

CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 13, 2012
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on November 13, 2012, and called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Common Council Chambers, 9229 West 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 Director of Clerk Services Sandi Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:37 p.m.
- APPROVAL OF MINUTES-10/16/2012 C.1. Alderman Wilhelm moved to approve the minutes of the regular meeting of October 16, 2012 as corrected. Seconded by Alderman Solomon. All voted Aye; motion carried.
- APPROVAL OF MINUTES-11/01/2012 C.2. Alderman Schmidt moved to approve the minutes of the special meeting of November 1, 2012. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- APPROVAL OF MINUTES-11/05/2012 C.3. Alderman Wilhelm moved to approve the minutes of the Committee of the Whole meeting of November 5, 2012 as amended. Seconded by Alderman Olson. All voted Aye; motion carried.
- LETTERS FROM COUNTY EXECUTIVE AND COUNTY CHAIRWOMAN F.1. Mayor Taylor noted the memo from Chris Abele, Milwaukee County Executive, regarding County Board votes against taxpayers and for the status quo and a letter from County Board Chairwoman Marina Dimitrijevic were for information only.
Alderman Olson moved to refer Milwaukee County change of administrative authority for the Milwaukee County Correctional Facility-South to the Committee of the Whole meeting of 12/03/12. Seconded by Alderman Solomon. All voted Aye; motion carried.
- DONATIONS G.1. Alderman Solomon moved to accept the donation to the Fair Commission from the Landmark in the amount of \$140; and to the Health Department from Sam's Club in the amount of \$1,000 and Wal-Mart in the amount of \$1,000 and the American Lung Association in the amount of \$25. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- UPDATE FROM AEROTROPOLIS G.2. Tom Rave, Executive Director of The Gateway to Milwaukee, presented an update of the Aerotropolis Milwaukee Regional Economic Development effort.

ORD. NO. 2012-2096
2013 ANNUAL
BUDGETS AND
PROPERTY TAX LEVY

G.3. Alderman Wilhelm moved to adopt Ordinance No. 2012-2096, AN ORDINANCE ESTABLISHING THE 2013 ANNUAL BUDGET FOR THE GENERAL FUND, LIBRARY FUND, SOLID WASTE COLLECTION FUND, SEWER SERVICE FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, STREET IMPROVEMENT FUND, CAPITAL IMPROVEMENT FUND, DEBT SERVICE FUND, DEVELOPMENT FUND, AND TIF DISTRICT FUNDS AND ESTABLISHING THE PROPERTY TAX LEVY AND OTHER REVENUES TO SUPPORT THE 2013 ANNUAL BUDGET FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2013 including amending the plan within the Capital Improvement Fund of the 2013 Budget reducing the "Estimate 2012" column "Other" by \$50,000, reducing the "Recommended Budget 2013" column "Other" in by \$30,000, and adding to the "Recommended Budget 2013" column an Approved Projects line item of \$80,000 for "Extension of W. Marquette-PVS to 49th Street." Seconded by Alderman Solomon.

Alderman Solomon moved to amend Ordinance No. 2012-2096 to amend the plan within the Capital Improvement Fund of the 2013 Budget increasing the "Recommended Budget 2013" column "Transfer from Impact Fees" by \$225,000, and adding to the "Recommended Budget 2013" column a Projects Pending Approval line item of \$225,000 for land necessary for the Pleasant View Park Access and amend the plan within the Development-Impact Fee Fund of the 2013 Budget increasing the Transfer to Capital Improvement Fund line of the "Proposed Budget 2013" column by \$225,000. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Taylor moved to amend Ordinance No. 2012-2096 to increase the General Fund Contingency line item by \$950,000. Seconded by Alderman Schmidt. All voted Aye; motion carried.

On the main motion to adopt Ordinance No. 2012-2096 as amended, all voted Aye; motion carried.

ESTABLISH FUND
FOR OPEB

G.4. Alderman Solomon moved to authorize the Trust Employer representative and the Trustee to establish the Convergence Core Plus Fund as an additional investment option for the City of Franklin Post Employment Benefits Trust (OPEB). Seconded by Alderman Taylor. Motion carried on a voice vote; Alderman Olson voted No.

FFEDC BROCHURE
AND WEBSITE

G.5. Craig Haskins, Chair of the Forward Franklin Economic Development Committee, and Tim Tatlock, Member of the Committee, reported on the marketing brochure and website for the Forward Franklin Economic Development Committee.
Alderman Solomon moved to authorize the Forward Franklin Economic Development Commission to proceed with brochure and website as presented.
Seconded by Alderman Taylor. All voted Aye; motion carried.

COMPLAINT
HANDLING POLICY
AND
ORD. NO. 2012-2097

- G.6. Alderman Wilhelm moved to change the date for consideration of revisions to the City's complaint handling policy from November 20, 2012, to the Council meeting on December 4, 2012. Seconded by Alderman Taylor. All voted Aye; motion carried.
- It was then moved by Alderman Wilhelm to adopt Ordinance No. 2012-2097, AN ORDINANCE TO AMEND CHAPTER 178 OF THE MUNICIPAL CODE TO PROVIDE FOR COST RECOVERY FOR CITY SERVICES PROVIDED TO CERTAIN NUISANCE PROPERTIES. Seconded by Alderman Taylor.
- It was then moved by Alderman Olson to amend Ordinance No. 2012-2097 to include designee wording and date amendments. Seconded by Alderman Taylor.
- On the main motion as amended, all voted Aye; motion carried.

ORD. NO. 2012-2098
AMEND UDO
(FORESTHILL
HIGHLANDS)
(UNITED FINANCIAL
GROUP)

- G.7. Alderman Olson moved to adopt Ordinance No. 2012-2098, 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 A MARKET RATE AND SENIOR HOUSING APARTMENT DEVELOPMENT (UNITED FINANCIAL GROUP, INC., APPLICANT) (PUETZ ROAD AND HIGHLAND PARK AVENUE)(SOUTHWEST 22.65 ACRES OF THE FORESTHILL HIGHLANDS SENIOR COMMUNITY). Seconded by Alderman Solomon. All voted Aye; motion carried.

UNITED FINANCIAL
GROUP SPECIAL
EXCEPTION
NATURAL
RESOURCES

- G.8. Alderman Olson moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of United Financial Group, Inc. for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Solomon. All voted Aye; motion carried.

ORD. NO. 2012-2099
AMEND UDO (SOUTH
SHORE LODGE #3
FREE AND ACCEPTED
MASONS OF WIS.)

- G.9. Alderman Taylor moved to adopt Ordinance No. 2012-2099, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 8641 "CIVIC, SOCIAL, AND FRATERNAL ASSOCIATIONS" TO ALLOW FOR SUCH USE AS A PERMITTED USE IN THE B-4 SOUTH 27TH STREET MIXED-USE COMMERCIAL DISTRICT (LAWRENCE D. NELDNER, TRUSTEE, SOUTH SHORE LODGE #3 FREE AND ACCEPTED MASONS OF WISCONSIN, APPLICANT). Seconded by Alderman Solomon. All voted Aye; motion carried.

- PRIVATE PROPERTY INFLOW AND INFILTRATION PROGRAM
- G.10. Alderman Wilhelm moved to proceed with the work program for both South 37th Place between West Madison Boulevard and West Rawson Avenue, and South 36th Street between West Madison Boulevard and West Missouri Avenue, as follows:
- a) Approve the work plan for Phase 2 of South 37th Place subject to MMSD approval to relay or reline 31 of the 33 laterals and to eliminate the foundation drain tiles on 12 homes from the connection to the sanitary sewer including the installation of sump pumps;
 - b) Authorize staff to go out for bids for the relay or relining of 31 laterals and the elimination of foundation drains on South 37th place on 12 homes;
 - c) Approve the work plan for Phase 1 at South 36th Street subject to the MMSD approval which includes dye testing and home inspections;
 - d) Authorize staff to go out for bids to install a liner in the sanitary sewer on South 36th Street from West Madison Boulevard to West Missouri Avenue and authorize a letter agreement with Ruekert-Mielke to propose the specifications for said liner.
- Seconded by Alderman Taylor. All voted Aye; motion carried.
- DITCH ENCLOSURE AT 9032 AND 9048 S. 84TH ST.
- G.11. Alderman Olson moved to accept the Petition and Waiver of Hearing forms for the roadside ditch enclosure at 9032 and 9048 South 84th Street. Seconded by Alderman Taylor. All voted Aye; motion carried.
- BALL FIELD MEMORANDUM OF UNDERSTANDING
- G.12. Alderman Skowronski moved to approve the Memorandum of Understanding with Franklin Force for the 2013 use of the ball fields located south of the City of Franklin Department of Public Works Facility at 7979 West Ryan Road. Seconded by Alderman Solomon. All voted Aye; motion carried.
- AGREEMENT-FRANKLIN PROFESSIONAL FIREFIGHTERS
- G.13. Alderman Taylor moved to approve the Tentative Agreement for 2013-2015 with the Franklin Professional Firefighters, Local 2760 of the International Association of Firefighters, AFL-CIO, and to authorize the Mayor, Director of Clerk Services, and Director of Administration to execute a labor agreement incorporating the provisions of the Tentative Agreement included in the Council meeting packet for November 13, 2012. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- NOVEMBER COUNCIL MEETING
- G.14. Alderman Taylor moved to cancel the regular Common Council meeting of November 20, 2012. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

CLAIM

G.15. Alderman Solomon moved to deny the claim of Liberty Mutual Insurance for their insured's Michael Morphis/Oakbrook Corporation for injuries sustained by their insured, Michael Morphis, employee of Oakbrook Corporation, while driving his motorcycle on CTH U/S. 76th Street on August 8, 2012 based upon and in concurrence with the insurance adjuster that the City of Franklin is not responsible for the repairs to CTH U/S. 76th Street, rather Milwaukee County is. Seconded by Alderman Taylor. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Upon recommendation of the License Committee, Alderman Solomon moved to grant the following licenses:

Operator License to Kriztian M. Beasley, 3209 W. Manitoba St., Milwaukee; David A. Brunette, 4236 S. 61st St. #3, Greenfield; Jennifer L. Conrad, 3107 W. Mangold Ave. #12, Greenfield; Margaret L. Goelzer, 4969 S. 27th St., Greenfield; Allison L. Kitzerow, 1633 N. Prospect #9F, Milwaukee; Robin S. Palmer, 1830 Milwaukee Ave., South Milwaukee; Terese M. Reed, 8252 S. 8th St.; Dale E. Steingold, 1832 108th St., Franksville and Nicholas Stricharchuk, 2429A S. Austin St., Milwaukee;

Further moved to hold Operator License for Faye M. Young, 6156 S. 42nd St., Greenfield and Kristin J. Kowalski, 11210 W. Six Mile Rd., Franksville subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

I.1. Alderman Skowronski moved to approve net City vouchers in the range of Nos. 144730 through 14535 dated November 13, 2012. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated October 19, 2012 in the amount of \$353,231.40. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

Alderman Solomon moved to approve net payroll dated November 2, 2012 in the amount of \$345,153.28. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

Alderman Taylor moved to adjourn the meeting at 8:00 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.