

APPROVED AUGUST 18, 2020

COMMON COUNCIL MEETING

AUGUST 4, 2020

MINUTES

- ROLL CALL A.1. The regular meeting of the Common Council was held on August 4, 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 6:35 p.m.
- MAYORAL
ANNOUNCEMENT B.2.(a)(i) Director of Health & Human Services Courtney Day presented a status report on the COVID-19 pandemic in Franklin.
- B.2.(a)(ii) Director of Health & Human Services Courtney Day presented information on the City Hall Mask Policy.
- B.2.(b) Mayor Olson presented an update on the City Hall landscaping project.
- B.2.(c) Director of Clerk Services/City Clerk Sandi Wesolowski presented information on the status of the preparation for the August 11, 2020 Partisan Primary Election.
- MINUTES
JULY 21, 2020 C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council Meeting of July 21, 2020 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- BALLPARK
COMMONS UPDATE G.1. The project update for Ballpark Commons was tabled to the August 18, 2020 Common Council meeting.
- 2020 DEMOCRATIC
NATIONAL
CONVENTION G.2. Alderman Barber moved to approve the letter regarding termination of the Intergovernmental Agreement for Law Enforcement Services for the 2020 Democratic National Convention in Milwaukee, Wisconsin, sent by the City of Franklin Chief of Police on July 23, 2020, and the ratification thereof, with the authorization hereby granted to the Chief of Police to reinstate such Agreement and its terms of the provisions and the services to be provided thereunder in the event the City of Milwaukee timely cures the compliance and performance subject matter of the letter regarding termination, and to notify the City of Milwaukee of this Common Council action. Seconded by Alderman Dandrea. All voted Aye; motion carried.

911 NEXTGEN

G.3. Alderman Barber moved to approve the purchase and installation of the Nelson Systems NexLog system for call recording and logging system in the Police Department, and further that the Director of Finance & Treasurer prepare budget amendment to move contingency appropriation to Police Equipment and reflect the grant resources approved. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

REMOTE
GOVERNMENT
MEETING
ATTENDANCE

G.4. Alderman Barber moved to adopt an Ordinance to amend the Municipal Code to provide for Common Council, Boards', Commissions', and Committees' Members, Applicants', and the Public Remote Government Meetings Attendance. Motion died due to the lack of a second.

Alderwoman Wilhelm moved to place on file An Ordinance to Amend the Municipal Code to Provide for Common Council, Boards', Commissions' and Committees' Members, Applicants', and the Public Remote Government Meetings Attendance. Seconded by Alderman Dandrea.

RES. 2020-7653
EXTENSION OF
PUBLIC HEALTH
EMERGENCY
COVID-19

G.5. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7653, A RESOLUTION TO AMEND A RESOLUTION IN RATIFICATION OF A PROCLAMATION DECLARING A PUBLIC HEALTH EMERGENCY IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19), AS AMENDED, TO EXTEND THE TIME PERIOD OF THE PUBLIC HEALTH EMERGENCY UNTIL JANUARY 5, 2021 AND TO ALLOW FOR CITIZEN COMMENT SUBMITTED IN WRITING TO BE READ INTO RECORD. Seconded by Alderman Dandrea.

Alderwoman Hanneman moved to amend the Resolution to provide that such comments submitted in writing are to be distributed to the Alderpersons. Seconded by Alderman Dandrea. All voted Aye; motion carried.

Upon voice vote on the main motion as amended, all voted Aye. Motion carried.

ORD. 2020-2442
AMEND PDD 18
(FRANKLIN
BUSINESS PARK)

G.6. Alderwoman Hanneman moved to adopt Ordinance No. 2020-2442, AN ORDINANCE TO AMEND §15-3.0423 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 18 (FRANKLIN BUSINESS PARK) TO AMEND SECTION 13.(10) OF ORDINANCE NO. 93-1279, i.e. §15-3.0423(10), TO ALLOW THE COMMUNITY DEVELOPMENT AUTHORITY TO WAIVE DRIVEWAY SETBACKS FROM

INTERIOR LOT LINES OF A PROPERTY ZONED PLANNED DEVELOPMENT DISTRICT NO. 18 WHEN ABUTTING A NEWLY CREATED BY CERTIFIED SURVEY MAP PROPERTY ZONED PLANNED DEVELOPMENT DISTRICT NO. 18 AND THE PROPERTIES SHARE AN EXISTING DRIVEWAY (AT 9750 SOUTH OAKWOOD PARK DRIVE). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7654
2 LOT CSM
(WIS. COMMERCIAL
2015, LLC)
9750 S. OAKWOOD
PARK DR.

G.7. Alderwoman Hanneman moved to adopt Resolution No. 2020-7654, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING PARCEL 3 OF CERTIFIED SURVEY MAP NO. 6566, RECORDED SEPTEMBER 29, 1998, AS DOCUMENT NO. 7607434, IN THE NE 1/4 AND SE 1/4 OF THE NE 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (WISCONSIN COMMERCIAL 2015, LLC) (9750 SOUTH OAKWOOD PARK DRIVE). Seconded by Alderman Dandrea. All voted Aye; motion carried.

W. MARQUETTE
AVE. ROAD
EXTENSION

G.8. Alderman Barber moved to direct Staff to proceed with Option 1 as outlined in the Common Council meeting packet which requires developers to pay for and construct infrastructure for the W. Marquette Avenue road extension between S. 49th Street and S. 51st Street. Seconded by Alderwoman Hanneman. On roll call, Alderman Barber voted Aye; Alderman Dandrea, Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman Nelson voted No. Motion failed.

Alderwoman Wilhelm moved to proceed with Option 2, with wording in the Analysis, No. 2 edited to read “The City constructs the project with donations of the right-of-way and the engineering plans from the adjacent developers.”; further defined that staff be directed to prepare the necessary documents to receive developers’ donations for the road right-of-way and engineering specifications for W. Marquette Avenue and to advertise for bids for a competitive public works project, along with an alternate bid for addition to water and sewer, and for the City to look at the application of impact fees for the length of the pedestrian way. Seconded by Alderman Mayer. On roll call, Alderman Nelson, Alderwoman Hanneman, Alderwoman Wilhelm, Alderman Mayer, and Alderman Dandrea voted Aye; Alderman Barber voted No. Motion carried.

RES. 2020-7655
PLEASANT VIEW
PARK PAVILION

G.9. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7655, A RESOLUTION TO ISSUE A CHANGE ORDER 03 FOR PLEASANT VIEW PAVILION (4901 W. EVERGREEN STREET) IN THE AMOUNT OF \$8,565.30, with funding from the land

acquisition account. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

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| RES. 2020-7656
MEGA MEDIA
XCHANGE
6544 S. LOVERS
LANE RD. | G.10. | Alderman Nelson moved to adopt Resolution No. 2020-7656, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO OPERATE A MEGA MEDIA XCHANGE STORE, WITH THE ADDITION OF A GAMING LOUNGE, LOCATED AT 6544 SOUTH LOVERS LANE ROAD (GARDEN PLAZA SHOPPING CENTER) (ROBERT A. SETTECASE, OWNER OF MMX3 LLC (MEGA MEDIA XCHANGE), APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| CONSERVATION
EASEMENT AT
9533 W. RYAN RD. | G.11. | Alderman Nelson moved to table to the August 18, 2020, Common Council meeting, A Resolution Authorizing Certain Officials to Accept a Conservation Easement For and as Part of the Approval of a Certified Survey Map for Scott A. Mayer and Susanne Mayer at 9533 W. Ryan Road. Seconded by Alderwoman Hanneman. All voted Aye; motion carried. |
| RES. 2020-7657
S. 116TH ST. TRAIL | G.12. | Alderman Nelson moved to adopt Resolution No. 2020-7657, A RESOLUTION FOR GRAEF-USA, INC. TO DESIGN THE SOUTH 116TH STREET TRAIL FOR \$150,000. Seconded by Alderwoman Hanneman. All voted aye; motion carried. |
| LIGHTS FOR RYAN
MEADOWS
SUBDIVISION | G.13. | Alderman Nelson moved to direct City Engineer to order installation of lights for Ryan Meadows Subdivision, funding from Capital Improvement Contingency Account. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| SEWAGE GRINDER
PUMP AT 10609 W.
ST. MARTINS RD. | G.14. | Alderman Nelson moved to enter into an agreement to allow a sewage grinder pump at 10609 W. St. Martins Road (TKN 800 9999 002), with Staff to record agreement with the Milwaukee Register of Deeds office. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| 2020 ROAD
PROGRAM | G.15. | Alderman Barber vacated his seat at 8:40 p.m. and returned to his seat at 8:45 p.m.

No action was taken to authorize staff to replace W. Puetz Road segments in the 2020 Road Program with W. Bosch Lane and W. Fitzsimmons Road. |
| RES. 2020-7658
INDUSTRIAL PARK
LIFT STATION | G.16. | Alderwoman Hanneman moved to adopt Resolution No. 2020-7658, A RESOLUTION TO AWARD DESIGN OF INDUSTRIAL PARK LIFT STATION (10100 S. 60TH STREET) REPLACEMENT TO |

GRAEF-USA, INC. FOR \$202,100. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7659
CHANGE ORDER
NO. 1
2020 CITY HALL
SIGN

G.17. Alderman Nelson moved to adopt Resolution No. 2020-7659, A RESOLUTION TO ISSUE A CHANGE ORDER NO. 1 FOR THE 2020 CITY HALL SIGN PROJECT TO MICHAEL'S SIGNS, INC. IN THE AMOUNT OF \$5,350. Seconded by Alderman Barber. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Hanneman, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer voted No. Motion carried.

COVID-19 EXP.
UPDATE

G.18. No action was required on the report on expenditures related to the COVID-19 Public Health Emergency through July 30, 2020.

JUNE 2020
FINANCIAL REPORT

G.19. Alderwoman Hanneman moved to receive and place on file the June, 2020 Monthly Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.

PRIVATE PROPERTY
INFLOW AND
INFILTRATION

G.20. Alderman Barber moved to direct Staff to work with Milwaukee Metropolitan Sewerage District to develop a Franklin policy to eliminate Private Property Inflow and Infiltration (PPII) from the sanitary sewer. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND
PERMITS

H. Alderman Nelson moved to approve the following:
Grant Class B Combination license, Entertainment & Amusement license and Bowling Alley License, subject to payment and background check to Country Lanes Bowling LLC, dba Country Lanes Bowling Center, Kevin Meier, Agent, 7499 S. North Cape Rd.;

Held until next meeting: Temporary Entertainment & Amusement to The Landmark, Lori Knack-Helm, 11401 W. Swiss St.; Entertainment and Amusement License to Swiss Street Pub & Grill, John Trudeau, 11430 W Swiss St.;

Withdrawn: Temporary Class B Beer and Wine License to St. Paul's Evangelical Lutheran Church, Jamie Petricek, 6881 S 51st St; Temporary Entertainment and Amusement to St. Paul's Evangelical Lutheran Church, Jamie Petricek, 6881 S. 51st St; Temporary Entertainment and Amusement License to Romey's Place, Nathan J Fabry, 7508 S. North Cape Rd;

Hold for appearance the Operators' license applications of Heather M Borger, 511 Montana Ave., South Milwaukee; Destanie Evans, 726 Marquette Ave #2, South Milwaukee; Dale G Hasenstein, 3033 S. 91st St., West Allis; John B Lehman, 1301 S. 76th St., West Allis;

Daniel T Rodriquez, 8014 W Hilltop Ln., Franklin;

Grant Operator license to Shannon P Miller (with a warning letter from the City Clerk), W124S8236 North Cape Rd., Muskego; Joseph A Soltis, 4155 S. Lake Dr. #22, St. Francis; Amanda J Cook, 10324 W Bunzel Ave., Hales Corners; Ava R Dresdow, 8113 W Dreyer Pl., West Allis; John R Ebert, 1137 27th St., Caledonia; Amber E Helm, 11401 Parkview Ln., Hales Corners; Jeanne W Howell, S45W25670 Red Oak Ct., Waukesha; Allison M Planton (with a warning letter from the City Clerk), 14900 W. Wilbur Dr., Unit 1204, New Berlin; Ivana Stanojevic, 613 Clark Ave., South Milwaukee; Carly P Thompson, 7007 W Coldspring Rd. Apt #2, Greenfield.

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

VOUCHERS AND
PAYROLL

- I. Alderman Dandrea moved to approve the following:
City vouchers with an ending date of August 1, 2020 in the amount of \$3,313,894.17 and Payroll dated July 31, 2020 in the amount of \$450,597.82 and payments of the various payroll deductions in the amount of \$441,089.81 plus City matching payments and Estimated payroll dated August 1, 2020 in the amount of \$395,000.00 and payments of the various payroll deductions in the amount of \$217,000.00, plus City matching payments and Approval to release tax transfer to American Deposit Management in the amount of \$9,000,000.00. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

TID 8
DEVELOPMENT
AGREEMENT

- G.21. Alderman Dandrea moved to enter closed session at 9:41 p.m. pursuant to Wis. Stat. § 19.85 (1)(e), for the market competition and bargaining reasons, to deliberate and consider terms relating to a Tax Incremental District No. 8 Development Agreement Between the City of Franklin, JHB Properties, LLC and ZS Enterprises, LLC, Industrial Spec Buildings Mixed Use Development and a Development Agreement for JHB Properties, LLC and ZS Enterprises, LLC, Industrial Spec Buildings Mixed Use Development (Public Improvements), and the investing of public funds and governmental actions in relation thereto and to effect such development, including the terms and provisions of the development agreements for the development of property located on the south side of West Elm Road in the approximately 3500 block area where West Elm Road to be extended to the west, consisting of approximately 79.79 acres, 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 10:19 p.m., Alderwoman Wilhelm moved to put this matter over to the August 18, 2020, Common Council meeting. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Barber moved to adjourn the meeting at 10:19 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.