



Board of Public Works  
Agenda  
March 8, 2016  
5:30pm

**NOTICE**

There will be a Board of Public Works meeting on Tuesday, March 8, 2016 at 5:30pm in the Committee Room/Council Chambers at the St. Francis Civic Center located at 3400 E. Howard Avenue.

**BOARD OF PUBLIC WORKS AGENDA**

1. Public Comment
2. Minutes of the February 10, 2016 meeting.
3. Correspondence
  - A. Grace Liebenstein Re: Snow Removal on Sidewalks
  - B. Jim Hatzenbeller Re: S. Pennsylvania Avenue Pavement and Alley east of S. Pennsylvania Avenue
4. Discussion and Possible Action
  - A. Report of the Board of Public Works
  - B. Sidewalk Replacement Program
  - C. Citywide Easements and Right-of-Ways
  - D. Continuance of Reverting City Owned Property to Tax Rolls
5. Engineer's Report
6. Unfinished Business
  - A. S. Troy Avenue Extension
  - B. Discussion – Road Project Special Assessment Methods
  - C. Discussion and Possible Action – S. Nevada Avenue Street Lighting
  - D. Discussion and Possible Action – Betz Avenue Right-of-Way
7. Adjourn.

**PUBLIC NOTICE**

Upon reasonable notice, a good faith effort will be made to accommodate the needs of individuals to participate in public meetings, which have a qualifying disability under the Americans with Disabilities Act. Requests should be made as far in advance as possible, preferably a minimum of 48 hours. For additional information or to request this service, contact the St. Francis City Clerk at 481-2300.

**NOTE:** There is a potential that a quorum of the Common Council may be present.

**CITY OF ST. FRANCIS  
MINUTES OF THE BOARD OF PUBLIC WORKS  
MEETING HELD TUESDAY, FEBRUARY 10, 2016, 5:30PM**

Present: Alderperson Sue Bostedt, Alderman Mike McSweeney (arrived approximately 5:50pm), Alderwoman Debbie Fliss Citizen Members Paul Pankowski, Shawn Feirer and Amanda Bednarski.

Excused: Christine Hancock

Also present: City Engineer Melinda Dejewski.

Alderwoman Bostedt called the meeting to order at 5:38pm.

**1. Public Comment.**

None.

**2. Minutes**

A motion was made by Alderwoman Fliss, seconded by Board Member Feirer to approve the minutes of the January 12, 2016 meeting. Motion carried.

**3. Discussion and Possible Action – 2016 Sidewalk Project**

City Engineer Dejewski stated that since no block grant funding was available, she had reached out to UWM to see if they had any students who could assist in the data gathering for the project. She and Special Projects Coordinator/Code Compliance Officer Todd Willis will be making a presentation to the students on February 17, 2016. No action was taken on this item.

**4. Discussion – E. Denton Avenue Resurfacing Project**

City Engineer Dejewski stated that once the project was approved in the budget, Assistant City Engineer Jim Lindhorst reached out to the utility companies that have facilities in St. Francis to inform them of the approved road projects and to see if they had any comments. Both Milwaukee Water Works and We Energies Gas commented that, while E. Denton Avenue was not on their 5 year plan, their infrastructure was old and they would want to replace it since the City was going to repave the road. They both are requesting that the City postpone the paving of the road until 2017 to allow the utility work to be done in 2016. Alderwoman Bostedt stated that in conjunction with the watermain work, the City would provide all the properties abutting the project with information regarding lead piping and how to run the water before drinking. There was discussion regarding the potential for lead piping in the City and how many homes were pre-1951. A motion was made by Alderwoman Fliss, seconded by Board Member Feirer to place the letter on file and concur with the City Engineer's recommendation. Motion carried.

**5. Discussion – Milwaukee Water Works Water Report**

There was discussion regarding the information that had come forward from Milwaukee Water Works regarding the potential for lead in their system. City Engineer Dejewski stated that she and Public Health Administrator Kathy Scott had been working together to get the information out into the community. An article and link had been placed on the website. The Board requested that the link be moved to the main page. No action was taken on this item.

**6. Engineer's Report**

City Engineer Dejewski reviewed the report. She also updated the Board on an issue that has come forward

regarding the right-of-way along portions of E. Howard Avenue. When the City began to work with a potential developer for the northeast corner of E. Howard Avenue and S. Kinnickinnic Avenue, it became apparent that when the DOT constructed E. Howard Avenue, they did so on a highway easement, not on a right-of-way. To have a clear title and CMS, it will be in the best interest of the City to dedicate the right-of-way to itself. A motion was made by Alderwoman Fliss, seconded by Alderman McSweeney to place the report on file. Motion carried.

**7. Unfinished Business**

**A. S. Troy Avenue Extension**

No report.

**B. Discussion – Road Project Special Assessment Methods**

There was discussion on if the City should adopt all the methods available to the City per State Statutes. The Board also began to review other special assessment policies from surrounding communities. The Board will continue to discuss the different methods, how they would work with the existing City policy and if there should be a maximum for residential properties.

**C. Discussion and Possible Action – S. Nevada Avenue Street Lighting**

No report.

**D. Discussion and Possible Action – S. Betz Avenue Right-of-Way**

No report.

**8. Adjourn**

A motion was made by Alderwoman Fliss, seconded by Alderman McSweeney to adjourn. Motion carried.  
Time 6:13p.m.

# ENGINEER'S REPORT FEBRUARY 2016

## ROAD PROJECT REPORT 2016

ROAD	TYPE OF TREATMENT	CONSTRUCTION ESTIMATE	DESIGN ESTIMATE	INSPECTION ESTIMATE	UPDATE ON PROJECT
Denton from Packard to Barland	resurface	\$300,000.00	in-house	in-house	There are utility issues. Utilities requesting postpone until 2017
Crawford Avenue Parking Lot	construct	\$325,000.00	in-house	in-house	
Martin Lane from Lake to Kirkwood	construct	\$350,000.00	in-house	in-house	Survey in progress
Removal of S. Brust – Bolivar to Whitnall	deconstruct/grant	\$200,000.00	in-house	in-house	Barricades in place
Watermain Trench Repair Program	reimbursement	\$60,000.00	in-house	in-house	Getting locations mapped.
Sidewalk Replacement Program	repair/replacement	\$40,000.00	in-house	in-house	Working on survey.

## 2015

ROAD	TYPE OF TREATMENT	CONSTRUCTION ESTIMATE	DESIGN ESTIMATE	INSPECTION ESTIMATE	UPDATE ON PROJECT
Nevada Extension	Construction	\$1,000,000	\$40,000	\$80,000	Project in progress.
Brook Place Storm Sewer/Road	Construct	\$300,000	In-house	\$20,000	No response from resident. Moving forward with survey work.

## 2014

ROAD	TYPE OF TREATMENT	CONSTRUCTION ESTIMATE	UPDATE ON PROJECT		
Kansas from Layton to Whitnall	construct	\$500,000	Construction complete. All scheduled walk-throughs complete. Assessments 2016.		

## 2012

ROAD	TYPE OF TREATMENT	CONSTRUCTION ESTIMATE	UPDATE ON PROJECT		
Packard from Howard to Lunham	resurface	\$876,248.51 (\$198,846.67 city portion)	Project is complete. Punch list items are done. Cost to date: \$187,044.50. State performing audit for 2 years. Letter sent to property owners.		

## Anne Uecker

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**From:** Gracie Liebenstein <gkliebenstein@gmail.com>  
**Sent:** Thursday, February 11, 2016 3:42 PM  
**To:** Anne Uecker  
**Subject:** Correspondence for Feb. 12 Common Council Meeting

Grace Liebenstein  
2921 E Whittaker Ave  
St Francis, WI 53235

Correspondence for Feb. 12 Common Council meeting

I am sorely disappointed in the city of St. Francis for its care of its sidewalks in winter. Year after year, I am amazed at the city's lack of concern for clearing its sidewalks. After many incidents on patches of ice, I would like to bring attention to this issue that needs to change.

I would like there to be a way to encourage property owners to clear and salt their sidewalks in a timely manner, considering the safety of pedestrians. I would also like to see the city properly clear its own properties as well; I walk to and from the bus stop at KK and Denton at least five days a week and am extremely frustrated with the snow and ice remaining on the sidewalk past the Veterans' Memorial day after day after day.

I am lucky enough to be a young, able-bodied person with the ability to withstand falls on icy ground. For me, it's an inconvenience that results in scraped knees and wet clothes. However, not everyone is so fortunate. If an older adult met one of those patches of ice, the fall could seriously injure them, giving them anything from broken bones to internal damage.

I'm interested to hear from those who determined the terrace plantings between the sidewalk and the street at 4430 S. New York Ave. was forbidden because it made the area difficult for people with disabilities to traverse. If that issue is really about making the city accessible to people with disabilities, I'd like to see some action taken on a city-wide issue that also affects able bodied people instead of targeting one household in a situation that is easily worked around.

I've heard that St. Francis is interested in attracting millenials. As a 23-year-old university student looking for housing, my suggestion is to make the city more pedestrian-friendly.

## CoryAnn St.Marie-Carls

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**Subject:** Streets & alleys

Submitted by Mayor CoryAnn St. Marie-Carls

For the Council Agenda, March 1<sup>st</sup>

Correspondence from Jim Hatzenbeller

**From:** <[JIMHATZY@aol.com](mailto:JIMHATZY@aol.com)>

**Date:** February 23, 2016 at 4:13:58 PM CST

**To:** <[mayor@stfranwi.org](mailto:mayor@stfranwi.org)>, <[bricknerd@stfranwi.org](mailto:bricknerd@stfranwi.org)>, <[mcsweeneym@stfranwi.org](mailto:mcsweeneym@stfranwi.org)>

**Subject:** Streets & alleys

Greetings Mayor of St. Francis  
and gentlemen,

This e-mail is in regards to the condition of both the streets and alleys in our fine city. I know there are several other streets in bad condition, but I will just confine my letter to the areas listed below.

1. When Pennsylvania Ave. was rebuilt, I sat in on some of the hearings when it was still being decided as to whether to rebuild with concrete or asphalt. We were told that asphalt would have a service life of 15 years and concrete would have a service life of 20 years. Since it was decided to go asphalt, the service life of Pennsylvania Ave would have been about 2005.

Is anything being looked at to improve the condition of this heavily traveled avenue?

*In addition, I know there is signage posted stating no heavy traffic on Pennsylvania Ave, but I still see big 18 wheelers traveling up and down our avenue. Are they not considered heavy traffic?*

2. Our 50 year old alley is now turning to gravel with the rebar now being exposed. It has been patched several times now with asphalt which typically lasts for a few months.

Could either one of you please take a look at this alley? The north end of the alley appears to be the worst.

It is east of Pennsylvania and west of New York. South of Bottsford and north Van Norman.

3. If I recall correctly, it was published in the City of St Francis newsletter a few years back that Bottsford Ave. was to be resurfaced in 2014 or 2015. What happened to that project?

Thank you in advance

respectfully yours

Jim Hatzenbeller

## Chapter 10. Assessments and Charges

### § 10-1. Levying special assessments and charges.

A. Levy of assessments. The cost of installing or constructing any public work or improvement shall be charged in whole or in part to the property benefited thereby by making an assessment against such property in such manner as the Common Council determines. Such special assessment shall be a lien against the property from the date of the levy. Special assessment procedures may be commenced after the completing of the public work or improvement.[1]

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

### B. What may be included as cost.

(1) The cost of any work or improvement to be paid in whole or in part by special assessment on property may include:

- (a) The direct and indirect cost thereof.
- (b) The damages occasioned thereby.
- (c) The interest on bonds or notes issued in anticipation of the collection of the assessments.
- (d) A reasonable charge for the services of the administrative staff of the City.
- (e) The cost of any architectural, engineering and legal services.
- (f) Any other items of direct or indirect cost which may reasonably be attributed to the proposed work or improvement.

(2) The amount to be assessed against all property for any such proposed work or improvement shall be apportioned among the individual parcels in the manner designated by the Common Council, and the amount assessed which does not represent an exercise of the police power shall not exceed the value of the benefits accruing to the property therefrom. For those representing an exercise of the police power, the assessment shall be upon a reasonable basis as determined by the Common Council.

C. Engineer's report. Before carrying out any of the provisions of this section, the Common Council shall declare by preliminary resolution its intention to exercise such powers for a stated municipal purpose. Such resolution shall describe the contemplated purpose, the limits of the proposed assessment district, and the number of installments in which the special assessment may be paid, or the number of installments shall be determined at a hearing as required in Subsection E below. The Council shall direct the City Engineer to make a report thereon. A copy of the report shall be filed with City Clerk for public inspection. The resolution may limit the proportion of the cost to be assessed. The report shall contain the following:

- (1) Preliminary or final plans and specifications.
- (2) An estimate of the entire cost of the proposed work or improvement.
- (3) An estimate, as to each parcel of property affected, of:
  - (a) The assessment of benefits to be levied.
  - (b) The damages to be awarded for property taken or damaged.
  - (c) The net amount of such benefits over damages or the net amount of such damages over benefits.

(4) A statement that the property against which the assessments are proposed is benefited, where the work or improvement constitutes an exercise of the police power. In such case the estimates required by Subsection C(3) shall be replaced by a schedule of the proposed assessments.

D. Exempt property. If any property deemed benefited shall by reason of any provision of law be exempt from assessment therefor, such assessment shall be computed and paid by the City.

E. Notice and hearing. Upon the completion and filing of the report required by Subsection C, the City Clerk shall cause notice to be given stating the nature of the proposed work or improvement, the general boundary lines of the proposed assessment district, including, in the discretion of the Common Council, a map thereof, the place and time at which the report may be inspected, and the place and time at which persons interested or their agents or attorneys may appear before the Common Council and be heard concerning the matters contained in the report. Such notice shall be published as a Class 1 notice and a copy of the notice shall be mailed, at least 10 days before the hearing or proceeding, to every interested person whose post office address is known or can be ascertained with reasonable diligence. The hearing shall commence not less than 10 days and not more than 40 days after publication.[2]

[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

F. Resolution levying assessments. After hearing persons interested in the proposed assessment levy, the Common Council may approve, disapprove or modify the proposed assessments or it may refer the report to the Engineer with such direction as it deems necessary to accomplish a fair and equitable assessment. Upon approval of the Engineer's report, the Common Council shall adopt a resolution levying the special assessment as finally approved.

(1) The resolution shall contain the following:

(a) Confirmation of the Engineer's report.

(b) A determination that the proposed work or improvement constitutes an exercise of the police power, if such is the case.

(c) A statement, if applicable, that the assessments or a portion of the assessments so levied is deferred pursuant to § 66.0715(2), Wis. Stats.

(2) In the year of levy, the Clerk shall place the assessment on the installment method, unless the property owner elects, by the date designated by the Clerk, in writing, to pay the assessment in full or to have it placed on the next real estate tax bill. If the property owner, after expiration of the date of such election, chooses to pay such assessment in full, interest shall be calculated and charged from January 1 in the year of levy.

G. Publication of resolution. The resolution levying the special assessments pursuant hereto shall be published by the City Clerk as a Class 1 notice, under Ch. 985, Wis. Stats., in the assessment district and a copy of such resolution shall be mailed to every interested person whose post office address is known or can be ascertained with reasonable diligence. When the final resolution is published, all work or improvements therein described and all awards, compensations, and assessments arising therefrom are deemed legally authorized and made subject to the right of appeal under Subsection H.

H. Appeal. Any person against whose land a special assessment is levied under this section may appeal therefrom in the manner prescribed in § 66.0703(12), Wis. Stats., within 90 days of the date of mailing the resolution pursuant to Subsection G.[3]

[3] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

I. Special charges. Special charges for current services rendered may be imposed by the Common Council pursuant to § 66.0627, Wis. Stats.

J. Waivers. The Common Council may, without any notice or hearing hereunder, levy and assess the whole or any part of the cost of any municipal work or improvement as a special assessment upon the property benefited thereby whenever notice and hearing thereon are in writing waived by all the owners of property affected by such special assessment.

K. Other authority retained. This section is not intended to deprive the Common Council of any power conferred by §§ 66.0701 through 66.0733, Wis. Stats., but any limitations contained therein and any procedures prescribed therein for the levy of special assessments or special charges shall not apply to the exercise of the special assessment authority contained in this section.

L. Reconsideration and reopening assessment.

(1) Whenever the actual cost of any project shall, upon completion or after receipt of the bids, be found to vary materially from the estimates or whenever any assessment is void or invalid for any reason, or whenever the governing body shall determine to reconsider and reopen any assessment, it is empowered, after giving notice as provided in Subsection E of this section and after a public hearing, to amend, cancel or confirm any such prior assessment, and thereupon notice of the resolution amending, canceling, or confirming such prior assessment shall be given by the Clerk as provided in Subsection G of this section.

(2) Further, if any special assessment or special charge levied pursuant to this section shall be held invalid because such statutes or ordinances shall be found to be unconstitutional, the governing body of the municipality may thereafter reassess such special assessment or special charge pursuant to the provisions of any applicable law or ordinance.

§ 10-2. Prorating certain special assessments.

Based on a useful life concept, and in addition to other prorations, the following shall apply:

A. Definitions.

(1) Owner. Abutting property owner subject to special assessments under this chapter and/or Wisconsin Statutes.

(2) Reconstruction.

(a) Alleys. Reconstruction shall occur where an alley has previously been improved by installation of concrete pavement and such improvement has deteriorated to such a point as to necessitate removal and/or replacement.

(b) Pavement. Reconstruction shall occur where an area has previously been improved by installation of concrete curb and gutter, either concrete or asphalt pavement, and such improvements have deteriorated to such a point as to necessitate removal of the pavement to

expose 10% or more of the underlying stone base or subgrade in the continuous, uninterrupted area to be paved/resurfaced. This, however, shall not include a patch, "patch" being maintenance by removal and replacement of no more than 10% of the street surface per City block. This is intended to provide that patching and resurfacing that do not expose more than 10% of the base shall not be specially assessed.

(c) All other areas. Reconstruction shall occur where an area has previously been improved by installation of concrete curb and gutter, either concrete or asphalt pavement, and such improvements have deteriorated to such a point as to necessitate removal and/or replacement.

(3) New construction.

(a) Alleys. New construction shall occur where an alley has not been improved with concrete pavement, even though other materials may exist.

(b) All other areas. New construction shall occur where an area has not been improved with concrete curb and gutter, even though concrete or asphalt pavement may exist.

(4) Beginning of useful life. The time period of the running of useful lives shall begin at the date of acceptance of the improvement by the City, or its predecessors. If such date cannot readily be determined, an estimate of such date shall be made by the City Engineer. It shall be understood that the City also accepts an improvement when an owner completes the repair or replacement of an improvement meeting City standards.

B. Payment for new construction. Payment for new construction shall be borne 100% by the owner.

C. Payment for reconstruction.

(1) For alley and/or street pavements, after 2/3 of the useful life, that fraction of the number of years that the improvement has existed over its following useful life shall be the fraction of the cost of the reconstruction that shall be borne by the owner up to full cost, rounded to the nearest full year:

(a) Concrete: 30 years.

(b) Asphalt: 15 years.

(2) For sidewalk, curb and gutter, and driveway approaches, if the improvement is:

(a) Ten years or less, the cost shall be borne 100% by the City.

(b) Eleven to 20 years, the cost shall be borne 10% per year, rounded to the nearest full year, by the owner.

(c) Twenty-one or more years, the cost shall be borne 100% by the owner.

D. Previous repairs. Any repairs or replacements made to any improvements scheduled for reconstruction shall not be included in any way to prorate costs of reconstruction or be left in place.

E. New repairs. The cost of any repairs requiring replacement done to any improvements after new construction or reconstruction shall be paid for according to Subsection C above, but such repairs shall not precede application of Subsection D above.

§ 10-3. Apportionment of paving and opening costs.

The cost for paving streets, alleys and sidewalks in the City and the initial opening of the same shall be apportioned between City and abutting property owners as follows:

A. The cost of paving or opening of all street and alley intersections shall be borne entirely by the City.

B. The amount which the owner shall pay shall be based upon the ratio of each owner's number of feet fronting or abutting upon the street, alley or sidewalk to the entire accessible length of each improvement, excluding intersections.

C. Where streets, alleys or sidewalks are to be paved, the proration of the cost on sides other than the front side of each lot, up to 120 feet, shall be as set forth herein. There shall be no proration of cost for any footage greater than such 120 feet, and the assessment of such footage greater than 120 feet shall be borne entirely by the owner.

(1) For paving alleys.

(a) Where the long side of a lot abuts or is adjacent to a "T" alley, the assessment shall be City 25% and property owner 75%.

(b) Where the lot has only the long side abutting or adjacent to an alley, the assessment shall be City 25% and property owner 75%.

(c) All other alleys shall be borne entirely by the property owner.

(2) For paved street, sidewalk, curb and gutter. Where there is more than one assessable side:

(a) The assessment for the front of the lot shall be borne entirely by the property owner.

(b) For all other sides, the assessment for each such side shall be City 25% and property owner 75%.

(c) However, where the long side of a lot is the front side, assessment for the smallest side shall be borne entirely by the property owner, and all other sides, including the long/front side, shall be City 25% and property owner 75%.

(3) For retaining walls of any material whatsoever.

(a) Installed on the long side of a lot, the assessment shall be City 25% and property owner 75%.

(b) All other sides, borne entirely by the property owner.

(4) Where there are two assessable sides where streets or alleys are to be initially opened, the assessment on the long side of a lot shall be City 25% and property owner 75%. (Opening shall mean grading to grade, placing a six-inch gravel base and applying the first seal coat.)

D. On all streets the abutting property owners shall pay the total cost of the width of a thirty-foot paving surface. In the event that such surface paving width exceeds 30 feet, the City shall pay for all such excess. The abutting property owner shall also pay the entire cost of the curb and gutter, including that portion of the gutter which forms a horizontal street surface.

E. The standard depth for streets shall be as follows:

(1) Asphalt: 5 1/2 inches of asphalt on eight inches of stone.

(2) Concrete: seven inches of concrete on four inches of stone.

F. When the depth of a street exceeds the above standards, the assessment for pavement charged to the abutting property owner shall be reduced

# ENGINEER'S REPORT

## FEBRUARY 2016

### ROAD PROJECT REPORT 2016

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