

APPROVED FEBRUARY 1, 2022

CITY OF FRANKLIN
COMMON COUNCIL MEETING
JANUARY 18, 2022
MINUTES

- | | | |
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| ROLL CALL | A. | The regular meeting of the Common Council was held on January 4, 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 and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Peggy Steeno, 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 6:52 p.m. |
| MAYORAL ANNOUNCEMENT | B.2. | Mayor Olson presented a Proclamation Declaring our Substantial Appreciation and Respect for and to Adam Brett Walker II for His Incredible Achievements in Life and for Being our Most Valuable Player. |
| MINUTES
JAN. 18, 2022 | C. | Alderwoman Wilhelm moved to approve the minutes of the regular Common Council meeting of January 4, 2022, as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried. |
| CONSENT AGENDA | G.1. | Alderwoman Wilhelm moved to approve the following Consent Agenda items: |
| RESCHEDULE
4/5/2022 MTG. | (a) | Reschedule Common Council Meeting of April 5, 2022, to April 4, 2022, due to the Spring Election; |
| 1-YR. TOWING
CONTRACT EXT. | (b) | Approve one-year extension of Towing Contract with N&S Towing, Inc. for 2022-2023; |
| RIFLES FOR POLICE
SWAT TEAM | (c) | Authorize the Police Department to purchase 7 SWAT rifles from the Police Department Firearm Supplies account for an expenditure of up to \$13,000; |
| CHEST
COMPRESSION
DEVICES | (d) | Authorize the Fire Department to purchase two additional LUCAS-3 automatic chest compression devices from the manufacturer Stryker, in the amount of \$31,638.50; |
| DPW SALE OF
SURPLUS
EQUIPMENT | (e) | No action required on the results of the Department of Public Works Sale of Surplus Equipment included in the Common Council meeting packet; and |

EMAIL ARCHIVING (f) Authorize the purchase of an Intradyn 4TB IA10 email archiving
APPLIANCE appliance at a total cost of \$13,425, as budgeted for in the 2022
Information Services Computer Equipment Capital Outlay Budget
and 1 year of Software Maintenance and Support and CloudSync DR
Cloud-Based Backup for the appliance at a total cost of \$8,079, as
budgeted for in the 2022 Information Services Equipment
Maintenance Budget.

Seconded by Alderman Holpfer. All voted Aye; motion carried.

RES. 2022-7714 G.2. Alderwoman Hanneman moved to approve Resolution No. 2022-
RATIFICATION OF 7714, A RESOLUTION IN RATIFICATIOON OF A
A PROCLAMATION TO RESURRECT, REVIVE, REINSTATE AND
EXTENSION OF EXTEND THE TIME PERIOD OF THE PUBLIC HEALTH
COVID-19 EMERGENCY PROVIDED FOR IN RESOLUTION NO. 2021-
7703, IN PART ENTITLED A RESOLUTION IN RATIFICATION
OF A PROCLAMATION TO EXTEND THE TIME PERIOD OF
THE PUBLIC HEALTH EMERGENCY PROVIDED FOR IN
RESOLUTION NO. 2020-7653, IN PART ENTITLED A
RESOLUTION TO AMEND A RESOLUTION IN RATIFICATION
OF A PROCLAMATION DECLARING A PUBLIC HEALTH
EMERGENCY IN RESPONSE TO THE CORONAVIRUS
DISEASE 2019 (COVID-19), AS AMENDED AND IN PART
WITH REGARD TO THE OMICRON VARIANT SURGE, UNTIL
FEBRUARY 15, 2022. Seconded by Alderman Mayer. All voted
Aye; motion carried.

COVID UPDATE G.2.(a) No action was taken on the COVID update distributed by the Franklin
Director of Health and Human Services/Health Officer.

FTE TO REPLACE G.3. Alderwoman Wilhelm moved to approve the following: Adjust
EMT WITH authorized staffing full-time equivalencies (FTEs) to replace the sole
FIREFIGHTER- current Firefighter-Emergency Medical Technician (EMT) with a
PARAMEDIC Firefighter-Paramedic. Seconded by Alderman Mayer. All voted
Aye; motion carried.

BALLPARK G.4. No action was taken following the presentation of Project updates by
COMMONS UPDATE Mike Zimmerman, Ballpark Commons.

RES. 2022-7715 G.5. Alderwoman Hanneman moved to approve Resolution No. 2022-
SPECIAL USE FOR 7715, A RESOLUTION IMPOSING CONDITIONS AND
FOOD PROCESSING RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO
OPERATION AT W. ALLOW A 310,485 SQUARE FOOT "OFFICE/LIGHT
OAKWOOD RD. INDUSTRIAL FLEX SPACE" TO DEVELOP A FOOD

AND S. 27TH ST.
(SAPUTO CHEESE
USA, INC.
APPLICANT)

PROCESSING OPERATION, INCLUDING THE PROVISION OF MATERIALS DELIVERY, PROCESSING, PACKAGING AND DISTRIBUTION OF FOOD PRODUCTS, WITH SUPPORTING OFFICE AND EMPLOYEE WELFARE FACILITIES UPON PROPERTY LOCATED ON THE EASTERN HALF OF THE PARCEL AT THE INTERSECTION OF WEST OAKWOOD ROAD AND SOUTH 27TH STREET, OTHERWISE KNOWN AS LOT 2 OF CERTIFIED SURVEY MAP NO. 9362, ZONED PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED USE BUSINESS PARK). Seconded by Alderwoman Wilhelm. On roll call, all voted Aye. Motion carried.

ORD. 2022-2492
CREATE UDO
SECTION 15-3.0445
PDD NO. 40
(CAPE CROSSING)

G.6. Alderman Nelson moved to refer back to Plan Commission for review of each question and answer and review of soil report, an Ordinance to Create Section 15-3.0445 of the Franklin Unified Development Ordinance Establishing Planned Development District No. 40 (Cape Crossing) and to Rezone Property From R-3 Suburban/Estate Single-Family Residence District and C-1 Conservancy District to Planned Development District No. 40 (12200 West Ryan Road). Seconded by Alderman Mayer.

Alderwoman Hanneman moved to call the question. Seconded by Alderman Barber. On roll call to call the question, Alderman Holpfer, Alderwoman Hanneman, and Alderman Barber voted Aye; Alderman Mayer, Alderwoman Wilhelm, and Alderman Nelson voted No. Mayor Olson broke the tie by Aye; motion carried.

For the vote on the main motion, Alderman Mayer, Alderwoman Wilhelm, and Alderman Nelson voted Aye; Alderman Holpfer, Alderwoman Hanneman, and Alderman Barber voted No. Mayor Olson broke the tie by voting No; motion failed.

Alderwoman Hanneman then moved to adopt Ordinance No. 2022-2492, AN ORDINANCE TO CREATE SECTION 15-3.0445 OF THE FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 40 (CAPE CROSSING) AND TO REZONE PROPERTY FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 40 (12200 WEST RYAN ROAD).

Seconded by Alderman Barber. On roll call, Alderman Barber, Alderwoman Hanneman, and Alderman Holpfer voted Aye; Alderman Nelson, Alderwoman Wilhelm, and Alderman Mayer voted No. Mayor Olson broke the tie by voting Aye; motion carried.

- SENIOR CITIZENS TRAVEL UPDATE G.7. Alderwoman Wilhelm moved to accept and place on file the Franklin Senior Citizens Travel Program Update for 2021 year end. Seconded by Ald. Barber. All voted Aye; motion carried.
- WI DNR URBAN FORESTRY GRANT G.8. Alderwoman Wilhelm moved to authorize the Department of Public Works to accept and use the Wisconsin Department of Natural Resources Urban Forestry Grant funds and matching funds provided by the City of Franklin. Seconded by Alderman Mayer. All voted Aye; motion carried.
- ATC COMMUNITY PLANTING GRANT G.9. Alderwoman Wilhelm moved to authorize the Department of Public Works to accept and use the American Transmission Company Community Planting Program grant funds as specified by the terms of the grant. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. 2022-7816 CONTRACT WITH HAUSCH DESIGN AGENCY, LLC FOR SEWER PROJECT MESSAGING PROGRAM G.10. Alderwoman Hanneman moved to adopt Resolution No. 2022-7816, A RESOLUTION TO ENTER INTO A CONTRACT WITH HAUSCH DESIGN AGENCY, LLC TO DEVELOP A MESSAGING PROGRAM FOR FRANKLIN SEWER UTILITIES PROJECT/PRIVATE PROPERTY INFILTRATION & INFLOW REDUCTION PROJECT FOR \$31,000, subject to liability insurance changes as authorized by the Director of Administration. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- RES. 2022-7817 AGREEMENT WITH R.A. SMITH FOR WATERMAIN PROJECT TID NO. 6 (W. RYAN RD.) G.11. Alderwoman Hanneman moved to adopt Resolution No. 2022-7817, A RESOLUTION FOR A PROFESSIONAL SERVICES AGREEMENT WITH R.A. SMITH, INC. FOR A W. RYAN ROAD WATERMAIN PROJECT SERVING TAX INCREMENT DISTRICT NO. 6 FOR \$142,900 and to further direct Staff to bid project in 2022. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- Alderman Nelson vacated his seat at 8:52 p.m. and returned to his seat at 8:54 p.m.
- PRELIMINARY RES. SPECIAL ASSESSMENT FOR WATER MAIN IN S. 50TH ST. AND W. MINNESOTA AVE. G.12. Alderwoman Wilhelm moved to authorize staff to prepare a bid for the South 50th Street stub with a north/south water stub extending to West Minnesota Avenue, and to include an alternate bid, for an east/west water line along West Minnesota Avenue between South 51st and South 49th Streets, and further to survey the affected residents per Resolution No. 93-3955, which includes providing costs estimates at the time of survey, based on the alternate bid results; returning to the Common Council on the first meeting of each month with a brief update until the project(s) are complete. Seconded by

Alderman Nelson. Alderwoman Wilhelm withdrew her motion and Alderman

ITEMS H. AND G.13. AMENDED*

Nelson withdrew his second. All voted in favor of allowing the motion to be withdrawn.

Alderwoman Wilhelm then moved to have the City Engineer survey property owners as appropriate and return to the Common Council with Resolution No. 2017-7318 for reconsideration. Seconded by Alderman Nelson. All voted Aye; motion carried.

Mayor Olson vacated his seat at 9:11 p.m. and returned to his seat at 9:25 p.m.

LICENSES AND PERMITS

H. Alderman Nelson moved to approve the following:

Grant 2021-2022 Operator License to: Shannon Corcoran, Jessica Deangelis, Amanda Losiniecki, Jena Obarski ; and

Grant 2021-2022 Day Care License to Mrs. Rikki's Structured Daycare, 11224 W Forest Home Ave, Lisa Norgel, President, with verification on complete background check.

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

* Alderwoman Wilhelm vacated her seat at 9:27 p.m. ~~and returned to her seat at 9:35 p.m.~~ and returned to her seat at the beginning of Item G.13. following roll call to enter closed session.

VOUCHERS AND PAYROLL

I. Alderman Barber moved to approve the following: City vouchers with an ending date of January 14, 2022 in the amount of \$997,909.56 and payroll dated January 14, 2022 in the amount of \$530,393.98 and payments of the various payroll deductions in the amount of \$305,413.68, plus City matching payments and estimated payroll dated January 28, 2022 in the amount of \$425,000 and payments of the various payroll deductions in the amount of \$608,000, plus City matching payments and Property Tax disbursements with an ending date of January 14, 2022 in the amount of \$30,367,419.99 and approval to release property tax settlements in the amount of \$56,889,648.04. Approval to release payment to Milliman Inc. in the amount of \$8,000. Seconded by Alderwoman Hanneman. On roll call, Alderman Holpfer, Alderman Mayer, Alderwoman Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderwoman Wilhelm was Absent. Motion carried.

CLOSED SESSION
AMENDMENT TO
TID NO. 7 DEV.
AGREEMENT/VELO
VILLAGE
APARTMENTS LLC

G.13. Alderman Barber moved to enter closed session at 9:31 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to deliberate upon a Potential Amendment to Tax Incremental District No. 7 Development Agreement Between the City of Franklin and Velo Village Apartments LLC (Developer), 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 Alderwoman Hanneman. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Hanneman, Alderman Mayer, and Alderman Holpfer voted Aye; Alderwoman Wilhelm was Absent. Motion carried.

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Alderwoman Wilhelm returned to her seat at ~~9:35~~ 9:33 p.m.

Upon re-entering open session at 9:50 p.m. Alderman Nelson moved to authorize staff to execute an amendment to the Tax Incremental District No. 7, a Development Agreement between the City of Franklin and Velo Village Apartments LLC, accepting a revised contingent payment clause in which the City/TID #7 would receive a \$4 million payment, and directing staff to work with its outside legal counsel to: (1) draft an appropriate amendment to ensure that the funds are available for City use only for eligible project costs and to protect the taxpayers in the case any applicable TIDs are distressed, and (2) establish a plan for the use of the funds to be approved by the Common Council. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Barber moved to adjourn the meeting at 9:52 p.m. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.