



# CITY OF WAUWATOSA

## BOARD OF PUBLIC WORKS

MINUTES • SEPTEMBER 2, 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	Present	
Paulette Enders	Development Director	Present	
William Mainus	Building Inspector	Excused	

1. Minutes from previous meeting

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

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

2. Request by Daniel Zierath, Jackson's Blue Ribbon Pub, 11302 W. Blue Mound Road, to set up tents in their parking lot on September 5-7, 2014

Mr. Zierath, Jackson's Blue Ribbon Pub, is requesting approval to set up a tent in the parking lot on September 5th through the 7th. He stated that this is a new event and it is to accommodate many of his out of town guests.

Mr. Kesner indicated that there was an event in 2013 in which Mr. Zierath contacted the neighbors in advance and is requesting he do the same for this event. Mr. Kesner also recommended that the tent events end at 9:00 p.m. so as to not disturb the neighbors with the live music.

Mr. Wehrley asked if part of the parking lot will remain open. Mr. Zierath responded yes.

Mr. Zierath confirmed that he has made contact with the Fire Department regarding the tents.

Moved by Mr. Ruggini, seconded by Ms. Enders to approve the requested use of the parking lot located at 11302 W. Blue Mound Road with the condition that the tent events end at 9:00 p.m. and the applicant notify the neighbors prior to the event. Ayes - 4

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

3. Request by Bridgetown Lounge, LLC, to set up tents in their parking lot during Tosa Fest, September 5th and 6th

Mr. Haise, Bridgetown Lounge, LLC, is requesting approval to set up tents in his parking lot during Tosa Fest, September 5th and 6th. The parking lot will be closed.

Ms. Ledesma asked if there will be live music. Mr. Haise responded that he is sponsoring the stage right behind Bridgetown Lounge so he will not have live music in his parking lot.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to approve the requested use of the parking lot located at 7734 Harwood Avenue. Ayes - 4

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

4. Request by Richard Nichols for a variance application at 1805 N. 70th Street for a generator

Mr. Nichols is requesting approval for a variance to locate a generator unit at 1805 N. 70th Street approximately six inches from the south lot line. This is a corner lot. The generator will be installed the required five feet from the building and will be inside the hedge.

Mr. Kesner asked if this will be screened from the street. Mr. Nichols responded yes.

Mr. Freis, 1737 N. 70th Street, supports this request.

Mr. Wehrley recommended Mr. Nichols to contact the installer to make them aware of the two underground downspout conductors in the vicinity of the proposed generator.

Moved by Ms. Ledesma, seconded by Ms. Enders to approve the requested variance contingent upon screening on both sides. Ayes - 4

<b>RESULT:</b>	<b>APPROVE [UNANIMOUS]</b>
<b>MOVER:</b>	Carla Ledesma, City Clerk
<b>SECONDER:</b>	Paulette Enders, Development Director
<b>AYES:</b>	Ledesma, Ruggini, Kesner, Enders
<b>EXCUSED:</b>	Mainus

5. \*Application to encroach on City property by Bessie Crowley for a bench and little free library abutting 1353 N. 68th Street

Mr. Wehrley is concerned about the location of the bench and the little free library.

Mr. Kesner would like to hold the item so as to provide the applicant the opportunity to provide additional information as to why she is requesting to locate this at the curb rather than on her property.

<b>RESULT:</b>	<b>HELD</b>	<b>Next: 9/15/2014 8:30 AM</b>
<b>TO:</b>	Board of Public Works	

6. \*Application to encroach on City property by Kristen Kakatsch for a retaining wall abutting property at 1112 N. 124th Street

Ms. Kakatsch stated that the original retaining wall was made up of railroad ties. The owners have to drive through City property to reach their garage. The stone wall will replace the railroad ties.

Mr. Wehrley commented that there are concerns that during the winter months the snow plow may push snow over the edge and catch the retaining wall, damaging it. Ms. Kakatsch indicated that the wall at the curb is low and will be tree stones high. Mr. Porter commented further that snow plows are high and with several snowfalls, this could present a problem to the owners as well as damage to snow plows if they hit this wall.

Ms. Kakatsch stated that there was the possibility of removing additional dirt along the roadside to level the area and push the retaining wall back 24" from the edge of the curb. Mr. Porter agreed that this would be an agreeable compromise.

Moved by Mr. Ruggini, seconded by Ms. Enders to recommend approval of the encroachment subject to the Hold Harmless Agreement, with the condition that the applicant moves the retaining wall 24" from the curb.  
Ayes - 4

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>	<b>Next: 9/2/2014 7:30 PM</b>
<b>TO:</b>	Common Council	
<b>MOVER:</b>	John Ruggini, Finance Director	
<b>SECONDER:</b>	Paulette Enders, Development Director	
<b>AYES:</b>	Ledesma, Ruggini, Kesner, Enders	
<b>EXCUSED:</b>	Mainus	

7. \*Application to encroach on City property by Leff's Lucky Town for an elevated concrete slab at floor level abutting property at 7208 W. State Street

Mr. Leffler, Leff's Lucky Town, stated that the elevation of the building slopes down between four and seven inches higher than the sidewalk. The building already encroaches on the City right-of-way and there is also a delivery door that encroaches. When planning the project, they did not anticipate the slope difference. For safety purposes, they would like to install a concrete slab in the City right-of-way, still leaving an eight foot walk zone.

Mr. Wehrley stated that FEMA has already placed this property on the "watch list" in that it is currently located in the floodplain. This was not included when the floodplain documents were sent to the DNR and currently the DNR is scrutinizing all changes.

Mr. Olejniczak, Leff's Lucky Town, stated that the amount of change to the floodplain is 58 cubic feet. The floodplain is approximately 1 million square feet. In order to make a difference, it would have to be changed by 5800 square feet. This minimal change would not impact the floodplain.

Mr. Wehrley agrees that this would not be a significant change, however, the applicant would still need to follow the floodplain permitting procedures. To receive approval the applicants would have to submit an application to the Planning Department for the floodplain approval.

Mr. Wehrley commented that there is basement access to the west and a installation of a railing in this area would be appropriate. Ms. Enders recommended the applicants contact the Building Department for this item.

Moved by Ms. Enders, seconded by Ms. Ledesma to recommend approval of the encroachment subject to the Hold Harmless Agreement, with the condition that the applicants provide the necessary floodplain document and contact the Building Department for approval of the installation of a rail. Ayes - 4

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>	<b>Next: 9/2/2014 7:30 PM</b>
<b>TO:</b>	Common Council	
<b>MOVER:</b>	Paulette Enders, Development Director	
<b>SECONDER:</b>	Carla Ledesma, City Clerk	
<b>AYES:</b>	Ledesma, Ruggini, Kesner, Enders	
<b>EXCUSED:</b>	Mainus	

8. \*Application to encroach on City property by Innovation Park, LLC for an entrance sign at the intersection of Discovery Parkway and Watertown Plank Road

Mr. Klema, Michael’s Signs, stated that the signs for Innovation Park were originally approved for a different location. They are seeking a new location due to the construction and the widening of Watertown Plank Road. The previously approved location will be in the area of a lot of utilities.

Engineering has no objection to this request.

Moved by Mr. Ruggini, seconded by Ms. Enders to recommend approval of the encroachment subject to the Hold Harmless Agreement. Ayes - 3

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>	<b>Next: 9/2/2014 7:30 PM</b>
<b>TO:</b>	Common Council	
<b>MOVER:</b>	John Ruggini, Finance Director	
<b>SECONDER:</b>	Paulette Enders, Development Director	
<b>AYES:</b>	Ruggini, Kesner, Enders	
<b>EXCUSED:</b>	Ledesma, Mainus	

9. \*Memo from the Director of Public Works recommending award of bid for Contract 14-04 / Project 1108 Menomonee River Parkway Utilities

Mr. Wehrley stated that three bids were received and the Engineering Department recommends awarding this bid to Visu-Sewer, Inc., being the lowest and best bid.

Moved by Mr. Ruggini, seconded by Ms. Enders to recommend to Council award of Contract 14-04 to Visu-Sewer, Inc., in the amount of \$459,151.33. Ayes - 3

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>	<b>Next: 9/2/2014 7:30 PM</b>
<b>TO:</b>	Common Council	
<b>MOVER:</b>	John Ruggini, Finance Director	
<b>SECONDER:</b>	Paulette Enders, Development Director	
<b>AYES:</b>	Ruggini, Kesner, Enders	
<b>EXCUSED:</b>	Ledesma, Mainus	

10. Partial payments

Moved by Mr. Ruggini, seconded by Ms. Enders 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 subject to finance review 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>
Wisconsin Department of Transportation	1	State Project No. 2030-09-70, Mayfair Road, City Milwaukee, Burleigh St. to Silver Spring Dr., Const/Resurface	\$7,678.95
American Sewer Services, Inc.	8	13-01 / 3001, Watertown Plank Sanitary Improvements	\$1,141,322.17
Stark Asphalt, Inc.	2	14-68 / 9001 North Avenue Pavement Resurfacing and Utility Repair	\$686,724.51

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

11. Contract updates

Mr. Wehrley stated that American Sewer has completed all projects with the exception of the pump station.

Mr. Porter indicated that the North Avenue project is ongoing and he has not received any complaints.

\_\_\_\_\_  
Carla A. Ledesma, CMC, City Clerk