

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 6, 2012
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council was held on March 6, 2012 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 Assistant City Engineer Romeis, 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 6:50 p.m. |
| SMOKE FREE
BILLBOARD
CONTEST | B.2.a. | Mayor Taylor acknowledged Forest Park Middle School is Better Smoke Free-Franklin 16th Annual Billboard Contest winners: First Place: Alyssa Heminger; Second Place: Lauren Zwitter; Third Place: Dillon Gulczynski; Fourth Place: Kirsten Kliebenstein; Fifth Place: Megan Krueger. |
| PROCLAMATION
ARBOR DAY | B.2.b. | Alderman Skowronski moved to approve the Mayoral Proclamation which designates April 28, 2012 as Arbor Day in the City of Franklin. Seconded by Alderman Schmidt. All voted Aye; motion carried. |
| SB 438 AND AB 563
HOTEL ROOM TAX | B.2.c. | Alderman Olson moved to direct the City Attorney to prepare an Ordinance as presented in a letter from the City of Delafield Mayor Ed McAleer opposing Senate Bill 438 and Assembly Bill 563 which require municipalities to pay 70% of hotel room taxes to tourism and return to the Common Council meeting of March 20, 2012. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| APPROVAL OF
MINUTES-2/22/12 | C.2. | Alderman Wilhelm moved to approve the minutes of the regular meeting of February 22, 2012. Seconded by Alderman Schmidt. All voted Aye; motion carried |
| MAYORAL
APPOINTMENT | E.1.a. | <p>Alderman Olson vacated his seat at this time.</p> <p>Alderman Wilhelm moved to table the Mayoral appointment of Larry Gamble to the Forward Franklin Economic Development Commission, term expires 7/01/13. Seconded by Alderman Taylor.</p> <p>Alderman Wilhelm moved to call the question. Seconded by Alderman Taylor. Motion carried on a voice vote; Alderman Skowronski voted No.</p> <p>On the main motion to table the appointment, Aldermen Schmidt, Taylor, Wilhelm, and Solomon voted Aye; Alderman Skowronski voted No. Motion carried.</p> <p>Alderman Olson returned to his seat at this time.</p> |

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| ADDITIONAL
CITIZEN COMMENTS | B.1. | Alderman Olson, seconded by Alderman Wilhelm, moved to suspend the regular order of business to allow Fred Klimetz and Nelson Phillips to speak. All voted Aye; motion carried.
Alderman Olson moved to return to the regular order of business. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| COMPLETE STREETS
PRESENTATION | G.1. | John Michlig and Dave Fowler, members of the Franklin Trails Committee, appeared before the Common Council for a presentation by John Michlig regarding Complete Streets.
Alderman Solomon moved to allow the Franklin Trails Committee to pursue establishment of a Complete Streets and Connectivity Advisory Body. Seconded by Alderman Schmidt. All voted Aye; motion carried. |
| OPPOSING
ELIMINATION OF
SAFE ROUTES TO
SCHOOL PROGRAM
FUNDING | G.2. | Alderman Schmidt moved to authorize the Trails Committee Chairman to letter petition Congressman Paul Ryan expressing concerns as to the elimination of Safe Routes to School program funding and dedicated federal funding for pedestrian and biking trails under the proposed H.R. 7, the American Energy and Infrastructure Jobs Act of 2012, as may have been amended. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| DONATION FROM
THE LATE HYLAS
KOMMERS | G.3. | Alderman Olson moved to gratefully accept the donation of approximately \$2,200 from the late Mr. Hylas Kommers and to authorize the Mayor to execute and submit the claim form provided by the State of Wisconsin Unclaimed Property Unit. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| CITY ORDINANCE
CHAPTER 80-
ANIMALS | G.4. | Alderman Wilhelm moved to direct the City Attorney to review the recommendations of the Police Chief and Director of Health Officer regarding Article II. 80-9 Keeping of Vicious or Barking Dogs. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| RES. 2012-6787
MMSD FUNDING
AGREEMENT | G.5 | Alderman Solomon moved to adopt Resolution No. 2012-6787, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE A PRIVATE PROPERTY INFILTRATION AND INFLOW REDUCTION FUNDING AGREEMENT. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| W. RYAN ROAD
SANITARY SEWER
EXTENSION | G.6. | Alderman Taylor moved to recommend staff to proceed with the next step for the installation of sanitary sewer on W. Ryan Road from S. 112th Street to the Franklin/Muskego city limits. Seconded by Alderman Skowronski. Alderman Taylor withdrew his motion.
Alderman Skowronski moved to recommend staff to proceed with the next step for the installation of sanitary sewer on W. Ryan Road from S. 112th Street to the Franklin/Muskego city limits. Seconded by Alderman Taylor. All voted Aye; motion carried. |

- S. 76TH STREET
SANITARY SEWER
AND/OR WATER
SERVICE
- G.7. Alderman Olson moved to table for 60 days the survey of property owners on the west side of S. 76th Street from W. Puetz Road to W. Faith Drive relative to providing sanitary sewer and/or water service prior to the reconstruction of S. 76th Street by Milwaukee County, and further direct staff to work with the Aldermen of affected districts to conduct a neighborhood meeting. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- RES. 2012-6788
AWARD BIDS
2012 BITUMINOUS
AND AGGREGATE
- G.8. Alderman Wilhelm moved to adopt Resolution No. 2012-6788, RESOLUTION AWARDING 2012 BITUMINOUS AND AGGREGATE MATERIAL CONTRACTS in accordance with the Engineering Department memo of 2/27/12, with any exceeding price changes to be brought to the attention of the Common Council. Seconded by Alderman Taylor. All voted Aye; motion carried.
- PUBLIC WORKS
SURPLUS
EQUIPMENT
- G.9. Alderman Solomon moved to authorize the Public Works Superintendent to execute such documents and contracts as necessary to sell miscellaneous surplus Public Works equipment on the Wisconsin Surplus website, www.wisconsinsurplus.com at the close of the auction. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- RES. 2012-6789
AMENDING
INVESTMENT
POLICY
- G.10. Alderman Solomon moved to approve Resolution No. 2012-6789, A RESOLUTION AMENDING THE CITY OF FRANKLIN INVESTMENT POLICY STATEMENT–RESERVE & LIQUIDITY INVESTMENTS. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2012-6790
AMENDING
INVESTMENT
POLICY
- G.11. Alderman Solomon moved to approve Resolution No. 2012-6790, A RESOLUTION AMENDING THE INVESTMENT POLICY STATEMENT FOR THE CITY OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST. Seconded by Alderman Taylor. All voted Aye; motion carried.
- ORD. 2012-2069
BUDGET
ENCUMBRANCES
- G.12. Alderman Wilhelm moved to approve Ordinance No. 2012-2069, AN ORDINANCE APPROVING BUDGET ENCUMBRANCES FROM THE 2011 BUDGET TO THE 2012 BUDGET. Seconded by Alderman Taylor. All voted Aye; motion carried.
- 2013 ANNUAL
BUDGET SCHEDULE
- G.13. Alderman Taylor moved to approve the timetable for 2012 preparation of the 2013 budget. Seconded by Alderman Schmidt. All voted Aye; motion carried.
Alderman Taylor then moved to amend the schedule to change the adoption of the Annual Budget from November 6 to November 7, 2012. Alderman Taylor withdrew his motion.
Alderman Taylor moved to amend the schedule to change the adoption of the Annual Budget from November 6 to November 13, 2012. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

CITY HALL
CONDENSER AND
AIR-HANDLING UNIT
REPLACEMENT
CONTRACT

G.14. Alderman Solomon moved to approve the low bidder, J & H Heating, for the total lump sum bid amount of \$29,500.88 (bid of \$52,490 less \$22,989.12 for direct purchase of HVAC equipment) for the City Hall Condenser and Air-Handling Unit Replacement Project, using Stimulus Funding made available through the American Recovery and Reinvestment Act of 2009, and to authorize execution of the contract and related documents by the appropriate City officers. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Taylor moved to approve direct purchase of the HVAC mechanical equipment, as specified in the bid of J & H Heating, from Trane U.S. for \$21,770 less \$400 in early payment incentives and authorize the Mayor to execute a purchase order to that effect, with funding made available through the American Recovery and Reinvestment Act of 2009. Seconded by Alderman Schmidt. All voted Aye; motion carried.

CITY HALL WINDOW
REPLACEMENT
CONTRACT

G.15. Alderman Solomon moved to confirm staff's determination of the bid by Softer Lite Window Co. as non-responsive; to approve the low responsive bidder, Milwaukee Plate Glass Co., for the total lump sum bid amount of \$22,514 for the Window Replacement at City Hall Project, using Stimulus Funding made available through the American Recovery and Reinvestment Act of 2009; to authorize execution of the contract and related documents by the appropriate City Officers; and to authorize use of approximately \$4,040 of available fund balance from the Capital Outlay Fund. Seconded by Alderman Taylor. All voted Aye; motion carried.

RESCHEDULE APRIL
COUNCIL MEETING

G.16. Alderman Wilhelm moved to reschedule the April 3, 2012, Common Council meeting to April 2, 2012. Seconded by Alderman Taylor. All voted Aye; motion carried.

ACQUISITION OF
PROPERTY FOR
S. 51ST STREET
TRAIL

G.17. Alderman Olson moved to approve the offering price for Parcel No. 1, located at 6771 S. 51st Street for the multi-use trail construction on the west side of S. 51st Street from 1075 feet north of W. Rawson Avenue to W. Princeton Drive as presented in the appraisal report completed by Single-Source. Seconded by Alderman Schmidt. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

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

Operator License to Alvin A. Berezinski, 708 Columbia Ave., South Milwaukee; Nora L. Gustafson, 6421 Channel Rd., Waterford; Rick A. Huffer, 11430 W. Swiss St. and Sarah B. Klein, 368 Indian Bend Rd., Burlington;

MISCELLANEOUS
LICENSES

Further moved to deny Operator License for Kathy E. Kintop, 2907 15th Ave., South Milwaukee and Jordan Kojo Sekyi, 4261 S. 97th St. both for habitual law offender contrary to §125.04(5)(a) and (b). Seconded by Alderman Skowronski. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman Schmidt moved to approve net City vouchers in the range of Nos. 141915 through 142072 in the amount of \$1,095,302.23. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.

Alderman Olson moved to approve the net payroll of February 24, 2012 in the amount of \$354,997.72. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:40 p.m. Seconded by Alderman Wilhelm. All voted Aye; motion carried.