

APPROVED JULY 21, 2015

CITY OF FRANKLIN COMMON COUNCIL MEETING JULY 7, 2015 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on July 7, 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 (excused from the meeting at 8:00 p.m.), Alderwoman Janet Evans, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberda, 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 6:54 p.m.

MAYOR ANNOUNCEMENTS

- B.2.(a). Mayor Olson announced the Kayla's Playground Groundbreaking Celebration at Franklin Woods tentatively scheduled for July 23, 2015 at 5:30 p.m.
- B.2.(b). Mayor Olson announced the retirement of Dale Linneman, Department of Public Works Foreman.

APPROVAL OF MINUTES

- C. Alderwoman Wilhelm moved to approve the minutes of the regular meeting of June 16, 2015 as amended. Seconded by Alderman Dandrea. All voted Aye; motion carried.

BOARD AND COMMISSION APPOINTMENTS

- E. Alderman D. Mayer moved to confirm the Mayoral appointment of Craig Haskins, 7120 S. Woelfel Road (Ald. Dist. 2), 2-year term expiring 6/30/2017 to the Economic Development Commission. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to confirm the Mayoral appointment of Michael Soto, 6749 W. Harvard Drive (Ald. Dist. 5), 2-year term expiring 6/30/2017 to the Economic Development Commission. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to confirm the Mayoral appointment of Matt Cool, 4934 W. Forest Hill Avenue (Ald. Dist. 5), correction to a 2-year term expiring 6/30/2016 to the Economic Development Commission. Seconded by Alderwoman Evans.

On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to confirm the Mayoral appointment of Ernest Litynski, 7324 S. Stone Hedge Drive (Ald. Dist. 2), 2-year term expiring 6/30/2017 to the Economic Development Commission. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to confirm the Mayoral appointment of Alderman Dan Mayer, 1-year term expiring 4/30/2016 to the Environmental Commission. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to confirm the Mayoral appointment of Alderman Mark Dandrea, 1-year term expiring 4/30/2016 to the Finance Committee. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to table to the July 21, 2015 Common Council meeting the Mayoral appointment of Alderwoman Kristen Wilhelm, 1-year term expiring 4/30/2016 to the Finance Committee. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

Alderman Schmidt moved to confirm the Mayoral appointment of Alderwoman Susanne Mayer, 1-year term expiring 4/30/2016 to the Finance Committee. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to confirm the Mayoral appointment of Alderman Mark Dandrea, 1-year term expiring 4/30/2016 to the License Committee. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to confirm the Mayoral appointment of Alderwoman Kristen Wilhelm, 1-year term expiring 4/30/2016 to the License Committee. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to confirm the Mayoral appointment of Alderwoman Janet Evans, 1-year term expiring 4/30/2016 to the License Committee. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to table to the July 21, 2015 Common Council meeting the Mayoral appointment of

Aldерwoman Susanne Mayer, 1-year term expiring 4/30/2016 to the Parks Commission. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

Alderman Dandrea moved to confirm the Mayoral appointment of Aldерwoman Janet Evans, 1-year term expiring 4/30/2016 to the Plan Commission. Seconded by Aldерwoman Evans. On roll call, Alderman Dandrea and Aldерwoman Evans voted Aye; Alderman D. Mayer, Aldерwoman Wilhelm, Alderman Schmidt and Aldерwoman S. Mayer voted No. Motion failed.

No action was needed on the appointment of Alderman Doug Schmidt to the Quarry Monitoring Committee as his current appointment expiration is 5/31/2016.

LETTERS AND
PETITIONS

F. No action was needed on the letter from Karen Ryan appealing noxious weed determination for property located at 6952 West Imperial Drive as the matter was resolved.

RES. 2015-7102
CONSERVATION
EASEMENT-6381, 6411,
6421, 6431-6435 AND
6455 S. 108TH ST., 11131
W. FOREST HOME AVE.
AND PROPERTY
ADJACENT TO W.
FOREST HOME AVE.

G.1. Aldерwoman S. Mayer moved to adopt a Resolution No. 2015-7102 A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR PROPERTY LOCATED AT 6381, 6411, 6421, 6431-6435 AND 6455 SOUTH 108TH STREET, 11131 WEST FOREST HOME AVENUE AND PROPERTY ADJACENT TO WEST FOREST HOME AVENUE BEARING TAX KEY NO. 704-9980-002 (Hiller Ford, Inc. and Dealership Properties, Inc., Applicants). Seconded by Alderman D. Mayer.

Aldерwoman Wilhelm moved to amend the motion to direct staff to do contingency verification on the navigability. Seconded by Aldерwoman S. Mayer. Aldерwoman S. Mayer withdrew her second and Aldерwoman Wilhelm withdrew her motion to amend the main motion.

Aldерwoman S. Mayer withdrew her motion to adopt Resolution No. 2015-7102.

Aldерwoman S. Mayer then moved to adopt a Resolution No. 2015-7102 A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR PROPERTY LOCATED AT 6381, 6411, 6421, 6431-6435 AND 6455 SOUTH 108TH STREET, 11131 WEST FOREST HOME AVENUE AND PROPERTY ADJACENT TO WEST FOREST HOME

AVENUE BEARING TAX KEY NO. 704-9980-002 (Hiller Ford, Inc. and Dealership Properties, Inc., Applicants) subject to technical corrections by the City Attorney and with approval by staff of the determination of navigability. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2015-7103
CSM (ADAM C. MURPHY
AND TANYA M.
MURPHY,
APPLICANTS)(9843, 9847
AND 9851 S. 27TH ST.)

G.2. Alderwoman Evans moved to adopt a Resolution No. 2015-7103, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 6044 AND LANDS, BEING A PART OF THE SOUTHEAST 1/4 OF SECTION 25 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (Adam C. Murphy and Tanya M. Murphy, Applicants)(9843, 9847 and 9851 South 27th Street). Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2015-7104
APPROVING CSM
(RICHARD A. HEPP AND
APRIL HEPP,
APPLICANTS)(8473 S.
47TH ST.)

G.3. Alderman Schmidt moved to adopt a Resolution No. 2015-7104, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED MAP, BEING A RE-DIVISION OF LOT 2, BLOCK 3 OF HUNTING PARK, BEING A SUBDIVISION OF A PART OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (Richard A. Hepp and April Hepp, Applicants)(8473 South 47th Street). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2015-7105
CONSERVATION
EASEMENT FOR CSM
8473 S. 47TH ST. (HEPP)

G.4. Alderman Schmidt moved to adopt Resolution No. 2015-7105, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR PROPERTY LOCATED AT 8473 SOUTH 47TH STREET (Richard A. Hepp and April A. Hepp, Owners), with the addition of the following: "Notwithstanding anything to the contrary in this Easement with respect to buildings or other structures currently located in the easement area or setback area all shall be allowed to remain, subject to the standards of Division 15-3.1000 of the Unified Development Ordinance relating to legal nonconforming structures" and subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderwoman Evans. All voted Aye; motion carried.

RES. 2015-7106
ACCEPTING THE
CONVEYANCE BY THE
MMSD OF FIVE
PARCELS OF LAND
ACQUIRED PURSUANT
TO THE MMSD AND THE
CONSERVATION FUND
GREENSEAMS® ST.
NIKOLA 17 ACRES 787-
9992-000; LEUNG 9.15
ACRES 787-9990-004;
DILWORTH 8.89 ACRES
787-9991-000 AND 787-
9993-000; ROBARGE 0.88
ACRES 788-9994-000;
RADICEVICH 15.68
ACRES 886-9998-000)

G.7. Alderman Schmidt moved to adopt Resolution No. 2015-7106, A RESOLUTION ACCEPTING THE CONVEYANCE TO THE CITY OF FRANKLIN BY THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT OF FIVE PARCELS OF LAND ACQUIRED PURSUANT TO THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT AND THE CONSERVATION FUND GREENSEAMS® PROGRAM PARTICIPATION AND AUTHORIZING CERTAIN OFFICIALS TO EXECUTE ALL DOCUMENTS NECESSARY TO COMPLETE SUCH CONVEYANCE AND TO ENTER INTO AND DELIVER CONSERVATION EASEMENTS TO FURTHER PROTECT AND PROMOTE THE CONSERVATION OF SUCH VALUABLE NATURAL RESOURCES FOR THE BETTERMENT OF THE ENVIRONMENT AND HUMANITY BY WAY OF DECLARATIONS THEREIN THAT SUCH PROPERTIES SHALL BE MAINTAINED AND PROTECTED FOR NATURE CONSERVATION AND PUBLIC PARK PURPOSES IN PERPETUITY (MMSD provided prior private property owner names and approximate acreage and City Assessor file record documents tax key nos.: St. Nikola 17 acres 787-9992-000; Leung 9.15 acres 787-9990-004; Dilworth 8.89 acres 787-9991-000 and 787-9993-000; Robarge 0.88 acres 788-9994-000; Radicevich 15.68 acres 886-9998-000). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

W. BRUNN DR.
SIDEWALK

G.13. Alderman D. Mayer and Alderwoman Wilhelm vacated their seats at 7:37 p.m.
Alderman D. Mayer returned to his seat at 7:40 p.m.
Alderwoman Wilhelm returned to her seat at 7:50 p.m.

Alderwoman Wilhelm moved to proceed with sidewalk as the Common Council previously approved on W. Brunn Drive. Seconded by Alderman D. Mayer. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, Alderwoman Evans, and Alderwoman S. Mayer voted Aye; Alderman Schmidt voted No. Motion carried.

Alderwoman Wilhelm was excused from the meeting at 8:00 p.m. The Common Council meeting was then recessed until 8:05 p.m.

KAYLA'S
PLAYGROUND STATUS

G.5. Kayla's Playground status was provided by City Engineer Morrow.

- RES. 2015-7107
AWARDING CONTRACT
TO THE HOME DEPOT
(KAYLA'S
PLAYGROUND)
- G.6.(a) Alderwoman Evans moved to adopt Resolution No. 2015-7107, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, THE HOME DEPOT, IN THE AMOUNT OF \$4,403.81 FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- MATERIALS AND
TOOLS FOR KAYLA'S
- G.6.(b) No action was taken regarding the bid from American Plastic Lumber, Inc., in the amount of \$107,264.19 for the materials and tools for Kayla's Playground at Franklin Woods Park.
- RES. 2015-7108
AWARDING CONTRACT
TO N.E.W. PLASTICS
CORP. (KAYLA'S
PLAYGROUND)
- G.6.(d) Alderwoman Evans moved to adopt Resolution No. 2015-7108, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, N.E.W. PLASTICS CORP., IN THE AMOUNT OF \$22,846.08 FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2015-7109
AWARDING CONTRACT
DARQUEST IND., CORP.
(KAYLA'S
PLAYGROUND)
- G.6.(c) Alderman Dandrea moved to adopt Resolution No. 2015-7109, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, DARQUEST INDUSTRIES CORP. IN THE AMOUNT OF \$3,866.35 FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- RES. 2015-7110
AGREEMENT
CITY OF FRANKLIN,
PENFIELD CHILDREN'S
CENTER, INC. AND
KAYLA'S KREW
- G.8. Alderwoman S. Mayer moved to adopt Resolution No. 2015-7110, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT BY AND AMONG THE CITY OF FRANKLIN, PENFIELD CHILDREN'S CENTER, INC. AND KAYLA'S KREW FOR THE DEVELOPMENT OF AN ALL-ACCESSIBLE, ALL-INCLUSIVE PLAYGROUND AT THE FRANKLIN WOODS NATURE CENTER, subject to technical corrections by the City Attorney. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- REQUEST FOR
DIRECTION AMENDING
UDO TO MODIFY
TIMEFRAME FOR
RECORDING CSM MAP
- G.9. Alderman Schmidt moved to approve request from the Department of City Development for direction regarding a proposed amendment to the Unified Development Ordinance to modify timeframe requirements for recording a Certified Survey Map with the Milwaukee County Register of Deeds following Common Council approval. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

- REQUEST FOR DIRECTION AMENDING UDO CREATING USE CATEGORY G.10 Alderman D. Mayer moved to approve request from the Department of City Development for direction regarding a proposed amendment to the Unified Development Ordinance to create a General Office use category in Section 15-3.0603 Table of Permitted and Special Uses in all Nonresidential Zoning Districts. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- AGMT-RUEKERT-MIELKE, INC. FOR SURVEYING WETLAND DELINEATIONS G.11. No action was required on a Ruekert-Mielke, Inc. agreement for surveying wetland delineations completed by the Southeastern Wisconsin Regional Planning Commission within Area D, potential Business Park Development.
- RECOMMENDATION FROM THE ENV. COMM. TO INSTALL MEMORIAL PLAQUE AND TREE G.12. Alderman D. Mayer moved to direct the City Forester and Street Superintendent to proceed with the recommendation from the Environmental Commission to install a memorial plaque and tree for Sharon Kust at Franklin Woods Nature Center, with the location and tree species to be determined by the City Forester, along with suggestions from Dennis Kust, and the plaque to include Sharon's name and dates of service on the Environmental Commission. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- FRANKLIN BIKE AND HIKING TRAIL UPDATE G.14. An update was provided on the Franklin Bike and Hiking Trail (area of West Forest Home Avenue, south of West Rawson Avenue).
- RELEASE OF DEPOSIT FOR BERKSHIRE NO. 2 (S. 51ST ST./W. BERKSHIRE DR.) G.15. Alderman Schmidt moved to approve the release of Escrow Deposit for Berkshire Addition No. 2 Subdivision (location South 51st Street and West Berkshire Drive). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- LICENSES AND PERMITS H.1. Alderman Dandrea moved to approve the following:

Grant 2015-16 Operator License to Heather A Bandle, 10380 W Plumtree Cir, #204, Hales Corners, with a warning letter from the City Clerk; Gabriela Palacios Cruz, 3214 S 13th St., Milwaukee; Kayla L Fleury, 2145 S 102nd St., West Allis; Anthony M Raggio, 841 N 15th St, #12, Milwaukee; Miguel A Gutierrez, 913 W Washington St, Milwaukee; Qyinn M Applin, 4521 W Ramsey Ave #65, Greendale; Nicole J Baraniak, 6412 W Lincoln Ave, West Allis; Alyssa M Blackburn, 9512 S Ryan Green Ct #5, Franklin; Megan E Grenz, 7219 W National Ave, West Allis; Kenneth J Grochowski, 7521 S Nottingham Way, Franklin; Joseph P Hanrahan, Sr, 9913 S 76th St, Franklin; Alison M

Huebner, W181S6397 Lentini Dr, Muskego; Shane R Jaskie, 7811 W Winston Way, Franklin; Jennifer L Kapsos, 11430 W Swiss St Upper, Franklin; Harbans Kaur, 2999 W Yorkshire Cir, Franklin; Wyatt C Klein, 1421 17th Ave, South Milwaukee; Kasey A Lapp, 336 E Hunt Ave, Twin Lakes; David P Lindner, 4007 W Acre Ave, Franklin; Lilley E Loker, 8868 S 27th St, Oak Creek; Cynthia C Martinez, 10135 W Forest Home Ave #201, Hales Corners; Amy L Mast, W186S8961 Cardinal Ct, Muskego; Ali L Najera, 8627 W Cascade Dr, Franklin; and

Hold for appearance the applications for 2015-16 Operator License to Samantha Jaskie, 7515 Mission Hill Ct., Franklin; Audra M. Bauman, 9019 Prairie Crossing Dr., Franksville; Cassandra L Windt, 6029 S Robert Ave, Cudahy; and

Deny the 2014-15 Operator License application for Danielle C Johnson, 6918 Bay Wood Dr., Racine, based on her arrest and conviction record substantially related to the licensed activity; and

Grant the Temporary Entertainment and Amusement License to City of Franklin Police Department, Person in Charge: Patrol Office Jon Czerwinski, Event: National Night Out, Event Date: August 3, 2015; and

Grant the Temporary Class B Beer License to Franklin Lions Club, Person in Charge: David Lindner, Event: St Martins Fair, Event Dates: September 6 and 7, 2015; and

Grant the Extraordinary Entertainment and Amusement License to Hiller Ford, Person in Charge: Jim Patterson/Wayne Seidel, Event: MACC Fund Car Show, Event Date: September 13, 2015 from 7 a.m. to 4 p.m.

Seconded by Alderwoman Evans. All voted Aye; motion carried. It was then moved by Alderman Dandrea to approve the 2015-16 Class B Combination and Entertainment and Amusement Licenses to Little Cancun LLC, 7273A S. 27 St., Veronica Cervera, Agent, with direction to the Public Health Officer to report to the License Committee with regard to the food establishment inspections taken place and status on or before August 4, 2015. Seconded by Alderman D. Mayer. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderman Schmidt voted Aye; Alderwoman Evans and Alderwoman S. Mayer voted No. Motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman D. Mayer moved to approve net general checking account City vouchers in the range of Nos. 156877 through 157110 in the amount of \$1,608,648.81 dated June 12, 2015 through July 2, 2015. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to approve the net payroll dated June 26, 2015 in the amount of \$352,796.25 and payments of the various payroll deductions in the amount of \$415,026.96 plus any City matching payments, where required. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve the net payroll dated July 10, 2015 estimated at \$351,000 and payments of the various payroll deductions estimated at \$202,000 plus any City matching payments, where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve property tax settlements and refunds in the range of Nos. 14880 through 14881 in the amount of \$6,909,572.83 dated June 11, 2015 through July 2, 2015. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Schmidt moved to adjourn the meeting at 9:00 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.