



CITY OF WAUWATOSA

BOARD OF PUBLIC WORKS

MINUTES • JULY 6, 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	Excused	
Alan Kesner	City Attorney	Present	
Paulette Enders	Development Director	Present	
John Dubinski	Alderman	Present	
William Mainus	Building Inspector	Excused	
William Porter	Public Works Director	Present	
William Wehrley	City Engineer	Present	
Michael Steiner	Asst. City Engineer	Present	

1. Board of Public Works meeting minutes of 6/15/15

Moved by Ms. Ledesma, seconded by Ald. Dubinski to approve the minutes as written. Ayes: 4

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

Street Vendor application by Alsum Sweet Corn for a fruit and vegetable stand at the northeast side of the Chancery parking lot

Atty. Kesner stated that Scott Alsum, Alsum Sweet Corn, was present for a Street Vendor License to operate a fruit and vegetable stand in the parking lot of the Chancery restaurant, 7615 W. State Street. Mr. Alsum is not on the Board of Public Works agenda for today and the application cannot be considered.

Ms. Alsum stated that the stand will operate the same as last year, from July through August 31, 2015 from 10:00 a.m. to 5:30 p.m.

Atty. Kesner suggested that a special Board of Public Works meeting be held on Wednesday, July 8, 2015 to make a determination on this application.

Ald. Dubinski commented that there were no complaints received last year regarding this stand.

Mr. Wehrley stated that if this application will be considered on Wednesday, July 8, 2015, he would like to request that the applicant provide the same directional sign for traffic as he had last year.

Moved by Ald. Dubinski, seconded by Ms. Ledesma to schedule a special Board of Public Works meeting on

Wednesday, July 8, 2015 at 8:30 a.m. to make a determination on this application. Ayes: 4

- 2. Street Vendor application request by Vanessa Ring, Gypsy Fruit, LLC, to sell GA peaches, MI blueberries and WI maple syrup in Stein Garden's parking lot, 12217 W. Watertown Plank Road, on July 11 from 3:30 p.m. to 5:00 p.m.

Joyce Andrews, Steins Gardens and Gifts, representing Vanessa Ring, Gypsy Fruit, LLC, stated that the applicant will be selling fruit in the Stein Garden Center parking lot located at 12217 W. Watertown Plank Road on July 11, 2015 from 3:30 p.m. to 5:00 p.m. The applicant will be selling out of a 30 foot trailer with a small tent attached to it. The trailer will be taking up approximately eight parking spaces.

Moved by Ms. Enders, seconded by Ms. Ledesma to approve the Street Vendor application by Venessa Ring, Gypsy Fruit, LLC, to sell in the parking lot of Stein Garden Center, 12217 W. Watertown Plank Road on July 11, 2015 from 3:30 p.m. to 5:00 p.m. Ayes: 4

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

- 3. Street Vendor application by Brett Swider, Lolly's Popsicles, for two peddle carts to sell prepared gelate and sorbet popsicles in the Wauwatosa village and east Tosa area until September 30th from 10:00 a.m. to 9:00 p.m. Monday through Sunday

Atty. Kesner stated that there was discussion at the Committee meeting regarding this subject to make sure that there were specific provisions in place for similar vendors. The provisions are that there is no sales within 50 feet of any brick and mortar restaurant, no stopping more than 5 minutes in any residential neighborhood, and no music.

Brett Swider, Lolly's Popsicles, stated that this is an old type of pedal card and the intent is to not inhibit traffic but to test the market for this type of product and to see what is accepted. If the product sells well, there is a possibility of a brick and mortar type of business that he would open.

Ald. Dubinski requested that the applicant make sure his employees are respectful of the 50 foot limit requirement for the stores and restaurants.

Moved by Ald. Dubinski, seconded by Ms. Enders to approve the Street Vendor application by Brett Swider, Lolly's Popsicles, for two peddle carts to sell prepared gelate and sorbet popsicles in the Wauwatosa Village and east Tosa area with the limitations of no sales within 50 feet of any brick and mortar restaurant; no stopping for more than five minutes in any neighborhood; no music; between July 6, 2015 and September 30, 2015 from 10:00 a.m. to 9:00 p.m. Monday through Sunday. Ayes: 4

RESULT:	APPROVE [UNANIMOUS]
MOVER:	John Dubinski, Alderman
SECONDER:	Paulette Enders, Development Director
AYES:	Ledesma, Kesner, Enders, Dubinski
EXCUSED:	Ruggini, Mainus

4. Request from State Contractors to perform overnight work on the Burleigh Street Utility and Street Reconstruction Project.

The Board reviewed a request by State Contractors to perform overnight work on the Burleigh Street Utility and Street Reconstruction Project.

Present in favor: John Loosen, 16575 W. Dakota Street

Mr. Loosen stated that the applicants would like to start work at 4:00 a.m to do early morning concrete removal and replacement work in the next few weeks. They will also do overnight milling and repaving work later this fall.

Moved by Ms. Enders, seconded by Ald. Dubinski to approve the request for overnight work on the Burleigh Street Utility and Street Reconstruction Project. Ayes: 4

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paulette Enders, Development Director
SECONDER:	John Dubinski, Alderman
AYES:	Ledesma, Kesner, Enders, Dubinski
EXCUSED:	Ruggini, Mainus

5. Request from Advance Construction, Inc., for permission to work after 9:00 PM for water main installation as part of Contract 15-06/Project 7005 Utility and Roadway Construction (104th Street from Fisher Parkway to North Avenue and Fisher Parkway from 106th Street to Mayfair Road)

The Board reviewed a request from Advance Construction, Inc., for permission to work after 9:00 p.m. for water main installation as part of Contract 15-06/Project 7005 Utility and Roadway Construction (104th Street from Fisher Parkway to North Avenue and Fisher Parkway from 106th Street to Mayfair Road).

Present in favor: Chris VandenBush, 2141 Woodale Avenue, Green Bay, WI

Mr. VandenBush stated that Advance Construction, Inc., would like to perform night work as needed for water main and storm box culvert installation in the intersection of W. North Avenue and N. 104th Street. It is anticipated that this project will be completed on one night for the installation of the 20 inch pipe and another night for the eight inch.

Mr. Wehrley requested that the contractor notify the residents affected and when the contractor intends to do this.

Mr. VandenBush stated that the work will be completed the week of July 20th on Tuesday or Wednesday and the eight inch possibly on Thursday July 16th.

Moved by Ms. Enders, seconded by Ald. Dubinski to

approve the work as presented. Ayes: 4

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paulette Enders, Development Director
SECONDER:	John Dubinski, Alderman
AYES:	Ledesma, Kesner, Enders, Dubinski
EXCUSED:	Ruggini, Mainus

- 6. *Application by Jessica Whitney for an encroachment adjacent to 6903 Harvey Avenue for a fence

Mark Knudson, 3264 S. 97th Street, West Allis, WI, representing Ms. Whitney, stated that the applicant would like to install a fence 12 inches off the sidewalk.

Mr. Wehrley stated that there is a street light cable that runs along the roadside edge of the sidewalk at this property and recommends that it be located 24 inches off the sidewalk. Greg Blando, Property Maintenance Inspector agreed with the recommendation.

Mr. Knudson stated that if the fence was located following the City's setback requirements, it would be approximately one foot from the house and the applicant would have no yard. The property is located on a turn-about so there would not be an issue of compromising visibility for drivers.

Moved by Ms. Ledesma, seconded by Ald. Dubinski to recommend to Council approval of an encroachment of two feet off the sidewalk for a fence at 6903 Harvey Avenue subject to execution of the necessary Hold Harmless Agreement. Ayes: 4

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

- 7. *Request by Dawn M. Neuy, SR/WA, We Energies Manager of EDAM Support for an overhead and underground electric and communications easement

Ms. Neuy, WE Energies, stated that WE Energies currently has overhead pole lines on both sides of the UP railroad tracks located north and south of US 45. The Department of Transportation is reconstructing the UP railroad crossing that runs north-south, just west of Mayfair Road. WE Energies has distribution facilities that feed most of the City of Wauwatosa, including Mayfair Mall.

The current overhead line that serves the Department of Public Works site will be required to be moved and be underground to accommodate the DOT construction.

North of the freeway, the pole lines on the west side of the railroad tracks will be reconstructed.

Once the new easement is approved, the existing rights will be released and recorded with the Register of Deeds.

Moved by Ms. Ledesma, seconded by Ald. Dubinski to recommend to Council approval of the overhead and underground electric and communications easement.
Ayes: 4

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

- 8. Request by the Director of Public Works for approval of plans and specifications for Contract 15-04/Project 1015, Green Alley Reconstruction (North Avenue and Meinecke Avenue/64th Street and 65th Street and North Avenue and Fisher Parkway/102nd Street and 103rd Street)

Maggie Anderson, Senior Civil Engineer, stated that this contract is to improve two alleys between North Avenue and Meinecke Avenue/N. 64th Street and N. 65th Street and between North Avenue and Fisher Parkway/N. 102nd Street and N. 103rd Street. The green portion of this project will be funded by grant funding from MMSD. There will be a paver strip down the middle of the alley.

Ms. Anderson stated that there will still be an assessment for the residents, however, the assessment will not be higher whether it was a green alley or not.

Moved by Ms. Ledesma, seconded by Ms. Enders to approve the Board Resolution approving plans and specifications and authorizing the City Clerk to advertise for bids on Contract 15-04 / Project 1105 Green Alley Reconstruction. Ayes: 4

RESOLUTION

WHEREAS, it is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary to improve two alleys between North Avenue and Meinecke Avenue/64th Street and 65th Street and between North Avenue and Fisher Parkway/102nd Street and 103rd Street in the City of Wauwatosa and work incidental thereto under Contract 15-04/Project 1015, Green Alley Reconstruction.

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 Green Alley Reconstruction and work incidental thereto, be and the same are hereby approved.

Section 2. That the work is intended to be done during the 2015 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 15-04/Project 1015 Green Alley Reconstruction on July 16 and 23, 2015 bids are to be opened on July 30, 2015, 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:	Carla Ledesma, City Clerk
SECONDER:	Paulette Enders, Development Director
AYES:	Ledesma, Kesner, Enders, Dubinski
EXCUSED:	Ruggini, Mainus

9. Request from the Director of Public Works for approval of plans and specifications for Contract 15-09/Project 1015 2015 Street and Utility Improvements in portions of 97th Street, 102nd Street, Cathedral Avenue, Locust Street, Park Drive, 121st Street, and Underwood Parkway

Mr. Wehrley commented that Contract 15-09 is for the Street Improvement Program for this year.

Moved by Ms. Ledesma, seconded by Ald. Dubinski to approve the Board Resolution approving plans and specifications and authorizing the City Clerk to advertise for bids on Contract 15-09 / Project 1015 2015 Street and Utility Improvements. Ayes: 4

RESOLUTION

WHEREAS, it is the sense of the Board of Public Works of the City of Wauwatosa that it is necessary improve streets and utilities in 97th Street from Fiebrantz Avenue to Palmetto Avenue, 102nd Street from Vienna Avenue to Capitol Drive, Cathedral Avenue from Dearbourn Avenue to Homewood Avenue, Locust Street from 122nd Street to 117th Street, Park Drive from Locust Street to 50' south of Locust Street, and 121st Street from Locust Street to 50' north of Locust Street in the City of Wauwatosa and work incidental thereto under Contract 15-09 / Project 1015 2015 Street and Utility Improvements.

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 2015 Street and Utility Improvements and work incidental thereto, be and the same are hereby approved.

Section 2. That the work is intended to be done during the 2015 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 15-09 / Project 1015 2015 Street and Utility Improvements on July 16 and 23, 2015 bids are to be opened on July 30, 2015, 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:	Carla Ledesma, City Clerk
SECONDER:	John Dubinski, Alderman
AYES:	Ledesma, Kesner, Enders, Dubinski
EXCUSED:	Ruggini, Mainus

10. Partial Payments

Moved by Ms. Enders, seconded by Ms. Ledesma to approve the following resolution subject to Finance Department review.
Ayes: 4

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>
Globe Contractors, Inc.	10	14-07/1100 Milwaukee Avenue and Ridge Court Utility and Street Reconstruction	\$593,773.68
Advance Construction, Inc.	1	15-06/4006 North 104 th Street and West Fisher Parkway Improvements	\$104,073.83
Visu-Sewer, Inc.	1	15-08/3001 Sanitary Sewer Improvements Watertown Plank Phase 2	\$221,552.78
D.C. Burbach, Inc.	1	15-19/2015 Concrete Sidewalk Repair	\$126,848.75

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

11. Memo from the Director of Public Works requesting final payment on Contract 14-06/Project E1014, Alley Repaving, to D.C. Burbach, Inc., in the amount of \$10,345.61

Mr. Wehrley stated that there was a slight over-run for additional excavation which is reflected in the total cost.

Moved by Ms. Enders, seconded by Ms. Ledesma to approve the following resolution subject to Finance Department review.
Ayes: 4

RESOLUTION

WHEREAS, the Board of Public Works has accepted the work of Alley Repaving and work incidental thereto in the City of Wauwatosa under Contract 14-06/Project E1014 and the same is ready for final payment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the work of Alley Repaving under Contract 14-06/Project 1014 is hereby accepted.

Section 2. That the proper City officers be and they are hereby authorized and directed to draw and sign a City order in the sum of ten thousand three hundred forty-five dollars and sixty-one cents (\$10,345.61) in favor of D.C. Burbach, Inc. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

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

12. Request from the Director of Public Works for final payment on Contract 14-52/Project E5001, Glenview Water Tower Interior and Exterior Repainting and Repair, to Classic Protective Coatings in the amount of \$34,754.72

Moved by Ms. Ledesma, seconded by Ald. Dubinski to approve the following resolution subject to Finance Department review.
Ayes: 4

RESOLUTION

WHEREAS, the Board of Public Works has accepted the work of Glenview Water Tower Interior and Exterior Repainting and Repair and work incidental thereto in the City of Wauwatosa under Contract 14-52/Project 5001 and the same is ready for final payment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of Wauwatosa, Wisconsin as follows:

Section 1. That the work of Glenview Water Tower Interior and Exterior Repainting and Repair under Contract 14-52/Project E5001 is hereby accepted.

Section 2. That the proper City officers be and they are hereby authorized and directed to draw and sign a City order in the sum of thirty-four thousand seven hundred fifty-four dollars and seventy-two cents (\$34,754.72) in favor of Classic Protective Coatings, Inc. as the final payment under said contract, upon receipt of waivers of lien and for labor and materials furnished under said contract, and upon receipt of an affidavit stipulating compliance with wage rate requirements.

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

13. Monthly water pumpage report for June 2015

The Chair ordered this report to be placed on file.

RESULT:	INFORMATION ONLY
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14. Contract Updates

Mr. Wehrley stated that W. Burleigh has begun curb removal; in two weeks there will be additional work on the Capitol freeway ramps; the Sidewalk Program is underway; Milwaukee Avenue has sod that will be laid this week and the final layer of asphalt is being done in the next two weeks.

Meeting adjourned at 9:10 a.m.

Carla A. Ledesma, CMC, City Clerk