

APPROVED APRIL 15, 2025

CITY OF FRANKLIN COMMON COUNCIL MEETING APRIL 2, 2025 MINUTES

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| ROLL CALL | A. | The regular meeting of the Franklin Common Council was held on April 2, 2025, 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, Alderwoman Day 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 6:41 p.m. and was closed at 7:05 p.m. |
| MINUTES
MARCH 18, 2025 | C. | Alderman Hasan moved to approve the minutes of the Common Council meeting of March 18, 2025, as presented. Seconded by Alderwoman Eichmann. All voted Aye; motion carried. |
| SOUND MONITORING
PROPOSAL REVIEW | G.1. | Alderman Hasan moved to direct staff to continue the process to provide for specific applicable terms agreements with JPM Acoustics Noise Vibration and the Ballpark Commons developer, and to return same to the Common Council at its April 15, 2025 meeting. Seconded by Alderwoman Day. All voted Aye; motion carried. |
| MISCELLANEOUS
LICENSES | H. | <p>Alderwoman Day moved to approve the following licenses of the License Committee Meeting of April 2, 2025:</p> <p>Hold 2024-25 Operator License for appearance to Xavier Mendoza;
Grant New 2024-25 Operator License to Nithin Pampati & Preet Singh; and
Grant Renewal 2025-26 Operator License to Dan Crass, Jennifer Deputy & Anthony Megna.</p> <p>Seconded by Alderwoman Eichmann. All voted Aye; motion carried.</p> <p>Alderwoman Day moved to approve the Extraordinary Entertainment and Special Event for ROC Ventures-Fireworks post Milkmen Games 2025 for 5/9, 5/23, 5/30, 6/6, 7/3, 7/11, 8/1, 8/8 and 8/29 with a hard stop time of 10:15 p.m. and with approval by the Fire Department the week of each event. Subject to any City Code, regulations or agreement being adopted, created and/or entered into after the date of approval of this application, which subsequent Code provisions, regulations, and/or agreements, as they pertain to sound/noise requirements, shall be applicable to the license operations approved</p> |

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

Alderwoman Day moved to approve ROC Ventures-Umbrella Bar 2025 Summer Concerts Series with dates of 5/31, 6/7, 6/14, 6/21, 6/28, 7/3, 7/4, 7/5, 7/12, 7/19, 7/26, 8/2, 8/9, 8/16, 8/23, 8/30, 9/6, 9/13, 9/20 and 9/27 with a 65 decibel set at all three monitors and a 10:30 p.m. hard stop time. If the sound is verified by the Police Department to be in violation there is a 15 minute timeline once contact has been made with ROC Ventures to get sound back to 65 decibels before receiving a violation. Subject to any City Code, regulations or agreement being adopted, created and/or entered into after the date of approval of this application, which subsequent Code provisions, regulations, and/or agreements, as they pertain to sound/noise requirements, shall be applicable to the license operations approved hereunder. Seconded by Alderman Hasan. On roll call vote, Alderman Craig, Alderman Barber, Alderwoman Day, Alderman Hasan and Alderwoman Eichmann voted Aye; Alderman Peccarelli voted No. Motion carried.

Alderwoman Day moved to approve ROC Ventures-Tacos and Tequila Concert 2025 for Saturday September 13, 2025 pending a sound check on the Friday before the event to set the decibel level with the promoter, Social House Entertainment. Promoter of the event will be in attendance at the sound check. If the sound is verified by the Police Department to be in violation there is a 15 minute timeline once contact has been made with ROC Ventures to get sound back to 65 decibels before receiving a violation. The event shall end at 11:00 p.m. with lights going on, the music will be off and there will not be any ambient music. A Site Plan is required for approval of this event. Subject to any City Code, regulations or agreement being adopted, created and/or entered into after the date of approval of this application, which subsequent Code provisions, regulations, and/or agreements, as they pertain to sound/noise requirements, shall be applicable to the license operations approved hereunder. Seconded by Alderwoman Eichmann. On a roll call vote, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day and Alderman Barber voted Aye; Alderman Peccarelli and Alderman Craig voted No. Motion carried.

Note-Applicant removed Phase Fest event from their application. Applicant will apply for Phase Fest event at a later date.

Alderwoman Day moved to approve ROC Ventures-The Hill Has Eyes Haunted Attraction 2025 as listed in their application. The event will run on Fridays and Saturdays beginning on 9/26/25 and end 11/1/25 with Sundays for family orientated events running 9/28/25 through 11/2/25. The sound decibel for this event will be 60 decibels at the West monitor, 60 decibels at the at East monitor and 69 decibels at the

North monitor. The box office closes at 11 p.m., the last group ticket sales are 10 p.m.-12a.m. with the last group entering as late as 12 a.m. The P.A. and DJ have a hard stop time at 12 a.m. If the sound is verified by the Police Department to be in violation there is a 15 minute timeline once contact has been made with ROC Ventures to get sound back to the agreed decibels at that monitor before receiving a violation. Subject to any City Code, regulations or agreement being adopted, created and/or entered into after the date of approval of this application, which subsequent Code provisions, regulations, and/or agreements, as they pertain to sound/noise requirements, shall be applicable to the license operations approved hereunder. Seconded by Alderwoman Eichmann. On a roll call vote, Alderman Barber, Alderwoman Day, Alderman Hasan and Alderwoman Eichmann voted Aye; Alderman Peccarelli and Alderman Craig voted No. Motion carried.

RES. 2025-8291
CREATIVE HOMES,
SUBDIVISION
DEVELOPMENT
AGREEMENT

G.2. Alderwoman Eichmann moved to adopt Resolution No. 2025-8291, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH CREATIVE HOMES, INC., THE DEVELOPER OF RIDGEWOOD RESERVE SUBDIVISION. Seconded by Alderman Craig. All voted Aye; motion carried.

RES. 2025-8292
SPECIAL
ASSESSMENT FOR
INSTALLATION OF
SANITARY SEWER
ON S. 80TH ST. AND W.
PARK CIRCLE WAY
AND PUBLIC
HEARING DATE
MAY 6TH, 2025

G.3. Alderwoman Eichmann moved to adopt Resolution No. 2025-8292, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 207-15 OF THE MUNICIPAL CODE AND SECTION 66.0701 OF THE STATE STATUTES FOR INSTALLATION OF A SANITARY SEWER ON SOUTH 80TH STREET FROM A POINT OF CONNECTION AT THE INTERSECTION OF WEST RYAN ROAD (STH 100) TO A POINT OF CONNECTION AT WEST PARK CIRCLE WAY AND SETTING A PUBLIC HEARING DATE OF MAY 6TH, 2025, AT 6:30 P.M. Seconded by Alderman Hasan. All voted Aye; motion carried.

ORD. 2025-2666
CREATE SECTION
207-15K.(2)(J) OF THE
FRANKLIN
MUNICIPAL CODE

G.4. Alderwoman Eichmann moved to adopt Ordinance No. 2025-2666, AN ORDINANCE TO CREATE SECTION 207-15K.(2)(J) OF THE FRANKLIN MUNICIPAL CODE PERTAINING TO DEFERMENT OF PAYMENT OF SPECIAL ASSESSMENTS WITH REGARD TO A WATER MAIN PROJECT SERVING THE CITY TO BE CONSTRUCTED WITHIN A STATE TRUNK HIGHWAY FOR WHICH PUBLIC CONSTRUCTION IS ONGOING BY THE STATE, CAUSING THE NEED FOR THE WATER MAIN PROJECT TO PROCEED FORTHWITH. Seconded by Alderman Craig. On roll call, Alderman Peccarelli, Alderwoman Eichmann, Alderman Hasan, Alderman Barber, Alderman Craig voted Aye; Alderwoman Day voted No, motion carried.

- RES. 2025-8293
EMERGENCY PUMP
REPLACEMENT AT
ST. MARTINS LIFT
STATION
- G.5. Alderman Barber moved to adopt Resolution No. 2025-8293, A RESOLUTION FOR EMERGENCY AUTHORIZATION TO CONTRACT WITH QUALITY FLOW SYSTEMS TO REPLACE PUMP AT ST. MARTINS LIFT STATION IN LIEU OF THE PUBLIC BID PROCESS WITH A NOT-TO-EXCEED AMOUNT OF \$153,445.00 pursuant to a contract with the contractor with terms and conditions as approved by staff. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD. 2025-2667
AMEND ORDINANCE
2024-2649 TO
PROVIDE
ADDITIONAL LIFT
STATION
- G.6. Alderman Barber moved to adopt Ordinance No. 2025-2667, AN ORDINANCE TO AMEND ORDINANCE 2024-2649, AN ORDINANCE ADOPTING THE 2025 ANNUAL BUDGET FOR THE SEWER FUND TO PROVIDE ADDITIONAL LIFT STATION APPROPRIATIONS ASSOCIATED WITH THE EMERGENCY REPLACEMENT OF THE ST. MARTINS LIFT STATION PUMP IN THE AMOUNT OF \$153,445.00. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- ORD. 2025-2668
AMEND THE UNIFIED
DEVELOPMENT
ORDINANCE TO
ALLOW A SPECIAL
USE AND REVISE
DESIGN STANDARDS
- G.7. Alderwoman Day moved to adopt Ordinance No. 2025-2668, AN ORDINANCE TO AMEND SECTION 15-3.0444 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 39 (MIXED USE BUSINESS PARK) TO ALLOW OUTDOOR STORAGE FACILITIES AS A SPECIAL USE AND TO REVISE DESIGN STANDARDS (GINA MARIE BONINI, MODINE MFG. CO., APPLICANT) (3303 W. OAKWOOD RD.). Seconded by Alderman Hasan. All voted Aye; motion carried.
- Attorney Wesolowski left the meeting at 8:15 p.m.
Attorney Wesolowski returned to the meeting at 8:17 p.m.
- RES. 2025-8294
INSTALLATION OF A
FENCE 6575 W. RIVER
POINTE DRIVE
- G.8. Alderwoman Eichmann moved to adopt Resolution No. 2025-8294, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 30 FOOT LANDSCAPE EASEMENT PLAT RESTRICTION, UPON LOT 22 OF RIVERVIEW POINTE SUBDIVISION (6575 W. RIVER POINTE DRIVE) (CRYSTAL & KEITH KENT, APPLICANTS). Seconded by Alderman Hasan. All voted Aye; motion carried.
- ONE-YEAR
EXTENSION OF
EMERGENCY
NOTIFICATION
SYSTEM CONTRACT-
INSPIRON LOGISTICS
LLC
- G.9. Alderman Hasan moved to approve a one-year extension of the Wireless Emergency Notification System Service Agreement with Inspiron Logistics LLC for the City of Franklin Emergency Notification System for the period of 04/22/2025-04/21/2026 in the amount of \$11,725, and to authorize the Director of Administration to execute the agreement extension. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

Mayor Nelson called a recess at 8:20 p.m.
Mayor Nelson reconvened at 8:30 p.m.

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| ORD. 2025-2669
AMEND ORDINANCE
2024-2649 TO
TRANSFER \$988 TO
DATA
COMMUNICATION
SERVICES | G.10. | Aldерwoman Eichmann moved to adopt Ordinance No. 2025-2669, AN ORDINANCE TO AMEND ORDINANCE 2024-2649, AN ORDINANCE ADOPTING THE 2025 ANNUAL BUDGET FOR THE GENERAL FUND TO TRANSFER \$988 OF CONTINGENCY APPROPRIATIONS TO CITY-WIDE DATA COMMUNICATIONS SERVICES FOR THE REQUIRED WIRELESS EMERGENCY NOTIFICATIONS SYSTEM (WENS). Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried. |
| 2026 BUDGET
PREPARATION
TIMETABLE | G.11. | Alderman Barber moved to adopt the 2026 Annual Budget-Budget Preparation Timetable, dated April 2, 2025, as presented, subject to any future regular meeting schedule changes if so made by the Common Council. Seconded by Alderman Hasan. All voted Aye; motion carried. |
| NEW HOUSING FEE
REPORT FOR 2024 | G.12. | Informational item only; no action required. This report is provided to fulfill the requirements of 2017 Wisconsin Act 243, Section 66.10014 New Housing Fee Report. |
| RES. 2025-8295
PARTIAL PROPERTY
TAX RESCISSION
AND REFUND FOR
TKN 886-9997-000 | G.13. | Aldерwoman Eichmann moved to adopt Resolution No. 2025-8295, A RESOLUTION APPROVING A PARTIAL PROPERTY TAX RESCISSION AND REFUND FOR TKN 886-9997-000; and direct staff to directly apply the refund to the outstanding balance on the property tax bill. Seconded by Alderman Craig. All voted Aye; motion carried. |
| RES. 2025-8296
PARTIAL PROPERTY
TAX RESCISSION
AND REFUND FOR
TKN 740-0002-000 | G.14. | Alderman Hasan moved to adopt Resolution No. 2025-8296, A RESOLUTION APPROVING A PARTIAL PROPERTY TAX RESCISSION AND REFUND FOR TKN 740-0002-000; and direct staff to file the chargeback request with the department of revenue to seek compensation from the other taxing authorities. Seconded by Aldерwoman Day. All voted Aye; motion carried. |
| ORD. 2025-2670
AMEND ORDINANCE
2024-2649 TO
APPROVE BUDGET
ENCUMBRANCES
FROM THE 2024
BUDGET AS
AMENDMENTS TO
THE 2025 BUDGET | G.15. | Alderman Hasan moved to adopt Ordinance No. 2025-2670, AN ORDINANCE TO AMEND ORDINANCE 2024-2649, AN ORDINANCE ADOPTING THE 2025 ANNUAL BUDGETS FOR THE GENERAL FUND, TID 8 CAPITAL PROJECTS FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, CAPITAL IMPROVEMENT FUND, STREET IMPROVEMENT FUND AND SEWER FUND FOR FISCAL YEAR 2025 TO APPROVE BUDGET ENCUMBRANCES FROM THE 2024 BUDGET AS AMENDMENTS TO THE 2025 BUDGET. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried. |

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| ORD. 2025-2671
AMEND ORDINANCE
2024-2649 TO CARRY
OVER INCOMPLETE
2024 PROJECTS AS AN
AMENDMENT TO THE
2025 BUDGET | G.16. | Alderman Hasan moved to adopt Ordinance No. 2025-2671, AN ORDINANCE AMENDING ORDINANCE 2024-2649, AN ORDINANCE ADOPTING THE 2025 ANNUAL BUDGETS FOR THE GENERAL FUND AND CAPITAL OUTLAY FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2025 TO CARRYOVER INCOMPLETE 2024 PROJECTS AS AN AMENDMENT TO THE 2025 BUDGET AND RE-APPROPRIATE OPERATIONAL FUNDING TO CAPITAL FUNDING IN SUPPORT OF THE PUBLIC WORKS DEPARTMENT PURCHASING A UTILITY TASK VEHICLE. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried. |
| RECLASSIFICATION
OF SECRETARY
POSITIONS TO
ADMINISTRATIVE
ASSISTANT
POSITIONS | G.17. | Alderman Hasan moved to approve the updated job descriptions and title changes from Secretary to Administrative Assistant for the positions in the Inspection Services and Planning Departments, as recommended by the Personnel Committee. Seconded by Alderwoman Eichmann. All voted Aye; motion carried. |
| LIST OF DONATIONS
FOR JANUARY-
DECEMBER 2024 | G.18. | Alderman Barber moved to acknowledge and accept donations received for January-December, 2024 from various Franklin residents and businesses. Seconded by Alderman Craig. All voted Aye; motion carried. |
| VOUCHERS AND
PAYROLL | I. | Alderman Barber moved to approve City vouchers with an ending date of March 27, 2025 in the amount of \$1,540,203.25, and payroll dated March 21, 2025 in the amount of \$464,952.97 and payments of the various payroll deductions in the amount of \$511,692.79 plus City matching payments, and estimated payroll dated April 4, 2025 in the amount of \$480,000 and payments of the various payroll deductions in the amount of \$266,000 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 8:53 p.m. Seconded by Alderman Craig. All voted Aye; motion carried. |