

APPROVED MAY 19, 2015

CITY OF FRANKLIN COMMON COUNCIL MEETING MAY 5, 2015 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on May 5, 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 at 10:55 p.m.), Alderwoman Janet Evans, Alderman Doug Schmidt and Alderwoman Susanne Mayer (arrived at 6:37 p.m.). Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

MAYOR ANNOUNCEMENTS

- B.1. Mayor Olson and Alderman D. Mayer presented Mayoral Proclamations to Eagle Scout Nicholas Plewa and Eagle Scout Daniel Plewa.
- B.2.
- B.3. Mayor Olson provided an update of the City of Franklin Emergency Preparedness Plan.
- B.4. Mayor Olson announced that there may be a Special Council Meeting on May 14, 2015 to consider updated information regarding City economic development plans and possible action.
- B.5. Mayor Olson provided an update on the recruitment for Economic Development Director.
- B.6. An update on the recruitment for Information Systems Director will be provided at the May 19, 2015 Common Council meeting.

MATT TALBOT RECOVERY SERVICES, INC. (9132 S. 92ND ST.)

- G.18. Alderman Schmidt moved to enter closed session at 8:52 p.m., pursuant to Wis. Stat. §19.85(1)(g) to confer with legal counsel for the Common Council and City defense counsel who are rendering advice concerning strategy to be adopted by the body with respect to potential litigation with regard to the Matt Talbot Recovery Services, Inc. development, and to 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, all voted Aye. Motion carried.
- Upon reentering open session at 10:45 p.m., Alderman Dandrea moved to direct staff to set special meetings for the Board of Water Commissioners, the Common Council, and the Plan Commission for the evening of Thursday, May 14, 2015 on this matter. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- Alderman Dandrea then moved to direct staff to work on the particular applications in this matter in the ordinary course of

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

CITIZEN COMMENT

B. Citizen comment period was opened at 10:45 p.m. and closed at 10:50 p.m.

APPROVAL OF MINUTES

C. Alderman Schmidt moved to approve the minutes of the regular meeting of April 21, 2015. Seconded by Alderwoman Evans. All voted Aye; motion carried.

Alderwoman Wilhelm vacated her seat at 10:55 p.m.

APPOINTMENTS
BOARDS AND
COMMISSION

E. Alderman D. Mayer moved to table the following appointments to the May 19, 2015 Common Council meeting:
John Bergner to the Civic Celebrations Committee for a 3-year term expiring 6/30/18; Jeanine Olson to the Civic Celebrations Committee for a 3-year term expiring 6/30/18; Randy Grass to the Civic Celebrations Committee for a 3-term expiring 6/30/18; David J. Miller to the Civic Celebrations Committee for a 3-term expiring 6/30/18; Curtis Bolton to the Environmental Commission for a 3-year term expiring 4/30/18; Romine Denk to the Fair Commission for a 3 year term expiring 4/30/18; Rosemarie Bosch to the Fair Commission for a 3 year term expiring 4/30/18; Dennis Ciche to the Finance Committee for a 1-year term expiring 4/30/2016; Robert Campbell, Jr. to the Finance Committee for a 1-year term expiring 4/30/2016; John Howard to the Finance Committee for a 1-year term expiring 4/30/2016; Henry Wengelewski to the Board of Health for a 2-year term expiring 4/30/2017; Robert Fedran to the Board of Health for a 2-year term expiring 4/30/2017; Patricia Nissen to the Board of Health for a 2-year term expiring 4/30/2017; Philip Nickerson to the Parks Commission for a 3-year term expiring 4/30/2018; Carol Brunner to the Personnel Committee for a 3-year term expiring 4/30/2018; Michael Barber to the Personnel Committee for a 3-year term expiring 4/30/2018; Scott Thinnies to the Plan Commission for a 3-year term expiring 4/30/2018; Patricia Hogan to the Plan Commission for a 1-year term expiring 4/30/2016; Ken Skowronski II to the Board of Public Works for a 3-year term expiring 4/30/2018; Laura Galusha to the Technology Commission for a 3-year term expiring 4/30/2018; Bob Knackert to the Board of Zoning and Building Appeals for a 3-year term expiring 4/30/2018; and Donald Adams as an Alternate Member to the Board of Zoning and Building Appeals for a 3-year term expiring 4/30/2018.
Seconded by Alderman Dandrea. All voted Aye, motion carried.

- RES. 2015-7083
AMEND RES. 2014-6979
SPECIAL USE (SUMMIT
CREDIT UNION,
APPLICANT)
- G.1. Alderman D. Mayer moved to adopt Resolution 2015-7083, A RESOLUTION TO AMEND RESOLUTION NO. 2014-6979, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A CREDIT UNION USE UPON PROPERTY LOCATED AT 7750 SOUTH LOVERS LANE ROAD, TO EXTEND THE TIME FOR THE OBTAINING OF THE ISSUANCE OF AN OCCUPANCY PERMIT (SUMMIT CREDIT UNION, APPLICANT), as amended by the City Attorney. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- MATC'S PARAMEDIC
TRAINING PROGRAM
- G.2. Alderman D. Mayer moved to approve the Affiliation Agreement for Practicum Experience, to allow Franklin Fire Department to serve as a field training sight for Milwaukee Area Technical College Paramedic Training Program. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2015-7084
REIMBURSEMENT FOR
THE DESIGN OF A CITY
PARK (VICTORY OF THE
LAMB CHURCH)
- G.3. Alderwoman S. Mayer moved to adopt Resolution 2015-7084, A RESOLUTION TO REIMBURSE VICTORY OF THE LAMB CHURCH FOR EXPENSES RELATED TO THE DESIGN OF A CITY PARK. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2015-7085
HOLDING TANK
AGREEMENT WITH
VICTORY OF THE
LAMB, INC.
- G.4. Alderwoman Evans moved to adopt Resolution No. 2015-7085, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A HOLDING TANK AGREEMENT WITH VICTORY OF THE LAMB, INC. (11120 W. LOOMIS ROAD) (TAX KEY NO. 889-9989-000). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- ORD. 2015-2171
AMEND PDD 10
OSCAR'S FROZEN
CUSTARD, 7041 S. 27TH
ST. (JAMES & SUSAN
TAYLOR)
- G.5. Alderman Schmidt moved to adopt Ordinance No. 2015-2171, AN ORDINANCE TO AMEND SECTION 15-3.0415 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 10 (RIVERWOOD VILLAGE-BOURAXIS) TO REPEAL THE MONUMENT SIGN HEIGHT LIMIT AND TO PERMIT SOUTH ELEVATION SIGNAGE FOR OSCAR'S FROZEN CUSTARD (7041 SOUTH 27TH STREET)(JAMES TAYLOR AND SUSAN TAYLOR, APPLICANTS). Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- ORD. 2015-2172
AMEND CHAPTER 210:
SIGNS AND
BILLBOARDS
- G.6. Alderwoman Evans moved to adopt Ordinance No. 2015-2172, AN ORDINANCE TO AMEND CHAPTER 210: SIGNS AND BILLBOARDS CREATING SECTION 210-15, SIGN CODE VARIANCE AND APPEAL OF ADMINISTRATIVE DETERMINATIONS, subject to technical corrections. Seconded

by Alderman D. Mayer. All voted Aye; motion carried.

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| ORD. 2015-2173
AMEND SECTION 210-3D
OF THE MUNICIPAL
CODE | G.7. | Alderman Schmidt moved to adopt Ordinance No. 2015-2173, AN ORDINANCE TO AMEND SECTION 210-3D OF THE MUNICIPAL CODE TO REPEAL AND RECREATE THE SCHEDULE OF PERMIT FEES RELATED TO SIGNS. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| PARK DEVELOPMENT
AND PARK IMPACT FEE
EXPENDITURE OPTIONS | G.8. | Alderwoman S. Mayer moved to direct staff to prepare a rough site plan and cost estimate for the restrooms in Market Square near St. Martins Gazebo and return to the Common Council. Seconded by Alderman D. Mayer. Alderwoman S. Mayer withdrew her motion and Alderman D. Mayer withdrew his second.
Alderwoman Evans moved to direct staff to prepare a detailed proposal, cost estimate, and budget modification and quotations to purchase at least two sets of playground equipment and return at the next meeting to address the amended intent for existing appropriations. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| STATUS OF KAYLA'S
PLAYGROUND | G.9. | City Engineer Morrow presented an update on the status of Kayla's Playground. |
| FRANKLIN COMPLETE
STREETS AND
CONNECTIVITY
COMMITTEE
RECOMMENDED TRAIL-
RELATED PROJECTS | G.10. | The following Franklin Complete Streets and Connectivity Committee recommended trail-related projects were held until the May 19, 2015 Common Council meeting: Christine Rathke Memorial Park trail extension east to the Milwaukee County Oak Leaf Trail (approximately 1,700 feet); Franklin Hike-Bike Path (approximately 8,000 feet); West Puetz Road and S. 35th Street/Franklin Woods (approximately 3,200 feet); and Southbrook Church Trail – West St. Martins Road to West Allwood Drive (approximately 1,500 feet). |
| UTILIZATION OF THE
COMPLETE STREETS
AND CONNECTIVITY
NETWORK MAP | G.11. | Utilization of the Guide to Complete Streets and the Connectivity Network Map as a tool to further promote Complete Streets principles and for the review of public and private development projects, with placement on the City's website (City of Franklin Complete Streets and Connectivity Committee) was held until the May 19, 2015 Common Council meeting. |
| AMENDMENT TO
AGREEMENT FOR
POTENTIAL BUSINESS
PARK DEV. ENG. AND | G.12. | Alderwoman Evans moved to authorize certain officials to execute an amendment to the agreement with Ruekert & Mielke, Inc. and Hitchcock Design Group, Inc. for Potential Business Park development engineering and planning services to prepare |

PLANNING SERVICES

an updated concept plan for the proposed Franklin Corporate to be funded by Tax Incremental District No. 4. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PRESENTATION OF
DEVELOPMENT AREAS
AT CARW

G.13. Alderman Dandrea moved to authorize the Mayor and Economic Development Commission to present the three development areas at a Commercial Association of Realtors (“CARW”) and Biz Times Development Showcase on May 20, 2015 at no cost to the City. Seconded by Alderwoman Evans. On roll call, Alderman Schmidt, Alderwoman Evans, Alderman D. Mayer and Alderman Dandrea voted Aye; Alderwoman S. Mayer voted No. Motion carried.

ORD. 2015-2174
AMEND ORD. 2014-2152
ADOPTING 2015
ANNUAL BUDGETS

G.14. Alderman Schmidt moved to adopt Ordinance No. 2015-2174, AN ORDINANCE TO AMEND ORDINANCE 2014-2152, AN ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS FOR THE GENERAL FUND, DEBT SERVICE FUND, CAPITAL OUTLAY FUND AND THE SEWER FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2015 TO APPROVE BUDGET AMENDMENTS TO THE 2015 BUDGET FOR DEBT SERVICE ON THE DECEMBER 2014 DEBT OFFERING, POLICE SUPPLIES, WEIGHTS & MEASURE SERVICES AND THE WATER & WASTEWATER BUILDING APPROPRIATION. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. PERTAINING TO
NON-METALLIC
MINING RECLAMATION
and
RES. APPROVING NON-
METALLIC MINING
RECLAMATION FEES
SCHEDULE

G.15. Alderwoman S. Mayer moved to table to May 19, 2015, an Ordinance to repeal and recreate Chapter 176 of the Municipal Code pertaining to Non-Metallic Mining Reclamation and to editorially note the provisions of Unified Development Ordinance Section 15-3.0428, Ordinance No. 97-1456 (PDD No. 23) §13.27S.6. and Unified Development Ordinance Section 15-3.0429, Ordinance No. 97-1457 (PDD No. 24) §13.27T.6. to state the Non-Metallic Mining Reclamation Regulatory Authority of Chapter 176 by reference; and to table to May 19, 2015, a Resolution approving a City of Franklin Non-Metallic Mining Reclamation Fees Schedule pursuant to Chapter 176 of the Municipal Code Non-Metallic Mining Reclamation Ordinance Section 17. Seconded by Alderman Schmidt. All voted Aye; motion carried.

MEMORANDUM OF
AGREEMENT FOR
WEIGHTS AND
MEASURES INSPECTION

G.16. Alderman D. Mayer moved to authorize proper City officials to execute the Memorandum of Agreement for Weights and Measures Inspection with the Wisconsin Department of Agriculture, Trade and Consumer Protection for July 1, 2015 through June 30, 2016 at a cost of \$400 per day for 19 days,

subject to review by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.

2014 ANNUAL
FINANCIAL REPORT

- G.17. Alderman Dandrea moved to accept the 2014 Comprehensive Annual Financial Report of the City of Franklin and the Required Communications Letter from Clifton Larson Allen, LLP. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

MATT TALBOT
RECOVERY SERVICES
(9132 S. 92ND ST.)

- G.18. (See Item G.18. on page 1 following Item B.)

LICENSES AND
PERMITS

- H.1. Alderman Dandrea moved to approve the following:
Grant 2014-15 Operators' Licenses to Katarina Becker, 8207 W. Imperial Dr.; Paola Fernandez, 2012 S. 68th St., West Allis;; Sarah Kantorski, 4950 Sumac Lane, Greendale; Kelly Kastner, 2176 S. 95th St., West Allis; Mary Jennifer Loeffel, 1842 Alta Vista Ave., Wauwatosa; Crystal Meyer, 3428 S. 88th St., Milwaukee; Jacob Nordstrum, 8118 N. 55th St., Brown Deer; Katelyn Saldutte, 270 E. Highland Ave., Milwaukee; Molly Saskowski, S80W16536 Pellman Ln., Muskego; Dakota Slone, 10650 S. McGraw Dr., Oak Creek; Brianna Sommerfield, 8030 W. Tripoli Ave., Milwaukee; and
Hold 2014-15 Operators' License applications for Jonathan Wiemer, 5345 W. Midland Dr., Milwaukee, for information on case disposition; and Sean Hurab, 2729 N. University Dr., Waukesha, for appearance; and
Grant 2015-16 Operator License to Jenna Calliari, 7133 W. Wind Lake Rd., Wind Lake; Michael Falk, 10440 W. Scharles Ave., Hales Corners; Kyle Haley, 8945 S. 116th St.; Daniel Hodach, 4520 Empire Ln., Waterford; Sarah Kantorski, 4950 Sumac Ln., Greendale; Jacob Koefel, 11507 W. Church St.; Shelly Marquardt, 26011 75th St., Salem; Jacob Nordstrum, 8118 N. 55th St., Brown Deer; Jenna Rozek, 1531 S. 98th St., West Allis; Jessica Rozek, 3222 S. 38th St., Milwaukee; Traci Stoeger, 15437 Mayflower Ct., New Berlin; Keri Udvare, W130 S8574 Durham Dr., Muskego; and
Grant Temporary Class B Beer and Wine license to the Franklin Public Library Foundation, Jennifer Bremer, on 6/20/15 for their Murder Mystery Fundraiser; and
Grant 2015-16 Daycare license for Academy of Preschool Learning, 3501 W. Ryan Rd., Nadeen Balsis, Manager; Ms Rikki's Structured Daycare, 11224 W. Forest Home Ave., Rochelle Boyce, Manager; Pick N Save #6360 - 76th St., 7201 S. 76 St., Gordon Graf, Manager; and

Grant 2015-16 Entertainment & Amusement license for Showtime Cinema, 8910 S. 102nd St., Mark Gramz, Agent. Seconded by Alderwoman Evans. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman D. Mayer moved to approve net general checking account City vouchers in the range of Nos. 156216 through 156367 in the amount of \$883,876.40 dated April 17, 2015 through May 1, 2015. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to approve net payroll dated May 1, 2015 in the amount of \$351,852.05 and payments of the various payroll deductions in the amount of \$198,674.69 plus any City matching payments where required. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated May 15, 2015 estimated at \$366,000.00 and payments of the various payroll deductions estimated at \$220,000.00 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve property tax settlements in the range of Nos. 14856 through Nos. 14857 in the amount of \$217.49 dated April 17, 2015 through April 30, 2015. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to approve net general checking account City vouchers in the range of Nos. 156368 through 156396 in the amount of \$212,652.85 dated May 4, 2015 through May 5, 2015. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman D. Mayer moved to adjourn the meeting at 11:30 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.