

CITY OF FRONTENAC
MINUTES OF THE PUBLIC WORKS COMMISSION
WEDNESDAY, JULY 13, 2005 AT 7:00 PM

Prior to the meeting, all new commission members were sworn in.

A. CALL TO ORDER: The meeting of the Public Works Commission was called to order at 7:12 p.m.

B. ROLL CALL: The members present were:

Mr. Dan Kemper, Chairman	Alderman Jay Kloecker
Mr. Kevin Corrigan	Mr. Jamie Griesedieck
Mr. Jon Serkes	Mr. Richard Vandegrift
Mr. John Wynne	

Also present were Building Commissioner & Zoning Administrator, Jeff Wappelhorst; City Clerk / Assistant to the Mayor, Leesa Ross; Mayor Lee Murray; Alderwoman Susan Durbin; Alderwoman Margot Martin; Alderman Bob Stearley; and Alderman John Levis.

C. APPROVAL OF AGENDA: Chairman Kemper asked for a motion to approve tonight's agenda.

MOTION: Mr. Wynne motioned and Mr. Corrigan seconded the approval of tonight's agenda. All Commissioners present voted "Aye". There were no "Nay" votes. **MOTION PASSED.**

D. APPROVAL OF MINUTES: Chairman Kemper asked for a motion to approve the minutes of the June 8, 2005 meeting.

MOTION: Alderman Kloecker motioned and Mr. Griesedieck seconded the approval of the June 8, 2005 meeting minutes. All Commissioners present voted "Aye". There were no "Nay" votes. **MOTION PASSED.**

E. PUBLIC FORUM: (PRESENTATION OF REMARKS AND/OR PETITIONS)

Claudia Calzetta of 10425 German Blvd asked if something could be done about the construction in the West End Park area. A home on Savannah Avenue being built by Mayer Homes has stopped construction. There is rebar sticking out of the hay stacks and they are dangerous to children who ride bikes and play in the areas. She asked whose responsibility is this. She also stated there is an unsightly pot-a-potty in the area. She also asked does the city have responsibility for the potential danger to a child.

Mr. Wappelhorst stated the rebar issue has been brought to the attention of Mayer Homes. The company is still under the window of their permit and are trying to complete the job. Rebar is an approved method. Ms. Calzetta stated that there were no orange caps on the top of the rebar. Mr. Wappelhorst stated he is aware of the situation and has spoken to the construction foreman, and have discussed several options.

Mr. Bumiller stated he is concerned about a house near Savannah and Dwyer. The homeowner has water, concrete and garbage in the yard and it has been going on for months. The yard is ridiculous; it has dead trees and construction debris. Mr. Vandegrift asked where the construction debris is. Mr. Bumiller stated in the backyard of one of the residents. Mr. Wappelhorst stated the city is aware of the situation and it has been turned over to the city's legal counsel.

Alderwoman Martin asked about a dead tree on Lyle wood. Mr. Wappelhorst stated tree letters have been produced and are in the mail. In regards to who owns that particular tree, it appears to be the responsibility of who owns the street. Mr. Bumiller stated Lyle wood is a public street; it was determined 15 years ago in a lawsuit. Mr. Wappelhorst stated close to 70 – 75 tree letters have been mailed about complaint areas in the city.

F. CHAIRMAN'S COMMENTS:

Chairman Kemper welcomed everyone and thanked the new members and stated he appreciates their time and service to discuss the issues.

G. COMMENTS FROM COMMISSION MEMBERS:

No committee members spoke at this time.

H. ADMINISTRATOR'S REPORT:

Mr. Wappelhorst stated his report was discussed in the memo sent out to the Public Works Commission members.

J. OLD BUSINESS:

1) Storm Water Needs Assessment Update

Len Madalon of EDM stated the survey and notification letters are being mailed out today. They are due back by the July 22nd so they can compile information for the July 28th meeting. He stated he was hired by the city to conduct a storm water needs assessment and to get a better understanding of the issues.

Mr. Madalon stated he would look at the following issues 1) physical problems that consist of flooding and erosion 2) infrastructure issues which are backed by laws and

ordinances 3) financing and 4) education of public and support of the government and public works problems.

Mr. Madalon stated in regards to the above problems EDM will address the physical by looking at flooding and erosion and will collect problems from the city as well as MSD. All residents received a questionnaire and after they are filled out they will look for a facilities match from MSD to develop a method to rank the problems, whether they are street flooding, structure flooding or backyard flooding. The report will summarize the information and the process the city should take to correct the problems.

Mr. Madalon stated the schedule is that the surveys are due back by July 22, 2005. The Town Hall meeting is scheduled for July 28, 2005. Within two months a report will be written and submitted to the city. Their first step will be assessing and collecting information, the second step will determine, how the city can deal with the problems.

Mr. Serkes stated this process is labor intensive. The city will use the storm water funds for these projects. He further stated Mr. Wappelhorst will need some support, possibly a subcommittee. Mr. Vandegrift asked does MSD have an assessment. Mr. Serkes stated MSD's assessment is based on where the water flow is.

2) Clayton Road Enhancement Project

Mr. Wappelhorst stated the Clayton Road bid packages were opened on Tuesday, July 12, 2005 and were witnessed by Mr. Ed Flaspohler, Mr. Mike Wagstaff and Mr. Jon Serkes.

Mr. Wappelhorst discussed the bid process and depth of the Clayton Road resurfacing project. Gaines Construction bid the job as directed with no exclusions or additions and a 5 year warranty on the job. The bid specifications had all work to be done in daylight hours, with message boards and flagmen. Krupp Construction has been completing projects using the same materials all summer. The normal construction guarantee is for one year labor and materials. This job specification asked for a 5 year warranty, as received on the Geyer Road Project from Krupp Construction.

Chairman Kemper asked how the results from Geyer Road were. Mr. Wappelhorst stated that project was a major rebuild that was bid around \$900,000, but with extras added cost the city approximately, \$1.25 million. The key to the Geyer Road project was fixing what was broken. There was also an on site construction manager there for the day to day operations.

Mr. Vandegrift asked how long ago was Geyer Road completed and who the contractor was. Mr. Wappelhorst stated the project was completed 1 ½ years ago by Krupp Construction.

Mr. Wappelhorst recommended L. Krupp Construction for the Clayton Road Repaving Project. He stated with Krupp Construction and CDI's construction management cost, the project would cost approximately \$402,378. Mr. Wappelhorst stated CDI was approved as the engineering company from the past administration. He stated he would suggest their construction management be approved at a price not to exceed \$27,000.

Mr. Corrigan asked what happened to the bid for Byrne & Jones. Mr. Wappelhorst stated they did not bid the packet according to the specifications. Mr. Vandegrift asked how does the \$402,378 compare to what was budgeted. Mr. Wappelhorst stated it was less than half, the budgeted amount of \$850,000. Mr. Vandegrift asked for the timeframe of the project once they are told to proceed to completion. Mr. Wappelhorst stated they hope to pick a date to start within the next two weeks. This project will require one plant (asphalt) specifically for this project. He hopes the project will start either August 8th or 15th and could last from four to six weeks. His big concern is paving when school starts. They hoped to have it done, but it did not fall that way.

Alderman Kloecker stated he would like to accept Krupp at Mr. Wappelhorst's suggestion.

Mr. Bob Byrne, President of Byrne and Jones asked to make comments. He stated in their bid they had some exclusions and only offered a 1 year warranty versus a 5 year warrant. He stated if the board wished to throw out because of exclusions, they said, they would regrade ditches, however they were not on the plan, no grades are on the plan. He stated the key to Geyer Road was fixing what was broken, not fixing what was not broken. Areas which need to be addressed, no need to regrade the ditches, address any egress that are pounding water, no need to disturb ditches in their opinion, it does not need to be done. They were draining fine; their bid is cheaper than Krupp's. They need to address issues that need to be done, not all have a 1 year warranty, and not all have a 5 year warranty. He stated they need to take a look if the ditches need to be graded. His personal opinion to regrade the ditches that drain fine is not wise.

Mr. Wappelhorst stated no bids were thrown out because of the 1, 2 or 5 year warranty there were no gray areas to work with from the public and the Public Works Commission. The grades are not on the plans. Mr. Wagstaff stated flow line elevations are on page 7. Mr. Wappelhorst stated we are not regarding. It's not the 4300 linear feet; the job is 10000 linear feet.

Chairman Kemper stated Mr. Wappelhorst is the professional and we will go with his recommendation. Mr. Wappelhorst stated the project will only be from Spodee Road to Bopp Road.

Mr. Serkes stated if Byrne & Jones did the grading the same as on the plan, would Mr. Wappelhorst have a problem with that.

MOTION: Alderman Kloecker motioned and Mr. Vandegrift seconded the Public Works Commission make a recommendation to the Board of Aldermen and go along with Mr. Wappelhorst's recommendation that the Clayton Road Repaving Project be completed by L. Krupp Construction. (No vote taken at this time.)

Mr. Serkes stated residents should get preferential treatment. Mr. Corrigan asked what would be the number if Byrne & Jones added the 4300 linear feet. Mr. Serkes stated \$19,040.50. Byrne & Jones will take the exclusion out of the bid, because if we did, we would be cheaper than Krupp.

A member of the commission asked Mr. Flaspohler what would Byrne & Jones' bid look like. Mr. Flaspohler stated the ditch would not be consist it would not be profiled. Mr. Jones stated, we are already the low bidder.

Mr. Griesedieck asked was every bid off linear footage and off the same drawings. Mr. Wappelhorst stated yes. They were the only bid with exclusions that would not do certain areas. Krupp Construction will redip according to the drawings. Three engineers have worked on this project. Alderman Kloecker stated the low bid is important, but not the overriding factor. Mr. Wappelhorst has experience with Krupp.

Mr. Wynne asked is Krupp the only contractor who is using the same standard asphalt. Mr. Wappelhorst stated no.

Mr. Wappelhorst read the linear foot costs for the ditch regrade.

Krupp Construction, \$11.97 per linear foot, cost \$50,669.01
Byrne & Jones, \$4.50 per linear foot, cost \$19,048.50
Gaines Construction, \$10.50 per linear foot, cost \$44,446.50

Mr. Wappelhorst stated more times than not there were in the \$40,000 to \$50,000 range. Mr. Byrne stated he has a strong concern regarding the ditch regarding issue affecting the residents along the roadway. He is talking about specific things they want done in front of their houses and what not done in front of the houses.

Mr. Serkes stated if they added the linear foot to the Byrne & Jones bid, the bid would be \$363,000 and Krupp's bid would be \$375,000. The difference is between the one and two year warranty, material & labor and traffic patterns. Mr. Wappelhorst stated it depends on the mix itself. I'm not sure if we could change a bid.

A poll vote was taken on the above motion.

Mr. Wynne, "Aye"; Alderman Kloecker, "Aye"; Mr. Kemper "Nay"; Mr. Vandegrift, "Nay"; Mr. Griesedieck, "Nay"; Mr. Corrigan, "Nay"; and Mr. Serkes, "Nay".

MOTION FAILED.

Mr. Kemper stated that Byrne & Jones can do the construction and ditches as required by the field engineer. Mr. Byrne stated he would like his company, Byrne & Jones to maintain integrity. Alderman Kloecker stated this should have been worked out in the bid process. Bids have been received and we are arguing the basis of a bid.

Mr. Byrne stated there are ambiguous portions of the bid. Mr. Wagstaff stated he should read page 5, #2 which stated if there are any questions they should be submitted to the engineer and they will respond in 72 hours or at least three working days. Mr. Byrne complained about the bids not being available on the correct date.

Mr. Serkes asked can we throw them all out. The only one who complied with everything is Gaines Construction and the total cost to do the project would be \$417,000. Alderman Kloecker stated we have the bids we need to make what is the best judgment for the city.

Mr. Moffat of Savannah Avenue stated all the company should have bid accordingly. Gaines should be the company selected to get the bid. Because is supposed to bid to the plans and specs. He also stated he is not sure what the condition of the road is. Maybe it should be pushed to next year, because school is an important part of the equation and actually doubles the equation.

Mr. Wappelhorst stated if we table and rebid, he will forward the project until next may. Mr. Wynne stated if we rebid the project will not be completed until sometime next spring.

MOTION: Chairman Kemper motioned that the Clayton Road Repaving Project be tabled at this time. **No Second, Motion Failed.**

Alderman Kloecker stated business is business. We owe it to the city and the contractors to give them a definite answer. Mr. Vandegrift stated he had concerns if we go into next year, will it cost more then. Mr. Wappelhorst stated yes. Mr. Vandegrift stated we need to move forward.

MOTION: Mr. Vandegrift motioned that the Public Works Commission accept the bid by Gaines Construction for the Clayton Road Improvement Project. **No Second, Motion Failed.**

Mr. Serkes asked what CDI recommends. Mr. Flaspohler stated he does not feel comfortable answering that question. The project went out for public bid. He stated if you pull out of this project, you will punish the contractor who followed the bid process.

Alderman Levis raised an issue regarding apples and oranges. He stated the only area in doubt is the \$30,000 which would still be under Krupp's bid. Why not allow the

low bid and allow them to do the ditches. The city would spend less money than Krupp and the bid would not exceed \$363,000.

Alderman Stearley stated you don't have a bid, you can not accept a bid that you don't have. It needs to be in writing.

Mr. Griesedieck stated he has a problem with only one contractor on had. It is hard to believe the residents agreed to have their lawns disturbed. Mr. Wappelhorst stated they had spoken to all the residents and had a public meeting with a good turnout of residents. Mr. Wappelhorst stated if this project is rebid, the project will be completed next spring.

Mr. Moffat stated the cost between Krupp & Gaines is approximately \$15,000. If they wait until next year to complete the project material costs will go up.

MOTION: Mr. Vandegrift motioned and Mr. Serkes seconded to recommend to the Board of Aldermen the bid from Gaines Construction for the Clayton Road Repaving Project.

POLL VOTE: Chairman Kemper, "Aye"; Mr. Vandegrift, "Aye"; Mr. Griesedieck, "Aye"; Mr. Corrigan, "Aye"; Mr. Serkes, "Aye"; Mr. Wynne, "Aye"; and Alderman Kloecker, "Aye". The vote was unanimous. **MOTION PASSED.**

3) Municipal Buildings

Mr. Wappelhorst deferred this matter to former Public Works Chairman, Alderman Jay Kloecker. Alderman Kloecker stated this issue has been addressed in the past by this commission. As seen in the earlier tour, the buildings no longer fit the needs of the city. There are problems with constructing a new fire station. The questions of where to park, where to house the people, and where to stage the equipment, need to be addressed. A needs assessment was completed for both structures and great ideas were given. The police department has problems regarding the jail cells and the different air conditioning units in the building. Questions regarding the fire department are what the city will do with housing the fire staff, where will they house the fire trucks. The fire trucks must be stored inside because of the fire valves on the trucks. Another option is to move City Hall to another property within the city. Alderman Kloecker stated there is a hierarchy of choices that have never been presented to the Board of Aldermen. The recommendations are still out there.

A commission asked what the recommendations were. Chairman Kloecker stated we will provide minutes of past meetings to the commission members.

Mr. Wappelhorst stated he has been seeing to the day to day operations of the Public Works Department. All of their equipment has been moved inside. He has plans to renovate the old garage into two areas for the Storm Water and Building Departments. An administrative assistant position has been approved. He hopes to restructure the

entire system. Other projects that have been looked at in the past was a carport for the police department vehicles, which would be located between the Police Department and old garage. The carport is needed because snow and bird droppings fall on the emergency vehicles. He believes step one will be to move City Hall so that they will have the availability to work during construction of new buildings.

MOTION: Alderman Kloecker motioned and Mr. Corrigan seconded the issue regarding the municipal buildings be tabled at this time. All Commission members present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

K. NEW BUSINESS:

- 1) Review of Code of Ordinances Section 520.010 through 520.040 regarding the West End Park Subdivision.

Alderman Kloecker stated the item was in discussion at the last Public Works Commission meeting. A motion was made to bring it up to give Mr. Wappelhorst direction. Currently this is a legal matter and with the dispute over the West End Park Streets the city can only notice what it’s been advised to notice. The ordinance does not address the care issues it was designed to address. The Board of Aldermen has the ability to adopt the streets, because as far as the city is concerned, the streets are private. Currently three people act as liaisons and have the authority to take calls to and ask the city to do trim work or do minor repairs to the streets. Bills are paid through a special tax bill and are billed back on a frontage basis.

Alderman Kloecker stated we need to give the Public Works employees direction on what they can and can not do and who has to address what. The issue of the streets is currently in litigation. He further stated this is not something for this board, it needs the involvement of the city attorney. The safety issues are different because the police department has powers on an emergency basis. He also stated that these issues need to be taken up by the Board of Aldermen. The Public Works Department needs to know how this is supposed to work. It has its own set of guidelines. We need to give employees a sense of direction. We need to discuss this with the city attorney and get his legal opinion on this issue.

Mr. Wynne asked if the West End Park Homeowners Committee exists. Alderman Kloecker stated yes, it has three members. Mr. John Moffat is the Chairman and the other two members are Robert Samuels, Secretary; and Henry Elbert.

MOTION FROM THE FLOOR: Alderman Stearley motioned and Alderman Kloecker seconded a request that the Board of Aldermen members clarify this issue so the Public Works Department will move on. All Commission members present voted “Aye”. The vote was unanimous. **MOTION PASSED.**

L. ANNOUNCEMENT OF NEXT MEETING: Wednesday, August 10, 2005, 7:00 p.m.

Alderman Kloecker stated he could not make the above meeting and Mr. Wappelhorst also stated he would be out of town on that date. The commission members choose Monday, August 15, 2005, 7:00 p.m. as the next meeting.

M. ADJOURNMENT:

Chairman Kemper asked for a motion and second to adjourn the meeting.

MOTION: Mr. Wynne motioned and Alderman Kloecker seconded the meeting be adjourned. All Commission members present voted "Aye". The vote was unanimous. **MOTION PASSED.**

The meeting was adjourned at approximately 8:55 p.m.

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