

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 3, 2011
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on May 3, 2011 and called to order at 9:25 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 9:26 p.m. and closed at 9:27 p.m.
- TREE CITY USA B-2.a. Mayor Taylor announced naming of City of Franklin as a Tree City USA® community for 2010 by the Arbor Day Foundation.
- PROCLAMATION-
SADIE JASINSKI B-2.b. Alderman Schmidt moved to table to the Common Council meeting on 5/17/2011 the Sadie Jasinski, four-year Varsity starter for the Franklin Sabers Bowling Club Team-Ald. Dist. #2.
- APPROVAL OF
MINUTES-4/19/11 C.1. Alderman Taylor moved to approve the minutes of the regular meeting of April 19, 2011. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- APPOINTMENTS E-1.a. Alderman Taylor moved to table to the Common Council meeting on 5/17/2011 the Mayoral appointment of Alderman Wilhelm to the Economic Development Commission, term expires 4/15/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.b. Alderman Solomon moved to approve the Mayoral appointment of David Radloff to the Board of Review. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.c. Alderman Skowronski moved to table to the Common Council meeting on 5/17/2011 the Mayoral appointment of Mark Dandrea, 1st District nomination, to the Board of Review. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.d. Alderman Wilhelm moved to approve the Mayoral appointment of Mark Arndt, 3rd District nomination, to the Board of Review. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.e. Alderman Taylor moved to approve the Mayoral appointment of Daniel Muehlenbach, 4th District nomination, to the Board of Review. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.

APPOINTMENTS-
CONTINUED

- E.1.f. Alderman Skowronski moved to approve the Mayoral appointment of Marvin Wolff, 6th District nomination, to the Board of Review. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.g. Alderman Taylor moved to approve the Mayoral appointment of Walter Naujock, to the Architectural Board, term expires 4/30/14. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.h. Alderman Schmidt moved to approve the Mayoral appointment of Vance Werner, to the Architectural Board, term expires 4/30/14. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.i. Alderman Wilhelm moved to approve the Mayoral appointment of Mark Arndt (alternate member), to the Architectural Board, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.j. Alderman Schmidt moved to approve the Mayoral appointment of Wesley Cannon, to the Environmental Commission, term expires 4/30/14. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.k. Alderman Skowronski moved to approve the Mayoral appointment of John Nelson, to the Fair Commission, term expires 4/30/14. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.l. Alderman Solomon moved to approve the Mayoral appointment of Dennis Kust, to the Fair Commission, term expires 4/30/14. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.m. Alderman Taylor moved to approve the Mayoral appointment of Tino Arvanetes, to the Finance Committee, term expires 4/30/12. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E.1.n. Alderman Taylor moved to approve the Mayoral appointment of Linda Bowe, to the Finance Committee, term expires 4/30/12. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.
- E.1.o. Alderman Taylor moved to approve the Mayoral appointment of Dennis Ciche, to the Finance Committee, term expires 4/30/12. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

APPOINTMENTS-
CONTINUED

- E.1.p. Alderman Wilhelm moved to approve the Mayoral appointment of Henry Wengelewski, to the Board of Health, term expires 4/30/13. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.q. Alderman Wilhelm moved to approve the Mayoral appointment of Robert Fedran, to the Board of Health, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.r. Alderman Wilhelm moved to approve the Mayoral appointment of Renee Fuller, to the Board of Health, term expires 4/30/13. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.s. Alderman Wilhelm moved to approve the Mayoral appointment of Patricia Nissen, to the Board of Health, term expires 4/30/13. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.t. Alderman Solomon moved to approve the Mayoral appointment of Dave Adam, to the Library Board, term expires 7/01/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.u. Alderman Skowronski moved to approve the Mayoral appointment of Diane Oleson, to the Library Board, term expires 7/01/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.v. Alderman Solomon moved to approve the Mayoral appointment of Anthony Megna, to the Parks Commission, term expires 4/30/14. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.
- E.1.w. Alderman Taylor moved to approve the Mayoral appointment of Dave Pautz, to the Parks Commission, term expires 4/30/14. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.x. Alderman Skowronski moved to approve the Mayoral appointment of Dale Wikel, to the Personnel Committee, term expires 4/30/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.y. Alderman Olson moved to approve the Mayoral appointment of Patrick Sheehan, to the Personnel Committee, term expires 4/30/14. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

APPOINTMENTS-
CONTINUED

- E.1.z. Alderman Skowronski moved to approve the Mayoral appointment of Kevin Haley, to the Plan Committee, term expires 4/30/14. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.aa. Alderman Schmidt moved to approve the Mayoral appointment of Dave Fowler, to the Plan Committee, term expires 4/30/12. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.bb. Alderman Skowronski moved to approve the Mayoral appointment of Jim Bartnicki, to the Board of Public Works, term expires 4/30/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.cc. Alderman Wilhelm moved to approve the Mayoral appointment of Jonathan Webster, to the Board of Public Works, term expires 4/30/14. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.dd. Alderman Wilhelm moved to approve the Mayoral appointment of Rajiv Surana, to the Technology Commission, term expires 4/30/14. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.ee. Alderman Olson moved to approve the Mayoral appointment of Scott Meade to the Technology Commission, term expires 4/30/14. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E.1.ff. Alderman Skowronski moved to approve the Mayoral appointment of John English, to the Board of Zoning Appeals, term expires 4/30/13. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E.1.gg. Alderman Skowronski moved to approve the Mayoral appointment of Phil Nickerson, to the Board of Zoning Appeals, term expires 4/30/14. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E.1.hh. Alderman Schmidt moved to approve the Mayoral appointment of Stephen Lasky, to the Board of Zoning Appeals, term expires 4/30/14. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

DONATION-
FRANKLIN LION'S
CLUB

- G.1. Alderman Olson moved to accept the \$600.00 donation from the Franklin Lion's club to provide bicycle helmets for the "Safety City" program participants. Seconded by Alderman Schmidt. All voted Aye; motion carried.

CLIFTON GUNDERSON LLP
2010 ANNUAL FINANCIAL REPORT

G.2. Alderman Olson moved to receive and place on file the 2010 Comprehensive Annual Financial Report (CAFR), and the required communications letters from Clifton Gunderson LLP. Seconded by Alderman Taylor. All voted Aye; motion carried.

AGREEMENT-GOVERNMENT PAYMENT SERVICES, INC.

G.3. Alderman Olson moved to approve the updated credit card payment Participation Agreement with Government Payment Services, Inc. for providing credit card payment services to be used for payments of Municipal court fines, Property tax payments, Ambulance billing and City receivables payments subject to any modifications to the agreement recommended by the City Attorney. Seconded by Alderman Solomon. All voted Aye; motion carried.

UNCOMMITTED MONIES-2011 IS CAPITAL OUTLAY FUND

G.4. Alderman Olson moved to authorize the Director of Administration to use the uncommitted monies from the 2011 Information Services (IS) Capital Outlay Fund accounts to purchase the required software needed to complete the de-duplication project as recommended by the Technology Commission and to direct the Finance Director to incorporate this change into a future budget modification. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2011-6717 HOLDING TANK AGREEMENT-PASKIEWICZ

G.5. Alderman Taylor moved to adopt Resolution No. 2011-6717, RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A HOLDING TANK AGREEMENT WITH ARIC PASKIEWICZ, 5206 W. OAKWOOD RD, (TAX KEY NO. 931-9994-000). Seconded by Alderman Schmidt. All voted Aye; motion carried.

RECONSIDERATION-RESOLUTION NO. 2011-6711

G.6. Alderman Taylor moved to reconsider adoption of Resolution No. 2011-6711, A RESOLUTION TO AMEND RESOLUTION NO. 2004-5721 IMPOSING CONDITIONS AND RESTRICTION FOR THE APPROVAL OF A SPECIAL USE FOR AN ENGINEERING DESIGN AND MANUFACTURING OF STEEL STRUCTURES COMPANY FOR PROPERTY LOCATED AT 9909 SOUTH 57TH STREET TO ALLOW FOR AN EXPANSION OF THE USE (SKYLINE DEVELOPMENT CORP., APPLICANT), with typographical corrections as noted by Alderman Wilhelm on Page 3 of the resolution. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Taylor then moved to adopt Resolution No. 2011-6711, RESOLUTION TO AMEND RESOLUTION NO. 2004-5721 IMPOSING CONDITIONS AND RESTRICTION FOR THE APPROVAL OF A SPECIAL USE FOR AN ENGINEERING DESIGN AND MANUFACTURING OF STEEL STRUCTURES COMPANY FOR PROPERTY LOCATED AT 9909 SOUTH 57TH STREET TO ALLOW FOR AN EXPANSION OF THE USE (SKYLINE DEVELOPMENT

RECONSIDERATION-
RESOLUTION NO.
2011-6711 –
CONTINUED

CORP., APPLICANT), with typographical corrections as noted by Alderman Wilhelm on Page 3, and amending condition 6 adding to the end thereto, but prior to the period, the following: "or, in accordance with the requirements of Planned Development District No. 7, the applicant shall prior to installation of said parking spaces, obtain approval from the Economic Development Commission (as successor to the Industrial Development Commission) to retain said parking spaces for the purpose of visitor or customer parking, which approval may also address and approve the preservation, location, or replacement of any street tree as may be immediately impacted by construction of said parking spaces." Seconded by Alderman Wilhelm. All voted Aye; motion carried.

ORD. 2011-2043
REDUCE OFF-
STREET
PARKING SPACE

G.7. Alderman Taylor moved to adopt Ordinance No. 2011-2043, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT TO AMEND SECTION 15-5.0203 AND TABLE 15-5.0203 TO REDUCE OFF-STREET PARKING SPACE AND ON-SITE QUEUING REQUIREMENTS FOR NON-RESIDENTIAL USES. Seconded by Alderman Olson. All voted Aye; motion carried.

ORD. 2011-2044
MODIFICATIONS TO
PLATTING PROCESS
REQUIREMENTS FOR
SUBDIVIDERS

G.8. Alderman Skowronski moved to adopt Ordinance No. 2011-2044, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT TO AMEND DIVISION 15-9.0300 AND RELATED PROVISIONS TO COMPLY WITH 2009 WISCONSIN ACT 376 PROVISIONS RELATING TO MODIFICATIONS TO PLATTING PROCESS REQUIREMENTS FOR SUBDIVIDERS, INCLUDING, BUT NOT LIMITED TO APPROVAL TIMING, DEVELOPMENT PHASING AND FINANCIAL SECURITY. Seconded by Alderman Schmidt. All voted Aye; motion carried.

ORD. 2011-2045
SPECIAL USE-
VETERINARY
SERVICES,
SPECIALTIES-
CITY OF FRANKLIN

G.9. Alderman Taylor moved to adopt Ordinance No. 2011-2045, ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 742 "VETERINARY SERVICES, SPECIALTIES", TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE VB VILLAGE BUSINESS DISTRICT; STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 752 "ANIMAL SPECIALTY SERVICES", TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE B-2 GENERAL BUSINESS DISTRICT, B-3 COMMUNITY BUSINESS DISTRICT, B-5 HIGHWAY BUSINESS DISTRICT AND OL-2 GENERAL BUSINESS OVERLAY DISTRICT; AND STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 5999 "MISCELLANEOUS RETAIL STORES, NOT ELSEWHERE CLASSIFIED", TO ALLOW FOR SUCH USE AS A PERMITTED USE IN THE B-5 HIGHWAY BUSINESS DISTRICT (CITY OF FRANKLIN,

Franklin Common Council

5/03/11

Page Seven

SPECIAL USE-
VETERINARY
SERVICES-
CONTINUED

APPLICANT). Seconded by Alderman Skowronski.
Alderman Wilhelm moved to amend the motion to remove Village Business District section. Seconded by Alderman Schmidt. Alderman Wilhelm withdrew her motion.
On the vote for the main motion all voted Aye; motion carried.

RES. 2011-6718
SPECIAL USE-
LULU'S DOG
PAWLOUR, LLC

G.10. Alderman Solomon moved to adopt Resolution No. 2011-6718, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DOG GROOMING WITH PET SUPPLY RETAIL SALES BUSINESS USE UPON PROPERTY LOCATED AT 7129 S. 76TH STREET (LULU'S DOG PAWLOUR, LLC, APPLICANT). Seconded by Alderman Skowronski. All voted Aye; motion carried.

PUETZ ROAD
BOOSTER STATION

G-11. Alderman Taylor moved to authorize staff to let bids for the Puetz Road Booster Station which will be finalized by the Water Utility and to install a 300 foot section of water main at the 9600 block of W. Puetz Road through the process of special assessment with the oversizing being financed through the water impact fee funds. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2011-6719
LOCAL STREET
IMPROVEMENT
PROGRAM

G.12. Alderman Solomon moved to adopt Resolution No. 2011-6719, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER, STARK ASPHALT IN THE AMOUNT OF \$622,167, FOR THE 2011 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderman Skowronski. All voted Aye; motion carried.

RES. 2011-6720
OFFICIAL
NEWSPAPER

G.13. Alderman Taylor moved to adopt Resolution No. 2011-6720, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Skowronski. All voted Aye; motion carried.

ECONOMIC
DEVELOPMENT
COMMISSION

G.14.A. Alderman Solomon moved to refer back to City Attorney with Alderman Taylor and other interested parties to work with the City Attorney to transfer duties of the Economic Development Commission to the Community Development Authority and return with necessary legislation to the 5/17/2011 Common Council meeting. Seconded by Alderman Schmidt. Alderman Solomon withdrew his motion. No action was taken.

CONSOLIDATION OF
CITY SERVICES

G.14.B. No action was taken on the discussion held at the 5/02/11 Committee of the Whole meeting regarding the consolidation of City services with Milwaukee County and other jurisdictions.

EASEMENT
ACQUISITIONS-
RYAN CREEK
INTERCEPTOR

- G.15. Alderman Skowronski moved to authorize the offering price for easement acquisitions for Acquisition Map Parcels 3, 9, 10, 21, 32, and 40 for the Ryan Creek Interceptor Sewer project as recommended by the appraisal firm of Single Source, Inc. and the City Engineer. Seconded by Alderman Solomon.
Alderman Skowronski, seconded by Alderman Taylor, moved to call the question. Motion carried on a voice vote; Alderman Wilhelm voted No.
On roll call for the main motion, Aldermen Olson, Solomon, Taylor, Schmidt and Skowronski voted Aye; Alderman Wilhelm voted No. Motion carried.

RES. 2011-6721
SANITARY SEWER
SERVICE AREA
AMENDMENT

- G.16. Alderman Taylor moved to suspend regular order of business to allow Basil Ryan to speak for 3 minutes regarding a resolution adopting the Franklin Sanitary Sewer Service Area Amendment. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
Alderman Taylor moved to return to regular order of business. Seconded by Alderman Schmidt. All voted Aye; motion carried.
Alderman Wilhelm, seconded by Alderman Olson, moved to suspend the regular order of business to allow Joseph Eberle to speak. All voted Aye; motion carried.
Alderman Skowronski moved to return to the regular order of business. Seconded by Alderman Taylor. All voted Aye; motion carried.
At 11:10 p.m. Mayor Taylor passed the gavel to Council President Taylor who then chaired the meeting. The gavel was returned to Mayor Taylor at 11:13 p.m. who returned to chairing the meeting.
Alderman Taylor moved to adopt Resolution No. 2011-6721, A RESOLUTION ADOPTING THE FRANKLIN SANITARY SEWER SERVICE AREA AMENDMENT and that a transcript of the public hearing be provided to the Commission for the SEWRPC Community Assistance Planning Report No. 176 (2nd Edition). Seconded by Alderman Skowronski. On roll call, Aldermen Olson, Solomon, Taylor, Schmidt and Skowronski voted Aye; Alderman Wilhelm voted No. Motion carried.

MISCELLANEOUS
LICENSES

- H.1. Alderman Solomon moved to grant the following licenses:

Temporary Entertainment & Amusement for Birthday Party DJ (music to end at 8 p.m.), Mary Gomez, Lions Legend Park-Vernon Barg Pavilion on 6/5/11;
Further moved to approve Operator License for Parminder Singh Gill, 5601 Castle Ct. #109, Racine with warning letter from City Clerk; Alvin A. Berezinski, 708 Columbia Avenue, South Milwaukee; Nicole M. Cruz, 721 W. Grange Avenue #103, Milwaukee; Jody L. Haase, 2431 W. Carroll Avenue, Oak Creek; Brian M. Rechlicz, 3607 S. 13th Street, Milwaukee; Patricia E. Sokolowski, 5355 S. Tuckaway Lane #1, Greenfield and Ranganathan Sowmyanarayanan, 826 N. 14th Street, Apt. 105,

MISCELLANEOUS
LICENSES-
CONTINUED

Milwaukee;

Further moved to hold Class B Combination, review of twelve-month period police reports for Eric's Setback, 6357 S. 27th Street; Jacob's Pub, 6951 S. Lovers Lane Road and The Hideaway Pub & Eatery, 9643 S. 76th Street, all subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1.

Alderman Schmidt moved to approve the City vouchers in the range of Nos. 138231 through 138397 in the amount of \$1,360,737.94. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve the net payroll of April 22, 2011 in the amount of \$365,916.78. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 11:25 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.