

# APPROVED AUGUST 18, 2015

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
AUGUST 4, 2015  
MINUTES

- |                                       |         |   |
|---------------------------------------|---------|---|
| ROLL CALL                             | A.      | The regular meeting of the Common Council was held on August 4, 2015 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, Alderwoman Janet Evans, Alderman Doug Schmidt 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. |
| CITIZEN COMMENT                       | B.1.    | Citizen comment period was opened at 6:31 p.m. and closed at 6:40 p.m.  |
| HEALTH DEPARTMENT-<br>LEVEL II        | B.2.    | Mayor Olson noted a letter from the State of Wisconsin Department of Health Services certifying the City of Franklin Health Department as Level II.   |
| APPROVAL OF<br>MINUTES                | C.      | Alderman Schmidt moved to approve the minutes of the regular meeting of July 21, 2015. Seconded by Alderwoman Evans. All voted Aye; motion carried.   |
| CONSENT AGENDA                        |         | Alderwoman Wilhelm moved to approved the following consent agenda items:  |
| 2015 TRICK OR TREAT                   | G.1.(a) | Establish Saturday, October 31, 2015 from 4-7 pm. as the date and time for the Halloween Trick-or-Treat observance in the City of Franklin;   |
| 2015 NATIONAL NIGHT<br>OUT DONATIONS  | G.1.(b) | Approve acceptance of donations for 2015 National Night Out for deposit into the Crime Prevention Donation Account from the following: \$150 from Community Advocates Inc. and \$100 from Parallel Employment Group;  |
| DONATION FOR THE<br>POLICE DEPARTMENT | G.1.(c) | Approve acceptance of donation of \$1,500 from Mr. David Coleman for deposit into the Police Canine Donation Account; and   |
| DONATION FOR<br>HEALTH DEPARTMENT     | G.1.(d) | Approve acceptance of \$150 donation to the Health Department from the Franklin Lioness Club.<br>Approval of the above consent agenda items was seconded by Alderman Dandrea. All voted Aye; motion carried.  |

KAYLA'S  
PLAYGROUND UPDATE

- G.2. Status of Kayla's Playground was provided by City Engineer Morrow.  
Alderman D. Mayer vacated his seat at 6:45 p.m. and returned to his seat at 6:50 p.m.

DONATIONS FROM  
KAYLA'S KREW

- G.3. Alderwoman S. Mayer moved to accept the donation of a Liberty Swing and two stainless steel slides from Kayla's Krew for installation at Kayla's Playground at Franklin Woods Nature Center, effective upon Department of Public Works taking possession of the equipment following inspection and acceptance by the Superintendent of Public Works. Seconded by Alderwoman Evans. All voted Aye; motion carried.

Alderwoman Evans moved to authorize the City Engineer or Superintendent of Public Works to accept donations received from Kayla's Krew and/or delivered to the Department of Public Works on Kayla's Krew behalf for installation at or use in the construction of Kayla's Playground at Franklin Woods Nature Center provided said items are consistent with or beneficial to the site plan or the Department's project plan and to direct the Department of Public Works to report any such donations, including an estimate of its value, to the Finance Director, who will record and report on such donations from time to time as appropriate. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2015-7123  
DEV. AGREEMENT FOR  
VICTORY OF THE LAMB  
CHURCH

- G.4. Alderwoman S. Mayer moved to adopt Resolution No. 2015-7123, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT FOR VICTORY OF THE LAMB CHURCH LOCATED AT 11120 WEST LOOMIS ROAD, in the agreement form as presented to Common Council at this meeting together with staff technical changes. Seconded by Alderman Schmidt. All voted Aye; motion carried.

SPECIAL ASSESSMENT  
FOR WATER MAIN ON  
W. CREST CT.

- G.6. Alderwoman Evans moved to suspend the regular order of business to allow a resident to speak. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.  
Alderwoman Evans moved to return to the regular order of business. Motion died due to lack of a second.  
Alderwoman Evans moved to return to the regular order of business. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.  
Alderwoman Evans moved to table the matter of special assessments for water main on West Crest Court to the next meeting and direct staff to redraft the resolution to include

deferment to connection as a condition in the ordinance. Seconded by Alderwoman Wilhelm. On roll call, Alderwoman Wilhelm, Alderwoman Evans, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman Dandrea and Alderman D. Mayer voted No. Motion carried.

RES. 2015-7124  
SPECIAL ASSESSMENT  
FOR WATER MAIN AT  
8818 S. 35TH ST.

G.5. Alderwoman Evans moved to adopt Resolution No. 2015-7124, A FINAL RESOLUTION DIRECTING INSTALLATION OF, PAYMENT, AND LEVY OF SPECIAL ASSESSMENT FOR INSTALLATION OF WATER MAIN ON S. 35TH STREET FROM THE SOUTH LINE OF YORKSHIRE GROVE SUBDIVISION SOUTH 140 FEET FRONTING 8818 S. 35TH STREET. Seconded by Alderman Dandrea. All voted Aye; motion carried.

AWARDING PROPOSAL  
TO DEMOLISH HOUSE  
AND GARAGE AT 8143 S.  
34TH ST.

G.10. Alderwoman Evans moved to award the proposal for \$19,600 to Robbie's Grading and Landscaping, to raze the building, remove contents and attached garage on the property located at 8143 S. 34th Street and to authorize the Building Inspector to approve a change order for an amount not to exceed \$5,000 if the Wisconsin Department of Natural Resources determines asbestos mitigation is required, and to authorize an amount not to exceed \$1,000 for professional pest control prior to demolition. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2015-7125  
AWARDING CONTRACT  
FOR BIKE AND HIKING  
TRAIL

G.7. Alderman D. Mayer moved to adopt Resolution No. 2015-7125, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, BLACK DIAMOND GROUP INC. IN THE AMOUNT OF \$55,518.75 FOR THE 2015 PAVING BIKE AND HIKING TRAIL. Seconded by Alderman Schmidt. All voted Aye; motion carried.

DEV. OF MINI PARK ON  
FAIRWAYS OF  
FRANKLIN

G.8. Alderman D. Mayer moved to approve hosting a neighborhood meeting to introduce residents to the concept of developing a Mini Park at 9660 South 35th Street. Alderman D. Mayer withdrew his motion.

Alderwoman Evans then moved to direct staff to set up a neighborhood information meeting for the potential development of Planned Mini Park No. 5 (PM5) on Outlot 4, Fairways of Franklin Addition No. 1 Subdivision (9660 South 35th Street). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

Alderwoman Wilhelm moved to approve that notice of the meeting also provide notice pursuant to *State ex rel. Badke v. Greendale Village Board* that a majority of the Common Council may attend the neighborhood meeting, even though the Common

Council will not take formal action at the neighborhood meeting. Seconded by Alderwoman Evans. All voted Aye; motion carried.

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| REPORT ON SPENDING FOR FUTURE DEVELOPMENT AREAS                    | G.9.  | <p>Alderman D. Mayer moved to place on file the Report on Spending for Future Development Areas with details requested at the July 21, 2015 Common Council meeting. Seconded by Alderman Schmidt.</p> <p>Alderman D. Mayer withdrew his motion and Alderman Schmidt withdrew his second.</p> <p>Alderwoman Wilhelm moved to request a report on spending for future development for Area A with details requested on the progress related to June 10 and July 21, 2015 motions. Seconded by Alderwoman S. Mayer.</p> <p>Alderwoman Wilhelm move to call the question. Seconded by Alderwoman S. Mayer. On roll call, Alderwoman S. Mayer, Alderman Schmidt, Alderwoman Wilhelm, Alderman D. Mayer and Alderman Dandrea voted Aye; Alderwoman Evans voted No. Motion carried.</p> <p>On the vote for the main motion as made by Alderwoman Wilhelm, Alderman D. Mayer, Alderwoman Wilhelm, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman Dandrea and Alderwoman Evans voted No. Motion carried.</p> |
| JOB DESCRIPTION FOR PROJECT ENGINEER                               | G.11. | <p>Alderman Schmidt moved to approve the job description for the position of Project Engineer as presented and as recommended by the Personnel Committee. Seconded by Alderman D. Mayer. All voted Aye; motion carried.</p>   |
| AMENDING POSITIONS FOR ENGINEERING AND PUBLIC WORKS ADMINISTRATION | G.12. | <p>Alderwoman Wilhelm moved to amend the authorized positions for Engineering and Public Works Administration eliminating one Engineering Technician position and authorizing one Project Engineer position. Seconded by Alderman Schmidt. All voted Aye; motion carried.</p>   |
| SENIOR MEAL PROGRAM SITE ROOF VENTING 2015 CDBG PROJECT            | G.13. | <p>Alderman D. Mayer moved to authorize the Director of Administration to accept and execute a proposal for engineering services for the Franklin Senior Meal Program Site Kitchen Area Roof Venting 2015 Community Development Block Grant project, in a form approved by the City Attorney. Seconded by Alderwoman Evans. All voted Aye; motion carried.</p>  |
| AT&T CELL CONTRACT ON TOWER AT 8901 W. DREXEL AVE.                 | G.14. | <p>Alderwoman Wilhelm moved to reject AT&amp;T offer of \$15k/year plus a 3%/year escalator for the cell contract on the tower at 8901 West Drexel Avenue and enter into negotiations for different terms. Seconded by Alderman Schmidt. All voted Aye; motion carried.</p>   |

- ORD. 2015-2182  
AMEND ORD. 2014-2152  
FOR EMERGENCY  
BRIDGE REPAIRS
- G.15. Alderwoman Wilhelm moved to adopt Ordinance No. 2015-2182, AN ORDINANCE TO AMEND ORDINANCE 2014-2152, AN ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS FOR THE GENERAL AND CAPITAL IMPROVEMENT FUNDS FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2015, TO PROVIDE RESOURCES AND APPROPRIATIONS FOR EMERGENCY BRIDGE REPAIRS. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.
- RES. 2015-7126  
W. ST. MARTINS RD.-  
TESS CORNERS CREEK  
CULVERT  
REPLACEMENT
- G.16. Alderwoman S. Mayer moved to direct staff to perform a temporary fix in the amount not to exceed \$2,000, monitor on a weekly basis, and adopt Resolution No. 2015-7126, A RESOLUTION TO SIGN PROFESSIONAL SERVICES RELATED TO WEST SAINT MARTINS ROAD-TESS CORNERS CREEK CULVERT REPLACEMENT as amended, subject to staff review with regard to the standard terms and conditions. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- ORD. 2015-2183  
AMEND ORD. 2014-2152  
FOR INFORMATION  
TECHNOLOGY  
SERVICES WITH  
HEARTLAND BUSINESS  
SYSTEMS
- G.17. Alderman D. Mayer moved to adopt Ordinance No. 2015-2183, AN ORDINANCE TO AMEND ORDINANCE 2014-2152 (AN ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS AND ESTABLISHING THE TAX LEVY AND OTHER REVENUE FOR THE CITY OF FRANKLIN) TO MODIFY THE 2015 GENERAL FUND INFORMATION SERVICES DEPARTMENT BUDGET BY REDUCING THE “PERSONAL SERVICES” APPROPRIATION BY \$30,300 AND INCREASING THE “OTHER SERVICE, SUPPLIES, ETC.” APPROPRIATION BY \$30,300 FOR THE PURPOSE OF EXPANDING THE SERVICES PURCHASED UNDER THE CONTRACT FOR TECHNOLOGY SERVICES WITH HEARTLAND BUSINESS SYSTEMS. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.
- RELOCATION OF  
SCHOOL DISTRICT  
BOUNDARIES
- G.18. Alderman Schmidt moved to table the relocation of school district boundaries indefinitely. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- MONTHLY FINANCIAL  
REPORT
- G.19. Alderman Dandrea moved to place on file the June 2015 Monthly Financial Report. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

SPECIAL RECALL  
ELECTION IN 4TH ALD.  
DIST.

G.20. Alderwoman Wilhelm moved to establish September 8, 2015 as the date of the Special Recall Election in the Fourth Aldermanic District. Seconded by Alderman Dandrea. Upon voice vote, five Ayes and one Abstention (Alderwoman Evans).

LICENSES AND  
PERMITS

H.1. Alderman Dandrea moved to approve the following:

Grant 45 days extension to comply with Health Department regulations for Class B Combination and Entertainment & Amusement License for Little Cancun LLC, Owner Veronica Cervera, 7273A S. 27th St.;

Hold for appearance the applications for 2015-16 Operator License to Jason Orlando, 8161 S. 76th St.; Karly Jones, 2030 N. Oakland Ave. #308, Milwaukee; Kathryn Rohloff, 4121 W. Barnard Ave., Greenfield;

Grant 2015-2016 Operator License to Debra Wilson, W192 S6391 Regency Ct. #3, Muskego, with a warning letter from the City Clerk; Kayla Gordon, 1808 Carroll Ct., South Milwaukee; Thomas Cane, 5432 Olympia Dr., Greendale; Jacqueline Glanzmann, 4915 W. Loomis Rd., Greenfield; Pamela LeHouillier, 6456 W. River Pointe Dr.; Michael Sell, 2545 E. Emily Ave., Oak Creek; Jessica Unruh, 528 Southtowne Dr., #W207, South Milwaukee;

Grant PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to the Knights of Columbus Trinity Council #4580, Arts & Crafts Fair;

Grant Temporary Class B Beer and Wine License to Knights of Columbus Trinity Council #4580, David Kunze for September 6, 2015; and

Grant Extraordinary Entertainment & Special Event License to Knights of Columbus Trinity Council #4580, David Kunze for September 6, 2015, Arts & Crafts Fair.

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

VOUCHERS AND  
PAYROLL

I.1. Alderwoman Evans moved to approve net general checking account City vouchers in the range of Nos. 157293 through 157446 in the amount of \$1,349,623.77 dated July 17, 2015 through August 3, 2015. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to approve net payroll dated July 24, 2015 in the amount of \$356,142.04 and payments of the various payroll deductions in the amount of \$363,907.96 plus any City matching payments where required. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve net payroll dated August 7, 2015 estimated at \$364,000.00 and payments of the various payroll deductions estimated at \$208,000.00 plus any City matching payments where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve property tax bank fees in the amount of \$132.41 dated July 21, 2015. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderwoman Wilhelm moved to adjourn the meeting at 8:57 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.