

CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 3, 2013
MINUTES

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| ROLL CALL | A. | The regular meeting of the Common Council was held on December 3, 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 Assistant City Engineer Ron Romeis, Director of Administration Mark Lubberda, City Attorney Jesse Wesolowski and City Clerk Sandi Wesolowski. |
| CITIZEN COMMENT | B.1. | Citizen comment period was opened at 6:31 p.m. and closed at 6:38 p.m. Mayor Taylor presented a Proclamation to Eagle Scout Austin Hamlin. |
| APPROVAL OF MINUTES-11/19/13 | C.1. | Alderman Taylor moved to approve the minutes of the regular meeting of November 19, 2013. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| FRANKLIN LIONS CLUB DONATION TO LIONS LEGEND PARK | F.1. | On behalf of the Franklin Lions Club, Joe Hanrahan presented a check to the City in the amount of \$2,500 towards the remodeling of the pavilion at Lions Legend Park, 8050 S. Legend Drive. |
| RESCHEDULE IMPACT FEE HEARING | G.1. | Alderman Mayer moved to approve that the Public Hearing on Impact Fee Ordinance Amendment be re-noticed and scheduled for January 7, 2014, the first meeting in January; and |
| DONATIONS | | To accept the following donations: |
| | G.2.a. | \$200.00 from Stephen R. Olson and Beverly Sollazo-Olson towards the Franklin Police Department Citizen Academy; and |
| | G.2.b. | \$25.00 from Rolling Dice Riders of Franklin, Inc. Snowmobile Club to the Department of Public Works.
Seconded by Alderman Schmidt. All voted Aye; motion carried. |
| RES. 2013-6942 SPECIAL USE GREYWOLF PARTNERS, INC., 6801 S. 27TH ST. | G.3. | Alderman Wilhelm moved to adopt Resolution No. 2013-6942, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A WAREHOUSING AND DISTRIBUTION FACILITY USE UPON PROPERTY LOCATED AT 6801 SOUTH 27TH STREET (GREYWOLF PARTNERS, INC., APPLICANT) as amended by the City Attorney. Seconded by Alderman Dandrea. On voice vote, Alderman Skowronski voted No; motion carried. |

- RES. 2013-6943
SPECIAL USE
THE ROCK SPORTS
COMPLEX, LLC, 7150 S.
76TH ST.
- G.4. Alderman Mayer moved to adopt Resolution No. 2013-6943, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN INDOOR BASEBALL EDUCATIONAL/PRACTICE PHYSICAL FITNESS FACILITY USE UPON PROPERTY LOCATED AT 7150 SOUTH 76TH STREET (THE ROCK SPORTS COMPLEX, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.
- STORM WATER
MAINTENANCE
AGREEMENT
- G.5. Alderman Dandrea moved to table A RESOLUTION ACCEPTING A STORM WATER MAINTENANCE AGREEMENT FROM AVIAN ESTATES, LLC until returned by the Engineering Department. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2013-6944
EASEMENTS
AVIAN ESTATES
SUBDIVISION
- G.6. Alderman Dandrea moved to adopt Resolution No. 2013-6944, A RESOLUTION FOR ACCEPTANCE OF STORM DRAINAGE, SANITARY, WATERMAIN AND STORMWATER MANAGEMENT AND ACCESS EASEMENTS FOR AVIAN ESTATES SUBDIVISION LOCATED AT W. AVIAN COURT OFF OF W. PUETZ ROAD. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2013-6945
RELEASE PREVIOUSLY
REQUIRED AND
RECORDED PUBLIC
EASEMENTS.
- G.7. Alderman Dandrea moved to adopt Resolution No. 2013-6945, A RESOLUTION TO RELEASE PREVIOUSLY REQUIRED AND RECORDED PUBLIC EASEMENTS UPON PROPERTY NOW WITHIN THE AVIAN ESTATES SUBDIVISION AS THE PUBLIC NEEDS SERVED BY SUCH PRIOR EASEMENTS HAVE BEEN MET WITH THE EASEMENTS REQUIRED AS A CONDITION OF THE APPROVAL OF THE AVIAN ESTATES SUBDIVISION PLAT. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2013-6946
SURVEY SERVICES FOR
NEW SEWER & WATER
UTILITY BUILDING
- G.8. Alderman Schmidt moved to adopt Resolution No. 2013-6946, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE A SURVEY SERVICES PROPOSAL FOR THE PROPOSED NEW SEWER AND WATER UTILITY OPERATIONS BUILDING. Seconded by Alderman Mayer. All voted Aye; motion carried.
- CONTRACT WITH
MSGovern
- G.9. Alderman Taylor moved to authorize the Director of Administration to accept and execute the "Quote" in the amount of \$16,500 from MSGovern for data conversion services, dated October 31, 2013. Seconded by Alderman Schmidt. All voted Aye; motion carried.

2014 PROPERTY AND
CASUALTY INSURANCE
COVERAGE

G.10. Alderman Taylor moved to authorize the Director of Administration to renew and execute the City's casualty insurance plans with R&R Insurance/League of Wisconsin Municipalities Mutual Insurance, the Local Government Property Insurance Fund, and CNA for the upcoming 2014 year, including incorporating the Monies/Securities coverage within the CNA Crime policy and to further authorize release of premium payments in accordance with or as required by said policy documents. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2013-6947
CITY OF FRANKLIN'S
EMPLOYEE HEALTH
BENEFIT PLAN

G.11. Alderman Dandrea moved to adopt Resolution No. 2013-6947, A RESOLUTION ADOPTING A POLICY THAT THE CITY OF FRANKLIN'S EMPLOYEE HEALTH BENEFIT PLAN SHALL MAINTAIN A LEVEL OF BENEFITS TO ENSURE THAT THE CITY IS NOT SUBJECT TO THE AFFORDABLE CARE ACT'S "CADILLAC TAX". Seconded by Alderman Taylor. All voted Aye; motion carried.

INSURANCE BROKER
SERVICES BID

G.12. Alderman Schmidt moved to approve that the City adopt a practice of bidding out insurance broker services every 3 years starting at a point as determined by the Common Council (and that the Director of Administration is hereby directed to initially implement the practice in 2014, unless otherwise postponed by the Common Council following its consideration of a report on workload, projects, and outstanding Common Council directives). Seconded by Alderman Mayer. All voted Aye; motion carried.

COMMITTEE OF THE
WHOLE
RECOMMENDATIONS

- G.13.
- A. No action was taken on a concept review for a proposed office/retail development (5600, 5602, and 5610 W. Rawson Avenue) (Blind Squirrel Development LLC, applicant).
 - B. No action was taken on an update on property condition complaints.
 - C. Reclassification of the Position of "Director of Administration" to "City Administrator". Alderman Taylor moved to table to July 2014. Seconded by Alderman Dandrea. Upon voice vote, Alderman Skowronski voted No; motion carried.
 - D. Alderman Taylor moved to enter closed at 7:30 p.m. pursuant to Wis. Stats. 19.85(1)(e) for consideration of deliberating or negotiating a service contract and conducting public business which requires a closed session for competitive or bargaining reasons, in order to consider amendment of the terms of the service contract for Wireless Emergency Network Service (WENS) between the City of Franklin and Inspiron Logistics, up to and including consideration of termination of the contract, and/or in accordance with Wis. Stats. 19.85(1)(g) to

COMMITTEE OF THE
WHOLE
RECOMMENDATIONS-
CONTINUED

confer with legal counsel for the government body concerning strategy to be adopted by the body with respect to litigation in which the City is likely to become involved in relation to consideration of said contract termination, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. On roll call, Aldermen Dandrea, Mayer, Wilhelm, Taylor and Schmidt voted Aye; Alderman Skowronski voted No. Motion carried.

Upon reentering open session at 8:30 p.m., Alderman Mayer moved to direct the Director of Administration to contact Inspiron Logistics chief executive and/or designee to request that he appear in person to explain and provide assurances that the Emergency Alert System is working properly and to guarantee in writing that there will never be a future failure of the emergency alert system for Franklin. Seconded by Alderman Dandrea. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

H.1. Alderman Taylor moved to grant the following licenses:

Operator License to Cope, Katherine M., 4032 S. 77th St., Apt. #2, Milw.; Schuster, Aaryn R., 1828 E. Eden Pl., St. Francis and Serchen, Graham W., 10510 W. Cortez Cir. #20;

People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grants to:

Fleet Reserve Association Branch 14-Scholarships, fee waivers-Labor Day Fair permit on 8/31-9/1/14 at St. Martins Fair;

Franklin City Civic Celebrations, fee waivers-temporary operator licenses, entertainment & amusement license, Class B beer & wine, soda and park permits on 7/3-7/5/14 at Lions Legend Park I & II subject to obtaining signatures and budget projections;

Franklin Lions Club-Meetings & Fundraisers, fee waivers-St. Martins Fair permits, park permits, temporary Class B beer & wine licenses and temporary operator licenses on 4/19, 7/8, 7/22, 8/13, 8/26, 8/31-9/1/14 at St. Martins Fair, Legend Park I and Ken Windl;

Franklin Park Concerts-Free Concerts, fee waivers-park permits, band shell fees, temporary entertainment & amusement license on 6/22, 7/6, 7/20, 8/3, 8/17/14 at Legend Park I;

Franklin Police Dept.-National Night Out Kick-off, fee waivers-park permit, temporary entertainment & amusement and food license on 8/4/14 at Library, Library parking lot and Legend Park I baseball field area;

Safety City/Health Dept., fee waivers-park permit for summer of 2014 (dates to be determined) at Ken Windl Park;

MISCELLANEOUS
LICENSES-
CONTINUED

Saint Martin of Tours-Fund Raisers, fee waivers-Labor Day Fair Permit, Temporary Class B beer & wine temporary entertainment & amusement and temporary operator licenses on 2/15, 3/29, 5-16-18, 8/31-9/1 for fall/winter fund raiser (dates to be determined) at St. Martins Fair and Saint Martin of Tours Church or School;

VFW Post 10394 Franklin-Hales Corners-Fund Raisers, fee waivers-temporary entertainment & amusement, temporary Class B beer and St. Martins Fair permit on 8/31-9/1/14, brat fry fund raiser date(s) to be determined at St. Martins Fair, Pick n Save (Hwy. 100 & Drexel Ave., 76th St. and Rawson Ave.);

Knights of Columbus-Arts & Crafts Show, fee waivers-extraordinary event, temporary Class B beer license and temporary Operators License on 8/31/14 at Sacred Heart School of Theology subject to submittal of insurance certificate;

Victory of the Lamb Church-Fall Family Festival, fee waivers-park permit, temporary entertainment & amusement, food license on 10/4/14 at Lions Legend Park I subject to submittal of insurance certificate. Seconded by Alderman Skowronski. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Dandrea moved to approve net general checking account City vouchers in the range of Nos. 150165 through 150291 dated November 25 and November 27, 2013 in the amount of \$403,148.06. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net general checking account City payroll in the amount of \$238,915.11 dated November 29, 2013. Seconded by Alderman Dandrea.

Alderman Dandrea moved to approve net general checking account health claims in the amount of \$165,244.84 dated November 28, 2013. Seconded by Alderman Mayer.

Alderman Schmidt moved to approve the net payroll dated November 29, 2013 in the amount of \$369,733.98 (estimate previously approved at \$362,000.00). Seconded by Alderman Dandrea.

Alderman Skowronski motion to approve the net payroll dated December 13, 2013 estimated at \$318,000.00 and payments of the various payroll deductions estimated at \$211,000.00 plus any City matching payments, where required. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:34 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.