

APPROVED NOVEMBER 17, 2020

CITY OF FRANKLIN COMMON COUNCIL MEETING OCTOBER 6, 2020 MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on October 6, 2020 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Administration Peggy Steeno, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT
- B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:53 p.m.
- MILWAUKEE
MILKMEN
PROCLAMATION
- B.2. Mayor Olson presented a Proclamation Declaring Our Pride in the Milwaukee Milkmen Professional Baseball Team in the Hometown City of Franklin Being the 2020 American Association of Independent Baseball Champions.
- MINUTES
SEPTEMBER 15, 2020
- C. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of September 15, 2020 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- MAYORAL
APPOINTMENTS
- E. Alderman Dandrea moved to confirm the following Mayoral Appointments:
1. Peggy LeMahieu, 7534 W. Tuckaway Pines Circle, Ald. Dist. 1, Board of Health, for a 2 year unexpired term expiring 04/30/22.
 2. Eric Heinritz, 7906 S. 68th St., Ald. Dist. 4, Architectural Board, for a 3 year unexpired term expiring 04/30/21.
 3. James Rehberger, 5522 W. South County Line Rd, Ald. Dist. 4, Technology Commission, for a 3 year unexpired term expiring 04/30/23.
 4. Timothy Wachter, 3930 W. Victory Creek Dr., Ald. Dist. 3, Economic Development Commission, for a 2 year unexpired term expiring 06/30/22.
 5. David Cyra, 8622 S. Avian Way, Ald. Dist 1, Architectural Board as an Alternate Member, for a 3 year unexpired term expiring 04/30/21.
 6. Dr. Judy Miller, School Superintendent, Library Board for a 3 unexpired term expiring 06/30/23.

Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

RES. 2020-7670
SALE OF \$9,770,000 GO
REFUNDING BONDS

G.1. Alderman Barber moved to adopt Resolution No. 2020-7670, A RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$9,770,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

RES. 2020-7671
AUTHORIZING GO
BONDS NOT TO
EXCEED \$3,175,000

G.2. Alderwoman Hanneman moved to adopt Resolution No. 2020-7671, AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,175,000 FOR COMMUNITY DEVELOPMENT PROJECTS IN TAX INCREMENTAL DISTRICTS. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

RES. 2020-7672
SALE OF GO BONDS
NOT TO EXCEED
\$3,175,000

Alderman Dandrea moved to adopt Resolution No. 2020-7672, A RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$3,175,000 GENERAL OBLIGATION COMMUNITY DEVELOPMENT BONDS, SERIES 2020B. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

RES. 2020-7673
NOTICE TO ELECTORS
RELATING TO BOND
ISSUE

Alderwoman Wilhelm moved to adopt Resolution No. 2020-7673, A RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS RELATING TO BOND SALES. Seconded by Alderman Dandrea. All voted Aye; motion carried.

SOUND SYSTEM AT
FRANKLIN FIELD

G.3. Mayor Olson vacated his seat and passed the gavel to Council President Dandrea, who then chaired the meeting.

Alderman Mayer moved to table the contract with Shen, Milsom & Wilke for sound consulting services at Ballpark Commons using \$5,000 of General Fund Contingency appropriations for further staff review of all prior documents, including the PDD, and to recommend what would need to be put in place for preparation of a comprehensive study and cost of study. Seconded by Alderwoman Wilhelm.

Alderman Nelson moved to suspend the regular order of business to allow Mike Zimmerman to speak. Seconded by Alderman Barber. All voted Aye; motion carried. Alderman Nelson moved to return to the regular order of business. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

Alderman Mayer moved to amend the motion to include that this return to the Common Council no later than December 1, 2020, with details

regarding a comprehensive study, when the study should occur, how the study should occur, who could conduct the study, and the cost of the study. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

On the main motion as amended, all voted Aye; motion carried.

Mayor Olson returned to his seat and resumed chairing the meeting.

- | | | |
|--|-------|---|
| PROCLAMATION | G.4. | Mayor Olson presented a Light and Unite RED Proclamation. |
| RES. 2020-7674
WATER MAIN
EASEMENT
9720 AND 9750 S.
OAKWOOD PARK DR. | G.5. | Alderwoman Wilhelm moved to adopt Resolution No. 2020-7674, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 9720 AND 9750 SOUTH OAKWOOD PARK DRIVE (WISCONSIN COMMERCIAL, LLC) TAX KEY 900-0010-005. Seconded by Alderman Nelson. All voted Aye; motion carried. |
| POLICE SERGEANT
JOB DESCRIPTION | G.6. | Alderwoman Wilhelm moved to approve the revised job description for Police Sergeant. Seconded by Alderman Mayer. All voted Aye; motion carried. |
| RES. NO. 2020-7675
URBAN FORESTRY
GRANT | G.7. | Alderman Mayer moved to adopt Resolution No. 2020-7675, A RESOLUTION TO MAKE A 2021 GRANT APPLICATION REQUEST OF \$10,000 (FOR A PROJECT TOTAL OF \$20,000) FROM THE 2021 WDNR URBAN FORESTRY CATASTROPHIC STORM GRANT PROGRAM AND UNSPECIFIED AMOUNTS FOR YET TO BE DETERMINED CATASTROPHIC STORM EVENT. Seconded by Alderwoman Hanneman. All voted Aye; motion carried. |
| NOXIOUS WEED
PROPOSAL | G.8. | Alderman Mayer moved to refer to the Environmental Commission, to work with staff to develop a proposal for classification of Buckthorn as a noxious weed. Seconded by Alderman Barber. All voted Aye; motion carried. |
| BILLBOARDS ON W.
RAWSON AVE. AND
S. 27TH ST. | G.9. | No action was taken on a status report of billboards on Wisconsin Department of Transportation owned properties at W. Rawson Avenue and S. 27th Street. |
| RES. NO. 2020-7676
MAINTENANCE
AGREEMENT FOR
W. LOOMIS RD. | G.10. | Alderman Nelson moved to approve Resolution No. 2020-7676, A RESOLUTION TO AUTHORIZE STATE/MUNICIPAL MAINTENANCE AGREEMENT FOR W. LOOMIS ROAD (STH 36) FROM STH 100 TO S. 51ST STREET RELATED TO CONSTRUCTION OF A PATHWAY AND RELATED FEATURES. |

Seconded by Alderman Barber. All voted Aye; motion carried.

MAYOR'S 2021
RECOMMENDED
BUDGET

- G.11. Alderman Barber moved to amend the 2021 Mayor's Recommended Budget for resources and expenditures by Fund and appropriation unit as detailed on the schedule to be included in the Proposed 2021 City of Franklin Budget for the Public Hearing scheduled for November 17, 2020. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

ORD. NO. 2020-2449
STOP SIGNS AND
YIELD SIGNS

- G.12. Alderman Dandrea moved to adopt Ordinance No. 2020-2449, AN ORDINANCE TO CODIFY THE MUNICIPAL CODE SECTIONS 245-3.B. STOPS REQUIRED AND 245-3.D. YIELDS REQUIRED. Seconded by Alderman Mayer. All voted Aye; motion carried.

ORD. NO. 2020-2450
PARKING
RESTRICTIONS W.
CORTEZ CIR.

- G.13. Alderman Nelson moved to adopt Ordinance No. 2020-2450, AN ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION 245-5.D.(4) DESIGNATING PARKING RESTRICTIONS ON THE NORTH SIDE OF W. CORTEZ CIRCLE TO 176 FEET EAST OF THE CURBLINE OF S. LOVERS LANE ROAD. Seconded by Alderman Mayer. All voted Aye; motion carried.

DEPT. OF PUBLIC
WORKS HVAC
SYSTEM

- G.14. Alderman Barber moved to authorize the Department of Public Works staff to execute an agreement with Pure Mechanical LLC for the replacement of the split heating and cooling system at the Franklin DPW Building, for the amount of \$29,000.00. Seconded by Alderman Mayer. All voted Aye; motion carried.

DEPT. OF PUBLIC
WORKS SURPLUS
EQUIPMENT

- G.15. Alderman Nelson moved to authorize Auction Associates to accept the highest bid, on behalf of the Franklin Department of Public Works, for the items, listed on the Common Council Action Sheet for this meeting, being auctioned at their facility on October 10, 2020, and to authorize the Department of Public Works to use Auction Associates to auction surplus and used equipment and vehicles in the future, with permission from Board of Public Works, providing the Common Council with results to view after the auction has closed. Seconded by Alderman Barber. Alderman Nelson withdrew his motion and Alderman Barber withdrew his second.

Alderman Nelson then moved to authorize the Department of Public Works to use Auction Associates to auction surplus and used equipment and vehicles in the future, with permission from Board of Public Works, providing the Common Council with results to view after the auction has closed. Seconded by Alderman Dandrea. All voted Aye; motion carried.

AUDIO/VISUAL
EQUIPMENT

G.16. Alderwoman Hanneman moved to authorize the Director of Administration to execute a quotation and purchase order with Heartland Business Systems to supply and install Audio/Visual Equipment, as well as programming of the same, to be used in the Council Chambers and the Hearing Room, which will also serve as a back-up Emergency Operations Center, for Public Meeting in response to COVID-19, under the CARES Act Funding, Routes to Recovery: Local Government Aids Grant, in an amount not to exceed \$71,300. The appropriation for this purchase is in place, through the already approved contingency authorized by the Common Council in March of 2020, for COVID-19 purposes. Seconded by Alderman Barber. All voted Aye; motion carried.

TOUCHLESS
PLUMBING AT CITY
HALL AND LIBRARY

G.17. Alderman Barber moved to authorize the Director of Administration to execute a quotation and purchase order with Horner Plumbing to supply and install touchless plumbing fixtures, including faucets, toilet flush valves, and various other related devices for City Hall and the Library in an amount not to exceed \$24,900. Seconded by Alderman Mayer. All voted Aye; motion carried.

BADGER BOOKS

G.18. Alderwoman Wilhelm moved to approve the purchase of additional Badger Books (electronic poll books) in an amount not to exceed \$21,500 and to direct staff to apply for reimbursement from the Routes to Recovery: Local Government Aid Grant Program. The appropriation for this purchase is in place, through the authorized contingency, authorized by the Common Council in March of 2020 for COVID-19 purchases. Seconded by Alderman Dandrea. All voted Aye; motion carried.

2021 EMPLOYEE
BENEFITS

G.19. Alderman Dandrea moved to approve the 2021 employee benefit-related coverages, carriers, and premium shares, including: health insurance, stop loss coverage, wellness, health and wellness supplementary program, and dental insurance; and authorize the Director of Administration to execute the appropriate, related contracts. Seconded by Alderman Barber. All voted Aye; motion carried.

AUGUST 2020
FINANCIAL REPORT

G.20. Alderman Barber moved to receive and place on file the August 2020 Monthly Financial Report. Seconded by Alderman Nelson. All voted Aye; motion carried.

LICENSES AND
PERMITS

H.1. Alderman Nelson moved to approve the following:

Grant 2020-2021 Operator Licenses to: Garry Bignell, 8254 S. 88th St., Franklin; Chloe Drajkowski, 8108 S. Legend Dr., Franklin; Kimberly Hill, 1240 S. 98th St., West Allis;

Hold the Operator License application of Rachel Marinez, 2561 S. 13th St., Milwaukee, for appearance; and
Grant the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to the following: David/Noah Grandsard, First Responders Granite Memorial Project.
Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

- H.2. Alderman Nelson moved to approve the Extraordinary Entertainment and Special Event License for The Hill Has Eyes, 7900 S. Ballpark Drive (Scot Johnson/ROC Ventures, LLC, Applicant), on Fridays (10/9, 10/16, 10/23, 10/30) and Saturdays (10/10, 10/17, 10/24, 10/31), with the understanding that all COVID-19 precautions be in place; and their plan has been worked with and approved by the Director of Health & Human Services; and all patrons and staff shall wear face coverings at all times; and that all ticket sales and DJ music will end at 11:00 p.m.; and that patrons will be in the last attraction by 12:00 Midnight and complete the last attraction by 12:15 a.m.; and further to direct that the Director of Health and Human Services or her designee appear during the event each day to confirm compliance, unless other priorities arise requiring her presence/duties. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Nelson moved to approve the following:
City vouchers with an ending date of October 1, 2020 in the amount of \$2,054,769.64; Payroll dated September 25, 2020 in the amount of \$413,140.10 and payments of the various payroll deductions in the amount of \$438,912.56 plus City matching payments; Estimated payroll dated October 9, 2020 in the amount of \$400,000.00 and payments of the various payroll deductions in the amount of \$230,000.00, plus City matching payments; Property Tax disbursements with an ending date of September 30, 2020 in the amount of \$7,970.60. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
BALLPARK COMMONS
DEV. AGREEMENT

- G.21. Alderman Dandrea motion to enter into closed session at 9:10 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to an Amendment to Tax Incremental District No. 5 Ballpark Commons Development project Agreement Regarding Impact Fees and Irrevocable Payment Bond by BPC Golf Entertainment, LLC and BPC County Land, LLC, and the investing of public funds and governmental actions in relation thereto, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderwoman Hanneman. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman

Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer voted No. Motion carried.

Upon reopening at closed session at 9:35 p.m., Alderman Dandrea moved to direct collection of the hotel impact fees, in place of the Luxe Golf impact fees, (due to the construction) not currently commencing; however, retain and defer the 10% interest until the impact fee for Luxe Golf or other improvements on that parcel is paid; and further to amend the Agreement Regarding Impact Fees accordingly. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
POTENTIAL PROPERTY
FOR PUBLIC PARK

G.22 Alderman Barber moved to enter into closed session at 9:37 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to consider the potential acquisition of properties to be used for public park purposes in the City of Franklin, including, but not limited to properties for what has been conceptually termed water tower park, located in the 8100 block on the east side of South Lovers Lane Road bearing Tax Key Nos. 801-9984-000, 801-9985-000, 801-9986-000 and 801-9987-000, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:50 p.m. Alderman Barber moved to direct staff to proceed with a counter offer as discussed in closed session. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Barber moved to adjourn the meeting at 9:51 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.