

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 16, 2010
MINUTES**

ROLL CALL	A.	The regular meeting of the Common Council was held on November 16, 2010 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 Luberdia, City Attorney Wesolowski and City Clerk Wesolowski.
CITIZEN COMMENT	B.1.	Citizen comment period was opened at 6:31 p.m. and closed at 6:33 p.m.
PROCLAMATION	B.2.a.	Mayor Taylor and Alderman Schmidt presented a proclamation to Richard J. Schmid for being named Knight of the Legion of Honor.
PROCLAMATION	B.2.b.	Mayor Taylor noted a proclamation in recognition of Polonia Sport Club's 60th Anniversary.
MINUTES- 11/01/10	C.1.	Alderman Olson moved to approve minutes of the regular meeting of November 1, 2010 as amended. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
MINUTES- 11/03/10	C.2.	Alderman Olson moved to approve minutes of the special meeting of November 3, 2010 as amended. Seconded by Alderman Schmidt. All voted Aye; motion carried.
MINUTES- 11/04/10	C.3.	Alderman Taylor moved to approve minutes of the special meeting of November 4, 2010 as presented. Seconded by Alderman Schmidt. All voted Aye; motion carried.
PUBLIC HEARING- 2011 PROPOSED BUDGETS	D.1.	A public hearing regarding the 2011 proposed budgets was opened at 7:04 p.m. and closed at 7:16 p.m.
PUBLIC HEARING- DAL 27TH STREET CLINIC	D.2.	A public hearing regarding the proposed sale and issuance of not to exceed \$12,000,000 in Industrial Development Revenue Bond financing to benefit DAL 27th Street Clinic and/or Dental Associates Ltd. Of Wisconsin Project was opened at 7:23 p.m. and closed at 7:23 p.m.
PUBLIC HEARING- COMPREHENSIVE MASTER PLAN	D.3.	A public hearing regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to designate Parcel 1 of Certified Survey Map No. 6612 for Agricultural Use (approximately 10338 W. Ryan Road) was opened at 7:24 p.m. and closed at 7:30 p.m.

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| APPOINTMENTS | E.1.a. | Alderman Solomon moved to approve the Mayoral appointment of Michael Karolewicz, to the Library Board, term expires 7/01/12. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried. |
| | E.1.b. | Alderman Skowronski moved to approve the Mayoral appointment of Thomas Loew, to the Library Board, term expires 7/01/12. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried. |
| | E.1.c. | Alderman Skowronski moved to approve the Mayoral appointment of Wesley Cannon to the Mayoral Ad Hoc Development Process Committee, indefinite term. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried. |
| CERTIFICATE OF ACHIEVEMENT | F.1. | Mayor Taylor noted the news release from Government Finance Officers Association awarding Certificate of Achievement for Excellence in financial reporting to City of Franklin. |
| ORD. 2010-2028
ANNUAL BUDGETS | G.1. | <p>Alderman Olson, seconded by Alderman Wilhelm, moved that the Sewer and Water building project listed on page 43 of the 2011 budget document be moved to the year 2014. Alderman Olson, seconded by Alderman Taylor, moved to amend the motion to change the year from 2014 to 2012. On roll call, Aldermen Olson, Wilhelm, Taylor, and Schmidt voted Aye; Aldermen Solomon and Skowronski voted No. Motion carried.</p> <p>Alderman Wilhelm, seconded by Olson moved to call the question. All voted Aye; motion carried.</p> <p>On the main motion as amended, Aldermen Skowronski, Schmidt, Taylor, Wilhelm, and Olson voted Aye; Alderman Solomon voted No. Motion carried.</p> <p>Alderman Olson moved to delete the community recreation center until a future Committee of the Whole meeting and until it can be discussed with the existing standing committee (Citizens for Community Development). Motion died due to lack of a second.</p> <p>Alderman Olson moved to change the amount in 01.141.0000.5471, Background Checks, to \$4,200 reducing it by \$1,750. Seconded by Alderman Wilhelm. On roll call, Alderman Olson voted Aye; Aldermen Solomon, Wilhelm, Taylor, Schmidt, and Skowronski voted No. Motion failed.</p> <p>Alderman Olson moved to delete \$100,000 from the Conservation and Development line item on page 6 of the Council Item G.1. Motion died due to lack of a second.</p> |

**ANNUAL BUDGETS-
CONTINUED**

Alderman Olson moved to delete \$70,000 from the Department of Public Works budget for a Light Equipment Operator position. Motion died due to lack of a second.

Alderman Olson moved to delete \$70,000 from the Health and Human Services budget. Motion died due to lack of a second.

Alderman Solomon moved to adopt Ordinance No. 2010-2028, AN ORDINANCE ADOPTING THE ANNUAL BUDGETS FOR THE GENERAL FUND, LIBRARY FUND, SEWER SERVICE FUND, CAPITAL OUTLAY FUND, EQUIPMENT REVOLVING FUND, STREET IMPROVEMENT FUND, CAPITAL IMPROVEMENT FUND, DEBT SERVICE FUND AND TIF DISTRICT FUNDS FOR THE CITY OF FRANKLIN, and establishing the tax levy to support the 2011 Budgets for the City of Franklin. Seconded by Alderman Schmidt. On roll call, Aldermen Solomon, Wilhelm, Taylor, Schmidt and Skowronski voted Aye; Alderman Olson voted No. Motion carried.

**RES. 2010-6679
INDUSTRIAL
DEVELOPMENT
REVENUE BOND**

G.2.

Alderman Wilhelm moved to adopt Resolution No. 2010-6679, FINAL RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF NOT TO EXCEED \$9,500,000 IN INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING TO BENEFIT DAL 27TH STREET CLINIC, LLC AND/OR DENTAL ASSOCIATES LTD. OF WISCONSIN PROJECT. Seconded by Alderman Olson. All voted Aye; motion carried.

**ORD. 2010-2029
COMPREHENSIVE
MASTER PLAN**

G.3.

Alderman Skowronski, seconded by Alderman Schmidt, moved to suspend the rules to allow Nick Ioder to speak.

Alderman Skowronski moved to adopt Ordinance No. 2010-2029, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO DESIGNATE PARCEL 1 OF CERTIFIED SURVEY MAP NO. 6612 FOR AGRICULTURAL USE (APPROXIMATELY 10338 WEST RYAN ROAD). Seconded by Alderman Wilhelm. On roll call, Aldermen Olson, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; Alderman Solomon voted No. Motion carried.

**ORD. 2010-2030
REZONING-
IODER**

G.4.

Alderman Skowronski moved to adopt Ordinance No. 2010-2030, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO A-2 PRIME AGRICULTURAL DISTRICT (NICK E. IODER AND JACQUELINE M. IODER JOINT REVOCABLE TRUST, APPLICANT) (APPROXIMATELY 80 ACRES) (APPROXIMATELY 10338 WEST RYAN ROAD). Seconded

REZONING-
CONTINUED

by Alderman Taylor. On roll call, Aldermen Skowronski, Schmidt, Taylor, Wilhelm, and Olson voted Aye; Alderman Solomon voted No. Motion carried.

ORD. 2010-2031
PLANNED
DEVELOPMENT
DISTRICT NO. 22-
CLARE MEADOWS

G.5. Alderman Wilhelm moved to adopt Ordinance No. 2010-2031, AN ORDINANCE TO AMEND §15-3.0427 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 22 (CLARE MEADOWS) (FRANCISCAN SISTERS OF ST. CLARE, INC., APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2010-2032
AMEND UNIFIED
DEVELOPMENT
ORDINANCE TEXT-
LANDMARK
RAWSON, LLC

G.6. Alderman Wilhelm moved to adopt Ordinance No. 2010-2032, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 8099 "HEALTH AND ALLIED SERVICES, NOT ELSEWHERE CLASSIFIED" TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE B-4 SOUTH 27TH STREET BUSINESS DISTRICT (LANDMARK RAWSON, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2010-6680
SPECIAL USE-
LANDMARK
RAWSON, LLC

G.7. Alderman Wilhelm moved to adopt Resolution No. 2010-6680, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A CORPORATE WELLNESS AND TESTING SOLUTIONS BUSINESS USE UPON PROPERTY LOCATED AT 2830 WEST RAWSON AVENUE (LANDMARK RAWSON, LLC, APPLICANT). Seconded by Alderman Solomon. All voted Aye; motion carried.

INSURANCE
CARRIERS

G.8. Alderman Olson moved to recommend Berkeley Life and Health be retained as the Stop-Loss Carrier, at rates not to exceed those presented, unless Diversified is able to secure better rates from Companion Life or Sun Life prior to 11/24/10 as determined by the Mayor and recommended by the Personnel Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Solomon moved that Auxiant be retained as the City's 3rd Party Administrator for the fee rates as presented and recommended by the Personnel Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Olson moved that Serve-You be retained as the pharmacy provider for the rates from the 11/20/10 proposal as recommended by the Personnel Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

**INSURANCE
CARRIERS-
CONTINUED**

Alderman Schmidt moved that Diversified be retained as the Employee Benefits Consulting Provider for 2011 for a total fee of \$52,900 but that the contract be non-exclusive and provide for the ability to bid out the service during 2011 if the City so chooses and authorize the Director of Administration to prepare and execute such service contract as recommended by the Personnel Committee. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

**COMPREHENSIVE
OUTDOOR
RECREATION PLAN**

G.9.

Alderman Solomon moved to direct staff to proceed with completion of a draft update to the City of Franklin's Comprehensive Outdoor Recreation Plan in general accord with the process and timetable. Seconded by Alderman Schmidt. All voted Aye; motion carried.

**PLANNING PROJECT
AGREEMENT**

G.10.

Alderman Wilhelm moved to authorize acceptance of the Safe Routes to School Planning Grant and authorize the Mayor and City Clerk to execute the Planning Project Agreement. Seconded by Alderman Solomon. All voted Aye; motion carried.

**RES. 2010-6681
W. COLLEGE
AVENUE
RECONSTRUCTION
PROJECT**

G.11.

Alderman Wilhelm moved to adopt Resolution No. 2010-6681, A RESOLUTION TO REQUEST OF MILWAUKEE COUNTY THE IMPORTANT NEED FOR THE INSTALLATION OF PEDESTRIAN WAYS IN THE WEST COLLEGE AVENUE RECONSTRUCTION PROJECT. Seconded by Alderman Taylor. All voted Aye; motion carried.

**CIVIC
CELEBRATIONS**

G.12.

Alderman Taylor moved to authorize Bob Knackert of the Civic Celebrations Commission to sign and execute contracts approved by the City Attorney for 2011 Civic Celebrations activities in an amount not to exceed \$101,040. Seconded by Alderman Schmidt. All voted Aye; motion carried.

**DEPARTMENT OF
PUBLIC WORKS
SURPLUS VEHICLES**

G.13.

Alderman Taylor moved to authorize Department of Public Works staff to sell surplus vehicles; to set a minimum bid for trucks #731 and #732 and to post each vehicle on the Wisconsin Surplus website. Seconded by Alderman Solomon. All voted Aye; motion carried.

**FRANKLIN FIRE
DEPARTMENT
WATER RESPONSE**

G.14.

Alderman Wilhelm moved to authorize the extension of Franklin Fire Department open water dive capabilities and authorization for the Fire Chief and Director of Administration to draft and execute a Memorandum Of Understanding with Local 2760, as may be required, provided this service extension will not alter wage rates or require Special Teams pay. Seconded by Alderman Taylor. All voted Aye; motion carried.

AGREEMENT- PARAMEDIC TRAINING	G.15.	Alderman Schmidt moved to authorize execution of the Clinical Affiliation Agreement between City of Franklin and Gateway Technical College-EMS Division to complete paramedic training for Fire Fighter Dillon Gavinski identifying responsibilities related to liability, injuries, and patient care. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
EARLY WARNING SIRENS	G.16.	No action was necessary on an update on early warning sirens by City Engineer John Bennett.
REFERENDUM AND RESULTS-11/2/10 ELECTION	G.17.	No action was taken on the results of the November 2, 2010, General Election results relating to the municipal referendum on a fulltime Mayor.
TOWING CONTRACT	G.18.	Alderman Olson moved to grant a 1-year extension to N&S Towing, Inc. to the contract for towing and storage of motor vehicles with an expiration date of February 28, 2011. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
VEHICLE DAMAGE	G.19.	Alderman Taylor moved to deny the claim of Mitchell Zarczynski for vehicle damage sustained when he struck a manhole on Dover Hill Court in Franklin on September 23, 2010. Seconded by Alderman Olson. All voted Aye; motion carried.
LICENSES AND PERMITS	H.1.	<p>Upon recommendation of the License Committee, Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:</p> <p>Operator License to Alicia E. Bellanger, 4137 W. McGinnis Drive with warning letter from City Clerk; Jonathan J. Oster, 5825 Lakeview Drive, Greendale with warning letter and notary seal affixed; Max G. Hall, 12500 Duncan Lane #208, New Berlin; Joanne M. Hanson, 27201A E. Main Drive, Waterford; Sarah K. Hower, 1641 Wisconsin Street #78, Sturtevant; Stephanie L. Kahle, 7966 Lake Pointe Drive; Mileva Todorovich Krajewski, 3211 S. 77th Street with notary seal affixed and Poonam Singh, 16225 Cumberland Trail, Brookfield;</p> <p>Further moved to hold Operator License for Matthew J. Eigenauer, 316 N. Britton Road, Union Grove subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.</p>

**VOUCHERS AND
PAYROLL**

- I.1. Alderman Taylor moved to approve net City vouchers in the range of Nos. 136216 thru 136370. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve the net City payroll of November 5, 2010 in the amount of \$323,346.69. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:45 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.