

# APPROVED NOVEMBER 7, 2023

## CITY OF FRANKLIN COMMON COUNCIL MEETING OCTOBER 17, 2023 MINUTES

- ROLL CALL A. The regular meeting of the Franklin Common Council was held on October 17, 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 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.
- MAYORAL ANNOUNCEMENT B.2. Alderman Barber moved to suspend the rules and move item B.2. Red Ribbon Week Proclamation ahead of item B.1. Seconded by Alderwoman Day. All voted Aye; motion carried.
- Alderman Barber moved to return back to regular order. Seconded by Alderwoman Day. All voted Aye; motion carried.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:40 p.m. and was closed at 7:17 p.m.
- MINUTES OCTOBER 3, 2023 C. Alderman Barber moved to approve the minutes of the Common Council meeting of October 3, 2023, as presented. Seconded by Alderman Craig. All voted Aye; motion carried.
- LETTERS AND PETITIONS F. Email from Police Chief Oliva.
- UPDATE TO NOISE ISSUES AT THE ROC BALLPARK COMMONS G.1. Mayor to provide an update as to the solutions to noise issues at the ROC Ballpark Commons.
- ENCHANT CHRISTMAS EVENT ROC BALLPARK COMMONS PRESENTATION G.2. Representatives from ROC Ventures and the Enchant Christmas entity information from for the Enchant Christmas Event at the ROC Ballpark Commons presented and provided information regarding the event.
- ORD. 2023-2558 EXTENSION OF THE CONSECUTIVE DAYS OF G.19. Alderman Barber move to suspend the rules and move item G.19. after item G.2. Seconded by Alderwoman Day. All voted Aye; motion carried.

DURATION AND/OR  
DAILY HOURS OF A  
SPECIAL EVENT

Alderwoman Eichmann moved to adopt the Ordinance as written. Failed due to lack of a second.

Alderman Barber moved to adopt Ordinance No. 2023-2558, AN ORDINANCE TO AMEND §121-9E.(1) OF THE MUNICIPAL CODE TO ALLOW FOR AN EXTENSION OF THE CONSECUTIVE DAYS OF DURATION AND/OR DAILY HOURS OF A SPECIAL EVENT BEING OPEN TO THE PUBLIC FOR A SPECIAL EVENT DETERMINED TO BE EXTRAORDINARY AND UNIQUE IN THE BENEFITS PROVIDED TO THE PUBLIC AND THE COMMUNITY AND THE SPECIAL EVENT BEING SUBSTANTIALLY CONTROLLED AND CONTAINED WITHIN THE PREMISES OF THE SPECIAL EVENT TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE with a sunset clause provision that goes through January 15, 2024, and other minor corrections by the City Attorney. Seconded by Alderman Holpfer. On a roll call, motion carried 4-2 with Alderwoman Day and Alderman Craig voting no.

Alderman Craig moved to return back to regular order. Seconded by Alderman Barber. All voted Aye; motion carried.

Mayor Nelson adjourned for a short break at 8:48 p.m.

Mayor Nelson returned to regular order at 8:58 p.m.

SUBSCRIPTION  
CONTRACTS FOR  
UCS  
COMMUNICATION  
SERVICES

G.3 Alderman Barber moved to authorize subscription contracts for UCS communication services (cloud PBX) along with phone and equipment leases from Ring Central/Cornerstone for three years, not exceeding \$185,000. After three years, annual communication expenditures are estimated to be \$47,292.48. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

PRESENTATION  
OPIOID MISUSE &  
OVERDOSE  
PREVENTION

G.4. Alderman Barber moved to place on file the Presentation of Franklin Health Department Opioid Misuse and Overdose Prevention Toolkit document. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

PUBLIC HEALTH  
INFRASTRUCTURE  
GRANT

G.5. Alderman Barber moved to approve the acceptance of the State of Wisconsin Department of Health Services Local Public Health Department Public Health Infrastructure Grant. Seconded by Alderman Hasan. All voted Aye; motion carried.

- 2023-2024 DIVISION OF PUBLIC HEALTH COMMUNCABLE DISEASE GRANT      G.6.      Alderman Holpfer moved to approve the acceptance of the 2023-2024 Division of Public Health Communicable Disease Grants for the Franklin Health Department. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD. 2023-2559 POLICE GRANT FUND TO PROVIDE CARRYFORWARD RESOURCES AND APPROPRIATIONS      G.7.      Alderman Holpfer moved to adopt Ordinance No. 2023-2559, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE POLICE DEPARTMENT GRANT FUND TO PROVIDE CARRYFORWARD RESOURCES AND APPROPRIATIONS FROM 2022 TO 2023 FOR A POLICE DEPARTMENT MILO USE OF FORCE TRAINING SIMULATOR IN THE AMOUNT OF \$79,735.00. Seconded by Alderman Barber. On roll call; All voted Aye. Motion carried.
- ORD. 2023-2560 ADOPTING 2023 ANNUAL BUDGET FOR GENERAL FUND ADDITIONAL APPROPRIATIONS LABOR LEGAL FEES      G.8.      Alderwoman Eichmann moved to adopt Ordinance No. 2023-2560, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE GENERAL FUND TO PROVIDE ADDITIONAL \$5,025 APPROPRIATIONS FOR UNANTICIPATED LABOR LEGAL FEES. Seconded by Alderman Barber. On roll call; All voted Aye. Motion carried.
- RES. 2023-8051 STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS      G.9.      Alderman Craig moved to adopt Resolution No. 2023-8051, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS FOR STORM DRAINAGE, STORM WATER MANAGEMENT ACCESS, AND TEMPORARY TURNAROUND AT 11595 AND 11600 WEST FOREST HOME AVENUE (TKNS 796-9987-001 AND 751-9001-000). Seconded by Alderman Holpfer. All voted Aye; motion carried.
- 2024 EMPLOYEE BENEFIT-RELATED COVERAGES, CARRIERS, AND PREMIUM SHARES      G.10.      Alderman Hasan moved to approve the 2024 employee benefit-related coverages, carriers, and premium shares, as outlined herein, including health insurance, wellness, health and wellness supplementary programs, and dental insurance; authorize the Director of Administration to execute the appropriate related contracts and authorize Human Resources to incorporate the approved changed into the Employee Handbook. Seconded by Alderman Barber. All voted Aye; motion carried.
- RESCHEDULING OF COMMON COUNCIL AND LICENSE      G.11.      Alderman Barber moved to reschedule the Common Council and License Committee meetings of January 2, 2024 to January 3, 2024 due to the meeting falling on a date the City offices are closed for a

COMMITTEE  
MEETINGS IN 2024  
DUE TO HOLIDAYS  
AND ELECTIONS

holiday, and to reschedule the Common Council and License Committee meetings of February 20, 2024 to February 21, 2024 and to reschedule the Common Council and License Committee meetings of April 2, 2024 to April 3, 2024 and to reschedule the Common Council and License Committee meetings of November 5, 2024 to November 6, 2024 due to all three of those meetings falling on an Election day. Seconded by Alderwoman Day. All voted Aye; motion carried.

ORD. 2023-2561  
AMEND MUNICIPAL  
CODE TO INCREASE  
TIME OF  
SUBMISSION OF A  
PERMIT  
APPLICATION TO  
DIPLAY OR  
DISCHARGE  
FIREWORKS

G.12. Alderwoman Eichmann moved to adopt Ordinance No. 2023-2561, AN ORDINANCE TO AMEND §133-14 A.(4)(d)[2] OF THE MUNICIPAL CODE TO INCREASE THE TIME OF SUBMISSION OF AN APPLICATION FOR A PERMIT TO DISPLAY OR DISCHARGE FIREWORKS FROM NOT LESS THAN SEVEN DAYS PRIOR TO THE DATE OF SUCH DISPLAY TO NOT LESS THAN THIRTY DAYS PRIOR TO THE DATE OF SUCH DISPLAY TO ALLOW MORE TIME FOR REVIEW AND CONSIDERATION OF THE APPLICATION. Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2023-2562  
2023 ANNUAL  
BUDGETS CAPITAL  
IMPROVEMENT &  
STREET  
IMPROVEMENT  
FUNDS TO  
TRANSFER &  
REPURPOSE  
UNUSED  
APPROPRIATIONS

G.13. Alderman Barber moved to adopt Ordinance No. 2023-2562, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT AND STREET IMPROVEMENT FUNDS TO TRANSFER AND REPURPOSE UNUSED APPROPRIATIONS IN STREET IMPROVEMENT OUTLAY, RECREATION/BIKE TRAIL OUTLAY AND PARKING LOT PAVEMENT RESURFACE OUTLAY TO THE PARKS CAPITAL IMPROVEMENT FUND FOR PICKLEBALL COURT REPAIR APPROPRIATIONS. Seconded by Alderwoman Eichmann. On roll call; All voted Aye with the exception of Alderwoman Day who abstained and Alderman Holpfer who voted no. Motion carried 4-1-1.

RES. 2023-8052  
2023 LIONS LEGEND  
PARK PICKLEBALL  
COURTS CONTRACT  
DK CONTRACTORS,  
INC.

G.14. Alderwoman Eichmann moved to adopt Resolution No. 2023-8052, A RESOLUTION TO AWARD THE 2023 LIONS LEGEND PARK PICKLEBALL COURTS CONTRACT TO DK CONTRACTORS, INC., IN THE AMOUNT OF \$431,375.00. Seconded by Alderman Holpfer. On a roll call vote; all vote Aye with the exception of Alderwoman Day who abstained. Motion carried 5-0-1.

RES. 2023-8053  
STORM WATER  
FACILITIES  
MAINTENANCE  
AGREEMENT &  
EASEMENTS 3303 W.  
OAKWOOD RD.

G.15. Alderwoman Day moved to adopt Resolution No. 2023-8053, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS FOR STORM WATER MANAGEMENT ACCESS AND WATER MAIN AT 3303 WEST OAKWOOD ROAD (TKN 951-9994-002) subject to changes as approved by City Attorney and City Engineer. Seconded by Alderman Holpfer. All voted Aye; motion carried.

- ORD. 2023-2563  
2023 ANNUAL  
BUDGET CAPITAL  
OUTLAY FUND  
CARRYFORWARD  
APPROPRIATIONS  
UNUSED FUNDS  
POLICE  
DEPARTMENT
- G.16. Alderman Hasan moved to adopt Ordinance No. 2023-2563, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE CAPITAL OUTLAY FUND TO PROVIDE CARRYFORWARD APPROPRIATIONS FROM 2022 TO 2023 OF UNUSED FUNDS FOR POLICE DEPARTMENT COMPUTER EQUIPMENT IN THE AMOUNT OF \$25,000. Seconded by Alderman Craig. On roll call; All voted Aye. Motion carried.
- RES. 2023-8054  
PROJECT PLAN &  
BOUNDRIES FOR  
CREATION OF TID  
NO. 9
- G.17. Alderman Holpfer moved to adopt Resolution No. 2023-8054, A RESOLUTION APPROVING THE PROJECT PLAN AND ESTABLISHING THE BOUNDARIES FOR AND THE CREATION OF TAX INCREMENTAL DISTRICT NO. 9, CITY OF FRANKLIN, WISCONSIN including the boundary map as recommended by the Plan Commission. Seconded by Alderman Hasan. On a roll call; All voted Aye. Motion carried.
- ORD. 2023-2564  
2023 ANNUAL  
BUDGET FIRE  
DEPARTMENT  
GRANT FUND  
APPROPRIATIONS  
WI DEPARTMENT  
OF HEALTH LEAVE  
BEHIND KITS
- G.18. Alderman Barber moved to adopt Ordinance No. 2023-2564, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE FIRE DEPARTMENT GRANT FUND TO PROVIDE FOR \$11,916 OF GRANT RESOURCES AND UP TO \$11,916 OF GRANT APPROPRIATIONS FOR THE WISCONSIN DEPARTMENT OF HEALTH LEAVE BEHIND KITS PROJECT. Seconded by Alderwoman Eichmann. On roll call; All voted Aye. Motion carried.
- PROMOTION AND  
GRADE LEVEL  
INCREASE AIMEE  
SCHLUETER
- G.20. Alderwoman Eichmann moved to authorize the promotion and grade level increase for Aimee Schlueter from Permit Coordinator Grade Level 5 (\$28.21/hr.) to Permit Technician Grade Level 6 (\$30.50/hr.). The annual increase is estimated at \$4,763.20, with a yearly salary of \$63,440. Seconded by Alderman Barber. On a roll call; All voted Aye. Motion carried.
- MISCELLANEOUS  
LICENSES
- H. Alderwoman Day moved to hold over ROC Ventures–Enchant Christmas until License Committee Meeting on 11/7/23. Seconded by Alderman Craig. Motion carried 2-1, with Alderwoman Eichmann voting no.
- Alderman Barber moved to approve the Franklin Health Department – Trunk or Treat subject to adoption of a motion to recommend approval to the Common Council by the License Committee at their Special License Committee Meeting on October 19, 2024. Seconded by Alderman Holpfer. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

- I. Alderman Holpfer moved to approve City vouchers with an ending date of October 12, 2023, in the amount of \$2,227,219.75, and payroll dated October 6, 2023, in the amount of \$466,003.95 and payments of the various payroll deductions in the amount of \$243,684.39, plus City matching payments, and approval to release payment to Velo Village Apartments LLC in the amount of \$765,000, and estimated payroll dated October 20, 2023, in the amount of \$495,000 and payments of the various payroll deductions in the amount of \$535,000, plus City matching payments and estimated payroll dated November 3, 2023 in the amount of \$455,000 and payments of the various payroll deductions in the amount of \$250,000, plus City matching payments. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

CLOSED SESSION –  
CITY PERSONNEL  
PERFORMANCE  
EVALUATION

- G.21. Alderman Holpfer moved to enter closed session at 10:38 p.m., pursuant to Wis. Stat. §19.85(l)(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 Eichmann. On roll call, all voted Aye. Motion carried.

Upon re-entering open session at 11:21 p.m.,

Alderman Craig moved to approve the agreement as discussed in closed session between the City of Franklin and Laurie Miller. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 11:22 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.