

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 6, 2007
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council held on March 6, 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, Sohns and Skowronski. Also present were City Engineer Bennett, Fire Chief Martins, Dir. of Finance and Treasurer Patterson, Dir. 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 6:35 p.m. |
| ANNOUNCEMENTS | B-2a. | Mayor Taylor presented a proclamation to the Rolling Dice Snowmobile Club in recognition of their 30th Anniversary. |
| | B-2b. | Mayor Taylor presented Ryan Jacob Thinnes an Eagle Scout proclamation. |
| | B-2c. | Mayor Taylor presented Assistant Chief Lloyd Bertram Certificate for completion of Executive Fire Officer Program. |
| MINUTES-
2/20/07 | C-1. | Alderman Kosovich moved to approve minutes of the regular meeting of February 20, 2007 with an amendment by the City Attorney to Item F-15. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2007-6239
WATER MAIN
LATERALS- W.
OAKWOOD RD. | F-1. | Alderman Kosovich moved to adopt Resolution No. 2007-6239, A FINAL RESOLUTION DIRECTING INSTALLATION OF, PAYMENT AND LEVY OF SPECIAL ASSESSMENT FOR INSTALLING WATER MAIN AND LATERALS IN W. OAKWOOD ROAD FROM S. 27TH STREET TO 424 FEET WEST OF S. 34TH STREET with agreements dated 2/28/06 from Thomas S. & Helen M. Gadowski and 2/28/06 from Alan E. & Jill E. Pintar entered into the record. Seconded by Alderman Sohns. All voted Aye; motion carried. (See Item F-14.a.) |
| SANITARY SEWER-
W. OAKWOOD RD. | F-2. | Alderman Kosovich moved to accept revised assessment report dated February 16, 2007, which reflect the rebid of the sanitary sewer, maintain the same front foot assessment rate, but eliminate the lateral costs. Seconded by Alderman Olson. All voted Aye; motion carried. |
| RES. 2007-6240
SCHMITZ READY MIX
LOAN AGREEMENT | F-3. | Alderman Olson moved to adopt Resolution No. 2007-6240, A RESOLUTION APPROVING AMENDMENT OF LOAN AGREEMENT TO CHANGE BORROWER. Seconded by Alderman Sohns. All voted Aye; motion carried. |

- RES. 2007-6241 F-4. Alderman Solomon moved to adopt Resolution No. 2007-6241, BUDGET RESOLUTION APPROVING CARRYOVER OF BUDGET ENCUMBRANCES FROM THE 2006 BUDGET TO THE 2007 BUDGET. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- SEWER SERVICE F-5. Alderman Solomon moved to revise the current sewer service user FUND charge policy as presented and dated February 2007 (Finance Department Policy #151-04-001). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2007-6242 F-6. Alderman Hammelman moved to adopt Resolution No. 2007-6242, RIGHT-OF-WAY- A RESOLUTION ACCEPTING A DEDICATION OF LAND HILLENDALE DRIVE FOR S. HILLENDALE DRIVE RIGHT-OF-WAY. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2007-6243 F-7. Alderman Sohns moved to adopt Resolution No. 2007-6243, A BITUMINOUS AND RESOLUTION AWARDED 2007 BITUMINOUS AND AGGREGATE MATERIAL CONTRACTS. Seconded by MATERIALS BIDS Alderman Skowronski. All voted Aye; motion carried.
- RES. 2007-6244 F-8. Alderman Hammelman moved to adopt Resolution No. 2007-6244, TREE MITIGATION- A RESOLUTION AWARDED BID TO THE LOWEST BIDDER TIFTON WOODS FOR THE TREE MITIGATION IN TIFTON WOODS, PROJECT NO. 2006-L101 to J. Kasian & Sons, Inc. in the amount of \$33,322.00. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- STEWARDSHIP F-9. Alderman Solomon moved to accept a \$170,000 grant from the LOCAL ASSISTANCE Department of Natural Resources Stewardship Local Assistance PROGRAM Program. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- ASSESSMENT F-10. Alderman Solomon moved to approve the excessive assessment CLAIM- claim of Deborah Krukowski dated January 31, 2007 from KRUKOWSKI \$469,000 to \$406,100, pursuant to §74.33 Stats. Seconded by Alderman Olson. All voted Aye; motion carried.
- ASSESSMENT F-11. Alderman Sohns moved to deny the excessive assessment claim of CLAIM- Tim Starr dated January 31, 2007 for TKN 791-0312 from \$83,100 STARR to \$41,600; TKN 791-0313 from \$88,200 to \$44,100 and TKN 791-0315 from \$96,100 to \$48,100, pursuant to §74.33 Stats. Seconded by Alderman Olson. All voted Aye; motion carried.
- FIRE PREVENTION, F-12. Alderman Olson moved to table, in anticipation of a coordinated PROTECTION AND Fire and Building Code recommendation, an ordinance to amend CONTROL CODE the Fire Prevention, Protection and Control Code of the Municipal Code as it pertains to additional National Fire Prevention Association Publication Reference updates. Seconded by Alderman Skowronski. All voted Aye; motion carried.

- RES. 2007-6245
INDEPENDENT
INSPECTIONS, LTD. F-13. Alderman Solomon moved to approve Resolution No. 2007-6245, A RESOLUTION APPROVING AN ADDENDUM FOR A 1-YEAR CONTRACT EXTENSION WITH INDEPENDENT INSPECTIONS, LTD. TO PROVIDE INSPECTION SERVICES TO THE CITY OF FRANKLIN. Seconded by Alderman Sohns. All voted Aye; motion carried.
- W. OAKWOOD
ROAD F-14a. The special assessment public hearing for installing water main and laterals in W. Oakwood Road from S. 27th Street to 424 feet west of S. 34th Street was held on 3/05/07. (See Item F.1.)
- CIVIC CENTER F-14b. No action was taken on the discussion held at the 3/05/07 Committee of the Whole meeting regarding location and uses of Franklin Cultural Arts/Civic Center (referred from 2/20/07 Common Council meeting). This item will be listed on the 3/21/07 joint Franklin Board of Education/Common Council meeting, reviewed by staff, and referred back to the Common Council meeting.
- S. 76TH STREET F-14c. Alderman Olson moved to approve construction of S. 76th Street from W. Terrace Drive to a point south of W. Puetz Road, and further that staff work with Milwaukee County to engage working with the public on design, with the project to include lights at intersections, sidewalks and including traffic signals at W. Forest Hill Avenue. Seconded by Alderman Sohns.

Alderman Olson moved to rescind his motion. Seconded by Alderman Sohns. All voted Aye; motion carried.

Alderman Olson moved to direct staff and officials, including Alderman Olson as recommended by Mayor Taylor, to pursue preparation of a 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, and return the agreement to the Common Council. Seconded by Alderman Sohns. On roll call, Alderman Olson, Solomon, Hammelman, Kosovich and Sohns voted Aye; Alderman Skowronski voted No. Motion carried.

It was further moved by Alderman Sohns that with the assistance of staff, we collect the estimates for the road improvement projects we can reasonably speculate will occur (specifically on S. 51st Street, Fountains of Franklin and on W. Drexel Avenue between W. Loomis Road and Hwy. 100), and work with the Finance Committee to assess the cash flow of these projects and how we would finance them. Seconded by Alderman Solomon. All voted Aye; motion carried.

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- FIRE DEPT.
GRANT
- F-14d. Alderman Olson moved to accept the Fire Department grant in the amount of \$176,540 for a diesel exhaust recovery system from U.S. Department of Homeland Security. Seconded by Alderman Sohns. All voted Aye; motion carried.
- EMERALD ASH
BORER
- F-14e. Alderman Sohns moved to direct the Environmental Committee to study issue of Emerald Ash Borer and begin to formulate a plan to educate the public on the potential impact and also to review the City's options. Seconded by Alderman Olson. All voted Aye; motion carried.
- LICENSES
- H-1. Alderman Hammelman moved to grant the following licenses subject to meeting all licensing requirements:
- Operator License to Lindsay M. DeGroot, 8109 S. Forest Meadows Drive, with warning letter from City Clerk; Wendy S. Balistreri, 7271 S. Delaine Drive, Oak Creek; Donald W. Jepson, 6464 Whitnall Edge Road #204; Erin M. Johnson, 2100 Grand Prix Drive, Racine and Violetta J. Piotrowski, 5265 W. Allerton Avenue, Greenfield;
- and also moved to hold Operator License for Elizabeth J. Riesland, 919 S. Beaumont Avenue, Kansasville subject to appearing before the License Committee. Seconded by Alderman Sohns. All voted Aye; motion carried.
- BILLS
- I-1. Alderman Kosovich moved to approve net City vouchers in the range of Nos. 119680 through 119901 in the amount of \$748,791.68. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.
- Alderman Olson moved to approve net payroll of March 2, 2007 in the amount of \$341,203.39. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.
- ADJOURNMENT
- J. Alderman Kosovich moved to adjourn the meeting at 8:57 p.m. Seconded by Alderman Sohns. All voted Aye; motion carried.