

**CITY OF PORT WASHINGTON
BOARD OF PUBLIC WORKS
MINUTES
THURSDAY, JUNE 10, 2010**

ROLL CALL: Chairman Craig Czarnecki called the City of Port Washington Board of Public meeting to order at 5:31 p.m. in the Lower Level Conference room at the City Hall. Members present: Alderman Mike Ehrlich, Alderman Jim Vollmar, and Board Member Kevin Rudser and Board Member Peter Herrmann. Also present were: City Administrator Mark Grams, Wastewater Supt. Dan Buehler, and City Engineer Vanden Noven. Absent and excused: Alderman Paul Neumyer and Water Supt./Commissioner Dave Ewig,

ELECTION OF OFFICERS:

MOTION BY MIKE EHRLICH AND SECONDED BY KEVIN RUDSER to nominate Craig Czarnecki as Chairman for the Board of Public Works. Craig accepted the nomination. Motion carried unanimously.

MOTION BY MIKE EHRLICH AND SECONDED BY KEVIN RUDSER to nominate Jim Vollmar as Vice Chairman for the Board of Public Works. Jim Vollmar accepted the nomination. Motion carried unanimously.

Chairman's Business: There was none.

MOTION BY KEVIN RUDSER AND SECONDED BY JIM VOLLMAR to approve the minutes from May 25, 2010. Motion carried unanimously.

Public Comments/Appearances: There was none.

New Business:

A. PRESENTATION OF CONCEPTUAL PLAN FOR SMITH BROTHERS AND PORT CENTER PARKING LOTS AND THE ALLEYS CONNECTING EACH TO FRANKLIN STREET – MAIN STREET DESIGN SUBCOMMITTEE: The Main Street Design Subcommittee presented their concept plans for the Smith Brothers and Port Center parking lots and the alleys connecting each to North Franklin Street. Roger Strohm, Amanda Williams, and Mary Richter reviewed the Main Street Design plans. They discussed redesigning the parking lots and landscape designs. They also discussed redesigning the alleys with landscape and benches. The end of East Main Street would be designed as a plaza. The Board Members discussed the various ideas and concepts. The Board Members were impressed with the design concept.

B. CONSIDER MAKING ADDITIONAL PAYMENT TO CRISPELL SNYDER FOR COAL DOCK DESIGN: City Engineer Vanden Noven reviewed this item with the Board Members. He stated that Crispell Snyder is requesting additional compensation for the design services for the Coal Dock Project. City Engineer Vanden Noven reviewed the original RFP and the Design Agreement that was approved for Crispell Snyder. Their request alludes to several outstanding invoices that have not been paid, as they have exceeded their contract Estimated Total of \$116,300.00. Because the word

“Estimated”, Crispell Snyder contends that they are entitled to additional compensation for their actual expenses, however, they are only requesting a fraction of their overruns. To date, Crispell Snyder has been paid \$119,856.28 in addition to the \$80,145.25 that was paid to Hitchcock for their work on the concept plan. In response to Crispell Snyder’s February 16, 2010 letter, City Engineer Vanden Noven met with Mike Payant, their project manager and has thus far rejected their claim. They have agreed that items 4-8 do not merit additional compensation, but feel the delays experienced due to item 1 and 2 and their contention in item 3 are worthy of consideration. Their request for additional compensation is in the amount of \$6,659.84. Although delays and revisions may have added costs for Crispell Snyder, it is difficult to determine their impact. Also, there are a number of items that were in the original RFP that were never required of Crispell Snyder, which saved substantial efforts (e.g. – no street light design, no bridge analysis, no water feature or drinking fountain service, etc.) However, although the \$200,000 budget is very clear in the RFP, Crispell Snyder maintains that because their agreement was based on an “Estimate”, they have the right to exceed the budget for the reasons they stated. Therefore, the City Engineer Vanden Noven has agreed to have Mr. Payant address the Board of Public Works and state his case. Mr. Payant presented his case for compensation to the Board Members. **MOTION BY JIM VOLLMER AND SECONDED BY MIKE EHRLICH to recommend to the Common Council to approval of a settlement with Crispell Snyder of \$6,659.84 as reasonable compensation using monies from Borrowed Funds. Motion carried unanimously.**

C. CONSIDER VACATING MICHIGAN STREET ROW EAST OF WEBSTER AND SOUTH MONTGOMERY STREET APPROXIMATELY 260 FEET NORTH AND 170 FEET SOUTH OF MICHIGAN STREET: City Engineering Vanden Noven reviewed this item with the Board Members. He reviewed the plat of this area with the Board Members. He stated that the original grid ignores the steep contours, creek, etc, that exist in the subdivision. The City has no use for this ROW, so it would be to the mutual advantage of the City and adjacent property owners to declare it surplus property and attach it to the adjoining properties. This will make the land taxable, and in the case of Michigan Street (east of Division), remove the City’s obligation to maintain the pavement (snow plowing, paving, etc.). **MOTION BY JIM VOLLMER AND SECONDED BY KEVIN RUDSER to recommend to the Common Council for the vacating of Michigan Street East of Webster and South Montgomery Street approximately 260 feet north and 170 feet south of Michigan Street. Motion carried unanimously.**

D. CONSIDER CONSTRUCTING SANITARY SEWER LATERALS FOR TOWN RESIDENTS ON DIVISION STREET: City Engineer Vanden Noven reviewed this item with the Board Members. He stated that the sewer is being extended for the purposes of a future connection to the proposed subdivision on land formerly owned by WE Energies (now owned by the City), southeast of the intersection of Sunset and Division. There are 3 homes in the Town of Port Washington that are currently served by the Port Washington Water Utility, but not sewer. Although the sewer main will be running past their properties regardless, the cost to extend services to the property line would be an additional deferred assessment of approximately \$2,030 per home, or \$6,090 total. For a home to make a connection to the sanitary sewer, they would have to pay that deferred assessment in addition to the deferred assessment for the sewer main (approximately \$1,910), and the cost of annexation in addition to the cost to extend the lateral to their home’s foundation from the property line. Staff recommends approaching the residents regarding annexation. The Board Members discussed this item and agree with staff to extend the sewer laterals. **MOTION BY MIKE EHRLICH AND SECONDED BY KEVIN RUDSER to recommend to the Common Council to approve extending the sanitary sewer laterals to immediately behind the curb of the three properties located in the Town of Port Washington. Motion carried unanimously.**

E. CONSIDER APPROVAL OF 2009 COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR): Wastewater Super. Dan Buehler reviewed the 2009 Compliance Maintenance Annual Report (CMAR) with the Board Members. This report is required by the DNR. The City received all A's on the 2009 CMAR. **MOTION BY CRAIG CZARNECKI AND SECONDED BY MIKE EHRLICH to recommend to the Common Council to approve the 2009 CMAR as presented and for the Common Council to prepare a resolution to be sent to the DNR. Motion carried unanimously.**

F. CONSIDER RELOCATION OF AERIAL UTILITY LINES ON STH 33: City Engineer Vanden Noven reviewed this item for the Board Members. He stated that with the upcoming expansion of STH 33 from a 2 lane rural section to a 4 lane divided highway, it is necessary for all aerial utilities to be relocated. One option is to have them relocated on newly placed utility poles behind the bike path at the utility's expense. The other option is to require all aerial utilities to be placed underground, reimbursing the utilities for the difference in cost between the aerial and buried options. The estimated cost for WE Energies is \$439,000. The estimated cost for AT & T is approximately \$11,433 to \$44,813. The estimated cost for Time Warner has not been received at this time. Although it is a frustrating reality that cities have to pay the cost for placing unattractive utilities below ground, the result will be a much more appealing entrance to the City that will be place in perpetuity. And, although it is not inexpensive, it is within the amount Staff has budgeted for this work (\$600,000). The current estimate for the City's share of construction costs for the highway itself is \$1.2 million, and the City has borrowed \$2 million total for this work. The Board Members discussed this item and decided to table it until the July meeting. **MOTION BY MIKE EHRLICH AND SECONDED BY JIM VOLLMAR to table this item. Motion carried unanimously.**

G. CONSIDER INCREASING FEES FOR STREET OPENING PERMITS: City Engineer Vanden Noven reviewed this item with the Board Members. He reviewed a news article from the Ozaukee Press regarding street opening permits and their fees. The article indicated that Port Washington's fees for street opening permits are well below the costs charged by neighboring communities. Staff would like the BPW to consider recommending that the City increase its fee for street opening permits (any work done in the ROW), current set at \$30/permit. Staff proposes a 2-tiered system which charges \$50/permit for driveway approach and sidewalk (sidewalk fees are currently waived) installation and \$150/permit for all other street opening permits. In 2009, out of 140 street opening permits issued, approximately half were for utility companies, cable tv, and phone, and the other half were for primarily driveway openings. If a 2-tiered system were implemented, the increase in revenue would have been \$9,800. **MOTION BY JIM VOLLMAR AND SECONDED BY MIKE EHRLICH to recommend to the Common Council to approve a two-tier street opening permit system. A \$50.00 permit fee would be charged for driveway approaches, and sidewalk installation and a \$150.00 permit fee would be charged for all other street opening permits. Motion carried unanimously.**

H. CONSIDER MODIFICATION TO COAL DOCK ENTRANCE: City Engineer Vanden Noven reviewed this item with the Board Members. He stated that at the April BPW meeting, the Board approved a proposal for the entrance to the Coal Dock off of South Wisconsin Street. Staff is proposing several minor changes. City Engineer Vanden Noven reviewed the minor changes with the Board Members. These changes would result in either a small decrease or no impact on the project cost. Board Members discussed the changes. This is for discussion only.

I. CONSIDER PORTVIEW DRIVE DESIGN AND REVIEW PUBLIC INPUT FROM PIM: City Engineer Vanden Noven reviewed the public comments from the PIM that was held on Tuesday, June 8, 2010 at City Hall. Several comments that were received were: Residents felt that the speed of vehicles traveling the roadway was an issue, especially vehicles traveling south from STH 33 to STH 32; Some residents complained about concrete sidewalks that need replacing; Some residents would like sidewalks between 2nd Avenue and Summit Drive and STH 32: Three residents preferred Alternate #3 (36' face to face of curb) and two preferred Alternate #2 (40' face to face of curb) with one being open to construction of Alternate #3; and some residents would like stop signs on Portview. **MOTION BY JIM VOLLMAR AND SECONDED BY MIKE EHRLICH to recommend to the Common Council to approve the improvements to Portview Drive. The Board agrees to the street width from Willow to Summit (Summit to Spring Street remains at 40 feet) to be reduced to 36 feet, and creating bump outs at all intersections. Motion carried unanimously.**

Old Business: There was none.

Project Updates:

a. SUNSET ROAD: City Engineer Vanden Noven stated that Sunset Road is completed and it looks good.

b. SOUTH WISCONSIN STREET: City Engineer Vanden Noven stated that work by WE Energies will begin shortly on this project.

c. MINERAL SPRINGS WATER TOWER PAINTING: City Engineer Vanden Noven stated that the painting of the water tower has begun.

d. 2010 STREET IMPROVEMENTS (DIVISION/CHESTNUT/WISCONSIN): City Engineer Vanden Noven reviewed the plan schedule for the Wisconsin/Division/Chestnut Street project with the Board Members. He stated that the Common Council approved the Park Street project.

e. STH 33 DESIGN: City Engineer Vanden Noven stated that the Common Council approved Bonestroo for the pond design.

Forthcoming Events: There was none.

ADJOURNMENT: MOTION BY MIKE EHRLICH AND SECONDED BY PETER HERRMANN adjourn the meeting at 7:53 p.m. Motion carried unanimously.