

# APPROVED NOVEMBER 19, 2019

## CITY OF FRANKLIN COMMON COUNCIL MEETING NOVEMBER 5, 2019 MINUTES

- ROLL CALL
- A. The regular meeting of the Common Council was held on November 5, 2019 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, Alderman Steve F. Taylor, Alderman Mike Barber, and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, 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 6:44 p.m.
- MINUTES  
OCTOBER 15, 2019
- C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council meeting of October 15, 2019 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.
- CONSENT AGENDA
- G.1. Alderman Taylor moved to approve the following consent agenda items:
- DISPOSE OF FIRE DEPT.  
VEHICLE TO AUCTION
- G.1.(a) Approve Fire Department request to dispose of a 2014 Ford Explorer vehicle by sending the vehicle to auction, with proceeds returned to the general fund;
- DONATION TO THE FIRE  
DEPT.
- G.1.(b) Accept \$1,020.25 donation received from the residents of Brenwood Park, to be used toward funding fire prevention activities; and
- DONATION TO POLICE  
DEPT.
- G.1.(c) Accept \$200.00 donation from Rose Spang to the Franklin Police Department to be deposited into the Police Donation Account.
- Approval of the Consent Agenda items was seconded by Alderman Barber. All voted Aye; motion carried.
- CONCEPT REVIEW  
CHALLENGE TOWER  
(7005 S. BALLPARK DR.)  
(ROCK SNOW PARK, LLC,  
APPLICANT)
- G.2. No action was taken on a concept review for a proposed Challenge Tower to be located at The Rock Sports Complex, north of the Umbrella Bar, at approximately 7005 South Ballpark Drive (Rock Snow Park, LLC, Applicant) presented by Rick and Mike Schmitz.

- BALLPARK COMMONS UPDATE G.3. No action was taken following a project update on Ballpark Commons presented by Ballpark Commons representatives Mike Zimmerman and Greg Marso.
- REPLACE/ENHANCE POLICE DEPT. PHONE SYSTEM G.4. Alderwoman Wilhelm moved to authorize the Director of Administration to execute project documents with SKC Communications and Avaya for an amount not to exceed \$75,000 to replace the Police Department phone system and make the recommended phone system enhancements. Seconded by Alderman Taylor. All voted Aye; motion carried.
- REVISED DESCRIPTIONS FOR POLICE OFFICER AND FIREFIGHTER/PARAMEDIC G.5. Alderwoman Wilhelm moved to approve the revised job descriptions for Police Patrol Officer and Firefighter/Paramedic. Seconded by Alderman Barber. All voted Aye; motion carried.
- ORD. 2019-2396 MUN. CODE FIRE PROTECTION CH. 133 G.6. Alderman Mayer moved to adopt Ordinance No. 2019-2396, AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 133 FIRE PREVENTION, PROTECTION AND CONTROL CODE, OF THE MUNICIPAL CODE OF THE CITY OF FRANKLIN. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.
- ADDENDUM TO 2019-2022 CONTRACT FOR RETAIL FOOD & REC. PROGRAMS FOR THE DATCP G.7. Alderman Taylor moved to authorize proper officials for the City of Franklin to sign the addendum to the 2019-2022 contract to administer the retail food and recreational programs for the Wisconsin Department of Agriculture, Trade and Consumer Protection. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- 2020 CONSOLIDATED CONTRACT GRANTS FOR SEVERAL PROGRAMS G.8. Alderwoman Wilhelm moved to allow the acceptance of the 2020 Consolidated Contract Grants for the following programs: Childhood Immunizations, Maternal Child Health, Lead, Communicable Disease, Emergency Preparedness and Preventive Health Services. Seconded by Alderman Barber. All voted Aye; motion carried.
- ELECTRIC SERVICE FOR PLEASANT VIEW PARK PAVILION (4901 W. EVERGREEN ST.) G.9. Alderwoman Wilhelm moved to authorize the signing of We Energies Electric Installation Agreement for the Pleasant View Park Pavilion (4901 W. Evergreen Street) in an amount not to exceed \$7,500 and for staff to prepare any needed changes to address funding from contingency. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- ORD. 2019-2397  
AMEND BUDGET  
DEVELOPER GRANT  
FUNDS DELAYED FROM  
2018 FOR TID 3
- G.10. Alderwoman Wilhelm moved to adopt Ordinance No. 2019-2397, AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR TID 3 TO APPROPRIATE ADDITIONAL DEVELOPER GRANT FUNDS DELAYED FROM 2018. Seconded by Alderman Barber. On roll call, all voted Aye; motion carried.
- RELEASE ESCROW  
DEPOSIT FOR PUBLIC  
IMPROVEMENTS AT 8800  
S. 102ND ST.
- G.11. Alderman Nelson moved to authorize staff to release the escrow deposit for the public improvements at the Wellness Center located at 8800 S. 102nd Street. Seconded by Alderman Dandrea. Alderman Dandrea withdrew his second and Alderman Nelson withdrew his motion.
- Alderman Nelson then moved to table the release of the escrow deposit for the public improvements at the Wellness Center located at 8800 S. 102nd Street and refer to staff. Seconded by Alderman Barber. All voted Aye; motion carried.
- EDC ANNUAL REPORT
- G.12. Alderman Taylor moved to receive and place on file the Franklin Economic Development Annual Report. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- INFRASTRUCTURE  
DEVELOPMENT FOR  
FRANKLIN CORPORATE  
PARK AND PURCHASE OF  
PUMP STATION  
EQUIPMENT
- G.13. Alderman Taylor moved to direct staff to proceed as if project elements may/may not be escrowed prior to June 21, 2020; and to direct staff to proceed with bidding S. Hickory Lane Utility Corridor Project; and to direct staff to purchase pump station equipment from USEMCO for \$182,816.00. Seconded by Alderman Barber. All voted Aye; motion carried.
- W. PUETZ RD. STP GRANT  
APPLICATIONS FOR  
WISDOT 2020-2025 CYCLE
- G.14. Alderman Dandrea moved to place on file the West Puetz Road Surface Transportation Urban Program (STP) Grant Applications for the Wisconsin Department of Transportation (WISDOT) 2020-2025 Program Cycle and wait for the project scorings and rankings. Seconded by Alderman Barber. All voted Aye; motion carried.
- EMPLOYEE BENEFIT-  
RELATED INSURANCE  
COVERAGES, CARRIERS
- G.15. Alderman Mayer moved to recommend the following:
1. Sun Life for Stop Loss renewal and for the Life, AD&D, and Long-Term Disability, with increasing the stop loss attachment point from \$70,000 to \$80,000 and adding the aspect of the life insurance that employees can purchase extra coverage at their own cost.
  2. Authorizing VSP Vision Care as an employee-funded, optional vision care benefit with 1 program (VSP Choice) option.

3. Changing the HDHP benefits by reduction the maximum out-of-pocket from \$6,000/\$12,000 (single/family) to \$4,500/\$9,000 and reducing the maximum out-of-network from \$12,000/\$24,000 to \$9,000/\$18,000, continuing the employer contribution in 2020 but changing it from \$750/\$1,500 in January to \$750/\$1,500 in January and \$375/\$750 in June, and committing to a 2021 employer contribution of \$375/\$750 in both January and June for new employees or those active employees that enroll in the HDHP in both 2020 and 2021.
4. Continuing with Associated Benefits and Risk Consulting as our broker, provided the increase for 2020 does not exceed 1%.
5. Freezing PPO employee premium share rates at \$160/\$386 (single/family) and HDHP rates at \$96.06/\$232.34 for those that participate in the Health Risk Assessment (HRA), maintaining a 4.5% added employee premium share for those that do not participate in the HRA, and other such related rates as determined by the Director of Finance and Treasurer.
6. Authorizing the Director of Administration to institute and administer a Self-Insurance Fund funded, Sworn Police Officer Mental Health Pilot Program and to modify the employee handbook to incorporate such benefits as he determines is appropriate.
7. Dental premiums for 2020 shall be \$42/single and \$108/family and automatic allowable enrollment into the Sun Life LTD shall not be restricted by the City to current participants.

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

SEPT. 2019 FINANCIAL  
REPORT

- G.16. Alderman Taylor moved to receive and place on file the September 2019 Monthly Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.

OPT OUT OF FEDERAL  
NEGOTIATION CLASS

- G.17. Alderman Taylor moved to opt out of the Federal Negotiation Class pertaining to National Prescription Opiate Litigation. Seconded by Alderman Barber. All voted Aye; motion carried.

JOHN'S DISPOSAL  
CONTRACT OPTIONS

- G.18. Alderwoman Wilhelm moved to proceed with a contract amendment to provide weekly recycling and automated garbage services with Johns Disposal Services, Inc., subject to receipt, review and approval of the proposed contract by the Common Council. Seconded by Alderman Barber. On roll call, all voted Aye; motion carried.

- VOUCHERS AND PAYROLL H.1. Alderman Barber moved to approve the following:  
City vouchers with an ending date of November 1, 2019 in the amount of \$5,926,490.26; and payroll dated October 25, 2019 in the amount of \$395,574.05 and payments of the various payroll deductions in the amount of \$416,640.62, plus City matching payments; and estimated payroll dated November 8, 2019 in the amount of \$399,000.00 and payments of the various payroll deductions in the amount of \$211,000.00 plus City matching payments; and Property Tax payments with an ending date of October 31, 2019 in the amount of \$4,327.14; and Knight Berry payment in the amount of \$24,904.53; and Ballpark Commons project draws in the amount of \$2,486,342.11; and American Deposit Management investment transfer in the amount of \$1,700,000.00. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye. Motion carried.
- LICENSES AND PERMITS I.1. Alderman Taylor moved to approve the following license recommendations from the License Committee meeting of November 5, 2019:
- Grant Class B Beer license in compliance with City Ordinance and approval of inspections to Marcus Cinemas of Wisconsin, LLC, Agent Michael Ridgway, 8910 S 102 St.;
- Grant 2019-2020 Operator licenses to Alexandra-Elexis A Frybarger, 10074 W Loomis Rd; Trinity A Hanson, 3842 W Forest Hill Ave; Shantasia L Henderson, 5814 W Coldspring Rd, #109, Greenfield; Katie A McCoy, 6145 S Cory Ave; Cudahy; Lori A Otto, 5967 Oriole Ln, Greendale; Jean M Risacher Cavros, 4620 W Anita Ln.;
- Grant People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant for Fleet Reserve Association Branch 14, St. Martins Fair;
- Grant People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant for Franklin Civic Celebration 2020 (Operator licenses, Temporary Class B Beer & Wine, Temporary Entertainment & Amusement, Soda & Park Permits); and
- Grant People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to Franklin Park Concerts for Park Permits, Band Shell Fees and Temporary Entertainment & Amusement License for free concerts on 6/28/20, 7/12/20, 7/26/20, 8/09/20, and 8/23/20.
- Seconded by Alderman Nelson. All voted Aye; motion carried.

CLOSED SESSION  
TID 6 DEV AGREEMENT,  
STRAUSS INVESTMENTS

- G.19. Alderman Barber moved to enter closed session at 7:53 p.m. pursuant to Wis. Stat. §19.85(1)(e), to deliberate upon the Tax Incremental District No. 6 Mixed-Use Industrial, Commercial, Retail, Single-Family Residential and Open Space Uses Project Development, the Tax Incremental District No. 6 Development Agreement Between the City of Franklin and Loomis and Ryan, Inc., the Acknowledgement of Development Agreement by Strauss Investments, LLC, and the Tax Assessment Agreement (Tax Incremental District No. 6) between the City of Franklin and Strauss Investments, LLC terms and status, the negotiation of provisions and terms and the investing of public funds in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place therefore to act on such matters therein as it deems appropriate. Seconded by Alderman Dandrea. All voted Aye; motion carried.

The Common Council reentered open session at 8:37 p.m.

CLOSED SESSION  
S/W CORNER OF S. 27TH  
ST. AND W. OAKWOOD  
RD. DEVELOPMENT

- G.20. Alderman Nelson moved to enter closed session at 8:38 p.m. pursuant to Wis. Stat. §19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development agreement(s) for the development of +/- 73 acres propert(ies) at the Southwest corner of South 27th Street and West Oakwood Road, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. All voted Aye; motion carried.

The Common Council reentered open session at 9:26 p.m.

CLOSED SESSION  
TKN: 979-9997-000  
W. ELM ROAD  
DEVELOPMENT

- G.21. Alderman Nelson moved to enter closed session at 9:27 p.m. pursuant to Wis. Stat. §19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential development and proposal and the investing of public funds and governmental actions in relation thereto and to effect such development, including the terms and provisions of a potential development agreement for the development of property located on the south side of West Elm Road in approximately 3500 block area where West Elm Road to be extended to the west, consisting of approximately 79.79 acres bearing Tax Key

No. 979-9997-000, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. All voted Aye; motion carried.

The Common Council reentered open session at 9:49 p.m.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:50 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.