ayes: 3

RESOLUTION

WHEREAS, the Common Council of the City of Wauwatosa did, by resolution passed and dated December 16, 2008, March 1, 2011, December 20, 2011, and November 6, 2012 approve and adopt a report of the Board of Public Works in connection with repaving, and work appurtenant thereto, in the following streets:

<u>Street & Location</u>	<u>Ald. Dist.</u>	<u>Exist & (Prop.) Width</u>	<u>Pavement Construction Type</u>	<u>Assessed Sidewalk Work</u>
Meinecke Ave. from Swan Blvd. to 81 st St.	6	30'	B-Asph	Y
90 th St. from Menomonee River Pkwy to North Ave.	2	30'	A-Conc	Y
Center St. from 124 th St. to 117 th St.	6 & 7	52' (52')	C	N
Chambers St. from 124 th St. to 120 th St.	6 & 7	30' (30')	C	N
Capitol Dr. from 92 nd St. to Mayfair Rd.	8	35-24-35	A-Conc	Y
Alley Grantosa Dr. - Plametto Ave. from 95 th St. to Byron Pl.	8	20' (20')	C	N
Blue Mound Rd. from Mayfair Rd. to 110 th St.	3 & 7	35-24-35	A-Conc	Y

WHEREAS, the construction of the improvement above-described having now been completed in the aforementioned streets, it is the desire of the Board of Public Works to place the special assessments on the tax roll.

WHEREAS, it is the desire of the Board of Public Works to adjust the assessments for approaches and

service walks, contained in said report, in relation to the costs of construction involved.

WHEREAS, the Director of Public Works has prepared amended special assessments taking into account the aforementioned differences.

NOW, THEREFORE, BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin, as follows:

Section 1. That the special assessments for paving set forth in the aforesaid reports of the Board of Public Works, approved by resolution passed and dated as listed are hereby directed to be entered upon the tax roll as hereinafter set forth and as reiterated in the special assessments attached hereto.

Section 2. That the attached amended special assessments for approaches and service walks, against the respective lots, tracts, and parcels of land abutting on the aforementioned streets be and the same are hereby approved and adopted and are directed to be entered upon the tax roll as hereinafter set forth.

Section 3. That the owners of the respective parcels of land fronting or abutting the street improvements on which public hearings have 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 66.0627 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 4. That the City Clerk publish the installment assessment notice, as by Section 66.54 of the Wisconsin Statutes provided, including therein that the owners of the property benefited by said improvement may elect within thirty (30) days from the date of said notice to pay the said assessment on their property on or before the next succeeding November 1.

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 4/1/2014 7:30 PM
TO:	Common Council	
MOVER:	John Ruggini, Finance Director	
SECONDER:	Carla Ledesma, City Clerk	
AYES:	Ledesma, Ruggini, Enders	
EXCUSED:	Kesner, Mainus	

9. Partial payments

Moved by Mr. Ruggini, seconded by Ms. Ledesma to approve the foregoing subject to Finance Department review. Ayes: 3

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/Project No.</u>	<u>Amount</u>
Visu-Sewer, Inc.	3	13-10 / 1004 North Mayfair Road Sanitary Sewer Improvements	\$11,899.70

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Ruggini, Finance Director
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Enders
EXCUSED:	Kesner, Mainus

10. Contract updates

Mr. Wehrley said that lateral chemical grouting work is ongoing. Sanitary Sewer work on Watertown Plank Road is underway.

The meeting adjourned at 9:12 a.m.

Carla A. Ledesma, CMC, City Clerk