



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, April 20, 2005

4:30 PM

210 MLKJ BLVD RM 103A (CCB)

CALL TO ORDER

Vice Chair Clausius called the Board meeting to order at 4:35 p.m. following verification by the Secretary that the meeting was properly noticed and a quorum was present.

He welcomed Alder Larry Palm as new member to the Board of Public Works replacing Alder Rosas whose term expired.

ROLL CALL

Present: Van Rooy, Palm, Rewey, Hewitt, Clausius and Elmakias

Excused: William F. Bremer and Harrelson

1. Consider approving the Minutes of the Board of Public Works Meeting and the Public Hearing of April 6, 2005.

A motion was made, 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.

Board Executive Secretary Larry Nelson announced to the Board that the Common Council has approved a two-year extension to his employment contract with the City to July 16, 2007.

Board expressed their appreciation to Mr. Nelson for extending his employment with the City.

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 that ID Item 01013 on the Agenda would require input regarding results of water resources impacts, and that information is noted with the item.

PUBLIC HEARING

Board of Public Works regular meeting recessed at 6:32 p.m. to convene for public hearings scheduled for 6:30 p.m.

Members Present: Vice Chair Clausius, Alder Van Rooy, Mr. Rewey, Ms. Hewitt

Members Excused: Chair Bremer, Alder Palm, Mr. Harrelson, Mr. Elmakias

Vice Chair Clausius called the Board Public Hearings to order at 6:35 p.m. following verification by the Secretary that the meeting was properly noticed and a quorum was present.

4. [01013](#)

SUBSTITUTE - Approving Plans and Specifications, And Schedule Of Assessments For and authorizing the Mayor and City Clerk to execute an agreement with Dane County for cost sharing for the improvement of Cross Country Road Assessment District - 2005. (7th AD)

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

Mr. Arseneau of City Engineering displayed the plans for this project stating the project costs will be shared by the City of Madison, County of Dane, and Veridian Homes. The County will take responsibility for the work and has indicated it will be responsible for its share of the costs. The work will entail improvements to Cross Country Road from 1200 feet west of Stonebridge Drive to 700 feet east of Stonebridge Drive. The work will include street improvements, sidewalk and storm sewer. On Cross Country Road it will include an ultimate design for a two-lane undivided street.

Current total estimate is high at \$483,334; Veridian costs would be \$243,469; City of Madison costs are estimated at \$169,739; and County share is estimated at \$70,125. The final bids may come in lower.

During construction Cross Country Road will be closed. The pavement width will be 34' widening to 45' at the intersection. Contract will take about two months to complete once the County starts construction.

Vice Chair Clausius closed the public hearing

It was noted for the record that this item would require submittal of a Notice of Intent (for disturbing land greater than one acre) from the DNR. The motion passed by acclamation.

5. [01040](#)

Approving Plans, Specifications, And Schedule Of Assessments For Curb and Gutter in Conjunction w/Resurfacing - 2005 Assessment District, Additions. (City Wide)

A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to **RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING**

John Fahrney with City Engineering was recognized to speak to the plans for this project.

Mr. Fahrney explained that the City plans to resurface approximately 10 miles of pavement in 2005. He explained the pavement rating system and the criteria stating that the condition of the pavement and curb & gutter of all City of Madison streets are rated every two years. Streets are rated on a scale of 1 to 10, with 10 being a new street. Pavements with a rating of 5 or less and a curb & gutter with a rating of 6 or more are ideal for resurfacing. All streets meeting the criteria were reviewed and a list for 2005 was prepared. The list is grouped to try and resurface streets across the city, group several streets in a neighborhood for construction efficiency and avoid conflicts with other street construction projects.

Resurfacing a street that has a lower rating is not cost effective as there would be too much curb & gutter repair and the gravel subbase below the pavement would require extensive repair. Resurfacing these streets now, will give them another 20 - 25 years of serviceable life.

He explained that the resurfacing program includes three phases: Replacement of deteriorated curb & gutter, drive apron and sidewalk; milling or pulverizing the existing pavement; and placement of a new surface. Work is coordinated to minimize the time between each phase and minimize inconvenience to property owners. It may also be necessary to trim tree limbs and/or roots to accommodate the construction and minimize stress on the trees. Disturbed terrace areas will be restored with topsoil and seed.

The resurfacing will start in late April and run through November. Streets will remain open to traffic during construction. Driveway access will be maintained as often as possible, but will need to be removed for construction of the curb & gutter, drive apron and sidewalk if required at your property. The contractor is required to provide 48 hours notice prior to eliminating access.

He explained the cost sharing - City assumes the entire cost of the improvements to the pavement and the replacement of curb & gutter and sidewalk ramps at intersections. Abutting property owners are assessed 50% of the cost to remove and replace curb & gutter, drive apron and sidewalk adjacent to their property.

He noted that he received three phone calls on this project for questions only.

No registrants were present and Vice Chair Clausius closed the public hearing.

The Board approved the project, with the direction that Mr. Fahrney check with the appropriate project managers for coordination of the Winnebago/Division intersection work.

The motion passed by acclamation.

6. [00599](#)

SUBSTITUTE - Affirming the City's interest in cooperating with the Wisconsin Department of Natural Resources and the City of Fitchburg on development, operation and maintenance of a multi-use path and authorizing City staff to negotiate an agreement covering such development, operation and maintenance in connection with a rails-to-trails conversion of the Union Pacific

Railroad line between County Highway PD (McKee Road) and USH 18/151 (Beltline Highway). (14 AD)

A motion was made by Ms. Hewitt to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER Mr. Rewey voted NO

Mr. Fernandez with City Engineering, provided some background on the Rails to Trails conversion. The rail line in question runs from Beltline Highway just east of Todd Drive to the existing Military Ridge Trail south of CTH PD, a length of approximately 3.8 miles. It is owned by Union Pacific Railroad (UPRR) and has been leased by Wisconsin & Southern Railroad (WSOR) since 1996. There have been no customers on the line south of the Beltline since 2001, and in March 2005 WSOR sent notice to the City of its intention to file for abandonment with the US DOT Surface Transportation Board (STB). Federal rules allow agencies to file a request for rails to trails conversion with the STB, provided they provide a Statement of Willingness to Assume Financial Responsibility.

The original resolution authorized the City to provide such a Statement of Willingness, with the understanding that the corridor would be acquired by Wisconsin Department of Transportation (WDOT) but would be developed and operated by the City. Since the time the resolution was introduced at Common Council, the WDOT has indicated that it will not acquire the corridor.

Wisconsin Department of Natural Resources (WDNR) has expressed interest in acquiring the corridor and will file the Statement of Willingness with the State Transportation Board, provided the Cities of Madison and Fitchburg are willing to develop and maintain the trail. The substitute resolution preserves the intent of the original but reflects the actions of WDOT and WDNR. Fitchburg has expressed willingness to cooperate with Madison on this project, and preliminary discussions with Fitchburg and WDNR have taken place.

Board member Rewey inquired about trail fees. Mr. Fernandez responded that WDNR will not charge a trail fee for segments which it does not maintain, and that any fees would be at the discretion of Madison or Fitchburg. Mr. Rewey stated that WDOT should be acquiring the corridor, and expressed concerns that the current resolution relinquishes the City's ability to influence their decision. Mr. Fernandez replied that he also felt that WDOT benefits from the abandonment and should help fund the acquisition, however the City has little leverage with Surface Transportation Board to oppose the abandonment, and doing so at this time would not further the City's interests in the trail.

The motion passed by acclamation.

7. [00834](#) SUBSTITUTE - Authorizing the Common Council to accept ownership from the Westmorland Neighborhood Association of three (3) park benches to be installed at existing Metro bus stop locations, located in public right-of-way in the 400 and 500 Blocks of Toepfer Avenue.
A motion was made by Mr. Rewey to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.

8. [00872](#) Approving plans and specifications and authorizing the Mayor and City Clerk to enter into agreements with the Wisconsin Department of Transportation for the construction of East Washington Avenue Segment Two (Thornton Ave to Second Street).

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

Mr. Phillips with City Engineering displayed a timeline board and explained that Segment Two of this project is to be done in 2006 from Dickinson to 3rd Street; it will consist of three lanes of traffic in each direction with the outside lane for parking and bikes. He illustrated the configuration of the First/East Washington Intersection and reported that a request to retain its current access was received from the Fiore Shopping Center. He explained the painted "slotted" left turn lane at this intersection and how it does allow two left turning vehicles facing each other to make left turns without having sight distance problems.

The motion passed by acclamation.

9. [00890](#) Retaining Attorney Ronald Ragatz and DeWitt, Ross & Stevens, S.C. for landfill remediation work and amending the 2005 Engineering Division Operating Budget to allow for the expenditure of \$150,000 in related legal fees and costs.
A motion was made by Ald. Van Rooy, seconded by Ms. Hewitt, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by acclamation.
10. [00937](#) Approving Plans and Specifications for a Parking Lot and Relocation of a Basketball Court at 4701 Jenewein Road, Authorizing a Lease with the Boys and Girls Club, and Amending the 2005 Capital Budget. (10th AD)
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 ESTIMATES. The motion passed by acclamation.
11. [00978](#) Improvements accepted for Water Main and Water Service Laterals by Private Contract to serve: Nesbitt Valley First Addition. (7th 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.
12. [00979](#) Improvements accepted for Water Main by private contract to serve: Reston Heights - Second Addition. (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.
13. [00981](#) Improvements accepted for water main by private contract to serve: Grandview Commons - Phase V. (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.
14. [01008](#) Accepting street improvements constructed by private contract in Madison Commerce Park Certified Survey Map, Private Contract No. 1877. (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.

15. [01011](#) Approving plans and specifications for public improvements required to serve Phase I of the Subdivision known as Linden Park and authorizing construction to be undertaken by the Developer, Private Contract No. 2015. (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.
16. [01012](#) Accepting storm sewer constructed by private contract in Madison Commerce Park Certified Survey Map, Private Contract No. 1877. (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.
17. [00983](#) Declaring the City of Madison's intention to exercise its police powers establishing the Cross Country Road Assessment District - 2005. (7th AD)
A motion was made by Mr. Rewey, seconded by Ms. Hewitt, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by acclamation.
18. [00994](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5859, Olbrich Sanitary Sewer Reroute. (6th AD)
A motion was made by Ald. Van Rooy, seconded by Mr. Elmakias, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
It was reported this will involve the installation of approximately 2,100 linear feet of sanitary sewer main. The intent is to abandon approximately 1,680 linear feet of leaking sanitary sewer which runs along the shoreline of Lake Monona from Olbrich Park to Miller Avenue. Estimated cost is \$310,000. The motion passed by acclamation.
19. [00993](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5593, Capitol Square North Ramp Attendant's Office Remodel. (4th AD)
A motion was made by Ald. Van Rooy, seconded by Mr. Elmakias, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER
City Architect Jim Whitney displayed the plans for this project, stating that it is to remodel an existing workshop into an attendant's office on level 2 of the Capitol Square North Ramp. The office will include the addition of an ADA handicap accessible staff toilet room; and includes HVAC, plumbing, and electrical work. This remodeling project is about 420 square feet, estimated to cost \$60,000. The motion passed by acclamation.
20. [00991](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Contract No. 5591, Parking Utility Reception Remodel, Madison Municipal Building (6th AD)

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

City Architect James Whitney reported this work is to remodel the existing reception counter area in City Parking Utility Reception area, to bring it to ADA standards. Work will include construction and electrical work. Estimated cost is \$25,000. The area is about 400 square feet. The motion passed by acclamation.

21. Change Order No. 3 to Contract No. W-5766, City of Madison Water Utility - Unit Well 29 Reservoir & Pump Station, to TV John and Sons, Inc., in the amount of \$18,368.65.

Mr. Rewey moved approval of items 2 and 3 on Change Order No. 3 to Contract W-5766, with the deletion of item 1 [painting of interior]; motion was seconded by Alder Palm; Motion unanimously passed.

Mr. Dennis Cawley with Water Utility explained the items contained in the Change Order and Board member Rewey expressed concerns why the interior of the pump building was going to be repainted when staff won't be working in it for any length of time; just entering to take readings. Board discussed deleting that item from the change order.

22. 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 no appeals were received to the prequalification/licensure process.

23. [00990](#) Authorizing the Mayor and City Clerk to enter into a Right of Entry agreement with the University of Wisconsin to construct Phase 2 of the Willow Creek Box Culvert Relief Storm Sewer. (5th AD)

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

It was reported that the City is in the process of constructing phase 2 of this relief storm sewer. This specifically would assist in the UW Midvale area for flooding control. The motion passed by acclamation.

24. [01039](#) Authorizing the Mayor and City Clerk to request funds and assistance from the Wisconsin Department of Natural Resources under the "Lake Protection Grant Program". (City Wide)

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

It was reported that this Resolution will authorize the City to request assistance from DNR under the Lake Protection Grand Program for the rain garden project. It would be a shared funding City, property owner, and grant money. The Board discussed the rain garden program and the cost of one could vary from \$600 to \$2,200; plantings are expensive, and construction costs are not cheap.

The motion passed by acclamation.

25. Approval of Subcontractor List for Contract No. 5626, Allied Drive Pedestrian Connector to Raymond P. Cattell, Inc.

Mr. Rewey moved approval of the subcontractor list for Contract No. 5626 - Allied Drive Pedestrian Connector, to Raymond P. Cattell; motion seconded by Alder Van Rooy; motion unanimously passed.

26. [00982](#) Awarding Public Works Contract No. 5839, Engineering Service Building Expansion - 2005 and Amending the 2005 Capital Budget to provide an additional \$500,000 of funds necessary for construction. (14th AD)
Board of Estimates
- Refer for Introduction to the COMMON COUNCIL**
Ms. Cryan, with Engineering Service reported that the Bids were received for this project and were over estimates. The recommendation is to award subject to a budget amendment approved by the Board of Estimates.
27. [01028](#) Awarding Public Works Contracts For Bids Opened April 15, 2005. (Various ADs)
- A motion was made by Mr. Rewey, seconded by Ald. Van Rooy, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**
Motion to approve the low bids as follows:
Contract No. 5601 - Railroad Street Reconstruction Assessment - 2004 to Speedway Sand and Gravel \$381,844.90;
Contract No. 5822 - Annual Construction and Reconstruction of Concrete Sidewalk and Concrete Curb and Gutter Installed at the Request of the Property Owner to Raymond P. Cattell, Inc., \$255,165.00;
Contract No. 5826 - Restoration/Landscaping - 2005 to Greener Valley \$52,552.50;
Contract No. 5827 - Sanitary Sewer Replacements with Resurfacing - 2005 to Hammersley Stone \$1,004,319.30. The motion passed by acclamation.
28. [01080](#) Improvements accepted for Annual Construction & Reconstruction of Concrete Sidewalk & Incidental Concrete Curb & Gutter Work Ordered (District 5) by the Common Council, Contract No. 5479. (5th 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.**
29. [01081](#) Improvements accepted for Troy Drive Sanitary Sewer Project, Contract No. 5426. (18th 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.**
30. [01097](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Local Road Traffic Calming & Arterial Pedestrian Enhancements-2005. (City Wide ADs)

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

Ms. Christy Bachmann of City Engineering reported that this is for the annual Traffic Calming for local road and arterial pedestrian enhancements. \$380,000 is budgeted for this work.

The motion passed by acclamation.

31. Change Order No. 1 to Contract No. 5600, Local Road Traffic Calming & Arterial Ped Enhancements, to Fehrman Construction in the amount of \$2,500.00.

Alder Van Rooy moved approval of Change Order No. 1 to Contract 5600 to Fehrman Construction for \$2,500; motion seconded by Ms. Hewitt; motion unanimously passed.

32. Status of acceptance of Public Works Contracts.

Mr. Nelson distributed information on the status of public works contracts and those outstanding due to various issues.

He requested that the Board members review the information and the item would be brought back to them again at the May 4 meeting for discussion and possible action.

33. Report by Engineering "Regarding the Establishment of a Program to Reimburse Property Owners for Losses sustained as a Result of Backups or Stoppages in the Public Sewerage System".

Alder Van Rooy moved to accept the report by Engineering regarding Establishing of a Program to reimburse Property Owners for Losses sustained as a result of backups or stoppages in the public sewerage system, and affirmed the recommendation contained that the City not establish such a reimbursement policy; but rather educate home owners on necessity of a back flow valve, and proper care and maintenance of those valves; motion seconded by Mr. Rewey; motion unanimously passed.

Ms. Cathy Cryan with Engineering Service reported that the City had established a program to reimburse the residents who had certain losses due to a water main break that the City had been determined to be liable for. As a result of that incident, the City Engineer had a study done to determine if a similar program should be created for damages caused by sewer backups not caused by a water main break.

For this study the City reviewed its sanitary sewer system preventive maintenance program including data related to sewer main back ups, private sewer back ups and claims filed against the City for damage from sewer back ups. That information was compared to industry benchmarks. The City also surveyed property owners that had a sewer back up that was determined to be the result of a blockage or problem in the City sanitary main.

She reported that based on established benchmarks, the City of Madison has a very aggressive sewer preventive maintenance and inspection program. It provides for the scheduled cleaning of every section of sanitary sewer main at least once every three years. As a result the City experiences a low incidence of sewer back up. Despite all of this some blockages are inevitable; and the most common cause is tree roots and grease. [Vandalism to and misuse of the system can also cause a main back up].

The overall recommendation is to better educate home owners on the importance of a functioning back flow valve, and preventive maintenance to assure tree roots do not contribute to a possible sewer backup. Most of the problems experienced involved the private home owners internal plumbing system.

The Board discussed the information and agreed that better education to homeowners on the back flow valve importance and regular maintenance.

The Board commended Ms. Cryan on an excellent report.

34. Recommendation of the City Traffic Engineer on a Request for the Board to Approve Backing from the Street Right-of-way (MGO) Sec. 10.08(6)(a)6): Site 1802 to 1864 Monroe Street (Backing on 1800 West Lawn)

Mr. Rewey moved approval of the request for backing on 1800 West Lawn as indicated on the plan distributed at the meeting; motion was seconded by Alder Van Rooy; motion unanimously passed.

Board meeting adjourned at 7:05 p.m.

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