



City of Racine Meeting Minutes

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Public Works and Services Committee

*Alderman John M. Engel, Chairman, Alderman Ronald D. Hart,
Alderman Cherri Cape, Alderman Raymond DeHahn, Alderman Keith Fair*

Tuesday, March 28, 2006

5:30 PM

Room 301

Call To Order

PRESENT: 3 - John M. Engel, Cherri Cape and Raymond DeHahn

EXCUSED: 2 - Ronald D. Hart and Keith Fair

Also Present: Bill Miller, DPW; Mary McIlvaine, Neighborhood Watch; Donnie Snow; Mark Chaffee, 4th Fest; John Hetland; Jody Jacob; David Reesman; Dave Farco; Devin Sutherland, DRC

Approval of Minutes for the March 14, 2006 Meeting.

On a motion by Cape, seconded by DeHahn, the minutes were approved as printed.

to Approve the Minutes

1. [06-1688](#) **Subject:** Communication from Racine Neighborhood Watch requesting to use the City Hall Annex parking lot for its plant sale fundraiser pickup on Saturday, May 20, 2006, from 5 a.m. until 5 p.m.

Recommendation: The Mayor and City Clerk be authorized and directed to enter into a Hold Harmless Agreement with Racine Neighborhood Watch to use the City Hall Annex parking lot and lawn area abutting Grand Avenue on Saturday, May 20, 2006, from 5:00 a.m. to 5:00 p.m. in conjunction with a fundraiser.

Fiscal Note: Not applicable.

Mary McIlvaine appeared before the Committee and noted this is the same request as last year, except they would need a smaller area of the parking lot. She stated she would notify the neighbors. Rick noted this request has been granted in the past, subject to the usual stipulations and indicated a hold harmless agreement would be required.

On a motion by Cape, seconded by DeHahn, the Committee approved the request.

Recommended For Approval

2. [06-1697](#) **Subject:** Communication from the President of 4th Fest of Greater Racine requesting permission to use city right-of-way for the 4th of July parade and permission to use North Beach for the fireworks.

(Also refer to Board of Parks, Recreation and Cultural Services)

Recommendation of the Public Works and Services Committee (4-5-06): Permission be granted to Fourth Fest of Greater Racine, Inc. to close certain city streets on Tuesday, July 4, 2006, from 7:00 a.m. to 12:30 p.m., to hold the 2006 Independence Day Parade.

Further recommends that the Commissioner of Public Works/City Engineer be authorized and directed to communicate with the U. S. Coast Guard requesting permission to close the Main Street Bridge to boat traffic on Tuesday, July 4, 2006, from 7:45 a.m. to 1:00 p.m., and both the Main Street and State Street Bridges on Tuesday, July 4, 2006, from 9:05 p.m. to 10:40 p.m., for the Fourth Fest activities.

Further recommends that in the interest of public safety, the Commissioner of Public Works/City Engineer and Chief of Police be authorized and directed to close Goold Street, Yout Street, English Street, High Street, St. Patrick Street, Kewaunee Street, and Barker Street, from Main Street to Michigan Boulevard; Michigan Boulevard, from Goold Street to Hamilton Street; Chatham Street, from north of Yout Street to Hamilton Street; and Hoffert Drive, on Tuesday, July 4, 2006, between the hours of 7:00 p.m. and 10:00 p.m., with a rain date of Saturday, July 8, 2006, to provide for a Municipal Band Concert, to be held at North Beach Gazebo, and the fireworks display, as part of the Independence Day festivities.

Further recommends that the Commissioner of Public Works/City Engineer, Chief of Police, and Director of Parks, Recreation and Cultural Services provide necessary assistance, in the interest of public safety, to implement this event.

FISCAL NOTE: Since the City is a co-sponsor of the event, there are no stipulations.

Mark Chaffee, past president of 4th Fest appeared before the Committee and requested permission for the above. Rick noted this is an annual request and read the usual stipulations.

On a motion by Cape, seconded by DeHahn, the Committee approved the request subject to the usual stipulations.

Recommended For Approval

3. [06-1608](#) **Subject:** Communication from property owners opposing Portland cement concrete paving improvements for Blue River Avenue from Illionis Street to Oregon Street.

Recommendation: Communication be received and filed.

Fiscal Note: Not applicable.

John Hetland and Jody Jacob appeared before the Committee and stated they are opposed to the proposed improvement. Rick noted there was a slight mix up regarding the public hearing on this and stated it has been ten days since the previous public hearing, however, they would accept comments and they would be incorporated into the minutes for action. A signed petition was submitted opposing the project, with four signatures.

On a motion by Cape, seconded by DeHahn, the Committee received and filed the communication.

Recommended to be Received and Filed

4. [06-1684](#) **Subject:** Communication from Mr. and Mrs. Antonio Rodrigues-Pavao, 1237 North Osborne Boulevard, opposing street improvements for North Osborne Boulevard from Ravine Drive to Fairway Drive.

Recommendation: Communication be received and filed.

Fiscal Note: Not applicable.

Mrs. Rodrigues-Pavao appeared before the Committee and stated she is opposed to the proposed improvement. Rick noted they would accept the comments and they would be incorporated into the minutes for action, due to the mix up regarding the public hearing.

On a motion by Cape, seconded by DeHahn, the Committee received and filed the communication.

Recommended to be Received and Filed

5. [06-1702](#) **Subject:** Communication from Kevin F. Parco, 3918 North Bay Drive, and David Reesman, 3900 North Bay Drive, on behalf of the property owners on North Bay Drive objecting to the proposed Portland Cement Concrete Paving project for North Bay Drive from Saxony to Steeplechase Drive.

Recommendation: Communication be received and filed.

Fiscal Note: Not applicable.

Kevin Parco and David Reesman appeared before the Committee and stated they were opposed to the proposed improvement. Rick noted they would accept comments and they would be incorporated into the minutes for action due to the mix up regarding the public hearing. A signed petition was submitted with two signatures opposing the proposed improvement.

On a motion by Cape, seconded by DeHahn, the Committee received and filed the communication.

Recommended to be Received and Filed

6. [06-1707](#) **Subject:** Communication from Todd Shanks of TDS Co., LLP, requesting the paving of Biscayne Avenue from Oakwood Drive to Southwood Drive and a preliminary resolution be authorized.

Recommendation: The prayer of the petitioners be granted.

Further recommends that a preliminary resolution be introduced for the paving of Biscayne Avenue from Monarch Drive to Oakwood Drive with Portland Cement Concrete.

Fiscal Note: Not applicable.

Rick Jones read a letter submitted by Todd Shanks indicating his desire to have Biscayne Avenue from Oakwood Drive to Southwood Drive paved. Rick noted he did not have any letters from any other property owners, therefore, a public hearing could not be waived. He noted a preliminary resolution would need to be authorized for a public hearing on this street. He recommended the prayer of the petitioner for the road improvement be approved.

On a motion by Cape, seconded by DeHahn, the Committee approved the request and authorized a preliminary resolution be introduced for the paving.

Recommended For Approval

7. [06-1678](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services presenting the first draft of policies and procedures for use of Monument Square at no charge.

Recommendation of the Board of Parks, Recreation and Cultural Services: Change wording in the section of the policy that says five times per year to five different events per year, and adopt as amended. Refer to Public Works and Services Committee and Common Council for approval.

Recommendation of the Public Works and Services Committee (4-5-06): The policy for use of Monument Square, as amended, be adopted.

Fiscal Note: Not applicable.

Donnie Snow appeared before the Committee and distributed a draft of the policies and procedures for the use of Monument Square. He indicated this policy has been approved by the Board of Parks, Recreation and Cultural Services and was referred to Public Works and Services because Monument Square is street right-of-way and not a City park. He described some of the activities and events that would be approved for use of this property and the associated fees would be waived for the next five years. Rick commented that the City Attorney recommended designating a portion east of the bollards and west of the sidewalk on Main Street as pedestrian mall. He noted this would

ease the use and flexibility for different types of events that would otherwise be prohibited on a public right-of-way. There was some discussion on the policy itself, and Devin Sutherland indicated he was satisfied with the draft policy and noted DRC had limited input in its creation.

On a motion by Cape, seconded by DeHahn, the Committee approved the policy on file with the Director of Parks, Recreation and Cultural Services.

Recommended For Approval

AYES: 3 - John M. Engel, Cherri Cape and Raymond DeHahn

EXCUSED: 2 - Ronald D. Hart and Keith Fair

8. [06-1717](#)

Subject: Direct Referral. Communication from the Commissioner of Public Works submitting the request of Gorman & Company, Inc. to install steel H piles in the public right-of-way as part of the Main Street and State Street development project.

Recommendation: Permission be granted to Gorman & Company, inc., to remove sidewalks and trees and to place a H-Beam and wood lagging retaining wall system in city right-of-way as part of the Main Street and State Street development project, with the following stipulations:

1. A hold harmless agreement be executed.
2. Proof of liability insurance be submitted.
3. The contractor shall place suitable signage indicating the closure of the sidewalks.
4. The contractor shall provide secure fencing around the perimeter of the project area.
5. The contractor agrees to replace all removed or damaged sidewalk in accordance with City specifications.
6. The contractor agrees to replant an equivalent number of trees.
7. The contractor agrees to replace street lighting in accordance with City requirements.
8. The contractor shall provide traffic control signage and barriers as required in accordance with M.U.T.C.D.
9. The contractor shall secure street opening permits and pay all necessary street opening charges.
10. Upon completion of the project, the retaining wall shall be removed to a depth of 6 feet.

Fiscal Note: This work will be done at no cost to the City of Racine.

Rick read a letter indicating the various stipulations Gorman would have to follow to install the steel H piles. He commented on the various stipulations and noted the piles placed in the right-of-way are approximately 2' from the back of sidewalk and posed no real problem for utilities, however, he indicated the pile should be removed to a depth of 6' to ease services being run in and out of the property to the public right-of-way.

On a motion by Cape, seconded by DeHahn, the Committee approved the request subject to the stipulations outlined by the Commissioner of Public Works.

Recommended For Approval

9. [06-1636](#) **Subject:** Item 15 of March 7, 2006, communication from the Commissioner of Public Works/City Engineer submitting the request of the Alderman of the 12th District to assess the lighting in the 3600 block of Haven Avenue.

Recommendation: Communication be received and filed.

Fiscal Note: Not applicable.

John Rooney indicated the City Forester believed any pruning or trimming of trees would not increase the lighting from the two adjacent intersections. He noted the request is more for public safety than travel and his recommendation is to receive and file the request. A discussion ensued on the difficulty of actually placing a street light mid-block. There were indications that poles and overhead lines might detract from the neighborhood.

On a motion by Cape, seconded by DeHahn, the Committee received and filed the communication.

Recommended to be Received and Filed

10. [06-1710](#) **Subject:** Direct Referral. Communication from the Commissioner of Public Works submitting bid results on Contract 10-06 (K6-011), Chicory Road Reconstruction.

Recommendation: Contract 10-06 (K6-011), Chicory Road Reconstruction, be awarded to Milwaukee General Construction Company, Inc., Milwaukee, WI, at their bid price of \$1,286,897.60, they being the lowest responsible bidder.

Further recommends that funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 768,242.07 - Account 919.986.5010, Chicory Road

\$ 518,655.53 - Village of Mt. Pleasant

\$1,286,897.60 - Total

Further recommends that funding in the amount of \$8,500.00 for construction inspection and \$1,000.00 for material testing be appropriated from Account 919.986.5010, Chicory Road.

Fiscal Note: Funds are available as herein delineated.

Rick Jones read the bid results and noted Milwaukee General Construction was the low bidder with a bid price of \$1,286,897.60. He indicated funding is available and \$8,500 would be needed for inspection and \$1,000 for material testing.

On a motion by Cape, seconded by DeHahn, the Committee awarded the contract to Milwaukee General Construction at their bid price.

Recommended to be Awarded

11. [06-1656](#)

Subject: Communication from the Assistant Commissioner of Public Works/Operations submitting a Deed Notice for 820 Pearl Street.

Recommendation: A Deed Notice for 820 Pearl Street be filed with the Register of Deeds office.

Fiscal Note: There will be a \$50.00 fee to cover administrative costs associated with filing this item with the Register of Deeds office.

Tom Eeg indicated that 820 Pearl Street was the location of a former underground storage tank and he stated that six tanks had been removed and testing showed some contamination is left at a depth of 20' to 22'. He noted a Deed Restriction needs to be placed on the property indicating contamination may exist if the City ever transfers the property to another party.

On a motion by Cape, seconded by DeHahn, the Committee authorized a Deed Notice to be drafted and filed with the Register of Deeds office.

Recommended For Approval

12. [06-1719](#)

Subject: Direct Referral. Communication from the Assistant Commissioner of Public Works/Operations requesting that formal bidding procedures be waived for emergency repairs to the chiller at the Safety Building.

Recommendation: That an emergency situation be declared in accordance with Section 62.15(1)(b) of State Statutes and that formal bidding procedures be waived for emergency replacement of the chillers at the Safety Building.

Further recommends that the Commissioner of Public Works/City Engineer be authorized and directed to negotiate with Johnson Controls, Inc., Milwaukee, WI, for the replacement of this equipment.

Fiscal Note: The cost of this emergency repair is estimated at \$140,000.00 which, except for a \$10,000.00 deductible, should be covered by the city's property insurance. Funds are available for the City's share of the cost of this repair.

Rick Jones read a letter to the Committee indicating that a seasonal check of the Safety Building chillers showed a catastrophic malfunction had occurred at some point during the

winter. He noted freezing water burst the heat exchange tubes in the chiller and the compressor motors have failed. He noted the two chillers at the Safety Building are a total loss and recommended the Committee approve an emergency declaration under State Statute 62.15(1)(b), due to the critical nature of the chillers relative to the operations of the Safety Building. He noted the Declaration of Emergency would allow the Public Works Department to negotiate with a single firm for the replacement and installation of the chillers. He noted this is a timely matter and the Public Works Department would like to get the chillers installed and operational by May 1, 2006. The estimated cost to replace the chillers is approximately \$140,000 and the City does carry catastrophic insurance, which will cover all but \$10,000 of the cost. He requested the Committee also authorized the Commissioner to negotiate with Johnson Controls for the design and purchase of the chillers.

On a motion by Cape, seconded by DeHahn, the Committee declared an emergency and authorized the City Attorney to draft a resolution that will also authorize the Commissioner of Public Works to negotiate the purchase of the chillers and the consulting contract with Johnson Controls immediately.

Recommended For Approval

13. [05-1090](#)

Subject: Direct Referral. Communication from the City Engineer submitting Change Order No. 2 on Contract 26-05 (K5-033), Concrete Street Reconstruction, LaLonde Contractors, Inc., contractor.

Recommendation: Change Order No. 2 on Contract 26-05 (K5-033), Concrete Street Reconstruction, LaLonde Contractors, Inc., contractor, as submitted, be approved in the amount of \$142,376.67.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$113,560.77 - Account 986.908.5020, Concrete Street Paving, Misc. Locations
\$ 20,839.67 - Account 986.907.5310, San. Sewer Const., Misc. Locations
\$ 3,919.98 - Account 104.986.5420, Storm Sewers, Misc. Locations
\$ 4,056.25 - Water Department
\$142,376.67 - Total

Fiscal Note: Funds are available as herein delineated.

John Rooney explained the change order is in the amount of \$142,376.67. He noted the original contract was \$1,401,319.45. He explained the bulk of the change order is for the changes on Owen Avenue. He distributed a spreadsheet showing the final quantities and costs for Owen Avenue paving. Jones and Rooney went over the money wasted on having to remove and replace some of the pavement that was placed during the project. That amount totaled \$10,269.97. He further noted there was added value to the project for some of the streetscape enhancements, including decorative lighting, sewer improvements, new streetscape trees and grates. He gave that cost as \$42,672.93. Finally, they went over the additional pavement costs, noting the width and the length of the road changed. Those costs were \$20,451.14. In response to a question by DeHahn,

John stated the original cost of Owen Avenue was approximately \$25,000.

*On a motion by DeHahn, seconded by Engel, the Committee approved the change order.
On a roll call vote, members voting AYE; Engel, DeHahn; members voting NAY; Cape.*

Recommended For Approval

14. [05-1091](#) **Subject:** Direct Referral. Communication from the City Engineer submitting Change Order No. 2 on Contract 30-05 (K5-037), Street Paving, LaLonde Contractors, Inc., contractor.

Recommendation: Change Order No. 2 on Contract 30-05 (K5-037), Street Paving, LaLonde Contractors, Inc., contractor, as submitted, be approved in the amount of \$10,531.38.

Further recommends that funding to defray the cost of this change order be appropriated from the following accounts:

\$ 3,893.98 - Account 986.908.5020, Concrete St. Paving, Misc. Locations.

\$ 6,637.40 - Water Department

\$10,531.38 - Total

Fiscal Note: Funds are available as herein delineated.

John stated the change order is in the amount of \$10,531.38. The original contract was in the amount of \$99,908.35.

On a motion by Cape, seconded by DeHahn, the Committee approved the change order.

Recommended For Approval

15. [06-1482](#) **Subject:** Direct Referral. Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposal from Earth Tech, Inc. for the design of the Sixth Street Sanitary Sewer.

Recommendation: Mayor and City Clerk be authorized and directed to enter into an agreement with Earth Tech, Inc., Milwaukee, WI, for Sanitary Sewer Lining in Sixth Street, at a cost not-to-exceed \$42,696.00

Further recommends that funding to defray the cost of these professional services be appropriated from the following accounts:

\$40,546.00 - Account 986.907.5310, Sanitary Sewer, Various Locations

\$ 2,150.00 - Water Utility

\$42,696.00 - Total

Fiscal Note: Funds are available as herein delineated.

John explained the proposal is in the not-to-exceed amount of \$42,696 and that funding is available.

On a motion by Cape, seconded by DeHahn, the Committee authorized the Mayor and City Clerk to enter into the agreement.

Recommended For Approval

Miscellaneous Business

If you are disabled and have accessibility needs or need information interpreted for you, please contact the Department of Public Works at 262-636-9121 at least 48 hours prior to this meeting.