

City of Franklin
Community Development Authority
Meeting Minutes
September 21, 2011

Approved 11/17/2011

I. Call to Order and Roll Call

The Wednesday, September 21, 2011, Community Development Authority meeting was called to order at 6:00 PM by Mayor Taylor in the Common Council Chambers at Franklin City Hall. Present were Members Mayor Taylor, Alderman Skowronski, Ryan, Mullarkey, Bartels and Holpfer. Member Kass was excused. Also present was Executive Director Wesolowski.

II. Citizen Comment Period

Mayor Taylor opened the Citizen Comment period at 6:01 PM. No citizens came forward. Mayor Taylor closed the Citizen Comment period.

III. Approval of Meeting Minutes

None presented: the Executive Director noted that the August 18, 2011 and September 1, 2011 minutes were not available.

IV. Business

- A. Application for a Site Plan Amendment for the construction of a 121,233 square foot addition to the existing Baptista's Bakery, Inc. building, by Baptista's Bakery, Inc., for the property located at 4625 West Oakwood Park Drive, (Tax Key Number 930-0006-000), zoned Planned Development District Number 18, in the Franklin Business Park. The Authority may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for competitive and bargaining reasons, to deliberate and negotiate terms relating to a development incentive grant agreement for the Baptista's Bakery, Inc. 121,233 square foot building development and the investing of public funds and governmental actions in relation thereto and to effect such development, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

The Chairman introduced the subject matter and the representatives of Baptista's Bakery, Inc. in attendance, including Chief Executive Officer Nannette Gardetto, Attorney Bruce Keyes of Foley and Lardner, and Construction Project Manager Harl Forston of James Luterbach Construction Company, Inc. Also in attendance were J. Michael Mooney of MLG Development, Inc. and Alderman Taylor. Nannette Gardetto presented the state of the development and operation of Baptista's Bakery, Inc. and its anticipated ongoing and future success. With regard to its existing development and operations and with a view to the new development and the future, Ms. Gardetto noted "we feel blessed to be here." Mr. Forston presented the proposed new development details. Member Mayor Taylor expressed the Authority's welcome and appreciation of Baptista's in the Franklin Business Park and the City of Franklin. With regard to the approval documents, the Executive Director recited all of the terms of the Development Incentive Grant Agreement before the Authority and its inclusion by reference in the approving resolution. The Chairman noted the participation of the State of Wisconsin former Department of Commerce and the Wisconsin Economic Development Corporation in the project. Member Alderman Skowronski moved and Member Ryan seconded a motion to adopt A Resolution Amending the Site and Building Plans for Baptista's Bakery, Inc. to allow for a Building Addition. Upon voice vote, all voted "aye." Motion carried: 5-0.

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- B. Franklin Business Park Pond Retrofit project dredged materials deposit and site location. The Authority may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), to deliberate the Franklin Business Park Pond Retrofit project dredged materials deposit and site location, and the investing of public funds and governmental actions 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.

The Chairman read the above noticed basis for the Authority to enter closed session. Member Ryan moved and Member Holpfer seconded a motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(e), to deliberate the Franklin Business Park Pond Retrofit project dredged materials deposit and site location, and the investing of public funds and governmental actions 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. Upon roll call vote, all voted “aye”. Motion carried: 5-0. The Authority entered closed session at 6:28 PM. The Authority reentered open session at 6:55 PM. Member Alderman Skowronski moved and Member Mullarkey seconded a motion to authorize the escrow of an amount sufficient to remove and relocate the subject storm water pond retrofit soils from the location within the Franklin Business Park as determined by the City Engineering Department in the approximate amount of \$140,000.00, subject to such additions or subtractions determined reasonably necessary by the City Engineer, so that such soils may be removed and relocated in the Summer of 2012, subject to an agreement with the property owner providing for final testing and a release, indemnity and hold harmless; and, in the alternative, if available, to provide for such release, indemnity and hold harmless terms by agreement with the property owner as seller and a development incentive agreement with a developer as buyer, pursuant to such competitive and bargaining considerations as deliberated upon pursuant to agenda item IV.B. at the July 21, 2011 Authority meeting, with any excess to be proportionately distributed to the respective taxing jurisdictions as the escrow funding source shall be TID No. 2. Upon voice vote, Motion carried: 4-1 (Member Ryan voting “no”).

V. Vouchers

None presented.

VI. Next meeting date

No action needed; none taken.

VII. Adjournment

Member Alderman Skowronski moved and Member Mullarkey seconded a motion to adjourn the Wednesday, September 21, 2011 meeting of the Community Development Authority at 6:57 PM. Upon voice vote, all voted “aye”. Motion carried: 5-0.