

APPROVED JULY 2, 2019

CITY OF FRANKLIN COMMON COUNCIL MEETING JUNE 18, 2019 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on June 18, 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, 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 Director of Clerk Services Sandra Wesolowski.

CITIZEN COMMENT

- B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:43 p.m.

MINUTES JUNE 4, 2019

- C. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of June 4, 2019 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

MAYORAL APPOINTMENTS

- E. Alderman Dandrea moved to confirm the following Mayoral Appointments:
1. Alderman Steve Taylor- Civic Celebration Committee 0 (2-year term expiring 6/30/21).
 2. Steve Bobowski, 9012 S. Cordgrass Circle W, Ald. Dist. 6, Economic Development Commission (2-year term expiring 6/30/21).
 3. Michael Soto, 6749 W. Harvard Dr., Ald. Dist. 5, Economic Development Commission (2-year term expiring 6/30/21).
 4. David Woznicki, Jr., 4125 W. McGinnis Dr., Ald. Dist. 4, Board of Public Works (3-year term expiring 4/30/22).
 5. Charles Porter, 7946 S. North Cape Rd., Ald. Dist. 6, Board of Public Works (3-year term expiring 4/30/22).
 6. Ann Adamski, 7825 S. Stonebrook Ct., Ald. Dist. 3, Civic Celebrations Commission (3-year term expiring 6/30/22).
 7. Wendy Knackert, 9049 S. 83rd St., Ald. Dist. 1, Civic Celebrations Commission (3-year term expiring 6/30/22).
- Seconded by Alderman Barber. All voted Aye; motion carried.

DONATION TO K9 ACCOUNT

- G.1. Alderman Mayer moved to accept the following donations; \$50 from Mira Kresovic and \$100 from Rose Spang for the Franklin Police Department K9 donation account. Seconded by Alderwoman Wilhelm. All voted, Aye; motion carried.

- UNMARKED SQUAD PURCHASE G.2. Alderman Taylor moved to approve the purchase of an unmarked squad for the Franklin Police Department. Seconded by Alderwoman Wilhelm. All voted, Aye; motion carried.
- BALLPARK COMMONS UPDATE G.3. There was no project update on Ballpark Commons at this meeting. Future updates will be placed on Common Council meeting agendas only when there is an update to present.
- PDD NO. 23 AND 24 QUARRY G.4. Alderwoman Wilhelm moved to table an update, reference the Planned Development District No. 23 and 24, by the City Attorney until a State decision limiting local control of quarries is made with a letter sent to the Governor, State Senators Craig and Larson, and State Representatives Rodriguez, Skowronski, and Wichgers. Seconded by Alderman Taylor. All voted Aye; motion carried.
- KAYLA'S PLAYGROUND AMBASSADOR PROGRAM MANUAL G.5. Alderwoman Wilhelm moved to approve changes to the Kayla's Playground Ambassador Program Manual that cash donations be accepted and received only by the City Finance Department. Seconded by Alderman Nelson. All voted Aye; motion carried.
- RES. 2019-7508 BOND TRUST SERVICES AS REPLACEMENT AGENT G.6. Alderman Taylor moved to adopt Resolution No. 2019-7508, A RESOLUTION APPOINTING BOND TRUST SERVICES CORPORATION TO SERVE AS FISCAL AGENT IN CONNECTION WITH THE GENERAL OBLIGATION REFUNDING BONDS, 2016A, DATED APRIL 20, 2016. Seconded by Alderman Barber. All voted Aye; motion carried.
- RES. 2019-7509 FIRST AMENDMENT TID 6 LOOMIS AND RYAN, INC. G.7. Alderman Nelson moved to adopt Resolution No. 2019-7509, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A FIRST AMENDMENT TO TAX INCREMENTAL DISTRICT NO. 6 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FRANKLIN AND LOOMIS AND RYAN, INC. Seconded by Alderman Mayer. All voted Aye; motion carried.
- ORD. 2019-2381 BUDGET FOR TID 7 VELO VILLAGE G.8. Alderman Taylor moved to adopt Ordinance No. 2019-2381, AN ORDINANCE TO AMEND ORDINANCE NO. 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2019 TO ESTABLISH A 2019 BUDGET FOR TID 7 VELO VILLAGE. Seconded by Alderman Barber. On roll call, Alderman Nelson, Alderman Barber, Alderman Taylor, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer voted No. Motion carried.

- DENY WATER & SEWER EXTENSION TO 8930 S 116TH ST. G.9. Alderman Nelson moved to deny request for City to extend water and sewer to service 8930 S. 116th Street because there is no immediate public need for extension of a water supply to this location and also the closest point of structure to be connected is more than 400 feet from the public sanitary sewer main. Seconded by Alderman Mayer. All voted Aye; motion carried.
- SPECIAL EXCEPTION 11141 W FOREST HOME AVE. BORIS STRBAC, STAR TRUCKING, LLC APPLICANT G.10. Alderman Nelson moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the property at 11141 West Forest Home Avenue, application of Boris Strbac Star Trucking, LLC, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance, with the mitigation requirement as discussed at the meeting. Seconded by Alderman Mayer. Mayor Olson broke the tie by voting in the Affirmative. Motion carried.
- RES. 2019-7510 SPECIAL USE FOR A BUSINESS AT 10700 W VENTURE DR., SUITE F, (JUSTIN JOHNSON, PRESIDENT OF ACTION PDR, INC., APPLICANT) G.11. Alderman Taylor moved to adopt Resolution No. 2019-7510, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A RESIDENTIAL PROPERTY DAMAGE REPAIR BUSINESS PERFORMING FIRE AND WATER DAMAGE REPAIRS USE UPON PROPERTY LOCATED AT 10700 W. VENTURE DRIVE, SUITE F (JUSTIN JOHNSON, PRESIDENT OF ACTION PDR, INC., APPLICANT). Seconded by Alderman Nelson. All voted Aye; motion carried.
- RES. 2019-7511 APPROVE 2 LOT CSM, LOCATED AT 3031 W FOREST HILL AVE, WYNDHAM HOMES LLC, OWNER G.12. Alderman Taylor moved to adopt Resolution No. 2019-7511, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTH EAST 1/4 OF SECTION13, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, STATE OF WISCONSIN (WYNDHAM HOMES LLC, OWNER) (3031 WEST FOREST HILL AVENUE). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RES. 2019-7512 SPECIAL USE TELECOMMUNICATIONS TOWER AT 5120 W. RYAN RD. (UNITED STATES CELLULAR OPERATING COMPANY, LLC, APPLICANT) G.13. Alderman Dandrea moved to adopt Resolution No. 2019-7512, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR THE INSTALLATION OF A 125 FOOT TELECOMMUNICATIONS TOWER MONOPOLE AT ANDY'S GAS STATION PROPERTY LOCATED AT 5120 WEST RYAN ROAD BEARING TAX KEY NO. 882-9999-002 (UNITED STATES CELLULAR OPERATING COMPANY LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

- RES. 2019-7513
PLEASANT VIEW
PAVILION PROJECT
RAY STADLER CONST.
CO.
- G.14. Alderwoman Wilhelm moved to adopt Resolution No. 2019-7513, A RESOLUTION TO AWARD CONTRACT FOR THE CONSTRUCTION OF THE PLEASANT VIEW PAVILION IN PLEASANT VIEW PARK, 4901 W. EVERGREEN STREET (PROJECT 2019-3) TO RAY STADLER CONSTRUCTION CO. IN THE AMOUNT OF \$544,000.00. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2019-7514
AGREEMENT WITH
RUEKERT MIELKE FOR
THE RYAN CREEK
INTERCEPTOR ODOR
REDUCTION STUDY
- G.15. Alderman Taylor moved adopt Resolution No. 2019-7514, A RESOLUTION TO AUTHORIZE AMENDMENT 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH RUEKERT MIELKE FOR THE RYAN CREEK INTERCEPTOR ODOR REDUCTION STUDY IN THE AMOUNT OF \$45,497. Seconded by Alderman Nelson. On roll call, Alderman Dandrea, Alderman Mayer, Alderman Taylor, Alderman Barber and Alderman Nelson voted Aye; Alderwoman Wilhelm voted No. Motion carried.
- AGREEMENT FOR
PARKLAND
ACQUISITION
- G.16. Alderwoman Wilhelm moved to pursue and develop a Professional Services Agreement and Scope of Services for Parkland Acquisition for Common Council consideration. Seconded by Alderman Nelson. All voted Aye; motion carried.
- TENTATIVE LABOR
AGREEMENT
FRANKLIN
PROFESSIONAL
FIREFIGHTERS
- G.17. Alderman Taylor moved to approve the Tentative Agreements between the City of Franklin and the Franklin Professional Firefighters, I.A.F.F. Local 2760 and Authorization for the Mayor, Director of Clerk Services, Fire Chief, and Director of Administration to execute a labor agreement incorporating those Tentative Agreements. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- TEMPORARY PLANNING
SUPERVISOR
APPOINTMENT
- G.18. Alderwoman Wilhelm moved to appoint Mr. Steve Presnal as a Limited Term Employee to serve as Plumbing Supervisor for the City of Franklin Inspection Services Department from June 19, 2019 through the start date of the new Chief Plumbing Inspector position, with compensation to be established at a salaried rate of \$1,000/month on a pro-rated basis (\$45.45/day). Seconded by Alderman Mayer. All voted Aye; motion carried.
- DEMOLITION AND
REMOVAL OF DEBRIS
AT 8661 W. LOOMIS RD.
- G.19. Alderman Dandrea moved to receive and file proposals for demolition of structures and removal of debris at 8661 West Loomis Road. Seconded by Alderman Mayer. All voted Aye; motion carried.

AWARD CONTRACT FOR
CITY HALL PROJECT

G.20. Alderwoman Wilhelm moved to award the bid for the City Hall Roof, HVAC, and Fascia Wood Replacement Project to Selzer-Ornst Construction Company as per Option A3, Alternative 2, including canopies over the doors, upgrade to roof warranty, landscaping, with accommodations for an outside bulletin board and drop box, for a project cost of \$1,775,000. Motion died due to lack of a second.

Alderman Barber then moved to award the bid for the City Hall Roof, HVAC, and Fascia Wood Replacement Project to Selzer-Ornst Construction Company as per Option 2, but including landscaping, applying \$58,920 of Capital Improvement Fund contingency appropriations and directing the Finance Director to prepare and bring forward a budget modification to identify and appropriate funding sufficient for \$173,130 toward project contingencies and direct City costs. Seconded by Alderman Mayer. On roll call, Alderman Nelson, Alderman Barber, and Alderman Mayer voted Aye; Alderman Taylor, Alderwoman Wilhelm, and Alderman Dandrea voted No. Motion died due to the lack of a majority vote.

Alderman Taylor moved to table to the next Common Council meeting. Seconded by Alderman Nelson. Alderman Nelson withdrew his second. Motion died due to the lack of a second.

Alderman Wilhelm then moved to award the bid for the City Hall Roof, HVAC, and Fascia Wood Replacement Project to Selzer-Ornst Construction Company as per Option A3, Alternative 2, including canopies over the doors, upgrade to roof warranty, landscaping, with accommodations for an outside bulletin board and drop box, for a project cost of \$1,775,000 based upon the information received during discussion of other alternatives. Seconded by Alderman Nelson. On roll call, Alderman Mayer, Alderwoman Wilhelm and Alderman Nelson voted Aye; Alderman Dandrea, Alderman Taylor and Alderman Barber voted No. Motion died due to the lack of a majority vote.

Alderman Barber then moved to award the bid for the City Hall Roof, HVAC, and Fascia Wood Replacement Project to Selzer-Ornst Construction Company as per Option A3, Alternative 2, including canopies over the doors, upgrade to roof warranty, landscaping, with accommodations for an outside bulletin board and drop box, for a project cost of \$1,775,000 based upon the information received during the discussion of other alternatives. Seconded by Alderman Mayer. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Wilhelm, Alderman Mayer and

Alderman Dandrea voted Aye; Alderman Taylor voted No. Motion carried.

COUNCIL CHAMBERS
SOUND AND VIDEO
SYSTEM UPGRADE

G.21. Alderman Nelson moved to authorize the approval of a contract with Metro Sound and Video for a Common Council sound system and integrated video system for an amount not-to-exceed \$36,470 contingent upon a site visit by Metro Sound and Video, final design and contract review by the Director of Administration, and approval by the Mayor and to authorize use of \$5,305 of appropriation set aside in the Capital Outlay Fund for “Planned spending pending additional consideration”. Seconded by Alderman Mayer. On roll call, Alderman Dandrea, Alderman Mayer, Alderwoman Wilhelm, Alderman Barber and Alderman Nelson voted Aye; Alderman Taylor voted No. Motion carried.

CAPITAL OUTLAY FUND
EXPENDITURES

G.22. Alderwoman Wilhelm moved to authorize Capital Outlay Fund expenditures not to exceed \$500 to replace the TV in the Community Room, \$5,305 to increase the budget for the Common Council Sound System, and not to exceed \$24,500 for a new GPS unit for Engineering, with such appropriations coming from the “planned Spending Pending Additional Consideration” appropriation, amended to include trees and Ipads. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PAY RANGE MARKET
ADJUSTMENT

G.23. Alderman Nelson moved to approve a 2019 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 1.55%, effective with the start of the pay period with a pay date of July 19, 2019 and applying to those non-represented individuals not having already received said increase in conjunction with jointing WRS. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2019-7515
DNR NR-208
COMPLIANCE REPORT

G.24. Alderman Mayer moved to adopt Resolution No. 2019-7515, A RESOLUTION APPROIVING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES NR-208 COMPLIANCE MAINTENANCE REPORT FOR 2018. Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

H.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of June 14, 2019 in the amount of \$1,723,496.97; and payroll dated June 7, 2019 in the amount of \$373,717.00 and payments of the various payroll deductions in the amount of \$201,683.00, plus City matching payments; and estimated payroll dated June 21, 2019 in the amount of \$387,000.00 and payments of the various payroll deductions in the

amount of \$399,000.00, plus City matching payments; and Property Tax settlements with an ending date of June 14, 2019 in the amount of \$1,604,541.09; and authorization to release escrow amount (to be determined) to the winner bidder of the Pleasant View Park Pavilion; the release of 2019 Franklin Civic Celebration deposits and prepayments, not to exceed \$101,500. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

LICENSES AND PERMITS I.1.

Alderman Taylor moved to grant a Mobile Home license to Franklin Mobile, LLC, Manager David Steinberger, 6361 S 27th St. conditional on a Special Use application and Special Use approval verification from staff by September 30, 2019, and verification by the District Alderwoman to the Clerk's office for bridge safety improvements, based upon the June 2019 photos on file in the Clerk's office. Seconded by Alderman Nelson. On roll call, Alderman Nelson, Alderman Taylor, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Barber and Alderman Mayer voted No. Motion carried.

Alderman Taylor moved to approve the following License Committee recommendations from their meeting of June 18, 2019: Grant Temporary Class B Beer license to Franklin Noon Lions Club (James Luckey) for St Martins Fair on 9/1/2019 to 9/2/2019; Grant Extraordinary Entertainment & Special Event to Main Talent Entertainment – The Midwest Original Music Festival (M.O.M. Fest) (Brian Krasowski) at Croatian Park Friday 8/16/19 & Saturday, 08/17/19 11:00 am to 11:00 pm and Sunday, 8/18/19 11:00 am to 10:00 pm; Grant Entertainment & Amusement to Federation of Croatian Societies, Inc for Croatian Fest and Beer Gardens (Josip Veber), at Croatian Park every Thursday through September 19, 2019, 5:00 pm to 10:00 pm; Grant Temporary Entertainment & Amusement to Laser Tag Pro, Inc – Fourth of July activities (Bryan West) at 9229 W Loomis Rd, 7/3/2019 to 7/6/2019. Grant 2018-2019 and 2019-2020 Operator Licenses to: Dallas J Fitzgerald, 3137 S Delaware Ave, Milwaukee; Grant 2019-2020 Operator Licenses to: Rena C Blank, 7126 W Brunn Dr.; Eric E Edmunds, 11221 Synergy Dr. #564, Wauwatosa; Robert G Ewend Jr, 5802 S Honey Creek Dr., Milwaukee; Alayna R Frey, W149 S8282 Harvest Ct., Muskego; Shelby L Gilbert, 947 Perkins Ave., Waukesha; Micah S Krukowski, 8020 S 68th St.; Madeline Marx, 8515 S 81st St.; Josefina Mora, 435 W Aspen Dr. #19, Oak Creek; Tyler K Okrzesik, 6010 S New York Ave., Cudahy; David R Petfalski, W194 S8184 Highland Park Dr., Muskego; Mark R Steffes, 5344 Sutton Place South, Greenfield; Vanessa A Wozney, 1204 E Connie Ln., Oak Creek; Sally A Zubarik, S88 W22560 Willow Ct., Big Bend; Karen M Ban, 3133

W Bridge St., Greenfield; Virginia M Bennett, W140 S9287 Boxhorn Dr., Muskego; Alyssa Blackburn, 10586 W Cortez Cir. #10; Colton B Borreson, 9025 W Sura Ln. #112; Greenfield; Peggy S Counter, S98 W13259 Loomis Dr., Muskego; Daniel P Crass, 8619 S 35th St.; Nadine E Dentice, 4514 S Adams Ave., Milwaukee; Joshua J Farrell, 7417 S 36th St.; Dennis M Fons, 7930 W Puetz Rd.; David F Goehring, 8017 S 57th St.; Jamie L Gorski, 3201 W Birchwood Ave., Milwaukee; Bianca J Gresl, 10653 S 76th St.; Jody L Haase, 2431 W Carroll Ave., Oak Creek; Joseph W Heup, 7606 W Norwood Ln.; Kim M Martinez, 7800 W 7 Mile Rd., Franksville; Anthony M Megna, 10321 W Church St.; Diane T Mueller-Yarnell, 3574 S 84th St., Milwaukee; Christine M Ogorzelec, 23627 82nd St., Salem; Lorene a Ornelas, 2955 W Drexel Ave., #412; Alexandria P Pelzek, 5553 Root River Dr., Greendale; Laura J Rogers, 6823 W Bennett Ave., Milwaukee; Daniel L Sajdowitz, 3674 S 5th Pl., Milwaukee; Scott A Schilling, 3521 S Chase Ave., Milwaukee; Erika L Schroble, 6850 W Kathleen Ct. #6; Shannon M Smallish, 6160 S 6th St., Lot W53, Milwaukee; Ann M Thaler, 9044 W Elm Ct. #D; Denise R Widenski, 7335 S Quincy Ave., Oak Creek; Meredith M Yanke, 7030 Lindner Dr.; and

Hold Operator license applications for appearance for; Christina J Gramoll, 3641 E Puetz Rd., Oak Creek; Daniel T Rodriguez, 8014 W Hilltop Ln.; Rita A Heishman, 8217 S Four Oaks Dr.

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

Alderman Taylor moved to grant Extraordinary Entertainment & Special Event licenses to Ballpark Commons-Routine Field for Fireworks display for seven dates as requested (6/24, 6/27, 7/12, 7/27, 8/9, 8/23, and 8/31/2019) subject to ending time of 11:00 p.m., compliance with NFPA 1123 Fire Code, and individual applications for each event submitted to the Fire Department. Seconded by Alderman Barber. On roll call, Alderman Nelson, Alderman Barber, Alderman Taylor, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer voted No. Motion carried.

ADJOURNMENT

- J. Alderman Nelson moved to adjourn the meeting at 9:07 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.