

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
FEBRUARY 21, 2006
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council was held on February 21, 2006 and called to order at 6:31 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, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, Planner Booth, City Attorney Wesolowski and Deputy City Clerk Vanden Boom. |
| CITIZEN COMMENT | B-1. | Citizen comment period was opened at 6:32 p.m. and closed at 6:48 p.m. |
| PROCLAMATION | B-2a. | Mayor Taylor presented a proclamation to Eagle Scout Robert E. DeRosia. |
| MINUTES-
2/7/06 | C-1. | Alderman Olson moved to approve minutes of the regular meeting of February 7, 2006 as presented. Seconded by Alderman Hammelman. All voted Aye; motion carried. |
| MINUTES-
2/15/06 | C-2. | Alderman Solomon moved to approve minutes of the special meeting of February 15, 2006 as presented. Seconded by Alderman Olson. Aldermen Hammelman and Sohns abstained, motion carried. |
| MINUTES-
2/15/06 | C-3. | Alderman Sohns moved to approve minutes of the special meeting held jointly with Franklin Board of Education of February 15, 2006 as presented. Seconded by Alderman Olson. All voted Aye; motion carried. |
| HEARING | D-1. | The hearing for special assessment for installing sanitary sewer and water main and laterals on W. Ryan Road from S. 60th Street to S. 27th Street and sanitary sewer on S. 51st Street from W. Ryan Road to 500 feet north was opened at 7:55 p.m. and closed at 8:13 p.m. |
| HEARING | D-2. | The hearing for special assessment for installing sanitary sewer in St. Martin's Road from approximately the centerline of S. 92nd Street extended northwesterly 270 feet is not required for this matter (waiver of hearing was accepted by the Common Council on 1/17/06). |
| MILWAUKEE COUNTY HISTORICAL SOCIETY | E-1. | Alderman Skowronski moved to approve expenditure of \$500 from Common Council budget to attend Milwaukee County Historical Society 53rd Annual Recognition Banquet on May 1, 2006. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| CONSENT AGENDA | F-1. | Alderman Skowronski moved to approve the following consent agenda items: |

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RES. 2006-6040 a. Adopt Resolution No. 2006-6040, A RESOLUTION EASEMENT- AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LOWE'S HOME PERMANENT WATER MAIN EASEMENT FOR LOWE'S CENTER LOCATED AT 7027 S. RIVERWOOD BOULEVARD;

WORKSHOP b. Approve the request for two Board of Zoning and Building Appeals FUNDING members to attend a Zoning Board of Adjustment workshop on March 3, 2006, and request for funding in the amount of \$60.00.

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

RES. 2006-6041 F-2. Alderman Solomon moved to adopt Resolution No. 2006-6041, A SPECIAL FINAL RESOLUTION DIRECTING INSTALLATION OF, ASSESSMENT FOR PAYMENT AND LEVY OF SPECIAL ASSESSMENT FOR SANITARY SEWER- INSTALLING SANITARY SEWER AND WATER MAIN AND W. RYAN ROAD LATERALS ON W. RYAN ROAD FROM S. 60TH STREET TO S. 27TH STREET AND SANITARY SEWER ON S. 51ST STREET FROM W. RYAN ROAD TO 500 FEET NORTH. Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2006-6042 F-3. Alderman Olson moved to adopt Resolution No. 2006-6042, TRUSTEE AND RESOLUTION APPROVING AMENDMENT OF ASSIGNMENT OF AMORTIZATION SCHEDULE, REQUIREMENTS OF BONDS TRUSTEES AND ASSIGNMENT OF BONDS (Troyk LLC). (TROYK LLC) Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2006-6043 F-4. Alderman Solomon moved to adopt Resolution No. 2006-6043, CARRYOVER-2005 RESOLUTION APPROVING CARRYOVER OF BUDGET BUDGET ENCUMBRANCES FROM THE 2005 BUDGET TO THE 2006 ENCUMBRANCES BUDGET. Seconded by Alderman Skowronski. All voted Aye; motion carried.

TANDEM AXLE F-5. Alderman Sohns moved to authorize staff to pre-order a 2007 DUMP TRUCK tandem axle dump truck with equipment as recommended by the Board of Public Works. Seconded by Alderman Skowronski. Alderman Sohns withdrew motion.

Alderman Solomon moved to refer this item to the Finance Committee for review and recommendation for the Common Council meeting of 3/7/06. Seconded by Alderman Olson. All voted Aye; motion carried.

RES. 2006-6044 F-6. Alderman Kosovich moved to adopt Resolution No. 2006-6044, A W. RYAN ROAD RESOLUTION AWARING BID TO THE LOWEST BIDDER AND S. 51ST FOR SANITARY SEWER AND LATERALS CONSTRUCTION STREET IN W. RYAN ROAD AND S. 51ST STREET to the Wanasek Corporation in the amount of \$469,525.00 (\$320,242.04 to be levied by special assessment and \$236,425.96 being the cost to the City). Seconded by Alderman Olson. All voted Aye; motion carried.

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- RES. 2006-6045
EXTENSION OF
WATERMAIN-W.
RYAN ROAD
- F-7. Alderman Solomon moved to adopt Resolution No. 2006-6045, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER FOR WATER MAIN WITH LATERALS CONSTRUCTION IN W. RYAN ROAD (S. 33RD STREET TO EAST OF S. 31ST STREET) to Reesman's Excavation & Grading in the amount of \$205,596.15 (\$117,685.48 to be levied by special assessment and \$127,468.78 being the cost to the City). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6046
EXTENSION OF
SANITARY SEWER-
ST. MARTINS
ROAD
- F-8. Alderman Olson moved to adopt Resolution No. 2006-6046, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER FOR SANITARY SEWER CONSTRUCTION IN ST. MARTINS ROAD (FROM KAITLIN WOODS TO SOUTHEAST) to Rawson Contractors, Inc. in the amount of \$49,573.00 Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6047
PRELIMINARY
RESOLUTION-
SANITARY SEWER
AND WATER
MAIN- S. 31ST
STREET
- F-9. Alderman Hammelman moved to adopt Resolution No. 2006-6047, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 207-15 OF THE MUNICIPAL CODE AND SECTION 66.0701 OF THE STATE STATUTES FOR SANITARY SEWER AND WATER MAIN AND LATERALS ON S. 31ST STREET FROM 2200 FEET NORTH OF W. DREXEL AVENUE TO 700 FEET NORTH OF W. MINNESOTA AVENUE and set public hearing date for Monday, April 3, 2006 at 6:45 p.m. Seconded by Alderman Solomon. All voted Aye; motion carried.
- PART- TIME FIRE
INSPECTOR
- F-10. Alderman Solomon moved to table resolution authorizing the Mayor to execute an agreement for contracted part-time employee fire inspector services to the Personnel Committee for review and recommendation. Seconded by Alderman Skowronski. On roll call, Aldermen Olson, Solomon, Kosovich, Sohns and Skowronski voted Aye; Alderman Hammelman voted No. Motion carried.
- DIRECTOR OF
ADMIN.
- F-11. Alderman Olson moved to table job description for Director of Administration to special Personnel Committee on March 1, 2006. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6052
CONFIDENTIAL
SECRETARY
- Alderman Sohns moved to adopt Resolution No. 2006-6052, A RESOLUTION APPROVING JOB DESCRIPTION FOR THE POSITION OF CONFIDENTIAL SECRETARY FOR THE CITY OF FRANKLIN. Seconded by Alderman Hammelman. All voted Aye; motion carried.
- MODIFYING
FRINGE BENEFITS
FOR PART-TIME
EMPLOYEES
- F-12. Alderman Hammelman moved to adopt a Resolution amending Resolution No. 2000-5123 modifying fringe benefits for permanent part-time employees of the City of Franklin. Motion died due to lack of second.

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- APPOINTMENT OF PLANNING MANAGER F-13. Alderman Olson moved to confirm the Mayor's appointment of Joel Dietl as planning manager. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6048 COMPREHENSIVE MASTER PLAN F-14. Alderman Olson moved to adopt Resolution No. 2006-6048, RESOLUTION ADOPTING THE COMPREHENSIVE MASTER PLAN AMENDMENT FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO B-3 COMMUNITY BUSINESS DISTRICT AS AN ELEMENT OF THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN. Seconded by Alderman Sohns. On roll call, Aldermen Olson, Solomon, Kosovich, Sohns and Skowronski voted Aye; Alderman Hammelman voted No. Motion carried.
- ORD. 2006-1872 REZONING-PRIYA CORPORATION F-15. Alderman Olson moved to adopt Ordinance No. 2006-1872, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO B-3 COMMUNITY BUSINESS DISTRICT (PRIYA CORPORATION, APPLICANT), approximately 5040 W. Rawson Avenue. Seconded by Alderman Sohns. On roll call, Aldermen Skowronski, Sohns, Kosovich, Solomon and Olson voted Aye; Alderman Hammelman voted No. Motion carried.
- SPECIAL USE-PRIYA CORPORATION F-16. Alderman Hammelman moved to deny special use for property located at approximately 5040 West Rawson Avenue (Priya Corporation). Motion died due to lack of second.
Alderman Sohns moved to adopt Resolution No. 2006-6049, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 5040 WEST RAWSON AVENUE (PRIYA CORPORATION) subject to rezoning approval. Seconded by Alderman Skowronski. On roll call, Aldermen Skowronski, Sohns, Kosovich, Solomon and Olson voted Aye; Alderman Hammelman voted No. Motion carried.
- RES. 2006-6049 SPECIAL USE-PRIYA CORPORATION
- STREETSCAPE PLAN-S. 27TH STREET F-17. Alderman Olson moved to suspend rules to allow Mr. Ted Grintjes and consultants to speak. Seconded by Alderman Sohns. All voted Aye; motion carried.

The potential alternative proposals for the S. 27th Street Streetscape Plan will be an item on the 3/06/06 Committee of the Whole meeting.
- RES. 2006-6050 COMPREHENSIVE MASTER PLAN F-18. Alderman Hammelman moved to adopt Resolution No. 2006-6050, RESOLUTION ADOPTING THE COMPREHENSIVE MASTER PLAN AMENDMENT FOR THE WIS 241 (SOUTH 27TH STREET) ACCESS MANAGEMENT PLAN AS AN ELEMENT OF THE CITY OF FRANKLIN COMPREHENSIVE MASTER PLAN. Seconded by Alderman Sohns. All voted Aye; motion carried.

- RES. 2006-6051 CERTIFIED SURVEY MAP- MENARD'S F-19. Alderman Olson moved to adopt Resolution No. 2006-6051, A RESOLUTION ACCEPTING THE DEDICATED PORTION FOR STREET RIGHT-OF-WAY OF RECORDED CERTIFIED SURVEY MAP NO. 7699 (MENARDS-CSM) (APPROXIMATELY 6600 BLOCK AT SOUTH LOVERS LANE) as corrected. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- COMPREHENSIVE MASTER PLAN F-20. Alderman Sohns moved to approve a memorandum of understanding between Planning and Design Institute, Inc. and the City of Franklin, regarding halting the work on the City of Franklin Comprehensive Master Plan. Seconded by Alderman Solomon. All voted Aye; motion carried.
- 50TH ANNIVERSARY COMMITTEE F-21. An update on the 50th Anniversary Committee was presented by Alderman Skowronski and an update on the 2006 Civic Celebrations events was presented by Bob Knackert.
- ORD. 2006-1873 HOURLY RATE – FIRE INSPECITON FEES F-22. Alderman Olson moved to adopt Ordinance No. 2006-1873, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE FOR HOURLY RATE BASED FIRE INSPECTION FEES. Seconded by Alderman Sohns. All voted Aye; motion carried.
- ORD. 2006-1874 FIRE PREVENTION CODE F-23. Alderman Sohns moved to adopt Ordinance No. 2006-1874, AN ORDINANCE TO REPEAL CHAPTER 133 “FIRE PREVENTION” OF THE MUNICIPAL CODE AND TO RECREATE AND ADOPT CHAPTER 133 “FIRE PREVENTION, PROTECTION AND CONTROL CODE” OF THE MUNICIPAL CODE BY REFERENCE subject to technical corrections. Seconded by Alderman Olson. All voted Aye; motion carried.
- 2006 SUMMER MEETING SCHEDULE F-24. Alderman Sohns moved to table setting the summer Common Council schedule to the 3/07/06 Common Council meeting. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- APPOINTMENTS G-1. Alderman Solomon moved to confirm the mayoral appointment of James Bergmann, 11864 W. Elmwood Drive to the Waste Facility Monitoring Committee. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- MISCELLANEOUS PERMITS H-1. Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:
- Operator License to Amanda L. Johnson, 7735 S. Scepter Drive and Lisa A. Stonina, 8476 S. 47th Street;
- and also moved to hold Change of Agent Class B Combination for Diamondback Management, Inc., d/b/a Tumbleweed Southwest Grill, new agent: Cheryl Pallen, 6421 S. 27th Street;

PERMITS-
CONTINUED

and also moved to hold Operator License for Kristi D. Kaiser, 4942 N. 106th Street, Milwaukee subject to appearing before the License Committee; Rigels I. Mucodemi, 7553 S. 77th Street subject to appearing before the License Committee and Peter J. Punzel, 1112 Sycamore Avenue, South Milwaukee subject to appearing before the License Committee. Seconded by Alderman Kosovich. All voted Aye; motion carried.

BILLS

I-1. Alderman Sohns moved to approve net City vouchers in the range of Nos. 114820 through 114995 in the amount of \$1,056,519.57. Seconded by Alderman Hammelman. All voted Aye; motion carried.

Alderman Solomon moved to approve net payroll of February 17, 2006 in the amount of \$297,264.45. Seconded by Alderman Skowronski. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Sohns moved to adjourn the meeting at 10:39 p.m. Seconded by Alderman Hammelman. All voted Aye; motion carried.