

APPROVED APRIL 3, 2023

CITY OF FRANKLIN COMMON COUNCIL MEETING MARCH 21, 2023 MINUTES

- ROLL CALL
- A. The regular meeting of the Franklin Common Council was held on March 21, 2023, and was called to order at 6:30 p.m. by Mayor 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 Hanneman, Alderman Barber, and Alderman John R. Nelson. Also in attendance were City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski, and City Clerk Karen Kastenson. Alderwoman Kristen Wilhelm was not present.
- CITIZEN COMMENT
- B.1. Citizen comment period was opened at 6:31 p.m. and was closed at 6:38 p.m.
- MAYORAL ANNOUNCEMENTS
- B.2. Mayor Olson presented a Proclamation to Designate May 6, 2023, as Arbor Day in the City of Franklin.
- MINUTES
MARCH 7, 2023
- C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of March 7, 2023 as presented. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- RES. 2023-7958
APPROVE CSM,
REDIVISION OF ALL OF
LOT 1 OF CSM NO. 8120,
JILLY'S, LLC,
APPLICANT AT 5450 W.
RAWSON AVE.
- G.1. Alderwoman Hanneman moved to adopt Resolution No. 2023-7958, A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8120, LOCATED IN THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (JONATHAN J. ZIMMERMAN, PRESIDENT, JILLY'S LLC, APPLICANT) (AT 5450 WEST RAWSON AVENUE). Seconded by Alderman Nelson. All voted Aye; motion carried.
- RES. 2023-7959
SPECIAL USE FOR
OFFICE AND CAR
WASH FACILITY
(JILLY'S, LLC,
APPLICANT)
- G.2. Alderman Barber moved to adopt Resolution No. 2023-7959, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR THE DEVELOPMENT OF A SINGLE-STORY BUILDING HOUSING OFFICES AND A CAR WASH FACILITY (JILLY'S CAR WASH), WITH ADJACENT PARKING FOR VACUUM STALLS AS WELL AS GENERAL PARKING, THREE SEPARATE PAY STATIONS, LANDSCAPING AND LIGHTING UPON PROPERTY LOCATED AT 5450 WEST RAWSON AVENUE (BY JONATHAN J.

ZIMMERMAN, PRESIDENT, JILLY'S, LLC, APPLICANT, DEVO PROPERTIES/RAWSON LLC, PROPERTY OWNER). Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2023-7960
RENAME LIONS
LEGEND II PARK

G.3. Alderwoman Eichmann moved to adopt Resolution No. 2023-7960, A RESOLUTION TO RENAME LIONS LEGEND II PARK (8717 W. DREXEL AVENUE) AS VERNON BARG PARK. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

RES. 2023-7961
AWARD EXTERIOR
PAINTING OF
HISTORICAL TOWN
HALL TO CULVER'S
PAINTING, LLC –
\$10,980

G.4. Alderman Barber moved to adopt Resolution No. 2023-7961, A RESOLUTION TO AWARD PAINTING EXTERIOR OF FRANKLIN HISTORICAL SOCIETY'S FRANKLIN TOWN HALL (8040 S. LEGEND DRIVE) TO CULVER'S PAINTING, LLC FOR \$10,980. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2023-7962
AGREEMENT WITH
MILWAUKEE CO. FOR
INCLUSION OF CITY
INFRASTRUCTURE IN
THE W. FOREST HOME
AVE. PROJECT

G.5. Alderman Barber moved to adopt Resolution No. 2023-7962, A RESOLUTION TO ENTER INTO AN AGREEMENT WITH MILWAUKEE COUNTY FOR INCLUSION OF CITY INFRASTRUCTURE IN THE W. FOREST HOME AVENUE (CTH 00) PROJECT FROM HI VIEW DRIVE TO W. SPEEDWAY DRIVE with funds coming from the fund balance. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2023-7963
AGREEMENTS WITH
MILWAUKEE CO. FOR
EMERGENCY VEHICLE
PRE-EMPTION AND
LIGHTING EQUIPMENT

G.6. Alderman Barber moved to adopt Resolutions No. 2023-7963, A RESOLUTION TO ENTER INTO AN AGREEMENT WITH MILWAUKEE COUNTY FOR EMERGENCY VEHICLE PRE-EMPTION AND LIGHTING EQUIPMENT AT W. FOREST HOME AVENUE (CTH 00) INTERSECTION WITH W. ST. MARTINS ROAD AND A SUPPLEMENTAL AGREEMENT TO ADD LIGHTING EQUIPMENT TO EXISTING EMERGENCY VEHICLE PRE-EMPTION EQUIPMENT AT W. FOREST HOME AVENUE (CTH 00) INTERSECTION WITH W. RAWSON AVENUE (CTH BB). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

HEALTH DEPARTMENT
2023 COMMUNITY
DEVELOPMENT BLOCK
GRANT

G.7. Alderman Barber moved to authorize the Mayor, Clerk and Acting Finance Officer to sign the 2023 Community Development Block Grant Health Education Program Project Agreement after review from the City Attorney, as well as authorization for the Director of Health and Human Services to complete the approved grant activities. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

- DPW PURCHASE OF HIGH-VOLUME DIESEL FUEL PUMP
- G.8. Alderwoman Eichmann moved to approve the Department of Public Works to Purchase a Replacement High-Volume Diesel Fuel Pump. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- RES. 2023-7964 DEVELOPMENT AGREEMENT FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS WITH SAPUTO CHEESE USA, INC.
- G.9. Alderman Hanneman moved to adopt Resolutions No. 2023-7964, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS WITH SAPUTO CHEESE USA, INC., LOCATED AT 2895 W. OAKWOOD ROAD, TKN 951-9994-003. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- SEWER/WATER UTILITIES PURCHASE OF FORD F-350 SUPERCAB PICK UP TRUCK
- G.10. Alderman Nelson moved to authorize Sewer/Water Utilities to Purchase a Ford F-350 Supercab pick up truck from Hiller Ford Automotive Group for \$60,605.16. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- MINIMUM ASSESSMENT VALUE GUARANTEE AGREEMENT WITH NORTHWESTERN MUTUAL FOR FRANKLIN CAMPUS
- G.11. Alderman Holpfer moved to authorize the submission of a minimum assessment value guarantee agreement with Northwestern Mutual for their Franklin Campus with correction to section 8.9 with regard to the property owner's name changed to NM, Northwestern Mutual, and also with the legal description to be added. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- AMENDMENT TO CONSULTING SERVICES AGREEMENT WITH SB FRIEDMAN
- G.12. Alderwoman Hanneman moved to authorize an amendment to the consulting services agreement with SB Friedman for financial analysis services for existing and future TID agreements in the amount of \$35,000. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- ORD. 2023-2535 AMEND ORD. 2022-2528 2023 ANNUAL BUDGET FOR FUND BALANCE FOR 2023 EQUIPMENT REPLACEMENT FUND
- G.13. Alderman Barber moved to adopt Ordinance No. 2023-2535, AN ORDINANCE TO AMEND ORDINANCE 2022-2528, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE FUND BALANCE TO PROVIDE \$2,348.00 TO THE 2023 EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE OF A VEHICLE IN THE ENGINEERING DEPARTMENT. Seconded by Alderwoman Eichmann. On a roll call, all voted Aye. Motion carried.
- RES. 2023-7965 ACCESS EASEMENT &
- G.14. Alderwoman Hanneman moved to adopt Resolution No. 2023-7965, A RESOLUTION TO GRANT A 12-FOOT WIDE ACCESS

UTILITY EASEMENT
FOR EVERSTREAM GLC
HOLDING COMPANY
LLC AT 5600 W.
AIRWAYS AVE.

EASEMENT AND AN 8-FOOT WIDE UTILITY EASEMENT FOR
EVERSTREAM GLC HOLDING COMPANY LLC AT 5600 W.
AIRWAYS AVENUE, TKN 899-9990-068. Seconded by
Alderman Eichmann. All voted Aye; motion carried.

STATE CONTRACT FOR
PURCHASE OF 2,500
TONS OF SALT AND AN
ADDITIONAL 500 TONS
IN RESERVE

G.15. Alderman Holpfer moved to approve to participate in the State
Contract for the purchase of 2,500 tons of salt and an additional 500
tons in reserve. Seconded by Alderman Barber. All voted Aye;
motion carried.

QUARLES & BRADY
LLP REQUEST FOR
INFORMED CONSENT
WAIVER WITH
REGARD TO
REPRESENTATION OF
WASTE MANAGEMENT

G.16. Alderman Barber moved to approve Quarles & Brady LLP request for
potential conflict of interest informed consent waiver with regard to its
representation of the City and requested representation of Waste
Management upon an unrelated to City representation services matter.
Seconded by Alderman Hanneman. All voted Aye; motion carried.

LICENSES AND
PERMITS

H. Alderman Eichmann moved to approve the following licenses:

Grant 2022-2023 Operator License to: Melody Eberhardt & Ericka
Meeks;
Grant 2023-2024 Operator License Renewal to: Jeffrey Dejna &
Dennis Fons;
Grant Extraordinary Entertainment & Special Event to Rock Sports
Complex-Fireworks Displays, Milkmen Games-2023 Season, Paul
Cimoch, 7011 S Ballpark Dr, 5/26, 6/9, 6/23, 6/30, 7/18, 7/21, 8/4,
8/18, 9/1/2023;
Grant "Class B" Beer & Liquor Change of Agent to Tuckaway
Country Club, Joel Voisin, 6901 W Drexel Ave; and
Grant Temporary Entertainment & Amusement to Franklin Health
Dept-Wellness Day-Spring Sprint, Ellen Henry, 5/20/2023.

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

VOUCHERS AND
PAYROLL

I. Alderman Holpfer moved to approve City vouchers with an ending
date of March 16, 2023, in the amount of \$ 1,055,344.89 and payroll
dated March 10, 2023 in the amount of \$461,875.61 and payments of
the various payroll deductions in the amount of \$ 241,572.52, plus City
matching payments and estimated payroll dated March 24, 2023 in the
amount of \$ 435,000 and payments of the various payroll deductions in
the amount of \$ 485,000, plus City matching payments. Seconded by
Alderman Barber. On roll call, all voted Aye. Motion carried.

A brief recess was taken at 6:55 p.m. We resumed in open session at 7:00 p.m.

CLOSED SESSION
CODE OF CONDUCT

- G.17. Alderman Holpfer moved to enter closed session at 7:02 p.m. pursuant to 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 to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

The Mayor vacated his seat at 7:35 pm.

After returning to open session, Alderman Barber moved to proceed as discussed in closed session. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Barber moved to adjourn the meeting of the Common Council at 7:48 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.