

# APPROVED SEPTEMBER 6, 2016

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
AUGUST 16, 2016  
MINUTES

## ROLL CALL

- A. The regular meeting of the Common Council was held on August 16, 2016 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, Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Excused was Alderman D. Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

## CITIZEN COMMENT

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

## APPROVAL OF MINUTES

- C. Alderman Dandrea moved to approve the minutes of the regular Common Council Meeting of August 2, 2016 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

## DONATION

- G.1. Alderman Taylor moved to accept the following donations:
- (a) From Franklin Lioness Club in the amount of \$150 to the Fire Department for fire prevention activities and/or equipment.
  - (b) From Franklin Lioness Club in the amount of \$150 to the Police Department for community program funding.
  - (c) From Seton Catholic Schools (St. Martin of Tours) in the amount of \$100 to the Police Department for the National Night Out Event.
  - (d) From Robert Jester, in memory of Sheila Jester, in the amount of \$100 to the Police Department in appreciation of the Franklin Police Force.
  - (e) From the Franklin Lions Club in the amount of \$250 to the Fair Commission for advertising.
  - (f) From the Franklin Lioness Club in the amount of \$150 to the Health Department for community program funding.
  - (g) From Midwest Speleo Cave in the amount of \$200.16 for Franklin food pantries.
- Seconded by Alderman Barber. All voted Aye; motion carried.

- OVERTIME AND PERSONNEL POLICE AND FIRE DEPTS. G.2. Alderman Taylor moved to receive and place on file a summary of Police and Fire Departments overtime and personnel services expenditures from the Director of Administration. Seconded by Alderman Barber. All voted Aye; motion carried.
- SHARED PURCHASE WITH TESS CORNERS VOLUNTEER FIRE DEPT. G.3. Alderman Taylor moved to designate up to \$2,100 of Fire Department Capital Outlay appropriations to pay Tess Corners Volunteer Fire Department in order to participate in the shared purchase of a forcible entry training prop. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- 2016 CITY OF FRANKLIN REVALUATION UPDATE G.4. Alderman Taylor moved to receive the update on the 2016 Revaluation Process for the purposes of general property taxation for properties in the City of Franklin and place on file. Alderman Taylor withdrew his motion. Following an update, Alderman Taylor moved to receive the update on the 2016 Revaluation Process for the purposes of general property taxation for properties in the City of Franklin and place on file. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- TRAFFIC IMPACT ANALYSIS AGREEMENT WITH ZIMMERMAN VENTURES, LLC G.5. Alderman Taylor moved to approve the traffic impact analysis payment agreement with Zimmerman Ventures, LLC. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- TRAFFIC IMPACT ANALYSIS CONTRACT EXTENSION WITH GRAEF-USA G.6. Alderman Taylor moved to approve the traffic impact analysis contract extension with Graef-USA for up to \$12,000 to be covered by General Fund Unrestricted Contingency appropriations and funded by payment from Zimmerman Ventures, LLC by a separate agreement. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- PRELIMINARY PLAT FOR EVERGREEN PARK ESTATES (7501 S. 49TH ST.) G.7. Alderwoman Wilhelm moved to table to the Common Council meeting of September 6, 2016, A Resolution Conditionally Approving a Preliminary Plat for Evergreen Park Estates Subdivision (At Approximately 7501 South 49th Street)(Rick J. Przybyla, President of Creative Homes, Inc., Applicant). Seconded by Alderman Taylor. All voted Aye; motion carried.
- AMEND UDO TO REZONE PORTION OF 7501 S. 49TH ST. G.8. Alderwoman Wilhelm moved to table to the Common Council meeting of September 6, 2016, and direct staff to

review and correct the Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a Portion of a Certain Parcel of Land From C-1 Conservancy District to R-6 Suburban Single-Family Residence District (A Portion of the Property at 7501 South 49th Street)(Approximately 1.867 Acres)(Rick J. Przybyla, President of Creative Homes, Inc., Applicant). Seconded by Alderman Taylor. All voted Aye; motion carried.

PROPOSED REZONING AND AMENDING UDO OF S. 27TH ST. CORRIDOR PLAN FOR MIXED USE BUSINESS PARK (CITY OF FRANKLIN)

G.9. Alderman Taylor moved to direct staff to prepare an ordinance to amend the Unified Development Ordinance (zoning map) to rezone certain lands south of Oakwood Road to a Mixed Use/Business park Planned Development District and to prepare a resolution to amend the South 27th Street Corridor Plan to change the future land use designation of certain lands south of Oakwood Road to Mixed use Business Park, to schedule a public hearing before the Plan Commission upon the proposed zoning map amendment, to schedule a public hearing before the Common Council upon the proposed South 27th Street Corridor Plan/Comprehensive Master Plan Amendment, to assist the Plan Commission in its deliberations thereon, and to subsequently forward this matter to the Common Council for its consideration and possible action. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PROPOSED UDO AMENDMENT TO REMOVE STANDARD IND. CLASS. MAJOR GROUP 86 FROM CERTAIN ZONING DIST. (CITY OF FRANKLIN)

G.10. Alderman Barber moved to direct staff to prepare an ordinance to amend the Unified Development Ordinance text at Table 15-3.0603 Major Group No. 86 for all zoning districts as recommended by the Department of City Development. Seconded by Alderman Dandrea. All voted Aye; motion carried.

REPORT ON SENIOR TRAVEL PROGRAM

G.11. Alderman Taylor moved to receive and place on file a report on the Program Structure, Service Alternatives, and Risk Management Components of the Senior Travel Program. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

LIMITED TERM CONSERVATION EASEMENT TO MMSD FOR FRANKLIN WOODS PARK (3723 W. PUETZ RD.)

G.12. Alderman Taylor moved to authorize signing the limited term conservation easement to Milwaukee Metropolitan Sewerage District at 3723 West Puetz Road. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2016-7219  
AWARDING CONTRACT TO  
MUSSON BROTHERS, INC FOR  
ROBINWOOD TRAIL

G.13 Alderwoman S. Mayer moved to designate the Robinwood Trail Project within the Capital Improvement Fund as an approved project and to repurpose \$30,900 of appropriations from the Market Square bathroom project to this project. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderwoman S. Mayer moved to adopt Resolution No. 2016-7219, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, MUSSON BROTHERS, INC. IN THE AMOUNT OF \$99,999.99 FOR THE ROBINWOOD TRAIL. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2016-2228  
CREATE MUN. CODE §183-44K  
ENGINE COMPRESSION  
BRAKING PROHIBITED

G.14 Alderwoman Wilhelm moved to adopt Ordinance No. 2016-2228, AN ORDINANCE TO CREATE §183-44.K. OF THE MUNICIPAL CODE, "ENGINE COMPRESSION BRAKING PROHIBITED" IN ACCORDANCE WITH WIS. STAT. § 62.11(5), as amended. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2016-7220  
AWARDING CONTRACT FOR  
2016 PAVEMENT MARKING  
PROGRAM

G.15 Alderman Barber moved to adopt Resolution No. 2016-7220, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, CROWLEY CONSTRUCTION CORPORATION IN THE AMOUNT OF \$34,170 FOR THE 2016 PAVEMENT MARKING PROGRAM. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

RES. 2016-7221  
JURISDICTIONAL TRANSFER OF  
S. NORTH CAPE RD. FROM  
MILW. CO.

G.16 Alderman Taylor moved to adopt Resolution No. 2016-7221, A RESOLUTION TO ACCEPT JURISDICTIONAL TRANSFER OF S. NORTH CAPE ROAD (CTH OO) FROM MILWAUKEE COUNTY FROM 870 FEET NORTH OF HI-VIEW DRIVE TO W. FOREST HOME AVENUE. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

ORD. 2016-2229  
AMEND MUN. CODE  
PERTAINING TO ALL NIGHT  
PARKING FROM NOV. 1ST TO  
DEC. 1ST

G.17 Alderman Barber moved to adopt Ordinance No. 2016-2229, AN ORDINANCE TO MODIFY § 245.5.C. OF THE MUNICIPAL CODE PERTAINING TO ALL-NIGHT PARKING TO CHANGE THE NOVEMBER 1 OVERNIGHT PARKING PROHIBITION DATE TO DECEMBER 1. Seconded by Alderman Taylor. All voted Aye; motion carried.

- AGREEMENT WITH PARAGON DEV. SYSTEMS FOR COMPUTER NETWORK “LAYER 3 SWITCHES” PROJECT G.18 Alderman Taylor moved to authorize the Director of Administration to execute a Letter of Agreement with Paragon Development Systems for services and computer commodity purchases for \$66,958.60 for services generally as set forth and in a final form as he shall determine is in the best interest of the City and that the project may use up to an additional \$5,000 of the Information Services Capital Outlay appropriations as a project contingency. Seconded by Alderman Barber. All voted Aye; motion carried.
- AGREEMENTS WITH GOVERNMENT PAYMENT SERVICE, INC IN THE POLICE DEPARTMENT G.19 Alderman Taylor moved to authorize the Director of Finance & Treasurer to execute Participation Agreements with Government Payment Service, Inc. for the Municipal Court and Franklin Police Department. Seconded by Alderman Barber. All voted Aye; motion carried.
- POPULATION ESTIMATE AS OF JANUARY 1, 2016 G.20 Alderman Taylor moved to place on file the Wisconsin Department of Administration January 1, 2016 population estimate of 35,741. Seconded by Alderman Barber. All voted Aye; motion carried.
- LICENSES AND PERMITS H.1. Alderman Taylor moved to approve the following:  
Grant 2016-2017 Operator’s license to Ernie Allen, Jr., 514 W. Luebbe Ln., Glendale; Thomas Cane, 5432 Olympia Dr., Greendale; Kristen Fenninger, 9750 S. 31st St., Franklin; Diane Holytz, 7325 W. Holt Ave., Milwaukee; Pamela LeHouillier, 6456 W. River Pointe Dr., Franklin; Andrew Hushek, 5315 W. Arizona St., Milwaukee; Tracy Kukla-Lewis, 7640 S. Mission Ct., Franklin; Alexis Steltz, 12045 W. St. Martins Rd., Franklin;  
Grant Extraordinary Entertainment & Special Event license and Temporary Class B Beer and Wine license to Knights of Columbus Trinity Council #4580 (David Kunze) for their 30<sup>th</sup> Annual Labor Day Arts & Crafts Fair on September 4, 2016;  
Grant Temporary Entertainment & Amusement license to American Legion Willey-Herda Post 192 (Gretchen Davies) for Raffle Game at the St. Martins Fair on September 4, 2016; and  
Grant Temporary Class B Beer license and Temporary Entertainment & Amusement license to VFW Post #10394 (Andrew Hushek) for live music at St. Martins Fair on September 4 & 5, 2016.

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

VOUCHERS AND PAYROLL

I.1. Alderman Dandrea moved to approve net general checking account City vouchers in the range of Nos. 161734 through 161909 in the amount of \$1,443,378.11 dated August 2, 2016 through August 11, 2016. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Alderman Barber moved to approve net payroll dated August 5, 2016 in the amount of \$367,030.54 and payments of the various payroll deductions in the amount of \$205,726.27 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderwoman S. Mayer moved to approve estimated net payroll dated August 19, 2016 in the amount of \$369,000.00 and payments of the various payroll deductions in the amount of \$370,000.00 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderman Dandrea moved to approve estimated net payroll dated September 2, 2016 in the amount of \$364,000.00 and payments of the various payroll deductions in the amount of \$208,000.00 plus any City matching payments where required. Seconded by Alderman Barber. On roll call, all voted Aye; motion carried.

Alderman Dandrea moved to approve property tax refunds and settlements Nos. 16408 and EFT Nos. 112 through Nos. 118 in amount of \$8,835,544.12 dated July 29, 2016 through August 11, 2016. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 7:24 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.