

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
AUGUST 2, 2011
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on July 19, 2011 and called to order at 6:50 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, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:51 p.m. and closed at 6:51 p.m.
- PROCLAMATION B.2.a. Mayor Taylor presented a Proclamation which designates August as Children’s Vision and Learning Month.
- INNOVATIVE CAR SHOW B.2.b. Mayor Taylor noted the 1st Annual Innovative Health & Fitness Car Show, August 9, 2011, 4-9 p.m.
- PROCLAMATION B.2.c. Mayor Taylor noted the Special Proclamation No. 777, a proclamation congratulating the Franklin Sabers Baseball Team upon its historic State of Wisconsin High School Baseball Championship.
- APPROVAL OF MINUTES-7/19/11 C.1. Alderman Schmidt moved to approve the minutes of the regular meeting of July 19, 2011. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- PUBLIC HEARING-COMMUNITY DEVELOPMENT BLOCK GRANT D.2. A public hearing was called to order at 6:55 p.m. regarding the City of Franklin’s Community Development Block Grant Program Projects for 2012 and was closed at 7:10 p.m. (See Item G.3.)
- PUBLIC HEARING-SPECIAL ASSESSMENT-WATERMAIN-W. PUETZ ROAD D.1. A public hearing was called to order at 7:15 p.m. regarding Special Assessment for installing water main in W. Puetz Road from W. St. Martins Road (STH 100) to a point 300 feet east of W. St. Martins Road and closed at 7:23 p.m. (See Item G.1.)
Alderman Skowronski moved to call the question; however, Mayor Taylor noted this motion was out of order as there was no motion on the floor.
- APPOINTMENT E.1.a. Alderman Olson vacated his seat.
Alderman Taylor moved to approve the Mayoral appointment of Timothy Tatlock to the Forward Franklin Economic Development Commission, term expires 7/01/2012. Seconded by Alderman Schmidt. On roll call, Aldermen Solomon, Wilhelm, Taylor, Schmidt, and Skowronski voted Aye; motion carried.
Alderman Olson returned to his seat.

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- RES. 2011-6734
SPECIAL
ASSESSMENT
- G.1. Alderman Olson moved to adopt Resolution No. 2011-6734, A FINAL RESOLUTION DIRECTING THE INSTALLATION OF, PAYMENT AND LEVY OF SPECIAL ASSESSMENT FOR INSTALLATION OF WATER MAIN IN W. PUETZ ROAD FROM W. ST. MARTINS ROAD (STH 100) TO A POINT 300 FEET EAST OF W. ST. MARTINS ROAD. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2011-6735
PUETZ ROAD
BOOSTER PUMP
STATION
- G.2. Alderman Taylor moved to adopt Resolution No. 2011-6735, A RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR THE PUETZ ROAD BOOSTER PUMP STATION AND CONNECTION PIPELINES, CONTRACT NO. E142-11-01 LOCATED AT THE SOUTHEAST CORNER OF S. 76TH STREET AND W. PUETZ ROAD. Seconded by Alderman Solomon. On roll call, Aldermen Skowronski, Schmidt, Taylor, Solomon, and Olson voted Aye; Alderman Wilhelm voted No. Motion carried
- COMMUNITY
DEVELOPMENT
BLOCK GRANT
PROGRAM
PROJECTS FOR 2012
- G.3. Alderman Solomon moved to authorize the Director of Administration to submit applications for the 2012 Milwaukee County Community Development Block Grant Program for 1) Senior Citizen Activities, Franklin Senior Citizens, Inc., Senior Travel Program; 2) Home Support Services (Southwest Interfaith); and 3) Clare Meadows North Handicap Access Sidewalk (Phs. 11), to authorize the necessary CDBG funding contracts, if approved as submitted or if approved with equally proportionally adjusted funding, and to oversee administration of the grant funding. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2011-6736
SPECIAL USE-
PF OF MILWAUKEE
LLC
- G.4. Alderman Wilhelm moved to adopt Resolution No. 2011-6736, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A PHYSICAL FITNESS FACILITY USE UPON PROPERTY LOCATED AT 6525 SOUTH 27TH STREET (PF OF MILWAUKEE LLC, APPLICANT). Seconded by Alderman Schmidt. All voted Aye; motion carried.
- REFUND FOR
SPECIAL USE
APPLICATION FEE-
PF OF MILWAUKEE
LLC
- G.5. Alderman Wilhelm moved to accept staff's recommendation that the revised Special Use application for PF of Milwaukee LLC (d/b/a Planet Fitness)(at 6525 South 27th Street)(PF of Milwaukee LLC, Applicant) allowed the same type of use and tenant space; therefore, a second application would not be required, and further moved to allow for reimbursement of the second application fee in the amount of \$1,500. Seconded by Alderman Skowronski. All voted Aye; motion carried.

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- ORD. NO. 2011-2053 G.6. Alderman Wilhelm moved to adopt Ordinance No. 2011-2053, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT SECTION 15-7.0107 PERTAINING TO MINOR SITE PLAN AMENDMENTS with the addition of staff receiving input from pertinent public officials as further defined in the Planning Department staff recommendation dated July 12, 2011 on page 2. Seconded by Alderman Olson. All voted Aye; motion carried.
- MINOR SITE PLAN AMENDMENTS
- RES. 2011-6737 G.7. Alderman Taylor moved to adopt Resolution No. 2011-6737, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A RESTAURANT, BAR, BANQUET FACILITY, YEAR-ROUND INDOOR GOLF SIMULATORS, AND DEVELOPMENT OF SOFTBALL FIELDS AND VOLLEYBALL COURTS UPON PROPERTY LOCATED AT 11027 SOUTH 27TH STREET (TZ MANAGEMENT, LLC, APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- SPECIAL USE-TZ MANAGEMENT, LLC
- RES. 2011-6738 G.8. Alderman Taylor moved to adopt Resolution No. 2011-6738, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A HEATING, VENTILATION AND AIR CONDITIONING CONTRACTING BUSINESS USE UPON PROPERTY LOCATED AT 9525 SOUTH 60TH STREET (BURANT HEATING & AIR CONDITIONING LLC, APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- SPECIAL USE-BURANT HEATING & AIR CONDITIONING LLC
- RES. 2011-6739 G.9. Alderman Wilhelm moved to adopt Resolution No. 2011-6739, A RESOLUTION AWARDED THE CONTRACT TO THE LOWEST BIDDER, BURKEL CONSTRUCTION, INC. IN THE AMOUNT OF \$37,400.00 FOR REHABILITATIVE WORK ON THE W. DREXEL AVENUE BRIDGE (built in 1936) 800 FEET EAST OF S. 51ST STREET. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- CONTRACT TO BURKEL CONSTRUCTION, INC.
- CONCRETE CURB AND GUTTER ON W. CARMEL DR. G.10. Alderman Wilhelm moved to authorize staff to include removal/replacement of concrete curb and gutter on W. Carmel Drive from W. Tumblecreek Drive to approximately 500 feet west in 2011 Local Street Program Contract. Seconded by Alderman Olson. All voted Aye; motion carried.

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- INSTALL SIDEWALK FROM W. FOREST HILL AVE. TO HIGH SCHOOL DRIVE G.11. Alderman Schmidt moved to adopt A RESOLUTION AWARDED CONTRACT TO D.C. BURBACH, INC. IN THE AMOUNT OF \$11,981.70 FOR THE INSTALLATION OF CONCRETE SIDEWALK IN EASEMENT FROM W. FOREST HILL AVENUE TO A FRANKLIN HIGH SCHOOL DRIVE subject to a letter to be sent to the Superintendent of the Franklin Schools requesting concurrence by the Franklin School Board. Seconded by Alderman Solomon.
At 8:12 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. The gavel was returned to Mayor Taylor at 8:15 p.m.
Alderman Schmidt withdrew his motion. Alderman Schmidt then moved to table for future considerations and discussions with the Franklin School Board. Seconded by Alderman Taylor. All voted Aye; motion carried.
- ORD. 2011-2054 PROHIBITING PARKING G.12. Alderman Taylor moved to adopt Ordinance No. 2011-2054, AN ORDINANCE PROHIBITING PARKING, FROM 7:30 A.M. TO 4:30 P.M. ON REGULAR SCHOOL DAYS, ON THE EAST SIDE OF S. 33RD STREET FROM 60 FEET SOUTH OF W. BRIARWOOD DRIVE TO 280 FEET NORTH OF W. BRIARWOOD DRIVE ON THE EAST SIDE OF W. HILLTOP LANE. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- ROOT RIVER PARKWAY NOMINATION G.13. Alderman Olson moved to place notification by the Wisconsin Historical Society for nomination of the Root River Parkway to the State and National Register of Historic Places on file. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- ORD. 2011-2055 BUDGET CHANGES G.14. Alderman Solomon moved to approve Ordinance No. 2011-2055, AN ORDINANCE APPROVING THE 2011 BUDGET CHANGES TO THE GENERAL FUND, CAPITAL OUTLAY FUND, CAPITAL IMPROVEMENT FUND AND DEBT SERVICE FUND. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- ORD. 2011-2056 ALDERMANIC DISTRICT AND WARD BOUNDARIES G.15.a. Alderman Taylor moved to adopt Ordinance No. 2011-2056, AN ORDINANCE TO AMEND §30.1 OF THE MUNICIPAL CODE TO ESTABLISH ALDERMANIC DISTRICT AND WARD BOUNDARIES. Seconded by Alderman Schmidt.
At 8:30 p.m., Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. At 8:32 p.m., the gavel was returned to Mayor Taylor, who returned to chairing the meeting.
On the motion to adopt the Ordinance, all voted Aye; motion carried.

RYAN CREEK
INTERCEPTOR
SEWER PROJECT

G.16. Alderman Solomon moved to authorize acquisition of easement rights as recommended by the appraisal firm of Single Source for parcels 16, 24, 25, 26 and 27 and take the recommended action for parcels 11, 20 and 22 as recommended by Ruckert-Mielke, the design engineers. Seconded by Alderman Taylor. On roll call, Aldermen Olson, Solomon, Taylor, Schmidt, and Skowronski voted Aye; Alderman Wilhelm voted No. Motion carried.

MISCELLANEOUS
LICENSES

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

2011-12 New Operator License to James Girmscheid, 3300 S. Stonegate Cir. #103, New Berlin with warning letter from City Clerk; Alfonzia Coleman II, 12500 Duncan Ln.; Jamie L. Adler, 419 N. Grandview Blvd. Waukesha; Iwona Andrelczyk, 5045 W. College Ave. #67, Greendale; Michael D. Dach, 109 N. Third St. Upper, Waterford; Alyssa A. Falvey, 1106 Fleetfoot Dr. #d, Waukesha; Diana L. Gresser, 1604 Milwaukee Ave., South Milwaukee; Andrew R. Hushek, 11960 W. Ryan Rd.; Judith A. Jung, 8612 W. Montana Ave., West Allis; Donna J. Kalebic, 6200 N. Bay Ridge Ave., Whitefish Bay; Vedrana Pilipovic, 3965 S. 76th St. #7, Milwaukee; Aaron C. Searle, 5970 S. Crosswinds Dr. #10, Cudahy; Sanjeev K. Sharma, 9348 S. Orchard Park Cir. #2B, Oak Creek; Pam Singh, 1751 S. Layton Blvd., Milwaukee; Jessica L. Stawicki, 1309 17th Ave., South Milwaukee; Iva M. Vukovic, 4312 W. Sherwood Dr. and Lauren M. Cole, S75 W21903 Field Dr., Muskego;

Class B Combination License-Change of Premise Description for Polonia Sport Club, Inc., Representatives for Polonia: Richard Rabiega, President, Agent: Mark S. Medrek at 10200 W. Loomis Rd.;

Temporary Class B Beer to Franklin-Hales Corners VFW Post 10394, Person in Charge: Andrew Hushek on Sept. 4 & 5, 2011 at St. Martins Labor Day Fair;

Further moved to hold 2011-12 Renewal Operator License for Amber N. Jacques, 6500 S. Loomis Rd., Wind Lake for future appearance before the License Committee;

Further moved to hold 2011-12 New Operator License for Ozzie L. Jackson, Jr., 9305 W. Mitchell St., West Allis for referral to City Attorney and Ahmeduddin Syed, 12661 W. Sycamore Ct. #101, New Berlin subject to appearing before the License Committee;

Further moved to deny 2010-11 New Operator License for Nicole L. Stankowski, 3166 W. Thorncrest Dr. for habitually criminality record contrary to §125.04(5)(a)1.;

LICENSES-
CONTINUED

Further moved to deny Temporary Entertainment & Amusement License for St. Martins Labor Day Fair-Ring Toss Game, Person in Charge: Dennis Koehler, Jr. on Sept. 4 & 5, 2011 for falsified application and habitually criminality record contrary to §125.04(5)(a)1. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderman Olson moved to approve the net City vouchers in the range of Nos. 139326 through 139512 in the amount of \$1,310,541.15. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve the net payroll of July 29, 2011 in the amount of \$370,375.74. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:46 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.