Board of Public Works Meeting

June 13, 2018
6:30pm

NOTICE

There will be a Board of Public Works meeting on **Wednesday, June 13, 2018 at 6:30** in the West Committee Room at the St. Francis Civic Center located at 3400 E. Howard Avenue.

BOARD OF PUBLIC WORKS AGENDA

1. Call to Order
2. Election of a Chair
3. Review of City Code of Ethics
4. Minutes of the March 8, 2018 meeting
5. Discussion and Possible Action
   A. Road Project Special Assessment Policy
6. Engineer's Report
7. Unfinished Business
   A. Discussion – Road Project Special Assessment Methods
8. 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 and/or any Committee, Commission or Board may be present.

MINUTES OF THE BOARD OF PUBLIC WORKS
MEETING HELD THURSDAY, MARCH 8, 2018; 5:30PM

Present: Alderman Mike McSweeney, Alderwoman Janis Schandel, Alderman Ken Tutaj, Citizen Members Shawn Feirer, Amanda Bednarski and Christine Hancock.

Excused: Citizen Member Sandy Welvang.

Also present: City Engineer/Director of Public Works Melinda Dejewski, Engineering Technician Brett Eisch, Liza Martin of 3702 e. Lunham Avenue, Jim Rholder of 3672 E. Lunham.

1. Call Meeting to Order
Alderman McSweeney called the meeting to order 5:32pm.

2. Public Comment.
None.

3. Minutes
A motion was made by Alderwoman Schandel, seconded by Alderman Tutaj to approve the minutes of the November 9, 2017 meeting. Motion carried.

4. Correspondence
None.

5. Discussion and Possible Action

A. Design of S. Kirkwood Avenue from E. Lunham Ave to Milton Vretenar Memorial Park Entrance
City Engineer Dejewski described the project as a reconstruction project with proposed sidewalk and storm sewer. There are 2 alternatives. One as a standard roadway per City requirements and a second that tries to address parking and access for the residents and the park. There was discussion with the Board and the residents about the 2 alternative designs. The direction from the Board was to have no parking on S. Kirkwood, a narrow section with 10 foot driving lanes, and a 5 foot terrace. No further action was taken on this item.

B. Grass Cutting Charges (referred form Common Council)
City Engineer Dejewski presented the Board with an analysis of the grass cutting program. It showed the number of properties usually cut, the typical costs, and a proposal to increase the costs. The charges would be different for properties over an acre and under an acre. The costs are based upon the cost from the contractor and staff time involved in the program. A motion was made by Board Member Feirer, seconded by Alderman Tutaj to recommend to the Common Council an increase in the fees for grass cutting as follows:

Flat fee for lawn cutting charge for lots 1 acre or less = $200
Flat fee for string trimming for lots 1 acre or less = $135
Fee for lawn cutting charge for lots over 1 acre = contractor cost per acre + $140 admin fee
Fee for string trimming for lots over 1 acre = contractor cost per square foot + $65 admin fee

Motion carried.

C. Fee for Street Opening Permits
City Engineer Dejewski presented the Board with an analysis of the fees the City charges for permits to work in the City right-of-way. The fees are different if it is a PSC regulated utility and a contractor or resident. The fees are not covering the staff costs. There was discussion on the impact of the fees on the residents. A motion was made by Alderwoman Schandel, seconded by Board Member Hancock to recommend to the Common Council to change the street opening permit fees to the following:

Utility permit review fee per property = $120

Utility permit inspection fee per property = $90
Note that this is per property that abuts the installation, not just for a connection to a property.

Non-utility permit review fee = $60
Non-utility permit inspection fee = $40
Note that these permits are for property owners who are paying taxes that are already subsidizing salaries.

Motion carried.

6. Engineer's Report

There was no Engineer's Report.

7. Unfinished Business

A. Discussion – Road Project Special Assessment Methods

There was some discussion on the potential of income based special assessments. No action was taken on this item.

8. Adjourn

A motion was made by Alderman Schandel, seconded by Board Member Feirer to adjourn. Motion carried. Time 6:45p.m.

4. The hearing officer shall define the issues, identifying areas of agreement and identifying the issues in dispute and hear evidence and arguments. The hearing officer shall have no power to issue any remedy. The hearing officer will determine whether the City acted in an arbitrary or capricious manner.

Review by the Governing Body

1. The non-prevailing party may within ten (10) days of receipt of the hearing officer's decision, file a written request with the City Clerk for a written review by the Governing Body. For Library employees the appeal shall be filed with the Library Board. For all other employees, the appeal shall be filed with the Common Council.

   The City Clerk shall notify the presiding officer of the Governing Body about the written request as soon as possible. The Governing Body shall decide the matter and issue a written decision within thirty (30) day of the filing of the appeal. The Governing Body may not accept additional written or oral testimony or arguments, and shall base its decision on the record, including findings of fact compiled and presented by the hearing officer. The Governing Body may sustain, deny or modify the recommendation of the impartial hearing officer. The decision of the Governing Body shall be final and binding. The decision of the Governing Body shall be provided to the employee and filed in the City Clerk's office.

9.6 CODE OF ETHICS

The proper operation of democratic government requires:

1) Public officials and employees to be independent, impartial and responsible to the people; and

2) Government decisions and policy be made in proper channels of the governmental structure; and

3) Public office not be used for personal gain; and

4) Public confidence in the integrity of its government.

In recognition of these goals, there is hereby established a Code of Ethics for all City officials and employees, elected or appointed, paid or unpaid, including members of boards, committees and commissions of the City as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the City. The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the City and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the City. The provisions and purpose of this Code of Ethics and such rules and regulations as may be established under §105-9 of the City Code of Ordinances are hereby declared to be in the best interests of the City, and one promulgated under the authority granted to the City pursuant to §19.59(1m) of the Wisconsin State Stats.

All employees shall abide by Chapter §105-9 Code of Ethics within the City Code of Ordinances. In addition, provisions of the Wisconsin Statutes should, while not set forth herein, be considered an integral part of the Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes are adopted as part of the Code of Ethics and shall apply to public officials and employees of the City:

1. Section 946.10 Bribery of Public Officers and Employees
2. Section 946.11 Special Privileges from Public Utilities
3. Section 946.12 Misconduct in Public Office

4. Section 946.13 Private Interest in Public Contract Prohibited

9.7 RESPONSIBILITY OF PUBLIC OFFICE

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and Wisconsin Constitution and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing the public interest must be their prime concern.

9.8 CONFLICT OF INTEREST

Definitions

1. Financial Interest. Any interest that may yield, directly or indirectly, monetary or other material benefit to the officer of employee of any person employing or retaining the services of the officer or employee.

2. Personal Interest. Any interest arising from blood or marriage relationships or from close business or political associations, whether or not any financial interest is involved.

3. Person. Any person, corporation, partnership or joint venture.

4. Anything of Value. Anything of value is defined as money, property, favor, service, payment, advance, forbearance, loan or promise of future employment for himself, herself or for his or her immediate family.

5. Immediate Family. Immediate family is defined as spouse and children living at home.

9.9 FINANCIAL AND PERSONAL INTEREST PROHIBITED

No official, employee or member of the official's or employee's immediate family, whether paid or unpaid, shall engage in any business, limited liability company, corporation or non-profit, or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of Chapter §105-09 or which would tend to impair independence of judgment or action in the performance of official duties.

9.10 SPECIFIC CONFLICTS ENUMERATED

1. **Incompatible Employment.** No official or employee shall engage in or accept private employment or render service, for private interest, when such employment or service is incompatible with the proper discharge of official duties in the performance of official duties, unless otherwise permitted by law and unless disclosure is made as hereinafter provided.

2. **Confidential Information.** No Official or employee may intentionally use or disclose information gained in the course of or by reason of his or her official position or activities in any way that could result in the receipt of anything of value for himself, herself or his or her immediate family.

3. **Solicitation or Acceptance Prohibited.** No official or employee shall solicit nor accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the official's or employee's vote, official action or judgment or could reasonably be considered as a reward for any official's action or inaction on the part of the official or employee.

APPENDIX E
WISCONSIN STATUTES §§19.59 (1) (a)-(d)

CODE OF ETHICS

Codes of Ethics for Local Governmental Officials, Employees and Candidates.
1) (a) No local public official may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. A violation of this paragraph includes the acceptance of free or discounted admissions to a professional baseball or football game by a member of the district board of a local professional baseball park district created under Subchapter III of Chapter 229 or a local professional football stadium district created under Subchapter IV of Chapter 229. This paragraph does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by Chapter 11.

b) No person may offer or give to a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. This paragraph dos not prohibit a local public official from engaging in outside employment.

br) No local public official or candidate for local public office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer to promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of , or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any person who is subject to a registration requirement under State Stat. §11.05 or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.

c) Except as otherwise provided in paragraph (d), no local public official may:
1. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.
2. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

d) Paragraph (c) does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.

ENGINEER'S REPORT
JUNE 2018

ROAD PROJECT REPORT
2018

ROAD	TYPE OF TREATMENT	CONSTRUCTION ESTIMATE	DESIGN ESTIMATE	INSPECTION ESTIMATE	UPDATE ON PROJECT
St. Francis Ave from RR Tracks to Kinnickinnic	resurface	$350,000.00	in-house	in-house	Design at 90% Working on assessments
Martin Lane from Lake to Kirkwood	Construct	$250,000.00	complete	$10,000.00	Design at 90% Working on assessments
Kirkwood from Martin to Tesch	resurface	$375,000.00	in-house	$10,000.00	Design at 90% Working on assessments
Kirkwood north of Lunham to Vretenar Park	construct	$150,000.00	$3,000.00	in-house	Design at 90% Working on assessments
Vretenar Park road and parking lot (funded by Park Capital)	construct	$50,000.00	$2,000.00	in-house	Design at 90% Working on assessments
Kingan from Waterford to Denton	resurface	$100,000.00	$3,000.00	in-house	Design at 90% Working on assessments
Removal of E. Bolivar - Nevada to Clement	deconstruct/grant	$200,000.00	$7,500.00	$10,000.00	Updating contract for bid next month
Packard/Lunham Intersection (City of Cudahy)**	reconstruct	$7,000.00	NA	NA	Completed
Watermain Trench Repair Program	repair/reimb	$60,000.00	in-house	in-house	Bid next month
Sidewalk Replacement Program	repair/grant	$40,000.00	in-house	in-house	Bid in August

2017

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	Under construction
Ahmedi from Cora to Tripoli	Reconstruct	$400,000.00	Consultant	Consultant	Under construction
Pennsylvania from Eden to Morgan	Resurface/ reconstruct	$60,000.00	City of Milwaukee	City of Milwaukee	Waiting to hear from Milwaukee
Removal of S. Brust – Bolivar to Whitnall	deconstruct/grant	$200,000.00	in-house	in-house	Barricades in place
Sidewalk Replacement Program	repair/replacement	$40,000.00	in-house	in-house	Under construction..

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 completed.
Brook Place Storm Sewer/Road	Construct	$300,000	In-house	In-house	Complete.

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 complete. Waiting on State.