

# APPROVED AUGUST 16, 2016

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
AUGUST 2, 2016  
MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on August 2, 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, 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 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 July 19, 2016 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.
- DONATION
- G.1 Alderwoman Wilhelm moved to approve acceptance of donation for the 2016 National Night Out from Pensec, Inc. (McDonalds-Franklin) in the amount of \$500. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- WIS. HOME ENERGY ASSISTANCE PROG.
- G.2. Diane Zettelmeier, Milwaukee County Program Coordinator for the Wisconsin Home Energy Assistance Program presented information on benefits available to qualified Franklin residents. Alderman Taylor moved to receive and place on file. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- CONCEPT REVIEW  
7337 S. 27TH ST. (ZILBER LTD, APPLICANT)
- G.3. Representatives from Zilber Ltd. presented a concept review for a proposed mixed use development upon property located at 7333 South 27th Street. No action was taken at this time.
- RES. 2016-7217  
SPECIAL USE AT 7700 S. LOVERS LANE RD., SUITE 210 (HAPPY TAILS PET SUPPLIES LLC, APPLICANTS)
- G.4. Alderman Dandrea moved to adopt Resolution 2016-7217, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A RETAIL PET SUPPLY STORE USE UPON PROPERTY LOCATED AT 7700 SOUTH LOVERS LANE ROAD, SUITE 210 (THE SHOPPES AT WYNDHAM VILLAGE) (KENNETH PAUL LAVIGNE AND TIFFANY LYN LAVIGNE, D/B/A/ HAPPY TAILS PET SUPPLIES LLC, APPLICANTS). Seconded

by Alderman Taylor. All voted Aye; motion carried.

RECONSIDERATION OF  
ACTION TAKEN AT  
7/19/2016 COUNCIL  
MEETING TO ADOPT RES.  
2016-7213

- G.5. Alderman Dandrea moved to reconsider action taken on July 19, 2016 to adopt Resolution Nos. 2001-5145, 2001-5317, 2005-5865 and 2006-6091 imposing conditions and restrictions for the approval of a special use for a 44 unit residential community use located at West Tuckaway Pines Circle to allow for constructions of six two-unit buildings (Buildings 0, 1, 2, 5, 10 and 11) within the Tuckaway Pines Condominium development to be located at 7556, 7558, 7560 West Tuckaway Pines Circle (Building 0), 7550,7552,7554 West Tuckaway Pines Circle (Building 1), 7530, 7532, 7534 West Tuckaway Pines Circle (Building 2), 7501, 7503, 7505 West Tuckaway Pines Circle (Building 5), 7543, 7545, 7547 West Tuckaway Pines Circle (Building 10) and 7542, 7544, 7546 West Tuckaway Pines Circle (Building 11)(Butler Creek Properties, LLC, Applicant). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2016-7218  
AMEND RES 2001-5145,  
2001-5317, 2005-5865 AND  
2006-6091 FOR SPECIAL  
USE AT W. TUCKAWAY  
PINES CIR.

Alderman Dandrea moved to adopt Resolution No. 2016-7218, A RESOLUTION TO AMEND RESOLUTION NOS. 2001-5145, 2001-5317, 2005-5865 AND 2006-6091 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A 44 UNIT RESIDENTIAL COMMUNITY USE LOCATED AT WEST TUCKAWAY PINES CIRCLE TO ALLOW FOR CONSTRUCTION OF SIX TWO-UNIT BUILDINGS (BUILDINGS 0, 1, 2, 5, 10 AND 11) WITHIN THE TUCKAWAY PINES CONDOMINIUM DEVELOPMENT TO BE LOCATED AT 7556, 7558, 7560 WEST TUCKAWAY PINES CIRCLE (BUILDING 0), 7550, 7552, 7554 WEST TUCKAWAY PINES CIRCLE (BUILDING 1), 7530, 7532, 7534 WEST TUCKAWAY PINES CIRCLE (BUILDING 2), 7501, 7503, 7505 WEST TUCKAWAY PINES CIRCLE (BUILDING 5), 7543, 7545, 7547 WEST TUCKAWAY PINES CIRCLE (BUILDING 10) AND 7542, 7544, 7546 WEST TUCKAWAY PINES CIRCLE (BUILDING 11) (BUTLER CREEK PROPERTIES, LLC, APPLICANT), per the Council Action Sheet. 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.

ORD. 2016-  
AMEND UDO FOR  
PERMITTED USE IN B-3  
COMM. BUSINESS DIST.  
(ROOT RIVER CHURCH

- G.6. Alderman Taylor moved to deny An Ordinance to Amend the Unified Development Ordinance Text at Table 15-3.0603 Standard Industrial Classification Title No. 8661 "Religious Organizations" to Allow for Such Use as a Permitted Use in The B-3 Community Business District (Root River Church Inc., Applicant). Seconded

INC., APPLICANT)

by Alderman D. Mayer. All voted Aye; motion carried.

Alderman Taylor then moved to direct Department of City Development Staff to commence the legislative process for the general subject matter of An Ordinance to Amend the Unified Development Ordinance Text at Table 15-3.0603 Standard Industrial Classification Category Title No. 86 "Membership Organizations", to Allow for Title Nos. 8611 "Business Associations", 8621 "Professional Organizations", 8631 "Labor Organizations", 8641 "Civic And Social Associations", 8651 "Political Organizations" and 8699 "Membership Organizations, Not Elsewhere Classified", as Special Uses and Not Permitted Uses, and to Allow for Title No. 8661 "Religious Organizations" as a Special Use, in the B-3 Community Business District. Seconded by Alderman D. Mayer. On roll call, Alderman Taylor and Alderman D. Mayer voted Aye; Alderwoman S. Mayer, Alderman Barber, Alderwoman Wilhelm and Alderman Dandrea voted No. Motion failed.

Alderman Dandrea moved to direct Department of City Development Staff to commence the legislative process for the general subject matter of An Ordinance to Amend the Unified Development Ordinance Text at Table 15-3.0603 Standard Industrial Classification Category Title No. 86 "Membership Organizations", to delete and disallow Title Nos. 8611 "Business Associations", 8621 "Professional Organizations", 8631 "Labor Organizations", 8641 "Civic and Social Associations", 8651 "Political Organizations" and 8699 "Membership Organizations, Not Elsewhere Classified", as permitted uses in the B-3 Community Business District. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Barber and Alderwoman S. Mayer voted Aye; Alderman D. Mayer and Alderman Taylor voted No. Motion carried.

ECONOMIC DEV. UPDATE  
PRESENTATION

G.7. Following an Economic Development Update presentation from Economic Development Director Aaron Hertzberg and Economic Development Commission Chair Craig Haskins, Alderman Taylor moved to direct the Economic Development Commission to move forward on rebranding efforts and return to the Common Council. Seconded by Alderman Barber. All voted Aye; motion carried.

2016 INFORMATION  
SERVICE AND POLICE  
DEPT. IT-RELATED  
PROJECT AND  
EXPENDITURE PLAN

G.8. Alderman Taylor moved to authorize a re-designation of the 2016 Information Services and the Police Department's IT-Related Capital Outlay Budgets in accordance with the document entitled "2016 Information Service Capital Outlay: Project & Expenditure Plan". Seconded by Alderman D. Mayer. All voted Aye; motion

carried.

TRANSFER OF STREET  
IMPR. FUNDS FROM W. ST.  
MARTINS RD. TO W. ELM  
CT. AND S. 83RD ST.

G.9. Alderman Dandrea moved to accept Staff's recommendation to transfer street improvement funds for W. St. Martins Road to W. Elm Court and S. 83rd Street as part of the 2016 Local Street Improvement Program. Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2016-2227  
AMEND MUNICIPAL CODE  
TO ALLOW BD./COMM.  
MEMBER APPT.  
CONFIRMATION ACTION

G.10. Alderman Taylor moved to adopt Ordinance No. 2016-2227, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO ALLOW BOARD, COMMISSION AND COMMITTEE MEMBER APPOINTMENT CONFIRMATION ACTION BY THE COMMON COUNCIL TO INCLUDE MORE THAN A SINGULAR NOMINEE BY DELETING THE REQUIREMENT THAT EACH NOMINEE SUBMITTED FOR COMMON COUNCIL CONFIRMATION SHALL BE VOTED UPON BY THE COMMON COUNCIL SEPARATELY. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

DUTIES AND AUTHORITY  
OF BUILDING  
INSPECTORS

G.11. No action was taken on a report from the Director of Administration regarding the duties and authority of Building Inspectors.

QUARTERLY FINANCIAL  
REPORT

G.12. Alderman Taylor moved to receive and place on file June 2016 Quarterly Financial Report. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Taylor moved to approve the following:  
Grant Premise Description Change for Class B License for Three Cellars, 7133 S. 76<sup>th</sup> St., Agent/Owner Shawn Vollmer; Grant 2016-17 Operator License to Jessica Curler, S77W18513 Janesville Rd., #A5, Muskego; Beth Potrykus, 7134 Brunn Dr., Franklin; Jonah Spaay, 5819 Dale Ln., Greendale; Heather Bandle, 10380 W. Plum Tree Cir., #204, Hales Corners; Amanda Brown, 3822 E. Van Norman Ave., Cudahy; Ekrem Dilaveri, 4360 W. Victory Creek Dr., Franklin; Gloria Grabarczyk, 7467 S. 69<sup>th</sup> St., Franklin; Joseph Hanrahan Sr., 3430 Peppergrass Ct., Green Bay; Candace Hein, 8501 W. Cascade Oaks Ct., Franklin; Katie Hertel, 10512 W. Cortez Cir., #23, Franklin; Nicole LaPlante, 2582 N. Stowell Ave., Apt. O, Milwaukee; David Lindner, 4007 W. Acre Ave., Franklin; Samantha Michalski, 2249 S. 34<sup>th</sup> St., Milwaukee; Cecilia Rodriguez, 517 W. Madison St., Milwaukee; Avni N Shah 3468 Oak Tree Ln., Racine; Grant Extraordinary Entertainment & Special Event to the Rock Sports Complex (Joe Zimmerman) for Warrior Dash event on August 13, 2016 subject to receiving checklist from departments and payment for expense

reimbursement if any; Grant Temporary Class B Beer License to Franklin Lioness Club (Gloria Grabarczyk) for St. Martins Fair. Grant People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant pending receiving Article of Incorporation, to the Disabled American Veterans for St Martins Fair.

Seconded by Alderwoman S. Mayer. 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. 161558 through 161733 in the amount of \$1,579,664.00 dated July 15, 2016 through August 1, 2016. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to approve net payroll dated July 22, 2016 in the amount of \$394,279.10 and payments of the various payroll deductions in the amount of \$338,389.65 plus any City matching payments where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye; motion carried.

Alderwoman S. Mayer moved to approve estimated net payroll dated August 5, 2016 in the amount of \$359,000.00 and payments of the various payroll deductions in the amount of \$206,000.00 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderman Dandrea moved to approve property tax refunds and investments Nos. 16407 and EFT Nos. 110 through Nos. 111 in amount of \$8,400,119.87 dated July 15, 2016 through July 28, 2016. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to approve Inspection Department vouchers in the amount of \$1,203.48. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:55 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.