

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
MAY 7, 2013  
MINUTES

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| ROLL CALL  | A.     | The regular meeting of the Common Council was held on May 7, 2013 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 Mark Dandrea, Dan Mayer, 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 City Clerk Wesolowski. |
| CITIZEN COMMENT  | B.1.   | Citizen comment period was opened at 7:00 p.m. and closed at 7:06 p.m.  |
| RECOGNITION OF PROJECT CITIZEN GROUP   | B.2.a. | Mayor Taylor recognized the Ben Franklin Elementary School Project Citizen teams which includes Childhood Obesity, School Lunch and Project Citizen Bullying Group. Claudia Pagelsdorf and her team appeared to present their Project, Kayla's Krew, with the mission to build an all-accessible and all-inclusive playground.  |
| PROCLAMATION BARBARA ROARK   | B.2.b. | Mayor Taylor presented a Proclamation to Barbara Roark honoring her outstanding service as Director of the Franklin Public Library.   |
| PROCLAMATION-MUNICIPAL CLERKS WEEK   | B.2.c. | Mayor Taylor noted a Proclamation designating May 5-11, 2013 as Municipal Clerks Week.  |
| PROCLAMATION-NATIONAL NURSES WEEK  | B.2.d. | Mayor Taylor noted a Proclamation designating May 6-12, 2013 as National Nurses Week.   |
| APPROVAL OF MINUTES-4/16/13  | C.1.   | Alderman Taylor moved to approve the minutes of the regular meeting of April 16, 2013. Seconded by Alderman Mayer. All voted Aye; motion carried.   |
| PUBLIC HEARING-IMPACT FEES FOR EXTENSION OF PUBLIC SANITARY SEWER – RYAN CREEK | D.1.   | The public hearing was called to order at 7:38 p.m. regarding a proposed ordinance to amend §92-9. of the Municipal Code of the City of Franklin to create a subsection H., to provide for impact fees for the extension of public sanitary sewer, to be imposed upon land development and was closed at 7:55 p.m. (See Item G.2.)  |
| APPOINTMENTS   | E.1.a. | Alderman Skowronski moved to approve the Mayoral appointment of Albert Rindfleisch to the Environmental Commission-Dist. #6, term expires 4/30/15. Seconded by Alderman Mayer. On roll call, Aldermen Dandrea, Mayer, Schmidt, and Skowronski voted Aye; Aldermen Wilhelm and Taylor voted No. Motion carried.  |

APPOINTMENTS-  
CONTINUED

- E.1.b. Alderman Schmidt moved to approve the Mayoral appointment of Howard Phillipson to Environmental Commission-Dist. #5, term expires 4/30/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.c. Alderman Skowronski moved to approve the Mayoral appointment of Sharon Kust to the Environmental Commission-Dist. #6, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.d. Alderman Skowronski moved to approve the Mayoral appointment of David Lindner to the Fair Commission-Dist. #5, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.e. Alderman Skowronski moved to approve the Mayoral appointment of Kenneth Sweeney to the Fair Commission-Dist. #6, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.f. Alderman Skowronski moved to approve the Mayoral appointment of Dennis Ciche to the Finance Committee-Dist. #5, term expires 4/30/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.g. Alderman Taylor moved to approve the Mayoral appointment of Kevin Mineard to the Finance Committee-Dist. #4, term expires 4/30/14. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.h. Alderman Schmidt moved to approve the Mayoral appointment of Robert Campbell, Jr. to the Finance Committee-Dist. #5, term expires 4/30/14. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.i. Alderman Mayer moved to approve the Mayoral appointment of John Howard to the Finance Committee-Dist. #5, term expires 4/30/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.j. Alderman Skowronski moved to approve the Mayoral appointment of John Nelson to the Fire and Police Commission-Dist. #6, term expires 4/30/18. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.k. Alderman Skowronski moved to approve the Mayoral appointment of Henry Wengelewski to the Board of Health-Dist. #5, term expires 4/30/15. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.

APPOINTMENTS-  
CONTINUED

- E.1.l. Alderman Taylor moved to approve the Mayoral appointment of Robert Fedran to the Board of Health-Dist. #4, term expires 4/30/15. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E.1.m. Alderman Mayer moved to approve the Mayoral appointment of Renee Fuller to the Board of Health-Dist. #5, term expires 4/30/15. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.n. Alderman Wilhelm moved to approve the Mayoral appointment of Patricia Nissen to the Board of Health-Dist. #2, term expires 4/30/15. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.o. Alderman Schmidt moved to approve the Mayoral appointment of James Bartoszek to the Parks Commission-Dist. #5, term expires 4/30/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.p. Alderman Mayer moved to approve the Mayoral appointment of Mary Remington to the Parks Commission-Dist. #2, term expires 4/30/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.q. Alderman Taylor moved to approve the Mayoral appointment of Jay Sakwinski to the Personnel Committee-Dist. #4, term expires 4/30/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.r. Alderman Skowronski moved to approve the Mayoral appointment of Brionne Bischke to the Board of Public Works-Dist. #6, term expires 4/30/16. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.s. Alderman Schmidt moved to approve the Mayoral appointment of Marge Shore to the Quarry Monitoring Committee-Dist. #5, term expires 5/31/16. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E.1.t. Alderman Taylor moved to approve the Mayoral appointment of John Giza to the Technology Commission-Dist. #4, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.u. Alderman Mayer moved to approve the Mayoral appointment of Gregory Strowig to the Technology Commission-Dist. #1, term expires 4/30/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

APPOINTMENTS-  
CONTINUED

- E.1.v. Alderman Schmidt moved to approve the Mayoral appointment of Dale Webler to the Technology Commission-Dist. #5, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.w. Alderman Schmidt moved to approve the Mayoral appointment of Robert Campbell, Jr. to the Board of Zoning & Building Appeals-Dist. #5, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.
- E.1.x Alderman Mayer moved to approve the Mayoral appointment of Anthony Megna to the Board of Zoning & Building Appeals-Dist. #2, term expires 4/30/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.y. Alderman Skowronski moved to approve the Mayoral appointment of Robert Montgomery (alternate member) to the Board of Zoning & Building Appeals-Dist. #6, term expires 4/30/16. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.

REQUEST FROM TONY  
MEGNA TO FARM FIVE  
ACRES ON W. CHURCH  
ST. AND HWY. 100

- F.1. Mayor Taylor noted a letter from Tony Megna requesting permission to farm five acres on W. Church Street and Hwy. 100. Alderman Mayer moved to suspend the rules and allow Tony Megna to speak. Seconded by Alderman Skowronski. All voted Aye; motion carried.  
Following comments from Tony Megna, Alderman Mayer moved to return to the regular order of business. Seconded by Alderman Schmidt. All voted Aye; motion carried.  
It was then moved by Alderman Mayer to allow Tony Megna to farm the five acres on W. Church Street and Hwy. 100 as requested. Seconded by Alderman Skowronski.  
At 8:22 p.m. Mayor Tom Taylor passed the gavel to Council President Steve Taylor, who then chaired the meeting. The gavel was returned to Mayor Tom Taylor at 8:28 p.m.  
Alderman Mayer withdrew his motion and Alderman Skowronski withdrew his second. It was then moved by Alderman Mayer to refer the request of Tony Megna for permission to farm five acres on W. Church Street and Hwy. 100 to the Planning Manager and to the Forward Franklin Economic Development Commission. Seconded by Alderman Skowronski. All voted Aye; motion carried.

AURORA ST. LUKE'S  
AWARDS TO FIRE  
PERSONNEL

- F.2. Mayor Taylor noted a letter from Acting Fire Chief regarding Emergency Medical Services Awards to Franklin Fire Department personnel from Aurora St. Luke's Medical Center.

CONSENT AGENDA-

BIKE RODEO STREET  
CLOSING and  
RES. 2013-6879  
OFFICIAL NEWSPAPER

G.1.a.  
and  
G.1.b.

Alderman Wilhelm moved to approve the following consent agenda items:

Accept the street closures on S. Legend Drive and S. Schlueter Parkway on Saturday June 15, 2013 in conjunction with the City of Franklin sponsored bike safety rodeo; and adopt Resolution No. 2013-6879, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Mayer. All voted Aye; motion carried.

EXTENSION OF AND  
COST RECOVERY OF  
PUBLIC SEWER WITHIN  
SOUTHWEST SEWER  
SERVICE AREA

G.2.

Alderman Wilhelm moved that an Ordinance to amend the Municipal Code of the City of Franklin, Wisconsin, to provide for the extension of and cost recovery of public sanitary sewer within the southwest sanitary sewer be tabled to the 5/21/2013 Common Council meeting and that the City Attorney prepare wording to include that private owner's proof of a working system can be used, incorporating possible State law changes. Seconded by Alderman Mayer.

At 8:50 p.m. Mayor Tom Taylor passed the gavel to Council President Steve Taylor, who then chaired the meeting. The gavel was returned to Mayor Tom Taylor at 8:53 p.m.

On roll call for the main motion, Aldermen Dandrea, Mayer, Wilhelm, and Schmidt voted Aye; Aldermen Taylor and Skowronski voted No. Motion carried. (See Item D.1.)

TID #3 PROJECT PLAN  
AMENDMENT  
PROPOSAL

G.3.

Alderman Taylor moved to approve the January 23, 2013 proposal for amending the project plan for Tax Incremental District No. 3 in the City of Franklin, Wisconsin in its entirety and to authorize Ehlers & Associates, Inc. and City staff to proceed with the public participation phase, and the final documentation and State filing phase as may be necessary, moving forward with Scenario 2 of the Feasibility Report & Analysis. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

EHLERS AND  
ASSOCIATES-TID #3  
CONSULTING SERVICES

G.4.

Alderman Wilhelm moved to approve the Proposal for professional consulting services with Ehlers and Associates, Inc. to complete a redevelopment plan pursuant to Wis. Stat. §66.1333 for generally the TID No. 3 Project Plan area. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2013-6880  
CONSERVANCY  
EASEMENT (4471 W.  
MELISSA COUT)

G.5.

Alderman Wilhelm moved to adopt Resolution No. 2013-6880, A RESOLUTION TO RELEASE IN PART A CONSERVANCY EASEMENT UPON LOT 31 OF THE WOODLANDS OF FRANKLIN SUBDIVISION (4471 WEST MELISSA COURT; TAX KEY NO. 740 0132 000) subject to technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.

- CONCEPT REVIEW-  
13-LOT R-3  
SUBDIVISION  
DEVELOPMENT (7120-  
7400 W. PUETZ ROAD)
- G.6. Alderman Dandrea moved to suspend the rules to allow citizens to speak. Seconded by Alderman Taylor. All voted Aye; motion carried.  
Alderman Taylor moved to return to regular order of business. Seconded by Alderman Schmidt. All voted Aye; motion carried.  
No action was taken on a concept review for the proposed 13-lot R-3 Suburban/Estate Single-Family Residential Subdivision development at approximately 7120-7400 West Puetz Road (Point Real Estate LLC, Applicant).
- USED POTHOLE  
PATCHER TRUCK  
PURCHASE
- G.7. Alderman Schmidt moved to authorize the purchase of a used truck mounted Akso Nobel FO5 Flameless Pot Hole Patcher mounted on a 2003 Freightliner FL70 from Big Truck and Equipment Sales, LLC, for a cost of \$45,000 plus \$2,000 shipping from Norwalk, CA subject to the Highway Superintendent checking out the equipment prior to purchase. Seconded by Alderman Taylor. All voted Aye; motion carried.
- JURISDICTIONAL  
TRANSFER OF COUNTY  
TRUNK HIGHWAYS
- G.8. Alderman Skowronski moved to accept Milwaukee County's request for jurisdictional transfer of County Trunk Highways (C.T.H.) as follows: S. 68th Street north of W. Ryan Road (C.T.H. A) and S. North Cape Road (C.T.H. J) from High View Drive to W. Forest Home Avenue with the jurisdiction changing from County to City. Seconded by Alderman Taylor.  
Alderman Skowronski withdrew his motion and Alderman Taylor withdrew his second.  
  
Alderman Skowronski then moved to accept Milwaukee County's request for jurisdictional transfer of County Trunk Highways (C.T.H.) as follows: S. 68th Street north of W. Ryan Road (C.T.H. A) and S. North Cape Road (C.T.H. J) from High View Drive to W. Forest Home Avenue with the jurisdiction changing from County to City, subject to Milwaukee County reconstructing the road. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2013-6881  
CONTRACT TO NORCON  
CORP. FOR S. 60TH  
STREET BRIDGE REPAIR
- G.9. Alderman Taylor moved to adopt Resolution No. 2013-6881, A RESOLUTION AWARDDING CONTRACT TO THE LOWEST BIDDER, NORCON CORP. IN THE AMOUNT OF \$31,860.00 FOR REHABILITATIVE WORK ON THE S. 60TH STREET BRIDGE 800 FEET SOUTH OF W. OAKWOOD ROAD. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- MONEY MARKET  
ACCOUNT WITH  
AMERICAN DEPOSIT  
MANAGEMENT CO.
- G.10. Alderman Taylor moved to authorize the Trust to establish a money market account with American Deposit Management Co. for the City of Franklin Post Employment Benefits Trust. Seconded by Alderman Mayer. All voted Aye; motion carried.

- J&H HEATING INC. ACCEPTANCE OF QUOTE G.11. Alderman Schmidt moved to accept the low quote of J&H Heating, Inc. in the amount of \$8,059 for replacement of the air-conditioning compressor on HVAC Air-Handling Unit No. 2 that services a portion of City Hall as approved as part of the 2013 Capital Outlay Budget. Seconded by Alderman Taylor. All voted Aye; motion carried.
- PLEASANT VIEW TRAIL PROJECT STATUS G.12. John Michlig, Chair of the Complete Streets and Connectivity Committee, presented the status of the Pleasant View Trail project. At 10:12 p.m. Alderman Wilhelm left her seat to provide additional information on the status of the Pleasant View Trail project. Alderman Wilhelm returned to her seat at 10:37 p.m. Alderman Wilhelm moved to direct staff to prepare an alternative option on the northern Trail as presented. Seconded by Alderman Taylor. All voted Aye; motion carried.
- CITY OF FRANKLIN VISION STATEMENT G.13. The City of Franklin Vision Statement, Mission Statement, and “70/30” Goal was tabled to the 5/21/2013 Common Council meeting.
- 2013 SUMMER MEETING SCHEDULE G.14. Alderman Taylor motion to establish the amended meeting schedule for 2013 (all meetings to begin at 6:30 pm) as follows:  
Committee of the Whole-June 3  
Common Council-June 4  
Common Council -June 18  
Combined Committee of the Whole/Council-July 9  
Common Council-July 23  
Combined Committee of the Whole/Council-August 6  
Common Council-August 20  
Combined Committee of the Whole/Common Council-Sept. 3  
Common Council-September 17. Seconded by Alderman Skowronski. All voted Aye; motion carried
- MISCELLANEOUS LICENSES H.1. Alderman Taylor moved to grant the following licenses;  
Operator License to: Trisha A. Segura, 7 Ohio St., Racine and Aliya B. Jonic, 1810 Rawson Ave., South Milwaukee. 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. 146906 through 147132 dated May 7, 2013 in the amount of \$1,102,457.44. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.  
  
Alderman Skowronski moved to approve net payroll dated April 19, 2013 in the amount of \$331,853.19. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.  
  
Alderman Schmidt moved to approve payroll dated May 3, 2013 in the amount of \$327,391.32. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 11:00 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.