

PUBLIC WORKS & HIGHWAY COMMITTEE MEETING MINUTES

August 5, 2014
Village Hall Board Room

CALL: Chm. Kaminski called the meeting to order at 5:00 p.m.

ROLL CALL: Chm. Kaminski, Trustee Members Zabel, Vanderheiden (absent & excused), and Warren. Also present were Dir. Ludwig, Engr. Bischke, Fire Chief Weiss, and Secretary Wick.

PREVIOUS MINUTES:

MOTION made by Zabel, seconded by Warren to approve the Minutes of July 1, 2014.

Motion carried unanimously.

PUBLIC COMMENT: None

CONSIDERATION OF A UTILITY CREDIT – N114 W15928 SYLVAN CIRCLE: Dir. Ludwig gave a brief explanation of the excess water usage noticed by the building owner during the second quarter of 2014. The over average water use was calculated at 910,000 gallons which amounted to \$7,684.95 in fees. Staff inspected the building location only to find a faucet turned wide open with the hose draining directly into the floor drain. Dir. Ludwig further explained credits on the O&M portion of the MMSD invoice are considered to be returned to the parcel owner when it has been verified the water did not enter the sanitary sewer. In this case, the water did go directly to the sanitary sewer. The property owner informed Dir. Ludwig that he believed the Fire Department personnel turned the water on when allowed to enter a locked room during a building inspection.

Fire Chief Weiss explained his department responded to a call that water was suspected to be flowing from the sprinkler system at the Sylvan Circle address. Crews met with the building manager where it was determined a water pipe broke behind a washing machine on the third floor and leaked to the first floor. A follow-up inspection took place the next day which the owner was sighted because the water pipe failure caused a failure to the fire alarm system. Fire Department personnel had no reason or purpose to open up any valve. There was no sprinkler system in the building. It was Chief Weiss's professional opinion that the Fire Department did not open the valve causing excess water use. Discussion followed.

MOTION made by Zabel, seconded by Kaminski to deny the request for a reduction in the second quarter 2014 sewer and water invoice for Mike and Sandra Roth at N114 W15928 Sylvan Circle.

Motion carried unanimously.

CONSIDERATION OF INVOICE – D.F. TOMASINI INC. – WATER MAIN BREAK – PILGRIM/MEQUON ROADS: Supt. Driver requested authorization to pay an invoice to D.F. Tomasini for labor and materials used for the emergency repair of the water main on Mequon and Pilgrim Roads.

MOTION made by Zabel, seconded by Kaminski authorizing payment of the D.F. Tomasini invoice in the amount of \$4,896.11 for the emergency repair of a water main on Mequon and Pilgrim Roads. Funds allocated from Acct. #50-742-530-6730.

Motion carried unanimously.

CONSIDERATION OF INVOICE – CTW CORPORATION – WELL #7 EMERGENCY REPAIR: Supt. Driver requested authorization to pay an invoice to CTW Corp. for labor, equipment, and parts needed for the emergency repair of the Well #7 pump failure.

MOTION made by Zabel, seconded by Warren to forward to the Village Board with a positive recommendation to approve the CTW Corporation invoice in the amount of \$12,778.50 for the emergency pump repair at Well #7. Funds allocated from Acct. #50-722-530-6330.

Motion carried unanimously.

CONSIDERATION OF INVOICE – W148 N10175 WINDSONG CIR. EAST – LATERAL REPAIR: Supt. Driver requested authorization to reimburse property owners at W148 N10175 Windsong Circle East for services rendered for a lateral repair at the curb stop. The Water Utility completed their inspection and determined the repair was on the homeowner's side of the curb stop and therefore the resident's responsibility. The homeowner completed the repair. Once the cause was determined, the homeowner questioned the Water Utility if the homeowner was still responsible once it was found out what caused the leak. Supt. Driver researched Public Service Commission guidelines and found the Utility was responsible "from the main, to and through the curb stop". A call to the PSC confirmed this ruling and reinforced that it was the Water Utility's responsibility for repair.

MOTION made by Zabel, seconded by Kaminski to approve reimbursing the homeowners at W148 N10175 Windsong Circle East in the amount of \$3,695.00 for the repair and restoration costs of the lateral at the curb stop. Funds to be allocated from Acct. #50-742-530-6750.

Motion carried unanimously.

MOTION made by Warren, seconded by Kaminski to move to Item "J" under New Business of the Public Works and Highway Committee Agenda.

Motion carried unanimously.

PRAIRIE GLEN PHASE 2 – ESTABLISH WASAUKEE ROAD SIDEWALK REQUIREMENTS: Engr. Bischke requested Committee input on establishing a sidewalk associated with the Prairie Glen Phase 2 development. The PDD conditions required the developer install sidewalk along Wasaukee Road fronting the development and extending the sidewalk to connect with the existing sidewalk at the Mequon Road – Wasaukee Road intersection but did not state the form of the sidewalk. Existing sidewalk in front of Prairie Glen Phase I is a 5 ft. asphalt pathway. The Mequon/Wasaukee Road intersection sidewalk is concrete. The Committee was given a concept plan and discussion recommended a 5 ft. asphalt pathway along Wasaukee Road.

MOTION made by Zabel, seconded by Kaminski recommending the Prairie Glen Phase 2 Developer install a five foot asphalt pathway on Wasaukee Road fronting their development.

Nancy Washburn, Bielinski Homes, noted there was curb and gutter at the Wasaukee Road intersection and it would be much easier to work around with an asphalt surface application. Also noted was at the end of the abutting property, there was an AT&T easement and section where they had asphalted a small drive to their equipment. You would then have an asphalt pathway from the existing subdivision up to the existing AT&T segment and Bielinski would then match the existing pavement up to the corner.

Trustee Zabel noted that the conservation area of the Prairie Glen Subdivision Phase I was not being maintained. Ms. Washburn stated she was aware and if requested, would return to the Public Works Committee with her findings and recommendations.

Motion carried unanimously.

AUTHORIZATION TO PATCH CRESTWOOD DRIVE: Supt. Olszewski reported a catastrophic road failure causing 25'x100' of Crestwood Drive to heave. The Highway Department had completed a passable repair with stone, gravel and compaction. Residents have now requested an asphalt surface. Staff looked for direction on a possible asphalt repair. Three quotes were requested from area contractors who would apply one lift of 3" binder course, grade, and roll for compaction. Two bids were received at costs of \$17.28 per sq. yd. and \$19.82 per sq. yard.

MOTION made by Kaminski, seconded by Zabel to forward to the Village Board with a positive recommendation to allow staff to contract the road patching of a 25' x 100' portion of Crestwood Drive at a cost not to exceed \$5,500. Funds to be allocated from Acct. #10-542-530-3505.

Chm. Kaminski explained her District residents have expressed their displeasure with the road as it currently existed. It would be a worthwhile investment to patch the road as other Village roads have held up with this type of repair. Per the PAZER rating, Crestwood Drive was not slated for total road repair until year 2018.

Motion carried unanimously.

AUTHORIZATION TO PURCHASE – USED FORKLIFT: Supt. Olszewski and staff researched numerous forklifts and presented three picture samples for Committee review. Staff had recommended the best value for the department was a 2008 Toyota model with low hours, diesel powered, with a 6000 lb. capacity.

MOTION made by Warren, seconded by Zabel to forward to the Village Board with a positive recommendation to purchase one 2008 Toyota Fork Lift from Kensar Equipment Company for an amount not to exceed \$19,900. Funds allocated from Acct. #40-542-570-8450.

Motion carried unanimously.

REQUEST TO CHANGE USE OF BUDGETED FUNDS – MAJOR REPAIRS LIBRARY:

MOTION made by Zabel, seconded by Kaminski authorizing staff to use the remaining available funds in the Major Repairs – Library Acct. #10-519-570-8251 for the purchase of LED lighting in the Library.

Motion carried unanimously.

SUBDIVISION SIGNS AND ENTRANCES – DISCUSSION: Dir. Ludwig referenced Zoning Code Section 17.46 (6) Signs Permitted in Residential Districts with a Sign Permit. Prior to issuance of a sign to be located in public right of way, a written agreement shall be provided which places all maintenance responsibility on the developers or owners and exempts the Village from all maintenance responsibility. The Old Farm Subdivision sign and the Autumn Ridge Subdivision sign were the only two signs that the Village did any type of maintenance.

Old Farm Subdivision residents volunteered to maintain the entrance signs if the Village supplied the paint. This has raised questions as to whether there should be a policy as to which elements the Village DPW should assume maintenance responsibility. The Committee was provided with a list of subdivision signs and entrances, the type of maintenance done and by whom, and photographs of those areas.

Steve Wesolowski, W169 N10427 Pheasant Run, reported the Old Farm Subdivision sign was not structurally sound to maintain. Painting would not be an option unless the sign was fixed. Wendland Landscape had offered to remove the sign and restore the area with new landscape at no cost to the Village.

MOTION made by Zabel, seconded by Kaminski authorizing staff to proceed with working with Wendland Landscape as to the firm's offer to remove the Old Farm Subdivision entrance sign and landscape the area at no cost to the Village.

Supt. Olszewski voiced concern as the entrance sign landscape area is on Village owned property. Who will do the perpetual maintenance in the event the caregivers move on?

Discussion included:

- Old Farm Subdivision sign is located in an out-lot;
- Remove signage and landscape completely;
- A residential poll taken by homeowner Steve Wesolowski stated no one suggested saving the sign and wanted to see the area beautified at the corner;
- In speaking with Wendland Landscape consider a maintenance agreement between both parties;

Motion carried unanimously.

A brief history was given on the Autumn Ridge entrance sign. Currently there was no Homeowners Association and the Autumn Ridge Subdivision landowners had requested the Village pay for maintenance of their entrance sign and island. Dir. Ludwig suggested removing the sign and entire landscaped area and replacing it with asphalt.

Chm. Kaminski suggested staff send notification to the Autumn Ridge property owners requesting they maintain the subdivision entrance island or the Village would remove all plantings and replace with grass. Chm. Kaminski wanted to know the cost to the Village to maintain these types of areas and felt a maintenance policy should be created for all areas within the Village's right of way.

MOTION made by Zabel, seconded by Warren directing staff to contact the Autumn Ridge Subdivision residents notifying them that they will need to maintain the entrance island and vegetation or the Village will eliminate the sign and replace the area with grass.

Motion carried unanimously.

MOTION made by Warren, seconded by Kaminski to move to Item "O" under New Business of the Public Works and Highway Committee Agenda.

Motion carried unanimously.

WDOT ENVIRONMENTAL DOCUMENT TYPE MEMO ON NOISE ANALYSIS FOR USH 41 CONVERSION – DISCUSSION: *Sherrill Retlick, N100 W17441 Whitetail Run (Meadow Creek Crossing Subdivision)*, stated she represented over 100 lot owners of Meadow Creek Crossing who signed a Noise Barrier petition. The petition was sent to the WDOT and corresponded extensively regarding increased noise pollution with the interstate conversion but lacked any power to enact change. The residents spoke with the Village President to address their concerns regarding the increase in highway noise and what the Village could do to place the responsibility of funding a noise barrier on to the Federal government as part of the interstate conversion process. Ms. Retlick continued with a history of studies in which noise levels exceeded the requirements for a noise barrier, traffic volumes, and lack of volume projections as USH 41 will become a viable alternative to I43. Three items regarding interstate conversion will make highway noise pollution worse, increasing traffic volumes, and the passage of legislation allowing oversized and over-weight vehicles and, the likelihood of a

raised speed limit. City of Menasha enacted a highway noise ordinance limiting highway noise to 67 decibels. The City's Ordinance officially required the highway project to include and pay for noise barriers along the effected residential communities. Ms. Retlick urged the Committee and Village Board to take action to protect the residents and children from increasing noise pollution by taking two actions:

1. By enacting a Village Ordinance to limit highway noise along residential areas as soon as possible;
2. Utilize the WI Administrative Code 405 siting noise barriers which allows the Village to formally request a noise barrier project. This would have to be done quickly in order to get the required funds paid for directly from the Federal Government as part of the interstate conversion process. Interstate conversion will take place once legislation to grandfather oversize/overweight vehicles passes through Congress sometime in the near future.

Russ Cramer, W174 N10211Tanglewood Drive, Treasurer of the Meadow Creek Crossing Homeowners Association, felt the conversion of 41/45 to an interstate would certainly be a benefit to the State of Wisconsin. WDOT has indicated designating the highway as an interstate will bring development to the corridor. There will be a dramatic increase in traffic and noise and WDOT projections dramatically increase by year 2035. Mr. Cramer had met with his County Representative and State Senator and both were supportive.

Discussion included:

- Residents have attended the Public Hearings regarding the conversion;
- WDOT has not defined what major construction was;
- Residents looked to the Committee to draft an ordinance requesting the WDOT look at the conversion as part of the Trans 405 program;
- Sound barriers could not be installed unless the conversion included an additional lane or vertical elevation change;
- The Village would have to pick up the total cost of a sound barrier since Trans 405 states locations not platted before Sept. 1, 1989 were not eligible for noise abatement.
- There was a small window of opportunity before the highway became an official interstate to have the federal government build the barrier as part of the conversion process.
- Local and DOT are locked in to what is called Facilities Development Manual. When it comes to noise or environmental issues, the criteria is, are you moving the traffic lanes closer to the receptors? That is not part of the 41/45 conversion plan therefore it was not an issue.
- Create a Resolution of support to forward to the State and Federal Government requesting a study on noise that is affecting the residents in the area before the conversion takes place;
- The environmental document which is approved by the federal government is completed. The only environmental impact was putting interstate signs along the roadway.

Sherrill Retlick, N100 W17441 Whitetail Run, felt the Village could enact a Village Ordinance that if highway noise exceeded a certain level, the installation of a noise barrier would be required. The City/Town Menasha Ordinance required Federal funding and future developers could not build so close to the highway over 67 decibels.

MOTION made by Zabel, seconded by Kaminski to forward to the Village Board with a positive recommendation to request staff to create a Resolution of support to the State of WI and Federal Government to review the environmental impacts on USH 41 from County Line Road to Lannon Road.

Motion carried 2 – 1 (Warren)

APPROVAL OF CHANGE ORDER – FOREST DRIVE DITCH ENCLOSURE: Engr. Bischke drew a visual description on an unforeseen and highly deteriorated drain tile that was accidentally severed on the east side of Forest Drive. The Contractor wanted to complete ditch enclosure work prior to paving the asphalt binder lift. Due to the contractor's timing, staff authorized the 350 l.f. ditch enclosure and therefore requested approval of the change order.

MOTION made by Warren, seconded by Kaminski to forward to the Village Board with a positive recommendation to approve a change order in the amount of \$9,000 for the Forest Drive ditch enclosure as part of the 2014 Roadway Improvement Projects contract.

Motion carried 2 – 1 (Zabel)

HILLSIDE VIEW – ESTABLISH FOND DU LAC AVENUE SIDEWALK REQUIREMENTS: Engr. Bischke requested establishing sidewalk requirements for the Fond du Lac sidewalk associated with the Hillside View development. The developer's engineering consultant would need to know the sidewalk's form and cross-section requirements in order to prepare construction drawings. The Committee reviewed a Proposed Sidewalk Plan adopted by the Village Board in March, 2000 which showed a proposed sidewalk or trail on Fond du Lac Avenue north of Donges Bay Road area. Past practice included that sidewalks were required to be installed incrementally or a letter of understanding was established with installation requirements. There were no staff objections on the plan presented by Mr. Bence. Further noted was the sidewalk would be maintained by DPW and was not connected to another sidewalk.

Trustee Zabel didn't want to see the Hillside View development install a sidewalk until the State was through with the roundabout project. He didn't want to see paths/sidewalks that dead ended.

Scott Bence, JBJ Development, believed there were three properties to the south of his development's frontage on Fond du Lac Avenue with no sidewalks. Discussion followed on the various widths of sidewalk along Donges Bay Road and Fond du Lac Avenue. It was believed Chapter 18 of the Municipal Code had a definition on sidewalk connections beyond the property limits. Engr. Bischke reviewed the Chapter (Table 2 & 2a) and found 5 foot sidewalks were required on arterial roads for the typical Village cross section. As Fond du Lac Avenue was State right of way Engr. Bischke recommended the Committee referred to the Zoning Administrator for his opinion.

MOTION made by Zabel, seconded by Kaminski to direct staff to draft the Hillside View Developers Agreement to include a sidewalk provision with a five foot asphalt pathway to be installed at the time when the Fond du Lac Avenue/Donges Bay Road roundabout is completed by the WDOT.

Scott Bence, JBJ Development, requested permission to install the asphalt pathway with the development construction. This would help with costs and disruption.

MOTION made by Kaminski, seconded by Warren to *amend* the original Motion to allow JBJ Development to install a five foot asphalt or concrete walkway at any time during or after the Hillside View development and escrow funds if the pathway is installed later than the time of development.

Motion as amended carried unanimously.

Original Motion carried unanimously.

AIRGAS – AUTHORIZE TOPSOIL EXPORT: Airgas had requested authorization to remove 3000 c.y. of topsoil from their site. Excess was due to the building and pavement areas replacing former turfed areas.

MOTION made by Warren, seconded by Zabel allowing Air Gas to export 3,000 c.y. of topsoil from their site in TIF #4 – Eisenhower Drive.

Motion carried unanimously.

ADOPTION OF VARIOUS LOCAL ROADS INTO YEARS 2015 & 2016 LOCAL ROAD IMPROVEMENT PROJECTS: Engr. Bischke looked to the Committee to determine whether various roads should be included in the year 2015-2016 Local Road Improvement projects in addition to the Donges Bay Road project. WISLR (Wisconsin Information System for Local Roads) requires the Village to complete a Paser Rating every two years. Based on those ratings, the WDOT estimated \$17.2 million of capital road improvements needed. Engr. Bischke provided the Committee with a list of projects in which the Village Board already had a geotechnical engineering consultant evaluate and recommend capital improvements:

Estimated Cost	Road Project
\$225K±	Maple Rd (Cedar Ln to Rockfield Rd)
\$511K±	Country Aire Dr N (Bonniwell Rd to Pioneer Rd)
\$386K±	Country Aire Dr S (Freistadt Rd to Mequon Rd)
\$457K±	Concord Rd (Division Rd S to Pilgrim Rd)
	Extend water main Concord Rd (Nigbor Dr to Water St) @ \$242K±
\$1.40M±	Old Farm subdivision

Donges Bay Road Projects:

Estimated Cost	Road Project
\$722K±	Donges Bay Rd (Division Rd to Pilgrim Rd)
\$639K±	Donges Bay Rd (Pilgrim Rd to Magnolia Dr)

STAFF RECOMMENDATION TO COMMITTEE:

1. Adopt the following roads into the Year 2015 Local Road Improvement Projects:

Estimated Cost	Road Project
\$722K±	Donges Bay Rd (Division Rd to Pilgrim Rd)
\$225K±	Maple Rd (Cedar Ln to Rockfield Rd)
\$511K±	Country Aire Dr N (Bonniwell Rd to Pioneer Rd)
\$386K±	Country Aire Dr S (Freistadt Rd to Mequon Rd)

2. Adopt the following roads into the Year 2016 Local Road Improvement Projects:

Estimated Cost	Road Project
\$639K±	Donges Bay Rd (Pilgrim Rd to Magnolia Dr)
\$1.40M±	Old Farm subdivision

Committee comments included;

- Total road improvement costs for 2015 would amount to \$1.8 million. Village cannot afford all improvements;
- Add Rivercrest Drive, Fieldstone Pass at Old Farm Road, and Concord Road to the 2015 Road Improvement Program;
- Allow staff to work with \$1.4 to \$1.5 million and return to the Committee with final recommendations with Committee comments;

POLICY REGARDING CONSTRUCTION PROJECT CHANGE ORDERS – DISCUSSION: At the General Government and Finance Committee Meeting Trustee Zabel reported looking at an Ordinance that would cover Change Orders. The Village Administrator was to discuss with staff as to whether an additional policy was needed. The information collected would then be presented at the next General Government and Finance Committee Meeting.

Dir. Ludwig discussed the current policy regarding construction project's change orders and would continue with past practice. The following suggestion included reviewing the change order with the Village Administrator and forward to the General Government and Finance Committee if warranted.

APPROVAL OF CHANGE ORDER – WAGO-FREISTADT STORM SEWER: Engr. Bischke received the final invoice for the storm sewer work. Due to an estimating error, additional funding was spent on restoration and pavement related items. Discussion followed regarding the overage. Engr. Bischke further explained his process in bid evaluations. Additional costs fell within the total budgeted amount for the project.

MOTION made by Zabel, seconded by Kaminski to forward to the Village Board with a positive recommendation to approve a change order in the amount of \$7,484.99 to Willkolm Excavating & Grading for the additional restoration work needed at the WAGO-Freistadt storm sewer project location and direct staff to review bid tabulation comparables.

Motion carried 2 – 1 (Warren)

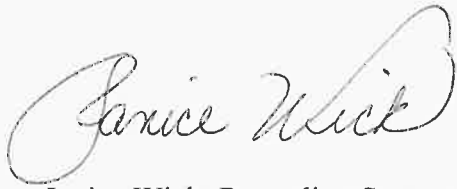
**WILLOWCREEK ROAD – POTENTIAL FOR EXCAVATION BELOW SUBGRADE
CHANGE ORDER:**

Engr. Bischke gave a brief summary of road conditions. EBS (excavation below subgrade) locations were warranted. There was the potential for a \$41,000 change order for EBS and 3” stone replacement. The project currently remained under budget with the potential change order. Staff will quantify the Willow Creek change order when pavement removal and replacement is completed and return to the Public Works Committee for approvals. Committee discussion included;

- How was original EBS estimated? Engr. Bischke based EBS off the soil borings report which is analyzed by looking at the soil profiles and establishing a contingency in the contract.
- The soil borings were completed in the middle of the road for this project. Direct future soil borings to not only include the center of the road but the edges of the road also.

ANNOUNCEMENTS: The regular Public Works Committee Meeting will be held Tuesday, September 2, 2014 at 5:00 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:40 p.m.

A handwritten signature in cursive script, reading "Janice Wick". The signature is fluid and elegant, with a large loop at the end of the last name.

Janice Wick, Recording Secretary