

# APPROVED MAY 7, 2019

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
APRIL 16, 2019  
MINUTES

ROLL CALL AND  
CALL TO ORDER

- A. The regular meeting of the Common Council was held on April 16, 2019 and was called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Common Council Chambers, 9229 West 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, and Alderman Mike Barber. Excused was Alderman John R. Nelson. Also present were Dir. of Administration Mark Lubberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT  
PERIOD

- B. Citizen comment period was opened at 6:34 p.m. and was closed at 6:59 p.m.

APPROVAL OF  
MINUTES

- C. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of April 1, 2019 as presented at this meeting. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

APPOINTMENTS

- E. Alderwoman Wilhelm requested to separate the action on Item E.4., confirmation of the appointment of Andrew Ruffing to the Quarry Monitoring Committee.

COMMON COUNCIL  
PRESIDENT  
ELECTION

- E.1. Alderwoman Wilhelm requested to postpone the election of Common Council President to a future meeting; however, it was determined by the City Attorney that pursuant to §62.09(8)(e), Wis. Stats., the Common Council shall choose the Common Council President at this meeting, being the first meeting subsequent to the Election held on April 2, 2019.

Mayor Olson called for nominations for Common Council President.

Alderman Taylor moved to nominate Alderman Dandrea as Common Council President. Seconded by Alderwoman Wilhelm.

Alderman Mayer moved to nominate Alderman Barber as Common Council President. Seconded by Alderman Barber.

Hearing no further nominations and upon the request for a vote by secret ballot, the results were as follows: Alderman Dandrea received three votes and Alderman Barber received two votes. Alderman Dandrea was declared the Common Council President.

MAYORAL  
APPOINTMENTS

Alderman Mayer then moved to confirm the following Mayoral appointments:

- E.2. Gene Ninnemann as Weed Commissioner/Cutter with a weed cutting fee of \$90 per hour for the calendar year 2019.
- E.3. Francesco Mineo, 8715 W. Meadow Ln., Ald. Dist. 2, to Police and Fire Commission for 5 year term expiring 4/30/24.

Seconded by Alderwoman Wilhelm. On roll call, all voted Aye; motion carried.

MAYORAL  
APPOINTMENTS

- E.4. Alderwoman Wilhelm moved to postpone indefinitely the confirmation of the Mayoral appointment of Andrew Ruffing to the Quarry Monitoring Committee. Motion died due to the lack of a second.

Alderman Barber moved to confirm the Mayoral appointment of Andrew Ruffing, 4728 West Sharon Lane, for a 3-year term to the Quarry Monitoring Committee expiring 5/31/22. Seconded by Alderman Mayer. On roll call, Alderman Barber, Alderman Mayer, and Alderman Dandrea voted Aye; Alderman Taylor voted No; and Alderwoman Wilhelm Abstained. Motion failed due to lack of majority vote of all members of the Common Council.

MAYORAL  
APPOINTMENTS

- E.5-23. Alderman Dandrea moved to confirm the following Mayoral appointments of Aldermen to Boards and Commissions:

Finance Committee

- 5. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.
- 6. Alderman Mark Dandrea, 1 year term expiring 4/21/20.
- 7. Alderman John Nelson, 1 year term expiring 4/21/20.

Parks Commission

- 8. Alderman John Nelson, 1 year term expiring 4/21/20.

Plan Commission

- 9. Alderman Mark Dandrea, 1 year term expiring 4/21/20.

Environmental Commission

- 10. Alderman Daniel Mayer, 1 year term expiring 4/21/20.

License Committee

11. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.
12. Alderman Steve Taylor, 1 year term expiring 4/21/20.
13. Alderman John Nelson, 1 year term expiring 4/21/20.

Quarry Monitoring Committee

14. Alderwoman Kristen Wilhelm, 2 year term expiring 6/30/21.
15. Alderman Mike Barber, 2 year term expiring 6/30/21.

Fair Commission:

16. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Board of Health:

17. Alderman Mike Barber, 3 year term expiring 4/19/22.

Personnel Committee:

18. Alderman Mark Dandrea, 3 year term expiring 4/19/22.
19. Alderman Daniel Mayer, 3 year term expiring 4/19/22.
20. Alderman Mike Barber, 3 year term expiring 4/19/22.

Technology Committee:

21. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Community Development Authority:

22. Alderman Mark Dandrea, 3 year term expiring 4/19/22.

Economic Development Commission:

23. Alderman Mike Barber, 3 year term expiring 4/19/22.

Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.

PAYNE & DOLAN,  
INC. RESPONSE TO  
NEIGHBORS

- F. A letter form Clint Weninger, P.G. Land Resources Manager, Payne & Dolan, Inc. in response to neighbors' concerns was provided to the Quarry Monitoring Committee and no action was needed at this meeting.

- CONSENT AGENDA      G.1.      Alderman Mayer moved to approve the following consent agenda items:
- DONATION TO FIRE DEPT.      G.1.(a)      Accept the donation of \$50 from Madeline Barefoot in memory of Donald Norman for the Franklin Fire Department fire and safety educational programs.
- DONATION TO FIRE DEPT.      G.1.(b)      Accept the donation of \$50 from Lori Keck in memory of Donald Norman for the Franklin Fire Department fire and safety educational programs.
- DONATION TO POLICE DEPT.      G.1.(c)      Accept the donation from Summit Credit Union to the Franklin Police Department in the amount of \$500 to be used for flashing safety lights to be distributed at the 2019 annual Bicycle Rodeo on June 8, 2019.
- SALT PURCHASE      G.1.(d)      Authorize the City of Franklin to participate in the State contract to purchase 1,500 tons of salt.
- BIKE RODEO STREET CLOSURE      G.1.(e)      Temporary street closure for Franklin Bike Rodeo on June 8, 2019.
- Approval of Consent Agenda items was seconded by Alderman Dandrea. All voted Aye; motion carried.
- BALLPARK COMMONS UPDATE      G.2.      No action was taken following a project updated on Ballpark Commons presented by Ballpark Commons representatives.
- AMEND EXISTING TID 5, PDD 37      G.3.      Alderman Barber moved to amend the boundary to incorporate newly purchased property located on the Southeast corner of West Rawson Avenue and West Loomis Road into Tax Incremental District No. 5 and move forward with the Project Plan. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Taylor, and Alderman Barber voted Aye; Alderman Mayer voted No. Motion carried.
- Alderman Barber moved to increase tax increment funding by \$5.2 million to cover public infrastructure cost overruns. Seconded by Alderman Dandrea. On roll call, Alderman Barber, Alderman Taylor, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer voted No. Motion carried.
- COMM. OF WHOLE RECOMMENDATION TID 5 AND POTENTIAL NEW TID 7      G.20.(b)      Alderman Taylor moved to direct staff and financial consultants and special legal counsel to proceed with the negotiations of potential amendments to the Development Agreement for Tax Incremental District No. 5 and a potential Development Agreement for potential new Tax Incremental District No. 7 terms as discussed in closed session at the 4/15/2019 Committee of the Whole meeting for return to the Common Council. Seconded by Alderman Dandrea. On roll call, Alderman Barber, Alderman Taylor,

Alderman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer voted No. Motion carried.

KAYLA'S  
PLAYGROUND  
AMBASSADOR  
PROGRAM

G.5. Alderman Mayer moved to approve implementation of the Kayla's Playground Ambassador Program by the Parks Commission, directing staff to complete the necessary steps for implementation of the program and confirmation of the appointment of Michelle (Shelly) Runte as the unpaid, volunteer Park Ambassador Program Coordinator effective upon the effective date of the Ordinance, and further that the Common Council be notified of any changes made by the Parks Commission at the next Common Council meeting following the change. Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2019-2366  
PARK AMBASSADOR  
PROGRAM  
COORDINATOR ON  
PARKS COMM.

G.6. Alderman Taylor moved to adopt Ordinance No. 2019-2366, AN ORDINANCE TO AMEND SECTION 10-7 A, PARKS COMMISSION - MEMBERSHIP, OF THE MUNICIPAL CODE BY ADDING THE PARK AMBASSADOR PROGRAM COORDINATOR AS AN EX-OFFICIO, NON-VOTING MEMBER OF THE PARKS COMMISSION. Seconded by Alderman Barber. All voted Aye; motion carried.

NRPP SPECIAL  
EXCEPTION  
7475 S. 49TH ST.

G.11. Alderman Wilhelm moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Fred Arbanella, Arbanella/Carmody Homes, applicant, for a Special Exception to certain Natural Resource provisions of the City of Franklin Unified Development Ordinance (Proposed Oak Ridge of Franklin Subdivision Development; 7475 South 49th Street; Tax Key No. 759-9981-010). Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2019-7482  
STREET AND  
SIDEWALK  
CONSTRUCTION AT  
7475 S. 49TH ST.

G.12. Alderman Wilhelm moved to adopt Resolution No. 2019-7482, A RESOLUTION TO AUTHORIZE THE CONSTRUCTION OF A PUBLIC STREET AND SIDEWALK UPON LANDS IN PART SUPPORTING NATURAL RESOURCE FEATURES LOCATED AT OR ABOUT 7475 SOUTH 49TH STREET (FRED ARBANELLA, ARBANELLA/CARMODY HOMES, APPLICANT, WALTER HABLEWITZ, PROPERTY OWNER (PROPOSED OAK RIDGE OF FRANKLIN SUBDIVISION DEVELOPMENT; 7475 SOUTH 49TH STREET; TAX KEY NO. 759-9981-010)), subject to technical corrections by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- WIC PROGRAM WITH WEST ALLIS HEALTH DEPARTMENT      G.8.      Alderman Taylor moved to continue the Memorandum of Understanding with the West Allis Health Department to provide screening and consultation services for Franklin residence enrolled in the Women, Infants, and Children (WIC) program. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- CITY LOGO      G.4.      Following review of two logos presented by THIEL Brand Design as recommended by the Tourism Commission and the Economic Development Commission, Alderman Barber moved to adopt Logo 2 as the City logo. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- Alderman Barber moved to adopt the tagline “Celebrating Quality of Life”. Seconded by Alderman Taylor. All voted Aye; motion carried.
- Alderman Barber moved to return the Logo to the Tourism Commission and Economic Development Commission to make slight color adjustments. Seconded by Alderman Taylor. All voted Aye; motion carried.
- QUARRY MONITORING COMM.      G.7.      Alderwoman Wilhelm presented an update from the Quarry Monitoring Committee regarding recommendations to have full committee appointments to determine who may be allowed to attend surveying; to support competent and interested individuals for the open committee seat; and to the change for the Quarry Monitoring Committee Ordinance so that it coincides with the Aldermanic term lengths.
- ORD. 2019-2367 REZONE 8547 AND 8567 S. 76TH ST. (2 MIKE’S LLC, APPLICANT)      G.9.      Alderman Dandrea moved to adopt Ordinance No. 2019-2367, AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE TWO PARCELS OF LAND FROM R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT FOR THE PROPERTY LOCATED AT 8547 AND 8567 SOUTH 76TH STREET (APPROXIMATELY 0.48 ACRES) (2 MIKE’S LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2019-7481 3-LOT CSM (2 MIKE’S LLC, APPLICANT)      G.10.      Alderman Dandrea moved to adopt Resolution No. 2019-7481, A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, LOCATED IN THE

CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (2 MIKE'S LLC, APPLICANT) (8547 AND 8567 SOUTH 76TH STREET). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2019-7483  
W. ELM RD.  
RECONSTRUCTION

G.13. Alderman Taylor moved to adopt Resolution No. 2019-7483, A RESOLUTION FOR THE DECLARATION OF PUBLIC NECESSITY AND RELOCATION ORDER TO RECONSTRUCT W. ELM ROAD. Seconded by Alderman Barber. All voted Aye; motion carried.

WATER MAIN ALONG  
S. 50TH ST. TO W.  
MINNESOTA AVE.  
AND TO S. 51ST ST.

G.14. Alderwoman Wilhelm moved to have adjacent developer prepare cost estimates for design, permitting and construction of water main along S. 50th Street to W. Minnesota Avenue and to S. 51st Street and further to survey properties in the vicinity of S 50th Street and W. Minnesota Avenue and S. 51st Street for interest in public water service. Seconded by Alderman Taylor. All voted Aye; motion carried.

ON-SITE WASTE  
SYSTEM AND WELL  
9533 W. RYAN RD.

G.14a. Alderman Taylor moved to table to May 21, 2019, the property owners' request for permission to allow an on-site waste treatment system and private well for parcels in a proposed Certified Survey Map. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2019-7484  
EASEMENTS FOR  
RECONSTRUCTION  
OF S. 51ST. ST. AND  
W. DREXEL AVE.

G.15. Alderwoman Wilhelm moved to adopt Resolution 2019-7484, A RESOLUTION TO EXECUTE TEMPORARY LIMITED EASEMENTS TO FACILITATE THE RECONSTRUCTION OF THE INTERSECTION OF S. 51ST STREET AND W. DREXEL AVENUE. Seconded by Alderman Mayer. All voted Aye; motion carried.

LIGHTING AT S. 51ST  
ST. AND W. DREXEL  
AVE.

G.16. Alderwoman Wilhelm moved to authorize WE Energies to replace lighting at the intersection of S. 51st Street and W. Drexel Avenue. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2019-7485  
2019 FORD RANGER  
XLT FROM EWALD  
FOR SEWER & WATER  
DEPT.

G.17. Alderman Mayer moved to adopt Resolution 2019-7485, A RESOLUTION TO PURCHASE A 2019 FORD RANGER XLT 4WD SUPER CAB 6' BOX FROM EWALD AUTOMOTIVE GROUP, LLC FOR THE SEWER AND WATER UTILITY DEPARTMENT IN THE AMOUNT OF \$27,959 AND PURCHASE THE ACCESSORIES FROM ULTIMATE TRUCK AND ACCESSORIES FOR \$3,500 AND LIGHTS FROM GENERAL FIRE EQUIPMENT FOR \$2,264. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

- 5 YR NASPO LEASE  
AGMT-JAMES  
IMAGING FOR  
COPIER
- G.18. Alderman Mayer moved to authorize the Director of Administration to enter into a new 5-Year National Association of State Procurement Officers' ValuePoint Cooperative Purchasing Organization ("NASPO") lease agreement with James Imaging Systems for the City Hall's first floor main copier. Seconded by Alderman Barber. All voted Aye; motion carried.
- REPLACEMENT  
BITDEFENDER  
GRAVITYZONE-  
DESKTOP, LAPTOP  
ENVIRONMENTS
- G.19. Alderman Taylor move to authorize the Director of Administration and IT Director to purchase the licenses and modules for Bitdefender Gravityzone Ultra as the Standardized Advanced Threat Management (ATM) Client for desktop, laptop, and server computing environments from appropriations within the Information Services 2019 Operating Budget. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- COMM. OF WHOLE  
RECOMMENDATIONS
- G.20. For action on recommendations from the April 15, 2019 Committee of the Whole meeting, see Item G.20.(b) on page 5 (Tax Incremental District No. 5 Planned Development District No. 37, The Rock Sports Complex/Ballpark Commons, Ballpark Commons Sports Anchored Mixed-Use Development Project Development Status and Future Development in the District); and see Item G.4. on page 6 (THIEL Brand Design Presentation of Phase One and Phase Two of the Branding and Marketing Services Project, Including Discussion and Review of the Two Logos).
- MENARD, INC.  
EXCESSIVE  
ASSESSMENT
- G.21. No action was taken at this time regarding Menard, Inc. v. City of Franklin, Milwaukee County Circuit Court, Case No. 16-CV-8734 (Consolidated): Claims of excessive property assessment for 2016, 2017, 2018 and 2019 assessment may be incorporated.
- LICENSES AND  
PERMITS
- H. Alderman Taylor moved to approve the following:  
Grant 2018-2019 Operator Licenses to Ashley E. Derus, 3038 N. Cramer St., Milwaukee; Kenneth C. Humont, 7119 W. Jordan Ct.; James F. Metz, 6550 W. Milwaukee, WI.;  
Grant 2018-2019 and 2019-2020 Operator Licenses to Amanda N. Julian, 2811 W. Acre Ave.; Mozelle Malone-Kelly, 7444 S. 35th St.; Cassidy Weyers, W330 N4113 Lakeland Dr., Nashotah;  
Hold Operator license applications for appearance for Grace Ann L. Cole, 10863 S. 60th St.  
Grant 2019-2020 Day Care Licenses subject to compliance with City Ordinance and approval of inspections to, Faith Academy Child Care Development Center, Manager Jennifer Finch, 7700 W. Faith Dr.; Ingenious, Inc., Manager Banmeet K Dadwal, 7260 S. 76th St.; Jubilee Christian Day Care, Manager Tanya Soich, 6855 S. 50th St.; and



Grant Amusement Device Operator licenses to American Entertainment, Owner Ken Grothman, W337S5059 Hwy GG, Dousman; Mitchell Novelty Co., Owner Ralph Fleege, 3506 W National Ave, Milwaukee; National Entertainment Network, Owner, James F Sevalt, 325 Interlocken Pkwy B, Broomfield, CO., 80021.

Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

- I.1. Alderman Taylor moved to approve the following: City vouchers with an ending date of April 11, 2019 in the amount of \$605,632.91; and payroll dated April 12, 2019 in the amount of \$382,383.64 and payments of the various payroll deductions in the amount of \$209,401.19, plus City matching payments; and estimated payroll dated April 26, 2019 in the amount of \$393,000.00 and payments of the various payroll deductions in the amount of \$418,000.00, plus City matching payments; and Property Tax refunds and investments with an ending date of April 11, 2019 in the amount of \$8.40; and the release of property tax settlements in the amount of \$7,621,388.81. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the regular meeting of the Common Council at 9:31 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.