

CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 5, 2013
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on November 5, 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, Daniel M. 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 Sandi Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:42 p.m.
- GREEN BERET SGT.
STEVEN BRUNELL B.2.a. Mayor Taylor noted that Green Beret Sgt. Steven Brunell was selected for the Yellow Ribbon Honor Flight to Washington D.C.
- SABER STADIUM
PROJECT (MAYOR
TAYLOR) B.2.b. Alderman Skowronski moved to refer the Saber Stadium Project to the Forward Franklin Economic Development Committee for its review and return report to the Common Council as to potential City and Community assistance which may be provided to support the project, and to direct staff to review and return report to the Common Council as to the potential impacts of the application of impact fees and impact fee ordinances. Seconded by Alderman Mayer. All voted Aye; motion carried.
- APPROVAL OF
MINUTES-10/15/13 C.1. Alderman Skowronski moved to approve the minutes of the regular meeting of October 15, 2013. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RECONSIDERATION OF
APPROVAL OF
MINUTES-09/30/13
(ALD SKOWRONSKI) C.2. Alderman Skowronski moved to reconsider the approval of the minutes of the September 30, 2013, Committee of the Whole meeting. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- Alderman Skowronski moved to approve the minutes of the September 30, 2013, Committee of the Whole meeting with the correction to item II.B. to include “and including an increase of \$950,000 to Contingency” as part of the motion. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2013-6924 G.1. Alderman Skowronski moved to adopt Resolution No. 2013-6924, A RESOLUTION DIRECTING STAFF TO INVESTIGATE AND PREPARE AN ORDINANCE EXEMPTING PUBLIC SCHOOL DISTRICTS FROM SUBJECTION TO CITY-IMPOSED IMPACT FEES AS SET FORTH IN SECTION 92-9 OF THE MUNICIPAL CODE. Seconded by Alderman Mayer. All voted Aye; motion carried.

DONATION
HISTORICAL SOCIETY

G.2. Alderman Mayer moved to accept the donation of asphalt paving for the handicapped accessible pathways in a manner acceptable to the City Engineer and to authorize that the path lighting project be considered a project co-sponsored by the City in relation to the minor site plan application and any required building permits, and that the lighting installation be based on page 17 of the Common Council packet for this meeting. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2013-6925
SUPPORT OF 2013
ASSEMBLY BILL 441

G.3. Alderman Taylor moved to adopt Resolution No. 2013-6925, A RESOLUTION IN SUPPORT OF 2013 ASSEMBLY BILL 441 AS INTRODUCED TO AMEND THE WISCONSIN STATUTES TO FURTHER PROVIDE FOR THE DISTRIBUTION BY STATE AGENCIES OF INFORMATION RELATING TO PERSONS REQUIRED TO REGISTER AS A SEX OFFENDER TO THE PUBLIC AND LOCAL LAW ENFORCEMENT IN THE INTERESTS OF THE PUBLIC HEALTH, SAFETY AND WELFARE. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LOW POWERED FM
RADIO STATION

G.4. Alderman Taylor moved to direct the Director of Administration to submit an application for a Low Powered FM Radio Station authorizing funding and release of checks up to a total of \$1,500 from the Information Systems budget for application fees and necessary consulting and technical services. Seconded by Alderman Wilhelm. On roll call, Aldermen Dandrea, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; Alderman Mayer voted No. Motion carried.

2013-2015 SUCCESSOR
LABOR AGREEMENT
PROFESSIONAL POLICE
ASSOCIATION

G.5. Alderman Taylor moved to approve the Tentative Agreements between the City of Franklin and the Franklin Professional Police Officers Association for a 2013-2015 successor labor agreement and authorize the Mayor, Director of Clerk Services, and Director of Administration to execute a labor agreement incorporating the provisions of the Tentative agreement. Seconded by Alderman Mayer. All voted Aye; motion carried.

JOB DESCRIPTION
LIBRARY
ADMINISTRATIVE AIDE

G.6. Alderman Schmidt moved to approve the job description for Library Administrative Aide contingent upon approval by the Library Personnel Sub-Committee and incorporating any minor technical issues they may find. Seconded by Alderman Mayer. All voted Aye; motion carried.

ORD. 2013-2120
2014 ANNUAL BUDGET

- G.7. Alderman Skowronski moved to adopt Ordinance No. 2013-2120, AN ORDINANCE ADOPTING THE 2014 ANNUAL BUDGETS 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 ADOPTING THE PROPERTY TAX LEVY AND OTHER REVENUE FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2014. Seconded by Alderman Mayer.
- Alderman Taylor moved to amend the main motion so as to have the 2014 Annual Budget reflect 1.48 “Authorized Positions” for the Assistant Building Inspector, for the purpose of requiring further review and approval by the Common Council prior to hiring an additional full-time Building Inspector. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- Alderman Taylor moved to amend the main motion so as to incorporate the items identified on the worksheet entitled “2014 Proposed Budget Additional Adjustment Considerations: 11/5/2013” for the amounts and purposes as set forth therein. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- Alderman Taylor moved to amend the main motion so as to have the 2014 Annual Budget reflect the position title of Director of Administration, not City Administrator as recommended by the Mayor, for the purpose of considering this change as a separate policy matter, not as a budget matter. Seconded by Alderman Dandrea. Motion carried on a voice vote; Aldermen Mayer and Skowronski voted No.
- Alderman Taylor moved to amend the main motion so as to modify the Capital Improvement Fund for the “Roof Replacement-Fire Station #1” providing appropriations of \$7,000 in 2013 and \$98,000 in 2014. Seconded by Alderman Mayer. All voted Aye; motion carried.
- Alderman Taylor moved to amend the main motion so as to modify the Capital Improvement Fund for the “Roof Repairs-City Hall” providing for appropriations of \$15,000 for 2013 and \$210,000 for 2014. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- Alderman Taylor moved to amend the main motion so as to modify the Capital Improvement Fund for the “Pleasant View/Victory Creek Trail” project eliminating the 2014 appropriation and associated grant and impact fee revenues. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- Alderman Mayer moved that the recommended budget document be amended to accurately reflect the end-of-the-year fund balance for the Sewer Fund as shown in the Sewer Fund detailed budget pages. Seconded by Alderman Schmidt. All voted Aye; motion carried.

- BUDGET-CONT. On the vote for the main motion as amended, all voted Aye; motion carried.
- COSTS REVIEW- EXTENSION OF SANITARY SEWER ON S. 76TH ST. G.8. Alderman Skowronski moved to recommend funding to the Finance Committee for the non-assessable portion of the sanitary sewer extension on S. 76th Street from a point 3,000 feet south of S. 76th Street to a point 900 feet north of S. 76th Street and on W. Ryan Road from S. 76th Street to a point 1,235 feet west of S. 80th Street. Seconded by Alderman Taylor. Alderman Skowronski withdrew his motion. Alderman Mayer moved to table this item to the next Common Council meeting. Seconded by Alderman Taylor. All voted Aye; motion carried.
- SURVEY ON 8200 BLOCK OF W. RYAN ROAD G.9. Alderman Mayer moved to authorize staff to investigate the limits of the grave site at the cemetery located on the south side of the 8200 block of W. Ryan Road. Motion died due to the lack of a second. It was then moved by Alderman Wilhelm to authorize staff to investigate the limits of the grave site at the cemetery located on the south side of the 8200 block of W. Ryan Road, with the condition that a historical preservation representative be present. Seconded by Alderman Taylor. All voted Aye; motion carried.
- STREET LIGHTS INSTALLATION G.10. Alderman Skowronski moved to authorize staff to order street lights from WE Energies for the intersection of W. Phyllis Lane and S.T.H. 100 and the intersection of S.T.H. 100 and the W. Rawson Avenue ramp at a cost of \$10,926.95. Seconded by Alderman Mayer. All voted Aye; motion carried.
- EXTENSION OF WATER TRANSMISSION MAIN- ST. MARTINS ROAD G.11. Alderman Skowronski moved to reject bids received for the extension of water transmission main along W. St. Martins Road from approximately 440 feet southeast to S. Chapel Hill Drive. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2013-6926 OPPOSITION TO 2013 SENATE BILL 349 G.12. Alderman Mayer moved to adopt Resolution No. 2013-6926, A RESOLUTION IN OPPOSITION TO 2013 SENATE BILL 349 PERTAINING TO THE GUTTING OF LOCAL MUNICIPAL HOME RULE AUTHORITY IN THE REGULATION OF NONMETALLIC MINING (QUARRY) USES AND OPERATIONS THROUGHOUT THE STATE OF WISCONSIN. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- S. 27TH ST. CORRIDOR STREETSCAPE G.13. Alderman Mayer moved to direct staff to proceed with the 27th Street Steering Committee and the City of Oak Creek staff to bring final terms and provisions for the 27th Street Streetscape and cost terms in relation to the Wisconsin Department of Transportation Reconstruction Project pursuant to all prior

27TH STREET-
CONTINUED

Common Council approvals and bring it back to the Common Council for the fruition of the arrangements. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2013-6927
JOB CREATION AND
ECONOMIC GROWTH

G.14. Alderman Skowronski moved to adopt Resolution No. 2013-6927, A RESOLUTION COMMITTING THE HOME RULE AUTHORITY OF THE CITY OF FRANKLIN TO WORK IN COLLABORATION WITH THE STATE OF WISCONSIN TO CREATE JOBS AND PROMOTE ECONOMIC GROWTH, as amended. Motion died due to lack of a second.

Alderman Skowronski moved to adopt Resolution No. 2013-6927, A RESOLUTION COMMITTING THE HOME RULE AUTHORITY OF THE CITY OF FRANKLIN TO WORK IN COLLABORATION WITH THE STATE OF WISCONSIN TO CREATE JOBS AND PROMOTE ECONOMIC GROWTH. Seconded by Alderman Taylor.

Alderman Mayer moved to call question. Seconded by Alderman Taylor. All voted Aye; motion carried.

Motion carried on a voice vote for the main motion, Alderman Wilhelm abstained.

RES. 2013-6928
APPOINTMENT OF DIR.
OF FINANCE AND
TREASURER

G.15. Alderman Taylor moved to adopt Resolution No. 2013-6928, A RESOLUTION CONFIRMING THE APPOINTMENT OF PAUL ROTZENBERG AS THE DIRECTOR OF FINANCE AND TREASURER. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2013-6929
DESIGNATING
SIGNATURES FOR
CHECKS

G.16. Alderman Taylor moved to adopt Resolution No. 2013-6929, A RESOLUTION DESIGNATING SIGNATURES FOR CHECKS AND ORDERS PURSUANT TO SECTION 66.0607 WISCONSIN STATUTES. Seconded by Alderman Mayer. All voted Aye; motion carried.

ORD. 2013-2121
AMEND ORD. 2012-2096
TO MODIFY BUDGET
FOR SPECIAL
ELECTIONS

G.17. Alderman Schmidt moved to adopt Ordinance No. 2013-2121, AN ORDINANCE TO AMEND ORDINANCE 2012-2096 (AN ORDINANCE ADOPTING THE 2013 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN), AS AMENDED, TO MODIFY THE BUDGET OF THE GENERAL FUND (ELECTIONS) AND GENERAL FUND (CONTINGENCY) BY TRANSFERRING UP TO \$30,000 IN EXPENDITURE APPROPRIATIONS FROM CONTINGENCY TO ELECTIONS TO COVER EXPENSES RELATED TO SPECIAL ELECTIONS. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- RES. 2013-6930
2013 NON-
REPRESENTED-
CLERICAL WAGE
ADJUSTMENTS
- G.18 Alderman Mayer moved to adopt Resolution No. 2013-6930, A RESOLUTION TO ESTABLISH THE 2013 NON-REPRESENTED CLERICAL EMPLOYEE GENERAL WAGE ADJUSTMENTS AND TO INCORPORATE SUCH INTO THE EMPLOYEE HANDBOOK. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RESCISSION OF OCT. 1,
2013 ACTION-FLEXIBLE
SPENDING PROGRAM
- G.19. Alderman Schmidt moved to rescind the October 1, 2013 Common Council action approving the modification of the eligibility requirement of the Flexible Spending Program (Section 125 Plan) such that the requirement that the employees are regularly scheduled to work 20 or more hours per week applies to employee hired, for their current term of employment, after January 1, 2007, as the information provided by the City's administrative consultant changed following that action, thereafter stating that such a change to the Plan was not available. Seconded by Alderman Dandrea. Motion carried on a voice vote; Alderman Mayer voted No.
- MISCELLANEOUS
LICENSES
- H.1. Alderman Taylor moved to grant the following licenses:
- Operator License to Case, Holly E., S67W14732 Janesville Rd., Muskego; Hagen, Deborah L., 10502 W. Cortez Cir. #23; Hartung, Patti S., 664 Shirley Dr., Franksville; Johnson, Jeanne Z., 7703 W. Margaret Ln.; Stadler, Daniel V., S73W14901 Candlewood Ln., Muskego and Szot, Rafal R., 4618 S. 50th St., Greenfield;
- Temporary Class B Beer License to St. Martin of Tours Parish School, Person in Charge: Sherry Marino at 7933 S. 116th St., Spaghetti Dinner on 11/16/13;
- Also moved to hold Operator License for Krosschell, David M., 2537 S. Austin St., Milw. and Bailey, Brett W., 4636 S. Racine Ave., New Berlin, both subject to appearing before the License Committee. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- VOUCHERS AND
PAYROLL
- I.1. Alderman Skowronski moved to approve net general checking account City vouchers in the range of Nos. 149095 through 149304 dated November 5, 2013 in the amount of \$1,650,430.15. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

VOUCHERS AND
PAYROLL-
CONTINUED

Alderman Mayer moved to approve net payroll dated November 1, 2013 in the amount of \$336,058.19 (estimate previously approved at \$335,900.00) and payment of the various payroll deductions in the amount of \$196,311.76 (estimate previously approved at \$192,600.00) plus any City matching payments, where required. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve the estimated net payroll dated November 15, 2013 in the amount of \$343,000.00 and payments of the estimated various payroll deductions in the amount of \$203,000.00 plus any City matching payments, where required. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:26 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.