

APPROVED OCTOBER 20, 2015

CITY OF FRANKLIN COMMON COUNCIL MEETING OCTOBER 6, 2015 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on October 6, 2015 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 (arrived at 7:00 p.m.), Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Lubberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

City Clerk Sandra Wesolowski administered the Oath of Office to Steve F. Taylor, Fourth District Alderman.

CITIZEN COMMENT

- B. Citizen comment period was opened at 6:36 p.m. and closed at 6:50 p.m.

MAYORAL ANNOUNCEMENTS

- B.1. Mayor Olson presented a Proclamation in and of Invitation to Humanity for and to the Opening of Kayla's Playground to Shelly Runte.
- B.2. Mayor Olson noted the appointment of Aaron Hertzberg as Economic Development Director.

APPROVAL OF MINUTES

- C. 1. Alderman Schmidt moved to approve the minutes of the regular Common Council meeting of September 15, 2015. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- C.2. Alderwoman Wilhelm moved to approve the minutes of the Special Common Council meeting of September 22, 2015. Seconded by Alderman Schmidt. All voted Aye; motion carried.

BOARDS AND COMMISSION APPOINTMENTS

- E.1. No action was taken to confirm the Mayoral appointment of Alderman Steve Taylor to the Board of Health, term expires 4/17/2017. [Pursuant to §62.09(2)(d), Wis. Stats., Alderman Taylor shall be ineligible for appointment to the Board of Health for one year.]
- E.2. Alderwoman Wilhelm moved to confirm the Mayoral appointment of Alderman Steve Taylor to the Civic Celebration Committee, term expires 4/17/2016. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

- E.3. Alderman Schmidt moved to confirm the Mayoral appointment of Alderman Steve Taylor to the License Committee, term expires 4/17/2016. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye; motion carried.
- 2015 ST. MARTINS FAIR DONATIONS G.1 Alderwoman Wilhelm moved to accept donations from Max A. Sass & Sons Funeral Homes in the amount of \$250 and from M. Squared, Inc. in the amount of \$250 for advertising for St. Martins Fair. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- KAYLA'S PLAYGROUND STATUS G.2. Status of Kayla's Playground was provided by City Engineer Glenn Morrow.
- RES. 2015-7137 CONSERVATION EASEMENT FOR PLEASANT VIEW ELEMENTARY SCHOOL BASKETBALL COURT ADDITION/RELOCATION G.3. Alderwoman Wilhelm moved to adopt Resolution No. 2015-7137, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A MINOR SITE PLAN AMENDMENT AND NATURAL RESOURCE SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 4601 WEST MARQUETTE AVENUE (FOR PLEASANT VIEW ELEMENTARY SCHOOL BASKETBALL COURT ADDITION/RELOCATION) (TAX KEY NO. 788-9980-000) (FRANKLIN SCHOOL DISTRICT #5, APPLICANT), subject to technical corrections by the City Attorney and subject to Department of City Development detailed review as to whether or not protected woodlands should be included within the Conservation Easement and for the Department of City Development to return that information following such review and prior to the recording of such easement. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2015-7138 CONSERVATION EASEMENT FOR SOUTHBROOK CHURCH-11010 W. ST MARTINS RD. G.4. Alderman D. Mayer moved to adopt Resolution No. 2015-7138, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN AMENDMENT, CERTIFIED SURVEY MAP AND NATURAL RESOURCE SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 11010 WEST ST. MARTINS ROAD (TO ALLOW FOR A 23,600 SQUARE FOOT ADDITION TO THE REAR OF THE EXISTING SOUTHBROOK CHURCH BUILDING ALONG WITH A FIRE LANE)(SOUTHBROOK CHURCH, INC., APPLICANT). Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

RES. 2015-7139
SPECIAL USE AT 11113
W. FOREST HOME AVE.,
SUITE 210 (MONDA
SALON LLC, APPLICANT)

G.5. Alderwoman S. Mayer moved to adopt Resolution No. 2015-7139, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A BEAUTY SALON BUSINESS USE UPON PROPERTY LOCATED AT 11113 WEST FOREST HOME AVENUE, SUITE 210 (MONDA SALON LLC, APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2015-7140
SPECIAL USE AT 7260 S.
76TH ST. (GUARDING
YOUR ANGELS, INC.,
APPLICANT)

G.6. Alderman Schmidt moved to adopt Resolution No. 2015-7140, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A CHILD DAY CARE SERVICES BUSINESS USE UPON PROPERTY LOCATED AT 7260 SOUTH 76TH STREET (GUARDING YOUR ANGELS, INC., APPLICANT). Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

NAMING OF TRAIL
THROUGH
SOUTHBROOK CHURCH
PROPERTY

G.7. Alderman D. Mayer moved to preliminarily name the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road "Robinbrook Trail" and publish the recommended name as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper, in accordance with Resolution No. 2010-6634, A City Buildings, Parks and Facilities Naming Policy. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman D. Mayer moved to approve a sign to be placed following the trail naming that this is a public/private venture between the City of Franklin and Southbrook Church. Seconded by Alderman Taylor. All voted Aye; motion carried.

REPORT ON BUXTON
COMPANY AND RETAIL
RECRUITMENT EFFORTS

G.8. Alderwoman Wilhelm moved to renew the agreement with Buxton for retail recruitment and retention services and to authorize payment for the second year of services in the amount of \$50,000 with the contract to be reviewed by the City Attorney. Seconded by Alderman Taylor.

Alderman D. Mayer moved to suspend regular order of business to allow Ernie Litynski to speak. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

Alderman Dandrea moved to return to the regular order of business. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

Alderman Taylor moved to table this item until later in the agenda. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

Following Council action on Items G.11., G.12., G.9., G.10., Alderman Taylor withdrew his second and Alderwoman Wilhelm withdrew her main motion.

Alderman Taylor moved to table the Buxton Company and retail recruitment efforts to the October 27, 2015 Special Common Council meeting. Seconded by Alderman Schmidt. All voted Aye; motion carried.

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| RA SMITH NATIONAL AGREEMENT S. 46TH ST. WATER MAIN EXT. | G.11. | Alderman Taylor moved to table A RESOLUTION TO SIGN PROFESSIONAL SERVICES AGREEMENT WITH RA SMITH NATIONAL FOR THE DESIGN OF WATER MAIN EXTENSION ON S. 46TH STREET FROM W. SHERWOOD DRIVE TO W. THORNCREST DRIVE. Seconded by Alderman D. Mayer. All voted Aye; motion carried. |
| W. ST. MARTINS RD. RECONSTRUCTION PROJECT | G.12. | Alderwoman S. Mayer moved to modify area for utility undergrounding with regards to the Milwaukee County W. St. Martins Road (CTH MM) from W. Spring Street to Southbrook Church, and return March 2016. Seconded by Alderman D. Mayer. All voted Aye; motion carried. |
| AREA A FINANCIAL REPORT | G.9. | No action was necessary at this time on the Area A Financial Report (W. Loomis Road/W. Rawson Avenue and S. 76th Street). |
| PAY-AS-YOU-GO TIF DISTRICT REPORT | G.10. | No action was necessary at this time on the report relating to Pay-As-You-Go Tax Incremental Finance Districts. |
| RES. 2015-7141 CONTRACT TO PAYNE & DOLAN FOR BIKE AND HIKING TRAIL | G.13. | Alderwoman S. Mayer moved to adopt Resolution No. 2015-7141, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER, PAYNE & DOLAN, INC., IN THE AMOUNT OF \$58,687.50, FOR THE PAVING FRANKLIN BIKE AND HIKING TRAIL SOUTH BRANCH 2015. Seconded by Alderman D. Mayer. All voted Aye; motion carried. |
| AGREEMENT WITH RAPOSA DESIGN ARCHITECTURE FOR MARKET SQUARE PARK | G.14. | Alderman D. Mayer moved to table to November 17, 2015, the design, permits and bidding for restroom facility at Market Square Park and a Resolution to sign Professional Services Agreement with Raposa Design Architecture for the design of public restrooms at Market Square Park located at 11230 W. Church Street. Seconded by Alderman Schmidt. All voted Aye; motion carried. |

- RELEASE OF ESCROW DEPOSIT FOR RIVERWOOD VILLAGE SUBDIVISION G.15. Alderwoman Wilhelm moved to release the escrow deposit for the Riverwood Village Subdivision as recommended by the Engineering Department. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RELEASE OF ESCROW DEPOSIT FOR VILLAS OF FRANKLIN OAKS G.16. Alderman Taylor moved to refer to table to October 20, 2015, the release of the escrow deposit for the Villas of Franklin Oaks as recommended by the Engineering Department. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- ORD. 2015-2195
AMEND ORD. 2014-2152
TO PROVIDE
APPROPRIATIONS FOR
ROOF REPAIRS AT FIRE
STATION NO. 1 G.17. Alderman D. Mayer moved to adopt Ordinance No. 2015-2195, AN ORDINANCE TO AMEND ORDINANCE 2014-2152, AN ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2015, TO PROVIDE APPROPRIATIONS FOR ROOF REPAIRS AT FIRE STATION #1. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried. (See Minutes of Special Common Council meeting held October 13, 2015 for adoption of corrected Ordinance No. 2015-2195.)
- RES. 2015-7142
AWARD CONTRACT TO
CUDAHY ROOFING &
SUPPLY, INC. FOR FIRE
STATION NO. 1 G.18. Alderman D. Mayer moved to adopt Resolution No. 2015-7142, A RESOLUTION TO AWARD THE CONTRACT FOR THE ROOF REPLACEMENT OF FIRE STATION NO. 1 TO CUDAHY ROOFING & SUPPLY, INC. IN THE AMOUNT OF \$78,500. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- MONTHLY FINANCIAL
REPORT G.19. Alderman Schmidt moved to place on file the August 2015 Monthly Financial Report. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- LICENSES AND PERMITS H.1. Alderman Dandrea moved to approve the following:
Grant 2015-2016 Operator License to Katie Davis, 6814 Johnson Ct., Waterford; Corey Seekins, 4620 West Holt Ave., Greenfield; Michael Beck, 8816 W. Silverwood Ct., Franklin; Bianca Bolyn, 2747 S. Herman St., Milwaukee; Jeremy Brown, 1524 Park Ave., Racine; Kelly Dalton, 8801 W. Lake Pointe Cir., Franklin; David Goehring, 8017 S. 57th St., Franklin; Tammy May, 6700 Hill Ridge Dr., Greendale; Courtney Murray, 5541 S. 43rd St., Greenfield; Antonio Tarantino, 6724 W. Bottsford Ave., Greenfield; and

Grant 2015-2016 Operator License to Vanessa Witter, 9336 S. Orchard Park Cir, #1-A, Oak Creek, subject to completion of application; and

Hold for appearance the applications for 2015-2016 Operator License to Troy Petroske, 10502 W. Cortez Cir, #13, Franklin; and Margaret Pieper, 2925 S. Superior St., Milwaukee; and

Grant 2015-2016 Change of Agent for Pick N Save (S. 76th Street), Gordon Graf.

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

Alderman Taylor moved to divide the question and remove the Class B Combination Reserve License Application for the Grant by Mount Kunt LLC, Sudeep Mann, Agent, 7107 S. 76th Street (d/b/a Indian Buffet). Upon voice vote, five Ayes; one No (Alderwoman Wilhelm). Motion carried.

Alderman Dandrea moved to approve the \$9,500 Grant for Class B Combination Reserve License for Mount Kunt LLC, Sudeep Mann, Agent, 7107 S. 76th Street. Seconded by Alderwoman Wilhelm. Upon voice vote, five Ayes; one Abstention (Alderman Taylor). Motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Taylor was excused from the meeting at 8:38 p.m.

Alderman D. Mayer moved to approve net general checking account City vouchers in the range of Nos. 157968 through 158191 in the amount of \$2,783,431.29 dated September 11, 2015 through October 1, 2015. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to approve net payroll dated September 18, 2015 in the amount of \$357,369.69 and payments of the various payroll deductions in the amount of \$368,209.00 plus any City matching payments where required. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve net payroll dated October 2, 2015 in the amount of \$345,987.76 and payments of the various payroll deductions in the amount of \$195,162.22 plus any City matching payments where required. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated October 16, 2015 estimated at \$350,000.00 and payments of the various payroll deductions estimated at \$221,000.00 plus any City matching payments where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderwoman S. Mayer moved to approve property tax settlement in the amount of \$101.90 dated September 11, 2015 through October 1, 2015. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman D. Mayer moved to adjourn the meeting at 8:45 p.m. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.