

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
FEBRUARY 18, 2008
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on February 18, 2008 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, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, Director of Administration Luberdia, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT B-1. Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m.
- MINUTES-02/05/08 C-1. Alderman Kosovich moved to approve minutes of the regular meeting of February 5, 2008 as presented. Seconded by Alderman Solomon. All voted Aye; motion carried.
- APPOINTMENT E-1. Alderman Skowronski moved to confirm Mayoral appointment of James Schubilske, term expires 9/30/09, to the Board of Water Commissioners. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- RESIDENCY REQUIREMENT G-1. Alderman Sohns moved to approve the request from Police Officer Steven M. Rabinovich for a second 6-month extension of time to meet his residency requirement until October 30, 2008, (180 day extension) contingent upon receipt of a letter from the Police Chief stating the officer is in good standing and receipt of a letter from the Professional Police Association agreeing to the matter being non-precedent setting. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2008-6404 SPECIAL USE- STEELE SOLUTIONS, INC. G-2. Alderman Olson moved to adopt Resolution No. 2008-6404, A RESOLUTION TO AMEND RESOLUTION NO. 2004-5721 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN ENGINEERING AND FABRICATING COMPANY FOR PROPERTY LOCATED AT 9909 SOUTH 57TH STREET (STEELE SOLUTIONS, INC.). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- ORD. 2008-1939 DETACHED GARAGES G-3. Alderman Skowronski moved to adopt Ordinance No. 2008-1939, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-5.0203 TO ALLOW FOR DETACHED GARAGES IN THE VILLAGE OF ST. MARTINS (VR VILLAGE RESIDENCE DISTRICT AND VB VILLAGE BUSINESS DISTRICT) WHEN PROPERTY SIZE IS LESS THAN 40,000 SQUARE FEET. Seconded by Alderman Solomon. All voted Aye; motion carried.

- | | | |
|--|------|---|
| GOVERNOR'S
CONFERENCE | G-4. | Director of Community Development Wheaton presented a report from the Wisconsin Economic Development Association, Governor's Conference on Economic Development held on February 7-8, 2008, in Madison, Wisconsin. |
| RES. 2008-6405
WHISPERING
WOODS | G-5. | Alderman Kosovich moved to adopt Resolution No. 2008-6405, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF WHISPERING WOODS SUBDIVISION (west side of S. 68th Street north of W. Puetz Road). Seconded by Alderman Skowronski. Alderman Sohns moved to suspend the rules of the meeting and allow Michael Krill to speak. Seconded by Alderman Solomon. All voted Aye; motion carried. Following the return to the regular order of business and on the adoption of the resolution, all voted Aye; motion carried. |
| WATER MAIN-
W. FOREST HOME
AVENUE | G-6. | Alderman Skowronski moved to not proceed with extending water along the west side of W. Forest Home Avenue from W. St. Martins Road to corporate limits on St. Martins Road & S. North Cape Road and inform the abutting property owners of this action. Seconded by Alderman Kosovich. All voted Aye; motion carried. |
| W. DREXEL AVENUE
RECONSTRUCTION | G-7. | Alderman Sohns moved to authorize staff to sign a Supplement Agreement No. 1 to the agreement for engineering services with Traffic Analysis & Design, Inc. for an increase in compensation of \$6,200.00 to a total of \$10,520.00 for the reconstruction of W. Drexel Avenue from W. Loomis Road (STH 36) to S. Lovers Lane Road (STH 100) due to increase in turning radius required by Wisconsin Department of Transportation. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2008-6406
W. DREXEL AVENUE
RECONSTRUCTION | G-8. | Alderman Solomon moved to adopt Resolution No. 2008-6406, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER FOR THE RECONSTRUCTION OF W. DREXEL AVENUE FROM W. LOOMIS ROAD TO S. LOVERS LANE ROAD to Stark Asphalt in the amount of \$996,348.20. Seconded by Alderman Olson. All voted Aye; motion carried. |
| CHANGE ORDERS-
W. PUETZ ROAD | G-9. | Alderman Sohns moved to authorize staff to sign Change Order No. 2 which eliminates the extra casing pipe authorized in Change Order No. 1 which returns the contract to the original bid cost and approve Change Order No. 3 which authorizes the contractor to use directional boring crossing the Root River with a 25.52 inch outside diameter (o.d.) high density polyethylene pipe at an additional cost of \$21,620.00 which will increase the construction cost from \$708,576.44 to \$730,196.44 and extends substantial completion to April 12, 2008 and final payment to July 1, 2008. Seconded by Alderman Kosovich. All voted Aye; motion carried. |

RES. 2008-6407
STORM WATER
AGREEMENTS

G-10. Alderman Solomon moved to adopt Resolution No. 2008-6407, A RESOLUTION AUTHORIZING ACCEPTANCE OF STORM WATER MANAGEMENT MAINTENANCE AGREEMENTS WITH WHISPERING WOODS AND WYNDHAM VILLAGE RETAIL, LLC. Seconded by Alderman Kosovich. All voted Aye; motion carried.

DEPARTMENT OF
PUBLIC WORKS

G-11. Alderman Sohns moved to refer the use of overtime, fuel usage and equipment used during the 2007-2008 Winter season to Board of Public Works for review and report back to the Council following the Board of Public Works April meeting. Seconded by Alderman Solomon. All voted Aye; motion carried.

BUCKHORN
TAVERN

G-12. Alderman Sohns moved to appoint Attorney Roger C. Pyzyk, as special counsel, to be retained at the rate of \$150.00 per hour, with all fees and expenses not to exceed \$5,000 to investigate allegations in State of Wisconsin vs. Eddie Lynn Keck, Milwaukee County Circuit Court Case No. 2007CF006262, pertaining to the Buckhorn Tavern or an operator therein dispensing or serving alcohol beverages to a person who is intoxicated, in cooperation with the Milwaukee County District Attorney's Office as may be appropriate, and to undertake such actions or make such recommendations as may be warranted as a result of such investigation. Seconded by Alderman Hammelman. All voted Aye; motion carried.

CLAIM

G-13. Alderman Solomon moved to deny the claim of Kathleen Swenson pursuant to Wisconsin Statute 893.80(1g), as recommended for denial by Midwest Claims Service based on the City not being negligent. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

LICENSES AND
PERMITS

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

Operator License to Alan R. Clark, 5370 S. Tuckaway Drive with warning letter from City Clerk; Alvin A. Berezinski, 708 Columbia Avenue, South Milwaukee; Nicholas P. Kulinski, 525 E. Laverne Drive, Oak Creek; Sanja Matijas, 3457 S. 75th Street, Milwaukee; Melissa J. Miller, 7532 S. 74th Street and Terry A. Owen, W150 S7655 Dorothy Drive, Muskego;

and also moved to hold Operator Licenses for Colleen E. Cavanaugh, 9135 W. Elm Ct. #D subject to appearing before the License Committee; Jamal M. Farhoud, 3012 17th Place, South Milwaukee subject to appearing before the License Committee; and Alicia M. Worden, 8173 S. 35th Street subject to appearing before the License Committee;

LICENSES-
CONTINUED

and also moved to hold Operator License for Sara L. Lanaghan, 11722 W. Oakwood Road for appearance or, to approve and issue if she submits proof of a valid drivers license before 3/04/08. Seconded by Alderman Solomon. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I-1.

Alderman Kosovich moved to approve net City vouchers in the range of Nos. 124015 through 124182 in the amount of \$889,100.34. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

Alderman Skowronski moved to approve the net City payroll of February 15, 2008 in the amount of \$411,909.38. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Kosovich moved to adjourn the meeting at 8:00 p.m. Seconded by Alderman Hammelman. All voted Aye; motion carried.