

APPROVED AUGUST 6, 2024

CITY OF FRANKLIN COMMON COUNCIL MEETING JULY 16, 2024 MINUTES

- ROLL CALL
- A. The regular meeting of the Franklin Common Council was held on July 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 Peccarelli, Alderwoman Eichmann, Alderman Hasan, Alderman Barber (attended remotely) and Alderman Craig. Alderwoman Day is excused. Also, in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Shirley Roberts.
- JUDGE FRED KLIMETZ
PROCLAMATION
- B.2. Mayor Nelson presented a Proclamation in Recognition of the Service of Municipal Judge Frederick F. Klimetz.
- RES. 2024-8182
REMOTE
ATTENDANCE
TEMP. HEALTH
CIRCUMSTANCES
- G.1. Alderman Hasan moved to adopt Resolution No. 2024-8182, 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.1. Citizen comment period was opened at 6:39 p.m. and was closed at 6:39 p.m.
- MINUTES
JULY 2, 2024
- C.1. Alderwoman Eichmann moved to approve the revised minutes of the Regular Common Council Meeting of July 2, 2024, as presented. Seconded by Alderman Hasan. All voted Aye; motion carried.
- MINUTES
JULY 9, 2024
- C.2. Alderman Hasan moved to approve the revised minutes of the Special Common Council Meeting of July 9, 2024, as presented. Seconded by Alderman Craig. All voted Aye; motion carried.
- MAYORAL
ALDERMANIC
APPOINTMENTS
- E. Alderwoman Eichmann moved to confirm the following Mayoral Aldermanic appointments:
- (a) Alderman Jon Peccarelli-Finance Committee, 1-year unexpired term expiring 04/14/25.
 - (b) Alderman Jon Peccarelli-Civic Celebration, 2-year unexpired term expiring 06/30/26.

MAYORAL
BD./COMM.
APPOINTMENTS

- (c) Alderman Jon Peccarelli-Personnel Committee, 3-year unexpired term expiring 04/14/25.

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

Alderwoman Eichmann moved to confirm the following Mayoral appointments:

- (a) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Community Development Authority, 4-year unexpired term expiring 08/30/24.
- (b) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Community Development Authority, 4-year term expiring 08/30/28.

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

RES. 2024-8183
FENCE WITHIN
DRAINAGE
EASEMENT (4449
CENTRAL AVE)

- G.2. Alderman Hasan moved to adopt Resolution No. 2024-8183, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE WEST 10-FOOT AND THE SOUTH 15-FOOT DRAINAGE EASEMENT UPON LOT 22 IN BLOCK 30 IN SOUTHWOOD EAST ADDITION NO. 8, BEING A SUBDIVISION OF PARTS OF THE SE 1/4 OF THE SE 1/4 OF SECTION 23, AND THE NW 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (4449 W. CENTRAL AVENUE) (TKN 881-0074-000) (NIKOLAS & ANGELICA CATARAZOLI, APPLICANT) contingent upon receipt of an executed mortgage holder consent form. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2024-8184
FLEET RENTAL
AGMT “ENTERPRISE
ENTITIES”

- G.3. Alderwoman Eichmann moved to adopt Resolution No. 2024-8184, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A MASTER EQUITY LEASE AGREEMENT, A FULL MAINTENANCE AGREEMENT, A CONSIGNMENT AUCTION AGREEMENT, AN AGREEMENT TO SELL CUSTOMER VEHICLES, A GOVERNMENT CREDIT APPLICATION, AND A MAINTENANCE MANAGEMENT AND FLEET RENTAL AGREEMENT WITH “ENTERPRISE ENTITIES” (ENTERPRISE FM TRUST, ENTERPRISE FLEET MANAGEMENT, INC., ETC.) TO REDUCE THE COST OF ACQUIRING, OWNING AND MAINTAINING FLEET VEHICLES. Seconded by Alderman Barber. All voted Aye; motion carried.

- HEALTH DEPARTMENT DONATIONS G.4. Alderman Barber moved to approve the Franklin Health Department accept monetary donations in the amount of \$300. Seconded by Alderman Craig. All voted Aye; motion carried.
- RES. 2024-8185 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2024A G.5. Alderman Barber moved to adopt Resolution No. 2024-8185, A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$1,980,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2024A. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.
- RES. 2024-8186 PERFORMANCE CONTRACT JOHNSON CONTROLS, INC. G.6. Alderwoman Eichmann moved to adopt Resolution No. 2024-8186, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A PERFORMANCE CONTRACT AND SCHEDULE 5 SUPPLEMENTAL TERMS & CONDITIONS AGREEMENTS WITH JOHNSON CONTROLS, INC. IN FURTHERANCE OF THE MASTER ENERGY SERVICES AGREEMENT 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 roll call, all voted Aye. Motion carried.
- FIRE DEPARTMENT DONATIONS G.7. Alderman Barber moved to approve the Franklin Fire Department accept a \$300 public donation from the Franklin Lioness Lions Club. Seconded by Alderman Craig. All voted Aye; motion carried.
- 2024 DIVISION OF PUBLIC HEALTH CONSOLIDATED CONTRACTS G.8. Alderman Barber moved to allow the Director of Health and Human Services to accept the 2024 Division of Public Health Consolidated Contracts to continue funding health department grants. Seconded by Alderman Hasan. All voted Aye; motion carried.
- ORD. 2024-2627 AMEND BUDGET FOR CAPITAL OUTLAY AND CAPITAL IMPROVEMENT G.9. Alderman Craig moved to adopt Ordinance No. 2024-2627, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY FUND AND CAPITAL IMPROVEMENT FUND TO TRANSFER AND REPURPOSE UNUSED APPROPRIATIONS FOR THE JOHNSON CONTROLS COMPREHENSIVE EFFICIENCY PROGRAM PROJECT. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

- RES. 2024-8187
KAYLA'S
PLAYGROUND
SPONSORSHIP WITH
SAPUTO CHEESE INC
- G.10. Alderman Barber moved to adopt Resolution No. 2024-8187, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SPONSORSHIP AGREEMENT WITH SAPUTO CHEESE USA INC. FOR THE FUNDING OF THE KAYLA'S PLAYGROUND FLOOR REPLACEMENT PROJECT. Seconded by Alderman Craig. All voted Aye; motion carried.
- NEW ALCOHOL
BEVERAGE
OPERATOR LICENSE
- G.11. Alderman Barber moved to deny the Operator License for Antoine L. Williams for the 2024-2025 license year for repeated failures to appear as requested in regards to the license application review with the City and by non-appearance following June 24, 2024 notice from the City and failure to provide evidence of sufficient rehabilitation and fitness to perform licensed activity as set forth in notice. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- RES. 2024-8188
UNDERGROUND
DISTRIBUTION
EASEMENT 8120 S
LOVERS LAND RD
- G.12. Alderwoman Eichmann moved to adopt Resolution No. 2024-8188, A RESOLUTION TO GRANT AN UNDERGROUND DISTRIBUTION EASEMENT TO WISCONSIN ELECTRIC POWER COMPANY AT 8120 S. LOVERS LANE ROAD (TKN 801-9986-000). Seconded by Alderman Hasan. On roll call, Alderman Craig, Alderman Barber, Alderman Hasan and Alderwoman Eichmann voted Aye; Alderman Peccarelli abstained. Motion carried. (4-0-1-1)
- RES. 2024-8189
GREG NISENBAUM
ASSESSMENT CLAIM
- G.13. Alderman Hasan moved to adopt Resolution No. 2024-8189, A RESOLUTION ALLOWING THE CLAIM OF GREG NISENBAUM RELATED TO THE ASSESSMENT ON TKN 747-9979-001. Seconded by Alderman Craig. All voted Aye; motion carried.
- CLOSED SESSION
POLISH HERITAGE
ALLIANCE, INC. V.
CITY OF FRANKLIN
- G.14. Alderwoman Eichmann moved to enter closed session at 8:04 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 *Polish Heritage Alliance, Inc. v. City of Franklin*, Milwaukee County Circuit Court Case No. 2023-CV-9073, a litigation matter which is in process and pending at this time, 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.

Mayor Nelson called a recess at 8:05 p.m.

Mayor Nelson reconvened at 8:11 p.m.

Upon reentering open session at 8:18 p.m., Alderwoman Eichmann moved to proceed as discussed in closed session. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

LICENSES AND
PERMITS

- H. Alderman Craig moved to approve License Committee Meeting Minutes of July 16, 2024.

Grant 2024-25 New Operator License to: Josip Jaksic, Lynn Bagniewski, Danielle Biersack, Kimberly Burdick, Matthew Christman, Tadeusa Cieslak, Barbara Hughes, Mark Leto, Jennifer Martinez, Julia Martinez, Max McCoy, Alyssa Minturn, Mary Papageorge, Natalia Perez-Gardipee, Katherine Pollock, Beth Potrykus, Teegan Price, Arianna Singer, Alexis Steltz, Molly Tengel, & Taylor Wojcinski;

Grant 2024-25 Renewal Operator License to Jeffrey Terp;

Hold 2024-25 New Operator License to Dominique Tarpley for correction of application; and

Grant Temporary Class “B” Beer License to Franklin Lions Club, St. Martin’s Labor Day Fair, David Lindner, St Martins Rd, & Church St, 9/1-9/2/24.

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

VOUCHERS AND
PAYROLL

- I. Alderman Craig moved to approve City vouchers with an ending date of July 11, 2024, in the amount of \$ 2,199,113.66 and payroll dated July 12, 2024 in the amount of \$ 472,457.87 and payments of the various payroll deductions in the amount of \$ 257,688.09, plus City matching payments and estimated payroll dated July 26, 2024 in the amount of \$ 483,000 and payments of the various payroll deductions in the amount of \$ 514,000, plus City matching payments. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 8:21 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.