

ENGINEERING SERVICES FOR EXTENSION OF W. MARQUETTE AVE. G.3.

Alderswoman Wilhelm moved to direct staff to finalize a professional engineering design contract for execution by the City for the extension of W. Marquette Avenue, and report status at the 2/19/2018 Common Council meeting, using funds from the Capital Improvement Fund Contingency Account in an amount not to exceed \$34,000. Seconded by Alderman Dandrea. Alderman Dandrea withdrew his second. Motion died due to lack of a second.

Alderman Taylor moved to table the professional engineering design contract for the extension of W. Marquette Avenue and return it to the 2/19/2018 Common Council meeting. Seconded by Alderswoman Wilhelm. Alderswoman Wilhelm moved to call question. All voted Aye; motion carried.

On the vote to table the engineering design contract to the 2/19/2018 Common Council meeting, all voted Aye; motion carried.

ROLLUP DOOR FOR DPW SALT BARN G.4.

Alderman Taylor moved to authorize staff to purchase a roll-up door from GEIS Building Products, Inc. for \$14,165. Seconded by Alderman Mayer. Alderman Taylor withdrew his motion.

Alderman Taylor then moved to authorize staff to purchase a roll-up door from GEIS Building Products, Inc. for \$14,165 with funds to be taken from Contingency Account. Seconded by Alderman Dandrea. All voted Aye; motion carried.

2018 HIGHWAY EQUIPMENT REPLACEMENT FUND G.5.

Alderman Taylor moved to authorize staff to solicit equipment considered in the 2018 Highway Equipment Replacement Fund-Auto Equipment for the Board of Works to review and approve. Seconded by Alderman Mayer. All voted Aye; motion carried.

2018 HIGHWAY CAPITAL EXPENDITURES G.6.

Alderman Dandrea moved to authorize staff to solicit equipment considered in the 2018 Highway Capital Expenditures, Shop Equipment for the Board of Works to review and approve. Seconded by Alderman Mayer. All voted Aye; motion carried.

RECOMMENDATIONS FROM COMMITTEE OF THE WHOLE FIRE DEPT. STAFFING G.7.(a)

On a motion by Alderman Taylor, the 2/05/2018 Committee of the Whole presentation relating to current and future Fire Department staffing considerations was referred to Fire Chief and Director of Administration for consideration of a contract to be brought to the 2/19/2018 Common Council meeting. Seconded by Alderman Mayer. All voted Aye; motion carried.

- TID 5 PDD NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS)
- G.7.(b) Pursuant to Wis. Stats. § 19.85(1)(e), the Committee of the Whole entered closed session on 2/5/2018, to deliberate upon a Tax Incremental District No. 5 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Development Agreement, the negotiation of agreement terms and the investing of public funds in relation thereto, for competitive and bargaining reasons. (See Item G.8.)
- CLAIM FROM NANCY TOMASHEK
- G.10. Alderman Taylor moved to deny the claim of Nancy Tomashek pursuant to Wisconsin Statute § 893.80(1g), based upon and in concurrence with the insurance adjuster that the investigation revealed that the City of Franklin was not negligent or liable for this accident as discussed in the Council Action Sheet. Seconded by Alderman Mayer. All voted Aye; motion carried.
- LICENSES AND PERMITS
- H. Alderman Taylor moved to approve the following:
Grant Operators' licenses to Dawn Klinko, 6830 W. Kathleen Ct.; Elizabeth Michuda, 3622 E. Barnard Ave., Cudahy; Melissa Murphy, 6157 S. 42nd St., Greenfield; and
Hold for appearance the Operator's license application of Deanna Umaske, 1721 Edgewood Ave., South Milwaukee.
Seconded by Alderman Nelson. All voted Aye; motion carried.
- VOUCHERS AND PAYROLL
- I. Alderman Barber moved to approve the following:
City vouchers with an ending date of February 1, 2018 in the amount of \$1,517,150.46; Payroll dated February 2, 2018 in the amount of \$371,663.57 and payments of the various payroll deductions in the amount of \$199,419.87, plus City matching payments; and Estimated Payroll dated February 16, 2018 in the amount of \$379,000.00 and payments of the various payroll deductions in the amount of \$381,000.00, plus City matching payments; and Property tax refunds and payments with an ending date of February 1, 2018 in the amount of \$5,919,261.17.
Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.
- CLOSED SESSION
TID 5 PDD NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) BALLPARK COMMONS SPORTS ANCHORED MIXED-USE DEV. PROJECT DEV. AGREEMENT
- G.8. Alderman Nelson moved to enter closed session at 7:25 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to deliberate upon a Tax Incremental District No. 5 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) 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 Barber. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:00 p.m., Alderman Barber moved to approve the Tax Incremental District No. 5 Development Agreement between the City of Franklin and BPC Master Developer, LLC substantially in the form as presented to the Common Council at this meeting, together with an additional municipal services cost agreement, a personal guaranty, and a disbursing agreement, as called for within the development agreement, with changes as may be approved by the Director of Administration, the City Attorney and the Director of Finance and Treasurer, in consultation with Bond Counsel and Quarles & Brady Special Counsel. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

Lashun Gray v. City of Franklin
US DIST. COURT,
EASTERN DIST. OF
WISCONSIN, CASE
NO. 17-CV-1057

G.9. Alderman Barber moved to enter closed session at 8:01 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 the subject litigation (*Lashun Gray v. City of Franklin*, US DIST. COURT, EASTERN DIST. OF WISCONSIN, CASE NO. 17-CV-1057), and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

Upon reentering open session at 8:12 p.m., Alderman Barber moved to instruct Litigation Counsel to secure a release that contains language that the ordinance involving sex offender location not be enforced against Mr. Lashun Gray while he lives at his current address and also to approve a settlement with monetary value not to exceed \$23,000. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:14 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.