

In attendance: Mayor S. Klein, Aldermen B. Bergman, S. Bierce, J. Kara and R. Grosch. C. Brown and J. Wamser were absent and excused. Also present were Clerk/Treasurer K. Tarczewski, DPW Director J. Weigel, Assistant Engineer M. Wagner and Fire Chief K. Bierce (left at 8:23 p.m.).

1.0 Call to Order and Pledge of Allegiance - Mayor Klein called the meeting to order at 7:00 p.m.

2.0 Public Hearing Regarding the Bluemound Industrial Park Paving Project

2.1 Discussion and Possible Action to Award the Bluemound Industrial Park Paving Project (RD-16-574140) to the Lowest Qualified Bidder Payne & Dolan, Inc. Based on the Lowest Qualified Bid of \$626,652.00

Mr. Weigel stated we have two separate public hearings this evening. Even though they are similar in nature, each will be discussed and decided upon independently. Mr. Weigel stated the Bluemound Industrial Park is approximately 29 years old, it was developed in stages approximately in 1987 & 1989. The streets that will be paved are Johnson Road, Saratoga Road and Chaney Road. The conditions are such that a complete pavement replacement is required. The asphalt is in poor condition where it is no longer cost effective to do any partial fixing. The project also includes spot repairs to curb and gutter and adjustments to manholes. Bids were opened on June 2nd and there were only two bidders.

Mr. Weigel stated the current street assessment policy allows the City to assess the properties that benefit from the project which the City considers those properties that abut the project. He continued that we are able to assess on frontage foot, by area, by unit, or any combination of those methods. Since the properties in the area vary in size they believe the most equitable way is by acreage. The cost will be \$5,911.19 per acre. There is a small portion of Johnson Road that does not have curb and gutter and they will not pay for that portion of the project. Therefore, there is a second assessment on this project for curb and gutter work at the cost of \$355.59 per acre.

Mr. Weigel stated soft spots have been identified during the soil borings. He said construction would begin this summer and the project will be closed out next year, based on the true costs of the project. The Common Council will determine the amount of interest at that time. The property owner will get notification and they can determine whether or not they would like to pay for it immediately or by having 10 installment payments placed on their tax bills.

Terry Giles / Giles Engineering & Associates (N8 W22350 Johnson Road) stated he has not seen the repaving plans or the test boring logs. He said he is a Technical Engineer and doesn't see many unstable areas that would warrant the full replacement of the road. He said the pavement is thick and believes the road does not need to be replaced at this time, and recommended another option or to delay the project. Mr. Giles stated he would like to review the reports and offer a second opinion.

Larry Schmidt / Lakeland Supply (N8 W22380 Johnson Road) commented on the City of Pewaukee having a low tax rate, but feels it is very deceiving because road

projects are not in the general tax levy. Mr. Schmidt stated he respects the opinion of Giles Engineering and based on that, he doesn't feel the road needs to be replaced.

Tom Gensch / President of Johnson Drive Condo Association (N8 W22520 Johnson Drive) stated there are 13 members of the association. He said he doesn't feel the road needs to be replaced and wondered if resurfacing would be a better option. He asked who the aldermen were in this area and it was determined that Mr. Wamser and Mr. Bierce were.

Robert Hart (N27 W22216 Shadywood Court) concurred with Mr. Schmidt related to the comments he made regarding the City's low tax rate and said road projects should be placed on the general tax levy. He added, the special assessment charges are ridiculous. Mr. Hart also voiced his opinion that the roads do not need to be replaced, they just need maintenance.

Larry Schmidt / President of the Bluemound Industrial Park read letters he received. The first being from Chris White / Whitehouse of Music (N8 W22455 Johnson Drive) in which Mr. White stated he was concerned about the cost and anticipated interruption to the warehouse activity. Mr. White also stated he was convinced the work was not necessary at this time. The second letter was from Steve Garritson / H&S Protection Systems (N8 W22520 Johnson Drive) stating he did not feel the road was that bad. He said an assessment this sudden would cost severe hardship and may make him rethink of hiring any more people. He asked what his taxes pay for. He added he would need to evaluate whether or not to stay or move to a more business friendly community. The third letter was from Rick Pavlic / Pavlic Vending (W223 N750 Saratoga Drive), he said the roads are not in dire need of replacement and that the project could probably wait another couple of years. He stated he was surprised that the cost are passed directly onto the property owner, it seems like a raw deal. He also added the assessment seems excessive. Mr. Schmidt asked Council to give the property owners a break and give them a couple of years warning of the assessment. Mr. Schmidt also stated he thought the City made a mistake in their calculations on the number of assessable properties. He said the Bluemound Industrial Park Owners Association property is being assessed for \$11,000 and it is just retention ponds and they are also tax exempt.

Judy Mastaglio (W223 N720 Saratoga Drive) stated she has a high vacancy rate at her property and can't afford to pay this assessment. She said her son is a civil engineer and looked over the project, he didn't feel the road needs to be resurfaced. She voiced her issues over the City knowing about the project for a long time and not sharing it's intentions with the property owners and felt it was unfair. Ms. Mastaglio stated the curbs are in good condition and doesn't want to be assessed for that. She said she felt the City should have done a survey in what is needed. Finally Ms. Mastaglio stated she would prefer the assessment to be done by frontage methodology since her property is deep, not wide.

Mayor Klein closed the public hearing at 7:36 p.m. He stated the assessment policy was created because the governing body at the time thought it was more equitable; if the repair amounts were constantly placed on the tax roll every year it would cost more than a property owner paying specifically for something that effects his own property. Mayor Klein also stated it was his belief that if roads were left to deteriorate more their repairs or replacement would most likely cost more. Mayor Klein stated the City has qualified staff to determine the needs.

Mr. Weigel stated the roads are quickly breaking down, the crown is gone and infiltration of the roads are happening now, he said he wants to get to the project before it gets any worse. He said the City should have resurfaced it 15 years ago.

Mayor Klein read an email from Chris Rosecky / Pack Properties LLC (W223 N777 Saratoga Drive) expressing his support for the project. He stated he'd prefer not to have to incur the expense of the project but said deferring the project will make the road worse and cost more.

Mr. Bergman asked what the estimated life span of a road is. It is believed with proper maintenance it should last 25 - 30 years. Mr. Bergman asked if we find some sort of surprise, is there any allowance in the budget. Mr. Weigel stated yes we do have some money for contingencies. If the costs are below the estimates, the properties will be charged at the lower amount, if the project costs more the City could hold another public hearing and charge more.

Mr. Schmidt asked the City to put a 'band-aid' on the road, he said is willing to gamble that the costs could go down by the time it needs to be replaced. The Mayor asked what will happen if the costs go up. Mr. Schmidt stated the City gave notice to the property owners that this would be coming in a couple of years, it will give them time to budget for the project. Mayor Klein stated the property owners already have the ability to pay for the project over a 10 year period.

Mr. Giles stated the City is making the assumption that the pavement is unstable, he said there is a deflectometer test that can be done to determine if a milling-off is a better option. He said there is a value to leave what is in place instead of replacing it all.

Mr. Bierce stated he is in the process of paying off an assessment, if we would change the policy now, we're paying ours and then others too. Mr. Bierce stated he has a lot of respect for businesses who survived the recession and feel they are extremely knowledgeable about their infrastructure costs and manage their money well. He said since the costs of the project are 100% your responsibility and he's heard people want to wait and roll the dice on what future costs might be, he would support them.

Mr. Weigel stated running a road to ruin is nonsense; a road that can't be driven on should never be the measurement to when a road should be repaved.

A motion was made and seconded, (S. Bierce, J. Kara) to reject the contract for the Bluemound Industrial Park paving project and all the bids. Motion Failed: 2-For, 2-Against (B. Bergman, R. Grosch). Mayor Klein broke the tie vote and was against the motion, he said he didn't want to gamble with the money of the other property owners who were not present this evening.

Mr. Bergman stated we have a municipal street management plan. We do this to protect the value of the properties. He said we already have put it off a couple years. He said, here is the notice the property owners want, and the first payment won't be due until 2018. He stated we allow for financing with a low interest rate and for these reasons he stated this is why he was against the motion.

Mr. Grosch stated the cost of asphalt is at the lowest price it has been in years and

they probably won't stay there, and a few years down the road there may be a significant increase.

Mr. Kara stated personally he trusts our staff and thinks it is the prudent thing to do the job now, but since the property owners are paying for all the cost he would support their opinion.

A motion was made and seconded, (B. Bergman, R. Grosch) to award the Bluemound Industrial Park paving project (RD-16-574140) to the lowest qualified bidder, Payne & Dolan, Inc. in the amount of \$626,652.00. Motion Passed: 2-For, 2-Against. (S. Bierce, J. Kara). Mayor Klein broke the tie vote as he voted in favor of the motion.

3.0 Public Hearing Regarding the Pewaukee Woods Industrial Park Paving Project

3.1 Discussion and Possible Action to Award the Pewaukee Woods Industrial Park Paving Project (RD-16-574170) to the Lowest Qualified Bidder Payne & Dolan, Inc. Based on the Lowest Qualified Bid of \$727,764.00

Mr. Weigel stated this project is similar in scope to the Bluemound Industrial Park paving project. Woodgate Court East & West, Woodgate Road, Paul Road and Creative Way are approximately five years younger, they were constructed in 1992. The roads have deteriorated due to flooding. The project consists of removing the current asphalt and replacing it and there is also curb & gutter work to be done. There is no need to separate assessments as proposed in the previous project. Mr. Weigel stated bids were opened on June 2. He stated they are again recommending the acreage approach since it is the most equitable. The cost per acre is \$7,867.84. If the contract is awarded it will be constructed this year, and the true up of costs will take place next year in 2017. Mr. Weigel again stated this can be paid over a 10-year period with minor interest.

Mayor Klein opened the public hearing at 8:43 p.m.

Mr. Hart stated everything was said on the last project. He noted that Paul Court is actually located in Section 15 not Section 14 as the Engineers have indicated.

Peter Ernster / Chef Craft (N29 W2372 Woodgate Court East) stated he is happy to hear the road life is 20-30 years but stated the road is only 12 years old. He voiced his opinion that he really doesn't think the road needs to be redone at this time.

Roger Truin (N27 W23681 Paul Road), asked if the curbs and gutters would be constructed the same way on the curve. He said every year the snow plow guys knock out 3-4 feet chunks along the front of his property and asked if it could be engineered differently. Mr. Weigel stated they would take a look at that.

Mayor Klein closed the public hearing at 8:48 p.m.

Mayor Klein noted there was always an economy of scale if projects could be lumped together. He asked if there was any specific reason why they were including the Woodgate Courts since it is a considerably younger road. Mr. Weigel stated there is a draining issue. Mayor Klein asked if Woodgate Court really needs the complete replacement. Ms. Wagner stated a mill and overlay would most likely suffice.

Mr. Weigel stated they have learned their lesson about mill and overlay work in industrial subdivisions. He said Paul Road was milled and overlay twice and is in

poor shape again. He said Roundy Drive hasn't been done yet and is on their plan for next year.

Mr. Weigel stated if we would consider eliminating Woodgate East & West we would have to look at the value of the contract and the public bidding laws.

Ms. Wagner stated in order to correct drainage issues they plan to raise the intersection to get a dry land access in a 10-year storm event. The intersection is considered a reconstruction project and would run half way through Woodgate Road.

Mr. Kara asked why this project was more expensive than the last one discussed. Ms. Wagner stated more material is needed for this project. The roads are wider and there is boulevard equating to more curb and gutters. The properties are more spread as well.

Mr. Bergman stated he would have to abstain from making a decision this evening. Mr. Weigel stated he thought no action could be taken this evening because we wouldn't have a quorum. Mayor Klein stated we have a quorum, Mr. Bergman would just be abstaining from voting.

A motion was made and seconded, (S. Bierce, R. Grosch) to table this item.
Motion Passed: 3-For, 0-Against, 1-Abstain (B. Bergman)

4.0 Public Comment – None.

5.0 Bartender Licenses

A motion was made and seconded, (S. Bierce, J. Kara) to approve the bartender licenses.
Motion Passed: 4-For, 0-Against.

6.0 Discussion and Possible Action Regarding Certified Survey Map PC #160616-2 for the City of Pewaukee Property on Gumina Road Changing the Designation of the 60 Foot Wide "Reservation" to a "Dedication for Street and Utility Purposes" Along the Western Edge of the Property and Deleting the 33-Foot Wide "Reservation" Along the North Side of the Parcel (PWC1034-996-002) (PC 06.16.2016)

Mayor Klein explained the reasons for the purposed changes in the certified survey map. No action was taken on this item.

7.0 Public Comment

Mark Millard (W220 N3421 Springdale Road) thanked the Common Council for their support during the Fire Department's accreditation process. He spoke in favor of improvements to Springdale and possibly closing off Gumina Road. He also thanked the Common Council for all the work they do.

8.0 Adjournment

A motion was made and seconded, (R. Grosch, J. Kara) to adjourn the meeting at 9:16 p.m. Motion Passed: 4-For, 0-Against.

Respectfully Submitted,

Kelly Tarczewski
Clerk/Treasurer