

APPROVED SEPTEMBER 16, 2025

CITY OF FRANKLIN COMMON COUNCIL MEETING SEPTEMBER 2, 2025 MINUTES

ROLL CALL

- A. The regular meeting of the Franklin Common Council was held on September 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 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. Citizen comment period was opened at 6:32 p.m. and was closed at 7:18 p.m.

MINUTES AUGUST 19, 2025

- C. Alderwoman Eichmann moved to approve the minutes of the Common Council meeting of August 19, 2025, as presented. Seconded by Alderman Hasan. All voted Aye; motion carried.

RES. NO. 2025-8372 CONDITIONAL USE FOR THE FRANKLIN HIGH SCHOOL

- G.1. Alderwoman Day moved to adopt Resolution No. 2025-8372, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A CONDITIONAL USE FOR THE FRANKLIN HIGH SCHOOL, AN EDUCATIONAL FACILITY USE, UPON PROPERTY LOCATED AT 8222 S. 51ST STREET (TKN 807-9999-001) (FRANKLIN PUBLIC SCHOOLS, APPLICANT/PROPERTY OWNER) with the following amendments to the Resolution of the conditional use approving access to High View Drive only for emergency vehicles and the tennis court lighting shall be shut off by dusk or 8:00 p.m., with the exception of school sponsored activities or tournaments. Seconded by Alderman Salous. On roll call, Alderman Peccarelli, Alderman Hasan, Alderwoman Day and Alderman Salous voted Aye; Alderwoman Eichmann and Alderman Craig voted No. Motion carried.

RES. NO. 2025-8373 CONSERVATION EASEMENT BOUNDARIES 8222 S 51ST ST

- G.2. Alderwoman Eichmann moved to adopt Resolution No. 2025-8373, A RESOLUTION TO AMEND A CONSERVATION EASEMENT, PREVIOUSLY APPROVED BY RESOLUTION NO. 2013-0692, TO MODIFY EASEMENT BOUNDARIES TO 60 FEET UPON PROPERTY LOCATED AT 8222 S. 51ST S. (TKN 807-9999-001) (FRANKLIN PUBLIC SCHOOLS, APPLICANT). Seconded by Alderman Hasan. On roll call, Alderman Craig, Alderman Hasan, Alderwoman Eichmann and Alderman Peccarelli voted Aye; Alderwoman Day and Alderman Salous voted No. Motion carried.

Mayor Nelson called a recess at 9:36 p.m.
Mayor Nelson reconvened at 9:47 p.m.
Alderman Hasan returned at 9:48 p.m.

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| STOP WORK ORDER-
5250 W SOUTH
COUNTY LINE ROAD | G.3. | Alderman Salous moved to remove the stop work order. Seconded by Alderman Hasan. On roll call, all vote Aye. Motion carried |
| RES. NO. 2025-8374
INSTALLATION OF
FENCE 8476 S
GOLDEN LAKE WAY | G.4. | Alderwoman Eichmann moved to adopt Resolution No. 2025-8374, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 20-FOOT STORM SEWER EASEMENT UPON LOT 2, IN SILVERWOOD HEIGHTS. (8476 S. GOLDEN LAKE WAY) (TKN 839-0097-000) (JOHN AND KRISTIN BRANDES, APPLICANT). Seconded by Alderman Hasan. All voted Aye; motion carried. |
| RES NO. 2025-8375
DEDICATION OF
OUTLOT 1 FOR
PUBLIC ROAD
PURPOSES | G.5. | Alderman Hasan moved to adopt Resolution No. 2025-8375, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT THE DEDICATION OF OUTLOT 1 OF THE RECORDED CERTIFIED SURVEY MAP NO. 9041 FOR PUBLIC ROAD PURPOSES INCLUDING ITS PUBLIC INFRASTRUCTURE WITH THE STREET NAME S. BALLPARK DRIVE, subject to technical corrections. Seconded by Alderman Salous. All voted Aye; motion carried. |
| RES. NO. 2025-8376
CHANGE ORDER FOR
2025 LOCAL STREET
IMPROVEMENT
PROGRAM | G.6. | Alderman Hasan moved to adopt Resolution No. 2025-8376, A RESOLUTION TO ISSUE CONTRACT CHANGE ORDER NO. 1 FOR THE 2025 LOCAL STREET IMPROVEMENT PROGRAM TO PAYNE AND DOLAN, INC. TO INCREASE THE CONTRACT PRICE BY \$60,580.86. Seconded by Alderwoman Eichmann. All voted Aye; motion carried. |
| RES. NO. 2025-8377
STORM WATER
FACILITIES
MAINTENANCE
AGREEMENT FROM
SUKHJINDER SINGH | G.7. | Alderman Salous moved to adopt Resolution No. 2025-8377, A RESOLUTION TO AUTHORIZE ACCEPTANCE OF STORM WATER FACILITIES MAINTENANCE AGREEMENT AND STORM WATER ACCESS EASEMENT FROM SUKHJINDER SINGH (10879 S. 76TH ST., TKN 894-9997-000), subject to corrections to the mortgage holder consent page. Seconded by Alderman Craig. All voted Aye; motion carried. |
| ORD NO. 2025-2697
AMEND "FORM OF
CITATION" OF THE
MUNICIPAL CODE | G.8. | Alderman Hasan moved to adopt Ordinance No. 2025-2697, AN ORDINANCE TO AMEND §1-20 C. "FORM OF CITATION" OF THE MUNICIPAL CODE OF THE CITY OF FRANKLIN, WISCONSIN, TO ADDRESS THE NEW CITATION FORM TO BE USED IN PLACE OF THE FORM FROM THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION, BUREAU OF PUBLISHING AND DISTRIBUTION, WHICH IT IS NO LONGER PRODUCING. Seconded by Alderman Craig. All voted Aye; motion carried. |

POPULATION
ESTIMATE AS OF
JANUARY 1, 2025

- G.9. Alderman Hasan moved to place on file the Wisconsin Department. of Administration January 1, 2025 population estimate of 36,882. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

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

- G.10. Alderman Craig moved to enter closed session at 11:36 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.

Upon reentering open session at 12:02 a.m., Alderwoman Eichmann moved to proceed as discussed in closed session. Seconded by Alderwoman Day. All voted Aye; motion carried.

CLOSED SESSION
TID 8 REQUEST TO
ADJUST
GUARANTEED
ASSESSED VALUE
SCHEDULE

- G.11. Alderwoman Eichmann moved to enter closed session at 12:04 a.m., pursuant to Wis. Stat. §19.85(1)(e), for competitive and bargaining reasons, to deliberate and consider terms relating to a TID 8 Developer request to adjust Guaranteed Assessed Value Schedule (2025-2040) to Tax Incremental District No. 8 Development Agreement between the City of Franklin and Oakwood Industrial LLC, and the investing of public funds and governmental actions in relation thereto, 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 12:21 a.m., Alderwoman Day moved to direct staff to analyze the guaranteed valuation schedule as discussed in closed session. Seconded by Alderman Hasan. All voted Aye; motion carried.

MISCELLANEOUS
LICENSES

- H. Alderwoman Day moved to approve the following licenses of the License Committee Meeting of September 2, 2025.

Grant 2024-25 New Operator License to Christy Mazurek & Samantha McManus;

Grant Temporary Class “B” Beer & “Class B” Wine License upon receipt of Bartender License to Hales Corners Chamber of Commerce, Rhiannon Gale, Taste Tour, Wehr Nature Center/Activities Room, 9701 W College Ave., 9/16/25; and

Grant Temporary Class “B Beer & “Class B” Wine License Upon Receipt of Bartender License to Franklin Public Library Foundation-An

Evening with Nick Petrie-4th Annual Fall Literary Fundraiser, Jennifer Loeffel, Franklin Public Library-9151 W Loomis Rd, 9/25/25.

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 August 28, 2025 in the amount of \$2,052,969.97, and payroll dated August 22, 2025 in the amount of \$484,959.29 and payments of the various payroll deductions in the amount of \$541,203.32 plus City matching payments, and estimated payroll dated September 5, 2025 in the amount of \$478,000 and payments of the various payroll deductions in the amount of \$260,000, plus City matching payments. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Hasan moved to adjourn the meeting of the Common Council at 12:24 a.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.