

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
MARCH 20, 2007  
MINUTES**

- ROLL CALL                   A.       The regular meeting of the Common Council held on March 20, 2007 and was 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, Hammelman, Kosovich, and Sohns. Excused was Alderman Skowronski. Also present were City Engineer Bennett, Dir. of Finance and Treasurer Patterson, Senior Planner Booth, Dir. of Administration Lubberda, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT           B-1.     Citizen comment period was opened at 6:31 p.m. and closed at 6:41 p.m.
- ANNOUNCEMENTS        B-2a.    Mayor Taylor announced the cancellation of the Franklin Outlaws Charity Poker Challenge which was to be held on March 24, 2007.
- B-2b.    Mayor Taylor announced receipt of a Wisconsin Department of Transportation equipment grant to the Police Department in the amount of \$4,000 for participation in a "Booze and Belts" program in 2006.
- B-2c.    Wisconsin Government Finance Officers Association State Representative Cary Tessmann presented a Governmental Finance Officers Association financial reporting award to the City of Franklin for 2005.
- MINUTES-3/06/07        C-1.     Alderman Hammelman moved to approve minutes of the regular meeting of March 6, 2007. Seconded by Alderman Sohns. All voted Aye; motion carried.
- CONSENT AGENDA-CHANGE ORDER #1 - W. RYAN RD WATER MAIN        F-1.     Alderman Sohns moved to approve the following items on the consent agenda:  
                          F-1a.     Authorize staff to sign Change Order No. 1 in the amount of a contract reduction of \$10,925.25 for the water main extension on W. Ryan Road between S. 31st Street and S. 33rd Street, Project No. 2005-WU104 under the contract with Reesman's Excavating & Grading, Inc.;
- ORD. 2007-1910 NO PARKING-ROBINWOOD LN.; MOTORCYCLE LEASE EXPIRATION    F-1b.     Adopt Ordinance No. 2007-1910, AN ORDINANCE AMENDING ORDINANCE NO. 2004-1809 ESTABLISHING NO PARKING ON WEST ROBINWOOD LANE;
- F-1c.     No action on a letter from Uke's Harley-Davidson Motor Sports regarding the expiration of the Franklin Police Department motorcycle leases on July 1, 2008.  
Approval of the above consent agenda items was seconded by Alderman Olson. All voted Aye; motion carried.
- COYOTE CONTROL        F-2.     Alderman Sohns, seconded by Alderman Olson, moved to allow residents to speak regarding coyote control. All voted Aye; motion carried.

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COYOTE  
CONTROL-  
CONTINUED

Alderman Sohns then moved that if it is determined by Police Chief Oliva and Health Officer Wucherer following a neighborhood meeting and following consultation with Marvin Wolff regarding coyote control, Police Chief Oliva and Health Officer Wucherer would be authorized to engage trapper services and spend up to \$1,500. Seconded by Alderman Solomon. All voted Aye; motion carried.

OPPOSITION TO  
ASSEMBLY  
BILL 57

F-3. Alderman Hammelman moved to authorize the Common Council to oppose Assembly Bill 57, relating to police officer and fire fighter disciplinary appeals, as recommended by the Personnel Committee. Seconded by Alderman Solomon. All voted Aye; motion carried.

FIRE  
DEPARTMENT-  
EMERGENCY  
MEDICAL SERV.

F-4. Alderman Olson moved that the proposal recommended by the Fire Chief dated March 12, 2007 that fills the vacant Deputy Chief of Emergency Medical Services position and revises staffing level and structure, be referred to the Personnel Committee and the Finance Committee, and further that if it is not approved by both Committees it would return to the April 17, 2007 Common Council meeting. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2007-6246  
LABOR  
AGREEMENT –  
FRANKLIN  
FIREFIGHTERS

F-5. Alderman Sohns moved to adopt Resolution No. 2007-6246, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO REVISE A LABOR AGREEMENT WITH THE FRANKLIN PROFESSIONAL FIREFIGHTERS ASSOCIATION LOCAL 2760 I.A.F.F. Seconded by Alderman Hammelman. All voted Aye; motion carried.

ASSESSMENT  
CLAIM - HOFFER

F-6. Alderman Olson moved to deny the excessive assessment claim of Lawrence L. Hoffer dated December 29, 2006 from \$368,200 to \$336,410 as the assessment is not excessive based upon the reasons set forth in the memo from the City Assessor dated March 13, 2007. Seconded by Alderman Sohns. All voted Aye; motion carried.

ASSESSMENT  
CLAIM –  
BIEGANSKI

F-7. Alderman Hammelman moved to deny the excessive assessment claim of John and Theresa Bieganski dated December 29, 2006 from \$388,300 to \$325,000 as the assessment is not excessive based upon the reasons set forth in the memo from the City Assessor dated March 6, 2007. Seconded by Alderman Olson. All voted Aye; motion carried.

RES. 2007-6247  
CSM-  
YMCA

F-8. Alderman Hammelman moved to adopt Resolution No. 2007-6247, A RESOLUTION CONDITIONALLY APPROVING A 2-LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF METROPOLITAN MILWAUKEE, APPLICANT) (APPROXIMATELY 7333 SOUTH 27TH STREET). Seconded by Alderman Solomon. All voted Aye; motion carried.

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- RES. 2007-6248      F-9.      Alderman Kosovich moved to adopt Resolution No. 2007-6248, A RESOLUTION CONDITIONALLY APPROVING A COMBINATION OF LAND OF A PART OF THE SOUTHWEST ¼ OF SECTION 35, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BARRY AND JEANNE MEYER, APPLICANT) (APPROXIMATELY 5604 WEST SOUTH COUNTY LINE ROAD). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2007-6249      F-10.      Alderman Kosovich moved to adopt Resolution No. 2007-6249, A RESOLUTION CONDITIONALLY APPROVING A 2-LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST ¼ OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (JEFFREY L. SCHERBERT, APPLICANT) (APPROXIMATELY 3129 WEST CENTRAL AVENUE). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2007-6250      F-11.      Alderman Hammelman moved to adopt Resolution No. 2007-6250, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 2930 WEST RAWSON AVENUE (EMBREE ASSET GROUP LLC) TO ALLOW FOR A RETAIL TIRE SALES AND AUTO SERVICE FACILITY. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2007-6251      F-12.      Alderman Kosovich moved to adopt Resolution No. 2007-6251, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 9610 SOUTH 60TH STREET (BRANKO'S LIMOUSINE SERVICE LLC) TO ALLOW FOR A LIMOUSINE SERVICE BUSINESS IN AN M-1 LIMITED INDUSTRIAL ZONING DISTRICT. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2007-6252      F-13.      Alderman Sohns moved to adopt Resolution No. 2007-6252, A RESOLUTION TO AMEND RESOLUTION NO. 2005-5969 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY WEST JEFFERSON TERRACE AND SOUTH SHADWELL CIRCLE (FRANKLIN VENTURES LLC). Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2007-6253      F-14.      Alderman Sohns moved to adopt Resolution No. 2007-6253, A RESOLUTION CONDITIONALLY APPROVING THE THIRD ADDENDUM TO THE VILLAS AT MONTICELLO CONDOMINIUM PLAT, BEING A DIVISION OF A PART OF THE NORTHEAST ¼ OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (FRANKLIN VENTURES LLC),

- VILLAS-  
CONTINUED
- APPLICANT) (APPROXIMATELY WEST JEFFERSON TERRACE AND SOUTH SHADWELL CIRCLE). Seconded by Alderman Olson. All voted Aye; motion carried.
- CIVIC CENTER DISTRICT
- F-15. Alderman Sohns moved to direct the City Development Director to obtain the services of Ehlers & Associates, Inc. to review and report upon the infrastructure needs and financing alternatives related thereto for the potential development of the City Civic Center District, including obtaining such legal advice and assistance as it deems necessary from the law firm of Quarles & Brady, and to prepare all documents and instruments in furtherance thereof upon and as itemized in its report and return to the Council, for an amount not to exceed \$15,000.00 (funding to be taken from contingency account), without further authorization from the Common Council. Seconded by Alderman Olson. On roll call, Aldermen Olson, Hammelman, Kosovich. and Sohns voted Aye; Alderman Solomon voted No. Motion carried.
- COMMUNITY CENTER
- F-16. Alderman Olson moved to table location, uses and funding for a Franklin Community Center to Common Council meeting of 4/02/07. Seconded by Alderman Sohns. All voted Aye; motion carried.
- SEWER REQUEST-  
W. RYAN ROAD
- F-17. Alderman Hammelman moved to deny the request for sanitary sewer lateral on W. Ryan Road and S. 96th Street by Donald and Kari Brickler as it could establish a policy for extensions in lieu of building sanitary sewers; that a long lateral could be a maintenance problem for the existing and future property owners; and the area is not within the Milwaukee Metropolitan Sewerage District and would require an amendment. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2007-6254  
AGREEMENT-  
BERKSHIRE  
ADDITION NO. 2
- F-18. Alderman Hammelman moved to adopt Resolution No. 2007-6254, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF BERKSHIRE ADDITION NO. 2 SUBDIVISION, east of S. 51st Street and south of W. Berkshire Drive. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- MEDIAN  
MAINTENANCE  
AGREEMENT  
S. 51ST ST. AND W.  
RAWSON AVE.
- F-19. Alderman Solomon moved to conditionally approve in principal the Median Maintenance Agreement for Stormwater Management Facility Maintenance in the vicinity of S. 51st Street and W. Rawson Avenue subject to the developer committing to the proposed development through a development agreement and letter of credit, and that the approved resolution for this agreement shall be submitted for Council action at the time the resolution for the development agreement is presented to the Council. Seconded by Alderman Kosovich. All voted Aye; motion carried.

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- W. PUETZ ROAD RECONSTRUCTION F-20. Alderman Sohns to table to a special Common Council meeting to be scheduled the request to submit a Surface Transportation Program Urban Grant Application to the Wisconsin Department of Transportation for the reconstruction of W. Puetz Road from S. 76th Street to W. St. Martins Road. Seconded by Alderman Solomon. On roll call, Aldermen Sohns, Kosovich, Hammelman, and Solomon voted Aye; Alderman Olson voted No. Motion carried.
- RES. 2007-6255 W. OAKWOOD ROAD F-21. Alderman Kosovich moved to adopt Resolution No. 2007-6255, A RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR THE RECONSTRUCTION OF W. OAKWOOD ROAD FROM S. 27TH STREET TO A POINT APPROXIMATELY 1/2 MILE WEST OF S. 27TH STREET INCLUDING THE EXTENSION OF SANITARY SEWER AND WATER MAIN – PROJECT 2005-R102, 2005-S102 AND 2005-WU-105 to Musson Brothers, Inc. in the amount of \$2,700,185.00 subject to Mayor signing contracts until they are received from Milwaukee County. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2007-6256 AGREEMENT-OAK CREEK WATER MAIN F-22. Alderman Olson moved to adopt Resolution No. 2007-6256, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR THE INSTALLATION OF THE OAK CREEK WATER MAIN UNDER A FRANKLIN ROAD CONSTRUCTION CONTRACT. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- S. 51ST STREET RECONSTRUCTION F-23. No action was taken regarding cost estimate for the reconstruction of all of S. 51st Street and the portion of W. Drexel Avenue between S. Lovers Lane Road and W. Loomis Road.
- MAYOR'S VETO F-24. Alderman Olson moved to override the Mayor's veto of Common Council action taken at their meeting of 3/06/07 for Program Agreement with Milwaukee County for the construction of S. 76th Street from W. Terrace Drive to a point south of W. Puetz Road, moving towards agreement on the Desired Ultimate Design as termed by Milwaukee County. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.
- SUMMER MEETING SCHEDULE F-25. Alderman Olson moved to establish a summer meeting schedule of May 7-Committee of the Whole; May 8-Common Council; May 22-Common Council; June 4-Committee of the Whole; June 5-Common Council; June 19-Common Council; July 16-Committee of the Whole; July 17-Common Council; August 6-Committee of the Whole; August 7-Common Council; August 21-Common Council; August 10-Committee of the Whole; September 11-Common Council and September 25-Common Council. Seconded by Alderman Hammelman. All voted Aye; motion carried.

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CLOSED SESSION- F-26. Alderman Sohns moved to enter closed session at 9:50 p.m. pursuant to Wis. Stats. §19.85(1)(e), to deliberate upon and develop strategies with regard to the bargaining of the proposed establishment/expansion of solid waste facilities pertaining to the Metro Recycling and Disposal Facility and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Hammelman. On roll call, all voted Aye; motion carried.

The Common Council reentered open session at 10:32 p.m.

APPOINTMENTS G-1. Alderman Solomon moved to confirm the Mayoral appointment of John English, term expires 4/30/07, to the Board of Zoning and Building Appeals as an alternate member. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.

LICENSES H-2. Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:

Operator License for John B. Lehman, 11871 Woodland Circle, Hales Corners; Alvin A. Berezinski, 708 Columbia Avenue, South Milwaukee; Jonathan F. Burnham, 2505 N. Frederick Avenue #102, Milwaukee; Karangit Singh Dhillon, 10145 W. Coldspring Road #E210, Greenfield; Charles F. Hartung, 5423 S. Merrill Avenue, Cudahy; Aimee L. Simonis, 5440 Olympia Drive, Greendale; Connie M. Terrill, 331 N. 70th Street, Wauwatosa;

and also moved to hold Operator License for Michelle L. Michalski, 2820A W. Hayes, Milwaukee subject to appearing before the License Committee and Elizabeth J. Riesland, 919 S. Beaumont Avenue, Kansasville subject to appearing before the License Committee. Seconded by Alderman Solomon. All voted Aye; motion carried.

BILLS I-1. Alderman Solomon moved to approve net City vouchers in the range of Nos. 119902 through 120065 in the amount of \$3,135,747.46. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

PAYROLL Alderman Kosovich moved to approve net payroll of March 16, 2007 in the amount of \$317,654.84. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.

ADJOURNMENT J. Alderman Hammelman moved to adjourn the meeting at 10:40 p.m. Seconded by Alderman Kosovich. All voted Aye; motion carried.