

MINUTES
BOARD OF PUBLIC WORKS MEETING
July 28, 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 Chiovero, City Engineer J.P. Walker, Alderman Moore, Alderman Seidl & Alderman Ament.

Staff Present: Ron Schildt, Transportation Division Engineer, Tammy Simonson, Transportation Senior Civil Engineer, Greg Kessler, Director of Community Development.

Guests: Chris Raykowski, Sigma Group, Mark Irgens, Irgens Development Partners, LLC.

Alderman Moore asked if there was anyone wishing to speak at the Privilege of the Floor. Seeing none he called the meeting to order at 8:00 AM.

OLD BUSINESS

ITEM 01-08 Approval of the Minutes from the June 16, 2008 meeting

Motion by Alderman Seidl to approve the minutes.

JP Walker 2nd the motion.

Upon voting the motion passed unanimously.

ITEM 15-08 – Calhoun Road Design Alternative 2008-A (Tabled from June 16th meeting)

Motion by JP Walker to remove from table.

Mayor Chiovero 2nd the motion.

JP Walker – At the last meeting this item was tabled until we received further information from the residents that live north of the railroad tracks on Calhoun. In your packets you will see the results of the survey that was taken. When the residents were asked about the four lanes it was 7 for and 7 against, when asked about the sidepaths on either their side of the road or the other side the results were 6 for and 8 against and in regards to the cost which is \$8.25 million, which would result in an increase in their property taxes of \$616 over 20 years there were 8 that were acceptable and 6 that were not acceptable.

Alderman Moore – I am both surprised and encouraged by the results of this survey. I also would like to thank the staff for the effort that they put forth in collecting this information.

Alderman Seidl – Were the residents south of the tracks included in this survey?

JP Walker – No, only north of the tracks.

Alderman Seidl – This survey is the result of less than 50% of the residents along there and none from the south side of the tracks. I would like to see the residents south of the tracks included in this also.

JP Walker – We even went out on a Saturday to try and get more residents but this is all we could acquire.

Mayor Chiovero – Yes, I would like to see the other five residents included in this survey also.

Alderman Ament – When this survey was taken was it mentioned to the residents that they would be responsible for the maintenance of the sidepath if it were to be included in the plan?

Alderman Moore – This survey was done because the people north of the tracks weren't originally going to be receiving the sidepath.

JP Walker: As part of the team that did these surveys, I can assure you that the residents were told that they would be responsible for the maintenance of these sidepaths if they were installed.

Alderman Ament – This survey should also include the businesses along Calhoun, because they would have to maintain the sidewalk also, not just the residents.

Alderman Seidl – What is the \$616 over 20 years based on?

JP Walker – This is the average for a tax payer with an assessed property value of \$246,000.

Alderman Moore – I would like to see this survey continued to get more feedback.

Mayor Chiovero – I would like to make a motion to table this until we get further survey information.

Alderman Seidl – 2nd the motion.

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

NEW BUSINESS

ITEM 16-08 Approval of a Development Agreement for the property located at 15620 W. Beloit Road

JP Walker: The DCD recommendation for the Board is approval of the Development Agreement for Moorland Reserve, a proposed development on the property located at 15620 W. Beloit Road subject to final review as to form by the City Attorney and I make that motion.

Mayor Chiovero 2nd the motion.

JP Walker: The proposed development is for Children's Hospital Medical Center located on Beloit and Moorland. I will briefly summarize the infrastructure that is involved with the proposed development. The development is approximately 35 acres; it received Plan Commission approval on July 7th of this year. The infrastructure to be involved with this development includes approximately 930 feet of sanitary sewer and that would be along Beloit Road, approximately 370 feet of water main in the first phase only, there is additional water main that will be required to close a loop as part of the 2nd phase of the development. Private storm sewer is slightly over 2,600 lineal feet and there are three detention ponds that have a combined storage of approximately 6.4 acre-feet of storage which will handle all of the storm water management needs for the development. There is an alternative transportation trail along Moorland Road and this is part of which was called for in the Alternative Transportation Plan, you may remember a trail segment referred to as the Hearthside Trail that originally was supposed to go along the north property line of Moorland Commons which is along the east side of Moorland Road and then continue west along the north property line of this property. Years ago that segment that was supposed to go along the north side of Moorland Commons was changed to run south to Beloit Road then along Beloit Road. Now the trail segment that is being picked up by this

development runs that trail up the west side of Moorland Road and then the trail meanders through the development as you can see on the plan sheets and then connects with Scot Drive in the subdivision in the north.

Alderman Seidl – Is this area currently served by sewer and water?

JP Walker: The development has sewer and water available to it. There is sewer that was installed along Moorland Road around 1999 waiting for this property to be developed. This development is required to extend sewer along Beloit Road to its western extent. Water is available both on Moorland Road and Beloit Road.

Alderman Seidl: Are there going to be any residents that are going to be impacted by the sewer and water running up Beloit?

JP Walker: Not at this time, if there were extensions to the west by future development there may be residential impacts.

Alderman Ament: It says that sanitary sewer will be installed along Beloit Road. I assume that's all the way to their western property line?

JP Walker: There is a triangle residential piece that is located at the southwest corner. You can see the one side of the triangle on the map. It is basically 300 feet or so from their western property line, that's where the sewer terminates at this point because they do not own that triangle piece. They are taking it to their westernmost property line adjacent to Beloit Road.

Alderman Ament: As far as that sewer line is concerned, that is the sewer line that now can be served because of the Moorland Road extension on the west side?

JP Walker: In 1999 that extension was installed. That's the line that this sewer line is connecting to.

Alderman Ament: Those people didn't want the sewer, they ended up with the sewer they had to pay an easement but curiously it says that we are looking for a waiver of any charges for the sewer for this parcel? Why is that?

JP Walker: They are installing sewer and water so that's why they are requesting a waiver.

Alderman Ament: So they are paying the whole thing for their property? The same with the water?

JP Walker: That is correct. They have to loop a water main through their system and they are paying for that 100%.

Alderman Ament: But this sewer and water wouldn't have been available if it wasn't for those properties north of them.

JP Walker: No, that's not true. The sanitary sewer was installed along the west side of Moorland Road back in 1999 for the purpose of serving this northwest area in the Westridge Business Park. This is all part of that overall plan back in the late 90's and early 2000's that sewer was installed to service this area. They are connecting to that line that was installed. Originally it terminated up near the contributory to Calhoun Creek on the south side of it. What you are referring to I believe is the loop that was continued north further on Moorland to serve the residential partials north of this development, is that correct?

Alderman Ament: Yes.

JP Walker: They connected to this. This was always intended to serve this portion of the Westridge Business Park.

Alderman Ament: But they would not be able to do that without that northern section.

JP Walker: No, because sanitary flows to the south.

Alderman Ament: On page 2 of the Staff Report, under Current Zoning, it talks about the C1 and C2 areas were field delineated, which they were, but it doesn't say anything about the conservation easement. What I recall from the Plan Commission is that they were going to be required to put that in a conservation easement. Should that be part of this, and if you don't recall could you check with Greg? I do believe that this was to be put in the conservation easement.

JP Walker: That is a requirement, yes.

Alderman Ament: I don't see it in here? Doesn't it have to be in the developer's agreement?

JP Walker: It's part of a Plan Commission condition, it's not a part that has to be in the Development Agreement.

Alderman Moore: Can I clarify how that is going to be put in here and when?

JP Walker: As part of the Plan Commission's condition of approval, the developer is required to record a conservation easement over the areas that are required to be protected by that easement. When is it planned to be recorded or has it be done already?

Mayor Chiovarero: I do want to make a note that these developers' agreements have to do with public infrastructure, not so much with Plan Commission conditions.

Chris Raykowski, Sigma Group: As part of rezoning last year, the C1 and C2 area was rezoned and we do plan to record a permanent easement across that area and that will be done within the next week or two prior to the Council meeting on August 12th.

Alderman Moore: Is that going to be part of this?

JP Walker: It will be part of this.

Alderman Moore: By the time it gets go Council? This actual sheet of paper will have a change as to what Alderman Ament is requesting?

JP Walker: No, it will be a recorded document that we receive a copy of. Separately.

Mayor Chiovarero: That goes along again with the zoning conditions, not the public infrastructure conditions.

Alderman Ament: However, I just didn't see it on there. The other information is there but that wasn't, that's why I questioned it to make sure that was part of it.

Alderman Ament: Alternative Transportation Plan on that same page about half way through it starts out the applicant will install an asphalt multi-use trail along Moorland Road which will also meander through the development to Scot Drive. I'm looking at the map and it says a concrete sidewalk will be installed along Beloit Road from Moorland to the driveway. The way I recall it is this will be concrete along Moorland correct?

JP Walker: No, along Beloit.

Alderman Ament: Why not along Moorland?

JP Walker: Because it is a wider 10' wide multi-use trail as opposed to a sidepath.

Alderman Ament: Does that mean it does not have to be maintained?

JP Walker: We have indicated that if a facility falls within the right-of-way, I believe that will be maintained, it's that area that is outside of the right-of-way that is not maintained.

Alderman Ament: That is something that we are going to have to clear up when that policy comes back. Right now the designation is between trail and sidewalk or sidepath. It doesn't say anything about whether it's in the right-of-way or not.

JP Walker: That's correct. We definitely need to clarify that at Council.

Alderman Ament: If I recall correctly from the City Attorney, that because the other part of the trail, the part that goes through their property did not have to be maintained as far as snow and ice removal.

JP Walker: That's my understanding also.

Alderman Ament: It's going to be important that we clarify that this other part that is being designated as a trail, that somehow we do that when we develop that policy and then have a problem with it immediately. On that same page under environmental impact it says applicant may be required to obtain a Chapter 30 permit for the detention ponds adjacent to navigable streams. I thought when it says, adjacent to, I thought you couldn't put these ponds adjacent to a navigable stream.

Chris Raykowski: There is a general permit. It's within a distant of 300' of a navigable stream. We have submitted our application and have received our Chapter 30 permit for those ponds.

Alderman Ament: On the developer's agreement itself on page 6 & 7, item 6-5. It refers here to the stormwater management as far as the maintenance of the ponds. It's successors and assigns, and future owners including a condominium association if and when formed. Does that mean that this will not remain under one ownership?

Mark Irgens – Irgens Development – It is anticipated that there will be several ownerships, the first owner is Oakmore Development Partners, LLC, and that will own the Children's Hospital building. The land is currently owned by FMLH MCW JV, LLC and it is anticipated that will continue for the foreseeable future but it could be sold.

Alderman Ament: On page 8 under 7, Roadways under C-2, Private Roadways, it says "Developer shall pay for any cost of street lighting." First of all, are we anticipating street lighting on which streets, both Moorland and Beloit?

JP Walker: The street lighting that we are referring to would be along their drive into the development and then there is also signal lights that will be installed on Moorland Road. Possibly on Beloit in the future in the subsequent phase, if it warrants it.

Alderman Ament: That would be jointly with the parcel to the south?

JP Walker: I would imagine it would be jointly and be associated with permitting through the County.

Alderman Ament: Which they may or may not require that light. It says "Developer shall pay for any street lighting", I assume that means any maintenance of the lights and all the electricity and stuff of that nature.

JP Walker: That would be part of the permit with the county.

Alderman Ament: I mean the internal lighting.

JP Walker: Yes, that is theirs.

Alderman Ament: On page 9 under Ownership-C2, it says “upon dedication acceptance the required multi-use trail and sidepath shall become the property of the City and shall therefore be maintained and serviced by the City.” Does that mean that we are taking on the maintenance of the section on Moorland?

JP Walker: As with any commercial development, I believe that our ordinance says that they are required to remove snow and ice during the winter time.

Alderman Ament: I guess this is where I’m having a problem with this along Moorland being designated a trail. I think in the end we may want to consider making this a concrete sidepath to eliminate to all of those problems. Otherwise I see us having some dicey issues in the future, because then anyone may want to put in a trail and then I won’t have to maintain it.

JP Walker: The reason why it’s designated as a trail this time is because that segment is replacing what was originally going to be called Hearthside Trail, so we kept the designation the same, but you bring up a good point if we can get that resolved at the Council that will then answer this question.

Alderman Ament: Maybe by the time that gets here you could run that by the City Attorney.

Alderman Moore: Just to clarify what is before the Council, if it’s in the City right-of-way along the street, it is designated a sidepath. If it’s not, it’s designated as a trail, no matter what other definitions have been out there, and it doesn’t matter what it’s made out of. That would clarify that but I do feel that this particular statement in relation to our policy that’s before us is problematic and I’m just wondering if we can change this now. Do we have the power at this point to change this particular sentence? Because it would be a requirement under the new policy for the sidepath itself to be serviced as far as snow and ice is concerned by the property owner.

Alderman Ament: You are talking about the one on page 9?

JP Walker: If you look at function of that portion of that multi-use facility along Moorland Road, where the driveway connection is to Moorland Road, there will be signals and crosswalks there. So that there is connection between the sidepath that is on the east side of Moorland Road, adjacent to Moorland Commons, there are connections to this portion of this alternative transportation facility. If you look at the function of it, it functions as a sidepath. I believe I recall the same thing that you just said. If it’s in the right-of-way it’s considered a sidepath, then that falls into the requirement of what our ordinance says as to who maintains it. The ordinance says that the development or condo owners, whatever the designation is going to be in the future are responsible for that portion. As it meanders through the development, they wouldn’t be required to remove snow and ice per our current ordinance, but if they choose to do so, that is their choice.

Alderman Ament: You do see my point as to why I’m concerned with this.

JP Walker: I will have clarification before this issue goes to Council.

Alderman Moore: It can’t be changed here, but it can at Council is that what we are saying?

JP Walker: We can make a requested language changes here at the Board and then that change of language goes to the Council. What I need is clarification as exactly what do you want to see changed?

Alderman Ament: Actually I'm not really comfortable making an exact motion, because I'm not sure how the City Attorney is going to read this. I would think that if JP gets with the City Attorney and then when it's presented to the Council you can show us what the wording change is so we are sure with the City Attorney that we are covered. I would be satisfied with that. I don't want to hold up the developers because we are having a problem with language.

JP Walker: If you believe that this action can be taken at the Council level, without having a formal motion from the Board, I'm fine with that. I will get the clarification and will fire off e-mails once I get the clarification so that you have that. I will work with the City Attorney if and how the language has to be changed.

Alderman Moore: How are the number of parking spaces determined?

Mark Irgens – For Children's Hospital it is determined by the number of exam rooms, physicians, and anticipated patients coming to the facility.

Alderman Moore: So it's not a mandatory thing, it's an educated guess?

Mark Irgens – It's more than a guess. We are very involved in the medical office building development business and this is fairly standard parking ratio for this type of facility. The facility will have on the first level, 11,000 square feet of primary care pediatrician space, 11,000 square feet of diagnostic space which has less traffic than the primary care and the top two floors are specialists from the Medical College that deal in pediatric medicine and that also is lesser intense than the primary care pediatricians. So based upon that type of occupancy that is how the parking ratio is determined.

Alderman Moore: The reason I asked the question is because in the past some requirements for parking spaces have been much over estimated and we have a lot of parking lots with unused spaces.

Mark Irgens – It is our hope that they'll be used and the rule of thumb for medical office building parking is about 6 cars per 1,000 more than a retail. In this case I believe the ratio is less than 6 per 1,000 it's more in the range of 5 per 1,000 based upon the specialists that are in the facility as opposed to primary care.

Alderman Moore: Retention ponds are put in because of increased impervious surface and I'm wondering if you had looked into a pervious surface?

Chris Raykowski: As part of our soil borings we did an infiltration analysis of the existing soils and they didn't meet that criteria so the ponds were sized for the appropriate impervious area.

Alderman Moore: In other words, even if you had put in a pervious surface it wouldn't have perked well enough in order to make use of that?

Chris Raykowski: Correct, it wouldn't have met the DNR criteria for infiltration.

Upon voting the motion passed unanimously.

ITEM 17-08 – 5-Year CIP Forecast for Roadway Improvements for 2009.

JP Walker: The Staff Report and its attachments are presented to give you a heads up as to what's being presented as part of the CIP Request for 2009. What we are looking for here is a review by the Board of the various components of not only the 2009 portion but what's being forecast for the future years with the hope that this will help you to have an understanding when we get into the discussions for the CIP Budget. The request is for the Board to review and approve the enclosed the 5-year CIP forecast for road improvements for 2009 and actually consideration for the future years as we have listed it, and I so move.

Alderman Moore: The motion is for the CIP budget?

JP Walker: Yes, the reason that I make that a motion is so that we at the time of deliberation before the Council there will be some type of understanding or recommendation coming from the Board to help in that discussion at the Council level.

Mayor Chiovatero 2nd for purpose of discussion.

Mayor Chiovatero: Are these the roads that Engineering has determined that need the work, looks like they are all 30's or less according to the PASER ratings, is that how that was determined?

JP Walker: The short answer is yes. The longer answer has to do with the overall evaluations of the roadway. What you are referring to is just the roadway rehabilitation portion of the CIP request. A couple years ago Greg Kessler and I presented a road maintenance report to the Board and the Council that talked about improving our roadways from two different angles, cracked sealing, those that we can that have the higher PASER ratings and then rehabilitating the roads that have the lower pavement conditions. What you see here on the list for roadway rehab are those areas that have the lower pavement ratings. Except for Calhoun Road and that's the porting between Beloit Road and Small Road, all the other pavement conditions are rated a 30 or a 20. Calhoun Road is rated a 40 but it's eligible for our Local Roads Improvement (LRIP) grant funding and we have made application and we have been notified that we are receiving grant funding for rehabilitating that portion of Calhoun Road. That is why it's included in the 2009 roadway rehabilitation roster. We have in total about 24 miles of roadways in the City that have similar ratings that also are in line for rehabilitation. It's just a matter of budget and we try to stretch the dollar as much as we can in order to increase the number of roads that we are properly rehabilitating. This our request for 2009 and this is just one portion of the overall CIP request.

Alderman Moore: I noticed that Glendale Drive has been moved to 2011, is that correct?

JP Walker: If you look at previous years budget requests, we had shown Glendale Drive as being the first roadway in the industrial park to be reconstructed and because of the need to reapply funding for the Greenfield Avenue bottleneck area and trying to keep in line with where Staff feels the Council is willing to approve funding at least a level of funding which is somewhere between \$4 and \$5 million Glendale Drive had to be moved back. Why is it being moved back to 2011? If you take a look at 2010 there are three projects listed that we have received STP funding for that need to be constructed in 2010 so that doesn't leave much opportunity for including Glendale Drive in 2010. The next available year is 2011.

Alderman Moore: And that's because of Council action in relation to Greenfield.

JP Walker: Yes, Council approved reallocating \$1.9 million to take care of the 2008 bonding issue. That took place in May. In June we received word from the WisDOT that they were going forth with the reconstruction of the bottleneck area which means we have to reapply funding for it. That funding is showing up as a request for 2009.

Alderman Moore: My recollection of the agreement between us and the State was that we will not have to pay any of our amount unless all of the surrounding communities will pay their fair share. If the Town of Brookfield does not pay its full fair share will we have to pay that amount?

Mayor Chiovatero: I believe our contract with the State is that we will pay our share that we agreed upon based on the completion of the road. I don't think it was tied to the fair share or anything like that as far as the contract to the State. We did receive a letter recently about how much we would have to pay in 2009.

JP Walker: There is a letter, it was intended to be in this packet, I accidentally left it out. What they said that invoices will start coming for work that is completed for work starting in September of 2008. They understand

our budget issue and we are not required to make any payments until 2009 even if we receive invoices in 2008. That was the gist of that letter indicating when the construction was started. They estimated building \$1.2 million this year but it doesn't apply to us until 2009.

Mayor Chiovatero: But it doesn't apply to us because they understand our situation with our current funding.

Alderman Moore: If you could find that original agreement between us and the State I would appreciate that, in order to determine whether my memory is correct or faulty on that. If it's faulty and you're correct that we would have to move ahead with payment then it would be appropriately in the 2009 budget.

Alderman Ament: I recall it the same way the Mayor does. I don't think it had anything to do with the other communities. When I look at this list, I don't see Woelfel Road from Observatory to Coffee Road on here at all and that road has to have a couple thousand dollars worth of tar on that road. I don't see that anywhere on these PASER ratings. That road is pretty close to needing to be milled and pulverized with an overlay, could someone look into that.

JP Walker: If it's not listed on this listing it means it's higher than a 30 rating, but I will verify the rating and e-mail it to you.

Alderman Ament: I'm a little bit hesitant on waiving this or allowing the right-of-way for the right of way acquisition. I understand why you want to do it but I'm having a little problem with that, we don't know what the right-of-way funding is going to be on any of these yet, so I'm concerned that we won't see that.

JP Walker: You are talking about Coffee Road from National to Calhoun and also Lincoln Avenue?

Alderman Ament: I thought it was in regard to any of those three?

JP Walker: It applies to Coffee Road and Lincoln Avenue for the specific reason that with the STP funding, the funding is available to us for construction in 2010 but before we can start any construction by State requirements we have to have all of the right-of-way acquisitions completed out of the way, the City has jurisdiction over all the land that is needed for whatever is constructed as part of the project. For Lincoln Avenue for example, the issue is how do we plan for constructing the bio-retention swales along Lincoln Avenue that are part of the design? At the CDA we had talked about the concept of entering into agreements with the business owners, basically trading green space for land that would be needed for the bio-swales. What I mean by that is, if we can reach agreement with the business owners to allow us to install the bio-swales even partially on their land they would be willing to do that if we grant them green space rights all the way out to the edge of pavement even within the public right-of-way. We haven't reached that agreement with any property owner; that is the next step to come along. When we are making budget requests knowing that we have to have right-of-way acquisition completed by a certain date in order to start construction this is where the waiver comes into play here. We had committed saying we would not ask for right-of-way acquisition funding until we have the design completed. Lincoln Avenue design is basically completed. It's 95% done. What we don't have answered is this whole issue about trading land for bio-swales for green space credits. If that were to take play and we get 100% buy in by the business owners then that funding wouldn't be required. If we don't get 100% buy in we only get a few businesses, we have to purchase right-of-way and we have to have funding available to do that in 2009. As far as Coffee Road it's the same issue. We have STP funding that says construction starts in 2010; we know there is going to be right-of-way acquisition especially Mrs. Sippy's. That entire parcel is going to have to be bought out with a relocation required per Chapter 32 requirements. So again we are in that same issue because of STP funding that we need to be in position to be able to not only fund right-of-way acquisitions but to get them completed in 2009 in order for construction to start in 2010.

Alderman Ament: As far as Lincoln I don't really have a problem with that one because we have seen the basic design here and we have gone over it. But on 124th street there are still issues up in the air and Coffee Road we haven't even gotten to the design of yet, does that mean we are approving whatever land acquisition that may be

required in the future. I don't understand how that works. I'm concerned if we approve this then staff can go out and acquire whatever land they feel fits within that budget.

JP Walker: The one step that you are missing is the requirement for the relocation order. That relocation order spells out in detail the lands that are required to be purchased. That relocation approval has to come through the Board and then on to Council before that even occurs. That's where all this consideration takes place.

Alderman Ament: If we approve that in advance, lets say Coffee Road, we have right-of-way \$1.25 million. What if in the end you get this approved and you get the STP funds approved, which I thought they already were, lets say it comes in at \$1 million what does that lower amount do to our STP grant.

JP Walker: It does nothing to the STP funding; we have approved funding for construction. Its local funds that are required for right-of-way acquisition, that's not part of the STP grant.

Alderman Ament: Now that we have the STP funding, even if it's lower than that \$1.25 million it will have no effect on that at all and everything to do with land acquisition will come here and eventually to Council before that's approved.

JP Walker: That's correct.

Alderman Ament: I'm looking at page 3 of the Staff Report, it talks about Coffee Road west of Calhoun to Racine, if that's any better than Calhoun Road between Cleveland and Greenfield I would be surprised because it is literally falling apart, especially the further west you go, the sides of the road are gone. It says that this portion of Coffee Road has been in the five year forecast for a few years and anticipates that construction could be done in 2013. That's 5 years from now and I don't think the road will last that long. It will be worse than Calhoun Road because it doesn't have as good a shoulder and foundation as Calhoun Road.

JP Walker: The process that we go through in looking at the roads that become priorities and fall within our five year forecast, we know that we have at least a three year process for any road, you have a design year, a right-of-way acquisition year if needed and then you have construction. We have committed as Staff that we will not come forth with right-of-way acquisition requests until we have the design completed, that turns that into a four year process possibly, three years at a minimum. In order to move Coffee Road up on the priority list than we have to decide where do we move the funding for design, how early can we move that up. It's certainly a decision that can be made at Council, it can be made here. If there is a possibility that you want to have a design effort started earlier we can certainly do that. But when you look at the five year plan and look at how we are trying to sequence not only construction but funding, we are at the level where a \$4 million dollar request falls way short and I know that's where we have been in the past as far as approval levels. It's very clear when I look at this that every year this goes by the prices goes up. If it's the desire of the Board to move that portion of Coffee Road forward we certainly can.

Alderman Ament: Maybe that's something for me to look at in the future. I just don't see that road staying the way it is for five more years, even if there is some temporary overlay or something done, because the road is narrow to begin with for the speeds that are out there, especially between Swartz Road and Racine. The asphalt looks like there are gravel patches on the side. Somehow we will have to address that before five years comes along.

JP Walker: When you do have a chance to take a look at this, it certainly can be added to the roadway rehabilitation budget, as you talked about an overlay of some type that would buy us a few years. I understand what you are saying about the pavement right now, it is rough and there is work needed.

Alderman Ament: It looks like it will last a little bit yet, but I don't think it will last another five years. Going back to Lincoln and Rogers, seeing as we have had so many years of trying to get the railroad to fix Calhoun

Road crossing, we have a similar issue on Lincoln. Have we contacted them and told them we are going to be looking for them to repair those tracks.

JP Walker: Our consultant has contacted the railroad for Lincoln, for Rogers we just had the Project Kickoff meeting so I don't think that contact has been made yet, but it certainly will be made.

Alderman Moore: I just wanted to clarify that this motion does not in fact approve right-of-way acquisitions, it's just to approve the CIP forecast.

JP Walker: To be able to bring forth that there is Board consideration for our budget requests at the time that we have those discussions at Council.

Upon voting the motion passed unanimously.

ITEM 18-08 Set a deadline for items to be placed on the BPW agenda, similar to the Plan Commission and have the binders available 5 days prior to the BPW meeting.

Alderman Ament: Not too long ago we adopted the Staff Report format from the Plan Commission and I would like to do the same thing as far as the timing of our information. Sometimes we don't get this until Thursday or Friday before the meeting and it gives us limited time to review it and contact the Staff with questions that we may have. A lot of the questions we are asking at the Board meeting could be addressed between the member and Staff before it comes to the meeting if we had a little more time. What I was looking for is seeing as we have adopted the Staff Report system I would like to see the same with the Board. I would think that the request isn't to actually set that but to have Staff come back with something that is along that pattern.

Alderman Moore: The motion is to have Staff develop a deadline for items to be placed on the BPW agenda in order to give them enough time to get the BPW members their binders at least 5 working days prior to the meetings.

Alderman Seidl 2nd the motion.

JP Walker: Looking at the antiquated By-Laws for the Board of Public Works, the By-Laws state that the agenda is prepared and submitted along with supporting documents to the members on the Friday prior to the meeting, but that was when the Board was meeting on Wednesdays. I don't know how many years ago that was. What we have been following as far as procedure is the Tuesday before this meeting has always been our internal deadline for having all the information available and Staff Reports prepared. They are submitted to Judy and she puts the packets together and by noon on Thursday they are put in the mailboxes. So to move this back so that there are five working days we can do that. All that means is that I change the deadline as to which information has to be to us in order to complete the Staff Reports. With this meeting being on the third Monday of the month all I would do is set the first of the month as being the deadline for receiving information. That gives me two weeks to prepare all the Staff Reports; we should be able to do. This tells me that we will distribute the packets to your mailboxes not only the week prior but the Friday before that. That should give you at a minimum five working days to look at the information.

Alderman Ament: That's the same pattern that the Plan Commission has now.

JP Walker: Especially when the resident takes my place assuming that will be in the near future, I believe that for the Plan Commission we actually take the packets to the Plan Commission homes. I assume that same procedure would have to take place for the resident unless he is given a mailbox here.

Alderman Ament: Are you comfortable if I withdraw that motion and actually do that. I think the beginning is the only part that would have to be changed. Where it says have Staff develop a deadline, we could just change it to say deadline would be a certain day.

JP Walker: Just take out the first four words and replace it with the words “Set a deadline” for items to be placed on the agenda in order to give them enough time to get the BPW members their binders at least 5 working days prior to the meetings.

Alderman Moore: When you say the word set, we know who this is directed to?

JP Walker: Yes, it’s directed to Staff.

Alderman Moore: Are we moving things so far away from the Boards meeting that we have a problem in relation to either bringing things before the Council or getting items to you in preparation for the meeting?

JP Walker: Right now the way the Board is scheduled we have the ability to act on Board issues the fourth Tuesday of the month. Where it becomes an issue is when the fourth Tuesday of the month is the day after the Board meeting. All that does is move that action at Council back two weeks, in essence it’s just a change of two weeks. By moving this forward when we know by the first of the month what’s coming on the Board Agenda to at least get the draft agenda to you for your quick review as the chairman. If there are questions we certainly will have time to answer. I don’t see any negative to this, I just have to change my internal deadline.

Alderman Moore: What about the requirement that agendas can be changed up to 24 hours in advance, they can still be changed.

Alderman Ament: I still think we need to do that because you never know if there is going to be a revision, if we lock it in to tight then there can’t be any adjustment.

Upon voting the motion passed unanimously.

Motion by Alderman Seidl to adjourn.

JP Walker 2nd the motion.

Meeting adjourned at 9:30 AM.

ITEM 17-08

JP Walker:

Mayor Chiovero 2nd the motion.

ITEM 13-08 124TH Street Reconstruction Project Update

ITEM 18-08

Alderman Seidl made the motion to adjourn.

Mayor Chiovatero 2nd the motion.

Meeting was adjourned at 10:00 AM.

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