

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MARCH 16, 2010
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council was held on March 16, 2010 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, Taylor, Sohns and Skowronski. Also present were Director 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 6:55 p.m. |
| ANNOUNCEMENTS
SABER ROBOTICS | B-2.a. | Josh Hansen and Sebastian Potter appeared to present information on the Franklin Saber Robotics Team. |
| MINUTES-
03/02/2010 | C-1. | Alderman Olson moved to approve minutes of the regular meeting of March 2, 2010 as presented. Seconded by Alderman Solomon. On roll call, Aldermen Olson, Solomon, Wilhelm, Sohns and Skowronski voted Aye; Alderman Taylor Abstained. Motion carried. |
| MINUTES-
03/06/2010 | C-1. | Alderman Sohns moved to approve minutes of the special meeting of March 6, 2010 as presented. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| HEARING
AMENDMENT TO
REVENUE BONDS
(SCHMITZ READY
MIX, INC) | D-1. | A public hearing regarding an amendment to the First Supplemental Indenture of Trust and Second Amendment to Loan Agreement Relating to Variable Rate Demand Industrial Development Revenue Bonds, Series 1997 (Schmitz Ready Mix, Inc. Project) was opened at 7:16 p.m. and closed at 7:17 p.m. (See Item G-3.) |
| LETTER FROM WI
DOT RE: PROPERTY
ASSESSMENT | F-1. | Mayor Taylor noted a letter dated March 4, 2010, from the State of Wisconsin Department of Revenue regarding their proposal to modernize property assessment. |
| REQUEST FOR
SUPPORT OF MCTS
BUS ROUTE #14 | F-2. | Alderman Sohns moved to refer a letter from Patricia Dulski requesting support in saving Milwaukee County Transit bus route #14 to Milwaukee County Supervisors Borkowski and Cesarz. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| LETTER-ECONOMIC
DEVELOPMENT
INITIATIVES
FUNDING | F-3. | Alderman Olson moved to refer the letter from Mark D. McIntyre, Senior Vice President of Russ Reid, regarding federal funding for the City of Franklin economic development initiatives to the Board of Public Works, staff, Community Development Authority and Economic Development Commission. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |

EMERGENCY
NOTIFICATION
SYSTEM
(REVERSE 911)

G-1. Alderman Sohns moved to refer Emergency Notification System (aka "Reverse 911") to Technology Committee. Seconded by Olson. Alderman Sohns withdrew his motion.
Alderman Sohns moved to refer this item to the Technology Committee for review and to research the manner of implementation and possible funding sources. Seconded by Wilhelm. At 7:45 p.m. Mayor Taylor passed the gavel to Council President Taylor, who then chaired the meeting. At 7:47 p.m. the gavel was returned to Mayor Taylor, who returned to chairing the meeting. On the vote for the main motion, all voted Aye; motion carried.

WEATHER WARNING
SIRENS

G-2. At 8:20 p.m. Mayor Taylor passed the gavel to Council President Taylor who then chaired the meeting. At 8:26 p.m. the gavel was returned to Mayor Taylor who returned to chairing the meeting.
Alderman Taylor approved to move forward to implement a severe weather alert warning siren system similar in nature to other sirens in Milwaukee County municipalities. Seconded by Alderman Sohns.
Alderman Wilhelm moved to call the question. Motion failed.
Alderman Sohns withdrew his second. Motion failed due to lack of second.
Alderman Sohns then moved as a matter of public policy, that this Common Council supports a severe weather alert warning system and Reverse 911 as appropriate technologies for the health and safety of Franklin residents. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.
Alderman Wilhelm moved to direct staff to move forward with securing details for a siren system for future installation and funding with final details to be brought back to the Common Council for approval. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

RES. 2010-6632
REVENUE BONDS
(SCHMITZ READY
MIX, INC.)

G-3. Alderman Sohns moved to approve Resolution 2010-6632, A RESOLUTION AUTHORIZING EXECUTION OF THE FIRST SUPPLEMENTAL INDENTURE OF TRUST AND SECOND AMENDMENT TO LOAN AGREEMENT RELATING TO VARIABLE RATE DEMAND INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 1997 (SCHMITZ READY MIX, INC. PROJECT). Seconded by Alderman Olson. All voted Aye; motion carried.

ORD. 2010-1995
AMEND
UDO §15-3.0418
PDD #13

G-4. Alderman Wilhelm moved to adopt Ordinance No. 2010-1995, as numbered relating to signage and approve the amendment in AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED DEVELOPMENT ORDINANCE, PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB) (WAL-MART REAL ESTATE BUSINESS TRUST, APPLICANT) (WAL-MART SUPERCENTER SIGNAGE CHANGES). Seconded by Alderman Solomon. All voted Aye; motion carried.

- CONCEPT REVIEW AUTOMOTIVE RESTORATION BLDG (DAVID MANORE, APPLICANT) G-5. No action was taken on a concept review for a proposed professional/office building and a proposed automotive restoration building at approximately 3030 W. Ryan Road and 9440 S. 31st Street (David Manore, applicant).
- ECONOMIC DEVELOPMENT INCENTIVES FRANKLIN AUTOMOTIVE G-6. At 9:20 p.m. Mayor Taylor passed the gavel to Council President Taylor who then chaired the meeting. At 9:24 p.m. the gavel was returned to Mayor Taylor who returned to chairing the meeting. At 9:45 p.m. Mayor Taylor passed the gavel to Council President Taylor who then chaired the meeting. At 9:50 p.m. the gavel was returned to Mayor Taylor who returned to chairing the meeting. Alderman Wilhelm moved to suspend the rules to allow John Michlig to speak. Seconded by Alderman Skowronski. Alderman Wilhelm moved to refer consideration of request for Economic Development incentives by Franklin Automotive to Economic Development Commission for review. Seconded by Alderman Olson. All voted Aye motion carried.
- INTERIM ECONOMIC INCENTIVE PROGRAM FOR SMALL BUSINESS DEVELOPMENT G-7. Alderman Sohns moved to direct the Economic Development Commission review the Interim Economic Incentive Program for Small Business Development with the program components as recommended, to authorize City staff to submit Incentive Program Worksheets at the time of new business development approval consideration, and to prepare and submit a budget modification to establish the Economic Development Fund. Seconded by Alderman Olson. All voted Aye; motion carried.
- ECONOMIC DEVELOPMENT CONSULTANT G-8. Alderman Olson moved that the Request for Proposals and Request for Qualifications for a Consultant to perform an Economic Development Priorities Review and to Identify Economic Development Incentive Program options be referred to the June 1, 2010 Committee of the Whole meeting. Seconded by Alderman Wilhelm. Motion carried.
- 2025 COMPREHENSIVE MASTER PLAN TECHNICAL CHANGES G-9. Alderman Solomon moved to direct City Development staff review all proposed technical changes to the Comprehensive Master Plan which were submitted by Common Council members and to report back with departmental recommendations on or before May 4, 2010. Seconded by Alderman Olson. All voted Aye; motion carried.
- 2009 ANNUAL REPORT DEPT. OF CITY DEVELOPMENT G-10. Alderman Sohns moved to place on file the Department of City Development (Planning) 2009 Annual Report. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2010-6633 REJECT OFFER TO SELL FROM ZAR LLC (10020 S. 54TH ST) G-11. Alderman Taylor moved to adopt Resolution No. 2010-6633, A RESOLUTION REJECTING AN OFFER TO SELL LOT 3 IN BLOCK 4 IN THE FRANKLIN INDUSTRIAL PARK FROM ZAR LLC (10020 SOUTH 54TH STREET). Seconded by Wilhelm. All voted Aye; motion carried.

- 2009 PRELIMINARY BUDGET RESULTS G-12. Alderman Olson moved to acknowledge the overspending in the 2009 preliminary results of City budgets with over expenditures remaining as is. Seconded by Alderman Sohns. All voted Aye; motion carried.
- ORD. 2010-1996 AMEND ORD. 2009-1987 FOR 2009 BUDGET ENCUMBRANCES G-13. Alderman Olson moved to adopt Ordinance No. 2010-1996, AN ORDINANCE TO AMEND ORDINANCE 2009-1987, AN ORDINANCE ADOPTING THE 2010 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE BUDGET ENCUMBRANCES FROM THE 2009 BUDGET TO THE 2010 BUDGET. Seconded by Alderman Taylor. All voted Aye; motion carried.
- ORD. 2010-1997 AMEND ORD. 2009-1987 FOR 2010 BUDGET CHANGE G-14. Alderman Solomon moved to adopt Ordinance No. 2010-1997, AN ORDINANCE TO AMEND ORDINANCE 2009-1987, AN ORDINANCE ADOPTING THE 2010 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE 2010 BUDGET CHANGE TO THE CAPITAL IMPROVEMENT FUND. Seconded by Alderman Taylor. All voted Aye; motion carried.
- UNFUNDED STATE MANDATES ON WAGES G-15. Alderman Olson moved that A RESOLUTION ADOPTING THE LEGISLATIVE POSITION THAT IF THE STATE LEGISLATURE PASSES ANY UNFUNDED STATE MANDATES ON WAGES, COMPENSATION OR ANY AND ALL RELATED BENEFITS, THAT THE LEGISLATION ALLOW THE CITY TO PASS ON THE NEW, ADDED TOTAL COST TO EMPLOYEES, be referred to the Personnel and Finance Committees. Seconded by Alderman Taylor. All voted Aye; motion carried.
- PUBLIC WORKS DEPT. TRUCK PURCHASE G-16. Alderman Taylor moved to authorize Public Works to purchase two Ford F-150 light duty pick-up trucks, total cost not to exceed \$32,760.00. Seconded by Alderman Skowronski. On roll call, Aldermen Skowronski, Taylor, Wilhelm and Solomon voted Aye; Aldermen Sohns and Olson voted No. Motion carried.
- RES. 2010-6634 NAMING POLICY G-17. Alderman Sohns moved to adopt Resolution No. 2010-6634, A RESOLUTION ESTABLISHING A CITY BUILDINGS, PARKS AND FACILITIES NAMING POLICY as amended. Seconded by Alderman Solomon. All voted Aye; motion carried.
- REIMBURSEMENT FOR OVERSIZED WATER MAIN TO HOPPEKORP, LLC (S. 27TH STREET) G-18. Alderman Sohns moved to reimburse Hoppekorp, LLC for oversized water main constructed as part of development. Reimbursement of \$9,250 to be paid in five (5) annual payments of \$1,850. Seconded by Alderman Taylor. All voted Aye; motion carried.

- SIDEWALK EXTENSION S. 51ST STREET G-19. Alderman Sohns moved to authorize an information meeting for abutting property owners and begin design of the extension of sidewalk along South 51st Street. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2010-6635 LIONS LEGEND PARK ACCESSIBILITY UPGRADES G-20. Alderman Solomon moved to adopt Resolution No. 2010-6635, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER FOR LIONS LEGEND PARK RESTROOM AND SHELTER ACCESSIBILITY UPGRADES. Seconded by Skowronski. All voted Aye; motion carried.
- IT SERVICES AGREEMENT G-21. Alderman Olson moved to approve assignment of the Connection Strategies Enterprises, Inc. contract to Heartland Business Systems, to approve a new service contract with HBS, as presented and amended, and to authorize the Mayor and certain officials, as listed therein, to execute said contract. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2010-6636 ALCOHOL BEVERAGE LAW VIOLATIONS POLICY H-1. Upon recommendation of the License Committee, Alderman Taylor moved to adopt Resolution No. 2010-6636, A RESOLUTION ESTABLISHING ALCOHOL BEVERAGE LICENSES ENFORCEMENT POLICY GUIDELINES. Seconded by Alderman Wilhelm. On roll call, Aldermen Olson, Solomon, Wilhelm, Taylor and Skowronski voted Aye; Alderman Sohns voted No. Motion carried.
- LICENSES AND PERMITS H-2. Alderman Solomon moved to grant the following licenses subject to meeting all licensing requirements:
- Operator License to Michelle L. Hermanson, 4928 S. 35th Street, Milwaukee with warning letter from City Clerk; Courtney M. Koebel, 3501 W. Old Oak Drive, Greenfield with warning letter from City Clerk; Brian W. Cooke, W180 S663 Muskego Drive, Muskego and Nora L. Gustafson, 6421 Channel Road, Waterford.
- No action was needed on Second Hand Jeweler Dealer License for MGB Jewelers, applicant: Sadoff, Jacob & Jordan at 6865 S. 27th Street. Seconded by Alderman Taylor. All voted Aye; motion carried.
- VOUCHERS AND PAYROLL I-1. Alderman Taylor moved to approve net City vouchers in the range of Nos. 133357 through 133519 in the amount of \$7,309,991.24. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- Alderman Sohns moved to approve the net City payroll of March 12, 2010 in the amount of \$315,297.16. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.
- ADJOURNMENT J. Alderman Taylor moved to adjourn the meeting at 10:25 p.m. Seconded by Alderman Wilhelm. All voted Aye; motion carried.