

CITY OF FRANKLIN
COMMON COUNCIL MEETING MINUTES
MAY 1, 2012

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| ROLL CALL | A. | The regular meeting of the Common Council was held on May 1, 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 City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT | B.1. | Citizen comment period was opened at 6:40 p.m. and closed at 6:40 p.m. |
| RECOGNITION OF ROY KAINZ | B.2.a. | Mayor Taylor noted the 2012 Lifetime Achievement Award from the Wisconsin Rural Water Association to Roy Kainz. |
| FRANKLIN YOUTH GIRLS BASKETBALL | B.2.b. | Mayor Taylor recognized the Franklin Youth Girls Basketball Association 8th Grade Girls Team on winning Division One – 2012 Wisconsin State Invitational Tournament. |
| WIS 241 CORRIDOR EXPANSION STUDY HEARING NOTICE | B.2.c. | Mayor Taylor noted a Notice of Opportunity to Request a Public Hearing on the WIS 241 Corridor Expansion Study (Elm Road to College Avenue) & Notice of Availability of the Environmental Assessment for the Proposed Improvement of WIS 241 between Elm Road and College Avenue, Milwaukee County. |
| APPROVAL OF MINUTES-4/17/12 | C.1. | Alderman Solomon moved to approve the minutes of the regular meeting of April 17, 2012 as amended (Items G.2 and G.3). Seconded by Alderman Schmidt. All voted Aye; motion carried |
| PUBLIC HEARING-SANITARY SEWER - W. RYAN RD. | D.1. | A public hearing regarding a special assessment for installing sanitary sewer on W. Ryan Road from S. 112th Street to the west City limits was opened at 6:45 p.m. and closed at 7:12 p.m. |
| 2011 ANNUAL FINANCIAL REPORT | F.1. | No action was taken on the 2011 Comprehensive Annual Financial Report (CAFR) and the required communications letter from CliftonLarsonAllen LLP. |
| RES. 2012-6799 SANITARY SEWER SPECIAL ASSESSMENTS ON W. RYAN RD. | F.3. | Alderman Skowronski moved to adopt Resolution No. 2012-6799, A FINAL RESOLUTION DIRECTING INSTALLATION OF, PAYMENT, AND LEVY OF SPECIAL ASSESSMENT FOR INSTALLATION OF SANITARY SEWER ON W. RYAN ROAD FROM S. 112TH TO THE WEST CITY LIMITS. Seconded by Alderman Solomon. On roll call, Aldermen Olson, Solomon, Taylor, Schmidt, and Skowronski voted Aye; Alderman Wilhelm voted No. Motion carried.
Alderman Olson moved to codify the fact that payment and interest charges will not start until the Ryan Creek Interceptor is functional. Seconded by Alderman Skowronski. All voted Aye; motion carried. |

W. RYAN ROAD-
CONTINUED

Alderman Wilhelm then moved to direct staff to verify the data and provide to the Common Council at their next meeting, a breakdown of the votes as they relate to the survey for: the number of current homes served (meaning occupied homes); the number of vacant lands and realty(type) lots or parcels voting each counted as separate; the number of no responses—to determine an accurate reflection of the homeowners request versus serving vacant lands (7:20). Motion died due to lack of a second.

RES. 2012-6800
GLOBE
CONTRACTORS, INC.
SANITARY SEWER
W. RYAN RD.

F.2. Alderman Schmidt moved to adopt Resolution No. 2012-6800, A RESOLUTION AWARDDING A CONTRACT TO THE LOW BIDDER, GLOBE CONTRACTORS, INC., FOR THE EXTENSION OF SANITARY SEWER WITH LATERALS IN W. RYAN ROAD FROM S. 112TH STREET TO THE WEST CITY LIMITS IN THE AMOUNT OF \$408,460 FOR THE MANDATORY ALTERNATE BID. Seconded by Alderman Skowronski. Motion carried on a voice vote for the main motion, Alderman Wilhelm voted No.

ORD. 2012-2074
AMEND UDO
INTEGRATED
AQUAPONICS, INC.
3617 W. ELM RD.

F.4. Alderman Taylor moved to adopt Ordinance No. 2012-2074, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0602 TO ADD “CONTROLLED ENVIRONMENT AGRICULTURE” AS A TYPE OF USE AND TO ALLOW SUCH USE AS A SPECIAL USE IN THE RC-1 CONSERVATION RESIDENCE DISTRICT, A-1 AGRICULTURAL DISTRICT AND A-2 PRIME AGRICULTURAL DISTRICT (SCOTT BILLER, VICE PRESIDENT OF INTEGRATED AQUAPONICS, INC., APPLICANT). Seconded by Alderman Wilhelm. On roll call, Aldermen Skowronski, Schmidt, Taylor, and Wilhelm voted Aye; Aldermen Solomon and Olson voted No. Motion carried.

RES. 2012-6801
SPECIAL USE
INTEGRATED
AQUAPONICS, INC.
3617 W. ELM RD.

F.5. Alderman Taylor moved to adopt Resolution No. 2012-6801, A RESOLUTION IMPOSING CONDITIONS AND RESTIRCTIONS FOR THE APPROVAL OF A SPECIAL USE FOR THE DEVELOPMENT OF AN INDOOR CONTROLLED INVIRONMENT AQUAPONIC AGRICULTURE SYSTEM BUSINESS USE UPON PROPERTY LOCATED AT 3617 WEST ELM ROAD (SCOTT BILLER, VICE PRESIDENT OF INTEGRATED AQUAPONICS, INC., APPLICANT). Seconded by Alderman Skowronski. On roll call, Aldermen Wilhelm Taylor, Schmidt, and Skowronski voted Aye; Aldermen Olson and Solomon voted No. Motion carried.

RES. 2012-6802
SPECIAL USE
ACADEMY OF
PERFORMING ARTS
7221 S. 76TH ST.

F.6. Alderman Solomon moved to adopt Resolution No. 2012-6802, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DANCE, MUSIC AND ACTING INSTRUCTION USE AND A DAY CARE SERVICES USE UPON PROPERTY

ACADEMY OF
PERFORMING ARTS-
CONTINUED

LOCATED AT 7221 SOUTH 76TH STREET (STACY M. TUSCHL, OWNER OF STUDIO 21 POM & DANCE ACADEMY, INC. D/B/A THE ACADEMY OF PERFORMING ARTS, APPLICANT). Seconded by Alderman Olson. All voted Aye; motion carried.

27TH STREET
STREETSCAPE
ELEMENTS

F.7. Alderman Solomon moved to direct staff to form a Tax Increment Finance District for the 27th Street Corridor to pay for improvements. Seconded by Alderman Olson. Alderman Olson withdrew his second.

Alderman Olson moved to approve the elements as outlined in the spreadsheet of 12/28/2011 on page 96 of the Council agenda packet of 5/01/2012, with the contingency that no expenditures occur until such time as the TIF is approved for W. College Avenue to W. Drexel Avenue and plans are in place for continuing the TIF from W. Drexel Avenue south to W. South County Line Road, and further that the CDA take jurisdiction, and approves the recommended cost sharing of 50/50 upon all of the elements except for underground utilities within the City of Franklin which cost share shall be 90% Franklin and 10% Oak Creek. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

RECONSTRUCTION
OF S. 51ST ST.

F.8. Alderman Wilhelm moved to authorize staff to proceed with the reconstruction of S. 51st Street from a point 1075 feet north of W. Rawson Avenue to the north City limits, the trail on the west side from the existing sidewalk to W. Princeton Drive and the sidewalk on the east side from the existing sidewalk to W. Xavier Drive, and authorize the advertisement for bids. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2012-6803
2012 STREET
IMPROVEMENT
PROGRAM

F.9. Alderman Solomon moved to adopt Resolution No. 2012-6803, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER, PAYNE & DOLAN, INC., IN THE AMOUNT OF \$440,708.50, FOR THE 2012 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2012-6804
OFFICIAL
NEWSPAPER

F.10. Alderman Taylor moved to adopt Resolution No. 2012-6804, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Schmidt. All voted Aye; motion carried.

2012 MEETING
SCHEDULE

F.11. Alderman Skowronski moved to establish the amended meeting schedule for 2012 (all meetings to begin at 6:30 p.m.) as follows:
Combined Committee of the Whole/Council meeting-June 4
Council meeting-June 19
Combined Committee of the Whole/Council meeting-July 10
Council meeting-July 24
Combined Committee of the Whole/Council meeting-August 7
Council meeting-August 21

SCHEDULE-
CONTINUED

Combined Committee of the Whole/Council meeting-Sept. 4

Council meeting-Sept. 18

Seconded by Alderman Schmidt. All voted Aye; motion carried.

CONCEPT REVIEW
FOR MEIJER STORE

F.12.A. No action was taken on a concept review for a Meijer Store (grocery and department store) (general location: intersection of W. Loomis Road and W. St. Martins Road)(David Behrens, applicant) that was presented at the Committee of the Whole meeting on April 30, 2012.

CONCEPT REVIEW
FOREST VIEW
RESIDENTIAL DEV.

F.12.B. No action was taken on a concept review for revisions to the Forest View Residential Development, including primarily from condominium to apartment unit designation and architectural and landscaping revisions (approximately W. Ryan Road and S. 60th Street)(Rob Williams, applicant) that was presented at the Committee of the Whole meeting on April 30, 2012.

FINANCE
COMMITTEE ROLE

F.12.C. No action was taken regarding Committee of the Whole report on review of role of the Finance Committee and discussion of Common Council assuming that role.

ALDERMANIC
APPOINTMENTS

F.12.D. No action was taken regarding Committee of the Whole discussion on changes to Municipal Code as it pertains to Aldermanic appointments to Boards and Commissions.

APPOINTMENTS

G.1.a. Alderman Skowronski moved to approve the Mayoral appointment of Daniel O'Brien to the Board of Zoning & Building Appeals, term expires 4/30/14. Motion died due to lack of a second.

G.1.b.1. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Schmidt to the Environmental Commission, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

G.1.b.2. Mayor Taylor withdrew appointment of Alderman Wilhelm to the Finance Committee based on Alderman Wilhelm's request, term expires 4/30/13.

G.1.b.3. Alderman Solomon moved to approve the Mayoral appointment of Alderman Taylor to the Finance Committee, term expires 4/30/13. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

G.1.b.4. Alderman Schmidt moved to approve the Mayoral appointment of Alderman Solomon to the Finance Committee, term expires 4/30/13. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

APPOINTMENTS-
CONTINUED

- G.1.b.5. Alderman Solomon moved to approve the Mayoral appointment of Alderman Wilhelm to the License Committee, term expires 4/30/13. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.
- G.1.b.6. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Taylor to the License Committee, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- G.1.b.7. Alderman Olson moved to approve the Mayoral appointment of Alderman Solomon to the License Committee, term expires 4/30/13. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- G.1.b.8. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Solomon to the Parks Commission, term expires 4/30/13. Seconded by Alderman Olson. On roll call, Aldermen Olson, Solomon, Taylor, Schmidt and Skowronski voted Aye; Alderman Wilhelm abstained. Motion carried.
- G.1.b.9. Alderman Solomon moved to approve the Mayoral appointment of Alderman Skowronski to the Plan Commission, term expires 4/30/13. Seconded by Alderman Skowronski. On roll call, Aldermen Solomon, Schmidt and Skowronski voted Aye; Aldermen Olson and Wilhelm voted No; Alderman Taylor abstained. Motion failed.

MISCELLANEOUS
LICENSES

- H.1. Alderman Solomon moved to grant the following licenses:
 - Taxi Cab Driver License to Harpreet Singh, 3824 S. 16th St., Milwaukee;
 - Operator License to Nicholas Kulinski, 525 E. Laverne Dr., Oak Creek; Ryan J. Peters, 1925 W. Timber Ridge Ln. #1301, Oak Creek and Cheryl E. Danforth, 3657 W. College Ave. #56, Milwaukee;
 - Extraordinary Entertainment & Special Event for Wheelhouse Events, LLC-Women's Obstacle Run, Person in Charge: Brodie Birkel on June 9, 2012 subject to payment of police services retained for one officer and Ragner Relay Madison to Chicago-Course Revision, Person in Charge: Andria Huskinson on June 8-9, 2012 on Franklin streets & Oak Leaf Trail. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman Olson moved to approve net City vouchers in the range of Nos. 142568 through 142746 in the amount of \$1,068,324.02. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to approve the net payroll of April 20, 2012 in the amount of \$364,119.31. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:48 p.m. Seconded by Alderman Olson. All voted Aye; motion carried.