

APPROVED SEPTEMBER 6, 2022

CITY OF FRANKLIN COMMON COUNCIL MEETING AUGUST 16, 2022 MINUTES

- ROLL CALL A. The regular meeting of the Franklin Common Council was held on August 16, 2022, and was called to order at 6:30 p.m. by Mayor Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were present: Alderman Ed Holpfer, Alderwoman Michelle Eichmann, Alderwoman Hanneman, Alderman Barber, and Alderman John R. Nelson. Alderwoman Kristen Wilhelm was not present. Also in attendance 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 was closed at 6:43 p.m.
- MAYORAL
ANNOUNCEMENT B.2. Mayor Olson presented a Proclamation Declaring September 2022 as Prostate Cancer Awareness Month in the City of Franklin.
- MINUTES
AUGUST 2, 2022 C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of August 2, 2022, as presented. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- RES. 2022-7888
LAND COMBINATION
FOR TKN: 886-9989-
003, 8857 W ST.
MARTINS RD.,
SANDOVAL,
APPLICANT G.1. Alderman Nelson moved to adopt Resolution No. 2022-7888, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR PARCEL 1 (TKN 886-9989-003) OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6022 (8857 W. ST. MARTINS RD.) (JOSE D. SANDOVAL, APPLICANT). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2022-7889
AMEND RES. NOS.79-
1562, 83-2091, 85-2581,
2009-6579, 2012-6812,
2014-7007 AND 2017-
7280. SPECIAL USE
AT 6300-6346 S. 35TH
ST., GPARK LLC,
APPLICANT G.2. Alderman Barber moved to adopt Resolution No. 2022-7889, A RESOLUTION TO AMEND RESOLUTION NOS. 79-1562, 83-2091, 85-2581, 2009-6579, 2012-6812, 2014-7007 AND 2017-7280 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR THE GAZEBO PARK APARTMENT COMPLEX PROPERTY LOCATED AT APPROXIMATELY 6300-6346 SOUTH 35TH STREET TO ALLOW FOR EXPANSION OF TWO DETACHED GARAGES WITHIN THE APARTMENT COMPLEX. (GPARK LLC, APPLICANT). Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- 2023 COMMUNITY
DEVELOPMENT
BLOCK GRANT
PROGRAM PROJECTS G.3. Alderman Barber moved to authorize the Director of Administration to submit Letters of Support for the Eras Senior Network, Inc. Faith in Action Milwaukee County Program for \$5,000 and Oak Creek Salvation Army-Homelessness Program for

\$3,000; to submit a project application for Senior Health-Related Educational Programming for \$5,000; and to submit a project application for a Franklin Home Repair Grant Program, administered directly through Milwaukee County, for \$65,000, by the deadline date of August 26, 2022. Seconded by Alderman Holpfer. All voted Aye; motion carried.

RES. 2022-7890
CERTIFY A NON-
TRADITIONAL
PROJECT
ADMINISTRATION
AND DELIVERY FOR
S. 116TH ST. TRAIL

G.4. Alderman Holpfer moved to adopt Resolution No. 2022-7890, A RESOLUTION TO "CERTIFY A NON-TRADITIONAL PROJECT ADMINISTRATION AND DELIVERY FOR THE 116TH TRAIL (WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID 2976-00-02/72)" FOR A TRAIL PROJECT ALONG S. 116TH STREET FROM W. MAYERS DRIVE TO W. RYAN ROAD AND MUSKEGO CORPORATE LIMITS, SUBJECT TO ANY TECHNICAL CORRECTIONS. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2022-7891
S. 116TH ST. TRAIL
PROJECT CHANGE
ORDERS TO GRAEF-
USA, INC.

G.5. Alderman Nelson moved to adopt Resolution No. 2022-7891, A RESOLUTION TO EXECUTE S. 116TH STREET TRAIL PROJECT CHANGE ORDERS TO GRAEF-USA, INC. FOR CHANGE ORDER NO. 2 FOR \$70,000 TO PREPARE CONSTRUCTION MITIGATION & AIR COMPLIANCE (CMAQ) PLANS WITH PERMITTING, AND CHANGE ORDER NO. 3 FOR \$30,000 TO PREPARE A ST. MARTIN OF TOURS TRAIL ALTERNATIVE ALIGNMENT. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

HAWTHORNE
NEIGHBORHOOD
PAVEMENT AND
UTILITIES

G.6. Alderman Nelson moved to direct staff to survey properties within the Hawthorne neighborhood for pavement and utilities and return to the Common Council when completed. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2022-7892
STORM WATER
MAINT. AGREEMENT
AND EASEMENT FOR
11120 W. LOOMIS RD.,
VICTORY OF THE
LAMB, INC.

G.7. Alderman Nelson moved to adopt Resolution No. 2022-7892, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND A STORM WATER MANAGEMENT ACCESS EASEMENT FOR VICTORY OF THE LAMB, INC., 11120 W. LOOMIS ROAD, TKN 889-9989-000. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2022-7893
STORM WATER
MAINT. AGREEMENT
AND EASEMENT FOR
7543 S. NORTH CAPE
RD.

G.8. Alderman Nelson moved to adopt Resolution No. 2022-7893, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND A STORM WATER MANAGEMENT ACCESS EASEMENT FOR 7543 S. NORTH CAPE ROAD, TKN 797-9946-000. Seconded by Alderman Barber. All voted Aye; motion carried.

- ENGAGE MILW. CO. FOR STORMWATER RETENTION FOR TID 8 AT TKN 950-9998-001 G.9. Alderwoman Hanneman moved to direct Mayor Olson, Alderwoman Hanneman, Economic Development Director John Regetz, and Director of Administration Peggy Steeno to engage Milwaukee County and pursue negotiations for participation of Milwaukee County land (from Parcel TKN 950-9998-001) in establishing a stormwater retention basin for Tax Increment Financing District No. 8. Seconded by Alderman Barber. All voted Aye; motion carried.
- CGI FRANKLIN COMMUNITY VIDEO PROGRAM FOR VIDEO TOURS G.10. Alderman Barber moved to approve the CGI Franklin Community Video Program contract for website Video Tours, which will be supported through Franklin Area Business Advertising sold by CGI Digital. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- CITY FACEBOOK PAGE G.11. Alderman Nelson moved that consideration of a City Facebook Page be tabled indefinitely. Seconded by Alderman Holpfer. All voted Aye; motion carried. Vote recorded as a unanimous vote.
- 2022 AND 2023 SHREDDING EVENTS G.12. Alderman Barber moved to instruct staff to include one annual shredding event each year in the 2023 budget and beyond implemented with the continuation of a limit of 4 boxes per car maximum donation, require proof of Franklin residency to be shown and have it presented prior to entering the City Hall parking lot, and order a minimum of two trucks. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- EMERGENCY VEHICLE PRE-EMPTION EQUIPMENT G.13. Alderman Barber moved to approve Emergency Vehicle Pre-emption Equipment at W. Forest Home Avenue (CTH 00) and W. St. Martins Road and that staff be directed to look for possible grant funding. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- TEMPORARY STREET CLOSURE FOR OUTDOOR MOVIE NIGHT ON 8/26/2022 G.14. Alderman Barber moved to approve street closures on S. Legend Dr. between the southern Franklin Public Library entrance and the City Hall parking garage entrance on Friday, August 26, 2022 in conjunction with the City of Franklin sponsored Franklin Outdoor Movie Night. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- LICENSE COMM. RECOMMENDATIONS H. Alderwoman Hanneman moved to approve the following licenses:

Grant 2022-23 Operator License to: Xavier Marlow-Fowler;
Grant Extraordinary Entertainment & Special Event to: Southbrook Church, Mark Heckman, 11010 W St Martins Rd, 9/11/22; Mulligan's-1/2 Way to St. Patrick's Day Party & Charity Car Show, Brian Francis, 8933 S 27th St, 9/17/22; and
Grant the PUBLIC (People Uniting for the Betterment of Life and

Investment in the Community) Grant to: Franklin Police Citizens Academy Alumni, St Martins Fair Labor Day Permit, 9/4/-9/5/22, St Martins Road.

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

VOUCHERS AND
PAYROLL

- I. Alderman Barber moved to approve City vouchers with an ending date of August 11, 2022, in the amount of \$2,364,25.70; Property Tax temporary investments with an ending date of August 11, 2022, in the amount of \$1,066,75.00; payroll dated August 12, 2022, in the amount of \$429,715.86 and payments of the various payroll deductions in the amount of \$232,488.31, plus City matching payments; and estimated payroll dated August 26, 2022, in the amount of \$430,000.00 and payments of the various payroll deductions in the amount of \$540,000, plus City matching payments; and Approval to release payment via wire transfer to Bond Trust Services in the amount of \$689,867.50; and approval to release payment to Carlson Racine Roofing in the amount of \$41,280 00; and approval to release Library vouchers not to exceed \$25,000.00. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
BPC COUNTY LAND,
LLC

- G.15. Alderman Holpfer moved to enter closed session at 7:34 p.m. pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the body with respect to *BPC County Land, LLC v. City of Franklin*, Milwaukee County Circuit Court Case Nos. 2019CV008963 and 2021CV005581, and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 7:57 p.m.

CLOSED SESSION
TID NO. 6

- G.16. Alderman Barber moved to enter closed session at 7:58 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to deliberate upon a Potential Amendment to Tax Incremental District No. 6 Mixed-Use Industrial, Commercial, Retail, Single-Family Residential and Open Space Uses Project Development Agreement, the negotiation of Agreement terms and the investing of public funds in relation thereto, 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. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:35 p.m., Alderman Holpfer moved to schedule a special Common Council meeting on August 25, 2022, at 12:00 Noon. Seconded by Alderman Barber. All voted Aye; motion carried.

CLOSED SESSION
POTENTIAL
ACQUISITION OF
PROPERTIES

- G.17. Alderman Holpfer moved to enter closed session at 8:37 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to consider the potential acquisition of properties intended to be used for public park purposes in the general southwest area of the City, 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 9:05 p.m., Alderwoman Hanneman moved to direct staff to proceed as discussed in closed session and to authorize the Mayor and City Clerk to execute the documents as will be finalized. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Holpfer moved to adjourn the meeting of the Common Council at 9:06 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.