

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
DECEMBER 18, 2012  
MINUTES

- ROLL CALL                    A.            The regular meeting of the Common Council was held on December 18, 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, and City Clerk Wesolowski.
- CITIZEN COMMENT            B.            Mayor Taylor asked that the Sandy Hook victims in Newtown, Connecticut, be remembered in a moment of silence. Citizen comment period was opened at 6:32 p.m. and closed at 6:40 p.m.
- APPROVAL OF MINUTES-  
12/04/12                    C.1.            Alderman Skowronski moved to approve the minutes of the regular meeting of December 4, 2012. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- APPROVAL OF MINUTES-  
12/07/12                    C.2.            Alderman Solomon moved to approve the minutes of the special meeting of December 7, 2012. Seconded by Alderman Olson. All voted Aye; motion carried.
- APPOINTMENT                E.1.a.            Alderman Olson moved to approve the Mayoral appointment of Luther Graef to the Board of Water Commissioners-Ald. Dist. 1, term expires 9/30/16. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- POPULATION AND EMPLOYMENT FORECASTS            F.1.            Letter from Kenneth Yunker, Southeastern Wisconsin Regional Planning Commission, regarding Advisory Committee for population and employment forecasts.
- EXTENSION OF SANITARY SEWER  
S. 76TH ST./W RYAN RD.            G.1.            Alderman Olson moved to direct staff to survey for the extension of sanitary sewer as follows: S. 76th Street from a point 3,000 feet south of W. Ryan Road to a point 1,400 feet north of W. Ryan Road and on W. Ryan Road from a point 2,600 feet west of S. 76th Street to S. 76th Street and return the results to the Common Council. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- FIRE CHIEF SELECTION PROCESS            G.2.            Robert Donohoo, Chairman of the Police and Fire Commission, updated the Common Council on the Fire Chief selection process relative to filling the vacancy by the retirement of Fire Chief James Martins.

- REVISED FIRE CHIEF JOB DESCRIPTION G.3. Alderman Olson moved to approve the revised job description for the Fire Chief. Seconded by Alderman Taylor. All voted Aye; motion carried.
- CONTRACT FOR ASSESSMENT AND PROPERTY REVALUATION SERVICES G.4. Alderman Taylor moved to accept the proposed agreement between the City of Franklin and Tyler Technologies, Inc. for assessment and property revaluation services for the period 2013 through 2015, subject to approval by the City Attorney as to indemnification and Force Majeure language, and authorize the Mayor, Director of Clerk Services, and Director of Administration to execute such contract. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- 2013 CONTRACT FOR GIS SUPPORT AND DATABASE MAINTENANCE SERVICES G.5. Alderman Olson moved to authorize the Director of Administration to execute a contract with Geographic Marketing Advantage, LLC for Geographic Information System Support and Database Maintenance Services in a form substantially equivalent to the 2012 contract but incorporating a 2% rate increase effective January 1, 2013. Seconded by Alderman Taylor. All voted Aye; motion carried.
- 2013 INFORMATION TECHNOLOGY SERVICES AGREEMENT G.6. Alderman Olson moved to authorize the Director of Administration to execute the attached Information Technology Services Agreement between Heartland Business Systems and the City of Franklin effective January 1, 2013. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2012-6850  
2013 AGREEMENT WITH  
JSA CIVIL  
ENVIRONMENTAL  
ENGINEERS, INC. G.7. Alderman Skowronski moved to adopt Resolution No. 2012-6850, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT TO CONTINUE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES TO MONITOR COMPLIANCE AT THE METRO RECYLING & DISPOSAL FACILITY TO DECEMBER 31, 2013, WITH JSA CIVIL ENVIRONMENTAL ENGINEERS, INC. Seconded by Alderman Solomon. All voted Aye; motion carried.
- MILWAUKEE COUNTY  
CORRECTIONAL  
FACILITY-SOUTH G.8. Alderman Taylor moved that the letter to Milwaukee County regarding the Milwaukee County change of administrative authority for the Milwaukee County Correctional Facility-South be held until the Common Council meeting of 1/08/2013. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2012-6851  
CELLULAR 9-1-1  
RESPONSE SERVICES –  
COMPENSATION G.9. Alderman Taylor moved to adopt Resolution No. 2012-6851. A RESOLUTION REGARDING COMPENSATION TO THE CITY OF FRANKLIN FOR CELLULAR 9-1-1 RESPONSE SERVICES WITHIN MILWAUKEE COUNTY. Seconded by Alderman Solomon. All voted Aye; motion carried.

ACQUISITION OF  
W. MARQUETTE AVE.

G.10. Alderman Wilhelm moved to authorize staff to proceed with the acquisition of the right-of-way for the extension of W. Marquette Avenue from S. 49th Street to the west property line of the Pleasant View Elementary School site and W. Evergreen Street from a point 800 feet east of S. 51st Street west 540 feet to the west line on the City's undeveloped park land south of the Pleasant View Elementary School and refer said acquisition to the Board of Public Works and Planning Commission, with the understanding that school access takes priority over park access. Seconded by Alderman Taylor. Upon unanimous Aye voice vote, motion carried.

RES. 2012-6852  
INTERGOVERNMENTAL  
AGREEMENT –  
SOUTHEAST WI CLEAN  
WATER NETWORK

G.11. Alderman Taylor moved to adopt Resolution No. 2012-6852. A RESOLUTION AUTHORIZING THE CITY TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT ALLOWING THE VILLAGE OF MOUNT PLEASANT TO ACT AS FISCAL AGENT FOR THE SOUTHEAST WISCONSIN CLEAN WATER NETWORK. Seconded by Alderman Skowronski. All voted Aye; motion carried.

HISTORICAL SOCIETY  
REQUEST FOR DPW  
ASSISTANCE

G.12. At the request of the Franklin Historical Society, Alderman Wilhelm moved to grant Department of Public Works the authority to transport disassembled sections of the Wendt barn from W. Oakwood Road to the Department of Public Works grounds where it will be stored for a period of time not to exceed two years, subject to legal review of the liability waiver to be signed prior to beginning the work. Seconded by Alderman Taylor. Motion carried on a voice vote; Alderman Schmidt "abstained".

RES. 2012-6853  
NON-ELECTIVE AND  
NON-DISCRETIONARY  
CONTRIBUTION TO  
CITY'S EMPLOYEES'  
RETIREMENT PLANS

G.13. Alderman Taylor moved to adopt Resolution No. 2012-6853. A RESOLUTION TO AMEND THE ESTABLISHED NON-ELECTIVE AND NON-DISCRETIONARY CONTRIBUTION BY PARTICIPATING EMPLOYEES TO THE CITY OF FRANKLIN BARGAINING EMPLOYEES' RETIREMENT PLAN AND TO THE CITY OF FRANKLIN CERTAIN EMPLOYEES' RETIREMENT PLAN as amended. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2012-6854  
2013 WAGE  
ADJUSTMENT, PAY  
RATE AND MONTHLY  
HEALTH INSURANCE  
PREMIUM

G.14. Alderman Olson moved to adopt Resolution No. 2012-6854. A RESOLUTION TO ESTABLISH THE 2013 NON-REPRESENTED EMPLOYEE GENERAL WAGE ADJUSTMENT; THE RATES OF PAY, WAGE SCHEDULE, AND PAY PLAN STRUCTURE FOR TEAMSTERS; AND THE EMPLOYEE COST SHARE OF MONTHLY HEALTH INSURANCE PREMIUMS. Seconded by Alderman Schmidt. All voted Aye; motion carried.

- RES. 2012-6855  
2013 WAGE  
ADJUSTMENTS FOR  
LIBRARY EMPLOYEES
- G.15. Alderman Schmidt moved to adopt Resolution No. 2012-6855. A RESOLUTION TO RECEIVE LIBRARY BOARD WAGE RECOMMENDATIONS AND AUTHORIZE 2013 WAGE ADJUSTMENTS FOR THE LIBRARY EMPLOYEES FALLING UNDER THE CIVIL SERVICE SYSTEM. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2012-6856  
AMENDMENT TO THE  
PERSONNEL ADMIN.  
PUBLIC WORKS/SEWER  
AND WATER  
EMPLOYEES
- G.16. Alderman Taylor moved to adopt Resolution No. 2012-6856, A RESOLUTION TO AMEND THE CIVL SERVICE SYSTEM PERSONNEL ADMINISTRATION PROGRAM TO INCORPORATE PROMOTION AND TRANSFER LANGUAGE RELATIVE TO PUBLIC WORKS AND SEWER & WATER POSITIONS. Seconded by Alderman Solomon. All voted Aye; motion carried.
- AMENDMENT TO  
RETIREMENT PLAN
- G.17. Alderman Solomon moved to amend the City of Franklin Bargaining Employees' Retirement Plan and the City of Franklin Certain Employees' Retirement Plan for the purpose of complying with the Heroes Earnings Assistance and Relief Tax Act of 2008, incorporating all required provisions and incorporating the optional provisions to the extent that such provisions are already an intended benefit of the plan, and authorizing the Director of Administration, as Plan Administrator, to approve final language as recommended by special counsel and to execute the amendments. Seconded by Alderman Olson. All voted Aye; motion carried.
- 2013 CASUALTY  
INSURANCE COVERAGE
- G.18. Alderman Taylor moved to authorize the Director of Administration to renew the City's casualty insurance plans with R&R Insurance/League of Wisconsin Municipalities Mutual Insurance and the Local Government Property Insurance Fund as noted above for the upcoming 2012 year. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- CLOSED SESSION-  
CITY PURCHASE OF  
PROPERTY FOR SALE  
(TAX KEY NO.  
885-9996-000, 9.7 ACRES)
- G.19. Alderman Skowronski moved to direct the Director of Administration to work with the City Attorney to submit an offer to purchase Tax Key No. 885-9996-000, 9.7 acres in the Woodview Neighborhood in the vicinity of Planned Public Park Site Pn3 in the Comprehensive Outdoor Recreation Plan as recommended by Park Commission. Alderman Skowronski withdrew his motion.

Alderman Olson then moved to enter closed session at 7:51 p.m. pursuant to Section 19.85(1)(e), Wis. Stats., to consider the potential acquisition of and an offer to sell the property bearing Tax Key No. 885-9996-000, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

PROPERTY SALE-  
CONTINUED

Upon reentering open session at 7:58 p.m., Alderman Olson moved to authorize the City Attorney and the appropriate City personnel to move forward with the Offer to Purchase for Tax Key No. 885-9996-000, 9.7 acres in the Woodview Neighborhood in the vicinity of Planned Public Park Site Pn3 in the Comprehensive Outdoor Recreation Plan at dollars discussed in closed session and at the discretion of the Mayor and the City Attorney negotiate for potential funding of dollars in that purchase for maintenance. Seconded by Alderman Solomon. All voted Aye; motion carried.

MISCELLANEOUS  
LICENSES

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

Operator License to Christopher B. Birmingham, 2206 15th Ave., South Milwaukee; Jason W. Frenczak, 6943 S. Tumble Creek Dr. and Ashley J. Lipp, 1918 S. Grand Ave., Waukesha;

People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to Fleet Reserve Association Branch 14-Scholarships, fee waivers-Labor Day fair permit on 9/1-9/2/13 at St. Martins Fair; City of Franklin Civic Celebrations, fee waivers-temporary operator licenses, entertainment & amusement license, Class B beer & wine, soda and park permits on 7/2-7/5/13 at Lions Legend Park I & II; City of Franklin National Night Out kick-off, fee waivers-park permit, temporary entertainment & amusement, food license on 8/5/13 at library, library parking lot and Legend Park I baseball field areas; City of Franklin Safety City/Health Dept., fee waivers-park permit on 7/8-7/19/13 & 8/12-8/23/13 at Ken Windl Park; Franklin Historical Society-Barn Raising, fee waivers-building permits at Legend Park (dates to be determined) subject to satisfactory insurance certificate & proof of non-profit status; Franklin Lions & Lioness Club-meetings & fund raisers, fee waivers-St. Martins fair permits, temporary Class B beer & wine licenses and temporary operator licenses on 3/30, 7/23, 8/13, 8/27, 9/1-9/2/13 at St. Martins Fair, Legend Park I and Ken Windl; Franklin Park Concerts-free concerts, fee waivers-park permits, band shell fees, temporary entertainment & amusement license on 6/23, 7/21, 8/4, 8/18/13 at Legend Park I; Forest Park Middle School-Charity Fund Raiser, fee waivers-park permits on 5/13/13 (rain date 6/7/13) at Lions Legend Park I and II; Knights of Columbus-Arts & Crafts Show, fee waivers-extraordinary event, temporary Class B beer license and temporary operator license on 9/1/13 at Sacred Heart School of Theology; RAMS Club-Rainbow Aero Modelers Society, fee waivers-temporary entertainment & amusement & food license on 7/27 & 7/28/13 at 7200 W. Oakwood Rd.-R.A.M.S. field subject to satisfactory article certificate of exemption; St. Martin of Tours Fund Raisers,

MISCELLANEOUS  
LICENSES-  
CONTINUED

fee waivers-Labor Day fair permit, temporary Class B beer & wine temporary entertainment & amusement and temporary operator licenses on 4/13, 5/17-19, 9/1-2 fall & spring fund raiser dates to be determined at St. Martins fair and St. Martin of Tours Church or School; St. Paul's Lutheran Church-Community Out Reach, fee waivers-park permit on 5/30/13 at Lions Legend Park II; VFW Post 10394 Franklin-Hales Corners-Fund Raiser, fee waivers-temporary entertainment & amusement, temporary Class B beer and St. Martins Fair permit on 9/1-2/13 at St. Martins Fair; Victory of the Lamb Church-Fall Family Festival, fee waivers-park permit, temporary entertainment & amusement, food license on 10/12/13 at Lions Legend Park I subject to satisfactory insurance certificate and Xaverian Missionaries-Annual Festival, fee waivers-extraordinary event license, temporary Class B beer and wine license, temporary operator licenses, temporary food license, and sign permits on 6/22-23/13 at 4500 Xavier Dr. subject to satisfactory insurance certificate. Seconded by Alderman Taylor.

Alderman Olson, seconded by Alderman Taylor, moved to divide question. All voted Aye; motion carried.

Alderman Olson moved to deny People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to RAMS Club-Rainbow Aero Modelers Society, fee waivers-temporary entertainment & amusement & food license on 7/27 & 7/28/13 at 7200 W. Oakwood Rd.-R.A.M.S. field subject to proof of non-profit status. Motion died for lack of a second.

Alderman Taylor, seconded by Alderman Skowronski, moved to approve People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to RAMS Club-Rainbow Aero Modelers Society, fee waivers-temporary entertainment & amusement & food license on 7/27 & 7/28/13 at 7200 W. Oakwood Rd.-R.A.M.S. field subject to satisfactory article certificate of exemption. On roll call, Aldermen Solomon, Wilhelm, Taylor, and Schmidt voted Aye, Alderman Olson voted No. Motion carried.

VOUCHERS AND  
PAYROLL

- I.1. Alderman Taylor moved to approve net City vouchers in the range of Nos. 145353 through 145520 dated December 18, 2012 in the amount of \$1,767,368.56. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated December 14, 2012 in the amount of \$344,034.08. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:10 p.m.  
Seconded by Alderman Olson. All voted Aye; motion carried.