

# APPROVED OCTOBER 3, 2023

## CITY OF FRANKLIN COMMON COUNCIL MEETING SEPTEMBER 19, 2023 MINUTES

### ROLL CALL

- A. The regular meeting of the Franklin Common Council was held on September 19, 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, Alderwoman Michelle Eichmann, Alderwoman Michelle Eichmann, Alderman Yousef Hasan, Alderwoman Courtney Day, Alderman Mike Barber and Alderman Jason Craig. 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. Citizen comment period was opened at 6:32 p.m. and was closed at 7:33 p.m.

### MINUTES SEPTEMBER 5, 2023

- C. Alderman Craig moved to approve the minutes of the Common Council meeting of September 5, 2023, as presented. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

### ORGANIZATIONAL - MAYORAL APPOINTMENTS

- E. Alderwoman Eichmann moved to confirm the following Mayoral appointments:
1. Clarke Johnson, 7703 W. Margaret Ln., Ald. Dist. 1-Board of Public Works for a 3-year unexpired term expiring 04/30/26.
  2. Craig Marifke, 10402 W. Herda Pl, Ald. Dist. 6-Architectural Board for a 3-year unexpired term expiring 04/30/25 (moving from an Alternate Member to a Regular Member).

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

### RES. 2023-8042 CONDITIONS AND RESTRICTIONS FOR APPROVAL OF SPECIAL USE FOR DRIVE THROUGH – 7730 S LOVERS LANE RD

- G.1. Alderwoman Eichmann moved to adopt Resolution No. 2023-8042, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DRIVE THROUGH RESTAURANT UPON PROPERTY LOCATED AT 7730 S. LOVERS LANE RD. (BY DHARMESH GHELANI, AK DEVELOPERS LLC, APPLICANT, FRANKLIN WYNDHAM LLC, PROPERTY OWNER) subject to minor technical corrections to the font. Seconded by Alderman Holpfer. All voted Aye; motion carried.

### AUTHORIZE WAGE ADJUSTMENT FOR RYAN BOOS

- G.2. Alderman Barber moved to authorize the hourly wage increase for Ryan Boos from \$23.84 to \$27.38/hr. Annual salary is estimated at \$56,953 with estimated corresponding benefits of \$25,628. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

- MAYOR'S 2024 RECOMMENDED BUDGET TO FINANCE TO COMMON COUNCIL      G.3      Alderman Barber moved to forward the Mayor's 2024 Recommended Budget to the Finance Committee for its review and submission of its recommended changes to the Common Council at their special meeting of October 10, 2023 and to further provide other direction to staff, as appropriate, relative to additional materials or information needed for the October 10, 2023 Special Common Council Meeting budget discussions. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD. 2023-2554 ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR CAPITAL OUTLAY FUND      G.4.      Alderman Barber moved to adopt Ordinance No. 2023-2554, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE CAPITAL OUTLAY FUND TO PROVIDE CARRY FORWARD APPROPRIATIONS FROM 2022 FOR SPECIFICALLY IDENTIFIED PROJECTS IN THE AMOUNT OF \$84,287. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.
- 2022 ANNUAL COMPREHENSIVE FINANCIAL REPORT      G.5.      Alderman Craig moved to table the 2022 Annual Comprehensive Financial Report for the City of Franklin, and bring back to the October 3, 2023 meeting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD. 2023-2555 ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR GENERAL FUND      G.6.      Alderman Hasan moved to adopt Ordinance No. 2023-2555, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE GENERAL FUND TO PROVIDE CARRY FORWARD APPROPRIATIONS FROM 2022 FOR A PLANNING CONSULTANT IN THE AMOUNT OF \$9,500. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
- CONSULTING SERVICES AGREEMENT WITH WRAYBURN CONSULTING, LLC      G.7.      Alderman Barber moved to authorize a Consulting Services Agreement with Wrayburn Consulting, LLC for general planning services; and authorize the Mayor to execute and administer the appropriate, related contract. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- BUDGET AMENDMENT CARRY FORWARD PO TO COVER WRAYBURN CONSULTING EXPENSES      G.8.      No Action taken. This item has been deleted from the agenda as it is a duplicate item.

- RES. 2023-8043  
OFFICIAL INTENT TO  
REIMBURSE  
EXPENDITURES
- G.9. Alderman Barber moved to adopt Resolution No. 2023-8043, A RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING. Seconded by Alderwoman Day. All voted Aye; motion carried.
- CHANGE PLAN  
COMMISSION MEETING  
FROM 7:00 P.M. TO  
6:00 PM
- G.10. Alderwoman Eichmann moved to change the Plan Commission meeting start times to 6 p.m., effective with the next Plan Commission meeting of October 5, 2023. Seconded by Alderman Hasan. All voted Aye; motion carried.
- RES 2023-8044  
PROPERTY TAX  
RESCISSION & REFUND  
2022, TKN 754-9008-000
- G.11. Alderwoman Eichmann moved to direct staff to adopt Resolution No. 2023-8044, A RESOLUTION APPROVING A PARTIAL PROPERTY TAX RESCISSION AND REFUND FOR 2022 FOR TKN 754-9008-000. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- DISCUSS LETTER TO  
COMMON COUNCIL  
FROM THE BOARD OF  
REVIEW
- G.12. Referral of Letter to the Common Council from the Board of Review with Expression of concerns as it pertains to the City of Franklin's Tax Assessments.
- RES. 2023-8045  
PROVIDING SALE OF  
GENERAL OBLIGATION  
PROMISSORY NOTES
- G.13. Alderman Holpfer moved to adopt Resolution No. 2023-8045, A RESOLUTION PROVIDING FOR THE SALE OF APPROXIMATELY \$2,395,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2023B. Seconded by Alderman Barber. On a roll call; All voted Aye. Motion carried.
- RES 2023-8046  
GO BONDS \$3,035,000  
WATER SYSTEM  
PROJECTS
- G.14. Alderman Holpfer moved adopt Resolution No. 2023-8046, A RESOLUTION AUTHORIZING \$3,035,000 GENERAL OBLIGATION BONDS FOR WATER SYSTEM PROJECTS. Seconded by Alderman Craig. On a roll call; All voted Aye. Motion carried.
- RES 2023-8047  
GO BONDS \$3,020,000  
BUILDINGS FOR  
MACHINERY AND  
EQUIPMENT
- Alderman Barber moved adopt Resolution No. 2023-8047, A RESOLUTION AUTHORIZING \$3,020,000 GENERAL OBLIGATION BONDS FOR BUILDINGS FOR THE HOUSING OF MACHINERY AND EQUIPMENT. Seconded by Alderman Holpfer. On a roll call; All voted Aye. Motion carried.
- RES 2023-8048  
SALE OF GO  
CORPORATE PURPOSE  
BONDS \$6,055,000
- Alderman Holpfer moved adopt Resolution No. 2023-8048, A RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$6,055,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2023A. Seconded by Alderwoman Day. On a roll call; All voted Aye. Motion carried.

RES 2023-8049  
ELECTORS TO BOND  
ISSUES

Alderman Barber moved adopt Resolution No. 2023-8049, A RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS RELATING TO BOND ISSUES. Seconded by Alderman Craig. On a roll call; All voted Aye. Motion carried.

MISCELLANEOUS  
LICENSES

H. Alderman Day moved to approve the following licenses:

License Meeting of September 19, 2023:

Grant 2023-24 Operator License to: Angel Cihler, Jeffrey Linehan, Isabella Pantoja, Samuel Tretow, Kayla Wolcyk;

Grant Reserve “Class B” Combination: Change of Agent to DBA Staybridge Suites Milwaukee Airport South, Dadaswami Hospitality LLC, 9575 S 27th St, Patel Shveta.

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

VOUCHERS AND  
PAYROLL

I. Alderman Holpfer moved to approve City vouchers with an ending date of September 14, 2023, in the amount of \$2,537,069.56, and payroll dated September 8, 2023, in the amount of \$452,571.28 and payments of the various payroll deductions in the amount of \$239,937.04, plus City matching payments, and estimated payroll dated September 22, 2023, in the amount of \$460,000 and payments of the various payroll deductions in the amount of \$467,000, plus City matching payments. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

At 9:07 p.m., Mayor Nelson took a five-minute recess. At 9:12 p.m. the Council returned back into open session.

CLOSED SESSION –  
SEAGRAVE FIRE  
APPARATUS, LLC  
TB50CA MARAUDER  
PUMPER FIRE ENGINE  
PURCHASE  
CONTRACT-  
DELIBERATING OR  
NEGOTIATING  
PURCHASING PUBLIC  
PROPERTIES,  
INVESTING PUBLIC  
FUNDS, OR  
CONDUCTING  
SPECIFIED PUBLIC  
BUSINESS

G.15. Alderman Barber moved to enter closed session at 9:14 p.m., pursuant to Wis. Stat. §19.85(1)(e), with regard to 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 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 litigation 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 deems appropriate regarding Seagrave Fire Apparatus, LLC TB50CA Marauder Pumper fire engine purchase contract. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

Upon re-entering open session at 9:34 p.m., Alderman Craig moved to direct staff to proceed as discussed in closed session. Seconded by

Alderwoman Eichmann. All voted Aye; motion carried.

CLOSED SESSION –  
CITY PERSONNEL  
PERFORMANCE  
EVALUATION OF  
DIRECTOR OF  
ADMINISTRATION

- G.16. Alderwoman Eichmann moved to enter closed session at 9:35 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.

Upon re-entering open session at 10:43 p.m., no action was taken.

Alderwoman Eichmann vacated her seat at 10:43 p.m.

CLOSED SESSION –  
CITY PERSONNEL  
PERFORMANCE  
EVALUATION

- G.17. Alderman Craig moved to enter closed session at 10:45 p.m., 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, Wis. Stat. §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 Wis. Stat. §19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation 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 deems appropriate. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

Upon re-entering open session at 11:13 p.m., Alderwoman Eichmann moved to direct staff to proceed as discussed in closed session. Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 11:14 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.