

APPROVED JANUARY 7, 2020

CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 17, 2019
MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on December 17, 2019 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 (arrived at 7:55 p.m.), Alderman Mike Barber, and Alderman John R. Nelson. 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 6:35 p.m. and closed at 6:36 p.m.
- MINUTES
DECEMBER 3, 2019
- C.1. Alderwoman Wilhelm moved to hold the minutes of the regular Common Council meeting of December 3, 2019. Seconded by Alderman Barber. All voted Aye; motion carried.
- MINUTES
DECEMBER 12, 2019
- C.2. Alderman Dandrea moved to approve the minutes of the special Common Council meeting of December 12, 2019 as presented at this meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.
- MAYORAL
APPOINTMENTS
- E. Alderman Mayer moved to confirm the following Mayoral Appointments: Patrick Leon, 7836 W. Winston Way (Ald. Dist. 2), 3-year unexpired term to the Plan Commission, expiring 04/30/22. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
- WI POLICY FORUM
REPORT ON EMS
SHARING
- F. The Wisconsin Policy Forum Report, "Got Your Back: Exploring Fire and Emergency Medical Services Sharing Opportunities in Franklin, Greenfield, Greendale and Hales Corners" was referred to the January 6, 2020 Committee of the Whole meeting.
- ORD. 2019-2403
AMEND UDO (10082 S.
124TH ST.) (BEAR
DEVELOPMENT, LLC,
APPLICANT)
- G.1. Alderman Nelson moved to adopt Ordinance No. 2019-2403, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOT 1 OF CERTIFIED SURVEY MAP NO. ___ [to be provided by the Milwaukee County Register of Deeds] FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO M-2 GENERAL INDUSTRIAL DISTRICT (LOCATED AT 10082 SOUTH 124TH STREET AND PROPERTY GENERALLY LOCATED SOUTH OF

LOOMIS COURT AND EAST OF SOUTH NORTH CAPE ROAD)
(APPROXIMATELY 33.05 ACRES) (BEAR DEVELOPMENT, LLC,
APPLICANT). Seconded by Alderman Barber. All voted Aye;
motion carried.

RES. 2019-7565
CSM (10082 S. 124TH ST.
FRANKLIN MILLS, LLC
AND DANIEL L.
MATHSON & VIRGINIA
K. MATHSON,
PROPERTY OWNER)
(BEAR DEVELOPMENT,
LLC, APPLICANT)

G.2. Alderman Nelson moved to adopt Resolution No. 2019-7565, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING PART OF THE FRACTIONAL NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BEAR DEVELOPMENT, LLC, APPLICANT (FRANKLIN MILLS, LLC AND DANIEL L. MATHSON AND VIRGINIA K. MATHSON, PROPERTY OWNERS)) (AT 10082 SOUTH 124TH STREET AND PROPERTY GENERALLY LOCATED SOUTH OF LOOMIS COURT AND EAST OF SOUTH NORTH CAPE ROAD), with an addition to Condition No. 6 at the end thereof: The Unified Development Ordinance requirement for the applicant's submission of a conservation easement(s) for Lot 2 for review and approval is subject to a current pending for review and approval process of an Ordinance to Amend Unified Development Ordinance 15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to Provide for and Exclude Certain Minor Land Divisions Involving an Established Residential Use Not Currently Intended for Redevelopment, specifically, in part: A Natural Resource Protection Plan (and related requirements, such as the submission of conservation easements, etc.) shall not be required; the result of such process, i.e., approved denied, withdrawn, which shall occur no later than March 1, 2020, controls; and also to add a Condition No. 10: The applicant shall submit a written conservation easement document and a Conservation Easement restriction note on the face of the Certified Survey Map for Lot 1, subject to review and approval by the Department of City Development, prior to recording the Certified Survey Map. The Conservation Easement shall be reviewed by City staff, and approved by the Common Council, for recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map. Seconded by Alderman Barber. All voted Aye; motion carried.

2020-2021 MLS GRANT
APPLICATION
W. MARQUETTE AVE.
EXT. AND S. 116TH ST.

G.3. Alderwoman Wilhelm moved that the Pleasant View School Emergency Access (W. Marquette Avenue Extension) is to be ranked a higher priority item before the S. 116th Street Trail for the Franklin 2020-2021 Multimodal Local Supplement (MLS) grant applications. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- FIRE AMBULANCE AND RADIO/HARDWARE REQUEST G.4. Alderman Mayer moved to authorize that the Fire Department purchase a Ford E-450 Type III Ambulance, with additional expenditure for mobile radio, and various hardware and mounting brackets, not to exceed \$241,000, as was appropriated in the approved 2020 Equipment Replacement Fund. Seconded by Alderman Barber. All voted Aye; motion carried.
- RELEASE ESCROW DEPOSIT FOR PUBLIC IMPROVEMENTS G.5. Alderman Barber moved to authorize staff to release the escrow deposit for the public improvements at the Franklin Wellness Center located at 8800 S. 102nd Street. Seconded by Alderman Mayer. All voted Aye; motion carried.
- LOGO SIGN AND CHAMBER UPDATES AND PROPOSAL G.6. No action was taken at this time following a discussion of logo sign and chamber updates proposed for Common Council Chambers and Lobby as presented by the Economic Development Department.
- CITY HALL PROJECT UPDATE AND CHANGE ORDERS G.7. Alderwoman Wilhelm moved to accept the update on the City Hall Roof, HVAC, and Fascia Wood Replacement Project, including confirmation approval of Change Orders 2 through 7, and to authorize the Director of Administration to execute a change order to extend the contract term for the limited, identified tasks and punch list items and a change order for extension of the project for landscaping installation. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2019-7566
EHLER'S AGREEMENT
NEW 3 PHASE TID
(W. RYAN RD./
S. 76TH ST.) G.8. Alderman Dandrea moved to adopt Resolution No. 2019-7566, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT WITH EHLERS, INC. FOR TAX INCREMENTAL DISTRICT SERVICES AND AMENDMENT PROFESSIONAL SERVICES, in the amount of \$15,000 for all three phases of a new TID creation, with Phase 2 and 3 slated to occur upon Council review of Feasibility Phase 1 of a new Tax Incremental District Project Plan for the NE corner of West Ryan Road and South 76th Street. Seconded by Alderman Barber. All voted Aye; motion carried.
- RES. 2019-7567
RYAN CREEK
INTERCEPTOR ODOR
REDUCTION
CONTRACT
THE WANASAK CORP. G.9. Alderman Barber moved to adopt Resolution No. 2019-7567, A RESOLUTION TO ACKNOWLEDGE THAT THE WANASAK CORPORATION IS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER. THE WANASAK CORPORATION'S BID IS THE MOST ADVANTAGEOUS BID, AND AWARD RYAN CREEK INTERCEPTOR ODOR REDUCTION PROJECT TO THE WANASAK CORPORATION FOR \$199,000. Seconded by Alderman Nelson. All voted Aye; motion carried.

- RES. 2019-7568
TID 6
WATERMAIN
EASEMENT
- G.10. Alderman Barber moved to adopt Resolution No. 2019-7568, A RESOLUTION ACCEPTING A PUBLIC WATERMAIN EASEMENT FOR EUGENE D. AND MARLENE MAGARICH, TAX KEY 892-9994-001, 11327 W. RYAN ROAD. Seconded by Alderman Nelson. All voted Aye; motion carried.
- Alderman Taylor arrived at 7:55 p.m.
- RES. 2019-7569
ROOT-PIKE WIN
CONTRACT FOR
PROGRAMS
- G.11. Alderman Barber moved to adopt Resolution No. 2019-7569, A RESOLUTION AUTHORIZING THE CITY TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES WITH ROOT-PIKE WIN FOR INFORMATION AND EDUCATION PROGRAM FOR MEETING THE 2020-2021 DEPARTMENT OF NATURAL RESOURCES STORM WATER PERMIT REQUIREMENTS FOR A NOT TO EXCEED FEE OF \$10,500 with the condition that staff work toward a presentation by Root-Pike WIN before the Environmental Commission. Seconded by Alderman Mayer. All voted Aye; motion carried.
- AUDIT AGREEMENT
WITH BACKER TILLY
LLP
- G.12. Alderman Dandrea 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 2019 annual financial statements subject to technical corrections by the City Attorney. Seconded by Alderman Mayer. All voted Aye; motion carried.
- DPW LED LIGHTING
- G.13. Alderman Taylor moved to authorize staff to solicit and purchase various LED lighting equipment using unspent 2019 funds. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- 2019 CARRYOVER
MARKETING AND
SERVICES FUNDING IN
THE ECON. DEV. DEPT.
- G.14. Alderman Mayer moved to support the carryover of 2019 marketing and professional services funding in the Economic Development Department for a total amount not-to-exceed \$35,000 and to direct the Director of Finance and Treasurer to bring forth a budget modification for such purpose. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
- CARRY FORWARD
2019 APPROPRIATIONS
FROM INSP. SVCS.
- G.15. Alderman Mayer moved to recommend carrying forward the available Personnel Services appropriations within the Inspection Services Department, not to exceed \$78,362, and directing the Director of Finance and Treasurer to prepare a 2020 Budget modification for consideration. Seconded by Alderman Barber. All voted Aye; motion carried.

- EXCHANGE SERVER AND SQL LICENSES FROM CAPITAL OUTLAY FUND
- G.17. Alderman Dandrea moved to authorize the purchase of 2019 Exchange service licenses for \$18,310.64 and 2019 SQL server licenses for \$13,896 through CDW-G via the State of Wisconsin negotiated contract for upcoming projects to be completed next quarter, for a total Information Services Capital Outlay expenditure of \$32,206.64. Seconded by Alderman Mayer. All voted Aye; motion carried.
- IT AGREEMENT WITH HEARTLAND
- G.18. Alderman Mayer moved to authorize the Mayor, Director of Clerk Services, and Director of Administration to execute the Heartland Business Systems, LLC, Information Technology Services Agreement for the year 2020. Seconded by Alderman Barber. All voted Aye; motion carried.
- GIS AGREEMENT WITH GEOGRAPHIC MARKETING ADVANTAGE, LLC.
- G.19. Alderman Taylor moved to authorize the Director of Administration to execute a contract with Geographic Marketing Advantage, LLC for Geographic Information System Support and Database Maintenance Services in a form substantially equivalent to the current contract with a new fixed hourly rate of \$97.41 for the Project Manager position, a new fixed hourly rate of \$68.53. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- VOUCHERS AND PAYROLL
- H.1. Alderman Nelson moved to approve the following:
City vouchers with an ending date of December 12, 2019 in the amount of \$1,048,253.04; and payroll dated December 6, 2019 in the amount of \$388,394.90 and payments of the various payroll deductions in the amount of \$209,383.50 plus City matching payments; and estimated payroll dated December 20, 2019, in the amount of \$410,000.00 and payments of the various payroll deductions in the amount of \$426,000.00, plus City matching payments and estimated payroll dated January 3, 2020 in the amount of \$394,000.00 and payments of the various payroll deductions in the amount of \$208,000.00 plus City matching payments; and approval to release Library vouchers upon approval by the Library Board; and approval to release payments to miscellaneous vendors in the amount of \$229,042.12 and approval to release payment to Knight Barry in the amount of \$642,787.02. Seconded by Alderman Barber. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Wilhelm, Alderman Mayer, and Alderman Dandrea voted Aye; Alderman Taylor Abstained. Motion carried.
- LICENSES AND PERMITS
- I.1. Alderwoman Wilhelm moved to approve the following license recommendations from the License Committee meeting of December 20, 2019:
- Hold Operators' License applications for appearance of Heather A Bandle, 11430 W Swiss St., Apt B; and Ema I Cavaliere, 4119 108th

St., Franksville; and
Hold Operators' License application for background checks of Jeanne E Howell, S45W25670 Red Oak Ct, Muskego; and Jennifer N Knight, 4536 W Hilltop Ln.; and
Grant Operators' Licenses to Apolonia P Kust, 10845 W St Martins Rd.; and Tori M Rogers, 3123 S Vermont Ave, Milwaukee.

Seconded by Alderman Nelson. All voted Aye; motion carried.

CLOSED SESSION
EMPLOYMENT
PROMOTION AND
COMPENSATION

- G.20. Alderman Barber moved to enter closed session at 8:10 p.m. pursuant to Wis. Stat. §19.85(1)(e), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility, and may enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 9:47 p.m.

PLANNING DEPT.
CHANGES TO UDO AND
MASTER PLAN
ADJOURNMENT

- G.16. No action was taken on any changes to the Planning Department, Unified Development Ordinance or Comprehensive Master Plan.
- J. Alderman Taylor moved to adjourn the meeting at 9:48 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.