

# APPROVED MAY 4, 2021

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
APRIL 20, 2021  
MINUTES

- ROLL CALL                    A.            The regular meeting of the Common Council was held on April 20, 2021 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 Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Also present 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 closed at 6:40 p.m.
- MINUTES  
APRIL 5, 2021            C.            Alderman Barber moved to approve the minutes of the regular Common Council Meeting of April 5, 2021 as presented at this meeting. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7721  
LUMPIA  
MANUFACTURING        G.1.        Alderman Nelson moved to adopt Resolution No. 2021-7721, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A FROZEN LUMPIA MANUFACTURING AND WHOLESALE SALES BUSINESS USE AND FOR PARKING AN 18 FOOT FOOD TRUCK UPON PROPERTY LOCATED AT 10700 WEST VENTURE DRIVE, SUITE C LOWER (SAMANTHA J. KLIMASZEWSKI AND ALEXA L. REYES, D/B/A LUMPIA CITY, APPLICANTS). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- RES. 2021-7722  
SPECIAL USE  
WP PROPERTY  
ACQUISITIONS, LLC    G.2.        Alderwoman Hanneman moved to adopt Resolution No. 2021-7722, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE WEIGHT AS PART OF THE DEVELOPMENT OF TWO INDUSTRIAL BUILDINGS TOTALING APPROXIMATELY 500,000 SQUARE FEET IN AREA, AND POTENTIALLY UP TO 600,000 SQUARE FEET IN AREA, UPON PROPERTY LOCATED AT 3617 WEST OAKWOOD ROAD (WP PROPERTY ACQUISITIONS LLC, APPLICANT, WENDT FAMILY TRUST, PROPERTY OWNER). Seconded by Alderman Dandrea. All voted Aye; motion carried.

- |   |       |  |
|---|-------|--|
| WP PROPERTY ACQUISITION LLC, STANDARDS, FINDINGS & DECISION SPECIAL EXCEPTION | G.3.  | Alderwoman Hanneman moved to adopt the Standard Findings and Decision of the City of Franklin Common Council upon the application of WP Property Acquisitions LLC, applicant, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Dandrea. All voted, Aye; motion carried.                  |
| POLICE DEPT. 2021 APPROVED BUDGET PURCHASES                                   | G.4.  | Alderman Mayer moved to approve the purchase of items that were approved during the 2021 Police Department Budget process with the Police Department 2021 Capital Budget and authorize proceeding with the solicitation of bids for those capital improvements that are qualified projects under Wis. Stat. §62.15. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried. |
| CITY SECURITY IMPROVEMENTS  | G.5.  | Alderman Mayer moved to approve the solicitation of bids for City Security Improvements. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| PROCUREMENT POLICY  | G.6.  | Alderwoman Wilhelm moved to approve the Procurement Policy for the City of Franklin. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| PARKLAND ACQUISITION STUDY UPDATE   | G.7.  | Alderwoman Hanneman moved to place on file the Parkland Acquisition Study. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| RES. 2021-7723 RYAN CREEK INTERCEPTOR ODOR REDUCTION                          | G.8.  | Alderman Dandrea moved to adopt Resolution No. 2021-7723, A RESOLUTION TO ISSUE CHANGE ORDER NO. 2 TO THE WANASEK CORPORATION FOR THE RYAN CREEK INTERCEPTOR ODOR REDUCTION PROJECT IN THE AMOUNT OF \$130,064 as amended. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| RES. 2021-7724 WATER MAIN EASEMENT 9720 S. OAKWOOD PARK DR.                   | G.9.  | Alderman Nelson moved to adopt Resolution No. 2021-7724, A RESOLUTION TO ACQUIRE WATER MAIN EASEMENT FROM 9720 S. OAKWOOD PARK DRIVE (WISCONSIN COMMERCIAL, LLC) TAX KEY NO. 900-9001-000. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| LIMITED TERM EMPLOYEE INSPECTION SERVICES                                     | G.10. | Alderwoman Wilhelm moved to authorize the engagement of a limited-term employee in Inspection Services at a cost not to exceed \$16,000. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.   |

- SURPLUS DPW EQUIPMENT            G.11.        Alderman Mayer moved to place on file the results of the sale of the Department of Public Works Surplus Equipment through Auction Associates on April 3, 2021. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- DPW EQUIPMENT PURCHASE            G.12.        Alderman Mayer moved to approve the purchase of equipment with funds that were approved with the 2021 Capital Outlay Fund for the Department of Public Works. Seconded by Alderman Barber. All voted Aye; motion carried.
- ORD. 2021-2461 SALT APPROPRIATIONS            G.13.        Alderman Barber moved to adopt Ordinance No. 2021-2461, AN ORDINANCE TO AMEND ORDINANCE 2020-2453, AN ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE GENERAL FUND TO MOVE \$45,000 OF CONTINGENCY APPROPRIATIONS TO SALT APPROPRIATIONS. Seconded by Alderwoman Hanneman. On roll call. All voted Aye. Motion carried.
- RES. 2021-7725 2021 LOCAL STREET IMPROVEMENT PROGRAM            G.14.        Alderman Barber moved to adopt Resolution No. 2021-7725, A RESOLUTION AWARDED CONTRACT TO THE LOW BIDDER, PAYNE & DOLAN, INC. \$899,258.00 FOR THE 2021 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7726 RECONSTRUCT A PORTION OF W. COLLEGE AVE.            G.15.        Alderman Nelson moved to adopt Resolution No. 2021-7726, A RESOLUTION TO SIGN AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH VILLAGE OF HALES CORNERS TO RECONSTRUCT A PORTION OF W. COLLEGE AVENUE BETWEEN S. 108TH STREET (USH45\WI-100) AND S. 92ND STREET FOR \$24,000; and hereby authorize the Mayor to execute the City Attorney request for potential conflict of interest informed consent waiver letter with regard to the performance of legal services for the Intergovernmental Cooperation Agreement. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- 2022 BUDGET TIMETABLE            G.16.        Alderman Barber moved to adopt the 2022 Annual Budget Preparation Timetable, dated April 20, 2021, as presented, subject to any future regular meeting schedule changes if so made by Common Council. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7727 OFFICIAL NEWSPAPER            G.17.        Alderman Barber moved to adopt Resolution No. 2021-7727, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Dandrea. All voted Aye; motion carried.

COMMITTEE OF THE  
WHOLE  
RECOMMENDATIONS

G.18.

No action was taken on the following items from the 4/19/2021 Committee of the Whole meeting: American Rescue Plan Introductions/Overview and Wholesale Public Water Supply to Franklin 2024. The following item from the 4/19/2021 Committee of the Whole will return to a future meeting:

Initial Discussion Regarding the Establishment/Use of the following:

City of Franklin Common Council Reference Manual.

Common Council Code of Conduct.

Common Council Rules of Order.

Handbook for Wisconsin Municipal Officials.

Plan to Update to Existing Policies/Need for Additional Policies.

Common Council Training/Professional Development Opportunities.

LICENSES AND  
PERMITS

H.1.

Alderwoman Hanneman moved to approve the following:

Grant Class B Combination license to R&C Pub and Grub, LLC, Agent Chrystal Rausch, 11430 W. Swiss Street;

Grant Extraordinary Entertainment and Special Event License to: Root River Center, David Church, 7220 W. Rawson Ave., June 4, 2021, 5:00 pm to 11:00 pm and June 5, 2021, 3:00 pm to 11:00 pm, providing music ends at 10:30 pm;

Grant 2020-2021 and 2021-2022 Operator license to: Ryan T. Brown, 4319 W. Tumble Creek Dr., Franklin; Tyler J. Cherek, 7309 S. North Cape Rd.; Carlos Marchan, 3460 E. American Ave., Oak Creek; Michael J. Swiderski, 4549 S. 47th St., Greenfield; Katie L. Schmidt, 2507 W. Hilltop Ln., Oak Creek; Sarah A. Tode, S78W16125 Woods Rd., Muskego; Anna M. Turdo, 6129 Middleton Ct. S. Greendale; Erika A. Wotnoske, 4045 W. College Ave.;

Hold the 2020-2021 and 2021-2022 Operator applications of Matthew D. Wisniewski, 3660 S. 14th St., Milwaukee for an appearance;

Grant 2020-2021 Operator license to Zackary N. Niesen, 3851 S. Marcy St., Milwaukee;

Hold the 2020-2021 Operator application of Dragan Vasiljevic, 7033 W. Forest Home Ave., Milwaukee;

Grant 2021-2022 Operator licenses to Pamela J. Brys, 1720 W. Meyer Ln. Apt. 6104, Oak Creek; Nicole M. Cruz, 2816 Sunrise Rd., Caledonia; Kristen N. Fenninger, 9750 S. 31st St.; Louis G. Guzzo,

4W Clarendon Dr., Round Lake Beach, IL; Carinn N. Hoffmann, 2745 N. 90th St., Milwaukee; Apolonia P. Kust, 10845 W. St. Martins Rd.; Christian J. Lee, 8401 S. 116th St.; Jane M. Michel, 3720 W. 7 Mile Rd., Caledonia; Jenna K. Rozek, 8945 S. 116th St., Franklin; Jessica L. Rozek, 3222 S. 38th St., Milwaukee; Jaiden S. Theim, 6722 Crocus Ct. Apt. 2, Greendale; Alyssa G. Zacher, 1720 W. Meyer Ln. Apt. 6103, Oak Creek; Danielle E. Zielinski, 9880 S. Glenmoor Ct., Oak Creek.

Seconded by Alderman Nelson. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Hanneman, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer Abstained. Motion carried.

Alderwoman Hanneman moved to reconsider the action taken on 4/5/2021 to deny the 2020-2021 and 2021-2022 Operator's licenses for Fontaine A. Bogan Sr., 3003 S. 93rd St., Milwaukee. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

On the voice vote to deny the 2020-2021 and 2021-2022 Operator's licenses for Fontaine A. Bogan Sr., 3003 S. 93rd St., Milwaukee, One Aye and Five Noes; motion carried.

Alderwoman Wilhelm then moved to grant the 2020-2021 and 2021-2022 Operator's license to Fontaine A. Bogan Sr., 3003 S. 93rd St., Milwaukee. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

Alderwoman Hanneman moved to grant an Extraordinary Entertainment and Special Event license to The Rock Sports Complex for their Summer Concert Series, 7044 S. Ballpark Dr., every Saturday from 6/5/2021 through 9/25/2021 and Sunday 7/4/2021, with the provision that music will end at 10:30 pm every Saturday from 6/5/2021 through 9/25/2021 and that the music will end at 9:00 pm on Sunday 7/4/2021. Seconded by Alderman Nelson. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer voted No. Motion carried.

Alderwoman Hanneman moved to grant an Extraordinary Entertainment and Special Event license to The Rock Sports Complex for, "The Hill has Eyes" event, 7044 S. Ballpark Dr., Fridays 10/1, 10/8, 10/15, 10/22, 10/29 and Saturdays 10/2, 10/9, 10/16, 10/23, 10/30 and Sunday 10/31/2021, provided that the COVID-19 precautions are approved by the Dir. of Health and Human Services,

box office ticket sales and DJ music are to end at 11:00 pm, and the last attraction is to be completed by 12:15 am. Seconded by Alderman Nelson. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer voted No. Motion carried.

Alderwoman Hanneman moved to direct staff to prepare an amendment to Municipal Code Chapter 158 relating to off-premise consumption sales by “Class B” retailers to allow sale of intoxicating liquor for off-premise consumption by “Class B” retailers. Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

- I. Alderman Barber moved to approve City vouchers with an ending date of April 15, 2021 in the amount of \$949,466.50; Payroll dated April 9, 2021 in the amount of \$396,681.41 and payments of the various payroll deductions in the amount of \$220,617.42 plus City matching payments; Estimated payroll dated April 23, 2021 in the amount of \$427,000.00 and payments of the various payroll deductions in the amount of \$449,000, plus City matching payments; Property Tax disbursements with an ending date of April 14, 2021 in the amount of \$4,855.89 and approval to release property tax settlements in the amount of \$10,915,727.11. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

OPIOID CRISIS  
LITIGATION

- G.19. Alderman Barber moved to enter closed session at 7:17 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 governmental entities litigation involving manufacturers and distributors of opiates with regard to the opioid crisis, in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deem appropriate. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 7:43 p.m.

ADJOURNMENT

- J. Alderman Dandrea moved to adjourn the meeting at 7:43 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.