

# APPROVED OCTOBER 4, 2016

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
SEPTEMBER 20, 2016  
MINUTES

## ROLL CALL

- A. The regular meeting of the Common Council was held on September 6, 2016 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 D. Mayer, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Excused was Alderwoman Kristen Wilhelm. Also present were Director of Economic Development Aaron Hertzberg, Planning Manager Joel Dietl, Fire Chief Adam Remington, Dir. of Library Services Rachel Muchin-Young, Dir. of Health & Human Services Bill Wucherer, Dir. of Finance & Treasurer Paul Rotzenberg, City Engineer Glen Morrow, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

## CITIZEN COMMENT

- B. Citizen comment period was opened at 6:32 p.m. and closed 7:08 at p.m.

## APPROVAL OF MINUTES

- C. Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of September 6, 2016 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

## AWARD FOR A DRUG-FREE COMMUNITY GRANT AND ORD. 2016-2230 AMEND ORD. 2015-2198 TO PROVIDE APPROPRIATIONS FOR A NEW HEALTH GRANT

- G.15. Alderman Taylor moved to accept the Notice of Award for a Drug-Free Community Grant and to adopt Ordinance No. 2016-2230, AN ORDINANCE TO AMEND ORDINANCE 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GRANT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO PROVIDE APPROPRIATIONS FOR A NEW HEALTH GRANT. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

## APPROVAL FOR A DRUG-FREE COMMUNITY GRANT COALITION COORDINATOR JOB DESCRIPTION & POSITION

- G.16. Alderman Taylor moved to approve the Drug-Free Community Grant Coalition Coordinator job description and authorize the Director of Health and Human Services to fill the position as a .75 position, subject to technical corrections. Seconded by Alderman Barber. All voted Aye; motion carried.

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| RETAIL FOOD AND REC. PROGRAMS FOR THE WIS. DEPT. OF AGRICULTURE, TRADE & HUMAN PROTECTION         | G.14. | Alderman Taylor moved to authorize the Director of Health and Human Services to sign the contract to administer the retail food and recreational programs for the Wisconsin Department of Agriculture, Trade, and Consumer Protection. Seconded by Alderman D. Mayer. All voted Aye; motion carried.   |
| APPLICATION OF OAK CREEK WATER & SEWER UTILITY  | G.1.  | Information was provided by the City Attorney on the Public Service Commission of Wisconsin Case Docket No. 4310-CW-108: Application of Oak Creek Water and Sewer Utility, Milwaukee County, Wisconsin, to Construct Pumping and Water Storage Improvements and New Disinfection Facilities at the Water Treatment Plant.  |
| RES. 2016-7224<br>JOHN'S DISPOSAL SERVICES, INC. FOR COLLECTION OF BIOHAZARD CONTAINERS           | G.10. | Alderman Taylor moved to adopt Resolution No. 2016-7224, A RESOLUTION FOR CONTRACT AMENDMENT WITH JOHN'S DISPOSAL SERVICE, INC FOR COLLECTION OF BIOHAZARD CONTAINERS subject to technical corrections to the Resolution and Contract. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| RES. 2016-7225<br>HEALTHCARE WASTE MANAGEMENT, INC. TO REMOVE MEDICAL WASTE                       | G.11. | Alderman Taylor moved to adopt Resolution No. 2016-7225, A RESOLUTION TO AUTHORIZE THE EXECUTION OF A CONTRACT WITH HEALTHCARE WASTE MANAGEMENT, INC. FOR COLLECTION OF BIOHAZARD CONTAINERS, subject to technical corrections to the Resolution and Contract. Seconded by Alderman Dandrea. All voted Aye; motion carried.  |
| RECONSIDERATION OF ACTION RES. 2016-7222<br>PROJECT PLAN AND BOUNDARIES FOR AND CREATION OF TID 5 | G.2.  | <p>Alderwoman S. Mayer moved to suspend the regular order of business to allow Ron Gindt to speak. Motion failed due to the lack of a second.</p> <p>Alderwoman S. Mayer moved to reconsider action taken on September 6, 2016 to adopt Resolution No. 2016-7222, A Resolution Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 5, City of Franklin, Wisconsin, as amended. Motion died due to the lack of a second.</p> <p>Alderwoman S. Mayer vacated her seat at 7:50 p.m.</p> |
| DENY AMENDMENT TO UDO FOR INSTALLATION OF SIGNAGE ON BALLPARK FENCING (BILL ZIMMERMAN, APPLICANT) | G.3.  | Alderman D. Mayer moved to deny an Ordinance to amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to allow for the installation of signage on the Ballpark fencing (corner of  |

South 76th Street and West Crystal Ridge Drive)(Bill Zimmerman, Vice President, MKE Sports & Entertainment, Applicant). Seconded by Alderman Dandrea. All voted Aye; motion carried.

PRELIMINARY PLAT FOR EVERGREEN PARK ESTATES AT (RICK PRZYBYLA, PRES. OF CREATIVE HOMES, INC., APPLICANT)

G.4. Alderman Taylor moved to table a Resolution conditionally approving a Preliminary Plat for Evergreen Park Estates Subdivision (at approximately 7501 South 49th Street) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

AMEND UDO TO REZONE LAND 7501 S. 49TH ST. (RICK PRZYBYLA, CREATIVE HOMES, INC.)

G.5. Alderman Dandrea moved to table an Ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a portion of a certain parcel of land from C-1 Conservancy District to R-6 Suburban Single-Family Residence District (a portion of the property at 7501 South 49th Street) (approximately 1.87 acres) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant). Seconded by Alderman D. Mayer. All voted Aye; motion carried.

MAYOR'S 2017 RECOMMENDED BUDGET

G.6. Alderwoman S. Mayer returned to her seat at 7:58 p.m.  
  
Alderman Barber vacated his seat at 8:02 p.m. and returned to his seat at 8:05 p.m.  
  
Alderman D. Mayer vacated his seat at 8:22 p.m. and returned to his seat at 8:25 p.m.  
  
Alderman Taylor moved to forward consideration of the Mayor's 2017 Recommended Budget to the Committee of the Whole meeting on October 3, 2016. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

AGREEMENT WITH TOWN OF WATERFORD TO PROVIDE ADVANCED LIFE SUPPORT (ALS)

G.7. Alderman Taylor moved to establish an agreement to provide Advanced Life Support (ALS) intercept services to the Tichigan Volunteer Fire company and the Town of Waterford. Seconded by Alderman Barber. On roll call, Alderwoman S. Mayer, Alderman Barber, Alderman Taylor, and Alderman Dandrea voted Aye; Alderman D. Mayer Abstained. Motion carried.

ORD. 2016-2231  
AMEND MUNICIPAL CODE TO CHANGE PARK HOURS TO "FROM DAWN TO DUSK"

G.8. Alderman Taylor moved to table to the next Council meeting an Ordinance to amend the Municipal Code, "Regulations Governing Parks." Motion died due to lack of a second.

Alderwoman S. Mayer moved to adopt Ordinance No. 2016-2231, AN ORDINANCE TO AMEND §183-48 OF THE MUNICIPAL CODE, “REGULATIONS GOVERNING PARKS,” PURSUANT TO THE RECOMMENDATION OF THE PARK COMMISSION, subject to technical corrections to define dawn and dusk. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2016-7226  
SPECIAL ASSESSMENT POWERS  
AND ESTABLISH PUBLIC  
HEARING DATE FOR COST OF  
NON-DECORATIVE STREET  
LIGHTING ON S. 27TH ST.

G.9. Alderman Taylor moved to adopt Resolution No. 2016-7226, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 207-15 OF THE MUNICIPAL CODE, AND SECTION 66.0701 OF THE STATE STATUTES AND ESTABLISH A PUBLIC HEARING DATE, OCTOBER 18, 2016, FOR THE COST OF NON-DECORATIVE STREET LIGHTING ON S. 27TH STREET (USH 241) FROM W. RAWSON AVENUE TO W. VILLA DRIVE. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2016-2232  
PLACEMENT OF STOP SIGNS ON  
S. NORTH CAPE RD.

G.12. Alderwoman S. Mayer moved to adopt Ordinance No. 2016-2232, AN ORDINANCE TO ESTABLISH PLACEMENT OF STOP SIGNS ON S. NORTH CAPE ROAD AT ITS INTERSECTION WITH W. RAWSON AVENUE. Seconded by Alderman Taylor. All voted Aye; motion carried.

MAX FONSIING APPEAL OF  
NOXIOUS WEED  
DETERMINATION FOR  
7730 W. TERRACE DR.

G.13. Alderman D. Mayer moved to table to the October 4, 2016 Common Council meeting, the appeal from Max Fonsing for the noxious weed determination at 7730 West Terrace Drive. Seconded by Alderman Barber. All voted Aye; motion carried.

FIBER OPTIC BACKBONE  
CABLING PROJECT

G.17. Alderman Taylor moved to authorize the Director of Administration to execute a Proposal with the lowest vendor for the two cabling projects described as the “Franklin City Hall Fiber Optic Backbone Project” not to exceed \$9,000 and allow negotiations for any additional cabling as staff deems necessary, subject to technical changes with regard to boilerplate changes. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderman Taylor and Alderman Barber voted Aye; Alderwoman S. Mayer Abstained. Motion carried.

CLOSED SESSION  
PURCHASE OF PROPERTY FOR  
SALE IN WOODVIEW  
NEIGHBORHOOD FOR PUBLIC  
PARK PURPOSES

G.18. Alderman Taylor Motion to refer consideration of the potential acquisition of property for public park purposes in the general southwest area of the City to the October 3, 2016 Committee of the Whole meeting. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Taylor moved to approve the following: Grant Operators' Licenses to Nicole Lessley, 6160 S. 6th St., Milwaukee; Alyssa Edwards, 550 W. Riverwood Dr., Oak Creek; Melissa Martin, 7883 S. Scepter Dr., Franklin; Carol Radliff, 1000 S. 75th St., West Allis; Kayla Rome, 3932 N. 41st St., Milwaukee; Kiera Russell, 9211 S. 51st St., Franklin; and Maxwell VanEgeren, 2757 N. Bartlett Ave., Milwaukee. Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of September 15, 2016 in the amount of \$1,953,174.10; Payroll dated September 16, 2016 in the amount of \$370,234.06 and payments of the various payroll deductions in the amount of \$225,704.71, plus City matching payments; and Estimated payroll dated September 30, 2016 in the amount of \$410,000.00 and payments of the various payroll deductions in the amount of \$380,000.00, plus City matching payments. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:47 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.