

APPROVED AUGUST 15, 2023

CITY OF FRANKLIN COMMON COUNCIL MEETING AUGUST 1, 2023 MINUTES

- ROLL CALL
- A. The regular meeting of the Franklin Common Council was held on August 1, 2023, and was called to order at 6:30 p.m. by Mayor Nelson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were present: Alderman Ed Holpfer, Alderman Yousef Hasan, Alderman Alderwoman Courtney Day, Alderman Mike Barber, and Alderman Jason Craig. Alderwoman Michelle Eichmann was not present. Also in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski, and City Clerk Karen Kastenson.
- CITIZEN COMMENT
- B.1. Citizen comment period was opened at 6:31 p.m. and was closed at 6:47 p.m.
- B.2. Presentation by Liam Warr on the Environmental Features and Status at the Conservancy for Healing and Heritage.
- MINUTES
JULY 18, 2023
- C. Alderman Barber moved to approve the minutes of the Common Council meeting of July 18, 2023, as amended. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- MAYORAL BOARDS
AND COMMISSIONS
APPOINTMENTS
- E.1. Alderman Hasan moved to confirm the following Mayoral appointments:
1. Annemarie Vitas-Oklobdzija, 8631 W. Forest Hill Ave., Ald. Dist. 1 – Library Board (3 year term expiring 6/30/26).
 2. Terrence Berres, 8203 S. 58th St., Ald. Dist. 5 – Library Board (3 year term expiring 6/30/26).
- Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
- ORD. 2023-2552
AMEND ORD. 2022-2521
2023 ANNUAL BUDGET
FOR PURCHASE OF
WAN EQUIPMENT AND
FIREWALLS
- G.1. Alderman Barber moved to adopt Ordinance No. 2023-2552, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE ARPA FUND TO TRANSFER AN ADDITIONAL \$275,000 TO THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF WAN EQUIPMENT AND FIREWALLS. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.
- ALLOCATE ARPA
FUNDING FOR
- G.2. Alderman Craig moved to authorize the appropriate staff/officials to allocate \$275,000 of American Rescue Plan Act Funding to account

PURCHASE OF WAN
EQUIPMENT AND
FIREWALLS

46-0181-5846.9650. The project scope will be extended to include purchasing network equipment, firewalls, and security perimeter devices as part of the project plan. Project costs will not exceed a total of \$1,646,200. Seconded by Alderman Barber. All voted Aye; motion carried.

IT DEPT. - STATE
PROCUREMENT
VALUEPOINT COOP
PURCHASING –
COPIERS, PRINTER,
RELATED SERVICES

G.3 Alderman Barber moved to Motion to authorize the Director of IT to execute the attached Participating Addendum agreement through the National Association of State Procurement Officers' ValuePoint Cooperative Purchasing Organization for copiers, printers, and related devices, as approved by the Wisconsin Director of the State's Bureau of Procurement; and to authorize Department Heads to acquire budgeted, replacement copiers, printers, and related devices under the terms of the Participating Addendum agreement. Authorization is contingent upon HP providing a certificate of insurance, with insurance coverage as defined in the City of Franklin standard service contract. Seconded by Alderman Holpfer. All voted Aye; motion carried.

FIRE DEPT. PURCHASE
OF HURST E-DRAULIC
EXTRICATION TOOL

G.4. Alderman Barber moved to approve Fire Department purchase of a Hurst SC358E2 battery operated E-Draulic extrication "Combi-tool" with existing appropriation in the 2023 Capital Improvement Fund 41-0221-5815, at a cost not to exceed \$14,800. Seconded by Alderman Hasan. All voted Aye; motion carried.

STREET CLOSURES
OF S. LEGEND DR. –
OUTDOOR MOVIE
NIGHT - AUGUST 5,
2023

G.5. Alderman Hasan moved to approve street closures on S. Legend Dr. between the southern Franklin Public Library entrance and the City Hall parking garage entrance on Saturday, August 5, 2023 in conjunction with the City of Franklin sponsored Franklin Outdoor Movie Night. Seconded by Alderman Barber. All voted Aye; motion carried.

FRANKLIN SENIOR
CITIZENS TRAVEL 2023
SEMI-ANNUAL UPDATE

G.6. Alderman Holpfer moved to receive and place on file the presentation of the Franklin Senior Citizens Travel Program Semi-annual Update for 2023. Seconded by Alderwoman Day. All voted Aye; motion carried.

2024 COMMUNITY
DEVELOPMENT BLOCK
GRANT PROGRAM
PROJECTS

G.7. Alderwoman Day moved to authorize the Director of Administration to submit Letters of Support for the Eras Senior Network, Inc. Faith in Action Milwaukee County Program for \$5,000 and Oak Creek Salvation Army – Homelessness Program for \$3,000; to submit a project application for Senior Health-Related Educational Programming for \$5,000; and to submit a project application for a Franklin Home Repair Grant Program, administered directly through Milwaukee County, for \$65,000, by the deadline date of August 7,

2023. (This aggressive deadline date does not allow this item to be held over or tabled to a future meeting date.) Seconded by Alderman Barber. All voted Aye; motion carried.

HOLD OVER
SPECIAL ASSESSMENT
FOR WATERMAIN
EXTENSION ON W.
MINNESOTA AVE.

G.8. Alderman Hasan moved to table a resolution directing payment and levy of special assessment for the cost of watermain extension on W. Minnesota Avenue from S. 51st Street to S. 49th Street until August 15, 2023. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2023-8024
SPECIAL ASSESSMENT
FOR DUNKIN' DONUTS
& BASKIN ROBBINS AT
5444 W. RAWSON AVE.,
KARDO RASHA,
KARDO GROUP,
APPLICANT, DEVO
PROPERTIES/RAWSON
LLC, PROPERTY
OWNER

G.9. Alderman moved Barber to adopt Resolution No. 2023-8024, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DUNKIN' DONUTS AND BASKIN-ROBBINS RESTAURANT IN A SINGLE BUILDING, WITH A DRIVE-THROUGH WHICH WRAPS THE BUILDING, UPON PROPERTY LOCATED AT 5444 WEST RAWSON AVENUE (BY KARDO RASHA, KARDO GROUP, APPLICANT, DEVO PROPERTIES/RAWSON LLC, PROPERTY OWNER). Seconded by Alderwoman Day. All voted Aye; motion carried.

RES. 2023-8025
SUBDIVISION
DEVELOPMENT
AGREEMENT WITH
TESS CREEK ESTATES
AT W. FOREST HOME
AVE. AND S. PACIFIC
ST.

G.10. Alderman Craig moved to adopt Resolution No. 2023-8025, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE SUBDIVIDER OF TESS CREEK ESTATES, LOCATED AT W. FOREST HOME AVENUE (CTH 00) AND S. PACIFIC STREET (TKNS 751 9001 000 AND 796 9987 001). Seconded by Alderwoman Day. All voted Aye; motion carried.

RES. 2023-8026
AMEND RES. NO. 93-
3956 - DOCUMENT
REPRODUCTION AND
FLASH DRIVE
CHARGES

G.11. Alderman Holpfer moved to adopt Resolution No. 2023-8026, A RESOLUTION TO AMEND RESOLUTION NO. 93-3956, A RESOLUTION ESTABLISHING DOCUMENT REPRODUCTION CHARGES, TO REMOVE A CHARGE NO LONGER BEING APPLIED AND TO ADD THE COST OF FLASH DRIVES. Seconded by Alderman Hasan. All voted Aye; motion carried.

ADVERTISE FOR BIDS
TO REHAB PLAYING
COURTS AT LIONS
LEGEND PARK I

G.12. Alderman Hasan moved to authorize Staff to advertise for bids for the rehabilitation of playing courts at Lions Legend Park I. Seconded by Alderman Barber. All voted Aye; motion carried.

- ADJUST SICK LEAVE AND HOLIDAY BENEFITS FOR FIRE BATTALION CHIEFS
- G.13. Alderman Holpfer moved to adjust Sick Leave and Holiday Benefits for the Fire Battalion Chiefs to more closely align with benefit changes for the Fire Union Members effective 1/1/2024 and update the Employee Handbook. Seconded by Alderman Craig. All voted Aye; motion carried.
- REMOVE LISTED TRUSTEES FROM DEFINED PENSION PLAN AND APPOINT NEW TRUSTEES
- G.14. Alderman Barber moved to authorize the removal of Peggy Steeno and Paul Rotzenberg as Trustees of the Defined Contribution Pension Plan, to add the names of Kelly Hersh and Danielle Brown as Trustees, and to authorize a City Official to submit a formal letter to Principal to make this change. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- UPDATE THE CLASSIFICATION & COMPENSATION STUDY
- G.15. Alderman Holpfer moved to begin a compensation study with GovHR, approve the \$19,800 fixed fee, and bring back the study results for further discussion once received. Seconded by Alderman Barber. All voted Aye; motion carried.
- ORD. 2023-2553
AMEND CODE AND UDO TO PERMIT REMOTE ATTENDANCE AT CERTAIN CITY MEETINGS BY APPLICANTS AND CITY CONSULTANTS
- G.16. Alderman Barber moved to adopt Ordinance No. 2023-2553, AN ORDINANCE TO AMEND THE MUNICIPAL CODE AND THE UNIFIED DEVELOPMENT ORDINANCE TO PERMIT REMOTE MEETING ATTENDANCE AT COMMON COUNCIL, COMMITTEE OF THE WHOLE AND PLAN COMMISSION MEETINGS BY APPLICANT REPRESENTATIVE(S) AND CITY RETAINED CONSULTANTS. Seconded by Alderwoman Day. All voted Aye; motion carried.
- RES. 2023-8027
AMEND RES. NO. 2021-7793, AMENDING RES. NO. 2013-6861 – CODE ENFORCEMENT POLICIES
- G.17. Alderwoman Day moved to adopt Resolution No. 2023-8027, A RESOLUTION TO AMEND RESOLUTION NO. 2021-7793, AMENDING RESOLUTION NO. 2013-6861 PROVIDING FOR THE CITY'S CODE ENFORCEMENT POLICIES, TO PROVIDE THAT CITY ENFORCEMENT DEPARTMENT STAFF PERSONNEL MAY ACT AS FORMAL COMPLAINANTS. Seconded by Alderman Craig. All voted Aye; motion carried.
- MISCELLANEOUS LICENSES
- H. Alderwoman Day moved to approve the following licenses:
- License Meeting of August 1, 2023:
- Luxe Golf Bays – 1st Anniversary Fireworks Display, Jimmy Stueck, 7065 S Ballpark Dr, 8/19/23, pulled application for Extraordinary Entertainment & Special Event – no action taken;
Grant Extraordinary Entertainment & Special Event to ROC Ventures – Tacos & Tequila Festival, Mike Atkins, 7035 S Ballpark Dr, 9/16/23;

Grant 2023-24 Operator License to Allison Anderson, Tricia Peterson, Suzanne Serra;

Grant 2023-24 Renewal Operator License to Gloria Grabarczyk & Pamela Le Houllier; and

Grant Temporary Class B Beer & Wine License to: Franklin Lioness Lions Club-St Martin's Labor Day Fair, Gloria Grabarczyk, 9/3-9/4/23, St Martins Rd & Church St; Knights of Columbus Trinity Council-St Martin's Labor Day Fair, Kenneth Keefer, 9/3-9/4/23, St Martin of Tours Church Lot – 7963 S 116th St.

Seconded by Alderman Hasan. On a roll call, all voted Aye. Motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Holpfer moved to approve City vouchers with an ending date of July 27, 2023, in the amount of \$1,666,158.48, and payroll dated July 28, 2023, in the amount of \$470,993.89 and payments of the various payroll deductions in the amount of \$246,066.73, plus City matching payments, and estimated payroll dated August 11, 2023, in the amount of \$650,000 and payments of the various payroll deductions in the amount of \$400,000, plus City matching payments. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Mayor Nelson called a five-minute recess at 7:38 p.m.

Mayor Nelson returned to open session at 7:49 p.m.

CLOSED SESSION
POTENTIAL TID NO. 9
DEVELOPMENT
AGREEMENT WITH
CARMA
LABORATORIES, INC.

- G.18. Alderman Holpfer moved to enter closed session at 7:50 p.m., pursuant to Wis. Stat. §19.85(1)(e), to deliberate upon a Potential Tax Incremental District No. 9 Development Agreement Between the City of Franklin and Carma Laboratories, Inc. (Developer) 225,000 Square Foot Corporate Headquarters Building at Northeast Corner of West Ryan Road and South 76th Street, 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 Craig. On roll call, all voted Aye. Motion carried.

Upon re-entering open session at 9:02 p.m.

Alderman Holpfer moved to direct staff to return this meeting item subject matter to the August 15, 2023 Common Council meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 9:03 p.m. Seconded by Alderman Hasan. All voted Aye; motion carried.