

APPROVED NOVEMBER 19, 2024

CITY OF FRANKLIN COMMON COUNCIL MEETING NOVEMBER 6, 2024 MINUTES

- ROLL CALL A. The regular meeting of the Franklin Common Council was held on November 6, 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: Alderman Peccarelli, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day and Alderman Barber. Alderman Craig was excused. Also in attendance were Director of Administration Kelly Hersh, City Attorney Jesse A. Wesolowski and City Clerk Shirley Roberts.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:30 p.m. and was closed at 6:35 p.m.
- MINUTES
OCTOBER 15, 2024 C. Alderman Barber moved to approve the minutes of the Common Council meeting of October 15, 2024, as presented. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2024-8217
CONDITIONS AND
RESTRICTIONS UPON
0 S 31ST ST PROPERTY
TKN 761-9992-002 G.1. Alderman Hasan moved to adopt Resolution No. 2024-8217, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A SIXTEEN UNIT SUPPORTIVE HOUSING DEVELOPMENT, RESIDENT COMMUNITY CENTER, AND COMMUNITY HUB FACILITY, UPON PROPERTY LOCATED AT O S. 31ST ST, TKN 761-9992-002 (BY AMY HANSEL, COMMUNITIES OF CROCUS, APPLICANT, NORTHWESTERN MUTUAL LIFE INSURANCE, PROPERTY OWNER). Seconded by Alderman Barber. All voted Aye; motion carried.
- ANNUAL REPORT
AND 2025 BUDGET OF
THE TOURISM
COMMISSION G.2. Alderman Barber moved to place on file the report from the Tourism Commission. Seconded by Alderman Peccarelli. All voted Aye; motion carried.
- RES. 2024-8218
ENVIRONMENTAL
SERVICE RECYCLING
AGMT WITH VEOLIA
ES TECHNICAL
SERVICES LLC. G.3. Alderwoman Eichmann moved to adopt Resolution No. 2024-8218, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE THE 2024 VEOLIA ES TECHNICAL SERVICES LLC ENVIRONMENTAL SERVICES RECYCLING AGREEMENT WITH A ONE TIME TOTAL COST OF \$1,124.96. Seconded by Alderman Barber. All voted Aye; motion carried.
- CLEAR CHANNEL
OUTDOOR MEDIA
VOLITION FRANKLIN
CONTRACT G.4. Alderman Barber moved to approve the execution of the Clear Channel Outdoor Media Volition Franklin Contract. Seconded by Alderman Hasan. All voted Aye; motion carried.

- RES. 2024-8219
EXECUTE A 2024
HEALTH DEPT
PROJECT AGMT WITH
EMMONS BUSINESS
INTERIORS
- G.5. Alderman Barber moved to adopt Resolution No. 2024-8219, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE THE 2024 EMMONS BUSINESS INTERIORS AGREEMENT WITH A ONE TIME TOTAL COST OF \$33,817.85, subject to technical changes. Seconded by Alderwoman Eichmann. All voted Aye; motion carried
- WI STATEWIDE
HEALTH
INFORMATION
NETWORK (WISHIN)
AGMT FOR 2024-2025
- G.6. Alderman Barber moved to approve the acceptance and execution of the Wisconsin Statewide Health Information Network contract. Seconded by Alderwoman Day. All voted Aye; motion carried
- RES. 2024-8220
APPROVAL OF A
SPECIAL USE FOR A
PHYSICAL FITNESS
FACILITY UPON
PROPERTY LOCATED
AT 7199 S 76TH ST
- G.7. Alderwoman Eichmann moved to adopt Resolution No. 2024-8220, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A PHYSICAL FITNESS FACILITY USE UPON PROPERTY LOCATED AT 7199 S. 76 STREET (BLACK DUCK PARTNERS, APPLICANT). Seconded by Alderman Hasan. All voted Aye; motion carried.
- RES. 2024-8221
AMEND RES NO. 2022-
7873 APPROVAL OF A
SPECIAL USE FOR
CONDOMINIUM
DEVELOPMENT
LOCATED AT 9524 S
SOPHIA COURT
- G.8. Alderwoman Eichmann moved to adopt Resolution No. 2024-8221, A RESOLUTION TO AMEND RESOLUTION NO. 2022-7873 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A CONDOMINIUM COMPLEX DEVELOPMENT USE UPON PROPERTY LOCATED AT 9524 S. SOPHIA COURT (STEPHEN R. MILLS, LOOMIS & RYAN, INC., APPLICANT, HOME PATH FINANCIAL LIMITED PARTNERSHIP, PROPERTY OWNER). Seconded by Alderwoman Day. All voted Aye; motion carried.
- ORD. 2024-2645
AMEND ORD 2023-
2569 TRANSFER
\$150,000 TO
HIGHWAY CAPITAL
EQUIPMENT FOR
INCREASING
PROJECT COSTS
WITH DPW BUILDING
EXPANSION PROJECT
- G.9. Alderman Barber moved to adopt Ordinance No. 2024-2645, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGET FOR THE CAPITAL IMPROVEMENT FUND TO TRANSFER \$150,000 OF CONTINGENCY APPROPRIATIONS TO HIGHWAY CAPITAL EQUIPMENT APPROPRIATIONS FOR THE INCREASING PROJECT COSTS ASSOCIATED WITH THE DEPARTMENT OF PUBLIC WORKS BUILDING EXPANSION PROJECT. Seconded by Alderwoman Day. On roll call, all voted Aye. Motion carried. (5-0-1)
- RES. 2024-8222
APPROVAL OF A
SPECIAL USE FOR
TSUNAMI EXPRESS
- G.10. Alderman Barber moved to adopt Resolution No. 2024-8222, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR TSUNAMI EXPRESS CAR WASH, A CARWASH FACILITY LOCATED AT

- CAR WASH LOCATED AT 6449 S WHITNALL EDGE RD 6449 S. WHITNALL EDGE ROAD (TSUNAMI EXPRESS CAR WASH, APPLICANT). Seconded by Alderman Hasan. All voted Aye; motion carried.
- PLAN COMMISSION MEMBERSHIP G.11. Alderwoman Eichmann moved to approve the filing of an application for a Unified Development Ordinance text amendment for an Ordinance to amend §15-10.0102 Membership, of the Unified Development Ordinance to Change the Plan Commission Membership to remove the City Engineer Member and in place thereof provide an Alderperson to serve on the Plan Commission. Seconded by Alderman Peccarelli. On roll call, all voted Aye. Motion carried. (5-0-1).
- ORD. 2024-2646 AMEND ORD. 2023-2569 TRANSFER \$6,262 TO CAPITAL EQUIPMENT FOR PURCHASE OF A REPLACEMENT SURVEY CONTROLLER G.12. Alderman Barber moved to adopt Ordinance No. 2024-2646, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGET FOR THE CAPITAL OUTLAY FUND TO TRANSFER \$6,262 OF CONTINGENCY APPROPRIATIONS TO CAPITAL EQUIPMENT APPROPRIATIONS FOR THE PURCHASE OF A REPLACEMENT SURVEY CONTROLLER. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried. (5-0-1)
- ORD. 2024-2647 PERSONNEL COMMITTEE ALDERPERSON MEMBERSHIP POSITIONS G.13. Alderman Barber moved to direct City Attorney to redraft the draft ordinance presented at this meeting in accordance with the City Attorney’s stated summary of the discussion at this meeting, and to adopt Ordinance No. 2024-2647, AN ORDINANCE TO AMEND §10-12 PERSONNEL COMMITTEE, B. COMPOSITION, TO REMOVE ONE OF THE ALDERPERSON MEMBERSHIP POSITIONS. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2024-8223 INFRASTRUCTURE IMPROVEMENTS WITH FRANKLIN PUBLIC SCHOOLS AT 8429 W FOREST HILL AVE G.14. Alderwoman Eichmann moved to adopt Resolution No. 2024-8223, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS WITH FRANKLIN PUBLIC SCHOOLS AT 8429 W. FOREST HILL AVENUE, TKN 838-9978-001. Seconded by Alderman Barber. All voted Aye; motion carried.
- RES. 2024-8224 ACCEPTANCE OF A WATER MAIN EASEMENT G.15. Alderwoman Eichmann moved to adopt Resolution No. 2024-8224, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT THE WATER MAIN EASEMENT ON PROPERTY OWNED BY FRANKLIN PUBLIC SCHOOLS AT 8429 W. FOREST HILL AVENUE, TKN 838-9978-001, subject to technical changes. Seconded by Alderman Hasan. All voted Aye; motion carried

RES. 2024-8225
STORM WATER
FACILITIES
MAINTENANCE AND
STORM WATER
MANAGEMENT
ACCESS EASEMENT

G.16. Alderwoman Eichmann moved to adopt Resolution No. 2024-8225, A RESOLUTION FOR ACCEPTANCE OF A STORMWATER FACILITIES MAINTENANCE AGREEMENT AND A STORMWATER MANAGEMENT ACCESS EASEMENT FOR 8429 WEST FOREST HILL AVENUE, TKN 838-9978-001, subject to technical changes. Seconded by Alderman Hasan. All voted Aye; motion carried.

RECOMMENDED
CHANGES TO THE
2025 MAYOR'S
RECOMMENDED
BUDGET

G.17. Alderman Barber moved to amend the 2025 Mayor's Recommended Budget for resources and expenditures by Fund and appropriation unit as detailed on the attached schedule and attached memo be included in the Proposed 2025 City of Franklin, WI Budget for the Public Hearing scheduled for November 19, 2024. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried. (5-0-1)

RES. 2024-8226
FACILITATE
AMERICAN RESCUE
PLAN

G.18. Alderwoman Eichmann moved to adopt Resolution No. 2024-8226, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN ADDENDUM TO FACILITATE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR THE MULTIMEDIA COMMUNICATIONS & ENGINEERING, INC. AGREEMENT FOR FIBER OPTIC RING DESIGN AND CONSTRUCTION PROJECT MANAGEMENT SERVICES, THE FIBER OPTIC MANAGEMENT, LLC AGREEMENT FOR FIBER OPTIC MAINTENANCE SERVICES, THE TELEPACIFIC CORP. COMMUNICATIONS NETWORK AND FIREWALL SERVICES AGREEMENT, THE RINGCENTRAL, INC. UNIFIED COMMUNICATIONS SERVICES AGREEMENT, THE LANDMARK STRUCTURES, I, LP ELEVATED WATER STORAGE TANK CONTRACT B, THE DORNER, INC. WATER TRANSMISSION MAIN CONTRACT A, THE VINTON CONSTRUCTION COMPANY WATER TRANSMISSION MAIN CONTRACT C, AND THE JOHNSON CONTROLS, INC. ENERGY SAVINGS PERFORMANCE CONTRACT, EACH ENTERED INTO WITH THE CITY. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried. (5-0-1).

PPII SUMP PUMP
PROJECT PAY
APPLICATION AND
REIMBURSEMENT
REQUEST

G.19 Alderwoman Eichmann moved to approve Pay Application 2 for \$557,335.17 and Reimbursement Request #2 for \$226,847.00 for the 2024 PPII Sump Pump Project- MMSD Funding Agreement M10005FR01. Seconded by Alderman Barber. All voted Aye; motion carried.

Mayor Nelson called a recess at 8:12 p.m.

Mayor Nelson reconvened at 8:17 p.m.

CLOSED SESSION
AGMT FOR SERVICES
BETWEEN CITY OF
FRANKLIN AND
ACCURATE
APPRAISAL LLC

G.20. Alderwoman Eichmann moved to enter closed session at 8:17 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for competitive and bargaining reasons, 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 pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Common Council who is rendering 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 Hasan. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:06 p.m., Alderwoman Eichmann moved to retain The Rose Group and to proceed as discussed in closed session. Seconded by Alderman Hasan. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

H. Alderwoman Eichmann moved to approve the following licenses of the License Committee Meeting of November 6, 2024:

Grant New 2024-25 Operator License to: Bradley Bautch, Castiven Jaime, Mindy Tigler, & Paige Zigner;
Grant New 2024-25 Operator License Upon Correction of Application to: Maja Nikolic & Keith Radtke; and
Approved 2024-25 Mobile Home License Pending Advice of City Attorney to Franklin MHP Land LLC, DBA Franklin Mobile Home Park, 6361 S 27th St, William Johnson.

Seconded by Alderwoman Day. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I. Alderman Barber moved to approve City vouchers with an ending date of October 31, 2024, in the amount of \$5,047,679.98, and payroll dated October 18, 2024 in the amount of \$484,464.07 and payments of the various payroll deductions in the amount of \$10,143.25 plus City matching payments, and payroll dated November 1, 2024 in the amount of \$469,192.20 and payments of the various payroll deductions in the amount of \$249,895.75, plus City matching payments, and estimated payroll dated November 15, 2024 in the amount of \$490,000 and payments of the various payroll deductions in the amount of \$525,000 plus City matching payments. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Barber moved to adjourn the meeting of the Common Council at 9:11 p.m. Seconded by Alderman Peccarelli. All voted Aye; motion carried.