APPROVED SEPTEMBER 18, 2018

CITY OF FRANKLIN COMMON COUNCIL MEETING SEPTEMBER 4, 2018 **MINUTES**

- ROLL CALL The regular meeting of the Common Council was held on A. September 4, 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, 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.(a) Mayor Olson noted that a Proclamation in Recognition of Nicholas J. Fuchs will be on the September 18, 2018 Common NICHOLAS J. FUCHS Council agenda.

SEPTEMBER ICC

STAFFING REF.

PROSTATE CANCER

AUGUST 21, 2018

AWARENESS MONTH

MEETING

MINUTES

- B.2.(b) Mayor Olson noted that Franklin will host the Intergovernmental Cooperation Council meeting on September 10, 2018 at the Indian Community School.
- INCREASED POLICE B.2.(c) Mayor Olson presented an update of the referendum for increased Police staffing that will appear on the November 6, 2018, ballot.
 - Mayor Olson presented a Proclamation to Designate September as B.2.(d) Prostate Cancer Awareness Month in the City of Franklin.
 - C. Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of August 21, 2018 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- POLICE DONATION G.1. Alderman Mayer moved to accept a donation of \$148.75 from Nathan Allen for Police Donation account. Seconded by Alderman Taylor. All voted Aye; motion carried.
- G.2 UPDATE ON Alderman Taylor moved to direct the Director of Administration to prepare a new Capital Projects Agreement, in consultation with HISTORICAL BARN the Franklin Historical Society, that provides for the Franklin RECONSTRUCTION Historical Society to construct and donate to the City a Historical PROJECT Barn and to return the Agreement to the Common Council in October for consideration. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2018-7411 STORM WATER MAINT. (PARK CIRCLE, LLC AND TI INVESTORS OF FRANKLIN APTS. LLC)

RES. 2018-7412 OPEN SPACE PRESERVATION EASEMENT FOR ASPEN WOODS (VERIDIAN HOMES, LLC, APPLICANT)

RES. 2018-7413 AMEND SPECIAL USE FOR POLONIA SPORTS CLUB, INC.

RES. 2018-7414 SPECIAL USE 6542 S. LOVERS LANE RD. (BRIDGEWATER PERFORMANCE, LLC, APPLICANT)

RES. 2018-7415 AMEND CONTRACT WITH RUEKERT & MIELKE, INC. FOR DRAINAGE IMPROVEMENTS IN RAWSON HOMES

- G.3. Alderwoman Wilhelm moved to adopt Resolution No. 2018-7411, A RESOLUTION TO AUTHORIZE ACCEPTANCE OF STORM WATER FACILITIES MAINTENANCE AGREEMENTS FROM PARK CIRCLE, LLC AND TI INVESTORS OF FRANKLIN APARTMENTS LLC. Seconded by Alderman Nelson. All voted Aye; motion carried.
- G.4. Alderman Taylor moved to adopt Resolution No. 2018-7412, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT AN OPEN SPACE PRESERVATION 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.5. Alderman Nelson moved to adopt Resolution No. 2018-7413, A RESOLUTION TO AMEND RESOLUTION NOS. 1978-1424, 1988-3136, 1995-4309, 2001-5272 AND 2003-5506 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR POLONIA SPORTS CLUB, INC. LOCATED AT 10200 WEST LOOMIS ROAD FOR THE USE OF PORTABLE GENERATOR UNITS/MOVABLE FLOOD SEVERAL LIGHTING ON YOUTH SOCCER FIELDS (POLONIA YOUTH SOCCER CLUB, LTD., APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- G.6. Alderman Nelson moved to adopt Resolution No. 2018-7414, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A PHYSICAL FITNESS FACILITY USE UPON PROPERTY LOCATED AT 6542 SOUTH LOVERS LANE ROAD (GARDEN PLAZA SHOPPING CENTER (BRIDGEWATER PERFORMANCE, LLC, APPLICANT). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- G.7. Alderwoman Wilhelm moved to adopt Resolution No. 2018-7415, A RESOLUTION TO AMEND PROFESSIONAL SERVICES CONTRACT WITH RUEKERT & MIELKE, INC. FOR THE DRAINAGE IMPROVEMENTS IN RAWSON HOMES NEIGHBORHOOD NORTH OF W. MADISON BOULEVARD FOR AN ADDITIONAL \$2,673. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.

RES. 2018-7416 CHANGE ORDER TO JANKE GENERAL CONT., INC. FOR RIVER PARK PATH BRIDGE

RES. 2018-7417 2019 WDNR URBAN FORESTRY GRANT APPLICATION

RES. 2018-7418 2019 WRPC AND WDNR GREAT LAKES BASIN TREE PLANTING PROGRAM GRANT APPLICATIONS

RES. 2018-7419 TASK ORDER 6 WITH RUEKERT & MIELKE, INC. FOR WOODLAND TREE IDENTIFICATION AND MITIGATION

- G.8. Alderman Barber moved to adopt Resolution No. 2018-7416, A RESOLUTION FOR CHANGE ORDER NO. 1 TO JANKE GENERAL CONTRACTORS, INC. FOR AN INCREASE OF \$835.97 FOR CONSTRUCTION OF RIVER PARK PATH BRIDGE. Seconded by Alderman Mayer. All voted Aye; motion carried.
- G.9. Alderman Mayer moved to adopt A Resolution to Make a 2019 Grant Application Request of \$15,706.50 From the Wisconsin Department of Natural Resources Urban Forestry Grant Program and Unspecified Amounts For Yet To Be Determined Catastrophic Storm Events. Seconded by Alderwoman Wilhelm. Alderman Mayer withdrew his motion with no objections from the Common Council.

Alderman Taylor then moved to table A Resolution to Make a 2019 Grant Application Request of \$15,706.50 From the Wisconsin Department of Natural Resources Urban Forestry Grant Program and Unspecified Amounts For Yet To Be Determined Catastrophic Storm Events. Seconded by Alderman Nelson. Alderman Taylor withdrew his motion to table with no objections from the Common Council.

Alderman Mayer then moved to adopt Resolution No. 2018-7417 A RESOLUTION TO MAKE A 2019 GRANT APPLICATION REQUEST OF \$13,285.00 FROM THE **WISCONSIN** DEPARTMENT OF NATURAL RESOURCES URBAN FORESTRY GRANT PROGRAM AND **UNSPECIFIED** AMOUNTS FOR YET TO BE DETERMINED CATASTROPHIC STORM EVENTS, as amended. Seconded by Alderman Barber. All voted Aye; motion carried.

- G.10. Alderman Mayer moved to adopt Resolution No. 2018-7418, A RESOLUTION TO MAKE A 2019 GRANT APPLICATION REQUEST OF \$7,500 FROM THE BAY-LAKE, EAST CENTRAL WISCONSIN, AND NORTHWEST WISCONSIN REGIONAL PLANNING COMMISSIONS AND WISCONSIN DEPARTMENT OF NATURAL RESOURCES GREAT LAKES BASIN TREE PLANTING GRANT PROGRAM. Seconded by Alderman Barber. All voted Aye; motion carried.
- G.11. Alderman Taylor moved to adopt Resolution No. 2018-7419, A RESOLUTION APPROVING TASK ORDER #6 CONTRACT WITH RUEKERT & MIELKE, INC. FOR PROFESSIONAL SERVICES RELATED TO AREA D WOODLAND TREE IDENTIFICATION, LOCATION AND MITIGATION. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CONTRACT FOR AREA D ADDITIONAL DEV. AND LEGAL CONSULTATION

- **REVIEW OF SANITARY** SEWER RATE
- **REVIEW OF IMPACT** FEES

HEALTH NURSE

PERMITS

- G.12. Alderwoman Wilhelm moved to grant authority to contract for additional development and legal consultation for Area D for an amount not to exceed \$10,000. Seconded by Alderman Taylor. All voted Aye; motion carried.
- G.13. Alderman Taylor moved to receive and place on file the review of the sanitary sewer rate. Seconded by Alderman Nelson. All voted Aye; motion carried.
- G.14. Alderman Taylor moved to direct the Director of Administration to return to a meeting in October with a proposed contract for professional services with Ruekert-Mielke to perform a review of City impact fees. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2018-7420 G.15. Alderman Taylor moved to adopt Resolution No. 2018-7420, A RESOLUTION TO SIGN AGREEMENT WITH PAINESVILLE PAINESVILLE MEMORIAL ASSOC. MEMORIAL ASSOCIATION FOR LAWN MOWING AND AGREEMENT FOR BRUSH/TREE MAINTENANCE OF THE CEMETERY MAINTENANCE OF GROUNDS OF THE PAINESVILLE CHAPEL PROPERTY (2740 W. RYAN ROAD, FRANKLIN, WISCONSIN 53132). Seconded CEMETERY GROUNDS AT 2740 W. RYAN RD. by Alderman Dandrea. All voted Aye; motion carried.
- G.16. Alderman Barber moved to authorize the Mayor to execute an RESIDENCY PROGRAM Affiliation Agreement with the University of Wisconsin-Madison for its Masters of Public Health Program to engage a student to aid in WITH UW-MADISON creating a Public Health Nurse Residency Program. Seconded by Alderman Mayer. All voted Aye; motion carried.
- JULY 2018 FINANCIAL G.17. Alderman Taylor moved to receive and place on file the July 2018 Financial Report. Seconded by Alderman Nelson. All voted Aye; REPORT motion carried.
- **JANUARY 1, 2018** G.18. Alderman Taylor moved to place on file the Wisconsin Department of Administration January 1, 2018 population estimate of 35,779. POPULATION ESTIMATE Seconded by Alderman Nelson. All voted Ave; motion carried.
- Alderman Taylor moved to approve the following: LICENSES AND H.

Grant Extraordinary Entertainment & Special Event license to Rock Sports Complex (Scot Johnson) for "The Hills Has Eyes" on September 28-30, October 4-7, October 11-14, October 18-21 and October 25-28, 2018 during the hours of 6-10 pm on Thursdays and Sundays, and 6-11 pm on Fridays and Saturdays. Last ticket sales & music in the event tent are to end at closing;

		Grant Operator licenses to Jennifer Aimers, 5992 S. Kurtz Rd., #2, Hales Corners; Jaylene Garcia, 515 E. Otjen St. Lower, Milwaukee; Andrew Gohsman, 1700 River Lakes Rd. N., Oconomowoc; Mary Jennifer Loeffel, 1842 Alta Vista Ave., Wauwatosa;
		Hold Operator license application for appearance for Todd Kalmerton, 5881 Tower Rd., Apt #2, Greendale;
		Refer Operator license application to City Attorney for hearing for Sierra Kisting, 10558 W. Cortez Cir., #13, Franklin;
		Grant Temporary Entertainment & Amusement license to Faith Community Church (Rev. Stu Merkel) for Pumpkin Festival on 10/6/2018;
		Grant Change of Agent to Rock Snow Park, LLC, Michael Smith, 377 Lindale Dr., Cedarburg.
		Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
VOUCHERS AND PAYROLL	I.	Alderman Taylor moved to approve the following: City vouchers with an ending date of September 3, 2018 in the amount of \$3,769,127.26; Payroll dated August 31, 2018 in the amount of \$419,814.29 and payments of the various payroll deductions in the amount of \$403,651.24 plus City matching payments; and Estimated Payroll dated September 14, 2018 in the amount of \$395,000.00 and payments of the various payroll deductions in the amount of \$212,000.00, plus City matching payments; and property tax payments and settlements with an ending date of August 30, 2018 in the amount of \$17,083.95. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.
CLOSED SESSION POTENTIAL AMENDMENTS TO AGREEMENT FOR OAK CREEK TO PROVIDE WATER AT WHOLESALE	G.19.	Alderman Barber moved to enter closed session at 7:27 p.m. pursuant to Wis. Stat § 19.85(1)(e) to deliberate upon information, terms and provisions of the potential provision of Public Water Supply to the City of Franklin as related to the City, the Franklin Municipal Water Utility and its customers in 2024 and beyond; and the potential negotiation of terms in relation thereto, including, but not limited to potential amendments to the agreement for Oak Creek to provide water at wholesale to Franklin, potential agreement terms with alternate public water supply sources, and the investing of public funds and governmental actions in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Nelson. All voted Aye; motion carried.

		The Common Council reentered open session at 8:15 p.m.
ADJOURNMENT	J.	Alderman Taylor moved to adjourn the meeting at 8:15 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.