

APPROVED FEBRUARY 15, 2022

CITY OF FRANKLIN COMMON COUNCIL MEETING FEBRUARY 1, 2022 MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on February 1, 2022 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 Ed Holpfer, Alderman Daniel Mayer, Alderwoman Kristen Wilhelm, Alderwoman Shari Hanneman, Alderman Mike Barber (via Zoom) and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Peggy Steeno, Director of 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 6:44 p.m.
- MAYORAL
ANNOUNCEMENT B.2. Alderwoman Hanneman read a Mayoral Proclamation in Support and Recognition of February 2022 as “American Heart Month”.
- MINUTES
JAN. 18, 2022 C.1. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council meeting of January 18, 2022, as amended and presented at this meeting. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- MINUTES
JAN. 25, 2022
SPECIAL CC MTG C.2. Alderwoman Hanneman moved to approve the minutes of the special Common Council meeting of January 25, 2022, as presented at this meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.
- CONSENT AGENDA G.1. Alderman Barber moved to approve the following Consent Agenda items:
- PURCHASE INSP.
SERVICE VEHICLE G.1.(a) Authorize the purchase of a 2022 Ford Explorer in the amount of \$28,467 to replace Vehicle #771 with funding provided by the 2022 Fund 42 Equipment Replacement Fund (42.0231.5811 Inspection Services Auto Equipment);
- CONTRACT FOR
RETAIL FOOD AND
REC. PROGRAMS G.1.(b) Approve a contract to continue to administer the Retail Food and Recreation Programs for the Wisconsin Department of Agriculture, Trade, and Consumer Protection; and
- FACILITY
USAGE/INDEMNITY
AGREEMENT WITH
ST. MARTIN OF G.1.(c) Approve the Facility Usage/Indemnity Agreement with St. Martin of Tours Church for use of their location as a polling site on February 15, April 5, August 9, and November 8, 2022, subject to review by the City Attorney and verification that the property owner’s requirement is met

TOURS CHURCH
FOR POLLING SITE

to have them listed as an additional insured on the City's liability insurance certificate.

Approval of the above Consent Agenda items was seconded by Alderman Holpfer. All voted Aye; motion carried.

CONTRACT WITH
ACCURATE
APPRAISAL, LLC
FOR ASSESSMENT
SERVICES

G.2. Alderman Barber moved to approve a three-year property assessment services contract with Accurate Appraisal, LLC, with the contract commencing in the near future and running through August 31, 2024, with the potential of two, one-year extensions; and to authorize the Director of Administration to execute an agreement for the same using the City's standard contract form. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

RES 2022-7818
AMEND
RES. 2017-7318
WAIVE WATER
EXTENSION AT
5000 W.
MINNESOTA AVE.

G.3. Alderwoman Wilhelm moved to adopt Resolution No. 2022-7818, A RESOLUTION TO AMEND RESOLUTION NO. 2017-7318, A RESOLUTION TO WAIVE WATER EXTENSION TO SERVE A LOT IN THE 5000 BLOCK OF W. MINNESOTA AVENUE AT THIS TIME AND REQUIRE THE PROPERTY OWNERS OF THIS LOT TO CONNECT TO PUBLIC WATER WITHIN ONE YEAR OF CONSTRUCTION OF A PUBLIC WATER MAIN EXTENDED TO THE PROPERTY, TO EXTEND THE TIME OF CONNECTION TO TEN YEARS, modifying the term to connect within one year of connection and to allow for a 10-year fixed-rate deferment and with technical changes/corrections as provided by the City Engineer and the City Attorney. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES 2022-7819
SPECIAL
ASSESSMENT
POWERS TO
INSTALL WATER
MAIN ON S. 50TH
ST. AND W.
MINNESOTA AVE.

G.4. Alderwoman Wilhelm moved to adopt Resolution No. 2022-7819, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 207-15. OF THE MUNICIPAL CODE AND SECTION 66.0701 OF THE STATE STATUTES FOR INSTALLATION OF A WATER MAIN ALONG W. MINNESOTA AVENUE FROM A POINT OF CONNECTION AT THE INTERSECTION OF S. 51ST STREET TO THE INTERSECTION OF S. 49TH STREET AND THEN TO A POINT OF TERMINATION APPROXIMATELY 50 FEET NORTH OF W. MINNESOTA AVENUE, and set the public hearing date for April 4, 2022, at 6:30 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

STANDARDS,
FINDINGS AND
DECISION FOR
SPECIAL

G.5. Alderman Nelson moved to adopt a finding that this Special Exception does allow for a degree of noncompliance under §UDO-15-10-10.0208B2.d.v. that will not effectively undermine the ability of the City of Franklin to apply or enforce the requirement with respect to

- EXCEPTION NRPP
BEAR DEV.,
APPLICANT
- other properties (§UDO-15-10.0208B2.c.ii), and adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Stephen R. Mills, President of Bear Development, LLC, applicant, for a Special Exception to certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- DEV. AGREEMENT TID NO. 6 PUBLIC IMPR. AND RYAN MEADOWS SUBD. G.6. Alderwoman Hanneman moved to table to the February 15, 2022, Common Council meeting, Public Improvements in Conjunction with the “Development Agreement for Tax Incremental Financing District No. 6 Public Improvements and Ryan Meadows Subdivision”. Seconded by Alderman Nelson. All voted Aye; motion carried.
- DPW LABORER JOB DESCRIPTION G.7. Alderwoman Wilhelm moved to approve the job description for the Laborer position in the Department of Public Works. Seconded by Alderman Mayer. All vote Aye; motion carried.
- WATERMAIN ON S. LOVERS LANE RD. FROM W. ST. MARTINS RD. TO S. 100TH ST. G.8. Alderman Mayer moved to direct staff to survey the property owners along S. Lovers Lane Road and return with a preliminary resolution to special assess properties for a watermain project on S. Lovers Lane Road from W. St. Martins Road to 7911 S. 100th Street. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- WATER SURVEY ALONG S. LOVERS LANE RD. FROM W. HERDA PL. TO S. PHYLLIS LN. G.9. Alderman Nelson moved to instruct Staff to survey 6 property owners along the frontage road of S. Lovers Lane (U.S. 45 /STH 100) from W. Herda Place to S. Phyllis Lane and return to the Common Council with an evaluation and recommendation of the project. Seconded by Alderman Mayer. All voted Aye; motion carried.
- LICENSE TO USE LINEAR PARK FROM S. 116TH ST./ W. MAYERS DR. TO MUSKEGO G.10. Alderman Nelson moved to table to the February 15, 2022, Common Council meeting, a Resolution to enter into a license with Wisconsin Electric Power Company to use their property for a Linear Park from S. 116th Street/W. Mayers Drive to the municipal boundary with Muskego. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- S. 116TH STREET TRAIL UPDATE G.11. Alderman Nelson moved to receive and place on file the status update for the S. 116th Street Trail in the WISDOT 2022-2026 Transportation Alternatives Program (TAP) as presented by the City Engineer. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- RES. 2022-7820 STREAMBANK AND WETLAND G.12. Alderwoman Wilhelm moved to adopt Resolution No. 2022-7820, A RESOLUTION FOR THE DESIGN AND IMPLEMENTATION OF THE STREAMBANK AND WETLAND RESTORATION ON

RESTORATION AT
7300 BLOCK OF S.
35TH ST. WITH
ROOT-PIKE
WATERSHED
INITIATIVE
NETWORK

PRIVATE PROPERTIES IN THE 7300 BLOCK OF S. 35TH STREET (TKN 761-9992-002, 761-9994-005, AND 761-9997-003) IN COOPERATION WITH ROOT-PIKE WATERSHED INITIATIVE NETWORK, including an amendment to Item 5 of the Resolution for Common Council approval prior to going to bid. Seconded by Alderman Nelson. All voted Aye; motion carried.

Alderman Mayer then moved to direct Staff to present and gather additional input at the February 23, 2022, Environmental Commission meeting. Seconded by Alderman Holpfer. All voted Aye; motion carried.

RES. 2022-7821
WETLAND
RESTORATION AT
WATER TOWER
PARK AT 8120 S.
LOVERS LANE RD.
WITH ROOT-PIKE
WATERSHED
INITIATIVE
NETWORK

G.13. Alderman Mayer moved to adopt Resolution No. 2022-7821, A RESOLUTION FOR THE DESIGN AND IMPLEMENTATION OF THE WETLAND RESTORATION AT WATER TOWER PARK 8120 S. LOVERS LANE ROAD (TKN 801-9986-000) IN COOPERATION WITH ROOT-PIKE WATERSHED INITIATIVE NETWORK, including an amendment to Item 5 of the Resolution for Common Council approval prior to going to bid, and to further direct Staff to present and gather additional input at the February 23, 2022, Environmental Commission meeting. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

RES. 2022-7822
REIMBURSE
EXPENDITURES UP
TO \$11.05 MILLION

G.14. Alderwoman Hanneman moved to adopt Resolution No. 2022-7822, A RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES UP TO \$11.05 MILLION, FROM PROCEEDS OF FUTURE BORROWING. Seconded by Alderman Holpfer. On roll call, all vote Aye. Motion carried.

ORD. 2022-2493
AMEND ORD. 2021-
2486 TO PURCHASE
LUCAS-3
AUTOMATIC
CHEST
COMPRESSION
DEVICE

G.15. Alderman Holpfer moved to adopt Ordinance No. 2022-2493, AN ORDINANCE TO AMEND ORDINANCE 2021-2486, AN ORDINANCE ADOPTING THE 2022 ANNUAL BUDGET FOR THE CAPITAL OUTLAY FUND TO PROVIDE \$15,819.25 OF APPROPRIATION AND FUNDING RESOURCE FOR THE PURCHASE OF ONE ADDITIONAL LUCAS-3 AUTOMATIC CHEST COMPRESSION DEVICE, AND COMMON COUNCIL APPROVAL TO PURCHASE THE DEVICE. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

COMM. OF THE
WHOLE
LUCAS DEVICE
DEMO
DPW/FIRE PROJECT

G.16. No action was taken on items discussed at the Committee of the Whole Meeting from January 31, 2022:
(a) Demonstration of the LUCAS Device (Lund University Cardiac Assist System) by the Fire Department.
(b) Kueny Architects, LLC status update concerning the Department

of Public Works and Fire Needs Assessment Services Project.

LICENSES AND
PERMITS

- H. Alderman Nelson moved to approve the following:
- Grant 2021-2022 Operator Licenses to: Agam Arora, Emma Zurstadt;
- Hold the 2021-2022 Operator License of Tyler Klemm, for appearance;
and
- Approve the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to the Franklin Health Dept-Community Events as follows:
- Bike Rodeo on June 4, 2022, 9-12 pm, and Movie Night on August 12, 2022, 6-11 pm, Lions Legend Park I, Legend Dr., Schleuter Pkwy.;
- Trunk or Treat on October 27, 2022, 5-8 pm, Library Parking Lot, Lions Legend Park I, Legend Dr., Schlueter Pkwy.;
- Drug Take-Back Day on October 22, 2022, 9-12 pm (no fee waiver required), City Hall Lower Parking Lot; and
- Following Review of Police Incident Reports from February 13, 2021 thru December 19, 2021 for Class A and B Establishments, License Committee is requesting appearance by Gurjeet Singh, Agent, 8305 S 27th St (Franklin Liquor Store).

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

VOUCHERS AND
PAYROLL

- I. Alderman Nelson moved to approve the following: City vouchers with an ending date of February 1, 2022 in the amount of \$1,601,020.64 and payroll dated January 28, 2022 in the amount of \$438,457.85 and payments of the various payroll deductions in the amount of \$554,297.16, plus City matching payments and estimated payroll dated February 11, 2022 in the amount of \$447,000 and payments of the various payroll deductions in the amount of \$300,000, plus City matching payments and Property Tax disbursements with an ending date of January 28, 2022 in the amount of \$18,492,737.30 and approval to release temporary investment transfer to ADM in the amount of \$10,000,000. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Barber moved to adjourn the meeting at 7:47 p.m. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.