

**City of Franklin
Community Development Authority
Meeting Minutes
August 22, 2007**

Approved
11/08/2007

I. Call to Order and Roll Call

The Wednesday, August 22, 2007, Community Development Authority meeting was called to order at 6:04 PM by Member Grintjes in the Common Council Chambers at Franklin City Hall. Present were Members, Rhiner, Stan, Searle and Spitzer. Mayor Taylor and Alderman Kosovich were excused. Also present were City Development Director Wheaton, City Attorney Wesolowski and Planning Manager Dietl.

II. Citizen Comment Period

Member Grintjes opened and closed the citizen comment period at 6:05 PM.

III. Approval of Meeting Minutes

1. Meeting Minutes from July 12, 2007

Member Stan moved and Member Rhiner seconded approval of the July 12, 2007 Community Development Authority meeting minutes. Upon voice vote, 4 voted 'aye' and 0 'No's'. Motion carried.

IV. Business

A. Payments

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|----|--|--------------|
| 1. | WE Energies
South 31 st Street Extension
(Tax Incremental Finance District #3)
(For Information Only) | \$380.94 |
| 2. | WE Energies
South 31 st Street Reconstruction
(Tax Incremental Finance District #3)
(For Information Only) | \$807.00 |
| 3. | Quarles & Brady
General Advice Re: RDA & TIF Matters
(Tax Incremental Finance District #4)
(For Information Only) | \$431.50 |
| 4. | Graef Anhalt Schloemer & Associates Inc. | |
| | a. South 31st Street South of Rawson Street Extension
(Tax Incremental Finance District #4) | \$23,201.81 |
| | b. South 27 th /Oakwood-Franklin intersection
(Tax Incremental Finance District #4) | \$12,428.50 |
| | c. Oakwood Road/South 27 th – South 34 th Rd & storm sewer
(Tax Incremental Finance District #4) | \$12,438.49 |
| | d. South 31 st Street-South of Rawson Street Extension
(Tax Incremental Finance District #3) | \$15,805.57 |
| | e. South 31 st Street-North of Drexel Street reconstruction
(Tax Incremental Finance District #3) | \$10,701.60 |
| | f. Drexel/South 27 th -31 st Street Reconstruction
(For Information Only) | \$113.49 |
| 5. | Graef Anhalt Schloemer & Associates Inc. | |
| | a. South 27 th Street & Oakwood Road
(Engineering and reconstruction) | \$288,972.88 |

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(Tax Incremental District #4)
(For Information Only)

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|----|--|--------------|
| 6. | Graef Anhalt Schloemer & Associates Inc. | |
| | a. West Wheaton Way Construction and South 27 th Street | \$196,277.39 |
| | (Tax Incremental Finance District #4) | |
| | (For Information Only) | |
| 7. | Graef Anhalt Schloemer & Associates Inc. | |
| | a. South 31 st Street Extension | \$33,959.00 |
| | (Tax Incremental Finance District #3) | |
| | (For Information Only) | |
| 8. | Graef Anhalt Schloemer & Associates Inc. | |
| | a. South 31 st Street-South of Rawson Street Extension | \$21,859.50 |
| | (Tax Incremental Finance District #3) | |
| | b. South 31 st Street-North of Drexel Street Extension | \$3,235.70 |
| | (Tax Incremental Finance District #3) | |
| | c. Oakwood Road Reconstruction-Tifton Woods | \$3,235.70 |
| | (Tax Incremental Finance District #4) | |
| | d. Marquette/Hillendale Street Improvement-Tifton Woods | 1,820.20 |
| | (Tax Incremental Finance District #4) | |
| | (For Information Only) | |
| 9. | City of Franklin – Fund 22 Water | |
| | Water Project - South 27th Street, Ryan Road to Oakwood Road | \$133,855.00 |
| | Reimburse Fund 22 Water for TIF-eligible portion of water project | |
| | (Tax Incremental Finance District #4) | |
| | (For Information Only) | |

City Development Director Wheaton explained that all of the items under payments listed on the agenda are for informational purposes only, relating to TIF Districts No. 3 and No. 4. No action needed; None taken.

- B. Six-Month Financial Reports – 1st Half of 2007
1. Tax Incremental Finance District #2
 2. Tax Incremental Finance District #3
 3. Tax Incremental Finance District #4

No action needed; none taken.

- C. Application for a Conceptual and Final Site Plan approval to allow for additional parking spaces by Nannette M. Gardetto, for Baptista's Bakery, Inc, for the property located at approximately 4625 West Oakwood Park Drive (Tax Key Number 930 0006 000), zoned Planned Development District Number 18, in the Franklin Business Park.

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- D. *City of Franklin, et al. v. GSSB, LLC, et al. v. GSSB, LLC, et al.*, Milwaukee County Circuit Court Case No. 06-CV 012735 payment in lieu of taxes claim.

The Community Development Authority may enter closed session pursuant to Wis. Stats. § 19.85(1)(g), to deliberate upon the negotiation of a potential resolution of a payment in lieu of taxes claim in *City of Franklin, et al. v. GSSB, LLC, et al.*, Milwaukee County Circuit Court Case No. 06-CV-012735 and to confer with the City Attorney as legal counsel for the Authority, who is rendering advice concerning strategy to be adopted by the Authority with respect to the litigation, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Member Stan moved and Member Rhiner seconded the motion to enter closed session pursuant to Section 19.85(1)(e) of the Statutes to consider *The City of Franklin, et al. v. GSSB, LLC. Et al. v. GSSB, LLC, et al.*, Milwaukee County Circuit Court Case No. 06-CV 012735 payment in lieu of taxes claim, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Upon roll call vote Members Grintjes, Rhiner, Searle, Spitzer and Stan, voted ‘aye.’ and 0 voted ‘No’. Motion carried, 5-0. Closed session entered at 6:31 p.m.

Open session reentered at 6:50 p.m.

Member Stan moved and Member Rhiner seconded the motion to authorize the settlement of the subject litigation in exchange for payment to the CDA City in the appropriate amount of \$10,000. Upon voice vote, all voted ‘aye’. Motion carried, 5 - 0.

- E. Potential Development Agreement between the City of Franklin and/or the Community Development Authority, and MLG Development, Inc., for the development of Tax Incremental District No. 2, for the property located at approximately 4722 West Oakwood Road (Tax Key 9309997003).

No action needed; none taken.

- F. Request by MLG Development to place a marketing sign for the Cardinal Heights residential development at 5400 Ashland Way, within the Franklin Business Park.

Member Rhiner moved and Member Stan seconded to deny request by MLG Development to place a marketing sign for the Cardinal Heights residential development at 5400 Ashland Way, within the Franklin Business Park. Upon voice vote, all voted ‘aye’. Motion carried, 4 – 0.

- G. South 27th Street Corridor Plan Area Streetscape Design and Marketing.

This item may include, but not be limited to, future services that may be provided by a marketing firm relating to the development of branding, theme, and logo; creation of marketing materials; and public relations services, for the South 27th Street Corridor Plan Area, including scope of work, terms and conditions, timing, and contacts. The Authority may enter into closed session pursuant to §19.85(1)(e), Stats., to deliberate upon the terms of and to consider the negotiation of and negotiate services agreements to provide the products of the above subject matter, 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.

Member Stan moved and Member Rhiner seconded to recommend to the Common Council of the Supplemental Agreement No. 1 as proposed by HNTB subject to the language changes recommended by the City Attorney. Upon voice vote, all voted ‘aye’. 4-0- Motion carried.

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V. Next regular meeting date(s) – tentatively set for Thursday, September 20, 2007, at 6:00 p.m.

No action needed, none taken.

VI. Adjournment

Member Stan moved and Member Spitzer seconded to adjourn the Wednesday, August 22, 2007, meeting of the Community Development Authority at 7:12 p.m. Upon voice vote, all voted ‘aye’. Motion Carried.