

Minutes of the Regular Public Works & Utility Committee meeting
and Public Forum and Waterman Square Project
Monday, September 25, 2006

1. **CALL TO ORDER:** Chair Poole called the regular meeting of the Public Works & Utility Committee meeting to order at 6:00 p.m.
2. **ROLL CALL:** Present: Eric Poole, Phil Harms, and John Lourigan. Also Present: Village Administrator Mike Gracz, Board President Jerry Luebke, Public Works Director Mark Below, Hans Noeldner, Village Engineer Joe Eberle, and Clerk's Assistant Tracey Hicks.
3. **APPROVAL OF MINUTES:** Lourigan moved, second by Harms, to approve the minutes of the regular meeting of August 28, 2006. Motion carried 3-0.

Poole noted that he will be leaving at 6:45 p.m. and appointed Lourigan to take over in his place.

4. **PUBLIC APPEARANCES:**

- a) Alliant Energy re New Power Line and Possible Future Conflict with oak trees (Shawn Hillestad). No one from Alliant Energy attended. Below did not foresee any future conflict with this project since it is already up and running, however Below was going to drop this item off the future agenda.

5. **COMMUNICATIONS AND MISCELLANEOUS BUSINESS:**

- a) Letter from Brooklyn Chamber of Commerce regarding the rail road corridor. Below received the letter and was contacted by the Village of Brooklyn's President and she emphasized that this letter did not come from the Board and the Board had no knowledge of the letter. She also did not want this to cause any problems or sever their relationship with Oregon. Below and Gracz did visit the rail line of the area described in the letter and Below did not see any areas of encroachments on to the railroad. The Village of Brooklyn is keeping parts of the rail line mowed. Below said until the rail is up and running he does not see any point spending a whole lot of time and money on this.
- b) Letter from Walgreens regarding silver discharge limit. Walgreens cannot meet the discharge limit with the equipment they have at their store. Below notes that the problem needs to be addressed and Walgreens needs to lower it to meet Village Code. Village Engineer Joe Eberle discussed the problem with the sludge and stated if it becomes a sludge problem it will be a significant problem. If the problem continues it could run into a lot of money for the Village. Below suggests writing a letter to Walgreens stating that the silver is an issue and they need to bring the silver to code or cease whatever they are doing. Below gives Walgreens credit for being honest and bringing this to the Village's attention. Eberle suggests not compromising the Village ordinances because of potential future problems. Harms noted there is no recovery method for metals in the soils if a problem were ever to occur. **Harms moved to recommend to the Village Board that Walgreens be noticed that the Village's standards for silver on site is in place for public protection and will remain the standard with no exceptions. Second by Lourigan. Motion carried 3-0.**
- c) Letter from Wisconsin Department of Regulation & Licensing regarding Prairie Mound Cemetery. Below noted that this letter from the State is the first time he has seen anything like this. The State Department of Regulation & Licensing is going to license cemeteries that are 5 acres and more. They sent a bill for \$53.00 that will carry the Village over until the end of the year. Below also noted he was not sure what it will be next year. Below was not sure if other communities have received anything like this and is a little upset that there was no prior

notification. Below was checking with the Village Clerk to see if other communities have also been sent bills. Below noted he wanted to give the Board an FYI on this. **[Note: It was later found that this ruling does not apply to municipal cemeteries.]**

- d) Request for a time extension from Hammersley Stone for the Alpine Business Park and status of letter of concurrence regarding the wetlands and sewer extension permitting from SEH. Below discussed that Hammersley Stone wanted a time extension for a couple of reasons - one being the weather and the other goes back to the delineation letter that is needed from the DNR. Below noted they are having trouble getting the letter, however the County has given the Village permission to put the sewer and laterals in but it cannot hook anything up until the letter from the DNR is received. SEH said the project will require some additional wetland mapping, which will run about \$4,000.00. It was noted that this goes back to the previous engineer not doing their job. **Poole moved to authorize a time extension to Hammersley Stone of substantial completion on November 22, 2006. Second by Lourigan. Motion carried 3-0.** Harms noted asphalt plants close before December. SEH recommended substantial completion date of November 22, 2006 and Below concurred. **Poole moved to authorize the Village President to sign the agreement with SEH not to exceed \$4,000.00 for Wetland delineation for Alpine Business Park. Second by Harms. Motion carried 3-0.** There was discussion of payment for the additional work needed on the project.
- e) Letter from Ruckert-Mielke regarding pay request No. 4 for N. Alpine Parkway and request for change order No. 2 (time extension). Hammersley Stone has this project also and is looking for additional monies for breaker run and gravel. Below noted the letter from Ruckert-Mielke regarding a stock pile issue referred back to the July meeting. Engineer Eberle noted when they proof rolled the project there were various areas from the North end to the South end that had to be repaired because it was too soft. Hammersley Stone went out and undercut and took out materials and replaced it with large stone so part of the pay request was for the undercutting and taking out the materials. The Village already paid extra back in July or August for them to get additional materials to finish. Hammersley Stone said the materials were acceptable and there are no problems with it but then when it was proof rolled it was soft. Eberle noted the Village should not have to pay twice for the same amount of materials. Eberle also discussed the time extension request noting that there were a couple of good weeks of weather where nothing was done on these projects and then when the rain came they got caught so Eberle suggested reducing it accordingly. It was noted that the equipment was pulled off the job sight when it was not being worked on. Lourigan stated he felt the substantial completion date of October 29, 2006 is unacceptable since this project was promised to be done September 1, 2006. Below noted the road should be paved sometime this week. **Poole moved to authorize a substantial completion date of October 29, 2006 for the bike trail per the Engineer's request. Second by Harms. Motion carried 2-1, with Lourigan opposing.** Harms noted this is the last time extension that will be granted, and the Village has been very gracious so far. Lourigan also noted he finds this unacceptable to be flip flopping between projects and they should have focused on the one project before they flipped over to the other project and completed one project before going on to the next. **Poole moved to follow the Engineer's recommendation based on their September 19, 2006 letter for the review of the pay request No. 4 item number 6 & 7 and deny the request. Second by Harms. Motion carried 3-0.** There was discussion of the denied additional cost.
- f) Letter from Ruckert-Mielke regarding Bergamont Phase 3 utility and roadway review comments. Below noted this is just for informational purposes so Committee members are aware of what is going on. There are still some issues with the utility reviews going on and until those are resolved Below will not sign off on the letter that goes to the DNR for sewer and water extension.

Below also noted that they are still waiting on a Letter of Credit for the Bergamont Phase 3. Gracz also noted that the other Letters of Credit are close to expiration.

- g) Letter from Ruckert-Mielke regarding Alpine Meadows Phase IV storm sewer pipe. Below noted the subcontractor's pipe provider delivered a Class 4 pipe and the Village's specs require a Class 5 pipe. It was realized when it was being put in the ground. Below noted the pipe would run across a couple of intersections. Eberle noted that they have supplied documentation from the Project Engineer saying the pipe is adequate for the installation but what they have not done so far was supply the extended warranty that was requested. There was discussion of a 10-year extended warranty and financial guarantee during the 10 years if the pipe should fail during that period. Gracz noted that in Appendix A of Chapter 18 that the ordinance requires a Class 5 pipe and he is not sure if a motion could waive something that is in an adopted ordinance. Below noted that this exception has not been granted before. Below noted that it would be less hassle for the Village if they took the pipe out and put the correct one in. Luebke noted that it comes down to being less quality keeping the Class 4 pipe than the original Class 5 and the only one that will be benefiting from this would be the pipe manufacturer. Eberle noted that the Village should not change the ordinance to accommodate the mistake by the pipe company. There was more discussion of the Class 4 pipe verse the Class 5. Lourigan noted developers and contractors need to comply with the Village's ordinances. **Pooler moved to recommend the Village Board to deny the Class 4 pipe and require the developer to put in the Class 5 pipe as stated in the Village ordinance. Second by Harms. Motion carried 3-0.**
- h) E-mail from Tom Bogucki regarding waste and recycling study. Below noted this was just for informational purposes.

6. NEW BUSINESS:

- a) Review and recommendation of Engineering RFPs for the laboratory and SCADA system at the Waste Water Treatment Facility. Below is recommending the request for proposal going with Town & Country Engineering in the amount of \$89,200.00. He noted 3 bids were received and Town & Country's estimated cost is between the high and low bid. There was discussion of how they were going to design the laboratory building. Below suggested starting fresh because of previous problems with the prior engineering firm. Harms noted the completeness and detail of the requested for proposal received from Town and Country Engineering. **Harms moved to recommend to the Village Board to accept the bid from Town & Country Engineering but not to exceed \$89,200.00. Second by Lourigan. Motion carried 3-0.**

7. UNFINISHED BUSINESS:

- a) Status of Review of email from Earth Tech regarding additional costs incurred by the Village on the N. Alpine Parkway project. Gracz noted this is being worked on and a meeting is scheduled for tomorrow morning.
- b) Status of the road maintenance agreement with Lycon. Gracz noted that he and Below will be looking at the white topping sample on October 9th so there will be something for the next meeting.

8. INSURANCE CLAIMS: None

9. STAFF REPORTS:

- a) Status of Developments and Public Works Projects
1) *Bergamont: Phase III*
2) *Alpine Meadows Phase IV*

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- 3) *Oregon Parks Neighborhood*
- 4) *Villages of Foxboro* -Below noted that the Villages of Foxboro will be putting the second layer of asphalt in the next couple of weeks and finishing the project up. There was some discussion of the Wolfe Street sidewalk.
- 5) *N. Alpine Parkway Status*
- 6) *Alpine Business Park: Water/Sewer and Cusick Parkway*

10. FUTURE ASSIGNMENTS:

- a) Discussion of Starting Time for Construction and Utility Work
- b) Review of Terrace Tree Policy
- c) Discussion regarding concern with unfenced aboveground pools)

11. **Conduct Waterman Square Project Public Forum and Consider Recommendation to the Village Board.** The Committee took a short recess at 6:45, with Poole dismissing himself. The committee reconvened at 7:05 p.m. with Lourigan filling the Chair position for Poole.

Noeldner gave a background of what has been going on, why the project is proceeding now and a brief description of where the plans are at. Mark Pressprich, Patty Kexel, Linda Pollock, Melissa Destree, Mike Wunsch, Charlie Miller, Jeff Groenier, Jeff Bergey, Wayne Kapayde, Bill O'Brien, Dale Nelson (Town), Paula Brisco, Kirk Knoble, Kristie Schilling, Amanda Peterson, and Alice Seeliger all spoke in favor of the Waterman Square Project with some suggestions. The Public Forum was closed at 8:41 p.m. (Poole returned approximately 8:35 pm.) There was discussion of limiting the plans to the three most popular among the public and holding more public forums on this subject matter. Lourigan noted that Plan F seemed to be most popular among residents. Below noted that the County will need to look at the plans since it will affect the County road going through the Village. **Harms moved to recommend to the Village Board to instruct Vandewalle (Mike Slavney – Village Planner) to review the plans we have to date A – F as presented and do a review for what they feel is the best plan for the downtown not to exceed \$2,000.00, and request that Mike Slavney attend a meeting and receive a response by the October 23, 2006 meeting. Second by Lourigan. Motion carried 3-0.**

12. **ADJOURNMENT:** At 9:03 p.m., Lourigan moved, second by Harms, to adjourn the meeting.

Respectfully submitted,
Tracey Hicks, Clerk's Assistant