

APPROVED NOVEMBER 6, 2024

CITY OF FRANKLIN COMMON COUNCIL MEETING OCTOBER 15, 2024 MINUTES

- ROLL CALL A. The regular meeting of the Franklin Common Council was held on October 15, 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, Alderman Barber and Alderman Craig. 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 6:32 p.m. and was closed at 6:40 p.m.
- MINUTES
OCTOBER 1, 2024 C. Alderman Hasan moved to approve the minutes of the Common Council meeting of October 1, 2024, as presented. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- MAYORAL
APPOINTMENTS E. Alderman Hasan moved to confirm the following Mayoral Appointments: James McWilliams, 4645 W. Sherwood Dr., Ald. Dist. 4 - Technology Commission, 3 year unexpired term expiring 04/30/25. Seconded by Alderwoman Day. On roll call, all voted Aye; motion carried
- INFORMATIONAL
UPDATE FROM CITY
ASSESSORS G.1. This document is informational only. Receive and put on file.
- OAK CREEK-
FRANKLIN JOINT
SCHOOL DISTRICT
INFORMATION
PRESENTATION G.1.A. This item is for information only. No action requested.
- FOX GLEN
CORPORATE CENTRE
SPECIAL EXCEPTION G.2. Alderwoman Day moved to adopt the standards, findings and decision of the City of Franklin Common Council upon the application of John Spitz, Fox Glen Corporate Centre, LLC Applicant, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD 2024-2643
AMEND THE UNIFIED
DEVELOPMENT
ORDINANCE
PLANNED G.2.A. Alderman Peccarelli moved to adopt Ordinance No. 2024-2643, AN ORDINANCE TO AMEND SECTION 15-3.0434 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 29 (WELLNESS CENTER – MARK E. CARSTENSEN INC.) TO ALLOW EDUCATIONAL SERVICES AS

DEVELOPMENT
DISTRICT

A PERMITTED USE AND TO ALLOW A BUILDING ADDITION AND SITE CHANGES (ISLAMIC SOCIETY OF MILWAUKEE, APPLICANT) (ISLAMIC FOUNDATION OF GREATER MILWAUKEE, PROPERTY OWNER) (8910 S. 102nd STREET). Seconded by Alderman Hasan. All voted Aye; motion carried.

ACQUISITION OF
ARMORED RESCUE
VEHICLE FOR THE
FRANKLIN POLICE
DEPARTMENT

G.3. Alderwoman Eichmann moved to approve the acquisition of an armored rescue vehicle for the Franklin Police Department via the LESO program. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried

APPOINT MR. GLEN
BEARDSLEY AS
INTERIM SEWER AND
WATER
SUPERINTENDENT

G.4. Alderman Barber moved to approve the appointment of Mr. Glen Beardsley as Interim Sewer & Water Superintendent with an interim salary of \$85,000 annually and authorize the payout of accrued compensatory time at the current Operator wage. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried

IMMUNIZATION
COVID SUPPLEMENT
3 GRAND PERIOD
EXTENSION

G.5. Alderman Hasan moved to approve the acceptance of the 2024-2025 Immunization COVID Supplement 3 Grant. Seconded by Alderman Barber. All voted Aye; motion carried.

2024 DIVISION OF
PUBLIC HEALTH
CONSOLIDATED
CONTRACTS

G.6. Alderwoman Day moved to approve the acceptance of the 2024-2025 Division of Public Health Consolidated Contract Grants for the Franklin Health Department. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2024-8214
ISSUE CHANGE
ORDER NO.3 TO
DORNER, INC

G.7. Alderwoman Eichmann moved to approve Resolution No. 2024-8214, A RESOLUTION TO ISSUE CHANGE ORDER NO. 3 TO DORNER, INC. FOR THE WATER TRANSMISSION MAIN (CONTRACT A) ALONG S. LOVERS LANE TO REDUCE TOTAL PROJECTS COSTS BY \$64,231. Seconded by Alderman Hasan. All voted Aye; motion carried.

ORD. 2024-2644
AMEND BUDGET IT
NON-PERSONNEL
SERVICES

G.8. Alderman Barber moved to adopt Ordinance No. 2024-2644, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGET FOR THE GENERAL FUND TO RE-APPROPRIATE FUNDS FROM IT DATA PROCESSING SERVICES TO OTHER IT NON-PERSONNEL SERVICES. Seconded by Alderwoman Day. On roll call, all voted Aye. Motion carried

RES. 2024-8215
RESCIND
ACCEPTANCE OF A
STROM WATERS

G.9. Alderwoman Eichmann moved to adopt Resolution No. 2024-8215 , A RESOLUTION TO RESCIND RESOLUTION NO. 2024-8120, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS

FACILITIES
MAINTENANCE
AGREEMENT

FOR SANITARY SEWER, STORM WATER MANAGEMENT ACCESS, AND WATER MAIN AT 9410 S. 76TH STREET AND 7520 W. RYAN ROAD (TKNS 884-9997-000 & 884-9998-000), AND TO REPLACE IT WITH A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS FOR SANITARY SEWER, STORM WATER MANAGEMENT ACCESS, AND WATER MAIN AT 9410 S. 76TH STREET AND 7520 W. RYAN ROAD (TKNS 884-9001-000, 884-9002-000 & 884-9003-000). Seconded by Alderman Hasan. All voted Aye; motion carried.

Mayor Nelson called a recess at 8:27 p.m.

Mayor Nelson reconvened at 8:33 p.m.

APPROVAL OF 2025
EMPLOYEE BENEFIT-
RELATED
COVERAGES

G.10. Alderwoman Eichmann moved to approve the 2025 employee benefit insurance renewals as outlined, including health, dental, life, long-term disability, and Nice Healthcare plan adjustments. Authorize the Director of Administration to finalize contracts and implement necessary updates to the Employee Handbook. Seconded by Alderman Hasan. All voted Aye; motion carried.

RES. 2024-8216
SURPLUS ENERGY
PURCHASE
AGREEMENT

G.11. Alderman Barber moved to adopt Resolution No. 2024-8216 , A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SURPLUS ENERGY PURCHASE AGREEMENT WITH WISCONSIN ELECTRIC POWER COMPANY FOR THE FRANKLIN LIBRARY BUILDING FACILITIES, AND ANOTHER ONE FOR THE FRANKLIN FIRE DEPARTMENT BUILDING FACILITIES IN FURTHERANCE OF THE MASTER ENERGY SERVICES AGREEMENT AND THE PERFORMANCE CONTRACT PREVIOUSLY ENTERED INTO WITH JOHNSON CONTROLS, INC., TO IMPLEMENT ENERGY EFFICIENCY, SAFETY, SECURITY AND RENEWABLE ENERGY MEASURES AT VARIOUS CITY BUILDINGS AND INFRASTRUCTURE. Seconded by Alderman Hasan. On a roll call, Alderman Craig, Alderman Barber, Alderwoman Day, Alderman Hasan and Alderwoman Eichmann voted Aye, Alderman Peccarelli abstained. Motion carried. (5-0-0-1)

CHANGES TO THE
2025 MAYOR'S
RECOMMENDED
BUDGET

G.12. Alderwoman Eichmann moved to amend the 2025 Mayor's Recommended Budget for resources and expenditures by Fund and appropriation unit as detailed on the attached schedule be included in the Proposed 2025 City of Franklin, WI Budget for the Public Hearing scheduled for November 12, 2024. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
CITY OF FRANKLIN
V. BPC MASTER
DEVELOPER, LLC
AND MICHAEL
ZIMMERMAN

- G.13. Alderwoman Eichmann moved to enter closed session at 8:48 pm 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 the *City of Franklin v. BPC Master Developer, LLC and Michael Zimmerman*, Milwaukee County Circuit Court Case No. 24-CV-7479 litigation, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Barber. On roll call, Alderman Craig, Alderman Barber, Alderman Hasan, Alderwoman Eichmann and Alderman Peccarelli voted Aye, Alderwoman Day voted No, motion carried. (5-1-0)

Upon reentering open session at 9:38 pm; Alderman Barber motioned to direct staff to proceed as discussed in closed session. Seconded by Alderman Peccarelli. On roll call, all voted Aye. Motion carried.

MISCELLANEOUS
LICENSES

- H. Alderwoman Eichmann moved to approve the following licenses of the License Committee Meeting of October 15, 2024:

Grant 2024-25 New Operator License to Jennifer Gjersest, Emanuel Hernandez, & Lisandra Rodriguez; and
Grant Temporary Class “B” Beer 7 Temporary “Class B” Wine to St Martin of Tours Church-Fall Harvest Fest, Jennifer Drzewiecki, 7963 S 116th St, 11/9/24.

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

VOUCHERS AND
PAYROLL

- I. Alderman Hasan moved to approve City vouchers with an ending date of October 10, 2024, in the amount of \$2,009,210.41, and payroll dated October 4, 2024 in the amount of \$515,215.72 and payments of the various payroll deductions in the amount of \$285,169.20 plus City matching payments, and estimated payroll dated October 18, 2024 in the amount of \$500,000 and payments of the various payroll deductions in the amount of \$525,000, plus City matching payments, and estimated payroll dated November 1, 2024 in the amount of \$465,000 and payments of the various payroll deductions in the amount of \$260,000 plus City matching payments. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderwoman Eichmann moved to adjourn the meeting of the Common Council at 9:57 p.m. Seconded by Alderman Peccarelli. All voted Aye; motion carried.