

APPROVED AUGUST 16, 2022

CITY OF FRANKLIN COMMON COUNCIL MEETING AUGUST 2, 2022 MINUTES

- ROLL CALL
- A. The regular meeting of the Franklin Common Council was held on August 2, 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 Kristen Wilhelm, Alderwoman Hanneman, Alderman Barber, and Alderman John R. Nelson. 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. Citizen comment period was opened at 6:31 p.m. and was closed at 6:34 p.m.
- MINUTES
JULY 19, 2022
- C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of July 19, 2022, as presented and corrected in Item G.12. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- RES. 2022-7885
DEVELOPMENT
AGREEMENT
SEASONS AT FRANKLIN
APARTMENTS
- G.1. Alderwoman Hanneman moved to adopt Resolution No. 2022-7885, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF SEASONS AT FRANKLIN APARTMENTS, 9801 S. 27TH STREET (TKN 902-9965-006) AND 9605 S. 29TH STREET (TKN 902-9966-001), subject to potential changes to the Agreement, with the final form and content to be approved by the City Engineer and the City Attorney. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- RES. 2022-7886
EASEMENTS
SEASONS AT FRANKLIN
APARTMENTS
- G.2. Alderwoman Hanneman moved to adopt Resolution No. 2022-7886, A RESOLUTION FOR ACCEPTANCE OF EASEMENTS FOR SANITARY SEWER AND WATER MAIN FOR THE SEASONS AT FRANKLIN APARTMENTS, 9801 S. 27TH STREET (TKN 902-9965-006) AND 9605 S. 29TH STREET (TKN 902-9966-001). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- RES. 2022-7887
CONSERVATION
EASEMENT FROM
FIDUCIARY REAL
ESTATE DEV., INC.
9801 S. 27TH ST. AND
9605 S. 29TH ST.
- G.3. Alderwoman Hanneman moved to adopt Resolution No. 2022-7887, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FROM FIDUCIARY REAL ESTATE DEVELOPMENT, INC., FOR AND AS PART OF THE REVIEW AND APPROVAL OF A NATURAL RESOURCE FEATURES SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 9801 S. 27TH STREET AND 9605 S. 29TH STREET (FIDUCIARY REAL ESTATE DEVELOPMENT, INC., APPLICANT). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

- DEPT. OF CITY DEVELOPMENT OPERATIONS G.4. Alderman Barber moved to accept and place on file the update on the on-going operations in the Department of City Development. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- HAWTHORNE NEIGHBORHOOD PAVEMENT AND UTILITIES G.5. Alderman Nelson moved to table to the August 16, 2022, Common Council meeting a survey for pavement and utilities for the properties within the Hawthorne neighborhood. Seconded by Alderman Barber. All voted Aye; motion carried.
- PURCHASE TWO PLOW TRUCKS G.6. Alderwoman Wilhelm moved to authorize the Department of Public Works to purchase two plow trucks with reprioritized funding as detailed on the Council Action Sheet included in the information packet for this meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.
- ORD. 2022-2516 AMEND 2022 ANNUAL BUDGET FOR PURCHASE OF TWO PLOW TRUCKS G.7. Alderman Barber moved to adopt Ordinance No. 2022-2516, AN ORDINANCE TO AMEND ORDINANCE NO. 2021-2486, AN ORDINANCE ADOPTING THE 2022 ANNUAL BUDGET FOR THE EQUIPMENT REPLACEMENT FUND TO TRANSFER \$93,178.00 OF CAPITAL OUTLAY FUNDS TO THE EQUIPMENT REPLACEMENT FUND. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.
- CODE OF CONDUCT COMMON COUNCIL RULES G.8. Alderwoman Wilhelm moved to accept the document City of Franklin Code of Conduct for elected and Appointed Officials and the Rules of the Common Council, per the red-line versions included in the information packet for this meeting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- CDBG PROJECTS FOR 2023 G.9. 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 \$42,000, by the deadline date of August 26, 2022. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- LICENSE COMM. RECOMMENDATIONS H. Alderwoman Hanneman moved to approve the following licenses:

Grant Extraordinary Entertainment & Special Event license to Luxe Golf Bays, Grand Opening Fireworks Display, Paul Cimoch, 7065 S Ballpark Dr, on Friday, August 19, 2022, pursuant to the terms and conditions in the application;

Grant 2022-2023 Operators' licenses to Catherine Erwin, Gloria Grabarczyk, Kenneth Keefer, William Lynch, Jena Obarski, Lindsay Safranek, Susan Sinda, Jeffrey Tarkowski, Stacey Williamson, Patricia Greer;

Hold 2022-2023 Operator's license application for Hanna Wallace for appearance and clarification of background check;

Grant 2022-2023 Day Care license to Cadence Education LLC, d/b/a Kids Connection of Rawson, 3130 W Rawson Ave, Tanya Graser, Manager, subject to compliance with all inspections;

Grant Temporary Class B Beer and Wine license to Franklin Lioness Club, St. Martin's Labor Day Fair, Gloria Grabarczyk, 9/4/2022 through 9/5/2022;

Grant Temporary Class B Beer license to Knights of Columbus, St. Martin's Labor Day Fair, Kenneth Keefer, 9/4/2022 through 9/5/2022; and

Grant Temporary Entertainment & Amusement and Amendment to Public Grant (new date of Movie Night) to Franklin Health Department, Volition, Outdoor Movie Night, Ellen Henry, 8/26/2022, at 9229 W Loomis Rd/8030 S Legend Dr.

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

VOUCHERS AND
PAYROLL

- I. Alderman Barber moved to approve City vouchers with an ending date of August 1, 2022, in the amount of \$958,020.34; Property Tax temporary investments with an ending date of August 1, 2022, in the amount of \$8,000,000.00; payroll dated July 29, 2022, in the amount of \$461,887.86 and payments of the various payroll deductions in the amount of \$432,761.81, plus City matching payments; and estimated payroll dated August 12, 2022, in the amount of \$410,000.00 and payments of the various payroll deductions in the amount of \$218,000, plus City matching payments. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
*FF&E, LLC v. FRANKLIN
BOARD OF REVIEW*

- G.10. Alderwoman Eichmann moved to enter closed session at 7:02 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 *FF&E, LLC v. City of Franklin Board of Review*, Milwaukee County Circuit Case No. 20-CV-6955, 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.

The Common Council reentered open session at 7:35 p.m.

CLOSED SESSION
TID 6

- G.11. Alderman Holpfer moved to enter closed session at 7:37 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 Nelson. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:19 p.m., Alderman Nelson moved to proceed as discussed in closed session. Seconded by Alderman Barber. All voted Aye; motion carried.

CLOSED SESSION
POTENTIAL
ACQUISITION OF
PROPERTIES

- G.12. Alderman Holpfer moved to enter closed session at 8:20 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 Eichmann. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:47 p.m., Alderman Holpfer moved to direct staff to proceed as discussed in closed session. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Barber moved to adjourn the regular meeting of the Common Council at 8:48 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.