

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
JANUARY 5, 2010  
MINUTES**

- ROLL CALL                   A.       The regular meeting of the Common Council was held on January 5, 2010 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 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 6:33 p.m.
- ENVIRONMENTAL COMMISSION   B.2.a.   Alderman Sohns presented a status report of upcoming Environmental Commission projects as submitted by Chair Maryjane Ingersoll.
- MINUTES-12/15/2009           C.1.     Alderman Wilhelm moved to approve the minutes of the regular meeting of December 15, 2009 as corrected at Items C.1., C.2., and G.1.b. Seconded by Alderman Taylor. All voted Aye; motion carried.
- MINUTES-12/17/2009           C.2.     Alderman Sohns moved to approve the minutes of the special meeting of December 17, 2009 as presented. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- CONSENT AGENDA               Alderman Olson moved to approve the following consent agenda items:
- DONATION TO HEALTH DEPT.       G.1.a.   Accept the donation of \$30 from Institutional Capital Management to provide food for Franklin food pantries;
- RELEASE LETTER OF CREDIT – INDIAN COMMUNITY SCHOOL   G.1.b.   Release the Letter of Credit No. 420341 from Bank One dated August 5, 2004 (now JP Morgan Chase Letter of Credit No. 00420341) for the development of the Indian Community School of Milwaukee as recommended by staff as all improvements required in the development agreement have been completed and inspected by staff;
- PURCHASE ARBOR DAY SEEDLING TREES   G.1.c.   Authorize the Environmental Commission to purchase Arbor Day seedling trees not to exceed \$200;
- 2010 URBAN FORESTRY GRANT       G.1.d.   Authorize the Mayor to accept the \$25,000 matching 2010 Urban Forestry Grant from the Wisconsin Department of Natural Resources.

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

- PEDESTRIAN ROAD SHOW/WALKING WORKSHOP 2010 GRANT      G.2.      Alderman Wilhelm moved to approve the hiring of a trained facilitator related to the Pedestrian Road Show/Walking Workshop Grant, in an amount not to exceed \$2,500 (to be reimbursed upon completion of the grant), subject to review/approval of the Professional Services Agreement by the City Attorney. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2010-6617 STORM WATER FACILITIES AGREEMENT-SACRED HEART AT MONASTERY LAKE, INC.      G.3.      Alderman Solomon moved to adopt Resolution No. 2010-6617, A RESOLUTION ACCEPTING THE STORM WATER FACILITIES EASEMENT AND MAINTENANCE AGREEMENT FROM SACRED HEART AT MONASTERY LAKE, INC. with an amendment to Exhibit B, Item I.A.2. changing the timing of mowing to early Spring and late Fall. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- CHAPTER 210 SIGNS AND BILLBOARDS      G-4.      No action was taken on an update on the outstanding issue of "Amendment/Recreation of Chapter 210, Signs and Billboards." This item will be placed on the February 16, 2010 Common Council agenda.
- EMERALD ASH BORER POLICY      G.5.      No action was required on the status of Emerald Ash Borer Policy presented by City Engineer Bennett.
- COMMITTEE OF THE WHOLE TEMPORARY CUL-DE-SACS      G.6.a.      Alderman Wilhelm moved to direct Engineering staff to work with the City Attorney to research other communities' policies related to the installation, connection, and removal of temporary cul du sacs and to send a letter to the Metropolitan Builders Association requesting input for proposed City policy to the Common Council, with a return date of 3 months or the first meeting in April. Seconded by Alderman Taylor. All voted Aye; motion carried.
- STORMWATER MANAGEMENT PROGRAM      G.6.b.      Alderman Sohns moved to direct the City Attorney to prepare written comments to the Department of Natural Resources on the consideration of spending formula for Wisconsin Administrative Code Section NR151 (Stormwater Management Program) and that these comments be forwarded by Mayor Taylor to the Intergovernmental Cooperation Council. Seconded by Alderman Solomon.  
Alderman Olson moved to amend the motion to include expressing objection to any funding cap formula in Wisconsin Administrative Code Section NR151 (Stormwater Management Program). Seconded by Alderman Taylor. On the vote to amend the motion, all voted Aye; motion carried.  
At 6:53 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. At 6:55 p.m. the gavel was passed to Mayor Taylor, who then returned to chairing the meeting.  
On the vote for the main motion as amended, all voted Aye; motion carried.

- CERTIFYING FINAL GRADE AT LANDSCAPE      G.6.c.      Alderman Olson moved to direct staff to survey, review and recommend a policy to certify final grade at landscape for new developments and return with the policy recommendation to the May 3, 2010 Committee of the Whole meeting. Seconded by Alderman Wilhelm.  
Alderman Wilhelm moved to amend the motion to include the process for review of approval of the initial grade and drainage flow as it relates to adjacent parcels. Seconded by Alderman Olson. All voted Aye; motion carried.  
On the vote for the main motion as amended, all voted Aye; motion carried.
- CLOSED SESSION-WATER SUPPLY & DISTRIBUTION FACILITIES IMPACT FEES      G.7.      Alderman Taylor moved to enter closed session at 7:05 p.m. pursuant to Wis. Stats. §19.85(1)(e), to deliberate upon the subject of the recalculation of water supply and distribution facilities impact fees, and to develop a collection and disbursement allocation, implementation and negotiation strategy, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.  
  
Upon reentering open session at 7:50 p.m., Alderman Taylor moved to authorize Michael Best & Friedrich LLP to undertake the assessment and collection program upon the recalculation of water supply and distribution facilities impact fees for non-residential development as discussed in closed session. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2010-6618 LEGAL SERVICES FOR WATER SUPPLY AND DISTRIBUTION FACILITIES IMPACT FEES      G.8.      Alderman Skowronski moved to adopt Resolution No. 2010-6618, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT WITH MICHAEL BEST & FRIEDRICH LLP FOR THE PROVISION OF LEGAL SERVICES TO DEVELOP AND IMPLEMENT A PROGRAM FOR THE ASSESSMENT OF WATER SUPPLY AND DISTRIBUTION FACILITIES IMPACT FEES ORDINANCE RECALCULATIONS FOR NONRESIDENTIAL DEVELOPMENT. Seconded by Alderman Taylor. 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 Laura M. Alverio, 359 E. Becher Street, Milwaukee; Michael K. Anders, S70 W13749 Tess Corners Drive, Muskego; Gary A. Schuldt, 8135 S. Lovers Lane Road subject to satisfactory schooling and Adam M. Sloan, 3717 S. 48th Street, Milwaukee;

LICENSES AND  
PERMITS-  
CONTINUED

Further moved to approve New Class A Combination License for Mega Marts, LLC, d/b/a Pick 'n save #6431, Agent: Dustin M. Brzycki, 7780 S. Lovers Lane Road;

Further moved to approve Taxicab License for Gurjapbir Singh Kahlon, 7313 S. Hillendale Drive; Yasser M. Naser, 1925 S. 21st Street, Milwaukee and Tajelsir Mahmoud, 5293 S. 13th Street, Milwaukee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

I.1. Alderman Taylor moved to approve net City vouchers in the range of Nos. 132386 through 132571 in the amount of \$1,283,357.98. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

Alderman Olson moved to approve the net City payroll of December 18, 2009 in the amount of \$340,297.49. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to approve the net City payroll of December 31, 2009 in the amount of \$405,786.08. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 7:55 p.m. Seconded by Alderman Skowronski. All voted Aye; motion carried.