

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
APRIL 19, 2011
MINUTES**

- OATH OF OFFICE
MAYOR AND
ALDERMEN
- City Clerk Wesolowski administered the Oath of Office to Mayor Thomas M. Taylor, District 3 Alderman Kristen Wilhelm, District 4 Alderman Steve F. Taylor, and District 6 Alderman Kenneth P. Skowronski.
- ROLL CALL
- A. The regular meeting of the Common Council was held on April 19, 2011 and called to order at 6:35 p.m. by Mayor Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Wilhelm, Taylor, Schmidt and Skowronski. Also present were City Engineer Bennett and City Clerk Wesolowski.
- CITIZEN COMMENT
- B.1. Citizen comment period was opened at 6:42 p.m. and closed at 6:50 p.m.
- RES. 2011-6706
NORMAN A. HINTZ
- B-2.a. Following a moment of silence, a Resolution honoring the memory of Norman A. Hintz was read. Alderman Skowronski moved to adopt Resolution No. 2011-6706, A RESOLUTION HONORING THE MEMORY OF NORMAN A. HINTZ (NOVEMBER 28, 1933-APRIL 12, 2011). Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2011-6707
FATHER CHARLIE
- B-2.b. A Resolution, Fare-Thee-Well, Father Charlie, was read by Alderman Olson. Alderman Olson then moved to adopt Resolution No. 2011-6707, FARE-THEE-WELL, FATHER CHARLIE. Seconded by Alderman Solomon. All voted Aye; motion carried.
- APPROVAL OF
MINUTES-4/4/11
- C.1. Alderman Solomon moved to approve the minutes of the regular meeting of April 4, 2011, as amended. Seconded by Alderman Taylor. All voted Aye; motion carried.
- PUBLIC HEARING-
ORDINANCE TO
AMEND 2025
COMPREHENSIVE
MASTER PLAN
- D-1. A public hearing regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at the Southeast corner of W. Forest Hill Avenue and W. Highland Park Avenue, in and adjacent to Planned Development District No. 31, from Residential to residential-Multi-Family (United Financial Group, Inc., applicant) was opened at 6:50 p.m. and closed at 6:51 p.m. (See Item G.1.)
- APPOINTMENTS
- E-1.a. Alderman Taylor moved to approve the Mayoral appointment of Alderman Skowronski to the Plan Commission, term expires 4/30/12. Seconded by Alderman Schmidt. On roll call, Aldermen Solomon, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; Alderman Olson voted No. Motion carried.

APPOINTMENTS-
CONTINUED

- E.1.b. Alderman Olson moved to approve the Mayoral appointment of Alderman Taylor to the Civic Celebrations Commission, term expires 4/30/13. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.c. Alderman Taylor moved to approve the Mayoral appointment of Alderman Skowronski to the Community Development Authority, term expires 4/14/14. Seconded by Alderman Solomon. On roll call, Aldermen Solomon, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; Alderman Olson voted No. Motion carried.
- E.1.d. Alderman Wilhelm moved to hold the appointment to the Economic Development Commission until the May 2, 2011, Committee of the Whole meeting to review future Economic Development Commission direction and membership needs. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- E.1.e. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Schmidt to the Environmental Commission, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.f. Alderman Olson moved to approve the Mayoral appointment of Alderman Skowronski to the Fair Commission, term expires 4/14/14. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.g. Alderman Taylor moved to approve the Mayoral appointment of Alderman Solomon to the Finance Committee, term expires 4/30/12. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.h. Alderman Taylor moved to approve the Mayoral appointment of Alderman Wilhelm to the Finance Committee, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.i. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Taylor to the Finance Committee, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.j. Alderman Solomon moved to approve the Mayoral appointment of Alderman Wilhelm to the Board of Health, term expires 4/14/14. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

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**APPOINTMENTS-
CONTINUED**

- E.1.k. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Solomon to the License Committee, term expires 4/30/12. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.l. Alderman Taylor moved to approve the Mayoral appointment of Alderman Wilhelm to the License Committee, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.m. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Taylor to the License Committee, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.n. Alderman Skowronski moved to approve the Mayoral appointment of Alderman Solomon to the Parks Commission, term expires 4/30/12. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

**COUNCIL
PRESIDENT**

- E-2. Alderman Skowronski nominated Alderman Taylor as Council President. Seconded by Alderman Solomon. Hearing no further nominations, Mayor Taylor closed nominations. On roll call to elect Alderman Taylor as Council President, Aldermen Solomon, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; Alderman Olson voted No. Motion carried.

**LETTER FROM
CHAIRMAN-BOARD
OF PUBLIC WORKS**

- F-1. Mayor Taylor noted a letter from Jerry Young, Chairman of Board of Public Works, regarding the five year road improvement program.

**PRISON POLICY
INITIATIVE**

- F.2. Mayor Taylor noted a letter from Peter Wagner, Prison Policy Initiative, regarding redistricting and the prison population.

**ORD. 2011-2040
AMENDING THE
COMPREHENSIVE
OUTDOOR
RECREATION PLAN:
2025-FORESTHILL
HIGHLANDS/UNITED
FINANCIAL GROUP,
INC.**

- G.1. Alderman Olson moved to adopt Ordinance No. 2011-2040, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WEST FOREST HILL AVENUE AND WEST HIGHLAND PARK AVENUE, IN AND ADJACENT TO PLANNED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL HIGHLANDS/UNITED FINANCIAL GROUP, INC.), FROM RESIDENTIAL TO RESIDENTIAL-MULTI-FAMILY (APPROXIMATELY 0.223 ACRES AND 0.4092 ACRES)(UNITED FINANCIAL GROUP, INC., APPLICANT). Seconded by Alderman Solomon. All voted Aye; motion carried.

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ORD. 2011-2041 G.2. Alderman Olson moved to adopt Ordinance No. 2011-2041, AN AMENDING THE ORDINANCE TO AMEND SECTION 15-3.0436 OF THE UNDO-FORESTHILL UNIFIED DEVELOPMENT ORDINANCE PLANNED HIGHLANDS/UNITED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL FINANCIAL GROUP, HIGHLANDS/UNITED FINANCIAL GROUP, INC.)(UNITED INC. FINANCIAL GROUP, INC., APPLICANT). Secoded by Alderman Solomon. All voted Aye; motion carried.

ORD. 2011-2042 G.3. Alderman Olson moved to adopted Ordinance No. 2011-2042, AMENDING THE AN ORDINANCE TO AMEND THE UNIFIED UNDO-FORESTHILL DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE HIGHLANDS/UNITED A CERTAIN PARCEL OF LAND FROM R-5 SUBURBAN FINANCIAL GROUP, SINGLE-FAMILY RESIDENCE DISTRICT AND A CERTAIN INC. PARCEL OF LAND FROM PLANNED DEVELOPMENT DISTRICT NO. 31 (FORESTHILL HIGHLANDS/UNITED FINANCIAL GROUP, INC.) TO R-7 TWO-FAMILY RESIDENCE DISTRICT (APPROXIMATELY SOUTHEAST CORNER OF WEST FOREST HILL AVENUE AND WEST HIGHLAND PARK AVENUE) (APPROXIMATELY 0.223 ACRES AND 0.4092 ACRES)(UNITED FINANCIAL GROUP, INC., APPLICANT). Secoded by Alderman Taylor. All voted Aye; motion carried.

RES. 2011-6708 G.4. Alderman Olson moved to adopt Resolution No. 2011-6708, A CERTIFIED SURVEY RESOLUTION CONDITIONALLY APPROVING A 2 LOT MAP- CERTIFIED SURVEY MAP, BEING LOCATED IN A PART UNITED FINANCIAL OF THE NORTHEAST ¼ OF SECTION 16, TOWNSHIP 5 GROUP, INC. NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (MCS INVESTMENTS, INC. AND UNITED INVESTMENTS I, LLC THROUGH UNITED FINANCIAL GROUP, INC., APPLICANT)(SOUTHEAST CORNER OF WEST FOREST HILL AVENUE AND WEST HIGHLAND PARK AVENUE)(ADJOINING RESIDENTAL LOT CERTIFIED SURVEY MAP). Secoded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2011-6709 G.5. Alderman Olson moved to adopt Resolution No. 2011-6709, A CERTIFIED SURVEY RESOLUTION CONDITIONALLY APPROVING A 2 LOT MAP-UNITED CERTIFIED SURVEY MAP, BEING LOCATED IN A PART FINANCIAL GROUP, OF THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF INC. SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (UNITED FINANCIAL GROUP, INC., APPLICANT)(FOREST HILL HIGHLANDS IV LLC, OWNER)(APPROXIMATELY 9095 WEST HIGHLAND PARK AVENUE)(ZERO LOT LINE SETBACK CERTIFIED SURVEY MAP). Secoded by Alderman Wilhelm. All voted Aye; motion carried.

- RES. 2011-6710
SPECIAL USE-
VEOLIA ES SOLID
WASTE MIDWEST,
LLC
- G.6. Alderman Taylor moved to adopt Resolution No. 2011-6710, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN INDUSTRIAL TRUCK REPAIR BUSINESS USE UPON PROPERTY LOCATED AT 9563 SOUTH 60TH STREET (VEOLIA ES SOLID WASTE MIDWEST, LLC, APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2011-6711
SPECIAL USE-
SKYLINE
DEVELOPMENT
CORP.
- G.7. Alderman Taylor moved to adopt Resolution No. 2011-6711, RESOLUTION TO AMEND RESOLUTION NO. 2004-5721 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN ENGINEERING DESIGN AND MANUFACTURING OF STEEL STRUCTURES COMPANY FOR PROPERTY LOCATED AT 9909 SOUTH 57TH STREET TO ALLOW FOR AN EXPANSION OF THE USE (SKYLINE DEVELOPMENT CORP., APPLICANT), with typographical corrections as noted by Alderman Wilhelm on Page 3 of the resolution. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2011-6712
RELEASE ACCESS-
STEELE SOLUTIONS,
INC.
- G.8. Alderman Skowronski moved to adopt Resolution No. 2011-6712, A RESOLUTION TO RELEASE THE ACCESS TO SOUTH 60TH STREET AND LANDSCAPE EASEMENT RESTRICTIONS NOTED IN THE FINAL PLAT FOR FRANKLIN INDUSTRIAL PARK AS THEY PERTAIN TO THE PROPERTY LOCATED AT 9909 SOUTH 57TH STREET BEARING TAX KEY NUMBER 899-0003-000 (STEELE SOLUTIONS, INC.). Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2011-6713
SPECIAL USE-
MCESSY
INVESTMENT
COMPANY
- G.9. Alderman Schmidt moved to adopt Resolution No. 2011-6713, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR MCDONALD'S RESTAURANT TO ALLOW FOR EXTENDED HOURS OF OPERATION UPON PROPERTY LOCATED AT 7501 WEST RAWSON AVENUE (MCESSY INVESTMENT COMPANY, D/B/A MCDONALD'S RESTAURANT, APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- TRAILS COMMITEE
FUNDING-
CONFERENCE
- G.10. Alderman Solomon moved to approve funding not to exceed \$450 to send a member of the Franklin Trails Committee to the 3rd Safe Routes to School National Conference, with funding from the Planning Department budget. Seconded by Alderman Schmidt. All voted Aye; motion carried.

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- FINANCIAL GRANT RESEARCH G.11. Alderman Wilhelm moved to allow the Trails Committee to establish a subcommittee, Funding Research Committee, and that they be allowed to seek up to five interested individuals to find funds for City projects. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2011-6714 CLEAN WATER FUND PROGRAM- RYAN CREEK INTERCEPTOR G.12. Alderman Taylor moved to adopt Resolution No. 2011-6714, A RESOLUTION DECLARING AUTHORIZED REPRESENTATIVES TO FILE THE APPLICATION FOR CLEAN WATER FUND PROGRAM FOR THE RYAN CREEK INTERCEPTOR PROJECT. Seconded by Alderman Solomon. On roll call, Aldermen Olson, Solomon, Taylor, Schmidt, and Skowronski voted Aye; Alderman Wilhelm voted No. Motion carried.
- RES. 2011-6715 RYAN CREEK INTERCEPTOR CLEAN WATER FUND LOAN PROGRAM G.13. Alderman Olson moved to adopt Resolution No. 2011-6715, A RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR THE RYAN CREEK INTERCEPTOR PROJECT FROM THE CLEAN WATER FUND LOAN PROGRAM. Seconded by Alderman Solomon. All voted Aye; motion carried.
- MMSD PRIVATE PROPERTY INFLOW AND INFILTRATION PROGRAM G.14. Alderman Schmidt moved to direct the City Engineer to begin with the Private Property Inflow and Infiltration Program as developed with financing by the Milwaukee Metropolitan Sewerage District by using the Quality Selection Program to select a consultant engineer; the selection committee is to be determined by the Mayor and the negotiated contract to be returned to the Common Council for approval. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2011-6716 REGIONAL WATER SUPPLY PLAN G.15. Alderman Wilhelm moved to adopt Resolution No. 2011-6716, A RESOLUTION ENDORSING THE REGIONAL WATER SUPPLY PLAN FOR SOUTHEASTERN WISCONSIN AS DEVELOPED BY THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION as amended. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- EXCESSIVE ASSESSMENT MURPHY G.16. Alderman Schmidt moved to award the §74.37 appeal, or claim on excessive assessment, by Mr. Adam Murphy for Parcel No. 902-9970-001, 9851 S. 27th Street, adjusting the total assessment to \$1,199,000 as set forth in and for the reasons as provided by the City Assessor in his memo dated April 14, 2011; and to further direct staff to follow Department of Revenue procedures to obtain the appropriate reimbursement from the other taxing entities. Seconded by Alderman Taylor. All voted Aye; motion carried.

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2011 SUMMER
MEETING SCHEDULE

G.17. Alderman Solomon moved to establish the following amended Common Council meeting schedule for 2011: Committee of the Whole, June 6; Common Council, June 7 and 21; Combined Committee of the Whole and Common Council, July 5; Common Council, July 19; Combined Committee of the Whole and Common Council, August 2; Common Council, August 16; Combined Committee of the Whole and Common Council, September 6; Common Council, September 20. Seconded by Alderman Taylor. All voted Aye; motion carried.

EASEMENT RIGHTS
AND INTERESTS-
RYAN CREEK
INTERCEPTOR

G.18. Alderman Skowronski moved to authorize the offering price for easement acquisitions for Acquisition Map Parcels 1, 2, 5, 6, 7, 8, 11, 12, 14, 15, 16, 17, and 19 for the Ryan Creek Interceptor Sewer project as recommended by the appraisal firm of Single Source, Inc. and the City Engineer. Seconded by Alderman Solomon. Upon unanimous Aye voice vote, motion carried.

MISCELLANEOUS
LICENSES

H.1. Alderman Solomon moved to grant the following licenses:

Class A Combination to Shaq Enterprises, LLC, Agent: Muhammad S. Naeem, 11123 W. Forest Home Avenue subject to satisfactory inspections, submitting copy of lease and proof of payment;

Further moved to approve Operator License for Jessica L. Tomorsky, 3415 S. 113th Street #7, West Allis; Laurie CL Walvisch, 234 Montana Avenue #2, South Milwaukee with warning letter from City Clerk and Jeanne Z. Johnson, 7703 W. Margaret Lane;

Further moved to approve Temporary Class B Wine & Beer and Temporary Entertainment & Amusement for St. Martin of Tours Parish School-Mystery Dinner, Person in Charge: Jeanne Johnson, 7963 S. 116th Street on 5/7/11;

Further moved to approve Extraordinary Entertainment & Amusement Event to Ragnar Relay to Benefit Back on my Feet Charity, Person in Charge: Andria Huskinson, streets of Franklin (76th Street, Rawson Avenue, 51st Street and Drexel Avenue) on 6/10/11 and 6/11/11;

Further moved to approve Temporary Entertainment & Amusement for a Birthday Party Bounce House, Person in Charge: Nicole Bartkowiak, Lions Legend Park-Vernon Barg Pavilion on 6/4/11 subject to working with Department of Public Works Department for placement;

Further moved to hold Operator License for Cassandra Klein, W1427 Hwy. 11, Burlington; Lan M. Nguyen, 1320 W. Rawson Avenue #4, Milwaukee; Gloria Perez, 1942 S. 92nd Street, West Allis and Steven J. Scheele, 3284 N. Oakland Avenue, Milwaukee, all subject to appearing before the License Committee;

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LICENSES-
CONTINUED

Further moved to hold Temporary Entertainment & Amusement License for Birthday Party D J, Person in Charge: Mary Gomez, Lions Legend Park-Vernon Barg Pavilion on 6/05/11 subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1.

Alderman Solomon moved to approve the City vouchers in the range of Nos. 138058 through 138230 in the amount of \$679,807.78. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve the net payroll of April 8, 2011 in the amount of \$328,717.50. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 8:25 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.