

**CITY OF FRANKLIN  
SPECIAL COMMON COUNCIL MEETING  
OCTOBER 27, 2011  
MINUTES**

- ROLL CALL I. The special meeting of the Common Council was held on October 27, 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, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT II. Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m.
- RYAN CREEK  
INTERCEPTOR  
SEWER  
(9733 W. RYAN RD.) III.A. Alderman Taylor moved to enter closed session at 6:33 p.m. pursuant to Wis. Stat. §19.85(1)(e), to consider the terms and negotiation of the public acquisition of easement(s) for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- Upon reentering open session at 7:11 p.m., Alderman Solomon moved to reject the property owners' counter offer and to authorize the issuance of a Jurisdictional Offer as previously authorized by the Common Council on September 20, 2011, with any further negotiations thereafter to occur pursuant to the terms discussed in closed session at this October 27, 2011 meeting. (Acquisition Map Parcel No., Tax Key Number and address, respectively, as follows: 1) 21, 894-9999-001 and 9733 W. Ryan Road; 2) 40, 894-9999-004 and 9733 W. Ryan Road.) Seconded by Alderman Taylor. On roll call, Aldermen Skowronski, Schmidt, Taylor, Solomon, and Olson voted Aye; Alderman Wilhelm voted No. Motion carried.
- DNR WATER  
QUALITY  
CERTIFICATION  
PERMIT-RYAN  
CREEK  
INTERCEPTOR  
SEWER PROJECT III.B. Alderman Taylor moved to enter closed session at 7:14 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 Schmidt. On roll call, all voted Aye; motion carried.
- The Common Council reentered open session at 7:22 p.m.

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- CHANGE ORDERS FOR RYAN CREEK INTERCEPTOR SEWER PROJECT      III.C.      Alderman Olson moved to direct staff and the Senior Project Manager to return the proposed change orders to the Common Council in contract form for approval for the contracts for the public construction of the Ryan Creek Interceptor Sewer Public Sanitary Sewer Facility Project. Seconded by Alderman Skowronski. Motion carried on a voice vote for the main motion, Alderman Wilhelm voted No.
- SANITARY SEWER DEV. ASSISTANCE      III.D.      No action was taken as to the Ryan Creek Interceptor Sewer Public Sanitary Sewer Facility Project consideration of development assistance to property owners not currently served by public sanitary sewer service.
- POLICY FOR SEWER EXTENSION AND COST RECOVERY FOR RYAN CREEK INTERCEPTOR SEWER AND UNSEWERED AREAS      III.E.      Alderman Skowronski moved to direct staff, as a priority, and the City consultant on the subject, to provide a draft of legislation at the November 15, 2011, regular Common Council meeting, to implement a policy relative to sewer extension and cost recovery for the Ryan Creek Interceptor Public Sanitary Sewer Project and currently unsewered public sanitary sewer service areas in the City. Seconded by Alderman Schmidt. Alderman Skowronski withdrew his motion.  
Alderman Olson then moved to direct staff, as a priority, and the City consultant on the subject, to provide a draft of legislation at the December 5, 2011, Committee of the Whole meeting, to implement a policy relative to sewer extension and cost recovery for the Ryan Creek Interceptor Public Sanitary Sewer Project and currently unsewered public sanitary sewer service areas in the City. Seconded by Alderman Taylor. All voted Aye; motion carried.
- DEVELOPMENT AGREEMENT FOR DEVELOPMENT OF HOTEL AT 6901 S. 76TH STREET      III.F.      Alderman Skowronski 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 a development agreement for the development of a hotel at the property located at 6901 South 76th Street (previously noticed as the proposed Hampton Inn and Suites five story hotel), for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.  
Alderman Olson left the meeting at 8:05 p.m.  
The Common Council reentered open session at 8:30 p.m.
- ADJOURNMENT      IV.      Alderman Taylor moved to adjourn the meeting at 8:31 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.