



Public Works Committee Meeting  
January 8, 2019  
6:00 p.m.  
Cravath Lakefront Room  
Municipal Building-2<sup>nd</sup> Floor  
312 W Whitewater St  
Whitewater, WI 53190

### MINUTES

**1. Call to order and roll call**

The meeting was called by Allen at 6 p.m. The meeting was held in the Cravath Lakefront Room at the Municipal Building – 1<sup>st</sup> floor.

Present: Jim Allen, Carol McCormick and Jimmy Schulgit  
Others: Brad Marquardt

**2. Approval of minutes from October 9, 2018**

A motion to approve the minutes from the December 11, 2018, meeting was made by Schulgit and seconded by McCormick.

Aye: All via voice vote (3)  
Nay: None

**3. Hearing of Citizen Comments**

No citizens appeared to speak at this time.

**4. Old Business**

There is no old business at this time.

**5. New Business**

**a. Discussion and Possible Action on the extension of the Agreement with John’s Disposal to provide refuse and recyclables collection and disposal.**

Marquardt stated back in 2018, John’s recommended two proposals, one of which had weekly recycling tied to an extension. The City decided not to go with the weekly recycling. It was implied the City was not going to look at extending the contract either because it wasn’t part of the original proposal, per say. John’s is still interested in extending their agreement with the City. Marquardt is looking for confirmation. Is this something we still want to proceed with, and if so, the committee can direct Marquardt and Clapper to put together an amendment to the contract and they will bring that back to the committee for approval. McCormick made a directive to Marquardt and Clapper to put together an amendment to the contract and seconded by Allen.

**b. Discussion and Possible Action regarding the discontinuance of Graham Avenue from Starin Road to W. Lauderdale Drive.**

Marquardt stated this committee saw this information at the Council meeting in December. This is following state statute by taking it to committee and then have a public hearing, which is scheduled for February 5. The City attorney suggested bringing it to this committee to have a formal recommendation

from the Public Works Committee on moving forward, or not moving forward. The information handed out tonight in Exhibit A shows land discontinuance, which some land would go to the church. The agreement is the church giving that property to the Board of Regents through a warranty deed. The second exhibit is an easement. The Board of Regents is giving an easement back to St. Patrick's for access to the cemetery. Schulgit moved to recommend the discontinuance to both Graham Ave. and W. Lauderdale Dr. Allen stated this refers to both item b and c on the agenda and McCormick seconded.

Aye: All via voice vote (3)

Nay: None

**c. Discussion and Possible Action regarding the discontinuance of W. Lauderdale Drive from Graham Avenue to N. Prairie Street.**

Action was taken on this in item b.

**d. Discussion and Possible Action regarding parking stall designations in Municipal Parking Lot A.**

Marquardt stated Lynn Binnie brought this up at a past Council meeting. It was the meeting when the K9 was sworn and it was well attended. There happened to be no parking space left except a few stalls, which Marquardt referenced on a map. These stalls were labeled as overnight parking from 6 p.m. until 6 a.m. Marquardt thinks there is some confusion based on the time of the signs and therefore people think they can't park there at all unless it's overnight. Marquardt thinks by moving the time back to 9 p.m. would clear up the problem. According to the police department, we do generate a considerable amount of money from the meters, so we don't want to eliminate them. Schulgit moved to recommend changing the starting time of the mentioned parking stalls to 9 p.m. and seconded by McCormick.

Aye: All via voice vote (3)

Nay: None

**e. Discussion and Possible Action approving Strand Task Order for the design of the Walworth Avenue Storm Sewer Project.**

Marquardt stated the Walworth project was in the CIP for the 2019 budget. It is updating the storm sewer inlets around Walworth and Douglas Court. This includes the storm sewer that runs south from Walworth Ave. cross country, which was collapsed last year during the spring 2018 rain event. This task order would be for Strand to do the design, help us through the bidding process and do intermittent inspections. This storm sewer project doesn't need as many inspections and the City should be able to stop down at various times to check on the contractor. McCormick made a recommendation to approve Strand for the Walworth Ave. storm water project and seconded by Schulgit.

Aye: All via voice vote (3)

Nay: None

**f. Discussion and Possible Action approving Strand Task Order for the acquisition of real estate for the Clay Street Reconstruction Project.**

Marquardt stated the construction of Clay St. is being funded with partial money from the DOT. Therefore, the design has to follow DOT guidelines. In order to acquire the real estate, we need to follow the guidelines. Through discussions with the City attorney and Strand, McDonnell recommended we hire this out, in this case to Strand, because of the requirements that are needed on this project. One of requirements is the acquisition person needs to be on the DOT approved list, which McDonnell is not. The task order is additional work to do the acquisition. In the handout that was provided to you, there is a section regarding meetings and states what needs to be done. Since we are only acquiring temporary easements, they can bring everybody together at one meeting. They will go through all of the information in one setting with the hope of getting a number of people to sign off on the appraisals at that meeting. Otherwise, you have to do things individually, sending out a report to every property owner. That is another reason McDonnell did not want to take the lead on this because we have never done a procedure like this before and Strand does have this experience. We are not under a tight timeframe; however, we

need to keep moving this along. The PSE is due to the DOT by August 1, 2019, so the real estate needs to be all cleared by then. This task order to do this work is an addition \$38,500. McCormick asked what we do if someone contests this request. Marquardt stated we have time built into this timeframe. If someone contests it, he/she can get his or her own appraiser, which we would have to pay for, and then go back and forth to negotiate. If you get to a point where you don't agree, then you go through the eminent domain process. For temporary, limited easements, there is no reason to go through that process. Allen asked if we are actually purchasing the easement. Marquardt stated, "Yes", we purchase the easement. Allen asked as a temporary and Marquardt stated, "Yes." Allen asked if we are actually exchanging money with people. Marquardt stated, "Yes" for the right to use their property during the project. On a normal City project, we just assume we have the right to do that because we are damaging it. This is different in this project because the DOT has different guidelines to follow and says you have to purchase the easement. Allen asked if they are going to have any neighbors that are going to contest wanting a sidewalk. McCormick stated they decided that with all of the preliminary things they did, it was only going to be on the south side of Clay St. because of the elevation on the north side of the street. McCormick asked if they are going to fill in the wetlands across from Randy's. There is marshland on both sides. Marquardt stated on the south side they are staying out of the wetlands. They are filling for the sidewalks, but not wetlands. Allen asked if they are raising the sidewalk and Marquardt stated, "Yes." Allen asked if the water issue is going to go away from flooding basements. Marquardt stated they could look at that when they have the public information meeting. Schulgit moved for approval and seconded by McCormick.

Aye: All via voice vote (3)

Nay: None

**g. Discussion and Possible Action for hiring of an appraiser for Clay Street Reconstruction Project.**

Marquardt spoke with the City attorney regarding the hiring of an appraiser if it is over \$10,000. Marquardt is asking for approval right now that if an appraiser is needed, Marquardt and McDonell have the right to hire an appraiser unless it is over \$10,000, which then would need to go through Council for approval. Marquardt does not have quotes from appraiser at this point and that's why it is a general approval. It would be brought back at a February council meeting if it were over \$10,000. McCormick asked if the numbers would be ready by the Council meeting. Marquardt stated, "Yes." Schulgit moved for approval and seconded by McCormick.

Aye: All via voice vote (3)

Nay: None

**h. Discussion regarding stormwater issues at the alley intersecting Whiton Street, north of Walworth Avenue.**

Allen presented a drawing of Walworth and Whiton. It showed a house on the corner with an alley and "Five Points" being down further. The alley is really close to Walworth on Whiton. Mike Ciardo was introduced as a resident living at 221 S. Cottage St. The address of the issue is 429 S. Whiton St. and is owned by Arthur Graham and it is currently being rented to Ciardo's daughter. The problem is with rain, frost and run off. The water runoff is running down the alley way and instead of going all the way to Whiton St. to the storm sewer, and is actually following the path of the least resistance, which is the driveway that is sloped downward toward the garage. This is causing a problem with the foundation. Since the property has been re-graded by the garage on the south side of the alley about two to three years ago, all of the water runoff from the roof of that house is running toward 429 S. Whiton St. It is also running against the basement of the house. There are two window wells and the window wells are raised about two inches off the paved portion of the sidewalk, which runs right along the house. The water actually goes over and down into the window wells, and starts filling up with water. It then goes through the windows, down the wall and into the finished portion of the basement. This is not water coming up through the floor. The water is coming from the rainfall that is moving and pushing against the house. Last spring when we had all of the rain, we actually had about two inches of standing water in the basement that had to be pumped out. This year Ciardo purchased sand bags from Home Lumber and

actually sand bagged the driveway all the way to the front of the house. The water followed the sand bags and there wasn't a problem. Ciardo spoke to Kelly Freeman and they had come to an agreement that one of his employees on his off duty time was going to try and put a swale in that grassy area so the water would go into that swale. That became a problem with underground wires. What Ciardo is asking from the City is they make an asphalt hump so the water would follow that hump and run off toward Whiton St. He found even in heavy rain the sand bags did serve that purpose. In other words, it did not go over that barrier that he put out there. If you look at the alley, you can see that it is pitched toward the house. He feels that would alleviate the problem after watching the flow of water after many rain events. He feels this would be a more permanent solution than a temporary solution. Freeman doesn't think that snow plowing would be an issue. McCormick asked if this was the only house that was being affected. Ciardo said, "Yes" and it's right on the alley. Ciardo stated it's a combination of just the pitch of the alley when it was first paved and being exasperated by the neighbor sloping their driveway where all of that waters coming off the garage. You can see from the garage to the alley way has been newly graveled. Ciardo is thinking no more than 75 ft. There is a 16 ft. driveway and whatever the length of the house is, which you wouldn't even need to go that far. Marquardt stated he would work with Ciardo on fixing the problem.

**i. Discussion regarding stormwater issues at the west side of the Whitewater High School baseball fields.**

Allen stated Bruce Parker brought this item forward. According to Parker, the City is aware of the drainage issues on the west side of the baseball diamonds at the high school. A possible fix is to cut the brush and maintain the ditch. Allen commented that according to Parker we fell down a bit on maintaining ditched ways for moving water. They may have not been done in 10 years. Marquardt said they could be looked at again. Marquardt and Clapper met with school officials in the fall of 2016 regarding the drainage issues. There is standing water in their outfield. It is because it is improperly graded and therefore water can't get off the field. Parker is referring to a ditch and Marquardt doesn't know if it's on City property or not. Parker thought it was on school property and they would cooperate. Marquardt stated he could look at it and he knows the school district had their ball fields in the referendum for improvements. Allen asked if it could be put on a future agenda for an update.

**j. Discussion regarding stormwater issues at the intersection of Walworth Avenue and Indian Mounds Parkway.**

Allen stated this is on the northeast side of the intersection, the sidewalk in that area floods. Bruce Parker brought up this issue as well. Marquardt thought there might be a swale there that goes into a culvert; however, he is not sure. Allen said based on a conversation with Parker, it might only need a bucket full of removal or something with a backhoe. Allen found information from Parker referring to a fix as digging a better swale between the sidewalk and the street and clean out the catch basins. Marquardt stated we would look at it. Allen said to put this on a future agenda as well.

**k. Discussion regarding the inspection services on the Dann Street and Esterly Street construction project.**

Allen remembers we were forced to pay a consultant to be on site to oversee the project. He doesn't know where they were and who makes sure they are there and doing their job. If they are supposed to be there, watching Walton do their job and we are paying them to watch them, who watches the consultant. The issue came up that there is nobody there on the weekends and sometimes Walton was working there on weekends. The barricades were knocked down, the cones were knocked down and people were driving in areas that were unsafe. Parker's concern was a lawsuit, that someone was going to drive into something. Allen thought we were paying them for more hours than in a week. Marquardt stated we were paying one inspector on Ann and Franklin and one inspector on Dann and Esterly. Because Dann and Esterly streets were moving so slow, Strand was able to cover both jobs with one inspector. So, we did save money. Regarding who is watching the inspector, Marquardt stated, "That would be my job." The inspector's job is to make sure the work is done according to the specifications. Barricades and such being knocked over really isn't the inspectors' job. It's really up to the contractor, who is responsible for maintaining that area. The inspector could say something if they saw something knocked down, but

ultimately it's the contractors' responsibility. McCormick asked if the inspectors' hours are only Monday through Friday. Marquardt stated that Walton did do some work on weekends. If it involved sanitary sewer, water main or curbs, we did have an inspector onsite. If they were just moving dirt around, they would not be there.

6. **Future Agenda Items** - no future agenda items at this time.
7. **Adjournment** - The meeting adjourned at 6:46 p.m. Schulgit made motion to adjourn and seconded by McCormick.

Respectfully submitted,

Alison Stoll

*It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information over which they may have decision-making responsibility; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.*

**Anyone requiring special arrangements is asked to call the  
Office of the City Manager / City Clerk  
at least 72 hours prior to the meeting.**