

Board of Public Works

Minutes

BOARD OF PUBLIC WORKS MEETING

November 17, 1999 AT 8:00 A.M.

Common Council Chambers, New Berlin City Hall, 3805 South Casper Drive

Members Present: Alderman Wysocki (Chairman), Alderman Patzer, and Jeff Chase

Staff Present: Division Engineer Jim Haggerty, Director of Planning Steve Hoese, City Treasurer Mike Holzinger, Ken Ward of Ruekert & Mielke and Division Engineer JP Walker

Excused: Alderman Jack Chiovatero

Arrived: Mayor James Gatzke at 9:00 a.m.

ITEM 01-99 Approval of Minutes - October 6, 1999

- October 26, 1999 (Special Board of Public Works)

Motion by Jeff Chase to approve the minutes of the October 6, 1999. Second by Alderman Patzer. Motion carried unanimously.

Motion by Alderman Patzer to approve the minutes of the October 26, 1999. Second by Alderman Wysocki. Motion carried unanimously.

ITEM 46-99 Deer Creek Interceptor Sanitary Sewer

Award of Contract

Jeff Chase gave a brief over view as to what the project consisted of.

Motion by Alderman Wysocki to recommend approval to the Common Council award of contract to Graef, Anhalt, Schloemer & Associates, Inc. for the Study and design of the Deer Creek Interceptor Sewer Extension in the amount of \$66,660 funds coming from Sanitary Sewer Impact Fees Account No. 252. Second by Alderman Patzer. Motion carried unanimously.

Phase 3

Steve Hoese presented a report summarizing staff's recommendations for phase III

projects. The report recommendations are summarized as follows:

1. Delete - Office parcel loop street project.
2. Delete - West Beloit Road reconstruction project.
3. Cul Du Sac to the ramp parcel project is contingent on 2 cost being borne by landowners (City Attorney to secure agreement.)
4. Negotiations with Waukesha County for cost share of east Beloit Road and Moorland Road reconstruction project.
5. Negotiations with Waukesha County for cost share of signalization projects at Beloit and Grange intersections with Moorland Road.
6. Floodplain mitigation project contingent on preliminary engineering revealing significant saleable land would e created by floodplain mitigation with regulatory agencies approval.
7. Bike path project tied to grant or other program share.
8. Underground wiring project cost shared as condition of development of adjacent parcels.
9. Beloit Road improvement east and Moorland Road Intersection projects shared with adjoining commercial development projects per traffic impact study.

Under those understandings and recommendations the projects are estimated at this point and time to be somewhere between \$1.3 and \$1.42 million complete, which are rough costs. It appears that we would have close to sufficient funds to complete these projects. The motion to the Common Council, would mean 1.) begin negotiations with the landowner in the area 2.) Begin conversations or negotiations with the County 3.) Design contracts for some of the projects would begin 4.) Engineering feasibility study on the flood plain and the storm water management plan would begin. (Everyone would see those back in forms of contract approvals as part of the project) 5.) You would see approval for bids for the actual construction.

Motion by Alderman Wysocki to recommend to the Common Council approval of the following 6 projects:

- 1. Beloit & Moorland Road roadway and intersection reconstruction (Beloit Road; I-43 to Moorland and Moorland Road; I-43 to Beloit).**
- 2. Calhoun Creek Flood Plain Remediation and LOMA.**
- 3. Cul De Sac to the ramp parcel (Rausch/May property).**
- 4. Moorland Road Corridor streetscape and Pedestrian Improvements.**
- 5. Underground relocation of existing aerial utilities.**
- 6. Moorland/Grange intersection Signalization.**

The combined cost of all projects shall not exceed \$1.5 million and shall meet the

following 4 conditions:

1. Projects No. 3 shall be contingent on a cost sharing agreement with the property owners whereby 2 of all cost would be paid for by the property owners and 2 by TIF funds.

2. All roadway and signalization projects shall be contingent upon the Common Council approving a cost sharing agreement with the County and/or adjacent property owners.

3. Project No. 2 shall be contingent upon preliminary engineering concluding that significant saleable lands would be created by flood plain mitigation.

4. Underground utility relocations shall be conditional upon a cost sharing agreement with adjacent developments.

Alderman Wysocki asked if staff has contacted Waukesha County regarding project #2, W. Beloit Road Reconstruction. Alderman Wysocki expressed concern about the adequacy of this road section in light of the new Town Corporate Park development and increased traffic.

Steve Hoese suggested not to delete Item No. 2 at this time, but to include in the conversations with the County.

Alderman Wysocki is concerned that as Town Park gets more developed, we will have more truck traffic.

Steve suggests that the proper course of action is to modify the motion on the floor to include the W. Beloit Road Reconstruction project so that it can be discussed with the County relative to a cost sharing agreement.

Motion by Alderman Wysocki to amend the initial motion to include a project Beloit Road Reconstruction from Moorland Road to Emmer Drive. Second by Alderman Patzer. Motion carried unanimously.

Alderman Wysocki asked if project No. 6: Flood Plain Remediation was part of the City's Storm Water Management Master Plan.

Steve responded the City has a Storm Water Management for the TIF District which is part of the City's Storm Water Management Master Plan, and that project No. 6 is contingent with the plan.

Alderman Wysocki made a point that it should be understood that the City is carefully addressing Storm Water issues in the Westridge TIF district and that such measure are being funded by TIF dollars, costs that would otherwise have to be paid for the general tax levy.

Alderman Wysocki stated that he would like to keep the total project cost within the funds so we can retire the TIF District. Alderman Wysocki asked Mike Holzinger if he prepared these numbers.

Mike Holzinger stated no he did not and he only received the packet Tuesday afternoon.

Alderman Wysocki asked Mike Holzinger to review the numbers. He is more concerned with

the numbers we truly have and financial projection that the impacts this might have.

Mike Holzinger handed out a financial records that is updated every month. The document hasn't really changed since started doing this. He mentioned the main focus everyone should be on is the \$1,350,453. There are some restrictions when he closes out the TIF District, we need to have an audit report. There are certain guide lines the TIF spell out and certain things have to happen. Three audits are required 1.) Has already taken place 2.) Completion 3.) when the TIF District is retired, and needs funds to be available. Also funds are already pledged to completed projects in the form of retainage. Mike stated we don't have \$1.350 million at our leisure. Considering these needs we actually have about \$1.30 million available for projects. The estimated cost for the proposed projects is \$1.4 million. We do not have that much cash on hand. Mike reminded the Board that the City must have current funds available to execute a Public Works contract and a cost sharing agreement with the County or others is not sufficient.

Alderman Wysocki pointed out the very first project of Beloit Road and Moorland Road are exactly those that require negotiations from Waukesha County for shared costs. The financial impact of those projects, roughly one half million dollars, would have to be fronted by the City and then get reimbursed by the County at some future point in time. That creates a concern that it reduces the available fund by a half million dollars. We would be better off from a financial priority to have that project at a time when the County is prepared in a timely matter to pay for as we pay for it.

Steve advised that under TIF laws we have ten years from the creation of the district to complete all of our projects.

Alderman Wysocki stated it was created in September 1994 so by September 2004 it would have to be done. So these projects are probable not going to happen in a one year cycle. He asked if Jeff Chase could identify how long some of these projects could be anticipated to take since we are kind of out of the construction period for this year for some of these projects. Jeff responded that the projects will take between one and three years to fully implement.

Steve stated that there are a few major perimeters identified as a financial limit but also a time limit with four to five years maximum.

Mike Holzinger stated if you want to do these projects with the funds on hand, his recommendation is to zero in on the projects and get down below the \$1.3 where the payments are being made. Otherwise the updated column estimates they are between \$1.98 and \$2.0 millions dollars. We have \$1.3 million and if we have to cover the full cost of this stuff, we will have to discuss another bond issue or trim the list down.

Alderman Wysocki stated that more time is needed to look at this. He asked if there are any concerns for staff if we table this and Mike and Steve get together and give them a better perspective in view of the perimeters that they have to work with.

Steve Hoese states that there is no new information needed from Mike Holzinger's office. He states that there isn't any additional information needed to make a decision. Mike has been fairly resolute that the law and money we have available hasn't changed and will not change. It is not a matter of where the County will have to change their capital improvement program. We talked to the County about that and they understand that. The incentive for the county is that a traffic situation is going to occur on this road, and the city is willing to cost sharing the improvements. The motion states that if they are unprepared to enter into a cost sharing agreement within the years that we need the money, we will not proceed with those

projects, or we will reprioritize the list. We will cut the projects back to what we have available. We can fund and pay cash for one of those projects. However if we can get the County to go in with us we can maybe fund two or three or maybe as suggested maybe get all four done. That is what is being suggested. We are honoring the financial understanding that we are going to hold to the \$1.3 million or the Council is aware that another borrowerer will be needed. The Board of Public Works directed staff at the last meeting to come back with a plan that has no borrowing which we have done. If we go ahead with this plan we will start negotiating with the County and advise you how it is going. We can do this plan, as outlined, and not exceed the \$1.3 million.

Alderman Wysocki stated that his only concern is that the plan will only work if Steve and Mike work together recognizing Mike's financial and statutory restrictions. He states he doesn't want to borrow any more and this is the money we have to work with. He states the time restriction element he has not considered and needs to be considered. He states the issue from Steve's staffing point of view is well laid out and alerted us to what needs to be done within the limit of \$1.3 million. Although they have been presented with a priority projects list, maybe the City could move on some of the lower priority projects that are our own costs. There are no negotiations on going and we only have five years to do these things. We should not allow delays in the negotiation process impact the implementation of other projects. He asks that Steve and Mike take a look at the first priorities that require heavy negotiations that maybe project 8 could be started.

Steve Hoese stated that none of the projects are going to be dependent on the other. We have combined those that had to be combined and separated ones that don't require the County. The projects will all be pursued independently. Some of the smaller projects that we can fully pay for can get done next year. He stated they went to Mike first to see what funds were available, went to the attorneys to find about time limits.

Alderman Wysocki states that he would like the minutes to reflect the highlights of the discussion taking place so that when it goes to Council on November 23, that the minutes shows a substantial amount of information that has been discussed. He is prepared to vote on the motion with the idea that Mike will have time before the November 23rd Council meeting to review and talk to Steve.

Mike Holzinger stated that once his name is signed on these contracts that the funds are committed and that it is fully recognized that once these other projects are started those funds are not available.

Alderman Wysocki requested that when Phase III starts, a status report be presented to the Council with each project showing the amount of funds committed and the available fund balance.

Steve Hoese stated based upon Mike's comments that the motion has said not to exceed \$1.5 million and what Mike is saying is to not to exceed \$1.3 million. The motion should be amended to read \$1.3 million with leaving him \$50,000 for the items he outlined.

Alderman Wysocki asked how long it would take to talk to the County and see what their thinking is about participation.

Steve Hoese stated that they have already started those conversations. We have had a good conversation and one bad conversation. Time is of the essence. We have a limited amount of time to do the work. So if anyone wants to protract any kind of negotiations, landowners or the County, basically the project is done. That is why projects have already been eliminated. Upon the action of the Common Council, we will begin formal negotiations

with the County and the City attorney will begin the negotiating with some of the attorneys of the private landowners. We expect some of these projects to drop off from time because pieces will not come together in time. We all agreed not to extend the TIF.

Jeff Chase stated he concurs with Steve that it is unlikely that all of these will be implemented. In developing this plan we have considered the legal requirements regarding the availability of funds when contracts are executed. Mike will have the opportunity as each and every project moves forward to make a decision as to if funds are available for the contracts. He also concurs with Steve that the projects should be worked on independently from each other.

Alderman Wysocki moved to amend the motion to limit the total obligation to \$1.3 million.

Second by Alderman Patzer. Motion carried unanimously.

Alderman Wysocki move to vote on the original motion as amended. Second by Alderman Patzer. Motion carried unanimously.

ITEM 41-99 CASPER DRIVE EXTENSION

Jeff Chase gave a brief overview of what the project was all about. He stated that extension could go to either Coffee Rd or to Calhoun Rd.

Jim Haggerty, Division Engineer, gave the background of the alignments and some rough cost estimates.

He explained the map presented to the Council members that if Casper Drive extended to Calhoun Rd what would be affected including city recycling center. It included two alternatives. One for rural section roadway (gravel shoulders with roadside ditches), the second alternative being urban section roadway (curbs, storm drainage, and possible sidewalks). He pointed out positive and negatives for both alternatives.

Alderman Wysocki stated the Mayor should communicate to the Star of Bethlehem building committee that this item was discussed by the Board of Public Works and we have two preliminary concepts that we are looking at but at this point there is still not in place any committed planning public structure for the extension of Casper Drive at this point.

Alderman Wysocki moved to drop from agenda. Second by Jeff Chase. Motion passed unanimously.

Jeff Chase gave brief overview of previous discussions at last meeting and the questions of some property owners sewer service.

JP Walker stated they sent out 11 surveys to property owners on Johnson Road on November 1, 1999. Has received seven responses. All were affirmative and were interested in pursuing further studies for sanitary sewer extensions. Stated one out of the seven could be either for or against.

Ken Ward of Ruekert & Mielke explained the costs involved with the project. He had two cost analysis' one being to service just north half of the gas & sewer map (approximately 17 acres) given to them which would cost \$106,000. Which ended up costing approximately \$6,100 per acre. The second alternative to install a lift station at the south end adjacent to

the recreation trail. The cost is significantly higher being \$616,000 which breaks down to \$19,000 per acre.

Mayor Gatzke asked if we were to service just the north area, and in some point in the future decide whether the services be extended further south, if it would have to current system would have to torn out or just add to existing system. Also asked if the system would be 100% assessable.

Ken Ward responded the service would be able to be extended from existing system and the \$106,00 includes the connection from where ends on the north side to where it brings it to the south side of intersection.

Also verified that there is no cost to the system. A sewer district would need to be set up. All the costs would be born by the users.

Ken ward also stated that the board needs to take into consideration for whether it goes to our current utility committee for some recommendations or if the board itself would have initiate a utility district.

Jeff Chase stated that it should be considered sewerling additional lands to drop the cost per acre.

Alderman Wysocki asked what amount of capacity would actually be used this scenario.

Ken Ward stated that there is 45,000 gallon capacity with 13,000 gallon left over.

Mayor Gatzke motioned to recommend the City move forward with the gravity sewer alternative with the provision the project be done by the developer and the developers agreement come back to the Board of Public Works for review. Second by Alderman Patzer. Motion passed, with Alderman Wysocki voting no.

Jeff Chase advised of a follow up on a conversation that took place at the Board of Public Works meeting. We were asked that since there were so many different projects in progress on Greenfield Avenue that it should be straightened out get information of where we stand or where we are going.

Jim Haggerty updated the Board on all projects and their schedules. Alderman Wysocki asked that this item be left on the agenda as an update item.

Alderman Wysocki motions to adjourn. Second by Jeff Chase. Motion carried unanimously.

Meeting adjourned at 9:50a.m.

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