

APPROVED MARCH 7, 2017

CITY OF FRANKLIN COMMON COUNCIL MEETING FEBRUARY 21, 2017 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on February 21, 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.

CITIZEN COMMENT

- B. Citizen comment period was opened at 6:31 p.m. and closed at 6:38 p.m.

APPROVAL OF MINUTES

- C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council Meeting of February 7, 2017 as presented at this meeting. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

DONATIONS TO POLICE DEPARTMENT

- G.1. Alderman Taylor moved to accept the \$1,000 donation from N & S Towing Inc., the \$2,500 donation from Salvatore Purpero of C.W. Purpero, Inc., the \$25 donation from Mary Thebert, and a \$200 donation from Patricia and Anthony Farchione with all donations to be deposited into the Police Canine Donation Account. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

CHANGE IN ACCOUNTING TREATMENT FOR RYAN CREEK SANITARY INTERCEPTOR SEWER

- G.2. Following a presentation by John Knepel, Baker Tilly, LLC, and Director of Finance Paul Rotzenberg, Alderwoman Wilhelm moved to adopt revised accounting treatment for the Ryan Creek Interceptor Sanitary Sewer as an asset, to be depreciated over the life of the associated Clean Water Fund Loan, including the planned contribution to Milwaukee Metropolitan Sewer District at the retirement of the Clean Water Fund Loan per the terms of the 2010 Intergovernmental Agreement with MMSD and direct the Finance Director to prepare a Sanitary Sewer Fund 2017 budget amendment to provide for depreciation on the asset. Seconded by Alderman Taylor. All voted Aye; motion carried.

- STATUS REPORT OF BALLPARK COMMONS DEVELOPMENT – THE ROCK SPORTS COMPLEX G.3. Following an update from Director of Economic Development Aaron Hertzberg, Alderman Taylor moved to receive and file the status report regarding the Ballpark Commons Development at and near The Rock Sports Complex, 7900 W. Crystal Ridge Road. Seconded by Alderman Barber. All voted Aye; motion carried.
- FRANKLIN SENIOR CITIZENS, INC. PROGRAM UPDATE G.4. Alderman Taylor moved to place on file the Franklin Senior Citizens, Inc. Program Update for 2016. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- 2016 FRANKLIN SENIOR CITIZENS TRAVEL PROGRAM UPDATE G.5. Alderman Barber moved to accept and file the Senior Travel Program 2016 year-end report and to further direct staff to effectuate the carryover of unspent 2016 Senior Travel Program funds in the amount of \$2,565 to the 2017 Senior Travel Program budget by bringing forth a budget modification to a future Council meeting. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- ADVANCED LIFE SUPPORT(ALS) AMBULANCE G.6. Alderman Taylor moved to approve to place a fourth Advanced Life Support (ALS) Ambulance in Service for the Fire Department. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried. Vote recorded as unanimous.
- CONSERVATION EASEMENT AT 11906-11908 W. LOOMIS RD. (MILLS HOTEL WYOMING, LLC, APPLICANT) G.7. Alderman Taylor moved to table action on a Resolution Authorizing Certain Officials to Accept a Conservation Easement for and as Part of the Review and Approval of a Certified Survey Map for property located at 11906-11908 West Loomis Road (Mills Hotel Wyoming, LLC, Applicant), until such time as the necessary corrections to the easement have been made by the applicant and forwarded to the Common Council for its review and approval. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- AMEND ORD. 2016-2240 TO PROVIDE ADDITIONAL APPROPRIATIONS FOR PLANTINGS FOR THE S. 27TH ST. RECONSTRUCTION G.8. Alderman Taylor moved to adopt AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR TID 3 AND TID 4 FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR TREE PLANTINGS IN CONNECTION WITH THE SOUTH 27TH STREET RECONSTRUCTION AND PROFESSIONAL SERVICES. Seconded by Alderman Dandrea. There

being no objections, Alderman Taylor withdrew his motion.

(See action on Item G.8. following Item G.10.)

RES. 2017-7250
AGREEMENT WITH CITY OF
OAK CREEK FOR SHARED
STREET TREE PLANTING
PROJECT ON S. 27TH ST

G.9. Alderman S. Taylor moved to adopt Resolution No. 2017-7250, A RESOLUTION APPROVING AN INTER-GOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF FRANKLIN AND THE CITY OF OAK CREEK OUTLINING RESPONSIBILITIES FOR A SHARED STREET TREE PLANTING PROJECT RELATED TO THE SOUTH 27TH STREET RECONSTRUCTION PROJECT, subject to approval of Item G.8. Seconded by Alderman Barber. All voted Aye; motion carried.

CONTRACT WITH RUEKERT &
MIELKE, INC. FOR
ENGINEERING SERVICES

G.10. At 8:09 p.m. Mayor Olson passed the gavel to Council President Wilhelm, who then chaired the meeting. At 8:10 p.m. the gavel was returned to Mayor Olson, who then chaired the meeting.

Aldерwoman Wilhelm vacated her seat at 8:22 p.m. and returned at 8:23 p.m.

Alderman S. Taylor moved to approve the contract with Ruekert & Mielke, Inc. for a professional services task order related to engineering in Area D, roughly between W. Oakwood and W. South County Line Roads and S. 27th and S. 42nd Streets subject to approval of Item G.8., and further that the Director of Economic Development be the designated provider. Seconded by Aldерwoman Wilhelm.

Aldерwoman S. Mayer vacated her seat at 8:42 p.m.

Upon the voice vote to approve the contract with Ruekert & Mielke, Inc. as moved, five Ayes; one Absent (Aldерwoman S. Mayer). Motion carried.

Aldерwoman S. Mayer returned to her seat at 8:47 p.m.

ORD. 2017-2256
AMEND ORD. 2016-2240 TO
PROVIDE ADDITIONAL
APPROPRIATIONS FOR
PLANTINGS FOR THE S. 27TH ST.
RECONSTRUCTION

G.8. Alderman Taylor moved to approve Ordinance No. 2017-2256, AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR TID 3 AND TID 4 FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR

TREE PLANTINGS IN CONNECTION WITH THE SOUTH 27TH STREET RECONSTRUCTION AND PROFESSIONAL SERVICES. Seconded by Alderman D. Mayer. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, Alderman S. Taylor and Alderman Barber voted Aye; Alderwoman S. Mayer Abstained. Motion carried.

STANDARDS, FINDINGS AND DECISIONS FOR INDIAN COMMUNITY SCHOOL OF MILWAUKEE, INC.

G.11. Alderman D. Mayer moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Indian Community School of Milwaukee, Inc., for a Special Exception to certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2017-2257
AMEND UDO TO ALLOW FOR INSTALLATION OF NEW SIGNAGE, CANOPIES, BOLLARDS AT 7700 W. RAWSON AVE. (MISTER CAR WASH, APPLICANT)

G.12. Alderman D. Mayer moved to adopt Ordinance No. 2017-2257, AN ORDINANCE TO AMEND §15-3.0439 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 34 (HAMPTON INN AND SUITES PLUS MIXED USE COMMERCIAL) TO ALLOW FOR THE INSTALLATION OF NEW SIGNAGE, CANOPIES, BOLLARDS AND RECONFIGURATION OF THE QUEUING LANES AT MISTER CAR WASH #488 498 (7700 WEST RAWSON AVENUE (DAVID HAIL, VICE PRESIDENT OF RESEARCH AND DEVELOPMENT AT MISTER CAR WASH, APPLICANT)). Seconded by Alderman Taylor. All voted Aye; motion carried.

STATUS UPDATE ON QUARRY MONITORING

G.13. Alderman Taylor moved to place the status update of Quarry Monitoring on file. Seconded by Alderman Dandrea. All voted Aye; motion carried.

QUARRY MONITORING SERVICES AGREEMENT WITH STANTEC CONSULTING SERVICES INC.

G.14. Alderman Taylor moved to approve the Quarry Monitoring Professional Services Agreement with Attachment A containing service details and costs as provided by Stantec Consulting Services Inc. and to authorize staff to enter into said agreement not to exceed \$43,000 subject to technical corrections by staff and the City Attorney. Seconded by Alderman Barber. All voted Aye; motion carried.

MOVING FRANKLIN FORWARD
(ALD. BARBER; ALD. TAYLOR)

- G.15. Alderman Taylor moved to table the item to direct and support all City of Franklin public officials and staff to take all reasonable and necessary actions in furtherance of the City of Franklin's Vision Statement "to enhance the Quality of Life for present and future generations by providing economic growth through the highest quality of residential, recreational, and business development in Southeastern Wisconsin;" to promote the City of Franklin Mission Statement "to Make Franklin the primary destination to live and learn, work and play, and to do business;" and to repeal and rescind any prior actions and directions inconsistent therewith, including, but not limited to the terms of an adopted motion on June 10, 2015 under meeting agenda item C.3. pertaining to development in the area of South 27th Street and West South County Line Road, providing "that no action be taken by any person associated with the City of Franklin regarding the entering of contracts or the negotiations of such contracts concerning a new business park until specifically directed by this Common Council as a result of a majority vote of this Council." Seconded by Alderwoman Wilhelm.

Alderwoman Wilhelm vacated her seat at 9:12 p.m. and returned at 9:14 p.m.

Alderman D. Mayer moved to suspend the regular order of business to allow Tom Taylor to speak. Alderwoman Wilhelm seconded. All voted Aye; motion carried.

On the vote for the main motion to table the item, Alderwoman S. Mayer, Alderman Taylor, Alderwoman Wilhelm, and Alderman D. Mayer voted Aye; Alderman Barber and Alderman Dandrea voted No. Motion carried.

SURVEY OF PROPERTY
OWNERS FOR EXTENSION OF
SANITARY SEWER & WATER
UTILITIES ALONG S. 76TH ST.

- G.16. Alderman Taylor moved to postpone to the call of the Chair the item to direct staff to survey of property owners for the need to extend Sanitary Sewer and Water Utilities in a corridor along S. 76th Street from W. Oakwood Road to W. 1,465 feet North of W. Ryan Road (South 100); North Side of W. Oakwood Road from a point 670 feet East of S. 76th Street to a point 1,320' West of S. 76th Street; and W. Ryan Road (South 100) from a point 1,250 feet East of S. 76th Street to a point 2,660 feet West of S. 76th Street. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- ORD. 2017-2258
AMEND ORD. 2016-2240 TO
PROVIDE ADDITIONAL
APPROPRIATIONS FOR HEALTH
GRANTS
- G.17. Alderman Taylor moved to adopt Ordinance No. 2017-2258, AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR THE GRANTS FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR HEALTH GRANTS. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.
- 5K COMMUNITY RUN/WALK
- G.18. Alderman Barber moved to approve the 5K Community Run/Walk by Operation Fit Franklin. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- HEALTH DEPARTMENT
REMODEL PROJECT UPDATE
AND ASBESTOS ABATEMENT
AGREEMENT
- G.19. Alderwoman Wilhelm moved to authorize the Director of Administration to execute a Contractor Services Agreement with Professional Asbestos Removal & Survey Services Corporation for \$3,449. Seconded by Alderman Taylor. Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, Alderman Taylor and Alderman Barber voted Aye; Alderwoman S. Mayer voted No. Motion carried.
- RES. 2017-7251
DESIGNATING PUBLIC
DEPOSITORIES
- G.20. Alderman D. Mayer moved to adopt Resolution No. 2017-7251, A RESOLUTION DESIGNATING PUBLIC DEPOSITORIES FOR THE CITY OF FRANKLIN. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- AGREEMENT WITH RACINE
COUNTY FOR CERTIFIED SOIL
TESTER'S SOIL AND SITE
EVALUATION
- G.21. Alderman Taylor moved to approve the 2017 Professional Services Agreement between the City of Franklin and Racine County for services to verify a certified soil tester's soil and site evaluation at designated properties when needed and to authorize the Director of Administration to execute such agreement. Seconded by Alderman Dandrea. All voted Aye; motion carried.
Alderwoman S. Mayer left the meeting at 9:34 p.m.
- LICENSES AND PERMITS
- H.1. Alderwoman Wilhelm moved to approve the following:
Soccer Banquet Event on 8/03/2017 at Croation Park, 9140 S. 76th St., Person in charge: Josip Jaksic, approved as requested;
Grant Operators' licenses to David Goehring, 8017 S. 57th St., Franklin; Amy Haase, 4165 County Road G, Caledonia, subject to an updated application; Syed Rizvi, 7164 S. Madison Ct., Franklin, subject to proof of responsible beverage server training; Andrea Sommer,

3578A S. 14th St., Milwaukee; Gloria Zbichorski, 4606 S. 20th St., Milwaukee; Sally Zubarik, S88W22560 Willow Ct., Big Bend; Andrew Wichmann, 2853 S. 106th St., West Allis;

Grant Operators' licenses with a warning letter from the City Clerk to Jeni Knoedler, 25710 Dover Line Rd., Waterford; Guy Ouellette, 5224 S. 60th St., Greendale; Jennifer Aguilar, 2121 W. Grant St., Milwaukee;

Deny the Operator's license application of Eric Reuteler, 2978 S. Herman St., Milwaukee, due to being a habitual law offender;

Grant Change of Agent to Kwik Trip, Inc., Store #287, for Samuel McCormick, 1417 S. 88th St., West Allis, pending verification of license number;

Approve the Extraordinary Entertainment and Special Event license to Ragnar Relay Chicago 2017, Person in charge: Troy Wheeler, 8801 S. 51st St. (Froemming Park Exchange Site), 6/09/2017 to 6/20/2017, pending comments from the Fire Department; and

Approve the People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to the Franklin Police Citizen Academy Alumni Association for park rental fees for a K9 Fundraiser at the Vernon Barg Pavilion on 9/17/2017. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

- I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of February 2, 2017 in the amount of \$174,191.68; City vouchers with an ending date of February 16, 2017 in the amount of \$3,611,989.29; Payroll dated February 17, 2017 in the amount of \$388,997.78 and payments of the various payroll deductions in the amount of \$390,021.51, plus City matching payments; and Estimated payroll dated March 3, 2017 in the amount of \$369,000.00 and payments of the various payroll deductions in the amount of \$226,000.00, plus City matching payments and Property Tax payments and refunds with an ending date of February 16, 2017 in the amount of \$8,041,382.08. Seconded by Alderman Barber. On roll call, all voted Aye (Alderswoman S. Mayer Absent). Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:39 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.