

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 15, 2009
MINUTES**

ROLL CALL A. The regular meeting of the Common Council was held on December 14, 2009 and called to order at 6:30 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, Sohns (arrived at 6:35 p.m.), 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 6:31 p.m. and closed at 6:40 p.m.

ANNOUNCEMENTS B-2.a. Mayor Taylor presented a resolution commending Rob D. Spitzer upon his resignation for 21 years of valuable service to the Economic Development Commission and the Community Development Authority.

B-2.b. Mayor Taylor announced receipt of the Southeastern Wisconsin Regional Planning Commission Technical Report, No. 39, *Water Quality Conditions and Sources of Pollution in the Greater Milwaukee Watersheds*.

MINUTES-12/01/2009 C-1. Alderman Olson moved to approve the minutes of the regular meeting of December 1, 2009 as presented. Seconded by Alderman Taylor. All voted Aye; motion carried.

MINUTES-12/03/2009 C-2. Alderman Solomon moved to approve the minutes of the special meeting of December 3, 2009 as presented. Seconded by Alderman Skowronski. All voted Aye; motion carried.

APPOINTMENT OF INSPECTORS OF ELECTION E-1. Alderman Solomon moved to confirm Mayoral appointments of inspectors of election and alternates as submitted for 2010-2011.

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| <p><u>Ald. District 1</u>
Carol Brunner
John Brunner
Richard Koehler
Shirley Koehler
Layne Litwin
Maxine Eddy
Richard Eddy
Cindy Terp
Connie Lewandowski
Patricia Farchione
Sandra Grabowski
Jay Jesberger</p> | <p><u>Ald. District 3</u>
Mary Dicks
Leo Hoffer
John Aschenbrenner
Muriel Aschenbrenner
Dorothy Bosch
Albert Meyer
Mary Pepke
Jaylene Weise
Diane Schauer
Barbara Schick
Judy Poklar
Audrey Atkielski
Dolores Lazinski</p> | <p><u>Ald. District 5</u>
James Bartnicki
Lois Fratrack
June Nelson
Todd Schmitt
Erin Arneson
Janice Kauth
Shirley Kammers
Mary Bartnicki
Carol Manning
James O'Malley
Shelley O'Malley</p> |
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| <p><u>Ald. District 2</u>
Gail Ankerson
Betty Jo Gurschke
Terry Raduege
Darlene Borgwardt
Sandra Patton
Mary Schroeder
Wayne Witkowski
Judith Witkowski</p> | <p><u>Ald. District 4</u>
Robert Hintzke
Phyllis O'Brien
John English
Wesley Cannon
Becky Diedrich
Linda Miller
Ronald Reikowski
Annabelle Gutmann</p> | <p><u>Ald. District 6</u>
Sue Christensen
Ann Barnes
Anita Nickerson
Bill Gross
Jean Gross
Kurt Christensen
Cathy Lange
Roger Lange</p> |
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INSPECTORS OF
ELECTION-
CONTINUED

Mary DeMotto
Joan Ziebart
Donna Erickson
Esther Glowacki

Joanne Washburn
Cynthia Fleischman
Mae Klase
Theresa Smikowski

Marie Scharr
Patricia Zalewski
Randy L. Rechlicz
Barbara Thomas
Philip Nickerson

Seconded by Alderman Taylor. On roll call all voted Aye; motion carried.

CENSUS WORKERS/
RECRUITING

F-1.

Alderman Olson moved to allow employment recruitment by the 2010 United States Census during the property tax payment period in the Franklin City Hall lobby. Seconded by Alderman Skowronski. All voted Aye; motion carried.

CONSENT AGENDA

It was requested that Item G-1.b. be removed from the consent agenda. Alderman Solomon then moved to approve the following consent agenda items:

CHANGE ORDER 12-
27TH STREET FLOW
CONTROL STATIONS

G-1.a.

Authorize the City Engineer to sign Change Order No. 12 for the S. 27th Street flow control stations reducing the contract from \$927,158.54 by \$11,950.00 to \$915,208.54 for the deduction allowance for items 1 and 2 and of a 16 and 12 inch valve;

FIRE DEPT.
DONATION

G-1.c.

Accept the donation of \$55.92 from Roundy's Supermarkets, Inc. to the Fire Department to assist in maintenance and the purchases of additional thermal imaging equipment;

Approval of consent items seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2009-6615
EASEMENTS-
SACRED HEART AT
MONASTERY LAKE,
INC.

G-1.b.

Alderman Wilhelm moved to adopt Resolution No. 2009-6615, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT SANITARY SEWER AND WATER MAIN EASEMENTS FOR SACRED HEART AT MONASTERY LAKE, INC., with a correction to Items 9 and 10 and renumbering the conditions of the sanitary sewer easement. Seconded by Alderman Skowronski. All voted Aye; motion carried.

NAMING OF THE
LIONS LEGEND
PARK BAND SHELL

G-2.

Alderman Wilhelm moved to grant the Parks Commission authority to consider and potentially recommend upon the naming of the Lions Legend Park band shell. Seconded by Alderman Skowronski.

At 7:14 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. At 7:20 p.m. the gavel was passed to Mayor Taylor, who returned to chairing the meeting.

Alderman Wilhelm moved to call the question.

Upon roll call vote on the motion to grant the Parks Commission authority to consider and potentially recommend upon the naming of the Lions Legend Park band shell, Aldermen Wilhelm and Skowronski voted Aye; Aldermen Olson, Solomon, Taylor, and Sohns voted No. Motion failed.

NAMING OF THE
LIONS LEGEND
PARK BAND SHELL-
CONTINUED

Alderman Wilhelm then moved to direct City Attorney to work with the Park Commission on development of a naming policy. Seconded by Alderman Solomon. All voted Aye; motion carried. Alderman Sohns, seconded by Alderman Wilhelm, moved to suspend the rules of the regular order of business to allow Don Dorsan to speak. All voted Aye; motion carried. Alderman Taylor moved to return to the regular order of business. Seconded by Alderman Wilhelm. All voted Aye; motion carried. Alderman Taylor moved to include the Board of Public Works along with the City Attorney and Parks Commission on the development of a naming policy. Seconded by Alderman Wilhelm. Alderman Wilhelm withdrew her second. The motion was then seconded by Alderman Sohns. All voted Aye; motion carried.

RES. 2009-6616
AMENDMENT TO
DEVELOPMENT
AGREEMENT-FAITH
CHRISTIAN
FELLOWSHIP CSM

G-3. Alderman Solomon moved to adopt Resolution No. 2009-6616, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AMENDMENT TO DEVELOPMENT AGREEMENT FOR FAITH CHRISTIAN FELLOWSHIP CSM AS ASSIGNED TO SONAG COMPANY, INC. (10700 WEST ALLWOOD DRIVE). Seconded by Alderman Sohns. All voted Aye; motion carried.

RYAN CREEK
INTERCEPT
GRAVITY SEWER

G-4. Alderman Skowronski moved to authorize the Mayor to sign an Intent to Apply for funding from the Clean Water Fund Program for the construction of the Ryan Creek Interceptor Gravity Sewer. Seconded by Alderman Taylor. Alderman Taylor withdrew his second. Alderman Olson moved to authorize City staff and Ruekert-Mielke to proceed with drafting but not filing the grant documents for funding from the Clean Water Fund Program for the construction of the Ryan Creek Interceptor Gravity Sewer, subject to a meeting with Alderman Sohns and Mayor Taylor, with the Mayor calling a special Common Council meeting if necessary. Seconded by Alderman Skowronski. All voted Aye; motion carried.

CHANGE ORDER
S. 116TH STREET
RECONSTRUCTION

G-5. Alderman Skowronski moved to authorize approval of a first and final change order with Payne and Dolan Inc. for the reconstruction of S. 116th Street from W. Ryan Road to W. Swiss Street for an increase of \$26,978.54. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

FUTURE USE OF
CITY PROPERTY –
8921 W. DREXEL AVE

G-6. Alderman Solomon moved to table the future use of City property at 8921 W. Drexel Avenue. Seconded by Alderman Olson. All voted Aye; motion carried.

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- ORD. 2009–1991
FULL-TIME
NON-REPRESENTED
POLICE CAPTAINS
- G-7. Alderman Sohns moved to adopt Ordinance No. 2009-1991, AN ORDINANCE ESTABLISHING BENEFITS, SPECIAL PAY PRACTICES, AND CONDITIONS OF EMPLOYMENT FOR THE FULL-TIME NON-REPRESENTED POLICE CAPTAINS OF THE CITY OF FRANKLIN HIRED OR PROMOTED AFTER DECEMBER, 2009. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.
- UPDATE NON-LIGHT
AND SIREN
RESPONSE STUDY
- G-8. Alderman Solomon moved to authorize continuation of the Franklin Fire Department non-light and siren response pilot study with the Fire Chief to provide an update to the Common Council in April 2010. Seconded by Alderman Olson. Alderman Olson withdrew his second. Alderman Solomon then withdrew his motion. No action was needed on this item.
- AMEND CHAPTER 92
BUILDING PERMIT
FEES
- G-9.
G-10.
G-11.
G-12.
- Alderman Olson moved to table for six months an ordinance amending Municipal Code Ch. 92 (building permit fees), an ordinance amending Municipal Code Ch. 190 (plumbing permit fees), an ordinance amending Municipal Code Ch. 118 (electrical permit fees), and an ordinance amending Municipal Code Ch. 210 (sign permit fees). Seconded by Alderman Skowronski.
- AMEND CHAPTER
190 PLUMBING
PERMIT FEES
- AMEND CHAPTER
118 ELECTRICAL
PERMIT FEES
- AMEND CHAPTER
210 SIGN PERMIT
FEES
- At 8:25 p.m., Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. At 8:27 p.m. the gavel was returned to Mayor Taylor, who then returned to chairing the meeting. Mayor Taylor again passed the gavel to Council President Taylor at 8:35 p.m.
- Alderman Olson moved to call the question. Seconded by Alderman Sohns. Council President Taylor determined that Alderman Olson did not have the floor; therefore, the motion to call the question was not appropriate. The gavel was returned to Mayor Taylor at 8:43 p.m.
- Upon roll call vote on the motion to table for six months the ordinances amending permit fees, Aldermen Olson, Wilhelm, Sohns, and Skowronski voted Aye; Aldermen Solomon and Taylor voted No. Motion carried.
- AIRPORT GATEWAY
BUSINESS
ASSOCIATION
- G-13. Alderman Skowronski moved to authorize the City of Franklin to become a member of “The Airport Gateway Business Association” which includes a \$100 annual membership fee, as recommended by the Economic Development Commission. Seconded by Alderman Taylor. All voted Aye; motion carried.
- REMAINING 2009
SUNDRY
CONTRACTOR
MONIES
- G-14. Alderman Taylor moved to direct the Director of Finance and Treasurer, in a future budget modification prepared for Common Council action, to request reprogramming the \$10,000 appropriation of the 2009 Sundry Contractor budget account (01.621.0000.5299) to the parallel 2010 Economic Development budget account line item. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

2010 CASUALTY
INSURANCE
COVERAGE

G-15. Alderman Solomon moved to authorize the Director of Administration to renew the City's casualty insurance plans with R&R Insurance/League of Wisconsin Municipalities Mutual Insurance and the Local Government Property Insurance Fund for the upcoming 2010 year for the total amount of \$731,445. Seconded by Alderman Olson. All voted Aye; motion carried.

LICENSES AND
PERMITS

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

Operator License for Nicholas Costa, 7266 S. 38th Street; Ricky Orta, Jr., 6312 W. Lincoln Avenue, Milwaukee and Casaundra L. Myszkowski, 6145 S. Avalon Street, Milwaukee;

Further moved to approve Taxicab License for Parminder Singh Khurana, 14125 W. Lisbon Road, Brookfield and Baljit Singh, 4923 S. Heritage Dr. #Y204, Greenfield;

Further moved to approve the People Uniting for the Betterment of Life and Investment in the Community ("PUBLIC") grant for Franklin Civic Celebration, Temporary Entertainment & Amusement and Temporary Class B Beer & Soda License, Mike Reichl, 9229 W. Loomis Road on 7/2-4, 2010; Franklin Health Department-Safety City, fee waivers for park permits, Kristen Anderson, Ken Windl Park in mid June & early August, 2010 and St. Martin of Tours, fee waivers for Temporary Entertainment & Amusement, Food & Class B License, St. Martins Fair Permit, Diane Winkowski, 7963 S. 116th Street on 3/20, 10/2, 10/30 & 9/5-6, 2010 and Tripoli Shrine Provost Unit, fee waivers for Temporary Food License, Gerd Alzuku, Wal-Mart & Ken Windl Park on 4/29, 5/9 & 8/15, 2010;

Further moved to approve the People Uniting for the Betterment of Life and Investment in the Community ("PUBLIC") grant for Franklin High School-Saber Robotics Team, five Temporary Food Licenses, Vicki Tobin, Sam's Club for May, June, July, August & September, 2010; Franklin Historical Society, building permits, planning fees, Al Block, Legend Park I from April-May, 2010; Franklin Lions Club, fee waivers for park permits, St. Martins Fair permit, Temporary Beer License, Joe Hanrahan & Dave Lindner, Lions Legend Park & St. Martins Fair on 4/3, 7/6, 7/20, 8/10 & 9/5-6, 2010; Franklin Lioness Club, fee waivers for Temporary Wine, Soda, St. Martins Fair Permit and Temporary Food License, Barbara Kenney, St. Martins Fair and baseball diamond at 80th & Ryan Road for 2010 baseball season and 9/5-6, 2010; Franklin Park Concerts, Inc., fee waivers for park permits & band shell, Dale Pforr, Legend Park I on 6/27, 7/11, 8/1 & 8/22, 2010; Knights of Columbus Arts & Craft Show, fee waivers for Extraordinary Event and Temporary Class B Beer License, Thomas Czajkowski, 7335 S. Lovers Lane Road, Sacred Heart School of Theology on 9/5, 2010; Military Order of Cootie,

LICENSES AND
PERMITS-
CONTINUED

fee waivers for Temporary Food License, Gerald Anger, Sam's Club & Wal-Mart on 5/29, 6/12, 7/3 & 9/4, 2010; R.A.M.S. Club, fee waivers for Temporary Food License, Alex Barda, County Park, 7800 W. Oakwood Road on 7/11-12, 2010; VFW Post 10394-Franklin/Hales Corners, fee waivers for St. Martins Fair Permit Temporary Food & Class B License, Andrew Hushek, St. Martins Fair on 9/5-6, 2010; Xaverian Missionaries, fee waivers for Extraordinary Event, Temporary Food, Class B License, Fr. Alfredo Turco, 4500 Xavier Drive on 6/26-27, 2010 and Fleet Reserve Association Branch #14, fee waivers for St. Martins Fair Permit, Leon Zalewski, St. Martins Fair on 9/5-6, 2010, all subject to submittal of all required documents;

Further moved to hold Operator License for Laura M. Alverio, 2210 W. Lincoln Avenue, Milwaukee subject to appearing before the License Committee;

Further moved to deny People Uniting for the Betterment of Life and Investment in the Community ("PUBLIC") grant for Franklin Fire Department, fee waivers for park permit & baseball field permit, Craig Langowski, Vernon Barg Pavilion-Legend Park; St. Paul's Lutheran School, fee waivers for park permit, Gary Willie/Sarah Derouin, Legend Park II-Vernon Barg Pavilion; Tripoli Shrine Provost Unit, fee waivers for park permit, Gerd Alzuhn, Wal-Mart & Ken Windl Park due to not being public events. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I-1. Alderman Solomon moved to approve net City vouchers in the range of Nos. 132238 through 132385 in the amount of \$725,915.91. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Olson moved to approve the net City payroll of December 4, 2009 in the amount of \$353,059.91. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 9:00 p.m. Seconded by Alderman Wilhelm. All voted Aye; motion carried.