

APPROVED JANUARY 23, 2018

CITY OF FRANKLIN
COMMON COUNCIL MEETING
JANUARY 9, 2018
MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on January 9, 2018 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, Alderman Mike Barber and Alderman John R. Nelson. Excused was Alderman Steve F. Taylor. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberda, and City Attorney Jesse A. Wesolowski.
- CITIZEN COMMENT
- B.1. Citizen comment period was opened at 6:31 p.m. and closed at 7:21 p.m.
- PROCLAMATION
FREDERICK M. BAUMGART
RECOGNITION
- B.2.a. Mayor Olson presented a Proclamation in Recognition of Building Inspector Frederick M. Baumgart, who retired on January 5, 2018.
- PROCLAMATION
LIGHT & UNITE RED WEEK
- B.2.b. Mayor Olson presented a Proclamation declaring the week of January 22-28, 2018 to be Light Unite RED week to highlight the efforts to prevent substance abuse.
- MINUTES
DECEMBER 19, 2017
- C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council meeting of December 19, 2017 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- FAIR COMMISSION
APPOINTMENT
- E.1. Alderman Nelson moved to confirm the Mayoral appointment of Ann Adamski, 7825 South Stonebrook Court (Ald. Dist. 3), to the Fair Commission for an unexpired 3-year term expiring 04/30/2018. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Barber and Alderman Nelson voted Aye; Alderman Mayer Abstained. Motion carried.
- CONSENT AGENDA
DONATIONS, LEASE
AGREEMENT FOR DIGITAL
COPIER FOR FIRE DEPT.
ORD. 2018-2311 CREATING A FEE
- G.1. Alderman Barber moved to approve the following consent agenda items:
- (a) Donations to the Franklin Police Department from: AM Painting & Drywalling, LLC in the amount of \$1,000.00; Daniel and Sandra Hay in the amount of

FOR PAYMENTS RETURNED
UNPAID

\$3,000.00; Jane F. Godfroy in the amount of \$2,000.00 for canine related items.

- (b) Donation to the Franklin Fire Department in the amount of \$3,000.00 from Daniel and Sandra Hay.
- (c) Request for approval for a lease agreement for a Sharp MX-3070N digital copier for the Fire Department.
- (d) Ordinance No. 2018-2311, AN ORDINANCE TO CREATE SECTION 40-2. OF THE MUNICIPAL CODE REGARDING A FEE FOR PAYMENTS RETURNED UNPAID.

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

LUCAS AUTOMATIC CHEST
COMPRESSION DEVICE

G.2

Alderman Mayer moved to authorize the Fire Department to purchase one LUCAS automatic compression device from Physio-Control Inc. using its 2018 capital budget and existing department grant and donation. Seconded by Alderman Nelson. Vote recorded as unanimous Aye. Motion carried.

ORD. 2018-2312
AMEND UDO TO ALLOW FOR
PERMITTED & SPECIAL USE AT
7900 W. CRYSTAL RIDGE DR.
(BALL PARK COMMONS, LLC,
APPLICANT)

G.3.

Alderman Mayer moved to table to the Common Council meeting of January 23, 2018, Ordinance No. 2018-2312. Seconded by Alderman Dandrea. On roll call, Alderman Mayer and Alderman Nelson voted Aye; Alderman Dandrea, Alderwoman Wilhelm and Alderman Barber voted No. Motion failed.

Alderman Dandrea then moved to adopt Ordinance No. 2018-2312, AN ORDINANCE TO AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO REVISE THE DISTRICT IN THE FOLLOWING MANNER: TO ALLOW ADDITIONAL USES AS PERMITTED USES, INCLUDING BUT NOT LIMITED TO INDOOR/OUTDOOR GOLF DRIVING RANGE, GENERAL RETAIL, SPORTS MEDICINE, RESTAURANTS AND DRINKING; TO ALLOW ADDITIONAL USES AS SPECIAL USES INCLUDING BUT NOT LIMITED TO OUTDOOR AND INDOOR SPORTS (NON-MOTORIZED), ENTERTAINMENT, AND GENERAL COMMERCIAL OFFICE; TO REVISE CERTAIN DISTRICT STANDARDS INCLUDING BUT NOT LIMITED TO BUILDING HEIGHT LIMITS; TO INCLUDE ADDITIONAL MORE DETAILED SITE INFORMATION PERTAINING TO PUBLIC AND

PRIVATE INFRASTRUCTURE SUCH AS STREETS, PARKING LOTS, AND STORM WATER MANAGEMENT FACILITIES; AND TO ALLOW A THREE MONTH EXTENSION OF THE FIRST BUILDING PERMIT TIME LIMIT IN CONDITION NUMBER 27 IN PLANNED DEVELOPMENT DISTRICT NO. 37, ORDINANCE NO. 2016-2212 (7900 WEST CRYSTAL RIDGE DRIVE) (BALLPARK COMMONS LLC, APPLICANT, ZIM-MAR PROPERTIES, LLC, MILWAUKEE COUNTY, WISCONSIN DEPARTMENT OF TRANSPORTATION AND FF & E, LLC PROPERTY OWNERS). Seconded by Alderman Barber. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Wilhelm and Alderman Dandrea voted Aye; Alderman Mayer voted No. Motion carried.

RES. 2018-7339
SPECIAL USE AT 7900 W.
CRYSTAL RIDGE DR.
(BALLPARK COMMONS LLC,
APPLICANT)

G.4. Alderman Barber moved to adopt Resolution No. 2018-7339, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A PROPOSED OUTDOOR BASEBALL/SOCCER STADIUM USE UPON PROPERTY LOCATED AT 7900 WEST CRYSTAL RIDGE DRIVE (BALLPARK COMMONS LLC, APPLICANT), with Condition No. 6 amended to include the Common Council. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

STANDARDS, FINDINGS AND
DECISION FOR THE ROCK
SPORTS COMPLEX, LLC.

G.5. Alderman Barber moved to adopt Standards, Findings and Decision of the City of Franklin Common Council upon the application of the Rock Sports Complex, LLC, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance, with the addition of amended language. Seconded by Alderman Nelson. All voted Aye; motion carried.

ORD. 2018-2313
AMEND UDO TO AMEND OFF-
STREET LOADING
REQUIREMENTS & ALLOW FOR
USE OF PUBLIC STREETS IN
INDUSTRIAL AREAS (KRONES,
INC., APPLICANT)

G.6. Alderman Barber moved to adopt Ordinance 2018-2313, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT TO AMEND §15-5.0205 OFF-STREET LOADING REQUIREMENTS, SPECIFICALLY §§15-5.0205B. AND 15-0205F., AND TO AMEND §15-05.026 OFF-STREET LOADING SPACE DESIGN, SPECIFICALLY §15-5.0206B., TO PROVIDE SOME FLEXIBILITY WITH REGARD TO AND TO ALLOW FOR THE USE OF PUBLIC STREETS FOR TRUCK LOADING AND

UNLOADING DELIVERY SERVICES PURPOSES, PRIMARILY IN INDUSTRIAL AREAS INVOLVING A DEAD END STREET (KRONES, INC., APPLICANT).. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2018-7340
SPECIAL USE AT 11610 W.
RAWSON AVENUE (JOHN
PRUSINSKI, JEMCO, LLC,
APPLICANT)

G.7. Alderman Nelson moved to adopt Resolution No. 2018-7340, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN ELECTRICAL CONTRACTOR BUSINESS USE UPON PROPERTY LOCATED AT 11610 WEST RAWSON AVENUE (JOHN PRUSINSKI, OWNER AND OPERATOR OF JEMCO, LLC D/B/A JEMOCO ELECTRIC, APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND PERMITS

H. Alderwoman Wilhelm moved to approve the following:
Recommend proof of 1-hour food service training per person with further re-inspection for Pantheon of Wisconsin, Inc., Agent Debbie Koutromanous, 7621 W. Rawson Ave.;
Approve food inspection review subject to re-inspection for Alley Katz, LLC, Agent John Trudeau, 11430 W. Swiss St.;
Grant Operator License, with a warning letter, to Shawna Kullas, 3801 S. Logan Ave., Milwaukee;
Grant Operator Licenses to Katie Brzozowski, 2255 W. Goldcrest Ave., Milwaukee; Stephen Gostomski, 2064 S. 87th St., West Allis; Aaron Lambert, 5037 Sycamore St., Greendale; Lorene Ornelas, 2955 W. Drexel Ave.; and
Grant Change of Agent to Pick N Save #6431, Haley Dixon, 4175 S. 58th St., Milwaukee.
Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I. Alderman Dandrea moved to approve the following:
City vouchers with an ending date of January 4, 2018 in the amount of \$3,422,037.83; Payroll dated December 22, 2017 in the amount of \$372,331.60 and payments of the various payroll deductions in the amount of \$395,333.50, plus City matching payments; and Payroll dated January 5, 2018 in the amount of \$385,188.99 and payments of the various payroll deductions in the amount of \$232,058.55 plus City matching payments; and Estimated Payroll dated January 19, 2018 in the amount of \$406,000.00 and payments of the various payroll deductions in the amount

of \$413,000.00, plus City matching payments; and Property tax refunds and payments with an ending date of January 4, 2018 in the amount of \$50,714,980.94. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
IMPLEMENTATION OF THE
“LABOR AGREEMENT
BETWEEN THE CITY OF
FRANKLIN AND FRANKLIN
PROFESSIONAL FIREFIGHTERS
I.A.F.F. LOCAL 2760.”

- G.8. Alderman Barber moved to enter closed session at 8:54 p.m. with regard to the Labor Agreement implementation subject matter pursuant to Wis. Stat. § 19.85(1)(c), to consider employment or compensation data of a public employee over which the Common Council has jurisdiction or exercises responsibility; Wis. Stat. § 19.85(1)(f), to consider financial, medical, or personal history data, which if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to; Wis. Stat. § 19.85(1)(g), for the purpose of conferring with legal counsel for the governmental body who is rendering written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved; and Wis. Stat. § 19.85(1)(e), for competitive and bargaining reasons for the purpose of deliberating, negotiating, or conducting other specified public business in relation to the labor agreement implementation subject matter; and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.. Seconded by Alderman Nelson. All voted Aye; motion carried.

Upon reentering open session at 9:00 p.m., Alderman Mayer moved to authorize the Director of Administration to apply Article XIV Section 2 (b) to Roger Beaver’s 40.65 Duty Disability retiree insurance and to inform the Franklin Professional Firefighters Union and Mr. Beaver of this determination while preserving the City’s rights for future application of Article XIV Section 2 (b). Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Barber moved to adjourn the meeting at 9:11 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.