CITY OF FRANKLIN COMMON COUNCIL MEETING NOVEMBER 19, 2013 MINUTES

- ROLL CALL
 A. The regular meeting of the Common Council was held on November 19, 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, Steve Taylor, Doug Schmidt, and Ken Skowronski. Excused was Alderman Wilhelm. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski and City Clerk Sandi Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:38 p.m.
- APPROVAL OFC.1.Alderman Taylor moved to approve the minutes of the regularMINUTES-11/5/13meeting of November 5, 2013. Seconded by Alderman Schmidt.
All voted Aye; motion carried.
- CONTRACTS FOR 2014 G.1. Alderman Taylor moved to authorize John Bergner of the Civic CELEBRATION G.1. Alderman Taylor moved to authorize John Bergner of the Civic Celebrations Commission to sign and execute contracts approved by the City Attorney in the amounts totaling \$72,600, for the 2014 Civic Celebration subject to review by the Director of Administration of all non-performer contracts. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- SELECTION/RETENTION Alderman Schmidt moved to approve the selection of Humana as G.2. the Third Party Administrator, Pharmacy Benefit Manager, health **OF INSURANCE** plan network provider with the related plan design, and Stop Loss PROVIDERS. Insurance provider, all subject to confirmation of contractual ADMINISTRATIVE AND commitments by the Director of Administration; selection of Met MANAGEMENT **SERVICES** Life Insurance Company as the Life/AD&D Insurance provider; selection of Assurant Employee Benefits as the voluntary Longterm Disability Insurance provider, and selection of Diversified as the insurance consultant; and to authorize the Director of Administration to execute such documents as necessary to effectuate such action. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2013-6931 G.3. Alderman Dandrea moved to adopt Resolution No. 2013-6931, A FINAL PLAT RESOLUTION CONDITIONALLY APPROVING A FINAL AVIAN ESTATES, LLC AVIAN ESTATES **SUBDIVISION** PLAT FOR (AT APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD) (AVIAN ESTATES, LLC, APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried.

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RES. 2013-6933 CONSERVATION EASEMENT AVIAN ESTATES, LLC

RES. 2013-6934 SUBDIVISION DEVELOPMENT AGREEMENT AVIAN ESTATES

RES. 2013-6932 AMENDMENT TO CONSERVATION EASEMENT SBI WYNDHAM, LLC

ORD. 2013-2122 G.' AMEND UDO PLANNED DEVELOPMENT DISTRICT NO. 28 POLISH FESTIVALS, INC.

RES. 2013-6935 G.S CONSERVATION EASEMENT-POLISH FESTIVALS, INC.

- G.4. Alderman Dandrea moved to adopt Resolution No. 2013-6933, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A FINAL PLAT FOR AVIAN ESTATES SUBDIVISION (AT APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD) (AVIAN ESTATES, LLC, APPLICANT) subject to technical corrections by City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.
- G.5. Alderman Dandrea moved to adopt Resolution No. 2013-6934, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF AVIAN ESTATES SUBDIVISION. Seconded by Alderman Taylor. All voted Aye; motion carried.
 - G.6. Alderman Skowronski moved to adopt Resolution No. 2013-6932, А RESOLUTION **AUTHORIZING** CERTAIN **OFFICIALS** TO ACCEPT AN AMENDMENT TO CONSERVATION EASEMENT FOR AND AS PART OF THE **REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP** FOR PROPERTY LOCATED AT 7700-7780 SOUTH LOVERS ROAD (SB1 WYNDHAM, LANE LLC. OWNER/ APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.
 - G.7. Alderman Skowronski moved to adopt Ordinance No. 2013-2122, AN ORDINANCE TO AMEND §15-3.0433 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 28 (POLISH FESTIVALS, INC.) TO ALLOW FOR THE CONSTRUCTION AND USE OF A CHAPEL (CONSERVANCY FOR HEALING AND HERITAGE, INC., APPLICANT) (6941 SOUTH 68TH STREET AND ENVIRONS). Seconded by Alderman Schmidt. All voted Aye; motion carried.

G.8. Alderman Skowronski moved to adopt Resolution No. 2013-6935. А RESOLUTION **AUTHORIZING** CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF AN AMENDMENT TO **PLANNED** DEVELOPMENT FESTIVALS, DISTRICT NO. 28 (POLISH INC.) (CONSERVANCY FOR HEALING AND HERITAGE, INC., APPLICANT) (6941 S. 68TH STREET AND ENVIRONS). Seconded by Alderman Taylor. All voted Aye; motion carried.

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ORD. 2013-2123 AMEND UDO PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB) G.9.

RES. 2013-6936 SPECIAL USE GREYWOLF PARTNERS, INC.

RES. 2013-6937 LAND COMBINATION (BLASÉ J. CATANESE AND CATHLEEN CATANESE, APPLICANT)

SPECIAL EXCEPTION G STANDARDS, FINDINGS AND DECISION ANDREW J. PETTY AND AMANDA E. PETTY Alderman Taylor moved to adopt Ordinance No. 2013-2123, AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB) TO IN PART EXPAND THE DISTRICT BOUNDARIES TO INCLUDE AND PROVIDE FOR THE REZONING OF AN ADJOINING TO THE SOUTH APPROXIMATE 19.7 ACRE PARCEL [AND AN ADJOINING TO THE SOUTH APPROXIMATE 2.92 ACRE OUTLOT FROM B-2 GENERAL BUSINESS DISTRICT AND FE FLOODWAY DISTRICT [AND OUTLOT] TO PLANNED DEVELOPMENT DISTRICT NO. 13 AND FW FLOODWAY DISTRICT AND TO ALLOW FOR AMUSEMENT AND RECREATION **SERVICES** AND LIMITED SINGLE WAREHOUSING AND DISTRIBUTION USE AMONG OTHER USES AN EXISTING **MULTI-TENANT** IN BUILDING SUBJECT TO SPECIAL USE APPROVAL(S) WITHIN THE EXISTING BUILDING ON THE 19.7 ACRE PARCEL (GREYWOLF PARTNERS, INC., APPLICANT) (6801 SOUTH 27TH STREET). Seconded by Alderman Dandrea. All voted Aye; motion carried.

G.10. Alderman Skowronski moved to adopt Resolution No. 2013-6936, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN AMUSEMENT AND RECREATION SERVICES USE UPON PROPERTY LOCATED AT 6801 SOUTH 27TH STREET (GREYWOLF PARTNERS, INC., APPLICANT) as revised. Seconded by Alderman Taylor. All voted Aye; motion carried.

G.11. Alderman Skowronski moved to adopt Resolution No. 2013-6937, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 792-9993-001 AND 792-9993-002 (7771 SOUTH 76TH STREET) (BLASÉ J. CATANESE AND CATHLEEN CATANESE, APPLICANTS). Seconded by Alderman Taylor. All voted Aye; motion carried.

G.12. Alderman Taylor moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Andrew J. Petty and Amanda E. Petty, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance to deny the application as revised by the City Attorney. Seconded by Alderman Schmidt. Motion carried on a voice vote; Alderman Skowronski voted No. Franklin Common Council 11/19/13 Page Four

EXTENSION OF SANITARY SEWER S. 76TH ST.

RES. 2013-6938 G.14 PUBLIC CONSTRUCTION OF THE RYAN CREEK INTERCEPTOR

2014 AGREEMENT C BETWEEN FRANKLIN AND RACINE COUNTY

RES. 2013-6939 DEVELOPMENT AGREEMENT PEOPLE'S CHOICE CORPORATION

LETTER OF CREDIT SACRED HEART AT MONASTERY LAKE PROJECT G.13. Alderman Skowronski moved to recommend funding to the Finance Committee for the non-assessable portion of the sanitary sewer extension on S. 76th Street from a point 3,000 feet south of W. Ryan Road to a point 900 feet north of W. Ryan Road and on W. Ryan Road from S. 76th Street to a point 1,235 feet west of S. 80th Street. Seconded by Alderman Taylor. All voted Aye; motion carried.

G.14. Alderman Taylor moved to adopt Resolution No. 2013-6938, A RESOLUTION ACCEPTING THE PUBLIC CONSTRUCTION OF THE RYAN CREEK INTERCEPTOR SEWER PUBLIC SANITARY SEWER FACILITY PROJECT. Seconded by Alderman Skowronski. All voted Aye; motion carried.

- G.15. Alderman Taylor moved to approve the 2014 Professional SLIN Services Agreement between the City of Franklin and Racine County for services to verify a certified soil tester's soil and site evaluation at designated properties when needed and to authorize the Director of Administration to execute such agreement. Seconded by Alderman Mayer. All voted Aye; motion carried.
 - G.16. Alderman Mayer moved to adopt Resolution No. 2013-6939, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXEUCTE A DEVELOPMENT AGREEMENT WITH THE PEOPLE'S CHOICE CORPORATION FOR THE DEVELOPMENT AGREEMENT FOR HAMPTON INN & SUITES MILWAUKEE/FRANKLIN TO BE LOCATED NORTH OF W. RAWSON AVENUE AND WEST OF S. 76TH STREET. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Alderman Mayer vacated his seat at this time.

G.17. Alderman Skowronski moved to release Letter of Credit No. 1556 from Tri-City National Bank dated December 15, 2009, for the development of the Sacred Heart at Monastery Lake development project as recommended by the Engineering Department. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Mayer returned to his seat at this time.

AUDIT AGREEMENTG.18.Alderman Taylor moved to approve the Mayor, City Clerk and
Director of Finance & Treasurer to execute the Audit Agreement
between Clifton Gunderson LLP and the City of Franklin for
audit of the City of Franklin for the 2013 year. Seconded by
Alderman Dandrea. All voted Aye; motion carried.

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REVISED JOB DESCRIPTION POLICE PATROL OFFICER

RES. 2013-6940 ELIMINATING OVERTIME FOR PART-TIME LIBRARY ASSISTANTS

RES. 2013-6941 2014 NON-REPRESENTED EMPLOYEE GENERAL WAGE ADJUSTMENT

WAGE COMPRESSION G.22 AND INCREASES POLICE AND FIRE COMMAND STAFF

REVISED JOB DESCRIPTION SANITARIAN

MISCELLANEOUS LICENSES

- G.19. Alderman Skowronski moved to approve the revision to the Job Description for Police Patrol Officer. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- G.20. Alderman Dandrea moved to adopt Resolution No. 2013-6940, A RESOLUTION TO AMEND THE CIVIL SERVICE SYSTEM PERSONNEL ADMINISTRATION PROGRAM ELIMINATING OVERTIME FOR PART-TIME LIBRARY ASSISTANTS WHO WORK ON SUNDAYS. Seconded by Alderman Taylor. All voted Aye; motion carried.
- G.21. Alderman Schmidt moved to adopt Resolution No. 2013-6941, A RESOLUTION TO ADDRESS THE 2014 NON-REPRESENTED EMPLOYEE GENERAL WAGE
 AL ADJUSTMENT AND THE EMPLOYEE COST SHARE OF MONTHLY HEALTH INSURANCE PREMIUMS. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- SION G.22. Alderman Mayer moved to approve a 3% wage increase effective January 12, 2014 and a 1% wage increase effective December 28, 2014, for Police and Fire Command Staff, recognizing that this action, supersedes any Resolution on the general non-represented employee wage adjustments, and to direct the Director of Administration to incorporate such adjustments into the Employee Handbook in a form as he shall determine is appropriate as per recommendation of the Mayor and Police Chief. Seconded by Alderman Skowronski. All voted Aye; motion carried.
 - G.23. Alderman Skowronski moved to approve the revised job description for the Sanitarian as amended per the recommendation of the Personnel Committee. Seconded by Alderman Mayer. All voted Aye; motion carried.
 - H.1. Alderman Dandrea moved to grant the following licenses:

Class "A" Combination to Midtown Gas & Liquor, 11123 W. Forest Home Ave., Hardip Singh Bhatti, Agent;

Operator License to Bailey, Brett W., 4636 S. Racine Ave., New Berlin; Ormond, Mariah R., 1608 ¹/₂ East St. Upper, Racine; Gjika, Enea, 1738 Hickory St., South Milwaukee and Lyons, Deborah E., 314 Luedtke Ave., Racine;

The Operator License for Krosschell, David M., 2537 S. Austin St., Milw. was withdrawn. Seconded by Alderman Taylor. All voted Aye; motion carried.

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VOUCHERS AND I.1. Alderman Schmidt moved to approve net general checking PAYROLL account City vouchers in the range of Nos. 149305 through 149312 and Nos. 150001 in the amount of \$589,039.24 dated November 19, 2013. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried. Alderman Dandrea moved to approve net general checking account City vouchers in the range of Nos. 150152 through Nos. 150160 in the amount of \$206,074.06 dated November 15, 2013. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried. Alderman Schmidt moved to approve net general checking account City vouchers in the range of Nos. 150161 through Nos. 150164 in the amount of \$25,026.98 dated November 20, 2013. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried. Alderman Skowronski moved to approve the net payroll dated November 15, 2013 in the amount of \$337,904.32 (estimate previously approved at \$343,000.00) and payments of the various payroll deductions in the amount of #201,254.03 (estimate previously approved at \$203,000.00) plus any City matching payments, where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried. Alderman Schmidt moved to approve the net payroll dated November 29, 2013 estimated at \$362,000.00 and payments of the various payroll deductions estimated at \$183,000.00 plus any City matching payments, where required. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

ADJOURNMENT J. Alderman Taylor moved to adjourn the meeting at 7:37 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.