

REIMBURSEMENT OF IMPACT FEES F-3. Alderman Solomon moved to deny the request from Daniel and Vicki Vetter for reimbursement of \$3,081 for impact fees that were previously paid for the property located at 3705 W. Drexel Avenue, and further that the City Attorney amend ordinance to indicate buildings must be inhabited continuously for six months prior to waiver requests. Seconded by Alderman Olson. On roll call, Aldermen Olson, Solomon and Gardner voted Aye; Aldermen Kosovich, Sohns and Bergmann voted No. Mayor Klimetz broke tie by voting No. Motion failed.

Alderman Sohns moved to approve reimbursement in the amount of \$3,081 for impact fees to Daniel and Vicki Vetter, 3705 W. Drexel Avenue. Seconded by Alderman Kosovich. On roll call, Aldermen Bergmann, Sohns and Kosovich voted Aye; Aldermen Gardner, Solomon and Olson voted No. Mayor broke tie by voting Aye. Motion carried.

Alderman Olson then moved to refer the ordinance to City Attorney for review and recommendation of amendments for structures to be inhabited six months prior to request for waiver. Seconded by Alderman Solomon. On roll call, Aldermen Olson, Solomon, Gardner, Kosovich and Sohns voted Aye; Alderman Bergmann voted No. Motion carried.

RES. 2004-5796 F-4. Alderman Sohns moved to approve Resolution No. 2004-5796, ASSESSOR SERVICES AGREEMENT WITH COLE-LAYER-TRUMBLE COMPANY FOR ASSESSOR SERVICES. Seconded by Alderman Kosovich. All voted Aye; motion carried.

NON-SMOKING TASK FORCE F-5. No action was taken on Mayor Klimetz's request to create a Task Force to review smoking in Franklin restaurants (See Item F-6.)

RES. 2004-5797 F-6. Alderman Sohns moved to adopt Resolution No. 2004-5797, DIRECTING PREPARATION OF ORDINANCE REGULATING SMOKING OTHER HOSPITALITY BUSINESSES. Seconded by Alderman Bergmann. On roll call, Aldermen Solomon, Sohns and Bergmann voted Aye; Aldermen Olson, Gardner and Kosovich voted No. Mayor broke tie by voting Aye. Motion carried.

REFERENDUM RELATING TO SMOKING BAN F-7. No action was taken on Alderman Bergmann's proposal to direct the City Attorney to prepare a resolution establishing the proposition(s) relating to a smoking ban in Franklin restaurants to a referendum.

RES. 2004-5798 F-8. Alderman Sohns moved to adopt Resolution No. 2004-5798, CSM-POLISH HERITAGE ALLIANCE, INC. A RESOLUTION APPROVING A CERTIFIED SURVEY MAP OF A PART OF THE SW 1/4 OF SECTION 3, TOWN 5 NORTH, RANGE 21 EAST IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, Polish Heritage Alliance, Inc., 6941 S. 68th Street. Seconded by Alderman Solomon. All voted Aye; motion carried.

Franklin Common Council

12/21/04

Page Three

- ORD. 2004-1825 F-9. Alderman Sohns moved to adopt Ordinance No. 2004-1825, AN MINOR ORDINANCE TO AMEND ORDINANCE NO. 99-1552 CREATING AMENDMENT-PDD PLANNED DEVELOPMENT DISTRICT NUMBER 16, Polish #28 POLISH HERITAGE HERITAGE Polish Heritage Alliance, Inc., 6941 S. 68th Street and Environs as amended by the City Attorney. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2004-5799 F-10. Alderman Sohns moved to adopt Resolution No. 2004-5799, PRELIM PLAT- RIVER HIGHLANDS RIVER HIGHLANDS LLC, approx. 8051 S. 51st Street, as LLC as amended by the City Attorney. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- RES. 2004-5800 F-11. Alderman Kosovich moved to adopt Resolution No. 2004-5800, PRELIM PLAT-S. 33- RESOLUTION APPROVING A PRELIMINARY PLAT FOR 35 ST & W. SOUTHWOOD COURT SUBDIVISION, Southwood Court, LLC, CENTRAL AVE/W. approx. S. 33rd – 35th Streets and W. Central Avenue and W. Ryan RYAN RD. Road, as amended by the City Attorney. Seconded by Alderman Gardner. All voted Aye; motion carried.
- REIMBURSEMENT F-12. Alderman Sohns moved to approve reimbursement in the amount of TO T. MANORE FOR \$4,501.67 to Travis Manore relating to the bandshell Eagle Scout BANDSHELL Project in Lions Legend Park, contingent upon T. Manore providing a complete accounting to the City as to how funds were received and disbursed, that the requested funds be paid out of the Parks Impact Fee Account and that this would be the final request for completion of the bandshell project. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- CONTRACT F-13. Alderman Sohns moved to approve a three-month (01/01/05 through EXTENSION WITH 03/31/05) contract extension between the City of Franklin and Aquifer AQUIFER SCIENCE Science & Technology for the provision of quarry monitoring services at a cost not to exceed \$9,250. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2004-5801 F-14. Alderman Olson moved to adopt Resolution No. 2004-5801, A JADE RESOLUTION APPROVING AN AGREEMENT WITH JADE TECHNOLOGIES, INC. FOR WEB SITE MAINTENANCE, DESIGN TECHNOLOGIES AGREEMENT AND HOSTING OF THE CITY OF FRANKLIN WEB SITE FOR THE FIRST 6 MONTHS OF 2005. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- PLANNING DEPT F-15. No action was taken at this time on a status report of the Planning OUTSOURCING Department outsourcing. This item will be on the 01/18/05 Common Council agenda.

Franklin Common Council
12/21/04 - Page Four

- RAWSON AVENUE RECONSTRUCTION PAYMENT APPROVAL F-16. Alderman Olson move to table Rawson Avenue Reconstruction payment approval to second Council meeting in February, 2005. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- Alderman Sohns moved to direct Director of Administration to send a letter to County Supervisor Borkowski requesting his attendance at a future Common Council meeting to explain Rawson Avenue Reconstruction Project as it relates to funding. Seconded by Alderman Olson. All voted Aye; motion carried.
- TUCKAWAY DOWNS SUBDIVISION F-17. Alderman Kosovich moved to approve the completion of the Tuckaway Downs Subdivision as per the conditions contained in the subdivision development agreement (8400 block of S. 76th Street). Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2004-5802 W. RYAN ROAD PROFESSIONAL SERVICES F-18. Alderman Kosovich moved to adopt Resolution No. 2004-5802, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AMENDMENT NO. 27 WITH GRAEF, ANHALT, SCHLOEMER & ASSOCIATES, INC., FOR THE EXTENSION OF WATER MAIN FROM A POINT SOUTH OF W. RYAN ROAD TO W. OAKWOOD ROAD ALONG THE WEST SIDE OF S. 27TH STREET AND FOR THE RECONSTRUCTION OF W. OAKWOOD ROAD INCLUDING SANITARY SEWER AND WATER MAIN FROM S. 27TH STREET TO A POINT 2,300 FEET WEST OF S. 27TH STREET. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2004-5803 ENGINEERING SERVICES- WATER SERVICE F-19. Alderman Solomon moved to adopt Resolution No. 2004-5803, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN AGREEMENT WITH KAEMPFER & ASSOCIATES, INC. FOR THE EVALUATION OF THE SOUTHWEST WATER SERVICE ARE IN THE CITY OF FRANKLIN, as amended by the City Attorney. Seconded by Alderman Olson. All voted Aye; motion carried.
- S. 31ST STREET RECONSTRUCTION F-20. Alderman Solomon moved to authorize the City Engineer to proceed with the mini-study under the existing contract with Graef, Anhalt, Schloemer and Associates (Amendment No. 24) for a lump sum total of \$2,100.00 to provide addition services to prepare 4 alternates for the reconstruction of S. 31st Street from W. Drexel Avenue to ½ mile north. Seconded by Alderman Gardner. On roll call, Aldermen Sohns, Kosovich, Gardner, Solomon and Olson voted Aye; Alderman Bergmann voted No. Motion carried.
- RES. 2004-5804 S. 31ST STREET RECONSTRUCTION PROFESSIONAL SERVICES F-21. Alderman Gardner moved to adopt Resolution No. 2004-5804, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AMENDMENT NO. 26, WITH GRAEF, ANHALT, SCHLOEMER AND ASSOC., INC. (G.A.S.) FOR THE DESIGN OF CONSTRUCTION PLANS FOR THE CONSTRUCTION OF S. 31ST STREET INCLUDING SANITARY SEWER AND WATER MAIN FROM 1/2 MILE NORTH OF W. DREXEL AVENUE TO W. RAWSON AVENUE, including the cul-de-sac at W. Minnesota Avenue at S. 27th Street. Seconded by Alderman Olson. All voted Aye; motion carried.

Franklin Common Council

12/21/04

Page Five

- RES. 2004-5805
2004 BUDGET
ADJUSTMENT
- F-22. Alderman Solomon moved to adopt Resolution No. 2004-5805, RESOLUTION APPROVING EQUIPMENT REVOLVING FUND 2004 BUDGET ADJUSTMENTS FOR A COLD PLANER AND A BACKHOE LOADER. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2004-5806
MANAGEMENT
SYSTEM
- F-23. Alderman Olson moved to adopt Resolution No. 2004-5806, A RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS). Seconded by Alderman Bergmann. All voted Aye; motion carried.
- LONG-TERM
DISABILITY
INSURANCE
- F-24. Alderman Solomon moved to authorize staff, with the assistance of the City Attorney, to finalize a two-year contract for 2005-2006 with UWG for long-term disability insurance as recommended by the Personnel Committee, to be effective 02/01/05, and further that the Mayor and City Clerk be authorized to execute the contract. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2004-5807
NON-
REPRESENTED
SALARY RANGES
- F-25. Alderman Sohns moved to adopt Resolution No. 2004-5807, A RESOLUTION ESTABLISHING 2005 SALARY RANGES FOR NON-REPRESENTED EMPLOYEES OF THE CITY OF FRANKLIN, and that increases be held for department heads who have not completed their employee evaluations prior to 1/31/05 until all such evaluations have been completed. Seconded by Alderman Solomon. All voted Aye; motion carried.
- ORD. 2004-1826
BENEFITS-
NON-REP.
NON-
SUPERVISORY
- F-26. Alderman Solomon moved to adopt Ordinance No. 2004-1826, AN ORDINANCE ESTABLISHING BENEFITS FOR FULL TIME NON-REPRESENTED NON-SUPERVISORY EMPLOYEES OF THE CITY OF FRANKLIN, as amended. Seconded by Alderman Gardner. All voted Aye; motion carried.
- ORD. 2004-1827
BENEFITS-
NON-REP.
MANAGEMENT
- F-27. Alderman Kosovich moved to adopt Ordinance No. 2004-1827, AN ORDINANCE ESTABLISHING BENEFITS FOR FULL TIME NON-REPRESENTED MANAGEMENT EMPLOYEES OF THE CITY OF FRANKLIN. Seconded by Alderman Gardner. All voted Aye; motion carried.
- CIVIC
CELEBRATIONS
- F-28. Committee of the Whole recommendations from 12/06/04:
a. Alderman Olson moved to approve Civic Celebrations Commission's request for authorization to sign and execute contracts for the 2005 Civic Celebration event. Seconded by Alderman Kosovich. All voted Aye; motion carried.
Alderman Bergmann moved to direct staff to report at the 01/04/05 Council meeting on the increase in expenses for Public Works and Police Departments relating to Civic Celebrations event. As Alderman Sohns presided over the 12/6/04 Common Council meeting, it was ruled by him that action was not appropriate at this time as this matter was not discussed at said Committee of the Whole meeting.

VISION
STATEMENT

b. Alderman Sohns moved to accept report from MSA Professional Services, Inc. regarding City's vision statement as presented and accept as working document, and to further address following April 5, 2005 Spring Election. Seconded by Alderman Kosovich. All voted Aye; motion carried.

COMMUNITY
DEVELOPMENT
DIRECTOR

c. Alderman Olson moved to MRA services to assist in recruitment for the Community Development Director position \$3,800 base fee and 10% of first year of base compensation (total of \$12,300). Seconded by Alderman Kosovich. All voted Aye; motion carried.

GAS STATION
LIQUOR LICENSES

d. Alderman Sohns moved to refer to License Committee and include on 1/3/05 Committee of the Whole meeting, issuance of Class "A" Beer and "Class A" Intoxicating Liquor Licenses to gas stations in the City of Franklin referred from 11/09/04 License Committee. Seconded by Solomon. All voted Aye; motion carried.

CLOSED
SESSIONS

F-29. Alderman Olson moved to enter closed session pursuant to 19.85(1)(c)
F-30. and (e), Stats., to discuss negotiations and collective bargaining
F-31. strategies and guidelines, to discuss employee's retirement benefits and
F-32. to consider an offer to sell property to the City for public purposes in
the Civic Center Area 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, all voted
Aye. Motion carried.

The Common Council reentered open session at 9:18 p.m.

RES. 2004-5808
TEAMSTERS
UNION CONTRACT

F-29. Alderman Solomon moved to adopt Resolution No. 2004-5808,
RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO
EXECUTE A LABOR AGREEMENT WITH THE FRANKLIN
TEAMSTERS "GENERAL" LOCAL UNION NO. 200 BARGAINING
UNIT FOR 2004-2006 as recommended by the Personnel Committee.
Seconded by Gardner. All voted Aye; motion carried.

RES. 2004-5809
RETIREMENT
AGREEMENT

F-30. Alderman Solomon moved to adopt Resolution No. 2004-5809, A
RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO
EXECUTE A RETIREMENT AGREEMENT ADDRESSING
HEALTH INSURANCE BENEFITS BETWEEN THE CITY OF
FRANKLIN AND JAMES HOUTLER; and Resolution No. 2004-5810,
A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO
EXECUTE A RETIREMENT AGREEMENT ADDRESSING
HEALTH INSURANCE BENEFITS BETWEEN THE CITY OF
FRANKLIN AND RANDALL SCHREIBER. Seconded by Alderman
Olson. All voted Aye; motion carried.

RES. 2004-5810
RETIREMENT
AGREEMENT

- ACQUISITION OF PROPERTY F-31. Alderman Kosovich moved to direct the City Attorney be directed to report on strategy and the procedure for acquisition of property for public purposes in the civic center area. Seconded by Alderman Sohns. All voted Aye; motion carried.
- ACQUISITION OF PROPERTY F-32. Alderman Solomon moved authorize the City Attorney to hire Wegner Appraisal as required for the acquisition of property of Security Land Development v. City of Franklin, Case No. 00CV005061, with the ability to use National Appraisal as a second choice if needed. Seconded by Alderman Sohns. All voted Aye; motion carried.
- LICENSES H-1. Alderman Gardner moved to grant the following licenses subject to meeting all licensing requirements:
- Operator License to Kari M. Alioto, 8395 Greenbriar Rd., Windlake and James Koutromanos, 8232 S. 88th St.;
- and further moved to reconsider Operator License for Debra Fujinaka, 8807 W. Maple, West Allis and approve based on review of quarterly police reports relating to alcohol offenses. Seconded by Alderman Olson. All voted Aye; motion carried.
- VOUCHERS I-1. Alderman Kosovich moved to approve vouchers in the range of Nos. 109195 through 109374 in the amount of \$1,241,175.52. Seconded by Alderman Bergmann. On roll call, all voted Aye. Motion carried.
- Alderman Sohns moved to approve the net payroll of December 10, 2004 in the amount of \$277,714.40. Seconded by Alderman Bergmann. On roll call, all voted Aye. Motion carried.
- ADJOURNMENT J. Alderman Kosovich moved to adjourn the meeting at 9:24 p.m. Seconded by Alderman Gardner. All voted Aye; motion carried.