

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 16, 2005
MINUTES**

- CALL TO ORDER A. Mayor Klimetz called the regular Common Council meeting of March 16, 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, Sohns and Bergmann. Also present were City Engineer Bennett, Dir. of Admin. Petre, City Attorney Wesolowski and City Clerk Wesolowski.
- PROCLAMATION Mayor Klimetz read a proclamation declaring April 7, 2005 as Blanche M. Czarnecki Day in celebration of her 100th birthday.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:35 p.m. and closed at 6:47 p.m.
- MINUTES-3/1/05 C-1. Alderman Kosovich moved to approve the regular Common Council meeting minutes of March 1, 2005 as presented. Seconded by Alderman Olson. On roll call, Aldermen Olson, Solomon, Gardner, Kosovich and Sohns voted Aye; Alderman Bergmann Abstained. Motion carried.
- DONATION F-1. Alderman Olson moved to accept with great gratitude the donation of approximately \$130,000 from Donald and Marion Woelbing to be used for the purchase of a 2,200 gallon water tanker for the Fire Department. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- Alderman Olson moved to authorize the Fire Chief to proceed with the purchase of a 2,200 gallon water tanker truck from U.S. Tank in an amount not to exceed \$130,000 and duly recognize Donald and Marion Woelbing by placing their name on the water tanker truck. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- EXTENSION/
RECONSTRUCTION-
S. 31ST STREET F-2. Alderman Sohns moved to direct the Engineering Department to proceed with design for the reconstruction of the northern portion of South 31st Street for a 48 foot, four-lane road to include a t-intersection at east end of West Minnesota Avenue to Park Motel. Seconded by Alderman Olson. On roll call, Aldermen Sohns, Kosovich, Gardner, Solomon and Olson voted Aye; Alderman Bergmann voted No. Motion carried.
- Alderman Bergmann then moved to direct the Engineering Department to take no action on the reconstruction of South 31st Street south of the rear entrance to Northwestern Mutual driveway. Seconded by Alderman Kosovich. On roll call, Aldermen Kosovich and Bergmann voted Aye; Aldermen Olson, Solomon, Gardner and Sohns voted No. Motion failed.

- EXTENSION/
RECONSTRUCTION-
S. 31ST STREET-
CONTINUED
- Alderman Solomon moved to direct the Engineering Department to proceed with Alternative No. 3 as presented by the Engineering Department on the reconstruction of South 31st Street south of the rear entrance to Northwestern Mutual driveway with the west edge of road 5 feet to east, without sidewalks. Seconded by Alderman Sohns. On roll call, Aldermen Olson, Solomon, Gardner, Kosovich and Sohns voted Aye; Alderman Bergmann Abstained. Motion carried.
- RECONSTRUCTION- F-3. Alderman Sohns moved to direct the Engineering Department to proceed with Alternate No. 3 for the reconstruction of W. Oakwood W. OAKWOOD ROAD Road and bring the design back to the Common Council for review before proceeding with right-of-way acquisition. Seconded by Alderman Solomon. On roll call, Aldermen Sohns, Kosovich, Gardner, Solomon and Olson voted Aye; Alderman Bergmann voted No. Motion carried.
- 27TH STREET F-4. Mr. Ted Grintjes, South 27th Street Steering Committee member, CORRIDOR presented a status report relative to the 27th Street Corridor Plan and transportation needs. No action was needed.
- RES. 2005-5836 F-5. Alderman Sohns moved to adopt Resolution No. 2005-5836, A CSM- STEGMAYER RESOLUTION CONDITIONALLY APPROVING A CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (MICHAEL F. AND BARBARA J. STEGMAYER) (9464 SOUTH 92ND STREET). Seconded by Alderman Olson. All voted Aye; motion carried.
- EXTENSION OF F-6. Alderman Sohns moved to deny the request from Tom & Aida WATER- GRULKOWSKI Grulkowski to extend municipal water service to property located at 8610 S. Hunting Park Drive. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5837 F-7. Alderman Sohns moved to adopt Resolution No. 2005-5837, A CSM- GRULKOWSKI RESOLUTION CONDITIONALLY APPROVING A CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (DENNIS J. & RITA GRULKOWSKI) (8610 SOUTH HUNTING PARK DRIVE). Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5838 F-8. Alderman Sohns moved to adopt Resolution No. 2005-5838, A S. 27TH STREET REDEVELOPMENT RESOLUTION REQUESTING INTERGOVERNMENTAL SUPPORT AND PARTICIPATION FROM THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION (FHWA) IN THE REDEVELOPMENT OF SOUTH 27TH STREET;

Franklin Common Council

3/16/05

Page Three

RES. 2005-5839
S. 27TH STREET
REDEVELOPMENT

Resolution No. 2005-5839, A RESOLUTION REQUESTING INTERGOVERNMENTAL SUPPORT AND PARTICIPATION FROM THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION (SEWRPC) IN THE REDEVELOPMENT OF SOUTH 27TH STREET; and Resolution No. 2005-5840, A RESOLUTION REQUESTING INTERGOVERNMENTAL SUPPORT AND PARTICIPATION FROM THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION (WISDOT) IN THE REDEVELOPMENT OF SOUTH 27TH STREET. Seconded by Alderman Gardner. All voted Aye; motion carried.

RES. 2005-5840
S. 27TH STREET
REDEVELOPMENT

COMMUNITY
DEVELOPMENT
SERVICES
AGREEMENT

F-9. Alderman Sohns moved to authorize the Director of Administration with the assistance of the City Attorney to draft a Professional Services Agreement for the provision of limited-term development services to the City of Franklin. The draft of the agreement and a recommended consultant will be brought back to the Common Council by the Mayor for approval at the 4/04/05 meeting. Seconded by Alderman Bergmann. All voted Aye; motion carried.

RES. 2005-5841
AGREEMENT-
NORTH CAPE PARK

F-10. Alderman Solomon moved to adopt Resolution No. 2005-5841, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN AGREEMENT WITH TOTAL TEAM CONSTRUCTION FOR RENOVATION OF THE BUILDING AT NORTH CAPE PARK, AND THE AUTHORIZATION FOR CITY STAFF TO PROCEED WITH FINAL PURCHASES AND SERVICES REQUIRED FOR PROJECT COMPLETION. Seconded by Alderman Bergmann. All voted Aye; motion carried.

RAWSON AVENUE
RECONSTRUCTION

F-11. Alderman Sohns moved to table the Rawson Avenue reconstruction payment approval to a future Common Council meeting for a staff recommendation on the payment of any outstanding Rawson Avenue project invoices. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2005-5842
EASEMENTS-
W. FAITH DR. &
W. IMPERIAL DR.

F-12. Alderman Sohns moved to adopt Resolution No. 2005-5842, A RESOLUTION ACCEPTING EASEMENTS FOR FAITH COMMUNITY CHURCH AND FRANKLIN PUBLIC SCHOOLS FOR STORM DRAINAGE (7700 W. Faith Dr. and 7880 W. Imperial Dr.) Seconded by Alderman Gardner. All voted Aye; motion carried.

RES. 2005-5843
STREET
VACATION-
W. ASHLAND WAY

F-13. Alderman Olson moved to introduce Resolution No. 2005-5843, A RESOLUTION TO VACATE A PORTION OF W. ASHLAND WAY FROM S. OAKWOOD PARK DRIVE TO A POINT 1239 FEET WEST OF S. OAKWOOD PARK DRIVE (CSM #6804) as amended by the City Attorney, and set a public hearing date for May 3, 2005 at 6:30 p.m. Seconded by Alderman Bergmann. All voted Aye; motion carried.

Franklin Common Council

3/16/05

Page Four

- MACKENZIE SQUARE F-14. Alderman Solomon moved to release the letter of credit from Wauwatosa Savings Bank number 14-180451-5 for the MacKenzie Square Condominiums located in the 7800/7900 block of S. Scepter Drive as recommended by the Engineering staff. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2005-5844 INSPECTION SERVICES F-15. Alderman Olson moved to adopt Resolution No. 2005-5844, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE CONTRACTS FOR STREET AND UTILITY CONSTRUCTION INSPECTION SERVICES. Seconded by Alderman Gardner. All voted Aye; motion carried.
- RES. 2005-5845 BITUMINOUS AND AGGREGATE BIDS F-16. Alderman Solomon moved to adopt Resolution No. 2005-5845, RESOLUTION AWARDDING 2005 BITUMINOUS AND AGGREGATE MATERIAL CONTRACTS. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- SALARY INCREASES F-17. Alderman Sohns moved to table a resolution establishing 2005 salary increased for non-represented employees of the City of Franklin to the 4/04/05 Common Council meeting. Seconded by Alderman Gardner. All voted Aye; motion carried.
- ORD. 2005-1836 FINANCIAL DISCLOSURE STATEMENT F-18. Alderman Solomon moved to adopt Ordinance No. 2005-1836, AN ORDINANCE TO PROVIDE FOR THE USE OF THE FINANCIAL DISCLOSURE STATEMENT APPROVED BY RESOLUTION NO. 2005-5833 PENDING THE EFFECTIVE DATE OF CHARTER ORDINANCE NO. 2005-1835. Seconded by Alderman Bergmann. All voted Aye; motion carried.
- CLOSED SESSION- TRANSITIONAL FACILITY F-19. Alderman Kosovich moved to enter closed session at 7:52 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 8:37 p.m.

Alderman Solomon moved to authorize the hiring of Quarles & Brady on terms and conditions to be approved by the City Attorney and Mayor, with funding provided by the General Fund, for the purposes of reviewing legal options available to the City of Franklin with regard to the proposed transitional facility for Chapter 980 persona and reviewing pending legislation related to the subject matter, with a status report to be provided to the Common Council at their 4/04/05 meeting; and further that all staff be directed to cooperate and provide all information as requested to assist Quarles & Brady in their representation. Seconded by Alderman Olson. All voted Aye; motion carried. In addition Mayor Klimetz scheduled a special Common Council meeting at 6:00 p.m. to prepare for meeting.

CLOSED SESSION-
WASTE
MANAGEMENT OF
WI, INC.

F-20. Alderman Solomon moved to enter closed session at 9:05 p.m. pursuant to §19.85(1)(e), Stats., to deliberate upon and develop strategies with regard to the bargaining of the proposed establishment/expansion of solid waste facilities pertaining to the Metro Recycling and Disposal Facility 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 entered open session at 9:12 p.m.

PROPERTY
DAMAGE

F-21. Alderman Olson moved to deny the claim of West Bend Mutual Insurance, representing insured Pauline Chesnut, pursuant to Wisconsin Statutes 893.80(1g) for disallowance of claim, as recommended for denial by Midwest Claims Services, for damage to property caused by forcible entry of the Fire Department. Seconded by Alderman Solomon. All voted Aye; motion carried.

LICENSES

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

No action was taken on the Operator License for Tiffany L. Routt, 5532 S. Nicholson Ave., Cudahy;

Operator Licenses to Michelle M. Altoro-Sielaff, 3053A S. 38th St., Milwaukee; Connie M. Davis, 5515 S. Disch Ave. #1, Cudahy; James P. Frye, S70 W14950 Cornell Cir., Muskego; Elyse C. Kohlbeck, 6766 S. Highfield Dr., Oak Creek and Cynthia L. Safcik, 4314 Kennedy Dr. #201, Racine;

Class A Combination Change of Agent to Pick N Save, Michael A. Soyka, 7201 S. 76th St.;

and also moved to hold Operator License for Karen E. Rowland, 3825 Jerelin Dr. subject to appearing before the License Committee. Seconded by Alderman Sohns. All voted Aye; motion carried.

Franklin Common Council

3/16/05

Page Six

- VOUCHERS I-1. Alderman Bergmann moved to approve City vouchers in the range of 110550 thru 110744 in the amount of \$1,636,022.52. Seconded by Alderman Sohns. On roll call, all voted Aye; motion carried.
- PAYROLL Alderman Sohns moved to approve net payroll of March 4, 2005 in the amount of \$293,142.24. Seconded by Alderman Gardner. On roll call, all voted Aye; motion carried.
- ADJOURNMENT J. Alderman Sohns moved to adjourn the Common Council meeting at 9:13 p.m. Seconded by Alderman Kosovich. All voted Aye; motion carried.