

APPROVED JANUARY 3, 2023

CITY OF FRANKLIN
COMMON COUNCIL MEETING
DECEMBER 20, 2022
MINUTES

- ROLL CALL A. The regular meeting of the Franklin Common Council was held on December 20, 2022, and was called to order at 6:30 p.m. by Mayor Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were present: Alderman Ed Holpfer, Alderwoman Michelle Eichmann, Alderwoman Kristen Wilhelm, Alderman Mike Barber, and Alderman John R. Nelson. Also in attendance were Dir. of Administration Peggy Steeno, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski, and City Clerk Karen Kastenson. Alderwoman Shari Hanneman was not present.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:31 p.m. and was closed at 6:55 p.m.
- MINUTES
DECEMBER 06, 2022 C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of December 06, 2022, as presented. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- HEARING: AMEND
2025 FUTURE LAND
USE MAP, WETLAND
TREEHOUSE LLC,
APPLICANT;
RAWSON LOOMIS
LLC, OWNER D. A public hearing was called to order at 7:00 p.m. on a proposed Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map for property located at 8301 West Old Loomis Road, from Commercial Use and Areas of Natural Resource Features Use to Mixed Use (Wetland Treehouse LLC, applicant; Rawson-Loomis LLC, property owner). The property which is the subject of this application bears TKN 755-9997-000, consisting of approximately 51.61 acres of land. The public hearing was held open until the January 17, 2023 meeting.
- ORD. 2022-
AMEND 2025 FUTURE
LAND USE MAP FOR
TKN: 755-9997-000,
8301 W. OLD LOOMIS
RD., TREEHOUSE
LLC, APPLICANT;
RAWSON LOOMIS
LLC, OWNER G.1. Alderman Nelson moved to table this item to the January 17, 2023, Common Council meeting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- JOHN'S DISPOSAL
SERVICES, INC.
AGREEMENT G.2. Alderwoman Wilhelm moved to approve a five-year agreement under option 1 to continue with John's Disposal Services for refuse and recycling, and to direct the appropriate staff to prepare the contract documents for the same. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

- CONCEPT REVIEW
10885 S. 27TH ST.,
LIKEWISE
PARTNERS, LLC,
APPLICANT
- G.3. No action was taken following the presentation of a Concept Review for a land division and “Light Industrial Flex Space” development located at approximately 10885 S. 27th St. (TKN’S 978 9997 000, 978 9998 000, AND 978 9999 001), Mark Nordland, Likewise Partners LLC, Applicant.
- PURCHASE OF
TOWMASTER T-16
TILT DECK TRAILER
- G.4. Alderman Nelson moved to authorize the Department of Public Works to Purchase one TowMaster T-16 Tilt Deck Trailer and direct staff to complete a budget amendment, using funds from the Highway Operating Budget (Pavement Marking Fund) to pay for the purchase, in the amount of \$25,200.00. Seconded by Alderman Barber. All voted Aye; motion carried.
- SOLICIT QUOTES FOR
2023 HIGHWAY
EQUIPMENT
- G.5. Alderman Barber moved to authorize Department of Public Works staff to solicit equipment considered in the 2023 Highway Equipment Capital Outlay Fund. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- DPW SALE OF
SURPLUS
EQUIPMENT
- G.6. No action necessary following the presentation of the Department of Public Works Sale of Surplus Equipment.
- ORD. 2022-2524
AMEND §15-3.0442 OF
UDO PPD NO. 37 FOR
MIXED-USE
BUILDING AT SE
CORNER OF W.
RAWSON AVE. AND
BALLPARK DR.,
BALLPARK
COMMONS, LLC,
APPLICANT
- G.7. Alderwoman Eichmann moved to adopt Ordinance No. 2022-2524, AN ORDINANCE TO AMEND §15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO ALLOW FOR A THREE-STORY MIXED-USE BUILDING WITH APARTMENTS ON THE GROUND FLOOR (AS WELL AS COMMERCIAL UNITS, ALLOWED BY THE DISTRICT) (MI AT BALLPARK COMMONS LLC, APPLICANT) (AT APPROXIMATELY THE SOUTHEAST CORNER OF WEST RAWSON AVENUE AND SOUTH BALLPARK DRIVE). Seconded by Alderman Nelson. All voted Aye; motion carried.
- RES. 2022-7926
PRIVATE PROPERTY
INFILTRATION AND
INFLOW REDUCTION
AGREEMENT
M10005FR02 WITH
MMSD
- G.8. Alderwoman Wilhelm moved to adopt Resolution No. 2022-7926, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ENTER INTO A PRIVATE PROPERTY INFILTRATION AND INFLOW REDUCTION AGREEMENT- FUNDING AGREEMENT M10005FR02 WITH MILWAUKEE METROPOLITAN SEWERAGE DISTRICT IN THE AMOUNT OF \$50,240 with technical corrections made by the City Engineer and the City Attorney. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2022-7927
CHANGE ORDER NO.
1 FOR 2022 LOCAL
- G.9. Alderwoman Wilhelm moved to adopt Resolution No. 2022-7927, A RESOLUTION TO ISSUE CONTRACT CHANGE ORDER NO. 1 TO STARK PAVEMENT CORP. FOR THE 2022 LOCAL STREET

STREET
IMPROVEMENT TO
STARK PAVEMENT
CORP.

IMPROVEMENT PROGRAM RESURFACING IN THE AMOUNT OF \$88,680.34. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2022-7928
PRIVATE PROPERTY
INFILTRATION AND
INFLOW REDUCTION
AGREEMENT
M10005FR01 WITH
MMSD

G.10. Alderwoman Wilhelm moved to adopt Resolution No. 2022-7928, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ENTER INTO A PRIVATE PROPERTY INFILTRATION AND INFLOW REDUCTION AGREEMENT- FUNDING AGREEMENT M10005FR01 WITH MILWAUKEE METROPOLITAN SEWERAGE DISTRICT IN THE AMOUNT OF \$972,690; SUBJECT TO TECHNICAL CORRECTIONS BY LEGAL AND ENGINEERING STAFF AFTER FULL MMSD REVIEW OF AGREEMENT for project FR2005, FR2006 and FR2012. Seconded by Alderman Holpfer. All voted Aye; motion carried.

HOLD A
RESOLUTION TO
VACATE SERVICE
ROAD FROM S. 60TH
ST. TO S. 58TH ST.

G.11. Alderman Barber moved to hold a resolution to vacate a service road from S. 60th Street to S. 58th Street Located on the South Side of W. Ryan Road Between S. 60th Street and S. 58th Street to the January 3, 2023 Common Council meeting. Seconded by Alderman Holpfer. All voted Aye; motion carried.

RES. 2022-7929
AMEND RES. NO.
2019-7467, SPECIAL
USE FOR TRUCKING
COMPANY (BAST
MARSHALL LLC,
APPLICANT)

G.12. Alderman Holpfer moved to adopt Resolution No. 2022-7929, A RESOLUTION TO AMEND RESOLUTION NO. 2019-7467 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR AN OVER-THE-ROAD TRUCKING COMPANY LOCATED AT 11141 WEST FOREST HOME AVENUE TO ALLOW FOR A RECRUITMENT, TRAINING AND REGIONAL OFFICE FOR GO RITEWAY TRANSPORTATION GROUP (BAST MARSHALL LLC), AND PROVIDING SCHOOL BUS TRANSPORTATION FOR THE CITY OF FRANKLIN SCHOOL DISTRICT (ROBERT J. BAST, CO-OWNER OF GO RITEWAY TRANSPORTATION GROUP (BAST MARSHALL LLC), APPLICANT). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2022-7930
ENVIRONMENTAL
ENGINEERING
SERVICES
AGREEMENT WITH
JSA
ENVIRONMENTAL,
INC.

G.13. Alderman Barber moved to adopt Resolution No. 2022-7930, A RESOLUTION TO AUTHORIZE CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT TO CONTINUE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES TO MONITOR COMPLIANCE AT THE METRO RECYCLING & DISPOSAL FACILITY TO DECEMBER 31, 2023, WITH JSA ENVIRONMENTAL, INC. Seconded by Alderman Nelson. All voted Aye; motion carried.

2023 PROPERTY AND
CASUALTY

G.14. Alderman Barber moved to authorize the Director of Administration to renew and execute the City's casualty insurance plans with R&R

INSURANCE
COVERAGE

Insurance/League of Wisconsin Municipalities Mutual Insurance (LWMMI), Chubb, Hanover, ACE American Insurance Company, and Cowbell Cyber for 2023, as noted in the table above, for an estimated total annual premium of \$735,266, and to further authorize the payment of premiums in accordance with or as required by said policy documents. Seconded by Alderman Holpfer. All voted Aye; motion carried.

LICENSE COMM.
RECOMMENDATIONS

H. Alderwoman Wilhelm moved to approve the following licenses:

Grant 2022-2023 Operator Licenses to: Lindsay Tengel, Nicole Baker, Amanda Becker, & Simran Singh;
Grant “Class A” Beer & Liquor Change of Agent to: Walgreens #05459, Austin Korth, 9909 W Loomis Rd;
Approve the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) to VFW Post 10394 (Franklin/Hales Corners) – St. Martin’s Fair Licenses: Operators, Temporary Entertainment & Amusement, Temporary Class “B” Beer Licenses, & Peddler’s Permit, 9/3-9/4/2023, Post Property, 11300 W Church St.;
To carry Fireworks Display Process to next meeting; and
To continue review & discussion of Extra Ordinary Events until next agenda.

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

VOUCHERS AND
PAYROLL

I. Alderman Barber moved to approve City vouchers with an ending date of December 15, 2022, in the amount of \$ 3,251,490.66 and Property Tax disbursements with an ending date of December 15, 2022 in the amount of \$ 54.63 and payroll dated December 16, 2022 in the amount of \$ 464,542.63 and payments of the various payroll deductions in the amount of \$ 295,585.14, plus City matching payments and estimated payroll dated December 30, 2022 in the amount of \$ 442,000 and payments of the various payroll deductions in the amount of \$ 440,000, plus City matching payments and approval to release Library vouchers not to exceed \$ 25,000.00 and approval to release payment to Parking Lot Maintenance, LLC in the amount of \$ 70,105.30. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
APPOINTMENT OF
DIRECTOR OF
INSPECTION
SERVICES –
ANTHONY CSAVOJ

G.15. Alderman Barber moved to confirm the appointment of Anthony Cavo as the Director of Inspection Services for the City of Franklin pending successful completion of a background check and pre-employment drug screen, including 40 hours of sick time, accrual of 4 weeks of vacation, and 5 personal days per year upon start of employment and the ability to utilize sick time immediately if needed and 1 week of vacation in advance of 6 months of employment. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
CODE OF CONDUCT
COMPLAINTS

- G.16. 8:25 p.m. recessed for a short break. Resumed open session at 8:33 p.m.

Alderman Holpfer moved to confirm Director of Administration Steeno, Mayor Olson and Mr. Pelkey be attendants in the closed session. Alderwoman Wilhelm asked for clarification on the rules. Rules were clarified by City Attorney Wesolowski. Alderman Nelson would like to clarify if this could be done in open session. City Attorney recommends that it be in closed session pursuant to Wis. Stats. §19.85(1)(f). Deliberation will be held in closed session without all parties, Director of Administration Steeno, Mayor Olson and Mr. Pelkey in the closed session. Motion failed for lack of second. Alderman Holpfer withdrew his motion.

Alderman Barber moved to enter closed session at 8:56 p.m. pursuant to Wis. Stats. §19.85(1)(f) considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate, and included in the session Mayor Olson, Director of Administration Steeno, and Citizen Complainant Andy Pelkey. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried. Upon reentering open session at 11:26 p.m., Alderman Nelson moved with regard to the complaint reviewed and deliberated in closed session no action taken, the matter is closed. Seconded by Alderman Holpfer. All voted Aye; motion carried. Alderman Holpfer moved to confirm selection of Judge Riley and proceed with the other matters/processes as discussed in closed session. Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Barber moved to adjourn the meeting of the Common Council at 11:32 p.m. Seconded by Alderman Holpfer. All voted Aye; motion carried.