## **APPROVED JULY 16, 2024**

CITY OF FRANKLIN COMMON COUNCIL MEETING JULY 2, 2024 MINUTES

ROLL CALL	A.	The regular meeting of the Franklin Common Council was held on July 2, 2024, and was called to order at 6:30 p.m. by Mayor John R. Nelson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were present: Alderwoman Eichmann, Alderman Hasan, Alderwoman Day, Alderman Barber (attended remotely) and Alderman Craig. First District Aldermanic seat is vacant. Also, in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and Deputy City Clerk Maggie Poplar.
RES. 2024-8173 REMOTE ATTENDANCE TEMPORARY HEALTH CIRCUMSTANCES	G.1.	Alderwoman Eichmann moved to adopt Resolution No. 2024-8173, A RESOLUTION IN RATIFICATION OF A PROCLAMATION TO AUTHORIZE THE REMOTE ATTENDANCE OF AN ALDERPERSON AT COMMON COUNCIL MEETINGS UPON TEMPORARY HEALTH CIRCUMSTANCES PERTAINING TO THE ALDERPERSON NOT ALLOWING FOR PHYSICAL MOBILITY TO ATTEND THE MEETING IN PERSON AND THE AVAILABILITY OF A QUORUM FOR THE MEETING. Seconded by Alderman Craig. All voted Aye; motion carried.
CITIZEN COMMENT	B.	Citizen comment period was opened at 6:33 p.m. and was closed at 6:50 p.m.
MINUTES JUNE 18, 2024	C	Alderman Craig moved to approve the minutes of the Regular Common Council Meeting of June 18, 2024, as presented. Seconded by Alderman Barber. All voted Aye; motion carried.
POST-EVENT REVIEW ROC TACOS & TEQUILA AND PHASE FEST 2024	G.2.	Alderman Craig moved to receive and place on file the Post-Event Review of ROC Ventures Tacos & Tequila and Phase Fest 2024. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
ORD. 2024-2624 AMEND § 15-3.0443 OF UNIFIED	G.3.	Alderwoman Eichmann moved to adopt Ordinance No. 2024-2624, AN ORDINANCE TO AMEND §15-3.0433 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT

DEVELOPMENT ORDINANCE, PLANNED DEVELOPMENT UNIFIED DEVELOPMENT ORD. DISTRICT NO. 28 (POLISH FESTIVALS, INC. - POLISH COMMUNITY CENTER) TO ALLOW FOR A WELCOME FOR WELCOME CENTER AND CHANGES TO THE HEALING GARDEN AND CENTER AND **CHANGES AT** NATURE TRAILS AT THE CONSERVANCY FOR HEALING AND HERITAGE (CONSERVANCY FOR HEALING AND HERITAGE, **CONSERVANCY FOR HEALING AND** INC., SUSAN A. RABE, CEO AND EXECUTIVE DIRECTOR, APPLICANT) (6941 S. 68TH ST.). Seconded by Alderman Hasan. **HERITAGE** All voted Aye; motion carried.

RES 2024-8172 WISCONSIN DEPARTMENT OF NATURAL RESOURCES COMPLIANCE REPORT	G.4.	Alderwoman Eichmann moved to authorize Resolution No. 2024-8172, A RESOLUTION APPROVING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES NR-208 COMPLIANCE MAINTENANCE REPORT FOR YEAR 2023. Seconded by Alderman Hasan. All voted Aye; motion carried.
RES. 2024-8174 LANDSCAPE BUFFERYARD EASEMENT AT 11607 W RYAN RD	G.5.	Alderman Craig moved to adopt Resolution No. 2024-8174, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LANDSCAPE BUFFERYARD EASEMENT FOR AND AS PART OF THE APPROVAL OF A CERTIFIED SURVEY MAP UPON PROPERTY LOCATED AT 11607 W. RYAN RD. (BOOMTOWN, LLC, PROPERTY OWNER). Subject to technical changes to signature execution provisions to Landscape Bufferyard Easement. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
RES. 2024-8175 CONSERVATION EASEMENT AT 11607 W RYAN RD	G.6.	Alderman Craig moved to adopt Resolution No. 2024-8175, 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 11607 W. RYAN RD. (BOOMTOWN, LLC, PROPERTY OWNER). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
AMENDMENT TO KONICA MINOLTA AGREEMENT	G.7.	Alderwoman Eichmann moved to table the Professional Services Agreement between the City of Franklin and Konica Minolta Business Solutions USA – All Covered, Inc. to provide external and internal penetration testing and reporting services – Funded by Account No. 01-0144-5299. Seconded by Alderman Craig. All voted Aye; motion carried.
FLOODPLAIN INSURANCE RATE MAPS	G.8.	Review and place on the Draft Floodplain Ordinance Update to include provisions for participation in WI Act 175, and/or the Federal Emergency Management Agency (FEMA) Community Rating System.
FLOODPLAIN VIOLATION RESOLUTION PROGRAM	G.9.	Alderwoman Eichmann moved to receive and place on file the Federal Emergency Management Agency's (FEMA) Floodplain Violation Resolution Program. Seconded by Alderman Hasan. All voted Aye; motion carried.
BLOCK GRANT 2025	G.10.	Alderman Craig moved to authorize the Director of Administration to submit Letters of Support for the Eras Senior Network, Inc. Faith in Action Milwaukee County Program for \$5,000 and Oak Creek Salvation Army Homelessness Program for \$3,000; to submit a project

Salvation Army–Homelessness Program for \$3,000; to submit a project

G.11.

application for the Franklin Senior Community Health Educational Program for \$5,000; and to submit a project application for a 2025 Franklin Home Repair Grant Program, administered directly through Milwaukee County, for \$65,000, by the deadline date of July 31, 2024. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

ORD. 2024-2625 CHANGE IN PERMITTED AND SPEICAL USE FOR RELIGIOUS ORGANIZATIONS Alderman Barber moved to adopt Ordinance No. 2024-2625, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT **TEXT TABLE** 15-3.0603 **ORDINANCE** AT **STANDARD** INDUSTRIAL CLASSIFICATION TITLE NO. 8661 "RELIGIOUS ORGANIZATIONS" TO ALLOW SUCH USE AS A PERMITTED USE IN THE B-4 SOUTH 27TH STREET MIXED USE COMMERCIAL DISTRICT AND CC CITY CIVIC CENTER DISTRICT, AND AS A SPECIAL USE IN THE OL-2 GENERAL BUSINESS OVERLAY DISTRICT AND P-1 PARK DISTRICT, AS WELL AS UNCLASSIFIED USE "CHURCH OR OTHER PLACE OF WORSHIP" AS A PERMITTED USE IN THE B-4 DISTRICT, CC DISTRICT, I-1 INSTITUTIONAL DISTRICT, AS WELL AS A SPECIAL USE IN THE OL-2 DISTRICT AND P-1 PARK DISTRICT (CITY OF FRANKLIN, APPLICANT). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

ORD. 2024-2626 AMEND BUDGET FIRE DEPARTMENT BUILDING MAINTENANCE G.12. Alderwoman Eichmann moved to adopt Ordinance No. 2024-2626, AN AMEND ORDINANCE **ORDINANCE** TO 2023-2569, ORDINANCE ADOPTING THE 2024 ANNUAL BUDGETS FOR GENERAL FUND TO TRANSFER \$5,933.00 OF CONTINGENCY APPROPRIATIONS TO FIRE DEPARTMENT BUILDING MAINTENANCE SYSTEMS APPROPRIATIONS FOR UNPLANNED FACILITY REPAIRS AT FIRE STATION 1 AND 3. Seconded by Alderman Hasan. On roll call; all voted Ave. Motion carried.

FACILITY REPAIR AT G.13. FIRE STATIONS 1 AND 3

G.14.

Alderman Hasan moved to allocate \$5,933.00 from Unrestricted Contingency Fund (01-0199-5499) for uplanned facility repairs at Fire Station 1 and 3, including an air conditioner replacement and plumbing repair from Fund (01-0221-5557). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES 2024-8176 CERTIFY A NON-TRADITIONAL PUETZ PATHWAY PROJECT Alderwoman Eichmann moved to adopt Resolution No. 2024-8176, A RESOLUTION TO "CERTIFY A NON-TRADITIONAL PROJECT ADMINISTRATION AND DELIVERY FOR THE PUETZ PATHWAY (WISCONSIN DEPARTMENT OF TRANSPORTATION PROJECT ID 2976-04-01/71") FOR A PATHWAY PROJECT ALONG W. PUETZ RD. FROM W. ST. MARTINS ROAD TO S. 76TH ST. Seconded by Alderman Hasan. All voted Aye; motion carried.

SALES OF SURPLUS VEHICLES AND EQUIPMENT	G.15.	Alderman Craig moved to review and place on file the results of the Department of Public Works sale of Surplus Vehicles and Equipment. Seconded by Alderman Barber. All voted Aye; motion carried.
RES. 2024-8177 AWARD CAMOSY INC 2024 DEPARTMENT PUBLIC WORKS EXPANSION	G.16.	Alderman Hasan moved to adopt Resolution No. 2024-8177, A RESOLUTION TO AWARD 2024 DPW EXPANSION AT 7979 W. RYAN RD. (TKN 896 9990 001) TO CAMOSY INCORPORATED IN THE AMOUNT OF \$2,827,700.00. Seconded by Alderman Barber. All voted Aye; motion carried.
2024 TRICK OR TREAT	G.17.	Alderwoman Eichmann moved to establish Saturday, October 26th, 2024, from 4-7 p.m., for the Halloween Trick or Treat observance in the City of Franklin. Seconded by Alderman Barber. On a roll call Alderwoman Eichmann, Alderman Hasan, Alderman Barber voted Aye, Alderman Craig voted No. Motion carried. (3-1-1)
DIVISION OF PUBLIC HEALTH CONSOLIDATE CONTRACT	G.18.	Alderman Barber moved to authorize the Director of Health and Human Services to accept the Division of Public Health Consolidate Contract. Seconded by Alderman Craig. All voted Aye; motion carried.
2024 HEALTH WING AV SYSTEM	G.19.	Alderwoman Eichmann moved to approve the amendment and authorization for the Director of Health and Human Services to execute a contract with Metro Sound & Video for the 2024 Health Wing AV System project to change the insurance provisions and to add contractor contact and project start date information. Also, technical changes approved by the Director of Health Services, Director of Administration and City Attorney. Seconded by Alderman Craig. All voted Aye; motion carried.
FEBRUARY 2024 MONTHLY FINANCIAL REPORT	G.20.	Alderman Hasan moved to receive and place the February 2024 monthly financial report on file. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
STAFF ROTH OPTIONS	G.21.	Alderman Hasan moved to authorize staff to execute the necessary documents to add the Roth option to Mission Square and Northshore 457(b) plans. Seconded by Alderman Craig. All voted Aye; motion carried.
MARCH 2024 MONTHLY FINANCIAL REPORT	G.22.	Alderman Craig moved to receive and place the March 2024 monthly financial report on file. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
RES. 2024-8178 UTILITY ADJUSTMENT AND	G.23.	Alderman Craig moved to adopt Resolution No. 2024-8178, A RESOLUTION TO SUBMIT NON-PARTICIPATING LETTER TO WISCONSIN DEPARTMENT OF TRANSPORTATION FOR

G.24.

G.27.

INSTALLATION OF A PATHWAY ON STH 100 UTILITY ADJUSTMENTS ALONG STH 100 (WEST RYAN ROAD) FROM SOUTH 60TH STREET TO WEST ST. MARTINS ROAD, IN THE AMOUNT OF \$89,355.00. Seconded by Alderman Hasan. All voted Aye; motion carried.

REVISIONS TO PERSONNEL COMMITTEE Alderman Barber moved to approve updated Personnel Committee Administrative Rules and Procedures as discussed and to include that (Section 4) the Director of Administration is the person selecting the Department on a random basis and the rotation of employees on a monthly basis. Also to note the "see how this goes" and if it is a successful implementations to amend Municipal Code Section 10-12 noting the non-voting ex-officio members. Seconded by Alderman Hasan. All voted Aye; motion carried.

RES. 2024-8179 AMENDMENT 1 LOVERS LANE WATER TRANSMISSION G.25. Moved to adopt Resolution No. 2024-8179, A RESOLUTION TO AWARD AMENDMENT 1 TO APPLIED TECHNOLOGIES, INC FOR CONSTRUCTION RELATED SERVICES FOR THE LOVERS LANE WATER TRANSMISSION MAINS AND ELEVATED WATER STORAGE TANK IN THE AMOUNT OF \$157,250 and minor changes to draft Amendment 1 by the City Engineer and City Attorney. Seconded by Alderman Craig. All voted Aye; motion carried.

CLOSED SESSION TID G.26.
5 COLLECTION
COSTS AND
EXPENSES AND
AGREEMENT
PROVISIONS

Alderman Eichmann moved to enter closed session at 7:57 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to deliberate upon the Tax Incremental District No. 5 Development Agreement shortfall and payment in lieu of taxes and collection costs and expenses and related agreements provisions, the negotiation of provisions and terms and the investing of public funds in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:31 p.m., Alderman Craig moved to direct staff to proceed as discussed in closed session. Seconded by Alderman Hasan. All voted Aye; motion carried.

CLOSED SESSION
POTENTIAL
DEVELOPMENT AT
S. OAKWOOD PARK
DR AND W. RYAN RD

Alderman Hasan motioned to enter closed session at 8:32 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development agreement(s) for, including, but not limited to the propert(ies) at the southeast corner of South Oakwood Park Drive and West Ryan Road, and to reenter open session

G.28.

at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 8:42 p.m., no action taken.

CLOSED SESSION
PUBLIC RECORDS
RELATED TO
COMMON COUNCIL
CONSIDERATION OF
CODE OF CONDUCT
COMPLAINTS

Alderman Barber moved to enter closed session at 8:43 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 public records in relation thereto and Wis. Stat. § 905.03 Lawyer-Client Privilege and Wis. Stat. § 19.35(1) Right to Inspection, 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.

Upon reentering open session at 9:25 p.m., Alderwoman Eichmann moved to proceed as discussed in closed session. Seconded by Alderman Barber. All voted Aye; motion carried.

## LICENSES AND PERMITS

H. Alderman Craig moved to approve License Committee Meeting Minutes of July 2, 2024, Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

Grant Extraordinary Entertainment & Special Event to: Victory of the Lamb Inc.–Victory Block Party, Michael Babler, 11120 W Loomis Rd, 7/20/24; Federation of Croatian Societies–90<sup>th</sup> Annual Croatian Societies–90<sup>th</sup> Annual Croatian Festival, Thomas Krenz, 9100-9140 S 76<sup>th</sup> St, 7/20/24;

Grant Temporary Entertainment & Amusement to Ken Windl Park Pavilion Rental-Birthday Party (With Bounce House), Maribella Colon, 11615 W Rawson Ave, 7/28/24;

Grant 2024-25 New Operator License to: Patricia Estrada, Rebecca Knuth, Allie Lemay, Krystal Rogan, Natalie Stublaski;

Grant 2024-25 Renewal Operator License to: David Goehring, Susanmarie Sinda; and

Hold 2024-25 Renewal Operator License for Appearance to Victoria Pitts.

## VOUCHERS AND PAYROLL

I. Alderman Craig moved to approve City vouchers with an ending date of June 27, 2024, in the amount of \$ 1,646,985.11 and payroll dated June 28, 2024 in the amount of \$ 482,578.50 and payments of the various payroll deductions in the amount of \$ 618,532.70, plus City

matching payments and estimated payroll dated July 12, 2024 in the amount of \$ 470,000 and payments of the various payroll deductions in the amount of \$ 275,000, plus City matching payments. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

## **ADJOURNMENT**

J. Alderwoman Eichmann moved to adjourn the meeting of the Common Council at 9:28p.m. Seconded by Alderman Hasan. All voted Aye; motion carried.