

# APPROVED APRIL 18, 2017

## CITY OF FRANKLIN COMMON COUNCIL MEETING APRIL 3, 2017 MINUTES

### ROLL CALL

- A. The regular meeting of the Common Council was held on April 3, 2017 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 D. Mayer, Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

A moment of silence was held for Detective Kevin Liermann.

### CITIZEN COMMENT

- B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:40 p.m.

### MAYORAL ANNOUNCEMENT

- B.2. Mayor Olson read a Proclamation in recognition of Assistant Fire Chief Ronald F. Mayer upon his retirement from the Franklin Fire Department.

### APPROVAL OF MINUTES

- C. Alderman Taylor moved that the minutes of the regular Common Council meeting of March 21, 2017, be postponed to the meeting of April 18, 2017. Seconded by Alderman Barber. All voted Aye; motion carried.

### CONSENT AGENDA DONATIONS, STATE NOTICE OF MANUFACTURING ASSESSMENTS, TIMETABLE FOR 2018 BUDGET, TEMPORARY STREET CLOSURES, CONFIRM SANITARIAN POSITION AS CLASSIFIED SERVICE

- G.1. Alderman D. Mayer moved to approve the following consent agenda items:
- (a) Donations to the Franklin Police Department in the amount of \$250 from Johnson Bank to be put toward the K9 Donation Fund, in the amount of \$25 from Mary Thebert to be put toward the K9 Donation Fund, and in the amount of \$450 from Southwest Milwaukee Optimist Club to be put toward the purchase of bicycle lights to be handed out at the annual City of Franklin Bike Rodeo.
  - (b) Receive and file State Board of Assessor's Notice of Determination on Manufacturing Property Assessments.
  - (c) Adopt the Budget Preparation Timetable for the 2018 budget.
  - (d) Temporary street closure on South Legend Drive

between Schlueter Parkway and lower level City Hall parking lot on June 16, 2017 from 6:00 p.m. to 11:00 p.m. for the City-sponsored Franklin Family Fun Flick Outdoor Movie.

- (e) Temporary street closures at or near 8501 South Legend Drive to the Library entrance and at the Library entrance on Schlueter Parkway on June 3, 2017 from 6:00 a.m. to 3:00 p.m. in conjunction with the City-sponsored Bike Safety Rodeo.
- (f) Confirm that the Full-Time Equivalent (FTE) .1 Sanitarian position approved for 2017 may be hired through the Civic Service Process making it a position in the "Classified Service".

Approval of the above consent items was seconded by Alderman Dandrea. All voted Aye; motion carried.

FINANCIAL SERVICES  
REIMBURSEMENT WITH  
INTERSTATE PARTNERS LLC

- G.2. Alderman Taylor moved to approve the financial services reimbursement agreement with Interstate Partners LLC. Seconded by Alderman Dandrea. All voted Aye; motion carried.

FINANCIAL SERVICES  
PROPOSAL FROM EHLERS  
DEVELOPMENT OF W.  
OAKWOOD RD.

- G.3. Alderman Taylor moved to approve the financial services proposal from Ehlers for up to \$7,500 related to Interstate Partners Proposed Development on W. Oakwood Road. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CONTRACT WITH RUEKERT &  
MIELKE, INC. BETWEEN W.  
OAKWOOD & W. SOUTH  
COUNTY LINE RDS. AND S. 27TH  
& S. 42ND ST.

- G.4. Alderman Taylor moved to contract Ruekert & Mielke, Inc. at a cost of \$21,500 for Professional Services Task Order #3 related to floodplain analysis in Area D, roughly between W. Oakwood and W. South County Line Roads and S. 27th and S. 42nd Streets. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderman Taylor, and Alderman Barber voted Aye; Alderwoman Wilhelm voted No; Alderwoman S. Mayer Abstained. Motion carried.

Alderman Taylor moved to contract Ruekert & Mielke, Inc. at a cost of \$27,000 for Professional Services Task Order #4 related to storm water permitting analysis in Area D, roughly between W. Oakwood and W. South County Line Roads and S. 27th and S. 42nd Streets. Seconded by Alderman Barber. On roll call, Alderman Barber, Alderman Taylor, Alderwoman Wilhelm, Alderman D. Mayer, and Alderman Dandrea voted Aye; Alderwoman S. Mayer Abstained. Motion carried.

FINANCIAL SERVICES  
CONTRACT WITH EHLERS, INC.  
BETWEEN W. OAKWOOD & W.  
SOUTH COUNTY LINE RDS. AND  
S. 27TH & S. 42ND ST.

G.5. Alderman Taylor moved to contract Ehlers, Inc. for financial services related to the use of tax increment financing in Area D, roughly between W. Oakwood and W. South County Line Roads and S. 27th and S. 42nd Streets. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2017-2263  
AMEND UDO (ZONING MAP) TO  
REZONE AT 8647 S. 35TH ST  
(RYAN S. KONICEK,  
BRIDGESTONE CAPITAL LLC,  
APPLICANT)

G.6. Alderman Barber moved to adopt Ordinance No. 2007-2263, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM C-1 CONSERVANCY DISTRICT TO R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT (8647 SOUTH 35TH STREET) (APPROXIMATELY 8.987 ACRES) (RYAN S. KONICEK, OPERATOR OF BRIDGESTONE CAPITAL LLC, APPLICANT). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2017-7256  
CONDOMINIUM FINAL PLAT AT  
9062 & 9064 S. CORDGRASS CIR.  
EAST (DAN KANITZ, WYNDHAM  
HOMES, LLC, APPLICANT)

G.7. Alderwoman S. Mayer moved to adopt Resolution No. 2007-7256, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM FINAL PLAT FOR LOT 42 IN PRAIRIE GRASS PRESERVE SUBDIVISION (AT 9062 AND 9064 SOUTH CORDGRASS CIRCLE EAST) (DAN KANITZ, MEMBER OF WYNDHAM HOMES, LLC, APPLICANT). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2017-  
APPROVAL OF SPECIAL USE AT  
11307 W. FOREST HOME AVE.  
(MARK LIBAN, LIBAN'S LAWN  
SERVICE, INC., APPLICANT)

G.8. Alderman Taylor moved to postpone until April 18, 2017, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for Property Located at 11307 West Forest Home Avenue to Expand the Operation of a Lawn Maintenance, Landscaping and Snow Removal Business (Mark Liban, President of Liban's Lawn Service, Inc., Applicant). Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2017-2264  
AMEND MUNICIPAL CODE  
PROVIDING OVERSIZING  
PAYMENTS TO LANDOWNERS  
RELATED TO WATER OR  
SANITARY SEWER FACILITIES

G.9. Alderwoman S. Mayer moved to adopt Ordinance No. 2017-2264, AN ORDINANCE TO AMEND SEC. 207-23. AND SEC. 207-26. OF THE MUNICIPAL CODE PROVIDING FOR OVERSIZING PAYMENTS TO LANDOWNERS RELATED TO INSTALLATION OF WATER OR SANITARY SEWER FACILITIES (ALDERWOMAN S. MAYER). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

REIMBURSEMENT FOR WATER MAIN OVERSIZING AT MATT TALBOT RECOVERY SERVICES- 9132 S. 92ND ST.

G.10. Alderwoman S. Mayer moved to direct staff to pay the first installment of the over sizing reimbursement upon the punch list items completion by the developer as presented to the Common Council at this meeting, with the second and following payments to commence next February pursuant to the Municipal Code, for a total amount of \$99,965. Seconded by Alderwoman Wilhelm. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, Alderman Barber, and Alderwoman S. Mayer voted Aye; Alderman Taylor Abstained.

RES. 2017-7257  
SHIFTING GREATER TAX PROPERTY TAX BURDEN FROM COMMERCIAL TO RESIDENTIAL HOMEOWNERS AND MAIN STREET BUSINESSES

G.11. Alderman Taylor moved to adopt Resolution No. 2017-7257, A RESOLUTION URGING THE GOVERNOR AND THE LEGISLATURE TO PROTECT HOMEOWNERS AND MAIN STREET BUSINESSES AND CLOSE LOOPHOLES THAT SHIFT A GREATER PROPERTY TAX BURDEN FROM COMMERCIAL TO RESIDENTIAL HOMEOWNERS AND MAIN STREET BUSINESSES. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2017-7258  
JURISDICTIONAL TRANSFER OF W. ST. MARTINS RD. FROM S. NORTH CAPE ROAD TO S. LOVERS LANE RD.

G.12. Alderman Taylor moved to adopt Resolution No. 2017-7258, A RESOLUTION TO ACCEPT JURISDICTIONAL TRANSFER OF W. ST. MARTINS ROAD (CTH MM) FROM S. NORTH CAPE ROAD TO S. LOVERS LANE ROAD, subject to changes as approved by the City Engineer. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

ORD. 2017-2265  
AMEND MUNICIPAL CODE TO REGULATE APPLICATION AND SALE OF COAL TAR SEALANT PRODUCTS

G.13. Alderman D. Mayer moved to adopt Ordinance No. 2017-2265, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO REGULATE THE APPLICATION AND SALE OF COAL TAR SEALANT PRODUCTS. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2017-7259  
AWARDING CONTRACT TO PAYNE & DOLAN, INC. FOR 2017 LOCAL STREET IMPROVEMENT PROGRAM

G.14. Alderman Taylor moved to adopt Resolution No. 2017-7259, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, PAYNE & DOLAN, INC. IN THE AMOUNT OF \$837,433.26 FOR THE 2017 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- AGREEMENT FOR ADDITIONAL ASBESTOS REMEDIATION HEALTH DEPT. REMODELING PROJECT      G.15.      Alderman D. Mayer moved to authorize the Director of Administration to execute a contractor services agreement incorporating the Environmental Proposal from Integrity Environmental Services, Inc., for \$3,974 for additional asbestos abatement in the Health Department, in a form as acceptable to the City Attorney. Seconded by Alderman Taylor. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, Alderman Taylor, and Alderman Barber voted Aye; Alderwoman S. Mayer Abstained. Motion carried.
- LICENSES AND PERMITS      H.1.      Alderman Taylor moved to approve the following:  
Hold the 2016-17 Operators' license application for appearance for Brandon Sowinski, S70 W14965 Cornell Cir., Muskego;  
Grant 2016-17 & 2017-18 Operator Licenses with a warning letter from the City Clerk to Jessica St. Louis, 3829 S. Miner St., Apt. #5, Milwaukee;  
Grant 2016-17 Operator Licenses to Stephanie Jenson, 6450 W. English Meadows Dr., #H206, Greenfield; Evan Strasser, 6034 Oakwood Lane, Greendale; Raymond Syrstad, Jr, 7841 S. Scepter Dr., #21, Franklin;  
Grant 2017-18 Operator Licenses to John Bergner, 8501 Parkland Dr., Franklin; Randy Grass, 9056 W Elm Ct., Unit F, Franklin; Anthony Megna, 10321 W. Church St., Franklin; Shane Jaskie, 7811 W. Winston Way, Franklin; Amy Ottaviani, 28706 Beach Dr., Waterford;  
Grant 2016-17 Change of Agent for Speedway #4455 Brad Leachy;  
Grant 2017-18 Daycare licenses, subject to satisfactory inspections, to Mrs. Rikki's Structured Daycare, Manager Rochelle Boyce, 11224 W Forest Home Ave; Jubilee Christian Day Care, Manager Tanya Soich, 3639 W Ryan Rd.  
Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- VOUCHERS AND PAYROLL      I.1.      Alderman D. Mayer moved to approve the following:  
City vouchers with an ending date of April 3, 2017 in the amount of \$835,115.41; Payroll dated March 31, 2017 in the amount of \$338,241.83 and payments of the various payroll deductions in the amount of \$395,756.66, plus City matching payments; and Estimated payroll dated April 14, 2017 in the amount of \$372,000.00 and payments of the various payroll deductions in the amount of \$218,000.00, plus City matching payments and Property Tax

investments and refunds with an ending date of April 3, 2017 in the amount of \$2,000,398.86. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 7:31 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.