

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
JULY 21, 2009
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on July 21, 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: Mayor Taylor, Aldermen Olson, Solomon, Wilhelm, and Taylor. Excused were Aldermen Sohns and Skowronski. Also present were City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski.
- At this time, Council President Taylor chaired the meeting.
- CITIZEN COMMENT B-1. Citizen comment period was opened at 6:30 p.m. and closed at 7:07 p.m.
- ANNOUNCEMENTS B-2.a. Mayor Taylor and Council President Taylor presented a Proclamation to Samantha LaBrasca on her accomplishments as the Wisconsin Junior Miss.
- B-2.b. Council President Taylor read Certificates of Appreciation for the volunteers and committee members for the 2009 4th of July celebration.
- MINUTES-07/07/2009 C-1. Alderman Olson moved to approve minutes of the regular meeting of July 7, 2009 as presented. Seconded by Alderman Solomon. All voted Aye; motion carried.
- HEARING VACATION OF RIGHT OF WAY WEST SWISS ST D-1. Following a presentation by the City Engineer, the Common Council accepted public comment during the public hearing held regarding vacation of a 35 foot by 160 foot right-of-way which extends from West Swiss Street through property located at 11455 West Swiss Street. (See Item G.4.)
- HEARING COMMUNITY DEVELOPMENT BLOCK GRANT D-2. The Common Council accepted public comment during the public hearing held regarding City of Franklin's Community Development Block Grant Program Projects for 2010. (See Item G.2.)
- APPOINTMENTS E-1.a. Alderman Olson moved to approve the Mayoral appointment of Bob Knackert to the Civic Celebrations Commission, term expires 07/01/2012. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E-1.b. Alderman Solomon moved to approve the Mayoral appointment of John Bergner to the Civic Celebrations Commission, term expires 07/01/2012. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

APPOINTMENTS-
CONTINUED

- E-1.c. Alderman Olson moved to approve the Mayoral appointment of Wendy Knackert to the Civic Celebrations Commission, term expires 07/01/2012. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E-1.d. Alderman Solomon moved to approve the Mayoral appointment of Roseanne Burac-Englert to the Economic Development Commission, term expires 07/30/2012. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E-1.e. Alderman Solomon moved to approve the Mayoral appointment of Mary Karolewicz to the Economic Development Commission, term expires 07/30/2012. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.
- E-1.f. Alderman Solomon moved to approve the Mayoral appointment of Diane Oleson to the Economic Development Commission, term expires 07/30/2012. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.
- E-1.g. Alderman Taylor moved to approve the Mayoral appointment of James Sass to the Fire & Police Commission, term expires 04/30/2014. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E-1.h. Alderman Olson moved to approve the Mayoral appointment of Judy Roberts to the Library Board, term expires 07/01/2012. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E-1.i. Alderman Solomon moved to approve the Mayoral appointment of Carol Brunner to the Personnel Committee, term expires 04/30/2012. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E-1.j. Alderman Olson moved to approve the Mayoral appointment of Michael Barber to the Personnel Committee, term expires 04/30/2012. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.

CONSENT AGENDA

Alderman Olson requested to separate Item G.1.b. from the consent agenda. Alderman Solomon then moved to approve the following consent agenda items:

DONATION
SAM'S CLUB

- G-1.a. Accept the donation of \$1,500 from the Sam's Club Foundation to be deposited into the Police Donations Account;

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| COMBINE MEETING
IN AUGUST | G-1.c. | Combine the Committee of the Whole and Common Council meetings on August 4, 2009;

Approval of consent items seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| LIBRARY-PURCHASE
NEW COMPUTERS
AND PRINTERS | G.1.b. | Alderman Olson moved to deny the request from the Franklin Public Library Board to purchase new computers and printers in an amount not to exceed \$30,000 with funds from the Restricted Library Fund Account. Seconded by Alderman Taylor. Alderman Taylor withdrew his second. Motion failed for lack of second.

Alderman Solomon moved to approve the request from the Franklin Public Library Board to purchase new computers and printers in an amount not to exceed \$30,000 with funds from the Restricted Library Fund Account. Seconded by Alderman Taylor. On roll call, Aldermen Solomon, Wilhelm, and Taylor voted Aye; Alderman Olson voted No. Motion carried. |
| 2010 MILWAUKEE
COUNTY
COMMUNITY
DEVELOPMENT
BLOCK GRANT
PROGRAM | G-2. | Alderman Olson moved to authorize the Director of Administration to submit applications for the 2010 Milwaukee County Community Development Block Grant Program for the three projects: Senior Citizen Activities, Home Support Services (Southwest Interfaith) and Claire Meadows 51st Street Sidewalk Project, to authorize the necessary CDBG funding contracts, if approved as submitted, and to oversee administration of the grant funding. Seconded by Alderman Wilhelm. Alderman Wilhelm withdrew her second. Alderman Solomon then seconded the motion. All voted Aye; motion carried. |
| SENIOR CITIZENS
TRAVEL PROGRAM
UPDATE | G-3. | Shirley Bird provided an update of the Franklin Seniors Travel Program. Alderman Olson placed on file, seconded by Alderman Solomon. All voted Aye; motion carried. |
| RES. 2009-6563
VACATE RIGHT OF
WAY
11455 W. SWISS
STREET | G-4. | Alderman Solomon moved to adopt Resolution No. 2009-6563, A RESOLUTION TO VACATE A 35 FOOT BY 160 FOOT RIGHT-OF-WAY WHICH EXTENDS FROM WEST SWISS STREET THROUGH PROPERTY LOCATED AT 11455 WEST SWISS STREET. Seconded by Alderman Olson. All voted Aye; motion carried. |
| ORD. 2009-1975
UNLAWFUL USE OF
EMERGENCY
SERVICES 911 | G-5. | Alderman Taylor moved to adopt Ordinance No. 2009-1975, AN ORDINANCE TO AMEND THE MUNICIPAL CODE AS IT PERTAINS TO AND TO ESTABLISH PENALTIES FOR UNLAWFUL USE OF STATEWIDE ENHANCED EMERGENCY SERVICES 911 TELEPHONE NUMBER. Seconded by Alderman Solomon. All voted Aye; motion carried. |

- RES. 2009-6579
AMEND RES. 83-2091
AND 85-2581
SPECIAL USE 6300-
6346 S. 35TH STREET
(GAZEBO PARK LLC)
- G-6. Alderman Wilhelm moved to adopt Resolution No. 2009-6579, A RESOLUTION TO AMEND RESOLUTION NOS. 83-2091 AND 85-2581 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 6300-6346 SOUTH 35TH STREET (GAZEBO PARK, LLC) as amended. Seconded by Alderman Olson. Alderman Olson withdrew his second. It was then seconded by Alderman Solomon. All voted Aye; motion carried.
- CONCEPT REVIEW
SACRED HEART AT
MONASTERY LAKE
(7330 S. LOVERS
LANE ROAD)
- G-7. The Common Council reviewed a proposed development for Sacred Heart at Monastery Lake (at 7330 South Lovers Lane Road) (Sacred Heart at Monastery Lake, Inc., Applicant). Alderman Solomon moved to inform the developer to proceed with project as presented, non-binding with regard to any future approvals. Seconded by Alderman Olson. On roll call, all voted Aye.
- Alderman Wilhelm then moved that Planning staff communicate with Southeastern Wisconsin Regional Planning Commission to address the community's concerns and to assure that the project will be sensitively developed. Seconded by Alderman Taylor. Alderman Taylor withdrew his second. Motion died due to the lack of a second.
- Mayor Taylor left the meeting at 9:10 p.m.
- GIS
REWRITE
AGREEMENT WITH
PLANGRAPHICS
- G-8. Alderman Olson moved to authorize the Mayor and Director of Clerk Services to sign the Amendment to the GIS Rewrite Agreement with PlanGraphics, Inc. consistent with and contingent upon a recommendation by the Technology Commission to amend the contract. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2009-6580
STORM WATER
FACILITIES
RETROFIT -
FRANKLIN
BUSINESS PARK
- G-9. Alderman Solomon moved to adopt Resolution No. 2009-6580, A RESOLUTION AWARDDING CONTRACT FOR THE RETROFIT OF TWO EXISTING STORM WATER FACILITIES IN THE FRANKLIN BUSINESS PARK LOCATED ON THE SOUTH SIDE OF W. RYAN ROAD BETWEEN 4300 AND 5500 BLOCK OF W. RYAN ROAD to Valia Excavating LLC in the amount of \$185,405.19. Seconded by Alderman Olson. All voted Aye; motion carried
- PUBLIC STREETS –
RIVER PARK
ADDITIONS #1 & 2
AND DEERWOOD
PRESERVE
- G-10. Alderman Solomon moved to authorize City staff (City Engineer and City Attorney) to proceed with the public bidding for the completion of the public streets in the River Park Additions No. 1 and 2 and the Deerwood Preserve development if the developers are not under contract for the construction by the end of July with funding to be taken from the escrow deposits. Seconded by Alderman Olson. All voted Aye; motion carried.

RES. 2009-6581
ENGINEERING
SERVICES AGMT
GRAEF USA, INC.
S. 51ST STREET
RECONSTRUCTION

G-11. Alderman Olson moved to adopt Resolution No. 2009-6581, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH GRAEF USA, INC. FOR THE DESIGN FOR THE RECONSTRUCTION OF S. 51ST STREET FROM A POINT 150 FT. NORTH OF W. DREXEL AVENUE TO A POINT 150 FT. SOUTH OF W. PUETZ ROAD. Seconded by Alderman Solomon. All voted Aye; motion carried.

PAY AND BENEFIT
ADJUSTMENTS FOR
NON-REPRESENTED
EMPLOYEES

G-12. Alderman Olson moved to approve the following:

- Direct Staff to prepare the necessary ordinances to effectuate the recommended wage table and benefit adjustments for all non-represented employees.
- Direct staff to inform the Library Board of city-wide adjustments to non-represented employee wages and benefits.
- Direct the Director of Administration to bring to the Common Council a recommended proposal or contract for an HRA program that provides a complete blood work-up and coordinates records directly with the City's TPA for immediate implementation.
- Direct the Director of Administration to immediately modify the health plan to provide to non-represented employees covered by the health plan the modifications indicated in this memorandum dated 7/17/2009.
- That effective immediately, in anticipation of the modified ordinances listed in #1 above, authorize Department Heads to approve use of one additional personal day for each non-represented employee.

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

LICENSES AND
PERMITS

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

2009-2010 Operator License for Terrence J. Brady, 2917 North St., East Troy with warning letter from City Clerk; Eric a. Balcerowski, 11930 W. Ryan Road; Nicole J. Baraniak, 3301 S. 84th Street, Milwaukee; Jamie L. Budny, 1900 E. Euclid Avenue, Milwaukee; Ekrem Dilaveri, 4360 W. Victory Creek Drive; Sami Dilaveri, 4360 W. Victory Creek Drive; Chad C. Hoffman, 9475 S. 96th Street; Lisa M. Hutts, 5612 Euston Street, Greendale; Scot A. Johnson, 7401 Dartmoor Avenue, Greendale; Richard

LICENSES AND
PERMITS-
CONTINUED

Malicki, 3823 E. Iona Terrace, Cudahy; Janet Miller, 2737 S. 58th Street; Robert J. Pasquali, 7940 S. Wildwood Drive #7, Oak Creek; Deborah A. Pankowski, 6116 W. Arizona Ct. #3, Milwaukee; Daniele Peltier, 2501 W. Hilltop Lane, Oak Creek; Tanina M. Poteracki, 6801 S. 68th Street #103; Devin T. Ramey, 2854 N. Cramer Street, Milwaukee; Joel A. Reindl, 5409 S. Nicholson Avenue, Cudahy; Sue E. Reynolds, 5443 Mulberry Drive, Greendale; Cynthia M. Rivette, 9416 W. Allerton Avenue, Greenfield; Julie A. Shutta, 3215 Blakewood Avenue, South Milwaukee; Deborah E. Sporleder, S108 W16327 Loomis Drive, Muskego; Shawn J. Walczak, 7841 S. Scepter Drive subject to satisfactory schooling and Andrew Hushek, 5315 W. Arizona Street, Milwaukee;

Further moved to approve Taxicab License for Sheikh M. Nazar, 8055 S. 20th Street, Oak Creek with warning letter from City Clerk; Sahil Khindri, 4575 S. 23rd Street, Milwaukee and Sher Amir Singh, 6814 S. 50th Street;

Further moved to approve New Class B Combination License for Two Brothers, Agent Vaso Dragicevic, 9405 S. 27th Street subject to satisfactory inspection and proof of payment;

Further moved to approve Extraordinary Entertainment & Special Event for Ahmadzyya Movement In Islam, person in charge: Rizwan Ahmad, Milwaukee County Sports Complex, 6000 W. Ryan Road, Youth Retreat on August 7-9, 2009 subject to approval of memo from the Department of Administration and subject to hiring a sheriff from 10 p.m.-6 a.m.; Shee Yee Community of Milwaukee, Inc., person in charge: Kevin Her, Milwaukee County Sports Complex, 6000 W. Ryan Road, Hmong Summer Festival on August 1-2, 2009 and Altera Mountain Bike Team, person in charge: Ty Gonzalez, Crystal Ridge Ski Area, 7900 W. Crystal Ridge Drive, Alterra Coffee Bean Classic-Mountain Bike Race on August 2, 2009;

Further moved to approve the People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant for Milwaukee County Firefighter Association, fee waivers for Ken Windl park reservation, Victor Salbashian, 8817 S. 89th Street at 11615 W. Rawson Avenue on August 2, 2009;

Further moved to approve request for refund of St. Martin's Fair later permit fee for Bruce Kozelou, 920 Rock Ridge Road, Burlington;

Further moved to hold Operator License for Sarah A. Montoya, 10140 W. St. Martins Road until applicant contacts City Clerk; Thomas B. Brooks, 13865 W. Thomas Drive, New Berlin subject to appearing before the License Committee; Joel B. Clifford,

LICENSES AND
PERMITS-
CONTINUED

11205 W. Bluemound Road #101, Wauwatosa to next License Committee meeting; Daveine C. Jopek, 2219 S. 64th Street, West Allis subject to appearing before the License Committee; Linda Neustedter, 2462 S. 79th Street, West Allis; Denise M. Rupic, 9027 W. Lincoln Avenue, West Allis subject to appearing before the License Committee; Andrew W. Spence, 10290 Whitnall Court, Hales Corners subject to appearing before the License Committee and Toni M. Steldt, 5075 W. College Avenue #20, Greendale subject to appearing before the License Committee;

Further moved to proceed with a revocation hearing for Class B Combination, Entertainment & Amusement License for The Landmark, LLC, Agent: Laurie Beth Knaack-Helm, 11401 W. Swiss Street. Seconded by Alderman Olson. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I-1. Alderman Olson moved to approve net City vouchers in the range of Nos. 130516 through 130709 in the amount of \$1,681,270.95. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to approve the net City payroll of July 17, 2009 in the amount of \$336,589.38. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Olson moved to adjourn the meeting at 9:56 p.m. Seconded by Alderman Solomon. All voted Aye; motion carried.