

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 7, 2006
MINUTES**

- | | | |
|---|--------|---|
| ROLL CALL | A. | The regular meeting of the Common Council was held on March 7, 2006 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 Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski. Also present were City Engineer Bennett, City Attorney Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT | B-1. | Citizen comment period was opened at 6:31 p.m. and closed at 6:31 p.m. |
| PROCLAMATION | B-2.a. | Mayor Taylor and Alderman Solomon presented a proclamation to Eric Bugenhagen, State Championship Wrestling Title. |
| PROCLAMATION | B-2b. | Mayor Taylor read a commendation for the Franklin High School Girls Basketball Team. |
| DEPT. ON AGING | B-2c. | Council President Sohns read a letter from Director Stephanie Sue Stein from the Department on Aging regarding Franklin Meal Site. |
| GRANT | B-2d. | Mayor Taylor presented a letter from the Wisconsin Department of Health and Family Services regarding \$1,400 grant for completion of Wisconsin EMS Emergency Preparedness Plan Training Module. |
| W. RYAN ROAD | B-2e. | Mayor Taylor presented a letter from City Engineer dated February 28, 2006, regarding reconstruction of W. Ryan Road. |
| MINUTES- 2/21/06 | C-1. | Alderman Solomon moved to approve minutes of the regular meeting of February 21, 2006 as presented. Seconded by Alderman Olson. All voted Aye; motion carried. |
| AGREEMENT – BECK CARTON CORP. AND TRANSPAK CORP. | F-1. | Alderman Olson moved to consent to the assignment for the Site Development Agreement between VTLC Development, LLC and the City and CDA dated August 9, 2005, to VTLC Development II, LLC, as it pertains to Parcels 1 and 2 of the Property and any other necessary terms and provisions relating thereto. Seconded by Alderman Sohns. All voted Aye; motion carried. |
- Alderman Sohns moved to affirm that the waiver of repurchase rights previously granted and applicable to Parcels 1 and 4 of the Property shall be unaffected by the transfer of parcels 1 and 2 to VTLC Development II, LLC and shall remain in full effect on or that such waiver be again granted and to include Parcel 2 as may be necessary, all as requested by VTLC Development, LLC. Seconded by Alderman Kosovich. All voted Aye; motion carried.

BECK CARTON
CORP. AND
TRANSPAK CORP.
CONTINUED

Alderman Sohns moved to authorize the Mayor, City Clerk and Director of Finance and Treasurer to execute such documents and instruments reasonably necessary to evidence the consent to assignment and affirmation/waiver of repurchase rights granted under the two immediately preceding motions, in such form as may be approved by the City Attorney. Seconded by Alderman Olson. All voted Aye; motion carried.

RES. 2006-6053
LABOR
AGREEMENT-LOCAL
NO. 280

F-2. Alderman Sohns moved to adopt Resolution No. 2006-6053, RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A LABOR AGREEMENT WITH THE CITY OF FRANKLIN LOCAL NO. 280 OF THE LAW ENFORCEMENT EMPLOYEE RELATIONS DIVISION OF THE WISCONSIN PROFESSIONAL POLICE ASSOCIATION. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

RES. 2006-6054
JOB DESCRIPTION-
DIRECTOR OF
ADMINISTRATION

F-3. Alderman Hammelman moved to adopt Resolution No. 2006-6054, A RESOLUTION APPROVING JOB DESCRIPTION FOR THE POSITION OF DIRECTOR OF ADMINISTRATION FOR THE CITY OF FRANKLIN. Seconded by Alderman Solomon. All voted Aye; motion carried.

TANDEM AXLE
DUMP TRUCK

F-4. Alderman Solomon moved to authorize staff to pre-order a 2007 Tandem Axle Dump Truck with Equipment for delivery during the 2006 year. Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2006-6055
CONTRACT-
INDEPENDENT
INSPECTIONS, LTD.

F-5. Alderman Olson moved to approve Resolution No. 2006-6055, A RESOLUTION APPROVING A CONTRACT WITH INDEPENDENT INSPECTIONS, LTD TO PROVIDE INSPECTION SERVICES TO THE CITY OF FRANKLIN FOR ONE YEAR (MARCH 8, 2006 THROUGH MARCH 8, 2007). Seconded by Alderman Kosovich. All voted Aye; motion carried.

SPECIAL PERMIT –
50TH ANNIVERSARY
EVENT

F-18. Alderman Solomon moved to approve the request from the 50th Anniversary Committee, as presented to the Finance Committee, for approval of the expenditure of contributed funds for the 50th Anniversary celebration subject to approval by the Finance Officer and to be audited by the Finance Committee. Seconded by Alderman Sohns. All voted Aye; motion carried.

F-6. Alderman Sohns moved to approve the special event permit and fee with Milwaukee County Parks for the May 13, 2006 5-K Family Fun Run and Walk. Seconded by Alderman Olson. All voted Aye; motion carried.

Franklin Common Council

3/07/06

Page Three

- | | | |
|--|-------|---|
| RES. 2006-6056 LAND COMBINATION– THOMAS & IVANKA STAUBER | F-7. | Alderman Solomon moved to approve Resolution No. 2006- 6056, A RESOLUTION CONDITIONALLY APPROVING A COMBINATION OF LAND OF A PART OF THE NORTHWEST ¼ OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (THOMAS & IVANKA STAUBER) (APPROXIMATELY 7234 SOUTH CAMBRIDGE DRIVE). Seconded by Alderman Olson. All voted Aye; motion carried. |
| UNIFIED DEVELOPMENT ORDINANCE | F-8. | Alderman Kosovich moved to approve Standards, Findings and Decision of the City of Franklin Common upon the application of WAB/DEVO Forest View LLC for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance (Forest View Condominiums), as corrected. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2006-6057 AGREEMENT- WATER CONNECTION–3472 W. OAKWOOD RD. | F-9. | Alderman Kosovich moved to adopt Resolution No. 2006-6057, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A WATER CONNECTION AGREEMENT WITH THOMAS S. GADOWSKI AND HELEN M. GADOWSKI, FOR PROPERTY LOCATED AT 3472 W. OAKWOOD ROAD. Seconded by Alderman Olson. All voted Aye; motion carried. |
| RES. 2006-6058 AGREEMENT- WATER CONNECTION–3410 W. OAKWOOD RD. | F-10. | Alderman Kosovich moved to adopt Resolution No. 2006-6058 A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A WATER CONNECTION AGREEMENT WITH ALAN E. PINTAR AND JILL E. PINTAR FOR PROPERTY LOCATED AT 3410 W. OAKWOOD ROAD. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| RES. 2006-6059 EASEMENT- FRANCIS WOODS SENIOR CONDOS | F-11. | Alderman Hammelman moved to adopt Resolution No. 2006-6059, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT WATER MAIN EASEMENTS FOR FRANCIS WOODS SENIOR CONDOS, 7710 S. 51ST STREET. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| WETLAND MIGRATION PLAN | F-12. | Alderman Hammelman moved to approve the wetland migration plan for the extension of S. 31st Street from W. Rawson Ave. to a point ½ mile south subject to approval by the Environmental Commission. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| S. 31ST STREET EXTENSION | F-13. | Alderman Hammelman moved to approve the plans as presented by staff for the extension of S. 31st Street from W. Rawson Avenue to a point ½ mile south. Seconded by Alderman Olson. All voted Aye; motion carried. |

Franklin Common Council

3/07/06

Page Four

- REQUEST FOR REIMBURSEMENT – SANITARY SEWER F-14. Alderman Sohns moved to reimburse Icon Development for oversize sewer main constructed as part of Riverview Pointe Subdivision, reimbursement of \$50,257.00 to be paid in one lump sum. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- EXTENSION OF S. 60TH STREET F-15. Alderman Kosovich moved to approve proposed width for the extension of S. 60th Street north of W. Ryan Road. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2006-6060 BITUMINOUS & AGGREGATE BIDS F-16. Alderman Sohns moved to adopt Resolution No. 2006-6060, A RESOLUTION AWARDDING 2006 BITUMINOUS AND AGGREGATE MATERIAL CONTRACTS. Seconded by Alderman Olson. All voted Aye; motion carried.
- 2006 SUMMER MEETING SCHEDULE F-17. Alderman Sohns moved to establish a summer meeting schedule of May 2-Combined Committee of the Whole and Common Council; May 16-Common Council; June 5-Committee of the Whole; June 6-Common Council; June 20-Common Council; July 10-Committee of the Whole; July 11-Common Council; July 31-Committee of the Whole; August 1-Common Council; August 15-Common Council; September 5-Combined Committee of the Whole and Common Council and September 19-Common Council. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- 50TH ANNIVERSARY UPDATE F-18. Roseann Lewandowski presented an update on Franklin’s 50th Anniversary celebration (see F-6).
- WISCONSIN ALLIANCE OF CITIES F-19a. A presentation was made by Mr. Ed Huck, Executive Director of Wisconsin Alliance of Cities for the opportunity for Franklin to become the 40th city to join Alliance at the Committee of the Whole meeting of 3/06/06. Alderman Solomon moved that Franklin join the Wisconsin Alliance of Cities, with funds to be taken from contingency account in the amount of \$6,969 for membership dues. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- EMERGENCY MEDICAL SERVICES F-19b. Mayor Taylor gave an emergency medical services update at the Committee of the Whole meeting on 3/06/06.
- S. 27TH STREET STREETSCAPE DESIGN F-20. Alderman Olson moved to approve the agreement for professional engineering and architectural services for the S. 27th Street Streetscape Design with HNTB Corporation and Eppstein Uhen Architects. Seconded by Alderman Sohns.

Alderman Solomon, seconded by Alderman Kosovich, moved to allow Ted Grintjes, Sandy Adam and Jim Rhiner to speak. All voted Aye; motion carried.

S. 27TH STREET
STREETSCAPE
DESIGN –
CONTINUED

Alderman Olson then withdrew his motion. Alderman Olson moved to approve the agreement for professional engineering and architectural services for the S. 27th Street Streetscape Design with HNTB Corporation and Eppstein Uhen Architects with technical corrections by the City Attorney and the inclusion of language that all such findings and recommendations and additional regulations to be provided in ordinance form as is customary in the municipality, ready for review and approval, denial or modification by the governing body without significant municipal staff resources; further that the draft ordinance shall be prepared pursuant to and be viable and valid under and with all applicable federal and Wisconsin laws and companion municipal code provisions; and for a cost not to exceed \$220,000. Seconded by Alderman Sohns. All voted Aye; motion carried.

CLOSED SESSION –
S. 27TH ST.
CORRIDOR PLAN
PROJECT AREA

F-21. Alderman Solomon moved to enter closed session at 9:00 p.m. pursuant to §19.85(1)(e), Stats., for market competition and bargaining reasons, to deliberate and negotiate terms relating to the potential development of property[ies] within the South 27th Street Corridor Plan Project Area, and the investing of public funds and governmental actions in relation thereto and to effect such development, including the terms and provisions of a development agreement for the development of property[ies] within a tax incremental district, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Olson. All voted Aye; motion carried.

The Council reentered open session at 10:00 p.m.

LICENSES AND
PERMITS

H-1. Upon recommendation of the License Committee, Alderman Hammelman moved to grant the following licenses:

Operator License to: Peter J. Punzel, 1112 Sycamore Avenue, South Milwaukee; Lisa M. Rutkowski, 2819 E. Armour Avenue, St. Francis; Laura M. Syta, 6268 S. 35th Street, Greenfield; Eric Hoffman, 4501 W. Clybourn Street, Milwaukee; Lorin L. Miller, W225 N2540 Alderwood Lane, Waukesha and Rachel N. Schelske, 6225 S. 39th Street, Greenfield;

Change of Agent Class B Combination to Diamondback Management, Inc., d/b/a Tumbleweed Southwest Grill, Cheryl Pallen, 6421 S. 27th Street with warning letter from City Clerk;

Extra Ordinary Entertainment & Amusement to Irish Cottage, St. Patrick's Day Event, 11433 W. Ryan Road on March 17, 2006 subject to opening not before 8 a.m. and closing no later than 11 p.m. and no parking on the north side of W. Ryan Road and both sides of W. Loomis Road;

**LICENSES-
CONTINUED**

and also moved to hold the following Operator Licenses for Dale E. Beardsley, 3717 S. 15th Street, Milwaukee subject to appearing before the License Committee; Kristi D. Kaiser, 4942 N. 106th Street, Milwaukee subject to appearing before the License Committee and Rigels I. Mucodemi, 7553 S. 77th Street subject to appearing before the License Committee. Seconded by Alderman Solomon. All voted Aye; motion carried.

**VOUCHERS AND
PAYROLL**

I-1. Alderman Skowronski moved to approve net City vouchers in the range of nos. 114996 through 115170 in the amount of \$1,104,273.11. Seconded by Alderman Hammelman. All voted Aye; motion carried.

Alderman Hammelman moved to approve the net payroll of March 3, 2006 in the amount of \$301,005.19. Seconded by Alderman Solomon. All voted Aye; motion carried.

ADJOURNMENT

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