

APPROVED DECEMBER 19, 2023

CITY OF FRANKLIN COMMON COUNCIL MEETING DECEMBER 5, 2023 MINUTES

- ROLL CALL A. The regular meeting of the Franklin Common Council was held on December 5, 2023, and was called to order at 6:30 p.m. by Mayor John R. 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, 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 7:03 p.m.
- FIRE CHIEF ADAM
REMINGTON
PROCLAMATION B.2. Mayor Nelson presented a Proclamation in Recognition of the Service of Fire Chief Adam J. Remington.
- MINUTES
NOVEMBER 21, 2023 C.1. Alderman Barber moved to approve the minutes of the Common Council meeting of November 21, 2023, as presented. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- SPECIAL COMMON
COUNCIL MINUTES
NOVEMBER 28, 2023 C.2. Alderman Hasan moved to approve the minutes of the Special Common Council meeting of November 28, 2023, as presented. Seconded by Alderman Barber. All voted Aye; motion carried.
- ORD. 2023-2570
AMEND ORD. 2023-
2569 2024 ANNUAL
BUDGET FOR
PURCHASE OF FIRE
APPARATUS G.1. Alderman Barber moved to adopt Ordinance No. 2023-2570, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGET FOR THE EQUIPMENT REPLACEMENT FUND TO PROVIDE CARRYFORWARD APPROPRIATIONS TO RESTORE \$723,567.99 TO THE GL ACCOUNT #42-0221-5811 FOR THE PURCHASE OF FIRE APPARATUS. Seconded by Alderman Holpfer. On a roll call; all voted Aye. Motion carried.
- RES. 2023-8068
SPECIAL USE FOR
BEER & WINE SALES
ESTABLISHMENT AT G.2. Alderman Holpfer moved to adopt Resolution No. 2023-8068, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A BEER AND WINE SALES ESTABLISHMENT WITH AN OUTDOOR PATIO

7160 S. BALLPARK
DR. (BADAX FLATS,
LLC APPLICANT, ZIM-
MAR PROPERTIES,
LLC, OWNER)

UPON PROPERTY LOCATED AT 7160 SOUTH BALLPARK DRIVE, SUITE 130 (BADAX FLATS, LLC, APPLICANT), AS PRESENTED TO THE COMMON COUNCIL IN THE DECEMBER 5, 2023 MEETING AGENDA PACKET ITEM G.2., WITH AN AMENDMENT THERETO OF THE FINAL BE IT FURTHER RESOLVED PROVISION, AS PURSUANT TO §15-9.0103G. OF THE UNIFIED DEVELOPMENT ORDINANCE, THE COMMON COUNCIL DETERMINED THE ESTABLISHMENT OF THIS SPECIAL USE, DUE TO CURRENT CONSTRUCTION CONDITIONS, SHALL BE AS SET FORTH IN THE PROVISION HEREBY AMENDED TO READ AS FOLLOWS: "BE IT FURTHER RESOLVED, PURSUANT TO §15-9.0103G. OF THE UNIFIED DEVELOPMENT ORDINANCE, THAT THE SPECIAL USE PERMISSION GRANTED UNDER THIS RESOLUTION SHALL BE NULL AND VOID UPON THE EXPIRATION OF ONE YEAR FROM THE DATE OF ADOPTION OF THIS RESOLUTION, UNLESS THE SPECIAL USE HAS BEEN ESTABLISHED BY WAY OF THE ISSUANCE OF A BUILDING PERMIT FOR SUCH USE; AND THAT THEREAFTER, UPON THE ISSUANCE OF THE BUILDING PERMIT, FORTHWITH COMMENCEMENT OF CONSTRUCTION AND COMPLETION OF SUCH CONSTRUCTION UPON THE EXPIRATION OF 20 MONTHS AFTER THE ISSUANCE OF THE BUILDING PERMIT." Seconded by Alderwoman Day. On a roll call; all voted Aye except Alderman Hasan who abstained; motion carried 4-1-1.

PURCHASE OF HP
WARRANTY
EXTENSIONS

G.3. Alderman Barber moved to authorize the purchase of HP warranty extensions for data center equipment in the amount of \$41,938.11 as budgeted for in the 2023 Information Services Capital Outlay Equipment Budget - Account 41-0144-5841. Seconded by Alderman Hasan. All voted Aye; motion carried.

CDC PUBLIC HEALTH
WORKFORCE
DEVELOPMENT
GRANT FOR COVID-
19 MITIGATION &
RECOVERY EFFORTS

G.4. Alderman Hasan moved to authorize the Director of Health and Human Services to accept the modified Centers for Disease Control Public Health Workforce Development Grant for COVID-19 mitigation and recovery efforts. Seconded by Alderwoman Day. All voted Aye; motion carried.

ORD. 2023-2571
AMEND MUNICIPAL
CODE §169-1 LICENSE
AND FEES FOR
SWIMMING POOLS

G.5. Alderman Barber moved to adopt Ordinance No. 2023-2571, AN ORDINANCE TO AMEND §169-1, LICENSES REQUIRED, OF THE MUNICIPAL CODE TO AMEND THE HEALTH DEPARTMENT ADMINISTRATION SWIMMING POOL LICENSE AND FEES CATEGORY FOR COMPLIANCE WITH THE RECENTLY UPDATED WISCONSIN ADMINISTRATIVE

CODE CHAPTER ATCP 76, SAFETY, MAINTENANCE, AND OPERATION OF PUBLIC POOLS AND WATER ATTRACTIONS, TO INCREASE THE TYPES OF LICENSES REQUIRED AND FEES THEREFORE. Seconded by Alderman Holpfer. All voted Aye; motion carried.

ENVIRONMENTAL HEALTH SANITARIAN FTE'S FOR 2024 G.6. Alderman Barber moved to approve the Director of Health and Human Services to maintain the 2023 increase of Environmental Health Sanitarian from .1 FTE to .4 FTE for the 2024 calendar year, effective January 1, 2024, funding to be covered by a grant from the health department. Seconded by Alderman Hasan. All voted Aye; motion carried.

PURCHASE HEALTH DEPARTMENT VEHICLE WITH GRANT AWARD G.7. Alderman Holpfer moved to approve the Director of Health and Human Services to purchase a Health Department vehicle to replace current 2014 Ford Taurus with Franklin Health Department American Rescue Plan Coronavirus Fiscal Recovery Grant award. Seconded by Alderman Barber. All voted Aye; motion carried.

UDO REWRITE AGMT-HOUSEAL LAVIGNE ASSOCIATES LLC G.8. Alderman Holpfer moved to table to a meeting in January, 2024. Seconded by Alderman Craig. All voted Aye; motion carried.

RES. 2023-8069 STORM WATER FACILITIES MAINTENANCE AGREEMENT AT 12000 W. LOOMIS RD. G.9. Alderman Craig moved to adopt Resolution No. 2023-8069, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS FOR PUBLIC RECREATIONAL TRAIL, STORM DRAINAGE, STORM WATER MANAGEMENT ACCESS, AND WATER MAIN AT 12000 WEST LOOMIS ROAD (TKNS 891-9016-000 THROUGH 891-9040-000). Seconded by Alderman Hasan. All voted Aye; motion carried.

Attorney Wesolowski vacated his seat at 8:13 p.m., and returned at 8:15 p.m.

CLOSED SESSION G.10. Alderman Hasan moved to go into closed session at 8:15 p.m., with regard to City personnel performance evaluation of Director of Administration, to enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, 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.

Mayor Nelson moved for a five-minute recess at 8:15 p.m., and returned into closed session at 8:21 p.m.

Upon re-entering open session at 9:09 p.m., No action was taken.

MISCELLANEOUS
LICENSES

H. Alderman Craig moved to approve the following licenses of the License Committee Meeting of December 5, 2023:

Grant 2023-24 Operator License to: Michele Reimann, Annamaria Robel, & Molly Tengel;

Approve the PUBLIC (People Uniting for the Betterment of Life and Investment In the Community) Grant to: Franklin Health Dept–Community Events, Park Permits, Spring Walk/Run-5/18/24, Bike Rodeo-6/1/24, Movie Night-6/21/24, Trunk or Treat-10/24/24, Lions Legend I, Legend Dr, Schlueter Pkwy; Franklin Lioness Lions Club–St Martin’s Fair & Club Monthly Meetings, St Martin’s Fair Permit, Temporary Class “B” Beer and Operators Licenses, Park Permits, 9/1-9/2/24, Various Summer Dates, St Martin’s Labor Day Fair, Lions Legend I; Franklin Lions Foundation–Fund Raisers & Club Monthly Meetings, Park Permits–Easter Egg Hunt, Club Meetings, St Martin’s Fair Permit, Temporary Class “B” Beer, Operators Licenses, 3/30/24, 6/11/24, 7/9/24, 9/10/24, 9/1-9/2/24, Lions Legend I, Ken Windl Pavilion, St Martin’s Labor Day Fair; Franklin Park Concerts, Inc–Free Concerts, Park Permits, Band Shell Fees, 6/30/24, 7/14/24, 7/28/24, 8/11/24, & 8/25/24, Lions Legend I; Franklin Police Citizen’s Academy Alumni, St Martin’s Fair Permit, 9/1-9/2/24, St Martin’s Labor Day Fair; Franklin Police Department–National Night Out, Temporary Entertainment & Amusement, Food Licenses, 8/5/24, Franklin Public Library, 9151 W Loomis Rd; St Martin of Tours Parish–Vietnamese Lunar New Year Celebration & St Martin’s Fair, Temporary “Class B” Beer & Wine, Temporary Entertainment & Amusement, Operators Licenses, St Martin’s Fair Permit, 2/11/24, 9/1-9/2/24, St Martin of Tours Parish Hall at 7963 S 116th St, St Martin’s Labor Day Fair; and Xaverian Missionaries–Annual Mission Festival, License Fees–Extraordinary Event, Temporary Class B Beer & Wine, Operators, Temporary Food & Sign Permits, Xaverian Missionaries, 4500 W Xavier Dr, 6/22-6/23/24.

Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I. Alderman Barber moved to approve City vouchers with an ending date of November 30, 2023, in the amount of \$ 1,195,768.17, and payroll dated December 1, 2023, in the amount of \$ 463,191.77 and payments of the various payroll deductions in the amount of \$

244,961.64, plus City matching payments, and estimated payroll dated December 15, 2023 in the amount of \$ 465,000 and payments of the various payroll deductions in the amount of \$ 250,000, plus City matching payments. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 9:12 p.m. Seconded by Alderwoman Day. All voted Aye; motion carried.