

MINUTES
BOARD OF PUBLIC WORKS MEETING
November 16, 2009
New Berlin City Hall Common Council Chambers
3805 S Casper Drive

Please note: Minutes are unofficial until approved by the Board of Public Works at their next regular scheduled meeting.

The meeting was called to order at 8:01 PM.

Members Present: Alderman Ament, John Graber, Alderman Seidl, Alderman Wysocki and Mayor Jack Chiovatero.

Staff Present: J. P. Walker, City Engineer, Tammy Simonson, Transportation Senior Civil Engineer, Ron Schildt, Transportation Engineer, Don Ullman, Streets Department

Privilege of the Floor: There was no one wishing to speak.

OLD BUSINESS

ITEM 01-09 Approval of Minutes from the October 15, 2009 special Board of Public Works meeting.

Motion by John Graber to approve the minutes from the October 15th, 2009 Meeting. 2nd by Alderman Wysocki.

Upon voting the motion passed with Mayor Chiovatero voting present.

Motion by Alderman Wysocki to approve the minutes from the October 19th Board of Public Works Meeting. 2nd by Alderman Seidl.

Upon voting the motion passed with John Graber voting present.

ITEM 22-09 Update, Discussion & Possible Action on Calhoun Road Alternative 2009-A.

The special BPW meeting on November 19th was cancelled, therefore there was no discussion.

ITEM 29-09 Discussion and Possible Action in Changing the Regular BPW Monthly Meeting Time – Referred from the Common Council on 7/28/09.

Alderman Ament stated that we were requested by the Common Council to discuss and make a recommendation for the changing of the time of the Board of Public Works meeting from 8:00 AM to 6:00 PM on the same day of the month, which would be the third Monday.

Alderman Wysocki asked if there is any impact on the Staff as far as any other conflict of meetings that you have to attend on the third Monday of the month.

JP Walker said that the Staff does not have a conflict with other meetings on that evening.

Alderman Wysocki stated that he likes the idea of having the evening meetings because of the opportunity for the residents to attend the meetings. He appreciates that it creates another hardship for the Staff. How many evening meetings are you required to attend JP?

JP Walker replied that on a monthly basis I think there are four on Tuesday nights. Twice every two weeks and then whenever we have PIM's. Right now the standard nights are on the Council nights.

Ron Schildt said that he has the Council meetings when I need to be there, then I have Safety Commission on the 2nd Wednesday and then PIM's and Plan Commission when needed.

John Graber stated that he wouldn't object to having it in the evening if there were no special meetings for Calhoun Road. Just to have an extra meeting, he didn't think it's necessary. I have listened to the evening meetings, primarily evening meetings and there aren't a lot of people here anyway. Usually the agenda items don't concern citizens just mainly Staff, consultants or applicants that need to have something done. How many items do we have that really relate to people that have to come in for particular Board action?

JP Walker stated that he did a statistical analysis of the Board meetings since he has been City Engineer, which goes back to August of 2001. We have discussed 250 items in those 8 years plus a month. 30% of those items dealt with consultant or developer issues. 25% dealt specifically with contracts, 23% dealt with road issues. Only 6% dealt with residents issues. The rest is just miscellaneous, such as discussing the handbook and changing something at the Board, that type of thing.

Alderman Seidl stated that there are a lot of the other things you mentioned that also impacts residents in that area so I would say that every discussion we have up here impacts some residents in this City.

JP Walker replied that he wasn't insinuating that, what I'm saying is a resident can have an interest in any topic that is discussed, obviously.

Mayor Chiovarero stated that he thinks everybody knows how I feel. I'm really going over this and trying to be as easy going as I can. He requested that we don't change the time. The reason to me doesn't create a hardship case other than wanting to move it to an evening as a request from a citizen to attend after work hours if they choose. I have never seen an abundance of citizens here which has been proven. The last four meetings there have been no citizens here, this is the third time that it has been brought forth and twice it has been turned down. In the 10 years that I have been a member of the Board of Public Works, five years I was the chairman I never recalled receiving a complaint about a citizen not being able to attend. If a citizen has an issue they can contact us by phone, letter, e-mail or in person. He knows that a couple have shown up at the meetings if there are serious issues that affects them. Again, as JP pointed out, most items related to City work, Staff or consultant related and do not involve citizens directly or really their impact either. When it does impact them we have moved the meetings to accommodate them. I see this as an added cost to the City, any applicants for the Board of Public Works, consultants at night. As far as the Staff is concerned, he is very concerned about the impact on Staff. JP, Ron and Tammy, I am concerned about how you responded to that, because I am constantly being told by Greg that you guys are out of your comp hours, which is only 80 hours and is often times exceeded by that, we are taking Staff from the normal hours, because if they do work the evenings they aren't here during the day when they really do need to be here to interact with everybody else that does business from 8:00 to 4:30. This creates less time for the Staff to work with citizens and residents during normal business hours. I can see additional costs by these hours in relation to several areas, energy-because City Hall would have to be open, Staff has limited work hours. Also, it could be a violation of Federal and State labor laws, requiring employees to work in excess hours without compensation, which happens when they get past their comp time. The suggestions that I have been dealing with here is that if we have a public debated issue, we have special meetings, like we do right now with Calhoun Road on Thursdays. With PIM's and Public Hearings which are required by law this never seemed to be an issue to have the meetings at this current time. One suggestion I was thinking about was, if you want, let's run the meetings also every Monday evening, today's meeting would be run tonight, so the citizens could find out what is going on. I'm trying to be accessible to the citizens during the day; I also have to be concerned about the number of Staff hours. Come June & July I am being hit by the department heads that they are out of comp hours and their Staff is tight. When it comes to vacations, every year I'm getting requests to carry over vacation times over because they can't take their time off. The bottom line is I don't want to commit the Staff or myself to another night meeting,

they have personal lives, and they have other obligations. I looked at my calendar and out of my calendar I had several meetings on this night. I tried to find another day but I know you picked Thursdays, but I haven't been able to make it because I have other commitments or have been out of town for various reasons relating to the job. If it's something controversial or we really need the input from the citizens directly I have no problem moving it to a night meeting here and there, but to make this a night meeting every month, I don't think there is a need for this particular Board to do that. I'm usually gone every night of the week, and if I do have a free night I have other commitments outside of that, so I would hope that the Board realizes the strains being put on Staff, and the added costs it can create by bringing in consultants. I would respectfully ask that we don't change the time of this meeting.

John Graber stated that being a former Staff person, it's difficult if you have a 6 PM or 7 PM meeting. Between 4:30 and 6 or 7 you have dead time in there, you can eat a meal, but it does chop up and basically shoot the whole night. I did not think about the out of pocket expenses such as lights, heating that wouldn't have to be done for those evenings. 8:00 in the morning is preferable for me.

Alderman Ament asked JP, do you think we should we be looking for a motion before we have any more discussion?

JP Walker replied yes, he thought they should have a motion.

Motion by Alderman Seidl to change the by-laws for the Board of Public works from 8:00 AM to 6:00 PM on the third Monday of every month.

2nd by Alderman Ament.

Alderman Wysocki stated that some very good points have been brought up. Since Alderman Ament has been chairman on topics that have impacted a particular area or the entire City you have called special meetings. I like that process. I would tend to agree with the Mayor that the vast majority of the issues are nitty-gritty detail work and that isn't to say that our citizens aren't interested in that aspect of that. If we could make a commitment to have the meeting broadcast as the Mayor suggested on Monday evening over our cable station it would inform the citizens as to the nitty-gritty detail work that we are doing. I would like to continue with the way we do it now and then have other meetings as needed.

Mayor Chiovarero stated that big issues also go to the Common Council as a night meeting so the public can attend.

John Graber stated he would agree that getting it re-broadcast would be a good idea; the citizens would still have the opportunity to find out what is going on in the city on their time.

Alderman Ament stated the reason I brought this up was because of resident's requests, that they can't attend during the day when there are certain issues. I also would like to address the Staff hours, if that is a concern then maybe we need to look at this from the Council level. Utility is very similar, maybe that should be during the day and Water Resource, these are other issues. If that is an issue for Staff then maybe these other meetings should be in the morning or during the daytime hours if that's a budgetary issue. I will be checking into that. Yes, there will be one of the things that you mentioned John, having extra meetings is kind of a pain but I foresee that if we don't change this to the evenings which is what as far as I know every other meeting that we have that's one of the major Boards of Commissions is in the evening so residents can follow it. You will no doubt see more special meetings because there is going to be a need for those things, especially once the economy and development picks up. As of late there hasn't been that much of that except for possibly Calhoun Road and that is kind of steadily been going the last couple of months. So that hasn't been a major issue. I still intend to support this.

Upon voting the motion fails 3-2. Alderman Seidl and Alderman Ament voted to change the meeting time. Alderman Wysocki, John Graber & Mayor Chiovaturo voted against changing the meeting time.

NEW BUSINESS

ITEM 37-09 Review, Discussion and Possible Action in Changing the Truck Route Map included in the Comprehensive Plan Update.

Ron Schildt stated that this deals with the 2020 Comprehensive Plan and the truck route designations and restrictions. Referring to the truck route map that was in your packet and what was in the previous draft copy of the Comprehensive Plan we have updated that with a more recent one (which was shown on the screen). There was a discussion at the Plan Commission with possibly removing Coffee Road, we have taken that one off right now just to show what that would do and we have removed what was in the packet. There were three other segments that were highlighted that were originally put on. Howard Avenue and Michelle Wittmer Drive and then a remnant parcel for Beres Road that we have already shown as being gone also. The one other item that JP had brought up is now that we are showing Coffee Road as a possible removal through there we do have a current restriction on Wehr Road and then there is the south section from Cleveland down to Coffee of Johnson Road, those are remnant segments now. We don't really have designated truck routes but we do have restrictions on certain areas for heavy traffic. The main areas that we showed on the maps in your packets was Sunny Slope Road for the majority of that road except for the small section between National Avenue and Cleveland Avenue so trucks can get to those facilities. There was a restriction on Wehr Road, another one on Small Road that the cul-de-sac area between Beloit and Moorland, and another small section to take off the section of Small Road west of Westridge Business Park and also the sections of Calhoun Road from Small Road up to National Avenue. Those are the current restrictions that we have in the City ordinance and those are reflected on the map that you have and then our recommendation would have been to designate truck routes would have been that all State and County highways would be on there, all of the City's standard arterials except those that currently have restrictions or the remnant segments left over such as the section of Small Road between Calhoun Road and College Avenue down in the south section and then again all roadways within a Business or Industrial Park area would be included in the truck routes.

Alderman Ament stated this is something that I brought up during the Comprehensive Plan mapping that we were looking at. Part of the reason was initially because Coffee Road is in terrible condition and having those heavy trucks on there is a concern. I have also heard from residents in the area that there is entirely too much truck traffic in there, there is nothing that connects those trucks other than this just being a route for them to pass through and it's not that far away from Cleveland Avenue or even Lawnsdale which are County Highways, so that was one of the other considerations to get these heavier trucks that are hard on our roads, off of our City roads and onto the County roads or the State highways. One other thing is that there is a short stretch of a truck route on Sunny Slope Road between Cleveland and National; is there a reason why that connection is there?

Ron Schildt stated that when you go back to the City Ordinance that is one of the first ones that was in here so I'm assuming it was sometime back in 2005; I think that's when the Calhoun and Small Road restrictions went in there. We would have to do some research as to when the original one went in.

John Graber stated that Sunny Slope Road has been discussed that between National and Calhoun was left as a truck route but the area south of that was prohibited from trucking primarily because as Alderman Ament has talked about for Coffee Road is its current condition. It was in bad shape and therefore I'm guessing it was the early 70's or even possibly the late 60's that was put on as a no trucking route to save whatever pavement was left. Wehr Road also has some history, that was used as a shortcut for truckers to get from Cleveland Avenue to Coffee Road and then to Barrett Landfill, which used to originally be a quarry and trucks would use that to haul out gravel material and then when it became a landfill they used it to haul material in to fill the landfill, so Wehr Road was designated as a five-ton limit for no trucking just because it was in poor condition and there really was no need to have trucking on that road.

Alderman Ament said the entire length of Sunny Slope Road other than that small section being restricted it just doesn't seem to make sense why that would have been left out and not restricted as well other than it just never came up. When you look at the map it looks like you are using a City road to connect two County highways.

Alderman Wysocki said he would also like to have the history of Cleveland Avenue checked because I do recall that Cleveland Avenue east of Moorland Road was a restricted truck route and it was restricted primarily when you go to 124th Street into West Allis, that segment is a restricted truck route. I do remember that in the early development of the Industrial Park going back to the late 60's and early 70's that whole area of residential subdivisions and people living along Cleveland were promised that there would be no truck traffic on Cleveland Avenue east of Moorland Road.

Alderman Ament said that the reason that I wanted this on the agenda today was for the Comprehensive Plan. I do believe that will be going to Council the first meeting in December. It doesn't mean that it can't be finished but it has to be finished by the end of the year. Do we need to make any special recommendations to the Council, so the best thing would be to clean it up hear and let the Council weed it out from there if they decide to do so. If we make any changes will the changes be shown in the Councils version when they get it?

JP Walker replied yes, we have to present a package to the Council from the Board.

Alderman Wysocki said we won't have another meeting before the Council starts to work on this, so we need to do this today.

John Graber stated that he doesn't remember the Cleveland Avenue issue as well as he does the Wehr Road and Sunny Slope Road issues but Cleveland Avenue is a County highway and not under our jurisdiction as I recall from the right-of-way maps that is to have a fairly wide right-of-way and serve as an arterial. He couldn't see limiting truck traffic on an arterial highway, it just doesn't make sense. There are a couple others in here that perhaps would but that to me just doesn't ring true. I think Sunny Slope Road could be put back in as a truck route. I would question that section of Howard Avenue that services the loading docks of the Pick-N-Save complex as well as some commercial on the south side of the street and on the east end it does serve the post office which does get truck deliveries. The way the ordinance is written is yes, they can use it if there is no other way in or out but it doesn't seem logical to me that we call it restricted. The same would be true of Michelle Wittmer; it is at the very minimum serving as a collector as the rest of that development occurs.

Alderman Ament stated that the only thing is just because something is not on a truck route, does not mean that a truck can't go on it if they have a specific delivery or pick-up in a certain area, an example would be a new home going up in a sub-division. The trucks that deliver the materials needed for that can still go in there. The idea is that the truck route is something where you are trying to steer the traffic that is going through the City or from one part of the City to another and trying to steer them onto certain roads and away from residential roads.

Ron Schildt said that we actually had those shown as part of the truck route system. The problem we thought about is once Michelle Wittmer gets connected down to Howard Avenue, if it does, if it's shown as part of the truck route we think some trucks might try to circumvent going through the Moorland Road and National Avenue intersection and use that more as a cut through. So we didn't want to show it as that so trucks don't go through there.

Alderman Ament said that he thinks what we should do is look at the individual ones and make a motion on the individual roads or areas and then we can pick these off one at a time: Coffee Road, the Johnson Road link between Cleveland Avenue and Coffee Road, the link on Sunny Slope Road and Cleveland Avenue east of Moorland Road. Let's start with Sunny Slope Road, the link between Cleveland Avenue and National Avenue. Would that put it in restricted, do we need to do that as well?

Ron Schildt stated that he thinks the City Attorney is going to have to tell us how to finalize this. Right now we have the restrictions in there, I think it's easy to take ones that we want to make sure that they are restricted

from truck routes and add those to that part of the City code. Where we have to create a new section to list all those that actually are truck routes we will have to do that at some point after the Comp Plan is passed and specifically list the streets that actually designated truck routes.

Alderman Wysocki made the motion to recommend to designate Sunny Slope Road from Cleveland Avenue to National Avenue as a restricted truck route. Mayor Chiovatero 2nd the motion.

Mayor Chiovatero said that maybe that was put in there because of some restrictions that Alderman Wysocki was talking about earlier on Cleveland Avenue. If there is no truck traffic that is east of 124th Street on Cleveland Avenue which I think may have been changed. I travel that portion to Highway 100 all the time and I am on there with trucks but not many. As far as Cleveland Avenue being a County highway, I don't know if we can restrict that or stop that. It may have been stated as a truck route to get the traffic off of Cleveland Avenue.

Upon voting the motion passed unanimously.

Alderman Ament stated let's go with Cleveland Avenue east of Moorland Road.

Alderman Wysocki made the motion to recommend to Council to remove Cleveland Avenue east of Moorland Road and 124th Street as a designated truck route.

Alderman Ament 2nd the motion.

Alderman Wysocki stated that logically it makes no sense to send the trucks from the Industrial Park east on Cleveland Avenue to a dead end essentially; they can't go beyond 124th Street because West Allis has a limit on the truck traffic through that route. In discussing this when the Mayor talked about not seeing much trucking on that stretch I remember that the businesses in the Industrial Park where they get supply services especially with the semi's they tell and have told them not to use Cleveland Avenue. When we get through with all of this the businesses in the Industrial Park will tell their suppliers and their own truck drivers what the actual truck route availability will be in the City.

Mayor Chiovatero said that what he understands is that what you want to do with Cleveland Avenue between Moorland Road and 124th Street is make it a restricted route, correct?

Alderman Wysocki replied yes, that's correct.

John Graber stated that he appreciates the history of the traffic on Cleveland Avenue, however if 124th Street is a truck route and you have Moorland Road as a truck route creating Cleveland Avenue as a truck route would be an alternative way of getting truck traffic into the Industrial Park. I don't know what's east of 124th Street but it just doesn't make sense to just take that two mile section and restrict it when on both ends it's not restricted.

Alderman Ament said that his opinion is he doesn't know if there is any reason for trying to direct traffic down there. The reason in West Allis as he sees it is that they don't allow that to be a truck route or restricted is because that is a residential. The idea would be to try to get the truck traffic onto the roads that are really designed and intended for it and in this case the major route for the whole City for truck traffic, north and south is Moorland Road to get to National Avenue and to I-43. If they go down Cleveland Avenue to 124th Street to get to the freeway or National Avenue there would be a short link to the south of Cleveland Avenue to National Avenue but for the most part even at that their route would probably be more efficient to go down the roads that are made for that kind of truck traffic down to National Avenue and then go east or west or to continue down to I-43 or to go north to I-94.

Ron Schildt replied that this is a County highway and if we were to put a restriction on it we would have to sign it and the County would most likely say no.

Alderman Ament asked if it would it be better to just remove it from our truck route?

Ron Schildt replied that he thinks that would be a better way to handle it.

JP Walker asked if we should add to this to make our recommendation known to the County.

Alderman Wysocki and Alderman Ament both replied that they would like that.

John Graber asked what is shown on the arterial street map as the width of Cleveland Avenue.

Ron Schildt replied that the width is 130' all the way through the entire length.

Upon voting the motion passed 4 -1 with Mr. Graber voting no.

Alderman Ament made the motion that the Board of Public Works concurs with the Plan Commission's recommendation to remove Coffee Road from Racine Avenue to National Avenue as a designated truck route.

2nd by Alderman Seidl

John Graber stated that the Staff is in the process of doing some re-design on Coffee Road from National Avenue to Calhoun Road which is one section, and then from Calhoun Road west to Racine which is the second section. How much of an impact would that make in your design criteria if it were in the truck route, cost wise and everything else and what is the designation for the Coffee Road that is currently under design right now?

Ron Schildt replied that there is a pavement design that is stated in our developer's handbook that any arterial street in the City will be designed per the City Engineer's approval. We come up with equivalent axle loading for what we do have out there for the percentage of trucks. If we take it off of the truck route system as Plan Commission did you could say that whatever counts are on there now would be similar to what it would be if it was not on the truck route because we don't have a truck route system. If we actually change it to a restriction then you should say OK, all trucks should be fairly much zero except for those that are going to a home remodeling or something like that. There may be a few trucks but those would be lower than what we are seeing. Would it have much of an impact on our design? Probably not. The numbers are pretty low for the percentage of trucks, what little is out there isn't changing our design of what we would have for an arterial street.

Mayor Chiovaturo stated that in the State of Illinois if there is a restricted truck route no trucks with license plates that designate it as a truck as small as a pickup truck cannot ride that route unless they have a delivery or stop within one mile. Does Wisconsin have that type of restriction?

Ron Schildt replied that there isn't a one mile rule; it basically has to be the shortest route off of the existing truck route system. For example if you say Racine Avenue is part of the truck route and someone has to get over to one of the streets they have to come off of Racine Avenue, they couldn't go to Calhoun Road and go all the way down to Wehr Road, they should be going off of Racine Avenue or Cleveland Avenue if that's the shortest route. According to our code right now there is a 20,000 pound weight limit which is a ten ton truck.

Mayor Chiovaturo asked what about the section of Coffee Road between Moorland Road and National Avenue? Since that is part of the City Center section some trucks probably use that and I feel that little section should stay on the truck route because trucks can't make the turn easily off of National Avenue onto Moorland Road.

Alderman Ament replied that part of his intent is to get the bigger trucks that are using our streets off of our streets and get them on the County roads that are made for that type of traffic. I would prefer that we just include it all and indicate to the County that they need to do something with that corner. Right now the motion is to affirm the recommendation from the Plan Commission to remove Coffee Road from the truck route.

John Graber asked if we want to divide the motion to take that section east of Moorland Road to National Avenue versus the section of western Moorland Road.

Ron Schildt replied that if all we are doing is moving the green line and leaving it blank doesn't mean we are putting a restriction on there. So if the trucks know that it is hard to make that west bound National Avenue to north bound Moorland Road maneuver they can still use Coffee Road. We aren't putting a restriction on it, there isn't going to be a sign that they can't use it, it's just not one of our designated routes.

Upon voting the motion passed unanimously.

Alderman Ament made the motion to remove Johnson Road between Cleveland Avenue and Coffee Road as a designated truck route.

2nd by Alderman Seidl.

There was no discussion.

Upon voting the motion passed unanimously.

Alderman Ament stated that he can see some justification on having no restrictions on Coffee Road from Calhoun Road to National Avenue. He asked Staff why we wouldn't want to restrict it from Racine Avenue to Calhoun Road? The other section that you are looking at is Wehr Road; you are recommending that we remove that from the restriction? The main issue I would have with that, is do we really want the bigger trucks to use that with that dog leg that is in there? I know of several cars that haven't been able to navigate that corner especially if they are going north and want to turn left. They have a tendency to come down that hill a little too quick for that dog leg and I would be concerned that trucks might do the same.

Ron Schildt stated that actually the roadway is not centered in the right-of-way there either. The right-of-way curves would make it much smoother, but when the road was built it wasn't actually built centered in that area. It looks like it's an abrupt curve but it's actually because the curve isn't centered in there. When there is a reconstruction done it will get centered in the right-of-way, but for the time being it will remain this way.

JP Walker pointed out that if you look at the map up on the screen, where would a truck go if it would use Wehr Road? It would want to try to get over to Racine Avenue. I'm not sure that a truck is going to be able to make the left hand turn onto Racine Avenue looking at that angle so why would we want truck traffic on Wehr Road?

Alderman Ament replied that's why I am saying, we don't want trucks on Wehr Road. Are you saying that we remove that restriction?

JP Walker replied that he is requesting that it be removed that it's not designated as any type of a truck route, similar to any other local street in the City.

Alderman Ament stated that he agrees with that. To leave the restriction there would mean that it was posted and trucks wouldn't go down the road and end up with that situation.

Motion by Alderman Seidl to remove the designation from Wehr Road from Cleveland Avenue to Coffee Road as a restricted truck route.

2nd by Mayor Chiovatero.

Mayor Chiovatero stated that the reason he is supporting that motion is because the reason Wehr Road became a heavily traveled road was Barrett Landfill, which is nothing there now. There is really no reason for trucks to be in that area anymore.

Alderman Wysocki stated that in the Comprehensive Plan for the future there is no future anticipated business in that area that would require anything like that.

Upon voting the motion the passed 4 – 1 with Alderman Ament voting no.

Ron Schildt said that the only section left is Small Road west of Calhoun Road. Back when we had just the restrictions listed in the City code we didn't want trucks leaving Westridge and going west on Small Road and then going north on Calhoun Road, we left the section west of Calhoun Road as no restriction but now that we are actually designating where truck routes would be it still allows them to use that. If we don't want them coming in on College Avenue and coming to Small Road and taking that as a short cut and then realizing once they get to Calhoun Road they shouldn't be going north on Calhoun Road and they shouldn't be going any further east and it's hard to turn an 18 wheeler around in the middle of the intersection, so I think that should be cleared up and put as a restricted area. The small section that goes from Calhoun Road west down to College Avenue.

Mayor Chiovatero made the motion to designate Small Road from Calhoun Road to College Avenue as a restricted truck route.

2nd by John Graber.

There was no further discussion.

Upon voting the motion passed unanimously.

Vernon Bentley-3450 S Johnson Road – Earlier I heard you talking about 20,000 pounds for your truck weights. West of Calhoun Road a lot of the farmers farm that land and on their single axle dumps, most of those they license those for 26,000 pounds. The reason for that is that at 28,000 pounds you have to go into a CDL license which is what quad-axles, semis; they all have to have a special license. So up to 26,000 pounds a lot of the farmers do their single axle dumps out there. Also, on a regular farm license, on a pickup truck that is also 12,000 pounds, so that when you are talking about your different weights on the roads.

ITEM 38-09 Discussion and Possible Action on the Merits of Combining the 3 STP Projects into 1 Construction Contract

JP Walker said that at the October 2009 Board meeting it was stated that the local program management firm, DAAR Engineering who works for WisDOT in reviewing the STP project designs had discussed with Staff that there was interest by WisDOT to combine the three STP projects into one construction project. The reason given was that there is potential cost savings that could be incurred by combining the projects. Since that meeting Staff has had internal meetings and discussions about the merits of that when we have taken a closer look. So I contacted the three consultants plus contacted the representatives from Greenfield and West Allis that were here to discuss the 124th Street STP project. I asked them along with Staff to give me written thoughts and opinions on the merits of combining the projects. In your packet you have all those written opinions. I bring the discussion to the Board because I am looking for discussion on what the Boards thoughts are on combing the projects. We have opinions that go across the Board on both sides of the issue. It's not as clear cut as we thought when DAAR Engineering first brought it to our attention. So I bring it to the Board for discussion on the very merits, does it make sense to the Board to combine the projects?

Alderman Ament said that one of the things in reading all of these things is that it didn't seem like there was anyway anyone could pin a number on how much savings there would be, and looking at that, obviously if there was a substantial savings we would have to look seriously at that. But not knowing that and looking at the possibility that these road could be under construction for two years rather than one, if we decided to go with that and there wasn't much of a savings and we had people disrupted for two years I think that would come under some criticism. On the other hand I would hate to pass up on a substantial savings.

Mayor Chiovero stated that JP had talked to him about this earlier and I have put a lot of thought into this especially after reading everything here. We could still bid this out as one project but keeping it separate gives us the options to be able to bid it out. Also, if I'm not mistaken there is a push to get 124th Street done next year by Greenfield and Hales Corners. They are working with WisDOT right now and WisDOT has committed to getting environmental issues taken care of. They have right-of-way acquisition over there, don't they?

JP Walker stated that we have right-of-way acquisition and the other two communities have right-of-way acquisition because that phase of the project was put on hold until the environmental approvals are in place. We were told that it was 6 – 8 weeks out which put it into the time frame of the last half of December. I'm expecting it to be January before approvals are out.

Mayor Chiovero asked if it is a WisDOT project how can we put it into one?

JP Walker replied that it's because it was their recommendation that it could be done that way with potential cost savings, but no one can give us a number of what that percentage is.

Alderman Wysocki said the cost is what concerns him. Mike Martin pointed out his concern is that putting this into a larger project eliminates the potential number of contractors who could bid on the individual projects if we went ahead with our original planning. If they could give us numbers and show us the savings I might be inclined to accept it, but I don't like the fact under this kind of proposal and this kind of reconstruction project eliminates the number of other contractors who I think in this environment would want to participate in the bidding.

John Graber stated that there was a lot of reading in this and the one that was the most relevant and insightful was the one that Mel Corley wrote, it lists some of the pros and cons and that to me says basically #1 if we keep them separate that allows 124th Street to go as a separate project if everything falls into place. #2 it's separate from the rest of the projects so I don't see any economy in scale in including 124th Street in with Lincoln Avenue or Coffee Road.

JP Walker said Mel indicated to him in discussions that they had when you look at potential cost savings he was tying to the fact that they would bid it as a two-year project. You take that out of the equation, to me that takes the cost savings out of the equation, because I'm quite sure I know what the New Berlin residents and business owners would want and that is the least amount of impact and the least amount time which means one construction season and the only way to do that is to have three separate projects.

JP Walker asked for direction from the Board in a motion to take it back to WisDOT saying the Board ruled on this and their motion is to.....whatever you decide.

John Graber made the motion to recommend to Council that the three STP projects, 124th Street, Lincoln Avenue and Coffee Road all be done as separate construction contracts to be done in individual one construction seasons and not as one construction contract as suggested by WisDOT where it would be an extended two year construction season.

2nd by Alderman Ament.

Alderman Seidl asked if this would result in any lost STP funding is it?

JP Walker said no.

Alderman Seidl said then we can give them our recommendation but if they decide to do this because it is a project done by WISDOT are we spinning our wheels here.

JP Walker replied that he doesn't think they are spinning their wheels at all. We are giving them our recommendation, and their recommendation at least in discussion with them will be the public's concern about potential two-year project which is seen as a negative in New Berlin.

Alderman Wysocki asked is this consistent with all the work we did in re-aligning our CIP roadway plan, correct?

JP Walker replied yes.

John Graber stated that the motion he made doesn't make any reference to any one or two years. Would that be something I should add into the motion so these can be done in three separate projects?

JP Walker stated that right now the PSE date is set for November 1, 2010 and the Let date is set for March 8, 2011. With that type of LET date I assume it would carry over even if we were to separate the projects. I can get that confirmed. This certainly should be one construction season with possible landscaping issues resolved in the spring of 2012. Anything under the road should be in one year.

John Graber amended the condition to read that they should be done in one construction season.

Upon voting the motion passed unanimously.

ITEM 39-09 Review, Discussion and Possible Action about the Right-of-Way (ROW) Width for Calhoun Road from Greenfield Avenue to National Avenue and National Avenue to South Small Road.

Alderman Ament stated that the requested action is that the Board of Public Works, review, discuss and make a recommendation to the Common Council to change the Comprehensive Plan to reflect the right-of-way for Calhoun Road to 110' from Greenfield Avenue to National Avenue and 100' from National Avenue to Small Road as recommended by the SEWRPC 2035 Transportation Plan. The fiscal impact reduced ROW acquisition costs for any rehabilitation or reconstruction of Calhoun Road and the rationale the transportation component of the Comprehensive Plan is showing that the ROW should be 130' for the entire length from Greenfield Avenue to Small Road. The City Transportation Plan on page 19 calls for Calhoun Road ROW to be 110' while the verbiage on page 21 recommends 130'. The South Eastern Wisconsin Regional Plan Commission's (SEWRPC) 2035 Transportation Plan calls for the ROW to be 110' from Greenfield Avenue to National Avenue and 100' from National Avenue to Small Road. I think we should adjust our Comprehensive Plan to reflect the recommendation of SEWRPC.

Alderman Ament made the motion to recommend to Council to change the Comprehensive Plan Update to reflect the ROW for Calhoun Road as being 110' wide from Greenfield Avenue to National Avenue as shown on the Waukesha County ROW Width Map.

2nd by Alderman Seidl.

John Graber said that one of things that we were running into with the Calhoun Road reconstruction especially north of the railroad tracks was the concern that people's homes would be right on top of the road. If you have a wider ROW designated it sets the homes back another 10' and will provide for sloping if you need it to get to the homes and also to just provide that horizontal separation from whatever pavement is being constructed to the new homes at least.

Alderman Ament stated that he thought when we were going through the Calhoun Road discussions over the years, even if it went to four lanes especially in the residential section north of the railroad tracks, there was no need to acquire any ROW in that area was there?

JP Walker replied that if it went to four lanes there was acquisition on the west side to straighten out the ROW because it jumps around on the east side I thought there was a purchase of 5' was needed.

Alderman Ament stated that was assuming there would be side paths.

Ron Schildt stated that there should actually be 67' of roadway width; we already had done a modified section. As you said, we had a TWLTL up there plus four travel lanes. If you look at a four lane roadway with a median usually 120' is what you need if you are going to have sidepaths.

Alderman Ament stated that in the past that always was 110' in that area up until 2004. Looking at that ROW is the potential form for creating non-conforming lots with the setbacks from the road, especially for the residential areas in there. I also don't think we need to go through that process when my thoughts on the whole thing, is that until the County takes that road over let it all be the County's problem.

Mayor Chiovero asked that our Comprehensive Plan shows the City ROWs and not the ROW's of SEWRPC.

Alderman Ament stated that SEWRPC is recommending 110' and the City plan is recommending 130'.

Ron Schildt stated that if you see the one up on the screen it says the Waukesha County Width Map that is what they are. SEWRPC doesn't make any recommendations as to the ROW width. They make a recommendation as to what they believe the roadway cross section would be, but for ROW width's its this map and what we have in our transportation element. The only place where the ultimate ROW comes into effect is when you have a Land Division that's taking place as part of development, where they are plotting those lots, then we come through and say, OK, our ultimate ROW width is supposed to be whatever we decide on and they have to make sure that the lots that they create and all the set backs are recorded.

Alderman Ament said that when he looks at the County Map it looks like it is also showing Calhoun Road at 110'.

Ron Schildt replied yes, 110' for the north section and 100' on the south end.

Alderman Ament stated that again 130' seems excessive for Calhoun Road. When you look at the first map under the requested action it even shows National Avenue from Lawnsdale to 124th Street at 120'. I just think that we should make these maps consistent with the County and SEWRPC and I also don't believe that we need to go any wider than 110'.

John Graber said that National Avenue west of Lawnsdale would probably be designed as a rural section which is where you would need a wider section for the ditches. The only reason that I mentioned it on the others was for a cost saving type of thing that if we replace a higher right-of-way restriction they have a development plan now, we make them dedicate, and it's free, we don't have to pay for it and that's one of the things that the right-of-way acquisition can get to be very substantial and therefore if we have a wider right-of-way designated we don't have to use it we can just set the houses back for horizontal separation and free right-of-way.

Alderman Wysocki stated that the right-of-way is only free in terms of new development. For those that already exist we would have to purchase. I find it interesting that National Avenue west of Racine Avenue on the south side has curbing for a considerable distance from the old fire station going west there is curbing there already.

John Graber stated he thinks that if you look at the improved parcels along that section of road are relatively close to the road and therefore curb and gutter will reduce the necessary right-of-way so that became a cost consideration when they designed it, rather than doing a rural section and then having to acquire complete properties at a later date.

Upon voting the motion passed 4 -1 with John Graber opposed.

Alderman Ament made the motion that we change the Right-Of-Way width on Calhoun Road from National Avenue south to Small Road to 100' as shown on the Waukesha County ROW Width map.

2nd by Alderman Seidl.

John Graber said that he has the same comments as before but that section of roadway is also a less flat section, it has more contours, it's hilly and the wider ROW if it's dedicated will eliminate more of the costs as necessary for the narrower ROW that is being proposed.

Alderman Ament stated that part of this originally being 100' is still valid. If the County would take over Calhoun Road and widen it, their plans for taking it over are from Greenfield Avenue to National Avenue. I don't see any need to widen Calhoun Road regardless of what happens to the northern part of it the southern part of it from National Avenue to Small Road; we have even restricted the truck traffic all around that area on Beloit Road and Small Road where they intersect Calhoun Road. I just don't see any reason, especially for that section to be any wider than the 100' that was originally in the master plan or original transportation plan.

Upon voting the motion passed 4-1 with John Graber opposed.

ITEM 40-09 Approval of Amendment #2 to the Ryerson Road Design Contract with Strand Associates for the Re-design of a Water Main Relay.

Ron Schildt stated that originally when the Ryerson Road contract went out we assumed there was going to be some conflicts with the other utilities out there and the new storm sewer that we are going to be putting in the roadway. To what extent, we didn't know at that point. As the consultant started going through it they actually looked at a number of areas, there were 18 different conflict points with the existing water mains. We talked to the Utility Department and they were unhappy with that. We are trying to do something where we would have to move the main or the laterals and go around the new storm sewer and they would like to see that whole area redesigned with a whole new water system. Basically what we are looking at here is having the consultant, Strand Associates, change the scope of work in Amendment #2 in the amount of \$69,000 to basically do the re-design of the water system as part of the Ryerson Road project. Funds will come from Ryerson Road CIP Account (04251100 63012 C2007) with \$133,805.41 in available budget.

Motion by Alderman Seidl for the approval of Amendment #2 to the Ryerson Road Design Contract with Strand Associates for the re-design of a Water Main Relay.

2nd by Alderman Wysocki for discussion.

Alderman Wysocki said that he assumed that an account was set up with a specific fund amount taking into concern the work that was supposed to be done. This work was not anticipated. What if anything in this account that we were supposed to be covering will now not be done?

JP Walker replied that the amount of funding that was approved in the CIP budget exceeded the not to exceed amount in the original contract. Nothing will be eliminated from the project, this will be added to the project with a request to use a portion of the approved funding that exceeded the not to exceed number. In other words we are asking that the not to exceed amount of the contract be increased and still be within the approved CIP budget. The not to exceed amount of the original contract was less than what was approved in the CIP budget.

Alderman Wysocki asked if this basically another \$69,000 adjustment.

JP Walker replied yes.

Alderman Wysocki stated that he has a concern about it being a considerable amount of money in view of what was originally approved and this was the design phase of it in 2007, correct?

JP Walker replied yes.

Alderman Wysocki stated that obviously you have kept in the loop the Utility. Is there any cost to the utility involved in this?

JP Walker said that as of right now, no.

Alderman Wysocki said that he hoped the Utility Committee would get a heads up because they are in their budget process and I don't recall any of this being mentioned in our proposed utility budget. The amount that you are requesting as an amendment, the \$69,000, is actually needed as a result of the utility saying that these various conflict points would create potentially substantial problems for them in deliver of the water. Once this is done is this the last component of the design that you have any concerns with?

Ron Schildt said that they are getting to the final phase of it; in fact we are having our 2nd Public Informational Meeting tonight. These types of things, the number of offsets, the cost of construction of doing those that you get so close with the conflict you are basically relaying the whole thing.

Alderman Wysocki said that this is probably because we are in the last phases, the last potential unexpected costs.

Ron Schildt stated that I think is part of the reason when it gets back to the whole budgeting thing we use the WISDOT guidelines which use funding numbers for what it cost to do a two-lane or four-lane roadway. That is what we base most of our stuff on is basically that number, it's a cost per mile and that include doing water main. We didn't include that in the original contract and that's why it was smaller than what the original request was and now since we have to add it we are getting to the point that we are going to have roughly \$50,000 still left in the account. It's going to cost about what our original estimate was going to be.

Alderman Wysocki asked under Section 4, Specific Conditions of Payment, we are adding water main design. We still have the phrase "it is expressly understood by the parties hereto that under no circumstances shall the total contract fee exceed the amount of \$371,250 except as provided herein." What would be the exception that could possibly exceed that amount? Are there any concerns on your part that there could again be a circumstance? Ron, are you comfortable that this should do it?

JP Walker replied that he is not aware of any other issues.

Ron Schildt stated, "never say never", but they have worked their way through it, they found out some conflicts and need to re-design the water main system.

Alderman Wysocki asked what about street lighting?

Ron Schildt replied that there is nothing unforeseen that hasn't come up yet.

Alderman Wysocki asked if there were any other utilities that you have a concern about.

Ron Schildt answered that they will have the private utilities that are out there and get them plans and there may be some cost to the City for relocating certain things possibly, but that is part of the construction costs.

Alderman Ament stated that as far as the utility is concerned he will get in contact with the chair of the Utility Committee and let him know and he can decide if it's something he wants to let the Committee know or if he thinks it's even necessary.

Alderman Ament read a statement that says "design water laterals to properties on Ryerson Road to avoid potential conflicts with new storm sewer facilities", so some of the reasons for moving these mains is so that they aren't in conflict with the stormwater facilities or swales that we are putting in. Is there a certain distance that we are required to stay away from or are we going to be going that close to that they have to be moved?

JP Walker said that there is a certain distance. The general rule of thumb is that we want to see a five-foot separation minimum. Anything less than that we have to start adding insulation material above the water main to lessen the potential of freezing in the winter.

Alderman Ament asked if some of this is the stormwater component.

JP Walker answered yes and added so the Board is aware of this; we are looking at this very issue for every project in the Industrial Park. I think there is one project that we are Ok with and utility is fine with that. It's when you exceed a couple conflicts that they get concerned and they are requesting that it be relayed. So there may be other projects where the same issue comes forth.

John Graber said that he agrees that the amendment where it says except as provided herein be removed from the amendment because we haven't provided anything that would indicate anything and that gives them an open end. The \$371,000 is the total amount that is not to exceed for those components, so obviously the original contract or the contract with the first amendment would have been roughly \$302,000 just because the only thing that has changed is the \$69,000. I have a little bit of a concern that the consultant didn't really look at this at the time he put his proposal together for doing the work. The water mains are typically a 6' depth, looking at the scope of the services was. I would have thought that they would have taken more into account for that potential area especially if it's in a not to exceed amount if they don't have to do the design they just have to include the plan specs in the design for the lateral crossings and that type of thing. To me the \$69,000 sounds excessive at this point in time they should have been sharper with their proposal.

John Graber made the motion to amend to remove "except as provided herein" from Section A on the bottom of page 1, since there is nothing provided.

2nd by Alderman Seidl.

Alderman Wysocki said that we don't have the total contract in front of us; these are the changes that are being recommended in this amendment, is that correct?

Ron Schildt said yes the page that is on here is what is being changed. The prices that are shown at the bottom are the total dollar amounts.

Alderman Wysocki said that the sentence refers to the entire contract, there could be other components where there could be that exception, am I correct?

JP Walker said that yes, I think you are correct.

Ron Schildt said that if you look at Section 5 you are deleting Item A in its entirety and replacing it with that section, although this is the amendment it gets inserted into the original contract, so there may have been other things in there that weren't covered.

Alderman Ament asked are you saying that there may be a problem with the amendment to the motion.

Ron Schildt said that without going back to the original contract and figuring out what other items there might have been in there could have changed it.

Alderman Ament asked what the timetable is on this.

JP Walker said that this does not need to go to Council immediately; it can wait and get to the Council in December or later. But the issue is they have a time performance from the end of December to basically to the end of February and if we delay approving this it could put that back. It's not an issue because Ryerson is not scheduled for construction until 2013.

Alderman Ament asked if we approve to send this on could you make sure that we get that information at the Council level so that we are comfortable with it there so we aren't holding up the project. We are making a recommendation to the Council here based on what we know and if there is anything that the amendment would throw a monkey wrench in we could straighten it out.

JP Walker said that we should be able to get it clarified tonight at the Public Information Meeting because the consultant will be here.

Alderman Ament asked if there are any that JP could bring it to the Council when it is presented there.

Alderman Wysocki said that he would vote against the amendment but if information came forward. You could alert us at the Council level that there is something different and make the amendment at the Council level.

John Graber said that the services that listed the seven items in the costs associated have a not to exceed amount on them so I can't see where at any point the total is going to get changed. I would like a fixed contract or a maximum contract for that, so that is why I made the motion to amend.

Upon voting the motion to amend the amendment failed 3-2 with John Graber and Alderman Seidl voting in favor of it.

Upon voting the original motion passed unanimously.

ITEM 41-09 Discussion and Possible Action to Create a Policy for the Use of the Temporary Speed Tables.

Alderman Ament said that he brought this forward primarily because the Council did approve purchasing them and then after that a couple questions came from different areas to try them what policy is there for doing that. There really isn't one at this point. I discussed it with Don and thought that we should come up with some kind of policy for this or at least get some comments and Staff could start working with Don on that. One of the key things would be if five areas want them at once what is the criteria for who gets it first and the other thing is how long would they stay in place? We should have something from Staff as to how long they should be down.

Alderman Wysocki said he thinks of the temporary speed tables as a tool that the Safety Commission would use and I am comfortable with that because we have representation from the Engineering Department on our Safety Commission and I believe from the Highway Department also. My point is I don't know to what extent we need to set the policy, I think the Safety Commission should set the policy because they now have an additional tool besides arterial stop signs and other signs.

Alderman Ament said that was something he was wondering also, if the Safety Commission should be the ones to discuss the policy.

John Graber said that he thinks it could be done that way but the Board could put its two cents worth in and the only way to really do that is to refer it to the Safety Commission and then considering traffic counts, speed study, road classification, when they do their review. I think that this is something that should be started from a residential concern.

Alderman Ament said that most of the time when we have these types of issues they either originate or get sent to the Safety Commission for them to go through. If there is some reason that we need to look at it they could always send it to us to look over and discuss.

Alderman said that this item should be removed from our agenda.

Alderman Seidl made the motion to adjourn.

2nd by Alderman Wysocki

Upon voting the motion passed unanimously.

Meeting was adjourned at 10:31 AM.

Motion by Alderman Wysocki to adjourn.

John Graber 2nd the motion.

Upon voting the motion passed unanimously.

Meeting was adjourned at 6:55 PM