

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
SEPTEMBER 7, 2004
MINUTES**

- CALL TO ORDER A. Mayor Klimetz called the regular Common Council meeting of September 7, 2004 to order at 6:30 p.m. in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.
- Present were: Mayor Klimetz, Aldermen Olson, Solomon, Gardner, Kosovich, Sohns and Bergmann. Also present were City Engineer Bennett, Dir. of Admin. Petre, City Attorney Wesolowski and City Clerk Wesolowski.
- MINUTES-
8/24/04 B-1. Alderman Kosovich moved to approve the regular Common Council meeting minutes of August 24, 2004 as presented. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- HEARINGS-
REVENUE
BONDS C-1. The public hearing regarding the re-issuance of Industrial Development Revenue Bonds, Series 1999 (Red Maple, LLC Project), in an amount not to exceed \$2,000,000 pursuant to Section 66.1103 of the Wisconsin Statutes, to finance a project owned by Red Maple, LLC, a Missouri limited liability company (the "Borrower") and leased to Lowery Plastics, Incorporated (substitution of fiscal agent and modification of the interest rate and payment terms) was opened at 6:32 p.m. and closed at 6:36 p.m.
- CITIZEN
COMMENT D. Citizen comment period was opened at 6:37 p.m. and closed at 6:52 p.m.
- RES. 2004-5759
REVENUE
BONDS F-1. Alderman Solomon moved to adopt Resolution No. 2004-5759, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRANKLIN, WISCONSIN AUTHORIZING THE SUBSTITUTION OF THE FISCAL AGENDA AND THE MODIFICATION OF THE INTEREST RATE AND PAYMENT TERMS OF CITY OF FRANKLIN, WISCONSIN, INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 1999 (RED MAPLE, LLC PROJECT). Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2004-5760
EASEMENTS-
RIVERVIEW PNT. a. Resolution No. 2004-5760, A RESOLUTION ACCEPTING EASEMENTS FOR STORM SEWER, STORM DRAINAGE AND SANITARY SEWER IN RIVERVIEW POINTE SUBDIVISION as amended;
- RAWSON
CONTRACTORS b. Acceptance of the letter of agreement from Rawson Contractors, Inc. dated August 26, 2004 and as amended by the City Attorney relative to the necessary repairs to the Briarwood sanitary sewer lift station wet well excluding the time extension which will be handled by Change Order No. 1;

Franklin Common Council
September 7, 2004
Page Two

- BRIARWOOD PROJECT c. Authorize staff to sign Change Order No. 1 for the Briarwood Sanitary Sewer Project No. 2003-S101. Said change order provides for an extension of time from September 17, 2004 to October 1, 2004 for Rawson Contractors, Inc. to complete the project to the point of substantial completion. Said change order does not change the amount of the contract;
- DONATION d. Accept \$150.00 donation from the Franklin Lioness Club for the Franklin Health Department.
- Above items seconded by Alderman Olson. All voted Aye; motion carried.
- ENGINEERING SERVICES-LANDFILL F-3. Leon Burzynski, Chairman of the Waste Facility Monitoring Committee, presented a report regarding 2004 Metro Landfill odor complaints.
- Alderman Sohns moved to table resolution authorizing certain officials to execute an agreement for professional environmental engineering services to monitor compliance at Metro Recycling & Disposal Facility with J. Spear Associates, Inc. to 9/21/04 Common Council with scope of services recommendation by the Waste Facility Monitoring Committee and with a further direction that the Dir. of Administration provide possible funding sources. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2004-5761 SMART GROWTH GRANT APPLICATION F-4. Alderman Olson moved to adopt Resolution No. 2004-5761, A RESOLUTION APPROVING AN AGREEMENT WITH VIERBICHER ASSOCIATES FOR THE PROVISION OF SMART GROWTH GRANT APPLICATION SERVICES FOR THE CITIES OF FRANKLIN AND OAK CREEK. Seconded by Alderman Sohns. All voted Aye; motion carried.
- PUBLIC WORKS EQUIPMENT PURCHASE F-5. Alderman Solomon moved to approve the purchase of a Universal Model AD 450 18" Cold Planer in the amount of \$9,750 for the Department of Public Works to include a \$1,800 deduction from previously paid rental fees, as recommended by the Finance Committee. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- TRAFFIC ENFORCEMENT F-6. Following a presentation by Chief Hahn and Sergeant Schroeder of a proposal for traffic enforcement enhancement in residential neighborhoods as requested by Alderman Olson, Mayor Klimetz that the Police Department contact Hales Corners and Muskego for possible future sharing use/cost of speed monitor.
- PRAIRIE GRASS PRESERVE FINAL PLAT F-7. Alderman Kosovich moved to table the Final Plat and Conservation Agreement for the Prairie Grass Preserve (Prairie Grass Preserve, LLC) to the 9/21/04 Common Council meeting. Seconded by Alderman Bergmann. All voted Aye; motion carried.

- AGREEMENT
PRAIRIE GRASS
PRESERVE F-8. Alderman Solomon moved to table to the 9/21/04 Common Council meeting a resolution authorizing certain officials to execute a subdivision development agreement with the developer of Prairie Grass Preserve. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- COMBINED
SERVICES F-9. No action was needed regarding review and recommendation on report from Finance Officer of shared services study dated 11/30/03 conducted by former Police Chief Bohn.
- RES. 2004-5762
2004 BUDGET F-10. Alderman Olson moved to adopt Resolution No. 2004-5762, RESOLUTION APPROVING 2004 BUDGET CHANGES TO THE AUDIT, ASSESSOR, TREASURER, LEGAL SERVICES, PARK, UNCLASSIFIED DEPARTMENTS IN THE GENERAL FUND AND TO BUDGETS IN THE DEBT SERVICE AND CAPITAL IMPROVEMENT FUNDS. Seconded by Alderman Solomon. All voted Aye; motion carried.
- HIRING OF
ACTUARY F-11. Alderman Solomon moved to authorize the Director of Finance and Treasurer to work with the Actuarial & Health Care Solutions, LLC firm at a cost not to exceed \$5,600 to develop the assessment phase actuarial costs that will be needed for meeting the new GASB standard. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2004-5763
STORMWATER
MANAGEMENT F-12. Alderman Kosovich moved to adopt Resolution No. 2004-5763, A RESOLUTION ACCEPTING STORMWATER MAINTENANCE AGREEMENTS FROM DEVELOPMENTS. Seconded by Alderman Gardner. All voted Aye; motion carried.
- S. 27TH STREET
STUDIES F-13. Alderman Sohns moved to direct that a contract with Schreiber/Anderson Associates for South 27th Street studies be placed on the September 15, 2004 Community Development Authority agenda for final approval.
- S. 31ST STREET
CONSTRUCTION F-14. Alderman Sohns moved to direct that cost estimates and financing pro forma for the construction of South 31st Street be placed on the September 15, 2004 Community Development Authority agenda and that Ehlers & Associates have estimates completed by that date. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- NATURAL
RESOURCE
PROTECTION
PLAN REVIEW F-15. Alderman Sohns directed that the City Engineer, with assistance from Dir. of Administration and other staff, place the contracts with JAS and R.A. Smith for natural resource protection plan review on the September 21, 2004 Common Council meeting. Seconded by Alderman Olson. All voted Aye; motion carried.
- LONG RANGE
REGIONAL PLAN F-16. It was noted that a special Plan Commission meeting will be held on 9/29/04 at 6:30 p.m. with an invitation to Common Council, and other boards/commissions to hear a presentation from Southeastern Wisconsin Regional Planning Commission on long range plans for Franklin.

- COMPREHENSIVE MASTER PLAN F-17. Alderman Sohns moved that the Request for Proposal for consultant services to update the Comprehensive Master Plan be placed on the September 23, 2004 Plan Commission agenda, and that the Plan Commission finalize and release the RFP. Seconded by Alderman Solomon. All voted Aye; motion carried.
- COMMUNITY DEVELOPMENT DIRECTOR F-18. Alderman Sohns moved that the hiring process for the Community Development Director be placed on the 9/21/04 Common Council agenda. Seconded by Alderman Olson. All voted Aye; motion carried.
- ETHICS FILE 2004-001 F-19. Alderman Kosovich moved to deny claim from Mary Kay Buratto related to Ethics File 2004-001 with the addition that if in the future an Ethics Board finds that no violation was committed, the claim could be brought back for reconsideration. Seconded by Alderman Bergmann. On roll call, Aldermen Gardner, Kosovich, Sohns and Bergmann voted Aye; Aldermen Olson and Solomon voted No. Motion carried.
- WILDLIFE-PUBLIC SAFETY F-20. Alderman Sohns moved to direct the Environmental Commission to investigate and evaluate the extent of the complaint of deer and other wildlife problem, and make recommendations to the Common Council as to how to strike an appropriate balance between nuisance control, public safety and wildlife preservation. Seconded by Alderman Bergmann. On roll call, Aldermen Bergmann, Sohns, Kosovich, Gardner and Olson voted Aye and Alderman Solomon voted No. Motion carried.
- RES. 2004-5764 APPOINTMENTS G-1. Alderman Olson moved to adopt Resolution No. 2004-5764, A RESOLUTION TO APPOINT A CITY OF FRANKLIN MEMBER TO THE WASTE FACILITY SITING COMMITTEE TO FILL A VACANCY PURSUANT TO §289.33(7)(D), STATS. Seconded by Alderman Sohns. On roll call, 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 James A. Putze, 3840 S. 20th Place, Milwaukee; Brenda J. Babcock, 8665 S. 76th St.; Francisco J. Hernandez, 528 N. 62nd St., Wauwatosa; Kim M. Merriman, 3708 Fifth Ave., South Milwaukee; Maria G. Munoz, 5254 Serene Ct., Greendale; Melody A. Schwartz, 1080 51st St., Caledonia; Julie A. Shutta, 3215 Blakewood Ave., South Milwaukee and Erica R. Thompson, 7535 S. 74th St.;
- Temporary Class B Beer to Franklin Cultural Center, Don Dorsan, Legend Park Event for 9/12/04;
- Fee waiver for food, soda & Class B Beer to Franklin Cultural Center, Don Dorsan, Legend Park Event for 9/12/04 except services incurred by City staff, Sanitarian, Fire Department and Police Department. Seconded by Alderman Kosovich. All voted Aye; motion carried.

