

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 20, 2009
MINUTES**

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| ROLL CALL | A. | The regular meeting of the Common Council was held on October 20, 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 and Skowronski. Excused were Aldermen Taylor and Sohns. 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 6:34 p.m. |
| MINUTES-
10/06/2009 | C-1. | Alderman Wilhelm moved to approve minutes of the regular meeting of October 6, 2009 as revised. Seconded by Alderman Olson. All voted Aye; motion carried. |
| AGRICULTURAL
HISTORY MUSEUM | G-1. | Alfred Block and Doug Schmidt appeared before the Common Council to request direction from the Common Council for Albert Block to construct an agricultural history museum building at Lions Legend Park. Alderman Solomon moved to direct City staff to work with Alfred Block and the Franklin Historical Society to proceed with this project. Seconded by Alderman Skowronski. Upon unanimous Aye voice vote, motion carried. |
| SHAFI
PROFESSIONAL
CENTER (8200 W.
OLD LOOMIS RD.) | G-2. | Architect Steve Sharpe appeared on behalf of Dr. Mohammad Shafi, Applicant, to present a proposal for development of Shafi Professional Center (at 8200 West Old Loomis Road). No action was taken. |
| HIGHWAY MEDIAN
MAINTENANCE
AGMT.
W. RAWSON AVE. | G-3. | Alderman Olson moved to authorize execution of an agreement with Milwaukee County entitled "AGREEMENT FOR HIGHWAY MEDIAN MAINTENANCE WEST RAWSON AVENUE FROM SOUTH 51ST STREET EAST APPROXIMATELY 625 FEET", to authorize installation of said landscaping following receipt of a letter of commitment to provide the necessary annual maintenance funding, and to authorize the City Attorney to proceed with the voluntary imposition of a special charge for median landscape costs, in a form and manner as he so determines. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| ORD. 2009-1984
AMEND UDO
SEC. 15-3.0805F
WIRELESS
TELECOMM.
MONOPOLE TOWER | G-4. | Alderman Skowronski moved to adopt Ordinance No. 2009-1984, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-3.0805F. TO CREATE §15-3.0805F.4. TO ALLOW AS A PERMITTED USE THE INSTALLATION OF A WIRELESS TELECOMMUNICATIONS MONOPOLE TOWER AS A REPLACEMENT TO A PRE-EXISTING ALTERNATIVE TOWER STRUCTURE, TO WIT: A WATER TOWER, IN THE |

MONOPOLE TOWER-
CONTINUED

A-1 AGRICULTURAL DISTRICT. Seconded by Alderman Wilhelm. Upon voice vote, Aldermen Solomon, Wilhelm and Skowronski voted Aye; Alderman Olson voted No. Motion carried.

HIGH SCHOOL
SPECIAL EVENT
PARKING NEEDS

G-5. Alderman Wilhelm moved to direct staff to contact the Franklin School District to consider parking during special events at the Franklin High School as recommended by the Board of Public Works. Seconded by Alderman Skowronski. All voted Aye; motion carried.

S. 51ST ST.
RECONSTRUCTION
60% PLAN REVIEW

G-6. Mayor Taylor briefly relinquished the chair to Acting Council President Solomon. Mayor Taylor then returned to the chair. Alderman Wilhelm moved to approve the following in addition to the original project for the reconstruction of S. 51st Street from W. Drexel Avenue to W. Puetz Road: Widening of the bridge (box culvert) south of W. Drexel Avenue to accommodate the pathway and future widening of S. 51st Street including a merge lane from the right-turn bypass for eastbound to southbound traffic-\$205,000; inclusion of an 8-foot wide pedestrian walk/bike way from W. Forest Hill Avenue to W. Drexel Avenue-\$80,000 and improvement to the high school south drive, widening the drive to allow for the simultaneous turning movements from the southbound left-turn lane and the northbound right-turn bypass-\$22,000. Seconded by Alderman Solomon. Alderman Olson moved to divide the question. Motion failed due to lack of a second. On roll call for the approval of the original motion, Aldermen Solomon, Wilhelm, and Skowronski voted Aye; Alderman Olson voted No. Motion carried.

S. 51ST ST.
RECONSTRUCTION
TEMP. LIMITED
EASEMENT
HIGH SCHOOL
DRIVES

G-7. Alderman Olson moved to authorize the Mayor and City Clerk to sign the temporary limited easement for the adjustments to the Franklin High School drives located at 8222 S. 51st Street to provide for the adjustment to the drives for the reconstruction for S. 51st Street. Seconded by Alderman Solomon. All voted Aye; motion carried.

RES. 2009-6601
WARRANTY DEED
OF DEDICATION
FRANKLIN PUBLIC
SCHOOL DIST.
(S. 51ST ST.
RECONSTRUCTION)

G-8. Alderman Solomon moved to adopt Resolution No. 2009-6601, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A WARRANTY DEED OF DEDICATION FROM THE FRANKLIN PUBLIC SCHOOL DISTRICT OF A STRIP OF LAND ALONG THE SOUTH PART OF THE STREET RIGHT-OF-WAY OF WEST DREXEL AVENUE AND A STRIP OF LAND ALONG THE EAST PART OF THE STREET RIGHT-OF-WAY OF SOUTH 51ST STREET ADJOINING THE FRANKLIN HIGH SCHOOL PROPERTY FOR PUBLIC PURPOSES AS A PART OF THE RECONSTRUCTION OF THE SOUTH 51ST STREET PROJECT. Seconded by Alderman Olson. All voted Aye; motion carried.

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| RES. 2009-6602
WARRANTY DEED
OF DEDICATION
CITY OF FRANKLIN (S.
51ST ST.
RECONSTRUCTION) | G-9. | Alderman Solomon moved to adopt Resolution No. 2009-6602, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A WARRANTY DEED OF DEDICATION FROM THE CITY OF FRANKLIN OF A STRIP OF LAND ALONG AND AROUND THE SOUTHWEST CORNER OF THE INTERSECTION OF SOUTH 51ST STREET AND WEST DREXEL AVENUE FOR PUBLIC PURPOSES AS A PART OF THE RECONSTRUCTION OF SOUTH 51ST STREET PROJECT. Seconded by Alderman Olson. All voted Aye; motion carried |
| ORD 2009-1985
PARKING ON W.
ROBINWOOD LN.
AND S. MISSION DR.
ON SCHOOL DAYS | G-10. | Alderman Solomon moved to adopt Ordinance No. 2009-1985, AN ORDINANCE PROHIBITING PARKING, FROM 8:00 A.M. TO 9:30 A.M. AND 3:00 TO 4:00 P.M. ON SCHOOL DAYS, ON THE NORTH SIDE OF W. ROBINWOOD LANE FROM S. MISSION DRIVE TO 110 FEET WEST AND ON THE EAST SIDE OF S. MISSION DRIVE FROM W. ROBINWOOD LANE TO 80 FEET NORTH. Seconded by Alderman Olson. All voted Aye; motion carried. |
| S. 27TH ST. FLOW
CONTROL STATIONS
CHANGE ORDER #9 | G-11. | Alderman Solomon moved to authorize the City Engineer to sign Change Order No. 9 for an adjustment in the allowance for the SCADA system for the Water Utility's flow control system, increasing the cost by \$3,941.05 to a total cost of \$927,158.54. Seconded by Alderman Skowronski. All voted Aye; motion carried. |
| ENG. SERVICES
AGREEMENT
GRAEF USA
WATER MAIN
EXTENSION ON
W. OAKWOOD RD. | G-12. | Alderman Olson moved to table to the Common Council meeting on December 1, 2009, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH GRAEF USA FOR THE WATER MAIN EXTENSION ON W. OAKWOOD ROAD FROM A POINT 425 FEET WEST OF S. 34TH STREET TO W. OAKWOOD PARK DRIVE IN THE FRANKLIN BUSINESS PARK. Seconded by Alderman Wilhelm. All voted Aye; motion carried. |
| WAL-MART STORE
EXPANSION | G-13. | Alderman Olson moved to allow Wal-Mart store expansion located at S. 27th Street and W. Sycamore Street to obtain an occupancy permit prior to the completion of the Wisconsin Department of Transportation improvements to the intersection at S. 27th Street and W. Sycamore Street subject to the conditions as stated in the WisDOT letter of October 6, 2009, that all other items in the development agreement are completed and the building inspector certifies that the building addition is ready for occupancy. Seconded by Alderman Skowronski. All voted Aye; motion carried. |

SITE GRADING
CORRECTION
FRANKLIN OAKS
VILLAS CONDOS.

- G-14. Alderman Solomon moved to authorize the \$2,980 out of the North Shore Bank's letter of credit to Franklin Oaks Villas Condominiums for the correction of a drainage problem caused by the site grading. Seconded by Alderman Wilhelm.
Alderman Wilhelm, seconded by Alderman Skowronski, moved to suspend the rules to allow Jim Reichl to speak. All voted Aye; motion carried.
Alderman Wilhelm, seconded by Alderman Skowronski, moved to return to the regular order of business. All voted Aye; motion carried.
On the original motion regarding the letter of credit, Aldermen Skowronski, Wilhelm, and Solomon voted Aye; Alderman Olson voted No. Motion carried.

CMOM PROGRAM
DOCUMENTATION

- G-15. Alderman Solomon moved to direct Engineering staff to engage Ruekert and Mielke to complete Capacity assurance, Management Operations and Maintenance (CMOM) Program documentation at a cost not to exceed \$3,600. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

FUTURE USE OF
CITY OWNED
PROPERTY
8921 W. DREXEL
AVE.

- G-16. Alderman Olson moved to table indefinitely until a proposal is received, the future use of City-owned property located at 8921 W. Drexel Avenue pending a recommendation from the Economic Development Commission. Seconded by Alderman Skowronski. Alderman Olson withdrew his motion.
Alderman Skowronski then moved to postpone the future use of City-owned property located at 8921 W. Drexel Avenue pending recommendation from Economic Development Commission. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

LICENSES AND
PERMITS

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

Temporary Class B Beer License for Franklin Historical Society-Oktoberfest in Franklin, James Luckey at Root River Center, 7220 W. Rawson Avenue on October 22, 2009;

Further moved to approve Operator License for Lisa M. Damron, 2906 W. Orchard Street, Milwaukee and Shana R. Gambero, 24532 Sandy Point Drive, Wind Lake;

Further moved to approve Extraordinary Entertainment & Amusement for Wisconsin GrandSons of Liberty, Franklin Fright Fest, Tim Dake at Milwaukee County Sports Complex, 6000 W. Ryan Road on October 31, 2009, 10:30 a.m. to 1:00 p.m. pending approval of temporary use permit;

LICENSES AND
PERMITS-
CONTINUED

Further moved to approve Operator License for Warren Kubis, 10506 S. 124th Street with a warning letter from the City Clerk regarding any future violations, advising Mr. Kubis that his offense was very serious, and adding that the License Committee recognizes that the Common Council approved his application in March, 2009 and that no factual circumstances have changed since then;

Further moved to direct the City Attorney to draft and return at a future date a report of potential guidelines and license action reviews by the Common Council. Seconded by Alderman Skowronski. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I-1. Alderman Skowronski moved to approve net City vouchers in the range of Nos. 131586 through 131758 in the amount of \$2,004,332.05. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.

Alderman Olson moved to approve the net City payroll of October 9, 2009 in the amount of \$325,011.77. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J. Alderman Wilhelm moved to adjourn the meeting at 9:10 p.m. Seconded by Alderman Skowronski. All voted Aye; motion carried.