

<p style="text-align: center;">APPROVAL</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 8/2/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A RESTAURANT, BAR, BANQUET FACILITY, YEAR-ROUND INDOOR GOLF SIMULATORS, AND DEVELOPMENT OF SOFTBALL FIELDS AND VOLLEYBALL COURTS UPON PROPERTY LOCATED AT 11027 SOUTH 27TH STREET (TZ MANAGEMENT, LLC, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G. 7.</p>

At their meeting on July 21, 2011, the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a restaurant, bar, banquet facility and year-round indoor golf simulators upon property located 11027 South 27th Street (TZ Management, LLC, Applicant). The applicant has withdrawn its request for development of softball fields and volleyball courts, as noted on page 2 of the attached resolution.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2011-_____, a resolution imposing conditions and restrictions for the approval of a Special Use for a restaurant, bar, banquet facility, year-round indoor golf simulators, and development of softball fields and volleyball courts upon property located 11027 South 27th Street (TZ Management, LLC, Applicant).

RESOLUTION NO. 2011-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A RESTAURANT, BAR,
BANQUET FACILITY, YEAR-ROUND INDOOR GOLF SIMULATORS, AND
DEVELOPMENT OF SOFTBALL FIELDS AND VOLLEYBALL COURTS UPON
PROPERTY LOCATED AT 11027 SOUTH 27TH STREET
(TZ MANAGEMENT, LLC, APPLICANT)

WHEREAS, TZ Management, LLC having petitioned the City of Franklin for the approval of a Special Use in a B-7 South 27th Street Mixed-Use Office District, FC Floodplain Conservancy District, FW Floodway District and C-1 Conservancy District under Standard Industrial Classification Title No. 5812 "Eating Places (without drive through facilities)" to allow for a restaurant, bar, banquet facility, year-round indoor golf simulators, and development of softball fields and volleyball courts upon property located at 11027 South 27th Street, bearing Tax Key Nos. 978-9997-000, 978-9998-000 and 978-9999-000, more particularly described as follows:

PARCEL I

The North 59 1/2 acres of the South 115 1/2 acres of the Southeast 1/4 of Section 36, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin Excepting the East 80 feet for highway

PARCEL II

The North 28 acres of the South 56 acres of the Southeast 1/4 of Section 36, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin Excepting the East 80 feet for highway and part for road as shown in Deed recorded as Document No 5206794, and re-recorded as Document No 5529125

PARCEL III

The South 28 acres of the Southeast 1/4 of Section 36, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin Excepting the East 80 feet for highway and part of road as shown in Deed recorded as Document No 5206794 and re-recorded as Document No 5529125; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 7th day of July, 2011, and the Plan Commission thereafter having

TZ MANAGEMENT, LLC – SPECIAL USE
RESOLUTION NO. 2011-_____

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determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of TZ Management, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by TZ Management, LLC, successors and assigns, as a restaurant, bar, banquet facility and year-round indoor golf simulators use, which shall be developed in substantial compliance with, and operated and maintained by TZ Management, LLC, pursuant to those plans City file-stamped July 11, 2011 and annexed hereto and incorporated herein as Exhibit A. The development of softball fields and volleyball courts use portion of the petition having been withdrawn by the TZ Management, LLC, such use is not approved hereunder.
2. TZ Management, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the TZ Management, LLC restaurant, bar, banquet facility and year-round indoor golf simulators project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon TZ Management, LLC, and the restaurant, bar, banquet facility and year-round indoor golf simulators project for the property located at 11027 South 27th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii)

TZ MANAGEMENT, LLC – SPECIAL USE
RESOLUTION NO. 2011-_____

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obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

4. The applicant shall submit a scaled and detailed plan to the Department of City Development for its review and approval that identifies all existing and proposed features within the proposed outdoor dining/lounge area, prior to the issuance of any building permit.
5. The applicant shall submit a scaled and detailed plan to the Department of City Development for its review and approval that identifies all existing and proposed features over and adjacent to the turf field that was formerly enclosed by a dome, prior to the issuance of any building permit.
6. The applicant shall refinish and paint the previously used elevated tee-off structure prior to the issuance of a Certificate of Occupancy.
7. The applicant shall provide reasonably sufficient proof that the minimum number of required parking spaces exceeds the proposed use's projected parking demand, in accordance with Section 15-5.0203B. of the UDO.
8. The applicant shall submit a refuse enclosure elevation drawing to the Department of City Development for its review and approval for Code and purpose compliance, prior to the issuance of any building permit.
9. The applicant shall submit a revised Landscape Plan to the Department of City Development, for its review and approval that complies with the planting quantity standards set forth in Section 15-5.0302 of the UDO, prior to the issuance of any building permit.
10. Signage shall not be permitted in the FW Floodway district.

BE IT FURTHER RESOLVED, that in the event TZ Management, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a

TZ MANAGEMENT, LLC – SPECIAL USE
RESOLUTION NO. 2011-_____

Page 4

separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

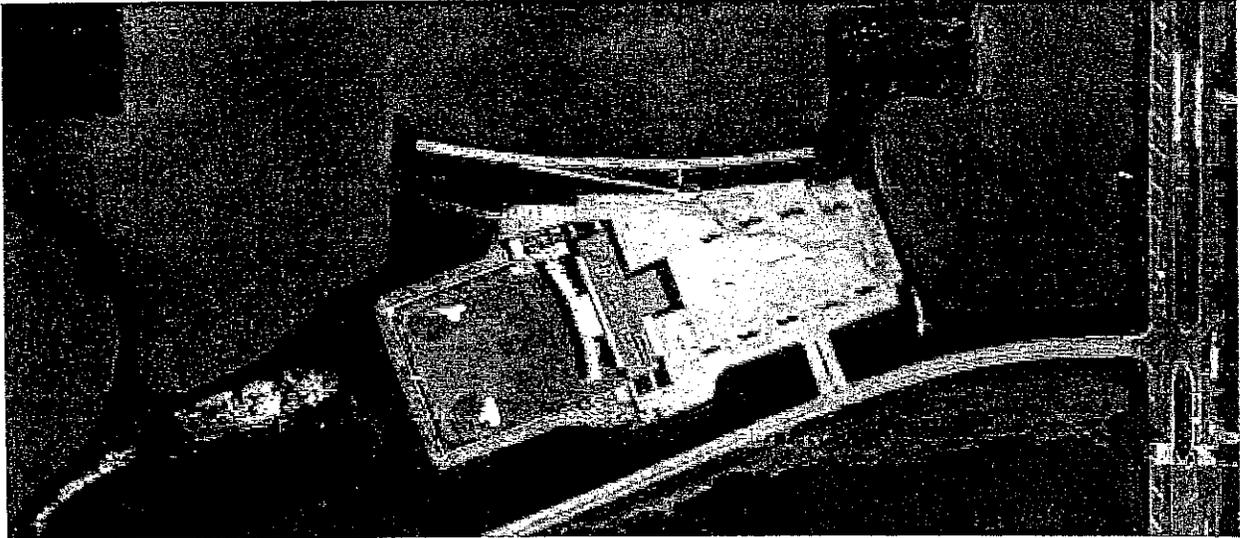
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Exhibit A

Special Use Permit Application (Revised 7/11/2011)

Field's
Dinning, Cocktails, and Banquet Facility
11027 S. 27th Street Franklin, WI 53132



Owner:
TZ Management, LLC
tzmanagementllc@gmail.com

Franklin

JUL 11 2011

City Development

Introduction

Zachary Christian and Tammy Schmidt, partners of TZ Management, LLC, are pleased to share details of our business plan as our submittal for Special Use Approval by the City of Franklin.

The proposed business is to be located at 11027 S. 27th Street, Franklin, WI, which is the corner of S. 27th Street and County Line/Eight Mile Road. The building had formerly housed Dominick's Bar and Grill and the Golf Park. The property is to be *leased* to TZ Management, LLC by Fox Glen Corporate Centre, LLC.

The objective in requesting the Special Use Permit is to open Field's, a facility for dining, cocktails, banquets, and video simulated golf. Once open, Field's strives to become know for exceptional, high-quality food and become a destination location for the avid golfer as well as those looking for a unique venue for their special event or corporate event. We would like to amend our application at this time to remove the request for the secondary uses of outdoor softball fields and volleyball courts due to zoning requirements.

Summary

The name Field's was chosen because of the park-like surroundings and neighboring farm fields. Field's dining, cocktail, and banquet hall will offer a homemade Southwestern French menu that is unique to the area. The purpose and goal of Field's is to provide a destination restaurant to Franklin residents and members of the larger community. Field's will deliver an exceptional flavor experience through the food, drink menu and ambiance. The banquet/meeting facility will be a venue for weddings, parties, corporate meetings, charity events, reunions, and other family and business celebrations. Field's will provide an atmosphere to socialize, eat, and be entertained. Field's will be a modern amenity for people of all ages that will strive to be a positive addition to the 27th Street corridor.

The banquet facility offers state-of-the art audio, visual, and lighting equipment as part of a rental package for on-site convenience to customers. The property also offers year-round indoor golf simulators for the golfer to play through-out the year in all types of Wisconsin weather. And the outdoor space located in the rear of the building will be utilized for outdoor wedding ceremonies, receptions, parties, concerts, and other events.

Operations

We anticipate that Field's will be open daily serving brunch, lunch, and dinner with owners on-site during business hours. Proposed hours of operation for the restaurant are Sunday-Thursday 8am-10pm and open 8am-2am on Fridays and Saturdays. Field's will operate with two Executive Chef's who have impressive culinary backgrounds. The chefs have created a distinctive and flavorful menu to stimulate the taste buds. The menu will include burgers, sandwiches, salads as well as specialty items, such as: Burger Quesadilla, Santa Fe Melt, Jalapeño and Bacon Wrapped Shrimp, Friday Fish Fry with homemade Beer Cheese Soup, Cajun Jambalaya Frenched Pork Chops, Calamari Olive Salad, Roasted Garlic Jalapeño Pasta, Crispy Duck, Mustard and Herb Encrusted Tenderloin, and More! The video simulated golf will have hours of operation of 8am-8pm daily. The banquet facility will be available to rent between the hours of 8am-10pm Sunday-Thursday and 8am-Midnight on Fridays and Saturdays. The anticipated opening date is September 2011.

Staffing

Staffing for Field's will come within the Franklin community and surrounding areas. Field's would like to work with staffing agencies, the local Franklin community paper, utilize a website, and use Social Networks such as Facebook and Twitter to seek employment. Field's will become a member of the South Suburban Chamber of Commerce to be pro-active in the South 27th Street Corridor.

Building and Property Detail

There are no planned structural changes to the existing building. The property will be properly maintained and landscaped with some added "curb appeal". We would like to improve the look of the landscaping and building this fall and next spring with additional improvements as the business gets off the ground. The first stage of landscape changes are to clean up the current plants, trees and lawn. Due to vacancy, the property has not received the landscape attention it needs. Our plans include weeding, manicuring, trimming all beds, shrubs and trees and parking lot islands. Our first stage would be completed prior to opening and also includes the addition of potted ornamental topiaries and flowers to create a welcoming entrance area. Climbing vines would also be planted for a green screen effect. Stage two would take place this coming spring and includes planting perennials throughout the property, creating flower beds, adding flowering shrubs and expanding the green screen plantings. Stage two also includes re-stripping of the parking lot to comply with the March 2012 ADA Standards. A revised striping plan will be submitted to the City for review when it comes time to tackle this upgrade.

The building is a total of 16,300 sq feet. The approximate square footage is: restaurant and bar area: 3700 sq ft, video simulated golf area: 3100 sq. ft and banquet hall: 5600 sq.ft. The balance of approximately 3900 sq.ft is split between kitchen, offices, restrooms and storage.

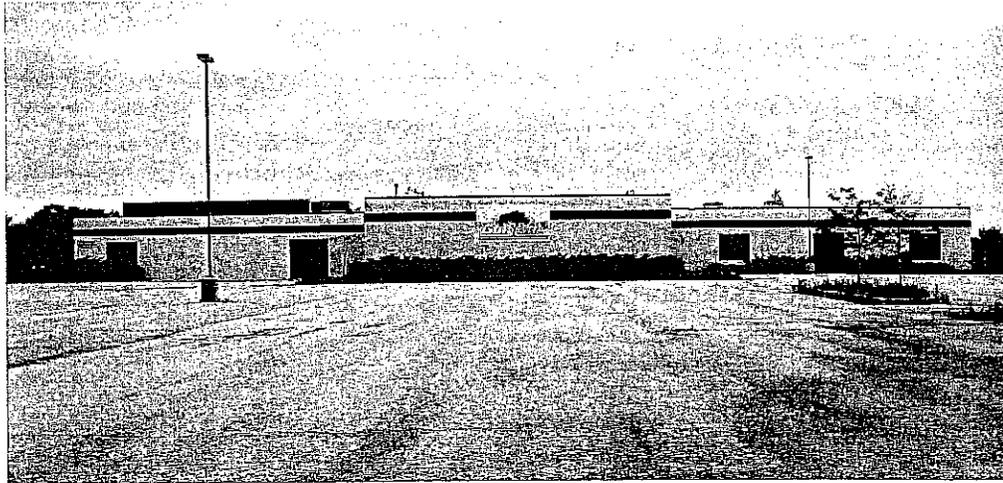
The parking lot is lighted and consists of 214 stalls. There will not be any changes to the existing outdoor lighting. Access to the property is by a two lane driveway located off of County Line Road/Eight Mile Road. The space was previously used as a restaurant and bar with golf simulators and is turn-key ready. The following pages contain a few building elevation pictures.

Listing of Professionals

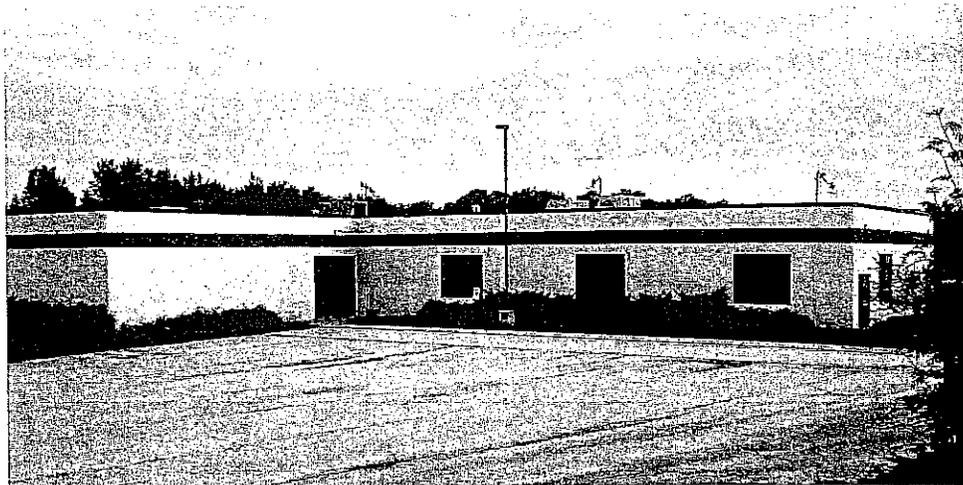
Fox Glen Corporate Centre, LLC
W237 N3167 Littlefield Court
Pewaukee, WI 53072
Contact: Jeff Knauf

Lanser Public Affairs
14550 W. Meadowshire Drive
New Berlin, WI 53151
Contact: Mary Claire Lanser

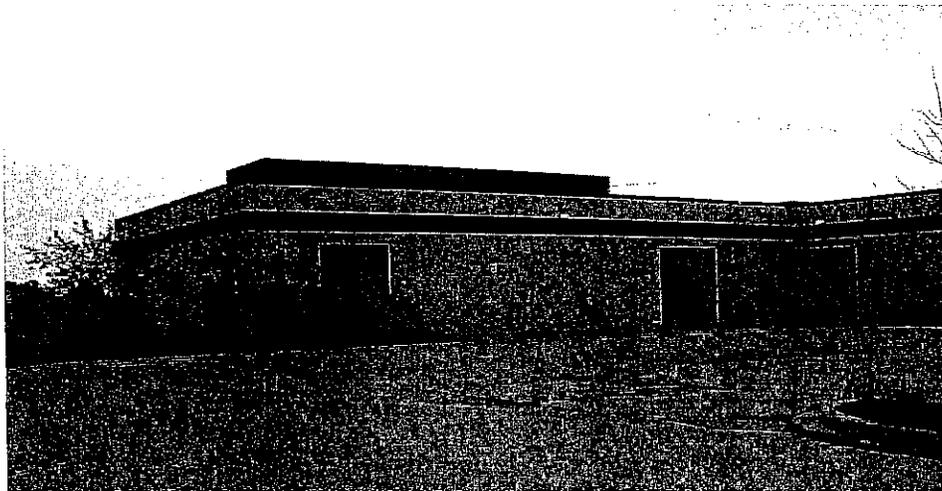
Front Elevation

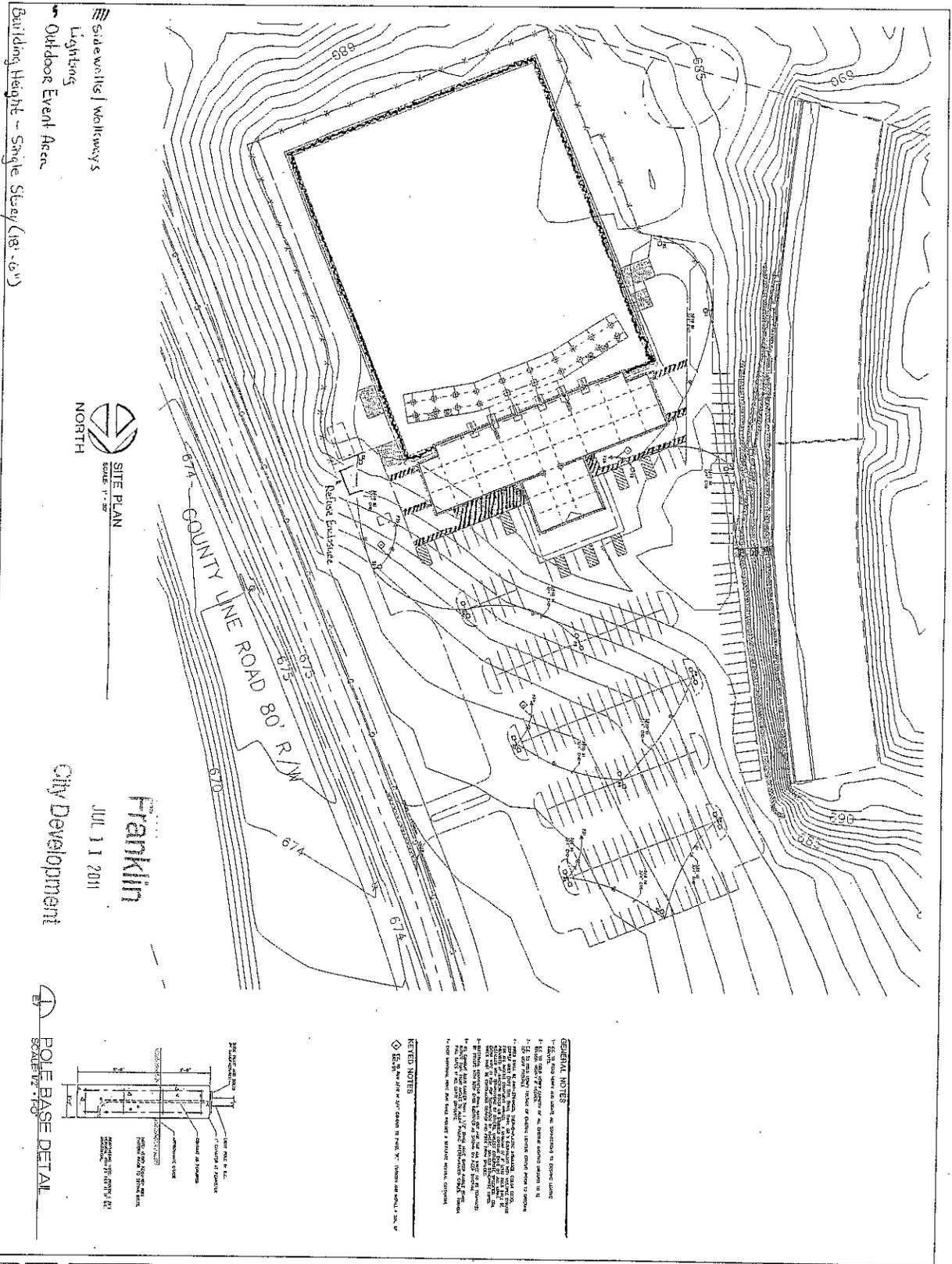


North Side Elevation



South Side Elevation





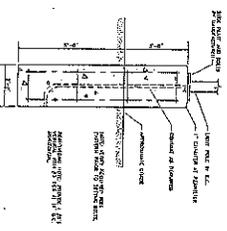
- ☐ Sidewalks/Walkways
- ☐ Lighting
- ☐ Outdoor Event Area
- ☐ Building Height - Single Story (18'-6")

SITE PLAN
SCALE: 1" = 50'



Franklin
City Development
JUL 11 2011

POLE BASE DETAIL
SCALE: 1/2" = 1'-0"



REVISIONS

- 1. 12/15/06 - 1" = 50' SCALE
- 2. 02/22/07 - 1" = 50' SCALE

GENERAL NOTES

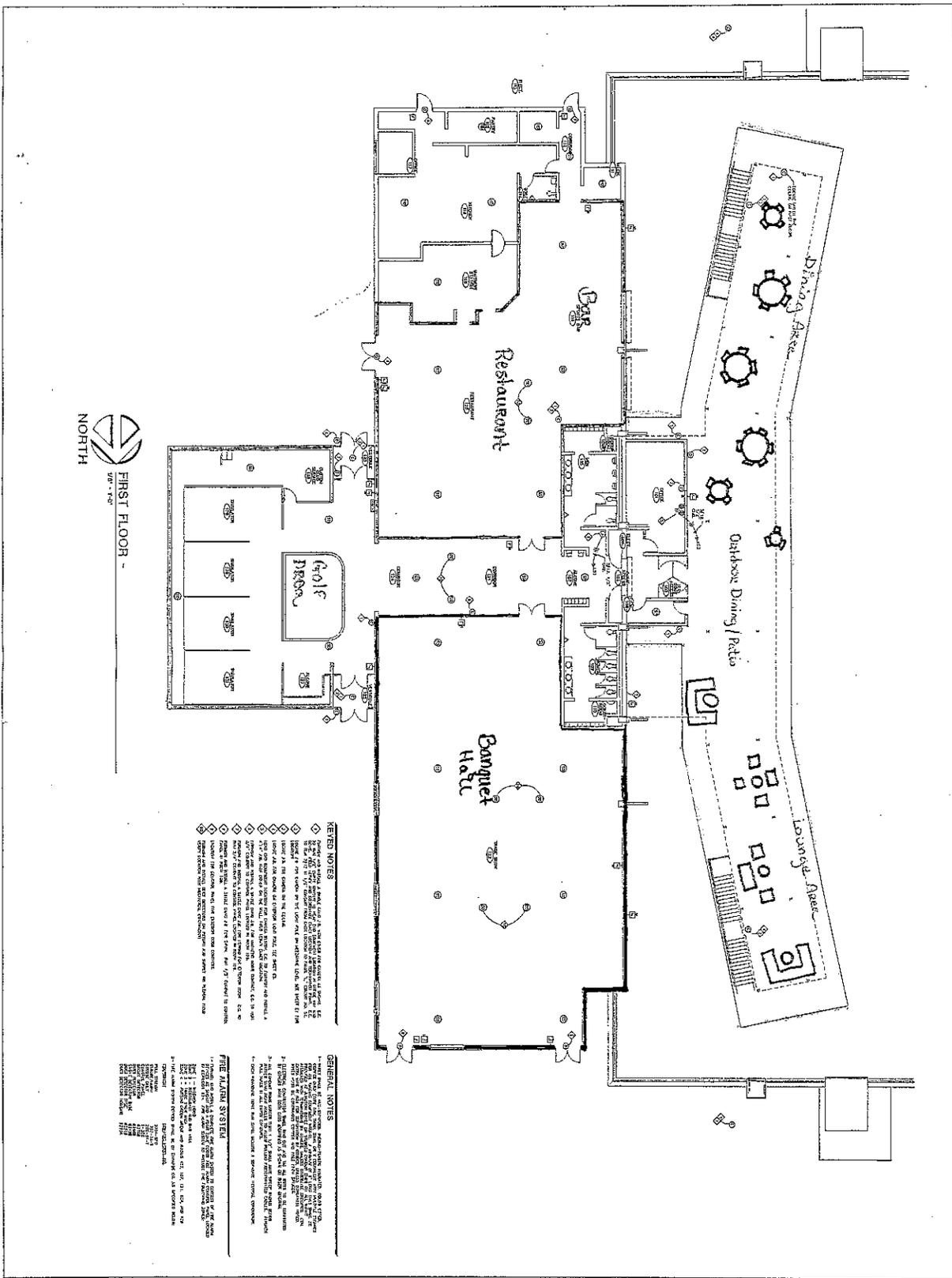
1. SEE ALL NOTES ON SHEETS 101 THROUGH 105 FOR GENERAL NOTES.
2. SEE ALL NOTES ON SHEETS 101 THROUGH 105 FOR GENERAL NOTES.
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DATE	BY	CHKD
12/15/06	EG	EG
02/22/07	EG	EG

Field's
11027 SOUTH 27TH STREET
FRANKLIN, WISCONSIN

Fischer-Fischer-Thies, Inc. ARCHITECTS • ENGINEERS • PLANNERS
222 WISCONSIN BROADWAY • MADISON, WISCONSIN 53703-2124 (608) 833-1999 FAX (608) 847-8446

Exhibit A



FIRST FLOOR -
1/8" = 1'-0"

- REVISION NOTES**
- 1. CORRECTED ROOM SIZES TO MATCH EXISTING CONDITIONS.
 - 2. ADDED ROOM SIZES TO MATCH EXISTING CONDITIONS.
 - 3. CORRECTED ROOM SIZES TO MATCH EXISTING CONDITIONS.
 - 4. CORRECTED ROOM SIZES TO MATCH EXISTING CONDITIONS.
 - 5. CORRECTED ROOM SIZES TO MATCH EXISTING CONDITIONS.
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 - 10. CORRECTED ROOM SIZES TO MATCH EXISTING CONDITIONS.

GENERAL NOTES

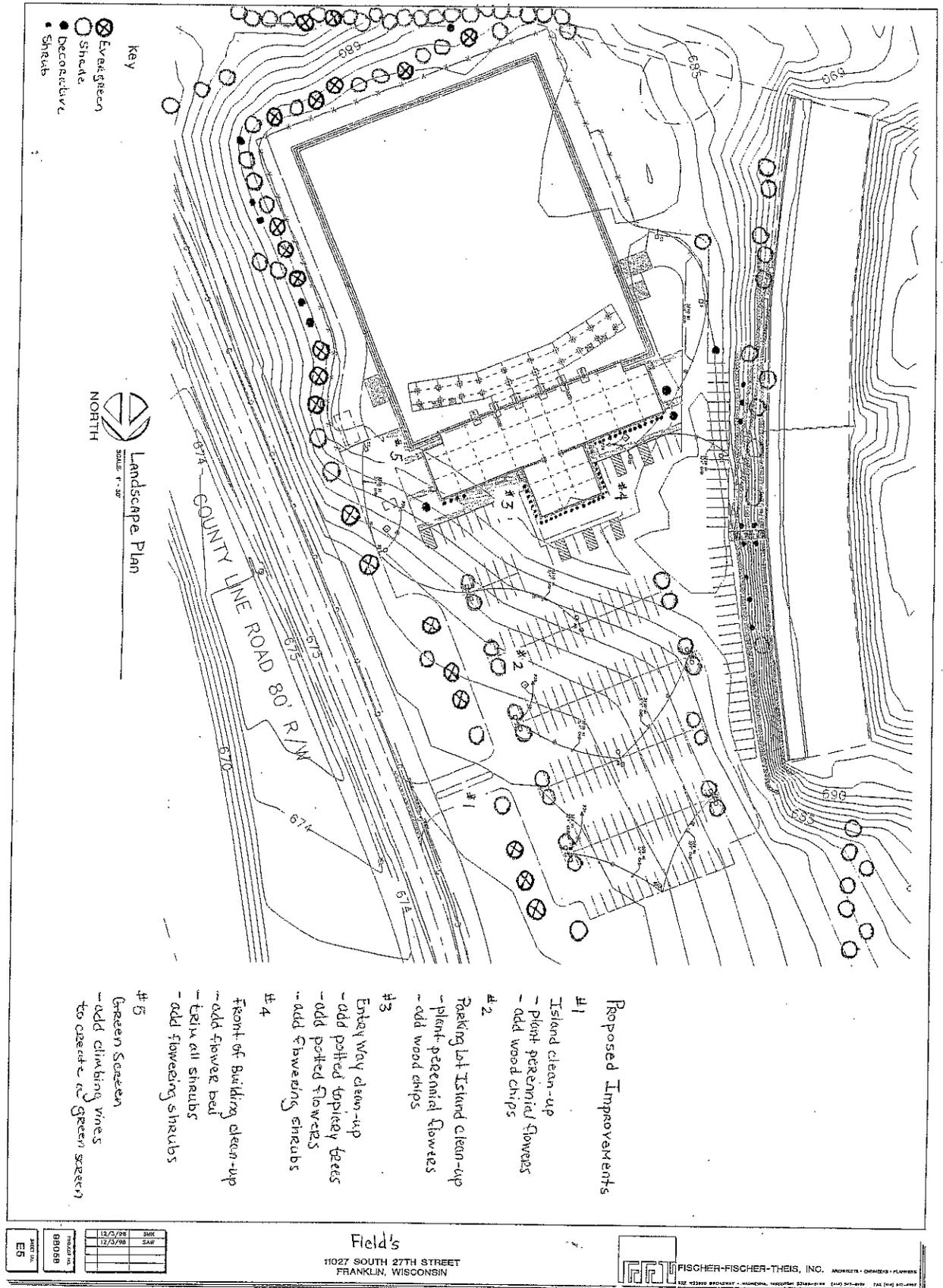
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MANUFACTURER'S INSTRUCTIONS.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC).
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FIRE ALARM AND SIGNALING CODE (NFPA).
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL EXHAUSTION CODE (IMEC).
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND MECHANICAL EXHAUSTION CODE (IPMEEC).
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL EXHAUSTION CODE (IMEC).
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND MECHANICAL EXHAUSTION CODE (IPMEEC).
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL EXHAUSTION CODE (IMEC).
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL PLUMBING AND MECHANICAL EXHAUSTION CODE (IPMEEC).

NO.	DATE	BY	CHK
1	11/27/86	SAW	
2	12/22/86	SAW	
3			
4			
5			

Field's
11027 SOUTH 27TH STREET
FRANKLIN, WISCONSIN

F.F.T. FISCHER-FISCHER-THEIS, INC. ARCHITECTS • ENGINEERS • PLANNERS
222 WEST BROADWAY • MILWAUKEE, WISCONSIN 53233-3889 (414) 967-4341 FAX (414) 261-7465

Exhibit A



 CITY OF FRANKLIN 

REPORT TO THE PLAN COMMISSION

Meeting of July 21, 2011

Special Use



RECOMMENDATION: City Development Staff recommends approval of the Special Use Application for TZ Management, LLC to operate a restaurant, bar and banquet facility upon property generally located at 11027 South 27th Street, subject to the conditions in the attached draft resolution.

Project Name:	Field's Special Use
Project Address:	11027 S. 27 th Street (Parcel Nos. 978-9997-000, 978-9998-000 and 978-9999-000)
Applicant:	TZ Management, LLC
Owner:	Fox Glen Corporate Centre, LLC
Zoning:	B-7 South 27 th Street Mixed Use Office District
Use of Surrounding Properties:	Agricultural land to the north and east; residential to the south (Town of Raymond); and agricultural land to the west (City of Oak Creek).
2025 Comprehensive Plan:	Mixed Use and Areas of Natural Resource Features
Applicant Action Requested:	Recommendation of approval to the Common Council for the proposed Special Use Application

INTRODUCTION:

Please note that:

- Staff recommendations are *underlined, in italics* and are included in the draft ordinance.
- Staff suggestions are only underlined and not included in the draft resolution.

On June 13, 2011, TZ Management, LLC filed a Special Use Application with the Department of City Development, requesting approval to operate a restaurant, bar, and banquet hall facility within the former Golf Park building on property located at 11027 South 27th Street. The proposed restaurant, bar and banquet hall facility corresponds with Standard Industrial Classification (SIC) Title No. 5812, eating places (without drive through facilities) which may be considered for approval in the B-7 South 27th Street Mixed Use Office District as a Special Use. The initial Application also included plans for accessory softball fields and volleyball courts; however, the applicant no longer wishes to obtain approval for these features, and has removed them from the Application submittal accordingly.

HISTORY:

On May 6, 1997, the Common Council adopted Resolution No. 1997-4547, approving a Special Use for a year-round climate controlled 72,000 square foot indoor driving range, 34,000 square foot building and future additions for recreational and related activity use, including restaurant and sports bar, meeting/hospitality facility, retail sports shop sales, custom club fitting and repair shop, video simulators, 60 tee outdoor driving range, 36 hole miniature golfing, putting greens and practice holes. On August 26, 1997, the Common Council adopted Resolution No. 1997-4607, amending the Special Use approval for the project. With this amendment, the initial building size was reduced to 16,300 square feet and a parking lot with 214 parking spaces was specifically referenced.

Section 15-3.0701(G)(2) of the Unified Development Ordinance (UDO) states that Special Uses shall automatically expire and cease to be of any force or effect if such use shall, for any reason, be discontinued for a period of six consecutive months or more. The Special Use approval for this property has therefore expired since business operations have been inactive for at least six months.

PROJECT DESCRIPTION:

The 106.49-acre property is comprised of three parcels. The existing building has an area of approximately 16,300 square feet, consisting of approximately 3,700 square feet for the proposed restaurant and bar, 3,100 square feet for the golf simulators and 5,600 square feet for the banquet hall. The remaining 3,900 square feet is split between the kitchen, offices, restrooms and storage.

Site Layout/Architecture:

According to the letter of intent, the applicant is proposing to open a restaurant, bar and banquet hall facility with indoor golf simulators inside the existing building. The restaurant and bar will include an outdoor dining area/lounge that is planned at ground level, below the elevated structure that was previously a tee-off area within the former golf dome. A plan was submitted for this area but lacks a sufficient amount of detail. Staff recommends that the applicant submit a scaled and detailed plan to the Department of City Development for its review and approval that identifies all existing and proposed features within the proposed outdoor dining/lounge area, prior to the issuance of any building permit. The banquet/meeting facility will serve as a venue for weddings, parties, corporate meetings, charity events, reunions, and other family and business celebrations, offering state-of-the art audio, visual, and lighting equipment. The applicant also wishes to utilize the existing turf field that was formerly enclosed by the dome for wedding ceremonies, receptions, parties, concerts and other events. Staff recommends that the applicant submit a scaled and detailed plan to the Department of City Development for its review and approval that identifies all existing and proposed features over and adjacent to the turf field that was formerly enclosed by a dome, prior to the issuance of any building permit. The applicant must obtain all necessary approvals from the City for outdoor functions (e.g., outdoor concerts) that are deemed by the City to be Temporary, Special or Extraordinary uses or events.

Proposed hours of operation for the restaurant and outdoor patio dining/lounge area are from 8:00 A.M. to 10:00 P.M., Sunday through Thursday and from 8:00 A.M. to 2:00 P.M., Friday through Saturday. Proposed hours of operation for the indoor golf simulators are from 8:00 A.M. to 8:00 P.M. daily. The banquet hall will be available for rental from 8:00 A.M. to 10:00 P.M., Sunday through Thursday and 8:00 A.M. to midnight, Friday through Saturday.

It can be noted that the elevated structure that was previously used as a tee-off area within the golf dome has a substantial amount of peeling paint. Staff recommends that the applicant refinish and paint

this structure prior to the issuance of a Certificate of Occupancy. In addition, a chain-link fence topped with barbed wire is located around the perimeter of the turf field. Staff suggests that the applicant remove the barbed wire that is located on top of this chain-link fence.

Access/Parking:

The property is accessible from a driveway that connects to West County Line Road, approximately 500 feet west 27th Street. The applicant's proposal to add a 3,500 square foot outdoor patio/lounge area to the restaurant requires an examination of the property's parking capacity and current UDO parking requirements. The following is a summary of the proposed uses, their approximate square footages and current parking requirements prescribed in Table 15-5.0203 of the UDO:

- Restaurant Area (2,467 s.f.): 20 parking spaces per 1,000 square feet = 49 parking spaces
- Indoor Bar Area (1,233 s.f.): 10 parking spaces per 1,000 square feet = 12 parking spaces
- Outdoor Dining Area (2,333 s.f.): 20 parking spaces per 1,000 square feet = 47 parking spaces
- Outdoor Bar Area (1,167 s.f.): 10 parking spaces per 1,000 square feet = 12 parking spaces
- Banquet Hall (5,600 s.f.): 20 parking spaces per 1,000 square feet = 112 parking spaces. Banquet Halls are most closely associated with SIC Title No. 5812 per the Occupational Safety and Health Administration (OSHA) website.
- Indoor Golf Simulators (4): One parking space for every four patrons = 4 parking spaces
- Miscellaneous Indoor Area including the Kitchen, Office, Restrooms, Lockers and Storage (3,900 s.f.) = Varies. The UDO does not specifically define parking requirements for most of the Miscellaneous Indoor Area.

At least 236 parking spaces are required for the development per the standards set forth in Table 15-5.0203 of the UDO, not counting the Miscellaneous Indoor Area. The existing parking lot contains 207 standard-size parking spaces, which is at least 29 parking spaces short of the minimum required. However, Section 15-5.0203 of the UDO allows for up to a 25% reduction of minimum required parking quantities, subject to approval by the Common Council. Staff recommends that the applicant provide reasonably sufficient proof that the minimum number of required parking spaces exceeds the proposed use's projected parking demand, in accordance with Section 15-5.0203B, of the UDO.

The applicant intends to resurface the parking lot and restripe the existing standard and accessible parking spaces in accordance with the March 2010 ADA parking standards. (The seven existing accessible parking spaces meet the current minimum quantity standards set forth by the Americans with Disabilities Act). Staff suggests that the applicant submit a restriping plan to the Department of City Development for review and approval, prior to commencing the restriping project. In addition, the property lacks a refuse enclosure. Staff recommends that the applicant submit a refuse enclosure elevation drawing to the Department of City Development for its review and approval for Code and purpose compliance, prior to the issuance of any building permit.

Landscaping:

The applicant submitted a landscape plan that identifies the location of all existing plantings. The plan also denotes landscape areas that will be rehabilitated and locations of new potted trees, flowers, shrubs and green screens. Although the UDO exempts projects without significant building expansions from the requirements set forth in Division 15-5.0300 (Required Landscaping) and Division 15-3.0350 Overlay District Standards) of the UDO, the Plan Commission and Common Council can require additional landscaping as a condition of approval during their review of Special Use requests.

The previous Special Use approval, as well as the current landscaping standards set forth in Section 15-5.0302 of the UDO (for new development) require one canopy/shade tree, one decorative tree, one evergreen tree and one shrub per five provided parking spaces. Since the property has 214 parking spaces, at least 43 shade trees, 43 decorative trees, 43 evergreen trees and 43 shrubs are required throughout the property per this standard. According to the applicant, the existing property contains more than 50 shade trees, 29 decorative trees, 22 evergreen trees and 41 shrubs, quantities that fall short of the planting requirements prescribed by the UDO.

Staff recommends that the applicant submit a revised Landscape Plan to the Department of City Development, for review and approval by the Plan Commission that complies with the planting quantity standards set forth in Section 15-5.0302 of the UDO, prior to the issuance of any building permit.

Natural Resource Protection Plan:

The applicant did not submit a Natural Resource Protection Plan (NRPP) for the subject property since no building or parking lot expansions are proposed. However, it should be noted that a large area of the parking lot and the southern portion of the building and outdoor turf field are located in an existing FEMA 100-year flood plain. In addition, the Root River and a Primary Environmental Corridor are located along the southern end of the property, and an Isolated Natural Resource Area (INRA) is located near the property's northwest corner.

Outdoor Lighting/Signage:

The existing property contains pole-mounted lighting within the parking lot. No additional lighting is proposed at this time. Signage shall not be permitted in the FW Floodway district.

ANALYSIS:

The subject property is located within the B-7 South 27th Street Mixed Use Office District. According to Section 15-3.0306A of the UDO, the B-7 South 27th Street Mixed Use office District is intended to provide for the development of high-quality office and retail uses, in furtherance of the goals and objectives of the South 27th Street Corridor Element of the Comprehensive Plan.

The property also is also located in the South 27th Street Design Overlay District, which contains special architectural, parking, and landscaping standards for sites with new buildings or for projects which result in an increase in floor area of fifty (50) percent or more over the floor area of the existing building at the time of the addition. Although this project does not result in such an increase, Staff suggests upgrading the site so that it incorporates, whenever feasible, the South 27th Street Overlay District standards, as set forth in Division 15-3.0350 of the UDO. The following are some associated building and site upgrades that the applicant may wish to consider:

- a. Enhance the building entrances by adding canopies, decorative pavers, etc.
- b. Increase the amount of landscape islands and/or plantings within or immediately adjacent to the existing parking lot.
- c. Add decorative lighting throughout the site, with particular emphasis on pedestrian-scaled decorative lighting along pedestrian pathways.
- d. Enhance the building architecture through painting, green screens, perimeter decorative walls and/or fencing.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. Staff believes that the proposed Special Use with recommended conditions meets these requirements, and that it should not have a detrimental effect on the general health, welfare, safety, and convenience of persons residing or working near the business.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the Special Use Application for TZ Management, LLC to operate a restaurant, bar and banquet facility upon property generally located at 11027 S. 27th Street, subject to the conditions in the draft resolution.

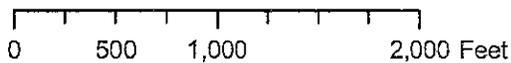
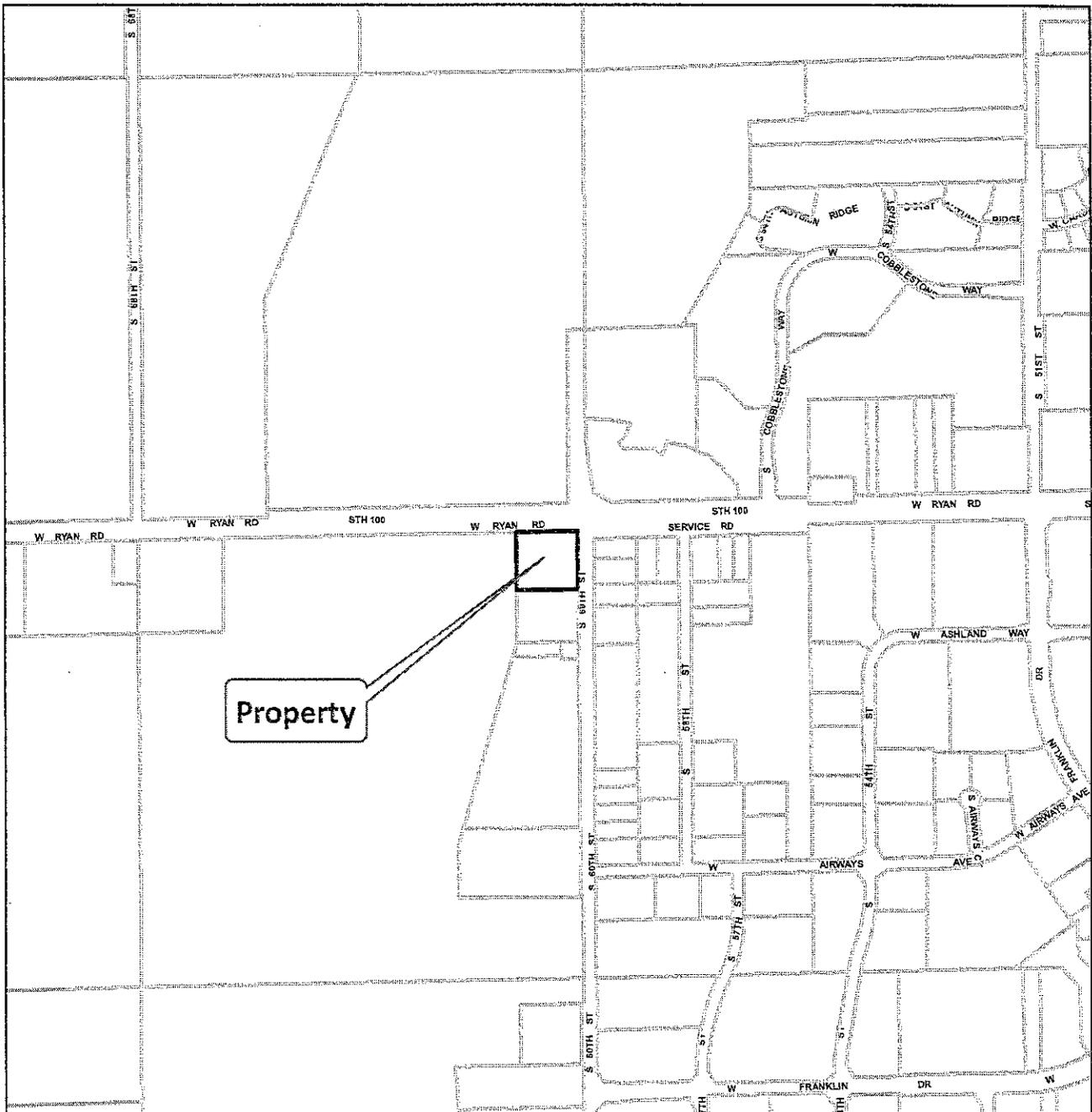
<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>W</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">8/2/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A HEATING, VENTILATION AND AIR CONDITIONING CONTRACTING BUSINESS USE UPON PROPERTY LOCATED AT 9525 SOUTH 60TH STREET (BURANT HEATING & AIR CONDITIONING LLC, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>C.8.</i></p>

At their meeting on July 21, 2011, the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a heating, ventilation and air conditioning contracting business use upon property located at 9525 South 60th Street (Burant Heating & Air Conditioning LLC, Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2011-_____, a resolution imposing conditions and restrictions for the approval of a Special Use for a heating, ventilation and air conditioning contracting business use upon property located at 9525 South 60th Street (Burant Heating & Air Conditioning LLC, Applicant).

9525 S. 60th Street (also 6005 W. Ryan Road)



City Development 2011
(2010 Aerial Layer)



RESOLUTION NO. 2011-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A HEATING, VENTILATION
AND AIR CONDITIONING CONTRACTING BUSINESS USE UPON
PROPERTY LOCATED AT 9525 SOUTH 60TH STREET
(BURANT HEATING & AIR CONDITIONING LLC, APPLICANT)

WHEREAS, Burant Heating & Air Conditioning LLC having petitioned the City of Franklin for the approval of a Special Use in an M-1 Limited Industrial District under Standard Industrial Classification Title No. 1711 "Plumbing, heating, air-conditioning", to allow for a heating, ventilation and air conditioning business use upon property located at 9525 South 60th Street, bearing Tax Key No. 898-9997-017, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 4929, being a redivision of Parcel 2 of Certified Survey Map No. 4144, being a redivision of Parcel 1 of Certified Survey Map No. 2247 of lands in the Northeast 1/4 of the Northeast 1/4 of Section 27, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 21st day of July, 2011, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Burant Heating & Air Conditioning LLC, for the approval of a Special Use for the property particularly described in the preamble to

BURANT HEATING & AIR CONDITIONING LLC – SPECIAL USE
RESOLUTION NO. 2011-_____

Page 2

this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Burant Heating & Air Conditioning LLC, successors and assigns, as a heating, ventilation and air conditioning contracting business use, which shall be developed in substantial compliance with, and operated and maintained by Burant Heating & Air Conditioning LLC, pursuant to those plans City file-stamped July 15, 2011 and annexed hereto and incorporated herein as Exhibit A.
2. Burant Heating & Air Conditioning LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Burant Heating & Air Conditioning LLC heating, ventilation and air conditioning contracting business, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Burant Heating & Air Conditioning LLC, and the heating, ventilation and air conditioning contracting business use for the property located at 9525 South 60th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

BE IT FURTHER RESOLVED, that in the event Burant Heating & Air Conditioning LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a

BURANT HEATING & AIR CONDITIONING LLC – SPECIAL USE
RESOLUTION NO. 2011-_____

Page 3

separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Exhibit A

Date 6/13/2011

From:

David Hughes
6005 West Ryan Road
Franklin, WI 53132
Ph 414 421 8900

To:

City of Franklin
Planning Dept.
9229 West Loomis Road
Franklin, WI 53132
Ph 414 425 4024

Special Use Application—Narrative

Our renter: Burant HVAC is applying for special Use for their business: HVAC Heating and Air Conditioning
Their hours are: 7:30 AM- 4:30 M-F
8 Employees
Vehicles : Cars & 5 lettered service truck.
Attached : 10 copies of a site map , \$750.00 check for the fee , and the application.

This action will cover the 7 points listed below:

Ordinance and Comprehensive Master Plan Purposes and Intent
No Undue Adverse Impact
No Interference with Surrounding development
Adequate Public facilities.
No Traffic Congestion.
No Destruction of Significant features
Compliance with standards .

Sincerely,



David R Hughes

Franklin

JUL 15 2011

City Development

Exhibit A

Map of Survey

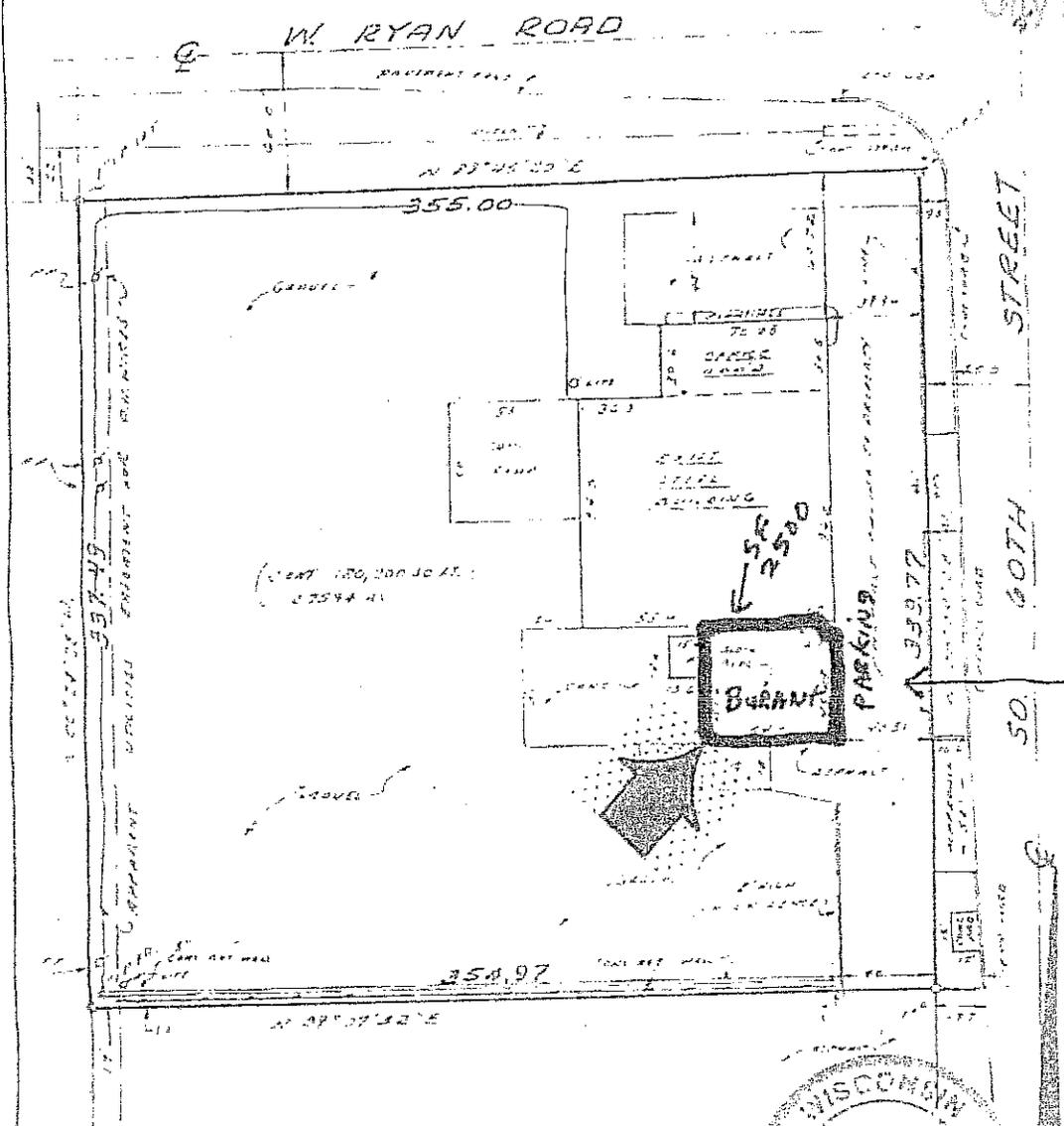
Survey For *Duke Transit*
 Location *4025 W RYAN ROAD*

Description *PARCEL 1 OF CERTIFIED SURVEY MAP NO. 4922 BEING A SUBDIVISION OF PARCELS OF CERTIFIED SURVEY MAP NO. 4114 BEING A SUBDIVISION OF PARCELS OF CERTIFIED SURVEY MAP NO. 2247 PLANNED IN THE NORTH QUARTER OF THE S 1/4 OF SECTION 27, TOWNSHIP NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN*

Franklin

JUL 15 2011

City Development



Parking for
 6-8
 CARS
 & SMALL
 Trucks
 & Service

 ALL
 Paved
 Area



INMAN SURVEY & ASSOCIATES, INC.



State of Wisconsin) ss
 Milwaukee County

SURVEY CERTIFICATE

We, Inman Survey and Associates, Inc., certify that we have surveyed the above described property and the above map is a true representation thereof, and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments, if any

This survey is made for the exclusive use of the present owners of the Property, and also those who purchase mortgage, or guarantee the title thereto, within one (1) year from date hereof

Handwritten signature
 Wisconsin Registered Land Surveyor

Date *July 15, 2011*
 Job No *11062*

 CITY OF FRANKLIN 

REPORT TO THE PLAN COMMISSION

Meeting of July 21, 2011

Special Use



RECOMMENDATION: City Development Staff recommends approval of the Special Use for Burant Heating & Air Conditioning, LLC at 9525 South 60th Street, subject to the conditions in the attached draft resolution.

Project Name: Burant HVAC Special Use
Project Address: 9525 S. 60th Street
Applicant: Burant Heating & Air Conditioning, LLC
Owner: David & Lori Hughes Trust DTD 4/23/99
Zoning: M-1 Limited Industrial District
Use of Surrounding Properties: Root River Parkway to the north and west, and industrial uses to the south, and east.
2025 Comprehensive Plan: Industrial
Applicant Action Requested: Recommendation of approval to the Common Council for the proposed Special Use application to allow for Burant Heating & Air Conditioning, LLC upon property located at 9525 S. 60th Street.

INTRODUCTION:

Please note that:

- Staff suggestions are only underlined and not included in the draft resolution.

On June 14, 2011, Burant Heating & Air Conditioning, LLC filed a Special Use Application with the Department of City Development, requesting approval for a heating, ventilation, and air-conditioning contracting business within an existing building on property located at 9525 South 60th Street, in Phase I of the Franklin Industrial Park. The applicant is also requesting approval for overnight parking of up to five trucks rated over 8,000 lbs Gross Vehicle Weight. The proposed heating, ventilation, and air-conditioning contracting business corresponds with Standard Industrial Classification (SIC) Title No. 1711, Plumbing, Heating, and Air-Conditioning which is allowed in the M-1 Limited Industrial District as a Special Use.

HISTORY:

Burant Heating & Air Conditioning, LLC has been occupying 9525 South 60th Street since at least early spring of 2011, without any approvals from the City of Franklin. In order to address this immediate situation, Staff is working with Burant Heating & Air Conditioning on obtaining Special Use approval. The applicant is not proposing any exterior changes to the building or site at this time.

PROJECT DESCRIPTION AND ANALYSIS:

According to the applicant, Burant Heating & Air Conditioning, LLC has an office and warehouse space within the building they are leasing at 9525 South 60th Street. Burant Heating & Air Conditioning, LLC has eight (8) employees working at this location. Hours of operation for the site are from 7:30 a.m. to 4:30 p.m. Monday through Friday.

The property is 2.74 acres or 111,134 square feet and consists of two existing buildings which share a common interior wall. Dalor Transit, Inc., a local trucking company occupies the north building, and Burant Heating & Air Conditioning, LLC leases the southern building. The building being leased by Burant Heating & Air Conditioning is approximately 2,500 square feet, and consists of office and warehouse space.

Parking

The parking lot at 9525 South 60th Street has thirty (30) striped parking stalls, which is enough to accommodate Burant Heating & Air Conditioning's employees, and Dalor Transit's employees. From Staff's review of the 2010 aerial photograph of the City of Franklin, fifteen (15) of the parking stalls at 9525 South 60th Street appear to be partially located within the South 60th Street right-of-way. Staff suggests Burant Heating & Air Conditioning, LLC remove the existing parking stalls at 9525 South 60th Street from the South 60th Street right-of-way, and restripe the parking stalls in accordance with Section 15-5.0202 of the Unified Development Ordinance.

According to the applicant, five (5) company trucks rated over 8,000 lbs Gross Vehicle Weight may be parked outside overnight at 9525 South 60th Street. Staff suggests any company vehicles weighing over 8,000 lbs Gross Vehicle Weight be parked in the gravel parking lot along the south property line, to reduce their visibility from South 60th Street.

Landscaping

Per Table 15-3.0309 of the Unified Development Ordinance, the M-1 Limited Industrial District requires a minimum Landscape Surface Ratio (LSR) of 0.4, or 40% of the lot. As previously stated, 9525 S. 60th Street is approximately 2.74 acres or 111,134 square feet. According to the M-1 Limited Industrial District Standard, this property should have a minimum of 47,916 square feet of landscaped surface.

Staff suggests Burant Heating & Air Conditioning, LLC submit a revised site plan, meeting the minimum Landscape Surface Ratio standard of the M-1 Limited Industrial District, to the Department of City Development Staff, for its review and approval for Code compliance.

Staff suggests Burant Heating & Air Conditioning, LLC install turf grass lawn along the west, and south property lines of 9525 South 60th Street to move closer to satisfying the minimum Landscape Surface Ratio requirement of 47,916 square feet.

Per Section 15-5.0302 of the Unified Development Ordinance (UDO), the minimum number of standard plant units for an industrial site is 1 per 10 provided parking spaces. Based on the 30 existing parking stalls, this property would be required to have at least 3 shade trees, 3 evergreens, 3 decorative trees, and 3 shrubs. However, Section 15-5.0302B3 of the UDO states, "The minimum number of plantings shall be 5 per property for each type." Currently, the only approved landscaping on the property is along the northern property line, providing a buffer between Dalor Transit, Inc's semi-tractor trailer parking and West Ryan Road. In addition, eight (8) trees have been planted in the South 60th Street right-of-way. While staff appreciates the effort to add landscaping to the site, the City does not allow landscaping in the public right-of-way. Staff suggests Burant Heating & Air Conditioning, LLC remove the eight (8) trees from the South 60th Street right-of-way, and provide new plantings at 9525 S. 60th Street in accordance with the minimum number of standard plant units prescribed by Section 15-5.0302 of the Unified Development Ordinance. If possible, the existing trees should be saved and transplanted elsewhere on the site.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the Special Use for Burant Heating & Air Conditioning, LLC at 9525 South 60th Street, subject to the conditions in the attached draft resolution.

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
		8/2/2011
Reports & Recommendations	SUBJECT: A resolution awarding the contract to the lowest bidder, Burkel Construction, Inc. in the amount of \$37,400.00 for rehabilitative work on the W. Drexel Avenue bridge 800 feet east of S. 51 st Street	ITEM NO. 

BACKGROUND

Bi-yearly bridge inspections show the condition of the bridge getting progressively worse. Surface restoration is recommended to extend the life of this structure. This bridge was originally built in 1936.

This work is estimated to take two weeks to complete. No bridge closures are expected.

ANALYSIS

The bids received were as follows:

Burkel Construction, Inc.	\$37,400.00
Benavides Construction, Inc.	\$49,500.00
Zenith Tech, Inc.	\$70,450.00

The budgeted amount for this project is \$40,000. Staff recommends the award to Burkel Construction, Inc. in the amount of \$37,400.00.

OPTIONS

Approve or deny the award.

FISCAL NOTE

The engineer's estimate for this work is \$37,800.00. The funding for this project was budgeted at \$40,000.00 in the Capital Improvement Fund for 2011.

RECOMMENDATION

Motion to adopt Resolution No. 2011-_____, a resolution awarding the contract to the lowest bidder, Burkel Construction, Inc. in the amount of \$37,400.00 for rehabilitative work on the W. Drexel Avenue bridge 800 feet east of S. 51st Street.

MJB/sg

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011 - _____

A RESOLUTION AWARDDING CONTRACT TO THE
LOWEST BIDDER, BURKEL CONSTRUCTION, INC. IN THE AMOUNT
OF \$37,400.00 FOR REHABILITATIVE WORK ON THE W. DREXEL AVENUE
BRIDGE 800 FEET EAST OF S. 51ST STREET

WHEREAS, the City of Franklin advertised and solicited bids for the rehabilitation of the W. Drexel Avenue bridge; and

WHEREAS, the low bidder was Burkel Construction, Inc. with a bid of \$37,400.00; and

WHEREAS, Burkel Construction, Inc. is a qualified public works contractor.

WHEREAS, it is in the best interest of the City as recommended by the City's staff to award the contract at the total base bid of \$37,400.00 to Burkel Construction, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Burkel Construction, Inc. be awarded the contract for the rehabilitation of the W. Drexel Avenue bridge.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to execute a contract with Burkel Construction, Inc. on behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

MJB/sg

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
Reports & Recommendations	SUBJECT: Authorization to include removal/replacement of concrete curb and gutter on W. Carmel Drive from Tumblecreek Drive to approximately 500 feet west in 2011 Local Street Program Contract	8/2/11 G. 10.

BACKGROUND

The Board of Public Works at their July 12, 2011 meeting considered a request from staff to remove and replace extremely deteriorated concrete curb and gutter on both sides of W. Carmel Drive from Tumblecreek Drive to approximately 500 feet west.

ANALYSIS

Approximately 1,000 lineal feet of curb and gutter has badly deteriorated due to believed poor installation condition (i.e. freezing, introduction of road salt, etc.). This curb and gutter is breaking apart and should not be left. Patching would be short lived. The bituminous road surface can, however, remain several years.

The City has a contract with Stark Asphalt for the 2011 Road Program. As part of the contract, there is an item to remove and replace curb and gutter. The cost being \$25.00 per foot, a competitive price. The contractor has agreed to include the W. Carmel Drive curb and gutter quantity at bid price. The total anticipated cost being \$25,000.

OPTION

Authorize or Deny recommendation from Board of Public Works.

FISCAL NOTE

The total bid amount from Stark Asphalt for the Local Road Program contract was over \$100,000 less than estimated.

It is suggested this curb and gutter project modification could come from the 2011 Local Street Program.

RECOMMENDATION

Motion to authorize staff to include removal/replacement of concrete curb and gutter on W. Carmel Drive from Tumblecreek Drive to approximately 500 feet west in 2011 Local Street Program Contract.

RJR/sg

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
Reports & Recommendations	SUBJECT: A resolution awarding contract to D.C. Burbach, Inc. in the amount of \$11,981.70 for the installation of concrete sidewalk in easement from W. Forest Hill Avenue to a Franklin High School drive	8/2/2011 ITEM NO. 6.11

BACKGROUND

Pursuant to Council authorization of 6/21/11, staff has requested three and received two quotes from qualified contractors to install a five foot concrete sidewalk in easement (east side of 4934 W. Forest Hill Avenue) into Franklin High School lands connecting to a drive.

ANALYSIS

The two quotes received were as follows:

D.C. Burbach, Inc.	\$11,981.70
Stark Asphalt Concrete Division	\$21,670.00

One would conclude only D.C. Burbach, Inc. was competitively interested in this project.

Given that D.C. Burbach, Inc. has previously done a significant amount of quality concrete work in the City and also that their bid was below the Engineer's Estimate of \$12,500, the Board of Public Works at their July 12, 2011 meeting recommended to Council the award of contract to D.C. Burbach, Inc.

As required of award of quote, an advertisement was placed in the local paper for comment. No comments to this advertisement were received.

OPTIONS

Award contract to install concrete sidewalk with School District participation.

or

Reject quote(s).

or

Review walk/path alternates.

FISCAL NOTE

It is anticipated the City will take the lead in contracted work. The School District would cost share, based on percent of walk installed, as follows:

City Share:	60% x \$11,981.70 = \$ 7,189.02
School District Share:	40% x \$11,981.70 = \$ <u>4,792.68</u>
Project Cost	\$11,981.70

RECOMMENDATION

Motion to adopt Resolution No. 2011-_____, a resolution awarding contract to D.C. Burbach, Inc. in the amount of \$11,981.70 for the installation of concrete sidewalk in easement from W. Forest Hill Avenue to a Franklin High School drive.

RJR/sg

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011 - _____

A RESOLUTION AWARDDING CONTRACT TO D.C. BURBACH, INC.
IN THE AMOUNT OF \$11,981.70 FOR THE INSTALLATION OF CONCRETE
SIDEWALK IN EASEMENT FROM W. FOREST HILL AVENUE
TO A FRANKLIN HIGH SCHOOL DRIVE

WHEREAS, the City of Franklin requested and received quotes for the installation of concrete sidewalk; and

WHEREAS, the low quote was from D.C. Burbach, Inc. in the amount of \$11,981.70; and

WHEREAS, D.C. Burbach, Inc. are qualified public works contractors; and

WHEREAS, it is in the best interest of the City as recommended by the City's staff and Board of Public Works to award the contract in the amount of \$11,981.70 to D.C. Burbach, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that D.C. Burchach, Inc. be awarded the contract for the installation of concrete sidewalk in easement from W. Forest Hill Avenue to a Franklin High School drive.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to execute a contract with D.C. Burbach, Inc. on behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RJR/sg



Mr. Mark Cloutier, District Manager
Education and Community Center
8255 W. Forest Hill Avenue
Franklin, WI 53132-9705

RE: Installation of Concrete Sidewalk – Forest Hill Avenue to Franklin High School

Dear Mark,

At their meeting of July 12, 2011 the Board of Public Works directed me to contact you in writing to establish shared cost of the installation of this concrete sidewalk. As you are aware, this walk will extend 140 lineal feet in easement at 4934 W. Forest Hill to High School property where it will extend 90 lineal feet to a point of connection to an existing drive (see site map).

The total length of this project is 230 lineal feet of which 60% (140 lineal feet) is the City's and 40% (90 lineal feet) is the School District's responsibilities.

The City received competitive quotes on Monday, July 11, 2011. The low quote was from D.C. Burbach in the amount of \$11,981.70. D.C. Burbach has previously done a significant amount of quality concrete work in the City.

Given the quoted price and percents based on project lengths previously identified, the shared costs can be computed as follows:

City share:	60% x \$11,981.70 =	\$ 7,189.02
School District share:	40% x \$11,981.70 =	\$ <u>4,792.68</u>
	Project Cost	\$11,981.70

Also, as we previously discussed, the City will install a storm culvert in an existing swale, remove a tree from the property line and trim back several branches prior to the contractor's arrival.

The contract for this work will be before the Common Council on August 2, 2011. The contractor assures me he will complete on or before the end of August, prior to the start of school.

It is requested that you give a written approval of this agreement prior to August 2, 2011.

Once again, we expect success in this joint effort to improve pedestrian travel to and from the High School.

Contact me with any questions. Your timely cooperation is appreciated.

Sincerely,


Ronald J. Romeis, P.E.
Assistant City Engineer

RJR/sg
Encl.

cc: Board of Public Works
M. Cool

Ron Romeis

From: Cloutier, Mark [Mark.Cloutier@Franklin.k12.wi.us]

Sent: Wednesday, July 27, 2011 5:19 PM

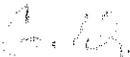
: Ron Romeis

Cc: Milzer, James

Subject: Concrete Sidewalk, Forest Hill to Franklin HS

I have reviewed the project information you sent me, which included the school district cost of \$4792.68. I agree the project has value to both our organizations and I approve of the cost. Please move forward with the project.

Mark Cloutier
Franklin Public Schools
8255 West Forest Hill Avenue
Franklin, WI 53132
414-525-7606
mark.cloutier@franklin.k12.wi.us

APPROVAL 	REQUEST FOR COUNCIL ACTION	MTG. DATE 8/2/11
Reports & Recommendations	SUBJECT: An ordinance to prohibit parking, from 7:30 a.m. to 4:30 p.m. on regular school days, on the east side of S. 33rd Street from 60 feet south of W. Briarwood Drive to 280 feet north of W. Briarwood Drive on the east side of W. Hilltop Lane.	ITEM NO. 

BACKGROUND

The Board of Public Works, at their April 14, 2011 meeting, heard concern from the Franklin School District regarding congested roadways and restricted vision on S. 33rd Street and on W. Hilltop Lane during regular school days.

ANALYSIS

By restricting parking from 7:30 a.m. to 4:30 p.m. on regular school days at this location, vehicles, including school buses and pedestrians will have better vision and improved vehicle turning lanes.

OPTIONS

Approve or deny recommendation.

FISCAL NOTE

The cost of signing is to be taken from DPW operational budget.

RECOMMENDATION

Motion to adopt Ordinance No. 2011 - ____ an ordinance prohibiting parking, from 7:30 a.m. to 4:30 p.m. on regular school days, on the east side of S. 33rd Street from 60 feet south of W. Briarwood Drive to 280 feet north of W. Briarwood Drive on the east side of W. Hilltop Lane.

RJR/db

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2011-_____

ORDINANCE TO PROHIBIT PARKING, FROM 7:30 A.M. TO 4:30 P.M.
ON REGULAR SCHOOL DAYS, ON THE EAST SIDE OF S. 33RD STREET
FROM 60 FEET SOUTH OF W. BRIARWOOD DRIVE TO 280 FEET NORTH OF W. BRIARWOOD
DRIVE
ON THE EAST SIDE OF W. HILLTOP LANE

WHEREAS, the Board of Public Works has recommended establishing "No Parking on the east side of S. 33rd Street from 60 feet south of W. Briarwood to 280 feet north of W. Briarwood Drive on the east side of W. Hilltop Lane from 7:30 a.m. to 4:30 p.m. on regular school days."

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin do ordain as follows:

SECTION I. Section 245.5(F) of the Municipal Code of the City of Franklin is hereby amended as follows:

ADD "east side of S. 33rd Street from 60 feet south of W. Briarwood Drive to 280 feet north of W. Briarwood Drive on the east side of W. Hilltop Lane."

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2011, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2011.

APPROVED:

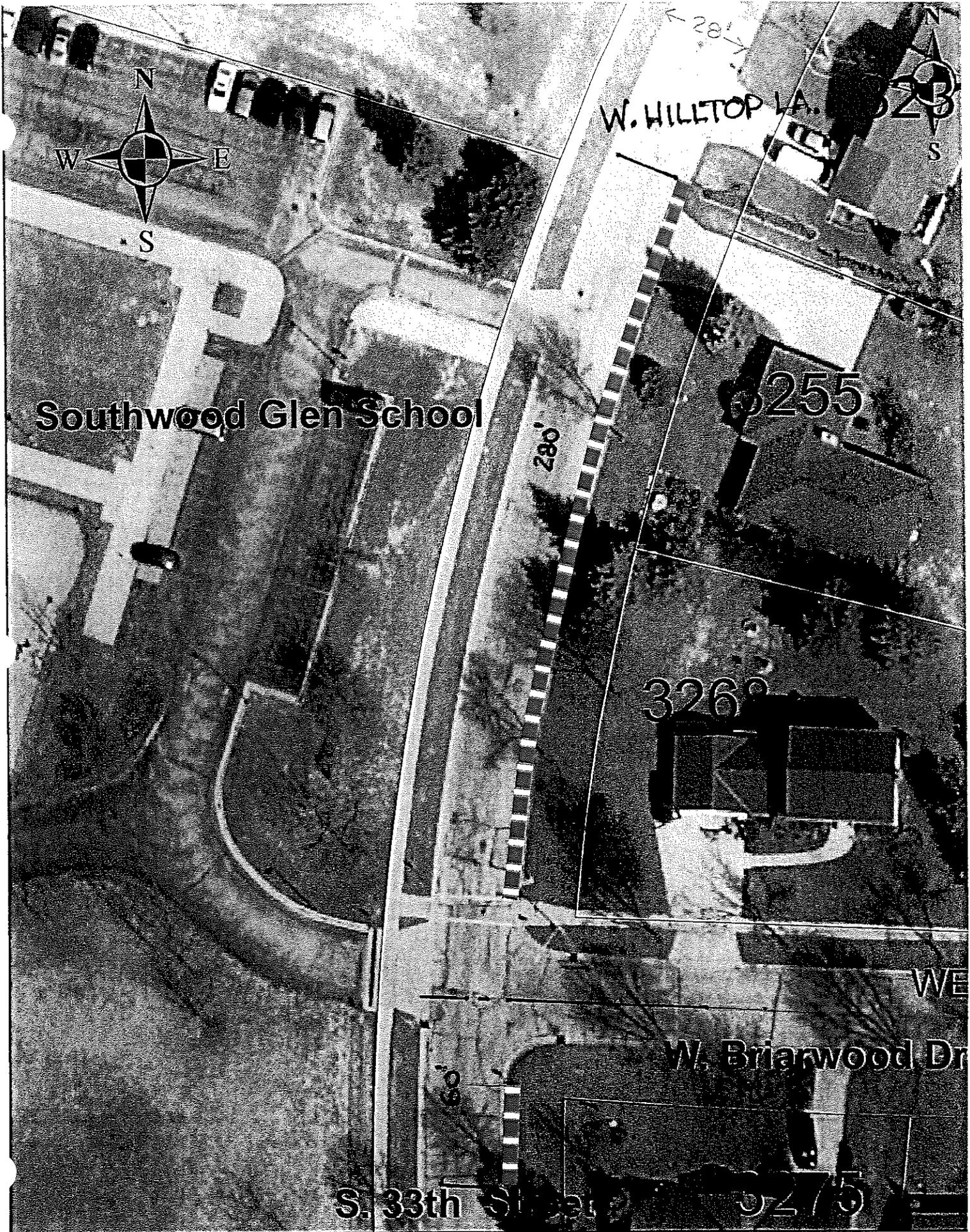
Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

RJR/db



1" = 40'

■■■■ PROPOSED NO PARKING
SCHOOL DAYS ONLY 8:00 AM TO 4:30 PM.

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 8/02/11
REPORTS & RECOMMENDATIONS	Notification by the Wisconsin Historical Society for Nomination of the Root River Parkway to the State and National Register of Historic Places	ITEM NUMBER 5.12

The attached notification from the Wisconsin Historical Society is being brought to your attention relative to the nomination of the Root River Parkway to the Wisconsin State Register of Historic Places and the National Register of Historic Places.

The segment of the Root River Parkway addressed in the nomination is located between West Layton Avenue and South 76th Street in the vicinity of Greendale, Greenfield, Hales Corners, and Franklin. It was nominated by Milwaukee County Parks as part of a large mitigation project and agreement with the Wisconsin Historical Society relative to a historic bridge replacement.

The nomination will be considered at the Wisconsin Historic Preservation Review Board Meeting on Friday, August 19, 2011, at the Wisconsin Historic Society, 816 State Street, Madison, Wisconsin.

COUNCIL ACTION REQUESTED

No action required.



WISCONSIN
HISTORICAL
SOCIETY

CITY OF FRANKLIN
2011 JUL 20 PM 2:27

TO: Local and State Officials
FROM: Michael Stevens, State Historic Preservation Officer
RE: State and National Register of Historic Places nomination
DATE: July 14, 2011

We are pleased to inform you that *Root River Parkway located between West Layton Avenue and South 76th Street in the vicinity of Greendale, Greenfield, Hales Corners, and Franklin, Milwaukee County* will be considered by the Wisconsin Historic Preservation Review Board for nomination to the Wisconsin State Register of Historic Places and National Register of Historic Places.

The nomination will be considered at the Wisconsin Historic Preservation Review Board meeting on *Friday, August 19, 2011* at the Wisconsin Historical Society, 816 State Street, Madison, Wisconsin. The enclosed agenda gives the times of the full board and committee meetings.

Any comments or questions should be directed to Daina Penkiunas at (608) 264-6501.

State Historic Preservation Review Board Meeting
August 19, 2011
Wisconsin Historical Society
816 State Street, Madison

AGENDA

- Times as Noted** **COMMITTEE MEETINGS**
Individual properties are presented only at the applicable committee meetings. See the list below to determine the committee meeting(s) where a specific nomination will be presented.
- 9:00-10:00 AM** **Architecture Committee (AR), Murphy Board Room, Room 318**
Elkhorn Band Shell, Elkhorn, Walworth County (AR)
Elkhorn Municipal Building, Elkhorn, Walworth County (AR, H)
St. John's Lutheran Church, Evansville, Rock County (AR)
- 9:15-10:00 AM** **History Committee (H), Sellery Room, First Floor**
Old Indian Agency House (additional documentation and boundary expansion),
Portage, Columbia County (H)
Elkhorn Municipal Building, Elkhorn, Walworth County (AR, H)
- 9:00-10:00 AM** **Anthropology Committee (AN), Cutlip Conference Room, 2nd Floor**
Lake Owen Archaeological District, Tn of Drummond, Bayfield County (AN)
- 10:00-11:45 AM** **FULL REVIEW BOARD MEETING, Murphy Board Room, Room 318**
Committees provide recommendations on individual properties for consideration by the Review Board. Historic Districts are presented to the board. The board votes on both individual properties and districts.
- Individual Nominations (Action on Individual Nominations)**
Elkhorn Band Shell, Elkhorn, Walworth County (AR)
Elkhorn Municipal Building, Elkhorn, Walworth County (AR, H)
Old Indian Agency House (additional documentation and boundary expansion),
Portage, Columbia County (H)
St. John's Lutheran Church, Evansville, Rock County (AR)
- PRESENTATION OF INDIVIDUAL PROPERTY CERTIFICATES**
- Historic Districts (Presentation and Action on District Nominations) –**
Lake Owen Archaeological District, Tn of Drummond, Bayfield County
Leonard-Leota Park, Evansville, Rock County
Milwaukee River Parkway, Milwaukee, Glendale, Shorewood, & Whitefish Bay, Milwaukee County
Root River Parkway, Greendale, Greenfield, Hales Corners, & Franklin, Milwaukee County
Wauwatosa Avenue Residential Historic District, Wauwatosa, Milwaukee County
- 11:45 AM-12:15 PM** **LUNCH BREAK FOR BOARD MEMBERS**
- 12:15 PM -** **REVIEW BOARD BUSINESS MEETING, Murphy Board Room, Room 318**
Call to order
Minutes of Meeting of May 6, 2011
Report by Chairperson David Mollenhoff
Reports by SHPO and Staff
Adjournment

All meetings are open to the Public

*** Action may be taken on any item listed on the agenda***

Root River Parkway

Located between West Layton Avenue and South 76th Street.

Alfred Boerner

1931 – 1960

The Root River Parkway is located in southwestern Milwaukee County. The segment of the Parkway addressed in this nomination is bounded by West Layton Avenue at the north and South 76th Street at the south and includes Whitnall Park, which is comprised of two significant sites – the Boerner Botanical Garden and Arboretum and Whitnall Golf Course.

Charles B. Whitnall included the Root River Parkway in his 1923 study of a county-wide parkway system. Alfred Boerner, a Milwaukee County landscape architect and Wisconsin native, was instrumental in designing the Parkway and its units, including the Boerner Botanical Gardens and Arboretum. George Hansen, Milwaukee County Park superintendent, designed the Whitnall Park Golf Course, which was implemented with work relief labor beginning in 1931. The Root River Parkway was profoundly influenced by federally-funded work relief efforts, with laborers the Civilian Conservation Corps (CCC), Works Progress Administration (WPA), Department of Outdoor Relief (DOR), National Youth Administration (NYA), and Civil Works Administration (CWA) performing work throughout the Parkway, Whitnall Park, botanical garden and arboretum, and Whitnall Park Golf Course.

The Root River Parkway includes 37 contributing features, such as a park, golf course, botanical gardens, signage, bridges, picnic shelters, and sculptures.

The integrity of this segment of Parkway has been well maintained, and the Parkway remains historically intact. It is a strong example of parkway, park, and golf course design, and serves as a reminder of automobile culture and recreation, federal work relief efforts during the Depression era, and community development in the early twentieth century Milwaukee County.

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 8/2/11
REPORTS & RECOMMENDATIONS	Ordinance to Amend Ordinance 2010-2028, an Ordinance Adopting 2011 Budgets and Tax Levy for the City of Franklin, to Approve a 2011 Budget Change for the General Fund, Capital Outlay Fund, Capital Improvement Fund and Debt Service Fund	ITEM NUMBER 

The Finance Committee reviewed and is recommending to the Common Council budget adjustments that were determined necessary during the new year budget preparation process as detailed in the attached memo to the Finance Committee.

COUNCIL ACTION REQUESTED

Motion to approve Ordinance 2011 _____ approving the 2011 Budget changes to the General Fund, Capital Outlay Fund, Capital Improvement Fund and Debt Service Fund.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2011 - _____

AN ORDINANCE TO AMEND ORDINANCE 2010-2028, AN ORDINANCE ADOPTING THE 2011 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE CHANGES TO 2011 BUDGET IN VARIOUS DEPARTMENTS OF THE GENERAL FUND, CAPITAL OUTLAY FUND, CAPITAL IMPROVEMENT FUND AND DEBT SERVICE FUND

WHEREAS, the Common Council of the City of Franklin adopted the 2011 Annual Budgets for the General Fund, Capital Outlay Fund, Street Improvement Fund, Capital Improvement Fund, Sewer Service Fund and Debt Service Fund of the City on November 16, 2010; and

WHEREAS, the Common Council has determined that it would be in the best interest of the City to approve changes to various departments for items included in the 2010 General Fund, Capital Outlay Fund, Capital Improvement Fund and Debt Service Fund for items included in their 2011 budgets.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1 that the 2011 General Fund Annual Budget be amended as follows:

Economic Development	Other Prof Services	01.641.0000.5219	3,500 Increase
Contingency	Unrestricted	01.199.0000.5499	3,500 Decrease
Municipal Court	Salaries Full Time	01.121.0000.5111	7,425 Increase
Municipal Court	Longevity	01.121.0000.5133	25 Increase
Municipal Court	Holiday Pay	01.121.0000.5134	475 Increase
Municipal Court	Vacation Pay	01.121.0000.5135	325 Increase
Municipal Court	FICA	01.211.0000.5151	625 Increase
Municipal Court	Retirement	01.211.0000.5152	825 Increase
Municipal Court	Retire Group Health	01.211.0000.5153	125 Increase
Municipal Court	Group Health & Dental	01.211.0000.5154	75 Increase
Municipal Court	Life Insurance	01.211.0000.5155	25 Increase
Municipal Court	Worker Compensation	01.211.0000.5156	25 Increase
Police	Salaries Full Time	01.211.0000.5111	7,425 Decrease
Police	Longevity	01.211.0000.5133	25 Decrease
Police	Holiday Pay	01.211.0000.5134	475 Decrease
Police	Vacation Pay	01.211.0000.5135	325 Decrease
Police	FICA	01.211.0000.5151	625 Decrease
Police	Retirement	01.211.0000.5152	825 Decrease
Police	Retire Group Health	01.211.0000.5153	125 Decrease
Police	Group Health & Dental	01.211.0000.5154	75 Decrease
Police	Life Insurance	01.211.0000.5155	25 Decrease
Police	Worker Compensation	01.211.0000.5156	25 Decrease
Fund Balance	Transfer	01.0000.4850	255,000 Decrease
Contingency	Restricted	01.199.0000.5110	255,000 Decrease;

Section 2 that the 2011 Capital Outlay Fund Annual Budget be amended as follows:

Fire	Software	41.221.0000.5843	13,300 Increase
Fire	Computer Equipment	41.221.0000.5841	12,000 Decrease
Revenue	Transfer from other funds	41.0000.4830	1,300 Increase;

Section 3 that the 2011 Street Improvement Fund Annual Budget be amended as follows:

SIF Revenue	Revenue – Grants LRIP	47.0000.4151	78,000 Increase
SIF	St Reconstruction Program	47.000.9500.5823	45,000 Increase
Fund Balance	Transfer	47.0000.4850	33,000 Increase;

Section 3 that the 2011 Capital Improvement Fund Annual Budget be amended as follows:

CIF Revenue	Revenue – Grants LRIP	46.0000.4143	78,000 Decrease
CIF Revenue	Revenue – Landfill Siting	46.0000.4492	240,000 Increase
CIF Revenue	Revenue – Landfill Siting	46.0000.4493	8,000 Decrease
CIF Revenue	Revenue- TIF #2	46.0000.4830	97,000 Decrease
CIF Revenue	Revenue- TIF #4	46.0755.4830	249,000 Decrease
CIF Revenue	Proceeds Borrowing	46.0000.4911	171,000 Decrease
CIF Fund Balance	Transfer	46.0000.4850	121,000 Increase
CIF	Oakwood Rd Water Main	46.755.9740.5830	209,000 Decrease
CIF	Oakwood Rd Reconstruction	46.321.9741.5823	325,000 Increase
CIF	City Hall Parking Lot Recon	46.181.9630.5836	210,000 Increase
CIF	Storm Water Mngement Pln	46.321.9980.5299	45,000 Increase
CIF	Drexel Ave Bridge repair	46.321.9306.5837	40,000 Increase
CIF Transfer CDBG	51 st St Sidewalk Clair to Raw	46.000.0000.5589	25,000 Increase
CIF	Projects Pending Approval	46.999.0000.5499	645,000 Decrease
CIF	Projects Pending Approval	46.999.0000.5499	275,000 Decrease;

Section 4 that the 2011 Debt Service Fund Annual Budget be amended as follows:

Debt Service	Line of Credit Interest exp	31.0000.4839	3,240 Decrease
Debt Service Rev	Transfer frm Special Assess	31.0000.4835	3,240 Decrease;

Section 5 that pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this resolution.

Introduced at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2011.

APPROVED:

ATTEST:

Thomas M. Taylor, Mayor

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

M E M O R A N D U M

DATE: July 22, 2011
TO: Finance Committee
FROM: Cal Patterson, Director of Finance & Treasurer
RE: 2011 First Half Budget Amendment Recommendations - Revised

General Fund

As part of the budget preparation process a number of issues surfaced that require consideration of budget changes and are being presented for consideration.

Southwest Suburban Business Appreciation			
Economic Development Other Prof Services	01.641.0000.5219		3,500 Increase
Contingency Unrestricted	01.199.0000.5499		3,500 Decrease

Transfer half time position from Police to Municipal Court effective 8/1/2011 - ~~\$9,950~~

Municipal Court	Salaries Full Time	01.121.0000.5111	7,425 Increase
Municipal Court	Longevity	01.121.0000.5133	25 Increase
Municipal Court	Holiday Pay	01.121.0000.5134	475 Increase
Municipal Court	Vacation Pay	01.121.0000.5135	325 Increase
Municipal Court	FICA	01.211.0000.5151	625 Increase
Municipal Court	Retirement	01.211.0000.5152	825 Increase
Municipal Court	Retire Group Health	01.211.0000.5153	125 Increase
Municipal Court	Group Health & Dental	01.211.0000.5154	75 Increase
Municipal Court	Life Insurance	01.211.0000.5155	25 Increase
Municipal Court	Worker Compensation	01.211.0000.5156	25 Increase
Police	Salaries Full Time	01.211.0000.5111	7,425 Decrease
Police	Longevity	01.211.0000.5133	25 Decrease
Police	Holiday Pay	01.211.0000.5134	475 Decrease
Police	Vacation Pay	01.211.0000.5135	325 Decrease
Police	FICA	01.211.0000.5151	625 Decrease
Police	Retirement	01.211.0000.5152	825 Decrease
Police	Retire Group Health	01.211.0000.5153	125 Decrease
Police	Group Health & Dental	01.211.0000.5154	75 Decrease
Police	Life Insurance	01.211.0000.5155	25 Decrease
Police	Worker Compensation	01.211.0000.5156	25 Decrease

Restricted Contingency reduction

The budget included a \$255,000 restricted contingency line and a like amount in the fund balance transfer line for expenditure restraint purposes. This change eliminates both of those items.

Fund Balance	Transfer	01.0000.4850	255,000 Decrease
Contingency	Restricted	01.199.0000.5110	255,000 Decrease

Capital Outlay Fund

Council approved a change in the Fire Department Capital Outlay Fund budget:

Fire	Software	41.221.0000.5843	13,300 Increase
Fire	Computer Equipment	41.221.0000.5841	12,000 Decrease
Revenue	Transfer from other funds	41.0000.4830	1,300 Increase

Equipment Revolving Fund

No changes

Street Improvement Fund

Council approved a Street Improvement contract that exceeded the amount budgeted. There is a Local Road Improvement Grant sufficient to cover the increase

SIF Revenue	Revenue – Grants LRIP	47.0000.4151	78,000 Increase
SIF	St Reconstruction Program	47.000.9500.5823	45,000 Increase
Fund Balance	Transfer	47.0000.4850	33,000 Increase

Capital Improvement Fund

The Council has approved various changes to the expenditures in the Capital Improvement Fund. The revenue changes reflect expected changes to revenue line items.

CIF Revenue	Revenue – Grants LRIP	46.0000.4143	78,000 Decrease	} 363K
CIF Revenue	Revenue – Landfill Siting	46.0000.4492	240,000 Increase	
CIF Revenue	Revenue – Landfill Siting	46.0000.4493	8,000 Decrease	
CIF Revenue	Revenue- TIF #2	46.0000.4830	97,000 Decrease	
CIF Revenue	Revenue- TIF #4	46.0755.4830	249,000 Decrease	
CIF Revenue	Proceeds Borrowing	46.0000.4911	171,000 Decrease	} 484K
CIF Fund Balance	Transfer	46.0000.4850	121,000 Increase	
CIF	Oakwood Rd Water Main	46.755.9740.5830	209,000 Decrease	
CIF	Oakwood Rd Reconstruction	46.321.9741.5823	325,000 Increase	
CIF	City Hall Parking Lot Reconst	46.181.9630.5836	210,000 Increase	
CIF	Storm Water Management Plan	46.321.9980.5299	45,000 Increase	
CIF	Drexel Ave Bridge repair	46.321.9306.5837	40,000 Increase	
CIF Transfer CDBG	51 st St Sidewalk Clair to Rawson	46.000.0000.5589	25,000 Increase	
CIF	Projects Pending Approval	46.999.0000.5499	645,000 Decrease	
CIF	Projects Pending Approval	46.999.0000.5499	275,000 Decrease	

Debt Service Fund

Debt Service Fund adjustments need to be made to reflect less line of credit interest than budgeted and as a result less funds from special assessments being used than budgeted.

Debt Service	Line of Credit Interest expense	31.0000.4839	3,240 Decrease
Debt Service Rev	Transfer from Special Assessments	31.0000.4835	3,240 Decrease

<p align="center">APPROVAL</p>	<p align="center">REQUEST FOR COUNCIL ACTION</p>	<p align="center">MEETING DATE 8/02/11</p>
<p align="center">REPORTS & RECOMMENDATIONS</p>	<p align="center">Committee of the Whole Recommendations</p>	<p align="center">ITEM NUMBER 6.15a.</p>

The Council may act on recommendations from the Committee of the Whole meeting on August 2, 2011.

- A. An Ordinance to amend §30.1 of the Municipal Code to establish aldermanic district and ward boundaries.

APPROVAL	COMMITTEE OF THE WHOLE	MEETING DATE 8/1/11
Reports and Recommendations	An Ordinance to amend §30.1 of the Municipal Code to establish aldermanic district and ward boundaries	ITEM NUMBER II.A.

At the Common Council meeting of 7/05/11 the following action was taken:

Alderman Schmidt moved to adopt Resolution No. 2011-6733, A RESOLUTION ESTABLISHING WARD BOUNDARIES IN THE CITY OF FRANKLIN FOLLOWING THE 2010 FEDERAL CENSUS. Seconded by Alderman Solomon. Alderman Schmidt withdrew his motion.

Alderman Taylor then moved to adopt Resolution No. 2011-6733, A RESOLUTION ESTABLISHING WARD BOUNDARIES IN THE CITY OF FRANKLIN FOLLOWING THE 2010 FEDERAL CENSUS, with the understanding by the Common Council that the plan does meet State and Federal laws as well as all guidelines. Seconded by Alderman Schmidt.

Alderman Wilhelm moved to call the question. Seconded by Alderman Skowronski. All voted Aye; motion carried.

On the vote for the main motion all voted Aye; motion carried.

Alderman Skowronski moved to confirm that the Common Council understood that the immediately previous adopted motion include in the plan those changes to District 6 retaining areas shown in the packet materials as District 2, currently in District 6, as part of the plan that was adopted. Seconded by Alderman Olson. All voted Aye; motion carried.

Alderman Olson moved to place the adopted redistricting plan on the agenda for the August 2, 2011, Committee of the Whole meeting for any interested resident to comment and authorize the Mayor to advertise as appropriate. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

Attached is the meeting notice that was published in the *Franklin NOW*, posted on the City's website, and posted at the Franklin Library and City Hall. The Director of Clerk Services will present boundary changes that have occurred that will affect citizens of Franklin. In order to amend the Municipal Code to incorporate the updated Aldermanic District boundaries, it is recommended that the Common Council adopt the attached ordinance.

COUNCIL ACTION REQUESTED

Committee of the Whole recommendation at the Common Council meeting: Motion to adopt Ordinance No. 2011-_____, an Ordinance to amend §30.1 of the Municipal Code to establish aldermanic district and ward boundaries.

CITY OF FRANKLIN
NOTICE OF MEETING

Notice is hereby given that there will be a meeting of the Franklin Committee of the Whole on Tuesday, August 2, 2011, at 6:30 p.m. held in the Common Council Chambers at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin, 53132, to hear public comment regarding the aldermanic district and ward boundaries in the City of Franklin. This meeting is being held at the direction of the Franklin Common Council. Following the 2010 Federal Census, the City of Franklin is required to adjust ward boundaries to conform to statutorily prescribed population ranges and meet other requirements including compactness, contiguity, and community of interest. The map of the ward boundaries is available and open for inspection in the Office of the City Clerk at Franklin City Hall, 9229 W. Loomis Rd. and at the Franklin Public Library, 9151 W. Loomis Rd., Franklin WI 53132, during normal business hours.

Any person with questions can contact Sandi Wesolowski, Director of Clerk Services, at (414)425-7500 or swesolowski@franklinwi.gov.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2011-_____

AN ORDINANCE TO AMEND §30.1 OF THE MUNICIPAL CODE TO ESTABLISH ALDERMANIC DISTRICT AND WARD BOUNDARIES

WHEREAS, §5.15, Stats. requires every municipality over 1,000 in population to be divided into wards according to the final published results of the most recent Federal census.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

SECTION 1. §30.1 of the Municipal Code is hereby repealed and recreated as follows: Under the provisions of §§5.15 and 62.08, Stats., the division of the City into six aldermanic districts and twenty-three wards as shown on the official map of the City of Franklin describing the boundaries of each ward, which map is attached hereto, incorporated herein and made a part hereof by reference, as if fully set forth herein.

SECTION II. All ordinances or parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION III. This ordinance shall take effect upon its passage and publication as required by law.

Introduced at a regular meeting of the Common Council on this _____ day of _____, 2011 by Alderman _____.

Passed and adopted by the Common Council on the _____ day of _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2011- 6733A RESOLUTION ESTABLISHING CITY OF FRANKLIN WARD BOUNDARIES
FOLLOWING THE 2010 FEDERAL CENSUS

WHEREAS, §5.15, Wis. Stats., requires every municipality over 1,000 in population to be divided into wards according to the final published results of the most recent Federal Census; and

WHEREAS, the City of Franklin is required to adjust ward boundaries to comply with the proposed Milwaukee County Supervisory District plan within 60 days following receipt of the tentative plan, with the date of receipt being May 12, 2011;

WHEREAS, the division of the City into wards is shown on the official map of the City of Franklin describing the boundaries of each ward, which map is attached hereto, incorporated herein and made a part hereof by reference, as if fully set forth herein.

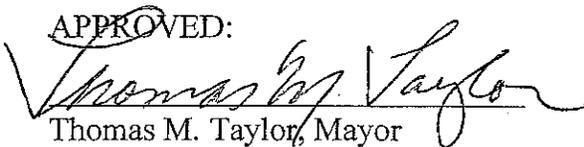
NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the ward boundaries, which were created following the standards specified in §5.15, Wis. Stats, be approved.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Resolution and official map to the Milwaukee County Board of Supervisors.

Introduced at a regular meeting of the Common Council of the City of Franklin this 5th day of July, 2011, by Alderman Taylor.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 5th day of July, 2011.

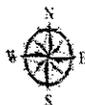
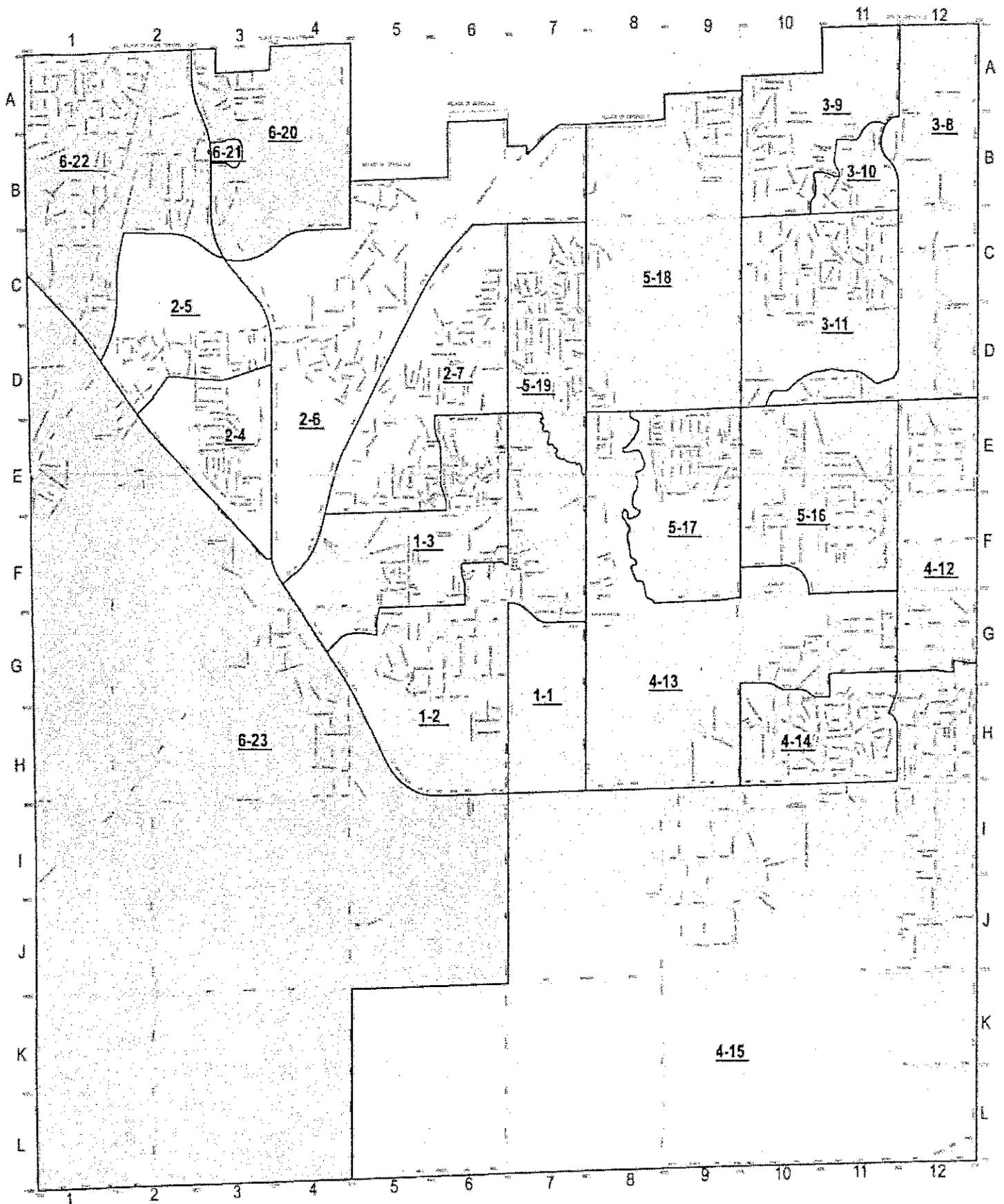
APPROVED:


Thomas M. Taylor, Mayor

ATTEST:

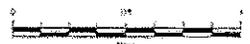

Sandra L. Wesolowski, City ClerkAYES 6 NOES 0 ABSENT 0

City of Franklin Aldermanic Map (Effective January 1, 2012)



Legend

-  Aldermanic District 1
-  Aldermanic District 2
-  Aldermanic District 3
-  Aldermanic District 4
-  Aldermanic District 5
-  Aldermanic District 6



APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE 8/2/11
<p style="text-align: center;"><i>SW</i></p> <p>Reports & Recommendations</p>	<p>Acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, upon the following nine (9) properties identified by Acquisition Map Parcel No., Tax Key Number and address, respectively, as follows: 1) 11, 934-9998-001 and 8032 West Oakwood Road; 2) 12, 935-9994-009 and 8400 West Oakwood Road; 3) 16, 935-9997-000 and 9110 West Bosch Lane; 4) 20, 894-9998-002 and 9533 S. 92nd Street; 5) 22, 893-9995-001 and 10233 West Ryan Road; and 6) 24, 893-9998-000 and 9720 South 112th Street; 7) 25, 893-9997-001 and 10903 West Ryan Road; 8) 26, 892-9989-001 and 10903 West Ryan Road; and 9) 27, 892-9998-000 and 9720 South 112th Street.</p>	<p>ITEM NO.</p> <p style="text-align: right;"><i>G. No.</i></p>

The Council may enter closed session pursuant to §19.85(1)(e), Stats. to discuss the acquisition of easement rights for the subject extension of the Ryan Creek Interceptor Sewer for the above mentioned properties; and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

COUNCIL ACTION REQUESTED

Motion to enter closed session pursuant to Wis. Stat. §19.85 (1) (e), to consider the terms and negotiation of the public acquisition of easement(s) for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, 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.

or

Motion to authorize acquisition of easement rights as recommended by the appraisal firm of Single Source for parcels 24, 25, 26 and 27 and take the recommended action for parcels 11, 12, 20 and 22 as recommended by Ruckert-Mielke the design engineers.

JMB/sg/db

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE
Licenses and Permits	Miscellaneous Permits	8/2/2011 ITEM NUMBER H. 1.

See attached list from meeting of August 2, 2011

COUNCIL ACTION REQUESTED



414-425-7500

**License Committee
Agenda*
Alderman's Room
August 2, 2011 - 5:30 p.m.**

1.	Call to Order & Roll Call	Time		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12 5:35 p.m.	Jacques, Amber N 6500 S Loomis Rd Windlake, WI 53185 Irish Cottage			
Operator - New 2011-12 5:40 p.m.	Girmscheid, James 3300 S Stonegate Circle #103 New Berlin, WI 53151 Walgreens – 76 th St			
Operator – New 2011-12 5:45 p.m.	Jackson, Ozzie L Jr 9305 W Mitchell St West Allis, WI 53214 On the Border			
Operator - New 2011-12 6:00 p.m.	Coleman, Alfonzia II 12500 Duncan Lane New Berlin, WI 53151 On the Border			
Class B Combination License – Change of Premise Description 6:05 p.m.	Polonia Sport Club, Inc Representative for Polonia: Richard Rabiega, President Agent: Mark S Medrek Location: 10200 W Loomis Rd			
Operator - New 2010-11	Stankowski, Nicole L 3166 W Thorncrest Dr Franklin, WI 53132 The Bowery Bar & Grill			
Operator - New 2011-12	Adler, Jamie L 419 N Grandview Blvd Waukesha, WI 53188 Walgreens – 76th			
Operator - New 2011-12	Andrelczyk, Iwona 5045 W College Ave #67 Greendale, WI 53129 Andy's on Rawson			
Operator - New 2010-11	Cole, Lauren M S75 W21903 Field Dr Muskego, WI 53150 Romey's Place			
Operator – New 2011-12	Dach, Michael D 109 N Third St Upper Waterford, WI 53185 Andy's on Ryan			
Operator - New 2011-12	Falvey, Alyssa A 1106 Fleetfoot Dr #D Waukesha, WI 53186 Polish Community Center			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – New 2011-12	Gresser, Diana L 1604 Milwaukee Ave South Milwaukee, WI 53172 Andy's on Rawson			
Operator – New 2011-12	Hushek, Andrew R 11960 W Ryan Rd Franklin, WI 53132 St Martins Labor Day Fair			
Operator – New 2011-12	Jung, Judith A 8612 W Montana Ave West Allis, WI 53227 Chili's Grill & Bar			
Operator – New 2011-12	Kalebic, Donna J 6200 N Bay Ridge Ave Whitefish Bay, WI 53217 Eric's Setback			
Operator – New 2011-12	Pilipovic, Vedrana 3965 S 76 th St #7 Milwaukee, WI 53220 Andy's on Rawson			
Operator – New 2011-12	Searle, Aaron C 5970 S Crosswinds Dr #10 Cudahy, WI 53110 Rawson Pub			
Operator – New 2011-12	Sharma, Sanjeev K 9348 S Orchard Park Cir #2B Oak Creek, WI 53154 Andy on Rawson			
Operator – New 2011-12	Singh, Pam 1751 S Layton Blvd Milwaukee, WI 53215 Andy's on Ryan			
Operator – New 2011-12	Stawicki, Jessica L 1309 17 th Ave South Milwaukee, WI 53172 Rawson Pub			
Operator – New 2011-12	Syed, Ahmeduddin 12661 W Sycamore Ct #101 New Berlin, WI 53151 Andy's on Ryan			
Operator – New 2011-12	Vukovic, Iva M 4312 W Sherwood Dr Franklin, WI 53132 Croatian Park			
Temporary Class B Beer	Franklin-Hales Corners VFW Post 10394 Person in Charge: Andrew Hushek Date: Sept 4 & 5, 2011 Location: St Martins Labor Day Fair			
Temporary Entertainment & Amusement	St Martins Labor Day Fair – Ring Toss Game Person in Charge: Dennis Koehler Jr Date: Sept 4 & 5, 2011 Location: St Martins Labor Day Fair			
3.	Adjournment	Time		

*Notice is given that a majority of the Common Council may attend this meeting to gather information about an agenda item over which they have decision-making responsibility. This may constitute a meeting of the Common Council per State ex rel. Badke v. Greendale Village Board, even though the Common Council will not take formal action at this meeting.

<p>APPROVAL</p> <p><i>CPA</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>8/2/2011</p>
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<p>Bills</p>	<p>Vouchers and Payroll Approval</p>	<p>ITEM NUMBER</p> <p><i>J.V.</i></p>
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Provided separately for Council approval is a list of vouchers Nos.139326 through 139512 in the amount of \$1,318,718.22. Included in this listing is \$ 7,830.57 in Library Fund vouchers and \$346.50 in Fund 45. The net City vouchers are 1,310,541.15.

Approval is requested for the net payroll of July 29, 2011 in the amount of \$370,375.74

COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range of Nos.139326 through 139512 in the amount of \$ 1,310.541.15.

Approval is requested for the net payroll of July 29, 2011 in the amount of \$ 370,375.74.