

CITY OF FRANKLIN
COMMON COUNCIL MEETING
AUGUST 7, 2012
MINUTES

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| ROLL CALL | A. | The regular meeting of the Common Council was held on August 7, 2012 and called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Steve Olson, Tim Solomon, Kristen Wilhelm, Steve Taylor, Doug Schmidt, and Ken Skowronski. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski and Deputy City Clerk Jodi Vanden Boom. |
| MOMENT OF SILENCE | | A moment of silence was observed for the shooting tragedy in Oak Creek. |
| CITIZEN COMMENT | B.1. | Citizen comment period was opened at 6:34 p.m. and closed at 7:16 p.m. |
| APPROVAL OF MINUTES-7/24/12 | C.1. | Alderman Taylor moved to approve the minutes of the regular meeting of July 24, 2012. Seconded by Alderman Schmidt. All voted Aye; motion carried. |
| DEPT. OF NATURAL RESOURCES | F.1. | Alderman Olson moved to refer letter from Wisconsin Department of Natural Resources regarding grant from the Knowles-Nelson Stewardship Program to staff for further information. Seconded by Alderman Skowronski. All voted Ayes; motion carried. |
| REFUSE AND RECYCLING HAULING SERVICES | G.1. | Alderman Olson moved to refer refuse and recycling hauling municipal/resident services contract with John's Disposal Service, Inc. to staff for final contract negotiations. Seconded by Alderman Solomon. All voted Aye; motion carried.

Alderman Olson then moved to place the issue of condominium building waste and recycling handling, and request that staff return with a full report on the number of condominium units and the type of service they are currently receiving and what they are paying for on the next Committee of the Whole meeting. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| POLICE DEPT. RADIO EQUIPMENT | G.2. | Alderman Taylor moved to approve the purchase of digital compatible mobile and portable radios for the Police Department from the Capital Improvement Fund not to exceed \$238,000.00. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| ORD. 2012-2087 BUDGET CHANGES | G.3. | Alderman Solomon moved to adopt Ordinance No. 2012-2087, AN ORDINANCE TO AMEND ORDINANCE 2011-2063, AN ORDINANCE ADOPTING THE 2012 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE |

BUDGET CHANGES-
CONTINUED

CHANGES TO 2012 BUDGET IN VARIOUS DEPARTMENTS OF THE GENERAL FUND, CAPITAL OUTLAY FUND, CAPITAL IMPROVEMENTS FUND AND DEBT SERVICE FUND as corrected. Seconded by Alderman Taylor. All voted Aye; motion carried.

CAPITAL
IMPROVEMENT
FUND

G.4. Alderman Solomon moved to transfer \$220,000 from the fund balance of the General Fund to the Capital Improvement Fund. Seconded by Alderman Taylor. All voted Aye; motion carried.

APPLICATION OF
OAK CREEK WATER
AND SEWER
UTILITY

G.5. Alderman Olson moved to place the City of Franklin Board of Water Commissioners Report to the Common Council upon Public Service Commission of Wisconsin Case No. 4310-Wr-104; Application of the Oak Creek Water and Sewer Utility to Increase Water Rates; Public Service Commission of Wisconsin Final Decision Dated July 20, 2012 and Mailed July 23, 2012 on file. Seconded by Alderman Wilhelm. At 8:16 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. The gavel was returned to Mayor Taylor at 8:20 p.m., who returned to chairing the meeting. On the main motion, all voted Aye; motion carried.

QUARRY
MONITORING
PROPOSALS

G.6. Alderman Wilhelm moved to table Quarry Monitoring Proposals to the Common Council meeting of 8/21/12. Seconded by Alderman Olson. All voted Aye; motion carried.

Mayor Taylor vacated his seat at this time.

RES. 2012-6823
EASEMENT-
PDD NO. 22-
FRANKLIN
MEADOWS SENIOR
INDEPENDENT
LIVING APARTMENT
BUILDING
DEVELOPMENT

G.7. Alderman Wilhelm moved to adopt Resolution No. 2012-6823, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF AN AMENDMENT TO PLANNED DEVELOPMENT DISTRICT NO. 22 FOR THE FRANKLIN MEADOWS SENIOR INDEPENDENT LIVING APARTMENT BUILDING DEVELOPMENT (FRANKLIN SENIOR HOUSING, INC., APPLICANT) (7704 SOUTH 51ST STREET). Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2012-6824
COMPLIANCE
MAINTENANCE
RESOLUTION-DNR

G.8. Alderman Olson moved to adopt Resolution No. 2012-6824, A RESOLUTION APPROVING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES NR-208 COMPLIANCE MAINTENANCE RESOLUTION-REPORTING YEAR 2011. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

- AGREEMENT-CERTIFIED SOIL TESTERS
- G.9. Alderman Skowronski moved to approve the Professional Services Agreement as written between the City of Franklin and Racine County for their services to verify a certified soil tester's soil and site evaluation at designated properties when needed, subject to approval as to form by the City Attorney and incorporation by the City Attorney of additional boiler plate language he deems necessary, and to authorize the Director of Administration to execute such agreement. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- CHANGE ORDER-JACK WORKMAN PARK
- G.10. Alderman Solomon moved to authorize staff to sign Change Order No. 1 for the Jack Workman Park wetland mitigation as a part of the W. Drexel Avenue reconstruction, from S. 27th Street to S. 31st Street, for a reduction in the contract with Marek Landscaping, Inc. of \$844.16 reducing the contract from \$15,285.50 to \$14,441.34. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2012-6825
EASEMENT-
9342 S. 31ST STREET
- G.11. Alderman Solomon moved to adopt Resolution No. 2012-6825, RESOLUTION ACCEPTING STORM SEWER EASEMENT AND PETITION AND WAIVER OF HEARING FORM AND FOR THE DEPARTMENT OF PUBLIC WORKS TO REPLACE A STORM SEWER ALONG NORTH PROPERTY LINE OF 9342 S. 31ST STREET. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- RES. 2012-6826
LIBRARY BOARD
WAGE RATES
- G.12. Alderman Solomon moved to adopt Resolution No. 2012-6826, A RESOLUTION TO RECEIVE LIBRARY BOARD WAGE RECOMMENDATIONS AND ESTABLISH WAGE RATES AND 2012 WAGE ADJUSTMENTS FOR THE POSITIONS OF LIBRARY SHELVING AND LIBRARY ASSISTANT. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2012-6827
LIBRARY
EMPLOYEES
- G.13. Alderman Olson moved to adopt Resolution No. 2012-6827, A RESOLUTION TO ADDRESS FRINGE BENEFITS OF LIBRARY EMPLOYEES, INCLUDING RELATED PART-TIME EMPLOYEE DESIGNATIONS. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- POLICE AND FIRE
DEPARTMENT
GRANTS
- G.14. Alderman Olson moved to eliminate the requirement that the Police Department Office of Justice Assistance grant and the Fire Department's Homeland Security Grant need to be referred to the Technology Commission at this time. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

ORD. 2012-2088
TECHNOLOGY
COMMISSION
MEMBERS

- G.15. Alderman Olson moved to adopt Ordinance No. 2012-2088, AN ORDINANCE TO REPEAL AND RECREATE SECTION 10-15 B. OF THE MUNICIPAL CODE OF THE CITY OF FRANKLIN, IN ORDER TO AMEND THE NUMBER OF MEMBERS OF THE TECHNOLOGY COMMISSION THAT COMPRISE A QUORUM. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Mayor Taylor returned to his seat.

CLOSED SESSION-
FRANCISCAN
HEALTHCARE
CENTER

- G.16. Alderman Olson moved to enter closed session at 8:38 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to consider the terms and negotiation of a potential development agreement with Wheaton Franciscan Healthcare-Franklin, Inc. and related parties, concerning public improvements related to the development of the proposed medical office buildings and the terms of general property taxation of existing and future development and uses of the Wheaton Franciscan Healthcare-Franklin Inc. property within Tax Incremental District No. 4, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Skowronski. On roll call, call voted Aye; motion carried.

Upon reentering open session at 8:56 p.m., Alderman Taylor moved that with regard to the draft special use resolution in the Common Council agenda packet with regard to condition number 14 that should be amended to read as follows: As a condition of the approval of this Special Use the property and all improvements and uses to be developed and operated thereon shall be developed, operated and maintained pursuant to that certain Wheaton Franciscan Healthcare Center first amendment to development agreement, City of Franklin, Wisconsin, August, 2012, as drafted by the City Attorney and contained within the Common Council packet for such meeting with technical changes as may be approved by the City Attorney but to include the text of paragraph number 5 as drafted by the City Attorney. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

RES. 2012-6828
SPECIAL USE-
WHEATON
FRANCISCAN
HEALTHCARE-
FRANKLIN, INC.

Alderman Taylor moved to adopt Resolution No. 2012-6828, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A NEW MEDICAL OFFICE BUILDING GREATER THAN 40,000 SQUARE FEET IN AREA USE UPON PROPERTY LOCATED AT 9969 SOUTH 27TH STREET (WHEATON FRANCISCAN HEALTHCARE-FRANKLIN, INC., APPLICANT) with condition number 14 to provide as amended by the Common Council at their meeting of 8/07/12.

SPECIAL USE-
CONTINUED

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

CLOSED SESSION-
S. 27TH STREET
CORRIDOR

G.17. Alderman Skowronski moved to enter closed session at 9:04 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and negotiate terms relating to the potential development of property within the South 27th Street Corridor, and the governmental actions in relation thereto and to effect such development, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Upon reentering open session at 9:25 p.m.,

MISCELLANEOUS
LICENSES

H.1. Alderman Solomon moved to grant the following licenses:

2012 Operator License to Brian J. Lewis, 3505 S. River Glen Ln. #5, Greenfield with warning letter from City Clerk; James H. Balistreri, 2923 S. 43rd St., Milwaukee; Tina M. Baratta, 11207 42nd Ave., Pleasant Prairie; Jeremy L. Brown, 2575 W. Lakewood Ln. 1B, Oak Creek; Ronalee A. Brown, 9075 S. Chicago Ct., Oak Creek; Andrew R. Hushek, 5315 W. Arizona St., Milwaukee; Balbir Kaur Toor, 3840 W. Jerelin Dr.; Heath A. Klopp, 245 Southtowne Dr. #E 101, South Milwaukee; Shannon M. Trapman, S69 W15062 Cornell Cir., Muskego; Gurpreet Walia, 11401 Parkview Ln., Hales Corners and Jacqueline M. Glanzmann (temporary operator license), 4915 W. Loomis Rd., Greenfield;

Extraordinary Entertainment & Amusement Event for MACC Fund Car Show, Person in Charge: Wayne Seidel, Location: 6455 S. 108th St. – Hiller Ford Car Dealership on 9/9/12 from 9 a.m. to 4:00 p.m.;

Temporary Entertainment & Amusement and Temporary Class B Beer to Franklin-Hales Corners VFW Post 10394, Person in Charge: Andrew Hushek at 11300 W. Church St. on 9/2-3, 2012 pending receipt of grant applications and approved by City Clerk. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman Olson moved to approve net City vouchers in the range of Nos. 143739 through 143888 dated August 7, 2012, in the amount of \$1,288,796.46. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Skowronski moved to approve net payroll dated July 27, 2012, in the amount of \$358,509.87. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Olson moved to adjourn the meeting at 9:31 p.m. Seconded by Alderman Skowronski. All voted Aye; motion carried.