



City of Madison

Meeting Minutes - Final

BOARD OF PUBLIC WORKS

City of Madison
Madison, WI 53703
www.cityofmadison.com

*William F. Bremer, Chair; Ald. Paul J. Van Rooy; Ald. Larry Palm;
Michael W. Rewey; Billy C. Harrelson; Joseph R. Clausius; Laura Hewitt; Yehuda Elmakias;
Larry D. Nelson, P. E., Executive Secretary; Johanna Johnson, staff*

Wednesday, December 7, 2005

4:30 PM

210 Martin Luther King Jr. Blvd.
Room 103A (City-County Building)

CALL TO ORDER

Present: Van Rooy, Palm, William F. Bremer, Rewey, Hewitt, Harrelson, Clausius and Elmakias

ROLL CALL

Full Board was present

1. Consider approving the Minutes of the Board of Public Works Meeting of November 16, 2005.
A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to Approve the Minutes. The motion passed by acclamation.
2. Items of concern brought to the Board but not listed below.
No items of concern brought to the board not listed on the agenda.
3. Consider a Report of the City Engineer regarding the results of a review of water resources impacts and the necessity of permits for public works construction projects on this agenda and addendum to the agenda.
No items required water resources impact.
4. [02326](#) Authorizing the execution of a Utility Easement to Wisconsin Bell d/b/a SBC Wisconsin across a City-owned property located at 1903 E. Washington Avenue. 6th Ald. Dist.
A motion was made by Ald. Palm, seconded by Mr. Harrelson, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-06-00004
5. [02469](#) Authorizing additional funds for the acquisition of the properties located at 3052 and 3054 East Washington Avenue required for the planned public bike path improvements and Starkweather Creek Corridor Project. (15th AD)
A motion was made by Mr. Rewey, seconded by Ald. Palm, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER Estimated cost \$500,000. Don Marx, City Real Estate, was present to answer questions. A map of the area was displayed. The motion passed by the following vote:
Excused: Clausius

Aye: Van Rooy, Palm, Rewey, Hewitt, Harrelson and Elmakias

Abstain: Bremer

Enactment No: RES-06-00006

6. [02501](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Contract for Subdivision Improvements for Pine Hill Farm, Contract No. 2043. (9th AD)
A motion was made by Ald. Van Rooy, seconded by Mr. Rewey, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-06-00008
7. [02502](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Contract For Subdivision Improvements for Nelsons Addition to Rustic Acres, Contract No. 2041. (3rd AD)
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER Mike Dailey, City Engineering, reported that this addendum is to allow the developer to formalize lot line elevations and allow release of building permits prior to grading to approved lot elevations. This addendum shall guarantee establishment of these grades. The motion passed by acclamation.
Enactment No: RES-06-00009
8. [02504](#) Approving plans and specifications for public improvements necessary for the project known as 401 North Third Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2067 (12th AD)
A motion was made by Mr. Rewey, seconded by Mr. Elmakias, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER Christy Bachmann, City Engineering, displayed plans for the project and reported on the improvements for 401 North Third Street PUD, including bike path improvements. The motion passed by acclamation.
Enactment No: RES-06-00010
9. [02519](#) Accepting bituminous pavement constructed by private contract in Rhodia Plat, Private Contract No. 1898. (16th AD)
A motion was made by Mr. Rewey, seconded by Mr. Harrelson, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-06-00015
10. [02505](#) Improvements accepted for 2004 Resurfacing Various Streets; Grinding, Contract No. 5581 (Various ADs)

A motion was made by Mr. Rewey, seconded by Mr. Harrelson, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**. The motion passed by acclamation.

Enactment No: RES-06-00011

11. [02506](#) Improvements accepted for Local Road Traffic Calming & Arterial Pedestrian Enhancements - 2003, Contract No. 5533. (Various ADs)

A motion was made by Mr. Rewey, seconded by Mr. Harrelson, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**. The motion passed by acclamation.

Enactment No: RES-06-00012

12. [02507](#) Improvements accepted for Sanitary Sewer Relining - 2004, Contract No. 5642. (Various ADs)

A motion was made by Mr. Rewey, seconded by Mr. Harrelson, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**. The motion passed by acclamation.

Enactment No: RES-06-00013

13. Change Order No. 1 to Contract No. 5825, Valley View Road Sewer & Drainage, to Hammersley Stone in the amount of \$13,376.00.

Alder Van Rooy moved approval; Mr. Elmakias seconded; Unanimously passed

14. Change Order No. 2 to Contract No. 5850, Goodman Community Pool Construction, to Joe Daniels Construction Co., Inc. in the amount of \$71,865.66.

Alder Van Rooy moved approval; Ms. Hewitt seconded; motion passed with Alder Palm voting NO and Mr. Rewey abstaining. Mr. Rewey stated he wanted more information on the change order.

15. [02154](#) Petition: Notice of Appeal - Prohibited Use of Public Greenway.

A motion was made by Mr. Rewey, seconded by Mr. Elmakias, to **RECOMMEND TO COUNCIL TO DENY - REPORT OF OFFICER**

Jessica Long, Assistant City Attorney, distributed to the board a copy of a letter sent September 12, 2005, to Rhonica Lemanski, of 7325 Blue Maple Trail, regarding prohibited use of City greenway. A copy of MGO 8.15, Regulation of Private Use of Greenways and Park Lands, was also distributed. The board reviewed the letter and ordinance.

Kathy Cryan, City Engineering Division, briefed the board on contact with the residents at 7325 Blue Maple Trail. She stated the Engineering Division discovered landscaping materials being stored in the greenway in October of 2003. On October 21, 2003 a notice regarding the prohibited use of greenway was sent to Rhonica Lemanski.

On September 21, 2005 a notice regarding the prohibited planting of five large trees about 15 feet into the City's greenway on the backside of 7325 Blue Maple Trail, was sent to Rhonica Lemanski.

Troy Raegels addressed the board. He stated he was a co-owner of 7325 Blue Maple Trail, and had spoken with Mike Dailey, City Engineering, regarding planting trees in the greenway. He said he had been advised by Mr. Dailey to submit a sketch to the Engineering Division of proposed plantings and their locations. Mr. Raegels said he had done so, although he could not recall to whom the materials had been submitted, nor could he provide a copy of the sketch for the board. He said he never received a response from the Engineering Division and had progressed with his plans because of a deep concern for the environment.

Mr. Dailey said he recalled the conversation with Mr. Raegels but did not receive a sketch and added that per established procedure, Mr. Raegels would also have been advised that a written permit is required prior to the trees being planted. Ms. Cryan also stated she did not receive a plan or approved permit for the trees to be planted.

Ms. Hewitt commended Mr. Raegels for his environmental concerns and said she hoped he would contribute his energies to an organization working to protect the environment. She however cited the primary purpose of a greenway is for stormwater conveyance and the species of trees planted are in direct conflict with this purpose.

The motion passed by acclamation.

16. [02495](#)

Authorizing the Mayor and City Clerk to execute an agreement between the City of Madison and MB Investments of Wisconsin, LLC for indemnification for snow plow damage for lots 126-153 of the plat known as Linden Park. (6th AD)

A motion was made by Mr. Rewey, seconded by Mr. Elmakias, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER Rob Philips, Deputy City Engineer**, displayed the plans and reported that this agreement will indemnify the City for snow plowing damage for lots 126 - 153 for the plat known as Linden Park. These lots will take access from a narrow alley. It was noted for the record this is the Ninth Aldermanic District rather than the Sixth Aldermanic District as noted on the agenda. The motion passed by acclamation.

Enactment No: RES-06-00007

17. For the information of the Board: Minutes of the Long Range Transportation Planning Commission (LRTPC) of November 17, 2005.
- Noted for the record: Minutes were inadvertently omitted; will be included with December 21 agenda packet.**
18. Appeals regarding prequalifications of various contractors to bid on City of Madison Public Works Projects, and contractors applying to be licensed Concrete Layers, Asphalt Pavers, and Mudjackers as approved by the City Engineer, if any.
- Board reviewed a listing of contractors requesting to be qualified to bid City projects; and/or be licensed as concrete layer, asphalt paver or mudjacker. No appeals to the process.**
19. [02517](#) Awarding Public Works Contract for Bids Opened December 2, 2005 and December 16, 2005.
- Rewey/Harrleson approved low bid of Sun Prairie Sand & Gravel, LLC. \$494,775.00.**
- Enactment No:** RES-06-00014
20. Change Order No. 1 to Contract No. 5855, Heating Hot Water System Modifications at Sayle Street to H & H Industries, Inc. for a contract time increase by 135-days (135-days from 1/16/06).
- Alder Palm moved; Mr. Elmakias seconded; Motion unanimously passed.**
- Jim Whitney, City Architect, explained that due to funding difficulties, the project was delayed for two months.**
21. Change Order No. 5 to Contract No. 5609, Howard Place Reconstruction Assessment District 2004, to Henshue Construction in the amount of \$270.00.
- Ms. Hewitt moved; Mr. Elmakias seconded; Unanimously passed.**
- [02546](#) Approving a "Major" Change to Amend the Environmental Corridor within the Central Urban Service Area of Dane County for the Property of 5513 Femrite Drive (et al). (16th AD)
- A motion was made by Ms. Hewitt, seconded by Mr. Elmakias, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.**
- Enactment No:** RES-06-00016
23. [02547](#) Authorizing the Mayor and City Clerk to enter into an agreement with Madison Gas & Electric Company for the undergrounding of overhead utilities in conjunction with the Todd Drive Beltline Highway Interchange project. (14th AD)
- A motion was made by Ald. Van Rooy, seconded by Mr. Harrelson, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:**

Excused: Clausius

Aye: Van Rooy, Palm, Rewey, Hewitt, Harrelson and Elmakias

Abstain: Bremer

Enactment No: RES-06-00017

ADJOURNMENT

**Board Meeting Adjourned at 6:05 p.m. Minutes prepared by Johanna Johnson.
Approved by Rob Philips.**