

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
DECEMBER 17, 2013  
MINUTES

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| ROLL CALL  | A.     | The regular meeting of the Common Council was held on December 17, 2013 and called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Mark Dandrea, Daniel M. Mayer, Kristen Wilhelm, Steve Taylor, Doug Schmidt, and Ken Skowronski. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberdia, City Attorney Jesse Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT  | B.1.   | Citizen comment period was opened at 6:31 p.m. and closed at 6:38 p.m.   |
| ANNOUNCEMENTS  | B.2.a. | Mayor Taylor noted the application for a Zoning Compliance Permit for the expansion of Baptista's Bakery, Inc. for the property located at 4625 Oakwood Park Drive in the Franklin Business Park, by TI Investors of Franklin, LLC, a subsidiary of Zilber, Ltd., and Baptista's Bakery, Inc. (scheduled for consideration by the Community Development Authority on Thursday, December 19, 2013 at 6:00 p.m.)   |
| APPROVAL OF<br>MINUTES-12/3/13   | C.1.   | Alderman Skowronski moved to approve the minutes of the regular meeting of December 3, 2013, as amended at Item G.3. Seconded by Alderman Schmidt. All voted Aye; motion carried.  |
| APPROVAL OF<br>MINUTES-12/11/13  | C.2.   | Alderman Schmidt moved to approve the minutes of the special meeting of December 11, 2013. Seconded by Alderman Dandrea. All voted Aye; motion carried.  |
| PUBLIC HEARING<br>FUTURE LAND USE FOR<br>11120 W. LOOMIS RD.<br>(VICTORY OF LAMB,<br>INC.) | D.1.   | The public hearing was called to order at 6:45 p.m., regarding a proposed ordinance to amend the City of Franklin 2025 Future Land Use Map for property located at approximately 11120 W. Loomis Road from Residential and Areas of Natural Resource Features to Institutional (Victory of Lamb, Inc., applicant) and Areas of Natural Resource Features, and was closed at 6:50 p.m. (See Item G.2.)  |
| APPOINTMENT OF<br>INSPECTOR OF<br>ELECTION FOR 2014-15                                     | E.1.   | Alderman Taylor moved to confirm Mayoral appointments of Inspectors of Election and alternates for 2014-2015 as listed on the action request form dated 12/17/2013. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.   |
| DONATION   | G.1.   | Alderman Wilhelm moved to accept the donation of \$415 from Brenwood Park residents Eileen Pfeiffer, Marge Flintrop, Doris Pischel, Dorothy Pratt and Elin Rogahn to the Fire Department. Seconded by Alderman Mayer. All voted Aye; motion carried.   |

- ORD. 2013-2124  
CHANGE FUTURE LAND  
USE FOR 11120 W.  
LOOMIS RD.
- G.2. Alderman Skowronski moved to adopt Ordinance No. 2013-2124, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY 11120 WEST LOOMIS ROAD FROM RESIDENTIAL USE AND NATURAL RESOURCES USE TO INSTITUTIONAL USE AND NATURAL RESOURCES USE (APPROXIMATELY 14.95 ACRES)(VICTORY OF LAMB, INC., APPLICANT). Seconded by Alderman Schmidt.  
Alderman Skowronski moved to call the question. Seconded by Alderman Mayer. All voted Aye; motion carried.  
The vote on the main motion to adopt Ordinance No. 2013-2124, Aldermen Dandrea, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; Alderman Mayer voted No. Motion carried.
- ORD. 2013-2125  
REZONING OF LAND AT  
11120 W. LOOMIS RD.  
(VICTORY OF LAMB,  
INC.)
- G.3. Alderman Skowronski moved to adopt Ordinance No. 2013-2125, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO I-1 INSTITUTIONAL DISTRICT (APPROXIMATELY 11120 WEST LOOMIS ROAD) (APPROXIMATELY 14.95 ACRES) (VICTORY OF LAMB, INC., APPLICANT). Seconded by Alderman Dandrea. Upon voice vote, Alderman Mayer Abstained. Motion carried.
- RES. 2013-6948  
SECURITY  
MAINTENANCE AND  
PAGING SYSTEMS  
SIMPLEXGRINNELL LP
- G.4. Alderman Taylor moved to adopt Resolution No. 2013-6948, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT FOR MAINTENANCE OF THE SECURITY AND PAGING SYSTEM IN THE FRANKLIN LAW ENFORCEMENT CENTER SERVICES WITH SIMPLEXGRINNELL LP. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2013-6949  
SOUTH DOOR ENTRY  
SECURITY  
SIMPLEXGRINNELL LP
- G.5. Alderman Wilhelm moved to adopt Resolution No. 2013-6949, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT FOR SOUTH DOOR ENTRY SECURITY EQUIPMENT FOR THE FRANKLIN LAW ENFORCEMENT CENTER SERVICES WITH SIMPLEXGRINNELL LP. Seconded by Alderman Taylor. All voted Aye; motion carried.
- ORD. 2013-2126  
COURT COSTS  
MUNICIPAL COURT  
ACTIONS
- G.6. Alderman Wilhelm moved to adopt Ordinance No. 2013-2126, AN ORDINANCE TO AMEND THE FRANKLIN MUNICIPAL CODE AS IT PERTAINS TO COURT COSTS IMPOSED IN MUNICIPAL COURT ACTIONS. Seconded by Alderman Taylor. All voted Aye; motion carried.

MODIFICATIONS OF  
SERVICES AGREEMENT  
RUEKERT-MIELKE

G.7. Alderman Schmidt moved to authorize the Director of Administration to execute a modification of the services agreement with Ruekert-Mielke for a review and update to impact fees increasing the not-to-exceed amount to \$23,367 which incorporates Ruekert-Mielke's current charges, with an additional project contingency authorization to the Director of Administration not to exceed \$1,783; all contingent upon Ruekert-Mielke waiving \$6,700 in existing charges and approval of the related budget modification. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2013-2127  
AMEND ORD. 2012-2096  
TO MODIFY BUDGET OF  
DEVELOPMENT-  
IMPACT-FEE FUND

G.8. Alderman Taylor moved to adopt Ordinance No. 2013-2127, AN ORDINANCE TO AMEND ORDINANCE 2012-2096 (AN ORDINANCE ADOPTING THE 2013 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN), AS AMENDED, TO MODIFY THE BUDGET OF THE DEVELOPMENT-IMPACT FEE FUND ADDING \$9,000 TO THE "OTHER PROFESSIONAL SERVICES" LINE ITEM, FUNDED FROM EXISTING ADMINISTRATIVE FEES FOR THE MODIFICATION OF THE PROFESSIONAL SERVICES AGREEMENT WITH RUEKERT-MEILKE FOR AN IMPACT FEE UPDATE WHICH INCORPORATES AN ADDITIONAL PROJECT CONTINGENCY FOR THE FINAL COMPLETION OF THE PROJECT. Seconded by Alderman Dandrea. Upon unanimous Aye voice vote, motion carried.

RES. 2013-6950  
2014 ENGINEERING  
SERVICES AGREEMENT  
JSA CIVIL  
ENVIRONMENTAL  
ENGINEERS, INC.

G.9. Alderman Skowronski moved to adopt Resolution No. 2013-6950, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT TO CONTINUE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES TO MONITOR COMPLIANCE AT THE METRO RECYCLING & DISPOSAL FACILITY TO DECEMBER 31, 2014, WITH JSA CIVIL ENVIRONMENTAL ENGINEERS, INC. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2013-6953  
INTERGOVERNMENTAL  
AGREEMENT WITH  
MMSD-PPII  
ELIMINATION ON S.  
36TH ST.

G.12. Alderman Wilhelm moved to adopt Resolution No. 2013-6953, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT (MMSD) FOR THE PRIVATE PROPERTY INFILTRATION AND INFLOW (PPII) ELIMINATION ON S. 36TH STREET BETWEEN W. MISSOURI AVENUE AND W. MADISON BOULEVARD. Seconded by Alderman Taylor. All voted Aye; motion carried.

- RES. 2013-6951  
CONTRACT TO MUSSON  
BROTHERS, INC.  
S. 36TH ST. SANITARY  
SEWER LATERAL  
INFLOW
- G.10. Alderman Wilhelm moved to adopt Resolution No. 2013-6951, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER MUSSON BROTHERS, INC IN THE AMOUNT OF \$245,508.25 FOR THE S. 36TH STREET PRIVATE PROPERTY SANITARY SEWER LATERAL INFLOW AND INFILTRATION REHABILITATION FROM W. MISSOURI AVENUE TO W. MADISON BOULEVARD. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2013-6952  
CONTRACT TO STARK  
ASPHALT  
INSTALLATION OF  
CONCRETE SIDEWALK  
ON S. 51ST ST.
- G.11. Alderman Taylor moved to adopt Resolution No. 2013-6952, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER, STARK ASPHALT, IN THE AMOUNT OF \$52,595.00 FOR THE INSTALLATION OF CONCRETE SIDEWALK ON S. 51ST STREET FROM W. MINNESOTA AVENUE NORTH 1,340 FEET TO W. RAWSON AVENUE. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- ORDINANCE FOR  
PREVENTION OF  
BLIGHT
- G.13. Alderman Taylor moved to adopt AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE FOR THE PREVENTION OF BLIGHT CREATED BY THE BOARDING UP OF WINDOWS UPON UNOCCUPIED DWELLING STRUCTURES. Seconded by Alderman Skowronski.  
Alderman Taylor withdrew his motion and then moved to refer this Ordinance to the January 7, 2014, Common Council meeting. Seconded by Alderman Wilhelm.  
Alderman Wilhelm moved to call the question. Seconded by Alderman Mayer. All voted Aye; motion carried.  
On the voice vote for the main motion, all voted Aye. Motion carried.
- AMENDMENT TO 2013  
CLARE MEADOWS  
NORTH HANDICAP  
ACCESSIBLE SIDEWALK  
CDBG PROJECT
- G.14. Alderman Wilhelm moved to authorize the Director of Administration to accept and execute an amendment to the Agreement with Milwaukee County for the 2013 Clare Meadows North Handicap Accessible Sidewalk CDBG Project, Phase III, once prepared and received from Milwaukee County, granting an extension of the project to July 1, 2014 or such other date that the County may provide. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2013-6954  
CITY OF FRANKLIN  
BARGAINING  
EMPLOYEES'  
RETIREMENT PLAN
- G.15. Alderman Schmidt moved to adopt Resolution No. 2013-6954, A RESOLUTION TO AMEND THE CITY OF FRANKLIN BARGAINING EMPLOYEES' RETIREMENT PLAN AND THE CITY OF FRANKLIN CERTAIN EMPLOYEES' RETIREMENT PLAN TO AMEND PLAN NAMES, ELIGIBILITY, EMPLOYER PICK-UP CONTRIBUTIONS, VESTING, AND TO MEET FEDERAL REQUIREMENTS AND TO INCORPORATE SUCH INTO THE EMPLOYEE HANDBOOK. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- AEROTROPOLIS  
MILWAUKEE  
INTERLOCAL  
COOPERATION  
AGREEMENT
- G.16. Alderman Mayer moved to authorize the Mayor and City Clerk to execute the Interlocal Cooperation Agreement as a separate document and/or with a multi-municipal signature page and to direct the Planning Department to prepare a recommendation for an “Interlocal Aerotropolis Area” designation. Seconded by Wilhelm. All voted Aye; motion carried.
- SOUTH SUBURBAN  
CHAMBER OF  
COMMERCE ANNUAL  
AWARDS DINNER
- G.17. Alderman Taylor moved to authorize use of \$400 of Contingency appropriations for City representative participation at the South Suburban Chamber of Commerce Annual Awards Dinner. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- MSGOVERN’S  
“OPENFORMS”  
UPGRADE
- G.18. Alderman Taylor moved to authorize the Director of Administration to execute a purchase order agreement with MSGovern for the purchase of the “OpenForms” upgrade to the City’s permitting software for an amount not-to-exceed \$17,320. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- 2014 IT SERVICES  
AGREEMENT WITH  
HEARTLAND BUSINESS  
SYSTEMS
- G.19. Alderman Taylor moved to authorize the Director of Administration to execute the Information Technology Services Agreement between Heartland Business Systems and the City of Franklin effective January 1, 2014. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- GEOGRAPHIC  
MARKETING  
ADVANTAGE, LLC  
AGREEMENT FOR 2014
- G.20. Alderman Schmidt moved to authorize the Director of Administration to execute a contract with Geographic Marketing Advantage, LLC for Geographic Information System Support and Database Maintenance Services in a form substantially equivalent to the 2013 contract but incorporating a 3% rate increase effective January 1, 2014. Seconded by Alderman Mayer. All voted Aye; motion carried.
- MISCELLANEOUS  
LICENSES
- H.1. Alderman Taylor moved to grant the following licenses;
- Operator License to Markowski, Karen A., 11077 W. Forest Home Ave., Apt. 122, Hales Corners:
- People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grants to:  
Saint Paul’s Lutheran School-Community Out Reach, fee waivers-park permit on 5/29/2014 at Vernon Barg Pavilion and Xaverian Missionaries-Annual Festival, fee waivers-Extraordinary Event License, Temporary Class B Beer and Wine License, Temporary Operator License, Temporary Food License and Sign Permits on 6/21-22/2014 at 4500 Xavier Dr.

LICENSES-  
CONTINUED

Also moved to hold Operator Licenses for Proeber, Alexander J., 8405 Nicholson Rd., Caledonia and Ceron-Rodriguez, Jonathan, 1633 S. 37th St., Milw., both subject to appearing before the License Committee. Seconded by Alderman Skowronski. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

I.1. Alderman Skowronski moved to approve net general checking account City vouchers in the range of Nos. 150292 through 150432 dated November 29 through December 12, 2013 in the amount of \$1,492,577.88. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated December 13, 2013 in the amount of \$321,125.68 (estimate previously approved at \$318,000.00) and payments of the various payroll deductions in the amount of \$210,165.17 with check nos. 150433 through 150440 and EFT nos. 2491 through 2493 (estimate previously approved at \$211,000.00) plus any City matching payments, where required. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to approve net general checking account City vouchers in the range Nos. 150441 through Nos. 150444 in the amount of \$56,758.34 dated December 17, 2013. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve the net payroll dated December 27, 2013 estimated at \$354,000.00 and payments of the various payroll deductions estimated at \$218,000.00 plus any City matching payments, where required. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

Alderman Skowronski moved to approve payment of \$57,500 to Humana as the advance claim funding payment on the 2014 health claims. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:06 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.