

APPROVED NOVEMBER 17, 2020

CITY OF FRANKLIN COMMON COUNCIL MEETING NOVEMBER 2, 2020 MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on November 2, 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, and City Attorney Jesse A. Wesolowski.
- CITIZEN COMMENT B.1 Citizen comment period was opened at 6:31 p.m. and closed at 8:30 p.m. Alderman Barber vacated his seat at 8:02 p.m. and returned at 8:06 p.m.
- MAYORAL
ANNOUNCEMENT B.2. Mayor Olson presented an Intergovernmental Cooperation Council letter to Federal Delegation Regarding Pandemic Funding.
- MINUTES
OCTOBER 6, 2020 C.1. Alderman Dandrea moved to table the minutes of the regular Common Council Meeting of October 6, 2020 to the November 17, 2020 Common Council meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.
- MINUTES
OCTOBER 20, 2020 C.2. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council Meeting of October 21, 2020 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.
- MAYORAL
APPOINTMENTS E. Alderman Mayer moved to confirm the Mayoral Appointment of Timothy Solomon, 8026 S. Mission Dr., Ald. Dist. 2, Community Development Authority, for a 4 year term expiring August 30, 2024. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderman Mayer, Alderwoman Hanneman, Alderman Barber and Alderman Nelson voted Aye; Alderwoman Wilhelm voted No. Motion carried.
- RES. NO. 2020-7681 G.1. Alderwoman Hanneman moved to reconsider action taken on SPECIAL USE RECONSIDER FOR MEAT PROCESSING PLANT-STRAUSS October 20, 2020 to deny A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), and

the non-approval thereof. Seconded by Alderman Dandrea. On roll call, the vote was as follows: Alderman Dandrea, Alderwoman Hanneman and Alderman Barber voted Aye; Alderman Mayer, Alderwoman Wilhelm and Alderman Nelson voted No. Mayor Olson broke the tie by voting in the Affirmative. Motion carried.

Alderwoman Hanneman moved to substitute a motion to adopt a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), as presented to the Common Council on November 2, 2020, in the place of the motion to deny a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), and the non-approval thereof. Seconded by Alderman Dandrea.

Alderwoman Hanneman then moved to amend the motion to include the following conditions with the existing 20 conditions of approval in the Resolution:

21. The applicant, successors and assigns, shall implement sound control devices, including but not limited to additional chimneys or baffles, to reduce the sound from exhaust and ventilation fans to a maximum of 65 decibels at the ground level adjacent to the building closest to the fan.

22. The applicant, successors and assigns, shall mitigate truck traffic noise and impact by installing a 5-foot high landscape berm on the east side of the livestock loading area to provide additional screening and sound deflection.

23. The applicant, successors and assigns, shall further mitigate truck traffic noise and impact by increasing the height of the berm along the north property line by an average of 2 feet over that shown on the existing approved site plan. This berm shall be designed to appear natural.

24. The applicant, successors and assigns, shall submit a revised Landscape Plan which shows the approved changes to berms and landscape buffers as provided in Conditions 22 and 23 above.

25. The applicant, successors and assigns, shall establish and maintain a citizen complaint procedure, in which concerned residents contact a designated representative of the applicant, successors or assigns, and provide details of any complaints. The applicant, successors and assigns, shall compile any and all complaints and

submit a monthly report of the complaints to the City Health Department, along with any actions taken. This procedure shall be in addition to current coordination with the City Health Department regarding complaints and coordinating responses thereto. Seconded by Alderman Dandrea. On roll call, the vote was as follows: Alderman Barber, Alderwoman Hanneman, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Nelson and Alderman Mayer voted No. Motion carried.

On the vote to substitute a motion as amended to adopt a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive, Alderman Dandrea, Alderwoman Hanneman, and Alderman Barber voted Aye; Alderman Mayer; Alderwoman Wilhelm, and Alderman Nelson voted No. Mayor Olson broke the tie by voting in the Affirmative. Motion carried.

Upon the substitute motion as amended to adopt Resolution No. 2020-7681, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE (LOT 83 OF RYAN MEADOWS SUBDIVISION) (STRAUSS BRANDS LLC, APPLICANT), as presented to the Common Council on November 2, 2020: On roll call, the vote was as follows: Alderman Barber, Alderwoman Hanneman, and Alderman Dandrea voted Aye; Alderman Nelson, Alderwoman Wilhelm and Alderman Mayer voted No. Mayor Olson broke the tie by voting in the Affirmative. Motion carried.

TID 6 FINANCING
PLAN

G.2.

No action was taken on the review of Tax Incremental District 6 Financing Plan with pending \$3 million debt offering.

Alderman Hanneman vacated her seat at 9:56 p.m. and returned at 9:57 p.m.

Mayor Olson vacated his seat at 10:04 p.m. and passed the gavel to Alderman Dandrea, who then chaired the meeting.

W. MARQUETTE
AVE. EXTENSION
PROJECT 2021

G.5.

No action was taken on the Proposed 2021 Capital Improvement Fund budget to add a W. Marquette Avenue extension project from S. 49th Street to S. 51st Street with a \$925,000 appropriation and a \$86,000 donation from developers, and a \$600,000 transfer from the Special

Assessment Fund in the Capital Improvement Fund, per direction of the Finance Director and unneeded if bid in G.4. is adopted.

AGREEMENT FOR
CONSTRUCTION OF
W. MARQUETTE
AVE.

G.3. Acting Mayor Dandrea stated that he will not be voting as Alderman on this item. Alderwoman Wilhelm moved to approve the Agreement to Construct West Marquette Avenue from South 51st Street to South 49th Street with Creative Homes, Inc. and Franklin 49th Street, LLC, contingent upon funding within the budget for the project and Agreement with the developers, subject to corrections by the City Attorney. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2020-7682
AWARD
CONSTRUCTION
CONTRACT
W. MARQUETTE
AVE.

G.4. Acting Mayor Dandrea stated that he will not be voting as Alderman on this item. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7682 A RESOLUTION TO AWARD A CONSTRUCTION CONTRACT OF D.F. TOMASINI CONTRACTORS, INC. FOR THE CONSTRUCTION OF 2020 MARQUETTE AVENUE ROAD IN THE AMOUNT OF \$737,954.90 WITH A NOTICE TO PROCEED FOR APRIL 1, 2021. Seconded by Alderman Mayer. All voted Aye; motion carried.

Alderwoman Hanneman vacated her seat at 10:22 p.m.

ORD. NO. 2020-2452
PARKING
RESTRICTIONS
W. STATESMAN
WAY

G.6. Acting Mayor Dandrea stated that he will not be voting as Alderman on this item. Alderwoman Wilhelm moved to adopt Ordinance No. 2020-2452 AN ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION 245-5. D. (4) DESIGNATING PARKING RESTRICTIONS ON SOUTH SIDE OF W. STATESMAN WAY FROM S. 27TH STREET TO S. 31ST STREET. Seconded by Alderman Nelson. All voted Aye; motion carried.

Alderwoman Hanneman returned at 10:25 p.m.

Mayor Olson returned at 10:29 p.m. and resumed chairing the meeting.

RES. 2020-7683
SPECIAL USE
DEVELOPMENT OF
TWO 150,000 SQ FT
CLASS A BUILDING

G.7. Alderwoman Hanneman moved to adopt Resolution No. 2020-7683, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR ECOMMERCE/WAREHOUSING AND DISTRIBUTION REQUIRE AND TO ALLOW FOR OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE WEIGHT UPON PROPERTIES LOCATED AT 3825 WEST ASPEN WAY, ZONED PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED USE BUSINESS PARK). Seconded by Alderman Barber. All voted Aye; motion carried.

- RES. 2020-7684
HICKORY STREET
- G.8. Alderman Barber moved to adopt Resolution No. 2020-7684, A RESOLUTION TO AUTHORIZE AMENDMENT 2, PHASE 1 TO TASK ORDER 5 TO RUEKERT & MIELKE, INC. FOR THE PRELIMINARY DESIGN OF S. HICKORY STREET FROM W. ELM ROAD TO W. OAKWOOD ROAD FOR \$46,500. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- Alderwoman Wilhelm vacated her seat at 10:36 p.m.
- RELEASE ESCROW
DEPOSIT HIDDEN
OAKS
- G.9. Alderwoman Hanneman moved to release the escrow deposit for Hidden Oaks Subdivision as recommended by the Engineering Department. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2020-7685
UTILITY
EASEMENTS RYAN
MEADOWS
SUBDIVISION
- G.10. Alderman Nelson moved to adopt Resolution No. 2020-7685, A RESOLUTION FOR ACCEPTANCE OF EASEMENTS FOR STORM DRAINAGE, SANITARY SEWER, WATERMAIN AND TEMPORARY TURN AROUND FOR RYAN MEADOWS SUBDIVISION LOCATED OFF OF W. LOOMIS ROAD BETWEEN W. RYAN ROAD AND S. 112TH ST. Seconded by Alderman Mayer. All voted Aye; motion carried
- 2021 BUDGET
- G.11. No discussion or action was needed on the 2021 Proposed Budget.
- COVID-19 EXP.
- G.12. No action was taken on the report of COVID-19 expenditures.
- SEPT. 2020
FINANCIAL REPORT
- G.13. Alderman Barber moved to receive and place on file September, 2020 Financial Report. Seconded by Alderman Mayer. All voted Aye; motion carried.
- 2021 HRA
- G.14. Alderman Barber moved to approve the amended recommendation for the 2021 Health Reimbursement Arrangement (HRA) administration services, selecting United Health Care as the provider; authorize the Director of Administration to execute the appropriate, related contracts and update the Employee Handbook as needed. Seconded by Alderman Mayer. All voted Aye; motion carried.
- SEVERANCE PAY
LANGUAGE IN THE
EMPLOYEE
HANDBOOK
- G.15. Alderman Barber moved to approve an amendment to the severance pay language in the Employee Handbook due to the addition of the Wisconsin Retirement Pension System (WRS) for non-represented employees, to clarify employee eligibility for the severance pay benefit. All voted Aye; motion carried.

LICENSES AND
PERMITS

H. Alderwoman Hanneman moved to approve the following:

Grant 2020-2021 Operators' licenses to: Amanda Holterman, S110 W14718 Union Church Dr., Muskego; Tyler Cherek, 7309 S. North Cape Rd., Franklin; Jennifer Craycraft, S71 W19928 Tomar Ln., Muskego; Christina Drabik, 8800 S. 77th St., Franklin; Stephanie Gemmel, 12572 W. Euclid Ave., New Berlin; Sara Tejada, 3839 E. Squire Ave., Cudahy; Lisa Weeks, 5926 S. Packard Ave. Lot 114, Cudahy; and

Hold the Operator's license application of Michael Levicar, 6143 W. Howard Ave, #21, Greenfield, for appearance.

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 November 2, 2020 in the amount of \$1,438,241.93; Payroll dated October 23, 2020 in the amount of \$428,741.44 and payments of the various payroll deductions in the amount of \$446,097.15 plus City matching payments; Estimated payroll dated November 6, 2020 in the amount of \$422,000.00 and payments of the various payroll deductions in the amount of \$250,000.00, plus City matching payments; Property Tax disbursements with an ending date of November 2, 2020 in the amount of \$69,330.98; Approval to release payment to Oakwood Ryan Creek LLC in the amount of \$25,285.00; Approval to release payment to Super Excavators Inc in the amount of \$126,758.70; Approval to release payment to Loomis & Ryan Inc in the amount of \$4,731,123.64. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Mayer moved to adjourn the meeting at 10:45 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.