

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
DECEMBER 20, 2011 MINUTES**

- ROLL CALL                    A.            The regular meeting of the Common Council was held on December 20, 2011 and called to order at 6:30 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Wilhelm, Taylor, Schmidt and Skowronski. Also present were City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT        B.1.            Citizen comment period was opened at 6:31 p.m. and closed at 6:42 p.m.
- CONFERENCE OF MAYORS    B. 2.b.        Mayor Taylor noted the Notice of Meeting of The United States Conference of Mayors held December 1-2, 2011, Municipal Challenges in Achieving Clean Water Goals.
- FIRST BUSINESS ECONOMIC FORUM    B.2.c.        Mayor Taylor noted the 2011 First Business Economic Forum of Milwaukee & Waukesha Counties.
- APPROVAL OF MINUTES-12/6/11        C.1.            Alderman Schmidt moved to approve the minutes of the regular meeting of December 6, 2011. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- APPROVAL OF MINUTES-12/14/11        C.2.            Alderman Olson moved to approve the minutes of the special meeting of December 14, 2011. Seconded by Alderman Schmidt. All voted Aye; motion carried
- INSPECTORS OF ELECTION APPOINTMENTS    E.1.            Alderman Taylor moved to confirm Mayoral appointments of inspectors of election and alternates as submitted for 2012-2013: Ankerson, Gail; Arneson, Erin; Aschenbrenner, Heidi; Aschenbrenner, John; Aschenbrenner, Muriel; Barber, Mike; Barnes, Ann; Barnhart, Sandra; Bartnicki, James; Bartnicki, Mary; Bellin, Bernard; Bennett, Kathleen; Boinski, Nannette; Borgwardt, Darlene; Bosch, Dorothy; Brunner, Carol; Brunner, John; Cannon, Wesley; Christensen, Kurt; Christensen, Sue; Czajkowski, Yvonne; Davids, Bonita; DeMotto, Mary; Dicks, Mary; Diedrich, Becky; Dobbs, Barbara; Eddy, Maxine; Eddy, Richard; Erickson, Donna; Farchione, Patricia; Fleischman, Cynthia; Fratrick, Lois; Grabowski, Sandra; Graef, Patricia; Gross, Bill; Gross, Jean; Gurschke, Betty Jo; Gutmann, Annabelle; Herubin, Judy; Hintzke, Robert; Hoffer, Leo; Kammers, Shirley; Kauth, Janice; Kerr, Susan; Klase, Mae; Koehler, Richard; Koehler, Shirley; Lange, Cathy; Lange, Roger; Lewandowski, Connie; Litwin, Layne; Manning, Carol; Marks, Kathleen; Meyer, Albert; Meyer, Shirley; Miller, Linda; Munoz, Heather; Nelson, Jackie; Nelson, June ;Nickerson, Anita; Nickerson, Philip; Olson, Beverly; O'Malley, James; O'Malley, Shelley; Patton, Sandra; Peer-Drake, Olianna; Pepke, Mary;

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INSPECTORS OF  
ELECTION-  
CONTINUED

Raduege, Terry; Reikowski, Ronald; Rick, Dolores; Rivedal, Kathryn; Rydesky, Beth; Scharr, Marie; Schauer, Diane; Schroeder, Mary; Smikowski, Theresa; Spang, Rose; Terp, Cindy; Thomas, Barbara; Trejo, Mary Jo; Walsh, Kathryn; Weise, Jaylene; Witkowski, Judith; Witkowski, Wayne; Zalewski, Patricia; Ziebart, Joan. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

PETITION FOR  
SEWER  
CONNECTION

F.1. A petition was submitted on 12/13/11 by Tom Benning, 11720 W. Ryan Road, from taxpayers requesting connection to the sewer interceptor. Alderman Solomon moved to direct staff to survey area residents on West Ryan Road from a point 850 feet east of S. 112th Street west to the Franklin-Muskego city limits. Seconded by Alderman Skowronski. All voted Aye; motion carried.

W. PUETZ RD.  
SAFETY

F.2. No action was taken on a letter dated 12/01/11 submitted by Ted Kafkas regarding W. Puetz Road (between S. 76th Street and Hwy. 100) pedestrian/bicycle safety.

OAK CREEK SEWER  
AND WATER  
UTILITY

F.3. No action was taken on a letter from City Engineer John Bennett dated December 13, 2011, regarding Oak Creek Sewer and Water Utility rate increase.

RES. 2011-6769  
CONSERVATION  
EASEMENT  
RIVERWOOD  
PROFESSIONAL  
PARK, 3030 AND 3130  
W. RAWSON AVE.

G.1. Alderman Solomon moved to adopt Resolution No. 2011-6769, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN AND CERTIFIED SURVEY MAP FOR M & J 4K FAMILY LIMITED PARTNERSHIP (RIVERWOOD PROFESSIONAL PARK)(3030 AND 3130 WEST RAWSON AVENUE), subject to technical corrections by the City Attorney. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2011-6770  
SPECIAL USE  
BOUCHER  
VOLKSWAGEN, INC.  
6420 S. 108TH ST.

G.2. Alderman Skowronski moved to adopt Resolution No. 2011-6770, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN AUTOMOBILE DEALERSHIP FOR PROPERTY LOCATED AT 6420 SOUTH 108TH STREET TO ALLOW FOR AN EXPANSION OF THE USE (BOUCHER VOLKSWAGEN, INC., APPLICANT). Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2011-6771  
CERTIFIED SURVEY  
MAP  
BOUCHER  
VOLKSWAGEN, INC.  
6420 S. 108TH ST.

G.3. Alderman Skowronski moved to adopt Resolution No. 2011-6771, A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF LOTS 1, 2 AND 3, WHITNALL EDGE SUBDIVISION IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF

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BOUCHER-  
CONTINUED

FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (BOUCHER VOLKSWAGEN, INC.)(6420 SOUTH 108TH STREET). Seconded by Alderman Wilhelm. All voted Aye; motion carried.

MMSD PROPERTY  
INFLOW AND  
INFILTRATION  
PROGRAM

G.4. Alderman Solomon moved to authorize staff to proceed with the Milwaukee Metropolitan Sewerage District's Private Property Inflow and Infiltration Program as defined in the City Engineer's memo of November 29, 2011. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2011-6772  
ENGINEERING  
SERVICES  
AGREEMENT  
(RUEKERT-MIELKE)

G.5. Alderman Solomon moved to adopt Resolution No. 2011-6772, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH RUEKERT-MIELKE FOR THE PRIVATE PROPERTY INFLOW AND INFILTRATION INSPECTION AND FLOW MONITORING IN THE RAWSON HOMES SUBDIVISION (S. 37TH PLACE AND S. 36TH STREET SOUTH OF W. RAWSON AVENUE), MISSION HILLS SUBDIVISION (ALONG S. MISSION DRIVE BOTH NORTH AND SOUTH OF W. CHURCH STREET AND CONNECTING STREETS) AND THE ROOT RIVER HEIGHTS SUBDIVISION (INCLUDING S. 60TH STREET, S. 59TH STREET AND S. 58TH STREET SOUTH OF W. DREXEL AVENUE). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2011-6773  
ENGINEERING  
SERVICES  
AGREEMENT  
(VISU-SEWER)

G.6. Alderman Wilhelm moved to adopt Resolution No. 2011-6773, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH VISU-SEWER FOR THE PRIVATE PROPERTY CLOSED CIRCUIT TELEVISIONING AND DYE WATER FLOODING OF LATERALS IN THE RAWSON HOMES SUBDIVISION (S. 37TH PLACE AND S. 36TH STREET SOUTH OF W. RAWSON AVENUE). Seconded by Alderman Solomon. All voted Aye; motion carried.

SEWER LATERAL  
RELINING  
REIMBURSEMENT  
(ALBERT, 7333 S.  
36TH ST.)

G.7. Alderman Wilhelm moved to authorize Staff to reimburse Robert Albert, 7333 S. 36th Street, for the \$7,500 cost to reline the lateral from the Metropolitan Sewerage District's Private Property Inflow and Infiltration Program only if the City receives the reimbursement from the District. Seconded by Alderman Solomon. All voted Aye; motion carried.

S. 51ST STREET  
TRAIL

G.8. Alderman Wilhelm moved to table the location of the proposed trail on S. 51st Street to the next meeting and allow the Engineering Department to start with west side and allow for Aldermen to contact residents about change. Seconded by Alderman Olson. Alderman Wilhelm withdrew her motion.

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S. 51ST STRET  
TRAIL-  
CONTINUED

Alderman Wilhelm moved to approve the proposal as presented with the option to come back to Common Council at the next meeting for placements of crosswalks to connect east and west side for pedestrian access. Seconded by Alderman Schmidt. All voted Aye; motion carried.

MASTER PLANNING FUND G.9.

Alderman Skowronski moved to take funds from the general fund (Master Planning Fund) and place in Economic Development Fund. Seconded by Alderman Taylor. Alderman Skowronski withdrew his motion.

Alderman Taylor moved to terminate the Master Planning Fund and that the decision as to whether to establish a Economic Development Fund or simply amend the General Fund budgets as economic development needs arise be referred back to the Forward Franklin Economic Development Committee for definition as to what is to be spent and why a separate fund with a designated revenue source is necessary. Seconded by Alderman Skowronski.

Alderman Wilhelm then moved to amend the main motion to direct that the Forward Franklin Economic Development Committee present a budget to Common Council for future use of allocated funds in order to provide accountability to business and residents of Franklin. Seconded by Alderman Schmidt. Motion failed on a voice vote. Aldermen Wilhelm and Schmidt voted Aye.

Motion carried on a voice vote for the main motion, Aldermen Solomon and Wilhelm voted No.

RES. 2011-6774  
TIF DISTRICT #2  
TERMINATION

G.10.

Alderman Solomon moved to approve Resolution No. 2011-6774, A RESOLUTION TO AUTHORIZE THE DISSOLVING/TERMINATING TIF DISTRICT #2 AND AUTHORIZING THE CITY OF FRANKLIN DIRECTOR OF FINANCE & TREASURER TO DISTRIBUTE EXCESS INCREMENT TO THE OVERLYING TAXATION DISTRICTS, subject to technical changes. Seconded by Alderman Olson. All voted Aye; motion carried.

FRANKLIN  
BUSINESS PARK  
POND RETROFIT  
PROJECT

G.11.

Alderman Skowronski moved to approve an Escrow Agreement between the Community Development Authority and the City of Franklin for disbursing funds when due on the Franklin Business Park Pond Retrofit Project subject to terms and content as may be approved by the City Attorney. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2011-6775  
WAGE  
ADJUSTMENTS

G.12.

Alderman Olson moved to adopt Resolution No. 2011-6775, A RESOLUTION TO ESTABLISH 2010, 2011, AND 2012 GENERAL WAGE ADJUSTMENTS FOR DISPATCHERS. Seconded by Alderman Solomon. All voted Aye; motion carried.

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CONTRACT-  
GEOGRAPHIC  
MARKETING  
ADVANTAGE, LLC

G.13. Alderman Olson moved to authorize the Director of Administration to execute a 2012 contract with Geographic Marketing Advantage, LLC for Geographic Information System Support and Database Maintenance Services in a form substantially equivalent to the 2011 contract but incorporating 2012 budget limits, a .5% rate increase effective January 1, 2012, and substituting the necessary language to allow the contract to continue on a month-to-month basis after the term of the year as noted above. Seconded by Alderman Solomon. All voted Aye; motion carried.

IMPACT FEE DATA

G.14. Alderman Solomon moved to receive and file the report on Impact Fee Fund balance level. Seconded by Alderman Taylor. All voted Aye; motion carried.  
Alderman Solomon then moved to direct the Director of Administration to execute a proposal with Ruckert-Mielke, for review and analysis of impact fee data and circumstances and preparation of or updating of needs analysis, rate calculations, and a report on such matters for an amount not-to-exceed \$14,000, with an additional authorization to the Director of Administration not to exceed \$2,100. Seconded by Alderman Taylor. All voted Aye; motion carried.

DIRECTOR OF  
FINANCE AND  
TREASURER

G.15. At 9:02 p.m., Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. The gavel was returned to Mayor Taylor at 9:15 p.m., who returned to chairing the meeting. Alderman Schmidt moved to authorize the action steps set forth in the memo from the Director of Administration of 12/15/2011, including restructuring the management of the Finance Department and advertising for a Finance Director. Seconded by Alderman Skowronski. At 9:34 p.m., Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. The gavel was returned to Mayor Taylor at 9:45 p.m., who returned to chairing the meeting. Alderman Wilhelm called for the question. Seconded by Alderman Taylor. All voted Aye; motion carried.  
On roll call for the main motion, Aldermen Skowronski, Schmidt and Solomon voted Aye; Aldermen Taylor, Wilhelm and Olson voted No. Mayor Taylor broke the tie by voting Aye; motion carried.

EMPLOYMENT  
AGREEMENT

G.16. Alderman Solomon moved to authorize the Mayor to execute the "Amendment to the Employment Agreement (6/27/11) with Calvin Patterson." Seconded by Alderman Skowronski. On roll call, Aldermen Solomon, Schmidt and Skowronski voted Aye; Aldermen Olson, Wilhelm and Taylor voted No. Mayor Taylor broke the tie by voting Aye; motion carried.

MISCELLANEOUS  
LICENSES

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

Operator License to Donna M. Brown, 8591 S. 36th St. and Jon W. Benning, Jr., 9441 S. 96th St.;

Further moved to approve the People Uniting for the Betterment of Life and Investment in the Community ('PUBLIC') Grant for: Franklin Lions/Lioness Club fee waivers: Park Permits, Labor Day Fair Permits, Temporary Class B Beer Licenses and Temporary Operator Licenses on 4/7, 7/10, 7/24, 8/8 & 9/2-9/3/12 at Lions Legend Park I and St. Martins Fair; City of Franklin Civic Celebrations & Safety City fee waivers: Temporary Operator Licenses, Entertainment & Amusement License, Class B Beer & Wine, Soda and Park Permits on 7/1-4, 6/18-29 & 7/9-7/20/12 at Lions Legend Park I and Ken Windl Park; Franklin Park Concerts, Inc. fee waivers: Park Permits, Band Shell Fees and Temporary Entertainment & Amusement Licenses on 6/24, 7/8, 7/22, 8/5 & 8/19/12 at Lions Legend Park I; Knights of Columbus fee waivers: Extraordinary Event and Temporary Class B Beer License on 9/4/12 at Sacred Hearts Monastery-9335 S. Lovers Lane Rd.; RAMS Club-Rainbow Aero Modelers Society fee waivers: Temporary Food License & Temporary Entertainment & Amusement License on 7/9/12 at 7000 W. Oakwood Rd.; St. Martin of Tours fee waivers: Labor Day Fair Permit, Temporary Class B Beer & Wine Licenses and Temporary Entertainment & Amusement Licenses on 2/18, 3/24, 5/5, 9/2, 9/3 & 11/13/12 at 7963 S. 116th St.; VFW Post 10394 Franklin-Hales Corners fee waivers: Labor Day Fair Permit, Class B Beer License and Temporary Operator License on 9/2-3/12 at St. Martins Fair; Victory of the Lamb Church fee waivers: Park Permit & Temporary Food and Entertainment & Amusement Licenses on 7/21/12 at Lions Legend Park I subject to satisfactory certificate of insurance and Xaverian Missionaries-Annual Festival fee waivers: Extraordinary Event License, Temporary Class B Beer and Wine License, Temporary Operator License, Temporary Food License and Sign Permits on 6/23-24/12 at 4500 Xavier Dr.;

Further moved to hold Operator License for Alicia L. Fugate, 8934 S. 26th St., Oak Creek; Tawny M. Brenneman, 6373 Riverdale Ln.; Greendale; Ali L. Najera, 8627 W. Cascade Dr. and Kristen L. Van Patten, 300 W. Uncas Ave., Milwaukee, all subject to appearing before the License Committee;

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MISCELLANEOUS  
LICENSES-  
CONTINUED

Further moved that the City Clerk send letter to applicants regarding benefits to the City for People Uniting for the Betterment of Life and Investment in the Community ('PUBLIC') Grants for: Fleet Reserve Association Branch 24 fee waiver: Labor Day Fair Permit on 9/2-3/12 at St. Martins Fair and Military Order of Cootie fee waiver: Temporary Food on 5/26, 6/9, 6/30, 8/11 & 9/1/12 at Sam's Club.

Further moved to refer Wisconsin Act 97 regarding closing hours for Class "A" establishments, consideration of amending Franklin Municipal Code to prohibit Class "A" fermented malt beverages sales from 12 midnight to 6:00 a.m. to Committee of the Whole meeting on 1/09/12. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

- I.1. Alderman Schmidt moved to approve net City vouchers in the range of Nos. 140970 through 141136 in the amount of \$1,149,038.75. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Olson moved to approve the net payroll of December 16, 2011, in the amount of \$352,021.61. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 10:09 p.m. Seconded by Alderman Wilhelm. All voted Aye; motion carried.