

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 1, 2005
MINUTES**

- CALL TO ORDER A. Mayor Klimetz called the regular Common Council meeting of March 1, 2005 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 and Sohns. Excused was Alderman Bergmann. Also present were City Engineer Bennett, Dir. of Admin. Petre, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m.
- MINUTES-2/15/05 C-1. Alderman Solomon moved to approve the regular Common Council meeting minutes of February 15, 2005 as presented. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- S. 27TH STREET F-1. Alderman Kosovich moved to refer a Resolution requesting intergovernmental support and participation from the U.S. Department of Transportation Federal Highway Administration (FHWA) in the redevelopment of S. 27th Street; a Resolution requesting intergovernmental support and participation from the Southeastern Wisconsin Regional Planning Commission (SEWRPC) in the redevelopment of South 27th Street and a Resolution requesting intergovernmental support and participation from the State of Wisconsin Department of Transportation (WISDOT) in the redevelopment of South 27th Street to the Community Development Authority, with the aforementioned amended to include copies forwarded to Governor J. Doyle, Congressmen P. Ryan and J. Sensenbrenner, Senators H. Kohl and R. Feingold, Repr. J. Stone and Senator M. Lazich. Seconded by Alderman Olson. All voted Aye; motion carried
- PLANNING CONFERENCE F-2. Alderman Sohns moved to approve funding for the Planning Department Intern to attend the American Planning Association's 2005 National Conference at a cost not to exceed \$728 with the condition that costs would be covered if the Intern remains employed with the City for one year following graduation, and if not, Intern would have one year to reimburse City. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5828 SPECIAL USE AMENDMENT-ERKMANIS FAMILY CORP. F-3. Alderman Sohns moved to adopt Resolution No. 2005-5828, RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE AMENDMENT FOR PROPERTY LOCATED AT 11217 W. FOREST HOME AVENUE (Erkmanis Family Corporation). Seconded by Alderman Kosovich. All voted Aye; motion carried.

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- ORD. 2005-1834
SPECIAL USE-
PRAIRIE GRASS
PRESERVE LLC
- F-4. Alderman Solomon moved to adopt Ordinance No. 2005-1834, ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN AREA OF LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO R-7 TWO-FAMILY RESIDENCE DISTRICT (PRAIRIE GRASS PRESERVE LLC), approx. 9200 W. St. Martins Road. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5829
SPECIAL USE-
PRAIRIE GRASS
PRESERVE LLC
- F-5. Alderman Sohns moved to adopt Resolution No. 2005-5829, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 9200 WEST ST. MARTINS ROAD (PRAIRIE GRASS PRESERVE LLC), Option 1. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5830
SPECIAL USE-
PRAIRIE GRASS
PRESERVE LLC
- F-6. Alderman Sohns moved to adopt Resolution No. 2005-5830, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 9200 WEST ST. MARTINS ROAD (PRAIRIE GRASS PRESERVE LLC), Option 2. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5831
INDIAN
COMMUNITY
SCHOOL
AGREEMENT
- F-7. Alderman Olson moved to adopt Resolution No. 2005-5831, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN "AMENDED" DEVELOPMENT AGREEMENT WITH INDIAN COMMUNITY SCHOOL OF MILWAUKEE, INC., approx. 10405 W. St. Martins Road. Seconded by Alderman Sohns. All voted Aye; motion carried.
- DNR STORM
WATER FUNDING
- F-8. Alderman Solomon moved to contribute \$3,000 from contingency fund for a portion of necessary funding to complete a partial size study by the Department of Natural Resources, said contribution being a requirement of the Wisconsin Pollutant Discharge Elimination System storm water permit. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2004-5832
2005 BUDGET
- F-9. Alderman Solomon moved to adopt Resolution No. 2205-5832, RESOLUTION APPROVING CARRYOVER OF BUDGET ENCUMBRANCES FROM THE 2004 BUDGET TO THE 2005 BUDGET. Seconded by Alderman Gardner. All voted Aye; motion carried.
- W. OAKWOOD
ROAD AND
S. 31ST STREET
RECONSTRUCTION
- F-10a. Mayor Klimetz tabled reconstruction of W. Oakwood Road from S. 27th Street to approximately 2300 ft. west of S. 27th Street and
F-10b. the extension/reconstruction of S. 31st Street from W. Rawson Avenue to W. Drexel Avenue and cul-de-sac proposed for S. 27th Street and W. Minnesota Avenue to March 15, 2005 (rescheduled to March 16, 2005 Common Council meeting).

- CHARTER ORD. 2005-1835
CODE OF ETHICS
- F-10c. Alderman Olson moved to adopt Charter Ordinance No. 2005-1835, AN ORDINANCE TO REPEAL THE CODE OF ETHICS OF THE MUNICIPAL CODE AND TO PROVIDE FOR THE FILING OF STATEMENTS OF ECONOMIC INTERESTS BY ELECTED OFFICIALS, CANDIDATES AND OTHER SPECIFIED OFFICIALS OF THE CITY. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2005-5833
STATEMENT OF
ECONOMIC
INTEREST
- Alderman Solomon moved to adopt Resolution No. 2005-5833, A RESOLUTION APPROVING THE USE, FORM AND CONTENT OF A FINANCIAL DISCLOSURE STATEMENT AS REQUIRED BY CHAPTER 36 OF THE MUNICIPAL CODE. Seconded by Alderman Gardner. All voted Aye; motion carried.
- Mayor Klimetz tabled the proposed values-based ethics code indefinitely, submitted by Alderman Bergmann.
- RES. 2005-5834
TAX LEVY
RESTRICTIONS
- F-10d. Alderman Solomon moved to adopt Resolution No. 2005-5834, A RESOLUTION IN OPPOSITION TO STATE FORCED MUNICIPAL TAX LEVY RESTRICTIONS THROUGH LIMITS TO LOCAL PROPERTY TAX LEVIES. Seconded by Alderman Sohns. All voted Aye; motion carried.
- ECONOMIC
DEVELOPMENT
FEASIBILITY
STUDY
- F-10e. Alderman Kosovich moved to enter into a contract with Ehlers & Associates for the Economic Development Feasibility Study relative to land surrounding the landfill not to exceed \$10,000 to be billed on an hourly basis. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2005-5835
COMPREHENSIVE
MASTER PLAN
- F-10f. Alderman Sohns moved to adopt Resolution No. 2005-5835, A RESOLUTION APPROVING AN AGREEMENT WITH PLANNING & DESIGN INSTITUTE FOR UPDATING THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN at a cost not to exceed \$218,000, and a total project cost not to exceed \$260,000, as recommended by the Plan Commission. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- Alderman Solomon moved to approve that the funding for the Comprehensive Master Plan Update project be taken from the Fund Balance, as recommended by the Finance Committee. Seconded by Alderman Olson. All voted Aye; motion carried.
- CLOSED SESSION-
TRANSITIONAL
FACILITY
- F-11. Alderman Olson moved to schedule a public informational hearing on 3/15/05 at 6:30 p.m. at the Franklin Public Library regarding the possible location of a transitional facility of persons committed to the custody of the Department of Health and Family Services under

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CLOSED SESSION- F-11. Chapter 980 of the Statues; and to reschedule the Common Council
TRANSITIONAL meeting to 3/16/05 at 6:30 p.m. Seconded by Alderman Sohns. All
FACILITY voted Aye; motion carried. (It was also stated that the Mayor and
(Continued) Alderman may conduct a press conference on March 8, 2005 regarding
the public announcement of possible locations).

Alderman Sohns moved to allow Assistant City Attorney Fleming, Police Chief Hahn, Police Captain Groen and Tom Taylor to attend the following closed session. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Solomon moved to enter closed session at 7:33 p.m. pursuant to §19.85(1)(e) and (g), Stats., to confer with the City Attorney as legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the Council with respect to litigation upon the State location of a transitional facility for the housing of persons committed to the custody of the Department of Health and Family Services under Chapter 980 of the Statutes in which it is likely to become involved and to consider the retention of additional legal representation upon such matter and for such likely litigation; and pursuant to §19.85(1)(d), Stats., to consider strategy for crime prevention required as a resultant impact of such subject matter; 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. On roll call, all voted Aye; motion carried.

The Common Council entered open session at 8:06 p.m.

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

Operator License to Valerie R. Baertlein, 5614 W. Mitchell St., West Allis; Amanda J. Greil, 2845 S. 52nd St., Milwaukee; Jason A. Safcik, 4314 Kennedy Dr. #201, Racine; Jennifer L. Schell, 3140A S. Adams Ave., Milwaukee and Scott S. Solda, 6792 S. Ash St., Oak Creek. Seconded by Alderman Gardner. All voted Aye; motion carried.

VOUCHERS I-1. Alderman Kosovich moved to approve City vouchers in the range of 110363 thru 110549 in the amount of \$411,341.87. Seconded by Alderman Gardner. On roll call, all voted Aye; motion carried.

PAYROLL Alderman Solomon moved to approve net payroll of February 18, 2005 in the amount of \$281,648.02. Seconded by Alderman Gardner. On roll call, all voted Aye; motion carried.

ADJOURNMENT J. Alderman Kosovich moved to adjourn the Common Council meeting at 8:07 p.m. Seconded by Alderman Olson. All voted Aye; motion carried.