

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 1, 2011
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on November 1, 2011 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 6:31 p.m. and closed at 6:37 p.m.
- RYAN CREEK
INTERCEPTOR
REFERENDUM B.2.a. Mayor Taylor noted a letter from Milwaukee County Executive Chris Abele regarding Veto of County Board File No. RES 11-551 on Proposed Ryan Creek Interceptor Referendum.
- MILW. COUNTY
PARAMEDIC
PROGRAM B. 2.b. Mayor Taylor noted a letter from Milwaukee County Executive Chris Abele regarding support of the Milwaukee County Paramedic Program.
- APPROVAL OF
MINUTES-10/18/11 C.1. Alderman Skowronski moved to approve the minutes of the regular meeting of October 18, 2011. Seconded by Alderman Olson. All voted Aye; motion carried.
- APPROVAL OF
MINUTES 10/27/11 C.2. Alderman Solomon moved to approve the minutes of the special meeting of October 27, 2011. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- ORD. 2011-2059
CARRYING
CONCEALED
WEAPONS G.1. Alderman Olson moved to adopt Ordinance No. 2011-2059, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO INCORPORATE STATUTES REGULATING ACTIVITIES RELATING TO THE CARRYING OF WEAPONS AND FIREARMS WHICH ARE PUNISHABLE BY STATUTE WITH A FORFEITURE. Seconded by Alderman Skowronski. At 6:40 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. The gavel was returned to Mayor Taylor at 6:45 p.m. On roll call on the adoption of the Ordinance, all voted Aye; motion carried.
- VILLAS CONDOS
RETAINING WALLS G.2. Alderman Solomon moved that the Villas Condominiums retaining walls be place on file. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Franklin Common Council

11/01/11

Page Two

- | | | |
|---|--------|--|
| ORD. 2011-2060
4 YR TERM
MUNICIPAL COURT
JUDGE | G.3. | Alderman Solomon moved to adopt Ordinance No. 2011-2060, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE FOR A FOUR YEAR TERM OF OFFICE FOR THE POSITION OF MUNICIPAL COURT JUDGE PURSUANT TO WIS. STAT. §755.02. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| RES. 2011-6760
LANDFILL
AGREEMENT-
EXPANSION OF
VEOLIA EMERALD
PARK LANDFILL | G.4. | Alderman Skowronski moved to adopt Resolution No. 2011-6760, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN VEOLIA ES EMERALD PARK LANDFILL, LLC, THE CITY OF MUSKEGO, CITY OF FRANKLIN, TOWN OF NORWAY, RACINE COUNTY AND WAUKESHA COUNTY FOR THE EXPANSION OF VEOLIA EMERALD PARK LANDFILL. Seconded by Alderman Schmidt. All voted Aye; motion carried. |
| EAGLE SCOUT
PROJECT | G.5.a. | Alderman Taylor moved to authorize to upgrade lumber to cedar for the construction of a gazebo for an Eagle Scout Leadership Service Project by Scott Skowronski in Ken Windl Park with funding from the Parks Department 2011 Capital Outlay Park Improvement Fund in the amount of \$1,000. Seconded by Alderman Solomon. Motion carried on a voice vote; Alderman Skowronski abstained. |
| CONCEPT REVIEW-
6919 S. 27TH STREET | G.5.b. | No action was taken on a concept review presented at the October 31, 2011 Committee of the Whole meeting by Bill Casey, applicant, of a future commercial development for Gordon Food Service Marketplace at 6919 S. 27th Street. |
| CONCEPT REVIEW-
3617 W. ELM ROAD | G.5.c. | No action was taken on a concept review presented at the October 31, 2011 Committee of the Whole meeting by Scott Biller, applicant, for a proposed indoor controlled environment agriculture development at 3617 W. Elm Road. |
| CONCEPT REVIEW-
7000 W. RAWSON
AVENUE | G.5.d. | No action was taken on a concept review presented at the October 31, 2011 Committee of the Whole meeting by The Hintze Group, applicant, for a proposed mixed use development at approximately 7000 W. Rawson Avenue. |
| SETTING COMMON
COUNCIL AGENDA | G.5.e. | Alderman Skowronski moved to place the Common Council agenda setting on file. Seconded by Alderman Solomon. (Mayor Taylor stated the Mayor will continue to be fair to all Aldermen.) All voted Aye; motion carried. |

CLOSED SESSION-
RYAN CREEK
INTERCEPTOR
SEWER

G.6. Alderman Taylor moved to enter closed session at 7:45 p.m. pursuant to Wis. Stat. §19.85(1)(e), to consider the terms and negotiation of the Wisconsin Department of Natural Resources Water Quality Certification Permit request for contested case hearing litigation pertaining to the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons; and pursuant to Wis. Stat. §19.85(1)(g), to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the body with respect to the litigation, and to 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 7:56 p.m., Alderman Skowronski moved to withdraw the subject Wisconsin Department of Natural Resources and related Army Corps water quality permit applications and to discontinue settlement efforts with regard to the petition for a contested case hearing. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

CLOSED SESSION-
RYAN CREEK
INTERCEPTOR
SEWER

G.7. Alderman Taylor moved to authorize the purchase of the easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, upon the following property identified by Acquisition Map Parcel No., Tax Key Number and address, respectively, as follows: 19, 894-9997-002 and 9623 South 92nd Street subject to the terms negotiated by City representatives with the representative for the owner in acquisition negotiations in the form and content as presented to the Common Council presented at this meeting. Seconded by Alderman Skowronski. Alderman Wilhelm voted No; motion carried.

MISCELLANEOUS
LICENSES

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

2011-12 Operator License to Kimberly L. Hussain, 4236 S. 61st St. #1, Greenfield with warning letter from City Clerk; Tracey A. Banda, 6830 W. Kathleen Ct. #3 and Chloe E. Benson, 8016 S. 58th St.;

Franklin Common Council

11/01/11

Page Four

LICENSES-
CONTINUED

Further moved to hold 2011-12 Operator License for Jonathon W. Karns, 2150 W. Meyer Ln., Oak Creek; Jeffrey M. Hayes, 2927 S. 97th St., West Allis; Mubeen Rasool, 9306 S. Cobblestone Way #A and Whitney V. Hamilton, 1634 S. 81st St., West Allis, all subject to appearing before the License Committee. 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. 140422 through 140576 in the amount of \$1,503,499.18. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Skowronski moved to approve the net payroll of October 21, 2011 in the amount of \$359,926.19. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Solomon moved to adjourn the meeting at 8:01 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.