

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 3, 2006
MINUTES**

- ROLL CALL A. The regular meeting of the Common Council was held on October 3, 2006 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, Hammelman, Kosovich and Sohns. Alderman Skowronski was excused. Also present were City Engineer Bennett, Police Chief Oliva, Director of Administration Lubberda, City Attorney Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT B-1. Citizen comment period was opened at 6:31 p.m. and closed at 6:32 p.m.
- RAWSON COMMONS RETAIL CENTER B-2. Mayor Taylor presented information regarding the Comprehensive Onsite Stormwater Management Program for small parcel site development-Rawson Commons Retail.
- MINUTES-9/19/06 C-1. Alderman Kosovich moved to approve minutes of the regular meeting of September 19, 2006 as presented. Seconded by Alderman Hammelman. All voted Aye; motion carried.
- CREDIT CARD PAYMENT F-1. Alderman Hammelman moved to approve accepting payments by credit card through an outside vendor and approving a one year automatically renewable service agreement with Governmental Payment Services, Inc. for providing credit card payment services with any modifications to the agreement recommended by the City Attorney and Alderman Hammelman. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2006-6175 CONSERVATION EASEMENT-FOX F-2. Alderman Kosovich moved to adopt Resolution No. 2006-6175, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR THE LEONORA J. FOX TRUST 3 LOT CERTIFIED SURVEY MAP (AT APPROXIMATELY 3341 WEST SOUTHLAND DRIVE) (LEONORA J. FOX TRUST, APPLICANT) subject to standard corrections by the City Attorney. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6176 CSM-FOX F-3. Alderman Kosovich moved to adopt Resolution No. 2006-6176, A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (LEONORA J. FOX TRUST, APPLICANT) (APPROXIMATELY 3341 WEST SOUTHLAND DRIVE). Seconded by Alderman Sohns. All voted Aye; motion carried.

Franklin Common Council

10/03/06

Page Two

- RES. 2006-6177
HOLDING TANK-
PAGE
- F-4. Alderman Sohns moved to adopt Resolution No. 2006-6177, RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A TEMPORARY HOLDING TANK AGREEMENT WITH BILL & JULIE PAGE, 4657 OAKWOOD ROAD , TAX KEY NO. 949-9997-001. Seconded by Alderman Olson. All voted Aye; motion carried.
- S. 31ST STREET
RECONSTRUCTION
- F-5. Alderman Sohns moved to refer the right-of-way plat for the reconstruction of S. 31st Street from W. Drexel Avenue to a point approximately 1/2 mile north of W. Drexel Avenue to the Franklin Planning Commission and Board of Public Works for review and recommendation as required by state statute. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- RES. 2006-6178
W. OAKWOOD ROAD
- F-6. Alderman Kosovich moved to adopt Resolution No. 2006-6178, A RESOLUTION TO RENDER A RELOCATION ORDER PURSUANT TO §32/05(1), STATS., FOR THE REVISED RIGHT OF WAY PLAT FOR THE RECONSTRUCTION OF WEST OAKWOOD ROAD FROM SOUTH 27TH STREET TO A POINT APPROXIMATELY 1/2 MILE WEST OF SOUTH 27TH STREET as corrected. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2006-6179
W. OAKWOOD
ROAD-SANITARY
SEWER
- F-7. Alderman Kosovich moved to adopt Resolution No. 2006-6179, A RESOLUTION AWARDDING A CONTRACT TO THE LOW BIDDER FOR SANITARY SEWER EXTENSION ON W. OAKWOOD ROAD FROM S. 27TH STREET TO S. 34TH STREET to CW Purpero in the amount of \$349,571.00. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6180
EASEMENT-
MAYER/
REMINGTON CSM
- F-8. Alderman Solomon moved to adopt Resolution No. 2006-6180, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT PERMANENT SANITARY SEWER EASEMENT FOR THE MARY REMINGTON DEVELOPMENT, approximately 10650 W. Church Street with minor corrections. Seconded by Alderman Olson. All voted Aye; motion carried.
- YORKSHIRE GROVE-
TREES
- F-9. Alderman Kosovich moved to approve a developer agreement amendment for MLG Development to allow street trees in Yorkshire Grove (southwest corner of S. 27th Street and W. Puetz Road), be planted according to the City's present policy. Seconded by Alderman Sohns. All voted Aye; motion carried.
- RES. 2006-6181
REFUSE
COLLECTION BID
- F-10. Alderman Sohns moved to adopt Resolution No. 2006-6181, A RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR A THREE (3) YEAR REFUSE COLLECTION DISPOSAL AND RECYCLING CONTRACT FOR THE YEARS JANUARY 1, 2007 THROUGH DECEMBER 31, 2009 to Veolia (Onyx, Inc.) in the amount of \$2,905,058.66. Seconded by Alderman Solomon. All voted Aye; motion carried.

Franklin Common Council

10/03/06

Page Three

- RES. 2006-6182
PAVEMENT
MARKING PROGRAM
- F-11. Alderman Olson moved to adopt Resolution No. 2006-6182, RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR THE 2006 PAVEMENT MARKING PROGRAM IN THE CITY OF FRANKLIN to Crowley Construction Corp. in the amount of \$31,110.00. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- TELE-
COMMUNICATIONS
- F-12. Alderman Sohns moved to refer article entitled "When AT&T Comes A-Knocking" to the Technology Commission, Finance Committee, Board of Public Works and City Attorney for their review and recommendation. Seconded by Alderman Olson. All voted Aye; motion carried.
- SEX OFFENDER
RESIDENCY
- F-13a. Alderman Olson moved to refer to the Community Safety Response Task Force and Plan Commission, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AS IT PERTAINS IN PART TO THE DEFINITION OF FAMILY AND TO PROVIDE REGULATIONS FOR WISCONSIN STATUTES CHAPTER 980 SUPERVISED RELEASE AND CERTAIN CRIMES AGAINST CHILDREN SEX OFFENDER USES and further that the Plan Commission schedule a public hearing as soon as possible; and further moved to refer the following ordinances to the Chair and Community Safety Response Task Force for review and recommendation back to the Common Council no later than 11/06/06: AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE REGULATIONS RELATING TO RESIDENCY RESTRICTIONS FOR SEX OFFENDERS; and 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; and AN ORDINANCE TO AMEND TO THE MUNICIPAL CODE TO PROVIDE REGULATIONS RELATING TO RESIDENCY RESTRICTIONS FOR SEX OFFENDERS RESTRICTING RESIDENCY TO THOSE HAVING HAD RESIDENCE PRIOR TO A CONVICTION FOR A SEX CRIME. Seconded by Alderman Solomon. All voted Aye; motion carried.
- CLOSED SESSION-
COMMUNITY
SAFETY RESPONSE
TASK FORCE
- F-14. Alderman Olson moved to enter closed session at 8:05 p.m. pursuant to §19.85(1)(g), Stats., to confer with the City Attorney and Special Council as available, as legal counsel for the Common Council who is or are rendering advice concerning strategy to be adopted by the Council with respect to litigation upon matters involving the supervision, monitoring and notification of registered sex offenders necessary to protect the safety of the Community and additionally as required pursuant to law and the administration of the law, in which it is likely to become involved 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 8:45 p.m.

CLOSED SESSION-
CIVIC CENTER AREA

- F-15. Alderman Solomon moved to enter closed session at 7:50 p.m. pursuant to §19.85(1)(e), Wis. Stats., to consider an offer to sell property to the City intended to be used for public purposes in the Civic Center Area and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Sohns. On roll call, Aldermen Solomon, Hammelman and Kosovich voted Aye; Aldermen Olson and Sohns voted No. Motion carried.

Upon reentering open session at 8:04 p.m., Alderman Solomon moved to refer an offer to sell property to the City intended to be used for public purposes in the Civic Center Area to City Attorney. Seconded by Alderman Kosovich. All voted Aye; motion carried.

APPOINTMENTS

- G-1. Alderman Sohns moved to confirm the Mayoral appointment of Joe Haselow, term expires 7/30/08, to the Economic Development Commission. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

Alderman Kosovich moved to confirm the Mayoral appointment of Jim Rhiner, term expires 7/30/08, to the Economic Development Commission. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

Alderman Sohns moved to confirm the Mayoral appointment of Mary Karolewicz, term expires 7/30/09, to the Economic Development Commission. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

Alderman Kosovich moved to confirm the Mayoral appointment of Bob Herman, term expires 4/30/09, to the Technology Commission. Seconded by Alderman Hammelman. 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:

Operator License to: Janine M. Adamczyk, 3217 W. Verona Ct., Milwaukee; William G. Davenport, 6148 S. 31st Street, Greenfield subject to satisfactory schooling; Melodie R. Keyes, 2220 W. Morgan Avenue, Milwaukee; Sue M. Leung, 2975 E. Diane Drive, Oak Creek; Hien Thi Nguyen, 3470 W. College Avenue, Greenfield; Michele L. Panietz, 8567 Francis Way, Windlake and Deborah Ann Warner, W161 S7067 Olive Circle, Muskego;

and also moved to hold Operator License to: Mario Buendia, 2108 W. Layton Avenue, Milwaukee; Mary A. Crogan, W334 S4703 Fieldstone Drive, Dousman; Armando Torrijos Alcantara, 442 E.

Franklin Common Council

10/03/06

Page Five

LICENSES-
CONTINUED

Ryan Road, Oak Creek and Brent W. Tourangeau, 3527 S. 81st Street, Milwaukee, all subject to appearing before the License Committee. Seconded by Alderman Solomon. All voted aye; motion carried.

BILLS

I-1. Alderman Solomon moved to approve net City vouchers in the range of Nos. 117694 thru 117897 in the amount of \$1,843,436.88. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

PAYROLL

Alderman Kosovich moved to approve net payroll of September 29, 2006 in the amount of \$324,343.71. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Kosovich moved to adjourn the meeting at 8:55 p.m. Seconded by Alderman Sohns. All voted Aye; motion carried.