



# CITY OF WAUWATOSA

## BOARD OF PUBLIC WORKS

MINUTES • APRIL 14, 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	Excused	
John Ruggini	Finance Director	Excused	
Alan Kesner	City Attorney	Present	
Paulette Enders	Development Director	Present	
William Mainus	Building Inspector	Present	

1. Minutes from previous meeting

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paulette Enders, Development Director
<b>SECONDER:</b>	William Mainus, Building Inspector
<b>AYES:</b>	Kesner, Enders, Mainus
<b>EXCUSED:</b>	Ledesma, Ruggini

2. Request by David Paulsen, Tosa East Towne Neighborhood Association, for use of the city-owned parking lot on N. 69th Street and North Avenue to sponsor a Run Tosa Run event

The Board reviewed a request by David Paulsen, Tosa East Towne Neighborhood Association, to use the city owned parcel behind Voline Garage at North Avenue and 69<sup>th</sup> Street for registration of the Run Tosa Run 5 K event. The requested date is Saturday, May 17, 2014 with the Kid's Run starting at 8:30 a.m.

Liz Paulson, Tosa East Towne Neighborhood Association, said that they would like to set up three small tents on the empty parcel for children's activities. They have received their permit from the police department. Ms. Paulson noted that local businesses are sponsoring the event with the proceeds going to the Ronald McDonald House.

Moved by Ms. Enders, seconded by Mr. Mainus to approve the requested use of the parking lot behind Voline Garage at North Avenue and 69th Street on May 17, 2014. In the future this permitted use will be covered along with the parade permit. Ayes: 3

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paulette Enders, Development Director
<b>SECONDER:</b>	William Mainus, Building Inspector
<b>AYES:</b>	Kesner, Enders, Mainus
<b>EXCUSED:</b>	Ledesma, Ruggini

3. Request by R.A. Smith National on behalf of Milwaukee County Public Works and the Vel Phillips Juvenile Justice Center for exceptions to the City of Wauwatosa Code concerning parking lot regulations at 10201 W. Watertown Plank Road

The Board reviewed a request by R.A. Smith on behalf of Milwaukee County and the Vel Phillips Juvenile Center at 10201 W. Watertown Plank Road for a few exceptions to the City of Wauwatosa Code. The exceptions being requested are for safety and security reasons, and access issues created by the State Department of Transportation improvements on Watertown Plank Road.

Dan Meier, R.A. Smith National, explained that the County would like to install an eight foot tall chain link fence to protect the future City water tower and the communications tower. The eight foot tall fence would serve to protect the equipment from vandalism and the public from injury if tampering with the equipment. This would replace the eight foot tall fence that was topped with barbed wire.

The other code exception Mr. Meier discussed was the landscape requirements. The Justice Center deals with troubled youth and they would like to reduce the amount of landscaping around the facility to increase visibility for the Justice Center staff and reduce potential hiding areas. Mr. Meier also noted that reducing the landscaping will aid law enforcement to help identify potential issues when patrolling the area.

Mr. Pyne said he had no objection to the reduction in landscaping request. He felt it made sense for the reasons stated. It was noted that the parcel would still meet the minimum 10% landscaping requirement.

Ms. Enders felt that there needs to be a more decorative type fence used and requested that this option be looked into. She asked that the new decorative fence option be coordinated with the water utility department. Ms. Enders said there will be businesses going in on the other side of this area and felt for aesthetic reasons a more decorative fence should be used instead of a chain link fence.

Moved by Ms. Enders, seconded by Mr. Mainus  
to approve the request as long as the reduction in landscaping still  
meets the minimum 10% requirement, a more decorative fence  
to be used and coordinated with the water utility. Ayes: 3

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>SECONDER:</b>	Paulette Enders, Development Director
<b>AYES:</b>	Kesner, Enders, Mainus
<b>EXCUSED:</b>	Ledesma, Ruggini

4. Board resolution declaring the City's intent to perform certain street improvement projects during the 2014 construction season and to assess neighboring property owners

Mr. Pyne said that the work to be done for 2014 covers the following areas: Mayfair Road from Burleigh Street to beyond north city limits, Ridge Court from south end to Milwaukee Avenue, alley between Meinecke Avenue and North Avenue from 64<sup>th</sup> Street to 65<sup>th</sup> Street, alley between Meinecke Avenue and North Avenue from 68<sup>th</sup> Street to 69<sup>th</sup> Street, alley between Hadley Street and Center Street from Lefebber Avenue to 73<sup>rd</sup> Streets.

Moved by Mr. Mainus, seconded by Ms. Enders  
to approve the foregoing. Ayes: 3

**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>
Mayfair Road from Burleigh Street to Beyond North City Limits	6, 8	36-28-36	C	Y
Ridge Court from South End to Milwaukee Avenue	2	24	B	Y
Alley between Meinecke Avenue and North Avenue from 64 <sup>th</sup> Street to 65 <sup>th</sup> Street	1	15	C	N
Alley between Meinecke Avenue and North Avenue from 68 <sup>th</sup> Street to 69 <sup>th</sup> Street	1	12	A-Conc	N
Alley between Hadley Street and Center Street from Lefeber Avenue to 73 <sup>rd</sup> Street	1	20	A-Conc	N

Section 2. Said public improvement shall include the following work to be done during the 2014 construction season:

Reconstruction: Type "A" (Asph.) or (Conc.) Completely removing existing curb and gutter and existing pavement, placing new concrete curb and gutter (excluding alleys), and asphalt or concrete pavement surface on a new base.

The above repaving type also includes placing necessary water and sewer service pipes and storm sewer and appurtenances; relaying sanitary sewer and storm sewer as required; relocating existing street lighting system where necessary; constructing new concrete driveway approaches; and replacing concrete sidewalks which are disturbed by other construction, which are defective, or which have a hazard potential.

Resurfacing: Type "C" (Asph) Milling the existing pavement as required, repairing curbs (and abutting approaches and sidewalks where necessary), and surfacing 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, May 20, 2014 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.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	William Mainus, Building Inspector
<b>SECONDER:</b>	Paulette Enders, Development Director
<b>AYES:</b>	Kesner, Enders, Mainus
<b>EXCUSED:</b>	Ledesma, Ruggini

- 5. Resolution authorizing the award of Contract 14-19 Concrete Sidewalk Repair to State Contractors, Inc.

Mr. Porter reported that the lowest of three bids on Contract 14-19 was submitted by State Contractors, Inc. in the amount of \$294,330.00. Mr. Porter recommended award of bid to State Contractors, Inc.

Moved by Ms. Enders, seconded by Mr. Mainus to recommend to Council award of Contract 14-19 to State Contractors, Inc., in the amount of \$294,330. Ayes: 3

**RESOLUTION**

WHEREAS, pursuant to the official notice, published as required by law, for proposals for furnishing material, equipment and labor necessary for Concrete Sidewalk Repair and work incidental thereto under Contract 14-19 Concrete Sidewalk Repair in various Aldermanic District(s) of the City of Wauwatosa; and

WHEREAS, bids and proposals were received at the office of the City Clerk until 11:01 o'clock in the fore noon Thursday April 10, 2014 and therefore publicly opened; and

WHEREAS, that said bids and proposals are returned herewith, the bids received are as follows:

	Division A	Division B	Total Bid
State Contractors, Inc	\$285,510.00	\$8,820.00	\$294,330.00
Snorek Construction, Inc.	\$298,860.00	\$8,965.00	\$307,825.00

Marvin Gleason Contractor, Inc.      \$407,265.00      \$7,950.00      \$415,215.00

WHEREAS, the lowest bid received is State Contractors, Inc. in the amount of \$294,330.00;

NOW THEREFORE BE IT RESOLVED, by the Board of Public Works to recommend that the proper city officials be authorized to enter into a contract with State Contractors, Inc. in the amount of \$294,330.00 for doing said work of improvement

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>	<b>Next: 4/15/2014 7:30 PM</b>
<b>TO:</b>	Common Council	
<b>MOVER:</b>	William Mainus, Building Inspector	
<b>SECONDER:</b>	Paulette Enders, Development Director	
<b>AYES:</b>	Kesner, Enders, Mainus	
<b>EXCUSED:</b>	Ledesma, Ruggini	

6. Resolution setting a public hearing date for proposed 2014 street improvements

Mr. Pyne requested that a public hearing date of May 20, 2014 be set regarding the proposed 2014 street improvement projects.

Moved by Mr. Mainus, seconded by Ms. Enders  
to approve the foregoing. Ayes: 3

**RESOLUTION**

BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin that a public hearing be held before the Common Council in the Council Chambers at 7:30 PM Local Time on Tuesday May 20, 2014 in the City Hall of the City of Wauwatosa, Wisconsin at which time all persons interested, or their agents or attorneys, will be heard concerning special assessments relating to the City's intent to perform street construction work in the City of Wauwatosa.

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>	<b>Next: 4/15/2014 7:30 PM</b>
<b>TO:</b>	Common Council	
<b>MOVER:</b>	William Mainus, Building Inspector	
<b>SECONDER:</b>	Paulette Enders, Development Director	
<b>AYES:</b>	Kesner, Enders, Mainus	
<b>EXCUSED:</b>	Ledesma, Ruggini	

7. Partial payments

Moved by Ms. Enders, seconded by Mr. Mainus  
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.	2	13-78 / 4005 Sanitary Lateral Chemical Grouting	\$105,658.05
American Sewer Services, Inc.	4	13-01 / 3001 Watertown Plank Sanitary Improvements	\$92,673.26

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Paulette Enders, Development Director  
**SECONDER:** William Mainus, Building Inspector  
**AYES:** Kesner, Enders, Mainus  
**EXCUSED:** Ledesma, Ruggini

8. Contract updates

Mr. Porter said that lateral chemical grouting work is ongoing and the contractor is making good progress. Sanitary Sewer work on Watertown Plank Road is underway. Restoration work will be starting in areas on Watertown Plank Road where work was done last fall.

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Carla A. Ledesma, CMC, City Clerk