

APPROVED JANUARY 5, 2020

CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 15, 2020
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on December 15, 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, Alderwoman Kristen Wilhelm, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Excused was Alderman Dan Mayer. 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 6:31 p.m. and closed at 6:43 p.m.
- MAYORAL ANNOUNCEMENT B.2. Mayor Olson presented a letter from the Wisconsin Department of Agriculture, Trade and Consumer Protection Regarding Weights and Measures Inspections during COVID-19.
- MINUTES NOVEMBER 2, 2020 C.1. Alderman Barber moved to approve the corrected minutes of the Regular Common Council Meeting of November 2, 2020. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- MINUTES DECEMBER 1, 2020 C.2. Alderman Dandrea moved to approve the minutes of the Regular Common Council Meeting of December 1, 2020. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- SCHOOL RESOURCE OFFICER G.1. Alderwoman Wilhelm move to approve the following changes to the existing Franklin Public School District School Resource Officer Memorandum of Understanding for the position of School Resource Officer (“SRO”), “The Superintendent may request to the Chief of Police the replacement of an SRO if the Superintendent believes the officer is not providing expected service.”; and further, to authorize the Police Chief to sign the Agreement Seconded by Alderman Barber. All voted Aye; motion carried.
- BALLPARK COMMONS G.2. No action was taken following a Ballpark Commons Project update presented by Mike Zimmerman.
- HILLS HAS EYES UPDATE G.3. No action was taken regarding the update from the Health Department regarding The Hill Has Eyes 2020 Event, ROC Ventures.
- RES. 2020-7697 DEERWOOD ESTATES CONDOMINIUM G.4. Alderman Nelson moved to adopt Resolution No. 2020-7697, A RESOLUTION CONDITIONALLY RE-APPROVING A CONDOMINIUM PLAT FOR THE SECOND ADDENDUM TO THE DEERWOOD ESTATES CONDOMINIUM DEVELOPMENT AT

8501 AND 8503 SOUTH DEERWOOD LANE (BUILDING 3) AND 8457 AND 8459 SOUTH DEERWOOD LANE (BUILDING 10) (FRANKLIN ESTATES LLC, Applicant) (SGB & ASSOCIATES, LLC, PROPERTY OWNER). Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

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| RYAN CREEK INTERCEPTOR | G.5. | Alderman Barber moved to direct staff to proceed with design and efforts to develop additional modifications to the Ryan Creek Interceptor Odor Reduction Project. Seconded by Alderwoman Hanneman. All voted Aye; motion carried. |
| CODE OF ETHICS | G.6. | Alderman Nelson moved to table the subject of a Code of Ethics at the call of Alderman Nelson. Seconded by Alderman Barber. All voted Aye; motion carried. |
| RES. 2020-7698
STORM DRAINAGE FOR OAKES ESTATES | G.7. | Alderwoman Hanneman moved to adopt Resolution No. 2020-7698, A RESOLUTION FOR ACCEPTANCE OF EASEMENT FOR STORM DRAINAGE FOR OAKES ESTATES SUBDIVISION LOCATED AT APPROXIMATELY SOUTH 92ND STREET, WEST WARWICK WAY AND SOUTH CAMBRIDGE DRIVE, TAX KEY NUMBER 754-9998-000 (BEFORE LAND DIVISION). Seconded by Alderman Nelson. All voted Aye; motion carried. |
| RES. 2020-7699
INDUSTRIAL PARK LIFT STATION | G.8. | Alderman Nelson moved to adopt Resolution No. 2020-7699, A RESOLUTION TO AMEND CONTRACT WITH GRAEF-USA, INC. TO PREPARE A CSM FOR THE INDUSTRIAL PARK LIFT STATION (10100 S. 60TH STREET) REPLACEMENT FOR \$6,000. Seconded by Alderwoman Hanneman. All voted Aye; motion carried. |
| 2020 HIGHWAY EQUIPMENT | G.9. | Alderman Nelson moved to authorize the Department of Public Works staff to purchase equipment originally requested, but not granted, in the 2020 budget, using unused funds for the 2020 Equipment Replacement and 2020 Capital Outlay Funds. Seconded by Alderman Barber. All voted Aye; motion carried. |
| LED STREET LIGHTS | G.10. | Alderman Barber moved to authorize the Department of Public Works to purchase up to \$40,000.00 of Light Emitting Diode street lighting equipment. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| EQUIPMENT REPLACEMENT | G.11. | Alderman Barber moved to authorize Department of Public Works staff to solicit quotes for equipment considered in the 2021 Highway budgets for the Board of Public Works to review and approve, and |
- return to the Common Council for final approval. Seconded by Alderman Nelson. All voted Aye; motion carried.

- WE ENERGIES
RELOCATE
FACILITIES
- G.12. Alderwoman Hanneman moved to direct staff to reimburse WE Energies to relocate electric facilities at 2731 West Elm Road in the amount of \$15,392.76. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- Res. 2020-7700
HARWOOD
ENGINEERING
SERVICES
- G.13. Alderman Dandrea moved to adopt Resolution No. 2020-7700, A RESOLUTION TO EXECUTE HARWOOD ENGINEERING CONSULTANTS, LTD. PROFESSIONAL SERVICES AGREEMENT FOR STORM WATER REVIEWS AND OTHER ON-CALL SERVICES. Second by Alderman Barber. All vote Aye; motion carried.
- CARRYFORWARD
OF UNUSED 2020
APPROPRIATIONS
- G.14. Alderman Barber moved to authorize the carry forward of unused 2020 appropriations, for use in 2021, in the amount of \$549,900, and direct the Director of Finance and Treasurer to prepare 2021 Budget modifications for the same, for Council consideration. Seconded by Alderman Nelson. All voted Aye; motion carried.
- RACINE COUNTY
SOIL TESTER'S SOIL
AND SITE
EVALUATION
- G.15. Alderman Barber moved to approve the 2021 Professional Services Agreement between the City of Franklin and Racine County for services to verify a certified soil tester's soil and site evaluation at designated properties when needed and to authorize the Director of Administration to execute such agreement. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- 2021 PROPERTY
AND CASUALTY
INSURANCE
COVERAGE
- G.16. Alderwoman Hanneman motion to authorize the Director of Administration to renew and execute the City's casualty insurance plans with R&R Insurance/League of Wisconsin Municipalities Mutual Insurance (LWMMI), Chubb, Hanover, and ACE American Insurance Company for 2021, as noted above, including the Cyber Insurance Policy through Chubb with both First and Third-Party coverage for a total annual premium of \$838,056, and to further authorize the payment of premiums in accordance with or as required by said policy documents. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- LICENSES AND
PERMITS
- H. Alderman Nelson moved to approve the following:
- Grant 2020-2021 Operator licenses to: Samantha J. Hemple, 11353 W. Mayers Dr.; Jennifer M. Blank, 2148 S. Burrell St., Milwaukee, with a warning letter from the City Clerk; Larry P. Gnatzig, 13800 W. Park Central Blvd. #454, New Berlin; Miranda F. Krasinski, 3147 S. 38th St., Milwaukee; Gerald Liggins, 6036 Doyle St., Greendale; Carlos Marchan, 3460 E. American Ave., Oak Creek; Carlos L. Martinez, 7000 W. Southridge Dr. Apt. 40, Greenfield; Deny the 2020-2021 Operator's license application of Jason J. Hauerwas, 7987 S. Susanna

Ct., due to falsification of application and habitual criminality substantially related to the license activity;

Hold the 2020-2021 Operator's license application of Ann M. Thaler, 9044 W. Elm Ct. Unit D, for appearance; and

Grant the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to the following:

- 1) Fleet Reserve Association Branch 14, St. Martin Fair Permit, 9/05/2021 and 9/06/2021, St. Martins Labor Day Fair;
- 2) Franklin Park Concerts, Park Permits, Band Shell Fees and Temporary Entertainment & Amusement License for Free Concerts on 6/7/2021, 7/11/2021, 7/25/2021, 8/8/2021, 8/22/2021, Lions Legend Park 1;
- 3) Franklin Police Department, National Night Out, Temporary Entertainment & Amusement, Food License, 8/2/2021, Franklin Public Library;
- 4) St. Paul's Lutheran School, School Picnic, Park Permit, 5/27/2021, Vernon Barg Pavilion, Lions Legend II;
- 5) Xaverian Missionaries, Annual Mission Festival, Extraordinary Event License, Temporary Class B Beer and Wine License, Operator Licenses, Temporary Food License, and Sign Permits, 6/26/2021 and 6/27/2021, 4500 Xavier Dr., subject to receipt of an updated insurance certificate.

Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.

Alderman Barber moved to approve the following:

City vouchers with an ending date of December 11, 2020 in the amount of \$1,414,362.72; Payroll dated December 4, 2020 in the amount of \$413,823.53 and payments of the various payroll deductions in the amount of \$235,915.92 plus City matching payments; Estimated payroll dated December 18, 2020 in the amount of \$430,000.00 and payments of the various payroll deductions in the amount of \$239,000.00, plus City matching payments; Estimated payroll dated December 31, 2020 in the amount of \$424,000 and payments of the various payroll deductions in the amount of \$445,000.00, plus City matching payments; Property Tax disbursements with an ending date of December 10, 2020 in the amount of \$3,846.09. Approval to release payment to Wanasek in the amount of \$29,367.27. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

BPC DEVELOPMENT PROJECT
AGREEMENT G.17.

Alderman Barber motion to enter into closed session at 8:28 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 Gold 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 of such matters discussed therein as it deems appropriate. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 9:06 p.m.

VILLAS OF
FRANKLIN
PHASE III
SUBDIVISION

G.18 Alderwoman Hanneman moved to enter into closed session at 9:07 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to a Villas of Franklin (Franklin Oaks Subdivision) Phase III Subdivision Development Agreement public improvements completion potential agreement with Villa Drive Associates, 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 Alderman Barber. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:27 p.m., Alderwoman Hanneman moved to proceed with the preparation, delivery and execution of an Agreement to resolve all of the incomplete and necessary improvements to the Villas of Franklin (Franklin Oaks Subdivision) as discussed in closed session. Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Nelson moved to adjourn the meeting at 9:29 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.