

APPROVED MARCH 16, 2021

CITY OF FRANKLIN COMMON COUNCIL MEETING MARCH 2, 2021 MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on March 2, 2021 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 (arrived via teleconference at 6:35 p.m.) 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. Citizen comment period was opened at 6:32 p.m. and closed at 6:36 p.m.
- MINUTES
FEBRUARY 16, 2021 C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council Meeting of February 16, 2021 as presented at this meeting. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- ORGANIZATIONAL
BUSINESS E. Alderman Dandrea moved to confirm the Mayoral appointment of Gene Ninnemann, Weed Commissioner, for the Calendar Year 2021. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye. Motion carried.
- LETTERS AND
PETITIONS F. No action was taken at this time on the letter from Shelley Tessmer regarding a proposed dog park. (See Item G. 17.)
- CONSENT AGENDA G.1. Alderman Mayer moved to approve the following Consent Agenda items:
- PURCHASE
CARDIAC MONITOR
DEFIBRILLATOR (a) Approval to purchase a Zoll X-Series Cardiac Monitor/Defibrillator from Milwaukee County Office of Emergency Management (OEM) using existing State EMS grant funding.
- RES. 2021-7708
HOLDING TANK
AGREEMENT
(11311 W. MAYERS
DR.) (b) Adopt Resolution No. 2021-7708, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A HOLDING TANK AGREEMENT WITH SMART HOME SOLUTIONS, LLC 11311 W. MAYERS DRIVE, TAX KEY NO. 799-0026-000.
- AT&T AGREEMENT (c) Authorize a two-year Agreement with AT&T to provide dedicated internet and voice bundle.
Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

- CIVIC CELEBRATION G.2. Alderwoman Hanneman moved to allow John Bergner to execute contracts and agreements for the 2021 Franklin Civic Celebration event. Seconded by Alderman Mayer. All voted Aye; motion carried.
- COVID-19 VACCINATION SITE G.3. Alderwoman Wilhelm moved to authorize the Director of Health and Human Services to sign the contract with Milwaukee County to use the Milwaukee County Sports Complex for a COVID-19 vaccination site. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2021-7709
2 LOT CSM
(FRANKLIN
WYNDHAM LLC)
(7700-7780 S.
LOVERS LANE RD.) G.4. Alderman Mayer moved to adopt Resolution No. 2021-7709, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8567, BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8000, PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5762, CERTIFIED SURVEY MAP NO. 377, AND LANDS IN THE SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (Franklin-Wyndham, LLC, Applicant) (at 7700-7780 South Lovers Lane Road). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- UDO REVISION AND UPDATES G.5. Alderman Barber moved to approve proceeding with a comprehensive redesign of the existing Unified Development Ordinance, including addressing district types and mapping, as well as authorization to retain a consultant to assist department staff with the revision of the Unified Development Ordinance. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- SANITARY SEWER USER FEE G.6. Alderman Dandrea moved to adopt the quarterly 2021 Residential Sanitary Sewer charge of \$65.76 and a fixed Commercial Connection charge of \$14.46 plus a \$3.852028 per thousand gallon volumetric charge effective January 1, 2021 as provided by Municipal Code Sec. 207-14.H.(3)(b). Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- TAX INCREMENT DISTRICT RESULTS AND PLANS G.7. Alderwoman Wilhelm moved to receive and place on file the Tax Increment District 2020 results and projections for balance of Tax Increment District project plans. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7710
S. 27 ST. NON-
PARTICIPATING
LETTER TO WisDOT G.8. Alderwoman Hanneman moved to adopt Resolution No. 2021-7710, A RESOLUTION TO SUBMIT A NON-PARTICIPATING LETTER TO WISCONSIN DEPARTMENT OF TRANSPORTATION FOR RECONSTRUCTION OF S. 27TH STREET BETWEEN W. SOUTH COUNTY LINE ROAD (8-MILE ROAD) AND W. ELM ROAD FOR

AN ESTIMATED AMOUNT OF \$950,000. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2021-7711 G.9. Alderwoman Hanneman moved to adopt Resolution No. 2021-7711, A INDUSTRIAL PARK RESOLUTION TO AMEND CONTRACT WITH GRAEF-USA, INC. LIFT STATION TO PREPARE MODIFICATION TO THE BUILDING FOR THE INDUSTRIAL PARK LIFT STATION (10100 S. 60TH STREET) REPLACEMENT FOR \$19,962. Seconded by Alderman Nelson. All voted Aye; motion carried.

SURVEY FOR G.10. Alderman Nelson moved to direct Staff to solicit affected homeowners POTENTIAL SEWER from 10570-10961 W. St. Martins Road and conduct a virtual meeting SERVICE to discuss the potential project of common force main sewer system; and further to direct Staff to return to Common Council with results and recommendation at an undetermined future date. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2021-7712 G.11. Alderwoman Hanneman moved to adopt Resolution No. 2021-7712, A CITY BANNERS RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT WITH OLYMPUS GROUP FOR FABRICATION AND INSTALLATION OF CITY BANNERS, subject to technical corrections by the City Attorney; and further to approve a letter of commitment to Milwaukee County for repairs or maintenance of Milwaukee County property associated with the City of Franklin Banner Program. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2021-7713 G.12. Alderman Barber moved to adopt Resolution No. 2021-7713, A TRADEMARK RESOLUTION APPROVING AN AGREEMENT BETWEEN THE LICENSE CITY OF FRANKLIN AND THE FRANKLIN TOURISM AGREEMENT COMMISSION AUTHORIZING FRANKLIN TOURISM COMMISSION USE OF THE FRANKLIN TRADEMARK (LOGO), subject to technical corrections and amending the Agreement as follows:
Paragraph one, License Grant, insert “for non-direct revenue uses” or other such language determined by the Attorneys;
Add a paragraph following Quality Control, to the effect that the Tourism Commission and it’s Assigns recognize the value of the logo and trademarks and the reputation to the City, and they will ensure that reputation and value is protected at all times;
Add a paragraph that permits use of the Franklin name;
Add an indemnity clause;
Change the termination from 120 days to 90 days.
Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

- ORD. 2021-2458
2021 ANNUAL
BUDGETS FOR CIP
AND SANITARY
SEWER
- G.13. Alderman Dandrea moved to adopt Ordinance No. 2021-2458, AN ORDINANCE TO AMEND ORDINANCE NO. 2020-2453, AN ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT AND SANITARY SEWER FUNDS TO REMOVE ENCUMBRANCE APPROPRIATIONS FOR 2020 FOR LATE ARRIVING INVOICES CHARGED TO 2020 OPERATIONS. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.
- RFP FOR AUDITING
AND ACCOUNTING
FOR 2021-2025
- G.14. Alderwoman Wilhelm moved to authorize a Request for Proposal on auditing and other accounting services for the City of Franklin for calendar years 2021 through 2025 with an option for two additional years. Seconded by Alderwoman Hanneman. All approved Aye; motion carried.
- ORD. 2021-2459
COVID-19
CONTINGENCY
APPROPRIATIONS
- G.15. Alderwoman Hanneman moved to adopt Ordinance No. 2021-2459, AN ORDINANCE TO AMEND ORDINANCE NO. 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND, CAPITAL OUTLAY, GRANT, DEBT SERVICE, TID 5, TID 6 AND TID 7 TO ALIGN COVID-19 CONTINGENCY APPROPRIATIONS WITH ACTUAL 2020 EXPENDITURES AND OTHER 2020 BUDGET ADJUSTMENTS. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.
- FIBER NETWORK
- G.16. Alderman Barber moved to authorize an “Evaluation to Determine the Feasibility of Establishing a Fiber Network to Access Internet Services for City of Franklin Business Operations, Including the Possibility of Additional Infrastructure to Serve the Community”, awarding this phase of the project to Multimedia Communications & Engineering, at a cost not to exceed \$12,567, and authorize the Director of Administration to execute the appropriate, related contracts as needed as well as take appropriate action to execute such agreement. Seconded by Alderman Nelson. All voted Aye; motion carried.
- SIGMA GROUP
AGMT-DOG PARK
CONSULTING
SERVICES
- G.17. Alderwoman Wilhelm moved to enter into an agreement with The Sigma Group, Inc. for environmental consulting services (potential dog park) for a not to exceed fee of \$6,600 with funding provided by the General Fund Contingency Account. Seconded by Alderman Nelson. All voted Aye; motion carried.
- VOUCHERS AND
PAYROLL
- I. Alderman Dandrea moved to approve the following: City vouchers with an ending date of March 1, 2021 in the amount of \$4,294,582.50; Payroll dated February 26, 2021 in the amount of \$405,140.38 and payments of the various payroll deductions in the amount of \$464,862.23 plus City matching payments; Estimated payroll dated March 12, 2021 in the amount of \$398,000.00 and payments of the

various payroll deductions in the amount of \$269,000, plus City matching payments; Property Tax disbursements with an ending date of February 26, 2021 in the amount of \$6,903,904.25. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

FRANKLIN
PROFESSIONAL
FIREFIGHTERS

- G.19. Alderwoman Wilhelm moved to enter closed session at 8:57 p.m. pursuant to Wis. Stat. § 19.85(1)(c) and (e), Stats, to discuss collective bargaining strategy in negotiations with the Franklin Professional Firefighters Association Local 2760 I.A.F.F. and bargaining strategy relating to service levels and staffing for competitive and bargaining reasons and to re-enter open session at the same place thereafter to act on such matters discussed therein as the Common Council deems appropriate. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 9:11 p.m.

VILLAS OF
FRANKLIN

- G.18. Alderman Dandrea moved to enter closed session at 9:11 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 Oak Subdivision) Phase III Subdivision Development Agreement public improvements and 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 Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:23 p.m., Alderwoman Hanneman moved to approve and authorize execution of the Conclusion of Subdivision Development Agreement for Villas of Franklin (Franklin Oaks Subdivision) Phase III, in the form and content as contained in this Common Council meeting agenda packet. Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Dandrea moved to adjourn the meeting at 9:25 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.