



OFFICIAL MEETING MINUTES OF A REGULAR MEETING OF
THE **BOARD OF PUBLIC WORKS** HELD ON MAY 14, 2019 @ 7:00 P.M. IN
THE COMMON COUNCIL CHAMBERS OF CITY HALL, 2000 NORTH
CALHOUN ROAD, BROOKFIELD, WISCONSIN

MEMBERS PRESENT:

Alderman Rick Owen, Chairman
Alderman Brad Blumer
Alderman Christopher Blackburn

Alderman Scott Berg
Alderman Buck Jurken

MEMBER ABSENT AND EXCUSED: Mayor Steve Ponto, Alderman Bill Carnell (a.a.)

OTHERS PRESENT:

Director of Public Works Tom Grisa
City Attorney Jenna Merten
Director of Community Development Dan Ertl

City Engineer Jeff Chase

Roll Call

Chairman Owen noted a quorum present and called the Board of Public Works to order at 7:38 pm.

Meeting Minutes

Item 1 Meeting minutes of the April 9, 2019 Board of Public Works Meeting

Motion by Alderman Jurken, seconded by Alderman Blackburn to approve the minutes of the April 9, 2019 Board of Public Works meeting minutes. Motion carried 5-0.

New Business

Item 2 Discussion of Potential Sale of City lands located along Calhoun Road

Closed session.

Motion by Alderman Jurken, seconded by Alderman Blackburn to discuss Potential Sale of City lands located along Calhoun Road to closed session. Motion carried 5-0.

The Board came back out of closed session into open session to complete the agenda for the meeting.

Item 3 Creating Chapter 12.15 regarding Excavation and Placement of Facilities in City Right-of-Way; repealing and recreating Chapter 12.16 regarding Registration of Facilities in the City Right-of-Way; creating Chapter 12.18 in regard to Excavation in the City Right-of-Way; creating Chapter 12.19 regarding Facilities Placement in the City Right-of-Way; repealing and recreating Section 12.17.100; and repealing Sections 12.17.110-12.17.130 of the Brookfield Municipal Code

Tom Grisa introduced this item indicating that the change to code is necessary to keep up with changing regulations regarding cell services and facilities to be placed in the right of way.

City Attorney Jenna Merten mentioned that the best way to do that is to separate that section from the other street excavation requirements into separate sections of the code. Staff also took time to update other sections of the code to reflect actual practice.

Motion by Alderman Blumer, seconded by Alderman Jurken to approve creating Chapter 12.15 regarding Excavation and Placement of Facilities in City Right-of-Way; repealing and recreating Chapter 12.16 regarding Registration of Facilities in the City Right-of-Way; creating Chapter 12.18 in regard to Excavation in the City Right-of-Way; creating Chapter 12.19 regarding Facilities Placement in the City Right-of-Way; repealing and recreating Section 12.17.100; and repealing Sections 12.17.110-12.17.130 of the Brookfield Municipal Code. Motion carried 5-0.

Item 4 Review of report regarding restricting contractors from using the City's Recycle Center

Mike Hughes stated the report shows a similar result as the previous year. There is less yard waste brought to the Recycle Center now that contractors are banned. Mr. Hughes pointed out that the City has removed more Ash trees than normal given the emerald ash borer, so much of the mulch created at the center is related to that.

Motion by Alderman Blackburn, seconded by Alderman Blumer to accept the report regarding restricting contractors from using the City's Recycle Center. Motion carried 5-0.

Item 5 Agreement with The Highland Group for acquisition of right of way and related property interests for the Calhoun Road widening project

Mr. Grisa stated the city received four proposals for review and the committee selected the Highland Group which also happened to have the lowest cost for acquiring all of the interests on Calhoun Road.

Alderman Blackburn asked if the 110 foot right of way would create any non-conforming lots. Mr. Grisa said there is one home relocation which is currently in the right-of-way but the city is not aware of any non-conforming lots.

Motion by Alderman Jurken, seconded by Alderman Berg to approve agreement with The Highland Group for the acquisition of right of way and related property interests for the Calhoun Road widening project. Motion carried 4-1. Alderman Blackburn voted against.

Item 6 Award of Burlawn Parkway and Imperial/Primrose storm sewer project No. SW-19-02

Mr. Grisa stated the award of Vinton Construction came in \$90,000 lower than estimated.

Motion by Alderman Blackburn, seconded by Alderman Blumer to approve the award of Burlawn Parkway and Imperial/Primrose storm sewer project No. SW-19-02. Motion carried 5-0.

Item 7 Award of Epoxy Paint Pavement Marking contract

Motion by Alderman Blackburn, seconded by Alderman Jurken to approve the award of Epoxy Paint Pavement Marking contract. Motion carried 5-0

Item 8 Determination of 2665 N. 130th Street Right of Way width

Mr. Grisa recommended that any land split require that 15 feet be dedicated to right of way to achieve the full 60 foot residential right of way.

Alderman Berg agrees with the consistency rule for right of ways and lot sizes.

Attorney Michelle Martin stated that because the City does not have consistent right of way footage on Center Street could the property owner grant an easement so they are not dedicating it.

Mr. Chase stated there are different rights for ownership between right of way and an easement agreement.

Alderman Jurken clarified that the question is to maintain the 60 feet of right of way.

Alderman Carnell asked if the City currently has the 45 feet of right of way at this time. If an easement is needed the city would need to purchase one. Jeff Chase stated yes, the City currently has 45 feet of the 60 feet needed.

Alderman Carnell stated the family's intention was to divide the property into two lots. He indicated that at one time the family believed the property was two lots.

Alderman Blumer asked why the tax key was hyphenated. That is often done when a parcel is split. Attorney Martin stated at one time the property had two separate tax keys and property tax bills. The properties tax keys were combined in 1989.

Motion by Alderman Berg, seconded by Alderman Blumer to approve the 60 foot right-of-way. Motion carried 5-0

Adjournment

Motion by Alderman Jurken, seconded by Alderman Blackburn to adjourn the Board of Public Works meeting. Motion carried 5-0. Meeting adjourned at 9:28pm.

Minutes respectfully submitted by Carolyn Megal, Administrative Assistant