

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
JULY 7, 2009  
MINUTES**

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|--------------------------------------|--------|--|
| ROLL CALL                            | A.     | The regular meeting of the Common Council was held on July 7, 2009 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, Wilhelm, Taylor, Sohns and Skowronski. Also present were City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and Deputy City Clerk Vanden Boom. |
| CITIZEN COMMENT                      | B-1.   | Citizen comment period was opened at 6:35 p.m. and closed at 6:35 p.m.   |
| ANNOUNCEMENTS                        | B-2.a. | Mayor Taylor presented certificates to the 2009 Franklin Civic Celebration t-shirt design contest winners: 1st Place-Sarah Kosalos; 2nd Place-Leah Lessard; 3rd Place-Stephanie Kirner.  |
|                                      | B-2.b. | Mayor Taylor read a letter of congratulations sent to Northwestern Mutual Chairman and Chief Executive Officer Edward J. Zore, congratulating Northwestern Mutual-Phase II receiving the First Place Award - The Business Journal's Best New Development Office 2009.  |
|                                      | B-2.c. | Mayor Taylor announced upcoming Wimmer Communities Concerts being held at Whitnall Park Boerner Botanical Gardens.   |
| MINUTES-06/16/09                     | C-1.   | Alderman Wilhelm moved to approve minutes of the regular meeting of June 16, 2009 as presented. Seconded by Alderman Olson. All voted Aye; motion carried.   |
| AD HOC COMMITTEE-51ST STREET         | E-1.   | Mayor Taylor updated the Common Council on the selection of Ad Hoc Committee members to research grants specific to S. 51st Street.  |
| GREAT AMERICAN CLEAN UP THANK YOU    | F-1.   | Mayor Taylor read a thank you letter from Keep Greater Milwaukee Beautiful, Inc. for 2009 Great American Clean Up.   |
| BADGER BOYS STATE THANK YOU          | F-2.   | Mayor Taylor read a thank you letter from Badger Boys State, Inc. to Mayor Taylor and City Clerk Wesolowski.   |
| CONSERVATION FUND 2009 ANNUAL REPORT | F-3.   | Mayor Taylor announced the 2009 Annual Report for the Conservation Fund is available for review in the City Clerk's Office.  |
| CONSENT AGENDA                       |        | Alderman Olson moved to approve the following consent agenda items:  |
| LETTER OF CREDIT BRENWOOD PARK CSM   | G-1.a. | Release the Letter of Credit for the Brenwood Certified Survey Map for the area along Brenwood Park Drive from Marine Bank, Letter of Credit Number 2323221, as recommended by the City Engineer;  |

- LETTER OF CREDIT  
BRENWOOD PARK  
SENIOR HOUSING
- G-1.b. Release the letter of credit for the Brenwood Park Senior Housing located on the southeast corner of W. Loomis Road and W. Forest Hill Avenue, Letter of Credit No. SLCWMIL02673, from U.S. Bank as recommended by the City Engineer.
- Approval of consent items seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2009-6572  
REAPPROVING CSM  
(6901 S. 76<sup>TH</sup> ST AND  
7700 W. RAWSON)
- G-2. Alderman Solomon moved to adopt Resolution No. 2009-6572, A RESOLUTION REAPPROVING A CERTIFIED SURVEY MAP CONDITIONALLY APPROVED BY RESOLUTION NO. 2008-6467 ON AUGUST 5, 2008 (PEOPLE'S CHOICE CORPORATION) (6901 SOUTH 76<sup>TH</sup> STREET AND 7700 WEST RAWSON AVENUE). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2009-6573  
LAND  
COMBINATION  
(6909 S.  
TUMBLECREEK DR.)  
(RONALD T. WIZA II)
- G-3. Alderman Wilhelm moved to adopt Resolution No. 2009-6573, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 739-0021-000 AND 739-0115-000 (6909 SOUTH TUMBLECREEK DRIVE) (RONALD T. WIZA II, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2009-6574  
IMMUNIZATION  
CLINIC SCHEDULING  
AND BILLING  
SOFTWARE  
PROGRAM
- G-4. Alderman Wilhelm moved to adopt Resolution No. 2009-6574, A RESOLUTION AUTHORIZING HEALTH DEPARTMENT OFFICIALS TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SOFTWARE EXPRESSIONS, INC. FOR SOFTWARE DEVELOPMENT AND APPLICATION IN ORDER TO IMPROVE IMMUNIZATION CLINICS SERVICES for a total of \$34,743 and to also approve an additional \$125 for an optional Open Data Base Connectivity software component. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- SUBDIVISION  
PARCEL  
MAINTENANCE  
PRAIRIE GRASS  
PRESERVE
- G-5. Alderman Skowronski moved to authorize City and City Attorney staff to pursue enforcement of site maintenance standards within the Prairie Grass Preserve Subdivision, as determined enforceable by the City Attorney's Office, including such Circuit Court efforts as determined necessary and appropriate by the City Attorney or his designee. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- SELECTION  
COMMITTEE TO  
SELECT  
CONSULTANT FOR  
WATER MAIN  
EXTENSION  
(S. OAKWOOD PARK  
DRIVE)
- G-6. Alderman Olson moved to authorize the selection committee of Jim Bartnicki, retired Director of Public Works for the Village of Shorewood and member of the Franklin Board of Public Works; Howard Young, retired Wisconsin Department of Transportation and Director of Engineering Service, City of Wauwatosa; Tom Wolf, retired from Milwaukee Metropolitan Sanitary District and served as acting director, Dick Halfman, retired Director of Public Works and Village Engineer of Brown Deer and Mike Lynett, retired Director of Public Works and Village Engineer of

SELECTION  
COMMITTEE-  
CONTINUED

Fox Point, to serve as a selection committee for water main extension on W. Oakwood Road to connect with the Business Park. Seconded by Alderman Sohns. All voted Aye; motion carried.

RES. 2009-6575  
2009 PAVEMENT  
MARKING PROGRAM

G-7. Alderman Solomon moved to adopt Resolution No. 2009-6575, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER FOR THE 2009 PAVEMENT MARKING PROGRAM IN THE CITY OF FRANKLIN to Crowley Construction Corporation in the amount of \$32,900. Seconded by Alderman Olson. All voted Aye; motion carried.

RELEASE AND  
SETTLEMENT AGMT  
TIME WARNER  
CABLE

G-8. Alderman Solomon moved to authorize the Mayor and Director of Clerk Services to execute the City of Franklin counterpart of the "Release and Settlement Agreement" between Time Warner Cable, the City of Franklin, and the other Regional Telecommunications Commission communities in order to resolve the dispute regarding the Franchise Fee Review. Seconded by Alderman Skowronski. On roll call, Aldermen Olson, Solomon, Wilhelm, Taylor and Skowronski voted Aye; Alderman Sohns voted No. Motion carried.

MUNICIPAL COURT  
DATA  
MANAGEMENT  
SYSTEM

G-9. Alderman Olson moved to approve that \$6,775 from the Fund Balance of the Capital Projects Fund be authorized for the needs of the Municipal Court including computer workstation replacement, an additional cash receipting station, and consultant services and that the appropriations and expenditures be recorded in the fund and account(s) as determined by the Finance Director. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2009-6576  
AMBULANCE  
TRANSPORT  
AGREEMENT-  
WHEATON  
FRANCISCAN  
HEALTHCARE

G-10. Alderman Sohns moved to adopt Resolution No. 2009-6576, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AND DELIVER AN AMBULANCE TRANSPORT AGREEMENT BETWEEN WHEATON FRANCISCAN HEALTHCARE-FRANKLIN, INC. AND THE CITY OF FRANKLIN FIRE DEPARTMENT with Fire Chief reporting back to the Common Council in two months with status report. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2009-6577  
CSM-10101 S. 27TH  
ST. (WHEATON  
FRANCISCAN)

G-11. Alderman Olson moved to adopt Resolution No. 2009-6577, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST ¼ AND SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (WHEATON FRANCISCAN HEALTHCARE-SOUTHEAST WISCONSIN, INC.) (APPROXIMATELY 10101 SOUTH 27TH STREET). Seconded by Alderman Taylor. All voted Aye; motion carried.

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|---|---------|---|
| RES 2009-6578<br>CONDO PLAT<br>WHEATON<br>FRANCISCAN (10101<br>S. 27 <sup>TH</sup> STREET | G-12.   | Alderman Wilhelm moved to adopt Resolution No. 2009-6578, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR WHEATON FRANCISCAN HEALTHCARE-SOUTHEAST WISCONSIN, INC. AT 10101 SOUTH 27th STREET (MIDWEST ORTHOPEDIC SPECIALTY HOSPITAL JOINT VENTURE PROJECT) (WHEATON FRANCISCAN HEALTHCARE-SOUTHEAST WISCONSIN, INC. APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| GROUND SIGNAGE<br>WAL-MART/SAM'S<br>CLUB  | G-13.   | Alderman Wilhelm moved to confirm that the ground signage structures at Wal-Mart/Sam's Club (southwest corner of S. 27th Street and W. Sycamore Street) depicted in the plans/renderings of initial submission date February 20, 2008 were approved pursuant to the adoption of Ordinance No. 2008-1940. Seconded by Alderman Sohns. All voted Aye; motion carried.   |
| FIRE DEPARTMENT<br>STUDY  | G-14.A. | Alderman Olson moved to authorize continuation of the Franklin Fire Department non-light and siren response pilot study with Fire Chief to provide an update to the Common Council at the end of 2009. Seconded by Alderman Wilhelm. All voted Aye; motion carried.   |
| MILWAUKEE<br>COUNTY PARK<br>FACILITIES  | G-14.B. | No action was needed on a video summarizing the park facilities and activities and the 2008 year presented at the 7/06/09 Committee of the Whole meeting by Milwaukee County Parks Representative Jeff Boudry.  |
| LIBRARY BOARD<br>UPDATE   | G-14.C. | No action was needed on update from the Library Board regarding activities and actions presented at the 7/06/09 Committee of the Whole meeting.   |
| TECHNOLOGY<br>COMMISSION<br>UPDATE  | G-14.D. | No action was needed on the update from the Technology Commission regarding activities and actions presented at the 7/06/09 Committee of the Whole meeting.   |
| MUNICIPAL CODE<br>CHAPTER 19 REVIEW   | G-14.E. | Alderman Sohns moved to direct the City Attorney to prepare an ordinance to amend the Municipal Code to incorporate the changes to Chapter 19 as recommended by Alderman Solomon and the Director of Clerk Services, subject to technical corrections by the City Attorney. Seconded by Alderman Solomon. All voted Aye; motion carried.  |
| LABOR CONTRACT<br>NEGOTIATIONS  | G-14.F. | No action was taken on the labor contract negotiations and collective bargaining strategies and guidelines discussed at the 7/06/09 Committee of the Whole meeting.   |
| LICENSES AND<br>PERMITS   | H-1.    | Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:   |

LICENSES AND  
PERMITS-  
CONTINUED

2009-2010 Operator License for Adam J. Cervantes, 3985 S. Woodhill Lane, New Berlin; Mark A. Krolikowski, 3031 W. Green Avenue #3, Milwaukee; Angeline K. Benning, 10035 S. 60th Street; Joshua I. Bishop, 5735 Lochleven Lane, New Berlin; Chelsea L. Byler, 30317 Beachview Lane, Waterford; Kamila Grochowski, 3127 W. Iona Terrace #2, Milwaukee; Katelyn M. Henkel, 612 15th Place #23, Kenosha; Shane Z. Hosseini, 1158 N. 50th Street, Milwaukee; Milutin Jaksic, 3637 S. 93rd Street, Milwaukee; Wyatt C. Klein, 1421 17th Avenue, South Milwaukee; Kamalpreet K. Mahal, 2200 W. College Avenue #4, Milwaukee; Matthew J. Meyer, 409 Lake View Road, South Milwaukee; Anil R. Ojha, 2115 W. Wisconsin Avenue, Milwaukee; Vedrana Pilipovic, 5089 W. College Avenue #48, Greendale; Debra A. Reichart, 3520 S. 57th Street, Milwaukee; Carrie A. Roth, 3274 S. 84th Street, Milwaukee; Jason C. Schnell, 1612 59th Street, Kenosha; Lauren E. Sierocuk, 7808 W. Waterford Avenue #3, Milwaukee subject to satisfactory schooling; Mirjana Sontic-Prier, 3703 S. 48th Street, Milwaukee; Jeffrey F. Terp, 26430 Grace Drive, Wind Lake; Anderzon Torralba, 1029 S. Tenth Street, Milwaukee; Iva M. Vukovic, 4312 W. Sherwood Drive; Jennifer M. Wallerman, 2133 S. 82nd Street, West Allis; Donald E. Wick, 3205 W. Central Avenue; Diane L. Winkowski, 7024 S. Lovers Lane Road; John P. Winkowski, 7024 S. Lovers Lane Road and Lucille A. Zaffiro, 4870 S. Longlade Drive, New Berlin;

Further moved to approve Pharmacy License for Sam's Club #8167, Kristen Ramsey, 6705 S. 27th Street and Aurora Pharmacy, Robert Meier, 6572 S. Lovers Lane Road;

Further moved to approve Entertainment & Amusement License for The Party Spot, Gennel Baehr, 7129 S. 76th Street subject to satisfactory inspection;

Further moved to approve Temporary Class B License for VFW Post 10394 (Franklin & Hales Corners VFW), Andrew Hushek, St. Martins Labor Day Fair on September 6 & 7, 2009 and Franklin Lions Club, David Lindner, St. Martins Labor Day Fair on September 6 & 7, 2009;

Further moved to approve Temporary Entertainment & Amusement License for Romey's Place, Nate Fabry, St. Martins Labor Day Fair-outside band on September 6 & 7, 2009 and Victory of the Lamb Lutheran Church, Ben Kuerth, Lions Legend Park, live music, children's crafts & games on July 26, 2009;

Further moved to approve the People Uniting for the Betterment of Life and Investment in the Community ('PUBLIC') Grant for Franklin High School Boys/Girls Swim & Dive Teams, fee waivers for temporary food license, Sam's Club, 6706 S. 27th Street on August 15, 2009; Franklin Fire Department, fee waivers

LICENSES AND  
PERMITS-  
CONTINUED

for park permit & ball diamond reservation, Lions Legend Park II, 8717 W. Drexel Avenue on September 13, 2009; Franklin Lioness Club, fee waivers for St. Martins Labor Day Fair, Temporary Class B Beer & Wine at fair and food license for baseball diamond at 80th Street & Ryan Road on September 6 & 7, 2009 for fair/food license on July 1, 2009 to June 30, 2010 baseball season; Franklin Police Department-2009 National Night Out, fee waivers for food & entertainment & amusement licenses, Franklin Public Library, 9151 W. Loomis Road on August 3, 2009 and VFW Post 10394, fee waivers for Labor Day food & general merchandise, permit, soda and Temporary Class B Beer & Wine License, St. Martins Fair on September 6 & 7, 2009;

Further moved to approve Taxicab License for Salah I. Mohamed, 6455 S. 20th Street #13, Oak Creek and Yasser M. Nasser, 1833 S. 25th Street, Milwaukee;

Further moved to approve request for premise description extension of Class B Combination and Entertainment & Amusement License for Country Lanes-Bike & Car Show, Robert Sczerzen, 11231 W. Forest Home Avenue subject to satisfactory inspection;

Further moved to hold Class B Combination License for Eric's Setback, 6357 S. 27th Street subject to appearing before the License Committee;

Further moved to hold 2009-2010 Operator License for Terrence J. Brady, 2917 North Street, East Troy; Sarah A. Montoya, 10140 W. St. Martins Road, both subject to appearing before the License Committee and Nicholas J. Niemczyk, 7304 S. 70th Street subject to appearing before the License Committee and satisfactory schooling;

Further moved to deny 2009-2010 Operator License for Melissa M. Albert, 8114 W. Whitaker Avenue, Greenfield for habitual law offender contrary to § 125.04(5)(a) and (b);

Further moved to proceed with a revocation hearing for 2009-2010 Operator License for Adam C. Lee, 4516 S. Clearwater Place, New Berlin;

Further moved to deny Taxicab License for Shahab Hussain, 925 W. Greenfield Avenue, Milwaukee for Conviction Record contrary to § 169-2.C.(6);

Further moved to deny Taxicab License for Shaill Khindri, 4575 S. 23rd Street, Milwaukee and Sher Amir Singh, 6814 S. 50th Street based on lack of proper drivers license. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

I-1. Alderman Sohns moved to approve net City vouchers in the range of Nos. 130248 through 130515 in the amount of \$1,258,235.81. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

Alderman Olson moved to approve City vouchers in the range of Nos. 130302 through 130322 in the amount of \$26,796.24. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

Alderman Taylor moved to approve the net City payroll of June 19, 2009 in the amount of \$502,029.22. Seconded by Alderman Sohns. On roll call, all voted Aye; motion carried.

Alderman Taylor moved to approve the net City payroll of July 2, 2009 in the amount of \$342,411.65. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:16 p.m. Seconded by Alderman Olson. All voted Aye; motion carried.