

MINUTES
BOARD OF PUBLIC WORKS MEETING
February 21, 2008
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.

Members Present: Mayor Jack Chiovatero, City Engineer J.P. Walker, Alderman Moore, Alderman Augustine & Alderman Ament.

Staff Present: Ron Schildt, Transportation Division Engineer, Greg Kessler, Director of Community Development, excused, Tammy Simonson, Transportation Senior Civil Engineer, Alderman Ron Seidl, Alderman Ken Harenda, Alderman Joe Poshepny.

Guests: Curt Bolton, City of Greenfield City Engineer and Sue Barker, Crispell-Snyder, Inc.

Alderman Augustine asked if there was anyone wishing to speak at the Privilege of the Floor.

Brian Griffin – 4892 So. Hawthorne Drive – I want to bring to the attention of the committee tonight that my first request is I would like an open records request on the 124th Street Project from the inception to current date including all future expenditures on this Project. We would also like to include the work on Coffee Road. I would like to know how much the City of New Berlin tax payers have paid for this project. I would also like to know who from the City of New Berlin authorized the creation in mailing of the latest notification for the 124th Street Project to a select number of New Berlin residents without the permission of this committee. I would like to know what the exact dollar amount was to the tax payer for the creation and mailing of this document. I would like the Mayor to summarize the process and outcome of the proposal of Calhoun Road which occurred several years ago. Hasn't the community already spoken against such items as sidewalks, sidepaths and trails? I am concerned that the City is not taking care of their due diligence that they are not taking care of sidewalks and areas that they are responsible for.

David Hanson – 4940 So. Hawthorne Drive – I'm here to speak against any sidewalks or sidepaths along 124th Street. I have a letter here and I made copies for everyone on the Board. I appreciate you taking the time to attend this meeting. This letter is from a general sales manager of the First Weber group. He resides over about 85 top professional realtors in Waukesha County. The letter reads as follows: "It's dated February 21st, 2008. I have received a request from the homeowners who live in the Country Estates Subdivision of New Berlin to forward my professional opinion as to how the property values will be affected if a bike path is installed along 124th Street on the west side of the road. The aforementioned homeowners have indicated that the road and bike path will be widened and bring the bike path 20' closer to the back of their property. They have additionally stated that natural vegetation along the back of their properties will be removed to complete this project. Anytime a property backs up to a busy roadway the market value of the property is always less than a home that backs up to vacant land or another home's backyard. The market value of such a home can be significantly improved if a buffer exists as it is currently along the west side 124th Street. Therefore it is my professional opinion as a realtor of a large real estate office that the property values could be affected by as much as 10% to 20% of the current market values. This would further erode if the disclosure was made that the ongoing maintenance of the bike path would be the property owner's liability. I sincerely hope that the committee takes these factors into consideration for these homeowners before approving this project. Sincerely, Leo Fitzgerald, Sales Manager, First Weber Group Realtors." I spoke with Leo this afternoon that the 20% would be conservative. If you take the homes in Country Estates those home values are anywhere between \$300,000 to \$500,000. That means if the Council decides to put these paths in, it could affect these values

anywhere from \$60,000 to \$100,000 per household and so I would please ask you to consider this before you approve this project.

Dennis Kasian – 20203 W. Lawnsdale Road – I would like to address the issue on the agenda regarding the Construction Traffic on Farrell Drive. Currently there are 5 or 6 families on Farrell Drive and if they keep maintaining the existing construction route there are 8 families on Howard Avenue that are affected and there are now 20 additional families that live in the new condos that live there. I don't think it's fair or right that the 5 or 6 families on Farrell Drive have some privilege that they don't have to experience the construction traffic. In regards to deliveries and things like that when semis come in with materials it's extremely hard or almost impossible to turn semis around in there. If they do they sometimes go over the curbs and run the risk of cracking the curbs. Also, I am involved with the development on Fohr Drive. I was called into the City twice because of the dirt on the road because of the adjacent development. I would ask that you would reconsider the decision you made a couple of years ago now that there is an additional 20 families there.

Sally Hanson – 4940 S. Hawthorne Drive – I have always been of the impression that the government was for the people and by the people. The fact that we couldn't get this meeting any later than 5:30 makes me question whether the elected officials are for the people and by the people. I resent, I am insulted as a realtor, as a resident, as a former public relations practitioner this fluff piece that was distributed to some residents is an insult to our intelligence. First of all one would think you would go to the highest source for information. The highest source for information on property values is not the bicycle federation of Wisconsin. It is not the SEWRPC; it is not a committee in New Berlin that has met three times in the last two years that has called itself the Alternative Transportation Committee. It is pretty ridiculous to say that one of the reasons that we are promoting sidepaths, let's call them what they are. Let's not romanticize it and call it a sidepath, there is a significant difference between a trail, a path and a sidewalk. When we first objected to this in our backyards they went to the other side of the street, which is not Waukesha County let alone New Berlin. They went from being 30' to 10', clearly it was not thought out that clearly and if it changed that quickly who's to say it won't change back. It's a lose/lose proposition for everyone in this room, because either the property owners are going to have to maintain them or the City is going to have to maintain them. The City is not a separate entity; we are the City. We would have to pay additional taxes to maintain them, to replace them, to have the equipment to maintain them. This piece that I just saw tonight that quotes the National Association of Realtors of which I am a member talks about trails. Whoever put out this piece there is a significant difference between bike trails and sidewalks.

Brian Weber - 5220 Nicolet Drive – I have a natural creek that the WDNR will not take out, which will bring the bike path right up against my property line. What I propose is put the bike trail along the street. If I have an outing I will have people walking right along my yard. If people are walking their dogs and the dogs defecate the people are supposed to pick it up but they don't.

Tenly Griffin – 4892 S. Hawthorne Drive – My backyard abuts up to 124th Street. At one point in time when I came to the meeting in January in the morning and there were a few plans for us to see. We heard at that meeting that Hales Corners did not have the money in the budget and Greenfield was not a proponent for having anything on their side. I believe it was also mentioned that the yards and property owners on the Hales Corners and Greenfield side went right up to the road. If you look at your papers and documentation you will see that is not the case they also have a setback. It's funny that after we left that meeting and said that we were totally against any sidepaths anything more than the extended area for people to pull their cars off to or for people to jog on, we receive this letter and we also mentioned at the meeting on the 28th that the people on 124th Street received a letter one time to discuss this change and proposal. Then we received this letter that Mrs. Hanson referred to and funny how that flipped to the Greenfield side, the issue still is that there are four times that people will have to cross busy streets, Grange Avenue, 124th Street, Layton Avenue back over across 124th Street to continue on this sidepath and trail. I am the mother of two children and there is no way that I would endanger their lives by crossing the busy streets to get to the sidepaths. There are also other Aldermen that are not here this evening that have made the comment that they like to listen to the people and then make a decision. Well, the Alderman that is not here this evening hears me say that we do not want the sidepath on

124th Street. Through all the documentation that has been done and the recent mailings that we have received I don't see anything to address what I brought up before where half of that street that's not currently going to have the sidepath was going to require the retaining walls. You talk about 72 hours of snow removal and you can't even handle that.

Gary Schaefer – 5250 S. Nicolet Drive – My backyard is 124th Street. I'm opposed to a sidewalk or bikepath or whatever you want to call it for several reasons. The first one is a safety issue. I'm cutting the lawn when some kid is riding his bike and a stone flies out of my lawn mower hits the kid in the face, I'm getting sued. I think if the sidepath is 10' wide a guy can drive a car on it, bust into my house, get on the sidepath and drive off. My neighbor has a swimming pool and his teenage daughters are in the pool, I don't want to have to worry about their safety. I think it's a poor idea and it's a sidewalk that goes nowhere and I'm opposed to it.

Susan Dexter – 16015 W. Santa Rosa Blvd – While I realize you aren't talking about Coffee Road, I think the issues that you are talking about on 124th Street also effect those of us on Santa Rosa Blvd. First of all let's point out that when we have sidewalks and there is ice, things happen even with the best care. The reason we have sidewalks, I don't even know why we have them. I have been here 25 years, never had sidewalks, never needed them, never wanted them and still don't want them. When the sidewalks go past where a resident live, who is going to clean them off? Are we going to have people come and clean them for us? They aren't doing the job right now. We don't have adequate removal or care when it's icy and down we go. So please listen when the people say we don't want sidewalks.

Bernard Dallman – 2985 So. 126th Street – This is the West Allis Subdivision and we use 126th Street very often between National and Cleveland Avenues. Kids walk very often from Nathan Hale School to home. They walk along that narrow road and people on that road are going over to Speedway for milk. We walk that short distance. Believe me a sidewalk between National and Cleveland Avenues would be appreciated.

Thomas Bentz – 1719 So. 124th Street – Which is not in the area that is being discussed tonight. About 5 – 7 years ago we had sidewalks and the City took them out. They said New Berlin is a driving community where there is no reason for you to have sidewalks. I agreed with them but the problem is that you have Greenfield Park and the east side of 124th Street has a sidewalk that runs to nowhere, it runs halfway to Greenfield Avenue, I would be the first one to say it should have a sidewalk. I said the sidewalk should be completed down to Greenfield Avenue because there are a lot of children and adults that walk to Greenfield Park. I have no problem with that, however there is no one that uses the west side of the street, and I'm not against having sidewalks for safety's sake. I don't really like sidewalks but for safety sake to get people into Greenfield Park. They said well, we can't afford that it costs a lot of money to put in a sidewalk. I told them when somebody gets killed you will find the money. I said I don't think you know because you don't live on 124th Street. With the increase in traffic over the last 10 years; it takes me 10 minutes to get out of my driveway. It's become a freeway, people don't slowdown and I said fine you want a sidewalk because you build it adjacent to the curb I have to clean off what the City plows up there. Every time they go by I have to plow all that snow. People in New Berlin don't use the sidewalks. The bike trail is open you can park on 124th Street and go up to the bike trail, but that is a specific designated trail and if you want to bike that's where you go to bike.

Gary Sutton – 4920 S. Hawthorne – Just want to register a complaint about having a sidepath on my backyard. I'm all for the repairs of 124th Street. I am not impressed with the plans to put in a sidepath that is holding up the repairs of the road. In addition to that we all know that we have a lot of pot holes to repair. The budget should be adjusted to take care of the pot holes that we have.

Mark Musselman - 16131 W. Top-O-Hill Drive – I'm here to address the sidepath issue on 124th Street. I am opposed to expansion of that. My comments do apply elsewhere. I ride my bicycle over 25 miles a week between March and November I would be able to use that but as far as I'm concerned there is adequate bike trail capacity in this City already. I don't think it would be a valuable asset to the tax payers.

Barry Brezan - 12485 W. Weatherstone Blvd – I live a couple of blocks north of the proposed sidewalk on 124th Street. A couple of years ago we had Coldspring Road redone they added about 3 or 4 foot section of the road on each side. That seemed to be agreeable to most people and it didn't take down a lot of trees. My wife and I use those sections that are designated to walk around the block and we see other bicyclists out there. That seems to be a real good solution and the speed bumps also work along there. I suggest people take a look at that.

Bob Pelczar - 17231 W. Treetop Lane – I was involved when Calhoun was rebuilt. I did a petition to put sidepaths in on Calhoun Road which did not happen. The reason I did that was because my children walk to Ronald Reagan School and the Chief of Police Nuens lived next door to me. He ran a survey for me and determined that 27 people were killed along Calhoun Road between Cleveland to National Avenues in the last 10 years before that, which was about 15 years ago. Thirteen of those people were children. We are talking about the death of children. You have to plan for sidewalks. Are we going to have sidewalks in New Berlin in the next 50 years? Yes, on all the main streets. Brookfield puts sidewalks in on all the main roads. Well, 124th Street, Coffee Road, Moorland Road, are all main roads. We spent more on the sidewalks along National Avenue than we did for National Avenue because we killed a woman in a wheelchair that was going to the gas station that was on the corner from the nursing home. A child was killed on a bicycle on Coffee Road. The sun sets and you can't see anything. If you have a bicycle path, that wouldn't happen.

Vernon Bentley – 3450 S. Johnson Road – People here today don't understand the history behind the sidewalks and sidepaths. In 1999, former Mayor Gatzke couldn't sell the sidewalks to the City even with a matching grant from Waukesha County without having the City maintaining them. An immediate tax burden to the citizens that has remained for years. Former Mayor Gatzke with National Avenue, the WisDOT with Greenfield Avenue all echoed the same concerns that Mayor Chiovaturo copied in the Waukesha Freeman, October 18th, 2005 Mayor Chiovaturo said and I quote “A young boy and senior citizen were killed on National Avenue and the citizens then wanted sidewalks on the streets.” A teen was crossing Sunny Slope and National Avenue from the First Precinct Bar, which is now where Pick N Save is kiddy corner through the intersection at 5:00PM on his way to the bank at a lighted intersection. The senior citizen was crossing Moorland Road mid-block not at the intersection north of National Avenue after the 4th of July fireworks on a dark rainy night with a plastic bag on her head in the rain. With all due respect a sidewalk would not have helped either person. On October 15th, 2005 former Alderman Gallagher, had a requested action for sidepaths, the requested action went nowhere. On October 25th, 2005 a request for sidepaths on both sides of Moorland Road south to Mark Drive and north to Coffee Road went nowhere. Recently at the Board of Public Works, Alderman Moore gave a lengthy presentation on sidepath maintenance, City staff gave all the reasons his plan would not work and the motion was forwarded to Council with no changes. After Council discussion the motion was tabled. The sidepath information sent by the City to residents on 124th Street and Grange Avenue is endorsed by the Bicycle Federation of Wisconsin who are in it for the free ride. They do not pay New Berlin property taxes to build or maintain sidepaths. Also endorsed by Southeast Wisconsin Regional Planning Commission that requests and I quote “all arterial streets should provide accommodations for bicyclists” and the New Berlin Alternative Transportation Committee who have bicycle paths in their plans. This twisted PR should be taken out of the budget. I don't think this is proper use of property tax payer money. There is a million dollars in the roadway rehabilitation project. The City Engineer recently reported that will repair a little over 3 miles of road in 2008. Is the City sacrificing road repair for sidepaths? Many people ask why does the City have money for sidewalks but not paramedics. I answer by saying “it's the priorities of the elected officials. If you are not happy with them you can replace them at election time”.

Leon Deaton – 5250 S. LaSalle Drive – I need to make a comment about 124th Street between Grange Avenue and Beloit Road. That road has been in disrepair for the past several years and I have called several times to see when they are going to take care of it. I guess in the year 2010 they are finally going to get around to it. Then they want to build a sidewalk or sidepath. That section of road is not a place to put a sidewalk or bike path on. It's just waiting for an accident to happen. They are going to be tearing down the bridge and rebuilding that, putting in a gas station on Layton Avenue and with Patterson's Orchard there is too much congestion in that

short distance. Having a bike path or sidewalk crossing back and forth is dangerous. That is not a place to put a sidewalk or bike path. Please take care of the road.

Thomas Hagner – 4884 S. Hawthorne Drive – My property abuts 124th Street. I'm opposed to the concept of putting a bicycle path in between Grange Avenue and Beloit Road. I feel its inappropriate and bicycling should not be encouraged on a major roadway such as 124th Street is becoming. I love biking. It doesn't belong on 124th Street. It should not be encouraged but not at that particular point. It is not going to serve the public well. There are other places that bicycling should be encouraged, but that is not one of them. It's a safety issue and it's taking the property owners into a negative place that we don't belong.

Donna Goodrich – 3783 Shady Lane – One thing I haven't heard mentioned tonight was are we as the City of New Berlin with 36 square miles putting in a section of bike trails that are going nowhere and are we coordinating with other cities. We should be thinking regional at least Waukesha and a little beyond, but this idea of each of us doing our own little thing and it ends up to be a hodgepodge of little paths going this way and that is not the answer. I also feel this idea of a regional approach is more fitting for the future. I somehow feel that we will in the end duplicate some services by not having any plan except for our little 36 square miles. Of course that means taxes and repetitive spending. It's taking away some of the country feeling that you advertise New Berlin as having and it also brings me to think living on the opposite side of town from these people, is this going to be like Waukesha where I grew up in, that every place that's developed has to have a sidewalk. Look at the sidewalks going into Waukesha down Racine Avenue. I never see a sole on them. Nobody uses them; it's a waste of money. We have plenty of them. We have that nice one from Waukesha to Greenfield Park, we have Minooka Park, we have all kinds of places to go. The people should speak in this regard. I wouldn't like it either. We want a feeling of country. I know that if it's on Coffee Road or Calhoun Road, it's coming. I know the plan. Who gave this consultant the criteria to work with? Was it the engineer, was it the mayor, who was it that gave them the criteria; they just don't dream them up. There are some ideas that you had that went into that plan. I would like you to tell the taxpayers who came up with this plan. Especially this improvement on 124th Street and on Calhoun Road.

Randy Clendenning – 13512 W. Prospect Place – My familiarity with sidewalks is between Sunny Slope Road and the cemetery past Greenfield Plaza. They put in a sidewalk along Greenfield Avenue and it's nothing but zigzags. I don't know anybody that would want to be winding back and forth on this sidewalk. They walk down the road instead of the sidewalk. Can you imagine what it costs to do that? A straight path is much cheaper. I hope if they put in a bike lane it's a straight line.

Edell Schaefer – 5250 S. Nicolet Drive – I would like to address the 124th Street issue briefly. I have worked in the public sector for the past 25 years and the one thing I have learned is that the relationship between the elected officials and the people they serve is based on trust. If you can't trust your elected officials to do the things that you have asked them to do when they are reasonable requests you have a problem. One of the things that I wanted to point out is that because of the drainage on 124th Street south of the creek, one of the things that we had a problem with on our property and our neighbors to the north of us had was the collection of water. Those ditches never held the water that they hold now. New Berlin's solution, which gets to the trust factor, was to come in a fix those ditches by digging them into a deeper V shape. If you have a water problem you'll know that digging a V shape into a ditch like that is only going to collect more water. It's not going to make them dry. My point with you is the plan that you have for 124th Street, including bike paths or walking paths or whatever you want to call them, for me it comes down to a matter of trust. I don't know if I can trust either the consultant that you have used or the people that have to make the ultimate decision to do the right thing in the right way, given my experience with the ditches.

Ralph Heun – 17765 W. Saturn Drive – I am president of the New Berlin Citizens for a Responsible Government. For the last year we have been calling for off-road sidepaths. Shoulder sidepaths aren't that bad because we have pavement and we have white stripe down there and we have maybe 3 or 4 feet on the other side of the white stripe. Everybody can walk there, ride their bike there you can probably even ride your horse along there. If we put sidewalks in are we going to allow horses on it? We did some checking today, we called

the City of Brookfield Police Department. I believe there is a sidepath all the way from North Avenue to Capitol Drive. They haven't had an accident all year, and they aren't worried about it. When we talked about sewers here a little while ago, don't worry, depend on the City to do what is best for you, we know what's good for you, we won't put the sewers in unless you ask for them. Anybody here ask for sidewalks along 124th Street? Why aren't the Cities of West Allis, Hales Corners & Greenfield going to do it? Because the suckers on the other side are going to have them because they are being made to do it. What's the cost of sidepaths, somebody has been kicking around the cost of \$500,000 per mile. We may have 48 miles of sidepaths in the future, that's \$24 million. I sort of wonder what's going to happen on Moorland Road when we are walking south from Beloit Road after lunch back to our place of work in the Industrial Park, and now you have people coming off the freeway into the roundabouts where there are no traffic signals there, so you can walk safely there. You should think about that too. People don't want sidewalk's if they do they will ask for them. They shouldn't be shoved down their throats simply because some people like bikes. Why doesn't the Alternative Transportation Committee meet? Three meetings in two years, sounds like a really going organization. Don't depend on these people.

After asking if anyone else wanted to speak at the Privilege of the Floor and seeing none Alderman Augustine called the meeting to order at 6:20PM.

OLD BUSINESS

ITEM 01-08 Approval of the Minutes from the January 28, 2008 meeting

Motion by Alderman Ament.

2nd by Mayor Chiovatero.

Upon voting the motion passed unanimously.

ITEM 23-07 Ryerson Road Design components (remained tabled).

ITEM 31-07 Redesign of 124th Street and a Portion of Grange Avenue (continued discussion)

Motion by Alderman Moore to remove from the agenda.

JP Walker 2nd the motion.

Upon voting the motion passed unanimously.

NEW BUSINESS

ITEM 04-08 Request to Re-route Construction Traffic on Farrell Drive

JP Walker: Request that the Board of Public Works hear a request by representatives of KASCO of Wisconsin, LLP to remove the restriction of construction traffic on Farrell Drive. After discussing the request, the Board should determine if the request has merit and decide if construction traffic for The Villas of New Berlin should use Farrell Drive to enter and exit the Development and I so move.

Alderman Moore 2nd the motion.

Alderman Ament: The motion is to change it, to allow the construction traffic?

JP Walker: The motion is to discuss the merit of changing the requirements. If you recall the requirements at the start of the construction of The Villas of New Berlin, there was a request by former Alderman Hageman that the construction traffic not be allowed to use Farrell Drive. That is still in effect. Dennis Kasian is asking the Board to reconsider that because there are now 20 new condo owners that are now being impacted by construction traffic as opposed to the original 6 that live on Farrell Drive. That's his rationale

Alderman Ament: We don't have a motion to approve his request, we have a motion to discuss it.

JP Walker: The motion is to hear the request and we've heard it. After discussing the request and deciding if the request has merit, the Board has to decide if construction traffic should use Farrell Drive.

Alderman Ament: The motion is to approve the request by the applicant?

JP Walker: Yes.

Alderman Ament: Has anyone talked to the residents on Farrell Drive? Did the Alderman of the district ask the residents how they feel.

JP Walker: I'm not aware of any conversations that took place.

Alderman Ament: My feeling here is that when this project was approved and the applicant accepted the conditions, and those people were told what to expect, I think it would be inappropriate for us and especially since not hearing from them to approve such a request and change things around without talking to them.

Alderman Augustine: Has some type of notification been sent out to the people?

JP Walker: The request came from a developer who is not a developer of The Villas of New Berlin. The request came from the developer of KASCO PUD South Phase. He is the one requesting the change. Was there any discussion between him and the residents on Farrell Drive? I have no answer to that. I have no knowledge of any discussion with people on Farrell Drive.

Alderman Moore: I'm fine with getting information from the Alderman involved. I just thought it was important to think as to why we approved this in the first place. I remember that Farrell Drive wasn't completed and it was going to be a dirt road. Why did we approve this in the first place?

Mayor Chiovatero: The people on Farrell Drive were concerned about the heavy truck traffic with all the heavy construction for the sewer and streets plus a majority of the home construction. All the infrastructure and roads are in now correct?

JP Walker: The roads are in on the southern half, but not the northern half. Honeyager Drive has not yet been constructed. That's the construction traffic that is being referred to that would produce the construction traffic that is being requested by a different developer to use Farrell Avenue instead of Howard Drive and Fohr Drive which is currently the requirement.

Alderman Moore: Honeyager Lane is not completed yet?

JP Walker: That's correct. The northern half has not been constructed yet.

Alderman Ament: You mean from the cul-de-sac bulge to the west?

JP Walker: The red lines on your map represent the property lines for the two separate developments. North of the red line that intersects Honeyager Lane going east/west, is a development that is owned by Mr. Honeyager. That is the area where the infrastructure has not been constructed yet.

Alderman Moore: So the trucks are going on Honeyager?

JP Walker: They will be for that construction and also building construction on the Southern half.

Alderman Moore: Where is Mr. Kasian's area?

JP Walker: Fohr Drive is where the 20 new condos are located on the west end of the map.

Alderman Moore: He just doesn't want the construction traffic coming by him going to the construction on Farrell Drive, is that it?

JP Walker: Correct.

Alderman Ament: Is the final lift been put on Howard yet?

JP Walker: No.

Alderman Ament: It makes more sense to use Howard Avenue rather from the roadways standpoint then it would be to use that section of Farrell Drive for all that heavy traffic. That is part of the reason we didn't want to use Farrell Drive. We didn't want to take that heavy traffic onto the existing road. The two major issues would be what the neighbors were told and damage to the roadway surface.

Alderman Moore: In a situation like this has it been normal for the Board of Public Works to move ahead or wait for input from the Alderman associated?

JP Walker: What the Board has to consider is what's in the best interest of the City? If there is a desire not go forth and not approve this request, that's the decision of the Board. If we want to wait and get a input from the residents that's also a decision the Board can make.

Mayor Chiovatero: I think right now if all the roads and infrastructure were in. I could easily approve this request. I can't at this time. The biggest problem the people had was the heavy trucks and earth moving trucks. They were concerned with all the traffic from the condos. I wouldn't be able to go along with this until Honeyager Lane is constructed.

JP Walker: I agree with the Mayor and Alderman Ament. We have to be concerned with the impact to Farrell Drive. The fact that Howard Avenue and Fohr Drive only have binder course placed, I don't think Fohr Drive is going to have that much of an impact. This request is not in the City's best interest.

Alderman Augustine: Is there a motion to deny?

JP Walker: We have a motion, we just have to decide on that.

Alderman Moore: I'm just concerned that we aren't making sure that the people along Howard Avenue are being heard. I don't understand why it's better for people to come in from Howard Avenue then it is from Farrell Drive.

JP Walker: Because Howard Avenue does not have a final surface course on it and Farrell Drive does. The eastern portion of Farrell Drive is what we are referring to. The remainder of Farrell Drive has binder on it.

Alderman Moore: Basically you are saying because of the surface of Howard Avenue, it is best to bring it in there.

JP Walker: The City's policy is to bring construction traffic on roadways that do not have the final surface placed.

Alderman Moore: Why is Fohr Drive being impacted if we are talking about the traffic coming down Honeyager?

JP Walker: We are also talking about traffic that is coming to the southern half of The Villas of New Berlin. The way that the construction traffic has to travel is west on Howard Avenue and south on Fohr Drive in order to get to Farrell Drive. It's the construction traffic for the homes that are using Fohr Drive.

Alderman Moore: Then the units that are three homes off of Sunny Slope Road, they have to come all the way down Howard Avenue, Fohr Drive and Farrell Drive to get to that.

JP Walker: What's best for the City is that a roadway that has final surface on it is not impacted by heavy construction traffic.

Alderman Moore: You said that Farrell Drive has final surface on it?

JP Walker: Just by the east end.

Mayor Chiovatero: I don't think you can distinguish the difference between heavy and light construction traffic.

Motion by Alderman Moore to deny the request to re-route construction traffic on Farrell Drive.

Alderman Ament 2nd the motion.

Upon voting the motion passed unanimously.

ITEM 05-08 Award of Professional Services Contract for Consulting Services related to the Redesign of Rogers Drive from Calhoun Road to Moorland Road.

JP Walker: The requested action is to recommend to the Common Council the awarding of a Professional Services Contract to the lowest responsive, responsible consultant, Crispell – Snyder for consulting services related to the redesign of Rogers Drive from Calhoun Road to Moorland Road in the amount of \$174,780.00. The total Contract is not to exceed \$201,000.00 with funding coming from design account 04251100 63018 C2008 and I so move.

Alderman Ament 2nd the motion.

Alderman Ament: I neglected until just now. The design costs of \$201,000 are in the budget correct?

JP Walker: If you look on the approved funds the amount we have is \$437,000.00

Alderman Ament: And that is specifically for Rogers Drive.

JP Walker: The redesign of Rogers Drive. That amount came from the Industrial Park Revitalization Plan. The consultant had used flat percentages, and we have not changed those numbers since they were part of the approved plan.

Alderman Ament: That's where the \$437,000.00 came from?

JP Walker: Correct.

Alderman Ament: I appreciate that the Board and the Council approve that, that section of road is still salvageable but it is on the verge of being a total disaster and appreciate that it includes the railroad.

JP Walker: The last sheet in your packet is the composite scores for the evaluations. There were four quotes received. You can see for yourself what the averages were before factoring in the cost and then once we factored in the costs. It's the same process that we have used for the last three years.

Upon voting the motion passed unanimously.

ITEM 06-08 Design Components for 124th Street and a Portion of Grange Avenue

JP Walker – As a follow up to Agenda Item 31-07 Staff requests that the Board of Public Works complete the discussion on the design components for the Project and direct the Consultant to complete the design incorporating the components described in the Rationale Paragraph and I so move.

Alderman Moore 2nd the motion.

Alderman Ament - What decision is being made on the sidewalks or is there not one?

JP Walker - Alderman Ament if you go to the bottom of the second page the second paragraph from the bottom states in verbatim the motion that was passed at the January 28, 2008 Board of Public Works. In the paragraph about that it also states that in December 2007 a motion to include shoulder paths was defeated at the Board.

Alderman Ament – This is the one that is calling for the sidepaths as close to the road as possible with the outside edge of the sidepath being located not more than 25' from the road unless storm water requirements dictate that the sidepath be located further from the road?

JP Walker: That's correct.

Alderman Ament – I thought there was an amendment to that motion for 15' from the edge of the road.

JP Walker – No, it's as stated.

Alderman Ament – Then it would be 25' and maybe more for storm water issues.

JP Walker – The 25' dimension is to the outside edge of the sidepath, but the operative words are “located as close to the road as possible”. Where we have issues that keep the sidepath from being a typical distance from the road, such as a 6' terrace between the road and the sidepath, and we have to have additional room, that's why the dimension of 25' is included in the motion.

Alderman Moore: Just to clarify on that same motion the redesign should include an 8' wide sidepath and that is possible instead of a 10' wide is that correct?

Ron Schildt – Although the recommendations are 10', an 8' sidepath might work. In talking with representatives from WisDOT, they require the 10' as their minimum. We could probably try to go through their process to get approved, but most likely they don't grant that.

Alderman Moore; But we could try? And the reason we should follow these standards is because of matching funds?

Ron Schildt – It’s a standard that they go by and WisDOT doesn’t go below what they consider a safe roadway, but they said the 8’ might work in some areas. There will be a ditch area between the trail and the outside edge. In most places you won’t be able to do a 6’ terrace unless you have a high spot where there isn’t going to be a ditch. There are going to be some areas where that might happen but the ditch is going to be inside the sidepath. Whether you have an 8’ or 10’ width, the outside edge will be in the same place either way. It just narrows the area to put the ditch in.

Alderman Moore: So either way we will try to put it as close to the road as possible?

Ron Schildt: Yes, that’s right.

Alderman Moore: To discuss the matching funds, JP could you discuss that for just a moment?

JP Walker: 124th Street is an arterial and as an arterial we applied for STP grant funds to reconstruct 124th Street. Matching funds are 80% by the State and 20% local. If a sidepath were included the cost to the three communities is 20% of those construction costs.

Alderman Moore: I believe that you said that the cost is \$70,000 overall and our portion is \$14,000 for the whole project.

JP Walker: That’s the local share and we have to remember that the local share is divided between three communities.

Alderman Moore: What is our portion?

JP Walker: Our portion is approximately 52% of \$14,000, so slightly over \$7,000.

Alderman Moore: That’s quite cheap for that. At the public information meeting I heard some concerns and the concerns were based upon the petition that went around. The petition said that one of the things that they were concerned about was interfering with privacy and the natural tree line. I just wanted to assure the homeowners that were concerned about that, that is why we made the proposal to put the sidepath as close to the road as possible. That’s why I am concerned with making the sidepath as narrow as possible but still staying within State standards. The objective is to save as many trees as possible. I know that somebody mentioned something about a 30’ sidepath. There was never anything mentioned about 30’ of sidepath. Somebody mentioned that it should be called a sidewalk. The reason we call it a sidepath and not a sidewalk is because it will be available for multiple use, it will be available for walking and bike riding. You take away the word walk because it can be used for more. We have the responsibility to think about more than just the local residents, we have to consider the residents throughout the City and the people that don’t have as much of a voice. There are people that use wheelchairs that need a good way to move around and we need to think about that. Connectivity was mentioned. One of the things that this does is connect with the Hales Corners path along Grange Avenue. We are trying to create connectivity and you won’t get that if you don’t make paths available. The cheapest way to do it is to put in the paths when the roads are being reconstructed. Regarding the snow removal, I have met several times with staff and we agreed on a proposal to keep those people that have a sidepath behind their homes from having to maintain them. Basically the proposal would read in the change to the City ordinance as “anybody that has a backyard touching or abutting a road that has a sidepath or sidewalk along it does not have to keep it free of ice or snow.” We realize it’s very difficult to get back there to clear it off. There are also residents along National Avenue that have that same issue. Safety is the main reason that we want to do this and the main reason that we need a terrace between the road and the sidepath. We need to be able to separate the pedestrian, bicycle and wheelchair traffic from the traffic from the road and because there is heavy traffic along the road we want to be able to safely make sure that the children and other people have that safe distance. JP there were concerns about going back and forth along 124th I wonder if you could explain why there is that proposal to cross 124th Street.

JP Walker: The bridge over I-43 is going to be reconstructed. In that reconstruction the location for the sidepath going over that bridge is on the east side. To have a sidepath on 124th Street crossing the I-43 corridor there has to be a connection to that bridge. The only connection would be on the east side.

Alderman Moore: I'm glad that the initial concern about property values is no longer there because we did take a look at several studies that show the property values did not decrease but increased on the average of 4% to 30%. I do think it's disingenuous to mention the amount of money to put in sidepaths that was mentioned at the Privilege of the Floor is not accurate. It has been shown that the amount that we are going to pay for our sidepath on 124th Street is just over \$7,000 which I feel is a very good value for our children, for the pedestrians of the City and for those that would like to ride or use wheelchairs.

Alderman Augustine: What was the disposition of Milwaukee County of having the sidepath on their side?

JP Walker: The information that was handed out to the Board Members before the meeting is from Hales Corners. The letter goes as follows: Dear Mr. Walker: As you know the City of New Berlin, City of Greenfield and the Village of Hales Corners are proposing to reconstruct approximately 1.5 miles of South 124th Street from West Grange Avenue to Cold Spring Road. Throughout the design phase there has been a discussion regarding a pathway along 124th Street. Currently this roadway is proposed to be along the west side of 124th Street. This location is preferable to the east side because there are fewer points of conflict, those being driveways and street crossings. Adequate right-of-way exists on the west side and topography is more conducive to construction. Regional bicycle and transportation plans developed by the Southeastern Wisconsin Regional Planning Commission propose inter-connecting pathways between communities. In general these pathways promote alternative transportation, help reduce vehicular traffic, enhance pedestrian safety and improve the quality of life throughout the region. I believe that a pathway along 124th Street supports community planning and transportation objectives. Hales Corners is familiar with residents concerns of pathways. This occurred several years ago in Hales Corners when the pathway along the south side of West Grange Avenue was proposed. This pathway has been well utilized by our citizens and the Village has received requests from our citizens for the pathway to be extended." This was signed by Michael Martin, the Director of Public Works in Hales Corners. I also received communication from the City of Greenfield and they will be discussing this sidepath issue at their February 26th Board of Public Works meeting.

Alderman Augustine: The reason I was bringing it up is I drove down 124th Street between West Holmes Avenue and Edgerton Avenue, there were driveways that connected with 124th Street. If there are driveways with the ability to access should they put a sidepath there? They would be able to maintain it, verses the people on the New Berlin side would have to have a way to access it unless the City were to maintain it. If the municipalities on the east side of the street would have the pathway there it would be easier to maintain it easier than New Berlin residents.

Ron Schildt: Had a presentation that showed the right-of-way width on 124th street.

JP Walker: To provide a simple answer there is not enough right-of-way to construct a sidepath on the east side of 124th Street.

Alderman Augustine: The design or reconstruction of 124th Street would be significantly more if they were to shift it slightly west to make that room.

JP Walker: Shift what?

Alderman Augustine: The whole road.

JP Walker: 124th Street is an arterial that is supposed to be centered on the section line which divides it. Moving it would violate that.

Alderman Moore: I think this is rehabilitation not a reconstruction right?

JP Walker: This is a reconstruction. In the area north of Beloit Road it is rehabilitation, south of Beloit Road is total reconstruction.

Ron Schildt: It's basically putting back what's there now. The road is going to be totally torn up and replaced.

Alderman Moore: Do we have to change the words then in the rationale to say reconstruction instead of rehabilitation?

JP Walker: No.

Alderman Moore: So it reads OK in relation to what we are going to be doing?

Ron Schildt: It is a combination project so its part reconstruction, part rehab, and part everything else.

Alderman Moore: One of the things that was mentioned was that we should listen to the people. I agree that is important and so I direct attention to the last New Berlin Park and Recreation Survey Report that included questions about sidepaths, walking paths, bike trails and that sort of thing. This was a scientific survey done by the UW Extension. The survey said "should the construction of biking and walking pathways be pursued?" 4% had no response, 14% said not sure, no answers were 13% and the yes answers were 69%. These are the people that I feel it is important to listen to.

Alderman Ament: I heard at privilege of the floor some things that are troubling. One was that Brookfield is installing sidewalks on all their roads. That's not true. For example, that's not true if you go down Calhoun Road in Brookfield along the section that is not four lanes they have a shoulder path and it is marked accordingly. It has designation on the side of the road and where the path is with bicycle parkway. Pilgrim Parkway from Elm Grove north, which by the way is two lanes again. STP funds were mentioned. The implication here is that we can't do the roadway work without the sidepaths. We can, they are separate issues. The other thing that I heard that was not at the Privilege of the Floor is that it is pretty cheap to construct the sidepath. The part that is not included in that is the maintenance which the same person that said construction is pretty cheap thinks the City taxpayers should pay for and as we add more sidepaths the pretty cheap becomes not so cheap. When I go through the store I see a lot of store sale tags and some of that stuff is pretty cheap, but I don't buy it because I don't want it or need it. There was a mention of staying in State standards. If we go to an 8' width which is part of the motion we are not staying within State standards. The survey that was referenced the question is so broad it is designed to draw those kind of answers. Who would say they are against trails? I look at the information that Alderman Moore mentioned at two different meetings that he forgot both times. He was kind enough to give me a copy of. It comes from a group that promotes bikes and trails. I read through this and there are 27 references to trails or natural paths and 29 references to open space and greenways along with streams, lakes, rivers and other natural features. Not once in here did it mention sidewalks or sidepaths. They are talking about trails, and when they talk about improving the value of home they aren't talking about sidewalks. They are talking about the general concept of what some people up here in the past were opposed to conservation subdivisions. That's the concept they are talking about here, open space, trails, cluster housing and this is coming from the bicycle groups. This is talking about sidewalks on major roads; we keep mixing up sidewalks and trails. The reason we keep mixing them up is because people that want sidewalks keep referring to them as sidepaths and relating them to trails and they are not the same thing. We have another item here that is from American Trails. Trails are important. Bike trails, trails came in second only to highway access. These are also referring to what people are looking for in a housing market. I don't know why these references, these things that are not actually true and apply to the actual item that we have here. You can call them sidepaths, but they are actually sidewalks. The former City Attorney even said "a rose is a rose" call it what it is, it's a sidewalk. Also, referring to the Village of Hales Corners letter which I just saw tonight, so I didn't have much time to study it. One of the sentences in here says "currently the sidepath is going to be located on the west side of 124th Street in New Berlin. This is preferable to the east side because

there are fewer points of conflict.” Then it says there are fewer points of conflict. How can it be fewer? You have to cross that section of road four times, if you are in the wheelchair and you want to cross put it on the east side so you don’t have to cross it so often. If the people in Hales Corners think it’s such a great idea put it on the east side and let them pay for the maintenance. That survey asks a very general question and when you are talking about park and recreation, people are thinking of trails, not sidewalks and roadways. I took a quick count here and for the sidewalks, we had 11 for, one of which was not a New Berlin resident, and against it we had a count of 17. That’s the ones that spoke. I’m sure it’s the same as what I had last Saturday. People moved here because of the natural atmosphere that we have here, not because they wanted sidewalks and highways criss-crossing. That’s why most of the people that live on the cul-de-sacs like the cul-de-sacs and the people that don’t are complaining of the traffic. It’s the rural atmosphere that people moved here for. Including our own survey and own GDNP has the same statements over and over and including the same information that’s being used against us here to try to install these sidewalks is saying the same things. We are trying to create open space and eliminating impervious surface as much as possible yet we are going to put in more. I’m at a loss for this. I don’t see any place in the City where the sidewalks are over utilized. When you take the costs and the people that actually use them I don’t care how cheap, it is it isn’t cheap enough. You look at the City of Brookfield, one of the residents called me and asked about the area from North Avenue north to Capitol Drive on Calhoun Road. They asked the Brookfield Police how many accidents they had with pedestrians. In 2007 the only immediate accidents they had were zero. When we refer back to these accidents that people have talked about where people get hit by cars, I still haven’t heard where the car went up on the sidewalks and hit the people. It’s because people are crossing the street where they shouldn’t be crossing. There is a reference to a child that was killed on Coffee Road and it had nothing to do with sidewalks. There was also no shoulder path. There is no room to walk without walking on the road. We aren’t asking not to put in a shoulder path, we are asking not to put in sidewalks that people have to maintain. The cost of putting in a shoulder path is virtually nothing, the plows clear it. What I would recommend and what I will be looking for is if this is approved with sidewalks I want to know the cost differential and not on this piece of paper that I don’t know who drew up and we just got here at the meeting. I want to see it when the consultant does up the actual costs. I want to see the difference with the roadway and the sidewalks. There is another thing that I wanted to put out about the Village of Hales Corners, they are late getting this to us seeing as this has been going on for some time. He has on here that they have requests for pathways to be extended, fine extend them in Hales Corners.

JP Walker: The cost estimates that you have in front of you are indeed from the consultant. The reason they weren’t in the packet you received last week were because we received them this week. They were from our consultant who is contracted to do this design.

Alderman Ament: I thought that was what we were approving now?

JP Walker: At the last Board meeting you had asked for a cost breakdown between the three options for the sidepath, the shoulder location and the off street location. That’s what the one spread sheet provides. The difference is if you do the roadway with bike lanes on the shoulder there is a cost increase of about \$21,000. If you do the sidepath separated from the road the cost increase is about \$70,000. Let’s factor in safety issues. Safety issues are a major concern of mine and many of the Board members. When you drive down a street and as was indicated earlier tonight you are driving into the sun can you really see someone walking along the road? There is a major safety issue that is being somewhat ignored by many people, and that is a significant separation between pedestrians and vehicles. Safety is a number one issue that cannot be ignored.

Alderman Augustine: When you said the \$21,000 that is with the 5’ paved shoulder and then the \$70,000 is with the 10’?

JP Walker: The \$70,000 is for the 10’ wide path that is separated from the road and the \$21,000 is for the 5’ wide shoulder path on both sides of the road.

Alderman Ament: I appreciate that we got the cost breakdown. I want to make it clear that one of the things that was said by the City Engineer that was some of us are concerned about safety. I want to make it clear that

all of us are concerned with safety. The separation issue is exactly what I have a problem with. I still haven't seen anything that shows in this area where a pedestrian has been hit walking down the road, much less a bicycle which is legal to ride on the road. We keep getting the information from these bicycle places, first of all the issue shouldn't be bicycle safety on the road. They shouldn't be on the road if they can't ride their bikes safely. We keep looking at the costs and it's going to be paid for by the Federal government or the State government. That's us too. If every community in the country looks at it as a free gift, that's why the taxes are so high. I just don't understand why we would look at it and say that it would be safer when you have them criss-crossing the road. Nothing of what I am reading or being told is convincing me that it is safer, if anything it's making it less safe because of the criss-crossing of the road. Putting it on the other side of the road where the high school cross country team uses it.

Mayor Chiovero: I know you aren't against wheelchairs, just be very careful about the nomenclature about wheelchairs. In the part of the City that I live in there are wheelchairs and I get calls when the sidewalks are impassable for some reason. They do get used and they are very grateful that they are there when they want to go to the store or the doctor. As far as the sidewalks go there have been a lot of people that come up to the Privilege of the Floor and talked about my agendas and everything like that. When I have been in my office and returned phone calls I have talked to people on both sides of the coin, people who want sidewalks and people who don't want sidewalks. My agenda? I don't have an agenda, whether there is a sidewalk there or not, I like sidewalks, I think they are great. As far as 124th Street goes, it's a very challenging street, we have the creek, the drainage issues, we have the State working on I-43. Why are they putting the sidewalks on the east side of the bridge? I don't know. You think they would contact the local municipalities. The yards are very challenging, we have slopes, we have elevation changes, we have natural vegetation that is there. There are a lot of challenges and that's the reason the sidepath was proposed so far out. With the drainage ditch, if we could put the sidepath right next to the road and put the drainage ditch inside there would probably be a lot less controversy right now. But in many cases we can't and we can't because of the creek. We are trying to come up with a compromise. I'm certainly sensitive to the people that live along there; I haven't made a whole lot of comment except that I believe in sidepaths. My view on sidepaths as the Mayor, our policies state that as streets are renovated or rehabilitated or reconstructed and they are arterials we will look and try to put sidepaths in there. It doesn't mean we have to put sidepaths in there, but probably in the long term it's preferred. Now I will get back to why I like sidepaths. I moved into this community right when National Avenue was being rebuilt. My kids were preschool and kindergarten ages. When we had the issues are we going to put sidewalks down National Avenue or not, the Council decided no we were not. Did I think anything of it? Not a thing. I was very busy working as an executive, raising a family and didn't really pay attention to local politics. I was reading the New Berlin Citizen and it said no sidewalks along National Avenue and I thought OK. When it came to losing the child and other issues with accidents and people getting hit, it became a big thing. We then decided that National Avenue needed sidewalks. It's a busy road and there are a lot of people that do traverse down it. One thing that bothered me was I could look out my children's bedroom windows and see their school. If I had been more athletic I could have probably thrown a baseball to the school. It bothered me that we had to put our kids on a bus to go a block. We were told that because we don't have sidewalks New Berlin is considered as a hazardous community. I don't believe in sidewalks inside of intersections, it's rural like that, I'm all for that. My kids were fine, I live in a cul-de-sac, and my kids were fine riding their bikes. My daughter got hit by a newspaper guy who had to make it as fast as he could down the street and hit my daughter and knocked her out for about 15 minutes. Would a sidewalk have helped that? No. What it did teach me was to draw a yellow line on my driveway and teach my kids not to go past that yellow line or they would be disciplined for it. As far as sidewalks go, they do have their place in our society and they aren't evil. Could they change people's lives? In the case of 124th Street, yes, it could drastically change your views. My backyard is on Sunny Slope Road. I would be more acceptable, but that's just me and where I'm at. You have a challenging situation on 124th Street. There are good and bad points to sidewalks. I really would have a hard time if we reconstruct these roads and the one chance that something happens and we could have avoided it. The people that want the sidepaths are because they are worried about their children or when they ride their bikes. I have been knocked off my bike twice, one was because the person couldn't see me in the spring, and the other one never stopped so I don't know why. I feel much more comfortable riding my bike on bike trails along the side of the road. Tonight we are talking about design, we don't know if the sidewalk is going to come

3” from your lot line or 30’. We are trying to get the engineer to design the road to specifications needed and then take into account, the creek, the drainage, the slopes and everything else to see if a sidewalk would go in there. If the design comes back it might not be acceptable to anyone here on the Board, but it may also come to a point where there are acceptable areas that would work. I don’t know that. I’m sure that Alderman Moore who believes in sidewalks would say it would be a small price to pay if some of it had to go closer to some lot lines than others. I would have to agree as long as it wouldn’t take away any of the natural division of your property from 124th Street. The instructions being given to the consultant are to take into consideration the removal of the least amount of trees and dirt and go from there. We could take the sidewalks out right now and not even go through the design purpose. We are sitting here and listening to everyone, reading e-mails. I think we get the message. The people along 124th Street really don’t want sidewalks but we need to go one step further here at the Board of Public Works. We are in charge of the construction of infrastructure, the maintenance of the infrastructure, putting in or not putting in sidepaths and then consider the safety issues where something could happen down the road. We would all feel bad if something happened. I don’t need to be sitting here listening to someone who lost someone even a pet because we didn’t have the sidewalk that could have saved them. Some people simplify look at it as cost, we can’t afford it as a City, which is possible, but what is a life worth. I don’t want to be responsible for not putting the sidepath in if it could be done without making drastic changes to your property or life style. New Berlin got nominated as the 42nd best place in the nation to live because of the quality of life that we have here. It looks at parks and recreational amenities that we have here, it looks at schools, economic values of what we have here. I was very discouraged when I talked to someone today that told me things that I was saying and I have never said in my life. I don’t know if you have heard them and are thinking the same things. I would appreciate it if people would call me and talk to me before they make their decisions. I would be willing to go along with the design if it could be done without disturbing your yards or your lives. I don’t know if it could be done down in the area where we have the steep slopes. I drove down the street recently again to get another view of it, I don’t know if they can make it work without retaining walls. There are a lot of questions here and it’s hard to make a decision. Right now we are talking about design purposes. I would like to see it designed and then vote yes or no on it.

Alderman Moore: I heard it said this evening that National Avenue is not used that much. I continually have people come up to me and notice that National Avenue sidepaths are in used. If there is any amount of disuse one of the things is because there is little connectivity. There is a gentleman that said he would like one along Sunny Slope Road to Cleveland Avenue from National Avenue. If you increase the connectivity you have more places for people to go. In relation to the accident that would not have been improved because of sidepaths, when you have them you teach the people to use them and go to the corners to cross the street. If you don’t have those amenities if you don’t train your children to use the sidepaths and designed crossing areas you get the situation that they are just going to use the shortest path. I’m glad the Mayor mentioned the fact about the schools and about the fact that New Berlin is declared unsafe. Years ago when I was on the school board we were spending \$1 million dollars a year and it could be up to \$2 million now just on busing the kids in New Berlin. The way to take create a safe situation by State law is to create safe crossings for kids to move from their homes to the schools and you can decrease the busing costs because they are able to get safely to their schools without having to use the bus. It was mentioned tonight that trails and sidepaths are different and we should talk about them as separate entities. They are only separate entities in the winter as to whether or not we clean them of snow and ice. As far as the users, pedestrians, bicyclists, people using wheelchairs, there is no difference. There is a difference if the path is paved or not, but not whether it’s a trail or a sidepath. It was mentioned here tonight that it’s too bad that residents would have to clear ice and snow from behind their homes, but in the last Council meeting Alderman Ament was opposed to including the phraseology that you wouldn’t have to clear ice and snow from behind their homes. There is no proof at all that having a sidepath near ones home increases the danger to anyone’s home. If you increase the number of people going past your home, you increase the number of eyes watching your home.

JP Walker: There was a question as to why a sidepath is even being considered on 124th Street and who authorized the consultant to include it. I as the City Engineer authorized the consultant to do it because we have an Alternative Transportation Plan that was adopted in 1999 and amended in 2002 that instructs when you reconstruct an arterial you are to make it pedestrian and bicycle safety thereby adding amenities for people to

walk and bike on. That is why it is included in the design as a design concept. We clearly heard from you tonight and that is what we have to factor into our decision.

Alderman Ament: I was looking at the letter from the Village of Hales Corners Director of Public Works. One of the sentences in here is regional bicycle and transportation plans developed by SEWRPC propose interconnecting pathways between communities. He doesn't say that it has to be on the east side or New Berlin side. The other thing is we are talking about following plans. On the back of your requested action statement there is a bullet item that says the New Berlin Bicycle and Pedestrian Facility Plan states that "the following are strategies as to how arterial and collector streets can be made more pedestrian and bicycle friendly. Include bike lanes and walkways when new arterials are being built, or reconstructed, renovate roads with bicycle and pedestrian crossings, improve pedestrian crossings of major intersections. Maintain existing facilities" The plan also lists 124th Street as being constructed with wide paved shoulders to accommodate bicyclists. I don't see sidewalks or sidepaths.

JP Walker: As a follow up to Agenda Item 31-07 Staff requests that the Board of Public Works complete the discussion on the design components for the Project and direct the Consultant to complete the design incorporating the components described in the Rationale Paragraph.

Upon voting the motion passed by a 3-2 vote with Alderman Augustine and Alderman Ament voting no.

Mayor Chiovatero: What happened tonight does not say that sidepaths are definitely going in on 124th Street.

Alderman Ament: I do appreciate the City in general and specifically the five of us being willing to come here and listen to the residents concerns regardless of how it turns out.

Alderman Augustine: I was going to say the same thing. Thank you to all of you.

Alderman Ament made the motion to adjourn.

Alderman Moore 2nd the motion.

Upon voting the motion to adjourn was passed unanimously.

The meeting was adjourned at 7:46 PM.