

It is expected that a Quorum of the Personnel Committee, Administration Committee, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
February 15, 2010
6:50 PM
or immediately following the Administration Committee
AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. [February 1, 2010](#)
- D. ACTION ITEMS
 - 1. [Recommendation for Utility Cabinet Application Fee Amount](#)
 - 2. [Contract Revision for Phase 3 Sanitary Sewer Rehabilitation Engineering Services](#)
- E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
February 1, 2010
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 7:27 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski, Englebert, Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. [January 18, 2010](#)

Moved by Ald. Zelinski, seconded by Ald. Englebert to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. Approval of City of Menasha 2010 Minimum Wage Rates

DPW Radtke explained a Wisconsin Department of Workforce Development prevailing wage rate determination is now required for municipal contracts exceeding \$25,000. The City of Menasha minimum wage rate schedule is used for publicly bid contracts of \$25,000 or less. The Council approves the City minimum wage rates annually.

Discussion ensued regarding the need to adjust the rates at all given that some private contractors have frozen wages for their employees.

Moved by Ald. Pack, seconded by Ald. Zelinski to recommend to Common Council to maintain the 2010 minimum wage rates at previous year's rate.

Motion carried on roll call 5-3

Ald. Taylor, Wisneski, Pack, Englebert, Zelinski – yes

Ald. Roush, Hendricks, Benner – no.

2. [Tayco Street Pond Operation and Maintenance Agreement \(Town of Menasha/City of Menasha\)](#)

DPW Radtke explained this agreement establishes the terms for the operation and maintenance of the Tayco Street joint stormwater pond with Town of Menasha. The Town of Menasha will be the lead agency. The agreement will be reviewed every five years to reconsider the percentage of TSS reduction allocated to each community.

Moved by Ald. Wisneski, seconded by Ald. Pack to recommend approve to Common Council.

Motion carried on voice vote.

3. [Manitowoc Road Rehabilitation Project Agreement \(Town of Menasha/City of Menasha\)](#)

DPW Radtke explained this agreement sets the cost sharing terms for the Manitowoc Road pavement rehabilitation project and required advance storm sewer work. This project is an ARRA project, receiving Federal stimulus funds. The Town of Menasha is the lead agency and will be entering into agreement with the Wisconsin Dept. of Transportation. Some preliminary storm sewer improvement work is required in advance of the resurfacing project. The cost for the storm sewer work is not eligible for stimulus funding, so the City and Town will be responsible for the cost of the work done in each of their respective jurisdictions.

Moved by Ald. Zelinski, seconded by Ald. Englebert to recommend approval to Common Council.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Wisneski, to adjourn at 7:44 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk



Memorandum

DATE: February 10, 2010

TO: Menasha Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Recommendation for Utility Cabinet Application Fee Amount

The City of Menasha adopted an ordinance in 2009 regulating the installation of utility cabinets (see attached). The ordinance establishes criteria for which a permit is required and establishes guidelines for the placement of the cabinets.

Section 9-4-3(h) requires the payment of a Utility Cabinet application fee in an amount set by the Common Council. In evaluating what the proper fee amount should be, consideration of expected staff time was made given the permit issuance requirements set forth in the ordinance. Based on that evaluation, I recommend the Utility Cabinet application fee be established at \$150.

Attachment

M:\word\BPW memo re utility cabinet fees 2-10-10.doc

AN ORDINANCE RELATING TO THE INSTALLATION OF UTILITY CABINETS

Introduced by Alderman Benner

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Chapter 4, Title 9 is created to read as follows:

SEC. 9-4-1 UTILITY CABINETS REGULATED.

(a) Public franchise utility cabinets, electric distribution system cabinets and telecommunication system utility cabinets, hereafter referred to as Utility Cabinets, are subject to requirements of this section.

SEC. 9-4-2 APPLICABILITY.

(a) A permit is required for the installation of all Utility Cabinets except as follows:

- (1) Cabinets under 32 cubic feet and less than four feet in height located in the rear yard or outside of a front yard setback.

SEC. 9-4-3 APPLICATION REQUIREMENTS.

Application for the installation of Utility Cabinets shall be made on forms available from the Director of Public Works or his/her designee hereafter referred to as DPW and shall include the following information:

- (a) Name, address, phone number and e-mail address of the applicant.
- (b) A description of the project including the relationship of the Utility Cabinet(s) to the overall utility system and the size and location of related elements of the proposed Utility Cabinet.
- (c) A description of the function of the cabinet documenting the required size of the cabinet and the maximum spacing from other cabinets serving a related function.
- (d) A site plan showing the location of the proposed cabinet in relation to street right-of-way, sidewalks, terraces, driveways, above ground utilities, trees, traffic control devices, fences, hedges, and structures within 100 feet of the proposed site.
- (e) A scaled drawing showing the dimensions of the cabinet and base. The drawing shall indicate the color of the cabinet and shall depict the location and size of any lettering, logo's or other symbols that may be applied on or attached to the cabinet. The location of any electric meters shall also be depicted.
- (f) An affidavit stating that property owners within 100 feet of the proposed utility cabinet installation were notified of the proposed installation. Such notice shall include a description of the size, height, location and appearance of the utility cabinet and also describe any proposed landscaping or other means of screening the cabinet. Such notice shall include the contact person at the utility and be sent by certified mail, return receipt requested at least five working days prior to submitting to application to the DPW.
- (g) Any other information the DPW may determine as relevant to the placement of the Utility Cabinet.
- (h) Payment of a Utility Cabinet application fee in an amount set by the Common Council.

SEC. 9-4-4 GUIDELINES FOR PLACEMENT OF UTILITY CABINETS.

Wherever feasible, utility cabinets should be placed in rear yards or other areas not visible from the street right-of-way. If practical alternatives to placing the cabinets in the right-of-way or front yard setback do not exist, cabinets shall be screened in a manner consistent with the criteria for transitional areas outlined in Sec. 13-1-17(3) of the Menasha Code of Ordinances.

SEC. 9-4-5 PERMIT ISSUANCE:

Following review, the DPW may issue, deny, or issue with conditions a permit for the proposed Utility Cabinet within 30 days of receipt of the completed application. If denied, the DPW shall state the reasons for such denial in writing. The DPW may attach conditions to the permit related to the size, height, location or appearance of the Utility Cabinet including requirements for landscaping or other screening of the cabinet. The DPW shall consider the following criteria when evaluating a permit application for a Utility Cabinet:

- (a) The rationale set forth by the applicant in Sec. 9-4-3(b & c) stating the need for a Utility Cabinet at the specified location.
- (b) The location of the Utility Cabinet in relation to the features described in 9-4-3(d).
- (c) The overall appearance of the Utility Cabinet including the features described in 9-4-3(e).
- (d) Other factors as may be relevant to the placement of the Utility Cabinet.

SEC. 9-4-6 APPEAL.

The applicant may appeal any permit denial or condition attached to the Utility Cabinet permit. Such appeal shall be made, in writing, to the Board of Public Works within 30 days of permit denial or issuance with conditions. In considering an appeal of a permit denial, the Board of Public Works may affirm the DPW's denial, or grant the permit with such conditions as it deems necessary. In considering an appeal of permit conditions, the Board of Public Works may affirm the conditions as noted by the DPW, or rescind, modify or add conditions as it deems necessary.

SEC. 9-4-7 REVOCATION.

Permits for Utility Cabinets may be revoked by the DPW if:

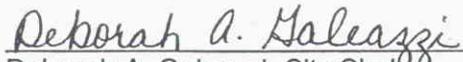
- (a) The project is not constructed in accordance with the plan submitted under Sec. 4(a).
- (b) The conditions attached to the permit by the DPW have not been met within 180 days of permit issuance.
- (c) The use of the cabinet has been discontinued for a period of not less than 60 days.

SECTION 2. This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this 2nd day of March, 2009.



Donald J. Merkes, Mayor

ATTEST: 

Deborah A. Galeazzi, City Clerk



Memorandum

DATE: February 10, 2010

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Contract Revision for Phase 3 Sanitary Sewer Rehabilitation Engineering Services

The City has contracted with Kaempfer & Associates since 2005 for engineering services relating to evaluating and recommending improvements to our sanitary sewer system. These improvements are intended to remove excessive clear water, restore integrity to impaired manholes and sewers and increase capacity to minimize sewer bypassing and basement back ups.

The City received a Clean Water Fund low interest loan administered by WISDNR for both the sewer improvement work and the associated engineering costs. In order for the engineering services greater than the contract amount to be eligible for funding, the City needs to execute the attached contract revision.

This contract revision increases the budget by \$8,500 for assistance in administering four sewer improvement projects that required time extensions to complete the work. This contract revision also decreases the budget for the sump pump inspection program by \$55,000 due to the City Engineering staff undertaking much of this work.

The net contract decrease is \$46,500. I recommend approval of this contract revision so we may utilize the Clean Water funds for the additional engineering services cost.

Attachment

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CITY OF MENASHA

PHASE 3 WASTEWATER COLLECTION SYSTEM REHABILITATION IMPROVEMENTS
AGREEMENT FOR ENGINEERING SERVICES

CONTRACT REVISION NO. 1

Date: February 10, 2010

DESCRIPTION OF CHANGE:

The level of effort for Part B7, Sump Pump Inspection Program, will be less than estimated because the City Department of Public Works staff was able to do the majority of the work without assistance from Kaempfer & Associates, Inc. The level of effort for Part B11, Phase 3 Sewer Rehabilitation Construction Related Services, will be greater than estimated because the completion time for the four contracts was extended. The budget for Phase 3 Sewer Rehabilitation Construction Related Services was based on a time of completion for Contract E145-07-01A, Sanitary Sewer Lining, of 360 days; a time of completion for Contract E145-07-01B, Sanitary Sewer Rehabilitation, of 160 days; a time of completion for Contract E145-07-01C, Sanitary Sewer Replacement, of 160 days; and a time of completion for Contract E145-07-01D, Sanitary Manhole Lining, of 360 days. The contract completion date was extended 204 days for Contract E145-07-01A, 99 days for Contract E145-07-01B, 159 days for Contract E145-07-01C, and 30 days for Contract E145-07-01D. The revised time of completion for each contract is shown in Table 1.

Table 1 Contract Completion Time Summary

Contract	Initial Time of Completion	No. of Days Extended	Revised Time of Completion
Contract E145-07-01A, Sanitary Sewer Lining	360	204	564
Contract E145-07-01B, Sanitary Sewer Rehabilitation	160	99	259
Contract E145-07-01C, Sanitary Sewer Replacement	160	159	319
Contract E145-07-01D, Sanitary Manhole Lining	360	30	390

Additional engineering services were required for contract coordination, assistance to the City inspectors, reviewing and processing Contractor's payment requests, preparing and submitting CWF loan disbursement requests, and preparing and processing Contractor's change orders.

The budgets for Part B7 and B11 will be adjusted to reflect the increase or decrease in the level of effort to complete the work. The work for Parts B7 and B11 is being performed on a time and expense basis.

REVISED BUDGET:

The present budget for Part B7, Sump Pump Inspection Program, is \$79,700.00. The budget will be reduced \$55,000.00 due to a decrease in the level of effort needed to complete the work. The revised budget for Part B7, Sump Pump Inspection Program, will be \$24,700.00.

The present budget for Part B11, Phase 3 Sewer Rehabilitation Construction Related Services, is \$58,800.00. The budget will be increased \$8,500.00 due to an increase in the level of effort needed to complete the work. The revised budget for Part B11, Phase 3 Sewer Rehabilitation Construction Related Services is \$67,300.00.

The budget adjustments to Parts B7 and B11 to reflect changes in the level of effort to complete the work will result in a net decrease of \$46,500.00 in the contract amount.

In signing this Contract Revision, the City of Menasha grants the Engineer specific authorization to proceed with the work described herein in accordance with the terms of our September 26, 2005, Agreement for Engineering Services.

Submitted,

Accepted,

KAEMPFER & ASSOCIATES, INC.

CITY OF MENASHA, WISCONSIN

Christopher Kaempfer, P.E.
President

By: _____
Donald Merkes
Mayor

Date: _____

Date: _____

By: _____
Deborah Galeazzi
City Clerk

Date: _____

Approved



City Attorney