

# APPROVED FEBRUARY 6, 2024

## CITY OF FRANKLIN COMMON COUNCIL MEETING JANUARY 16, 2024 MINUTES

- ROLL CALL                    A.     The regular meeting of the Franklin Common Council was held on January 16, 2024, 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 Holpfer, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day, Alderman Barber, Alderman Craig. Also in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Shirley Roberts.
- CITIZEN COMMENT            B.     Citizen comment period was opened at 6:34 p.m. and was closed at 6:45 p.m.
- MINUTES  
JANUARY 3, 2024            C.     Alderman Holpfer moved to approve the minutes of the Common Council meeting of January 3, 2024 as presented. Seconded by Alderman Hasan. All voted Aye; motion carried.
- PUBLIC HEARING  
AMEND UDO –  
IMPACT FEES FOR  
SOUTHWEST SEWER  
& WATER FACILITIES        D.     A Public Hearing Regarding Proposed Amendments to §92-9 of the Municipal Code Pertaining to Impact Fees for Southwest Sanitary Sewer System Facilities and Water System Facilities.
- ORD. 2024-2580  
AMEND §92-9.  
IMPACT FEES PUBLIC  
FACILITIES NEEDS  
ASSESSMENT AND  
IMPACT FEE STUDY            G.1.   Alderwoman Day moved to adopt Ordinance 2024-2580, AN ORDINANCE TO AMEND §92-9. IMPACT FEES, OF THE MUNICIPAL CODE, IN PART AND PRIMARILY TO UPDATE SAME PURSUANT TO THE PUBLIC FACILITIES NEEDS ASSESSMENT AND IMPACT FEE STUDY DATED NOVEMBER 27, 2023. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.
- RES. 2024-8087  
RELEASE  
CONSERVATION  
EASEMENT AT 9533  
W. RYAN RD., ERIC &  
DEBORAH  
DAVIDSON, OWNERS,  
APPLICANTS                G.2.   Alderman Holpfer moved to adopt Resolution No. 2024-8087, A RESOLUTION TO RELEASE IN PART A CONSERVATION EASEMENT UPON LOT 2 OF CERTIFIED SURVEY MAP NO. 9163 (9533 WEST RYAN ROAD; TKN 894-9002-000) (ERIC J. DAVIDSON AND DEBORAH J. DAVIDSON, PROPERTY OWNERS, APPLICANTS). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- CAPITAL EQUIPMENT  
FUND TO PURCHASE  
FIRE DEPT. PRE-  
OWNED APPARATUS        G.3.   Alderwoman Eichmann moved to approve the allocation of \$230,000 from the Capital Equipment Fund (42-0221-5811) to allow the Fire Department to purchase an interim pre-owned fire apparatus for use

until the delivery of new equipment. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

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| FIRE DEPT. TO<br>DISPOSE OF<br>DECOMMISSIONED<br>ENGINE AND OTHER<br>EQUIPMENT                     | G.4. | Alderman Barber moved to approve the Fire Department request to dispose of decommissioned fire pumper (engine), a decommissioned EZ-GO utility vehicle, and miscellaneous surplus equipment with any recovered funds returned to the Equipment Replacement Fund (42-0221-5811). Seconded by Alderman Holpfer. All voted Aye; motion carried.   |
| FIRE DEPT.<br>PURCHASE OF<br>BATTALION<br>COMMAND VEHICLE  | G.5. | Alderwoman Eichmann moved to approve the Fire Department purchase of a Replacement Battalion Command Vehicle with existing appropriation in the 2024 Capital Equipment Replacement Fund (42-02215811) at a cost not to exceed \$56,441.00. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.  |
| ANNUAL BUDGET<br>FOR FIRE DEPT.<br>EQUIPMENT<br>REPLACEMENT  | G.6. | No motion required. Item was already approved in 2023.   |
| MUNICIPAL COURT<br>PURCHASE OF<br>FURNITURE AND<br>FIXTURES  | G.7. | Alderman Barber moved to authorize the purchase of the Municipal Court 2024 Capital Outlay Budget items of furniture and fixtures. Seconded by Alderman Hasan. On roll call, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day, Alderman Baber and Alderman Craig voted Aye, Alderman Holpfer Abstained. Motion carried.   |
| REVIEW PARKS<br>MARKETING<br>MATERIALS   | G.8. | Alderman Barber moved to approve Parks Commission draft parks marketing brochure and to add it to the City of Franklin website, have available brochures in the clerk's office for residents to pick up and to contact the Franklin Recreation Department to have them put it into their pamphlet and any other place the Parks Commission deems appropriate. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.  |
| RES. 2024-8088<br>UPDATE<br>AGREEMENT WITH<br>HOUSEAL LAVIGNE<br>ASSOCIATES LLC<br>FOR UDO REWRITE | G.9. | Alderman Barber moved to adopt Resolution No. 2024-8088, A RESOLUTION AUTHORIZING THE CITY TO EXECUTE AN UPDATED SCOPE OF WORK AND BUDGET AUGMENT CONTRACT TO THE EXISTING AGREEMENT THAT ALLOWS FOR HOUSEAL LAVIGNE ASSOCIATES LLC TO PERFORM THE UNIFIED DEVELOPMENT ORDINANCE REWRITE PROJECT. Have the appropriate city officials sign the standard city agreement which is prepared and reviewed by the City Attorney and staff (Option C). Seconded by Alderman Eichmann. All voted Aye; motion carried. |

- RES. 2024-8089  
2024 AND 2025  
CONTRACT WITH  
GRAEF-USA, INC. FOR  
STORM WATER  
MANAGEMENT  
SERVICES
- DPW  
REFORESTATION &  
WETLAND  
AGREEMENT WITH  
MMSD
- ORD. 2024-2581  
AMEND §229-2J  
REFUNDING TAX  
OVERPAYMENTS
- RES. 2024-8090  
2024 AND 2025  
CONTRACT WITH  
HARWOOD  
ENGINEERING  
CONSULTANTS, LTD.  
FOR STORM WATER  
MANAGEMENT  
SERVICES
- RES. 2024-8091  
2024 AND 2025  
CONTRACT WITH  
RUEKERT & MIELKE,  
INC. FOR  
INFRASTRUCTURE  
CONSTRUCTION  
INSPECTION
- ORD. 2024-2582  
AMEND ORD. 2022-  
2521 – 2023 ANNUAL  
BUDGET – TRANSFER  
OF PARK IMPACT FEE  
FUNDS
- G.10. Alderman Hasan moved to adopt Resolution No. 2024-8089, A RESOLUTION TO AUTHORIZE A CONTRACT WITH GRAEF-USA, INC. TO PROVIDE STORM WATER MANAGEMENT PLAN REVIEWS AND OTHER ON-CALL SERVICES FOR 2024 AND 2025 (Option A). Seconded by Alderman Holpfer. All voted Aye; motion carried.
- G.11. Alderman Barber moved to authorize the Department of Public Works to Accept & Execute Reforestation & Wetland Restoration Agreement with Milwaukee Metropolitan Sewerage District for Municipal Tree Planting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- G.12. Alderwoman Day moved to adopt Ordinance 2024-2581, AN ORDINANCE TO RE-LETTER AND AMEND §229-2J. AND TO CREATE A NEW §229-2J. OF THE MUNICIPAL CODE TO PROVIDE FOR THE PROCESS OF THE REFUNDING OF TAX OVERPAYMENTS. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- G.13. Alderman Barber moved to adopt Resolution No. 2024-8090, A RESOLUTION TO AUTHORIZE A CONTRACT WITH HARWOOD ENGINEERING CONSULTANTS, LTD. TO PROVIDE STORMWATER MANAGEMENT PLAN REVIEWS AND OTHER ON-CALL SERVICES FOR 2024 AND 2025 (Option A). Seconded by Alderman Hasan. All voted Aye; motion carried.
- G.14. Alderman Holpfer moved to adopt Resolution No. 2024-8091, A RESOLUTION TO AUTHORIZE A CONTRACT WITH RUEKERT & MIELKE, INC. TO PROVIDE PUBLIC INFRASTRUCTURE CONSTRUCTION INSPECTION FOR 2024 AND 2025 (Option A). Seconded by Alderman Hasan. All vote Aye; motion carried.
- G.15. Alderwoman Eichmann moved to adopt Ordinance 2024-2582, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE DEVELOPMENT – IMPACT FEE FUND TO PROVIDE ADDITIONAL \$505,422.24 APPROPRIATIONS FOR THE TRANSFER OF PARK IMPACT FEES TO SUPPORT CAPITAL

PROJECTS. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

RES. 2024-8092  
AMEND CONTRACT  
WITH GRAEF-USA,  
INC. –  
CONSTRUCTION  
OBSERVATION  
SERVICES FOR  
INDUSTRIAL PARK  
LIFT STATION

G.16. Alderman Barber moved to adopt Resolution No. 2024-8092, A RESOLUTION TO AMEND A CONTRACT WITH GRAEF-USA, INC. TO PROVIDE CONSTRUCTION OBSERVATION SERVICES OF INDUSTRIAL PARK LIFT STATION (10100 S. 60TH STREET) REPLACEMENT FOR \$5,020 (Option A). Seconded by Alderwoman Day. All voted Aye; motion carried.

RES. 2024-8093  
2024 BRIDGE  
INSPECTIONS BY  
FOTH  
INFRASTRUCTURE &  
ENVIRONMENT, LLC

G.17. Alderwoman Eichmann moved to adopt Resolution No. 2024-8093 , A RESOLUTION FOR FOTH INFRASTRUCTURE & ENVIRONMENT, LLC TO PERFORM 2024 BRIDGE INSPECTIONS FOR \$5,400. Seconded by Alderman Holpfer. All voted Aye; motion carried.

City Attorney vacated his seat at 8:19 p.m.

City Attorney returned to his seat at 8:21 p.m.

2024-2026 TENTATIVE  
LABOR AGREEMENT  
WITH FIREFIGHTERS,  
I.A.F.F. Local 2760

G.18. Alderman Barber moved to approve the Tentative Agreement between the City of Franklin and the Franklin Professional Firefighters, I.A.F.F. Local 2760, for a 2024-2026 successor labor agreement and authorize the Mayor, Director of Clerk Services, and Director of Administration to execute a labor agreement incorporating the provisions of the attached Tentative Agreement and to authorize the Director of Administration to incorporate any such language into the Employee Handbook as determined necessary. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

Alderwoman Eichmann vacated her seat at 8:40 p.m.

Alderwoman Eichmann returned to her seat at 8:43 p.m.

2023 DPW SITE  
IMPROVEMENT  
PROJECT BIDS &  
AMEND CONTRACT  
WITH KUENY  
ARCHITECTS, LLC

G.19. Alderman Holpfer moved to Reject all bids for the 2023 DPW Site Improvement Project at 7979 W. Ryan Road (TKN 896-9990-001) and direct Staff to return with a contract amendment for Kueny Architects, LLC to design an addition to the existing DPW facility. Seconded by Alderman Hasan. On roll call, Alderman Holpfer, Alderwoman Eichmann, Alderman Hasan, Alderman Barber and Alderman Craig voted Aye, Alderwoman Day Abstained. Motion carried.

WATERMAIN  
PROJECT ON S.  
LOVERS LANE RD. AT  
S. PHYLLIS LN. & W.  
HERDA PL.

G.20. Alderman Craig moved to authorize Staff to bid a watermain project on S. Lovers Lane between S. Phyllis Lane and W. Herda Place. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES 2024-8094  
2024 AND 2025  
INFRASTRUCTURE  
CONSTRUCTION  
INSPECTION  
CONTRACT WITH RA  
SMITH, INC.

G.21. Alderman Holpfer moved to adopt Resolution No. 2024-8094, A RESOLUTION TO AUTHORIZE A CONTRACT WITH RA SMITH, INC. TO PROVIDE PUBLIC INFRASTRUCTURE CONSTRUCTION INSPECTION FOR 2024 AND 2025 (Option A). Seconded by Alderman Hasan. All voted Aye; motion carried.

PURCHASE RAPID7  
MDR & SIEM  
SERVICES FOR 2024  
POLICE DEPT.  
SOFTWARE  
MAINTENANCE

G.22. Alderman Barber moved to authorize the purchase of Rapid7 MDR and SIEM services in the amount of \$81,000 as budgeted for in the 2024 Police Department Software Maintenance Operation Outlay Budget-Account 01-0211-5257. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

RES 2024-8095  
2024 AND 2025  
INFRASTRUCTURE  
CONSTRUCTION  
INSPECTION  
CONTRACT WITH  
GRAEF-USA, INC.

G.23. Alderwoman Day moved to adopt Resolution No. 2024-8095, A RESOLUTION TO AUTHORIZE A CONTRACT WITH GRAEF-USA, INC. TO PROVIDE PUBLIC INFRASTRUCTURE CONSTRUCTION INSPECTION FOR 2024 AND 2025 (Option A). Seconded by Alderman Hasan. All voted Aye; motion carried.

CLOSED SESSION  
PROPOSED TAX  
ASSESSMENT  
SERVICES

G.24. Alderman Barber moved to enter into closed session at 8:47 p.m. concerning the Evaluation and Final Selection of Proposed Tax Assessment Services. The Common Council may enter closed session according to Wis. Stat. §19.85(1)(e), Considering the Deliberating or Negotiating the Purchasing of Public Properties, the Investing of Public Funds, or Conducting Other Specified Public Business, Whenever Competitive or Bargaining Reasons Require a Closed Session, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Eichmann. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:16 p.m., Alderman Barber moved to approve an Agreement with Forward Appraisal for assessor services for the City of Franklin. Seconded by Alderman Craig. All voted Aye; motion carried.

MISCELLANEOUS  
LICENSES

H. Alderwoman Eichmann moved to approve the following licenses of the License Committee Meeting of January 16, 2024:

Grant 2023-24 Operator License to: Jessica Barrett, Jeremy Charusch, & Mandy Oleniczak ;

Hold 2023-24 Operator License for appearance to Robert Meyer;

Approved Police Incident Reports from 5/16-12/27/23 for Class A & B Establishments;

Grant Temporary Entertainment & Amusement License to: Franklin Health Department, Megan Conway, Trunk or Treat, Public Library, 9151 W Loomis Rd, 10/24/24 & Franklin Civic Celebration Committee, John Bergner, Independence Celebration, City Hall, 9229 W Loomis Rd, 7/3-7/6/24; and

Grant Temporary “Class B” Beer & Wine Retailer’s License to: Franklin Civic Celebration Committee, John Bergner, Independence Celebration, City Hall, 9229 W Loomis Rd, 7/3-7/6/24.

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

VOUCHERS AND  
PAYROLL

- I. Alderman Barber moved to approve City vouchers with an ending date of January 11, 2024, in the amount of \$ 1,901,669.79, and payroll dated January 12, 2024 in the amount of \$ 600,816.63 and payments of the various payroll deductions in the amount of \$ 350,663.25, plus City matching payments, and estimated payroll dated January 26, 2024 in the amount of \$ 505,000 and payments of the various payroll deductions in the amount of \$ 620,000, plus City matching payments. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderwoman Eichmann moved to adjourn the meeting of the Common Council at 9:20 p.m. Seconded by Alderman Craig. All voted Aye; motion carried.