

APPROVED AUGUST 4, 2015

CITY OF FRANKLIN COMMON COUNCIL MEETING JULY 21, 2015 MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on July 21, 2015 and called to order at 6:31 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 Dan Mayer, Alderwoman Janet Evans, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Excused was Alderwoman Wilhelm. 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 6:55 p.m.
- MAYORAL ANNOUNCEMENTS
- B.2.(a). Mayor Olson provided an update on the hiring status for Director of Economic Development.
- B.2.(b). Mayor Olson provided an update of the hiring status for Director of Information Technology.
- APPROVAL OF MINUTES
- C. Alderwoman Evans moved to approve the minutes of the regular meeting of July 7, 2015. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- PUBLIC HEARING SPECIAL ASSESSMENT WEST CREST COURT
- D. A public hearing was called to order at 7:10 p.m. regarding special assessment for installation of water main in West Crest Court from South 35th Street to South 36th Street. The public hearing was closed at 7:12 p.m.
- MAYORAL APPOINTMENTS
- E.1. Alderwoman Evans moved to confirm the Mayoral appointment of Alderwoman Kristen Wilhelm, 1-year term expiring 4/30/2016, to the Finance Committee. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.
- E.2. Alderman Schmidt moved to confirm the Mayoral appointment of Alderwoman Susanne Mayer, 1-year term expiring 4/30/2016 to the Parks Commission. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.
- E.3. Alderwoman Evans moved to confirm the Mayoral appointment of Alderman Mark Dandrea, 1-year term expiring 4/30/2016 to the Plan Commission. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

- E.4. Alderman Schmidt moved to confirm the District 5 Aldermanic appointment of Fred Knueppel, 5659 W. Cascade Dr. (Ald. Dist. 5), 3-year term to the Quarry Monitoring Committee, expiring 5/31/2018. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.
- KAYLA'S
PLAYGROUND STATUS G.1. Kayla's Playground status report from the City Engineer was placed on file.
- RES 2015-7111
AWARDING CONTRACT
TO AMERICAN SAFETY
SURFACE LLC/MJD'S
PROPERTY SOLUTIONS G.2. Alderwoman Evans moved to adopt Resolution No. 2015-7111, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, AMERICAN SAFETY SURFACE LLC/MJD'S PROPERTY SOLUTIONS IN THE AMOUNT OF \$109,954.75, FOR THE KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK (3723 W. PUETZ ROAD). Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- RES. 2015-7112
AWARDING CONTRACT
TO WILLKOMM
EXCAVATING &
GRADING, INC. G.3. Alderwoman S. Mayer vacated her seat at 7:29 p.m. Alderwoman Evans moved to adopt Resolution 2015-7112, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, WILLKOMM EXCAVATING & GRADING, INC. IN THE AMOUNT OF \$406,745.00 FOR THE SITE IMPROVEMENTS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK (3723 W. PUETZ ROAD). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2015-7113
RESCINDING PREVIOUS
RESOLUTION 2015-7107 G.4.(a) Alderwoman Evans moved to waive all bidding irregularities and adopt Resolution No. 2015-7113, A RESOLUTION RESCINDING PREVIOUS COMMON COUNCIL ACTION RESOLUTION 2015-7107. A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, THE HOME DEPOT IN THE AMOUNT OF \$4,403.81, FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK. Seconded by Alderman Dandrea. All voted Aye; motion carried.
Alderwoman S. Mayer returned to her seat at 7:35 p.m.
- RES. 2015-7114
RESCINDING PREVIOUS
RESOLUTION 2015-7108 G.4.(b) Alderwoman Evans moved to waive all bidding irregularities and adopt Resolution No. 2015-7114, A RESOLUTION RESCINDING PREVIOUS COMMON COUNCIL ACTION RESOLUTION 2015-7108 AWARDING CONTRACT TO THE LOW BIDDER, N.E.W. PLASTICS CORP. IN THE AMOUNT OF \$22,846.08, FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK.

Seconded by Alderman Dandrea. Upon voice vote, four Ayes; one Abstention (Alderman S. Mayer). Motion carried.

- RES. 2015-7115
AWARDING CONTRACT
TO THE HOME DEPOT
- G.4.(c) Alderman Dandrea moved to waive all bidding irregularities and adopt Resolution No. 2015-7115, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, THE HOME DEPOT, IN THE AMOUNT OF \$39,903.95, FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK. Seconded by Alderman D. Mayer. Upon voice vote, four Ayes; one Abstention (Alderman S. Mayer). Motion carried.
- RES. 2015-7116
CHANGE ORDER TO
N.E.W. PLASTICS CORP.
- G.4.(e) Alderman Evans moved to waive all bidding irregularities and adopt Resolution No. 2015-7116, A RESOLUTION AUTHORIZING STAFF TO EXECUTE CHANGE ORDER NO. 1 TO N.E.W. PLASTICS CORP. IN THE AMOUNT OF \$8,715.96. Seconded by Alderman D. Mayer. Upon voice vote, four Ayes; one Abstention (Alderman S. Mayer). Motion carried.
- RES. 2015-7117
AWARDING CONTRACT
TO N.E.W. PLASTICS
CORP.
- G.4.(d) Alderman Dandrea moved to waive all bidding irregularities and adopt Resolution No. 2015-7117, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, N.E.W. PLASTICS CORP. IN THE AMOUNT OF \$123,388.94, FOR THE MATERIALS AND TOOLS FOR KAYLA'S PLAYGROUND AT FRANKLIN WOODS PARK. Seconded by Alderman Evans. Upon voice vote, four Ayes; one Abstention (Alderman S. Mayer). Motion carried.
- FUNDRAISING PROJECT
FOR KAYLA'S
PLAYGROUND
- G.5. Alderman S. Mayer moved to authorize City staff to take over and continue the fundraising project effective September 1, 2015, consistent with the program as generally outlined; to accept donations received by the City and to account for those donations in a manner as determined by the Director of Finance; and to authorize City staff and the Parks Commission to propose to the Common Council appropriate uses for said donations from time to time. Seconded by Alderman Evans. All voted Aye; motion carried
- CITY OF FRANKLIN
EMPLOYEES
VOLUNTEERING AT
KAYLA'S
PLAYGROUND BUILD
- G.6. Alderman D. Mayer moved to approve that the Common Council encourages employees to consider volunteering during the Kayla's Playground Build and authorizes supervisors, department heads, and the Director of Administration to approve, subject to appropriate operational demands, employee requests for use of available leave for the purpose of said volunteering. Seconded by Alderman Schmidt. All voted Aye; motion carried.

FRANKLIN SENIOR
CITIZENS TRAVEL
PROGRAM

G.9. Alderman Schmidt moved to place on file the Franklin Senior Citizen Travel Program Semi-Annual Update for 2015 and commends Shirley Bird for her diligence and continued service. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

FRANKLIN SENIOR
CITIZENS, INC.
PROGRAM UPDATE

G.10. Alderman D. Mayer moved to place on file the Franklin Senior Citizens, Inc. Program Semi-Annual Update for 2015. Seconded by Alderman Schmidt. All voted Aye; motion carried.
Alderman Dandrea moved to suspend regular order of business to allow LeRoy Lewandowski to speak. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
Alderman D. Mayer moved to return to the regular order of business. Seconded by Alderman Dandrea. All voted Aye; motion carried.
Alderman D. Mayer moved to suspend regular order of business to allow Casper Green to speak. Seconded by Alderman Schmidt. All voted Aye; motion carried.
Alderman D. Mayer moved to return to regular order of business. Seconded by Alderman Schmidt. All voted Aye; motion carried.
Alderman Dandrea moved to place on file a report filed by LeRoy Lewandowski. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

STANDARDS, FINDINGS
AND DECISION
PLEASANT VIEW
ELEMENTARY SCHOOL

G.17. Alderman D. Mayer moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Franklin Public Schools for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance (for Pleasant View Elementary basketball court addition/relocation). Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

The Common Council meeting was recessed at 8:50 p.m. and reconvened at 8:55 p.m.

RES. 2015-7118
AWARDING CONTRACT
TO JSD PROFESSIONAL
SERVICE INC.

G.7. Alderman D. Mayer moved to adopt Resolution No. 2015-7118, A RESOLUTION AWARDING A TIME AND MATERIALS NOT-TO-EXCEED PROFESSIONAL SERVICES CONTRACT TO JSD PROFESSIONAL SERVICES, INC. IN THE AMOUNT OF \$13,010.00, FOR THE DESIGN OF SOUTHBROOK TRAIL, subject to review by the City Attorney for inclusion of potential standard City terms, and further to refer this trail to the Park Commission for recommendation for naming the trail. Seconded by Alderwoman Evans. All voted Aye; motion carried.

- RES. 2015-7119
CONTRACT TO
CROWLEY CONST.
CORP.
- G.8. Alderman Schmidt moved to adopt Resolution No. 2015-7119, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER FOR THE 2015 PAVEMENT MARKING PROGRAM IN THE CITY OF FRANKLIN. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- DONATIONS
- G.11.(a) Alderman Mayer moved to approve acceptance with gratitude the following donations: For the 2015 National Night Out: \$100.00 from Academy of Performing Arts; \$100.00 from Connect Cell Incorporated; \$2,000.00 from Northwestern Mutual; and \$100.00 from Walgreens;
- G.11.(b) \$150.00 from the Franklin Lioness Club for the Franklin Police Department;
- G.11.(c) \$150.00 from the Franklin Lioness Club for the Franklin Fire Department;
Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- RELOCATION OF
SCHOOL DISTRICT
BOUNDARIES
- G.12. Alderman D. Mayer moved to refer to the August 4, 2015 Common Council meeting a letter from Assistant City Attorney Siely N. Joshi regarding an investigation into the procedure for moving the boundary of the Franklin School District to South 27th Street. Seconded by Alderwoman S. Mayer. On roll call, Alderman D. Mayer, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman Dandrea and Alderwoman Evans voted No. Motion carried.
- WATER MAIN
AGREEMENT
8818 S. 35TH ST.
- G.13. Alderwoman Evans moved to activate the terms of a Water Main Connection Agreement from property owner at 8818 S. 35th Street. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- ORD. 2015-2181
AMEND UDO FOR
PERMITTED USE
(KRONES, INC.,
APPLICANT)
- G.14. Alderman Dandrea moved to adopt Ordinance No. 2015-2181, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 3565 "PACKAGING MACHINERY" TO ALLOW FOR SUCH USE AS A PERMITTED USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT (KRONES, INC., APPLICANT). Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2015-7120
APPROVING A 2 LOT
CSM (HORIZON
RESOURCE GROUP LLC,
APPLICANT)
- G.15. Alderman Dandrea moved to adopt Resolution No. 2015-7120, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING PART OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 5 NORTH,

RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (HORIZON RESOURCE GROUP LLC, APPLICANT)(APPROXIMATELY 9150 SOUTH 80TH STREET). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2015-7121
CONSERVATION
EASEMENT AT 9150 S.
80TH STREET (HORIZON
GROUP, LLC, OWNER)

G.16. Alderman Dandrea moved to adopt Resolution No. 2015-7121, 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 APPROXIMATELY 9150 SOUTH 80TH STREET (HORIZON RESOURCE GROUP LLC, OWNER), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2015-7122
SPECIAL USE 7170 S.
76TH ST. (LAQUEESHA
R. BLOCKTON,
APPLICANT)

G.18. Alderman Schmidt moved to adopt Resolution No. 2015-7122, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A CHILDREN'S RESALE SHOP USE UPON PROPERTY LOCATED AT 7170 SOUTH 76TH STREET [LAQUEESHA R. BLOCKTON, D/B/A BLOCKTON'S KIDDIE RESALE SHOP (TO BE INCORPORATED), APPLICANT]. Seconded by Alderman D. Mayer. On roll call, Alderman Schmidt, Alderwoman Evans, Alderman D. Mayer and Alderman Dandrea voted Aye; Alderwoman S. Mayer voted No. Motion carried.

LETTER OF CREDIT
FORESTHILL
HIGHLANDS

G.19. Alderman D. Mayer moved to release the Letter of Credit No. DC110498, for the Foresthill Highlands Subdivision located at West Highland Park Avenue south of West Forest Hill Avenue. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CHANGE ORDER AND
PROFESSIONAL
SERVICES AGREEMENT
(5550 W. AIRWAYS
AVE.)

G.20. Alderwoman S. Mayer moved to authorize the Mayor, City Clerk and City Treasurer to execute a Contractor Change Order with Miron Construction in the amount of \$82,239.44 and also execute a Professional Services Amendment with GRAEF in the amount of \$51,750.00 for construction of the Franklin Water and Wastewater Operations and Maintenance Facility (5550 W Airways Avenue). Seconded by Alderman Schmidt. All voted Aye; motion carried.

RELOCATION OF WE
ENERGIES ELECTRIC
AND GAS SERVICES

G.21. Alderman D. Mayer moved to authorize City officials to execute Application for Relocation of WE Energies Electric and Gas Services Serving Verizon Wireless at 5550 W. Airways Avenue. Seconded by Alderman Schmidt. All voted Aye; motion carried.

- CDBG REVISION FOR W. COLLEGE AVENUE SIDEWALK G.22. Alderman Dandrea moved to approve the revised 2016 Milwaukee County Community Development Block Grant application cost estimate to \$340,000 for the West College Avenue Sidewalk Construction Project. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- REPORT ON SPENDING FOR FUTURE DEVELOPMENT AREAS G.23. Alderwoman S. Mayer moved to direct staff to contact contractors and consultants for status reports on projects (tasks) of work under contract in the areas with the City in the works already completed and not started yet, what phase in each project and how much percent they are complete, how much each project cost, what has been invoiced to date and how much has been paid for already, if project needs more money to complete and amount, if the project has not been started then staff is to notify them to hold off until meeting of August 4, 2015, with staff to supply the Common Council with any additional relevant information. Seconded by Alderman D. Mayer.
Alderwoman S. Mayer moved to call the question. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
On roll call for the main motion, Alderman D. Mayer, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman Dandrea and Alderwoman Evans voted No. Motion carried.
- MONTHLY FINANCIAL REPORT G.24. Alderwoman S. Mayer moved to place on file the May 2015 Monthly Financial Report. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- AGREEMENT WITH ELECTION SYSTEMS & SOFTWARE, LLC G.25. Alderman D. Mayer moved to authorize City Officials to execute an Agreement with Election Systems & Software, LLC for the Model DS200 Digital Image Scanner, subject to review by the City Attorney and with funds to be taken from the 2015 Capital Budget as previously approved. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- HEALTH INSURANCE BROKER SERVICES G.26. Alderman D. Mayer moved to terminate the requirement to bid insurance broker services during 2015 and to direct the Director of Administration to provide a status update during the first quarter of 2016 as to the health insurance market place and the potential for bidding out the broker services. Seconded by Alderwoman Evans. All voted Aye; motion carried.
- LICENSES AND PERMITS H.1. Alderman Dandrea moved to approve the following:
Grant 2015-2016 Reserve Class B Combination License to Eknor Enterprises LLC, Agent Surjit Singh, and approve a grant in the amount of \$9,500;

Hold 2015-2016 Operator License application to Samantha Jaskie, 7515 Mission Hill Ct., Franklin, pending applicant to contact City Clerk;

Hold for appearance the applications for 2015-2016 Operator License to Kayla Gordon, 1808 Carroll Ct., South Milwaukee; Jason Orlando, 8161 S. 76th St., Franklin; and Debra Wilson, W192 S6391 Regency Ct. #3, Muskego;

Grant 2015-2016 Operator License to Audra Bauman, 9019 Prairie Crossing Dr., Franksville, with a warning letter from the City Clerk; Cassandra Windt, 6029 S. Robert Ave., Cudahy; Roger Burczyk Jr., 9529 Caddy Ln., Caledonia; Marla Cherti, 3547 S. 85th St., Milwaukee; Ekrem Dilaveri, 4360 W. Victory Creek Dr., Franklin; Teki Dilaveri, 4338 W. Victory Creek Dr., Franklin; Cheri Gaedtke, 8037 W. High St., Franklin; Amber Helm, 11401 Parkview Lane, Hales Corners; Ivan Jakircevic, 3766 N. 77th St., Milwaukee; Ellen Jensen, 2415 W. Hilltop Ln., Oak Creek; Amanda Julian, 5223 Millshire Rd., Greendale; Sheila Kosanke, 6561 N. 58th St., Milwaukee; Kerri McCracken, 3025 E. Somers Ave., Cudahy; Tiffany Plowman, 6559 S. Whitnall Edge Rd., Franklin; Jazmine Santarius, 5475 Root River Dr., Greendale; Molly Saskowski, S80 W16536 Pellman Ln., Muskego; Jeffrey Terp, 26430 Grace Dr., Wind Lake; Balbir Toor, 3840 Jerelin Dr., Franklin;

Review Police Incident Reports from July 2014 through June 2015 for Class A and Class B Establishments and no action needed.

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

VOUCHERS AND
PAYROLL

I.1. Alderwoman Evans moved to approve net general checking account City vouchers in the range of Nos. 157111 through 157292 in the amount of \$860,189.25 dated July 3, 2015 through July 16, 2015. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated July 10, 2015 in the amount of \$359,550.13 and payments of the various payroll deductions in the amount of \$204,747.35 plus any City matching payments where required. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye; motion carried.

Alderwoman S. Mayer moved to approve net payroll dated July 24, 2015 estimated at \$349,000.00 and payments of the various payroll deductions estimated at \$363,000.00 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve property tax refunds and property tax settlements Nos. 14882 through Nos. 14883 in the amount of \$455.78 dated July 3, 2015 through July 16, 2015. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderwoman Evans moved to approve payment to N.E.W. Plastics, Inc for Kayla' Krew materials upon confirmation of delivery by Engineering Department. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderwoman Evans moved to adjourn the meeting at 10:40 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.