

APPROVED OCTOBER 5, 2021

CITY OF FRANKLIN COMMON COUNCIL MEETING SEPTEMBER 21, 2021 MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on September 21, 2021 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 Ed Holpfer, 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. Citizen comment period was opened at 6:32 p.m. and closed at 6:34 p.m.
- MINUTES
SEPT. 7, 2021 C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of September 7, 2021 as presented at this meeting. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- ORGANIZATIONAL
BUSINESS E. Alderman Barber moved to nominate Alderwoman Hanneman as Council President.
- Alderman Nelson moved to nominate Alderwoman Wilhelm as Council President.
- Mayor Olson closed nominations. Upon secret ballot vote, Alderwoman Wilhelm received three votes and Alderwoman Hanneman received three votes. After each Alderwoman was allowed up to two minutes to speak, Alderwoman Wilhelm stated she would concede the appointment and upon voice vote for Alderwoman Hanneman as Council President, all voted Aye. Motion carried.
- RES. 2021-7775 G.1. Alderman Barber moved to adopt Resolution No. 2021-7775, A SALE OF \$2,070,000
GO NOTES RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$2,070,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2021A. Seconded by Alderman Mayer. All voted Aye; motion carried.

- RES. 2021-7776
GO BONDS \$3,075,000
SEWERAGE SYSTEM
- G.2. Alderman Barber moved to adopt Resolution No. 2021-7776, AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,075,000 FOR SEWERAGE SYSTEM PROJECTS. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.
- RES. 2021-7777
GO BONDS \$3,635,000
TID PROJECTS
- Alderman Barber moved to adopt Resolution No. 2021-7777, AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,635,000 FOR COMMUNITY DEVELOPMENT PROJECTS IN TAX INCREMENTAL DISTRICTS. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.
- RES 2021-7778
SALE OF GO CORP.
BONDS \$6,710,000
- Alderman Barber moved to adopt Resolution No. 2021-7778, A RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$6,710,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2021B. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.
- NOTICE OF
ELECTORS TO BOND
ISSUES
- Alderman Mayer moved to direct publication of the Notice to Electors Relating to Bond Issues. Seconded by Alderman Barber. All voted Aye; motion carried.
- EHLERS & ASSOC.
FOR DISSEMINATION
AGENT
- G.3. Alderwoman Hanneman moved to direct staff to engage Ehlers & Associates for Dissemination Agent for Issuer Continuing Disclosure services for 2022 Required Under Securities and Exchange Commission Rule 15c2-12. Seconded by Alderman Barber. All voted Aye; motion carried.
- PARKLAND
ACQUISITION STUDY
- G.4. Alderwoman Hanneman moved to adopt the Parkland Acquisition Study of the Implementation of the Comprehensive Outdoor Recreation Plan for the Use of Park Impact Fees. Seconded by Alderman Mayer. All voted Aye; motion carried.
- Alderwoman Hanneman moved to recommend Scenario E, as provided in the Common Council packet for this meeting, of the Parkland Acquisition Study for the Future Use of Park Impact Fees. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

- ORD. 2021-2480
AMEND UDO TO
REZONE CSM NO.
9338 (12000 &
12204 W. LOOMIS
RD.)
- G.5. Alderman Nelson moved to adopt Ordinance No. 2021-2480, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOT 1 OF CERTIFIED SURVEY MAP NO. 9338 FROM MULTIPLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT (LOCATED AT 12000 WEST LOOMIS ROAD AND 12204 WEST LOOMIS ROAD) (APPROXIMATELY 15 ACRES) (STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT). Seconded by Alderman Barber. All voted Aye; motion carried.
- 2021-2022 CONTRACT
GRANTS FOR
HEALTH DEPT
- G.6. Alderman Barber moved to authorize the Director of Health and Human Services to accept the 2021-2022 Division of Public Health Consolidated Contract Grants to continue funding health department grants. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2021-7779
AGREEMENT WITH
VILLAGE OF
RAYMOND FOR
MAINTENANCE OF
W. SOUTH COUNTY
LINE RD.
- G.7. Alderman Nelson moved to adopt Resolution No. 2021-7779, A RESOLUTION AUTHORIZING SIGNING AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE VILLAGE OF RAYMOND TO DEFINE MAINTENANCE RESPONSIBILITIES FOR W. SOUTH COUNTY LINE ROAD (8 MILE ROAD) BETWEEN S. 27TH STREET (STH 241) AND S. 124TH STREET (STH 45). Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- FIRE DEPT./MILW CO.
SHARING
AGREEMENT
- G.8. Alderman Mayer moved to approve the Franklin Fire Department participation in the “Milwaukee County Sharing Agreement”. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- AGREEMENT WITH
QRS GROUP FOR
FIRE INSPECTION
DEPT. WORKSPACE
- G.9. Alderwoman Wilhelm moved to approve an Agreement with QRS Group for the Construction Buildout of Additional Fire Inspection Department Workspace. Seconded by Alderman Mayer. All voted Aye; motion carried.
- PLEASANT VIEW
PARK
IMPROVEMENTS
- G.10. Alderwoman Wilhelm moved to reject all bids for the Pleasant View Park Improvements, and direct staff to revise the scope for Pleasant View Park Improvements per Parks Commission’s recommendation, amending Alternate 4 as part of the base bid, and rebid in January 2022. Seconded by Alderman Holpfer. All voted Aye; motion carried.

- TRIAL SHREDDING SERVICE G.12. Alderman Barber moved to direct staff to execute a trial shredding event for City of Franklin residents on the last Saturday in April 2022 at the Franklin Library at a cost not to exceed \$2,000 with advertising for the event to use the City/Library web pages, flyers at City Hall and the Library, and the City/Library newsletters; and further to have staff provide the Common Council with an evaluation of the event in order to possibly schedule a second shredding event for the last week in September 2022 following the same guidelines. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- STP GRANT FOR W. PUETZ RD. G.13. Alderman Holpfer moved to authorize Staff to obtain assistance from a consultant to update, modify, and submit two Surface Transportation Urban Program (STP) grant applications for W. Puetz Road between S. 27th Street and S. 42nd Street and W. Puetz Road between S. 76th Street and W. St. Martins Road that provides enhanced bicycle and pedestrian accommodations on the north side. Seconded by Alderman Mayer. All voted Aye; motion carried.
- SENIOR TRAVEL PROGRAM UPDATE G.14. There was no semi-annual update on the Franklin Senior Citizens Travel Program for 2021 as there was no activity due to COVID 19.
- RES. 2021-7780 AMEND RES. 2021-7730 TO AWARD S. 60TH ST. SANITARY LIFT TO JH HASSINGER FOR \$2,376,500 G.15. Alderwoman Hanneman moved to adopt Resolution No. 2021-7780, A RESOLUTION TO AMEND RESOLUTION NO. 2021-7730, AWARD CONSTRUCTION OF SOUTH 60TH STREET SANITARY LIFT STATION REPLACEMENT (10100 SOUTH 60TH STREET) TO JH HASSINGER, INC. FOR \$2,376,500 and issue a Notice to Proceed, with the date after July 29, 2022, to be determined by the City Engineer. Seconded by Alderman Barber. All voted Aye; motion carried.
- INFORMED CONSENT LETTER VON BRIESEN & ROPER S.C. G.16. Alderman Holpfer moved to authorize the Mayor to execute the Potential Conflict of Interest Informed Consent Waiver for von Briesen & Roper, s.c., with regard to the performance of legal services for the City upon labor matters, and also for Victory of the Lamb Lutheran Church with respect to Stormwater Facilities Maintenance Agreements as well as a Conservation Easement at the Church's Franklin, Wisconsin, property. Seconded by Alderman Mayer. All voted Aye; motion carried.
- MAYOR'S 2022 RECOMMENDED BUDGET G.11. No action was taken at this time following a presentation of the Mayor's 2022 Recommended Budget, which will be forwarded to the Finance Commission for its review and submission of any recommended changes to the Common Council at their meeting of October 19, 2021.

- CLOSED SESSION
RES. 2021-7781
RESCIND RES. 2020-7680
TID 8 DEVELOPMENT AGREEMENT
- G.19. Alderwoman Hanneman moved to adopt Resolution No. 2021-7781, A RESOLUTION TO RESCIND RESOLUTION NO. 2020-7680, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A TAX INCREMENTAL DISTRICT NO. 8 DEVELOPMENT AGREEMENT AND A DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. 8 RELATED PUBLIC IMPROVEMENTS BETWEEN THE CITY OF FRANKLIN, JHB PROPERTIES, LLC, AND ZS ENTERPRISES, LLC, SPEC AND/OR COMMERCIAL BUILDINGS MIXED USE DEVELOPMENT. Seconded by Alderman Barber. All voted Aye; motion carried.
- CLOSED SESSION
ORVILLE SEYMER v. FRANKLIN
- G.17. Alderwoman Hanneman moved to enter closed session at 8:56 p.m. pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the body with respect to the subject litigation, *Orville Seymer v. City of Franklin*, Milwaukee County Circuit Court, Case No. 2020CV003506, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
- Upon reentering open session at 9:42 p.m., Alderman Barber moved to direct legal counsel and staff to proceed as discussed and directed in closed session. Seconded by Alderman Mayer. All voted Aye; motion carried.
- CLOSED SESSION
FRANKLIN WATER UTILITY AND CUSTOMERS IN 2024 AND BEYOND
- G.18. Alderman Barber moved to enter closed session at 9:44 p.m. pursuant to Wis. Stat. 19.85(1)(e) to deliberate upon information, terms and provisions of the potential provision of public water supply to the City of Franklin as related to the City, the Franklin Municipal Water Utility and its customers in 2024 and beyond; and the potential negotiation of terms in relation thereto, including, but not limited to potential amendments to the Agreement for Oak Creek to Provide Water at Wholesale to Franklin, potential agreement terms with alternate public water supply sources, including, but not limited to the City of Milwaukee and Milwaukee Water Works, and the investing of public funds and governmental actions in relation thereto, 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 Holpfer. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 10:04 p.m.

LICENSES AND
PERMITS

H. Alderwoman Wilhelm moved to approve the following:

Hold the 2021-2022 Operator License of Juan Villa, for appearance;

Grant 2021-2022 Operator License to: Justin Agner, Javier Correa Sosa, Vanessa Flores, Ashley Rodriguez, Erica Schwebe; and

Grant 2021-2022 Class "B" Beer and "Class C" Wine to: Big Daddy's BBQ and Soul Food Franklin LLC, Agent Rita A. Lee, 7740 S. Lovers Lane Rd, pending inspection and necessary patio approval.

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

VOUCHERS AND
PAYROLL

I. Alderman Barber moved to approve the following: City vouchers with an ending date of September 16, 2021 in the amount of \$1,014,294.55; Payroll dated September 10, 2021 in the amount of \$415,920.47 and payments of the various payroll deductions in the amount of \$234,600.28 plus City matching payments; Estimated payroll dated September 24, 2021 in the amount of \$430,000 and payments of the various payroll deductions in the amount of \$465,000 plus City matching payments; and Property Tax disbursements with an ending date of September 16, 2021 in the amount of \$1,384.62. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Barber moved to adjourn the meeting at 10:06 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.