

APPROVED APRIL 1, 2019

CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 19, 2019
MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on March 19, 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 Luberda, 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 7:11 p.m.
- MAYORAL ANNOUNCEMENT
- B.2. Mayor Olson noted a letter from Milwaukee County Office of Emergency Management regarding Wireless Emergency Alert (“WEA”) messages.
- APPROVAL OF MINUTES
- C. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of March 5, 2019 as presented at this meeting. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- MAYORAL APPOINTMENTS
- E. Alderman Mayer moved to confirm the following Mayoral Appointment: Steve Rekowski, 7565 S. Mission Dr., Ald. Dist. 2, 3-year unexpired term to the Board of Zoning and Building Appeals expiring 04/30/2020. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye. Motion carried.
- BALLPARK COMMONS UPDATE
- G.1. No action was taken following a project update for Ballpark Commons presented by Mike Zimmerman.
- RES. 2019-7473
SPECIAL USE
TOWNHOME
NISENBAUM HOMES &
REALTY, INC.
- G.8. Alderman Nelson moved to adopt Resolution 2019-7473, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A TWO-FAMILY RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE UPON PROPERTY LOCATED AT 10504 WEST CORTEZ CIRCLE (GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM HOMES & REALTY, INC., APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

STATUS UPDATE FROM
QUARRY MONITORING
COMMITTEE AND
PDD NO. 23 AND 24
STANDARDS

- G.3. Alderwoman Wilhelm moved to approve an amendment to the Quarry Monitoring Professional Services Agreement for 2019 to include the addition of a new survey of both north/south boundary along S. 51st Street and the east/west boundary along W. Drexel Avenue and that the surveying funds come from the General Fund (Contingency), or as appropriate, at a cost not to exceed \$6,000 and further that the survey point would be from the current centerline of S. 51st Street. Seconded by Alderman Barber. All voted Aye; motion carried.

Alderwoman Wilhelm moved to have staff address the existing complaint regarding the setback as it relates to the field of loose material beyond the blasting area, and the survey needs to address blasting areas and that a letter be sent to Payne and Dolan notifying them of the City's concerns and the request to fund an additional survey in the Stantec contract for this year, and to address any fine language within the letter. Seconded by Alderman Barber. All voted Aye; motion carried.

Alderwoman Wilhelm moved to direct the City Attorney to provide an opinion on the ability of the City to revisit the Planned Development District No. 23 and 24 Standards pertaining to blasting levels allowed by the two PDDs with a date to return back to the Council no later than the last meeting in June 2019. Seconded by Alderman Barber. All voted Aye; motion carried.

REPLACEMENT OF FIRE
ENGINE

- G.5. Alderman Taylor motion to authorize the Mayor and Director of Clerk Services, and other staff as required, to execute a purchase contract, funded through the Equipment Replacement Fund, with Seagrave Fire Apparatus, LLC, for replacement of Engine #206, a 1999 Fire Engine, with a 2019 Seagrave Model TB50CA, Marauder Pumper for \$633,395. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2019-7474
CONDITIONALLY
APPROVING A
CONDOMINIUM PLAT
FOR PARK CIRCLE
CONDOMINIUMS (9733
S. 76TH ST.) (NEUMANN
DEVELOPMENTS, INC.,
APPLICANT)

- G.6. Alderman Nelson moved to adopt Resolution No. 2019-7474, A RESOLUTION TO AMEND RESOLUTION NO. 2017-7291, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS AT APPROXIMATELY 9733 SOUTH 76TH STREET (NEUMANN DEVELOPMENTS, INC., APPLICANT), TO INCLUDE AND DEPICT ALL PROPOSED 54 CONDOMINIUM UNITS UPON THE PLAT, INCLUDING IN THE WIS. STAT. §703.26 EXPANDING CONDOMINIUM AREAS; TO RATIFY AND APPROVE NUNC PRO TUNC THE RECORDING OF THE PLAT ON FEBRUARY 21, 2019 AS DOCUMENT #10849951; TO WAIVE ANY PRIOR REGULATORY TIME LIMITS FOR THE RECORDING OF THE PLAT; TO AUTHORIZE DEPARTMENT

OF CITY DEVELOPMENT AND ENGINEERING DEPARTMENT STAFF TO REVIEW FOR APPROVAL ALL FORTHCOMING ADDENDUMS TO THE PLAT IN THE WIS. STAT §703.26 EXPANDING CONDOMINIUMS AREAS, AND TO RENAME THE DEVELOPMENT THE GLEN AT PARK CIRCLE CONDOMINIUMS. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2019-2361
AMEND UDO
INDUSTRIAL
CLASSIFICATION
TITLES

G.7. Alderman Dandrea moved to adopt Ordinance No. 2019-2361, AN ORDINANCE TO AMEND UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 AS PRESENTED IN THE PLAN COMMISSION PACKET DATED FEBRUARY 11, 2019, SUBJECT TO STANDARD INDUSTRIAL CLASSIFICATION TITLE NOS. 1742 "PLASTERING, DRYWALL, ACOUSTICAL, AND INSULATION WORK", 1743 "TERRAZZO, TILE, MARBLE, AND MOSAIC WORK" AND 5145 "CONFECTIONARY" BE ALLOWED AS A PERMITTED USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT TABLE 15-3.060. Seconded by Alderman Taylor. On roll call, Alderman Dandrea, Alderman Mayer, Alderman Taylor, Alderman Barber, and Alderman Nelson voted Aye; Alderwoman Wilhelm voted No. Motion carried.

ORD. 2019-2362
RECLASSIFY
CONTINGENCY
APPROPRIATIONS FOR
A K9 PURCHASE

G.9. Alderwoman Wilhelm moved to adopt Ordinance No. 2019-2362, AMENDING ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE GENERAL FUND AND DONATIONS FUNDS FOR THE CITY OF FRANKLIN, TO RECLASSIFY CONTINGENCY APPROPRIATIONS AND ESTABLISH APPROPRIATIONS FOR A K9 PURCHASE. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2019-2363
AMEND BUDGET FOR
ODOR MANAGEMENT
IN THE RYAN CREEK
INTERCEPTOR SEWER

G.10. Alderman Taylor moved to adopt Ordinance No. 2019-2363, AMENDING ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE SANITARY SEWER FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2019 TO ESTABLISH AN APPROPRIATION FOR ODOR MANAGEMENT IN THE RYAN CREEK INTERCEPTOR SEWER. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

RES. 2019-7475
AGREEMENT WITH
MMSD FOR RYAN
CREEK INTERCEPTOR
ODOR CONTROL

G.11. Alderman Taylor moved to adopt Resolution No. 2019-7475, A RESOLUTION TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH MILWAUKEE METROPOLITAN SEWERAGE DISTRICT FOR RYAN CREEK INTERCEPTOR ODOR CONTROL IMPROVEMENTS subject to

changes thereto by the City Engineer and City Attorney. Seconded by Alderman Barber. All voted Aye; motion carried.

COMPUTER
REPLACEMENT

- G.12. Alderman Taylor moved to authorize the Information Technology Director to order 55 HP desktop computers from Paragon Development Systems (PDS) as recommended in the Council Action Sheet and in accordance with the adopted 2019 departmental budgets, with any overages being funded within the IT 2019 Capital Outlay budget. Seconded by Alderman Mayer. All voted Aye; motion carried.

AUTHORIZATION TO
PROCEED WITH CITY
HALL PHASE 2

- G.2. Alderman Barber moved to accept the Design Development Report from Quorum Architects, Inc. for the City Hall roof, HVAC and fascia wood replacement project and authorization to proceed to Phase 2 of the project, development of construction documents. Seconded by Alderman Nelson. Alderman Mayer, Alderwoman Wilhelm, Alderman Barber, and Alderman Nelson voted Aye; Alderman Dandrea and Alderman Taylor voted No. Motion carried.

TID 4 STATUS AND
CREATION OF TID
OVERLAY AND
SERVICES FOR W. ELM
RD. RIGHT OF WAY
APPRAISAL AND
ACQUISITION

- G.4. Alderman Taylor moved to direct staff to return to the Common Council with a recommendation of the creation of a Tax Incremental District overlay district along with the boundaries thereof and the cost estimates for professional services related to the creation of the overlay district, by the first Common Council meeting in May. Seconded by Alderman Barber. All voted Aye; motion carried.

Alderman Taylor moved to direct and authorize staff to return to the Common Council with a contract for professional consultant services for the appraisal and acquisition of road right-of-way along West Elm Road consistent with the road layout proposed by and as previously submitted by staff to the Wisconsin Department of Transportation, by the first Common Council meeting in May 2019. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND
PERMITS

- H.1. Alderman Taylor moved to approve the following:
Grant Operator Licenses to Ellisa S.J. Reeder, 1575 S. 82nd St., West Allis; Angela M. Spingola, 4169 S. 5th Pl., Milwaukee; Mallory K. Villwock, 8026 S. 47th St., Franklin; Kristen L. Wieneke, 3422 E. Tesch Ave., St. Francis; and
Grant Class B Beer and Class C Wine, to Dhiman LLC, Deepak Dhiman, Agent, 7107 S. 76th 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 March 14, 2019 in the amount of \$1,064,146.67; and payroll dated March 15, 2019 in the amount of \$387,271.69 and payments of the various payroll deductions in the amount of \$223,385.32, plus City matching payments; and estimated payroll dated March 29, 2019 in the amount of \$400,000.00 and payments of the various payroll deductions in the amount of \$397,000.00, plus City matching payments; and Property Tax refunds and investments with an ending date of March 14, 2019 in the amount of \$5,299.43; and the release of payment to miscellaneous vendors in the amount of \$35,086.52. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:25 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.