

MINUTES
BOARD OF PUBLIC WORKS MEETING
APRIL 19, 2010
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 8:06 AM.

Members Present: Mayor Jack Chiovatero, Alderman Ament, John Graber, Alderman Seidl and Alderman Wysocki.

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

Privilege of the Floor:

Mike Morgan – 13585 Coffee Road – addressed the proposal for the designs of Coffee Road and the proposed sidewalks. He questioned why we aren't designing Coffee Road as the original City Center plan had specified, keeping everything out in the right-of-way instead of trying to come into our property. He indicated that there is plenty of room in the right-of-way to expand to the north. He would like to see us go back to the original plan and keep the properties with what we had designed. Why are we fooling around making a four lane road on each end of Coffee Road and then going back to a 2 ½ lane in the middle? Why are we expanding to the south when there is more right-of-way to the north and why is the sidewalk being set so far in when the original design was to be in the right-of-way along the side of the road? He would like to encourage good design and go back to the original design that we talked about in the Planning Committee where we had it all fit in with a nice double boulevard with sidewalks on the south and street lighting in the middle with a boulevard.

OLD BUSINESS

ITEM 02-10 Approval of Minutes from the March 15, 2010 meeting.

Motion by Alderman Seidl to approve.
2nd by John Graber

Upon voting the motion passed unanimously with Alderman Wysocki voting present.

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

JP Walker stated that the Board packets contain a CD with the final design that is being bid, a cost estimate from our consultant of \$2.26 million, and a quick summary of the areas that are going to be repaved. He indicated that the first Ad was in the newspaper on April 15th, the second Ad will be in the newspaper on April 22nd. Bids will be opened on May 6th, then go to the May Board and then on to the Common Council on May 27th. A Utility Coordination meeting was held with the private utilities. Their relocation work will be starting in May. Private utility work will occur north of the tracks. That should encourage the rehabilitation contractors to work south of the tracks while the utilities are working north of the tracks. The contractors don't want to mix with utility contractors and they may not start until all that work is done. The utility work should be done by

late July, leaving August, September & October for rehabilitation work north of the tracks. There is a 15 day period that needs to be completed by August 15th where Calhoun Road has to be closed at the County trail so that the island can be installed which will require the road closure. Advance warning signs and the detour route will be specified. Information about the road closure and detours routes will be put on our web site.

Alderman Ament indicated that when he looked at the Ad in the New Berlin NOW there were two identical notices, and suggested that Staff should take look at that to make sure the second Ad is not duplicated.

ITEM 8-10 Update, Discuss & Possible Action on Modification to Coffee Road East Design

Ron Schildt stated that the potential modifications to Coffee Road between Moorland Road and National Avenue was discussed at the March Board meeting as a comparison to the original design that had been reviewed by the Board. The modifications were a result of changes that the Sendiks development and the Goodwill store are required to make on Coffee Road. There is a 150' section in the middle where the road will be narrowed down to a single lane in both directions but then widen out to make the dual left turn lanes at National Avenue and the other lanes at Moorland Road, plus a second through lane for eastbound traffic that would be dropped at the middle driveway for the Sendiks development. Ron Schildt showed on the screen the design concepts.

The modifications include not dropping that outside lane, but continuing it to the east and keeping a relatively narrow cross section with no median in the middle of the four lanes. It keeps some continuity as one goes east from Moorland Road towards National Avenue. The two left lanes become the dual left turn lanes that will allow one to go east on National Avenue. West bound still has a single lane but as it approaches the Sendiks driveways, an extended left turn lane has been designed that allows vehicles to turn into the development. A single through lane goes west until a left turn, a through lane and a right turn lane are created at Moorland Road. The modified design makes it easier for drivers to know where to go and not have lanes drop suddenly. Hopefully people won't get into the initial left turn lane thinking that it's the extended left turn lane for Moorland Road. They are going to have to figure out that it's only the left turn lane to get into the Sendiks development. If one wants to turn left at Moorland Road that driver will have to stay in the through lane until he/she gets past the median. Overhead signing will help minimize confusion. The modifications are more driver friendly.

Ron Schildt then discussed the sidewalk. As part of the Sendiks development, the Developer had to dedicate the ultimate right-of-way and the easement on the south side of the roadway because of the additional through lanes that are required at the Moorland Road intersection. The sidewalk will be located on the Burger King parcel and then as it crosses the Sendiks' parcel the sidewalk matches up at the Burger King parcel but it would taper the same as the roadway is doing and be located closer to the road. Typically we would put the sidewalk a foot off the existing right-of-way line, but we could get it as close as 5 to 6 feet behind the back of curb which would still be inside the right-of-way.

Alderman Ament asked whether or not the median closest to Moorland Road would be a full raised median or a rumble strip?

Ron Schildt indicated that it was planned to be a full raised median mainly to make sure drivers exiting Burger King will not be able to turn left. That driveway would become a right in, right out only. A cross access agreement has been created to provide an optional way for a vehicle that is trying to go out to Coffee Road to go through the Sendiks lot and use one of the other entrances.

Alderman Wysocki asked why we aren't pushing the road to the north in the existing right-of-way. There is a substantial amount of room between the roadway and the existing right-of-way line on the north.

Ron Schildt said there is quite a bit of room on the north side similar to what we have on the south side where we have the full 50' of right-of-way. We have to center the road at both ends because we have such a wide cross section with the different turn lanes. The plan is to have Coffee Road centered in the right-of-way, on the section line. If there was some need to put in a raised median or re-do this portion of Coffee Road as a full four lane cross section with the median, the road could be widening on both sides.

Alderman Wysocki said that it appears on the south side we are actually going beyond the right-of-way with the sidepath.

Ron Schildt said that's because we only have a 33' width in the southern half of the right-of-way for those middle parcels.

Alderman Wysocki said but you do have room on the north side between the existing and the road still available area.

Ron Schildt said yes, we have 50' of right-of-way on the north side of the road.

Alderman Wysocki asked so why didn't we push this design up towards that end?

JP Walker said that Coffee Road is supposed to be centered on the section line which allows for the proper alignment at both ends at the National Avenue and Moorland Road intersections.

Alderman Ament asked how much land acquisition will be needed to put this sidewalk in, even if we hug it tight to the road?

Ron Schildt said that typically when we have a curb walk we try to make a little wider than the standard one because you need a little bit of distance to put in signs. Usually a curb walk is 10' wide. That is not much different than having a 6' sidepath and a 6' terrace. The difference is 2'. We would need a section of about 12' width to fit the sidewalk in there.

Alderman Wysocki said that you would have the 50' on both sides if you went with the original existing right-of-way. You are telling me now the existing right-of-way is not adequate because the center line is further to the south than to the north?

Ron Schildt said that the current center line is centered on the section line. But we only have 33' feet of right-of-way across the south parcels where we have the full 50' of right-of-way on the north side.

Alderman Wysocki if there are any utility easements on the south side?

Ron Schildt said that there was a sanitary sewer easement that went through part of the parcels. Part of the right-of-way that they were required to give us was where the sanitary sewer easement is located.

Alderman Wysocki said that if there is that type of easement you would have to get an easement for the road and sidewalk. You can't use that easement for the roads or the sidewalks.

Ron Schildt said that we would have to modify that easement language and have those property owners agree to that and re-do that easement again including the sidewalk. If we want to have part of the roadway be in a permanent easement it would be the same thing, it would have to be redone.

John Graber said that the on south side there is a 17' wide utility easement that was acquired from all of those properties to National Avenue. That was a sanitary sewer and water main easement and it was chosen at the odd dimension of 17' to fit in that ultimate 50' right-of-way. The first sheet of the modified design closest to Moorland Road shows a proposed right-of-way that is different than the existing one by about 5' and then that line extends all the way down, labeled further down as a utility easement. So are we acquiring right-of-way from the north side?

Ron Schildt said that line was left over from the original plan. The original plan had a full four lane width with a median and sidewalks on both sides, with the extra lanes at both Moorland Road and National Avenue. We needed to go beyond the 100' wide of right-of-way. We needed to get the extra 5' strip on both the north and south side.

John Graber asked you are not proposing acquiring anything beyond the 50' right-of-way on the north side, correct?

Ron Schildt answered that is correct.

John Graber said all you are doing on the south side is acquiring the ultimate right-of-way that has been in the plan for many years.

Mayor Chiovarero said that on page 2 of the modified design you can see the existing right-of-way and it looks like the utility easement that goes back 5', so that is probably where that proposed right-of-way line came from.

Ron Schildt stated that he knows they had talked about needing the 5' strip on both sides. I think that's where it started out at one point. I don't think there are any utilities on the north side.

Alderman Ament asked how far north would the road have to go, including the sidewalks, to keep everything within the right-of-way?

Ron Schildt stated that where the two lanes get extended all the way to National Avenue we would need to have a 12' movement to the north.

Alderman Ament asked what would that do the overall project?

Ron Schildt said we have the acceleration lane tapered at 153rd Street, so if you pushed the whole thing north you might have to acquire a small corner, and you would have the lanes tapering toward the north. It wouldn't be the most optimal arrangement.

JP Walker said that a year or so ago we had a PIM showing the turn lane into 153rd Street. The neighbor that lives on the northeast corner of 153rd raised the issue about that turning lane being too close to their driveway. Pushing the lanes to the north is going to re-create that situation and bring back that same concern. There isn't enough room or reaction time for someone trying to back out of that driveway. That is why the north edge of the road is set where it is because of issues that came up at that PIM.

Alderman Ament said that he was thinking more west of that intersection. Not going north before that but as that bend comes around it would be just west of 153rd where it would go further north. I'm thinking about not having to do land acquisition at this point just to put in a sidewalk, although we do want to have those on that side. The other question I have is that I am still looking at the intersection down at National Avenue where Mrs. Sippy's is. Are we convinced that we need two left turn lanes going out onto National Avenue?

Ron Schildt said that the original traffic impact analysis that was done for City Center supported that. It's based on what the traffic volumes are now and what they are going to be in the future.

Alderman Ament said that what he sees now there isn't that much traffic but as time goes on if City Center every gets on it's feet that probably will increase.

Alderman Wysocki said that he recalls that the existing utility easement on the north side as being electrical. By pushing the road south, apparently the road will then be built over the sewer and water easements that we have. Where are the utilities on the south side?

Ron Schildt said that according to Mr. Graber, the 17' wide utility easement is in the terrace area and not under the pavement. If we were to acquire the ultimate right-of-way, the utilities would be in the City's right-of-way and be under the terrace or sidewalk area, not under the roadway.

Mayor Chiovarero said that he doesn't agree with moving the road to the north because we want to center the road on the center section line. We have had issues in the past where a road isn't centered on the section line. We don't have to acquire these right-of-ways immediately, right? We can wait until the properties eventually developed as commercial and then the easements areas could be donated to the City like we did with Sendiks.

Ron Schildt said that we originally envisioned that part of the sidewalk which was cross hatched on the previous plans was supposed to be put in by developers. If we want to put the sidewalk in as part of this project it is an 80-20 cost shares. If we wait till a developer does it, we can require them to do it. It looks like the existing cross section would fit in the existing right-of-way.

Mayor Chiovarero stated so in other words we could build the road just like we want and not disturb those two or three properties until they turn over for commercial development. It should satisfy the residents that their properties aren't being disturbed and they can maintain and live there as long as they desire and when it gets turned over make it part of the developer's agreement.

Alderman Ament said that one of the problems I have with the sidewalk ending there is not only will it be useless, it's going to look foolish. What would it take to take that sidewalk from where it ends on the eastern side of that drive and then have it curve towards the road and hug the road for now, even if it's just asphalt?

Ron Schildt said that it's probably very similar to what we did at City Center. We put a temporary asphalt path to complete that area knowing that we didn't want to put the full concrete sidewalk in there because we knew they were going to construct Michelle Wittmer Memorial Drive. We would still require a 5' to 6' right-of-way purchase or easement for the time being. If we would get a permanent easement, which is typical, we tend to pay the same amount for that as we do for acquiring a right-of-way.

Alderman Ament asked how it would affect things if we shifted that north 5 or 6', would that still be an issue for the center line?

Ron Schildt said that you would be off of the center line and we want to avoid that. Sendiks had a land division where they were combining those three lots with their main lot, so we could require them to dedicate the additional 17' to the ultimate right-of-way. When the other lots develop even if they are less than the standard acre that you would have for a commercial lot, they are existing lots of record. If they decided to do something just on one lot without a land division we have no authority to ask them for the right-of-way. Only if they decide to combine a couple of lots, we can then, as part of the land division, ask them to dedicate the additional 17' to the ultimate right-of-way.

John Graber stated that on the plan that you showed the modified design it shows future walk, is that going to be part of the project.

Ron Schildt said that was shown as it was previously.

John Graber also stated that whatever development occurs has to go to the Plan Commission and one of the conditions of approval of that can require sidewalks to be put in.

Mayor Chiovero asked is there any way we can curve those sidewalks into the bike path at least temporarily?

Ron Schildt said that people could locate the sidepath with a 6' terrace and drop it at the eastern Sendiks driveway to provide a ramp to get onto the roadway and use the bike lane if they wanted to walk there.

Alderman Wysocki said when you look at page 1 of the modified design at 3500 S. Moorland Road and 15503 Coffee Road that future walk is right along the curb lane. So keep it the same distance away and it will curve in as you go into page 2 equal distance from that curb, rather than projecting it straight. The only reason why that future walk is extended that way is because it starts that way at the corner of Moorland Road and National Avenue. I'm suggesting that we have the same set up as we have at 3500 S. Moorland Road continuing along that curb line.

JP Walker stated that is what Ron said, put in the 6' terrace and the sidewalk would carry that all the way through to that truck and employee driveway. Then at that point you would have the transition to the bike lane.

Alderman Ament indicated that we are talking about dropping that down at the employee entrance which is west of there. We wouldn't be going into any east of that drive.

Alderman Wysocki asked what the time line is this on?

Ron Schildt said we are waiting for the environmental report to get approved. The last one we had was sent back and we received an additional set of comments. They have changes they have to make. It sounds like the WDNR is starting to catch up from all the delays they had.

Alderman Wysocki asked if the person who spoke at the Privilege of the Floor could comment on our discussion?

Mike Morgan – 15385 W Coffee Rd – Originally we were part of the City Center and the purpose of having the sidewalk out towards the right-of-way was so there was more usable land for the City Center and the section line in the original design they had two lanes on both sides and they had the one set of two lanes centered on the section line. It wouldn't be the center of the road but it would be comprehensive and complete the whole area. I question the wisdom of spending all this money to narrow the road down and push it to the south and take easements, and take land away from the City Center to gain nothing, to say if we did have to sell you would

have to change the road back to a four lane and spend all the money again to push it north. Why do we have that sidewalk set so far back, if you look on proposal one they do show the sewer easement line and they show the sidewalk south of the easement line, why are we setting so far away from the road? It wasn't what was originally planned and it just doesn't seem to be a comprehensive plan to complete the center as a center. It's like let's spend some money so we can put something in even though it isn't going to be the ultimate design.

Alderman Ament said that we aren't that far away from have a two lane design on the southern side of the section line, is that correct? If it ever went to a full four lane we are pretty much set with that if we go north though, we do need that additional right-of-way to accomplish that. If the idea is to keep the center line on the section line eventually with full lanes with the sidewalks, there would be some land acquisition either with developers agreement or the City would have to purchase it, is what you are saying.

JP Walker stated that to develop parcels that are not developed everything would be measured off the ultimate right-of-way line which is 50' from the section line. Everything in City Center, to use Mr. Morgan's thinking process, when and if it develops will be measured off the ultimate right-of-way line. So it's not like we are giving up land or taking potential land away from City Center. No, the ultimate right-of-way line is where everything starts to measure from.

Mr. Morgan said he disagreed because if you ultimately be putting your four lanes with a boulevard in the middle would this become the center line. That would mean you would have to push everything over and put the sidewalks further in. The section line is the section line and we realize that. Because my home is one of the oldest ones you do only have 33' from the center line to my property line and I think that's why you acquired the land on the other side long ago. When we discussed the easements for the sewers we wanted to be good citizens and say yes, we will let you put the sewer on our land because we don't want it under the roadway. We went through the extra effort of having larger water mains put in and we paid for it because we thought looking for the future. We don't want to stop progress. But to have progress go ahead and just have a mutated road from what we planned and force everything further to the south just does not make sense.

Alderman Ament said that we are at a point where rather than discussing this with one resident here at the Board of Public Works, I think it's something that the Alderman could sit down with him and maybe JP or Ron somewhere and make sure that he's clear on what you are saying and you are clear on what he is saying. It's not going to be something we can resolve at the Board of Public Works meeting, you are going to have to sit down and discuss it.

ITEM 10-10 Approval of the Contract to Install Driveway Aprons in the Parkland Green Subdivision

JP Walker indicated at the last Board meeting we had attempted to include the addition of the driveway aprons into the rather large contingency that was on the base bid and while we were at Council the City Attorney said that there is a better way to do that to avoid impacting the open bid laws. The decision that the City Attorney and I came to is that we bid the driveway apron work as a separate contract. What is before you is that separate contract. We received two quotes from Capitol Pavers and from Zignego Company. Capitol Pavers is the low bidder with a total bid of \$171,528.56 which is about \$9,000 below Zignego's bid. I am bringing this issue to the Board to discuss it and then to recommend approval to the Common Council.

Alderman Ament asked that on the Executive Summary it shows under the requested action that the total project costs will be \$193,832.00. How does that fit in with the next item?

JP Walker answered that the approved CIP account is \$2,000,000.00 and we have a carry over from 2009 CIP account of approximately \$300,000. So we have a total of approximately \$2.3 million available for the entire

project. This is one portion, GlasGrid installation is one portion and the paving contract for the road work is one portion. All that fits within that \$2.3 million.

Alderman Ament asked that assuming this gets approved here and at Council then we are set to get going on this.

JP Walker said that work is scheduled to start in June. Parkland Green where these driveway aprons are located won't start until the water main relay project is completed.

Alderman Wysocki made the motion to recommend to the Common Council the awarding of a construction contract to the lowest responsive, responsible bidder, Capitol Pavers Inc. for installing 158 driveway aprons in the amount of \$171,528.56, with inspection and contingencies the not to exceed total project costs are \$193,832.00.

2nd by Alderman Seidl.

Upon voting the motion passed unanimously.

UPDATES

Coffee Road West Design

Tammy Simonson stated that there are no new updates. She has been working on centering that alignment line on the section line west of Calhoun Road as well. I have created an existing profile along that alignment line and now we are just working the plan geometric layouts for that area including bypass and turn lanes.

Martin Road Design

Ron Schildt stated it's pretty much the same thing. We are working on the geometrics and seeing how it all lays out.

Alderman Ament asked if both of these projects are still on schedule for when we hope to be able to do the work?

Ron Schildt said that the Martin Road project has the LRIP grant that we applied for. It was sent forward through the Waukesha County Highway Commissioner and they forwarded it on to WISDOT, so typically as soon as they get it they will send a state municipal agreement and it's a go. We are just waiting to get that.

Alderman Ament asked if we are still on schedule for 2011 for Martin Road and Coffee Road?

Ron Schildt answered yes for Martin Road, but Coffee Road rehabilitation is scheduled for 2012.

Alderman Wysocki asked if in your professional contacts are these LRIP grants really fundable with the State having so many issues on their own budgets.

Ron Schildt said that they allocated the money for the program and there is no reason why it shouldn't be there. The extra money that they are getting for other projects for the stimulus items is usually put into existing programs, but it's for newer projects. They are still talking that everything is still fundable.

John Graber made the motion to adjourn.

Alderman Wysocki 2nd the motion.

Upon voting the motion passed unanimously.

Meeting was adjourned at 9:11 A.M.