

**CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
SEPTEMBER 21, 2010  
MINUTES**

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| ROLL CALL   | A.     | The regular meeting of the Common Council was held on September 21, 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, Taylor, Schmidt and Skowronski (arrived at 6:55 p.m.). Excused was Alderman Wilhelm. Also present were Assistant City Engineer Romeis, 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.  |
| ANNOUNCEMENT  | B.2.a. | Mayor Taylor noted a Certificate of Recognition from the U.S. Census Bureau to the City of Franklin for support in the 2010 Census.   |
|   | B.2.b. | Mayor Taylor noted a letter from Waste Management fulfilling the Direct Payment requirement in the Landfill Expansion Agreement.  |
| MINUTES-<br>09/07/2010                                  | C.1.   | Alderman Taylor moved to approve minutes of the regular meeting of September 7, 2010. Seconded by Alderman Olson. All voted Aye; motion carried.  |
| PUBLIC HEARING-<br>2025<br>COMPREHENSIVE<br>MASTER PLAN | D.1.   | A public hearing regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to make minor technical corrections such as to incorrect fact statement, references, text errors and the like was opened at 6:35 p.m. and closed at 6:35 p.m. (See Item G.1.)  |
| APPOINTMENTS  | E-1.a. | Alderman Solomon moved to approve the Mayoral appointment of Mark Kass to the Community Development Authority, term expires 8/30/14, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.   |
|   | E-1.b. | Alderman Schmidt moved to approve the Mayoral appointment of David Lindner to the Fair Commission, term expires 4/30/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.  |
|   | E-1.c. | Alderman Solomon moved to approve the Mayoral appointment of Kenneth Sweeney to the Fair Commission, term expires 4/30/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.   |

APPOINTMENTS-  
CONTINUED

- E-1.d. Alderman Solomon moved to approve the Mayoral appointment of Dennis Ciche to the Finance Committee, term expires 4/30/11, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- E-1.e. Alderman Olson moved to approve the Mayoral appointment of Kris Barnekow to the Board of Health, term expires 4/30/12, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E-1.f. Alderman Solomon moved to approve the Mayoral appointment of Marilyn Bolton to the Board of Health, term expires 4/30/12, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Olson. On roll call, all voted Aye; motion carried.
- E-1.g. Alderman Olson moved to approve the Mayoral appointment of Steve Patz to the Library Board, term expires 7/01/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E-1.h. Alderman Taylor moved to approve the Mayoral appointment of Dennis McKnight to the Library Board, term expires 7/01/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E-1.i. Alderman Taylor moved to approve the Mayoral appointment of Bonnie Martins to the Library Board, term expires 7/01/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.
- E-1.j. Alderman Olson moved to approve the Mayoral appointment of Don Dorsan to the Parks Commission, term expires 4/30/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E-1.k. Alderman Olson moved to approve the Mayoral appointment of Warren Mittelstadt to the Technology Commission, term expires 4/30/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

- APPOINTMENTS-CONTINUED
- E-1.1. Alderman Schmidt moved to approve the Mayoral appointment of Norman Hintz to the Board of Zoning and Building Appeals, term expires 4/30/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.
- E-1.m. Alderman Schmidt moved to approve the Mayoral appointment of John English as an alternate member to the Board of Zoning and Building Appeals, term expires 4/30/13, subject to satisfactory background check and Common Council policy set forth in Ordinance No. 2010-2018. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- ORD. 2010-2023 AMEND 2025 COMPREHENSIVE MASTER PLAN
- G.1. Alderman Taylor moved to adopt Ordinance No. 2010-2023, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO INCORPORATE MINOR TECHNICAL CORRECTIONS TO THE COMPREHENSIVE MASTER PLAN. Seconded by Alderman Solomon. Upon unanimous Aye voice vote of Aldermen Olson, Solomon, Taylor, and Schmidt, motion carried. (See Item D.1.)
- WALKING TRAILS COMMITTEE REPORT
- G.2. Dave Fowler and John Michlig, members of the Walking Trails Committee, presented a report on their activities, presented the Walking Workshop Report, and discussed their request for clarification and additional direction from the Common Council. (Alderman Skowronski arrived at 6:55 p.m.) Alderman Taylor moved as to additional direction to the Walking Trails Committee that the Committee may undertake work and searches for City-wide connectivity grants, but any discussion with regard to any particular trail, sidewalk, or neighborhood, first receive permission from the district Alderman before it appears on an agenda. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- SURVIVE ALIVE HOUSE
- G.3. Alderman Olson moved to accept proposal from Town of Waterford Fire Department in the amount of \$5,000 for the 1993 Survive Alive House and approve use of funds for the 10% match required in the Fire Prevention Grant received for the new Survive Alive House. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2010-6668 CITY HALL LIGHTING
- G.4. Alderman Olson moved to adopt Resolution No. 2010-6668, A RESOLUTION AWARDDING A CONTRACT, USING STIMULUS FUNDING MADE AVAILABLE THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, TO THE LOW BIDDER FOR THE OUTSIDE LIGHTING

CITY HALL  
LIGHTING-  
CONTINUED

CONVERSION PROJECT OF CITY HALL AND SURROUNDING STREETS IN THE CITY OF FRANKLIN to WIL-surge Electric, Inc. in the amount of \$53,784.00. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2010-6669  
RYAN CREEK  
INTERCEPTOR  
DESIGN PHASE  
ENGINEERING  
AGREEMENT

G.5. Alderman Olson moved to adopt Resolution No. 2010-6669, A RESOLUTION AUTHORIZING OFFICIALS TO EXECUTE AN ENGINEERING SERVICES AGREEMENT WITH RUEKERT-MIELKE FOR THE DESIGN PHASE OF THE RYAN CREEK INTERCEPTOR SEWER WHICH WILL EXTEND SANITARY SEWER SERVICES TO THE SOUTHWEST PORTION OF THE CITY, subject to the following conditions: 1) the City has received the signed intergovernmental agreement with the Milwaukee Metropolitan Sewerage District; 2) the City has received the signed intergovernmental agreement with the City of Muskego; 3) that the City has been notified by the Milwaukee Metropolitan Sewerage District staff that they approve of the engineering services agreement; 4) that the agreement be subject to review and approval by the City Attorney; and with the Common Council understanding that the review and approval by the City Attorney would include comments from the Director of Finance/Treasurer. Seconded by Alderman Solomon. On roll call, all voted Aye; motion carried.

RYAN CREEK  
INTERCEPTOR  
AGREEMENT WITH  
CITY OF MUSKEGO

G.6. Alderman Solomon moved to approve such changes to provisions of an Intergovernmental Cooperation Agreement between the City of Franklin and the City of Muskego Concerning the Financing, Planning, Design, Construction, Operation, Maintenance and Ownership of the Muskego Force Mains Connection to the Ryan Creek Interceptor Sewer, as presented to the Common Council on September 21, 2010, subject to such further technical changes as may be approved by the City Attorney and the City Engineer or Assistant City Engineer. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

PUBLIC  
ACQUISITION-  
PLEASANT VIEW  
ELEMENTARY  
SCHOOL

G.7. Alderman Taylor moved to enter closed session at 7:52 p.m. pursuant to Wis. Stat. §19.85(1)(e), to consider the potential public acquisition of property for the public purposes of flood management and storm water control, park access and additional access to Pleasant View Elementary School, the terms and provisions of such an acquisition and the investing of public funds, for competitive and bargaining reasons, 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.

PUBLIC  
ACQUISITION-  
PLEASANT VIEW  
ELEMENTARY  
SCHOOL-  
CONTINUED

Upon reentering open session at 8:10 p.m., Alderman Olson moved to recognize potential property acquisition by The Conservation Fund with the understanding of park access and school access and conditions upon any future land use and land division applications to the City, and that the subject matter no longer be confidential upon confirmation by The Conservation Fund of necessary contact with the subject properties' owners. Seconded by Alderman Solomon. All voted Aye; motion carried.

LICENSES AND  
PERMITS

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

2010-11 Operator License to Adam J. Hoefs, 1975 S. 75th Street, West Allis; Brian P. Greatsinger, 8651 Ventana Drive #3717, Oak Creek; Marcia G. Lonzaga, 6028 W. Wells Street, Wauwatosa; Samantha A. Michalski, 2249 S. 34th Street, Milwaukee; Joseina Mora, 1750 W. Timber Ridge Lane 8210, Oak Creek; Dawn Mary Travis, 3727 E. Elm Road, Oak Creek and Becky C. Mueller, 4319 S. Quincy Avenue, Milwaukee;

Further moved to approve Taxi Vehicle License for Gaganjot Khurana, 14125 W. Lisbon Road, Brookfield;

Further moved to approve Class A Combination Change of Agent for Mega Marts, LLC, Agent: Victoria S. Brown, 7780 S. Lovers Lane Road pending satisfactory background check;

Further moved to approve Class B Combination Premise Description for H, B & H, LLC, 10741 S. 27th Street, Agent: Daniel E. Hay;

Further moved to hold 2010-11 Operator License for Matthew J. Eigenauer, 613 N. Britton Road, Union Grove; Lea M. Fleischman, 3309 W. Acre Avenue and Mary E. Seger, 3720 E. O'Brien Road, Oak Creek, all subject to appearing before the License Committee;

Further moved to refer Class B Combination License for Hugo's Steakhouse, LLC, Agent: William J. Hilger, Jr., 6951 S. Lovers Lane Road to City Clerk and Department of Revenue. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

I-1. Alderman Olson moved to approve net City vouchers in the range of Nos. 135506 through 135690 in the amount of \$1,949,503.45. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve the net payroll of September 10, 2010 in the amount of \$330,064.46. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 8:15 p.m.  
Seconded by Alderman Schmidt. All voted Aye; motion carried.