



RES. 2004-5779 F-1f. Introduction of Resolution No. 2004-5779, A RESOLUTION TO STREET VACATE A PORTION OF A RESERVED PUBLIC STREET VACATION-W. ST. MARTINS RD. LOCATED ON 9518 W. ST. MARTINS ROAD (CSM #4296) and further to schedule a public hearing date for 1/18/05.

Above items seconded by Alderman Kosovich. All voted Aye; motion carried.

RES. 2004-5780 F-2. Alderman Kosovich moved to adopt Resolution No. 2004-5780, SITE PLAN RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS AMENDMENT- FOR THE APPROVAL OF A SITE PLAN AMENDMENT SEILER RESOLUTION FOR PROPERTY LOCATED AT 9755 AIRWAYS MILWAUKEE COURT, NORTHWEST 1/4 OF SECTION 26 (Greg Schumacher, BUILDING Cityscape Architecture/ Development SC), as amended. Seconded by Alderman Sohns. All voted Aye; motion carried.

RES. 2004-5781 F-3. Alderman Kosovich moved to adopt Resolution No. 2004-5781, SITE PLAN- RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS SWIMTASTICS FOR THE APPROVAL OF A SITE PLAN RESOLUTION FOR BUILDING PROPERTY LOCATED AT 9702 AIRWAYS COURT, NORTHWEST ¼ OF SECTION 26 (Jeff Dietrich, Swimtastics Building, National Survey & Engineering), as amended. Seconded by Alderman Olson. All voted Aye; motion carried.

RES. 2004-5782 F-4. Alderman Olson moved to adopt Resolution No. 2004-5782, A AGREEMENT- RESOLUTION APPROVING AN AGREEMENT WITH ECONOMIC PUBLISHING FOR THE PROVISION OF RESOURCE GUIDE PUBLISHING AN ECONOMIC RESOURCE GUIDE FOR THE CITY OF FRANKLIN, with any revenue to be used by the Community Development Authority. Seconded by Alderman Kosovich. All voted Aye; motion carried.

RES. 2004-5783 F-5. Alderman Sohns moved to adopt Resolution No. 2004-5783, SPECIAL USE RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS AMENDMENT- FOR THE APPROVAL OF A SPECIAL USE AMENDMENT FOR REM WISCONSIN, INC. PROPERTY LOCATED AT 3177 W. COLLEGE AVENUE, (NE 1/4, SECTION 1, T5N, R21E), with an additional condition that as set forth in the Storm Water Management Plan. Seconded by Alderman Solomon. All voted Aye; motion carried.

REZONING- F-6. Alderman Sohns moved to deny amending the zoning code (map) for ECONOMIC DEVELOPMENT property located at 8661 and 8551 W. Loomis Road, NW & NE 1/4 of COMMISSION Section 9, Tax Key Numbers 755-9997-000 and 754-9999-002, from R-6 Suburban Single-Family Residence District to B-3 Community Business District, for the City of Franklin Economic Development Commission. Seconded by Alderman Olson. All voted Aye; motion carried.

ORD. 2004-1818  
RECREATIONAL  
VEHICLES

F-7. Alderman Sohns moved to adopt Ordinance No. 2004-1818, AN ORDINANCE TO AMEND DIVISION 15-3.0600 ZONING DISTRICT USES AND USE REGULATIONS SECTION 15-3.0603 TABLE OF PERMITTED AND SPECIAL USES IN ALL NONRESIDENTIAL ZONING DISTRICTS TO ALLOW THE SALE OF RECREATIONAL VEHICLES AS A SPECIAL USE IN SECTION 15-3.0309 M-1 LIMITED INDUSTRIAL DISTRICT AND SECTION 15-3.0310 M-2 GENERAL INDUSTRIAL DISTRICT, as amended by the City Attorney. Seconded by Alderman Kosovich. On roll call, Aldermen Bergmann, Sohns, Kosovich, Gardner and Solomon voted Aye; Alderman Olson voted No. Motion carried.

BUILDING  
PERMITS-SIMON  
GROUP-  
MONTICELLO  
GARDENS

F-8. Alderman Bergmann moved to approve the request from Craig Donze of the Simon Group for four 2-unit and two 8-unit building permits in the Monticello Gardens and Villas of Monticello condominiums development, W. Jefferson Terrace & Forest Home Avenue with the following conditions 1) That the developer shall submit a construction plan for the drive for final review and approval by the Fire Chief and the Building Inspector, 2) The developer shall provide turn-a-round(s) at the end of the drive acceptable to the Fire Department. The drive shall be a minimum of 24 feet in width. No parking, or storage will be permitted on the drive, 3) That the City Engineer shall approve the site-grading plan, 4) Building permit fees are to be paid at the time of issuance of a permit, 5) The construction drive must be maintained at all times. Failure to maintain the construction drive shall result in all building construction being stopped until the drives or other areas are maintained, 6) That no occupancy of the buildings will be permitted until all improvements and utilities are installed and approved by the Franklin Engineering Department, 7) The Condominium/Development Plat shall be recorded and proof of recording shall be submitted to the City, before applications for the building permits will be accepted, 8) A digital copy of the plat is to be submitted to the Engineering Department before applications for building permits will be accepted, 9) The Fire Chief and Building Inspector shall inspect the project for compliance with the requirements, 10) Building grade and locations shall be re-certified before pouring footings, and 11) An agreement be executed regarding non-sale of model homes, also including a penalty clause. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2004-5784  
EASEMENTS-WIS.  
DEPT. OF  
TRANSPORTATION

F-9. Alderman Olson moved to adopt Resolution No. 2004-5784, RESOLUTION GRANTING EASEMENTS FOR A PERMANENT LIMITED AND TEMPORARY LIMITED EASEMENT TO THE WISCONSIN DEPARTMENT OF TRANSPORTATION FOR PARCEL NUMBER 16 LOCATED AT APPROXIMATELY 5400 WEST RYAN ROAD (SOUTH SIDE). Seconded by Alderman Solomon. All voted Aye; motion carried.

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- RES. 2004-5785  
EASEMENTS-  
MENARD'S
- F-10. Alderman Sohns moved to adopt Resolution No. 2004-5785, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT SANITARY SEWER AND WATER MAIN EASEMENTS FOR MENARD, INC. DEVELOPMENT, 10925 W. Speedway Drive. Seconded by Alderman Olson. All voted Aye; motion carried.
- GENERAL FUND  
LIBRARY FUND,  
SEWER SERVICE  
FUND, CAPITAL  
OUTLAY FUND,
- F-11. Alderman Solomon moved to adopt the following:  
2005 Expenditure Budget for the General Fund of \$20,559,000;  
2005 Expenditure Budget for the Library Fund of \$1,016,667;  
2005 Expenditure Budget for the Sewer Service Fund of \$1,802,806;  
2005 Expenditure Budget for the Capital Outlay Fund of \$431,192;
- EQUIPMENT  
REVOLVING FUND,  
STREET IMPR.  
FUND, DEBT  
SERVICE FUND,  
CAP. IMPR. FUND
- 2005 Expenditure Budget for the Equipment Revolving Fund of \$280,000;  
2005 Expenditure Budget for the Street Improvement Fund of \$821,000;  
2005 Expenditure Budget for the Debt Service Fund of \$3,023,504;  
2005 Expenditure Budget for the Capital Improvement Fund for projects having Common Council approval of \$650,700 and \$739,720 for authorization for projects awaiting Common Council approval;
- ORD. 2004-1819  
2005 ANNUAL  
BUDGET
- Ordinance No. 2004-1819, AN ORDINANCE ADOPTING THE ANNUAL BUDGETS FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2005.  
Seconded by Alderman Kosovich. All voted Aye; motion carried. (See Item F-14.a.)
- TAX LEVY
- Alderman Solomon moved to adopt a 2005 City of Franklin Tax Levy of \$16,899,300 for support of the 2005 Budgets that will result in an approximate tax rate of \$6.94 for City purposes. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- DEER  
POPULATION
- F-12. Alderman Olson moved to refer the recommendations regarding deer population back to Environmental Commission to recommend to the Common Council suggested standards, policies and procedures, relating to their five recommendations outlined in their memo of November 3, 2004. Seconded by Alderman Sohns. All voted Aye; motion carried.
- ETHICS CODE  
REPEAL  
LEGISLATION
- F-13. Alderman Kosovich moved to refer the form relating to statement of economic interest and enforcement, and report on pending claims regarding the consideration of the repeal of the Code of Ethics in Chapter 36 of the Municipal Code of the City of Franklin, and the dissolution of the Franklin Board of Ethics, back to the City Attorney for review and recommendation to be presented at the January 3, 2005 Committee of the Whole meeting. Seconded by Alderman Sohns. All voted Aye; motion carried.

- 2005 BUDGET F-14a. The public hearing on the 2005 proposed budget was held at the Committee of the Whole on 11/08/04. (See Item F-11).
- LEGAL & BOND F-14b. Alderman Sohns moved to authorize the Community Development  
COUNSEL F-14c. Authority (CDA), through the Director of Administration (CDA  
SERVICES & Executive Director) with the assistance of the City Attorney, to enter  
FINANCIAL & into agreements with Quarles & Brady, LLP, to provide legal and bond  
PROJECT counsel services, and Ehlers and Associates to provide financial and  
PLANNING project planning services, as recommended by the Community  
SERVICES Development Authority, in a total amount not to exceed \$50,000 from  
the Community Development Department budget. Seconded by  
Alderman Gardner. On roll call, all voted Aye. Motion carried.
- PUBLIC SAFETY F-14d. The Public Safety Committee Status Report was presented at the  
COMMITTEE 11/08/04 Committee of the Whole meeting for informational purposes  
only. No action was taken.
- CDA DIRECTOR F-14e. The status of the recruitment for the Community Development Director  
position was given at the 11/08/04 Committee of the Whole meeting.  
No action was taken.
- PLANNING F-14f. Alderman Bergmann moved to direct the Director of Administration to  
DEPARTMENT issue Request for Proposal, with any changes as may be directed by the  
Common Council, regarding Planning Department outsourcing and to  
report back with a status report to the Committee of the Whole at its  
12/6/04 meeting. Seconded by Alderman Gardner. All voted Aye;  
motion carried.
- CROSSROADS F-14g. Alderman Solomon moved to request Economic Development  
TRADE AREA Commission to recommend to the Common Council a process by  
which new zoning classifications can be created for town center retail  
commercial uses. Seconded by Alderman Sohns. All voted Aye;  
motion carried.
- HEALTH AND F-14h. Alderman Olson moved to authorize the City's staff, with the  
DENTAL PLAN assistance of the City Attorney, to pursue negotiating a 2005 contract  
with Auxiant and The Hartford Insurance Company, as recommended  
by the Personnel Committee in the amount of \$308,560.64. Seconded  
by Alderman Kosovich. All voted Aye; motion carried.
- POLICE DEPT. F-14i. Alderman Solomon moved to authorize staff to proceed in manner  
COMPENSATION discussed in closed session at the 11/08/04 Committee of the Whole  
regarding additional compensation for certain Police Department  
employees. Seconded by Alderman Bergmann. All voted Aye; motion  
carried.

SUPERINTENDENT F-14j. Alderman Sohns moved to refer back to the Personnel Committee to  
COMPENSATION prepare job descriptions for the position of Department of Public Works Superintendent and position of Sewer and Water Superintendent from Salary Grade IV (2004 range is \$43,921 to \$54,895) to Salary Grade V (2004 range is \$45,969 to \$59,775) effective January 1, 2005. Seconded by Alderman Solomon. All voted Aye; motion carried.

CLOSED SESSION- F-15. Alderman Bergmann moved to enter closed session at 8:25 p.m.  
SEWAGE pursuant to §19.85(1)(e) and (g), Stats. to confer with the City  
COLLECTION Attorney as legal counsel for the Common Council who is rendering  
SYSTEMS advice concerning strategy to be adopted by the Council with respect to litigation upon Wisconsin Department of Natural Resources Notice of Violation/Notice of Claim dated July 30, 2004, alleging violation of general permit for bypasses or overflows from sewage collection systems (WI-0047341-03), in which it is likely to become involved and to consider the retention of additional legal representation upon such notices and for such likely 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 Gardner. On roll call, Aldermen Olson, Solomon, Gardner, Kosovich and Bergmann voted Aye; Alderman Sohns voted No. Motion carried.

The Common Council reentered open session at 8:36 p.m.

LICENSES H-1. Alderman Kosovich moved to grant the following licenses subject to meeting all licensing requirements:

Operator License for David J. Piechocki, 7130 W. Drexel Ave., Danielle Starck, 3214 W. Fardale Ave. #8, Milwaukee; Nicole M. Mueller, 500 S. Greenbrook Terrace, Greenfield; Tricia A. Peterson, 6022 S. 31st Street, Greenfield; Angie M. Pitchford, 1421 Granada St., Milwaukee and Robert S. Proeber, 8405 Nicholson Road, Caledonia;

Class B Combination Change of Agent for Polish Heritage Alliance, Inc., Roy Tonkovitz, 6941 S. 68th St.;

and also moved to hold Class B Combination License for Pantheon, Inc., Lorraine Koutromanos, 7621 W. Rawson Ave. subject to satisfactory inspections;

and also moved to hold Class B Beer License for Priya Corporation, Kavita Khullar, 5120 W. Ryan Road subject to satisfactory inspections;

and also move to refer the issuance of Class A Licenses at gas stations to the 12/6/04 Committee of the Whole;

and also took no action on the reconsideration of the application for an Operator License for Michael J. Grabowski, 1750 W. Timber Ridge Ln., Oak Creek (previous action taken on 10/19/04). Seconded by Alderman Sohns. All voted Aye; motion carried.

- VOUCHERS            I-1.     Alderman Bergmann moved to approve City vouchers in the range of 108633 thru 108882 in the amount of \$1,109,395.37. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.
- PAYROLL             Alderman Solomon moved to approve net payroll of October 29, 2004 in the amount of \$297,615.03. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.
- ADJOURNMENT        J.        Alderman Kosovich moved to adjourn the Common Council meeting at 8:37 p.m. Seconded by Alderman Bergmann. All voted Aye; motion carried.