

APPROVED JULY 1, 2014

CITY OF FRANKLIN COMMON COUNCIL MEETING JUNE 17, 2014 MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on June 17, 2014 and called to order at 6:30 p.m. by Council President Wilhelm 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. Excused was Mayor Steve Olson. Also present were Assistant City Engineer Ronald Romeis, Director of Finance & Treasurer Paul Rotzenberg, Planning Manager Joel Dietl, Director of Administration Mark Luberd, City Attorney Jesse Wesolowski and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:31 p.m. and closed at 6:40 p.m.
- Acting Mayor Wilhelm stated she will be voting in the capacity of Mayor, with the exception of Items G.11., G.13., G.22. in which she will be voting as Alderwoman.
- APPROVAL OF
MINUTES-6/3/14 C.1. Alderwoman Evans moved to approve the minutes of the regular meeting of June 3, 2014. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- PUBLIC HEARING
SPECIAL ASSESSMENT
ON W. EVERGREEN
STREET D. A public hearing was called to order at 6:45 p.m. regarding special assessment for installation of sanitary sewer, water main, sanitary sewer laterals, water main laterals, the extension of a public street including curb and gutter along with the necessary appurtenances on W. Evergreen Street extension from a point 800 feet east of S. 51st Street to a point 1,360 feet east of S. 51st Street, and was closed at 6:53 p.m.
- DONATIONS – 2014
NATIONAL NIGHT
OUT G.1. Alderman Schmidt moved to accept the following donations for 2014 National Night Out: \$100 from Bank Mutual, \$100 from Faith Presbyterian Church, Inc., \$100 from Krsko Chiropractor, \$150 from Master Lock, \$100 from St. Martin of Tours Parish, \$500 from WE Energies. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- MODEL HOME
PERMITS – AVIAN
ESTATES G.2. Alderman Dandrea moved to approve the request from Joseph Bukovich of Pointe Real Estate for approval for the Inspection Department's issuance of two model home permits for Korndoerfer Homes and Kaerek Homes on lots 1 and 13 in Avian Estates, subject to the five conditions from the Engineering and Inspection Departments. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

- RES. NO. 2014-6993
SPECIAL ASSESSMENT
W. ST MARTIN'S ROAD
- G.3. Alderwoman S. Mayer moved to accept a Petition and Waiver of Notice and Hearing from property owners at 10475 W. St. Martin's Road regarding the installation and assessment of water main on W. St. Martin's Road from S. Chapel Hill Drive to a point 440 feet southeast of S. Chapel Hill Drive. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- Alderwoman S. Mayer moved to adopt Resolution No. 2014-6993, A FINAL RESOLUTION DIRECTING INSTALLATION OF, PAYMENT AND LEVY OF SPECIAL ASSESSMENT FOR INSTALLATION OF WATER MAIN IN W. ST. MARTIN'S ROAD FROM S. CHAPEL HILL DRIVE TO A POINT 440 FEET SOUTHEAST OF S. CHAPEL HILL DRIVE. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- INTENT TO EXERCISE
SPECIAL ASSESSMENT
- G.4. No action on was taken on A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 207-15 OF THE MUNICIPAL CODE AND SECTION 66.0701 OF THE STATE STATUTES FOR INSTALLATION OF A WATER MAIN IN W. ST. MARTIN'S ROAD FROM S. CHAPEL HILL DRIVE TO A POINT 440 FEET SOUTHEAST OF S. CHAPEL HILL DRIVE AND SETTING THE PUBLIC HEARING DATE FOR 7/15/2014 AT 6:30 P.M.
- RES, 2014-6994
AWARDING
CONTRACT TO
WANASEK CORP.
- G.5. Alderwoman S. Mayer moved to adopt Resolution No. 2014-6994, RESOLUTION AWARDING CONTRACT IN THE AMOUNT OF \$117,360.00 TO THE WANASEK CORP. FOR THE EXTENSION OF WATER MAIN IN W. ST. MARTIN'S ROAD S. CHAPEL HILL DRIVE TO A POINT 440 FEET SOUTHEAST OF S. CHAPEL HILL DRIVE. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES 2014-6995
CSM
CREATIVE HOMES,
INC.
- G.6. Alderman D. Mayer moved to adopt Resolution No. 2014-6995, A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING ALL OF OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 7051, OUTLOT 1 BLOCK 7 OF TUCKAWAY GREEN ADDITION NO. 2 AND LANDS IN THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (CREATIVE HOMES, INC., OWNER)(7711 SOUTH 76TH STREET, 7901 WEST IMPERIAL DRIVE AND 7915 WEST IMPERIAL DRIVE). Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- RES. 2014-6996
SPECIAL USE
A GREEN DOG
GROOMING LLC
- G.7. Alderman Schmidt moved to adopt Resolution No. 2014-6996, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DOG AND CAT GROOMING WITH PET SUPPLY RETAIL SALES BUSINESS USE UPON PROPERTY

LOCATED AT 8935 SOUTH 27TH STREET (DAVID B. JANOWSKI AND TAMARA L. JANOWSKI, D/B/A A GREEN DOG GROOMING LLC, APPLICANTS. Seconded by Alderwoman S. Mayer.

Alderman Schmidt moved to call the question. Alderman Schmidt withdrew his motion.

Alderman Schmidt then moved to amend motion to include dog waste receptacles. Seconded by Alderwoman S. Mayer.

On roll call to adopt Resolution No. 2014-6996 as amended, Alderman Dandrea, Alderman Schmidt, and Alderwoman S. Mayer voted Aye; Alderman D. Mayer and Alderwoman Evans voted No. Motion carried.

SPECIAL EXCEPTION STANDARDS, FINDINGS, DECISION CITY OF FRANKLIN, APPLICANT

G.8. Alderman Schmidt moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of the City of Franklin for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance for the West Evergreen Street extension. Seconded by Alderman Dandrea. All voted Aye; motion carried.

OFFICIAL NAME "PLEASANT VIEW TRAIL"

G.9. Alderman Schmidt moved to preliminary name the newly installed trail between Pleasant View School and the Victory Creek Subdivision the "Pleasant View Trail" and to publish the recommended name as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper, in accordance with Resolution No. 2010-6634, A City Buildings, Parks and Facilities Naming Policy. Seconded by Alderwoman Evans. All voted Aye; motion carried.

ALDO LEOPOLD BENCH

G.10. Alderman Schmidt moved to accept the student constructed Aldo Leopold design style bench in Victory Creek Special Park as a gift to the City, subject to anchoring as deemed appropriate by the Superintendent of Public Works. Seconded by Alderman Dandrea. All voted Aye; motion carried.

APPLICATION TO INCREASE WATER RATES (MILWAUKEE WATER WORKS)

G.11. Alderman Schmidt moved to suspend the regular order of business and allow citizens to speak. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
Alderwoman Evans moved that the City await final determination of the Public Service Commission, any appeals to such decision on the pending Milwaukee Water Rate Case, and if 100% of the public fire protection charges from Milwaukee Water Works is charged to the customers, then staff would be directed at that time to place a rebate of the amount allocated from the general taxes in Franklin as a credit to the sewer charge bill from the City of Franklin. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2014-6997 EASEMENTS FOR AVIAN ESTATES SUBDIVISION

G.12. Alderman Dandrea moved to approve Resolution No. 2014-6997, A RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS FOR AVIAN ESTATES SUBDIVISION FOR SANITARY SEWER, WATER MAIN, PERMANENT TURN AROUND, STORM WATER MANAGEMENT AND

LANDSCAPE MAINTENANCE ACCESS AND STORM DRAINAGE AT W. PUETZ ROAD AND W. AVIAN WAY (NW ¼ SECTION 22). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

- RELEASE OF ESCROW DEPOSITS G.13. Alderman D. Mayer moved to table special deposit accounts as listed as Items 4 and 14 (Riverwood Village and Berkshire No. 2) in the May 16, 2014 recommendation from the Engineering Department, and moved to release the escrow deposits for the River Park Subdivision, Villas of Franklin development, the Fountains of Franklin development and the People's Choice/Scrub Plus development. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- RES. 2014-6998 SUPPLEMENTAL AGREEMENT WITH HNTB CORPORATION G.14. Alderman Schmidt moved to approve Resolution No. 2014-6998, RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT NO. 6 WITH HNTB CORPORATION IN AN AMOUNT NOT TO EXCEED \$59,164.00 FOR FINAL DESIGN SERVICES RELATED TO THE STREETScape ELEMENTS FOR THE SOUTH 27TH STREET CORRIDOR RECONSTRUCTION with clarification that 50% cost share will be obtained from the City of Oak Creek and 50% cost share from Tax Increment District No. 3. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- ORD. 2014-2141 AMEND UDO FOR MEMBERSHIP OF ASST. ENGINEER TO PLAN COMMISSION G.15. Alderman D. Mayer moved to approve Ordinance No. 2014-2141, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-10.0102 TO PROVIDE FOR MEMBERSHIP UPON THE PLAN COMMISSION OF THE ASSISTANT CITY ENGINEER IN THE ABSENCE OF THE CITY ENGINEER. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- SUCCESSION PLANNING FOR BUILDING INSPECTION G.16. Alderman D. Mayer moved to authorize a succession plan strategy for the Building Inspection Department with the temporary upgrade of a full-time assistant Building Inspector position to that of First Assistant Building Inspector for a period not to exceed 24 months and subject to approval of the change of status form by the Mayor, acting as the appointing authority. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- CDBG PROGRAM PROJECTS FOR 2015 G.17. Alderman Schmidt moved to direct staff to proceed with items listed for the Community Development Block Grant Program projects for 2015. Seconded by Alderman D. Mayer. Alderman Schmidt withdrew his motion and Alderman D. Mayer withdrew his second.
No action was taken at this time on the City of Franklin's Community Development Block Grant Program Projects for 2015; however, the Common Council opted to gather additional information related to Item G.22.
- SALT SHED ROOF PROJECT G.18. Alderman D. Mayer moved to authorize the Director of Administration to prepare and execute an amendment to the

professional services agreement with Industrial Roofing Services, Inc. to include the design and contracting services needed for the Department of Public Works salt shed roof project. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CONTINUATION OF
AT&T TELEPHONE
SERVICES

G.19. Alderman Schmidt moved to authorize the Director of Administration to finalize and execute new 5-year service agreements with AT&T for telephone services, in accordance with the State of Wisconsin bid award, and to authorize the Director of Administration to continue to administer and manage the agreements, including modifying service levels, as he determine is necessary, during the term of the agreements. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

ORD. 2014-2142
“PET LICENSE
AMNESTY PERIOD”
PROGRAM

G.20. Alderman D. Mayer moved to approve Ordinance No. 2014-2142, AN ORDINANCE AUTHORIZING THE CITY OF FRANKLIN TO PARTICIPATE IN THE “PET LICENSE AMNESTY PERIOD” PROGRAM OF THE MILWAUKEE AREA DOMESTIC ANIMAL CONTROL COMMISSION (MADACC) FOR THE MONTH OF AUGUST 2014. Seconded by Alderwoman Evans. All voted Aye; motion carried.

CLAIM FROM RONALD
TORO

G.21. Alderwoman Evans moved to deny the claim of Ronald Toro pursuant to Wisconsin Statute 893.80(1)(g), based upon and in concurrence with the insurance adjuster that the investigation revealed that the City of Franklin has no liability based on the “protection of work” provision as discussed in the Council action sheet for this item. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

CLOSED SESSION
PARK IMPACT FEES

G.22. On a motion by Alderwoman S. Mayer, closed session was entered at 8:54 p.m. pursuant to Section 19.85(1)(e), Wis. Stats., to deliberate the purchasing of properties for public park purposes, for competitive and bargaining reasons, and to reenter open session as it deems appropriate. Seconded by Alderman D. Mayer. On roll call, all voted Aye; motion carried. Upon reentering open session at 9:46 p.m., Alderwoman Evans moved that the park impact fee expenditure status and potential park impact fees expenditures/purchases; Parks Commission Report: Park Impact Fees, Utilization and Potential Reimbursement, be tabled until the July 1, 2014, Common Council meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

H.1. Alderman Dandrea moved to approve the following recommendations from the License Committee:
Grant Operators’ Licenses to Linda Gauthier, 4221 S. 6 St., Milwaukee, for 2013-14 and 2014-2015, Patrick Klepacz, 9237 S. 80 St., for 2013-2014, Neil Robbins, 10109 S. 13 St., Oak Creek, for 2013-2014 and 2014-15, and grant the following Operator’s Licenses for 2014-15: Jessica Bachant, 2034 N. 24 St., Milwaukee; Baljit Bal, 7859 S. Scepter Dr.; Tina Baratta, 11207

42 Ave., Pleasant Prairie; Michael Bartolone, 8041 W. Tripoli Ave., Milwaukee; Alicia Bellanger, 4137 W. McGinnis Dr.; Mary Bellanti, 608A Cornerstone Crossing, Waterford; Tanya Bielinski, 10590 W. Cortez Cir.; Alyssa Blackburn, 9512 S. Ryan Green Ct.; Katlyn Bost, 8450 W. Lake Pointe Dr.; James Braun, 904 Michigan Ave., South Milwaukee; Mark Brys, 1720 W. Meyer Ln., Oak Creek; Daniel Crivello, 3015 E. Somers Ave., Cudahy; Cheryl Danforth, 3759 N. 61 St., Milwaukee; Mitchell Dolota, 3118 El Camino Way, Waterford; David Drakulic, 7525 W. Clarke St., Wauwatosa; Ashley Dyer, 2200 W. Greenbriar Ct., Oak Creek; Anthony Emanuele III, 5050 S. 69 St., Greenfield; Alexander Esenberg, 4805 W. Midland Dr., Greenfield; Kristine Fairchild, 2754 S. Greeley St., Milwaukee; Alyssa Falvey, 2625 N. 111 St., Wauwatosa; Shannon Ford, 2582 N. Stowell Ave., Milwaukee; Ronald Fuller, 2020 S. 25 St., Milwaukee; Gino Gaglianella, 5873 Riverside Dr., Greendale; Nicole Gaus, 929 N. 8 St., Sheboygan; Kermit Gillis, PO Box 210692, Milwaukee; Christina Gramoll, 6375 S. 35 St.; Deborah Hagen, 12941 W. Wyndridge Dr., New Berlin; Steven Hall, 6850 Kathleen Ct.; Debra Hanley, 8248 Four Oaks Dr.; Evan Hoffman, 8314 27 Ave., Kenosha; Ozzie Jackson, Jr., 3450 E. American Ave., Oak Creek; Jenny Jennings, 26448 Kendra Ln., Wind Lake; Ellen Jensen, 2415 W. Hilltop Ln., Oak Creek; Mohammad Ali Kamran, 5012 S. 58 St., Greenfield; Minakshi Kapoor, 1441 Oakes Rd., Racine; Sabitri Kharel, 7815 S. Scepter Dr.; Allison Kitzerow, 1633 N. Prospect Ave., Milwaukee; Rochelle Konkel, 1571 W. Iona Ter., Milwaukee; Kelly Kuglitsch, 320 E. Oklahoma Ave., Milwaukee; Sue Kuiper, 9213 S. Aspen Dr., Oak Creek; Dawn Luce, 2956 Chickory Rd., Racine; Candi Lucksted, 14619 Two Mile Rd., Franksville; Sarah Malacara, 3110 W. Briarwood Dr., Mark Matecki, 1007 W. Morgan Ave., Milwaukee; Amy Moore, 3954 S. 56 St., Milwaukee; Celena Mooren, 5746 S. 116 St., Hales Corners; Josefina Mora, 435 W. Aspen Dr., Oak Creek; Courtney Murray, 5541 S. 43 St., Greenfield; Ali Najera, 8627 W. Cascade Dr.; James Nelson, 211 W. Oak Leaf Dr., Oak Creek; Lori Olson, 3977 E. High St., Oak Creek; Kory Orban, W3765S4872 E. Pretty Lake Rd., Dousman; Gregory Pollen, 17100 W. Shadow Dr., New Berlin; Daniel Rabiega, 3733 Jerelin Dr.; Richard Rabiega, 3733 Jerelin Dr.; Debra Reichart, 25304 Windsong Ct., Wind Lake subject to updated Driver's License information; Richard Reuchlen, 2210 N. 115 St, Wauwatosa; Neil Robbins.; Christine Rozewicz, 8123 S. Legend Dr.; Joseph Santos, 1244 S. 29 St., Milwaukee; Judy Schneider, 1088 Quail Ct., Pewaukee; Aaron Schramm, 1228 Drexel Blvd., South Milwaukee; Aaryn Schuster, 1828 Eden Pl., St. Francis; Trisha Segura, 1828 Holmes Ave., Racine; Vito Siciliano, 1064 Main St., Antioch IL; Daniel Stadler, S73W14901 Candlewood Ln., Muskego; Michael Steffes, 6151 N. Park Rd., Glendale; Mary Tairi, 3644 E. Layton Ave., Cudahy; Stacie Tatera, 10371 S. Shepard Ave., Oak Creek; Christopher VanAckeren, 4010 S. Quimby Ave., New Berlin; Joseph Velasquez, 1427 E. Buckwood Ct., Oak Creek; Melissa Vermillion, 4065 S. 19 St., Milwaukee; Laurie Walvisch, 234

Montana Ave., South Milwaukee; Kathleen Wegner, 26545 Nordic Ridge Dr., Wind Lake; Roger Young, 3411 S. Chicago Ave., South Milwaukee; Raquel Zalewski, 3500 W. Southland Dr.; and

Hold Cheyanne TerLaan until July 15, 2014; hold Amy Mast, W186S8961 Cardinal Ct., Muskego; and hold James Pelczynski, 3243 S. 92 St., Milwaukee for additional information; and

Grant Operators' Licenses to Phoebe Botros, 10350 S. Justin Dr., Oak Creek; subject to proof of completion of the Responsible Beverage Service Training course; and

Grant Class A Combination License to Wisconsin CVS Pharmacy, LLC, Craig Brown, Agent, 5220 W. Rawson Ave.; and

Grant Day Care License to Academy of Integrity, LaQueesha Blockton, Manager, 3900 W. Ryan Rd.; Risen Savior Lutheran PreSchool, Jennifer Schmidt, Manager, 9501 W. Drexel Ave; and

Hold until July 1, 2014, Class B Combination, Entertainment & Amusement Licenses for Little Cancun LLC, Veronica Cervera, Agent, 7273A S. 27 St.

Seconded by Alderman Schmidt. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Schmidt moved to approve net general checking account City vouchers in the range Nos. 152429 through 152600 in the amount of \$566,525.22 dated June 4, 2014 through June 12, 2014. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve net payroll dated June 13, 2014 in the amount of \$355,130.86 and payments of the various payroll deductions in the amount of \$230,794.47, 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 net payroll dated June 27, 2014 estimated at \$325,000.00 and payments of the various payroll deductions estimated at \$412,000.00 plus any City matching payments, where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to approve property tax payments with range of Nos. 13286 through Nos. 13292 in the amount of \$7,174,981.28 dated May 30, 2014 and June 16, 2014. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderwoman Evans moved to adjourn the meeting at 9:58 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.