

CITY OF FRANKLIN
COMMON COUNCIL MEETING
AUGUST 6, 2013
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on August 6, 2013, and was called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Mark Dandrea, Dan Mayer, Kristen Wilhelm, Steve Taylor, Doug Schmidt, and Ken Skowronski. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski, and City Clerk Sandi Wesolowski.
- CITIZEN COMMENTS B. Citizen comment period was opened at 6:32 p.m. and closed at 6:50 p.m.
- APPROVAL OF MINUTES C.1. Alderman Skowronski moved to approve the minutes of the regular meeting of July 23, 2013. Seconded by Alderman Taylor. All voted Aye; motion carried.
- APPOINTMENTS E.1. Alderman Taylor moved to confirm the Mayoral appointment of Craig Haskins to the Forward Franklin Economic Development Commission, Dist. 2, for a two year term expiring on 6/30/15. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.
- Alderman Skowronski moved to confirm the Mayoral appointment of Lynnea Katz-Petted to the Forward Franklin Economic Development Commission, Dist. 5, for a two year term expiring on 6/30/15. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.
- DONATIONS G.1. Alderman Wilhelm moved to accept the donations to the Fair Commission from Romey’s Place in the amount of \$200 and from James and Suzanne Sass in the amount of \$250; and to the Police Department for National Night Out from North Shore Bank in the amount of \$1,000 and from Wheaton Franciscan Hospital in the amount of \$250 and from Walgreen’s in the amount of \$100. Seconded by Alderman Mayer. All voted Aye; motion carried.
- REQUEST FROM HISTORICAL SOCIETY FOR FUNDING G.2. Alderman Skowronski moved to direct the City Attorney to review the request of the Franklin Historical Society that \$20,000 funding from the City of Franklin for the Franklin Historical Society barn project that is currently in the 2014 budget be granted in 2013, with potential of terms in the form of a Memorandum of Understanding and the like. Seconded by Alderman Taylor. All voted Aye; motion carried.

- RES. 2013-6900
AVIAN ESTATES
PRELIMINARY PLAT
- G.3. Alderman Dandrea moved to adopt Resolution No. 2013-6900, A RESOLUTION CONDITIONALLY APPROVING A PRELIMINARY PLAT FOR AVIAN ESTATES SUBDIVISION (AT APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD)(AVIAN ESTATES, LLC, APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2013-6901
ENGINEERING
SERVICES AGREEMENT
WITH KAEMPFER
- G.4. Alderman Taylor moved to adopt Resolution No. 2013-6901, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICE AGREEMENT WITH KAEMPFER AND ASSOCIATES, INC. FOR THE WATER MAIN EXTENSION ON W. ST. MARTINS ROAD FROM A POINT 430 FEET SOUTHEAST OF S. CHAPEL HILL DRIVE TO W. CHAPEL HILL DRIVE. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- S. NORTH CAPE RD.
RECONSTRUCTION
AND SIDEWALK/PATH
- G.5. Alderman Skowronski moved to direct staff to proceed with Milwaukee County with the preference to utilize an urban section with an 8 foot wide sidewalk/path on the east side of S. North Cape Road from Hi View Drive in Muskego to the intersection of Carroll Circle and W. Forest Home Avenue and direct staff to negotiate an agreement with Milwaukee County to include the preliminary engineering costs as part of the project shared cost if the County proceeds with the urban section with an 8 foot wide sidewalk/path and return to the Council with an agreement with the County's consultant for the cost to prepare the preliminary plans and indicates if the City would be responsible for clearing the snow and ice from this sidewalk/path. Seconded by Alderman Taylor. All voted Aye; motion carried.
- 70/30 GOAL
- G.6. Alderman Mayer vacated his seat at this time.
Alderman Taylor moved to refer the 70/30 goal to the next scheduled Committee of the Whole. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
Alderman Mayer returned to his seat.
- CLOSED SESSION-
NOTICE OF CLAIM AND
DAMAGES
DERTZ/RYAN V.
FRANKLIN AND MMSD
- G.7. Alderman Skowronski moved to disallow in its entirety the Notice of Claim and Damages from Timothy Dertz and Basil Ryan seeking to have the recent tax levy imposed by the Milwaukee Metropolitan Sewerage District and/or Franklin declared void and illegal based upon, dated April 13, 2013. Motion died due to the lack of a second.
Alderman Taylor moved to enter closed session at 7:10 p.m. pursuant to 19.85(1)(e) and (g), Stats., to consider a Notice of Claim and Damages from Timothy Dertz and Basil Ryan seeking to have the recent tax levy imposed by the Milwaukee Metropolitan

NOTICE OF CLAIM-
CONTINUED

Sewerage District and/or Franklin declared void and illegal, and reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Schmidt. On roll call, Aldermen Dandrea, Mayer, Wilhelm, Taylor, and Schmidt voted Aye; Alderman Skowronski voted No. Motion carried.

Upon reentering open session at 7:59 p.m., Alderman Schmidt moved to disallow in its entirety the Claim or Claims from Timothy Dertz and Basil Ryan presented in the Notice dated April 13, 2013, upon the advice and recommendation seeking to have the recent tax levy imposed by the Milwaukee Metropolitan Sewerage District and/or Franklin declared void and illegal based upon, per League of Wisconsin Municipalities and their attorneys, and concurred with by the Franklin City Attorney. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

MISCELLANEOUS
LICENSES

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

Operator License to Gaus, Nicole L., 929 N. 8th St., #15, Sheboygan; Torralba, Anderzon, 1029 S. 10th St., Milw.; Huske, Andrew (temporary), 5315 W. Arizona St., Milw., Bellanti, Mary A., 608A Cornerstone Crossing, Waterford; Clark, Ashley, 6320 N. 91st St. #3, Milw.; Cordio, Kelly M., 1801 Palmer St., Stoughton; Gramblicka, Scott S., 3590 S. Sandalwood Dr., New Berlin; Heller, Megan M., 2937 N. Frederick Ave., Milw.; Morgan, Elizabeth A., 849 Ridgewood Dr., Waukesha; Murray, Courtney L., 5541 S. 43rd St., Greenfield; Runnoe, Amanda J., 2827 W. Parnell Ave., Apt. 312, Milw.; Trudeau, John C., 11410 W. Mayers Dr. and Zielinski, Janelle J., 8825 S. 116th St.;

Temporary Class B Beer and Temporary Entertainment & Amusement License to Hales Corners-Franklin VFW Post 10394, Person in Charge: Andrew Hushek at St. Martins Fair on September 1-2, 2013;

Temporary Entertainment & Amusement to JJ Concessions-Ring Toss, Person in Charge: Lisa Lippert-Dixon at St. Martins Fair on September 1-2, 2013;

Extraordinary Entertainment & Special Event to Alterra Coffee Mountain Bike Team, Person in Charge: Todd Somers at 7900 W. Crystal Ridge for Alterra Coffee Bean Classic Mountain Bike Race on August 17-18, 2013;

LICENSES-
CONTINUED

Also moved to hold Operator License for Theoharis, Kelly A., 2820 W. Juneau Ave., Milw.; Galindo, Angelina, 2920 S. 9th St., Milw.; Schneider, Halee L., 8100 W. Tripoli Ave., Milw. and Kuglitsch, Kelly K., 349 E. Montana St., Milw., all subject to appearing before the License Committee;

Also moved to deny Operator License for Alvarez, Juan M., 7166 S. 37th Pl. for habitual law offender contrary to §125.04(5)(a) and (b), Stats. and Boldt, Sheila M., 1554 S. 76th St., Caledonia for habitual criminality record contrary to §125.04, Stats. Seconded by Alderman Skowronski. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Schmidt moved to approve net general checking account City vouchers in the range Nos. 148063 through Nos. 148234 in the amount of \$1,086,546.25 dated August 6, 2013. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.
- Alderman Mayer moved to approve net payroll dated August 9, 2013, in the amount of \$334,062.36 and payment of the various payroll deductions in the amount of \$197,448.39 plus any City matching payments, where required. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.
- Alderman Dandrea moved to approve property tax checking account vouchers in the range Nos. 11068 through 11075 in the amount of \$496.52 dated August 6, 2013. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:40 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.