

APPROVED FEBRUARY 7, 2017

CITY OF FRANKLIN COMMON COUNCIL MEETING JANUARY 17, 2017 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on January 17, 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 (arrived at 6:37 p.m.). 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 6:31 p.m. and closed at 6:37 p.m.

APPROVAL OF MINUTES

- C. Alderman D. Mayer moved to approve the minutes of the regular Common Council Meeting of January 3, 2017 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

DONATION TO POLICE DEPARTMENT

- G.1. Alderman Taylor moved to accept the following donations to the Franklin Police Department:
- (a) \$100 Donation from Robert J. Jester in memory of his departed spouse Sheila, with gratitude for services the Police Force provides.
 - (b) \$500 Donation from Lorraine Swiner to be used for the Canine Donation Fund.
 - (c) \$300 Donation from Rose Spang, with a request that these funds be used for the Police Citizen Academy Classes.
- Seconded by Alderman Barber. All voted Aye; motion carried.

DONATION TO FIRE DEPARTMENT

- G.2. Alderwoman S. Mayer moved to accept a donation of \$400 from Swiss Street Pub & Grill to the Franklin Fire Department, to fund Fire and Safety Educational Programs as well as lifesaving medical equipment. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

ORD. 2017-2252
AMEND UDO FOR SPECIAL USE
(STEVE ANDERSON, RY
HOLDINGS PROPERTY 300 LLC,
APPLICANT)

G.3. Alderwoman S. Mayer moved to adopt Ordinance No. 2017-2252, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 7911 "DANCE STUDIOS, SCHOOLS, AND HALLS" TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT (STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC\ACG ACQUISITIONS #4 LLC, APPLICANT). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2017-7243
SPECIAL USE AT 11217 WEST
FOREST HOME AVE., SUITE 4 &
5 (STEVE ANDERSON, RY
HOLDINGS PROPERTY 300 LLC,
APPLICANT)

G.4. Alderwoman S. Mayer moved to adopt Resolution No. 2017-7243, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DANCE INSTRUCTION USE UPON PROPERTY LOCATED AT 11217 WEST FOREST HOME AVENUE, SUITE 4 AND 5, (BY STEVE ANDERSON, OWNER, RY HOLDINGS PROPERTY 300 LLC/ACG ACQUISITIONS #4 LLC, FOR BRIDGET JASKULSKI, TCRG, D/B/A GLENCASTLE IRISH DANCERS, INC., APPLICANT). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2017-7244
CSM AT 7145 S. WOELFEL RD
(JEFFREY D PEELLEN &
ROXANNE M. PEELLEN,
APPLICANTS)

G.5. Alderman D. Mayer moved to adopt Resolution No. 2017-7244, A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 8048, BEING A PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9 TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (JEFFREY D. PEELLEN AND ROXANNE M. PEELLEN, APPLICANTS) (7145 SOUTH WOELFEL ROAD). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2017-7245
CONSERVATION EASEMENT AT
7145 S. WOELFEL RD. (JEFFREY
D. PEELLEN & ROXANNE M.
PEELLEN, APPLICANTS)

G.6. Alderman D. Mayer moved to adopt Resolution No. 2017-7245, 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 7145 SOUTH WOELFEL ROAD (JEFFREY D. PEELLEN AND ROXANNE M. PEELLEN, APPLICANTS). Seconded by Alderman Taylor. All voted Aye; motion carried.

RECONSIDERATION OF ACTION TAKEN AT 1/3/2017 COUNCIL MEETING TO ADOPT RES. 2017-7239

G.7. Alderman Taylor moved to suspend regular order of business to allow an applicant to speak. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

Alderman D. Mayer moved to reconsider action taken on January 3, 2017 to adopt Resolution No. 2017-7239, a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Allow for a Two Story, 48 Unit Multi-Family Senior Independent Living Apartment Complex Development Use Upon Property Located at 3709 West College Avenue (Charlotte's Garden) (Robert Williams, TDI Associates, Inc., Applicant). Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderman D. Mayer, and Alderman Barber voted Aye; Alderwoman Wilhelm, Alderman Taylor, and Alderwoman S. Mayer voted No. Mayor Olson broke the tie by voting in the Affirmative. Motion carried.

RES. 2017-7246
SPECIAL USE FOR SENIOR APARTMENT COMPLEX DEVELOPMENT (CHARLOTTE'S GARDEN)

Alderwoman Wilhelm then moved to adopt Resolution No. 2017-7246, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR A TWO STORY, 48 UNIT MULTI-FAMILY SENIOR INDEPENDENT LIVING APARTMENT COMPLEX DEVELOPMENT USE UPON PROPERTY LOCATED AT 3709 WEST COLLEGE AVENUE (CHARLOTTE'S GARDEN) (ROBERT WILLIAMS, TDI ASSOCIATES, INC., APPLICANT), with an amendment to specify the inclusion of sidewalks in Condition Number 12. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

AGREEMENT WITH MILW. COUNTY FOR ADVANCED LIFE SUPPORT (PARAMEDIC) SERVICES

G.8. Alderman Taylor moved to approve agreement between Milwaukee County and the City of Franklin (Fire Department) for continued participation in the county-wide provision of Advanced Life Support (Paramedic) Services, subject to technical corrections. Seconded by Alderman Dandrea. Upon voice vote, five Ayes; one Abstention (Alderman D. Mayer). Motion carried.

TENTATIVE AGREEMENT WITH
FRANKLIN FIREFIGHTERS, FOR
2016-2018 SUCCESSOR LABOR
AGREEMENT

G.9. Alderman Taylor moved to approve the Tentative Agreement between the City of Franklin and the Franklin Professional Firefighters, I.A.F.F. Local 2760, for a 2016-2018 successor labor agreement and authorize the Mayor, Director of Clerk Services, and Director of Administration to execute a labor agreement incorporating the provisions of the agreement and to authorize the Director of Administration to incorporate such language into the Employee Handbook as he determines is necessary. Seconded by Alderman Dandrea. Upon voice vote, Five Ayes; one Abstention (Alderman D. Mayer). Motion carried.

BENEFIT EXCEPTIONS FOR
SERGEANTS WITH THE
PROFESSIONAL POLICE
OFFICER ASSOC.

G.10. Alderman Taylor moved approve an amendment to the Employee Handbook as follows: 1) to retain a 2017 payment to Sergeants (to be issued in February) equivalent to the College Incentive payment previously provided by the WPPA labor contract that expired 12/31/15, 2) to increase the wages for Sergeants by .8% beginning with the start of the first pay period of 2017, 3) to direct the Director of Administration to modify the Employee Handbook to reflect the .8% adjustment to the Market Rate Special Circumstance for Sergeants, and 4) to amend the Sergeant's Compensatory Time policy language as set forth in the Council Action Sheet dated 1/17/2017. Seconded by Alderman Dandrea. On roll call, Alderwoman S. Mayer, Alderman Taylor, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Barber and Alderman D. Mayer voted No. Motion carried.

AMEND MUNICIPAL CODE TO
INCLUDE EMERALD ASH
BORER AS INFECTIOUS TREE
DISEASE AND AMEND TO
DECLARE INFECTED ASH
BORER TREE A PUBLIC
NUISANCE

G.11. Alderman Taylor moved to refer to City staff (City Engineer and Arborist) to review when they feel the weather is more suitable; and following their review then refer the enforcement of emerald ash borer infected trees subject matter to the Board of Public Works and the Environmental Commission for their review and recommendations of and upon both draft ordinances, the City of Franklin Emerald Ash Borer Management Plan, the Greenfield Plan and Wisconsin Emerald Ash Borer Program materials presented at this meeting, and such further information as the Board and Commission deem appropriate, for return to the Common Council. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

REMOVAL OF STREET LIGHTS
AT FIVE LOCATIONS

- G.12. Alderman Taylor moved to direct staff to remove lights and/or service meters at approximately 1) 8441 South 47th Street, 2) South 59th Street and West Ryan Road, 4) South Grant Lane cul-de-sac, and 5) 10601 South 27th Street. Seconded by Alderman Barber.
Alderman S. Mayer moved to amend the motion to delete 4) South Grant Lane cul-de-sac from the main motion. Seconded by Alderman Taylor. All voted Aye; motion carried.
On the vote to remove lights and/or service meters listed as 1), 2), and 5), all voted Aye; motion carried.

AGREEMENT WITH RA SMITH
NATIONAL FOR PROJECT AT W.
OAKWOOD RD. (S. 76TH ST. AND
S. 60TH ST.)

- G.13. Alderman Taylor moved to authorize staff to execute professional services agreement with RA Smith National for \$7,400 to develop opinion of probable project costs for Oakwood Road, pending review by City Attorney. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

AGREEMENT WITH BAKER
TILLY LLP FOR AUDIT OF 2016
ANNUAL FINANCIAL
STATEMENTS

- G.14. Alderman Taylor moved to direct the Mayor, City Clerk and Director of Finance & Treasurer to execute the Audit Agreement between Baker Tilly LLP and the City of Franklin for an audit of the 2016 annual financial statements subject to technical corrections by the City Attorney. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

NEW COPIER FOR PLANNING
DEPARTMENT

- G.15. Alderman Taylor moved to authorize the Planning Manager to execute a purchase order with a four-year term with Sharp Electronics Corporation c/o Office Copying Equipment LTD for a new Sharp MX-3070N copier for the Planning Department under the statewide Copier Contract No. 505ENT-M15-MFDCOPIER-03 and, per Vendornet.wi.gov Contract Use/Terms & Conditions, the order is subject to WSCA-NASPO Contract #3091. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

AGREEMENT WITH LIECHTY &
ASSOCIATES, INC. FOR CITY
HALL REMODELING PROJECT

- G.16. Alderman Taylor moved to authorize the Director of Administration to execute a professional services agreement with Liechty & Associates, Inc. incorporating the proposals dated July 12, 2016, and January 11, 2017, in a form as determined by the City Attorney, for professional engineering services for a preliminary HVAC

Engineering Study related to the City Hall Remodeling Project. Seconded by Alderman Barber. All voted Aye; motion carried.

CARPET REPLACEMENT FOR
HEALTH DEPARTMENT

- G.17. Alderman D. Mayer moved to authorize publication of a first-class notice of intent to award a contract for new carpeting in the Health Department to Stu's Flooring Ltd. For an amount not to exceed \$9,500 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.

LICENSES AND PERMITS

- H.1. Alderman Taylor moved to approve the following:
Grant Operator licenses to Stacy Rodriguez, 6835 S. Ash St., Oak Creek with a warning letter from the City Clerk; Dao Dang, 1219 Turnberry Dr., Pewaukee; Mary Furey, 3333 5th Ave., #6I, South Milwaukee; Son Thanh Le, 4927 W. Woodland Dr., Franklin; Kerri McCracken, 3025 E. Somers Ave., Cudahy; Ashleigh Wegner, 7714 W. Arthur Ave., West Allis;
Approve the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to Franklin Lioness Club, St. Martins Fair.
Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

- I.1. Alderman Dandrea moved to approve the following:
City vouchers with an ending date of January 12, 2017 in the amount of \$1,698,375.94; Payroll dated January 6, 2017 in the amount of \$358,798.43 and payments of the various payroll deductions in the amount of \$203,371.16, plus City matching payments; and Estimated payroll dated January 20, 2017 in the amount of \$420,000.00 and payments of the various payroll deductions in the amount of \$373,000.00, plus City matching payments and Estimated payroll dated February 3, 2017 in the amount of \$377,000.00 and payments of the various payroll deductions in the amount of \$208,000.00, plus City matching payments and Property Tax refunds with an ending date of January 12, 2017 in the amount of \$56,219,588.62 Seconded by Alderman Barber. 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.