ROLL CALL

A. The regular meeting of the Common Council was held on July 17, 2018 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 Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Principal Planner Nick Fuchs, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B.1. Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m.

PROCLAMATION

B.2. Mayor Olson presented a Proclamation in Recognition of Retired City of Health Service Administrator William M. Wucherer.

MINUTES

JUNE 19, 2018

C. Alderman Dandrea moved to approve the minutes of the regular Common Council Meeting of June 19, 2018 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

PUBLIC HEARING

D. A public hearing was called to order at 6:44 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 of a portion of the property located at 11205 West Ryan Road, from Business Park Use and Areas of Natural Resource Features Use to Residential Use and Areas of Natural Resource Features Use (Bear Development, LLC, applicant). The property which is the subject of this application currently bears Tax Key No. 892-9992-001, currently subject to a Certified Survey Map application which if approved will result in a parcel consisting of approximately 32.6011 acres of land (excluding any right-of-way to be dedicated to the City), located in the City of Franklin, Milwaukee County, Wisconsin. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public hearing was closed at 6:45 p.m.

BD./COMM.

APPOINTMENTS

E. Alderwoman Wilhelm moved to confirm the following appointments:

1. Mayoral appointment of Maria Imp, 12131 W. Elmwood Dr., Ald. Dist. 6, to the Library Board for a 3-year term expiring 6/30/21.


Seconded by Alderman Barber. On roll call. All voted Aye; motion carried.
CONSENT AGENDA  G.1.  It was requested that Items G.1.(c) and (f) be removed from the consent agenda for separate action.

DONATIONS  (a)  Accept the following donations made to the Franklin Police Department:
DARE Donations: $875 from Southeastern WI DARE Officers Association; and Proceeds from the annual DARE Brewer Baseball Game
K9 Donations: $1,600 from Franklin Police Citizen Academy Alumni Association, $40 from Terry M. Leack
Crime Prevention Donations / National Night Out: $100 from Academy of Performing Arts, $1,000 from Ascension Franklin Hospital, $100 from Connect Cell, $150 from Crossroads Pizza & Subs, $100 from Franklin Noon Lions Club, $500 from North Shore Bank, $2,000 from Northwestern Mutual, $100 from Parallel Employment Group
$500 from PyraMax Bank, $2,000 from US Bank, $100 from Victory Creek Accounting, $100 from Volition Franklin, $2,000 from WaterStone Bank (Waukesha County Community Foundation), $500 from WEC Energy Group.

2018 PNEUMATIC HYDRAULIC BREAKER  (b)  Grant the request from Department of Public Works to purchase a 2018 Chicago Pneumatic Rx4 Hydraulic Breaker from Franklin Equipment for $6,525.

COMPUTER PURCHASE  (d)  Authorize the IT Director to order 56 HP desktop computers from PDS, in accordance with the adopted budget, for $28,777.


RESTROOM FACILITIES FOR ST. MARTINS FAIR LABOR DAY  (g)  Authorize execution of the Agreement with Service Sanitation to provide portable restroom facilities for the 2018 St. Martins Fair Labor Day Event on September 2 and 3, 2018, for the total cost of $14,355. Approval of the above consent items was seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

KAYLA’S PLAYGROUND AMBASSADOR PROGRAM  G.1.  Alderman Taylor moved to table to the Common Council meeting of August 7, 2018, the Kayla’s Playground Ambassador Program, a Volunteer Program approved by the Parks Commission. Seconded by Alderman Barber. All voted Aye; motion carried.
SUPPORT TO CLOSE DARK STORE TAX LOOPHOLE

Alderman Dandrea moved to authorize to pay $1,200 from the General fund Contingency appropriation to the League of Wisconsin Municipalities to support campaign to close the “Dark Store” tax loophole. Seconded by Alderman Barber. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Wilhelm, Alderman Mayer, and Alderman Dandrea voted Aye; Alderman Taylor voted No. Motion carried.

ORD. 2018-2334 CHANGE FUTURE LAND USE MAP AT 11205 W RYAN ROD (BEAR DEVELOPMENT LLC, APPLICANT)

Alderwoman Nelson moved to adopt Ordinance No. 2018-2334, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR A PORTION OF THE PROPERTY LOCATED AT 11205 WEST RYAN ROAD, FROM BUSINESS PARK USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO RESIDENTIAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE (APPROXIMATELY 32.6011 ACRES) (BEAR DEVELOPMENT, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

STATUS REPORT BALLPARK COMMONS DEVELOPMENT 7900 W. CRYSTAL RIDGE RD.

Alderman Taylor moved to suspend the regular order of business to allow representatives from Ballpark Commons development to speak. Seconded by Alderman Dandrea. All voted Aye; motion carried. Alderman Taylor moved to return to the regular order of business. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

Following a status report presented by Principal Planner Nick Fuchs regarding the Ballpark Commons Development, Alderman Taylor moved to direct staff to authorize the disbursement of funds in the amount of $1,510,403.35 and to receive and file the status report for the Ballpark Commons development. Seconded by Alderman Barber. All voted Aye; motion carried.

WEDC IDLE SITES REDEVELOPMENT APPLICATION (BALLPARK COMMONS)

Alderwoman Wilhelm moved to direct certain staff to apply for the Wisconsin Economic Development Commission Idle Sites Redevelopment Grant for the Ballpark Commons site, contingent upon review by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2018-7386 SPECIAL USE 10100 S. 76TH ST. (OAKWOOD AT RYAN CREEK SUBDIVISION) (NEUMANN DEV., INC., APPLICANT)

Alderwoman Nelson moved to adopt Resolution No. 2018-7386, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR A ROAD AND STORM WATER MANAGEMENT POND WITHIN THE 100 YEAR FLOOD PLAIN USE UPON PROPERTY LOCATED AT APPROXIMATELY 10100 SOUTH 76TH STREET (OAKWOOD AT RYAN CREEK SUBDIVISION) (NEUMANN
DEVELOPMENTS, INC., APPLICANT), subject to review of the special use request by the Wisconsin Department of Natural Resources as required by Section 15-9.0103D. of the Unified Development Ordinance. Seconded by Alderman Taylor. All voted Aye; motion carried.


RES. 2018-7388 CONSERVATION EASEMENT 3639 W. RYAN RD. (JUBILEE FAITH CENTER, INC., PROPERTY OWNER/APPLICANT)  G.7. Alderman Taylor moved to adopt Resolution No. 2018-7388, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN FOR PROPERTY LOCATED AT 3639 WEST RYAN ROAD TO ALLOW FOR CONSTRUCTION OF AN APPROXIMATELY 4,300 SQUARE FOOT ADDITION TO THE EXISTING JUBILEE CHRISTIAN FAMILY CHURCH, PRESCHOOL AND DAY CARE BUILDING (TAX KEY NO. 901-9994-001) (JUBILEE FAITH CENTER, INC., D/B/A JUBILEE CHRISTIAN FAMILY CHURCH, PROPERTY OWNER/APPLICANT), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2018-7389 SPECIAL USE 11311 W. FOREST HOME AVE. (ROOT RIVER CHURCH INC., APPLICANT)  G.8. Alderman Nelson moved to adopt Resolution No. 2018-7389, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL FOR A SPECIAL USE TO ALLOW FOR RENTAL OF SPACE WITHIN FOREST HOME CORPORATE CENTER FOR WEEKLY WORSHIP GATHERINGS AND CHILDREN’S CLASSROOMS USE UPON PROPERTY LOCATED AT 11311 WEST FOREST HOME AVENUE (ROOT RIVER CHURCH INC., APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

2018 SENIOR TRAVEL PROGRAM SEMI-ANNUAL UPDATE  G.9. Alderman Taylor moved to receive and keep on file the semi-annual update for the Franklin Senior Citizens Travel Program. Seconded by Alderman Dandrea. All voted Aye; motion carried.
G.10. Alderman Taylor moved to authorize the Director of Administration to submit Letters of Support for the Southwest Interfaith Elderly Home Support Services Program for $5,000 and Oak Creek Salvation Army, Homelessness Program for $3,000; to submit a project application for a Senior Health-Related Educational Program for $5,000; and to submit a project application for a Franklin Home Repair Grant Program, that would be administered directly through Milwaukee County, for the remaining portion of the City’s annual allocation. Seconded by Alderman Dandrea. All voted Aye; motion carried.


G.12. Alderman Taylor moved to adopt Resolution No. 2018-7391, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A FINAL PLAT FOR ASPEN WOODS SUBDIVISION (AT APPROXIMATELY SOUTH 51ST STREET AND WEST PUETZ ROAD) (VERIDIAN HOMES, LLC, APPLICANT), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.

G.13. Alderman Taylor moved to adopt Resolution No. 2018-7392, A RESOLUTION TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH VH ASPEN WOODS LLC FOR THE DEVELOPMENT OF ASPEN WOODS SUBDIVISION PHASE I LOCATED ON S. 51ST STREET AND W. PUETZ ROAD. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2018-7394  
WATER MAIN EASEMENT  
9905 S. 76TH ST.  
(BRANBACK) AND 9991 S. 76TH ST.  
(SCHWEITZER TRUST)  

G.15. Alderman Taylor moved to adopt Resolution No. 2018-7394, A RESOLUTION TO ACCEPT WATER MAIN EASEMENTS FROM 9905 S. 76TH STREET (VALERIE L. BRANBACK) TAX KEY NO. 934-9990-003 AND 9991 S. 76TH STREET (SCHWEITZER TRUST) TAX KEY NO. 934-9993-001, pending legal review and technical corrections. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2018-7395  
CONSTRUCTION OF PUBLIC TRAIL RIVER PARK SUBDIVISION (CITY OF FRANKLIN, APPLICANT)  

G.16. Alderman Barber moved to adopt Resolution No. 2018-7395, A RESOLUTION TO AUTHORIZE THE CONSTRUCTION OF A PUBLIC TRAIL UPON LANDS IN PART SUPPORTING NATURAL RESOURCE FEATURES LOCATED AT APPROXIMATELY OUTLOTS 2 AND 3 OF RIVER PARK SUBDIVISION AND OUTLOT 6 OF RIVER PARK ADDITION NO. 2 SUBDIVISION, BEARING TAX-KEY NOS 806-0268-000, 806-0269-000, AND 806-0350-000 (CITY OF FRANKLIN, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2018-7396  
WAIVE REQUIREMENTS FOR PUBLIC WATER AND SANITARY SEWER SERVICE  
3 LOTS AT 9000 W. RAWSON AVE.  

G.17. Alderman Mayer moved to adopt Resolution No. 2018-7396, A RESOLUTION TO WAIVE REQUIREMENTS FOR PUBLIC WATER AND SANITARY SEWER SERVICE FOR THREE LOTS ON THE 9000 BLOCK OF WEST RAWSON AVENUE, PURSUANT TO THE MUNICIPAL CODE, TO ALLOW THE LOTS TO BE SERVED BY PRIVATE WELL AND PRIVATE SEPTIC SYSTEM FACILITIES (TAX KEY NOS. 745-8995-003, 745-8995-004, AND 745-8995-005) and require the property owners of these lots to connect to public water within one year of construction of public water main or connect to public sanitary sewer within one year of construction of a public sanitary sewer main extended to the properties. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2018-7397  
CONTRACT WITH LAKESIDE ENGINEERING FOR PHASE 1 DESIGN OF S. 68TH ST. FROM W. LOOMIS RD TO W. PUETZ RD.  

G.18. Alderman Barber moved to adopt Resolution No. 2018-7397, A RESOLUTION TO AUTHORIZE THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH LAKESIDE ENGINEERING FOR PHASE 1 OF THE DESIGN OF S. 68TH STREET FROM W. LOOMIS ROAD TO W. PUETZ ROAD IN THE AMOUNT OF $25,030.00 pending legal review and technical corrections. Seconded by Alderman Taylor. All voted Aye; motion carried.
RES. 2018-7398
LAND COMBINATION
4233 W. CARMEL DR.
AND TUMBLECREEK
(DALE F. WILLIS AND
JOANNE R. WILLIS,
APPLICANTS)

G.19. Alderwoman Wilhelm moved to adopt Resolution No. 2018-7398, A
RESOLUTION CONDITIONALLY APPROVING A LAND
COMBINATION FOR TAX KEY NOS. 739-0027-000 AND 739-
0109-000 (4233 WEST CARMEL DRIVE AND OUTLOT 19 OF
PLAT OF OUTLOTS 1 THROUGH 5 OF TUMBLECREEK) (DALE
F. WILLIS AND JOANNE R. WILLIS, APPLICANTS). Seconded by
Alderman Barber. All voted Aye; motion carried.

G.20. Alderman Taylor moved to sign amendment to professional services
contract with Ruekert-Mielke for the evaluation phase of Ryan Creek
Interceptor odor reduction study and design in the amount of $3,500.
Seconded by Alderman Dandrea. On roll call, Alderman Dandrea,
Alderman Mayer, Alderman Taylor, Alderman Barber, and Alderman
Nelson voted Aye; Alderwoman Wilhelm voted No. Motion carried.

ORD. 2018-2335
ADD NO PARKING ON
W. CENTRAL AVE.
FROM S. 27TH ST. TO S.
29TH ST.

G.21. Alderman Taylor moved to adopt Ordinance No. 2018-2335, AN
ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION
245-5.D.(4) TO ADD NO PARKING ON NORTH SIDE OF W.
CENTRAL AVENUE FROM S. 27TH STREET TO S. 29TH STREET.
Seconded by Alderman Barber. All voted Aye; motion carried.

G.22. Alderman Barber moved to adopt Ordinance No. 2018-2336, AN
ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION
245-5.D.(4) TO ADD NO PARKING ON THE NORTH SIDE OF W.
FOREST HILL AVENUE FROM APPROXIMATELY 380 FEET
WEST OF S. 36TH STREET TO APPROXIMATELY 460 FEET
WEST OF S. 36TH STREET. Seconded by Alderman Taylor. All
voted Aye; motion carried.

G.23. Alderman Barber moved to adopt Ordinance No. 2018-2337, AN
ORDINANCE TO AMEND §207-13.E. OF THE MUNICIPAL CODE
REGARDING WATER UTILITY RATES. Seconded by Alderman
Dandrea. On roll call, Alderman Dandrea, Alderman Taylor,
Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer
and Alderwoman Wilhelm voted No. Motion carried.

MONTHLY FINANCIAL
REPORT

G.24. Alderman Taylor moved to receive and place on file the May 2018
Aye; motion carried.

ADJUSTMENT TO
WAGE AND SALARY
RATES FOR NON-
REPRESENTED
EMPLOYEES

G.25. Alderman Barber moved to approve a 2018 Annual Market Adjustment
to the pay ranges of the Compensation Plan and a Market Adjustment
to Wage and Salary Rates for non-represented employees of 2.0%,
effective with the start of the pay period with a pay date of July 20,
2018. Seconded by Alderman Nelson. All voted Aye; motion carried.
CONTRACT WITH QUORUM ARCHITECTS, INC. AND CONTINUUM ARCHITECTS + PLANNERS S.C. FOR CITY HALL REMODEL PROJECT

G.26. Alderman Taylor moved to authorize the Director of Administration, subject to oversight/review by the City Attorney, to finalize, prepare, and execute contracts for preliminary architectural designs or concepts for the City Hall Remodel project with Quorum Architects, Inc. and Continuum Architects + Planners S.C., with costs in accordance with their proposals, for a combined cost not-to-exceed $24,000, including all reimbursables. Seconded by Alderman Barber. All voted Aye; motion carried.

LICENSES AND PERMITS

H. Alderman Taylor moved to approve the following:
Grant Operator licenses with a warning letter from the City Clerk to Vincent Dodulik, N8367 Hillburn Mill Rd., East Troy; Veronica Hilgart, 10560 W. Cortez Cir., #19, Franklin; Peter Mundschau, 1809 Stardust Dr., Waukesha;
Grant Operator licenses to Heather Bandle, 11430 W. Swiss St., Apt. B, Franklin; Cynthia Bultman, 1811 Rawson Ave., South Milwaukee; Chad Cuellar, 14180 Ranch Rd., Brookfield; Alan Fay, 2855 S. Herman St., Milwaukee; David Goehring, 8017 S. 57th St., Franklin; Gloria Grabarczyk, 7462 S. 69th St., Franklin; Amber Helm, 11401 Parkview Ln., Hales Corners; Amanda Holterman, S110W14718 Union Church Dr., Muskego; Ivan Jakercevic, 3766 N. 77th St., Milwaukee; Justin Kagerbauer, 142 ½ Riverside Dr., Waterford; Shawna Kullas, 3801 S. Logan Ave., Milwaukee; Kimberly Leannais, 818 Teutonia Dr., Burlington; Christian Lee, 8401 S. 116th St., Franklin; Pamela LeHouillier, 6456 W. River Pointe Dr., Franklin; David Lindner, 4007 W. Acre Ave., Franklin; Jennifer Martinez, 8725 Woodcreek Dr., #8, Oak Creek; Mandy Mayrand, 28911 Fir Lane, Waterford; Wendy Mejia Torres, 2300 W. Barnard Ave., Milwaukee; Alexandra Pelzek, 5553 Root River Dr., Greendale; Meghan Pesich, 547 E. Centennial Dr., Oak Creek; Hannah Plewa, 5244 W. Allerton Ave., Greenfield; Annette Source, 8252 S. 100th St., Franklin;
Hold Operator application for appearance from Sierra Kisting, 10558 W. Cortez Cir., #13, Franklin;
Grant Operator license pending correction of application to Justin Lockridge, 3229 S. 99th St., #1, Milwaukee;
Grant Temporary Entertainment & Amusement license to Franklin Police Department (Officer Jon Czerwinski) for National Night Out on 8/6/2018;
Grant Temporary Class B Beer licenses to Franklin Lions Club and Franklin Lioness Club for St. Martins Fair on 9/2/18 to 9/3/18.
Hold People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant application for appearance from Franklin Public Library for the Playground Tales at Kayla’s Playground at Franklin Woods on 8/2/18, 9/6/18 and 10/4/18.
Seconded by Alderman Nelson. All voted Aye; motion carried.
I. Alderman Barber moved to approve the following:
City vouchers with an ending date of July 13, 2018 in the amount of $2,244,076.33; Payroll dated June 22, 2018 in the amount of $412,684.02 and payments of the various payroll deductions in the amount of $404,971.90 plus City matching payments; and Payroll dated July 6, 2018 in the amount of $384,297.93 and payments of the various payroll deductions in the amount of $206,213.50, plus City matching payments; and Estimated Payroll dated July 20, 2018 in the amount of $403,000.00 and payments of the various payroll deductions in the amount of $412,000.00, plus City matching payments; and Estimated Payroll dated August 3, 2018 in the amount of $386,000.00 and payments of the various payroll deductions in the amount of $211,000.00, plus City matching payments; and property tax refunds with an ending date of July 12, 2018 in the amount of $2,704.87.
Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

G.27. Alderman Nelson moved to enter closed session at 7:27 p.m. pursuant to §19.85(1)(e), Wis. Stats., for market competition and bargaining reasons, to consider the potential acquisition of properties to be used for public park purposes in the City pursuant to the May 1, 2018 Common Council action upon the Parks Commission recommendation to move forward with park land acquisition necessary steps (and which Common Council action also changed the status of the Neighborhood Park Land Acquisition Project in the 2018 Capital Improvement Fund to an “Approved Project”), and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. All voted Aye; motion carried.

No action was taken upon reentering open session at 7:50 p.m.

G.28. Alderman Barber moved to enter closed session at 7:51 p.m. pursuant to §19.85(1)(e), Wis. Stats., for the purpose of deliberating or negotiation the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to consider a Clinic agreement with Aurora Health Care, Inc. for participation in a dedicated clinic arrangement opportunity exclusively for Franklin Business Park Consortium Members, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Taylor. All voted Aye; motion carried.

No action was taken upon reentering open session at 8:06 p.m.
J. Alderman Taylor moved to adjourn the meeting at 8:06 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.