

# APPROVED SEPTEMBER 5, 2017

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
AUGUST 15, 2017  
MINUTES

## ROLL CALL

- A.1. The regular meeting of the Common Council was held on August 15, 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: Alderman Mark Dandrea, Alderman Dan Mayer (arrived at 6:37 p.m.), 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 6:32 p.m.

## APPROVAL OF MINUTES

- C. Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of August 1, 2017 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

## PUBLIC HEARING

11906 & 11908 W. LOOMIS RD.  
MILLS HOTEL WYOMING, LLC

- D. A public hearing was called to order at 6:35 p.m. regarding a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the future land Use map use designation of Lot 3 of Certified Survey Map No. 8907, property located at 11906 and 11908 West Loomis Road, from areas of natural resource features use and water use to residential use and areas of natural resource features use and water use (Mills Hotel Wyoming, LLC, applicant). The property which is the subject of this application bears Tax Key No. 891-9989-001, consisting of approximately 4.55 acres of land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public hearing was closed at 6:35 p.m.

ORD. 2017-2289  
CHANGE FUTURE LAND USE  
MAP AT 11906 & 11908 W.  
LOOMIS RD. (MILLS HOTEL  
WYOMING, LLC, APPLICANT)

- G.2. Alderman Taylor moved to adopt Ordinance No. 2017-2289, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT 11906 AND 11908 WEST LOOMIS ROAD FROM AREAS OF NATURAL RESOURCE

FEATURES USE AND WATER USE TO RESIDENTIAL USE, AREAS OF NATURAL RESOURCE FEATURES USE AND WATER USE (APPROXIMATELY 4.55 ACRES) (MILLS HOTEL WYOMING, LLC, APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

Alderman Mayer arrived at 6:37 p.m.

BOARD AND COMMISSION APPOINTMENTS

- E.1. Alderwoman Wilhelm moved to confirm the Mayoral
- E.2. appointment of Diane L. Brunner, 7006 S. Lannonstone
- E.3. Court (Ald. Dist. 6), to the Fair Commission for a 3-year term expiring 4/30/2020; and Alderman Nelson's appointment of Doug Milinovich, 9572 W. Prairie Grass Way (Ald. Dist. 6), to the Board of Review for a 3-year term expiring 4/30/2020; and Alderwoman Wilhelm's appointment of Margie Shore, 8046 S. 60th Street (Ald. Dist. 3), to the Quarry Monitoring Committee for a 3-year term expiring 5/31/2020. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

DONATIONS

- G.1.(a) Alderman Taylor moved to accept the following
- G.1.(b) donations: \$287 from Midwest Speleo Cave (Entrance
- G.1.(c) Donations) at the 2017 National Night Out to the Health Department for the Franklin Food Pantry; and \$200 from the Franklin Lioness Club Foundation to the Fire Department to fund Fire and Safety Educational Programs; and \$2,000 to the Police Department for the Police Canine Program from Mark Kass and The Franklin Police Department Citizen Academy Alumni Association. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

ORD. 2017-2290  
AMEND UDO (ZONING MAP) AT  
11906 & 11908 W. LOOMIS RD.  
(MILLS HOTEL WYOMING, LLC,  
APPLICANT)

- G.3. Alderman Nelson moved to adopt Ordinance No. 2017-2290. AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE THE C-1 CONSERVANCY DISTRICT PORTION OF LAND LOCATED UPON LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 8907, LOCATED AT 11906 AND 11908 WEST LOOMIS ROAD, TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT (APPROXIMATELY 3.7271 ACRES (TAX KEY NO. 891-9989-001)) (MILLS HOTEL WYOMING, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2017-7290  
APPROVING CSM AT 9733 S.  
76TH ST. (NEUMANN  
DEVELOPMENTS, INC.,  
APPLICANT)

G.4. Alderman Nelson moved to adopt Resolution No. 2017-7290, A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN AND INCLUDING THE DEDICATION OF RIGHTS-OF-WAY FOR FUTURE ROADS, INCLUDING WEST PARK CIRCLE WAY, WEST PARK CIRCLE AND HALF OF THE RIGHT-OF-WAY OF SOUTH 80TH STREET (NEUMANN DEVELOPMENTS, INC., APPLICANT) (APPROXIMATELY 9733 SOUTH 76TH STREET). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2017-7291  
APPROVING CONDO PLAT FOR  
PARK CIRCLE CONDOMINIUM  
AT 9733 S. 76TH ST. (NEUMANN  
DEVELOPMENTS, INC.,  
APPLICANT)

G.5. Alderman Nelson moved to adopt Resolution No. 2017-7291, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR PARK CIRCLE CONDOMINIUMS AT APPROXIMATELY 9733 SOUTH 76TH STREET (NEUMANN DEVELOPMENTS, INC., APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

AMENDMENT TO AGREEMENT  
WITH MILW. COUNTY FOR ALS  
(PARAMEDIC) SERVICES IN 2019  
AND 2020

G.6. Alderman Dandrea moved to approve amendment extending the agreement between the City and Milwaukee County for continued participation in the Milwaukee County EMS system through 2020, with City participation in the integrated computer-aided dispatch platform (FATPOT). Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Taylor, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer Abstained. Motion carried.

ADDENDUM NO. 1 TO THE  
TELECOMMUNICATIONS  
SERVICE AGREEMENT

G.7. Alderman Taylor moved to approve Addendum No. 1 to the Telecommunications Service Agreement with TDS for the Police Department Telephone and Recording System. Seconded by Alderman Mayer. All voted Aye; motion carried.

CONTRACT WITH EHLERS, INC.  
CHANGES TO TID NO. 5 -  
BALLPARK COMMONS  
DEVELOPMENT PROPOSAL

G.8. Alderman Taylor moved to authorize staff to execute a contract with Ehlers, Inc. for up to \$17,000 to conduct additional pro forma review and financial analysis of potential changes to Tax Increment District No. 5, a district associated with the Ballpark Commons development proposal. Seconded by Alderman Dandrea.

All voted Aye; motion carried.

- SUPPORT FOR NO PARKING ON W. COLLEGE AVE. FROM S. 27TH ST. TO S. 35TH ST.      G.9.      Alderwoman Wilhelm moved to authorize staff to forward a letter to Milwaukee County in support of no parking on the south side of W. College Avenue from S. 27th Street to the Woods Senior Complex. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2017-7292  
CONSERVATION EASEMENT AT 8225 W. FOREST HILL AVE.  
(FRANKLIN PUBLIC SCHOOL DISTRICT, APPLICANT)      G.10.      Alderman Dandrea moved to adopt Resolution No. 2017-7292, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN AND NATURAL RESOURCE SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 8225 WEST FOREST HILL AVENUE (FRANKLIN PUBLIC SCHOOL DISTRICT, APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2017-7293  
CHANGE ORDER NO. 1 WITH C.G. SCHMIDT CO. FOR HISTORICAL BARN RECONSTRUCTION IN LIONS LEGEND PARK      G.11.      Alderman Nelson moved to adopt Resolution No. 2017-7293, A RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH C.G. SCHMIDT COMPANY IN THE AMOUNT OF \$701 FOR THE CONSTRUCTION OF THE FOOTINGS AND FOUNDATION FOR THE HISTORICAL BARN RECONSTRUCTION IN LIONS LEGEND PARK TO SWITCH TO FROST DEPTH FOOTINGS. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2017-7294  
APPROVING CSM AT 7270 S. 51ST ST. & 5050 W. MINNESOTA AVE. (DAVID GUDGEON, APPLICANT)      G.12.      Alderwoman Wilhelm moved to adopt Resolution No. 2017-7294, A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF LOT 8, BLOCK 3, IN SMOLEN'S RAWSON MANOR NO. 2 AND THE EAST TWENTY-FIVE FEET OF THE VACATED SERVICE ROAD ADJOINING ON THE WEST, IN THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (DAVID GUDGEON, APPLICANT, DAVID GUDGEON AND JAMES L. LOUDON, PROPERTY OWNERS) (7270 SOUTH 51ST STREET AND 5050 WEST MINNESOTA AVENUE). Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2017-7295  
APPROVAL OF SPECIAL USE AT  
9710-9720 S. 58TH ST. (CORRINE  
ROSZINA, OWNER/OPERATOR  
OF ZENA'S COCINA, LLC,  
APPLICANT)

G.13. Alderwoman Wilhelm moved to adopt Resolution No. 2017-7295, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A COMMERCIAL KITCHEN/HOME BASE FOR A FOOD TRUCK BUSINESS USE UPON THE CREATIVE WOOD PRODUCTS, INC. PROPERTY LOCATED AT 9710-9720 SOUTH 58TH STREET (CORRINE ROSZINA, OWNER/OPERATOR OF ZENA'S COCINA, LLC, APPLICANT). Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2017-7296  
REQUEST TO VACATE EXISTING  
SANITARY SEWER EASEMENT  
AT 6310 S. 108TH ST.

G.14. Alderman Taylor moved to adopt Resolution No. 2017-7296, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO APPROVE A REQUEST TO VACATE AN EXISTING SANITARY SEWER EASEMENT AT 6310 S. 108TH STREET. Seconded by Alderman Dandrea. All voted Aye; motion carried.

EQUIPMENT PURCHASE  
AGREEMENT AND STATEMENT-  
OF-WORK WITH HEARTLAND  
BUSINESS SYSTEMS

G.15. Alderman Taylor moved to authorize completion of the Perimeter Security Project as presented for a Capital Project amount not to exceed \$61,673 and additional operating resources for IT professional services, as budgeted, and to authorize the Director of Administration to execute the necessary equipment purchase agreement and statement-of-work with Heartland Business Systems. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2017-7297  
AMEND THE CIVIL SERVICES  
SYSTEM PERSONNEL  
ADMINISTRATION PROGRAM

G.16. Alderman Barber moved to adopt Resolution No. 2017-7297, A RESOLUTION TO AMEND THE CIVIL SERVICE SYSTEM PERSONNEL ADMINISTRATION PROGRAM COMPENSATORY TIME REGULATION POLICY. Seconded by Alderman Mayer. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Taylor moved to approve the following:  
Refer Operator license application of Bianca Bolyn, 9801 W. Oakwood Rd., to staff for hearing action; Grant Operator license, with warning letter to Danielle Cooper, 3590 S. 17<sup>th</sup> St, Milwaukee; Hold Operator license application for appearance from Jody Isaacson, 7815 S. Scepter Dr., #25; Grant Operator licenses to Heather Bandle, 11430 W. Swiss St., Apt B; Brandon Bhatti, S90W12978 Boxhorn Reserve Ct., Muskego; Alexander Esenberg, 4806 W. Midland Dr.,

Greenfield; Jennifer Francis, 4380 S. Burrell St., Milwaukee; David Goehring, 8017 S. 57th St.; Gloria Grabarczyk, 7467 S. 69th St.; Monique Johnson, 4136 S. Pine Ave., Milwaukee; Tracy Kukla-Lewis, 7640 S. Mission Ct.; Laura Martinez, 3742 E. OBrien Rd., Oak Creek; Brandon Sowinski, S70 W14965 Cornell Cir., #8, Muskego; Alexis Steltz, 12045 W. St. Martins Rd.; Approve Change of Agent to Pick n Save #6360 (Justin Perez) 7201 S. 76<sup>th</sup> St.; Grant Temporary Class B Beer license to Franklin Lioness Club for St. Martins Fair on 9/3/2017 to 9/4/2017. Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

- I. Alderman Dandrea moved to approve the following: City vouchers with an ending date of August 10, 2017 in the amount of \$4,233,072.02; Payroll dated August 4, 2017 in the amount of \$374,783.65 and payments of the various payroll deductions in the amount of \$217,217.54, plus City matching payments; and Estimated Payroll dated August 18, 2017 in the amount of \$376,000.00 and payments of the various payroll deductions in the amount of \$406,000.00, plus City matching payments; and Estimated Payroll dated September 1, 2017 in the amount of \$374,000.00 and payments of the various payroll deductions in the amount of \$220,000.00, plus City matching payments; and Property tax payments and refunds with an ending date of August 10, 2017 in the amount of \$116.75. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

CLOSED SESSION

*LaShun Gray v. City of Franklin,*  
United States District Court, Eastern  
District of Wisconsin, Case No. 17-  
CV-1057-PP.

- G.17. Alderman Taylor moved to enter closed session at 7:20 p.m. pursuant to Wis. Stat. §19.85(1)(g), to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the body with respect to the subject litigation, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 8:19 p.m.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:20 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.