

APPROVED MAY 2, 2017

CITY OF FRANKLIN COMMON COUNCIL MEETING APRIL 18, 2017 MINUTES

- ROLL CALL
- A.1. City Clerk Sandra Wesolowski administered the Oaths of Office to Mayor Steve Olson, Third District Alderwoman Kristen Wilhelm, Fourth District Alderman Steve F. Taylor, and Sixth District Alderman John R Nelson.
- The regular meeting of the Common Council was held on April 18, 2017 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: Mayor Steve Olson, Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Mike Barber and Alderman John Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
- PROCLAMATION
SUSANNE M. MAYER
- A.2.a. Mayor Olson presented a proclamation to Susanne M. Mayer in gratitude for her dedicated service to the community and people of the City of Franklin.
- PROCLAMATION
DOUG SCHMIDT
- A.2.c. Mayor Olson presented a proclamation to Doug Schmidt in gratitude for his dedicated service to the community and people of the City of Franklin.
- PROCLAMATION
JANET EVANS
- A.2.b. Mayor Olson read a proclamation for Janet Evans in gratitude for her dedicated service to the community and people of the City of Franklin.
- PROCLAMATION
TELECOMM. WEEK
- A.2.d. Mayor Olson presented a proclamation honoring National Public Safety Telecommunication's Week, April 9-15, 2017.
- CITIZEN COMMENT
- B. Citizen comment period was opened at 6:43 p.m. and closed at 7:02 p.m.
- MINUTES OF MARCH 21, 2017
- C.1. Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of March 21, 2017 as presented at this meeting. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- MINUTES OF APRIL 3, 2017
- C.2. Alderman D. Mayer moved to approve the minutes of the regular Common Council Meeting of April 3, 2017 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

APPOINTMENTS
BOARDS AND COMMISSIONS

E.1. Alderman Taylor requested that the Mayoral appointment of Dave Pautz to the Park Commission, Item E.1.(q), and Alderman Mayer requested that the Mayoral appointment of Andrew Ruffing to the Quarry Monitoring Committee, Item E.1.(v), be considered separately from a motion to confirm all appointees.

Alderman Barber then moved to confirm the Mayoral appointments to the following Boards and Commissions:

- (a) Vance E. Werner, 7535 S. Kensington Way, Ald. Dist. 2, Architectural Board (3 year term expiring 4/30/20).
- (b) David Cieszynski, 11411 W. Woods Rd., Ald. Dist. 6, Architectural Board (3 year term expiring 4/30/20).
- (c) Wesley Cannon, 8112 S. Lakeview Dr., Ald. Dist. 5, Environmental Commission (3 year term expiring 4/30/20).
- (d) Arthur Skowron, 9046 S. Cordgrass Circle East, Ald. Dist. 6, Environmental Commission (3 year term expiring 4/30/20).
- (e) Aimee Schlueter, 9303 W. Briarwood Dr., Ald. Dist. 6, Fair Commission (3 year term expiring 4/30/20).
- (f) Rosemarie Bosch, 11625 W. St. Martins Rd., Ald. Dist. 6, Fair Commission (3 year term expiring 4/30/20).
- (g) John Trudeau, 11410 W. Mayers Dr., Ald. Dist. 6, Fair Commission (3 year term expiring 4/30/20).
- (h) Dennis Ciche, 8128 S. 43rd St., Ald. Dist. 5, Finance Committee (1 year term expiring 4/30/18).
- (i) Linda Witkowski. 7935 S. 67th St., Ald. Dist.4, Finance Committee (1 year term expiring 4/30/18).
- (j) Robert Campbell, Jr., 5416 W. Behrendt St., Ald. Dist. 5, Finance Committee (1 year term expiring 4/30/18).
- (k) John Howard, 6658 W. Robinwood Ln., Ald. Dist. 5, Finance Committee (1 year term expiring 4/30/18).
- (l) Robert D. Donohoo, 8836 W. Whispering Oaks Ct., Ald. Dist. 2, Police and Fire Commission (5 year term expiring 4/30/22).
- (m) Dr. Henry Wengelewski, 3643 W. Sharon Ln., Ald. Dist. 5, Board of Health (2 year term expiring 4/30/19).
- (n) Robert Fedran, 9163 S. 42nd St., Ald. Dist. 4, Board of Health (2 year term expiring 4/30/19).
- (o) Patricia Nissen, 8010 W. Coventry Dr., Ald. Dist. 2, Board of Health (2 year term expiring 4/30/19).
- (p) Anthony M. Megna, 10321 W. Church St., Ald. Dist. 2, Parks Commission (3 year term expiring 4/30/20).
- (r) Dale Wikel, 3755 W. Sharon Ln., Ald. Dist. 5,

- Personnel Committee (3 year term expiring 4/30/20).
- (s) Tom Traynor, 7951 S. 43rd St., Ald. Dist. 5, Personnel Committee (3 year term expiring 4/30/20).
 - (t) Kevin Haley, 8945 S. 116th St., Ald. Dist. 6, Plan Commission (3 year term expiring 4/30/20).
 - (u) Patrick Leon, 7836 W. Winston Way, Ald. Dist. 2, Plan Commission (1 year term expiring 4/30/18).
 - (w) Jim Bartnicki, 7718 W. Terrace Dr., Ald. Dist. 2, Board of Public Works (3 year term expiring 4/30/20).
 - (x) Jonathan L. Webster, 4039 W. Cypress Ln., Ald. Dist. 3, Board of Public Works (3 year term expiring 4/30/20).
 - (y) Juan Rodriguez, 9314 S. 33th St., Ald. Dist. 4, Board of Zoning and Building Appeals (3 year term expiring 4/30/20).
 - (z) Scott Meade, 9420 S. 41st St., Ald. Dist. 4, Technology Commission (3 year term expiring 4/30/20).
 - (aa) Kevin Brandt, 7900 S. Chapel Hill Dr., Ald. Dist. 2, Technology Commission (3 year term expiring 4/30/20).
 - (bb) Rajiv Surana, 3754 W. Cypress Ln., Ald. Dist. 3, Technology Commission (3 year term expiring 4/30/20).
 - (cc) Philip Nickerson, 12001 W. Scherrei Dr., Ald. Dist. 6, Board of Zoning and Building Appeals (3 year term expiring 4/30/20).
 - (dd) Terrence Berres, 8203 S. 58th St., Ald. Dist. 5, Library Board (3 year unexpired term expiring 6/30/19).
 - (ee) Mayor Olson appointment to Board of Review, Matt Cool, 4934 W. Forest Hill Ave., Ald. Dist. 5 (3 year term expiring 4/30/20).
 - (ff) Alderwoman Wilhelm appointment to Board of Review, James Luckey, 4925 W. Rawson Ave., Ald. Dist. 3 (3 year term expiring 4/30/20).
 - (gg) Alderman Taylor appointment to Board of Review, Adam P.K. Scanlan, 4440 W. Central Ave., Ald. Dist. 4 (3 year term expiring 4/30/20).
 - (hh) Alderman Barber appointment to Board of Review, Maryanne Mlodzik, 7206 S. 36th St., Ald. Dist. 3 (3 year term expiring 4/30/20).
- Seconded by Alderman D. Mayer. On roll call, all voted Aye; motion carried.

- E.1. (q) Alderman Taylor moved to deny the Mayoral appointment of Dave Pautz, 3700 W. Maplecrest Dr., Ald. Dist. 4, to the Parks Commission (3 year term

expiring 4/30/20). Seconded by Alderwoman Wilhelm. On roll call, Alderman Taylor and Alderwoman Wilhelm voted Aye; Alderman Barber and Alderman Dandrea voted No; Alderman Nelson and Alderman Mayer Abstained. Motion failed.

Alderman Barber moved to confirm the Mayoral appointment of Dave Pautz to the Parks Commission for a 3 year term expiring 4/30/20. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea and Alderman Barber voted Aye; Alderwoman Wilhelm and Alderman Taylor voted No; Alderman Mayer and Alderman Nelson Abstained. Motion failed.

- (v) Alderman Nelson moved to confirm the Mayoral appointment of Andrew Ruffing, 4728 W. Sharon Ln., Ald. Dist. 5, Quarry Monitoring Committee (3 year unexpired term expiring 5/31/19). Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

COUNCIL PRESIDENT

E.2. (See action taken following Item G.15.)

ALDERMANIC APPTS.

- E.2. Alderman Taylor moved to confirm the following Aldermanic appointments:
- (a) Alderman Dandrea to the Finance Committee, 1 yr. term expires 4/17/18.
 - (b) Alderman Dandrea to the Plan Commission, 1 yr. term expires 4/17/18.
 - (c) Alderman Mayer to the Environmental Commission, 1 yr. term expires 4/17/18.
 - (d) Alderman Wilhelm to the License Committee, 1 yr. term expires 4/17/18.
 - (e) Alderman Wilhelm to the Library Board, 3 yr. term expires 4/21/20.
 - (f) Alderman Wilhelm to the Quarry Monitoring Committee, 2 yr. term expires 4/16/19.
 - (g) Alderman Wilhelm to the Finance Committee, 1 yr. term expires 4/17/18.
 - (h) Alderman Taylor to the Board of Public Works, term of office, expires 4/21/20.
 - (i) Alderman Taylor to the License Committee, 1 yr. term expires 4/17/18.
 - (j) Alderman Taylor to the Civic Celebrations Commission, 2 yr. term expires 6/30/19.

- (k) Alderman Nelson to the Fair Commission, term of office, expires 4/21/20.
- (l) Alderman Nelson to the License Committee, 1 yr. term expires 4/17/18.
- (m) Alderman Nelson to the Parks Commission, 1 yr. term expires 4/17/18.
- (n) Alderman Nelson to the Finance Committee, 1 yr. term expires 4/17/18.

Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

DONATIONS

- G.1. Alderman Taylor moved to approve the following donations:
- (a) From Crossroads Pizza & Subs II in the amount of \$450 to St. Martins Fair to be used for advertising.
 - (b) From Mary Jo and Dennis Herrmann in the amount of \$50 to the Fire Department to help fund fire and safety educational programs in the community.
 - (c) From the General Federation of Women's Clubs in the amount of \$829.99 to the Fire Department to help fund the purchase of a Pediatric Advanced Life Support kit for Med-281.
 - (d) From Franklin Police Department Citizen Academy Alumni Association in the amount of \$18,000 to the Franklin Police Department to be put towards the K9 Donation Fund.
 - (e) Donation from Franklin Lions Club Foundation in the amount of \$500 to the Fire Department to cover costs associated with providing CPR classes to the public.

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

AFFILIATION AGREEMENT FIRE DEPARTMENT WITH WAUKESHA COUNTY TECHNICAL COLLEGE

- G.2. Alderman D. Mayer moved to approve the Affiliation Agreement for Practicum Experience, to allow Franklin Fire Department to serve as a field training sight for WCTC's paramedic training center. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2017-7260 JURISDICTIONAL TRANSFER- BETWEEN S. 76TH ST. & W. RAWSON AVE. & OLD LOOMIS RD. & W. RAWSON AVE.

- G.3. Alderman Mayer moved to adopt Resolution No. 2017-7260, A RESOLUTION REQUESTING MILWAUKEE COUNTY TO INITIATE THE [JURISDICTIONAL TRANSFER] ROAD DISCONTINUANCE VACATION PROCESS FOR ROADS PLANNED FOR REMOVAL OR RELOCATION WITHIN THE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX) BALLPARK COMMONS DEVELOPMENT AREA, TO WIT:

VACATION OF CTH (K) CRYSTAL RIDGE ROAD BETWEEN SOUTH 76TH STREET AND WEST RAWSON AVENUE AND CTH (K) OLD LOOMIS ROAD BETWEEN WEST RAWSON AVENUE AND APPROXIMATELY 160 FEET SOUTHWEST OF WEST WARWICK WAY [AND ALSO THE JURISDICTIONAL TRANSFER AS REQUESTED BY MILWAUKEE COUNTY OF THE SEGMENT OF CTH K FROM SOUTH 76TH STREET TO APPROXIMATELY 560 FEET NORTHEAST OF HOLLOW LANE] as included in the Common Council packet subject to technical changes as presented by the City Attorney on the record and such shall be approved by the Economic Development Director and City Attorney. Seconded by Alderman Barber. All voted Aye; motion carried.

CONCEPT REVIEW FOR SINGLE FAMILY RESIDENTIAL AT S. 76TH ST. & W. OAKWOOD RD. (NEUMANN DEV. INC., APP.)

G.10. No action was taken following a concept review presentation for a proposed single-family residential subdivision development upon property located at the northwest corner of S. 76th Street and W. Oakwood Road, Tax Key No. 934-9992-010 (Neumann Developments Inc., Applicant).

CONCEPT REVIEW FOR TWO-FAMILY RESIDENTIAL AT 9733 S. 76TH ST. (NEUMANN DEV. INC., APP.)

G.9. No action was taken following a concept review presentation for a proposed two-family residential subdivision development upon property located at approximately 9733 S. 76th Street, Tax Key Nos. 896-9999-007 and 896-9999-008 (Neumann Developments Inc., Applicant).

WATER EXTENSION- W. PUETZ RD. & S. 35TH ST.

G.4. Alderman Barber moved to waive the requirement to extend water mains for three lots on northwest corner of W. Puetz Road and S. 35th Street at this time. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2017-7261 AMEND EMPLOYEE BENEFIT-HOSPITAL, SURGICAL AND OTHER HEALTH INSURANCE

G.5. Alderman Barber moved to adopt Resolution No. 2017-7261, A RESOLUTION TO ESTABLISH OR AMEND AN EMPLOYEE BENEFIT TO PROVIDE FOR CONTINUATION OF ELIGIBILITY TO PARTICIPATE IN AND FOR PAYMENT OR PARTIAL PAYMENT OR REIMBURSEMENT FOR THE PAYMENT OR PARTIAL PAYMENT OF PREMIUMS FOR HOSPITAL, SURGICAL, AND OTHER HEALTH INSURANCE FOR CERTAIN DISABLED EMPLOYEES AND THE SURVIVING SPOUSE AND DEPENDENT CHILDREN OF AN EMPLOYEE, ALREADY RECEIVING FAMILY HEALTH INSURANCE BENEFITS, WHO DIES OR BECOMES TOTALLY PERMANENTLY DISABLED

WHILE EMPLOYED WITH THE CITY OF FRANKLIN. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2017-7262
APPROVAL OF SPECIAL USE
AT 8833 S. 27TH ST. (BRIAN F.
DRUMEL, OWNER, X-PER-T'S
SERVICES, INC., APP.)

G.6. Alderman Taylor moved to adopt Resolution No. 2007-7262, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A LANDSCAPING, SNOW REMOVAL AND BUILDING MAINTENANCE BUSINESS USE UPON PROPERTY LOCATED AT 8833 SOUTH 27TH STREET (BRIAN F. DRUMEL, OWNER, X-PER-T'S SERVICES, INC., APPLICANT). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

Alderman Mayer vacated his seat at 8:12 p.m.

RES. 2017-7263
APPROVAL OF SPECIAL USE
AT 11311 W. FOREST HOME
AVE. (REBECCA BONTEMPO,
PARTNER, STEPHANIE
MARIE DANCE COMPANY,
LLC, APP.)

G.7. Alderman Taylor moved to adopt Resolution No. 2007-7263, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DANCE INSTRUCTION USE UPON PROPERTY LOCATED AT 11311 WEST FOREST HOME AVENUE (REBECCA BONTEMPO, PARTNER, STEPHANIE MARIE DANCE COMPANY, LLC, APPLICANT). Seconded by Alderman Barber. All voted Aye; motion carried.

Alderman Mayer returned to his seat at 8:13 p.m.

RES. 2017-7264
APPROVAL OF SPECIAL USE
AT 11307 W. FOREST HOME
AVE.
(MARK LIBAN, LIBAN'S
LAWN SERVICE, INC., APP.)

G.8. Alderman Nelson moved to adopt Resolution No. 2017-7264, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT 11307 WEST FOREST HOME AVENUE TO EXPAND THE OPERATION OF A LAWN MAINTENANCE, LANDSCAPING AND SNOW REMOVAL BUSINESS (MARK LIBAN, PRESIDENT OF LIBAN'S LAWN SERVICE, INC., APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

ACCEPT DELIVERY OF TWO
2017 JEEP CHEROKEE SPORT
VEHICLES

G.11. Alderman Taylor moved to authorize the Director of Administration to accept delivery of two 2017 Jeep Cherokee Sport vehicles as resolution to the February 7, 2017, purchase authorization. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2017-2266
AMEND ORD. 2016-2240 TO
PROVIDE ADDITIONAL
APPROPRIATIONS FOR
POLICE AUTO & K9 UNIT
PURCHASES

G.12. Alderman Mayer moved to adopt Ordinance No. 2017-2266, AN ORDINANCE TO AMEND ORDINANCE NO. 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY AND DONATIONS FUNDS FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017 TO PROVIDE ADDITIONAL APPROPRIATIONS FOR POLICE AUTO AND K9 UNIT PURCHASES. Seconded by Alderman Taylor. All voted Aye; motion carried.

MONTHLY FINANCIAL
REPORT

G.13. Alderman Taylor moved to receive and place on file the February 2017 Monthly Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.

NOTICE OF CLAIM
VEHICLE DAMAGE FROM
DRIVING OVER LOOSE OR
COMPROMISED MANHOLE
COVER (TANJA & TIHOMIR
PIKELJA)

G.14. Alderman Taylor moved to deny the claim of Tanja & Tihomir Pikelja involving vehicle damage from driving over a loose or compromised manhole cover, pursuant to §893.80(1g), Wis. Stats., based upon and in concurrence with the insurance adjuster that the investigation revealed that the City of Franklin was not negligent for this incident. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

NOTICE OF CLAIM
VEHICLE DAMAGE
SUSTAINED DURING
LOCKOUT ASSISTANCE
PROVIDED BY THE POLICE
DEPT. (JAMIE ROBERTS)

G.15. Alderman D. Mayer moved to deny the claim of Jamie Roberts for vehicle damage sustained during lockout assistance provided by the City of Franklin Police Department, pursuant to §893.80(1g), Wis. Stats., based upon and in concurrence with the insurance adjuster that the investigation revealed no negligence on behalf of the City. Seconded by Alderman Taylor. All voted Aye; motion carried.

COMMON COUNCIL
PRESIDENT

E.2. Mayor Olson called for nominations for Common Council President. Alderman Dandrea was nominated by Alderman Barber. Alderman Taylor was nominated by Alderman Nelson. A recess was called at 8:15 p.m. and the meeting was reconvened at 8:19 p.m. Following five votes using secret ballots, Alderman Dandrea received three votes and Alderman Taylor received three votes. Mayor Olson broke the tie by voting for Alderman Dandrea. Alderman Dandrea was declared the Common Council President.

LICENSES AND PERMITS

H.1. Alderman Taylor moved to approve the following:

Hold 2016-17 Operator's License application for Jennifer Halisch, 4416 S. 62nd St., Greenfield for appearance.

Grant 2017-18 Operators' licenses to John Braovac, 1335 S 124th St., Brookfield; Sarah Klein, 24333 N. Wind Lake Rd., Wind Lake; Kelly Kuglitsch, 4358 S. Louisiana Ave., Milwaukee; Meghan Pesich, 9195 S. Meyer Ln., #10109, Oak Creek; Jeanne Rainwater, 7561 S. 75th St., Franklin; Laura Rogers, 3105 W. Mangold Ave., #1, Greenfield; Jenna Rozek, 9007 W. Beloit Rd., #327, Milwaukee; Jessica Rozek, 3222 S. 38th St., Milwaukee; Amanda Snieg, 2133 S. 75th St., West Allis; Sandra Strucel-Dzioba, 6611 S. Whitnall Edge Rd., Franklin; Jessica Urban, 584 Pewaukee Rd., Unit A, Pewaukee; Denise Widenski, 7335 S. Quincy Ave., Oak Creek;

Approve PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant for Franklin Library Foundation for Disney Trivia Night Fundraiser on 4/8/2017;

Grant Temporary Entertainment & Amusement License and Temporary Class B Beer License for Civic Celebration-Fourth of July Festival on 7/1/2017 through 7/4/2017;

Grant 2017-18 Daycare licenses, subject to satisfactory inspections, to Academy of Preschool Learning, Inc., Manager, Nadeen Balsis, 9501 W. Drexel Ave.; Faith Academy Child Care Development Center, Manager, Jennifer Finch, 7700 W. Faith Dr.; Ultra Mart Foods Inc. Daycare, Agent, Gordon Graf, 7201 S. 76th St.;

Grant 2017-18 Mobile Home licenses, subject to satisfactory inspections, to D&K Management VIII LLC, Manager, Wendy Winograd, 6405 S. 27th St.; Franklin Mobile LLC, Manager, David Steinberger, 6361 S. 27th St.; and

Grant 2017-18 Amusement Device Operator license, subject to satisfactory inspection, to National Entertainment Network, Owner, Edward Flaherty, 325 Interlocken Pkwy B, Broomfield, CO.

Seconded by Alderman D. Mayer. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Barber moved to approve the following:

City vouchers with an ending date of April 13, 2017 in the amount of \$1,052,012.07; Payroll dated April 14, 2017 in the amount of \$368,835.05 and payments of the various payroll deductions in the amount of \$204,118.13, plus City matching

payments; and Estimated payroll dated April 28, 2017 in the amount of \$408,000.00 and payments of the various payroll deductions in the amount of \$393,000.00, plus City matching payments and Property Tax settlements and refunds with an ending date of April 13, 2017 in the amount of \$7,540,320.34. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:32 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.