

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 5, 2009
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council was held on May 5, 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, Taylor and Skowronski. Excused was Alderman Sohns. Also present were City Engineer Bennett, Director of Administration Luberda, City Attorney Wesolowski and Deputy City Clerk Vanden Boom. |
| CITIZEN
COMMENT | B-1. | Citizen comment period was opened at 6:30 p.m. and closed at 6:46 p.m. |
| ANNOUNCEMENTS | B-2.a. | Mayor Taylor read a Certificate of Appreciation awarded to the City of Franklin in recognition of contribution to the Franklin Historical Society. |
| MINUTES-
04/18/09 | C-1. | Alderman Wilhelm moved to approve minutes of the special meeting of April 18, 2009 as presented. Seconded by Alderman Olson. All voted Aye; motion carried. |
| MINUTES-
4/21/09 | C-2. | Alderman Solomon moved to approve minutes of the regular meeting of April 21, 2009 as presented. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| MINUTES-
4/25/09 | C-3. | Alderman Olson moved to approve minutes of the special meeting of April 25, 2009 as corrected. Seconded by Alderman Taylor. On roll call, Aldermen Olson, Solomon, Taylor and Skowronski voted Aye, Alderman Wilhelm abstained, motion carried. |
| CONSENT AGENDA | | Alderman Olson moved to approve the following consent agenda items: |
| LETTER OF CREDIT
VICTORIAN ACRES | G-1.a. | Release the Letter of Credit No. 1420 from Tri-City National Bank for the Victorian Acres Subdivision located in the 6700 block of S. 50th Street as recommended by staff; |
| 51 ST STREET
RECONSTRUCTION
CHANGE ORDER #1 | G-1.b. | Authorize the City Engineer to sign Change Order No. 1 with Milwaukee General Construction Co., Inc. for the reconstruction of S. 51st Street north of W. Rawson Avenue, Project Number 2007-R101 with a reduction in contract costs of \$53,539.19 from \$1,086,986.81 to \$1,033,447.62; |
| CITY-WIDE
DRAINAGE
CONCERNS | G-1.c. | Accept process in place and continue reporting status of response to city-wide drainage concerns to Public Works Commission; |
| RES. 2009-6553
OFFICIAL
NEWSPAPER | G-1.d. | Adopt Resolution No. 2009-6553, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. |

CONSENT AGENDA-
CONTINUED

Approval of consent items seconded by Alderman Solomon. All voted Aye; motion carried.

2008 ANNUAL
FINANCIAL REPORT

G-2. Alderman Wilhelm moved to receive and place on file the 2008 Comprehensive Annual Financial Report (CAFR), the Report on Internal Controls and the required communications letter from Virchow Krause & Company. Seconded by Alderman Taylor. All voted Aye; motion carried.

ADDITIONAL
RESURFACING
PROJECTS

G-3. Alderman Wilhelm moved to approve bidding \$693,000 of additional resurfacing projects, not including the extension of W. Marquette Avenue and Hillendale Drive, as part of the Street Improvement Fund and if the price per ton bid remains attractive to proceed with those projects. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Solomon moved to contingently approve a transfer of \$700,000 to the Street Improvement Fund from the fund balance of the General Fund should the S. 51st Street project between W. Drexel Avenue and W. Puetz Road not receive stimulus funding and the price per ton bid remains attractive. Seconded by Alderman Taylor. All voted Aye; motion carried.

COFFEE SHOP/CO-
WORKING SPACE
POSSIBLE PLAN
DISCUSSION

G-4. Alderman Olson moved to authorize various members of the Economic Development Commission to discuss the possibility of a mixed-use community-based “coffee shop/co-working space” with interested parties and develop a plan for possible implementations. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RES. 2009-6552
CSM TIME
EXTENSION
(FRANKLIN SQUARE
LLC)

G-5. Alderman Taylor moved to adopt Resolution No. 2009-6552, A RESOLUTION EXTENDING THE TIME FOR SATISFACTION OF CONDITIONS OF APPROVAL FOR A CERTIFIED SURVEY MAP CONDITIONALLY APPROVED BY RESOLUTION NO. 2006-6197 ON NOVEMBER 21, 2006 (FRANKLIN SQUARE LLC) (APPROXIMATELY SOUTH 51ST STREET, WEST COBBLESTONE WAY AND WEST RYAN ROAD) as corrected. Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2009-6554
CSM
(CHARLES C.
ANDERSON AND
LAURIE L.
ANDERSON
APPLICANTS)

G-6. Alderman Wilhelm moved to adopt Resolution No. 2009-6554, A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE NORTHEAST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (CHARLES C. ANDERSON AND LAURIE L. ANDERSON, APPLICANTS) (6910 AND 6916 S. HARVARD DRIVE). Seconded by Alderman Solomon. All voted Aye; motion carried.

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| 4TH OF JULY
PARADE RULES | G-7. | Alderman Olson moved to approve the Rules and Regulations for the Franklin 4th of July Parade as recommended by the Civic Celebrations Commission and further authorize the Mayor and Police Chief to sign the accompanying safety memo with elimination of "you may not throw items, only HAND them to the parade audience". Seconded by Alderman Taylor. All voted Aye; motion carried. |
| RAZING PROPERTY
3232 W. CENTRAL
AVE. | G-8. | Alderman Taylor moved to accept the proposal for the razing of the property located at 3232 W. Central Avenue from Robie's Grading & Landscaping at a cost not to exceed \$9,950, as dependent upon the number of dumpsters used. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| RES. 2009-6555
SANITARIAN JOB
DESCRIPTION | G-9. | Alderman Olson moved to adopt Resolution No. 2009-6555, A RESOLUTION APPROVING A JOB DESCRIPTION FOR SANITARIAN. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| W OAKWOOD ROAD
RECONSTRUCTION
CHANGE ORDER #1 | G-10. | Alderman Taylor moved to authorize the City Engineer to sign Change Order No. 1 with Musson Brothers, Inc. for the reconstruction of W. Oakwood Road including sanitary sewer, water main, street lighting and sidewalk Project Numbers 2005-R102, 2005-S102 and 2005-WU105 for an increase in cost of \$81,990.81 increasing the bid cost from \$2,700,185.00 to \$2,782,175.81. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| COMMITTEE OF THE
WHOLE
PUBLIC OFFICIALS'
LIABILITY | G-11.A. | No action was needed on League of Wisconsin Municipalities Mutual Insurance regarding public officials' liability presented at the 5/04/09 Committee of the Whole meeting. |
| FIRE DEPT. 2008
ANNUAL REPORT | G-11.B. | No action was needed on City of Franklin Fire Department 2008 Annual Report presented at the 5/04/09 Committee of the Whole meeting. |
| SWINE FLU | G-11.C. | No action was needed on the update from Director of Health & Human Services regarding swine flu pandemic presented at the 5/04/09 Committee of the Whole meeting. |
| COMMON COUNCIL
PRESIDENT ROLE | G-11.D. | Alderman Solomon moved that the role, duties and responsibilities of the Common Council President and the relationship between the Council President, the Mayor and the Common Council remain the same with additional duties of Council President to include communicating with Chairs of boards and commissions, and further that this item be reviewed in April, 2010. Seconded by Alderman Skowronski. On roll call, Aldermen Skowronski, Taylor, Wilhelm and Solomon voted Aye; Alderman Olson voted No. Motion carried. |

COMMON COUNCIL PRESIDENT / COMMITTEE OF THE WHOLE G-11.E. No action was needed on the Ordinance to Amend the Municipal Code to Provide That The Common Council President Shall Preside At Meetings Of The Committee Of The Whole.

CLOSED SESSION WATER SUPPLY AND DISTRIBUTION FACILITIES IMPACT FEES G-12. Alderman Taylor moved to enter closed session at 8:28 p.m. pursuant to §19.85(1)(e), Stats., to deliberate upon the subject of the recalculation of water supply and distribution facilities impact fees, and to develop a collection and disbursement allocation, implementation and negotiation strategy, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

The Common Council reentered open session at 9:50 p.m.

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

2008-09 Operators' license for Kamila Grochowski, 3127 W. Iona Terrace #2, Milwaukee; Milutin Jaksic, 3637 S. 93rd Street, Milwaukee and Anil Khindri, 4575 S. 23rd Street, Milwaukee;

Further moved to approve 2009-10 Operators' license for John D. Braovac, 1335 S. 124th Street, Brookfield; Michael D. Falk, 10440 W. Scharles Avenue, Hales Corners; Patricia E. Gimler, 10227 Parkedge Circle with warning letter from City Clerk and corrections on form; Halina Grochowski, 10407 S. George Drive, Oak Creek; Sara L. Lanaghan, 8370 S. Tuckaway Shores Drive; Cathy F. Lee, 8401 S. 116th Street and Terry A. Owen, W150 S7655 Dorothy Drive, Muskego and Christine A. Rozewicz, 8123 S. Legend Drive #A;

Further moved to approve the People Uniting for the Betterment of Life and Investment in the Community ('PUBLIC") grants for Boy Scouts of America-scout leader picnic, Pam Shefchik at Lions Legend Park I, fee waivers for park reservation fee on 6/08/09, 4:30-8:30 p.m. and Boy Scouts of America-Troop 501 Eagle ceremony, Nanette Banks, at Lions Legend Park II, fee waivers for park reservation fee on 5/30/09 9:00 a.m.-9:00 p.m., both subject to proper paperwork;

Further moved to hold 2008-09 Operators' license for Gail M. Baum, 4157 S. Clement Avenue, Milwaukee and Mark L. Brys, 1833 W. Meyer Lane #12301, Oak Creek subject to appearing before the License Committee;

LICENSES AND
PERMITS-
CONTINUED

Further moved to hold 2009-10 Operators' license for Mark L. Brys, 1833 W. Meyer Lane #12301, Oak Creek subject to appearing before the License Committee;

Renewals Class A & B Beer & Liquor License applications were referred to a future Common Council meeting. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I-1.

Alderman Skowronski moved to approve net City vouchers in the range of Nos. 129553 through 129740 in the amount of \$1,198,296.24. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Taylor moved to approve the net City payroll of April 24, 2009, 2009 in the amount of \$344,411.54. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 9:58 p.m. Seconded by Alderman Skowronski. All voted Aye; motion carried.