

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
SEPTEMBER 5, 2006
MINUTES**

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|--------------------------------------|---------------------|--|
| ROLL CALL | A. | The regular meeting of the Common Council was held on September 5, 2006 and called to order at 6:56 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, Sohns and Skowronski. Also present were City Engineer Bennett, Department of Public Works Superintendent Schaefer, Director of Community Development Wheaton, Planning Manager Dietl, Director of Administration Luberda, City Attorney Wesolowski and City Clerk Wesolowski. |
| CITIZEN COMMENT | B-1. | Citizen comment period was opened at 6:57 p.m. and closed at 6:59 p.m. |
| MAKE A DIFFERENCE DAY | B-2a. | The USA Weekend "Make A Difference Day" on October 28, 2006 was announced. |
| WHEATON FRANCISCAN | B-2b. | The Wheaton Franciscan Healthcare-All Saints free nutrition sessions were announced. |
| MINUTES-
8/15/06
8/28/06 | C-1.
and
C-2. | Alderman Olson moved to approve minutes of the regular meeting of August 15, 2006 and the special meeting of August 28, 2006 as presented. Seconded by Alderman Sohns. All voted Aye; motion carried. |
| HEARINGS | D-1. | The public hearing regarding the 2007 Milwaukee County Community Development Block Grant Program was opened at 7:04 p.m. and closed at 7:20 p.m. |
| CONSENT AGENDA | | Alderman Sohns requested F.1.c. be separated from the consent agenda. |
| DONATION | F-1a. | Alderman Olson moved to approve the following consent agenda items:
Accept Health Department donation in the amount of \$200 from Franklin Lioness Club; |
| DONATION | F-1b. | Accept Fire Department donation in the amount of \$200 from Franklin Lioness Club; |
| ROBINWOOD ESTATES NO. 1-STREET LIGHT | F-1d. | Authorize the City Engineer to sign a street light appendix, with WE Energies for the installation of one street light, 100 watt light fixture on one fiberglass pole at a cost of \$6,630.03 to be billed to the developer and the developer is responsible for the restoration and erosion control. Light is to be installed at the street intersection of Woodbury Drive and W. Southview Drive; |
| FRANCIS WOODS CONDOMINIUMS | F-1e. | Direct staff to release the letter of credit from M&I Bank Number SB 8455 for the Francis Woods Condominiums located at 7710 S. 51st Street as recommended by the Engineering and Planning staff. Approval of consent items seconded by Alderman Sohns. All voted Aye; motion carried. |

- FIRE STATION NO. 3 CHANGE ORDER F-1c. Alderman Sohns moved to approve Change Order No. 1 for Johnson Controls for the energy performance contract in the amount of \$13,483.00 with the condition that this will not guarantee any action towards the building of a new fire station. Seconded by Alderman Solomon. All voted Aye; motion carried.
- COMMUNITY DEVELOPMENT BLOCK GRANT F-2. Alderman Solomon moved to direct the Department of Administration to submit applications for the 2007 Milwaukee County Community Development Block Grant Program on the following four projects: Senior Citizen Travel Program, Senior Citizen Activities, Historical Buildings Handicapped Accessibility to four buildings, and Elderly Persons Home Support Services (Southwest Interfaith), for submittal to Milwaukee County for their September 8, 2006 application deadline date, and, if approved as submitted, to authorize the necessary CDBG funding contract and oversee administration of the grant funding. Seconded by Alderman Sohns. All voted Aye; motion carried.
- CORRECTION OF RESOLUTION NO. 2006-6152 F-3. Alderman Kosovich moved to correct Resolution No. 2006-6152 by replacing TranSystems Corporation with Con-Way Freight, Inc. Seconded by Alderman Sohns. All voted Aye; motion carried.
- CIVIC CENTER DISTRICT F-4. Alderman Solomon moved to direct the Plan Commission to proceed with the process for the proposed zoning of approximately 30 acres located at the southeast corner of W. Drexel Avenue and S. Lovers Lane Road to City Civic Center District (CC) or such other zoning designation as would allow for the proposed upscale retail center development proposed by Mark Carstensen Construction & Development Companies, Inc., and also to proceed with such other use approval applications as may be necessary, and further to set a public hearing date as necessary. Seconded by Alderman Sohns. Upon unanimous Aye voice vote, motion carried.
- RES. 2006-6159 EASEMENT-ASI GENERAL, INC. F-5. Alderman Skowronski moved to adopt Resolution No. 2006-6159, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR SOUTHEAST PEDIATRIC AND ADOLESCENT MEDICAL CENTER (APPROXIMATELY 10500 WEST LOOMIS ROAD) (ASI GENERAL, INC., APPLICANT). Seconded by Alderman Sohns. All voted Aye; motion carried.
- PLAYGROUND EQUIPMENT F-6. Alderman Solomon moved to authorize the purchase of a Gametime playstructure, drawing #D3079C2, for Friendship Park, 3810 W. Sharon Lane, at a cost of \$30,630.00 from pre-2002 park impact fees, and purchase of a Gametime playstructure, drawing #D3078C1, for Franklin Woods Nature Center, 3723 W. Puetz Road, at a cost of \$30,610.00 from Minnesota/Wisconsin playground for a total cost of \$61,240.00 from impact fees. Seconded by Alderman Sohns. All voted Aye; motion carried.

- FUEL MANAGEMENT SYSTEM F-7. Alderman Sohns moved to purchase a new Fleetkey Fuel Management System for the Department of Public Works for a total cost of \$6,700.00 from capital outlay funds. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2006-6160 AGREEMENT-OAK CREEK F-8. Alderman Sohns moved to adopt Resolution No. 2006-6160, A RESOLUTION DIRECTING THE PREPARATION AND EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITIES OF FRANKLIN AND OAK CREEK. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- RES. 2006-6161 I-94 INTERCHANGES F-9. Alderman Sohns moved to adopt Resolution No. 2006-6161, A RESOLUTION SUPPORTING THE ASSESSMENT OF I-94 INTERCHANGES AT WEST DREXEL AVENUE AND WEST ELM ROAD as amended. Seconded by Alderman Olson. All voted Aye; motion carried.
- W. OAKWOOD ROAD F-10. Alderman Kosovich moved to reject all bids for the sanitary sewer extension Project No. 2005-S102 in W. Oakwood Road from S. 27th Street to S. 34th Street and authorize staff to re-bid the section in the right-of-way of W. Oakwood Road from manhole No. 4 to S. 34th Street with bids for the connection to the interceptor sewer to take place in the spring of 2007. Seconded by Alderman Sohns. All voted Aye; motion carried.
- W. OAKWOOD ROAD F-11. Alderman Kosovich moved to approve the revision to right-of-way plat for W. Oakwood Road from 3617 W. Oakwood Road to S. 27th Street to provide for right-of-way for storm water management a permanent easement for utilities on the southwest corner of S. 27th Street and W. Oakwood Road the right-of-way through the Milwaukee County property and the dedication of S. 34th Street for the Hidden Oak Subdivision subject to the recommendation of the Board of Public Works and the Plan Commission. Seconded by Alderman Sohns. Alderman Sohns withdrew his second. Motion died due to lack of a second.
Alderman Sohns moved to refer to the 9/19/06 Common Council meeting the revision to right-of-way plat for W. Oakwood Road from 3617 W. Oakwood Road to S. 27th Street to provide, for right-of-way for storm water management, a permanent easement for utilities on the southwest corner of S. 27th Street and W. Oakwood Road, the right-of-way through the Milwaukee County property, and the dedication of S. 34th Street for the Hidden Oaks Subdivision, subject to the recommendation of approval by the Board of Public Works and the Planning Commission. Seconded by Alderman Hammelman. All voted Aye; motion carried.

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- RES. 2006-6162
AGREEMENT-
WATER MAIN
CONNECTION
- F-12. Alderman Sohns moved to adopt Resolution No. 2006-6162, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A WATER CONNECTION AGREEMENT WITH VIET VU FOR PROPERTY LOCATED AT 8818 S. 35TH STREET. Seconded by Alderman Kosovich. All voted Aye; motion carried.
- RES. 2006-6163
AGREEMENT-
RIVER PARK #2
- F-13. Alderman Sohns moved to adopt Resolution No. 2006-6163, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF RIVER PARK ADDITION NO. 2 SUBDIVISION with an amendment to the Subdivision Development Agreement to delete Requirement No. 15. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RIVER PARK #2
- F-14. Alderman Sohns moved to authorize the developer of River Park Addition No. 2 to proceed with City utilities prior to the approval of the final plat as long as the development agreement has been signed and the letter of credit posted and that no contractors shall proceed until the developer has provided the City acknowledging their own risks due to proceeding before the final plat has been approved by the City. Seconded by Alderman Solomon. All voted Aye; motion carried.
- RES. 2006-6164
PARAMEDIC
- F-15. Alderman Sohns moved to adopt Resolution No. 2006-6164, A RESOLUTION REQUESTING THE MILWAUKEE COUNTY EXECUTIVE INCREASE MILWAUKEE COUNTY'S FINANCIAL COMMITMENT TO MILWAUKEE COUNTY PARAMEDIC UNIT HOST COMMUNITIES. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- 2006
POPULATION
- F-16. Alderman Sohns moved to direct the Departments of Inspection, Health, Assessor and any other applicable departments to provide necessary documentation to the City Clerk to submit a challenge to the Wisconsin Department of Administration 01/01/06 population estimate of 33,000. Seconded by Alderman Olson. All voted Aye; motion carried.
- RESCHEDULE
COMMON COUNCIL
MEETINGS
- F-17. Alderman Sohns moved to schedule Common Council meetings for November, December and January as follows: Committee of the Whole and Common Council on November 6, 2006; Common Council on November 21, 2006; Committee of the Whole on December 4, 2006; Common Council on December 5 and 19, 2006; Committee of the Whole on January 8, 2007; and Common Council on January 9 and 23, 2007. Seconded by Alderman Olson. All voted Aye; motion carried.
- COMMITTEE OF THE
WHOLE
- F-18. No action was taken on the discussion held at the Committee of the Whole meeting of 9/05/06 relating to Franklin Public Library review of programs and statistics from 2001-2006 and future programs being implemented.

CLOSED SESSION- S. 51ST STREET F-19. Alderman Sohns moved to enter closed session at 9:22 p.m. pursuant to §19.85(1)(e), Stats. to consider the acquisition of properties by the City for public purposes for right-of-way for the reconstruction of S. 51st Street and the negotiation of the acquisition of such properties and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Hammelman. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 9:32 p.m. Alderman Sohns moved to direct City staff to undertake those actions necessary for the potential acquisition of properties by the City for public purposes for right-of-way for the reconstruction of S. 51st Street as discussed in closed session, including an appropriation of an amount not to exceed \$3,000 for an appraisal. Seconded by Alderman Kosovich. All voted Aye; motion carried.

CLOSED SESSION- CONTRACT NEGOTIATIONS F-20. Alderman Sohns moved to enter closed session at 9:42 p.m. pursuant to §19.85(1)(c) and (e), Stats., to consider negotiation and collective bargaining strategies and guidelines for agreements between the City of Franklin and Local No. 2, AFSCME District Council 48, Inspection Employees, and Public Works/Sewer and Water Employees; Franklin Police and Fire Department Clerical; Franklin Police Officers Association; Franklin Professional Firefighters Association Local 2760 I.A.F.F.; and Teamsters "General" Local Union No. 200 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 Olson. On roll call, all vote Aye. Motion carried.

The Common Council reentered open session at 10:24 p.m.

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

Alderman Skowronski moved to confirm the Mayoral appointment of Timothy Bate, term expires 9/30/10, to the Board of Water Commissioners. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

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

Operator License to Anthony N. Jacobs, 2116 Cleveland Avenue, Racine with warning letter from City Clerk; Desaray L. Lenski, 200 E. Susan Drive, Oak Creek with warning letter from City Clerk; James A. Sikorski, 6361 S. 27th Street #89 with warning letter from City Clerk; Thomas J. Galante, 2330 Quartz Lane, Madison; Julie M. Mewes, 104A East Main Street, Waterford; Melody Schwartz, 1080 S. 51st Street, Caledonia; Samantha J. Thomas, 8489 Ventana Dr.

LICENSES-
CONTINUED

#4116, Oak Creek; Diane L. Winkowski, 7024 S. Lovers Lane Road and John P. Winkowski, 7024 S. Lovers Lane Road;

Extraordinary Event to Gander Mountain, Chris Busalacchi, special tent sale, 6939 S. Riverwood Boulevard;

Temporary Class B Beer to Franklin Cultural Center-outdoor concert, Don Dorsan at Lions Legend Park on 9/23/06;

Temporary Entertainment & Amusement to Franklin Cultural Center-outdoor concert, Don Dorsan at Lions Legend Park on 9/23/06 and St. James Catholic Church, Rev. Paul A. Stanosz, silent auction, 7219 S. 27th Street on 10/07/06;

Fee waivers to Franklin Cultural Center-outdoor concert at Legend Park, license fees for food, soda, temporary Class B Beer, temporary entertainment amusement and park & band shell fees with the exception of City expenses incurred and St. James Catholic Church, Rev. Paul A. Stanosz on 10/07/06, license fees for food, soda, temporary Class B Beer and Wine & temporary entertainment and amusement, with the exception of City expenses incurred;

Temporary Class B beer & wine to St. James Catholic Church, Rev. Paul A. Stanosz, silent auction, 7219 S. 27th Street on 10/07/06 subject to proof of licensed operator;

and also moved to hold Operator License for Grzegorz Bielwaski, 4200 S. Vermont, St. Francis and Mary A. Crogan, W334 S4703 Fieldstone Drive, Dousman;

and also moved to hold Class A Combination license for Franklin Liquor, 3030 W. Ryan Road with letter from City Clerk relating to code compliance and Open Pantry Food Store, 7610 W. Rawson Avenue with letter from City Clerk relating to code compliance and appearing before the License Committee;

and also moved to hold Class B Combination license for Root River Center, 7220 W. Rawson Avenue and On the Border, 10741 S. 27th Street;

and also moved to hold Class B Beer license for Croatian Park, 9140 S. 76th Street with letter from City Clerk relating to code compliance;

No action was necessary for Operator License for Eric La Shomb, 1535 E. Tripoli Avenue, Milwaukee and Class B Combination for CG's Hideout, 6357 S. 27th Street. Seconded by Alderman Solomon. All voted Aye; motion carried.

BILLS

- I-1. Alderman Skowronski moved to approve net City vouchers in the range of Nos. 117297 thru 117522 in the amount of \$1,540,574.72. Seconded by Alderman Solomon. On roll call, all voted Aye. Motion carried.

PAYROLL

Alderman Skowronski moved to approve net payroll of August 18, 2006 in the amount of \$316,472.98. Seconded by Alderman Sohns. On roll call, all voted Aye. Motion carried.

Alderman Hammelman moved to approve net payroll of September 1, 2006 in the amount of \$315,797.58. Seconded by Alderman Kosovich. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Kosovich moved to adjourn the meeting at 10:25 p.m. Seconded by Alderman Skowronski. All voted Aye; motion carried.