

MINUTES
BOARD OF PUBLIC WORKS MEETING
August 20, 2009 (Special)
New Berlin City Hall Common Council Chambers
3805 S Casper Drive

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

The meeting was called to order at 6:00 PM.

Members Present: Alderman Ament, Alderman Seidl and John Graber; Mayor Jack Chiovaturo was excused and Alderman Wysocki were excused.

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

Guest: David Tapia, Bloom Companies

OLD BUSINESS

ITEM 01-09 Approval of Minutes from the July 16th, 2009 meetings.

Motion by Alderman Seidl to approve the minutes from the July 16th special meeting. 2nd by John Graber.

Upon voting the motion passed unanimously.

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

David Tapia handed out an update of the schedule that was presented at the July 16th meeting and summarized the progress to date. He indicated that he and the lead designer performed a walk through to make sure that they looked at everything that needed to be done. He also indicated that the field survey is progressing and hoped to have that completed shortly. Bloom Companies (Bloom) is looking at the most recent traffic information that was provided by the City to determine where minor geometric improvements can and should take place. Mr. Tapia reported that Bloom has ask for updates to title searches that were done from the previous project to make sure that nothing has changed in the lapse of time, so that the Plat is prepared with the most current information shown. Bloom will be sending a letter to the utilities to let them know of the anticipated construction schedule, the type of work that will be involved and how they will be impacted, asking them for comments and any facility maps that they might have. Bloom has reviewed the work done on the preliminary roadway plan and checked the alignments of the closest design alternative that resembles Alternative 2009-A. They are making sure that the alignment will work for the preparation of the Plat. Mr. Tapia indicated that additional subsurface investigation will be performed to gather additional information from locations re-alignment of frontage roads will occur, so that way that construction doesn't run into any problems.

Alderman Seidl asked have there been any new parcels since the last survey was completed?

David Tapia responded no. The one thing that he wants to make sure that they gather additional information on is the potential of taking West Elmwood straight through and connecting it to Calhoun, eliminating that sort of half-circle shared service road that provides access to those homes. The two locations where the existing service road connects to Calhoun Road are not really in the best locations, especially the one on the south because it comes out right next to another intersection. So, one of the things that Bloom is looking at is if Elmwood is taken straight through to Calhoun Road connecting at a 90 degree angle can portions of the right-of-way be vacated back to the property owners and can the service road become private shared driveways.

JP Walker stated that if Elmwood was brought out to Calhoun Road then the service road would be shared by a couple parcels on each side of Elmwood. The question has to be, does the City want to vacate that right-of-way and turn it into a shared drive connecting to the new portion of Elmwood and what do the residents feel about that?

Alderman Seidl indicated that he has spoken with a few of the residents that live on that shared frontage road and they still really want to have that frontage road there. He asked depending on who would clear the snow, would it become their responsibility to see who is going to plow it or how it's going to get plowed?

JP Walker indicated if the right-of-way were vacated it would become the responsibility of the residents to plow the private driveways.

Alderman Ament asked in an effort to keep everything moving along and make sure that by 2011 we are ready to roll on the construction, is there anything to do with hiring or contracting for the right-of-way with the consultant that needs to wait until this entire schedule is completed, or is there some point in between where that can pick up? Or does this entire plan need to be approved at some point by the Board and the Council to get to that point?

David Tapia responded that Bloom would need to have an approval of the 60% completed plans along with the geometrics, the typical cross sections, the design to accommodate drainage issues so that slope intercepts were set and there weren't going to be any changes, then the Plat could be created. Then as the final design goes forward the firm that would be doing the appraisals and acquisitions for the City could be going on simultaneously.

Alderman Ament asked assuming that everything stays on schedule at what point in this would that be?

David Tapia responded right around Christmas is when we would probably be able to get out there and start talking to the property owners regarding what is going to happen.

JP Walker stated that once the Board has reviewed and approved the Relocation Order and Common Council have reviewed and approved the Relocation Order, then that sets the stage for being able to start making contact with the property owners where there is property acquisition needed.

Alderman Ament asked where is that on this schedule from top to bottom on the left side?

JP Walker responded that it's the second line item under Real Estate where it says "prepare, approve relocation order and plat" that looks like it is to be completed just before Christmas time. That would then allow Staff to bring the Relocation Order to the Board and the Common Council in January.

Alderman Ament stated that you mentioned minor geometric improvements under traffic. He asked what exactly do you mean by that?

David Tapia responded that the location of bypass lanes, the side roads themselves, getting the correct radii on the side roads, looking to see if each side road functions well as a single lane coming onto Calhoun Road or is there one where maybe it needs a right turn lane or where there is a lot of left turns where we would want to give them the space as traffic can go around them. That's the minor geometric improvements.

Alderman Ament stated that from the schedule it looks like that should be set in early to mid-September.

David Tapia indicated that the design concept could be ready which will suggest where Bloom thinks the bypass lanes should be located, what Bloom thinks should be done with the side roads, what to do about the Elmwood connection. If the Board approves the concept design, then Bloom will be ready to go into the detailed design, including laying out profiles, cross-sections and drainage issues.

JP Walker stated that that indicates to him that for the September's Special meeting we should have a concept plan in front of us similar to what he prepared as an interpretation of the RAS for Alternative 2009-A showing where the changes are. If there are any of these minor geometrical changes the Board would be able to focus on those and provide direction.

Alderman Ament stated so we can decide on what we want to do with them, accept them or change them.

Alderman Seidl asked in regard to Elmwood and the potential shared driveways is it possible to close off the furthest southbound connection to Calhoun Road and bring that out to Elmwood, but still keep the other connection?

JP Walker responded it is possible but then you would have an unsafe angle. Technically roads are supposed to be connecting at a 90 degree angle.

Alderman Seidl indicated that his biggest concern is the shared drive. When it comes right down to it we are looking at seven property owners that would have to figure out who, when and how they are going to clear the snow. We are also looking at the fact that we are taking away a road that some of them have had there since they moved in, so there are some concerns with that.

JP Walker added that there is a drainage issue by the northern entrance that has to be dealt with and that may require that entrance to be eliminated. Until we get into that level of detail we can't say that for a fact.

JP Walker stated that he wants the Board to clearly understand the process that Bloom Companies will be going through as they add the detail to the plans. The details we are talking about include cross-sections every one hundred feet for the entire length of the project, the profile for the center line of the road and then the profile for the storm sewers both on Calhoun Road and if it is determined that the storm sewer on Roosevelt Avenue is indeed needed, that's the level of detail that will be added in the next few months to the plans to get us real close to constructional level of detail to the plans.

Alderman Ament stated to Alderman Seidl that he thinks that Alderman Seidl may want to sit down with those neighbors and prep them and get their questions together.

David Tapia stated that Bloom plans to have a Public Informational Meeting in early October to discuss the plans so that we aren't so far along in our design, especially if Elmwood becomes an issue that is harder to deal with, we will still have time to make those changes.

NEW BUSINESS

ITEM 28-09 Railroad Agreement for Rogers Drive Crossings

Tammy Simonson indicated this is a request for the Common Council to approve the cost sharing for the Union Pacific Railroad to reconstruct their two crossings on Rogers Drive as the City reconstructs Rogers Drive in 2014. This goes through a different process than what we went through with Lincoln Avenue where we had a hearing before the Office of the Commissioner of Railroads because of the time constraints. Because this is ways out in 2014, we are able to do this in a slower manner so we can have the cost sharing agreement ahead of time with the Railroad and then they have time to design it. This locks in the cost sharing with the Railroad in the early stages of the project.

Alderman Ament stated that this is going to go all the way to 2014. Is that because of design efforts?

JP Walker responded that that's because of budget issues. You will see as the budget comes to the Council the five year plan with Calhoun Road, the STP projects, with Glendale Road, the whole sequence. If the Board desires to do more than one construction project per year it could be moved up obviously, but right now we are planning one construction project per year once we get beyond the STP projects and the 2011. The money for the project has not been approved yet.

Alderman Seidl stated that the proposed crossing is 44 feet wide therefore the City of New Berlin is to pay 35% of the cost. Is that standard, that the City does that?

Tammy responded that the railroad agrees to pay for the existing crossing. Any new pavement that needs to be crossed is when the City steps in and pays the extension of the crossing.

John Graber asked are they going to construct this the same year that we do the Rogers Drive construction?

Tammy responded that the initial agreement is to work with the contractor to construct it in the same year as Rogers so that we don't have to close down that road twice.

Alderman Ament asked are we talking about both crossings?

Tammy responded that's correct.

Alderman Seidl asked this is a contract with them that they will complete this work, is that correct?

Tammy responded that's correct. The process that this goes through is we make an initial request to the railroad saying that we are going to be reconstructing this roadway and the crossing needs to be repaired. The railroad, in turn, sends us the estimate and after we have received Council approval of the cost sharing, we send them back a letter saying that we accept their estimates so that the split will be 35% by the City & 65% by the Railroad. They will send us a formal agreement. So there are really two agreements that go on here, so both of these will be reviewed by the City Attorney before we sign off on them.

Alderman Seidl stated that at this point in time we are expanding the crossing. At the point in time when we get into a situation like we had on Calhoun Road where those tracks got quite bad will they be responsible for the whole 44 feet or is it one foot pass the tracks? What was the actual right-of-way for the railroad?

JP Walker stated that he believes it was four feet either side of the outermost track depending on which direction you were coming from on Calhoun Road. I assume the same thing applies for any crossing. We are expanding our pavement width, their right-of-way is still the same.

Alderman Ament asked does that require any land acquisition from any land owners around there?

JP Walker responded no because the extension is within their current right-of-way.

Alderman Ament asked will the amount of \$52,785 be fixed then between now and 2014 or could that change?

Tammy responded that there might be fluctuations in material costs, but this is the estimate that we are agreeing to.

Alderman Ament asked so if there are going to be any changes, we would have to look at this again?

Tammy responded yea, the nice thing about this is they can fluctuate down also.

John Graber asked how many railcars use these crossings and are they actually necessary?

Tammy answered in all honesty the service is already there, the railroad maintains it, the City doesn't put a whole lot of money into keeping those railroads up so I don't know why you would want to take them out if they are going to provide a service or potential service to a future or current industrial park user.

JP Walker added we asked that question to the Railroad awhile back. Our question didn't necessarily apply to Rogers Drive but it applied to their thoughts about the track system in the Industrial Park. At first they were very reluctant to take out even that spur line across Calhoun Road that was never used. There is reluctance on their part to remove infrastructure that they have in place and they made that very clear to us.

Alderman Ament stated that he would agree with them. Depending on how things go with fuel in the future that may become even more of an asset even if it's not getting used much now, it may in the future.

Motion by John Graber to recommend to the Common Council the approval of the Railroad Crossing Agreement for the Rogers Drive Reconstruction Project. Per the Agreement, New Berlin's cost share will be \$52,785 to widen the crossing from 28 feet to 44 feet, which represents a 35% cost share. Source of funds will be a CIP account established for the construction phase during a future budget approval currently estimated for the year 2014. Alderman Ament 2nd the motion.

Upon voting the motion passed unanimously.

**Motion by Alderman Seidl to adjourn.
John Graber 2nd the motion.**

Upon voting the motion passed unanimously.

Meeting was adjourned at 6:32 PM