

**MINUTES**  
**BOARD OF PUBLIC WORKS MEETING**  
**May 11, 2009**  
**New Berlin City Hall Common Council Chambers**  
**3805 S Casper Drive**

Please note: Minutes are unofficial until approved by the Board of Public Works at their next regular scheduled meeting.

The meeting was called to order by Alderman Moore at 4:48PM.

Members Present: Mayor Jack Chiovatero, John Graber, Alderman Moore, Alderman Ament and Alderman Seidl.

Staff Present: J. P. Walker, City Engineer, Mel Corley, Division Engineer, Tammy Simonson, Transportation Senior Civil Engineer, Alderman Ted Wysocki

Privilege of the Floor:

Very Bentley – 3450 S Johnson Road questioned why the agenda included the election of Board Chairman when the Common Council President's appointments to Boards, Committees and Commissions will be discussed at the Committee of Whole the following night.

Ralph Heun – 17765 W Saturn Dr asked that the new Board of Public Works follow the agenda.

Following the Privilege of the Floor Alderman Moore called the meeting to order.

Alderman Moore indicated that because of the pending change in the Board of Public Works membership the election of the Board Chairman will wait until the next meeting.

**OLD BUSINESS**

**ITEM 01-09 Approval of the Minutes from the April 20, 2009 Board of Public Works Meeting.**

**Motion by Mayor Chiovatero to approve.**  
**2<sup>nd</sup> by Alderman Ament**

**Upon voting the motion approved unanimously.**

In response to an issue brought up at the Privilege of the Floor, Alderman Moore stated that the reason that New Business is sometimes moved up ahead of Old Business is because a combination of length of discussion that may occur and the fact that the Board needs to accomplish the New Business prior to certain deadlines. Accordingly, he moved New Business Item 18-09 ahead of Old Business Item 28-08.

**NEW BUSINESS**

**Item 18-09 – Award of Contract for 2009 Crack Sealing Program**

JP Walker stated that the 2009 Crack Sealing Program resealing new cracks that have formed on roadways that were previously crack sealed in the years 2007 & 2008. The intent is to keep those streets sealed as best to minimize infiltration of surface water. The City received five bids for the crack sealing work and two quotes from consultants for crack sealing inspection services. The low bid received was from Precision S/C

Incorporated, the firm that had the crack sealing program in 2007. The second low bid is from the contractor who had the low bid in 2008. He indicated that he is confident in contractor's abilities to complete the work.

Alderman Seidl asked is the City uses all of the funds that were approved in the Budget?

JP Walker indicated that we do use it all. Many times it may be the purchase of materials to do the spot repairs.

Alderman Ament asked if there are any cracks where the tar has lifted out, would we take care of that?

JP Walker responded that where there are exposed cracks they will be sealed.

Alderman Ament stated that under Fiscal Impact it says inspections will cost about \$14,000 to be performed by Bloom Companies. He asked if this could be done by staff?

JP Walker responded that we do not have Staff available to be out in the field with the contractor work every day until the crack sealing is completed, whether it takes, 2, 3, 4 or 5 weeks.

Alderman Ament compared the bid results and noted the difference between Precision and the other ones that are almost double and Payne & Dolan is almost 4 times as high. He asked if we have used them in the past?

JP Walker responded that yes, we used Precision in 2007. If you look at the two low bids those were the same two low bidders in 2008 but it was exactly reversed. Interstate Sealant came in at about ½ of what Precision did last year. Obviously Precision looked at the project a little different than the other bidders did. He thought that the difference some of the contractors may have included sealing of the flange line in their bids. There is no requirement in the contract documents that require sealing of the flange line along the edge of the curb. He thought that Precision may have been the only one that caught that.

**Motion by Alderman Ament to recommend to Common Council the awarding of a Construction Contract to the lowest responsive, responsible bidder, *Precision S/C, Inc.*, for the 2009 Roadway Maintenance Joint, Crack Cleaning & Sealing Project in an amount of \$100,475.46 with inspection and contingencies, the not to exceed Total Project Costs are \$129,500.00.**

**Alderman Seidl 2<sup>nd</sup> the motion.**

**Upon voting the motion passed unanimously.**

**OLD BUSINESS**

**ITEM 28-08 Discussion on Calhoun Road Improvements and Direction from the Board of Public Works on making the Improvements (Tabled)**

**Motion by John Graber to remove from the table.**

**2<sup>nd</sup> by Mayor Chiovero.**

JP Walker: Discussed the Industrial Park Cross Section associated with Design Alternative 2009-B which included the following components:

- One 12' traffic lane and an 8' auxiliary lane in both directions. Each auxiliary lane will include a marked bike lane.
- A Two Way Left Turn Lane (TWLTL) in areas south of the railroad crossing.
- A 7' wide shoulder on both sides of the road.
- Bio-retention facilities on the east side of Calhoun Road between Glendale Drive and Rogers Drive.

- Pervious sidepaths with underdrain pipes contained in a washed stone backfilled trench beneath the sidepaths will be located on both sides of Calhoun Road, except on the east side in the area of the frontage roads. The combination of the pervious surface and the stone backfilled trench and perforated rain pipe will move storm water conveyance below grade and allow the driveway culverts to be eliminated.
- Frontage Road resurfacing along with improvements to facilitate the maneuvering of semis at Glendale Drive, Lincoln Avenue & Rogers Drive, similar to Alternatives 1-A and 3-A.
- All of the improvements would be located within the existing right-of-way for the entire Project length, except in the areas of the frontage road connections to Glendale Drive, Lincoln Avenue & Rogers Drive. Right-of-Way acquisition will be required in those areas.
- Storm sewer improvements, including a main on Roosevelt Drive to drain to Deer Creek.
- The Lincoln Avenue intersection will be generally consistent with the design included in Alternatives 1-A & 3-A.
- Bypass lanes and turning lanes.
- Street lighting improvements at the intersections.
- Pavement markings to delineate the TWLTL, turn lanes, Accel/decal lanes, bike lanes and auxiliary lanes.
- Additional pavement and pavement marking modifications to enhance traffic movement through the transition area just north of Cleveland Avenue until Waukesha County reconstructs the intersection.

The rough cost estimate for this alternative is \$6,045,487 which includes the following components:

• Construction	\$4,434,337
• Design & Inspection (15%)	\$ 665,150
• Bio-Retention	\$ 396,000
• Land Acquisition	<u>\$ 550,000</u>
• Total	\$6,045,487

Alderman Seidl asked what is the estimated cost of the sidepaths that are built into the drainage system?

JP Walker responded the estimate is \$131,000.

Alderman Seidl stated in comparing the costs for the six foot wide sidepaths in 2009-A against the five foot wide shoulder paths in Alternative 2009-A why would the five foot wide bike lane being more than a six foot wide sidewalk?

JP Walker responded you have to look at the quantity. The shoulder path is the entire length of the project on both sides. The sidepath does not include the frontage road area and also there are portions on the west side where there are no drainage improvements needed. That's the detail of the design that would have to be looked into but you aren't looking at the same quantities.

Alderman Seidl stated that the last time we discussed 2009-A, we didn't talk about putting a five foot wide shoulder path in the areas where there was a frontage road.

Alderman Moore responded that he believes it was full length.

Alderman Seidl asked whether or not Staff received an explanation for the line item for lighting that costs \$9,384?

JP Walker responded that the answer he was given by the consultant is that is a standard percentage that is put into their cost estimates. He indicated that he not aware of any street lighting that has to be improved so that's a cost that can be dropped out.

Alderman Seidl asked if the trucking from the three business near the island by the bike trail would be affected by the island?

JP Walker responded that the length of these islands is less than 20' on either side of the trail so there appears to be plenty of room for the trucks to maneuver for those addresses.

Alderman Seidl asked how wide are the lanes north of the railroad tracks?

JP Walker responded there will be 12' drive lanes with 8' auxiliary lanes.

Alderman Seidl stated that looking at the width of the various components that 38.5 feet will be needed on each half of the road. He asked in comparing the cost estimate for right-of-way acquisition with 2009-A how would that be the same amount for land acquisition in both alternatives?

JP Walker responded that the existing right-of-way in that area is 45 to 50'. Everything will be contained within the existing right-of-way north of the railroad tracks. South of the railroad tracks the only area of right-of-way acquisition is associated with the reconfiguration of the frontage road connections to Rogers Drive, to Lincoln Avenue and to Glendale Drive. The frontage road swings to the east in order to accommodate semi-traffic maneuvering. On the west side of Lincoln Avenue there are triangle areas shown on the corner of the existing right-of-way that would have to be purchased, but that's the only area within the entire project length that would require right-of-way acquisition. The same thing applies to Alternative 2009-A.

Alderman Ament asked if we are going to eliminate the service drive by Roosevelt?

JP Walker responded no, that will not be eliminated.

Alderman Ament stated that the drawing looks like the service road would be eliminated and the turning lane would be in the center aligned with Elmwood Road.

JP Walker responded that it is a possibility for consideration. That's the detail that would have to be analyzed. The concern that Staff has with the orientation with that frontage road is the points of connection with Calhoun Road. The connections need to be 90 degrees to any arterial. A consideration is to perhaps make the connection align with Elmwood Road and make the remainder of the service road end in hammerhead at the north and south end. You eliminate one point of conflict on Calhoun Road but you still provide a way in and a way out.

Alderman Ament stated that when we were discussing 2009-A we were talking about leaving the service road there but bending the ends around so they would be more perpendicular to Calhoun Road. In this case with the additional width we probably would have to seriously eliminating that.

JP Walker stated that points of conflict are always areas that engineers have to consider in looking at any design scenarios. Right now with the existing road we have two points of conflict, on the north and south end. There are some less than desirable angles coming out onto Calhoun Road that are safety issues. Traditionally you would want to have perpendicular connections, so the choices are we can modify both ends and still have connections to Calhoun Road or you can eliminate both ends and create a new connection right in the center. By putting in hammerheads, which is an option to cul-de-sac, you eliminate one point of conflict.

Alderman Ament stated that we would be creating two dead ends, or two hammerheads which could create some snowplowing issues as far as the timing is compared to what it is now.

JP Walker stated that this component is a consideration that should be discussed because it is a safety issue that is part of our design decision matrix.

Alderman Ament stated that in 2008 the plan was to not have the connection by A&A Manufacturing go all the way to Lincoln but to use that access right onto Calhoun so we wouldn't have to get involved with their building. I assume that would still be the case.

JP Walker responded that still applies.

Alderman Ament asked why the additional pavement for the 8' auxiliary lane in both directions is needed.

JP Walker responded that one of the main reasons that this concept is being introduced is to look at physical separation of the marked bike lane from semi-traffic or any traffic on Calhoun Road, but specifically the semi-traffic. We have speeds that are posted at 40 miles per hour in the frontage road area. If the road is resurfaced and you have a smooth driving surface the speeds will pick up.

Alderman Ament asked if the green areas on the drawings are sidepaths?

JP Walker responded that on the west side in the frontage road area is a pervious sidepath. On the east side where we have the frontage road area there is no sidepath.

Alderman Ament questioned why we are putting in a sidepath when we are putting in a bike lane?

JP Walker responded that we have to separate pedestrians from the traffic. He is concerned about the safety issue, specifically for pedestrians but also families with small children that may want to ride. He wouldn't want to see them in the bike lane.

Alderman Ament asked if the plan is to put sidepaths in then why are we putting in a bike lane?

JP Walker stated that experienced bikers prefer to use bike lanes. Inexperienced bikers would opt for a sidepath. You are missing the point of the sidepath. This is part of the "going green" initiative for water quality. It's a concept that you are making dual use of a given area. One advantage of it is if the private property land is at the same elevation as a shoulder area, that area can be virtually flat across there. The drainage system will then be out of sight and out of mind. The property owners wouldn't have to deal with driveway culverts nor ditches.

Alderman Ament stated that in the residential area with the additional 8' bike lane and the 6' sidewalk there would be some trees and shrubs that would have to come out?

JP Walker stated that the pervious pathway and drainage system is about in line where the existing ditches. He was not aware of any major trees that would have to come out except in the area of the frontage road on the west side by Roosevelt because there is a drainage issue that would have to be taken care of.

Alderman Ament asked who would be responsible for the maintenance of all the sidepaths?

JP Walker responded that per the City's existing sidewalk maintenance policy it would be the property owners.

Alderman Moore stated that this is a compromise proposal that tries to take in as many of the concerns that have been stated as possible and to add some innovative things that not only take care of things like the stormwater but also the issue of how wide the whole project is. With the 8' wide auxiliary lanes that include the bike lanes adds some flexibility if there is a time in the future where some future Common Council might feel there is a need to expand the road it would cost a lot less than to do it in some other way. He felt that this is a two-lane proposal which takes into account enough of everybody's desires including the safety aspects.

Alderman Seidl asked what the cost of the extra lane on Westward be and is that built into the cost estimate for 2009-B?

JP Walker responded that it's part of the paving cost, but didn't have it broken down specifically.

Alderman Seidl stated that he lives right off of Westward and I leave there several times a day and I have never had to wait long to get onto Calhoun Road.

JP Walker responded that we have had a number of public informational meetings and that concern came out a number of times from motorists in your neighborhood that they had that concern and problem when they are trying to turn right and they have no room to maneuver.

Mayor Chiovaturo stated that when this design was developed he had some concerns about it and everyone knows what my concerns are because he feels the four-lane is the way we need to go. He has taken it from the full blown four lanes and compromised what I thought was a real solution with a narrowed road not to interfere with the residents on the north side of the tracks. When this was brought forth at the last Board of Public Works meeting, I was very hesitant, but supportive because it had some good points. As this concept got developed he got more excited about this and feels it's a huge compromise. Some of the concerns about the last time we had a discussion on a four-lane alternative it didn't take into account the sidewalks north of the track and that's why we lost some support on the Board because of that. Looking at this and being able to see that we took into account the safety, the traffic, though he still feels we need the four lanes, he thinks this alternative would accommodate the bikes and pedestrians with the possibility down the road that minimum cost would be needed to go to four lanes. The issue that I have is build two-lanes and then a few years down the road, having to go to that extra set of lanes and having to rip up all the work that we had done previously. A lot of work went into this concept. We have to take a look at this seriously. I know there are concerns about sidewalks on the west side; I think JP has a good point that we have to move pedestrians up and down the road in that area. Though it's not a full four lanes, it takes into account the safety, the mail carriers, the people will be able to safely go down this road and still be able to move the traffic along. I could support this even though it's not the four-lanes.

John Graber stated that from an engineers perspective he feels that the four lanes is still the best option, but there are compromises in everything. This alternative comes up with most of the things that he had concerns with. It involves the sidepaths, the traffic lanes, the safety issues, stormwater. He too did not want to be building something today that would have to be replaced in five years. The cost figures are something that will have to be looked at by Council and they will decide what can and can't go. I can see a lot of positives in this compromise solution.

Mel Corley stated that we didn't have a year or two years or eighteen months to do this, that JP and I put this concept together in two weeks. What we tried to do was express a concept that is workable. We also analyzed storm drainage which hadn't been done previously so that we have a working knowledge how we can handle any storm water concerns on Calhoun Road. There may be some flaws because two weeks is a very fast design.

JP Walker stated that north of the railroad crossing everything will be within the existing right-of-way. South of the railroad tracks, the areas where right-of-way acquisition will be needed are associated with the realigning of the connection of the frontage road to the various streets to accommodate proper semi-maneuvering.

Alderman Moore asked if that applies both A & B plans?

JP Walker responded that's correct.

Alderman Ament asked if this alternative was approved by the Council, what would we be discussing as a potential construction year?

JP Walker responded that Chapter 32 requirements for right-of-way acquisition could take a year. We would try to expedite what we can, but by law the property owners have a one year to make decisions. We are looking at construction possibly starting in 2010 but you are probably looking more likely at 2011.

Alderman Ament asked what about 2009-A?

JP Walker responded the same thing.

Alderman Ament stated that all of this drawing and re-drawing of all these plans is putting us further behind and delaying this project. We need to do something soon, unless we just turn this into a gravel road. He didn't see that this alternative is that much different as far as its impact on this area than the four-lane plan given the full width of this construction. It may be better in some ways than the four-lane plan; it's certainly, in his opinion, far worse than the two-lane plan.

Alderman Moore asked what is the next step to move this on?

JP Walker responded that we would need a motion to move this to Council.

Mayor Chiovatero stated that we need to make sure that 2009-A gets its fair look at too.

Alderman Moore stated that we can look at 2009-A before we make a motion to move this to Council.

JP Walker responded that that would be his suggestion based on the direction from the Council that you look at 2009-A and make a recommendation back to the Council.

Alderman Ament stated that I would question the direction we are being told we were given by Council, as Alderman Seidl & he wrote this requested action so he thinks that they would know what it said and what was intended and that is that it reads "for the Common Council to direct the Board of Public Works to work with Staff and consultant on the two-lane road design identified as the 2009-A plan, for the specifications below in order to improve the roadway drivability and safety on Calhoun Road. The BPW to report back to the Common Council within 60 days." It specifically outlines the direction below as to what we were to consider in 2009-A, it didn't say look at another plan or more plans or design something that we are comfortable with that isn't quite as extravagant, so I don't know how you can combine the two. 2009-A we were instructed to look at it and bring it back in 60 days. He asked are we trying to fulfill the directive of the Common Council or are we trying to steer this in another direction.

Alderman Moore responded that we the Calhoun Road discussion is on the table at this time and we will specifically respond to the Council request as part of the next agenda item.

Alderman Ament pointed out that's not what the Council directed us to do. Are we telling the Council that we are going to do what we want or are we going to address the directive that they gave which is the requested action to look at 2009-A? If we are going to fulfill that directive then I suggest we separate them.

Alderman Moore clarified that the next item on the agenda is the response to the Common Council. Right now all Calhoun proposals on the table can be discussed.

John Graber stated that the cost estimates that were prepared, one for 2009-A and the other for 2009-B used the same basis of cost estimating. The 2009-B cost estimate is about \$6 million. Alternative 2009-A will cost about \$4.88 million. That in itself is going to tell the Council that the directive that they have given us that we can't accomplish this with \$3.5 million dollars. We are about \$1.4 million short. JP has gone through the bullet pointed items of what the Requested Action Statement lists and has told us it will cost almost \$4.9 million. We can't do it for \$3.5 Million. We are spinning our wheels.

Alderman Ament stated that if 2009-A doesn't fit, and then certainly 2009-B does not fit. If you look at the spreadsheet that we got from JP, it shows under sub-total \$3,424,149.00 that meets the criteria. In the requested action it did not ask to include the design and inspection, it did not ask to include the bio-retention; it did not

ask to include the land acquisition. It asked to show those separately. If you look at below where it says total cost of project not to exceed \$3.5 million and below it says “explore the feasibility and cost estimates of converting the ditch along the east side of Calhoun Road between Rogers Drive and Glendale Drive to a bio-retention swale as an option, establish an estimate for land acquisition. So, it was not part of that. The 2009-A in my opinion fits in that plan. If we want to cut some things out we can reduce the cost by taking out the sidepaths and the drainage ditch from Rogers Drive south.

JP Walker responded that there is no drainage system other than the bio-retention swale concept in the area of the frontage roads, on the east side.

Alderman Ament stated that he thought there was a savings when Alderman Seidl was asking about the sidepath on the east side of Calhoun Road.

JP Walker responded that there is no sidepath in 2009-A. Alderman Seidl was referring to the paved shoulder. It's the same as the marked bike lanes in 2009-B, it's for the entire length of the road.

Alderman Ament stated that there are some other areas that he sees where we could explore to save money, but in his opinion 2009-A the sub total of \$3,424,149 meets the criteria of the requested action.

John Graber stated that that is the sub-total of the construction costs; it doesn't include any design which we have already spent some money on. It doesn't include inspection which you have to have. Are you going to say “OK, Mr. Contractor, here are the plans go build it, let us know when you are done and we'll write you a check.” If we don't acquire the land, we can't do part of the project under either of the alternatives. The Requested Action Statement says the total cost of project is not to exceed \$3.5 million.

Alderman Moore asked what is the total cost if you add all those items that Mr. Graber brought up?

Alderman Ament responded that if you include the land acquisition, the bio-retention swales, and land acquisition the rough estimate is \$4,883, 771. The point is that's what the Council was looking for, but those other things should be options. It even says “as an option” It asked for those as options, to look at including them depending on their price. We don't have to include the bio-retention swales in either one is that correct?

JP Walker responded that's correct, that's why it's broken out as a separate line item.

Alderman Seidl asked are these 2009 dollars or 2010 dollars?

JP Walker answered 2010 dollars.

Alderman Seidl stated that our RAS we are working off of numbers from 2007.

Alderman Moore asked how much should be added to the 2007 numbers to equate the 2010 dollars?

JP Walker responded that the multiplier is  $(1.04)^3$  or about a 12.5% increase. You will recall that in your packet at the last Board meeting were calculations of how the 2007 numbers were modified to equate to 2010 numbers. Those are the same numbers that are in this summary spread sheet. The comparison between the two alternatives is laid out so that you have an apples-to-apples comparison. Every line item is comparable. Each line item is broken down separately for the very purpose for the Board and the Council to make determinations if anything needs to be eliminated.

Alderman Seidl stated that he agrees with Alderman Ament, in that the \$3.5 million is for the basics outlined in the requested action and that the rest of the numbers explore the feasibility for bio-retention and estimate the cost for land acquisition. So those are add-ons to the \$3.5 million. Even if you take the design and inspection

costs we are still looking at roughly \$3.9 million with the annual inflation. Again, we were going off of 2007 numbers would have fit within that 3.5, is that fair to estimate?

JP Walker responded that based on 2007 dollar figures, yes.

Mayor Chiovatero stated that there is some confusion here because he has the Requested Action Statement and a letter dated May of 2007 from JP Walker, it doesn't say what cost numbers they are using but it does say the total cost of the project not to exceed \$3.5 million. I thought that's what we were trying to do on the original RAS from Dave and Ron. I'm getting confused here as to what was being requested to the Council. Were we supposed to go back to the Council with 2007 numbers?

Alderman Seidl responded that's why we are here. We are here to take a look at 2009-A. We are here to look at exploring the feasibility of the cost estimate from converting the ditch along the east side of Calhoun Road between Rogers and Glendale Drive to a bio-retention swale as an option. We are here to find out and establish an estimate for land acquisition. We are here to find out what this would cost in 2010 dollars, that's why we are here. With the \$3.937 million which includes design and inspection costs based on 2007 dollars we would have met that mark with the \$3.5 million. We are here to look at the feasibility and cost estimate of the bio-retention swale. We are here to establish an estimate for land acquisition, that's the best way I can explain it.

Alderman Ament stated that he didn't know if we need a motion as far as 2009-A is concerned because the requested action was to the Board of Public Works to look at this and report back whether it would meet, if we meet all these standards, if we can fit that into \$3.5 million and look at the options.

Alderman Moore stated that we also had before us the whole Calhoun Road issue so we really have two different items and two different time frames that we are looking at. Right now we are looking at Calhoun for any thing that we would like to move forward to the Council.

**Alderman Moore moved that we forward to Common Council for their action and for Neighborhood Meetings as what has been discussed as Alternative 2009-B with the \$6.045 million figure. If the Council passes 2009-B that we would recommend an addition \$5,500 is added for Public Informational meetings.**

JP Walker stated that part of the RAS for 2009-A includes \$5,500 for preparation of documents and handouts for a neighborhood meeting. That same requirement should also apply to 2009-B. There has to be a presentation to the public. Whether the Board thinks that what Mel and I have already prepared is sufficient for both alternatives to convey what the public needs to be able to look at and make comments on then we don't need the \$5,500. If the Board is looking for more detailed final type of design documents, then we will need the \$5,500.

Mayor Chiovatero stated that he thinks before we spend any money on PIM's we need to get the Common Council to agree on some design.

Alderman Ament stated it's already included in the 2009-A RAS as part of the fiscal impact so that money has already been approved for 2009-A, so I would suspect if the Council decided to go with 2009-B that would be no use in having both.

Mayor Chiovatero asked is that a reasonable number for any option, not to exceed \$5,500?

JP Walker responded that he thought it's reasonable that for \$5,500 we should be able to have documents put together for the public to look at.

**Mayor Chiovatero 2<sup>nd</sup> the motion.**

**Upon voting the motion passed 3-2 with Aldermen Ament and Seidl voting no.**

## **ITEM 12-09 Calhoun Road Design Alternative 2009-A**

Mayor Chiovero stated that JP, I know you looked at this and studied it. From what I'm hearing it looks like you have the cost breakdown to take it forward to Council. I don't think we were looking for a yes or no on this alternative, we were just looking for us to take this alternative and see if it's feasible to be done for \$3.5 Million.

Alderman Moore stated that what we are sending back to Council is the monetary costs.

Mayor Chiovero added and anything that during his examination he may or may not have found for that.

Alderman Ament stated that it's tabled at the Committee of the Whole and it's on the Council agenda already.

John Graber asked Alderman Ament you said that it's the 2009-A that is on the Committee of the Whole Agenda tabled?

Alderman Ament responded yes

John Graber then asked should our previous motion that was just approved 3-2 be to the Committee of the Whole verses the Council?

Alderman Ament responded no.

**Motion by Alderman Ament to adjourn.**

**John Graber 2<sup>nd</sup> the motion.**

**Upon voting the motion passed unanimously.**

**Meeting was adjourned at 6:28PM**