

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 21, 2006
MINUTES**

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|---------------------------------|-------|---|
| ROLL CALL | A. | <p>The regular meeting of the Common Council was held on November 21, 2006 and called to order at 7:30 p.m. by Mayor Taylor in the Multipurpose Room at Franklin High School, 8222 South 51st Street, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Olson, Solomon, Hammelman, Kosovich, Sohns and Skowronski (arrived at 8:05 p.m.). Also present were City Engineer Bennett, Dir. of Finance and Treasurer Patterson, Planning Manager Dietl, Dir. of City Development Wheaton, Dir. of Administration Lubberda, City Attorney Wesolowski and City Clerk Wesolowski.</p> <p>Citizen comment period was opened at 7:32 p.m. and closed at 8:35 p.m.</p> |
| RECOGNITION | B-2a. | <p>The City Clerk read the Certificate of Special Congressional Recognition from U.S. Congressman Paul Ryan regarding the City of Franklin 50th Anniversary.</p> |
| PLAQUE | B-2b. | <p>The City's 50th Anniversary plaque will be presented to the Common Council at the 12/05/06 Common Council meeting.</p> |
| PROCLAMATION | B-2c. | <p>Mayor Taylor announced his proclamation for the Franklin High School 2006 Sabers football team.</p> |
| LETTER | F-2d. | <p>Mayor Taylor read a thank you letter from Three Cellars, LLC.</p> |
| MINUTES-
11/06/06 | C-1. | <p>Alderman Kosovich moved to approve minutes of the regular meeting of November 6, 2006 as presented. Seconded by Alderman Olson. All voted Aye; motion carried.</p> |
| HEARING | D-1. | <p>The public hearing regarding the proposed amendments to the City of Franklin Municipal Code to provide regulations relating to residency restrictions for sex offenders was opened at 8:50 p.m. and closed at 9:12 p.m.</p> |
| ORD. 2006-1895
SEX OFFENDERS | F-1. | <p>Alderman Olson moved to adopt Ordinance No. 2006-1895, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE REGULATIONS RELATING TO RESIDENCY RESTRICTIONS FOR SEX OFFENDERS AND DIRECTING ACTION FOR INJUNCTIVE RELIEF FOR VIOLATION THEREOF, as amended by the City Attorney. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.</p> |
| GENERAL
OBLIGATION
BONDS | F-2. | <p>Alderman Solomon moved to authorize the sale of \$9,975,000 in tax exempt general obligation bonds and providing for the issuance and sale of general obligation bonds with the Director of Finance working with our financial advisor causing an official statement to be prepared and pertinent data forwarded to interested parties and the Director of Clerk Services causing notice of the sale to be disseminated. Seconded by Alderman Olson. All voted Aye; motion carried.</p> |

- PROMISSORY NOTES F-3. Alderman Solomon moved to authorize the sale of \$10,000,000 in taxable general obligation promissory notes; providing for the issuance and sale of general obligation promissory notes with the Director of Finance working with our financial advisor causing an official statement to be prepared and pertinent data forwarded to interested parties and the Director of Clerk Services causing notice of the sale to be disseminated and issuance of an interfund advance not to exceed \$7,000,000 to TIF #3 from available City funds with a promissory note supporting the advance at an interest rate approximating the Wisconsin LGIP rate and reserving the option to refinance the interfund advance in 2008 or 2009. Seconded by Alderman Hammelman. All voted Aye; motion carried.
- RES. 2006-6195 F-4. Alderman Olson moved to adopt Resolution No. 2006-6195, A RESOLUTION CONDITIONALLY APPROVING A 1 PARCEL AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (UNITED FINANCIAL GROUP, INC., APPLICANT) (APPROXIMATELY 8900 WEST HIGHLAND AVENUE). Seconded by Alderman Hammelman. All voted Aye; motion carried.
- ORD. 2006-1896 F-5. Alderman Olson moved to adopt Ordinance No. 2006-1896, AN ORDINANCE TO AMEND §15-3.0430 OF THE UNIFIED DEVELOPMENT ORDINANCE, PLANNED DEVELOPMENT DISTRICT NO. 25 (BURKE PROPERTIES) (FRANKLIN SQUARE LLC, APPLICANT). Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6196 F-6. Alderman Solomon moved to adopt Resolution No. 2006-6196, A RESOLUTION TO AMEND RESOLUTION 1970-446 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT APPROXIMATELY 7711 AND 7811-7859 SOUTH SCEPTER DRIVE (CMS MANAGEMENT SERVICES, INC.). Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2006-6197 F-7. Alderman Kosovich moved to adopt Resolution No. 2006-6197, A RESOLUTION CONDITIONALLY APPROVING A THREE LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (FRANKLIN SQUARE LLC, APPLICANT) (APPROXIMATELY SOUTH 51ST STREET, WEST COBBLESTONE WAY AND WEST RYAN ROAD). Seconded by Alderman Hammelman. All voted Aye; motion carried.

- RES. 2006-6198 F-8. Alderman Sohns moved to adopt Resolution No. 2006-6198, A CONDOMINIUM CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR WOODLAND TRAILS CONDOMINIUMS THIRD ADDENDUM, BEING A DIVISION OF A PART OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (FRANKLIN SQUARE LLC, APPLICANT) (APPROXIMATELY SOUTH 51ST STREET, WEST COBBLESTONE WAY AND WEST RYAN ROAD). Seconded by Alderman Kosovich. All voted Aye; motion carried.
- STREET TREES- F-9. Alderman Sohns moved to approve a developer agreement RIVER PARK amendment for Icon Development to allow street trees in River Park SUBDIVISION Subdivision (approximately 8201 S. 51st Street) be planted according to the City's present policy, with such agreement in the form of a letter. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- S. 36TH STREET F-10. Alderman Sohns moved to authorize staff to sign Change Order No. AND W. ACRE 1 for the S. 36th Street and W. Acre Avenue water main extension, AVENUE Project 2005-WU106 with MJ Construction, Inc. for an increase in the contract of \$3,135.30. Seconded by Alderman Olson. All voted Aye; motion carried.
- W. RYAN ROAD F-11. Alderman Kosovich moved to authorize staff to sign Change Order AND S. 51ST No. 1 for the extension of sanitary sewer at the intersection of S. 51st STREET Street and W. Ryan Road, Project No. 2005-S104 with Wanasek Construction for a reduction in contract price of \$72,597.00; reducing the contract from \$469,525.00 to \$396,928.00. Seconded by Alderman Sohns. All voted Aye; motion carried.
- S. 116TH STREET F-12. Alderman Skowronski moved to deny the request to extend sanitary SANITARY SEWER sewer in the general area of S. 116th Street from the 8000 block to the 8800 block and W. Mayers Drive and inform the abutting property owners of this action. Seconded by Alderman Sohns. All voted Aye; motion carried.
- ORD. 2006-1897 F-13. Alderman Kosovich moved to adopt Ordinance No. 2006-1897, AN CIVIC CENTER ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT DISTRICT ORDINANCE TO AMEND THE CC CITY CIVIC CENTER DISTRICT, with amendments to Table 15-3.0603. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.
- W. MARQUETTE F-14. Alderman Hammelman moved to direct the Engineering Department AVENUE to proceed with the design and project specifications for the EXTENSION extension and connection of W. Marquette Avenue to Hillendale Avenue with sidewalks on the south side only. Seconded by Alderman Sohns. All voted Aye; motion carried.

- ORD. 2006-1898
NON-
REPRESENTED
EMPLOYEES
- ORD. 2006-1899
NON-
REPRESENTED
EMPLOYEE
- NON-
REPRESENTED
EMPLOYEES
- INSURANCE
COVERAGE
POLICY
- CASUALTY
INSURANCE
COVERAGE
- WAIVER
REQUESTS
- S. 31ST STREET
- F-15. Alderman Olson moved to adopt Ordinance No. 2006-1898, AN ORDINANCE ESTABLISHING BENEFITS FOR FULL TIME NON-REPRESENTED MANAGEMENT EMPLOYEES OF THE CITY OF FRANKLIN, as amended; and also moved to adopt Ordinance No. 2006-1899, AN ORDINANCE ESTABLISHING BENEFITS FOR FULL-TIME NON-REPRESENTED NON-SUPERVISORY EMPLOYEES OF THE CITY OF FRANKLIN, as amended. Seconded by Alderman Sohns. All voted Aye; motion carried.
- F-16. Alderman Sohns moved to adjust the non-represented salary ranges by adjusting all steps by 3%, consistent with Inspection and Teamster contracts, advise non-represented employees of the changes in the medical plan design and employee premium share consistent with Inspection and Teamster contracts, perform annual performance reviews per current policy and direct staff to review and revise the current salary plan with the intent that it go before the Personnel Committee in March or April of 2007, recognizing that delays may occur. Seconded by Alderman Olson. All voted Aye; motion carried.
- F-17. Alderman Sohns moved to authorize the Director of Administration to renew the Specific Stop Loss coverage policy with The Hartland in order to avoid additional increases in the proposed premium. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- F-18. Alderman Olson moved to direct the Director of Administration to renew the City's casualty insurance plans with R&R Insurance/League of Wisconsin Municipalities Mutual Insurance and the Local Government Property Insurance Fund, for the upcoming 2007 year. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- F-19. Alderman Sohns moved to authorize the City Attorney to execute and deliver the Conflict Waiver from the Boardman Law Firm dated October 30, 2006. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- F-20. Alderman Hammelman moved to authorize the offering price for Parcels 1-5 for the acquisition of properties by the City for right-of-way for the reconstruction of S. 31st Street from W. Drexel Avenue to a point 1/2 mile to the north of W. Drexel Avenue as set forth in the confidential documents which involve strategy for the negotiation of public investment with the purchase of public properties under §19.85(1)(e), Stats. Seconded by Alderman Sohns. All voted Aye; motion carried.

CLOSED
SESSION-
TEAMSTERS

F-21. Alderman Sohns moved to enter closed session at 10:46 p.m. pursuant to §19.85(1)(e), Stats., to consider approval of a tentative agreement with the Teamsters “General” Local Union No. 200 and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 10:50 p.m.

RES. 2006-6199
LABOR
AGREEMENT-
TEAMSTERS

Alderman Skowronski moved to adopt Resolution No. 2006-6199, RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A LABOR AGREEMENT WITH THE TEAMSTERS “GENERAL” LOCAL UNION NO. 200 AND TO REVISE THE PLAN DOCUMENT AND SUMMARY PLAN DESCRIPTION FOR THE CITY OF FRANKLIN EMPLOYEE HEALTH AND WELFARE BENEFIT PLAN, contingent upon ratification by the Union. Seconded by Alderman Olson. On roll call, all voted Aye. Motion carried.

APPOINTMENTS

G-1. Alderman Kosovich moved to confirm the Mayoral appointment of Tim Ohn, alternate member, term expires 4/30/09, to the Architectural Board. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

LICENSES

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

New Class B Combination, Entertainment & Amusement to Maximum Martini, LLC, d/b/a Kä Martini Lounge, Thomas J. Galante, Agent, 7352 W. Rawson Avenue pending satisfactory inspections;

Operator License to Boccherini L. Blacks, 4133 N. 24th Street, Milwaukee; Shelly L. Ertl, 3725 E. Martin Avenue, Cudahy; Jacqueline M. Floyd-Hyke, 1626 S. 58th Street, West Allis and Doan X. Nguyen, 1320 S. 111th Street, West Allis;

Temporary Class B Beer & Wine and Temporary Entertainment & Amusement License to St. Theresa of the Child Jesus Vietnamese Catholic, Francis Le, 7963 S. 116th Street (St. Martin of Tours) on 12/23/06-12/24/06;

and also moved to hold Operator License for Sandra L. Collins, S77 W18233 Ann Drive, Muskego; Jason D. Manyen, 5667 S. Root River Drive, Greendale and Kerri A. McCracken, 2429 W. Ramsey Avenue, Milwaukee, all subject to appearing before the License Committee;

LICENSES-
CONTINUED

No action was taken on the application for reserve "Class B" intoxicating liquor grant for Maximum Martini, LLC, d/b/a Kä Martini Lounge, Thomas J. Galante, Agent, 7352 W. Rawson Avenue was referred to the 12/04/06 Committee of the Whole meeting. Seconded by Alderman Solomon. All voted Aye; motion carried.

BILLS

I-1.

Alderman Kosovich moved to approve net City vouchers in the range of Nos. 118283 thru 118468 in the amount of \$975,782.34. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.

PAYROLL

Alderman Olson moved to approve net payroll of November 10, 2006 in the amount of \$307,316.70. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Kosovich moved to adjourn the meeting at 10:59 p.m. Seconded by Alderman Olson. All voted Aye; motion carried.