

APPROVED JULY 18, 2023

CITY OF FRANKLIN
COMMON COUNCIL MEETING
JULY 5, 2023
MINUTES

ROLL CALL

- A. The regular meeting of the Franklin Common Council was held on July 5, 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, Alderman Alderwoman Courtney Day, Alderman Mike Barber, and Alderman Jason Craig. Alderman Yousef Hasan 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 6:35 p.m.

MINUTES JUNE 27, 2023

- C. Alderman Barber moved to approve the minutes of the special Common Council meeting of June 27, 2023, as presented. Seconded by Alderwoman Day. All voted Aye; motion carried.

HEARING: CANCELLED AMEND 2025 FUTURE LAND USE MAP, VITALOGY LIVING LLC, APPLICANT; RAWSON- LOOMIS, LLC OWNER

- D.1. **Hearing Cancelled** – A public hearing on a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at 8031 West Old Loomis Road, containing 51.61 acres, from Commercial Use to Mixed Use (Vitalogy Living LLC, applicant; Rawson-Loomis, LLC, owner) has been cancelled. The property which is subject of this application bears TKN 755-9997-000 consisting of 51.61 acres.

HEARING: AMEND 2025 FUTURE LAND USE MAP, LAND BY LABEL LLC, APPLICANT; INITECH LLC, OWNER

- D.2. A public hearing was called to order on July 5, 2023 at 7:50 p.m. on a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for properties located at approximately 7154 South 76th Street (3 parcels), containing approximately 25 acres, from Commercial Use to Mixed Use (Land By Label LLC, Applicant; Initech, LLC, Property Owner). The property which is the subject of this application bears TKNS 756-9993-021, 756-9993-016 and 756-9993-012 consisting of approximately 25 acres of land. The public hearing was closed at 8:15 p.m.

- ORD. 2023-2545
AMEND 2025 FUTURE
LAND USE MAP, LAND
BY LABEL LLC,
APPLICANT; INITECH
LLC, OWNER AP
- G.1. Alderman Barber moved to adopt Ordinance No. 2023-2545, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTIES LOCATED AT APPROXIMATELY 7154 SOUTH 76TH STREET FROM COMMERCIAL USE TO MIXED USE. (APPROXIMATELY 25 ACRES, LAND BY LABEL LLC, APPLICANT) in the form and content as presented to the Council at this meeting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD. 2023-2546
CREATE SECTION 15-
3.0447 OF THE
FRANKLIN UNIFIED
DEVELOPMENT
ORDINANCE
ESTABLISHING
PLANNED
DEVELOPMENT
DISTRICT NO. 42
- G.2. Alderman Barber moved to adopt Ordinance No. 2023-2546, AN ORDINANCE TO CREATE SECTION 15-3.0447 OF THE FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 42 (POTHS GENERAL) AND TO REZONE PROPERTY FROM B-3 COMMUNITY BUSINESS DISTRICT AND R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT NO. 42. (APPROXIMATELY 7154 SOUTH 76TH STREET) in the form and content as presented to the Council at this meeting. Seconded by Alderwoman Day. On a roll call; all voted Aye. Motion carried.
- RES. 2023-8013
IMPOSING
CONDITIONS AND
RESTRICTIONS FOR
DENSITY FOR A
THREE-STORY MIXED-
USE BUILDING
- G.3. Alderwoman Eichmann moved to adopt Resolution 2023-8013, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO INCREASE THE MAXIMUM PERMITTED DENSITY FOR A THREE-STORY MIXED-USE BUILDING UPON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF WEST RAWSON AVENUE AND SOUTH BALLPARK DRIVE. (BADAX FLATS LLC, APPLICANT, ZIM-MAR PROPERTIES, LLC, PROPERTY OWNER). Seconded by Alderwoman Day. All voted Aye; motion carried.
- WE ENERGIES WORK
ORDER TO INSTALL A
STREET LIGHT AT
S.50TH ST. AND W.
MINNESOTA AVE.
- G.4. Alderman Holpfer moved to hold over a Resolution for Authorization to WE Energies for Work Order to Install a Street Light at S. 50th Street and W. Minnesota Avenue to the next regular Common Council meeting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2023-8014
CONSERVATION
EASEMENT FOR AND
AS PART OF A
CERTIFIED SURVEY
MAP, STEWART M
- G.5. Alderwoman Day moved to adopt Resolution No. 2023-8014, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE APPROVAL OF A CERTIFIED SURVEY MAP UPON PROPERTY LOCATED AT 3617 WEST OAKWOOD ROAD IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

WANGARD,
APPLICANT

(STEWART M. WANGARD, MEMBER OF OAKWOOD INDUSTRIAL LLC, APPLICANT) subject to technical corrections made by the City Attorney. Seconded by Alderman Holpfer. All voted Aye; motion carried.

VON BRIESEN &
ROPER, S.C. REQUEST
FOR POTENTIAL
CONFLICT OF
INTEREST INFORMED
CONSENT WAIVER

G.6. Alderman Barber moved to authorize the City Attorney to execute the informed consent letter in the form and content as annexed hereto and deliver same to von Briesen & Roper, s.c., c/o Attorney Christopher R. Smith. Seconded by Alderman Holpfer. All voted Aye; motion carried.

AUTHORIZATION OF A
STANDARD SERVICE
CONTRACT WITH
HEARTLAND BUSINESS
SYSTEMS FOR VIDEO
SURVEILLANCE
SYSTEMS

G.7. Alderman Barber moved to approve the execution of a standard service contract and attachments with Heartland Business Systems for three video surveillance systems, not to exceed the allocated total funds of \$482,000 in the form and content as presented at this meeting and with the Attachment A attachments in the meeting agenda packet. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2023-8016
RUEKERT & MIELKE,
INC SANITARY SEWER
IMPACT FEE STUDY

G.9. Alderman Barber moved to adopt Resolution No. 2023-8016, A RESOLUTION FOR RUEKERT & MIELKE, INC. TO COMPLETE A SANITARY SEWER IMPACT FEE STUDY FOR \$7,000. Seconded by Alderman Craig. All voted Aye; motion carried.

INDUSTRIAL ROOFING
SERVICES, INC
SERVICES FOR REPAIR
AND PAINTING OF KEN
WINDL PARK
FACILITIES

G.10. Alderman Holpfer moved to execute an agreement with Industrial Roofing Services, Inc. (IRS) to provide study, review, and plan preparation services for the City of Franklin Masonry Repair and Exterior Painting Specifications of Ken Windl Park Facilities as part of an Enhanced Capital improvement Plan. Seconded by Alderman Barber. All voted Aye; motion carried.

CLOSED SESSION –
AGREEMENT FOR
PROFESSIONAL
SERVICES TO PROVIDE
ASSESSMENT
SERVICES BETWEEN
THE CITY OF
FRANKLIN AND
ACCURATE
APPRAISAL, LLC

G.11. Alderwoman Day moved to enter closed session at 8:40 p.m., pursuant to Wis. Stat. 19.85(1)(e), for competitive and bargaining reasons, to continue to deliberate and consider terms relating to the Agreement for Professional Services to provide Assessment Services between the City of Franklin and Accurate Appraisal, LLC entered into on February 7, 2022, and the performance thereof, and the investing of public funds and governmental actions in relation thereto, and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Holpfer. All voted Aye; motion carried.

Mayor Nelson called for a five-minute recess at 8:40 p.m.

Returned to closed session at 8:46 p.m.

Returned to open session at 9:10 p.m.

Alderman Craig moved to have staff to proceed as directed in closed session. Seconded by Alderwoman Day. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

H. Alderman Craig moved to approve the following licenses:

License Meeting of July 5, 2023:

Grant 2023-24 Operator License to: Lorese Banks, Daniel Bartels, Sydney Churchill, Holly Daniels, Harpreet Kaur, Rachel McNeilly, Eva Menzia, Zackary Niesen, Jena Obarski, Laura Perez Valdez, Corey Robinson, Zachary Roper, Linda Rueth, Kaela Sagan, Susan Sinda, Elyzabeth Smith, Katherine Tamblyn, Brenda Valadez-Servin; Grant 2023-24 Renewal Operator License to: Riley May & Jeffrey Terp; Grant Temporary Entertainment & Amusement to Franklin Health Dept-Outdoor Movie Night, Ellen Henry, Outdoor Movie Night, City Hall Lawn & Lions Legend Park Pavilion Facilities, 8/5/2023; Grant 2023-24 Operator License to Josephine Garcia, Meredith Neu, & Catherine Smith Upon Correction of Application; and Hold 2023-24 Operator License for Appearance to Mayemme Sow.

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 June 29, 2023, in the amount of \$872,194.58, and payroll dated June 30, 2023, in the amount of \$471,496.96 and payments of the various payroll deductions in the amount of \$448,384.82, plus City matching payments, and estimated payroll dated July 14, 2023, in the amount of \$660,000 and payments of the various payroll deductions in the amount of \$320,000, plus City matching payments. Seconded by Alderman Holpfer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Holpfer moved to adjourn the meeting of the Common Council at 9:14 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.