

APPROVED JUNE 3, 2025

CITY OF FRANKLIN COMMON COUNCIL MEETING MAY 20, 2025 MINUTES

ROLL CALL

- A. The regular meeting of the Franklin Common Council was held on May 20, 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 Salous, 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.1. Citizen comment period was opened at 6:30 p.m. and was closed at 6:40 p.m.

EMERGENCY MEDICAL SERVICES WEEK PROCLAMATION

- B.2. Mayor Nelson presented a Proclamation in Recognition of Emergency Medical Services week.

MINUTES MAY 6, 2025

- C. Alderman Hasan moved to approve the minutes of the Common Council meeting of May 6, 2025, as presented. Seconded by Alderman Salous. All voted Aye; motion carried.

FRANKLIN SENIOR TRAVEL PROGRAM ACKNOWLEDGMENT AND PUBLIC APOLOGY

- G.17. Alderwoman Day moved to place on file the acknowledgement of the City's appreciation for the Franklin Senior Travel Program and a formal letter of apology to Mr. Ryan was read into the record. Seconded by Alderman Hasan. All voted Aye; motion carried.

SENIOR CITIZEN TRAVEL PROGRAM

- G.18. Alderman Hasan moved to provide a transfer of \$10,000 of additional funding from the Severance Payments Fund to the Senior Citizen Travel Program with a budget amendment to come back to the June 3, 2025 Common Council meeting. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

HEARING:

- D.1. A public hearing was called to order on May 20, 2025 at 7:29 p.m. on a proposed Future Land Use Map amendment for property generally located on the south side of Ryan Rd., addressed as 0 W. Ryan Road (TKN 896-9996-001), for the area consisting of approximately 66.8 acres designated as Commercial and Business Park (approximately 50% of the total site) and Areas of Natural Resource Features Use, to Institutional and Areas of Natural Resource Features. This public hearing is being held pursuant to the requirements of Wis. Stat. §66.1001(4)(d). A map of the affected property, all application materials and the proposed

ordinance are available at the Department of City Development at Franklin City Hall. The public hearing was closed at 7:30 p.m.

ORD. 2025-2680
FRANKLIN PUBLIC
SCHOOLS FUTURE LAND
USE AMENDMENT

G.1. Alderman Hasan moved to adopt Ordinance No. 2025-2680, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF RYAN RD., ADDRESSED AS 0 W. RYAN RD (TKN 896-9996-001), FROM COMMERCIAL, BUSINESS PARK AND AREAS OF NATURAL RESOURCE FEATURES TO INSTITUTIONAL AND AREAS OF NATURAL RESOURCE FEATURES (TOTALING APPROXIMATELY 2,932,763 SQ. FEET OR 67.327 ACRES) (CITY OF FRANKLIN DEPARTMENT OF CITY DEVELOPMENT, APPLICANT) (FRANKLIN PUBLIC SCHOOLS, PROPERTY OWNERS). Seconded by Alderman Peccarelli. All voted Aye; motion carried.

HEARING:

D.2. A public hearing was called to order on May 20, 2025 at 7:34 p.m. on a proposed Future Land Use Map amendment for property located at 11590 W. Meadowview Drive, containing approximately 7.735 acres, from Business Park to Residential Multi-Family and Commercial. This public hearing is being held pursuant to the requirements of Wis. Stat. §66.1001(4)(d). A map of the affected property, all application materials and the proposed ordinance are available at the Department of City Development at Franklin City Hall. The public hearing was closed at 7:34 p.m.

ORD. 2025-2681
BEAR DEVELOPMENT
FUTURE LAND USE
AMENDMENT

G.3. Alderman Salous moved to adopt Ordinance No. 2025-2681, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN FUTURE LAND USE MAP FOR PROPERTY BEARING TKN 891-1081-000 FROM BUSINESS PARK TO RESIDENTIAL-MULTI-FAMILY AND COMMERCIAL (11590 W. MEADOWVIEW DRIVE) (BEAR DEVELOPMENT, LLC, APPLICANT). Seconded by Alderman Hasan. All voted Aye; motion carried.

ORD. 2025-2682
REZONE TO R-8
MULTIPLE-FAMILY
RESIDENCE (11590 W.
MEADOWVIEW DR)

G.4. Alderwoman Day moved to adopt Ordinance No. 2025-2682, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE THE PROPERTY BEARING TKN 891-1081-000 FROM M-1 LIMITED INDUSTRIAL DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT AND B-2 GENERAL BUSINESS DISTRICT (11590 W. MEADOWVIEW DRIVE) (BEAR DEVELOPMENT, LLC, APPLICANT). Seconded by Alderman Craig. All voted Aye; motion carried.

RES. 2025-8320
CERTIFIED SURVERY
MAP LOT 80 AND 81
RYAN MEADOWS

G.5. Alderman Hasan moved to adopt Resolution No. 2025-8320, A RESOLUTION CONDITIONALLY APPROVING A 2-LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF LOT 80 AND LOT 81 OF RYAN MEADOWS, IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 ALL IN SECTION 30, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BEAR DEVELOPMENT, LLC, APPLICANT) (11590 W. MEADOWVIEW DRIVE AND 11433 W. RYAN ROAD). Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

MAYORAL
APPOINTMENTS

E. Alderwoman Eichmann moved to confirm the following Mayoral Appointments:

1. Mike Barber, 7931 S. 61st St., Ald. Dist. 5-Economic Development Commission, 1 year unexpired term expiring 06/30/25.
2. Mike Barber, 7931 S. 61st St., Ald. Dist. 5-Economic Development Commission, 1 year unexpired term expiring 06/30/26.
3. Samuel Berg, 8117 W. High St., Ald. Dist. 1-Technology Commission, 3 year unexpired term expiring 04/30/27.
4. Jeff Steinbach, 8109 S. 47th St., Ald. Dist. 5-Community Development Authority, 4 year unexpired term expiring 08/30/26.

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

RES. 2025-8321
UNDERGROUND
EASEMENT 9600 S. 80th

G.2. Alderman Hasan moved to adopt Resolution No. 2025-8321, A RESOLUTION TO GRANT A DISTRIBUTION EASEMENT UNDERGROUND TO WISCONSIN ELECTRIC POWER COMPANY FOR CITY OF FRANKLIN OWNED PROPERTY AT 9600 S. 80TH STREET, PARCEL 1 OF CSM NO. 6114 (TKN 896-9990-001). Seconded by Alderman Craig. On roll call Alderwoman Eichmann, Alderman Hasan, Alderwoman Day, Alderman Salous and Alderman Craig voted Aye. Alderman Peccarelli abstained. Motion carried.

RES. 2025-8322
CHANGE ORDER NO. 4
DPW EXPANSION
PROJECT

G.6. Alderman Hasan moved to adopt Resolution No. 2025-8322, A RESOLUTION TO ISSUE CHANGE ORDER NO. 4 FOR THE DPW EXPANSION PROJECT IN THE AMOUNT OF \$124,086.91 TO CAMOSY INCORPORATED. Seconded by Alderman Salous. On roll call, all voted Aye. Motion carried.

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| HEALTH DEPARTMENT
ADMINISTRATIVE
ASSISTANT | G.7. | Alderwoman Eichmann moved to approve the revised job description for Health Department Administrative Assistant. Seconded by Alderman Hasan. All voted Aye; motion carried. |
| SANITARIAN II | G.8. | Alderwoman Day moved to approve the Sanitarian II job description and authorize filling the position within the current staffing accommodations. Seconded by Alderman Hasan. All voted Aye; motion carried |
| RES. 2025-8323
CONSERVATION
EASEMENT
8570 S 116 TH STREET | G.9. | Alderman Craig moved to adopt Resolution No. 2025-8323, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE APPROVAL OF A CERTIFIED SURVEY MAP UPON PROPERTY LOCATED AT 8570 S. 116TH STREET (MONTGOMERY FAMILY TRUST, PROPERTY OWNER). Seconded by Alderman Hasan. All voted Aye; motion carried. |
| CONCEPT REVIEW
CONDOMINIUM
DEVELOPMENT AT
12245 W FOREST HOME
AVE | G.10. | No action requested. No action to be taken. |
| CONCEPT REVIEW
FRANKLIN HIGH
SCHOOL | G.11. | No action requested. No action to be taken. |
| RES. 2025-8324
CONSERVATION
EASEMENT
AMENDMENT AT
FRANKLIN PUBLIC
SCHOOLS | G.12. | Alderwoman Eichmann moved to adopt Resolution No. 2025- 8324, A RESOLUTION TO AMEND A CONSERVATION EASEMENT, PREVIOUSLY APPROVED BY RESOLUTION NO. 2013-0692, TO ALLOW GEOTECHNICAL EXPLORATION WITHIN EASEMENT NO. 2 AND NO. 3 UPON PROPERTY LOCATED AT 8222 S. 51 ST STREET (TKN 807-9999-001) (FRANKLIN PUBLIC SCHOOLS, APPLICANT). Seconded by Alderman Craig. All voted Aye; motion carried. |
| | | Mayor Nelson called a recess at 8:15 p.m.
Mayor Nelson reconvened at 8:26 p.m. |
| RES. 2025-8325
FENCE (9516 S
BERGAMONT DRIVE) | G.13. | Alderman Craig moved to adopt Resolution No. 2025-8325, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 30 FOOT LANDSCAPE BUFFERYARD EASEMENT PLAT RESTRICTION, UPON LOT 6 OF THE RYAN MEADOWS SUBDIVISION (9516 S. BERGAMONT DRIVE) (RYANS MAHONEY & KATHY THOMAS, |

APPLICANTS). Seconded by Alderman Salous. All voted Aye; motion carried.

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| ORD. 2025-2683
PLANNED
DEVELOPMENT
DISTRICT NO. 44
(HASELOW) | G.14. | Alderwoman Day moved to adopt Ordinance No. 2025-2683, AN ORDINANCE TO CREATE SECTION 15-3.0449 OF THE FRANKLIN UNIFIED DEVELOPMENT ORDINANCE ESTABLISHING PLANNED DEVELOPMENT DISTRICT NO. 44 (HASELOW) AND TO REZONE PROPERTY FROM R-IE COUNTRYSIDE/ESTATE SINGLE-FAMILY MULTIPLE RESIDENCE UPON A SINGLE LOT ESTATE DISTRICT TO PLANNED DEVELOPMENT DISTRICT NO. 44 (9140 S. 51 st STREET). Seconded by Alderman Hasan. All voted Aye; motion carried. |
| FIRE DEPARTMENT 2024
ANNUAL REPORT | G.15. | Alderwoman Eichmann moved to accept the City of Franklin Fire Department 2024 Annual Report and place on file. Seconded by Alderman Hasan. All voted Aye; motion carried. |
| RES. 2025-8326
INTERGOVERNMENTAL
AGREEMENT WITH CITY
OF MILWAUKEE FIRE
DEPARTMENT | G.16. | Alderwoman Eichmann moved to adopt Resolution No. 2025-8326, A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO PARTICIPATE IN AN INTERGOVERNMENTAL AGREEMENT FOR REPAIR AND MAINTENANCE OF FIRE, RESCUE AND EMERGENCY MEDICAL EQUIPMENT AND MATERIALS WITH THE CITY OF MILWAUKEE FIRE DEPARTMENT and to amend the Resolution to approve the agreement and authorize the Mayor, City Clerk and Director of Finance and Treasury to execute the agreement. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried. |
| RELEASING CLOSED
LEGAL RECORDS | G.19. | Alderman Hasan moved to adopt a resolution affirming the city's commitment to compliance with the Wisconsin public records law and establishing a policy for the release of closed legal records, affirming the City's compliance with Wisconsin Public Records Law and establishing a policy for the release of legal records from closed matters, as required under Wis. Stat. §§ 19.31-19.39 and in accordance with the City's designated legal custodianship responsibilities. This action reflects not just a staff recommendation but a legal obligation to uphold transparency, statutory compliance, and the public's right to access records, as reinforced by state law and the Wisconsin Department of Justice guidance. Seconded by Alderwoman Eichmann. On roll call, Alderwoman Eichmann and Alderman Hasan voted Aye. Alderman Peccarelli, Alderwoman Day and Alderman Craig voted No. Alderman Salous abstained. Motion failed. |
| ATTORNEY CLIENT
PRIVILEGE | G.20. | Alderman Peccarelli moved to table to the June 3, 2025 Common Council meeting and to have all relevant records disbursed to the |

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

ORD. 2025-2684
911 ACCESS IN LODGING
UNITS

G.21. Alderman Hasan moved to adopt Ordinance No. 2025-2684, AN ORDINANCE TO AMEND SECTION 138-25(B)(4) OF THE MUNICIPAL CODE RELATING TO EMERGENCY TELEPHONE ACCESS IN HOTELS, MOTELS, AND SIMILAR LODGING ESTABLISHMENTS. Seconded by Alderman Peccarelli. All voted Aye; motion carried.

SITE ACCESS
AGREEMENT FOR
BALLPARK COMMONS

G.22. Alderwoman Eichmann moved to authorize the Mayor, Director of Finance and Treasurer, and City Clerk to execute the Site Access and Cooperation Agreement between the City of Franklin, JPM Acoustics Noise Vibration, and ROC Ventures/Ballpark Commons, subject to technical changes and to have a budget amendment returned to the June 3, 2025, Common Council meeting. Seconded by Alderman Salous. On roll call, all voted Aye. Motion carried.

CLOSED SESSION

G.23. Alderman Craig moved to enter closed session at 10:44 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 *City of Franklin v BPC Master Developer, LLC and Michael Zimmerman*, Milwaukee County Circuit Court Case No 24-CV-7479 litigation and/or possible litigation related to the 2024 shortfall payment under the TID 5 Development Agreement, 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.

Alderwoman Eichmann left the meeting at 11:07 p.m.

Upon reentering open session at 11:07 p.m., Alderman Craig moved to proceed as discussed in closed session and to authorize Attorney Sadjak to proceed as discussed in closed session. Seconded by Alderman Hasan. On roll call, Alderman Peccarelli, Alderman Hasan, Alderwoman Day, Alderman Salous and Alderman Craig all voted Aye. Alderwoman Eichmann was absent. Motion carried.

Alderwoman Eichmann returned to her seat at 11:11 p.m.

MISCELLANEOUS
LICENSES

H. Alderman Craig moved to approve the following licenses of the License Committee Meeting of May 20, 2025.

Grant Extraordinary Entertainment & Special Event & Temporary Class B Beer License to Scottish Festivals Inc. – Scottish Highland Games, David Berger, 9100 S 76th St – Croatian Park, 6/7/25;
Grant Unlimited Transfer Full-Service Retail Outlet License-Civic Celebration 2025 to On Cloud Wine, LLC, DBA On Cloud Wine, Civic Celebration, 9229 W Loomis Rd, 7/3-7/5/25, Sale of “Wine” only, On-Site Contact-John “Randy” Larson;
Grant 2025-26 Entertainment & Amusement License Pending Inspections to Milwaukee County Park, DBA Milwaukee County Sports Complex, 6000 W Ryan Rd, Richard Becker;

Grant New 2024-25 Operator License to Lauren Lomonte & Connie Young;

Grant New 2025-26 Operator License to: Brianna Garcia, Sukhminder Bhatti, Kristy Czerniakowski, Nicole Gaus, Joseph Osvatic, Samantha Piparo, Peighten Thompson, & Arianna Villa;

Grant New 2024-25 & Renewal 2025-26 Operator License to Julie Smith

Grant New 2024-25 & Renewal 2025-26 Operator License Pending Update of Application to: Jamie Hopkins, Stephanie Johnson, Marijana Knezvic;

Grant New 2025-26 Operator License Pending Update of Application to William Cody;

Grant Renewal 2025-26 Operator License Pending Update of Application to: Justin Hoffmann, Matthew Saric, & Arturo Juarez Jr.; and

Grant Renewal 2025-26 Operator License to: Bria Altamore, Amy Analla, Brandon Bhatti, Tanya Bielinski, Claudia Blue, William Canales, Ashley Christen, Tracey Deak, Susan DeGeorge, Matthew Engelhardt, Eric Gagliano, Carissa Hagedorn, Jessica Hendren, Kimberly Hill, Lily Jones, Adam Jubeck, Miranda Krasinski, Cecilia Lor, Daniel Mackie, Jennifer Martinez, Nadiya Mashkina, Brianna Mayer, Serena Medrano, Susan Mlynczak, Kelly Molina, Mandy Oleniczak; Lisa Oliver, Derek Olszewski, Anita Osvatic, Jessica Provencher, Amy Randall, Toni Ruyle, Joseph Schauer, Ryan Scheffler, Brian Shulta, Amanda Snieg, Nicole Stankowski, James Talaska, Nicole Tarantino, Jennifer Teske, Katelyn Thousand, Tiffany Torres, Matthew Wisniewski, & Paige Zigner.

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

VOUCHERS AND PAYROLL

- I. Alderman Hasan moved to approve City vouchers with an ending date of May 15, 2025 in the amount of \$1,174,141.21, and payroll dated May 16, 2025 in the amount of \$462,673.88 and payments of the various payroll deductions in the amount of \$263,449.49 plus City matching payments, and estimated payroll dated May 30, 2025 in the amount of \$485,000.00 and payments of the various payroll

deductions in the amount of \$621,000, 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 11:12 p.m. Seconded by Alderman Peccarelli. All voted Aye; motion carried.