



**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, August 3, 2005

6:30 PM

210 Martin Luther King Jr. Blvd.  
Council Chambers, Room 201, (City-County Building)

---

### CALL TO ORDER

Chair Bremer called the Board meeting to order at 6:32 p.m. noting for the record that the meeting was properly noticed and a quorum was present.

He noted that the Board will immediately go into the Public Hearing items and then if time permitted, the remainder of the Agenda will be acted on.

**Present:** Van Rooy, William F. Bremer, Clausius and Elmakias

**Excused:** Palm, Rewey, Hewitt and Harrelson

1. Consider approving the Minutes of the Board of Public Works Meeting of July 20, 2005 and the Public Hearing of the same day; and approving the Minutes of the Special Board of Public Works Meeting of July 27, 2005.
2. Items of concern brought to the Board but not listed below.

**It was noted for the record that no items were brought before the Board for consideration that were not indicated 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 permits would be required for Item ID 01565 and notation would be made with that item.**

### PUBLIC HEARINGS AT 6:30 P.M.:

**Members Present:** Vice Chair Clausius, Mr. Bremer, Mr. Elmakias,  
Alder Van Rooy

**Members Excused:** Alder Palm, Ms. Hewitt, Mr. Harrelson, Mr. Rewey,  
1 Vacancy

Vice Chair Clausius called the Public Hearings to order at 6:34 p.m. noting that the meeting was properly noticed and a quorum was present.

4. [01672](#) Approving Plans, Specifications, And Schedule Of Assessments For First

Street Reconstruction Assessment District - 2005 (6th AD)

**RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING**

Glen Yoerger with City Engineering displayed the plans for this project stating the limits are South First Street from East Main Street to Winnebago Street; and construction would be included with the East Washington Avenue segment for 2006.

He explained that the current pavement on South First Street is concrete overlaid with asphalt; it is in fair to poor condition with a rating of 5 out of a possible 10. The street was last resurfaced in 1977; the existing curb and gutter are in poor conditions with a rating of 3 to 5 out of possible 10. The existing sanitary sewer dates back to 1913 and existing water main dates back to 1913 to 1928.

The proposed improvements will include new curb and gutter, drive aprons, asphalt pavement and new sidewalk where needed. Railroad crossings and traffic calming islands will also be installed. The storm sewer will be replaced with upgraded inlets and new storm sewer main. A new sanitary sewer main is also included; new laterals will be installed for all property owners; the laterals will be replaced from the main to the property line.

Water main is to be replaced also; any remaining lead water services will be replaced and all services will be switched to the new main.

Mr. Yoerger explained that the terraced along South First Street are quite narrow and it will be necessary to remove some trees at the time of construction; City Engineering will notify all adjacent property owners prior to the removal of any trees.

Total project cost is \$737,000 of which the assessable portion is \$43,453.45 with the City share being \$694,546.55.

The project is scheduled to begin in the Spring of 2006 and take about three months.

It was noted for the record that there were no communications received and no registrations were received.

5. [01634](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on East Washington Avenue from N Dickinson Street to Fourth Street and on First Street from East Johnson Street to Winnebago Street. (2nd, 6th & 12th ADs)

A motion was made by Ald. Van Rooy, seconded by Mr. Elmakias, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER** Mr. Phillips Deputy City Engineer reported to the Board that this hearing is to allow construction activities with noise impacts outside the time period of 7 a.m. to 7 p.m. for items on the East Washington Avenue segment between Dickinson Street and Third Street, and on First Street from East Johnson to Winnebago Street.

He explained that the current City Ordinance Sec. 24.08(3) provided the Council the ability to allow construction activities outside of the hours of 7 a.m. to 7 p.m. with the passage of a Resolution and a hearing before the Board.

The reconstruction of East Washington Avenue between Blair Street and Thierer Road is divided into 5 phases. The third phase of construction is referred to as Segment 2 and consists of East Washington Avenue from N Dickinson Street to Fourth Street and First Street from East Johnson Street to Winnebago Street. The Construction of Segment 2 is planned for 2006. The construction of Segment 2 cannot be built between the hours of 7:00 AM and 7:00 PM because:

1. The amount of construction needed to complete the project exceeds the amount of production that a Contractor can reasonably be expected to achieve, even with the extra crews.
2. Sawcutting of concrete pavements after the pouring of the pavement must be done about 12 hours after the installation. The concrete must be hard enough to hold the machinery. The sawcutting must be done soon enough so that the sawcutting occurs before the pavement cracks.
3. Certain activities will disrupt live traffic lanes causing severe disruption and delay.

The proposed activities beyond the hours of 7:00 AM to 7:00 PM are as follows:

1. The sawing of concrete pavement. The timing of this activity is dependent on the rate at which the concrete cures. Sawing will be allowed at any time however the Contractor should avoid the hours of 10:00 PM to 7:00 AM when possible.
2. General construction activities between the hours of 7:00 PM and 10:00 PM. This extends the work day to 7:00 AM to 10:00 PM. The intent is to provide the Contractor with the ability to work extended hours. The design team is very concerned about the ability of the Contractor to complete the work prior to the end of the construction season which is on or about December 1. In addition to the General Contractor and subcontractors, this provision shall apply to utilities and railroads and their Contractors doing coordinated work during the project construction.
3. Water main, storm sewer, private utility and sanitary sewer construction near or under live travel lanes. This is for the construction of laterals and utility crossings. The Contractor shall make every effort to limit this construction to the hours of 7:00 AM to 10:00 PM but shall be allowed to work beyond those hours if determined necessary by the Project Engineer with concurrence of the City Engineer or designee.
4. Construction Activities on the East Washington Avenue Yahara River Bridge

between the hours of 6:00 AM and 7:00 AM and between 7:00 PM and 10:00 PM. This extends the work day for the bridge workers to 6:00 AM to 10:00 PM. The intent is to provide the Contractor with the ability to work extended hours. The construction of the bridge in phases within the time frame of one construction season is anticipated to be very difficult. The Contractor shall not drive piling, perform certain bridge removal operations such as sawing or pneumatic hammering or perform other activities that produce excessive noise in the opinion of the Project Engineer between the hours of 6:00 AM and 7:00 AM.

5. Concrete paving between the hours of 6:00 AM and 7:00 AM and between 7:00 PM and 10:00 PM. This extends the work day for the concrete paving crews to 6:00 AM to 10:00 PM. The intent is to provide the Contractor with the ability to work extended hours. The concrete paving operations are lengthy operations and dependent on the weather. Concrete paving crews often need to begin early in order to complete the work in a single day or to avoid weather conditions that would otherwise prevent the paving from taking place.

6. Water services laterals, sanitary sewer laterals and private utility services to businesses where a hardship exists for the business. Construction of service laterals to businesses can create a significant hardship for businesses especially restaurants that must have a constant flow of water. The Contractor shall make every effort to limit this construction to the hours of 7:00 AM to 10:00 PM but shall be allowed to work beyond those hours if determined necessary by the Project Engineer with concurrence of the City Engineer or designee.

Work at the East Washington Avenue Railroad Crossing west of First Street shall be allowed within the hours specified in section 2 above and in addition shall be allowed over one weekend within the hours of 10:00 PM Friday and 7:00 AM Monday. East Washington Avenue will need to be closed for the construction of the railroad crossing and traffic will need to be detoured. In addition to the hours specified in this section above, the Project Engineer with concurrence of the City Engineer or designee may extend the hours specified in this section if weather, utilities or other unforeseen factors delay the completion of the railroad crossing construction or necessitate extension of these hours. In addition to the General Contractor and subcontractors, this provision shall apply to private utilities and railroads and their Contractors doing coordinated work during the railroad crossing construction.

The motion passed by acclamation.

6. [01565](#) Authorizing the Mayor and City Clerk to enter into an agreement with MG&E to construct, maintain, and manage an active stormwater infiltration system in the Odana Hills Golf Course and Park. (20th Ald Dist)

A motion was made by Ald. Van Rooy, seconded by Mr. Elmakias, to Return to Lead with the Recommendation for Approval to the BOARD OF PARK COMMISSIONERS

Steve Gaffield with Montgomery Associates, representing MG & E distributed a project overview and briefly discussed the project.

This is in relation to the CoGen energy plant on Walnut Street and a condition of the WDNR permit for construction of that plant was to create and implement an infiltration plan to mitigate as feasible the cooling water being drawn from the lake system. He reported that they did a review of various site locations with pond levels that would be appropriate, and the site selected was the Odana Golf Course, encompassing a two-acre area. A map of the area was displayed to view the pond.

He explained the detailed workings of the pond/lake management plan that was created to minimize negative impact and maximize the positive outcomes for the infiltration project. He explained that the pond was selected because there were times when the water overflowed and would become a flooding problem; the use of this water would assist in maintaining the pond level.

During times of extreme drought when the water levels in the Yahara Lake are lower, water from a well next to the system would be used.

The Board discussed the workings of the system and concerns were expressed as to the costs; and it was reported that there will be no cost involved to the City. MG & E and rate payers will be funding the project.

The agreement is on target for approval by the Council in mid-September.

City Parks and City Engineering are supportive of this project.

Noted for the record the following individuals were registered but did not speak to this item:

Jeff Hruby, Montgomery Associates - representing MG & E - present to answer questions

Robert Stoffs, MG & E - present to answer questions

Don Peterson, MG & E - present to answer questions

The motion passed by acclamation.

7. [01691](#) Authorizing the Mayor and City Clerk to execute Addendum No. 1 to the Contract For Subdivision Improvements for Cardinal Glenn - Phase I, Contract No. 2028. (9th AD)

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

8. [01667](#) To establish assessments for the installation of street trees requested by the property owner (notices and public hearings have been waived). (Various ADs)

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

9. Consider a competitive change order for installation of a Limestone Retaining Wall next to the Jenifer Street Pedestrian Bridge.

**Alder Van Rooy moved to award Competitive Change Order to Herman Landscaping for \$5,232 for the installation of a Limestone Retaining Wall next to the Jenifer Street Pedestrian Bridge; motion seconded by Mr. Clausius; motion unanimously passed.**

10. Change Order No. 3 to Contract No. 5774, Fire Station No. 11, to Miron Constuction.

**Alder Van Rooy moved to refer to the August 17 Board meeting Change Order No. 3 to Contract No. 5774 - Fire Station No. 11 to Miron Construction; motion seconded by Mr. Clausius; motion unanimously passed.**

11. Change Order No. 2 to Contract No. 5791, Adams Street, Jefferson Street, Lincoln Street, Alley Reconstruction Street Assessment District, to Capitol Underground in the amount of \$7,377.50.

**Alder Van Rooy moved approval of Change Order No. 2; motion seconded by Mr. Clausius; motion unanimously passed.**

12. Change Order No. 1 to Contract No. 5850, Goodman Community Pool Construction, to Joe Daniels Construction in the amount of -\$1,109,642.01.

**Alder Van Rooy moved approval of Change Order No. 1; motion seconded by Mr. Clausius; motion unanimously passed.**

**Mr. Bill Bauer with City Parks explained that the reason for the change order is to remove the materials that the City would purchase from the Proposal page of the contract - to save the sales tax; Joe Daniels the Contractor was aware of this - it was simply overlooked.**

13. Draft of Comprehensive Plan.

**Alder Van Rooy moved to refer the Comprehensive Plan for discussion to the August 17 Board meeting; motion seconded by Mr. Elmakias; motion unanimously passed.**

14. [01720](#) Subcontractor List; Contract No. 5803, Pearson Street Reconstruction, to Raymond P. Cattell, Inc.

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

15. For the Information of the Board - attached memorandum from Anne Zellhoefer, Assistant City Attorney regarding James Cape & Sons Company v. Mulcahy and DOT.

**Mr. Clausius moved to refer the Info memo from Atty. Zellhoefer to the August 17 Board meeting for discussion; motion seconded by Alder Van Rooy; motion unanimously passed.**

16. For the information of the Board - Minutes of the Long-Range Transportation Planning Commission (LRTPC) of Thursday, July 21, 2005.

**It was noted for the record the Board received the minutes of the Long Range Transportation Planning Commission for July 21, 2005.**

17. 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 Mudjacks as approved by the City Engineer, if any.

**The Board reviewed a listing of contractors requesting to be prequalified to bid on City projects or Licensed as Concrete Layers or Asphalt Pavers. There were no appeals to this process.**

18. [01719](#) Awarding Public Works Contract for Bids Opened July 29, 2005 and August 12, 2005.

**Alder Van Rooy moved approval of the low bid of Speedway Sand and Gravel for \$1,092,507.15 to Contract 5605 Gilson Street Reconstruction Assessment District - 2005; and moved to refer the bids to Contract 5867 and 5868 to the August 17 Board Meeting; motion was seconded by Mr. Elmakias; motion unanimously passed.**

## **ADJOURNMENT**

**Board meeting adjourned at 7:23 p.m.**

**Minutes prepared by M. Bakken, approved by Rob Phillips, Deputy City Engineer, for Larry D. Nelson, P.E., Executive Secretary, Board of Public Works**