

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 4, 2010
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council was held on May 4, 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, Schmidt and Skowronski. Also present were City Engineer Bennett, 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 6:31 p.m. |
| ANNOUNCEMENTS
ARBOR DAY | B-2.a. | Mayor Taylor read a proclamation designating May 1, 2010 as Arbor Day in the City of Franklin. |
| MINUTES-
04/20/2010 | C-1. | Alderman Skowronski moved to approve minutes of the regular meeting of April 20, 2010 as presented. Seconded by Alderman Solomon. All voted Aye; motion carried. |
| MINUTES-
04/28/2010 | C-2. | Alderman Solomon moved to approve minutes of the special meeting of April 28, 2010 as presented. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| CONSENT AGENDA | | Alderman Solomon moved to approve the following consent agenda items: |
| LETTER OF CREDIT
OFFICE MAX
(RAWSON LLC) | G-1.a. | Release the Letter of Credit from America United Bank and Trust Company for the development of the Office Max retail store by Rawson LLC located on the southeast corner of W. Loomis Road and W. Rawson Avenue; |
| RES. 2010-6640
WATER MAIN
EASEMENT
ST. PAUL'S
LUTHERAN CHURCH
(EXISTING) | G-1.b. | Adopt Resolution No. 2010-6640, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT WATER MAIN EASEMENT FOR ST. PAUL'S EVANGELICAL LUTHERAN CHURCH LOCATED AT 6851 S. 51ST STREET (SW 1/4 SEC. 2) (EXISTING); |
| RES. 2010-6641
WATER MAIN
EASEMENT
ST. PAUL'S
LUTHERAN CHURCH | G-1.c. | Adopt Resolution No. 2010-6641, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT WATER MAIN EASEMENT FOR ST. PAUL'S EVANGELICAL LUTHERAN CHURCH LOCATED AT 6851 S. 51ST STREET (SW 1/4 SEC. 2); |
| DONATION FROM
BANK MUTUAL | G-1.d. | Accept the donation of \$50.00 from Bank Mutual for Franklin Trails Committee use; |
| DONATION FROM
DAVE FOWLER | G-1.e. | Accept the donation of \$50.00 from Dave Fowler for Franklin Trails Committee use; |

- DONATION FROM TIM SOLOMON G-1.f. Accept the donation of \$50.00 from Tim Solomon for Franklin Trails Committee use;
- Approval of consent items seconded by Alderman Taylor. All voted Aye; motion carried.
- HOUSE OF CORRECTION EVALUATION G-2. Inspector Richard R. Schmidt, Lieutenant John R. Nelson, and Major Nancy Evans of the Milwaukee County Sheriff's Office appeared to present the National Institute of Corrections Evaluation regarding the transformation of management of the Community Correctional Facility South (House of Correction). Alderman Taylor moved to receive and place the report on file. Seconded by Alderman Olson. All voted Aye; motion carried.
- ST. MARTIN'S FAIR PERMIT FEES AND FOOTAGE OPTIONS G-3. Alderman Skowronski moved to direct the City Attorney to prepare an Ordinance amending Chapter 203 (St. Martins Fair) and Chapter 169 (Licenses and Permits) of the Franklin Municipal Code as recommended by the Fair Commission. Seconded by Alderman Taylor. All voted Aye; motion carried.
- 2009 FINANCIAL REPORT G-4. Alderman Olson moved to receive and place on file the 2009 Comprehensive Annual Financial Report (CAFR), and the required communications letter from Clifton Gunderson LLP. Seconded by Alderman Taylor. All voted Aye; motion carried.
- CONCEPT REVIEW HITTERS BASEBALL ACADEMY G-5. Peter V. Gerasopoulos, applicant, presented the concept of a proposed development for the Hitters Baseball Academy at approximately 3700 W. South County Line Road. At 8:02 p.m. Mayor Taylor passed the gavel to Council President Taylor who chaired the meeting. At 8:15 p.m. the gavel was returned to Mayor Taylor who returned to chairing the meeting.
- RES. 2010-6642 SPECIAL USE MEDICAL EQUIP SUPPLY BUSINESS (UNLIMITED ADVACARE, INC., APPLICANT) G-6. Alderman Solomon moved to adopt Resolution No. 2010-6642, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A MEDICAL EQUIPMENT SUPPLY BUSINESS UPON PROPERTY LOCATED AT 6822 SOUTH 112TH STREET (UNLIMITED ADVACARE, INC., APPLICANT). Seconded by Alderman Schmidt. All voted Aye; motion carried.
- 2025 COMP MASTER PLAN TECHNICAL CHANGES G-7. Alderman Olson moved to direct staff to initiate an amendment of the City of Franklin 2025 Comprehensive Master Plan to incorporate the technical changes identified in Attachment A. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Wilhelm then moved that Attachment B return to the May 18, 2010, Common Council meeting for consideration. Seconded by Alderman Taylor. All voted Aye; motion carried.

- NON-LIGHT AND SIREN RESPONSE PILOT STUDY G-8. Alderman Solomon moved that the Franklin Fire Department non-light and siren response continue as a policy of the City. Seconded by Alderman Olson. All voted Aye; motion carried.
- COMMUNITY DEVELOPMENT BLOCK GRANT AMENDMENT G-9. Alderman Olson moved to approve the “Amendment to the Following Community Development Block Grant Agreements between Milwaukee County and the City of Franklin” transferring the available balance from the Senior Center Construction to the Handicap Access City Hall Alarm Project. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2010-6643 UNFUNDED STATE MANDATES ON WAGES G-10. Alderman Olson moved to adopt 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. Seconded by Alderman Taylor. Alderman Olson withdrew his motion.
Alderman Solomon then moved to adopt Resolution No. 2010-6643, 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. Seconded by Alderman Taylor. All voted Aye; motion carried.
- ORD. 2010-1998 AMEND ORD. 2009-1987 2010 BUDGET CHANGES G-11. Alderman Solomon moved to approve Ordinance No. 2010-1998, AN ORDINANCE TO AMEND ORDINANCE 2009-1987, AN ORDINANCE ADOPTING THE 2010 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE CHANGES TO 2010 BUDGET IN VARIOUS DEPARTMENTS OF THE GENERAL FUND AND CAPITAL OUTLAY FUND. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- OFFICIAL NEWSPAPER G-12. Alderman Taylor moved to adopt A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Skowronski. Alderman Taylor withdrew his motion.
Alderman Olson moved to table A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER until 5/18/10 Common Council meeting. Seconded by Alderman Taylor. All voted Aye; motion carried.

GATEWAY
AEROTROPOLIS
CORP.

G-13.a. Alderman Taylor moved to direct staff to redraft the resolutions provided so that they accurately reflect the current status of the Milwaukee Gateway Aerotropolis Incorporated, reflect the City's right to a position as a member of the Board of Directors with a voting right, and reflect the position that the Bylaws incorporate an ability to withdraw from the organization at the City's sole discretion without penalty or obligation, and that membership does not obligate the City or staff to a financial commitment without specific approval by the Common Council. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

Alderman Taylor moved to authorize a \$5,000 contribution to Milwaukee Gateway Aerotropolis Incorporated following approval of acceptable Bylaws by the organization. Seconded by Alderman Schmidt. Alderman Taylor withdrew his motion.

Alderman Taylor moved to authorize \$500 contribution to Milwaukee Gateway Aerotropolis Incorporated. Seconded by Alderman Olson.

Alderman Solomon moved to amend to \$1,000. Seconded by Alderman Skowronski. On roll call, Aldermen Skowronski and Solomon voted Aye; Aldermen Schmidt, Taylor, Wilhelm and Olson voted No. Motion failed.

On the vote for the main motion to authorize \$500 contribution to Milwaukee Gateway Aerotropolis Incorporated, all voted Aye; motion carried.

EMERGENCY
NOTIFICATION
SYSTEM

G-13.b. Alderman Solomon moved to refer the Emergency Notification System recommendations from 5/03/10 to Technology Commission. Seconded by Alderman Olson. All voted Aye; motion carried.

LOT GRADING,
CERTIFICATION,
SITE DRAINAGE,
ETC.

G-13.c. Alderman Taylor moved to direct staff to return with ordinance to require certification of the grading location of footings prior to the pouring of concrete. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Alderman Taylor moved to direct staff to address concerns relating to lot grading, certification, footings and foundation certification, and site drainage enforcement to the 6/01/10 Committee of the Whole meeting. Seconded by Alderman Solomon. All voted Aye; motion carried.

LICENSES AND
PERMITS

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

Taxi Cab Driver License to Mustafa Moore, 3541 S. Clement Avenue, Milwaukee;

Operator License to Wendy Beierle, 9221 S. 96th Street; Thomas B. Brooks, 13865 W. Thomas Drive, New Berlin; Joseph A. Cauley, 1813 S. 70th Street, West Allis; Diane M. Falk, 4505 S. 124th Street, New Berlin; Michael D. Falk, 10440 W. Scharles

LICENSES AND
PERMITS-
CONTINUED

Avenue, Hales Corners; Maxine J. Godec, 5160 S. Oakridge Drive, New Berlin; Biljana Maric, 6634 W. Eden Place, Milwaukee; Kimberly M. Marquardt, 8918 Raynor Avenue, Franksville; Jenna K. Rozek, 10220 W. Beacon Hill Drive; Jessica L. Rozek, 10220 W. Beacon Hill Drive and Christine A. Rozewicz, 8123 S. Legend Drive #A;

Further moved to hold Operator License for Amritdeep Kaur, 3840 S. 43rd Street #11, Greenfield and Harjeet Singh, 1925 W. Timber Ridge Lane #1209, Oak Creek, both subject to appearing before the License Committee;

FEE FOR CHANGE OF H-2.
PREMISE
DESCRIPTION

Further moved to direct the City Attorney to prepare an ordinance establishing a \$25 fee for Change of Premise Description for Class A & B licenses as recommended by the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND I-1.
PAYROLL

Alderman Taylor moved to approve net City vouchers in the range of Nos. 133901 through 134090 in the amount of \$938,699.01. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Taylor moved to approve the net City payroll of April 23, 2010 in the amount of \$334,413.70. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

ADJOURNMENT J.

Alderman Taylor moved to adjourn the meeting at 9:22 p.m. Seconded by Alderman Olson. All voted Aye; motion carried.