

APPROVED DECEMBER 6, 2022

CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 15, 2022
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on November 15, 2022 and called to order at 6:30 p.m. by Mayor Steve 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, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Also in attendance were Dir. of Administration Peggy Steeno, Dir. of Finance & Treasurer Denise Gilbert, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski, and City Clerk Karen Kastenson.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:31 p.m. and closed at 7:09 p.m.
- MINUTES
NOVEMBER 1, 2022 C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of November 1, 2022, as presented at this meeting. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- 2023 BUDGET HEARING D. The public hearing on the 2023 Proposed Budget was called to order at 7:33 p.m. and closed at 7:40 p.m.
- ORD. 2022-2521
ADOPTING 2023
ANNUAL BUDGETS G.1.* Alderwoman Wilhelm moved to remove the Project within the 2023-2027 Capital Improvement Plan titled 35th Street Trail-Marquette to Drexel as listed on Page 234 (including additional referenced pages) having a project total of \$1,388,718 to allow Council review related to the project connectivity and linkage routes, land purchase and/or access costs and the priority within the adopted Comprehensive Outdoor Recreation Plan. Seconded by Alderman Nelson. All voted Aye; motion carried.
- Alderwoman Hanneman moved to remove the proposed Senior Fitness Court – Relocate to Ernie Lake Park for \$75,000 and the Fitness Court – Existing Jack Workman/PV for \$10,000 on Page 231 and repurpose the \$85,000 to the Tennis Courts Repairs (Workman, Ken Windl, Legend 1 and 2 Parks). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- Alderman Holpfer moved to adopt Ordinance No. 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGETS FOR THE GENERAL, CIVIC CELEBRATIONS, ST. MARTIN’S FAIR,

DONATIONS, GRANTS, SOLID WASTE COLLECTION, SANITARY SEWER, CAPITAL OUTLAY, EQUIPMENT REPLACEMENT, STREET IMPROVEMENT, CAPITAL IMPROVEMENT, DEBT SERVICE, DEVELOPMENT, UTILITY DEVELOPMENT, TID 3, TID 4, TID 5, TID 6, TID 7, TID 8, AMERICAN RECOVERY ACT, OPIOID SETTLEMENT FUND, AND INTERNAL SERVICE FUNDS, AND ESTABLISHING THE TAX LEVY AND OTHER REVENUE FOR THE CITY OF FRANKLIN AND ESTABLISHING THE SOLID WASTE FEE including and accepting the approved amendments and technical corrections needed to update the proposed ordinance. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

RES. 2022-7923
CSM
RICK J. AND MARY A.
PRZYBYLA,
APPLICANTS
7832 W. DREXEL AVE.

G.2. Alderwoman Eichmann moved to adopt Resolution No. 2022-7923, A RESOLUTION CONDITIONALLY APPROVING A 2 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (RICK J. PRZYBYLA AND MARY A. PRZYBYLA, APPLICANTS) (AT 7832 WEST DREXEL AVENUE) subject to technical corrections by the City Attorney. Seconded by Alderman Holpfer. All voted Aye; motion carried.

RES. 2022-7924
CSM
RICK J. AND MARY A.
PRZYBYLA,
APPLICANTS
7726 W. DREXEL AVE.

G.3. Alderwoman Eichmann moved to adopt Resolution No. 2022-7924, A RESOLUTION CONDITIONALLY APPROVING A 1 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING ALL THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE, STATE OF WISCONSIN (RICK J. PRZYBYLA AND MARY A. PRZYBYLA, APPLICANTS) (AT 7726 WEST DREXEL AVENUE) subject to technical corrections by the City Attorney. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

FIRE DEPT.
AMBULANCE MOTOR

G.4. Alderwoman Wilhelm moved to approve moving forward with the replacement of the motor in its fourth (back-up) ambulance with an appropriation of existing grant funds in the amount of \$15,500. Seconded by Eichmann. All voted Aye; motion carried.

UDO REWRITE

G.5. Alderwoman Wilhelm moved to place discussion of the Unified Development Ordinance on the agenda for the Committee of the Whole in February 2023. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

- NEIGHBORHOOD MTG. 35TH STREET ROOT RIVER EAST BRANCH PROJECT G.6. Alderwoman Wilhelm moved to direct staff to hold a neighborhood meeting related to the 35th Street Grant Project (35th Street Root River, East Branch Project) on Wednesday, December 7th at 6:30 pm and (if funded) to allow Council comment on a concept review of the project prior to full design. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- SOIL TESTER AGREEMENT G.7. Alderman Holpfer moved to approve the 2023 Professional Services Agreement between the City of Franklin and Racine County for services to verify a certified soil tester's soil and site evaluation at designated properties when needed, and to authorize the Director of Administration to execute such agreement. Seconded by Alderman Barber. All voted Aye; motion carried.
- WRAYBURN CONSULTING, LLC PLANNING AGREEMENT G.8. Alderman Holpfer moved to authorize a Consulting Services Agreement with Wrayburn Consulting, LLC, for general planning services; utilizing 2022 budgeted personnel funds in the Planning division budget; and authorize the Mayor to execute and administer the contract, and subject to technical corrections by the City Attorney and staff. The applicant must resolve all technical issues identified by Milwaukee County. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- DUST-FREE CLEANING SERVICE, INC. FOR CITY HALL G.9. Alderwoman Wilhelm moved to approve a Professional Services Agreement with Dust-Free Cleaning Service, Inc. for a 5-time per week service at City Hall, starting December 1, 2022, at a monthly cost of \$2,842; and to authorize the Director of Administration to execute the agreement. Seconded by Alderman Barber. All voted Aye; motion carried.
- LICENSES AND PERMITS H.1. Alderwoman Hanneman moved to:
and H.2. Hold 2022-23 Reserve Class B Combination License at the request of the applicant for: Ryan Fuel LLC, DBA Andy's On Ryan Rd, Agent Kavita Khullar, 5120 W Ryan Rd;
Seconded by Alderman Barber. All voted Aye; motion carried.
- Alderwoman Hanneman moved to approve the following:
Grant New 2022-2023 Operator License to Lauren T. Beaudot, Cruz Drahonovsky and Castiven Jaime;
Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- Alderwoman Hanneman moved to approve the following:
Hold 2022-2023 Operator license Lindsay Tengel for appearance;
Seconded by Alderman Barber. All voted Aye; motion carried.

Alderman Hanneman moved to approve the following:
Grant the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) to: Xaverian Missionaries for Annual Mission Festival, Extraordinary Event License, Temporary Class "B" Beer and Wine License, Operator Licenses, Temporary Food Licenses, and Sign Permits; 6/24/2023 – 6/25/2023, Xaverian Missionaries, 4500 W. Xavier Dr; and
Grant the PUBLIC (People Uniting for the Betterment of life and Investment in the Community) to: Fleet Reserve Association Branch 14 for St. Martin's Fair, St. Martin's Fair Permit; September 3 – 4, 2023, St. Martin's Labor Day Fair.
Seconded by Alderman Eichmann. All voted Aye; motion carried.

ORD. 2022-2522
AMEND MUN. CODE
LICENSE COMM.

H.3. Alderman Wilhelm moved to adopt Ordinance No. 2022-2522, AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO UPDATE THE SPECIFIED DUTIES OF THE LICENSE COMMITTEE AS SET FOR THE § 19-4A.(3) LICENSE COMMITTEE with an update to the signature line. Seconded by Alderman Hanneman. All voted Aye; motion carried.

LICENSE COMM.
ADM. RULES AND
PROCEDURES

H.4. Alderman Hanneman moved to approve the License Committee Administrative Rules and Procedures Amendments, in the form and content as presented to the Common Council at this meeting with corrections for proper pagination. Seconded by Alderman Eichmann. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I. Alderman Barber moved to approve City vouchers with an ending date of November 10, 2022, in the amount of \$2,210,518.81; payroll dated November 4, 2022, in the amount of \$429,311.73 and payments of the various payroll deductions in the amount of \$232,301.19 plus City matching payments; estimated payroll dated November 18, 2022, in the amount of \$433,000 and payments of the various payroll deductions in the amount of \$466,000 plus City matching payments; estimated payroll dated December 2, 2022, in the amount of \$431,000 and payments of the various payroll deductions in the amount of \$237,000 plus City matching payments; approval to release Library vouchers not to exceed \$25,000; and approval to process check payment for \$285.00 to Fairytale Birthday Company LLC. Seconded by Alderman Eichmann. On roll call, all voted Aye. Motion carried.

CLOSED SESSION

G.10. Alderman Holpfer moved to enter closed session at 8:49 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for competitive and bargaining reasons, to deliberate and consider terms relating to a Tax Incremental

District No. 8 Potential Development Agreement Between the City of Franklin and Saputo Cheese USA Inc., Commercial/Manufacturing Buildings Mixed Use Development (Public and Private Property Improvements), and the investing of public funds and governmental actions in relation thereto and to effect such development, including the terms and provisions of the potential development agreement for the development of property located at 2895 W. Oakwood Road, bearing Tax Key No. 951-9994-003, consisting of approximately 34.388 acres, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

No action was taken upon reentering open session at 9:04 p.m.

CLOSED SESSION
CODE OF CONDUCT
COMPLAINTS

- G.11. Alderwoman Hanneman moved to enter closed session at 9:05 p.m. pursuant to Wis. Stat. § 19.85(1)(f), to consider 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. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried. Mayor Olson and Director of Administration Steeno vacated their seats and left the closed session at 9:05 pm. Mayor Olson and Director Steeno returned at 9:56 pm. Alderwoman Hanneman vacated her seat at 9:57 pm and returned at 10:14 pm. Alderman Barber vacated his seat at 10:15 pm and returned at 11:06 pm.

Upon reentering open session at 11:06 p.m., Alderman Nelson moved to process the complaints as discussed in closed session. Seconded by Alderwoman Eichmann. On roll call, all voted Aye except for Alderman Barber who abstained.

ADJOURNMENT

- J. Alderman Holpfer moved to adjourn the meeting at 11:08 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.