

APPROVED APRIL 16, 2019

CITY OF FRANKLIN
COMMON COUNCIL MEETING
APRIL 1, 2019
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on April 1, 2019 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 Steve F. Taylor, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:31 p.m. and closed at 6:52 p.m.
- SEN. CRAIG
PROPOSED
LEGISLATION B.2.(a) Mayor Olson noted a letter from State Senator David Craig regarding proposed legislation addressing violation of law relating to practice of message therapy.
- COMM. OF WHOLE
MEETING 4/15/2019 B.2.(b) Mayor Olson noted a Committee of the Whole meeting will be held at 6:00 p.m. on Monday, April 15, 2019.
- TEMP. REMOVAL OF
BDS./COMM.
STAFFING B.2.(c) Mayor Olson noted that due to staffing shortages in the Department of City Development, staff support is temporarily removed for non-statutory board and commissions until appropriate staffing is in place.
- BALLPARK
COMMONS UPDATES B.2.(d) Mayor Olson announced that effective April 16, 2019 all regular Common Council Meeting Agendas will contain a Project Update for Ballpark Commons until further notice.
- APPROVAL OF
MINUTES C. Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of March 19, 2019 as amended and presented at this meeting. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- MAYORAL
APPOINTMENTS E. Alderman Nelson moved to table to April 16, 2019, the Mayoral appointment of Andrew Ruffing, 4728 W. Sharon Lane, to the Quarry Monitoring Committee for a 3-year term expiring 4/31/22. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- Alderman Nelson moved to deny the Mayoral appointment of Robert Montgomery, 8570 S. 116th Street, to the Board of Zoning and Building Appeals for a 3-year term expiring 4/30/22. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

Alderman Mayer moved to confirm the following Mayoral Appointments:

1. Kenneth Sweeney, 11221 W. St. Martins Rd., Fair Commission (3 year term expiring 4/30/22).
2. David Lindner, 4007 W. Acre Ave., Fair Commission (3 year term expiring 4/30/22).
3. John Trudeau, 11410 W. Mayers Dr., Fair Commission (3 year term expiring 4/30/22).
4. Dennis Ciche, 8128 S. 43rd St., Finance Commission (1 year term expiring 4/30/20).
5. Robert Campbell, Jr., 5416 W. Behrendt St., Finance Commission (1 year term expiring 4/30/20).
6. John Howard, 6658 W. Robinwood Ln., Finance Commission (1 year term expiring 4/30/20).
7. Madelyn Kempen, 7855 S. Scepter Dr., Apt 13, Library Board (3 year term expiring 6/30/22).
8. Terrence Berres, 8203 S. 58th St., Library Board (3 year term expiring 6/30/22).
9. Judith Williams-Killackey, 4901 W. Forest Hill Ave., Library Board (3 year term expiring 6/30/22).
10. Dr. Henry Wengelewski, 3643 W. Sharon Ln., Board of Health (2 year term expiring 4/30/21).
11. Jim Arneson, 5188 W. Harvard Dr., Architectural Review Board (3 year term expiring 4/30/22).
12. Mary Remington, 7600 S. Chapel Hill Dr., Parks Commission (3 year term expiring 4/30/22).
13. Gregory Strowig, 8128 S. 77th St., Technology Commission (3 year term expiring 4/30/22).
14. Dale Webler, 6846 W. Imperial Dr., Technology Commission (3 year term expiring 4/30/22).
15. Stephanie Flynn, 7473 Riverview Road, Environmental Commission (3 year term expiring 4/30/22).
16. Patricia Pomahac, 8111 S. Forest Hills Cir., Environmental Commission (3 year term expiring 4/30/22).
17. Robert Campbell, 5416 W. Behrendt St., Board of Zoning and Building Appeals (3 year term expiring 4/30/22).
18. Richard Budny, 9237 S. 48th St., Personnel Committee (3 year term expiring 4/30/22).
19. Frank Prusko, 8007 S. Steepleview, Personnel Committee (3 year term expiring 4/30/22).
20. Adam Burckhardt, 7541 S. 72nd St., Plan Commission (1 year term expiring 4/30/20).

Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to appoint Linda Witkowski, 7935 S. 67th Street, to the Finance Commission for a 1-year term expiring 4/30/20. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderman Mayer, Alderman Barber, and Alderman Nelson voted Aye; Alderwoman Wilhelm Abstained; and Alderman Taylor voted No. Motion carried.

PLEASANT VIEW
ESTATES DEV.
OUTLOT

F. Alderwoman Wilhelm moved to place on file a letter from Rick Przybyla, President of Creative Homes, Inc., regarding an outlot in the Pleasant View Estates Development. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2019-2364
AMEND UDO TO
REZONE LAND ON
W. FOREST HOME
AVE. (ENER-CON
COMPANIES, INC.)

G.1. Alderman Nelson moved to adopt Ordinance No. 2019-2364, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT, SUCH LAND BEING LOCATED GENERALLY ON THE EAST SIDE OF WEST FOREST HOME AVENUE, APPROXIMATELY 1,200 FEET NORTH OF THE INTERSECTION OF WEST FOREST HOME AVENUE AND WEST RAWSON AVENUE (SOUTH OF THE EXISTING GENERAL WAREHOUSE BUILDING) (APPROXIMATELY 4.35 ACRES) (ENER-CON COMPANIES, INC. c/o FHCC, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2019-7476
LAND
COMBINATION
11301-11311 W.
FOREST HOME AVE.
(ENER-CON
COMPANIES, INC.)

G.2. Alderman Nelson moved to adopt Resolution No. 2019-7476, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 748-9994-003, 748-9997-008, AND 748-0067-000 (11301-11311 WEST FOREST HOME AVENUE, 6858 SOUTH 112TH STREET AND GENERALLY THE EAST SIDE OF WEST FOREST HOME AVENUE, APPROXIMATELY 1,200 FEET NORTH OF THE INTERSECTION OF WEST FOREST HOME AVENUE AND WEST RAWSON AVENUE) (ENER-CON COMPANIES, INC., c/o FHCC, LLC, APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2019-7477
CONSERVATION
EASEMENT
(G. NISENBAUM)

G.3. Alderman Nelson moved to adopt Resolution No. 2019-7477, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SPECIAL USE AND NATURAL RESOURCE PROTECTION PLAN FOR A TWO-FAMILY RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE WITH 1,371 SQUARE FEET OF LIVING SPACE AND BASEMENT IN EACH RANCH UNIT AND A PROPOSED

SHARED DRIVEWAY ENTRANCE OFF OF WEST CORTEZ CIRCLE, UPON PROPERTY ZONED R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT, LOCATED AT 10504 WEST CORTEZ CIRCLE (GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM HOMES & REALTY, INC., APPLICANT), subject to technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.

FINANCIAL REPORT FOR TID 4 G.4. Alderman Taylor moved to receive and place on file the Financial Report on Tax Incremental District 4 for Calendar 2018. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PLANNING STAFF REPORT INFORMATION G.5. Alderman Barber moved to authorize the Planning staff to reduce the amount of background and extra information contained in staff reports while maintaining the background and extra information in the project files. Seconded by Alderman Dandrea. All voted Aye; motion carried.

SUPPLEMENTAL SERVICES FOR PLANNING AND INSP. SERVICES DEPTS. G.6. Alderman Taylor moved to authorize a plan for supplemental services for the Planning and Inspection Services Departments, as set for the in the Council Action Sheet subject to and contingent upon separate adoption by the Common Council of an Ordinance modifying the 2019 budget to appropriate an amount equal to the Departments' 2018 revenues in excess of budgeted revenues. Seconded by Alderman Nelson.

Alderman Barber moved to call the question, seconded by Alderman Nelson. Upon voice vote, five Ayes; Alderwoman Wilhelm voted No. Motion carried.

On the main motion to authorize a plan as stated above, all voted Aye; motion carried.

Alderwoman Wilhelm motion to receive a report back on the employees hired through the process and the financial amount that is being dedicated. Seconded by Alderman Nelson. All voted Aye; motion carried.

ORD. 2019-2365 AMEND 2019 BUDGET FOR SUPPLEMENTAL SERVICES IN PLANNING AND INSP. SERVICES DEPTS. G.7. Alderman Taylor moved to adopt Ordinance No. 2019-2365, AN ORDINANCE AMENDING ORDINANCE NO. 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGET FOR THE GENERAL FUND FOR THE CITY OF FRANKLIN TO APPROPRIATE \$48,464 WITHIN THE PLANNING DEPARTMENT AND \$78,362 WITHIN THE INSPECTION SERVICES DEPARTMENT, REFLECTING AMOUNTS EQUAL TO EACH DEPARTMENTS' 2018 REVENUES IN EXCESS OF BUDGETED REVENUES, TO SUPPORT IMPLEMENTATION OF A PLAN FOR

SUPPLEMENTAL SERVICES FOR THOSE DEPARTMENTS. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

- RES. 2019-7478
SAMPLE SUBD. DEV.
AGREEMENT
- G.8. Alderman Taylor moved to adopt Resolution No. 2019-7478, A RESOLUTION AUTHORIZING APPROVAL OF THE REVISION TO APPENDIX F-SAMPLE SUBDIVISION DEVELOPMENT AGREEMENT TO THE CITY OF FRANKLIN DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS 2017. Seconded by Alderman Barber. All voted Aye; motion carried.
- DENY REQUEST FOR
STOP SIGN
- G.9. Alderman Dandrea moved to deny the request to install stop sign(s) on S. Avian Way at W. Grey Hawk Court and W. Grey Hawk Lane, and instruct staff to send a letter to Avian at Tuckaway Condominiums stating that they may/may not be liable for the uncontrolled intersection on private roads. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2019-7479
STREET IMPR.
PROGRAM
CONTRACT
- G.10. Alderman Taylor moved to adopt Resolution No. 2019-7479, A RESOLUTION AWARDED CONTRACT TO THE LOW BIDDER, STARK PAVEMENT CORPORATION, IN THE AMOUNT OF \$975,000 FOR THE 2019 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- S. LEGEND DR.
CLOSURE FOR
OUTDOOR MOVIE
- G.11. Alderman Mayer moved to approve the street closures on S. Legend Drive between Schlueter Parkway and the City Hall back parking lot on Friday, June 14, 2019, from 6:00 p.m. until 11:00 p.m. in conjunction with the City of Franklin sponsored Franklin Family Fun Flick Outdoor Movie. Seconded by Alderman Barber. All voted Aye; motion carried.
- RES. 2019-7480
AMENDING INV.
POLICY STATEMENT
FOR OPEB
- G.12. Alderman Taylor moved to adopt Resolution No. 2019-7480, A RESOLUTION AMENDING THE INVESTMENT POLICY STATEMENT FOR THE CITY OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- FEB. FINANCIAL
REPORT
- G.13. Alderman Taylor moved to receive and place on file the February 2019 Month Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.

WIRELESS
MICROPHONE
STRATEGY

- G.14. Alderman Barber moved to authorize the Director of Administration to proceed with obtaining pricing for a wireless microphone strategy for the replacement of the Common Council Chamber sound system. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND
PERMITS

- H.1. Alderwoman Wilhelm moved to approve the following:
Grant Operator License to Danielle E. Zielinski, 9880 S. Glenmoor Ct., Oak Creek;
Grant Operator Licenses to Pamela Brys, 1720 W. Meyer Ln. #6104, Oak Creek; Shane R. Jaskie, 7811 W. Winston Way, Franklin.
Hold Operator license applications for appearance for Grace Ann L Cole, 10863 S. 60th St., Franklin.
Deny Operator License application for Angelica M. Davis, 826 Blake Ave., South Milwaukee, based upon habitual criminality record substantially related to the license activity, contrary to Wis. Stat. §125.04.
Grant 2019-20 Daycare licenses, subject to payment & compliance with City Ordinance and approval of inspections, to Academy of Preschool Learning, Inc., Manager Nadeen Balsis, 9501 W. Drexel Ave.; Mrs. Rikki's Structured Daycare, Manger, Rochelle S. Boyce, 11224 W. Forest Home Ave.
Grant Mobile Home license to Badger MHP, LLC, Manager Jason Janda, 6405 S 27th St.; and hold Mobile Home license pending report on inspections for Franklin Mobile, LLC, Manager David Steinberger, 6361 S 27th St.
Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of April 1, 2019 in the amount of \$2,411,725.15; and payroll dated March 29, 2019 in the amount of \$403,214.66 and payments of the various payroll deductions in the amount of \$396,726.22 plus City matching payments; and estimated payroll dated April 12, 2019 in the amount of \$393,000.00 and payments of the various payroll deductions in the amount of \$222,000.00 plus City matching payments; and property tax refunds and investments with an ending date of March 28, 2019 in the amount of \$5,000,210.88. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:20 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.