

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
JUNE 3, 2008  
MINUTES**

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| ROLL CALL                                     | A.    | The regular meeting of the Common Council was held on June 3, 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 Solomon, Wilhelm, Taylor, Sohns and Skowronski. Excused was Alderman Olson. Also present were City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski. |
| CITIZEN<br>COMMENT                            | B-1.  | Citizen comment period was opened at 6:31 p.m. and closed at 6:40 p.m.  |
| MINUTES-<br>05/20/08                          | C-1.  | Alderman Sohns moved to approve minutes of the regular meeting of May 20, 2008 with a typographical correction to Item G-1. Seconded by Alderman Skowronski. All voted Aye; motion carried.   |
| HEARING-<br>STREET VACATION-<br>W. BRUSS LANE | D-1.  | The hearing regarding the vacation of W. Bruss Lane from W. Imperial Drive on the north to the south boundary of the plat of Tuckaway Green Addition No. 2 Subdivision was opened at 6:42 p.m. and closed at 6:56 p.m.  |
| APPOINTMENT                                   | E-1a. | Alderman Skowronski moved to confirm Mayoral appointment of David Bartels, term expires 4/30/13, to the Fire and Police Commission. Seconded by Alderman Sohns. On roll call, all voted Aye; motion carried.  |
| APPOINTMENT                                   | E-1b. | Alderman Skowronski moved to confirm Mayoral appointment of Kevin Haley, term expires 4/30/09, to the Plan Commission. Seconded by Alderman Sohns. On roll call, all voted Aye; motion carried.   |
| APPOINTMENT                                   | E-1c. | Alderman Solomon moved to confirm Mayoral appointment of Don Dorsan, term expires 4/30/10, to the Parks Commission. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.   |
| APPOINTMENT                                   | E-1d. | Alderman Wilhelm moved to confirm Alderman Wilhelm's appointment of Wendy Marzion to the Board of Review. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.   |
| APPOINTMENT                                   | E-1e. | Alderman Taylor moved to confirm Alderman Taylor's appointment of Daniel Muehlenbach to the Board of Review. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.   |

- CONSENT AGENDA: Alderman Sohns moved to approve the following consent agenda items:
- WAIVER OF FEES G-1a. Request for waiver of fees in the amount of \$350.00 for the Franklin Cultural Arts Center use of Lions Legend Park I and band shell for September 6, 2008;
- RES. 2008-6450 G-1b. Adopt Resolution No. 2008-6450, RESOLUTION APPROVING STREET LIGHTING THE INSTALLATION OF STREET LIGHTING AT THE ENTRANCE TO THE SHOPPES AT WYNDHAM VILLAGE ON THE W. DREXEL AVENUE ROUNDABOUT BY WE ENERGIES in the amount of \$13,900;
- CDBG G-1c. Schedule a public hearing and consider a grant application for the July 22, 2008 Common Council meeting for the 2009 Milwaukee County Community Development Block Grant (CDBG) Program. Approval of consent items seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2008-6425 G-2. Alderman Solomon moved to refer Resolution No. 2008-6425, A STREET VACATION- BRUSS LANE RESOLUTION TO VACATE A PORTION OF BRUSS LANE FROM WEST IMPERIAL DRIVE ON THE NORTH TO THE SOUTH BOUNDARY OF THE PLAT OF TUCKAWAY GREEN ADDITION NO. 2 SUBDIVISION to the City Engineering staff for review of the cul de sac. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2008-6412 G-3. Alderman Wilhelm moved to hold, pending receipt of report from STREET VACATION- W. SYCAMORE STREET the Plan Commission, Resolution No. 2008-6412, A RESOLUTION TO VACATE A PORTION OF WEST SYCAMORE STREET FROM A POINT 312.75 FEET EAST OF THE INTERSECTION OF SOUTH 35TH STREET AND WEST SYCAMORE STREET TO A POINT 1104.72 FEET EASTERLY ALONG THE CENTERLINE OF WEST SYCAMORE STREET. Seconded by Alderman Sohns. All voted Aye; motion carried.
- EASEMENT- G-4. Alderman Sohns moved to table, pending receipt of report from W. SYCAMORE STREET the Plan Commission, A RESOLUTION ACCEPTING UTILITY EASEMENT IN FORMER WEST SYCAMORE STREET RIGHT-OF-WAY. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2008-6451 G-5. Alderman Sohns moved to adopt Resolution No. 2008-6451, A W. DREXEL AVENUE RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR THE RECONSTRUCTION OF W. DREXEL AVENUE FROM S. 27TH STREET TO S. 31ST STREET (WITH METAL HALIDE STREET LIGHTS). Seconded by Alderman Skowronski. All voted Aye; motion carried.

It was further moved by Alderman Sohns that the City Engineer and Director of Public Works meet with the S. 27th Street Streetscape Committee to determine if there is a need to amend the lighting standards for the S. 27th Street Streetscape. Seconded by Alderman Solomon. All voted Aye; motion carried.

- CSM-  
S. 35TH STREET                    G-6.           Alderman Sohns moved to deny request for water main service from James and Michael Renn at 8560 S. 35th Street for approval of Certified Survey Map. Seconded by Alderman Solomon. All voted Aye; motion carried.
- ROOFS-  
LEGEND PARK                    G-7.           Alderman Solomon moved to direct staff to proceed with a minor public works project for the re-roofing of the Old Town Hall for the amount of \$16,648.00 to be funded by the Grants for the Historical Society listed under Projects Pending Approval, subject to the Historical Society providing additional funding in the amount of \$5,000. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2008-6452  
SPECIAL USE-  
EWALD REAL  
ESTATE CORP.-  
SOUTHWEST                    G-8.           Alderman Skowronski moved to adopt Resolution No. 2008-6452, A RESOLUTION TO AMEND RESOLUTION NO. 94-4142 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT 6319 S. 108TH STREET (EWALD REAL ESTATE CORPORATION-SOUTHWEST). Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2008-6453  
SPECIAL  
EXCEPTION-                    G-9.           Alderman Sohns moved to adopt Resolution No. 2008-6453, STANDARDS, FINDINGS AND DECISION OF THE CITY OF FRANKLIN COMMON COUNCIL UPON THE APPLICATION OF RYAN P. MCADAMS AND STEPHANIE J. MCADAMS FOR A SPECIAL EXCEPTION TO CERTAIN NATURAL RESOURCE PROVISIONS OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE (8150 S. RIVER LANE) as amended to include references to compliance for maintenance, timeline, and survival requirement. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- VACANT POSITIONS            G-10.           No action was taken on a hiring freeze for all existing positions (current and forthcoming) for the remainder of 2008 with any new hires being presented to the Common Council for consideration on a position-by-position basis.
- INVESTMENT  
MANAGER                    G-11.           Alderman Solomon moved to authorize the termination of M&I Investment Management Corp. as the investment manager and M&I Trust Company as custodian of the core investments of the City of Franklin. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

Alderman Solomon moved to appoint Institutional Capital Management as the investment manager of the core investments of City of Franklin under the current investment policy and in addition that the money market funds in excess of \$500,00 could not be held in the portfolio when interest rates are in excess of 3% without the concurrence of the Director of Finance & Treasurer; that investments purchased be purchased as close to par as practical but not outside the range of 98% to 102% and that

INVESTMENT  
MANAGER-  
CONTINUED

investments be made on a discretionary basis (that the Director of Finance & Treasurer or his designee approve propose purchases prior to the purchase being initiated). Seconded by Alderman Sohns. All voted Aye; motion carried.

Alderman Solomon moved to appoint Charles Schwab as investment custodian for the City of Franklin funds under the investment policy. Seconded by Alderman Skowronski. All voted Aye; motion carried.

Alderman Solomon moved to authorize the Mayor and City Clerk to sign any documents needed to accomplish these changes. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

Alderman Solomon moved to refer to staff working with the new investment manager to bring back to the Common Council through the Finance Committee a revised investment policy covering core, reserve and liquidity investments. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

TAX INCREMENTAL  
DISTRICT #3

G-12.

Alderman Solomon moved to approve a 2008 General Obligation debt issuance of \$10,000,000 for Tax Incremental District #3 purposes with the Director of Finance & Treasurer working with the City's Financial Advisor to develop a financing schedule, official statement and establish the date of sale such that the closing of the sale would be on or before September 1, 2008. Seconded by Alderman Sohns. On roll call, all voted Aye; motion carried.

FIREFIGHTERS  
ASSOCIATION

G-13.

Alderman Sohns moved to approve request for authorization to sign a Letter of Understanding with the Franklin Professional Firefighter Association Local 2760 I.A.F.F. Seconded by Alderman Taylor. All voted Aye; motion carried.

AGREEMENT-  
UNIFIRST CORP.

G-14.

Alderman Skowronski moved to authorize the Director of Administration to execute the Customer Service Agreement between the City of Franklin and Unifirst Corporation that establishes the rate per piece of custodial maintenance materials and supplies and also authorize the Director of Administration to sign and adjust quantities and items within the scope of the Municipal Buildings budget as approved by the Common Council. Seconded by Alderman Sohns. All voted Aye; motion carried.

CHAPTER 3-  
PLANNING DEPT.  
ORGANIZATIONAL  
STUDY

G-15A.

No action was taken on a review of Chapter 3, Planning Department Organizational Study, of the Ruckert Mielke report dated August, 2005.

- FEE WAIVERS                      G-15B.     Alderman Solomon moved to direct that a subcommittee be formed with Alderman Olson, Alderman Taylor, and a citizen member to work with City Attorney and City Clerk to review and recommend a policy, if any, relating to requests for fee waivers. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2008-6454                      G-16.     Alderman Solomon moved to adopt Resolution No. 2008-6454, A VEOLIA EMERALD PARK LANDFILL                      RESOLUTION AUTHORIZING AGREEMENT TO WAIVE RENEGOTIATION OF EXISTING AGREEMENTS AFFECTING THE VEOLIA EMERALD PARK LANDFILL AND THE VEOLIA EMERALD PARK LANDFILL WESTERN HORIZONTAL EXPANSION. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- LICENSES AND                      H-1.     Alderman Solomon moved to grant the following licenses subject PERMITS                      to meeting all licensing requirements:
- Class B Combination License 2007-08 premise change to Gus' Mexican Cantina, Gus Hosseini, to include indoor premises and outdoor patio area at 6514 S. Lovers Lane Road;
- Temporary Class B Wine License to Franklin Lioness Club, Barbara Kenney, St. Martins Labor Day Festival on August 31 & September 1, 2008;
- Fee waiver to Franklin Lioness Club for Temporary Class B Wine, Peddler Permit & Soda Licenses at St. Martins Labor Day Festival on August 31 & September 1, 2008; Girl Scout Troop #3210-St. Martin of Tours Parish for Peddler Permit & Soda License at St. Martins Labor Day Festival on August 31 & September 1, 2008 and Fourth of July Celebration for Temporary Operator License for Daniel W. Feld, 9229 W. Loomis Road from July 3-5, 2008
- 2007-08 Operator License to Dominique D. Tehan, 973 60th Street, Caledonia;
- 2008-09 Operator License to Lauren E. Sierocuk, 3825 W. Forest Home Avenue, Milwaukee subject to satisfactory schooling; John D. Braovac, 1335 S. 124th Street, Brookfield; Wendy S. Barolone, 7271 S. Delaine Drive, Oak Creek subject to satisfactory schooling; Michael J. Bartolone, 8041 W. Tripoli Avenue, Milwaukee; Elaine M. Diehl, 26532 Lilac Lane #7, Wind Lake subject to proof of payment; Frank J. Dobron, 7220 W. Wind Lake Road, Wind Lake; Cheryl A. Endter, W165 S7413 Bellview Drive; Jamal M. Farhoud, 3012 S. 17th Place, South Milwaukee; Frank D. Holm, Jr., 6529 S. Parkwood Drive; Gene F. Leung, 2975 E. Diane Drive, Oak Creek subject to proof of payment; Sue M. Leung, 2975 E. Diane Drive, Oak Creek subject to proof of payment; Sasha S. Loomis, 3135 S. 47th Street #3, Milwaukee subject to proof of payment; Tracy L. Mischuk, 10205 W. Plumtree Circle #206, Hales Corners; Joel A. Reindl,

LICENSES-  
CONTINUED

5409 S. Nicholson Avenue, Cudahy; Sue E. Reynolds, 5443 Mulberry Drive, Greendale; Mindy Jean Riegler, 6426 W. Burdich, Milwaukee; Terese A. Riesner, 10630 S. Peggy Drive, Oak Creek; Jessica L. Rozek, 10230 W. Beacon Hill Drive subject to proof of payment; Nicole M. Shindel, 1918 W. Salem Street, Milwaukee; Harjeet Singh, 2536 W. Warnimont Avenue #206, Milwaukee; Michelle L. Spielbauer, 311 Southtowne Drive, South Milwaukee; Irene Sramek, 1651C W. Edgerton Avenue, Milwaukee; Sally A. Wainio, 306 Montana Avenue, South Milwaukee and Larry Wirtanen, 11430 W. Swiss Street;

Temporary 2008-09 Operator License to Daniel W. Feld, 3821 Sixth Avenue, South Milwaukee;

Coin Machine Device Operator License to Mitchell Novelty Co., Ralph H. Fleege, 3336 W. Coldspring Road, Greenfield and National Coin, Janis K. Thein, 3701 Third Street, South Milwaukee;

Class A Beer License subject to satisfactory inspection to M Squared, Inc., 11357 W. St. Martins Road, Leonard Vanden Boom and Roettgers Co. Inc., 7103 S. 27th Street;

Class A Combination License to Franklin Exxon Mobil Service Corporation, 6611 S. 27th Street and Open Pantry Food Mart of WI, Inc., 7610 W. Rawson Avenue;

Class A Combination License subject to satisfactory inspections to Grundl Foods, Inc., 7140 S. 76th Street; Hodach Petroleum, Inc., 9830 W. St. Martins Road; Midtown Citgo, LLC, 11123 W. Forest Home Avenue; Sam's East, Inc., 6705 S. 27th Street; Priya Corp., 5040 W. Rawson Avenue; Salman, Inc., 8305 S. 27th Street; Sendik's Franklin, LLC, 5200 W. Rawson Avenue and Woodcrest Market, 11610 W. Rawson Avenue;

Class A Combination License subject to proof of payment to Spirit Dreams, LLC, 6507A S. 27th Street and Three Cellars, LLC, 6955 S. 27th Street;

Class A Combination & Day Care License to Ultra Mart Foods, LLC, 7201 S. 76th Street;

Class B Beer License to Chai Garden, 6509 S. 27th Street;

Class B Beer Entertainment & Amusement to Federation of Croatian Societies, Inc., 9110 S. 76th Street, Josef Becker Sr., Agent subject to satisfactory inspections and proof of payment;

Class B Combination Entertainment & Amusement License subject to satisfactory inspections and proof of payment to The Bowery, LLC, 3023 W. Ryan Road; Crystal Ridge, Inc., 7900 W. Crystal Ridge Drive, John Kaishian, Agent; Domnick's Bar &

LICENSES-  
CONTINUED

Grill, LLC, 11027 S. 27th Street, Lauren K. Domnick, Agent; Gus' Mexican Cantina, LLC, 6514 S. Lovers Lane Road, Gus Hosseini, Agent and Hugo's Steakhouse, LLC, 6951 S. Lovers Lane Road, William J. Hilger, Jr., Agent;

Class B Combination Entertainment & Amusement License to H, B & H, LLC, 10741 S. 27th Street, Daniel E. Hay, Agent subject to satisfactory inspections; Hanley's Grille & Bar, LLC, 7101 S. 76th Street, Terrance M. Hanley, Agent subject to satisfactory inspections and proof of payment; The Landmark of Franklin, LLC, 11401 W. Swiss Street, Laurie Beth Knaack-Helm, Agent subject to satisfactory inspections, water test and proof of payment; Polish Heritage Alliance, Inc., 6941 S. 68th Street, Cynthia R. Lemek, Agent subject to satisfactory inspections and proof of payment; Polonia Sport Club, Inc., 10200 W. Loomis Road, Mark Zaboklicki, Agent subject to satisfactory inspections, water test and proof of payment; Rawson Pub, 5621 W. Rawson Avenue, Steven D. Schweitzer, Agent subject to satisfactory inspections and proof of payment; Seventy-Six Street Pub & Grill, Inc., 9643 S. 76th Street, Debra J. Schaefer, Agent subject to satisfactory inspections, water test and proof of payment; Taqueria Jalisco, Inc., 9405 S. 27th Street, Ruben Herrera, Agent subject to satisfactory inspections, water test and proof of payment and Wild Breed, Inc., 11430 W. Swiss Street, Cynthia Girmscheid, Agent subject to satisfactory inspections, water test and proof of payment;

Class B Combination License and Amusement Tag to Romey's Place, 7508 S. North Cape Road, N. John Fabry, Owner subject to satisfactory inspections and proof of payment;

Class B Combination License to ERJ Dining III, LLC, 6439 S. 27th Street, Paul S. Thompson, Agent subject to satisfactory inspections and GIDI, Inc., 3137 W. Rawson Avenue, Rex Idrizi, Agent subject to satisfactory inspections and proof of payment; La Toscana Restaurant, LLC, 8405 S. 27th Street, Mirela Sopigoti Zarka, Agent subject to satisfactory inspections and water test; M & W Leung, LLC, 7236 S. 76th Street, May F. Tze, Agent subject to proof of payment; Pantheon, Inc., 7621 W. Rawson Avenue, Debbie Koutromanous, Agent subject to satisfactory inspections and proof of payment; Philadelphia Pizza & Grill, LLC, 8933 S. 27th Street, John Boukidis, Agent subject to satisfactory inspections; Robley Tech, Inc., 8330 W. Puetz Road, Dennis Rau, Agent subject to satisfactory inspections, water test and proof of payment and St. Martins Inn, LLC, 11318 W. St. Martins Road, Dennis J. Wegner, Agent subject to satisfactory inspections and proof of payment;

Class B Combination Entertainment & Amusement & Bowling Alley License to Country Lanes, 11231 W. Forest Home Avenue, Robert P. Sczerzen, Owner subject to proof of payment;

LICENSES-  
CONTINUED

Class B Combination License to Diamondback Management, Inc., 6421 S. 27th Street, Donald Boinski, Agent;

Class B Combination Entertainment & Amusement & Country Club, Inc., 6901 W. Drexel Avenue, Jennifer Sobczak, Agent subject to satisfactory inspections and proof of payment;

Entertainment & Amusement to Innovative Health & Fitness, Ltd., Manager-Tim Beyer, 8800 S. 102nd Street subject to satisfactory inspections; The Party Spot, Manager: Maria Tarantino, 7129 S. 76th Street subject to satisfactory inspections and proof of payment and Showtime Cinema, Manager; Nancy Berchem, 8910 S. 102nd Street subject to satisfactory inspections and proof of payment;

Mobile Home Park to Badger Mobile Home Court, D & K Management VIII, Manager: Wendy Winograd, 6405 S. 27th Street and Franklin Mobile Estates, Manager: David Steinberger, 6361 S. 27th Street pending Engineering Department to check water supply;

Auto Salvage to Durham Auto Salvage, Manager: Gilbert Couillard Jr., 10568 S. 124th Street. Seconded by Alderman Sohns. All voted Aye; motion carried.

and also moved to hold Class A Combination License for Priya Corporation, 5120 W. Ryan Road, Kavita Khullar, Agent pending payment of delinquent beer/liquor invoices;

and also moved to hold Class B Combination Entertainment & Amusement for Buckhorn Inn, 9461 S. 27th Street, Christopher Matecki, Owner subject to satisfactory inspections and CG's Hideout, LLC, 6357 S. 27th Street, Corey L. White, Agent subject to appearing before the License Committee and Little Cancun Restaurant, 7273 S. 27th Street, Veronica Cerera, Owner subject to appearing before the License Committee; Maximum Martini, LLC, 7352 W. Rawson Avenue, Thomas J. Gallante, Agent subject to appearing before the License Committee and TJAL Holdings, Inc., 11433 W. Ryan Road, Roseanne Losiniecki, Agent subject to appearing before the License Committee;

and also moved to hold Class B Combination License for Chuckie's House of Wine, LLC, 7133 S. 76th Street, Mark G. Nord, Agent pending payment of delinquent beer/liquor invoices and Di Vinca's, Inc., 7119B S. 76th Street, Barbara A. Hammed, Agent subject to appearing before the License Committee;

and also moved to hold Class B Combination, Entertainment & Amusement & Bowling Alley for St. Nikola Religious & Cultural Enterprises, Inc., 7220 W. Rawson Avenue, Slavko Jevtic, Agent subject to appearing before the License Committee;

LICENSES-  
CONTINUED

Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:

2008-09 Operator License to Colleen Cavanaugh, 9135 W. Elm Court #D with warning letter from City Clerk; Robert S. Lane, 8212 S. 88th Street; Katie J. Sluga, 2480 W. Briar Lake Way 3B, Oak Creek and Joseph R. Vanderhoef, 306 E. Plainfield Avenue, Milwaukee;

Temporary Entertainment & Amusement to Victory of the Lamb Church, Ben Kuerth on July 18, 2008 for Legend Park I;

Extraordinary Entertainment & Amusement to Wild Breed Saloon, Cynthia Girmscheid, Poker run to benefit the Sand Hill Booster Club on June 7, 2008 pending satisfactory inspections and the hours of the band shall be 6-9 p.m;

and also moved to hold 2008-09 Operator License for Mark A. Fleischmann, 5253 N. Lovers Lane Road #211, Milwaukee and Fidel Morales, 1819 S. Seventh Street, Milwaukee subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

I-1. Alderman Skowronski moved to approve net City vouchers in the range of Nos. 125313 through 125574 in the amount of \$855,105.56. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

Alderman Taylor moved to approve the net City payroll of May 23, 2008 in the amount of \$323,128.48. Seconded by Alderman Wilhelm. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Skowronski moved to adjourn the meeting at 8:21 p.m. Seconded by Alderman Wilhelm. All voted Aye; motion carried.