

APPROVED MAY 7, 2024  
CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
APRIL 16, 2024  
MINUTES

ROLL CALL

- A. The regular meeting of the Franklin Common Council was held on April 16, 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 Holpfer, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day, Alderman Barber and Alderman Craig. Also in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Shirley Roberts.

CITIZEN COMMENT

- B.1. Citizen comment period was opened at 6:31 p.m. and was closed at 6:58p.m.

MINUTES  
APRIL 3, 2024

- C. Alderman Barber moved to approve the minutes of the Common Council meeting of April 3, 2024 as presented. Seconded by Alderman Craig. All voted Aye; motion carried.

MAYORAL  
ALDERMANIC  
APPOINTMENTS

- E.1. Alderman Barber moved to confirm the following Mayoral Aldermanic appointments:
- (a) Alderman Holpfer-Finance Committee, 1-year term expiring 04/15/25.
  - (b) Alderman Holpfer-Civic Celebrations, 2-year term expiring 06/30/26.
  - (c) Alderwoman Eichmann-License Committee, 1-year term expiring 04/15/25.
  - (d) Alderwoman Day-Finance Committee, 1-year term expiring 04/15/25.
  - (e) Alderwoman Day-License Committee, 1-year term expiring 04/15/25.
  - (f) Alderwoman Day-Plan Commission, 1-year term expiring 04/15/25.
  - (g) Alderman Craig-License Committee, 1-year term expiring 04/15/25.
  - (h) Alderman Craig-Finance Committee, 1-year term expiring 04/15/25.

Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

MAYORAL BD./COMM.  
APPOINTMENTS

- E.2. Alderman Holpfer moved to approve:
- (a) Leah Voss, W22758775 Durand Dr., Big Bend, WI 53103, Franklin Public School District Community Education and

Recreation Department Member as an Ex-Officio, Parks  
Commission - Non-Voting Member (Indefinite Term).

Seconded by Alderwoman Day. On roll call, all voted Aye. Motion  
carried.

Alderman Eichmann moved to approve the remainder of the  
Board/Commission candidates:

- (b) Karen Marschner, 10340 W. Whitnall Edge Dr., Unit #102,  
Ald. Dist. 6 - Architectural Board (Alternate Member for a  
3-year term expiring 04/16/27).
- (c) John Bergner, 8501 S. Parkland Dr., Ald. Dist. 4 - Civic  
Celebrations Commission (3-year term expiring 06/30/27).
- (d) Robert Knackert, 9049 S. 83rd St., Ald. Dist. 1 - Civic  
Celebrations Commission (3-year term expiring 06/30/27).
- (e) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4 - Civic  
Celebrations Commission (3-year term expiring 06/30/27).
- (f) Douglas Clark, 8173 S. 100th St., Ald. Dist. 2 - Civic  
Celebrations Commission (3-year term expiring 06/30/27).
- (g) Steve Bobowski, 9012 S. Cordgrass Circle W, Ald. Dist. 6  
- Economic Development Commission (2-year term  
expiring 06/30/26).
- (h) Justin Lockridge, 7108 W. Rawson Ave, Ald. Dist. 2 -  
Economic Development Commission (1-year term expiring  
06/30/25).
- (i) Timothy Wachter, 3930 W. Victory Creek Dr., Ald. Dist. 3  
- Economic Development Commission (2-year term  
expiring 06/30/26).
- (j) Barbara Wesener, 7479 Carter Circle South, Ald. Dist. 5 -  
Economic Development Commission for a (2-year term  
expiring 06/30/26).
- (k) Linda Horn, 9451 W. Puetz Rd., Ald. Dist. 1 -  
Environmental Commission (3-year term expiring  
04/30/27).
- (l) Sudarshan Sharma, 6845 S. 68th St., Apt. 104, Ald. Dist. 2  
- Environmental Commission (3-year term expiring  
04/30/27).
- (m) Lori Domzil, 7495 S. 74th St., Ald. Dist. 5 - Fair  
Commission (3-year term expiring 04/30/27).
- (n) Dharma Hammond, 11459 W. St. Martins Rd., Ald. Dist. 6  
- Fair Commission (3-year term expiring 04/30/27).
- (o) Dennis Ciche, 8128 S. 43rd St., Ald. Dist. 5 - Finance  
Committee (1-year term expiring 04/30/25).
- (p) Joe Mercado, 10162 S. 34th St., Ald. Dist. 4 - Finance  
Committee (1-year term expiring 04/30/25).

- (q) Mohanned Nowman, 4455 W. Woodland Dr., Ald. Dist. 3 - Finance (1-year term expiring 04/30/25).
- (r) John Howard, 6658 W. Robinwood Ln., Ald. Dist. 5 - Finance Committee (1-year term expiring 04/30/25).
- (s) Deborah Davis, 9460 S. 96th St, Ald. Dist. 1 - Board of Health (2-year term expiring 04/30/26).
- (t) James Rydlewicz, 9901 W. Rawson Ave., Ald. Dist. 2 - Board of Health (2-year term expiring 04/30/26).
- (u) Amy Marzofka, 7950 S. 61st Street, Ald. Dist. 5 - Board of Health (2-year term expiring 04/30/26).
- (v) Alan Aleksandrowicz, 3927 W. Glenwood Dr., Ald. Dist. 4 - Library Board (3-year term expiring 06/30/27).
- (w) Maria Imp, 12131 W. Elmwood Drive, Ald. Dist. 6 - Library Board (3-year term expiring 06/30/27).
- (x) Michael Karolewicz, 8208 W. Coventry Dr., Ald. Dist. 2 - Library Board (3-year term expiring 06/30/27).
- (y) Susan Lance, 4141 Maplecrest Dr., Ald. Dist. 4 - Parks Commission (3-year term expiring 04/30/27).
- (z) Michael Wrench, 3824 W. Forest Hill Ave., Ald. Dist. 5 - Parks Commission (3-year term expiring 04/30/27).
- (aa) Saralyn Emmons, 9339 S. 44th Ct., Ald. Dist. 4 - Personnel Committee (3-year term expiring 04/30/27).
- (bb) Michael Shawgo, 10250 W. Ryan Rd., Ald. Dist. 4 - Plan Commission (3-year term expiring 04/30/27).
- (cc) Francesco Mineo, 8715 W. Meadow Ln., Ald. Dist. 2 - Fire and Police Commission (5-year term expiring 04/30/29).
- (dd) Rebecca Specht, 3185 W. Yorkshire Cir., Ald. Dist. 4 - Plan Commission (1-year term expiring 04/30/25).
- (ee) Ken Skowronski II, 7960 S. 116th St., Ald. Dist. 6 - Board of Public Works (3-year term expiring 04/30/27).
- (ff) Laura Galusha, 3922 W. Heatheridge Dr., Ald. Dist. 3 - Technology Commission (3-year term expiring 04/30/27).
- (gg) Andy Pelkey, 9320 W. Grandview Ct., Ald. Dist. 2 - Technology Commission (3-year term expiring 04/30/27).
- (hh) John Farney, 8014 S. 59th St., Ald. Dist. 5 - Technology Commission (3-year term expiring 04/30/27).
- (ii) Jaspreet Kaur, 6874 S. Dory Dr., Ald. Dist. 3 - Technology Commission (3-year term expiring 04/30/27).
- (jj) James Schubilske, 7342 South Cambridge Drive, Ald. Dist. 2 - Board of Water Commissioners (5-year term expires 09/30/29).
- (kk) Bob Knackert, 9049 S. 83rd St., Ald. Dist. 1 - Board of Zoning and Building Appeals (3-year term expiring 04/30/27).
- (ll) Donald Adams, 3211 W. Acre Ave., Ald. Dist. 4 - Board of Zoning and Building Appeals (3-year term expiring 04/30/27).

Seconded by Alderman Holpfer. On a roll call, all voted Aye. Motion carried.

WEED COMM.  
APPOINTMENT

- E.3. Alderman Barber moved to confirm the Mayoral Appointment of Weed Commissioner: Gene Ninnemann as Weed Commissioner for the calendar year of 2024 at a weed cutting fee of \$90/hour. Seconded by Alderman Craig. All voted Aye; motion carried.

ROC PRESENTATION  
ENCHANT CHRISTMAS  
EVENT

- G.1. No action taken on the presentation of Enchant Christmas Event from the ROC.

RES. 2024-8136  
AGMT - BCI  
ENTERTAINMENT, LLC  
FOR DRONE SHOW AT  
INDEPENDENCE CELEB

- G.2. Alderman Barber moved to adopt Resolution No. 2024-8136, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SERVICE AGREEMENT WITH BCI ENTERTAINMENT, LLC TO PROVIDE A NORTHERN LIGHTS DRONE SHOW ON JULY 5, 2024 AS PART OF THE 2024 INDEPENDENCE CELEBRATION. Seconded by Alderman Hasan. On a roll call vote, all voted Aye. Motion carried.

2024 INDEPENDENCE  
DAY PARADE ROUTE  
CHANGE

Alderman Barber moved to authorize a possible back-up plan for a change in the route of the annual City Independence Celebration parade due to ongoing construction at the time on West Loomis Road, which route may provide for meet and stage in the Forest Park Middle School parking lot, and the Children's Parade at the Education District Center at those School premises, with the parades proceeding North on Forest Meadows Drive to West Drexel Avenue and then proceeding West to and primarily concluding at Franklin Fire Station No. 1 at 8901 West Drexel. Seconded by Alderman Hasan. All voted Aye; motion carried

AGMT - CITY OF MILW  
FOR REIMBURSEMENT  
OF WAGES BY FIRE  
DEPT-FEDERAL GOVT  
FOR 2024 RNC

- G.3. Alderman Barber moved to approve an Intergovernmental Agreement with the City of Milwaukee, which would allow for reimbursement of wages by the Federal Government, for Fire Department personnel assisting in Emergency Services staffing for the Republican National Convention. Seconded by Alderwoman Day. All voted Aye; motion carried.

AGMT - LAW  
ENFORCEMENT  
SERVICES FOR 2024  
RNC

- G.4. Alderman Hasan moved to approve and sign an Intergovernmental Agreement for Law Enforcement Services for the 2024 Republican National Convention. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

DPW PURCHASE  
MEDIUM DUTY PICKUP  
TRUCK

- G.5. Alderman Barber moved to approve the Department of Public Works purchase of a 2023 Chevrolet Silverado LT 5500 medium duty pickup truck with salter and plow attachments, coming from

Fund 41. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

- SPECIAL USE FOR SELF STORAGE FACILITY AT 7045 S. LOVERS LANE RD (TKG III ACQUISITION LLC, APPLICANT) G.6. Alderman Holpfer moved to table a special use for a self-storage facility use upon property located at 7045 South Lovers Lane Road (TKG III Acquisition LLC (d/b/a Stagemart), Applicant, to the May 21, 2024 Common Council meeting. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2024-8137 CAPE CROSSING ADDITION NO. 1 SUBDIVISION FINAL PLAT G.7. Alderman Holpfer moved to adopt Resolution No. 2024-8137, CONDITIONALLY APPROVING A FINAL PLAT FOR THE CAPE CROSSING ADDITION NO. I SUBDIVISION (AT 12200 WEST RYAN ROAD) (CAPE CROSSING LLC, APPLICANT) Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- Mayor Nelson called a recess at 8:10 p.m.
- Mayor Nelson reconvened at 8:15 p.m.
- FRANKLIN HEALTH DEPARTMENT ANNUAL REPORT: 2023 G.8. Alderman Barber moved to accept and place on file the 2023 Franklin Health Department annual report. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ROC BALLPARK COMMONS' TENTATIVE 2024 SCHEDULE OF EVENTS G.9. Alderman Barber moved to place on file the ROC Ballpark Commons' tentative 2024 schedule of events. Seconded by Alderman Hasan. All voted Aye; motion carried.
- EVENT PERMITS, APPLICATIONS, AND COUNTY SOUND STUDY MEMO SUMMARY G.10. Alderwoman Day moved to apply the event-related process currently within the Municipal Code and UDO provisions, as clarified by Resolution 2024-8109 and the various documents noted, and come to a consensus on any of the summarized items on the following page, as the Council deems appropriate. Consideration should be given to department duties and burdens, and reasonable completion dates should be set for each action. Seconded by Alderwoman Eichmann. On roll call, Alderman Holpfer, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day and Alderman Barber voted Aye; Alderman Craig voted No. Motion carried (5-1-0).
- 2025 BUDGET PREPARATION TIMETABLE G.11. Alderman Holpfer moved to adopt 2025 Annual Budget - Budget Preparation Timetable, dated April 16, 2024, as presented, subject to any future regular meeting schedule changes if so made by the Common Council. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

- RES. 2024-8138  
2024 STREET  
IMPROVEMENT  
CONTRACT - PAYNE &  
DOLAN, INC
- G.12. Alderman Barber moved to adopt Resolution No. 2024-8138, A RESOLUTION TO AWARD THE 2024 LOCAL STREET IMPROVEMENT PROGRAM CONTRACT TO PAYNE & DOLAN, INC., IN THE AMOUNT OF \$1,726,486.35. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.
- RES. 2024-8139  
STORM WATER  
FACILITIES MAINT  
AGMT AT 9533 W RYAN  
RD
- G.13. Alderman Craig moved to adopt Resolution No. 2024-8139 , A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND A STORM WATER MANAGEMENT ACCESS EASEMENT FOR 9533 WEST RYAN ROAD, TKN 894-9002-000. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- ORD. 2024-2613  
AMEND ORD 2023-2569  
2024 ANNUAL  
BUDGETS FOR CAPITAL  
OUTLAY, CAPITAL  
IMPROV AND ST  
IMPROV FDS
- G.14. Alderman Barber moved to adopt Ordinance No. 2024-2613, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY FUND, CAPITAL IMPROVEMENT FUND AND STREET IMPROVEMENT FUND TO PROVIDE CARRYFORWARD APPROPRIATIONS FROM THE 2023 ANNUAL BUDGET FOR SPECIFICALLY IDENTIFIED PROJECTS AND USES IN THE AMOUNT OF \$4,222,814.20. Seconded by Alderman Hasan. All voted Aye; motion carried.
- RES. 2024-8140  
DEV AGMT WITH AK  
DEVELOPERS FOR  
PUBLIC  
INFRASTRUCTURE  
IMPROV
- G.15. Alderman Holpfer moved to adopt Resolution No. 2024-8140, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS WITH AK DEVELOPERS, LLC FOR 7730 SOUTH LOVERS LANE ROAD, TKN 794-9999-007. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2024-8141  
WATER MAIN  
EASEMENT AT 7730 S.  
LOVERS LN
- G.16. Alderwoman Eichmann moved to adopt Resolution No. 2024-8141, A RESOLUTION FOR ACCEPTANCE OF A WATER MAIN EASEMENT AT 7730 SOUTH LOVERS LANE ROAD, TKN 794-9999-007. Seconded by Alderman Hasan. All voted Aye; motion carried.
- SUPPORT LTR FOR  
DUCKS UNLIMITED  
APPLICATION
- G.17. Alderwoman Eichmann moved to authorize Mayor and Common Council President to sign and send a letter of support for a Ducks Unlimited application for the National Fish and Wildlife Foundation-Sustain Our Great Lakes 2024 Grant at Water Tower Park-8120 S. Lovers Lane Road. Seconded by Alderman Craig. On roll call, all voted Aye; motion carried.

RES. 2024-8142  
AMEND AGMT WITH  
CP2 INC

G.18. Alderman Barber moved to adopt Resolution No. 2024-8142, A RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH CP2, INC. FOR PROFESSIONAL STRATEGIC PLANNING SERVICES. Seconded by Alderman Holpfer. All voted Aye; motion carried.

ORD. 2024-2612  
AMEND §30-1 - WARD  
BOUNDARIES

G.19. Alderman Barber moved to adopt Ordinance No. 2024-2612, AN ORDINANCE TO AMEND §30-1. OF THE MUNICIPAL CODE TO AMEND WARD BOUNDARIES AS REQUIRED BY 2023 WISCONSIN ACT 94. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

CLOSED SESSION  
RICH BUSALACCHI  
CLAIM OF MARCH 18,  
2024.

G.20. Alderman Hasan moved to enter closed session at 8:45 p.m. 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 subject claim and 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 Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:23 p.m., no action taken.

CLOSED SESSION  
JAMES MUDLAFF V.  
COF, ECO-RESOURCE  
CONSULTING, INC AND  
IDEAL LAND MGMNT  
SERV, LLC,

G.21. Alderman Barber moved to enter closed session at 9:25 p.m. 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 *James Mudlaff v City of Franklin, Eco-Resource Consulting, Incorporated and Ideal Land Management Services, LLC*, Milwaukee County Circuit Court, Case No. 23-CV-1053 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 Craig. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:29 p.m., no action taken.

CLOSED SESSION  
TID NO. 5 DEV AGMT  
SHORTFALL AND PMT  
IN LIEU OF TAXES A

G.22. Alderman Barber moved to enter closed session at 9:30 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 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 Craig. On roll call, Alderman Holpfer, Alderwoman Eichmann, Alderman Hasan, Alderman Barber and Alderman Craig voted Aye; Alderwoman Day voted No. Motion carried (5-1-0).

Alderman Hasan was excused from the meeting at 10:21 p.m.

Upon reentering open session at 10:32 p.m., Alderman Craig moved to direct legal counsel to proceed as discussed in closed session. Seconded by Alderwoman Day. All voted Aye; motion carried.

CLOSED SESSION  
PROPERTY  
ACQUISITION FOR DPW  
UTILITY FACILITY DEV

- G.23. Alderman Holpfer moved to enter closed session at 10:34 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for competitive and bargaining reasons, to consider the Potential Acquisition of a Portion of the Property by way of Acquiring Easements on the properties identified in the title of this meeting agenda item for such purpose and the Acquisition of a Portion of the Property by Way of Acquiring Fee Simple Ownership on the property identified in the title of this meeting agenda item for such purpose, for the installation, operation and maintenance of public improvements and facilities as part of the Department of Public Works Utility Facility Development and Expansion Project, and the negotiating of the purchases and the investing of public funds, with regard to the potential acquisitions thereof, 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, all voted Aye. Motion carried.

Upon reentering open session at 10:49 p.m., Alderman Barber moved to proceed as discussed in closed session. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

MISCELLANEOUS  
LICENSES

- H. Alderwoman Eichmann moved to approve the following licenses of the License Committee Meeting of April 16, 2024:

Grant 2023-24 Operator License to: Frederick Davis, Emily Logan, Ciarra Murray, Natalia Perez-Gardipee;

Grant 2023-24 & 2024-2025 Operator License to: Adrianna-Cristina Bratel, Christ Conley, Daniel Kuenzi, Olivia Meier, Jessica Rydlewicz, Julie Schaefer, Gabriel Schultz;

Grant 2024-25 Operator License to: Jeffrey Dejna, Kayla Jedrzewjewski, Justin Kagerbauer, Rachel Nondahl, Vanessa Peterson, Allison Planton, Joshua Semanski, Amanda Snieg, Erika Wotnoske; and

Hold 2023-24 & 2024-2025 Operator License to Erik Knudtson for correction of application.

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



VOUCHERS AND  
PAYROLL

- I. Alderman Barber moved to approve City vouchers with an ending date of April 11, 2024 in the amount of \$ 1,807,093.23, payroll dated April 5, 2024 in the amount of \$ 469,228.68 and payments of the various payroll deductions in the amount of \$ 246,171.67 plus City matching payments, and estimated payroll dated April 19, 2024 in the amount of \$ 514,000 and payments of the various payroll deductions in the amount of \$ 510,000, plus City matching payments, and estimated payroll dated May 3, 2024 in the amount of \$ 465,000 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.

ADJOURNMENT

- J. Alderwoman Eichmann moved to adjourn the meeting of the Common Council at 10:52 p.m. Seconded by Alderman Craig. All voted Aye; motion carried.