

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
JULY 24, 2012  
MINUTES**

- |  |        |   |
|--|--------|---|
| ROLL CALL  | A.     | The regular meeting of the Common Council was held on July 24, 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. |
| CITIZEN COMMENT                                  | B.1.   | Citizen comment period was opened at 6:40 p.m. and closed at 6:50 p.m.  |
| PROCLAMATION                                     | B.2.a. | Mayor Tom Taylor acknowledged a proclamation in recognition of the 75th Anniversary of the founding of Carma Laboratories and to proclaim July 19, 2012 to be Carmex Day in the City of Franklin.   |
| APPROVAL OF<br>MINUTES-7/10/12                   | C.1.   | Alderman Taylor moved to approve the minutes of the regular meeting of July 10, 2012. Seconded by Alderman Wilhelm. All voted Aye; motion carried.  |
| HEARINGS<br>W. LOOMIS RD./<br>W. ST. MARTINS RD. | D.1.   | Mayor Tom Taylor called the public hearing to order at 6:51 p.m. regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at 11052-11056 South 76th Street, from Residential Use to Agriculture Use (Franklin Investment Properties LLC applicant). The public hearing was closed at 6:53 p.m.  |
| APPOINTMENTS                                     | E.1.a. | Alderman Skowronski moved to approve the Mayoral appointment of Kevin Mineard to the Finance Committee, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.  |
|  | E.1.b. | Alderman Schmidt moved to approve the Mayoral appointment of Robert E. Campbell, Jr. to the Finance Committee, term expires 4/30/13. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.  |
|  | E.1.c. | Alderman Taylor moved to approve the Mayoral appointment of Alderman Skowronski to the Finance Committee, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.<br>Alderman Olson moved to approve the Mayoral appointment of Alderman Solomon to the Plan Commission, term expires 4/30/13. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.   |

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FRANKIN  
INVESTMENT  
PROPERTIES LLC

G.1. Alderman Solomon moved to postpone to the August 21, 2012, meeting of the Common Council, adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Plan use designation for property located at 11052-11056 S. 76th Street from residential to agricultural use (approximately 11.96902 acres) (Franklin Investment Properties LLC, applicant). Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2012-2083  
PLANNED  
DEVELOPMENT  
DISTRICT NO. 31-  
FORESTHILL  
HIGHLANDS/  
UNITED FINANCIAL  
GROUP, INC.

G.2. Alderman Olson moved to adopt Ordinance No. 2012-2083, AN ORDINANCE TO AMEND §15-3.0436 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL HIGHLANDS/UNITED FINANCIAL GROUP, INC.) TO ALLOW FOR REMOVAL OF A PARCEL OF LAND FOR ITS POTENTIAL USE IN ADJOINING PROPERTY DEVELOPMENT (DAVID W. BEHRENS, PRINCIPAL OF GREENBERGFARROW ARCHITECTURE INC., APPLICANT) [EASTERN CORNER OF WEST LOOMIS ROAD AND WEST ST. MARTINS ROAD (STH 100)]. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2012-2084  
BUILDING SIZE  
LIMIT PROVISIONS-  
DAVID W. BEHRENS

G.3 Alderman Solomon moved to adopt Ordinance No. 2012-2084, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-3.0505A.2., TO REMOVE “PDD DISTRICT” FROM THE RETAIL BUILDING SIZE LIMIT PROVISIONS (DAVID W. BEHRENS, PRINCIPAL OF GREENBERGFARROW ARCHITECTURE INC., APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2012-6820  
CONDOMINIUM  
PLAT-CORDGRASS  
CIRCLE  
CONDOMINIUM

G.4. Alderman Skowronski moved to adopt Resolution No. 2012-6820, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR 8977-79 CORDGRASS CIRCLE CONDOMINIUM AT 8977 AND 8979 SOUTH CORDGRASS CIRCLE WEST, LOT 32, PRAIRIE GRASS PRESERVE SUBDIVISION (CHARLES G. CRUMP AND RENEE M. CRUMP/SARAH A. AMBLE, OWNERS, ANTOINETTE M. WOTNOSKE, CO-OWNER OF FW CONSTRUCTION & CUSTOM CARPENTRY LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2012-6821  
CERTIFIED SURVEY  
MAP-PEOPLE’S  
CHOICE  
CORPORATION

G.5. Alderman Solomon moved to adopt Resolution No. 2012-6821, A RESOLUTION REAPPROVING A CERTIFIED SURVEY MAP CONDITIONALLY APPROVED BY RESOLUTION NO. 2008-6467 ON AUGUST 5, 2008 (PEOPLE’S CHOICE CORPORATION) (6901 SOUTH 76TH STREET AND 7700 WEST RAWSON AVENUE). Seconded by Alderman Taylor. All voted Aye; motion carried.

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COMPLETE STREETS AND CONNECTIVITY BOARD G.6. Alderman Wilhelm moved to approve the Administrative Rules and Procedures for the Complete Streets and Connectivity Committee, a replacement for the Franklin Trails Committee, with the condition that appropriate corrections be made to reflect the approved name as a Committee and not as a Board. Seconded by Alderman Solomon. All voted Aye; motion carried.

RYAN CREEK INTERCEPTOR CHANGE ORDER G.7. Alderman Skowronski moved to authorize staff to sign Change Order No. 3 in the amount of an increase in the contract cost of \$11,980.76 for Contract CO2006-C03 for the Ryan Creek Interceptor with D.F. Tomasini which will increase the cost from \$5,490,042.00 to \$5,502,022.76. Seconded by Alderman Solomon. All voted Aye; motion carried.

ORD. 2012-2085 PROHIBITING PARKING-FOREST HILL AVENUE G.8. Alderman Olson moved to adopt Ordinance No. 2012-2085, ORDINANCE TO PROHIBIT PARKING ON THE NORTH SIDE OF W. FOREST HILL AVENUE FROM S. 79TH STREET TO S. FOREST MEADOWS DRIVE. Seconded by Alderman Wilhelm. At 7:14 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. The gavel was returned to Mayor Taylor at 7:16 p.m., who returned to chairing the meeting. All voted Aye; motion carried.

JOHN'S DISPOSAL SERVICE, INC. G.9. Alderman Taylor moved to direct staff to return to the next regular Common Council meeting of 8/07/12 a final draft of a refuse collection, disposal and recycling contract with John's Disposal Service, Inc. for the years 2013 through 2017, with the substance of the terms presented to the Common Council at tonight's meeting, with input from aldermen to be given to City Engineer and City Attorney. Seconded by Alderman Olson.

Alderman Wilhelm moved to call the question. Seconded by Alderman Taylor. On roll call, Aldermen Solomon, Wilhelm, Taylor and Schmidt voted Aye; Aldermen Olson and Skowronski voted No, motion carried.

The vote on the main motion, all voted Aye; motion carried.

Alderman Olson then moved to direct staff to produce a post card or a notice with pictures to be placed in the City's newsletter if possible to all homes receiving trash collection asking for input regarding a potential change of recycling containers in the City of Franklin. Seconded by Alderman Skowronski. All voted Aye; motion carried.

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- ORD. 2012-2086  
FIRE PREVENTION,  
PROTECTION AND  
CONTROL
- G.10. Alderman Taylor moved to adopt Ordinance No. 2012-2086, AN ORDINANCE TO AMEND CHAPTER 133 OF THE MUNICIPAL CODE RELATED TO FIRE PREVENTION, PROTECTION AND CONTROL TO MODERNIZE AND UPDATE THE SAME AND TO IMPOSE CERTAIN FEES UPON PROPERTY OWNERS FOR FIRE INSPECTION SERVICES as corrected. Seconded by Alderman Olson. All voted Aye; motion carried.
- SHARED OR  
CONSOLIDATED  
SERVICES IN  
SOUTHERN MILW.  
COUNTY
- G.11. Alderman Olson moved to receive and place on file the Public Policy Forum's document "Exploring Shared or Consolidated Services in Southern Milwaukee County" as recommended by the Personnel Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.
- BATALLION CHIEF  
JOB DESCRIPTION
- G.12. Alderman Schmidt moved to approve amendment of the job description for Fire Department Battalion Chief with a "prepared date" of 7/18/12 as recommended by the Personnel Committee. Seconded by Alderman Skowronski. On roll call, Aldermen Solomon, Wilhelm, Taylor, Schmidt and Skowronski voted Aye; Alderman Olson voted No. Motion carried.
- RES. 2012-6822  
EMPLOYEE  
HANDBOOK
- G.13. Alderman Skowronski moved to adopt Resolution No. 2012-6822, A RESOLUTION TO AMEND THE CITY OF FRANKLIN EMPLOYEE HANDBOOK TO PROVIDE FOR AN EXTENDED INTRODUCTORY PERIOD TO MEET MINIMUM JOB QUALIFICATIONS, as recommended by the Personnel Committee. Seconded by Alderman Schmidt. On roll call, Aldermen Solomon, Wilhelm, Taylor, Schmidt and Skowronski voted Aye; Alderman Olson voted No. Motion carried.
- HEAVY EQUIPMENT  
OPERATOR  
POSITION
- G.14. Alderman Taylor moved to create an additional heavy equipment operator position and to eliminate one light equipment operator position in the Department of Public Works, as recommended by the Personnel Committee. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- CUSTODIAN JOB  
DESCRIPTION
- G.15. Alderman Taylor moved to approve the revised job description for custodian, as recommended by the Personnel Committee. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- CLASSIFICATION  
AND  
COMPENSATION  
STUDY
- G.16. No action was needed at this time regarding preliminary report as to the Personnel Committee's consideration of the need for retaining a consultant for a classification and compensation study for non-represented employees. Alderman Solomon moved to bring this item back to the Common Council as required. Seconded by Alderman Schmidt. All voted Aye; motion carried.

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SENIOR TRAVEL PROGRAM G.17. Alderman Skowronski moved to approve the Franklin Senior Citizens Travel Program semi-annual update for 2012. Seconded by Alderman Olson. All voted Aye; motion carried.

MADACC DOG BITE POLICY G.18. Alderman Solomon moved to direct the Director of Administration to notify the Milwaukee Area Domestic Animal Control Commission (MADACC) of the City's decision to participate in the "Release of 'Bite Case' animals" policy. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

CLOSED SESSION-SPECIAL USE-WHEATON FRANCISCAN HEALTHCARE-FRANKLIN, INC. G.19. Alderman Skowronski moved to enter closed session at 8:20 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 Taylor. On roll call, all voted Aye; motion carried.

Upon reentering open session at 9:30 p.m., Alderman Taylor moved to direct the City Attorney to work with counsel for Wheaton Franciscan to prepare an amendment to the existing facility development agreement to include the special use parcel to credit, in part, the initial medical office building non-tax exempt new development value against the minimum revenue requirement of the existing development agreement, generally consistent with the terms proposed in Wheaton Franciscan's counsel's letter dated 7/23/12 and to return the amendment to development agreement with and as part of an amended condition No. 14 in the proposed special use resolution at the next regular Common Council meeting of 08/07/12. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

MISCELLANEOUS LICENSES H.1. Alderman Solomon moved to grant the following licenses:  
2012-13 Operator License to Vito M. Siciliano, 1064 Main St. #2, Antioch, IL with warning letter from City Clerk; Dale G. Hasenstein, 2100 E. Leroy Ave., St. Francis; Eric A. Balcerowski, 11930 W. Ryan Rd.; John W. Benning Jr., 9441 S. 96th St. with warning letter from City Clerk; Rebecca L. Bernaden, 5320 Woodbridge Ln., Greenfield; Mary E. Furey, 5219 S. Lake Dr. #7, Cudahy; Scott S. Gramblicka, 3590 S. Sandalwood Dr., New Berlin; Amber E. Helm, 11401 Parkview Ln., Hales Corners with warning letter on file; Austin W. Helm,

**MISCELLANEOUS  
LICENSES-  
CONTINUED**

11401 Parkview Ln., Hales Corners; Jenny L. Jennings, 8232 S. 88th St.; Eli Krondeva; Sara L. Mussa, 9253 S. 15th Ave., Oak Creek; Kristi A. Quile-Lembcke, 10073 S. 60th St.; Jane B. Regnier, 239 E. Washington St. #204, Slinger; Kathy J. Schultz, 3426 Links Dr.; Lynn A. Scott, 1316 W. Armour Ave., Milwaukee; Jolene Skaradzinski, 15950 W. Cynthia Dr., New Berlin; Sarah J. Walkington, 2574 Honey Creek Cir. #217, East Troy; David A. Washkuhn, 11201 W. Mayers Dr. (renewal);

Class A Combination Change of Agent for Sam's East, Inc., d/b/a: Sam's Club #8167, 6705 S. 27th St., Agent: Cristi L. Mehta and Wisconsin CVS Pharmacy, LLC, d/b/a: CVS Pharmacy #5390, 5220 W. Rawson Ave., Agent: Thomas P. McGrath;

Temporary Operator License to Chad C. Hoffman, 9275 S. 96<sup>th</sup> St. and Jeffrey F. Terp, 26430 Grace Dr., Wind Lake, both for St. Martins Fair-Franklin Lions Club;

Further moved to hold temporary Operator License for Jacqueline M. Glanzmann, 4915 W. Loomis Rd., Greenfield for St. Martins Fair-Franklin Lions Club subject to satisfactory police check. 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. 143572 through 143738 dated July 24, 2012, in the amount of \$3,196,367.04. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.  
Alderman Skowronski moved to approve net payroll dated July 13, 2012, in the amount of \$350,641.27. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

**ADJOURNMENT**

- J. Alderman Taylor moved to adjourn the meeting at 9:35 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.