

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
OCTOBER 18, 2005  
MINUTES**

CALL TO ORDER

- A. The meeting of the Common Council was held on October 18, 2005 and was called to order at 6:30 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 West Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. Also present were Planner Booth, Director of Community Development Wheaton, City Engineer Bennett, City Attorney Wesolowski and City Clerk Wesolowski.

CITIZEN COMMENT PERIOD

- B-1. Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m.

MAYORAL ANNOUNCEMENTS

- B-2. Mayor Taylor and Alderman Hammelman presented a proclamation to Eagle Scout Jason Daniel Koehlert.

No action was taken on the following announcements from Mayor Taylor:

Franklin Fire and Police Spaghetti Dinner on 10/20/05 at Root River Lanes;

Milwaukee Metropolitan Sewerage District annual budget hearing on 10/24/05;

Franklin Educational Foundation Auction Celebration and Casino Night on 11/11/05;

Letter from Metropolitan Builders Association expressing appreciation for Parade of Homes;

Recognition from Wisconsin Department of Veterans Affairs for Mayor and Common Council support of the Mission: Welcome Home Program;

Assembly Bill 726 relating to allowing schools and local government units to claim refunds of the motor vehicle fuel tax and making an appropriation and Assembly Bill 236 exempting local governments from the motor vehicle fuel tax;

Notice from the City of Milwaukee regarding Assembly Bill 573 regarding properties exempt from taxes.

APPROVAL OF MINUTES

- C-1. Alderman Kosovich moved to approve the minutes of the regular meeting of October 4, 2005. Seconded by Alderman Hammelman. All voted Aye; motion carried.

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| LETTER OF NON-CANDIDACY-MUN. JUDGE WAMBACH                | E.1. | No action was taken on a letter from Ronald J. Wambach, Municipal Judge, announcing 2006 non-candidacy.  |
| CONSENT AGENDA  | F.1. | Alderman Solomon moved to approve the following items on the consent agenda; seconded by Alderman Olson. All voted Aye; motion carried:  |
| LETTER OF CREDIT FOR APPLE CREEK CONDOS                   | a.   | Release of Letter of Credit for Apple Creek Condominiums located south of W. Rawson Avenue and east of W. Forest Home Avenue;  |
| W. PLAZA DR. CHANGE ORDER                                 | b.   | Change Order for pulverizing and paving W. Plaza Drive (S. 28th Street to S. 34th Street);   |
| W. RYAN RD. CROSSWALK MARKING                             | c.   | Crosswalk marking for reconstruction of W. Ryan Road from S. 27th Street to S. 68th Street.  |
| RES. 2005-5980 FINAL PLAT FOR ROBINWOOD ESTATES ADDN. 1   | F-2. | Alderman Sohns moved to adopt Resolution No. 2005-5980, A RESOLUTION CONDITIONALLY APPROVING A FINAL PLAT FOR ROBINWOOD ESTATES ADDITION NO. 1 SUBDIVISION (AT APPROXIMATELY WOODBURY DRIVE, WEST DREXEL AVENUE AND WEST SOUTHVIEW DRIVE) (KW ROBINWOOD LLC, APPLICANT), date stamped Sept. 14, 2005. Seconded by Alderman Olson. All voted Aye; motion carried.                             |
| NATURAL RESOURCES SPECIAL EXCEPTION FOR HIDDEN OAKS SUBD. | F-3. | Alderman Sohns moved to approve Standards, Findings and Decision of the City of Franklin Common Council upon the Application of MLG RE 2002 LLC for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance (Hidden Oaks Subdivision) as amended by the City Attorney. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2005-5982 PRELIMINARY PLAT FOR HIDDEN OAKS SUBD.     | F-4. | Alderman Solomon moved to adopt Resolution No. 2005-5982, A RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY PLAT FOR HIDDEN OAKS SUBDIVISION (AT APPROXIMATELY S. 27TH STREET AND WEST OAKWOOD ROAD (MLG RE 2002 LLC, APPLICANT), date stamped Sept. 29, 2005. Seconded by Alderman Olson. All voted Aye; motion carried.   |

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- RES. 2005-5983  
CONSERVATION  
EASEMENT FOR  
FRANCIS WOODS  
SENIOR CONDOS
- F-5. Alderman Hammelman moved to adopt Resolution No. 2005-5983, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF THE FRANCIS WOODS SENIOR CONDOMINIUM (AT APPROXIMATELY 7710 S. 51ST STREET) (HORIZON DEVELOPMENT GROUP, APPLICANT). Seconded by Alderman Sohns. All voted Aye; motion carried.
- ORD. 2005-1857  
AMEND UDO FOR  
RIVERWOOD VILLAGE  
PDD NO. 10
- F-6. Alderman Hammelman moved to adopt Ordinance 2005-1857, AN ORDINANCE TO AMEND §15-3.0415 OF THE UNIFIED DEVELOPMENT ORDINANCE PDD PLANNED DEVELOPMENT DISTRICT NO. 10 (RIVERWOOD VILLAGE-PAUL BOURAXIS DEVELOPMENT). Seconded by Alderman Sohns. All voted Aye; motion carried.
- ORD. 2005-1858  
UDO AMENDMENT FOR  
ISSUANCE OF  
TEMPORARY USE  
PERMITS
- F-7. Alderman Sohns moved to adopt Ordinance No. 2005-1858, AN ORDINANCE TO AMEND §15-3.0804 AND RELATED PROVISIONS OF THE UNIFIED DEVELOPMENT ORDINANCE TO PROVIDE FOR THE ADMINISTRATIVE ISSUANCE OF TEMPORARY USE PERMITS BY THE PLANNING DEPARTMENT AND TO FURTHER SPECIFY THE TYPES OF AND CONDITIONS UPON TEMPORARY USE WHICH MAY BE PERMITTED. Seconded by Alderman Olson. All voted Aye; motion carried.
- REQUEST PLAN COMM  
TO ADOPT WIS 241  
MANAGEMENT PLAN
- F-8. Alderman Hammelman moved to request the Plan Commission to adopt the WIS 241 (South 27th Street) Access Management Plan as an element of the City of Franklin Comprehensive Master Plan, with the provision that when there is a conflict with the already adopted South 27th Corridor Plan, the Corridor Plan will be the ultimate source. Seconded by Alderman Sohns. All voted Aye; motion carried.
- TABLE HUMAN  
RESOURCES ADM. JOB  
DESCRIPTION
- F-9. Alderman Olson moved to adopt a Resolution APPROVING A JOB DESCRIPTION FOR THE HUMAN RESOURCES ADMINISTRATOR POSITION, as recommended by the Personnel Committee. Seconded by Alderman Sohns. Alderman Olson withdrew his motion. Alderman Sohns then moved to table this resolution to the joint meeting of the Common Council/Personnel Committee/Finance Committee scheduled for 10/24/05, and that a revised description be provided to all members in advance of the meeting. Seconded by Alderman Solomon. All voted Aye; motion carried.

EXTENSION OF S. 31ST STREET F-10.

Alderman Sohns moved to approve the intersection design as presented by the City Engineer for S. 31st Street and W. Rawson Avenue. Seconded by Alderman Solomon. All voted Aye; motion carried.

Alderman Solomon moved to direct staff to install conduits at the intersection of S. 31<sup>st</sup> Street and W. Minnesota Avenue, but not install the traffic signals at this time. Seconded by Alderman Hammelman. All voted Aye; motion carried.

Alderman Kosovich moved to direct staff not to construct the cul-de-sac at the S. 27th Street end of W. Minnesota Avenue at this time. Seconded by Alderman Sohns. All voted Aye; motion carried.

EXTENSION OF S. 31ST STREET-CONTINUED

Alderman Sohns moved to direct staff to install conduits for future street lighting on S. 31st Street, but not install street lighting at this time except for the intersection. Seconded by Alderman Skowronski. All voted Aye; motion carried.

Alderman Sohns moved to direct staff to proceed with the process for the sale of the house that is to be acquired on the southeast corner of S. 31st Street and W. Minnesota Avenue, with the provision that the house be removed prior to April 1, 2006 or that it be razed. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Sohns moved to direct staff to provide a water main connection to the home with the joint well with the home that is being acquired and to waive the special assessment as consideration for taking the well. Seconded by Alderman Hammelman. All voted Aye; motion carried.

Alderman Skowronski moved to direct staff to consider the water main as a transmission main on the two lots on the west side of S. 31st Street abutting W. Minnesota Avenue as a transmission main which will provide the two lots an interest free 10 year deferment. Seconded by Alderman Hammelman. On roll call, Aldermen Solomon, Hammelman, Kosovich, Sohns and Skowronski voted Aye; Alderman Olson voted No. Motion carried.

Alderman Skowronski moved to direct staff to place the berm areas at S. 31st Street on the east side and W. Minnesota Avenue into outlots to maintain the lots as non-corner lots. Seconded by Alderman Solomon. All voted Aye; motion carried.

- RES. 2005-5984  
SUBD. DEVELOPMENT  
AGREEMENT FOR  
ROBINWOOD ESTATES  
ADDN. NO. 1
- F-11. Alderman Sohns moved to adopt Resolution No. 2005-5984, A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO SIGN THE SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF ROBINWOOD ESTATES ADDITION NO. 1 SUBDIVISION. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5985  
AGREEMENT FOR  
LAKE ERNIE WETLAND  
PLANTING DESIGN
- F-12. Alderman Sohns moved to adopt Resolution No. 2005-5985, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH CEDARBURG SCIENCE FOR THE PREPARATION OF A WETLAND PLANTING DESIGN FOR LAKE ERNIE. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5986  
WATER MAIN  
AGREEMENT  
ALTERATION
- F-13. Alderman Solomon moved to adopt Resolution No. 2005-5986 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO EXECUTE AN AGREEMENT FOR WATER MAIN ALTERATION TO THE WANASEK CORPORATION, IN THE AMOUNT OF \$14,836.75, CONTINGENT ON THE CITY NOT RECEIVING ANY QUOTES OF LESSER AMOUNT BY A QUALIFIED CONTRACTOR. Seconded by Alderman Olson. All voted Aye; motion carried.
- R.O.W. ACQUISITION  
FOR S. 31ST STREET
- F-14. Alderman Olson moved to approve the offering price for Parcel #9 for the right-of-way for the extension of S. 31st Street. Seconded by Alderman Solomon. All voted Aye; motion carried.
- R.O.W. ACQUISITION  
FOR W. OAKWOOD  
ROAD
- F-15. Alderman Sohns moved to enter closed session at 8:25 p.m. pursuant to §19.85(1)(e), Stats. to consider the acquisition of properties by the City for public purposes for right-of-way for the extension of West Oakwood Road, and the negotiation of the acquisition of such properties and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Olson. All voted Aye; motion carried.
- The Common Council reentered open session at 9:04 p.m.
- LICENSES AND  
PERMITS
- H-1. Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:

**LICENSES AND  
PERMITS-CONTINUED**

H-1. Operator License to Katie M. Hayes, 5231 Oakton Lane, Greendale; Maureen M. Lonergan, 4320 Kennedy Drive, Racine; Trey R. Summers, 637 Hickory Hollow Road, Waterford with warning letter from City Clerk and police check quarterly; Micah E. Voisin, 302 E. Wynbrook Drive, Oak Creek with warning letter from City Clerk and police check quarterly; Katherine L. Di Salvo, 704 Aber Drive, Waterford; Blanca M. Montez, 3023A W. Orchard Street, Milwaukee; Manuel Romero, 3023A W. Orchard Street, Milwaukee and Lloyd A. Wilson, 6702 W. St. Paul Avenue, Milwaukee;

and also moved to hold Operator License for April E. Kumlien, 7902 W. National Avenue #16, West Allis until further notice upon request from the applicant and Jeffrey P. Ross, 6250 S. 51st Street #5, Greendale until License Committee of 11/1/05;

and the letter from the Starke's regarding Class B Combination License for 6357 S. 27th Street was for information only. Seconded by Alderman Sohns. All voted Aye; motion carried.

**VOUCHERS AND  
PAYROLL**

I-1. Alderman Solomon moved to approve City vouchers in the range of nos. 113237 through 113411 in the amount of \$1,520,536.20. Seconded by Alderman Kosovich. On roll call, all voted Aye; motion carried.

Alderman Sohns moved to approve the net payroll of October 14, 2005 in the amount of \$287,402.18. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

**ADJOURNMENT**

J. Alderman Sohns moved to adjourn the meeting at 9:07 p.m. Seconded by Alderman Kosovich. All voted Aye; motion carried.