

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 3, 2009
MINUTES**

- | | | |
|--|--------|--|
| ROLL CALL | A. | The regular meeting of the Common Council was held on March 3, 2009 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, Wilhelm, Sohns and Skowronski. Excused was Alderman Taylor. Also present were City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT | B. | Citizen comment period was opened at 6:32 p.m. and closed at 6:32 p.m. |
| MINUTES-
02/17/09 | C-1. | Alderman Wilhelm moved to approve minutes of the regular meeting of February 17, 2009, as corrected at Item G-4. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| CONSENT AGENDA | | It was requested to separate Items G.1.a. and G.1.d from the consent agenda. Alderman Skowronski then moved to approve Items G.1.b. and G.1.c. as follows: |
| SPECIAL USE-
EWALD REAL
ESTATE CORP. | G.1.b. | Authorize City staff to sponsor an application for an amendment to the approved special use for Ewald Real Estate Corporation-Southwest removing the “within the property boundary” restriction and providing for the ability to provide an appropriate payment to the City to be used for planting trees in a City park; |
| EMERGENCY
PREPAREDNESS
CONSORTIUM | G.1.c. | Authorize the Franklin Health Department Director to execute the fiscal agent agreement on Emergency Preparedness Consortium with the City of Cudahy Health Department. |
| | | Approval of the consent agenda items was seconded by Alderman Olson. All voted aye; motion carried. |
| AMEND UDO | G.1.a. | Alderman Wilhelm moved to extend the time to April 6, 2009 for the return of an Ordinance to amend the Unified Development Ordinance Text at §15-3.0501C to provide an exception from the requirement that a Certified Survey Map application include a Natural Resource Protection Plan application where any new development will be more than 500 feet from natural resource features on a remnant parcel. Seconded by Alderman Olson. All voted Aye; motion carried. |
| JOINT COMMON
COUNCIL MEETING | G.1.d. | Alderman Sohns moved to schedule a joint Common Council meeting for March 18, 2009 with Oak Creek Common Council for status update and preferences for 27th Street Corridor and streetscape elements and that the Economic Development Commission be invited to hold a joint meeting at the same time and location. Seconded by Alderman Olson. On roll call, Aldermen Olson and Sohns voted Aye; Aldermen Solomon, Wilhelm, and Skowronski voted No. Motion failed. |

JOINT COMMON
COUNCIL MEETING-
CONTINUED

Alderman Solomon moved that the Director of Clerk Services schedule a date for a meeting with the Oak Creek Common Council as soon as possible after the April 7, 2009, Spring Election. Seconded by Alderman Skowronski. Alderman Solomon withdrew his motion.

Alderman Solomon then moved to reconsider the motion to schedule a joint Common Council meeting for March 18, 2009 with Oak Creek Common Council for status update and preferences for 27th Street Corridor and streetscape elements, and that the Economic Development Commission be invited to hold a joint meeting at the same time and location. Seconded by Alderman Skowronski. All voted Aye; motion carried.

On the motion to schedule a joint Common Council meeting for March 18, 2009 with Oak Creek Common Council for status update and preferences for 27th Street Corridor and streetscape elements, and that the Economic Development Commission be invited to hold a joint meeting at the same time and location, all voted Aye; motion carried.

ORD. 2009-1968
PDD #16-
FRANKLIN CENTRE

G.2.

Alderman Wilhelm moved to adopt Ordinance No. 2009-1968, AN ORDINANCE TO AMEND §15-3.0421 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 16 (FRANKLIN CENTRE) (GUS KOUTROMANOS, APPLICANT), 7621 W. Rawson Avenue. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2009-6524
SPECIAL USE-
KOUTROMANOS

G.3.

Alderman Wilhelm moved to adopt Resolution No. 2009-6524, A RESOLUTION TO AMEND RESOLUTION NO. 2004-5729 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT 7621 WEST RAWSON AVENUE (GUS KOUTROMANOS, APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2009-6525
SPECIAL
ASSESSMENT-
WATER MAIN-S.
51ST STREET

G.4.

Alderman Solomon moved to adopt Resolution No. 2009-6525, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 66.0701 OF THE WISCONSIN STATUTES FOR THE INSTALLATION OF WATER MAIN ON S. 51ST STREET FROM W. PUETZ ROAD TO A POINT 3,300 FEET SOUTH OF W. PUETZ ROAD and set a public hearing date for April 6, 2009. Seconded by Alderman Sohns. All voted Aye; motion carried.

ROAD SALT
PURCHASE

G.5. Alderman Wilhelm moved to authorize the City to purchase the 560 tons of reserve salt at \$37.93/ton and to contract for 1,500 tons of salt for the 2009 budget to be used for the 2010/2011 season with the understanding that if the month of March is a high salt use month and the 600 tons of salt now in the salt shed is utilized before March 20, 2009, that the Finance Officer and the City Engineer could increase the contract amount to 2,000 tons. Seconded by Alderman Solomon. On roll call, Aldermen Skowronski, Wilhelm, Solomon, and Olson voted Aye; Alderman Sohns voted No. Motion carried.

RES. 2009-6526
SANITARIAN
SERVICES

G.6. Alderman Olson moved to adopt Resolution No. 2009-6526, RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE SANITARIAN SERVICES BETWEEN THE CITIES OF FRANKLIN AND OAK CREEK. Seconded by Alderman Solomon. All voted Aye; motion carried.

ROOF INSPECTION
SERVICES

G-7. Alderman Skowronski moved to recommend acceptance of the Comprehensive Roof Management Survey proposal from Building Resource Group in the amount of \$4,170 and authorization to proceed with the project as stipulated for in the 2009 Municipal Buildings Capital Outlay Budget. Seconded by Alderman Solomon. Alderman Solomon withdrew his second. Motion died due to lack of a second.

Alderman Wilhelm then moved that the acceptance of the Comprehensive Roof Management Survey proposal from Building Resource Group in the amount of \$4,170 and authorization to proceed with the project as stipulated for in the 2009 Municipal Buildings Capital Outlay Budget be postponed until September 2009. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2009-6527
JOB DESCRIPTIONS

G.8. Alderman Solomon moved to adopt Resolution No. 2009-6527, A RESOLUTION APPROVING JOB DESCRIPTIONS FOR THE POSITIONS OF PLANNER, PLANNER II, AND SENIOR PLANNER. Seconded by Alderman Sohns.

Alderman Wilhelm then moved to amend the motion to include a preferred skill, in a job description to be determined by the Planning Manager, which addresses the ability to determine an estimated wetland and woodland boundary by Corp of Engineers or Department of Natural Resources guidelines. Seconded by Alderman Olson. Alderman Olson withdrew his second. The amendment was then seconded by Alderman Solomon. All voted Aye; motion carried.

JOB DESCRIPTIONS-
CONTINUED

On the motion to adopt Resolution No. 2009-6527, A RESOLUTION APPROVING JOB DESCRIPTIONS FOR THE POSITIONS OF PLANNER, PLANNER II, AND SENIOR PLANNER as amended, all voted Aye; motion carried.

PROPERTY
INSURANCE
CLAIM

G.9. Alderman Olson moved to approve a property insurance claim of the City of Franklin's for a non-listed damaged irrigation system that was repaired in the Franklin Business Park provided that the Community Development Authority authorize the expenditure from Tax Incremental District No. 2. Seconded by Alderman Solomon. All voted Aye; motion carried.

Alderman Wilhelm then moved to allow the Director of Administration to file claim with insurance company in the amount of \$1,000. Seconded by Alderman Solomon. All voted Aye; motion carried.

I-94 NORTH-SOUTH
FREEWAY PROJECT

G.10.A. No action was taken regarding an update presented at the Committee of the Whole on March 2, 2009 on behalf of the Wisconsin Department of Transportation regarding I-94 North-South Freeway Project.

OUTSTANDING
COUNCIL ACTIONS
AND DIRECTIVES

G.10.B. Alderman Olson moved to refer a list of outstanding Council actions and directives as of March 2, 2009, as presented, back to staff for the addition of any unresolved items from the past two years that are documented on agendas and minutes. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

Alderman Olson then moved that the unresolved item list return to the June 1, 2009, Committee of the Whole. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

FRANKLIN
MUNICIPAL CODE
CHAPTER 19

G.10.C. Alderman Solomon and the Director of Clerk Services will continue to review Franklin Municipal Code Chapter 19 and other documents relating to Common Council proceedings and will present their recommendations to the Common Council following review by the City Attorney.

RES. 2009-6528
PROMISSORY NOTES

G.11. Alderman Solomon moved to adopt Resolution No. 2009-6528, RESOLUTION AUTHORIZING THE REDEMPTION OF GENERAL OBLIGATION PROMISSORY NOTES, DATED MAY 15, 2001. Seconded by Alderman Sohns. All voted Aye; motion carried.

Alderman Solomon moved to allow line of credit advances from other City Funds as determined by the Director of Finance & Treasurer to the Special Assessment Fund to enable the funding for the call. Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2009-6529
CARRYOVER OF
BUDGET
ENCUMBRANCES

G.12. Alderman Olson moved to adopt Resolution No. 2009-6529, A RESOLUTION APPROVING CARRYOVER OF BUDGET ENCUMBRANCES FROM THE 2008 BUDGET TO THE 2009 BUDGET. Seconded by Alderman Skowronski. All voted Aye; motion carried.

LICENSES AND
PERMITS

H.1. Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:

Operator Licenses to Warren R. Kubis, 10506 S. 124th Street with warning letter from City Clerk; Deborah J. Lo Cicero, 1326 N. 72nd Street, Wauwatosa and Damian D. Nelson, 26602 Long Lake Road, Wind Lake;

Temporary Class B Beer & Wine and Entertainment & Amusement to St. Martin of Tours Parish – Raffle/Auction, Person in Charge: Diane Winkowski at 7963 S. 116th Street on March 21, 2009;

and moved to hold Operator License for Angel C. Messer, 8924 W. Puetz Road subject to appearing before the License Committee;

and further moved to schedule hearings before the License Committee on March 10, 2009, at 6:00 p.m. for the Operator Licenses of Jeff Belski, 9447 S. 27th Street and Carrie L. Karlson, 8835 S. Oak Park Drive, Oak Creek. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I-1. Alderman Sohns moved to approve net City vouchers in the range of Nos. 128806 through 128987 in the amount of \$895,153.12. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Solomon moved to approve the net City payroll of February 27, 2009, in the amount of \$332,100.01. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Solomon moved to adjourn the meeting at 7:52 p.m. Seconded by Alderman Sohns. All voted Aye; motion carried.