

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 17, 2005
MINUTES**

- CALL TO ORDER A. Mayor Taylor called the regular Common Council meeting of May 17, 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 Taylor, Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. 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 6:32 p.m. and closed at 6:36 p.m.
- MAYOR ANNOUNCEMENTS C-1. Mayor Taylor announced upcoming community events.
- PROCLAMATION C-2. A Mayoral Proclamation designating May 21-27, 2005 as National Safe Boating Week was read by City Clerk Wesolowski.
- MINUTES-5/3/05 D-1. Alderman Kosovich moved to approve the minutes of the regular meeting of May 3, 2005 as presented. Seconded by Alderman Hammelman. All voted Aye; motion carried.
- PUBLIC HEARING-BLOCK GRANT FUNDS E-1. The public hearing for the potential reallocation of unexpended and uncommitted Community Development Block Grant (CDBG) Funds was opened at 6:41 p.m. and closed at 6:46 p.m.
- BLOCK GRANT FUNDS F-1. Alderman Solomon moved to approve the Community Development Block Grant reallocations as included in the Director of Administration's 4/12/05 report as amended to include an additional \$150 to be reallocated from the Legend Drive Sidewalk Project to the Community Room Project. Seconded by Alderman Olson. All voted Aye; motion carried.
- CONSENT AGENDA F-2a. Alderman Sohns moved to approve the following:
- DONATION Accept the donation of \$1,200 from Franklin Lions Club Foundation to be used for repairs to the informational sign in front of Fire Station No. 1.;
- STREET LIGHT-BERKSHIRE #1 F-2b. Authorize the City Engineer to sign a street light appendix with WE Energies for the installation of one streetlight, 100 watt high pressure sodium on one fiberglass pole, at a cost of \$3,532.40 to be billed to the developer and the developer is responsible for the restoration and erosion control. Light is to be installed at the street intersection.
- Approval of consent agenda items seconded by Alderman Skowronski. All voted Aye; motion carried.

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MODEL PERMITS-
RIVER PARK
SUBDIVISION

F-3. Alderman Sohns moved to approve the request from Icon Development Corporation for 20 model home permits on Lots 5, 6, 8, 9, 10, 11, 12, 13,14,15,17,18,19,20,21,22,23,24,31, and 36 in River Park Subdivision subject to the following conditions: That the developer shall submit a copy of the plat with the proposed building sites to be reviewed and approved by the Fire Chief and the Building Inspector; That the City Engineer approve the Site Grading Plan; Building permit fees are paid at the time of issuance of a permit; The access drive shall be maintained at all times. Failure to maintain the drive shall result in construction being stopped until the areas are maintained; That no occupancy will be permitted until all improvements and utilities are installed and approved by the Franklin Engineering Department; The Subdivision Plat shall be recorded and proof of recording shall be submitted to the City before application for the building permit; A digital copy of the plat is submitted to the Engineering Department before application for a building permit and the Fire Chief and Building Inspector shall inspect the project for compliance with the requirements. Seconded by Alderman Kosovich. All voted Aye; motion carried.

RES. 2005-5878
AGREEMENT-
WEB SITE
DEVELOPMENT

F-4. Technology Commission members Greg Strowig, Alvin Rivera and Scott Meade, along with Alderman Olson, appeared before the Common Council to discuss web site development for the City of Franklin.

Alderman Olson moved to adopt Resolution No. 2005-5878, A RESOLUTION AUTHORIZING THE DIRECTOR OF ADMINISTRATION, WITH THE ASSISTANCE OF THE CITY ATTORNEY, TO DRAFT AN AGREEMENT WITH NORTHWOODS SOFTWARE DEVELOPMENT, INC. TO PROVIDE WEB SITE DEVELOPMENT SERVICES TO THE CITY OF FRANKLIN AND FOR THE APPROPRIATE CITY OFFICIALS TO EXECUTE SAID AGREEMENT, for an amount not to exceed \$55,000. Seconded by Alderman Sohns. All voted Aye; motion carried.

RES. 2005-5879
WEB SITE

F-5. Alderman Olson moved to adopt Resolution No. 2005-5879, A RESOLUTION APPROVING A 3-YEAR AGREEMENT WITH JADE TECHNOLOGIES, INC. FOR WEB SITE HOSTING OF THE CITY OF FRANKLIN WEB SITE. Seconded by Alderman Sohns. All voted Aye; motion carried.

GOVERNMENT
ACCESS CHANNEL

F-6. Alderman Olson moved to authorize staff on behalf of the Technology Commission to contact Time Warner Cable to perform the necessary engineering to implement the City's Government Access Channel; to authorize the staff on behalf of the Technology Commission to expend up to \$1,000 from the Information Services Budget for necessary licensing and/or equipment (video card and miscellaneous) to implement the City's Government Access Channel; and to accept the

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- GOVERNMENT
ACCESS CHANNEL-
CONTINUED
- F-6. donation of a computer server from a Technology Commission member to be used for the Government Access Channel, as recommended by the Technology Commission. Seconded by Alderman Kosovich. On roll call, Aldermen Olson, Hammelman, Kosovich and Skowronski voted Aye; Aldermen Solomon and Sohns voted No. Motion carried.
- NORTH CAPE
PARK
- F-7. Alderman Skowronski moved to rename the North Cape Park at 11615 W. Rawson Avenue to Ken Windl Park. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5880
JOB
DESCRIPTIONS-
DEPT. OF PUBLIC
WORKS
- F-8. Alderman Sohns moved to adopt Resolution No. 2005-5880, A RESOLUTION APPROVING REVISED JOB DESCRIPTIONS FOR THE DEPARTMENT OF PUBLIC WORKS SUPERINTENDENT AND SEWER AND WATER SUPERINTENDENT IN THE DEPARTMENT OF ENGINEERING/PUBLIC WORKS. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5881
EASEMENT-
STONE HEDGE
ADDITION #1
- F-9. Alderman Solomon moved to adopt Resolution No. 2005-5881, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR STONE HEDGE ADDITION #1 (APPROXIMATELY LOOMIS ROAD AND OLD LOOMIS ROAD) (O'MALLEY DEVELOPMENT LLC) as corrected. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5882
AGREEMENT-
STONE HEDGE
ADDITION #1
- F-10. Alderman Solomon moved to adopt Resolution No. 2005-5882, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF STONE HEDGE ADDITION NO. 1 SUBDIVISION, (south of W. Rawson Avenue and west of W. Loomis Road) as corrected. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5883
CONDOMINIUM
PLAT-VILLAS OF
FRANKLIN
- F-11. Alderman Kosovich moved to adopt Resolution No. 2005-5883, RESOLUTION APPROVING PHASE 2 FOR A CONDOMINIUM PLAT FOR VILLAS OF FRANKLIN CONDOMINIUM (APPROXIMATELY WEST DREXEL AVENUE AND SOUTH 35TH STREET) (THE VILLAS PARTNERS LLC). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2005-5884
SPECIAL USE
AMENDMENT-
VILLAS OF
FRANKLIN
- F-12. Alderman Kosovich moved to adopt Resolution No. 2005-5884, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE AMENDMENT TO RESOLUTION 2003-5564 FOR VILLAS OF FRANKLIN CONDOMINIUMS (APPROXIMATELY WEST DREXEL AVENUE AND SOUTH 35TH STREET) (THE VILLAS PARTNERS LLC). Seconded by Alderman Hammelman. All voted Aye; motion carried.

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- RES. 2005-5885
PRELIMINARY
PLAT-VICTORIAN
ACRES
- F-13. Alderman Hammelman moved to adopt Resolution No. 2005-5885, RESOLUTION APPROVING A PRELIMINARY PLAT FOR VICTORIAN ACRES (APPROXIMATELY 6730 SOUTH 31ST STREET) (ENER-CON BUILDERS). Seconded by Alderman Sohns. All voted Aye; motion carried.
- ORD. 2005-1840
PDD #24-
VULCAN
MATERIALS
- F-14. Alderman Sohns moved to adopt Ordinance No. 2005-1840, AN ORDINANCE TO AMEND SECTION 15-3.0429 OF THE UNIFIED DEVELOPMENT ORDINANCE CREATING PLANNED DEVELOPMENT DISTRICT NUMBER 24 (APPROXIMATELY 5500 WEST RAWSON AVENUE) (VULCAN MATERIALS). Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5886
LAND
COMBINATION-
SCHERMEISTER
- F-15. Alderman Hammelman moved to adopt Resolution No. 2005-5886, A RESOLUTION APPROVING A COMBINATION OF LAND OF A PART OF THE SOUTHWEST 1/4 OF SECTION 1, TOWN 5 NORTH, RANGE 21 EAST IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (APPROXIMATELY 4131 PEBBLE BEACH COURT) (ROBERT T. & CHERY SCHERMEISTER). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2005-5887
CSM-
MIKE MOONEY-
MLG
- F-16. Alderman Solomon moved to adopt Resolution No. 2005-5887, A RESOLUTION CONDITIONALLY APPROVING A CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (APPROXIMATELY 9901 SOUTH 27TH STREET) (MIKE MOONEY, MLG RE 2002 LLC). Seconded by Alderman Kosovich. All voted Aye; motion carried.
- RES. 2005-5888
EASEMENT-
MIKE MOONEY-
MLG
- F-17. Alderman Kosovich moved to adopt Resolution No. 2005-5888, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR THE MLG CERTIFIED SURVEY MAP FOR HIDDEN OAKS SUBDIVISION (APPROXIMATELY 9901 SOUTH 27TH STREET) (MIKE MOONEY, MLG RE 2002 LLC). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2005-5889
SPECIAL USE-
RIESER
- F-18. Alderman Skowronski moved to adopt Resolution No. 2005-5889, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED (APPROXIMATELY 11222 WEST FOREST HOME AVENUE) (JAMES AND DONNA RIESER). Seconded by Alderman Hammelman. All voted Aye; motion carried.

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- W. RYAN ROAD RECONSTRUCTION F-19. Alderman Sohns moved to direct staff to work with the property owners to have sanitary sewer and/or water laterals installed in W. Ryan Road from S. 27th Street to the Root River and inform the abutting property owners of this action. Seconded by Alderman Solomon. All voted Aye; motion carried.
- W. RYAN ROAD-SANITARY SEWER F-20. Alderman Solomon moved to direct the Engineering staff to arrange for proceeding with the extension of sanitary sewer in the areas that do not already have sanitary sewer available, from the north side of W. Ryan Road and from S. 51st Street to a point 1,200 feet east of S. 51st Street and inform the abutting property owners of this action. Seconded by Alderman Olson. All voted Aye; motion carried.
- W. RYAN ROAD-WATER MAIN F-21. Alderman Olson moved to direct the Engineering staff to arrange for proceeding with the extension of water main on the south side of W. Ryan Road, 650 feet west of S. 31st Street to a point 400 feet east of S. 31st Street and inform the abutting property owners of this action. Seconded by Alderman Sohns. All voted Aye; motion carried.
- S. 31ST STREET & W. OAKWOOD ROAD F-22. Alderman Sohns moved to authorize the City Engineer to execute a contract with PSI in the amount of \$8,640.00 for subsurface exploration and analysis of S. 31st Street and W. Oakwood Road. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2005-5890 AGREEMENT-FRANKLIN OAKS F-23. Alderman Kosovich moved to adopt Resolution No. 2005-5890, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF FRANKLIN OAKS (Phase II) CONDOMINIUMS as amended. Seconded by Alderman Olson. All voted Aye; motion carried.
- TRAFFIC IMPACT ANALYSIS F-24. Alderman Olson moved to table a resolution authorizing officials to execute an engineering services agreement with Traffic Analysis & Design, Inc. for the initial traffic impact analysis (T.I.A.) for the access of a public street onto W. Loomis Road (STH 36) between W. Drexel Avenue and W. Rawson Avenue to 6/07/05 Common Council meeting. Seconded by Alderman Sohns. Alderman Olson withdrew his motion.
- Alderman Sohns moved to direct staff to obtain a new proposal for the above initial traffic impact analysis to include W. Loomis Road as one proposal, and W. Loomis Road and S. 76th Street as another proposal, and that this item be placed on the 6/07/05 Common Council meeting. Seconded by Alderman Solomon. On roll call, Aldermen Olson, Solomon, Kosovich and Sohns voted Aye; Aldermen Hammelman and Skowronski voted No. Motion carried.

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- ORD. 2005-1841
SNOW
- F-25. Alderman Sohns moved to adopt Ordinance No. 2005-1841, ORDINANCE TO AMEND §222-6.B OF THE MUNICIPAL CODE PERTAINING TO DEPOSITING SNOW ON PUBLIC PROPERTY AND §1-20 OF THE MUNICIPAL CODE TO PERMIT THE SUPERINTENDENT OR ASSISTANT SUPERINTENDENT OF PUBLIC WORKS TO ISSUE CITATIONS. Seconded by Alderman Hammelman. All voted Aye; motion carried.
- ADDRESS SIGNS
- F-26. Alderman Skowronski moved to use water tanker truck funds to purchase rural address signs and require signage on a mandatory basis. Seconded by Alderman Kosovich. Alderman Skowronski withdrew his motion.
- Alderman Sohns moved to direct Fire, Police and Public Works Department to find funds in their 2005 budgets to fund the rural signage for address, with Department of Public Works to install and that this matter return to the 6/07/05 Common Council meeting. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2005-5891
LOCAL ROAD
PROGRAM
- F-27. Alderman Olson moved to adopt Resolution No. 2005-5891, RESOLUTION AWARDDING BITUMINOUS CONCRETE PAVEMENT FOR 2005 LOCAL ROAD PROGRAM to Payne & Dolan, Inc. in the amount of \$251,110.65. Seconded by Alderman Sohns. All voted Aye; motion carried.
- CITY HALL SIGN
REPLACEMENT
- F-28. Alderman Olson moved to award the bid for the replacement of the City Hall sign to Badger Sign and Lighting in the amount of \$4,976.05, and authorize staff to proceed with the sign replacement project with the addition of an external 110 volt outlet. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2005-5892
SANITARY SEWER
SERVICE AREA
- F-29. Alderman Skowronski moved to adopt Resolution No. 2005-5892, RESOLUTION REQUESTING A REVISION TO THE CITY OF FRANKLIN SANITARY SEWER SERVICE AREA AND THAT THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION (SEWRPC) TAKE THE NECESSARY ACTION TO FACILITATE SAID CHANGE. Seconded by Alderman Kosovich. On roll call, Aldermen Skowronski, Sohns, Kosovich, Hammelman and Olson voted Aye; Alderman Solomon voted No. Motion carried.
- APPOINTMENTS
- G-1. Alderman Skowronski moved to confirm the Mayoral appointment of Kevin Haley, term expiring 4/30/06, to the Plan Commission. Seconded by Alderman Sohns. All voted Aye; motion carried.
- Alderman Kosovich moved to confirm the Mayoral appointment of Shari Corrigan Hanneman, term expiring 4/30/07, to the Plan Commission. Seconded by Alderman Sohns. All voted Aye; motion carried.

APPOINTMENTS-
CONTINUED

G-1.

Alderman Sohns moved to confirm the Mayoral appointment of Theodore Mainella, term expiring 5/1/06, to the Technology Commission. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Olson moved to confirm the Mayoral appointment of Scott Meade, term expiring 5/1/06, to the Technology Commission. Seconded by Alderman Hammelman. All voted Aye; motion carried.

Alderman Solomon moved to confirm the Mayoral appointment of Elvin Rivera, term expiring 5/1/06, to the Technology Commission. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Kosovich moved to confirm the Mayoral appointment of Dave Pautz, 3700 W. Maplecrest Dr., term expiring 4/30/08, to the Parks Commission. Seconded by Alderman Sohns. All voted Aye; motion carried.

Alderman Solomon moved to confirm the Mayoral appointment of Anthony Megna, term expiring 4/30/08, to the Parks Commission. Seconded by Alderman Kosovich. All voted Aye; motion carried.

Alderman Kosovich moved to confirm the Mayoral appointment of Dale Wikel, term expiring 4/30/08, to the Personnel Committee. Seconded by Alderman Hammelman. All voted Aye; motion carried.

Alderman Olson moved to confirm the Mayoral appointment of Sandra Nichols, term expiring 4/30/08, to the Personnel Committee. Seconded by Alderman Sohns. All voted Aye; motion carried.

Alderman Kosovich moved to confirm the Mayoral appointment of Shelly Olejniczak, term expiring 4/30/08, to the Board of Zoning and Building Appeals. Seconded by Alderman Skowronski. All voted Aye; motion carried.

Alderman Skowronski moved to confirm the Mayoral appointment of Phillip Nickerson, term expiring 4/30/08, to the Board of Zoning and Building Appeals. Seconded by Alderman Sohns. All voted Aye; motion carried.

Alderman Sohns moved to confirm the Mayoral appointment of Richard Omernik, term expiring 4/30/10 to the Fire and Police Commission. Seconded by Alderman Skowronski. All voted Aye; motion carried.

LICENSES

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

Extraordinary Entertainment & Amusement to Wild Breed Saloon, 11430 W. Swiss St., Cynthia Girmscheid on 5/21/05 and Xaverian Missionaries, Fr. Alfredo Turco, 4500 Xavier Drive on 6/25 & 6/26/05;

Class B Combination & Change of Agent to Root River Center, Slavko Jevtic, 7220 W. Rawson Avenue;

Temporary Class B Beer to Xaverian Missionaries, Fr. Alfredo Turco, 4500 Xavier Drive on 6/25 & 6/26/05;

Fee waiver to Xaverian Missionaries, extraordinary entertainment & special event, temporary Class B Beer, food, soda and Entertainment except services incurred by City staff, Sanitarian, Fire Department and Police Department;

and also moved to hold Operator Licenses for Joshua Zimmerman, 10584 W. Cortez Circle #23 and Dustin A. Davis, 2828 S. Conger Place, Milwaukee subject to applicants appearing before the License Committee. Seconded by Alderman Sohns. All voted Aye; motion carried.

VOUCHERS

I-1. Alderman Solomon moved to approve City vouchers in the range of 111373 thru 111528 in the amount of \$1,841,431.48. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

PAYROLL

Alderman Hammelman moved to approve net payroll of May 13, 2005 in the amount of \$277,909.86. Seconded by Alderman Kosovich. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Kosovich moved to adjourn the Common Council meeting at 9:17 p.m. Seconded by Alderman Sohns. All voted Aye; motion carried.