

APPROVED JANUARY 3, 2017

CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 20, 2016
MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on December 20, 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 Mike Barber, and Alderwoman Susanne Mayer. Excused was Alderman Steve Taylor. 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.1 Citizen comment period was opened at 6:32 p.m. and closed at 6:45 p.m.
- MAYORAL ANNOUNCEMENT
- B.2. Mayor Olson presented a Proclamation in Support of Light and Unite RED (Week of January 23-27, 2017).
- APPROVAL OF MINUTES
- C. Alderman Dandrea moved to approve the minutes of the regular Common Council Meeting of December 6, 2016 as presented at this meeting. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- PUBLIC HEARING
AMEND COMP. MASTER PLAN
- D. A public hearing was called to order at 6:57 p.m. regarding a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at 3709 West College Avenue, from Residential Use to Residential–Multi-Family Use (Robert Williams, TDI Associates, Inc., Applicant) (Tax Key No. 713-9996-003, consisting of approximately 4.1204 total acres of land). This public hearing is being held pursuant to the requirements of Wis. Stat. §66.1001(4)(d). The public hearing will be continued at the Common Council meeting on January 3, 2017 at 6:30 p.m.
- MAYORAL APPOINTMENTS
TOURISM COMMISSION
- E.1. and E.2. Alderwoman Wilhelm moved to confirm the Mayoral appointment of Lance A. Schaefer, Everest Hospitality, LLC, 6901 South 76th Street, to the Tourism Commission for a one-year term expiring 12/31/2017 (Hotel/Motel Industry Member); and to confirm the Mayoral appointment of Randy Grass, 9056 W. Elm Court, Unit F,

(Ald. Dist. 1) to the Tourism Commission for a one-year term expiring 12/31/2017. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

AMEND 2025 FUTURE LAND USE MAP - 3709 W. COLLEGE AVE. (TDI ASSOCIATES, INC., APPLICANT) G.1.

Alderwoman Wilhelm, at the request of the applicant, moved to refer to the Common Council meeting on January 3, 2017, an Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at 3709 West College Avenue from Residential Use to Residential - Multi-Family Use (4.1204 Acres) (Robert Williams, TDI Associates, Inc., Applicant). Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2016-2245
AMEND UDO (ZONING MAP) AT 8423 S. 100TH STREET (TODD WATSON, APPLICANT) G.2.

Alderman D. Mayer moved to approve Ordinance No. 2016-2245, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM B-3 COMMUNITY BUSINESS DISTRICT TO R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT (8423 SOUTH 100TH STREET) (APPROXIMATELY 1.87 ACRES) (TODD WATSON, APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

DONATIONS TO POLICE DEPARTMENT G.3.

Alderwoman S. Mayer moved to accept a donation of \$1,000 from Alice E. Topel Foundation Ltd., with \$250 to be deposited into the Police D.A.R.E. donation account and \$750 into the National Night Out donation account; and to accept donation of \$2,500 from The Wal-Mart Foundation and Facility #1551 for the Police Canine Donation account. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

ORD. 2016-2246
CREATE MUNICIPAL CODE "CARELESS OPERATION OF MOTOR VEHICLES PROHIBITED" G.4.

Alderwoman Wilhelm moved to adopt Ordinance No. 2016-2246, AN ORDINANCE TO CREATE §245-18. OF THE MUNICIPAL CODE, "CARELESS OPERATION OF MOTOR VEHICLES PROHIBITED", PERTAINING TO THE REGULATION AND VIOLATION ENFORCEMENT OF CARELESS OR INDIFFERENT DRIVERS OPERATING ON PUBLIC PROPERTY OR PRIVATE PROPERTY HELD OPEN TO THE PUBLIC. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

- FIRE STATION NO. 1
APPARATUS FLOOR PROJECT
STATUS
- G.5. Alderwoman Wilhelm moved to direct the Director of Finance and Treasurer to prepare a budget modification to the 2017 Budget that incorporates carrying forward and re-appropriating \$21,600 of Capital Outlay Fund appropriations designated for the Fire Department in 2016 for the purpose of application of epoxy flooring to the Fire Station #1 apparatus floor. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- CARPET REPLACEMENT FOR
PLANING/DEV. OFFICES AND
CONF. ROOM AND DEPT. OF
ADM. OFFICE
- G.6. Alderman D. Mayer moved to authorize publication of a first-class notice of an intent to award a contract for new carpeting to Building Service Incorporated (BSI) for an amount not to exceed \$18,100 and to authorize the Director of Administration to execute a purchase order for such services following publication of the notice. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- CITY HALL AND HEALTH DEPT.
REMODEL/REPAIR PROJECT
- G.7. Alderwoman Wilhelm moved to approve the Health Department remodel requests as part of the City Hall Remodeling Project with coordination by the Building Maintenance Supervisor. Seconded by Alderman D. Mayer. On roll call, Alderman Barber, Alderwoman Wilhelm, Alderman D. Mayer, and Alderman Dandrea voted Aye; Alderwoman S. Mayer voted No. Motion carried.
- STREET LIGHTS REMOVAL
- G.8. Alderwoman Wilhelm moved to postpone to the Common Council meeting on January 3, 2017, the request from Engineering staff and the Board of Public Works to remove lights and/or service meters at the following locations: Approximately 8441 South 47th Street; South 59th Street and West Ryan Road, South 34th Street and West Oakwood Road, South Grant Lane cul-de-sac, and 10601 South 27th Street. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- ORD. 2016-2247
AMEND ORD. 2015-2198 TO
PROVIDE FOR AMENDED
APPROPRIATIONS
- G.9. Alderwoman Wilhelm moved to adopt Ordinance No. 2016-2247, AN ORDINANCE TO AMEND ORDINANCE NO. 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL FUND, CAPITAL OUTLAY FUND, AND CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO PROVIDE APPROPRIATIONS FOR PRISONER BOARDING

COSTS, GENERAL ELECTION RECOUNT COSTS, POLICE OVERTIME AND SAFETY EQUIPMENT COSTS, ENGINEERING SERVICES, PLANNING PROFESSIONAL SERVICES AND BRIDGE REPAIR COSTS. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

RES. 2016-7237
AWARDING CONTRACT TO
LUNDA CONST. FOR BRIDGE ON
W. ST. MARTINS RD.

G.10. Alderwoman S. Mayer moved to adopt Resolution No. 2016-7237, A RESOLUTION AWARDING A CONTRACT TO LUNDA CONSTRUCTION IN THE AMOUNT OF \$652,407.99 FOR BRIDGE ON WEST ST. MARTINS ROAD OVER THE TESS CORNERS CREEK. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

ORD. 2016-2248
AMEND ORD NO. 2015-2198 TO
PROVIDE ADDITIONAL
APPROPRIATIONS FOR
ROBINWOOD TRAIL

G.11. Alderman D. Mayer moved to adopt Ordinance No. 2016-2248, AN ORDINANCE TO AMEND ORDINANCE NO. 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR ROBINWOOD TRAIL. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

CHANGE ORDER NO. 1/FINAL
AND PAYMENT TO MUSSON
BROS., INC. FOR ROBINWOOD
TRAIL

G.12. Alderman D. Mayer moved to accept a contract Change Order in the amount of \$30,619.61 to Musson Brothers, Inc., and to make payment of \$124,088.63. A final payment of retainage will be made next spring once restoration is accepted. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

CHANGE ORDER NO. 1/FINAL
WITH MJ CONST., INC. FOR
SCEPTER CIR/CT. WATER MAIN
RELAY

G.13. Alderman D. Mayer moved to accept Change Order No. 1 and final for a contract with MJ Construction, Inc. for Scepter Circle/Court water main relay. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ROOT RIVER FLOODPLAIN
EVALUATION AT W. OAKWOOD
RD.

G.14. Alderman Barber moved to authorize Engineering staff, with the understanding to include the Southeastern Wisconsin Regional Planning Commission, to continue the investigation that the reconstruction of W. Oakwood Road at Root River could remove it from the floodplain. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

RES. 2016-7238
AGREEMENT TO CONTINUE
ENGINEERING SERVICES WITH
JSA CIVIL ENVIRON. ENG., INC.

G.15. Alderwoman S. Mayer moved to adopt Resolution No. 2016-7238, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT TO CONTINUE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES TO MONITOR COMPLIANCE AT THE METRO RECYCLING & DISPOSAL FACILITY TO DECEMBER 31, 2017, WITH JSA CIVIL ENVIRONMENTAL ENGINEERS, INC. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

NOV. FINANCIAL REPORT

G.16. Alderwoman Wilhelm moved to receive and place on file the November 2016 Financial Report. Seconded by Alderman Dandrea. All voted Aye; motion carried.

INFORMATION SERVICES 2016
CAPITAL OUTLAY PROJECTS
UPDATE

G.17. Alderman D. Mayer moved to recommend staff proceed with development of and proposals for the SQL Server License Upgrade Project, the Remote Location Terminal Server Solution Project, and the GIS/Edit App Project, including taking such project proposals to the Technology Commission for consideration, and to direct the Director of Finance and Treasurer to incorporate the current remaining 2016 appropriations, for a total amount of \$46,250, into a budget modification(s) for re-appropriation, or carryover, into the 2017 budget. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CLOSED SESSION

G.18. Alderwoman S. Mayer moved to enter closed session at 7:40 p.m., pursuant to Wis. Stat. §19.85(1)(e), to deliberate and consider terms relating to the Waste Management of Wisconsin, Inc. asserted overpayments of Direct Payments for Redirected Waste under the WMWI Metro Landfill Facility Greenspace Protection and Limited Landfill Expansion Agreement, and the negotiation of a potential resolution thereof, and the investing of public funds and governmental actions in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Upon reconvening in open session at 8:19 p.m., Alderman Dandrea moved to approve a Waste Management of Wisconsin, Inc. asserted overpayments of Direct Payments

for Redirected Waste to the City of Franklin Memorandum of Understanding and Settlement Agreement, providing for a \$390,000 discounted lump sum payment, such payment to be made prior to January 1, 2017, accepting Direct Payments on the 30th (28th for February) day of each month instead of the 25th, and that Waste Management shall provide notice to the City of any overpayment error no later than January 31 following a subject year or it shall not have any right to make such claim, such agreement being subject to minor and technical changes approved by the Director of Finance and Treasurer and the City Attorney, subject to approval of the next agenda item [2016 Budget amendment to provide the discounted lump sum payment]. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ORD. 2016-2249
AMEND ORD. 2015-2198 FOR
APPROPRIATION TO REFUND
LANDFILL SITING FEES

G.19. Alderman D. Mayer moved to adopt Ordinance No. 2016-2249, AN ORDINANCE TO AMEND ORDINANCE NO. 2015-2198 ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL FUND TO PROVIDE APPROPRIATIONS TO REFUND LANDFILL SITING FEES. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderwoman Wilhelm moved to approve the following: Grant Class A Combination and Cigarettes license, subject to satisfactory inspections and water test, to Franklin Liquor Store Inc., Agent Poonam Singh, 8305 S. 27th St.; Grant Operator licenses to Georgia Ness, 6375 S. 35th St., #78, Franklin; Lori Otto, 5967 Oriole Ln., Greendale; and Jenna Skenandore, 1333 N. Franklin Pl., #10, Milwaukee; Approve the following PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to Knights of Columbus, Arts & Crafts Fair; Franklin Health Department, Bike Rodeo, Family Movie Night; and Franklin Fire Department, Safety Day. Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of December 15, 2016 in the amount of \$923,999.25; Payroll dated December 9, 2016 in the amount of \$386,225.52 and payments of the various payroll deductions in the amount of \$220,751.97, plus City matching payments; Estimated payroll dated December 23, 2016 in the amount of \$365,000.00 and

payments of the various payroll deductions in the amount of \$383,000.00, plus City matching payments; and Release of payment to Humana in the amount of \$44,672.00. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman D. Mayer moved to adjourn the meeting at 8:27 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.