

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
JULY 10, 2012
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on July 10, 2012 and called to order at 7:16 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 Sandi Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 7:25 p.m. and closed at 7:40 p.m.
- APPROVAL OF
MINUTES-6/19/12 C.1. Alderman Taylor moved to approve the minutes of the regular meeting of June 19, 2012. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- HEARINGS
W. LOOMIS RD./
W. ST. MARTINS RD. D.1. Mayor Tom Taylor called the public hearing to order at 7:45 p.m. regarding a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the future land use map designation for property located at the eastern corner of W. Loomis Road and W. St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such commercial use (approximately 29.48 acres)(David W. Behrens, principal of GreenbergFarrow Architecture, Inc., applicant). The public hearing was closed at 8:20 p.m. (See Item G.4.)
- APPOINTMENTS E.1.a. Alderman Taylor moved to approve the Mayoral appointment of John Bergner to the Civic Celebrations Commission, term expires 7/01/15. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.b. Alderman Schmidt moved to approve the Mayoral appointment of Fred Knueppel to the Quarry Monitoring Committee, term expires 5/31/15. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.c. Alderman Wilhelm moved to approve the Mayoral appointment of Mark Buchman to the Quarry Monitoring Committee, term expires 5/31/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

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- DONATIONS G.1. Alderman Olson moved to accept the following donations: to the Fair Commission from the Franklin Noon Lions Club in the amount of \$250, from The Landmark in the amount of \$280, and from James and Suzanne Sass in the amount of \$250; to the Health Department from the Franklin Lioness Club in the amount of \$175, and from the Franklin Noon Lions Club in the amount of \$50; to the Police Department from the Franklin Lioness Club in the amount of \$175; and to the Fire Department from the Franklin Lions Club in the amount of \$175. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2012-6816 G.2. Alderman Solomon moved to adopt Resolution No. 2012-6816, INITIAL RESOLUTION-SCRUB PLUS RA, LLC PROJECT as amended. Seconded by Alderman Olson. All voted Aye; motion carried.
- ORD. 2012-2081 G.3. Alderman Solomon moved to adopt Ordinance No. 2012-2081, PDD #34 AN ORDINANCE TO AMEND SECTION 15-3.0439 OF THE HAMPTON INN AND SUITES PLUS MIXED USE COMMERCIAL) TO UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 34 (HAMPTON INN AND SUITES PLUS MIXED USE COMMERCIAL) TO AUTHORIZE REDEVELOPMENT OF AN EXISTING COMMERCIAL CARE CENTER (AT APPROXIMATELY 7700 WEST RAWSON AVENUE)(SCRUB PLUS RA, LLC, APPLICANT). Seconded by Alderman Schmidt. All voted Aye; motion carried.
- W. LOOMIS RD. AND G.4. Alderman Olson moved to postpone to a meeting of the Common W. ST. MARTINS RD. Common Council at the call of the Chair, adoption of an Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at the eastern corner of West Loomis Road and West St. Martins Road (STH 100), from mixed use to commercial use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such commercial use pursuant to Wis. Stats. 66.1001(4)(B) (approximately 29.48 acres)(David W. Behrens, principal of GreenbergFarrow Architecture, Inc., applicant). Seconded by Alderman Skowronski. All voted Aye; motion carried. (See Item D.1.)
- RES. 2012-6817 G.5. Alderman Taylor moved to adopt Resolution No. 2012-6817, A SPECIAL USE-NATURE'S NOOK 9801 S 27TH ST. RESOLUTION TO AMEND RESOLUTION NO. 94-4131 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR THE CONSTRUCTION AND OPERATION OF A NURSERY WITH OUTSIDE SALES, STORAGE AND DISPLAY OF NURSERY STOCK FOR PROPERTY LOCATED AT 9801 SOUTH 27TH STREET TO ALLOW FOR HOSTING A WEEKLY FARMERS MARKET (GRASS UNLIMITED, INC., D/B/A/ NATURE'S

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NATURE'S NOOK-
CONTINUED

NOOK, APPLICANT), as amended to include only Items 1, 2, 3, 4, 10, and one inspection from Health Department. Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2012-6818
S. 51ST ST.
IMPROVEMENT
CONTRACT

G.6. Alderman Taylor moved to adopt Resolution No. 2012-6818, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER, PAYNE AND DOLAN, INC. IN THE AMOUNT OF \$274,852.60 FOR IMPROVEMENT OF S. 51ST STREET NORTH OF W. RAWSON AVENUE INCLUDING A BITUMINOUS PATH AND CONCRETE SIDEWALK, WITH A SMALL NORTHERN PORTION OF THE ROAD PROJECT BEING IN GREENDALE AND THE REIMBURSEMENT ANTICIPATED AT \$25,800. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2012-6819
2012 PAVEMENT
MARKING
CONTRACT

G.7. Alderman Taylor moved to adopt Resolution No. 2012-6819, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER, CROWLEY CONSTRUCTION CORPORATION, IN THE AMOUNT OF \$28,160.00 FOR THE 2012 PAVEMENT MARKING PROGRAM IN THE CITY OF FRANKLIN. Seconded by Alderman Solomon. All voted Aye; motion carried.

GPS DATA
COLLECTOR

G.8. Alderman Olson moved to authorize the purchase of a Trimble Data Collector for the City's Global Positioning System (GPS) with half the cost from the Engineering Department, through the Capital Outlay Contingency Fund, and the other half split between the Sewer and Water Fund. Seconded by Alderman Solomon. All voted Aye; motion carried.

ORD. 2012-2082
MUNICIPAL CODE
SEC. 13 BUDGET
PROCESS

G.9. Alderman Solomon moved to adopt Ordinance No. 2012-2082, AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 13-1 THROUGH 13-3 OF THE MUNICIPAL CODE OF THE CITY OF FRANKLIN, CHAPTER 13, "BUDGET", IN ORDER TO AMEND THE BUDGET PROCESS, INCLUDING DELEGATING TO THE COMMITTEE OF THE WHOLE THE RESPONSIBILITY FOR THE INITIAL REVIEW OF THE MAYOR'S PROPOSED ANNUAL BUDGET". Seconded by Alderman Olson. All voted Aye; motion carried.
It was further moved by Alderman Solomon to adopt the 2013 Annual Budget – Budget Preparation Timetable dated July 10, 2012, as presented. Seconded by Alderman Schmidt. All voted Aye; motion carried.

2013 CDBG
PROGRAM

G.10. Alderman Schmidt moved to authorize the Mayor to execute and the Director of Administration to submit applications for the 2013 Milwaukee County Community Development Block Grant Program in accordance with the revised recommendation as provided in the Council agenda packet for this meeting, and to authorize the necessary Community Development Block Grant funding contracts, if approved as submitted or if approved with

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CDBG-
CONTINUED

equally proportionally adjusted funding with the Public Service Projects. Seconded by Alderman Solomon. All voted Aye; motion carried.

CLASSIFICATION
AND
COMPENSATION
STUDY

G.11.

Alderman Olson moved to direct the Personnel Committee to provide a recommendation as to whether the City should consider retaining a consultant to perform a comprehensive Classification and Compensation Study and, if so, what should be the scope of such a review. Seconded by Alderman Taylor. All voted Aye; motion carried.

CONCEPT REVIEW
FORESTHILL
HIGHLANDS

G.12.

No action was taken on a concept review presented at the Committee of the Whole meeting on July 10, 2012, for a senior and market rate housing development and revised site plan for Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.)(approximately 9200 W. Puetz Road)(United Financial Group, Inc., applicant).

CLOSED SESSION
CLAIM-
PETER SOBIC
7505 S. CAMBRIDGE
DR

G.13.

Alderman Schmidt moved to enter closed session at 9:05 p.m. pursuant to §19.85(1)(e) and (g), Wis. Stats., to consider a claim of Peter Sobic for costs associated with the water service repairs at 7505 S. Cambridge Drive due to alleged repeated use of claimant's driveway as a turnaround space for heavy vehicles, and may 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 9:36 p.m., Alderman Solomon moved to deny claim of Peter Sobic for costs associated with the water service repairs at 7505 S. Cambridge Drive due to alleged repeated use of claimant's driveway as a turnaround space for heavy vehicles, and further moved to direct the Board of Public Works to address the road situation and report back to the Common Council within six months, and further to direct the City Engineer to issue a directive that employees not use private driveways as turnarounds. Seconded by Alderman Schmidt. All voted Aye; motion carried.

CLAIM-
YVONNE
VANDERVELDEN

G.14.

Alderman Olson moved to deny the claim of Yvonne VanderVelden pursuant to §893.80(1g), Wis. Stats., based upon and in concurrence with the insurance adjuster that the City of Franklin is not negligent or legally liable for the claimant's injuries/damages. Seconded by Alderman Taylor. All voted Aye; motion carried.

**MISCELLANEOUS
LICENSES**

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

2012-13 Operator License to Anita L. Boliaris, 3719 S. 53rd St., Greenfield; Jaimie L. Budzinski, 7505 Old Spring St., Racine; Nicole L. Stankowski, 3166 W. Thorncrest Dr. and Halina Grochowski, 1111 W. Rosewood Trail, Oak Creek, all with warning letter from City Clerk;

2012-13 Operator License to Amy L. Mast, 8349 S. Newbury Dr. #1708, Oak Creek; Sara L. Mussa, 9253 S. 15th Ave., Oak Creek subject to satisfactory police report; Aelisha K. Binderim, 1601 N. Farwell Ave. #310, Milwaukee; Sandra L. Johnson, 433 Southtowne Dr., South Milwaukee; Gary A. Lewandowski, 106

W. Seeboth #908, Milwaukee; Mandeep Singh Toor, 6556 S. 35th St. #106; John C. Trudeau, 11410 W. Mayers Dr.; Steven J. Beaudry, 1408 S. 79th St. #205, West Allis; Joseph A. Cauley, 1813 S. 70th St., West Allis; Julie T. Delgado, 6853 W. Kathleen Ct. #6; Debra L. Hanley, 8048 Four Oaks Dr.; Judith A. Jung, 8612 W. Montana Ave., West Allis; Sabitri B. Kharel, 7815 S. Scepter Dr. #23; John B. Lehman, 11871 Woodland Cir., Hales Corners; Mark J. Matecki, 1007 W. Morgan Ave., Milwaukee; Becky C. Mueller, 4319 S. Quincy Ave., Milwaukee; Cynthia M. Rivette, 2251 S. 71st St., West Allis; Michael P. Sadowski, 7118 S. Tifton Dr.; Dawn M. Saldivar, 8723 S. Chicago Rd., Oak Creek and Melissa M. Vermillion, 3140 S. Logan Ave., Milwaukee;

Temporary Entertainment & Amusement License to Michael Klociewski for live music on 9/8/12 at Vernon Barg Park, 8717 W. Drexel Ave.;

Temporary Class B Beer License to Franklin Lions Club, David Lindner on 9/2-9/3/2012 at St. Martins Fair.

Extraordinary Entertainment & Special Event to Ahmadiyya Movement in Islam-Youth Retreat on 7/13-7/15/12 at Milw. County Sports Complex, 6000 W. Ryan Road and Alterra Coffee Bean Classic Mountain Bike Race, Todd Somers on 7/14-7/15/12 at Crystal Ridge Ski Area, 7900 W. Crystal Ridge Dr.;

Further moved to hold 2012-13 (and 2011-12) Operator License for Kelly Clausing-Tolar, 5937 W. Beacon Hill Dr.; Michael J. Magolan, W125 S8583 Countryview Ct., Muskego; Amanda J. Schaefer, 3272 S. Quincy Ave., Milwaukee; Jonathan J. Schmidt, 6514 W. Morgan Ave., Milwaukee; Samantha J. Skeen, 9140 Waterford Sq. South, Greenfield and Dale G. Hasenstein, 2100 E. Leroy Ave., St. Francis, all subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

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VOUCHERS AND
PAYROLL

I.1. Alderman Schmidt moved to approve net City vouchers in the range of Nos. 143370 through 143390 dated July 2, 2012, in the amount of \$102,840.21. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

Alderman Solomon moved to approve net City vouchers in the range of Nos. 143324 through 143369 and Nos. 143391 through 143571 dated July 10, 2012, in the amount of \$1,897,957.00. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated June 29, 2012, in the amount of \$364,394.84. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Olson moved to adjourn the meeting at 9:50 p.m. Seconded by Alderman Taylor. All voted Aye; motion carried.