



City of Racine

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

Meeting Minutes - Final Public Works and Services Committee

Chairman Sandy Weidner
Vice Chairman Raymond DeHahn
Michael Shields
Jim Kaplan
James Morgenroth

Tuesday, March 12, 2013

5:30 PM

City Hall, Room 301

Call To Order

The meeting was called to order at 5:31 P.M.

PRESENT: 5 - Chairman Weidner, Vice Chairman DeHahn, Michael Shields, Jim Kaplan and James Morgenroth

Also Present: John Rooney, Mark Yehlen, Tom Eeg, Ken Plaski, Kathy Kasper, Karl Fuller, Dale Nielsen, Don Bruning, Brian Macemon, Jeff Macemon, Dan Macemon

Approval of Minutes for the February 26, 2013 Meeting.

The minutes of the February 26, 2013 meeting were approved as printed. Passed unanimously.

1. [13-8634](#) **Subject:** Communication from Jeff Raffini, 2616 Green Street, requesting a lease agreement for use of river frontage at the terminus of Superior Street at the Root River.

Recommendation of the Public Works and Services Committee on 2-26-13: Defer

Recommendation of the Public Works and Services Committee on 3-12-13: That the City Attorney negotiate a lease agreement with Jeff Raffini, 2616 Green Street, for use of 60 lineal feet of river frontage at the terminus of Superior Street at the Root River, including the right-of-way to the south line of Liberty Street excepting that portion which is utilized by CNH, Inc. as a driveway entrance.

Further recommend that once an agreement is reached, the City Attorney and Mayor be authorized and directed to enter into such agreement.

Fiscal Note: Unknown at this time.

Mark Yehlen noted that he had given the information to the City Attorney to negotiate a lease with Jeff Raffini for the property. He noted that in that lease would be

language for the Rootworks plan. He noted the City Attorney typically handles issues insofar as agreements for easements or acquisitions for right-of-ways are concerned.

Dale Nielsen appeared on behalf of Jeff Raffini and thought the lease would be prepared and ready for approval at tonight's meeting. He understood those issues would be included for discussion at tonight's meeting.

Alderman Weidner and Alderman Morgenroth both thought the draft lease agreement would be prepared, as well, for discussion at tonight's meeting. They asked that the lease agreement be brought back to Committee for final review.

Mr. Nielson noted they would like to do some work starting in April in the area they would like to slip boats and thought that may wind up delaying their efforts.

Mark Yehlen indicated the City Attorney could negotiate the lease and if there were no issues with the City Attorney or the lessee, it would not have to come back to the Committee in a future time.

After further discussion, a motion was made by DeHahn, seconded by Kaplan to authorize the City Attorney to negotiate the lease with Jeff Raffini. Passed unanimously.

Recommended For Approval

2. [13-8743](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting Change Orders 1 and 2 for Official Notice #18 for Razing and Removal of Commercial Structure at 1516 Washington Avenue.

Recommendation of the Public Works and Services Committee on 3-12-13: That Change Orders No. 1 and No. 2 on Official Notice No. 18, Razing and Removal of Commercial Structure at 1516 Washington Avenue, Azarian Wrecking, contractor, be approved in the amount of \$26,144.16.

Fiscal Note: Funding to defray the cost of these change orders be appropriated from Account 101.370.5990, Boarding Up Buildings, and will be invoiced to the current property owner.

Alderman Shields asked for an explanation on the change orders vs. the original quote based on the plans and specifications made available to potential contractors. It was his understanding from Macemon and Sons that a quote that they gave for the official notice along with other contractors included all the work that Azarian had included in change orders. He noted the work that was done on those change orders should have been included in Azarian's original bid, as that is what he claimed his bid covered as well as other contractors. He noted the low bidder of Azarian was roughly half of what his original bid was and less than other bidders as well.

Mark Yehlen explained some of the problems with the demolition with the building and noted how it affected the adjacent structures.

Ken Plaski noted the change order was to repair the adjacent buildings to the structure that was razed. He noted there were double walls on the adjacent buildings, but the facade was inter-connected. He noted when the building and facade was removed, it left several holes in the existing structures, as well as some

roof damage due to the inter-connected parapet walls.

Dan Macemon appeared before the Committee and noted that both the former Purchasing Agent, Sam Aiello, and Ken Plaski explained the bid requirements on site prior to bidding and claimed he had all of these items covered represented in the change orders by Azarian in his original bid.

Alderman DeHahn noted the original bid by Azarian, plus the change orders are still lower than Macemon's original second lowest bid.

Alderman Weidner noted the issue at hand is to pay the contractor for the work that was done and, if necessary, this item of bid information could be discussed at a later time as an item on the agenda.

Ken Plaski noted he was in disagreement with the claim made by Dan Macemon. He noted the work that was done is a change order to the razing of the building and was necessary to complete the project, as well as to provide safety to the adjacent buildings and the right-of-way on Washington Avenue.

Dan Macemon insisted these change orders were something that was done outside the original bid requirement and noted that he believed the actual work should have been bid out again to every contractor.

After further discussion, a motion was made by DeHahn, seconded by Morgenroth to approve Change Orders No. 1 & No. 2 for Office Notice 18. Passed unanimously.

Recommended For Approval

3. [13-8733](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 6-13 (K3-006), 2013 Concrete Street Reconstruction (R1).

Recommendation of the Public Works and Services Committee on 3-12-13: That Contract 6-13 (K3-006), 2013 Concrete Street Reconstruction (R1), be awarded to A.W. Oakes & Son, Inc., Racine, WI, at their bid price of \$1,037,688.00, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

- \$ 116,749.36 - Account 992.908.5010, Concrete Street Paving, Misc.
- \$ 130,000.00 - Account 992.908.5020, Concrete Pavement Repl., Misc.
- \$ 196,471.64 - Account 993.908.5020, Concrete Pavement Repl., Misc.
- \$ 41,525.50 - Account 992.908.5320, Replacement Curb & Gutter
- \$ 276,000.00 - Account 993.908.5140, LRIP-City Match for State Grant
- \$ 26,927.50 - Account 993.590.5010, Replace City Circuits

\$ 148,000.00 - Account 930.993.5010, 2013 LRIP Grant
4 80,939.00 - Account 104.993.5420, Storm Sewers, Misc.
\$ 21,075.00 - Account 287.993.5310, Sanitary Sewer, Var. Loc.
\$ 1,037,688.00 - Total

John Rooney submitted bid results on Contract 6-13. He noted the lowest responsible bidder and recommended approving the bid and noted funding was available.

Motion made by DeHahn, seconded by Kaplan to approve. Passed unanimously.

Recommended For Award of Bid

4. [13-8734](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting bid results on Contract 13-13 (K3-013), 2013 Sidewalk Replacement, Phase I (R1).

Recommendation of the Public Works and Services Committee

on 3-12-13: That Contract 13-13 (K3-013), 2013 Sidewalk Replacement, Phase I (R1), be awarded to RAZA of Racine, Inc., Racine, WI, at their bid price of \$314,328.93, they being the lowest responsible bidder.

Fiscal Note: Funding to defray the cost of this public works project be appropriated from the following accounts:

\$ 159,978.60 - Account 906.000.5520, Sidewalk Replacement (2012)
\$ 90,413.58 - Account 906.000.5520, Sidewalk Replacement (2013)
\$ 6,936.75 - Account 992.908.5520, Sidewalk Replacement (2012)
\$ 10,000.00 - Account 993.908.5520, Sidewalk Replacement (2013)
\$ 32,000.00 - Account 993.908.5320, Replacement Curb & Gutter
\$ 15,000.00 - Account 993.908.5530, Crosswalk Ramps
\$ 314,328.93 - Total

John Rooney submitted bid results on Contract 13-13. He noted the lowest responsible bidder and recommended approving the bid and noted funding was available.

Motion made by DeHahn, seconded by Kaplan to approve. Passed unanimously.

Recommended For Award of Bid

5. [13-8703](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 18-11 (K1-018), Professional Services-Design Services for Parking Ramp Repairs, Arnold & O'Sheridan, Inc., consultant.

Recommendation of the Public Works and Services Committee

on 3-12-13: Defer

Tom Eeg asked that this item be deferred.

Motion made by DeHahn, seconded by Morgenroth to defer. Passed unanimously.

Deferred

6. [13-8704](#) **Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 4-12 (K2-004), Professional Services-Repair Tunnel Between City Hall and Central Heating Plant, Arnold & O'Sheridan, Inc., consultant.

Recommendation of the Public Works and Services Committee on 3-12-13: That the professional services provided by Arnold & O'Sheridan, Inc., under Contract 4-12 (K2-004), Professional Services - Repair Tunnel Between City Hall and Central Heating Plant, be accepted and final payment authorized for a total contract amount of \$9,200.00.

Fiscal Note: Contract was authorized under Resolution No. 12-2950, dated February 7, 2012.

Tom Eeg submitted final payment on Contract 4-12. He noted the work has been completed and asked for final payment of the same.

Motion made by DeHahn, seconded by Kaplan to approve. Passed unanimously.

Recommended For Approval

7. [13-8550](#) **Subject:** (Direct Referral) Communication from the Commissioner of Public Works submitting a request for final payment on Contract 49-12 (K2-060), Equipment Maintenance Garage-Make-Up Air Unit Replacement, Butters-Fetting Co., Inc., contractor.

Recommendation of the Public Works and Services Committee on 2-26-13 and 3-12-13: Defer

Tom Eeg asked that this item be deferred.

Motion made by DeHahn, seconded by Kaplan to defer. Passed unanimously.

Deferred

8. [13-8721](#) **Subject:** (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Change Order No. 1 to Contract 05-12 (K2-005), Three Mile Road Reconstruction (R1), LaLonde Contractors, Inc., contractor.

Recommendation of the Public Works and Services Committee on 3-12-13: That Change Order No. 1 on Contract 5-12 (K2-005), Three Mile Road Reconstruction (R1), LaLonde Contractors, Inc., contractor, as submitted, be approved in amount of \$308,656.71.

Fiscal Note: Funding to defray the cost of this public works project be

appropriated from the following accounts:

\$ 199,154.88 - Account 906.992.5010, Three Mile Road Construction
\$ 23,323.12 - Account 906.993.5010, Three Mile Road Construction
\$ 86,178.71 - Account 919.993.5010, Three Mile Road Construction
\$ 308,656.71 - Total

John Rooney submitted Change Order No. 1 on Contract 05-12. He noted the change order was rectifying for items on the project as well as additional items, such as undercut of the roadway and additional breaker run. He also noted there was Haz Mat removal for contaminated soils with petroleum in the Village of Caledonia limits from the gas station near 3 Mile and Main. He noted those costs will be directly billed as part of the change order to the Village of Caledonia as part of their overall portion of cost share. He noted the funding for this change order was coming out of the Intergovernmental Revenue Sharing funds as well as the assessment to the Village of Caledonia.

After further discussion, a motion was made by DeHahn, seconded by Kaplan to approve. Passed unanimously.

Recommended For Approval

9. [13-8736](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting Change Order No. 4 to Contract 43-12 (K2-052), Masonry Restoration - City Hall and City Hall Annex, RAZA LLC, contractor.

Recommendation of the Public Works and Services Committee on 3-12-13: That Change Order No. 4 on Contract 43-12 (K2-052), Masonry Restoration-City Hall and City Hall Annex, RAZA LLC, contractor, be approved in the amount of \$4,468.84.

Fiscal Note: Funding to defray the cost of this change order be appropriated from Account 992.100.5020, City Hall Tuckpointing.

Tom Eeg submitted Change Order No. 4 on Contract 43-12. He described the work on the change order and noted funding was available.

Motion made by DeHahn, seconded by Morgenroth to approve. Passed unanimously.

Recommended For Approval

10. [13-8738](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting Amendment No. 1 to Contract 65-12 (K2-076) - W. 6th St. & Memorial Dr. Bridge Rehabilitation Reports, Bloom Companies, LLC., consultant.

Recommendation of the Public Works and Services Committee on 3-12-13: That Amendment No. 1 to Contract 65-12 (K2-076), Professional Services - W. 6th Street & Memorial Drive Bridge Rehabilitation Reports, Bloom Companies, LLC, consultant, as

submitted, be approved in the not-to-exceed amount of \$3,000.00.

Fiscal Note: Funding to defray the cost of these professional services be appropriated from the following accounts:

\$ 2,000.00 - Account 943.520.5010, City Owned Bridge Inspections
\$ 1,000.00 - Account 992.520.5020, Memorial Drive Bridge
\$ 3,000.00 - Total

John Rooney submitted Amendment No. 1 on Contract 65-12. He noted that Bloom Companies, on the original agreement, provided independent bridge studies so that both bridges could be included on the State's NBI list to be eligible for funding. He noted that bridge applications for the next funding cycle for the local bridge program for 2013 - 2018 are due in June. He noted these applications for bridge funding need to be prepared accurately to be successful in securing funds for both bridges. He noted the repairs on the Memorial Drive Bridge could be from anywhere from \$300,000 to \$400,000 and the replacement of the W. 6th Street Bridge, if deemed historical, could be over \$2.5 million. He noted these funding applications, if successful, would insure an 80% State match for these projects.

Motion made by DeHahn, seconded by Kaplan to approve. Passed unanimously.

Recommended For Approval

11. [13-8727](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer requesting to rescind Resolution 08-0846 dated 06/03/08.

Recommendation of the Public Works and Services Committee on 3-12-13: That Resolution 08-0845, dated July 1, 2008, be rescinded.

Fiscal Note: N/A

John Rooney requested the Committee rescind Resolution 08-0846 from June of 2008. He noted this was a lien description prepared for some right-of-way and property acquisition near the southwest corner of the intersection of Spring Street and State Street. He noted several years ago the termination of Hill Street was converted to a cul-de-sac and there was also a right-turn lane put in at the intersection of Spring and State to go eastbound to southbound. He noted there were some errors in that legal description and asked that this item be rescinded. He noted the next item was to approve the correct legal description which needs to be done for the 2015 (STH 38) reconstruction project.

Motion made by DeHahn, seconded by Kaplan to approve rescinding Resolution 08-0846. Passed unanimously.

Recommended For Approval

12. [13-8728](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/City Engineer submitting a street dedication for the southwest corner of State and Spring Street.

Recommendation of the Public Works and Services Committee

on 3-12-13: That properties located at the corner of State Street and Spring Street, and more particularly described as follows, be dedicated for street right-of-way purposes:

That part of the Southeast $\frac{1}{4}$ of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows:

That part of Lot 7 and vacated alley in Jacobson's Addition a recorded plat in the City of Racine, Racine County, Wisconsin, described as follows; Commence at the original southwesterly corner of Lot 1; thence South $50^{\circ} 41' 08''$ East and along the northeasterly line of Hill Street a distance of 0.38 feet to the POINT OF BEGINNING; Continue thence South $50^{\circ} 41' 08''$ East and along the northeasterly line of Hill Street a distance of 86.60 feet; thence North $42^{\circ} 12' 51''$ East and along the northwesterly line of Spring Street a distance of 34.79 feet; thence on a curve to the left having a radius of 90.60 feet and a chord of 13.49 feet bearing North $09^{\circ} 06' 54''$ East, thence northerly along said curve a distance of 13.50 feet; thence North $66^{\circ} 54' 53''$ West a distance of 38.32 feet; thence on a curve to the left having a radius of 36.50 feet and a chord of 25.03 feet bearing North $86^{\circ} 38' 48''$ West, thence westerly along said curve a distance of 25.55 feet; thence South $73^{\circ} 18' 12''$ West a distance of 14.95 feet; thence on a curve to the right, having a radius of 19.50 feet and a chord of 18.31 feet bearing North $78^{\circ} 41' 28''$ West, thence westerly along said curve a distance of 19.06 feet; to the POINT OF BEGINNING. Said tract containing 2,529.14 sq. ft. or 0.058 acres more-or-less.

And;

That part of the Southeast $\frac{1}{4}$ of Section 8, Township 3 North, Range 23 East, in the City of Racine, Racine County, Wisconsin, bounded as follows:

That part of Lot 7 and vacated alley in Jacobson's Addition a recorded plat in the City of Racine, Racine County, Wisconsin described as follows; Begin at the original southeasterly corner of Lot 1; thence South $43^{\circ} 31' 07''$ East and along the southwesterly line of State Street distance of 80.06 feet ; thence South $42^{\circ} 12' 51''$ West and along the northwesterly line of Spring Street a distance of 49.09 feet ; thence on a curve to the left, having a radius of 90.60 feet and a chord of 58.81 feet bearing North $05^{\circ} 33' 04''$ West, thence northerly along said curve a distance of 59.88 feet; thence North $24^{\circ} 29' 08''$ West a distance of 37.99 feet; thence on a curve to the left having a radius of 4.43 feet and a chord of 1.46 feet bearing North $34^{\circ} 00' 08''$ West,

thence northerly along said curve a distance of 1.47 feet; thence North 46° 28' 52" East a distance of 0.14 feet; to the original southeasterly corner of Lot 1. Said tract containing 1,384.21 sq. ft. or 0.032 acres more-or-less.

Further recommends that a preliminary resolution be introduced to the Common Council and referred to the City Plan Commission.

Fiscal Note: N/A

John Rooney submitted a street dedication for the southwest corner of State and Spring Street. He noted this was the correct description. He noted this description will be included in the new transportation plat being prepared by Strand & Associates for WisDOT and the City of Racine for right-of-way acquisition for that improvement project.

Motion made by DeHahn, seconded by Kaplan to approve the dedication for recording at the Register of Deeds. Passed unanimously.

Recommended For Approval

13. [13-8737](#)

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a check from Nationwide Mutual Insurance Company for damages to the City Hall fire alarm system.

Recommendation of the Public Works and Services Committee on 3-12-13: That the City of Racine accept the check in the amount of \$5,604.62 from the Nationwide Mutual Insurance Company as settlement for the City's claim of damages to the fire alarm system at City Hall which was done during the restroom renovation project.

Fiscal Note: Funds from this check, in the amount of \$5,604.62, be deposited in Account 404.000.7990, Building Complex-Miscellaneous Income.

Tom Eeg noted the City had received a check from National Mutual Insurance Company for damages to the City Hall fire alarm system. He noted during the renovation project the alarm system was damaged and noted they replaced it with an upgraded system. He noted the insurance company took 25% off the value of the existing system that was damaged due to appreciation. He noted the check was used to upgrade the fire alarm system.

Motion made by DeHahn, seconded by Kaplan to accept the check and deposit it in the appropriate revenue account for the project. Passed unanimously.

Recommended For Acceptance

Public Comment Period

Karl Fuller appeared before the Committee and asked to receive some comments by

the Commissioner of Public Works regarding street light removal and input he had received from the Chief of Police.

Alderman Weidner noted that Mr. Fuller can inquire about those things with the Commissioner of Public Works at any time and it didn't require him to appear before the Committee to get those questions answered.

Adjournment

The meeting adjourned at 6:25 P.M.

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.