



CITY OF WAUWATOSA

BOARD OF PUBLIC WORKS

MINUTES • MARCH 16, 2015

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	
John Dubinski	Alderman	Excused	
William Mainus	Building Inspector	Present	
Michael Steiner	Asst. City Engineer	Present	
William Wehrley	City Engineer	Present	
William Porter	Public Works Director	Present	

Minutes from March 2, 2015

Moved by Mr. Mainus, seconded by Ms. Ledesma to approve the minutes as printed. Ayes: 5

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Mainus, Building Inspector
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

- Request by Jackson's Blue Ribbon Pub, 11302 W. Blue Mound Road, to hold a tent event in the parking lot on June 13, 2015 from 4-11 p.m.

Moved by Ms. Enders, seconded by Mr. Ruggini to hold this item until the next Board of Public Works meeting scheduled for April 6, 2015. Ayes: 5

RESULT:	HELD	Next: 4/7/2015 8:30 AM
TO:	Board of Public Works	

- Request by Melissa Stippich, 2220 N. Wauwatosa Ave., Tundra Trike, for a Street Vendor license for a vending tricycle throughout Wauwatosa

Ms. Stippich stated that this request is for a three wheeled bike that will go around to neighborhoods to sell pre-packaged items. She would like to begin as soon as the weather is warm and continue sales as long as it remains warm.

Moved by Mr. Ruggini, seconded by Mr. Mainus to approve the request by Melissa Stippich, Tundra Trike, for a Street Vendor license for a vending tricycle throughout Wauwatosa. Ayes: 5

RESULT:	APPROVE [UNANIMOUS]
MOVER:	John Ruggini, Finance Director
SECONDER:	William Mainus, Building Inspector
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

3. Application from Home Depot for a Street Vendor License to place a greenhouse tent in their parking lot at 4100 N. 124th Street, from April 1, 2015 through July 31, 2015

The Board reviewed a request by Home Depot, 4100 N. 124th Street, for a Street Vendor license for their garden center.

Matt Betzhold, 400 N. 124th Street, explained that the set-up would be the same as last year which was very successful.

Moved by Ms. Enders, seconded by Ms. Ledesma to approve a Street Vendor license for the outdoor garden area contingent upon fire department approval. Ayes: 5

RESULT:	APPROVE [UNANIMOUS]
MOVER:	Paulette Enders, Development Director
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

4. *Memo from the Purchasing Coordinator requesting approval of pre-qualification statements and pricing from electrical, plumbing, and elevator contractors to perform minor and emergency repair work

Ms. Schleimer, Purchasing Coordinator, is requesting approval for pre-qualification statements and pricing from electrical, plumbing, and elevator contractors for an "as needed basis" to perform minor and emergency repair work for \$10,000.00 or less.

The requested duration of this will be for three years and the submitting contractor's qualifications and service rates be retained on file and be considered "pre-qualified" to perform work for the City of Wauwatosa.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to recommend approval to Council for pre-qualification statements and pricing from electrical, plumbing and elevator contractors for an "as needed basis" for minor and emergency repair work for \$10,000.00 or less for a duration of three years. Ayes: 5

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS] Next: 3/17/2015 7:30 PM
TO:	Common Council
MOVER:	John Ruggini, Finance Director
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

5. *Memo from the Director of Public Works requesting award of Contract 15-08 / Project 4015-4019, Sanitary Spot Improvements (Basin 12 from North Avenue to Watertown Plank Road and from 124th Street to 115th Street, and Basin 11 from Watertown Plank Road to Diane Drive and 124th Street to 115th Street)

Mr. Wehrley stated that three bids were received and he is recommending Visu-Sewer, Inc. For their alternate bid price of \$859,885.50 being the lowest and best bid.

Moved by Ms. Ledesma, seconded by Mr. Mainus to recommend to Council award of Contract 15-08 / Project 3001, Sanitary Spot Improvements to Visu-Sewer, Inc., in the amount of \$859,885.50. Ayes: 5

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS] Next: 3/17/2015 7:30 PM
TO:	Common Council
MOVER:	Carla Ledesma, City Clerk
SECONDER:	William Mainus, Building Inspector
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

6. Memo from the Director of Public Works regarding a request by Nicholas Lemke, 3321 Menomonee River Parkway, to purchase a portion of City owned land adjacent to his property

The Board reviewed a request by Mr. Nicholas Lemke, 3321 N. Menomonee River Parkway, to purchase a portion of a City owned lot adjacent to his property. The lot was acquired by the City through MMSD's purchase and demolition of the prior existing home due to flooding concerns. MMSD has confirmed that if the parcel is sold, deed restrictions need to be placed on the portion of the lot that lies in the 100 year flood plain. Mr. Lemke is requesting a portion of this lot be combined with his property and the portion of the lot that remains in the 100 year flood plain be separated and dedicated as public right-of-way.

Mr. Wehrley stated that there is a possibility of a future adjustment to the flood plain. He recommends a follow-up conversation with Southeastern Wisconsin Regional Planning Commission (SEWRPC) and FEMA to see if they would have any insight to the adjustment in the flood plain.

Atty. Kesner suggested referring this item to the Financial Affairs Committee to consider the price for the parcel.

Moved by Ms. Ledesma, seconded by Mr. Ruggini to recommend approval of the purchase of City owned land and to refer the matter to the Financial Affairs Committee. Ayes: 5

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS] Next: 3/31/2015 7:30 PM
TO:	Financial Affairs Committee
MOVER:	Carla Ledesma, City Clerk
SECONDER:	John Ruggini, Finance Director
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

7. *Transfers of Land and Access Rights to MMSD for purposes of Underwood Creek restoration project

Atty. Kesner stated that Milwaukee Metropolitan Sewerage District is undertaking a project of rehabilitation and flood management improvements in Underwood Creek from US Highway 45 near N. Mayfair Road east to the Menomonee River and needs to acquire land and temporary usage rights. Right-of-way entry permits for temporary use can be issued by the Engineering Department, however, a Temporary Construction Easement is required for Parcel 11 and a permanent transfer of ownership is needed for Parcel 11A.

Moved by Mr. Ruggini, seconded by Ms. Enders to recommend approval to Council for transfers of land and access rights to MMSD for purposes of the Underwood Creek restoration project. Ayes: 5

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS] Next: 3/17/2015 7:30 PM
TO:	Common Council
MOVER:	John Ruggini, Finance Director
SECONDER:	Paulette Enders, Development Director
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

8. *Referred from the Board of Public Works, transfers of land and rights between Milwaukee County and City of Wauwatosa for purposes of Menomonee River Parkway reconstruction and related transactions

Atty. Kesner stated that this is a series of transactions of land use issues along Menomonee River Parkway and other locations around the City of Wauwatosa.

Moved by Mr. Ruggini, seconded by Ms. Ledesma to recommend approval of transfers of land and rights between Milwaukee County and the City of Wauwatosa for purposes of Menomonee River Parkway reconstruction and related transactions and to forward to the Government Affairs Committee for further discussion. Ayes: 5

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS] Next: 3/31/2015 6:30 PM
TO:	Government Affairs Committee
MOVER:	John Ruggini, Finance Director
SECONDER:	Carla Ledesma, City Clerk
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

9. Resolution placing the 2014 street improvements on the tax roll

Mr. Wehrley clarified that this is not all of the 2014 Streets but only the ones that have been completed.

The Board reviewed a resolution placing the special assessments for 2014 street improvements on the tax roll. The streets include 124th Street from Watertown Plank Road to 200 feet north of Garfield Avenue.

Moved by Ms. Ledesma, seconded by Mr. Mainus to recommend to Council approval of placement of the 2014 street improvements on the tax roll. Ayes: 5

RESOLUTION R-15-79

WHEREAS, the Common Council of the City of Wauwatosa did, by resolution passed and dated May 20, 2014 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.</u> <u>Dist.</u>	<u>Exist &</u> <u>(Prop.)</u> <u>Width</u>	<u>Pavement</u> <u>Construction</u> <u>Type</u>	<u>Assessed</u> <u>Sidewalk</u> <u>Work</u> <u>No.</u>
124 th St. from Watertown Plank Rd. to 200 Ft. north of Garfield Ave.	7	24' (24')	C	

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: 3/17/2015 7:30 PM
TO:	Common Council	
MOVER:	Carla Ledesma, City Clerk	
SECONDER:	William Mainus, Building Inspector	
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus	
ABSENT:	Dubinski	

10. Resolution placing special assessments for 2014 sidewalk and drive approach improvements on the tax roll

The Board reviewed a resolution placing the 2014 sidewalk and drive approach improvements on the tax roll. April 9, 2015 is the estimated date that the invoices will be mailed out.

Moved by Mr. Ruggini, seconded by Ms. Enders to recommend to Council approval of placement of the 2014 sidewalk and drive approach assessments on the tax roll. Ayes: 5

RESOLUTION R-15-80

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 14-19 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 14-19 Concrete Sidewalk Repair.

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]	Next: 3/17/2015 7:30 PM
TO:	Common Council	
MOVER:	John Ruggini, Finance Director	
SECONDER:	Paulette Enders, Development Director	
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus	
ABSENT:	Dubinski	

11. Partial payments

Moved by Mr. Ruggini, seconded by Mr. Mainus to approve the partial payments subject to Finance Department review. Ayes: 5

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>
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Ray Stadler Construction, Inc.	7	13-28 / 8010 2014 Hart Park Improvements - 68 th St. to 70 th St.	\$31,540.00
Globe Contractors, Inc.	6	14-07 / 1100 Milwaukee Avenue and Ridge Ct. Utility and Street Reconstruction	\$301,644.00

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Ruggini, Finance Director
SECONDER:	William Mainus, Building Inspector
AYES:	Ledesma, Ruggini, Kesner, Enders, Mainus
ABSENT:	Dubinski

12. Monthly water pumpage report for February 2015

The Chair ordered this report to be placed on file.

RESULT:	INFORMATION ONLY
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13. Contract Updates

Mr. Wehrley stated that the tunneling project on Church Street is making better progress. Work on Milwaukee Avenue may begin in the next few weeks.

Carla A. Ledesma, CMC, City Clerk