



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*

Wednesday, July 20, 2005

4:30 PM

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

CALL TO ORDER

Chair Bremer called the Board meeting to order at 4:32 p.m. following clarification by the Secretary that the meeting was properly noticed and a quorum was present.

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

Excused: Harrelson and Clausius

ROLL CALL

1. Consider approving the Minutes of the Board of Public Works Meeting of July 6, 2005.
A motion was made by Ald. Van Rooy, seconded by Mr. Elmakias, to Approve the Minutes. The motion passed by acclamation.
2. Items of concern brought to the Board but not listed below.
It was noted for the record that there were no items brought before 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.
It was noted for the record that there were no items on the Agenda requiring water resources impacts or the necessity of permits.

PUBLIC HEARINGS 6:30 P.M. COUNCIL CHAMBERS

Members present: Chair Bremer, Alder Van Rooy, Alder Palm, Ms. Hewitt, Mr. Elmakias, Mr. Rewey

Members excused: Mr. Harrelson, Vice Chair Clausius

Staff Present: Mr. Nelson, Executive Secretary, M. Bakken

Chair Bremer called the public hearing meeting to order at 6:32 p.m. following clarification by the Secretary that the meeting was properly noticed and a quorum was present.

4. [01613](#) Approving Plans, Specifications, And Schedule Of Assessments For Severson Drive Assessment District - 2005 (16th AD)

A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING

Mr. Arseneau of City Engineering displayed the plans for this project, stating that the City is proposing improvements to Severson Drive from Maywick Drive to Palace Road; the project includes street improvements, sidewalk and storm sewer.

The total estimated cost of the project is \$36,000; of which \$10,000 is City share.

He noted no communications were received on this project.

There were no individuals present registered to speak.

Chair Bremer closed the public hearing and called the Board into regular session to take action on this project.

The motion passed by acclamation.

Enactment No: RES-05-00644

5. [01614](#) Approving Plans, Specifications, And Schedule Of Assessments For St. Philomena Way Assessment District (9th AD).

A motion was made by Mr. Rewey, seconded by Ms. Hewitt, to **RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING**

It was reported that this is utility construction along the future alignment of St. Philomena Way from Silicon Prairie Parkway to Mineral Point Road. The project would include extension of public sanitary sewer and water main to serve a proposed development north of Mineral Point Road. The abutting property owners will share in the cost of the proposed utility improvements; costs are assessed based on frontage along St. Philomena Way.

The Attorney representing the developer for the Silicon Prairie was present to discuss concerns with the assessments.

Attorney Michael Christopher representing Kurt Welton, developer for Silicon Prairie Business Park addressed the Board and stated that he was present to request that the assessments for this project not only be deferred, but be deferred without the 6% simple interest being applied. He stated that the Developer is uncertain at this point in time as to when he will proceed with the next phase of his development. He appreciated the City deferring the assessments for his client but requested that the City consider waiving the 6% simple interest also. He expressed concerns that his client will receive no benefit and at this time he does not have a precise plan for development.

The Board discussed the request and it was pointed out that deferring the assessment according to the Ordinances [up to 10 years or when a building permit is issued] would give Attorney Christopher time to work on requesting the Ordinance be changed to waive the simple interest in certain cases.

A letter from DeWitt Ross & Stevens was distributed to the Board as well as a letter from the Blackhawk Church requesting that the City extend sewer and water through Silicon Prairie Plat to serve their development.

Chair Bremer closed the public hearing [noting for the record that Attorney Christopher had made his presentation to the Board at the regular meeting] and called the Board into regular session for action on this project.

Mr. Rewey moved to approve the St. Philomena Way Assessment District, with deferral of assessments to the Developer of Silicon Prairie Plat in accordance with Chapter 4 of the Madison General Ordinances [deferring for up to 10 years or when building permit is issued]; motion seconded by Ms. Hewitt; motion unanimously passed.

The motion passed by acclamation.

Enactment No: RES-05-00645

6. [01428](#) SUBSTITUTE - Vacate/Discontinue a portion of West Lawn Avenue and South Spooner Street in the City of Madison. (10th AD)

A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**. The motion passed by acclamation.

Enactment No: RES-05-00652

7. [01446](#) Authorizing the Common Council to accept ownership from the Hawks Landing

Neighborhood Association of four (4) neighborhood entrance signs to be installed in public right-of-way at several intersections in the Hawk's Landing subdivision. 1st Ald. Dist.

A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

Enactment No: RES-05-00653

8. [01466](#) Vacate/discontinue a portion of Regent Street at its intersection with Owen Parkway in Hoyt Park, in the City of Madison, Wisconsin. (11th AD)
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00654
9. [01469](#) Accepting a Public Sidewalk Easement from Joshua K. and Jaime R. Farkas across property located at 4510 East Buckeye Road. 16th Ald. Dist.
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00655
10. [01494](#) SUBSTITUTE - Authorizing the Mayor and City Clerk to execute a lease with Jerry Leister for five tracts of City-owned land comprising approximately 35 acres.
A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to Return to Lead with the Recommendation for Approval to the Parks Division. The motion passed by acclamation.
Enactment No: RES-05-00673
11. [01540](#) Accepting a Perpetual Easement for Public Storm Water Management and Vision Triangle Purposes from Middleton Community Church, Inc. across property located at 645 Schewe Road. 9th Ald. Dist.
A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00656
12. [01594](#) Improvements accepted for water main by private contract to serve: Grandview Commons - Phase IX (3rd AD).
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00657

13. [01596](#) Improvements accepted for water main and water service laterals by private contract to serve: WEA Trust Water Main Extension (Adjacent to Aldermanic District 14, Town of Madison).
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00658
14. [01597](#) Improvements accepted for water service laterals by private contract to serve: Milwaukee Street Extension (3rd AD).
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00659
15. [01604](#) Approving plans and specifications for public improvements necessary for the project known as 1802-1864 Monroe Street PUD and authorizing construction to be undertaken by the Developer, Private Contract No. 2056. (10th AD)
A motion was made by Ald. Van Rooy, seconded by Ald. Palm, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
Mr. Phillips, Deputy City Engineering displayed a map of the area and stated that this is for an agreement with the Developer that the The motion passed by acclamation.
Enactment No: RES-05-00660
16. [01618](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Eagle Crest Subdivision and authorizing construction to be undertaken by the Developer, Private Contract No. 2052. (17th AD)
A motion was made by Ald. Van Rooy, seconded by Ald. Palm, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00661
17. [01639](#) Approving plans and specifications for public improvements necessary for the Subdivision known as Pine Hill Farm and authorizing construction to be undertaken by the Developer, Private Contract No. 2043 (9th AD).
A motion was made by Mr. Rewey, seconded by Mr. Elmakias, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00663
18. [01641](#) Approving plans and specifications for public improvements required to serve Phase II of the Subdivision known as Linden Park and authorizing construction

to be undertaken by the Developer, Private Contract No. 2044. (9th AD)

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

Enactment No: RES-05-00664

19. [01642](#) Declaring the City of Madison's intention to exercise its police powers establishing the First Street Reconstruction Assessment District - 2005. (6th AD)

A motion was made by Ald. Van Rooy, seconded by Mr. Elmakias, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

Enactment No: RES-05-00665

- 20 Change Order No. 3 to Contract No. 5774, Fire Station No. 11, to Miron Construction, in the amount of \$20,912.00

Mr. Whitney, City Architect distributed information from the current City Standard Specifications and reviewed the issues from the previous meeting, stating the Board had referred this Change Order to this meeting to get clarification on the percentage of mark-up.

The Board discussed the language in the Standard Specs [Part I - General Conditions, Article 104 - Scope of Work] Page 13 and read that the "Contract change order unit prices of Extra Work to be completed by subcontractors shall be the subcontractor's actual unit prices submitted for the work contemplated to which the general contractor may add an amount equal to, but not to exceed, five (5) percent thereof." and also read another statement: "For property damage, liability, and worker's compensation insurance premiums, unemployment insurance contributions and social security taxes on the force account work, the Contractor shall receive the actual cost, to which cost shall be added an amount equal to fifteen (15) percent of the sum thereof."

Board members reviewed the change order items and a motion was made by Alder Van Rooy to request that the Contractor [Miron Construction] redraft the Change Order to conform with Section 104 of the City Standard Specifications Scope of Work, and when ready bring the redrafted Change Order back to the Board for action; motion was seconded by Mr. Rewey; motion unanimously passed.

21. Change Order No. 2 to Contract No. 5794, Park Paving - 2005, to Payne & Dolan, in the amount of \$2,112.00.

Alder Van Rooy moved approval of the Change Order; motion seconded by Ms. Hewitt; motion unanimously passed.

It was reported that this change order will pave a path in Aldo Leopold Park for accessibility.

22. Change Order No. 1 to Contract No. 5829, Midvale Blvd. Sanitary Sewer Replacement, to Speedway Sand & Gravel in the amount of \$82,689.00.

Mr. Rewey moved approval of the Change Order; motion seconded by Alder Van Rooy; motion unanimously passed.

Mr. Phillips, Deputy City Engineer reported that City Traffic Engineering has required street lighting and traffic signal improvements for the Hilldale Shopping Center redevelopment; City Engineering has an agreement with the Developer and owner to do the work as part of the Midvale Sanitary Sewer replacement project and assess the Hilldale Shopping Center for the work. Estimated cost is \$82,689.

23. [01638](#) Authorizing the purchase of materials for the Milwaukee Street / Rustic Acres Culvert Extension. (3rd AD)

A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Mike Cechvala with City Engineering displayed a sketch of the area involved, and stated that the City would be purchasing the necessary materials for a box culvert to be installed in the greenway beneath Milwaukee Street. This is being done so that the project can commence for the Nelson Addition to Rustic Acres.

The motion passed by acclamation.

Enactment No: RES-05-00662

24. [01646](#) Subcontractor List Contract No. 5830, Willow Creek Storm Box Relief Sewer, Phase 2, Henshue Construction.

A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to Approve. The motion passed by acclamation.

25. Appeal by Parisi Construction of the final decision of the City Engineer with regards to the deduction of \$1,900 from the final payment of Contract No. 5337. This item was referred from the July 6th meeting. Report by City Engineering.

Alder Van Rooy moved to refer the appeal to the August 17, 2005 Board meeting; motion seconded by Alder Palm; Motion unanimously passed.

26. Draft Comprehensive Plan

Item was referred to the next Board meeting to allow the Board members to review transportation areas within the Comprehensive Plan for discussion.

27. Consider a request from Attorney Christopher on behalf of Kurt Welton regarding deferral of assessments for Silicon Prairie Business Park. Report by City Engineering.

Attorney Christopher requested a deferral of the assessments for Silicon Prairie Business Park until such time as the development of that business park occurs; but also requested that no interest be added to that deferred amount.

Mr. Rewey moved to approve the St. Philomena Way Assessment District, with deferral of assessments to the Developer of Silicon Prairie Plat in accordance with Chapter 4 of the Madison General Ordinances [deferring for up to 10 years or when building permit is issued]; motion seconded by Ms. Hewitt; motion unanimously passed.

28. 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.

It was noted for the record that no appeals were submitted to the prequal process.

29. [01643](#) Awarding Public Works Contracts for bids Opened July 1, 2005 and July 15, 2005.

A motion was made by Mr. Elmakias, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Alder Van Rooy moved approval of the low bid of Truesdell Corporation of Wisconsin \$264,205.00 to Contract No. 5863 - Government East Parking Ramp 2005 Restoration; motion seconded by Mr. Rewey; motion unanimously passed.

Alder Van Rooy moved approval of the low bid of Ram Building Restoration and Waterproofing LLC \$39,768.00 to State Street Campus-Frances Parking Ramp Contract No. 5864; motion seconded by Mr. Elmakias; motion unanimously passed.

Mr. Elmakias moved approval of the low bids to the following contracts; motion seconded by Alder Van Rooy; motion unanimously passed.

Low bid of Hammersley Stone Co., Inc. \$177,420.75 to Contract No. 5805
Maple Grove Drive Street Assessment District - 2005

Low bid of H & H Industries, Inc. \$292,000.00 to Contract No. 5855 - Heating
Hot Water System Modifications at Sayle Street

Low bid of Joe Daniels Construction Co., Inc. Base Bid \$72,566.00 plus
Alternate A \$44,056.00 to Contract No. 5856 - Trench Drain
Replacement at Streets Division East, 4602 Sycamore Avenue

It was noted for the record that the Bid to Contract No. 5855 - - Heating Hot Water System Modifications at Sayle Street will be submitted separately to the Council by Traffic Engineering as it will require a budget amendment.

The motion passed by acclamation.

Enactment No: RES-05-00651

30. [01661](#) Accepting storm sewer constructed by private contract in Fourth Addition to World Dairy Center, Private Contract No. 1854 (16th AD)
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00669
31. [01648](#) Improvements Accepted Madison Water Utility Administration and Vehicle Storage Buildings, Contract W5472. (AD 13)
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00666
32. [01664](#) Improvements Accepted for South Bedford Street Reconstruction Street Assessment District - 2001, Contract No. 5315 (4th AD)
A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
Enactment No: RES-05-00670
33. Change Order No. 1 to Contract No. 5863, Government East Parking Ramp - 2005 Restoration, to Truesdell for -\$35,525.00.

Alder Van Rooy moved approval of the Change Order; motion seconded by Mr. Rewey; motion unanimously passed.
34. [01656](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Contract for Professional Services with Strand Associates Inc. to review/study the condition of the Lake Wingra Dam. (6th, 15th, 17th, & 3rd ADs)
A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

**It was reported that this is to allow Strand Associates to study the condition of hte Lake Wingra Dam - estimated cost is \$40,000.
The motion passed by acclamation.**
Enactment No: RES-05-00667
35. [01657](#) Authorizing the Mayor and City Clerk to execute an amendment to the present agreement between the City of Madison, State of Wisconsin Department of Transportation and HNTB Corporation, entitled, East Washington Avenue (Blair Street to Thierer Road), for additional services. (Various ADs)

A motion was made by Ald. Van Rooy, seconded by Ald. Palm, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER Mr. Bremer abstained.

Mr. Phillips, Deputy City Engineer reported that this is for environmental assessment for the Yahara River Bridge which was not planned for originally. The motion passed by acclamation.

Enactment No: RES-05-00668

ADJOURNMENT

Board meeting adjourned at 6:46 p.m.

Minutes prepared by M. Bakken, Approved by Larry D. Nelson, P.E., Board of Public Works, Executive Secretary