

APPROVED MAY 5, 2015

CITY OF FRANKLIN COMMON COUNCIL MEETING APRIL 21, 2015 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on April 21, 2015 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderwoman Janet Evans, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

- B. Citizen comment period was opened at 6:32 p.m. and closed at 7:17 p.m. At the request of Alderman D. Mayer, a moment of silence was held in honor of Environmental Commission member Sharon Kust.

MAYOR ANNOUNCEMENTS

- B.1. Mayor Olson presented a Mayoral Proclamation to Eagle Scout Alexander Mathers.
- B.2. Mayor Olson noted a press release from American Transmission Company seeking approval from the Public Service Commission to rebuild 14-miles of transmission lines from St. Martins Substation to Big Bend and Mukwonago.
- B.3. Mayor Olson noted that the County Assessment Proposal will be removed from the State Budget.

APPROVAL OF MINUTES

- C. Alderwoman Wilhelm moved to approve the minutes of the regular meeting of April 7, 2015 as corrected. Seconded by Alderman Schmidt. All voted Aye; motion carried.

BOARD AND COMMISSION APPOINTMENTS

- E. Alderman D. Mayer moved to confirm the Mayoral appointment of Wesley Cannon to the Environmental Commission for a 3-year term expiring 4/30/17. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to table to the May 5, 2015, the following Mayoral appointments:

John Bergner to the Civic Celebrations Committee for a 3-year term expiring 6/30/18; Jeanine Olson to the Civic Celebrations Committee for a 3-year term expiring 6/30/18; Randy Grass to the Civic Celebrations Committee for a 3-term expiring 6/30/18; David J. Miller to the Civic Celebrations Committee for a 3-term expiring 6/30/18; Curtis Bolton to the Environmental

Commission for a 3-year term expiring 4/30/18; Albert Rindfleisch to the Environmental Commission for a 3-year term expiring 4/30/18; Romaine Denk to the Fair Commission for a 3-year term expiring 4/30/2018; Rosemarie Bosch to the Fair Commission for a 3-year term expiring 4/30/2018; Dennis Ciche to the Finance Committee for a 1-year term expiring 4/30/2016; Kevin Mineard to the Finance Committee for a 1-year term expiring 4/30/2016; Dennis Ciche to the Finance Committee for a 1-year term expiring 4/30/2016; Robert Campbell, Jr. to the Finance Committee for a 1-year term expiring 4/30/2016; John Howard to the Finance Committee for a 1-year term expiring 4/30/2016; Henry Wengelewski to the Board of Health for a 2-year term expiring 4/30/2017; Robert Fedran to the Board of Health for a 2-year term expiring 4/30/2017; Patricia Nissen to the Board of Health for a 2-year term expiring 4/30/2017; Philip Nickerson to the Parks Commission for a 3-year term expiring 4/30/2018; Carol Brunner to the Personnel Committee for a 3-year term expiring 4/30/2018; Michael Barber to the Personnel Committee for a 3-year term expiring 4/30/2018; Scott Thinnes to the Plan Commission for a 3-year term expiring 4/30/2018; Patricia Hogan to the Plan Commission for a 1-year term expiring 4/30/2016; Ken Skowronski II to the Board of Public Works for a 3-year term expiring 4/30/2018; Laura Galusha to the Technology Commission for a 3-year term expiring 4/30/2018; Bob Knackert to the Board of Zoning and Building Appeals for a 3-year term expiring 4/30/2018; and Donald Adams as an Alternate Member to the Board of Zoning and Building Appeals for a 3-year term expiring 4/30/2018. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

LETTER FROM JOEL
SALMON

F. No action was taken on a letter from Joel Salmon dated April 14, 2015, regarding action taken by the Board of Water Commissioners at their February 17, 2015 meeting extending the water main along West St. Martins Road.

DONATIONS,
COPIER LEASE,
PURCHASE OF SALT,
BIKE RODEO STREET
CLOSURE

G.1. Alderwoman Evans moved to approve the following consent agenda items:

- a) accept donations from Kwik Trip, Inc. in the amount of \$500 to the Police Department and in the amount of \$500 to the Fire Department;
- b) receive and place on file the February 2015 Monthly Financial report;
- c) authorize the Director of Administration to enter into a new 4-year lease with Ricoh USA, Inc. for the period 5/1/2015 through 4/30/2019 for an annual lease amount of \$2,400.72 and \$0.0037 per copy for each of the 4 years;

- d) authorize the City to participate in the State contract for the purchase of 500 tons of salt;
- e) approve street closures on Legend Drive and Schlueter Parkway on June 6, 2015, in conjunction with the City of Franklin sponsored bike safety rodeo.

Approval of the above consent agenda items was seconded by Alderman D. Mayer. All voted Aye; motion carried.

MATT TALBOT
RECOVERY SERVICES,
INC.
9132 S. 92ND ST.

G.2.

Alderman S. Mayer moved to rescind the March 3, 2015 Common Council action on that Item G.4. which provided for public water extension to the property at 9132 South 92nd Street without full extension of the improvement to the property boundary due to insufficient information as to alternatives with regard to the routing of service to that area and the public water system as a whole, the cost comparison expenditures of public funds for such potential alternate routes, and the description of the developed and undeveloped areas of the city which may be served by the public water supply for such potential alternate routes and also due to after the fact factual information concerns regarding the natural resources on the property and in the area which are currently under review by the Wisconsin Department of Natural Resources, which Department review has not been completed; and further to direct staff to provide all of that subject information, the motion as well as ultimately the report from the Wisconsin Department of Natural Resources, to the Board of Water Commissioners for review and recommendation and return to the Common Council for its consideration; and further to direct the Plan Commission, if the Council acts accordingly, to consider the rescission of the site plan approval, because one of the conditions was based upon a potential agreement or an agreement with regard to the extension of water so that it was all in writing; and further to direct the Board of Water Commissioners to review and recommend upon the alternate route info and the DNR information when received. Seconded by Alderman Wilhelm. On roll call, Alderman D. Mayer, Alderman Wilhelm, Alderman Schmidt and Alderman S. Mayer voted Aye; Alderman Dandrea and Alderman Evans voted No. Motion carried.

RES NO. 2015-7078,
CONDITIONALLY
APPROVING A 2 LOT
CERTIFIED SURVEY
MAP - (STYZA-9745
WEST WOELFEL ROAD)

G.3.

Alderman D. Mayer moved to suspend regular order of business to allow members of the audience to speak. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
Alderman D. Mayer moved to return to regular order of business. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

Alderman D. Mayer moved to adopt Resolution No. 2015-7078, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A RE-DIVISION OF PARCEL 2 OF CERTIFIED SURVEY MAP NO. 7251, BEING A PART OF THE NORTHWEST ¼ AND OF THE SOUTHEAST ¼ OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (JACK R. STYZA AND ALICE STYZA, APPLICANTS)(9745 WEST WOELFEL ROAD). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RESOLUTION TO REIMBURSE VICTORY OF THE LAMB CHURCH FOR EXPENSES RELATED TO THE DESIGN OF A CITY PARK AT 11120 W. LOOMIS RD.

G.4. Alderman Dandrea moved to adopt a Resolution to reimburse Victory of the Lamb Church for expenses related to the design of a City Park at 11120 W. Loomis Road. Seconded by Alderwoman Evans. On roll call, Alderwoman Evans and Alderman Dandrea voted Aye; Alderwoman S. Mayer, Alderman Schmidt, Alderwoman Wilhelm and Alderman D. Mayer voted No. Motion failed.

Alderwoman Wilhelm moved that a Resolution to reimburse Victory of the Lamb Church for expenses related to the design of a City Park at 11120 W. Loomis Road be tabled to the May 5, 2015 Common Council meeting with all pertinent information to be inserted in the Common Council packet for the Council and the public (to include information in the 4/21/2015 Council meeting packet and information that was emailed to the Mayor and Aldermen on 4/21/2015 and any other additional new information). Seconded by Alderman Schmidt. All voted Aye; motion carried.

SOLICIT BIDS FOR PRECAST CONCRETE RESTROOM-KAYLA'S PLAYGROUND

G.5. Alderwoman Wilhelm moved to table authorization to solicit bids for precast concrete restroom units and continued design efforts until the impact fee study returns to the Common Council and is approved, concurrence from the Wisconsin Department of Natural Resources, compliance with Section 15-4. of the Unified Development Ordinance and Section 15-9. for the Natural Resource Protection Plan, and Aldermanic concurrence from the district. Seconded by Alderman Schmidt.

Alderwoman Wilhelm moved to call the question. Motion died due to the lack of a second.

Upon voice vote for the main motion, 1 Aye and 5 Noes. Motion failed.

Alderwoman Wilhelm moved to allow staff to solicit bids for the precast restroom units provided that the playground development follow the Ordinance site plan process within the Unified Development Ordinance, including but not limited to Sections 15-

4., 15-7., 15-9., laws of the City and the Federal Emergency Management Agency (FEMA) Rules to allow predictability and transparency of the development process and continue to provide updates at each meeting with all documents, including power point presentations, to be included in the Common Council packet. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

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| ORD. TO REPEAL AND RECREATE CHAPTER 176 OF THE MUNICIPAL CODE PERTAINING TO NONMETALLIC MINING RECLAMATION AND RES. APPROVING FEE SCHEDULE | G.6. | Alderwoman Wilhelm moved to table to the May 5, 2015 Common Council meeting an Ordinance adopting an Ordinance to repeal and recreate Chapter 176 of the Municipal Code pertaining to Nonmetallic Mining Reclamation and to editorially note the provisions of Unified Development Ordinance Section 15-3.0428, Ordinance No. 97-1456 (PDD NO. 23) 13.27S.6. and Unified Development Ordinance Section 15-3.0429, Ordinance No. 97-1457 (PDD No. 24) 13.27T.6. to state the Nonmetallic Mining Reclamation Regulatory Authority of Chapter 176 by Reference; and a Resolution approving a City of Franklin Non-Metallic Mining Reclamation Fees Schedule Pursuant to Chapter 176 of the Municipal Code Nonmetallic Mining Reclamation Ordinance Section 27. Seconded by Alderman D. Mayer. All voted Aye; motion carried. |
| AWARD BID TO RAZE BUILDING AT 8015 W. BEACON HILL DR. | G.7. | Alderman Dandrea moved to award the bid in the amount of \$15,500 to Robie's Grading and Landscaping to raze the building and attached garage on the property located at 8015 W. Beacon Hill Drive. Seconded by Alderwoman Evans. All voted Aye; motion carried. |
| RES. 2015-7079
ACCEPT LANDSCAPE MAINTENANCE ACCESS EASEMENT FOR AVIAN ESTATES SUBD. | G.8. | Alderman Dandrea moved to adopt Resolution No. 2015-7079, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LANDSCAPE MAINTENANCE ACCESS EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL FOR AVIAN ESTATES SUBDIVISION LOCATED AT W. AVIAN CT. OFF OF W. PUETZ ROAD. Seconded by Alderwoman Evans. All voted Aye; motion carried. |
| RES. 2015-7080
AT&T WORK ORDER/RELOCATION OF A CABLE AT WATER AND WASTEWATER OPERATIONS AND MAINT. FACILITY SITE | G.9. | Alderwoman Wilhelm moved to adopt Resolution No. 2015-7080, A RESOLUTION TO AUTHORIZE PROPER CITY OFFICIALS TO EXECUTE THE AT&T WORK ORDER FOR THE RELOCATION OF A CABLE AT FRANKLIN WATER AND WASTEWATER OPERATIONS AND MAINTENANCE FACILITY SITE and remit a check in the amount of \$20,075.14. Seconded by Alderman D. Mayer. All voted Aye; motion carried. |

- RES. 2015-7081
CHANGE ORDER WITH
PAYNE & DOLAN-
LOCAL STREET
IMPROVEMENT
- G.10. Alderwoman Evans moved to adopt Resolution No. 2015-7081, A RESOLUTION APPROVING A CONTRACT CHANGE ORDER NO. 1 WITH PAYNE & DOLAN, INC. IN THE AMOUNT OF \$51,235.80 FOR THE 2015 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- REJECT BIDS FOR
WATER MAIN AND
SERVICE ITEMS
- G.11. Alderwoman Evans moved to reject bids for the purchase of water main and service items and manhole frame and cover, and direct staff to proceed with rebidding. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- CITY EMPLOYEE PAY
PHILOSOPHY STUDY
- G.12. Alderman Dandrea moved that the Common Council directs the consultant to establish an initial, starting pay philosophy at the 70th percentile, consistent with the recommendation of the Department Heads, but that calculations for the 60th and 55th percentile also be provided for a matter of context and consideration, that the consultant be directed to recommend policy or implementation strategies to ensure flexibility in initial hiring wages, and that consideration for an initial salary adjustment should be given to long-term employees who are placed near the bottom of a newly established range. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
Alderman Schmidt moved that the Common Council direct the Director of Administration to work with the consultant to devise a plan for initial design for FLSA-exempt employees of a merit-based range structure while initially implementing said structure consistent with an incremental-based system with a plan to be prepared for a phased-in implementation of a merit-based program evaluation system and for design of a hybrid system for FLSA non-exempt employees. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Evans, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman D. Mayer voted No. Motion carried.
- INSURANCE BROKER
SERVICES
- G.13. No action was required on a status report of bidding out insurance broker services.
- RES 2015-7082
OPPOSING LRB-
1183/LRB-2009
ELIMINATING
PERSONAL PROPERTY
TAX AND COMPUTER
STATE AID PAYMENTS
- G.14. Alderman D. Mayer moved to adopt Resolution No. 2015-7082, A RESOLUTION OPPOSING LRB-1183/LRB-2009 THAT WOULD ELIMINATE THE PROPERTY TAX ON PERSONAL PROPERTY AND THE COMPUTER STATE AID PAYMENTS MADE TO LOCAL GOVERNMENTS, AND TO FURTHER DIRECT STAFF TO FORWARD A SIGNED VERSION OF THIS RESOLUTION TO STATE ASSEMBLY AND SENATE

REPRESENTATIVES AS DETERMINED BY THE MAYOR.
Seconded by Alderman Dandrea. All voted Aye; motion carried.

2015 SUMMER MEETING SCHEDULE G.15.

Alderwoman Evans moved to schedule a combined Committee of the Whole and Common Council meeting on August 4, 2015, and continue the regular Common Council meeting schedule for June, July and August, 2015. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1.

Alderman Dandrea moved to approve the following:
Grant 2015-2016 Entertainment and Amusement license to Innovative Health & Fitness (Scott Cole, Agent), 8800 S. 102nd Street; and
Grant 2015-2016 Mobile Home Court license to D & K Management VIII LLC (Wendy Winograd, Manager), 6405 S. 27th Street; and
Grant 2015 People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to the Franklin Lacrosse Club for Park Permit fee waivers at Lions Legend II, with a warning letter from the City Clerk that all Park rules and City requirements be adhered to; and
Hold until the May 5, 2015 Common Council meeting operators' license applications for Katarina Becker, 8207 W. Imperial Dr.; Paola Fernandez, 2012 S. 68th St., West Allis; Crystal Meyer, 3428 S. 88th St., Milwaukee; Molly Saskowski, S80W16536 Pellman Ln., Muskego; Dakota Sloan, 10650 W. McGraw Dr., Oak Creek; Jonathan Wiemer, 5345 W. Midland Dr., Milwaukee; Jenna Calliari, 7133 W. Wind Lake Rd., Wind Lake; Michael Falk, 10440 W. Scharles Ave., Hales Corners; Kyle Haley, 8945 S. 116th St.; Daniel Hodach, 4520 Empire Ln., Waterford; Jacob Koeferl, 11507 W. Church St.; Shelly Marquardt, 26011 75th St., Salem; Jenna Rozek, 1531 S. 98th St., West Allis; Jessica Rozek, 3222 S. 38th St., Milwaukee; Traci Stoeger, 15437 Mayflower Ct., New Berlin; and Kari Udvare, W130S8574 Durham Dr., Muskego. Seconded by Alderwoman Evans. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1.

Alderman D. Mayer moved to approve net general checking account City vouchers in the range of Nos. 156062 through 156215 in the amount of \$2,116,428.57 dated April 2, 2015 through April 16, 2015. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve the net payroll dated April 17, 2015 in the amount of \$361,506.13 and payments of the various payroll deductions in the amount of \$355,527.37 plus any

City matching payments, where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to approve the net payroll dated May 1, 2015 estimated at \$351,000 and payment of the various payroll deductions estimated at \$196,000 plus any City matching payments, where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve property tax settlements and refunds in the range of Nos. 14854 through 14855 in the amount of \$9,266,453.27 dated April 2, 2015 through April 16, 2015. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman D. Mayer moved to adjourn the meeting at 11:20 p.m. Seconded by Alderwoman Evans. All voted Aye; motion carried.