

MINUTES
BOARD OF PUBLIC WORKS MEETING
October 20, 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.

The meeting was called to order by Alderman Moore at 8:04AM.

Members Present: Mayor Jack Chiovarero, John Graber, Alderman Moore, Alderman Ament, Alderman Seidl was excused.

Staff Present: J. P. Walker, City Engineer, Tammy Simonson, Transportation Senior Civil Engineer.

OLD BUSINESS

ITEM 01-08 Approval of the Minutes from the September 10, 2008 meeting

Motion by Alderman Ament to approve the minutes.

2nd by Mayor Chiovarero.

John Graber abstained from voting since he wasn't a member of the Board at the time of the last meeting.

Upon voting the motion passed unanimously.

ITEM 15-08 – Calhoun Road Design Alternatives 2008-A (Tabled)

Mayor Chiovarero: Since Alderman Seidl is not here, we will just leave it on the table until the next meeting.

ITEM 20-08 – Discussion on referral from the Council regarding changing the time and date for the Board of Public Works Meetings (Tabled)

Alderman Ament: With Alderman Seidl not here, lets keep this on the table until the next meeting also.

NEW BUSINESS

ITEM 21-08 – Resolution to approve the Submission of a Petition to the Office of the Commissioner of Railroads for the Union Pacific Railroad Crossing at Lincoln Avenue.

JP Walker: As part of the Lincoln Avenue redesign there is a need to widen the railroad crossing of the spur line of the Union Pacific Railroad that crosses Lincoln Avenue, it's just east of 170th Street. To do so we need to approach the Office of the Commissioner of the Railroad (OCR) to request a hearing. The reason why we have to do that is because there is storm sewer that has to go under that railroad track. If it wasn't for that there would probably have been an agreement that could have been reached between the railroad and the City on cost sharing of the crossing. Normally what happens is, when you have a railroad crossing the railroad is responsible for costs associated with the reconstruction or repair of the existing crossing and then anything that is wider than that would be the City's share. The City Attorney has prepared a petition for that hearing and a

resolution that will go to Council, assuming that the Board will recommend approval to the Council. Approving that resolution then allows that petition to go forth.

Mayor Chiovarero: Made the motion to approve the resolution.

Alderman Ament: 2nd the motion.

Mayor Chiovarero: Have we had any contact with the railroad on this issue? What if they don't respond like they didn't on Calhoun Road?

Tammy Simonson: We have contacted the railroad and they suggested going directly to the OCR because of the drainage issues through there.

Mayor Chiovarero: Can we get permission from the Railroad Commissioner just to do our work as public necessity?

Tammy Simonson: As far as the work on Calhoun Road, they still have until the end of the month, and then we will be contacting them on that. Whatever the OCR says, should go, so I have never seen it where they haven't gone by what the OCR said to do.

Alderman Moore: In this case the responsibility to reconstruct to the existing the responsibility of the railroad, so the Commissioner could make the railroad do that, is that correct?

JP Walker: That's correct.

Alderman Moore: We just take care of the additional widening?

JP Walker: The additional widening, but I think where the meat of the discussion will come in will be the storm sewer that goes under the railroad track. The railroad has certain requirements that will have to be met and that has to do with the amount of cover over the storm sewer and so that might be the major part of the discussion with the OCR because that really is the issue. The widening is pretty commonplace; it happens whenever you have a reconstruction of the road normally. I expect the discussion to really be associated around the storm sewer.

Alderman Ament: We obviously don't have any idea what the cost to the City would be, and secondly it would be part of the project?

JP Walker: The City Attorney did get information on the cost estimate from the consultant, Bloom Companies, and it's in the Staff Report. The cost is about \$80,000 and our share would be \$37,000. That's based on a ratio of existing cross section versus the proposed cross section.

John Graber: This is a request to recommend to Council the approval of the resolution, correct?

Alderman Ament: I assume that's because of the cost.

JP Walker: Yes.

Upon voting the motion passed unanimously.

ITEM 22-08 Discussion of Multi-Use Trail & Sidepath at the I-43 & Racine Avenue Interchange.

JP Walker: We previously had a presentation from the WisDOT on the I-43 & Racine Avenue Interchange. We were told that they would provide us with a concept plan of a potential multi-use trail and/or sidepath that

could be constructed through the Interchange, should the City desire that. We received a copy of a concept plan from Philip Bain, who is the person that gave us the presentation. We also received two e-mails that are in your packet. He shows the potential locations of the facilities; the multi-use trail being on the east side and a sidepath on the west side and these would connect to the shoulder on Racine Avenue on both sides of the Interchange. In our Bicycle and Pedestrian Facilities Plan, Racine Avenue is shown on the maps as having a shoulder path. Subsequent to the e-mails from Phil Bain, I contacted Waukesha County to see where they stand with shoulder paths, since they are reconstructing the area north of the Interchange. My discussion with Gary Evans at the County resulted in him making the statement: "If the City want's the shoulders paved, the City pays for it all." So when you look at the cost estimate that Phil Bain provided us, he said that if we desire to have both the multi-use trail on the east side and the 5' wide foot sidepath on the west side constructed, they would do the multi-use trail at their cost. Then we would only have the cost share in the side path on the west side and I believe our cost share was estimated to be \$10,500. I did not get a cost estimate from Gary Evans. They were not in a position to provide that to us at the time I spoke to him. I could get that information if there is a desire by the Board to do so. The whole intent here is that WisDOT is going to grade out the areas of the multi-use trail and sidepath as part of their Interchange project. If the City decides that yes, we should put those facilities in then there is the cost share. If we decide that we aren't going to put those facilities in they will still grade it out should a future decision be made by the City to have them installed, then it would be the City's full cost to put those facilities in sometime in the future. That's the carrot that is hanging out there.

Alderman Moore: With the State taking 100% of the multi-use path and 80% of the narrower sidepath the multi-use path, I assume, is going to cost slightly more. It seems to me that our share of all of this would only be in the neighborhood of between 5 – 8%, which is really quite a bargain.

Mayor Chiovatero: 5-8% of what?

Alderman Moore: Of the total, because the multi-use path would be fully paid for by the State and it's wider, so if you take the sidepath plus the multi-use path together, it looks to me like the share of the total amount is only 5% - 8%, which I think is pretty fantastic.

Alderman Ament: Do we know how far they would go with the five foot wide sidepath? Are they intending to go quite a bit further north with that or even south?

JP Walker: Their project limits I believe are just south of Julius Heil Drive on the north and I think it's north of College Avenue on the south. I would say that the sidepath would extend their entire project length.

Alderman Ament: Are they showing those paths going under the ramps or would they cross the ramps?

JP Walker: That's a very good question. I think they would cross the ramps. There was no discussion about a tunnel under the ramps.

Alderman Ament: I would think so too, but the way they have it highlighted it kind of looks like it goes under. With the 10' wide multi-use path would that require us to agree to maintain it?

JP Walker: I believe the answer is yes.

Alderman Ament: Given where it is, that would fall on the City, I would imagine, at least on the 10 foot wide multi-use trail.

JP Walker: If you go by our policy we wouldn't plow it, it's a trail. Our policy would supersede the agreement as far as snow removal, but that is something that would have to be clarified.

Alderman Ament: The 10' wide multi-use path they would pay for and we would not have to maintain it?

JP Walker: Yes, that's my opinion.

Alderman Ament: I know we are just discussing this now, maybe we can make sure that they aren't going to require us even though we have a policy to do anything there. And the five foot wide sidepath based on their e-mail, it said that we are going to have a maintenance agreement. Is that strictly for repairs?

JP Walker: Its for any type of maintenance, it could include snow removal. That maintenance agreement will come before the Board at some time in the future if we decide to go that route.

Alderman Ament: But the City policy would still require us to maintain that path?

JP Walker: No, the sidepath will post date the ordinance; it's not a sidepath that the City has plowed so the ordinance says that only pre-existing sidepaths will continue to be plowed by the City. I would say in this case it post-dates the ordinance so we wouldn't be plowing that either.

Alderman Ament: I can see that where there are either residents or businesses but I'm wondering with this along the Interstate where that would fall in. I don't think our policy addresses that. You could use that example on Moorland Road as well.

JP Walker: I think that is something that would be part of our discussion on any maintenance agreement to make sure we have that clarified.

John Graber: What we have here is four choices, right? We have the do nothing choice; we don't want either one of them, or both of them, or just the sidepath to the west or the multi-use path to the east. I don't see the need personally for both of them at least at the present time. There is nothing on the west side between Julius Heil and the south City limits that would indicate any desire or need for any large number of people through there much less probably anybody. Just one of them would be adequate. If the multi-use path is 100% construction costs by someone other than the City, that would be my choice to take, and we are still going to look at maintenance on either one of them. I think the maintenance levels would be much different for both of those. It appears they both seem to be the same distance off the roadway, so it's not like we are looking at a widened shoulder. It appears that's what the County was saying, is they would just pave the shoulders as part of their reconstruction which is totally different project that would be right on the edge of the pavement, whereas I always looked at the multi-use paths being a little bit more not related directly to the pavement. It would be off the pavement.

Alderman Moore: There are some houses to the north on the west side and also when Quarry Park gets developed in the future that would be on the west side. Also we have as part of the Transportation Plan, when major thoroughfares get reconstructed it is a recommendation of the Transportation Plan that sidepaths be included. Plus the fact that we would have an 80% cost share which when you are talking about crossing a bridge, that's fairly significant, plus if we only have a path on one side you would want to work on crossovers. When you have a major thoroughfare with a lot of traffic, its best to separate your foot and bicycle traffic in each direction from the automobile traffic for safety reasons. This is why I personally would be in favor of the paths on both sides.

Alderman Ament: They don't have any detailed plans yet, do they?

JP Walker: This is all we have at this point. What they are looking for from us is a letter indicating whether or not we are interested. If so, what are we interested in having them do. Once they get that letter then they will prepare the plans.

Alderman Ament: OK, assuming that we accept them and assuming that they go over the ramps it would be interested to know how they are going to mark that. They are coming off a freeway. I'm concerned with having these paths crossing a freeway exit and entrance ramp. I don't think people coming off an exit ramp are

going to be looking for people walking across in front of them, especially with the round-about. I think they are going to try and figure where they are going instead of who's crossing in front of them. Are they still planning on starting this project next year?

JP Walker: I believe this is next year.

Alderman Ament: Even those are marked really nice and that again would be very important, especially if they go over the ramp. I really have a concern about them putting those over the ramps. With these paths, do we know if they are planning on concrete or asphalt for one or both?

JP Walker: There has been no discussion on material.

Alderman Ament: The Bicycle and Pedestrian Facilities Plan calls for this to be a shoulder path and I'm sure will come up once we get into more of a discussion on it. Right now I would agree with John's assessment that I certainly wouldn't support the five foot unless we get some different information from them.

Mayor Chiovarero: When I look at this drawing, even though it lacks some detail it looks like the paths go under the ramps, otherwise it would be marked with some kind of crossing like they are showing all the markings for the yields and the lane divisions. As far as the multi-path I think that's a no brainer, we aren't paying for it as part of the plan. We will not have to maintain it during the inclement weather, but we need to find some way of transversing over this highway. It's New Berlin on both sides and I'm not 100% sure of the County's plan, but there is going to have to be some way for someone to get from this side to that side that isn't in an automobile or motorized vehicle. As far as the sidepath goes, first of all it's a County road and I'm really shocked that the County won't take a look at this. We are only paying 10% of a \$55,000 sidewalk and we are only paying \$10,500 for it. It's a good deal; I think the County should have some say in it. When and if Mill Valley gets developed, it may be, at that time, a necessity to have a sidepath on that side to get to either side of the freeway. Of course the multi-use path could probably fill that need, but I was just thinking about how we are going to get people across Racine Avenue. I know Alderman Ament's concerns about sidepaths and maintenance, but looking at this, this is a major interchange with the possibility of some development on the south side of it. I would hate to see a chance now to have it somewhat subsidized and having to build it later.

Alderman Moore: Roundabouts tend to slow the traffic down significantly and they would be crossing it at a low speed area of an automobiles travel. If they did cross at surface, I see it as much less of a problem than trying to cross Racine Avenue.

John Graber: The way I interpreted the correspondence from the State and the County, they will grade out the area for the sidepath, whether we put it in or not. If we were to say, yes, put the sidepath in we would get a detailed design of what that would be and at that point in time could decide whether or not we really want it. We will have a more detailed cost estimate, we will know whether they are surface crossings or not, bridges, underpasses or whatever it may be. I have to believe that cost-wise they are just going to be an at-grade crossing. But we get a better chance when we know what we are looking at in detail. The other issue that isn't really covered here, this is just the interchange with I-43, what does the County plan on doing to the north and south as far as going from the east to the west side of the street. If they having a crossing further north or south then it makes the west sidepath even less necessary, because it's going to a very limited potential development area of Mill Valley to the area north of that. There is nothing between Julius Heil and the on-ramp. We can drop it at anytime.

JP Walker: What the State is looking for from us is, are we interested, put it in writing. We are interested. Have them do the full blown design and should there be a change, we still have time to make the ultimate decision prior to construction with the understanding that the construction will occur in 2009.

Alderman Moore: Because they have to design it anyway?

JP Walker: They have to design it to grade it out. One thing to keep in mind, which is an assumption on my part, since their concept plan doesn't go far enough south, you've got College Avenue south of this. That's going to be a controlled intersection, so common sense tells me that if there is going to be a crossing it would be at that intersection. I certainly will ask the question in the correspondence, a series of questions we can put in the correspondence and have them respond to us in writing since they need something from us in writing.

Alderman Moore: What is their time frame?

JP Walker: As soon as possible. What I am looking for from the Board is authorization to send a letter to the State, are we interested; do we want them to continue on this, etc.

Alderman Moore: I'll accept a motion. There is one that is in the executive summary.

Alderman Ament: I would like to get a lot more information and detail on the paths crossing the ramps. We talk about someone like you or me darting across there, but kids, or wheelchairs. I just see the potential for a lot of problems. Maybe they have a plan, maybe they have done this before, but I would sure like to see something before I put my stamp on it.

JP Walker: Since we have time before this will go to the Council. I will attempt to get the answers from WisDOT and then e-mail the Board members so that you have that information before you deliberate that at the Council.

Mayor Chiovero: Made the motion to forward on to the Common Council the recommendation of the inclusion of these facilities.

John Graber 2nd the motion.

Alderman Moore: I believe that you will have those types of crossings at the Moorland Road and I-43 Interchange, very similar as to what this will be. Certainly most of the people will become familiar with those types of sidepath crossings. I believe crossing Racine Avenue would be more of a problem, as people get more used to sidepaths they are going to be looking for it. The people using the sidepaths have the responsibility to wait for the traffic.

Mayor Chiovero: I know on the Moorland Road path, they come down Moorland Road and they cross over at Rock Ridge Road and connects to a trail path that goes underneath at Beloit Road, so they don't really cross over any ramps on the east side of Moorland Road.

Tammy Simonson: They do have a sidewalk crossing underneath the Moorland Road Bridge at the southbound exit ramp.

Alderman Ament: We would have a better idea of how they are doing it on Moorland Road if we could see the plans. I know it's not an identical situation, but it would be interesting to know what their plans are there.

JP Walker: We have the plans for Moorland Road and will include those in any correspondence that we send to the Board members.

Mayor Chiovero: We also have to take into note that this is different than Moorland Road. I think both of these roundabouts are elevated, so I'm not sure what the path would be with an elevated roundabout compared with a sub-level round about.

Alderman Moore: I think the traffic would move slower as it goes uphill.

Upon voting the motion passed unanimously.

Motion by John Graber to adjourn.

Mayor Chiovatero 2nd the motion.

Upon voting the motion passed unanimously.

Meeting adjourned at 8:41 AM.