

CITY OF FRANKLIN
COMMON COUNCIL MEETING**
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, FEBRUARY 5, 2013, 6:30 P.M.

- A. Call to Order and Roll Call

- B.
 - 1. Citizen Comment Period
 - 2. Announcements from Mayor Taylor of upcoming community events & news items:
 - a. Former Franklin Alderman Mary P. Thomas, December 5, 1921 – January 28, 2013.
 - b. Franklin Fire Department finalist in IKEA and Family Handyman Magazine's "Fire Station Kitchen Makeover" contest.
 - c. Proclamation-South Suburban Chamber of Commerce-Finalist for the 2012 Business of the Year Award, ESC Services.
 - d. Proclamation-South Suburban Chamber of Commerce-Finalist for the 2012 Business of the Year Award, Precision Color Graphics.
 - e. Proclamation-South Suburban Chamber of Commerce-Winner of the 2012 Pride in Premises Award, Gus' Mexican Cantina.
 - f. Proclamation-South Suburban Chamber of Commerce-Finalist for the 2012 Pride in Premises Award, Staybridge Suites Milwaukee Airport South.
 - g. Proclamation-South Suburban Chamber of Commerce-Finalist for the 2012 Pride in Premises Award, Dental Associates.

- C. Approval of Minutes
 - 1. Approval of regular meeting of January 22, 2013.

- D. Hearings

- E. Organizational Business
 - 1. Boards and Commissions Appointments
 - a. David Fowler, Complete Streets and Connectivity Committee-Dist. #5.
 - b. Aaron Smak, Complete Streets and Connectivity Committee-Dist. #6.

- F. Letters and Petitions
 - 1. Recommendation from Frank Pipito regarding school security.

- G. Reports and Recommendations
 - 1. Concept review for a proposed single-family estate residential development at 9140 S. 51st Street (Joseph R. Haselow and Dawn M. Boland, applicants).
 - 2. Update on Wisconsin Department of Natural Resources Molybdenum in Groundwater Public Health Assessment.
 - 3. Clinical Affiliation Agreement with Gateway Technical College in order to allow Fire Department employees to receive paramedic training credit through Gateway Technical College.

4. Amendment of the Tax Incremental District No. 3 Project Plan to expand the district one-half mile to the north and to include the estimated costs of the 27th St. Streetscape costs from W. College Avenue to W. Drexel Avenue and a contract to engage Ehlers and Associates for assistance through the TIF amendment process.
5. Recommendation to delay planning for a Tax Incremental District to cover Streetscape costs from W. Drexel Avenue to W. South County Line Road and any uncompleted sewer, water and road costs that are now part of Tax Incremental District No. 4.
6. Resolution to establish a Collateralized Bank Accounts Policy and to authorize the use of a Standby Letter of Credit issued by the Federal Home Loan Bank for bank account collateralization with US Bank.
7. Ordinance to amend Ordinance No. 2012-2096, an Ordinance adopting the 2013 budgets and tax levy for the City of Franklin, to approve budget encumbrances from the 2012 budget to the 2013 budgets.
8. Report from City Engineer on process used for salting streets in cold weather.
9. Resolution awarding bid to the lowest bidder for S. 36th Street sanitary sewer lining from W. Missouri Avenue to W. Madison Boulevard.
10. Planning Department 2012 Annual Report, review of permits and applications, special projects and community growth issues (2008 through 2012 overview included).
11. Enforcement of the Noxious Weed Ordinance.

H. Licenses and Permits

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

*Supporting documentation and details of these agenda items are available at City hall during normal business hours.

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

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

February 7	Plan Commission	7:00 p.m.
February 19	Primary Election	7:00 a.m.-8:00 p.m.
February 19	Common Council	6:30 p.m.

B.2.a.



In Memory of
Mary P Thomas

December 5, 1921 - January 28, 2013

Visitation

Saturday, February 02, 2013 | 10:00am - 12:00pm

Schramka-Borgwardt Funeral and Cremation

11030 West Forest Home Ave, Hales Corners, WI 53130 | (414) 425-6060

Driving Directions

Funeral Service

Saturday, February 02, 2013 | 12:00pm

Schramka-Borgwardt Funeral and Cremation

11030 West Forest Home Ave, Hales Corners, WI 53130 | (414) 425-6060

Driving Directions

Thomas, Mary P. (Nee Supanich)

of Franklin, passed away peacefully with family by her side, Monday, January 28, 2013, at age 91. Preceded in death by loving husband, Norman and dear son, Douglass. Beloved mother of Janet (Norman) Anderson, Glen (Nancy), the late Douglass (Kathy), Marilynn (late husband Byron) Thomason, Noreen Salcedo and Cindy Vana. Devoted Grandmother of 13 grandchildren and 15 great-grandchildren. Sister of George and Helen. Further survived by nieces, nephews, other relatives and many friends.

A Funeral Service for Mary will be held Saturday, February 2, at 12:00 Noon at the FUNERAL HOME. A Visitation will be held from 10:00 AM until the time of Service (12:00 PM). Interment at St. Martin of Tours Cemetery.

Mary, with her late husband, were business owners of Thomas Disposal Service and Hill Top Land Restoration in Muskego, was an Alderwoman for the city of Franklin for 14 years, and runner up for Mayor of Franklin in 1976.

Schramka Funeral Home
11030 W Forest Home Ave

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B.2.b.

January 30, 2013

Mayor Taylor,

I am pleased to inform you the Franklin Fire Department is one of five finalists in IKEA and Family Handyman Magazine's "Fire Station Kitchen Makeover" contest. FFD was chosen by contest judges from approximately 1000 entries, and the winning department will be selected by on-line voting. If FFD wins, this would allow the Franklin Fire Department to make badly needed upgrades and repairs to the kitchen area of Fire Station #1, at no cost to Franklin Taxpayers.

As you know, Station #1 is our headquarters, and we frequently hosts tours for school and civic groups. We also offer "Dinner at the Fire Station" as a prize for local charity and community fundraising events. "Dinner at the Firehouse" allows the winning party and their family to tour the Station, interact with the firefighters, and learn about the firefighting equipment and apparatus. These activities are powerful tools in getting our message of safety and fire prevention out to the children of our community.

Respectfully,



Adam Remington,

Acting Fire Chief

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City of Franklin **Proclamation**

Whereas, the South Suburban Chamber of Commerce holds an annual awards dinner recognizing local businesses and business leaders, and

Whereas, the Business of the Year Award is given to a company for their success, their contributions to the local community, and their contributions to the community at large, and

Whereas, ESC Services is a Franklin-based engineering consulting firm and the world's largest dedicated supplier of graphical lockout-tagout procedures for meeting OSHA compliance. Lockout-tagout refers to the safety requirement that makes sure a piece of equipment is inoperable and safe during maintenance or other non-operating procedures, and

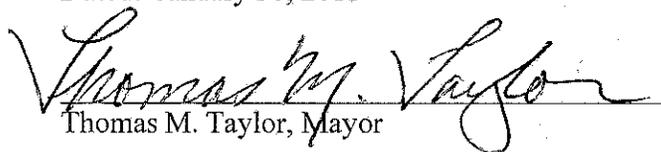
Whereas, ESC Services strives to provide the best possible service regardless of the conditions, provides the best value to encourage repeat business, and maintains 100% quality and client satisfaction—the foundation for maintaining their more than 500 clients and performance of 30,000 lockout-tagout procedures a year, and

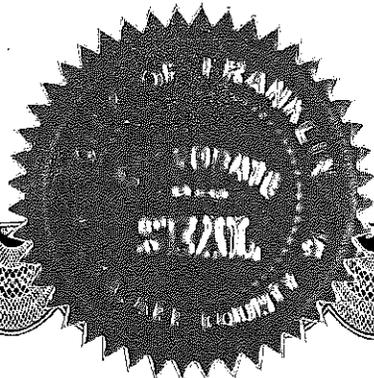
Whereas, ESC Services recently received the 2012 New Product of the Year Award from Occupational Health & Safety Magazine for its iPad QR Code Real-Time Lockout-Tagout Auditing—an application that stores the user's procedures and performs audits in real time, ensuring the company avoids OSHA fines by correctly auditing all procedures every time, and

Whereas, the South Suburban Chamber of Commerce has named ESC Services of Franklin as a finalist for the 2012 Business of the Year Award.

Now Therefore, I, Thomas M. Taylor, Mayor of the City of Franklin, Wisconsin, congratulate ESC Services for its achievements and urge all citizens of the City of Franklin and the surrounding communities to join in commemorating and recognizing them for their exemplary service to Greater Milwaukee and thanking the company and its employees for their support of our business community.

Dated: January 30, 2013


Thomas M. Taylor, Mayor



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City of Franklin Proclamation

Whereas, the South Suburban Chamber of Commerce holds an annual awards dinner recognizing local businesses and business leaders, and

Whereas, the Business of the Year Award is given to a company for their success, their contributions to the local community, and their contributions to the community at large, and

Whereas, Precision Color Graphics in Franklin, Wisconsin, specializes in the production of high-quality products for the printing industry at competitive prices with rapid response—using electronic prepress as the corner-stone of their operation enabling them to offer a diverse range of services and a creative team to complete all concept-to-printing needs to achieve their customers' visions, and

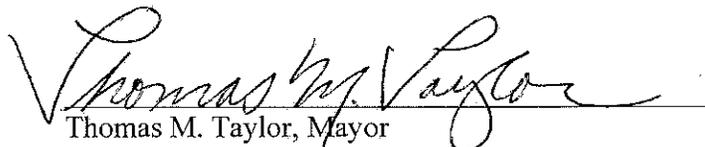
Whereas, Precision Color Graphics has been named by the Milwaukee Business Journal as one of Wisconsin's top 25 largest commercial printers for the last 10 years as well as received numerous trade awards, and

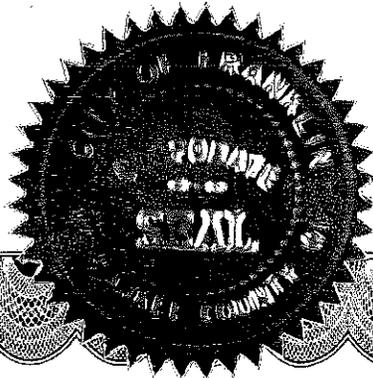
Whereas, Precision Color Graphics commits to giving back to the communities through its sponsorship of charities such as Make-A-Wish Foundation, Ronald McDonald House, St. Jude's, Children's Hospital, and Franklin/Oak Creek Food Pantries, and

Whereas, the South Suburban Chamber of Commerce has named Precision Color Graphics of Franklin as a finalist for the 2012 Business of the Year Award.

Now Therefore, I, Thomas M. Taylor, Mayor of the City of Franklin, Wisconsin, congratulate Precision Color Graphics for its achievements and urge all citizens of the City of Franklin and the surrounding communities to join in commemorating and recognizing them for their exemplary service to Greater Milwaukee and thanking the company and its employees for their support of our business community.

Dated: January 30, 2013


Thomas M. Taylor, Mayor



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City of Franklin Proclamation

Whereas, the South Suburban Chamber of Commerce holds an annual awards dinner recognizing local businesses and business leaders, and

Whereas, the Pride in Premises Award is given to a company who has demonstrated great care for their physical environment, for their buildings and surroundings, and

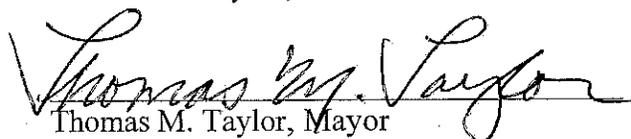
Whereas, Gus, owner of Gus' Mexican Cantina, opened his Franklin restaurant in 2008 and transformed a plain-looking area outside of his restaurant into a touch of tropical "Mexico" with an expanded patio area offering a summertime alfresco dining experience surrounded by palm trees, hibiscus, flowering planters, and umbrellas, all the while serving great food and margaritas, and

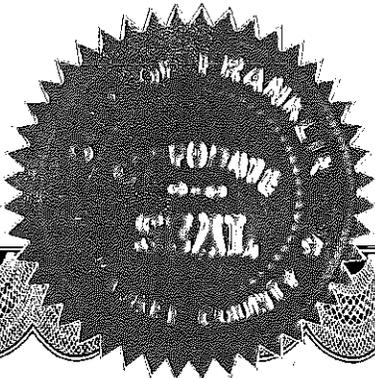
Whereas, Gus' Mexican Cantina overcame the difficult challenge of keeping the ambience of tropical "Mexico" alive in the 4-hour daily routine of tending and watering the plants and flowers in the very dry and drought conditions of the summer of 2012, and

Whereas, the South Suburban Chamber of Commerce has named Gus' Mexican Cantina the winner of the 2012 Pride in Premises Award.

Now Therefore, I, Thomas M. Taylor, Mayor of the City of Franklin, Wisconsin, congratulate Gus' Mexican Cantina for his care and pride and urge all citizens of the City of Franklin and the surrounding communities to join in commemorating and recognizing him for this great achievement.

Dated: January 30, 2013


Thomas M. Taylor, Mayor



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City of Franklin Proclamation

Whereas, the South Suburban Chamber of Commerce holds an annual awards dinner recognizing local businesses and business leaders, and

Whereas, the Pride in Premises Award is given to a company who has demonstrated great care for their physical environment, for their buildings and surroundings, and

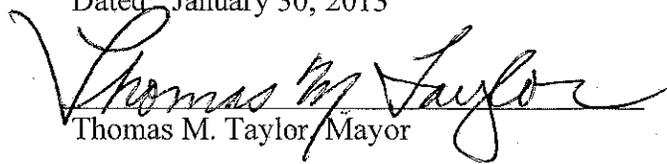
Whereas, Staybridge Suites Milwaukee Airport South, located on S. 27th Street in Franklin, began its pride and premises efforts by purchasing and preserving 10 acres of wetlands, creating an environmentally friendly brick paver parking lot to filter water returning to the surrounding area, and enhancing overgrown areas with mulch. The natural foliage and plant life creates a welcoming entrance to the hotel and surround the building, being visible from the street and the guest rooms of the hotel, and

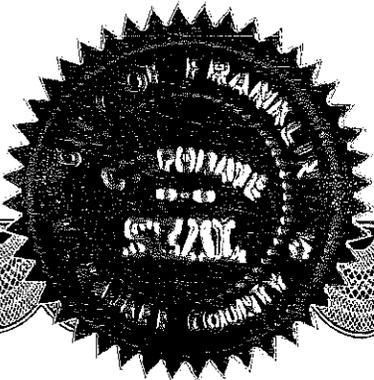
Whereas, Staybridge Suites continues to enhance the aesthetics of the hotel each year including the recent addition of a custom made gas fire pit feature that accents the building's current stone veneer and serves as a gathering spot, and

Whereas, the South Suburban Chamber of Commerce has named Staybridge Suites Milwaukee Airport South a finalist of the 2012 Pride in Premises Award.

Now Therefore, I, Thomas M. Taylor, Mayor of the City of Franklin, Wisconsin, congratulate Staybridge Suites Milwaukee Airport South for its care and pride and urge all citizens of the City of Franklin and the surrounding communities to join in commemorating and recognizing Staybridge Suites for this great achievement.

Dated: January 30, 2013


Thomas M. Taylor Mayor



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B.2.g.

City of Franklin Proclamation

Whereas, the South Suburban Chamber of Commerce holds an annual awards dinner recognizing local businesses and business leaders, and

Whereas, the Pride in Premises Award is given to a company who has demonstrated great care for their physical environment, for their buildings and surroundings, and

Whereas, Dental Associates, located on S. 27th Street in Franklin, had the challenge of surrounding its new building and parking lot with green plantings, grass, and flowers, and

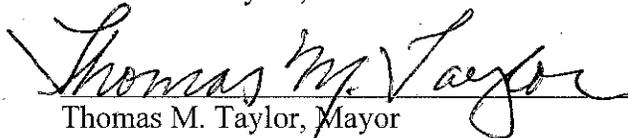
Whereas, after two summers, including the very hot and dry summer of 2012, the trees, shrubs, and plantings are well established and a welcoming feature for Dental Associates and its neighboring businesses, and

Whereas, the plantings surround the Dental Associates' building and invite the public into the beautiful and sunny glass atrium where the green theme continues, and

Whereas, the South Suburban Chamber of Commerce has named Dental Associates a finalist of the 2012 Pride in Premises Award.

Now Therefore, I, Thomas M. Taylor, Mayor of the City of Franklin, Wisconsin, congratulate Dental Associates for its care and pride and urge all citizens of the City of Franklin and the surrounding communities to join in commemorating and recognizing Dental Associates for this great achievement.

Dated: January 30, 2013


Thomas M. Taylor, Mayor



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CITY OF FRANKLIN
COMMON COUNCIL MEETING
JANUARY 22, 2013
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on January 22, 2013 and called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Steve Olson, Tim Solomon, Kristen Wilhelm, Steve Taylor, Doug Schmidt, and Ken Skowronski. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski and City Clerk Sandi Wesolowski.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:31 p.m. and closed at 6:34 p.m.
- APPROVAL OF
MINUTES-1/8/13 C.1. Alderman Taylor moved to approve the minutes of the regular meeting of January 8, 2013. Seconded by Alderman Olson. All voted Aye; motion carried.
- RYAN CREEK
INTERCEPTOR
CONTRACT NO. 01-
CHANGE ORDER NO. 3 G.1. Alderman Solomon moved to authorize the City Engineer to sign Change Order No. 3 with Super Excavators, Inc. for Contract No. 01 for the Ryan Creek Interceptor to cover the cost in the amount of \$23,491.63 for the repair and damage to the interceptor sewer and repair the damaged water main, with costs to be charged to the project. Seconded by Alderman Taylor. Motion carried on a voice vote; Aldermen Olson and Wilhelm voted No.
- RES. 2013-6860
EMS AGREEMENT FOR
PARAMEDIC SERVICES G.2. Alderman Solomon moved to adopt Resolution No. 2013-6860, A RESOLUTION APPROVING AN EMERGENCY MEDICAL SERVICES AGREEMENT FOR PARAMEDIC SERVICES BETWEEN MILWAUKEE COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE CITY OF FRANKLIN FOR 2013, 2014, 2015, AND 2016. Seconded by Alderman Olson. All voted Aye; motion carried.
- RES. 2013-6861
CODE ENFORCEMENT
POLICIES G.3. Alderman Wilhelm moved to adopt Resolution No. 2013-6861, A RESOLUTION REAFFIRMING, UPDATING AND MODERNIZING THE CITY'S CODE ENFORCEMENT POLICIES. Seconded by Alderman Schmidt.
Alderman Olson moved to amend Item 5 of the Resolution to include that the Mayor shall also have the right to request information. Alderman Taylor. All voted Aye; motion carried.
Alderman Skowronski moved to amend the Resolution that all complainants' names be open on the form. Amendment died due to the lack of a second.
Alderman Olson moved to call the question. Seconded by Alderman Taylor. All voted Aye; motion carried.
On the adoption of Resolution No. 2013-6861 as amended, all voted Aye. Motion carried.

- RES. 2013-6862
EXTENSION OF W.
MARQUETTE AVE. AND
W. EVERGREEN ST.-
RIGHT-OF-WAY PLAT
- G.4. Alderman Solomon moved to adopt Resolution No. 2013-6862, A RESOLUTION DETERMINING THE NECESSITY OF THE PUBLIC ACQUISITION OF THE PROPERTY FOR THE RIGHT-OF-WAY PLAT FOR THE EXTENSION OF WEST MARQUETTE AVENUE FROM SOUTH 49TH STREET TO A POINT 470.00 FEET EAST OF SOUTH 49TH STREET AND FOR THE EXTENSION OF WEST EVERGREEN STREET FROM A POINT 800 FEET EAST OF SOUTH 51ST STREET TO A POINT 1340 FEET EAST OF SOUTH 51ST STREET. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- APPRAISALS AND
ACQUISITIONS-
SINGLE SOURCE, INC.
- G.5. Alderman Wilhelm moved to authorize Single Source to complete three appraisals and acquisitions for the necessary right-of-way for the extensions of W. Marquette Avenue and W. Evergreen Street for a cost not to exceed \$9,000.00 as contained in their letter agreement dated January 9, 2013 and to offer a payment of \$2,000.00 if the property owner does not request a second appraisal. Seconded by Alderman Solomon. All voted Aye; motion carried.
- EMERALD ASH BORER
INFECTED ASH WOOD
- G.6. Alderman Taylor moved to approve property owner requests for emerald ash borer infested ash wood from their abutting property, with a signed End User Firewood Agreement form as amended by the City Attorney. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- 2012 SENIORCITIZENS
TRAVEL PROGRAM
- G.7. Alderman Olson moved to place on file the Franklin Senior Citizens Travel Program Update for 2012 Year End with a request that the Mayor send a thank you letter to Mrs. Shirley Bird, Tour Director. Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- COPIER FOR PLANNING
DEPARTMENT- 4 YEAR
LEASE AGREEMENT
- G.8. Alderman Wilhelm moved to authorize the Planning Manager to enter into a 4-year lease agreement with Sharp Electronics Corporation for a Sharp MX-3110N Digital Black & White/Full Color copier with a base price of \$1,621.08 per year. Seconded by Alderman Taylor. All voted Aye; motion carried.
- MISCELLANEOUS
LICENSES
- H.1. Alderman Solomon moved to grant the following licenses:

Operator License to: Nora A. Doucette, 3637 S. 123rd St., Greenfield with warning letter from City Clerk; Shane Z. Hosseini, 1158 N. 50th St., Milwaukee; Ali L. Najera, 8627 W. Cascade Dr. with warning letter from City Clerk and Mary A. Schultz, 2664 Hidden Dr., St. Francis;

LICENSES-
CONTINUED

Further moved to hold Operator License for Tina M. Fabre, 1557 S. 5th St., Milwaukee and Kimberly D. Leannais, W182 S8450 Racine Ave. A7, Muskego, both subject to appearing before the License Committee. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Skowronski requested that separate action be taken on Check No. 145854, Pace Electric, Inc.

Alderman Schmidt moved to approve net City vouchers in the range of Nos. 145711 through 145907 (with the exception of 145854) dated January 22, 2013 in the amount of \$1,241,002.81. Seconded by Alderman Skowronski. On roll call, all voted Aye. Motion carried.

Alderman Skowronski then moved that Check No. 145854, Pace Electric, Inc., in the amount of \$929 be referred to the Director of Administration for review. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Alderman Solomon moved to approve net payroll dated January 11, 2013 in the amount of \$385,971.78. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 7:14 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 2/5/13
ORGANIZATIONAL BUSINESS	Boards and Commissions Appointments	ITEM NUMBER <i>E.1.</i>

Several terms of offices on various Boards and Commissions have or will be expiring. The Mayor may have appointments for Council confirmation:

Complete Streets and Connectivity Committee

David Fowler, 7549 S. Riverview Road

Aaron Smak, 8637 S. Deerwood Lane

RECEIVED
CITY OF FRANKLIN

2013 JAN 22 AM 11:12

City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

VOLUNTEER FACT SHEET

Thank-you for your interest in serving on a City Board, Commission, or Committee. In order that consistent information be provided to the Common Council, you are asked to complete the following:

PERSONAL:

Name David C. Fowler
Address 7549 Riverview, Franklin, WI 53132
Phone Number 414-529-4665
E-Mail DFowler@mmsd.com
Length of Time a Franklin Resident 24
Alderman or District Number District 5 Alderman Schmidt

AREA OF INTEREST: Please check the line next to the Board, Commission or Committee or area of greatest interest. If listing more than one, please prioritize your top three choices (3 being least priority).

- | | |
|---|--|
| <input type="checkbox"/> Architectural Review Board | <input type="checkbox"/> Civic Celebrations Commission |
| <input type="checkbox"/> Community Development Authority | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Forward Franklin Economic Development Comm. |
| <input type="checkbox"/> Fair Commission | <input type="checkbox"/> Board of Health |
| <input type="checkbox"/> Fire and Police Commission | <input type="checkbox"/> Parks Commission |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Plan Commission |
| <input type="checkbox"/> Personnel Committee | <input type="checkbox"/> Board of Review |
| <input type="checkbox"/> Board of Public Works | <input type="checkbox"/> Board of Water Commissioners |
| <input type="checkbox"/> Technology Commission | <input type="checkbox"/> Quarry Monitoring Committee |
| <input type="checkbox"/> Board of Zoning and Building Appeals | <input type="checkbox"/> Waste Facilities Monitoring Committee |
| <input checked="" type="checkbox"/> Complete Streets & Connectivity Committee | |

Why are you interested in joining this (these) particular Board and/or Commission?

I was chair of the trails committee and I am currently serving on the planning commission. I am interested in working with the city to come up with alternatives to a single mode focus on the automobile as the main transportation venue.

VOLUNTEER OR WORK EXPERIENCE

(Begin with your most recent employment and continue with all past 10 years of employment. Please attach additional paper or include resume, if available.)

Company Name: MMSD	Address: 260 W. Secbald	Telephone: 414-277-6368
Date started: 8/12/80	Starting Position: Senior Project Manager	
Date left: St. U working	Position upon leaving: N/A	
Description of duties: Senior Project Manager for construction and design project. + Fleet management.		

Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

ADDITIONAL EXPERIENCE OR QUALIFICATIONS: List any other experience, skills, or other qualifications, including hobbies, which you believe should be considered in evaluating your qualifications for volunteering.

CFM (Certified Fleet Manager) : an avid biker

I am aware that all of the information provided and this document itself is a public record which will be released to a requestor; that I authorize such release and that I waive any right to any notice of such release and/or any right of notice to augment the information provided upon this document upon such request or release.

Signature: David C. L.

Date: 1/22/13

Jodi Vandenboom

From: volunteerfactsheet@franklinwi.gov
Sent: Tuesday, February 28, 2012 7:39 PM
To: Lisa Huening; Jodi Vandenboom
Subject: Volunteer Fact Sheet

Name: Aaron Smak
PhoneNumber: 414-841-6073
EmailAddress: acura_user1@yahoo.com
YearsasResident: 26
Alderman:
ArchitecturalBoard: 1
CivicCelebrations: 0
CommunityDevelopmentAuthority: 1
EconomicDevelopmentCommission: 0
EnvironmentalCommission: 1
EthicsBoard: 1
FairCommission: 1
FinanceCommittee: 1
FirePoliceCommission: 1
BoardofHealth: 0
LibraryBoard: 0
ParksCommission: 0
PersonnelCommittee: 0
PlanCommission: 1
BoardofPublicWorks: 1
BoardofReview: 0
TechnologyCommission: 1
BoardofWaterCommissioners: 0
BoardofZoning: 0
WasteFacilitySiting: 0
WasteFacilitiesMonitoring: 0
CompanyNameJob1: Arnold & O'Sheridan
TelephoneJob1: 262-790-5336
StartDateandPositionJob1: November 2006
EndDateandPositionJob1: Present / Engineering Consultant
CompanyNameJob2:
TelephoneJob2:
StartDateandPositionJob2:
EndDateandPositionJob2:
CompanyNameJob3:

TelephoneJob3:
StartDateandPositionJob3:
EndDateandPositionJob3:
Signature: Aaron Smak
Date: 02/28/12
Signature2: Aaron Smak
Date2: 02/28/12
Address: 8637 S. Deerwood lane Franklin, WI
PriorityListing: Any
WhyInterested: I would like to become more involved in the city of Franklin.
CompanyAddressJob1: 4125 N. 124th street Brookfield, WI
DescriptionofDutiesJob1: Create engineering specifications and drawings for commercial buildings.
AddressJob2:
DescriptionofDutiesJob2:
AddressJob3:
DescriptionofDutiesJob3:
AdditionalExperience: Master of Business Administration
ClientIP: 184.58.243.190
SessionID: s3wducyf2dx4unik1swgd455
[See Current Results](#)

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F.I.

To: Mayor Tom Taylor
From: Frank Pipito, 7409 Hollyann Lane, Franklin, WI
Re: School Security

January 19, 2013

Mayor Taylor

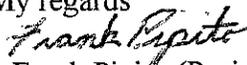
After the tragic events that have taken place within the last year in our country with gun violence at movie theaters, strip malls, and our schools I have been giving a lot of thought to this matter as I'm sure you have also; especially when innocent children are gunned down in schools. **WHAT IS THE ANSWER TO THIS CRISIS!**

Many people have suggested improving security at our schools by making unwanted entry into the schools by outsiders more difficult. Unfortunately this did not work at the latest school shooting in Connecticut. Others have suggested arming our teachers with guns which as a retired law enforcement officer, I feel is not the answer and I'm quite sure opposition would come from the teachers union and others. Lastly, some people believe that the police departments should provide school protection at all our schools by having an armed officer present whenever the school is opened. This maybe the solution; I'm not sure. I do know however, that this would certainly be very costly in the long run. More police would have to be hired, trained, and equipped to fulfill this need. Mayor Taylor; why not consider hiring retired law enforcement officers to fill these positions. It certainly would be more cost effective in the long run. The pay would certainly be less than a sworn officer. Cities would not have to provide any retirement or health benefits to these men or women because we already have them. Training would be cheaper in the long run because we already have the training. We know how to handle a weapon, use a radio, and how to react in a crisis situation. Many officers retire at a relatively young ages today and are still capable of performing police functions years after retirement.

Mayor Taylor; please consider this alternative solution to a MAJOR CRISIS in our society. Let Franklin, Wisconsin be a pioneer and forerunner !! The children, parents, grandparents, and citizens of Franklin, Wisconsin thank you in advance.

I personally thank you in advance for all that you do as Mayor and certainly would be willing to discuss with you in the future this matter.

My regards



Frank Pipito (Retired Deputy Sheriff)

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<p style="text-align: center;">APPROVAL</p> <p><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COMMON COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">02/05/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">CONCEPT REVIEW FOR A PROPOSED SINGLE-FAMILY ESTATE RESIDENTIAL DEVELOPMENT AT 9140 SOUTH 51ST STREET (JOSEPH R. HASELOW AND DAWN M. BOLAND, APPLICANTS)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.I.</i></p>

Introduction

On January 30, 2013, Joseph Haselow and Dawn Boland, filed a Concept Review Application with the Department of City Development. The applicants are proposing a residential estate development on property located at 9140 South 51st Street, owned by Keith Ponath and Sally Scott (see the attached materials provided by the applicants)

The 11.55-acre property is currently zoned R-3 Suburban/Estate Single-Family Residence District. The property presently contains a principal dwelling structure, a guest home, and multiple accessory buildings. It is bounded by single-family residential developments to the north, south and east and vacant R-8 Multiple-Family Residence District zoned property to the west. The subject property is identified as "Areas of Natural Resource Features" and "Residential" in the City of Franklin 2025 Comprehensive Master Plan.

Applicant's Proposal

The applicants are requesting approval to allow all existing structures and uses to continue to operate as legal uses on the property, and to ensure that, if purchased, the property may be redeveloped in the future in a similar family estate manner. The applicants have indicated they intend to raze and replace structures over time. Preliminary plans illustrate a principal dwelling structure, guest house, multiple accessory structures, an outdoor recreation court, in-ground swimming pool, including an enclosure and walking and biking paths.

Potential Areas of Conflict with the Unified Development Ordinance

Department of City Development Staff has identified several issues with the preliminary site plan options.

1. The guest house is prohibited in the R-3 District. If the home is a legal non-conforming, which needs to be verified, the guest house is subject to the provisions of Division 15-3.1000 of the UDO and certain very restrictive limits on repairs and alterations.
2. The accessory structures exceed UDO standards in terms of height and size.
3. Several buildings are likely located within City of Franklin protected natural resource areas, such as mature and young woodlands. Part 4 of the UDO allows disturbance of 30% of mature woodlands and 50% of young woodlands. Staff is

not aware if the preliminary site plan options would exceed these limits.

The property also contains wetlands; however, all buildings appear to be located outside the protected 30-foot wetland buffer and 50-foot wetland setback.

4. Several buildings are shown within a Southeastern Wisconsin Regional Planning Commission (SEWRPC) Isolated Natural Resource Area.
5. The existing structures are not connected to public sewer and water facilities. Staff is not aware of the condition of the existing onsite septic system.

Public sewer and water facilities are available and are required for new developments in most residential zoning districts (including the subject R-3 district). The applicant has indicated potentially wanting to hook up to public sewer and water facilities.

6. The proposed gate and fence are not allowed within the front yard. Only decorative fences are allowed within front yards.

Potential Options

Staff has also identified several possible zoning related options for the applicants' proposal, most of which would also require a number of variances. For example, deviation from the UDO required accessory structure and fence requirements would need variances in conjunction with most of the zoning related processes identified below. Whereas the Planned Development District rezoning option could specifically address the accessory structure and fence requirements within the PDD ordinance and separate variances would not be required.

Please note the Board of Zoning and Building Appeals (BZBA) is not authorized to grant a variance to allow for a second principal dwelling structure per Section 15-10.0206 of the UDO and that all of the process options noted below will require completion of a Natural Resource Protection Plan (NRPP).

The applicant has indicated that the rezoning to the R-8 District and CSM process options noted below are not preferred options and do not fully meet the intent of their development. It is staff's understanding that the applicants prefer the UDO text amendment option pertaining to the creation of a new residential estate zoning district. It is also staff's understanding that there has previously been some interest expressed by the City in the eventual creation of such a residential zoning district.

Option 1: Unified Development Ordinance Text Amendment to Establish a New Residential Zoning District

In this option, the City would establish a new residential zoning district that would allow an estate type development with multiple dwelling structures, and potentially larger accessory structures, and then allow the subject property to be rezoned to that new zoning district. The zoning district would have to describe the intent of the district and provide for specific development standards which would help guide the City in its decisions of where that district would be allowed. Variances for the applicant's

proposed fence, accessory buildings, etc. would still be needed.

Option 2: Rezone to Planned Development District R-8 Multiple-Family Residence District

In this option, the applicants would request rezoning to this type of PDD, which if approved by the City, would result in the creation of an R-8 PDD zoning district that would provide the specific development standards needed for the proposed project. This option could also address the fence, accessory structure, etc. issues without the need for a variance.

Other possible, but less likely options include:

- A UDO Text Amendment to change the definition of Guest House to accommodate the proposed development and to allow it as a permitted or special use in the R-3 zoning district.
- A UDO Text Amendment to allow multiple dwelling units within the R-3 zoning district as a permitted or special use.
- Rezone the property to R-8 Multiple-family Residence District.
- A Certified Survey Map to allow division of the subject property into at least two separate parcels, one for each anticipated dwelling unit.

In review of these options, Staff recommends the City consider the following factors:

- **Fiscal Impact:** The fiscal impact upon the City should be considered for the specific property and proposed development as well as City wide.
- **Spot Zoning:** The location of a multi-family district or estate district with multiple dwelling units adjacent to single-family homes, and the potential for additional multi-family activities/changes in the future, could create conflicts between the single-family and multi-family lands. Furthermore, staff does not believe the proposed development fits with the intent of the R-8 District, which is intended to be used as a transition between R-7 and commercial districts.
- **Planned Development District Rezoning:** Staff does not believe the development fits the intent of a multiple-family PDD. However, the R-8 PDD option would allow the City to provide specific provisions and restrictions for the proposed development, which may be used to address any City and/or neighbor concerns, and would eliminate the need for multiple variance requests.
- **UDO Text Amendments:** Staff has concerns with the overall, City-wide impacts of potential UDO text amendments, such as their precedent setting possibilities, and unanticipated impacts if used elsewhere in the City.

Conclusion

Regardless of the option chosen, staff may have some concerns with the proposed development. In general, staff would likely have greater concerns about those options which would apply more broadly throughout the community than those options which could be specifically limited to and tailored for this particular situation/location. Staff would also have greater concerns about those options which could potentially establish spot zoning, set

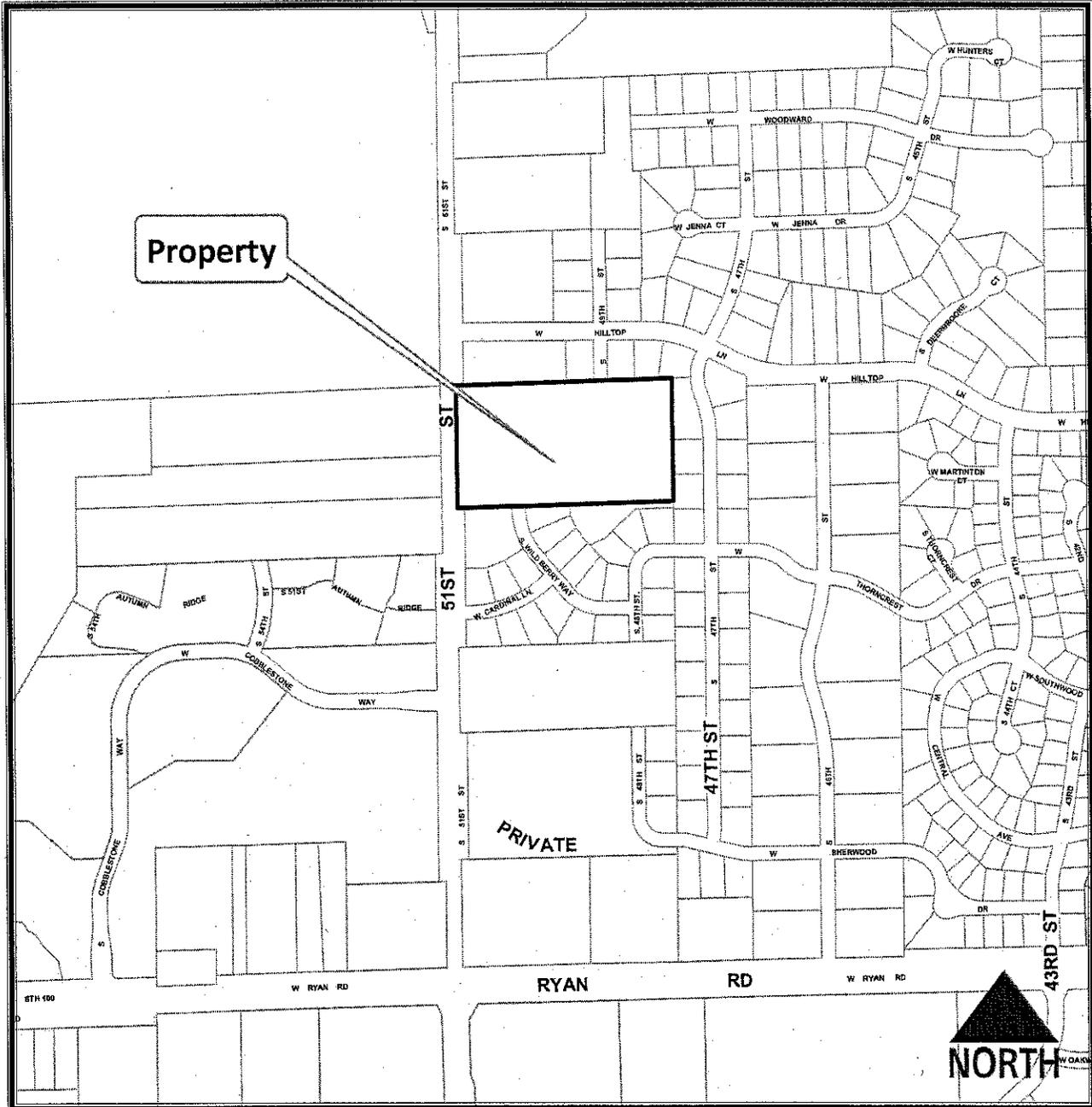
precedents, or cause unanticipated impacts. Upon review of an application, staff will further consider the impact of the development on the City and adjacent properties, whether the development is consistent and compatible with the surrounding area, whether the property is being utilized for its highest and best use, and if the development will have a positive financial impact on the City compared to an R-3 type subdivision.

COUNCIL ACTION REQUESTED

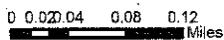
Provide direction to the applicant regarding the proposed single-family estate residential development at 9140 South 51st Street (Joseph R. Haselow and Dawn M. Boland, Applicants).



9140 South 51st Street



Planning Department
(414) 425-4024



This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

**Development and Intended Use Plan
For property located at:
9140 South 51st Street, Franklin WI**

Submitted by:
Joseph R. Haselow and Dawn M. Boland
January 29, 2013

Franklin

JAN 29 2013

City Development

ARTICLE 1. PROPERTY SUBJECT TO DEVELOPMENT AND INTENDED USE PLAN

The real property subject to the provisions of this Development and Intended Use Plan is the 11+ acre parcel with address 9140 South 51st street, Franklin, WI 53132, tax key 881-9995-000. It is our understanding that the metes and bounds description is described as 11.55 acres comprised of the northerly 532 feet of the west 60 acres of the west half of SE 23-15-21. This parcel, with its existing structures is owned by Keith F. Ponath and Sally J. Scott, and is under purchase contract to Joseph R. Haselow and Dawn M. Boland.

For taxation purposes, this parcel has been assessed by the City of Franklin as follows:

Land:	\$175,000
Improvements:	\$308,500

The property's utility service is well water, septic and overhead electrical.

The first objective of this Development and Intended Use plan is to realign the zoning for the parcel so that it is fully compliant with its continuing use as a family estate, in a manner consistent with how it has been used for the past sixty (60) years. Since the 1950s, the property has been used as a family estate, with improvements including a main house, a guest house, a large multi-purpose building (a/k/a Pole Barn) and another storage / utility structure. Three out of four primary structures do not align with the existing R3 zoning and all structures presently exhibit some decay resulting from deferred maintenance.

The second objective of this Development and Intended Use plan is to assure that the Buyers may extend the improvements of the family estate in a manner which both preserves the majority of the existing natural resources and which improves the estate amenities. The buyers anticipate significant financial investment either to restore the existing structures or significant financial investment to raze and replace structures over time. The buyers are hopeful that investment in the existing structures will be possible in the majority of cases, but, wish to also assure that replacement of existing structures and addition of new improvements is allowable over time.

Due to the size of the lot, the lot coverage ratio is currently less than 0.02 (structures only) and less than 0.04 when considering all impermeable surfaces. The future development plans described herein likely result in a lot coverage ratio of approximately 0.03 (structures only) and less than 0.07 when considering all impermeable surfaces. When considering all possible improvements to the family estate, the environmental impact is intended to be low and the conservation of natural areas is a strong consideration. Via the City of Franklin planning department, a wetland and natural resources field delineation study has been requested via SEWRPC at the earliest possible opportunity.

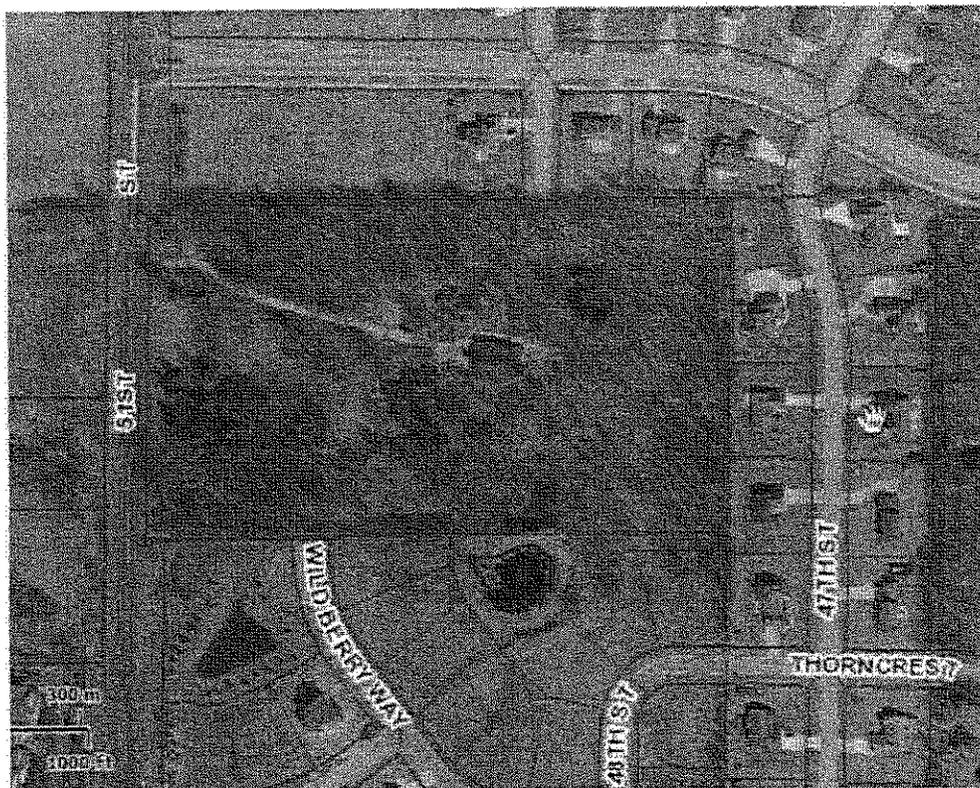
ARTICLE 2. GENERAL. Because the existing R3 zoning disallows many of the existing family estate structures and many of the intended future family estate amenities, this Development and Intended Use Plan is written to convey the intended future improvements so that approvals may be granted by all parties who may otherwise limit those improvements. By setting forth this plan and by obtaining approval from the appropriate government entities, boards, commissions, etc., the Buyers may be assured that the property is usable as they intend.

In the near-term (i.e., next 12-36 months), it is likely that investment will focus on elimination of debris on the property, completion of deferred maintenance on existing structures, addition of a walking and biking path and potentially the addition of a recreational structure and/or an external recreational court. In the long run, it is possible that other structures may be razed and replaced, depending on their condition and overall needs. Through this plan, the following abbreviations and markings are used to designate the placement of structures and improvements:

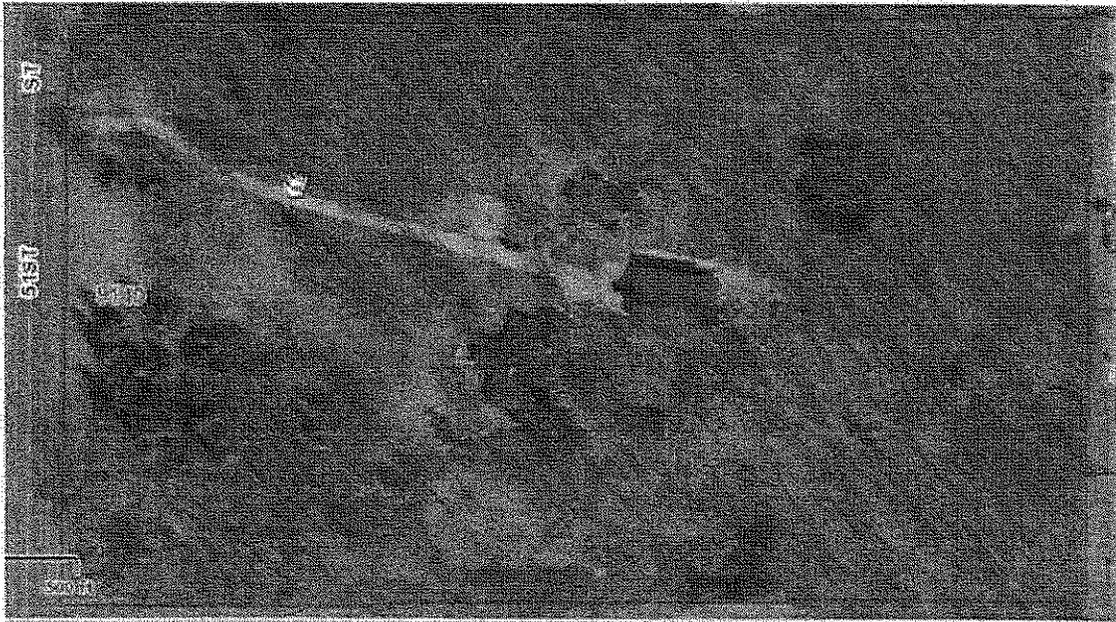
- MD Main Dwelling (1 ranch-style main house exists currently)
- GD Guest, Caretaker/Caregiver, or Multi-Gen Dwelling (1 ranch-style guest house exists currently)
- MP Multi-Purpose Structure (1 very large, detached garage a/k/a Pole Barn exists currently)
- U Utility Structure (1 utility structure exists currently)
- P Walking / Biking Path through woods to northerly street access (planned for future)
- R Recreational Structure (planned for future, likely enclosed pool, etc.)
- C Outdoor Recreational Court (planned for future, likely lighted)
- F Fence and gate (planned for future, likely 6 feet high, black, metal)
- WS Potential water / sewer laterals (possible in future)

ARTICLE 3. EXISTING PROPERTY DEVELOPMENT CONFIGURATION AND STRUCTURES

3.1 Existing Development Configuration Aerial Photos and Drawings



9140 South 51st street is an 11+ acre parcel bounded by 51st on the west and residential properties on all other sides. The northern boundary of the property is bounded by residences and lots along Hilltop Lane. The eastern boundary of the property is bounded by residences along 47th street and the southern boundary of the property is bounded by residences along Wildberry Way or 48th street.

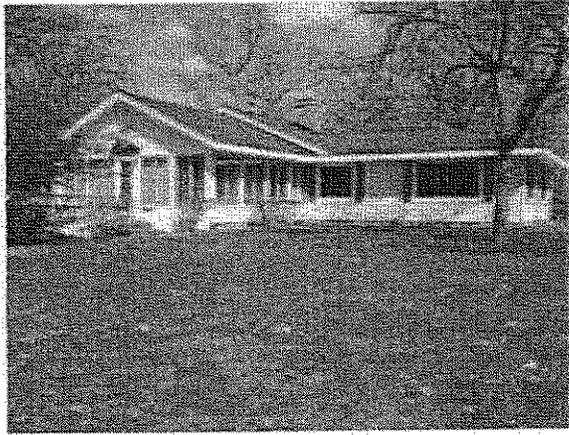


Portions of the property are wooded with a mixture of older growth trees and sparse underbrush, with many rotting and decaying trees throughout the property. Throughout the eastern half of the property are some abandoned and decaying man-made items, including paddle boats, childrens toys, bicycles, boats, and a wide range of other items. The debris is nuisance only - there is no indication of any hazardous material or any debris that would generate contamination of any sort.

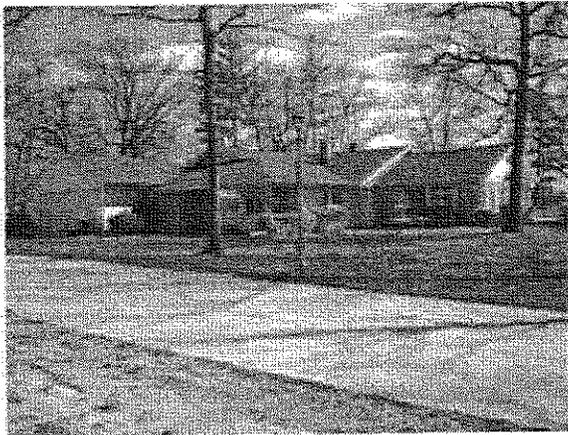


The above photo shows the existing main dwelling (MD) in the lower left corner, the existing multi-purpose structure (MP) in the upper right corner and the existing utility structure (U) in the lower right corner. The existing guest dwelling (GD) is not shown.

3.2 Existing Main Dwelling (MD)

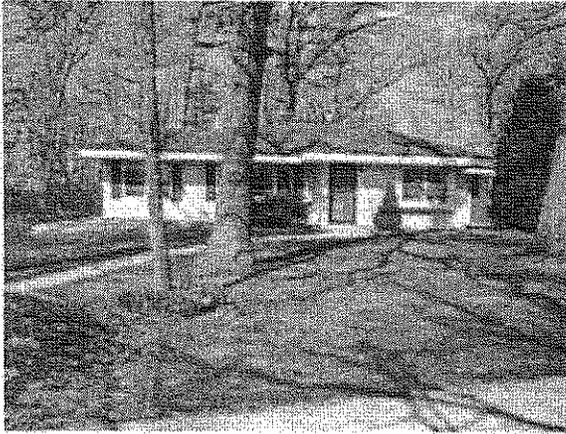


This structure is approximately 3,300 square feet. This photo is a view from the southwest.



View from the northwest.

3.3 Existing Guest Dwelling (GD)



The structure is approximately 1,250 square feet. This photo is a view from the south.

3.4 Existing Multi-Purpose Structure a/k/a Pole Barn (MP)

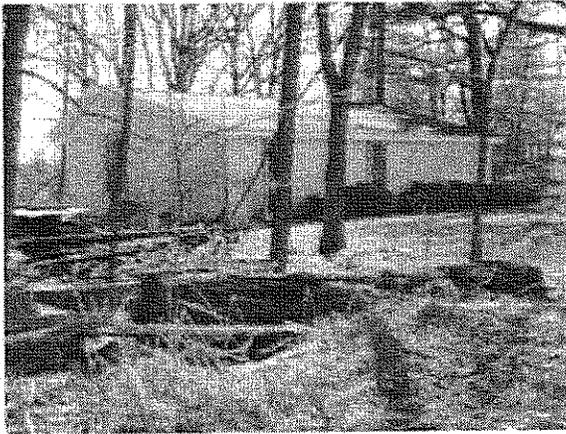


The structure is approximately 46 feet x 60 feet (i.e., 2,760 square feet). This photo is a view from the west.



View from the northwest.

3.5 Existing Utility Structure (U)

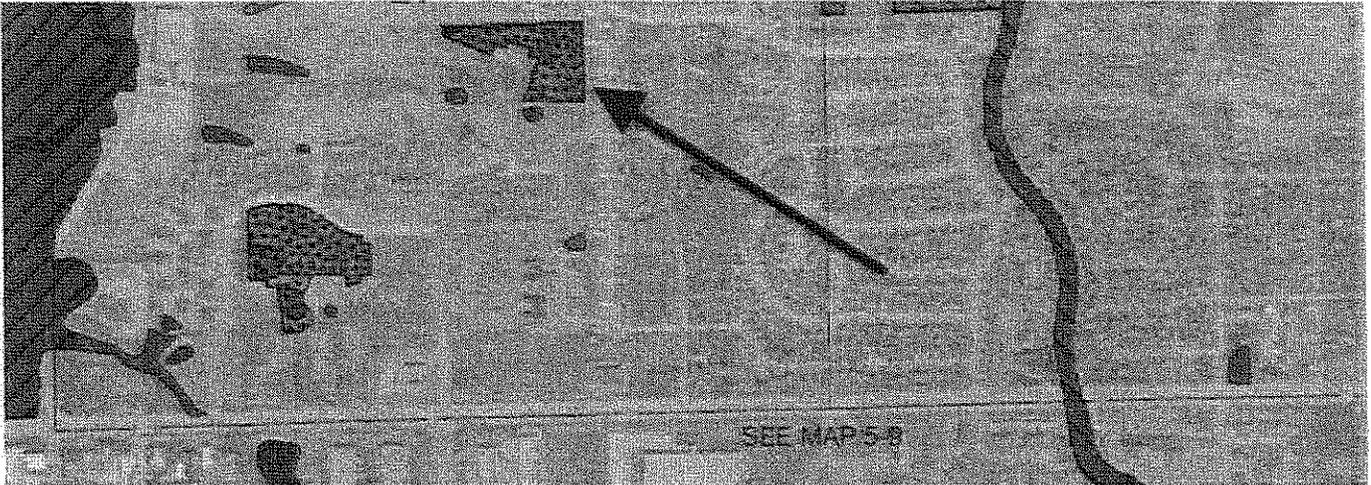


The structure is approximately 20 feet x 40 feet. This photo is believed to be a view from the northeast.

3.6 Existing Secondary Environmental Corridor designation



3.7 Existing Isolated Natural Resource Area designation



PRIMARY ENVIRONMENTAL CORRIDOR



SECONDARY ENVIRONMENTAL CORRIDOR



ISOLATED NATURAL RESOURCE AREA



WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS



SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS



PLANNED SANITARY SEWER SERVICE AREA



GROSS SANITARY SEWER SERVICE AREA BOUNDARY

RESTRICTIONS ON SEWERED DEVELOPMENT



PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.



PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.

Source: SEWRPC.

3.8 Existing Utility Service in Surrounding area

Legend

Water Node

● Interface

Node Type

- Catch Basin
- Infiltration Trench
- ▲ Valve, Control, Plug
- Suction Valve
- Invert
- Water Meter

- Water Main
- Water Main - Subject 1
- Water Main - Subject 2
- Water Main - Subject 4

Water Main Capacity

Capacity

- 12"
- 14"
- 16"
- 18"
- 20"
- 24"
- 30"
- 36"
- 42"
- 48"

Utility Point

Type

- Light Pole
- Pole or Support Pole
- Utility Line
- 48" Gas Main
- 48" Gas Main

Stormwater Node

Node Type

- Basin Inlet
- Catch Basin
- Check Valve or Gate
- Man Access
- Manhole
- Orifice
- Outlet Control
- Pump Station

Stormwater Main - Capacity

Capacity

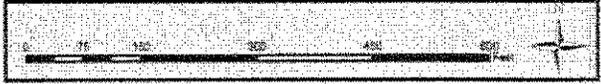
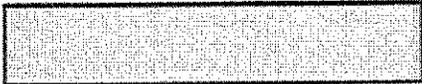
- 18"
- 24"
- 30"
- 36"
- 42"

--- Stormwater Main - Capacity to Node

Stormwater Node

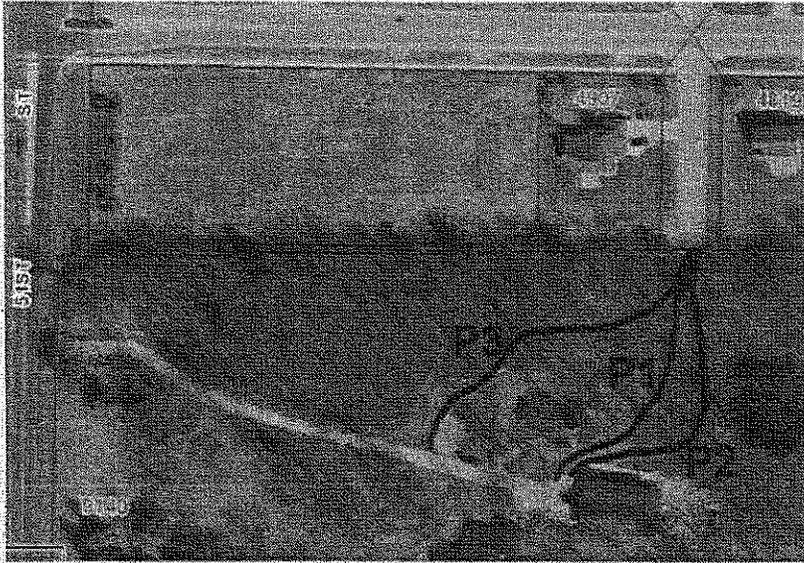
Node Type

- Basin Inlet
- Catch Basin
- Check Valve or Gate
- Man Access
- Manhole
- Orifice
- Outlet Control
- Pump Station
- Stormwater Main



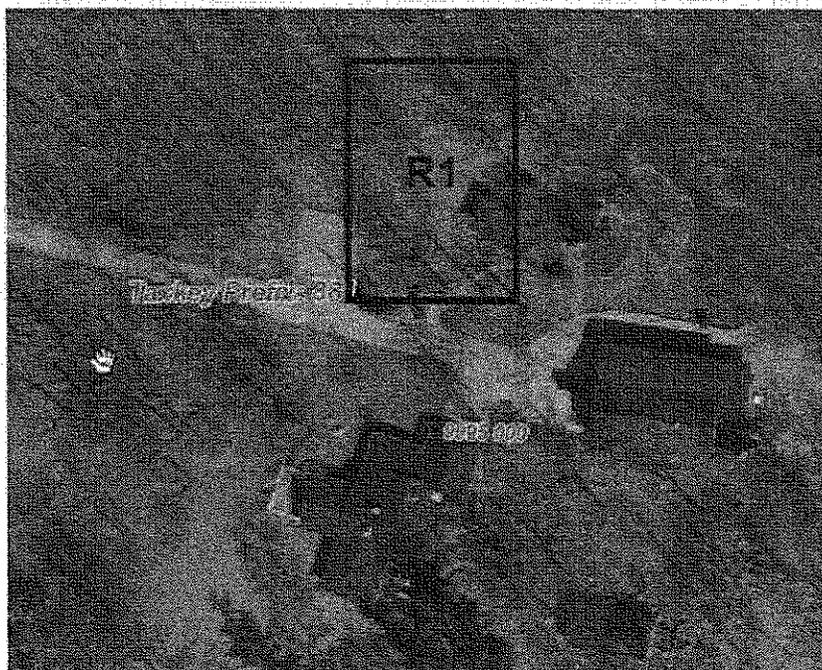
ARTICLE 4. FUTURE PROPERTY DEVELOPMENT CONFIGURATION OPTIONS

4.1 Future Walking / Biking Path Options (P)

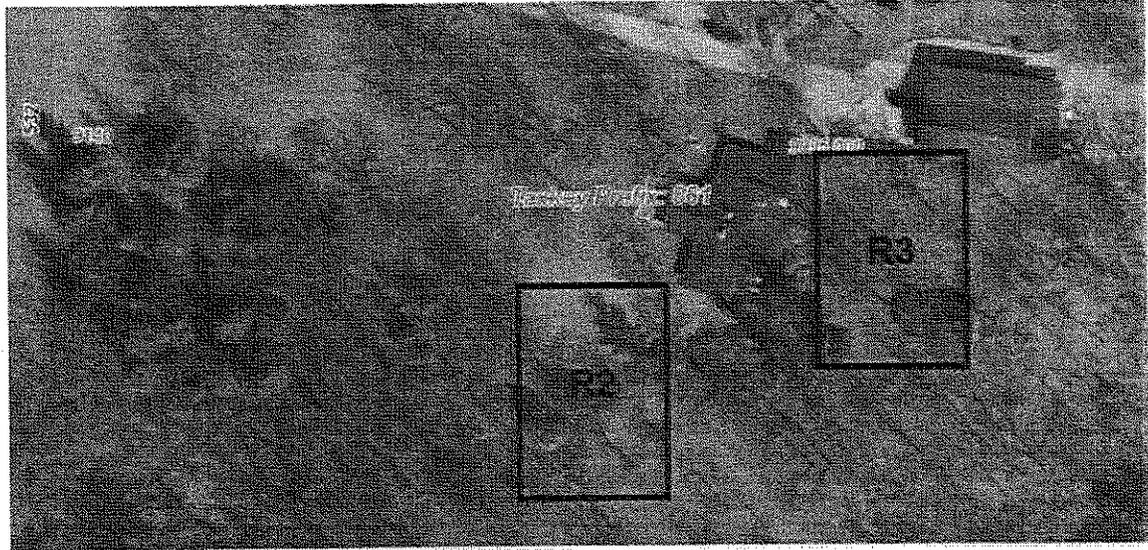


Each option P1, P2 or P3 is a lighted path to connect to the stub of 49th street on the northerly border of the property. The routes of the pathways differ based upon the development of other structures and improvements. In all cases, the path is intended to be lighted with switched "dark sky" lighting, monitored by security cameras and low-impact to the environment. The path allows connectivity to the surrounding neighborhood, including a safe walkway for children to the existing school bus stop at the corner of Hilltop Lane and 49th street. See 5.1 for path conceptual options.

4.2 Future Recreational Structure Location Options (R)



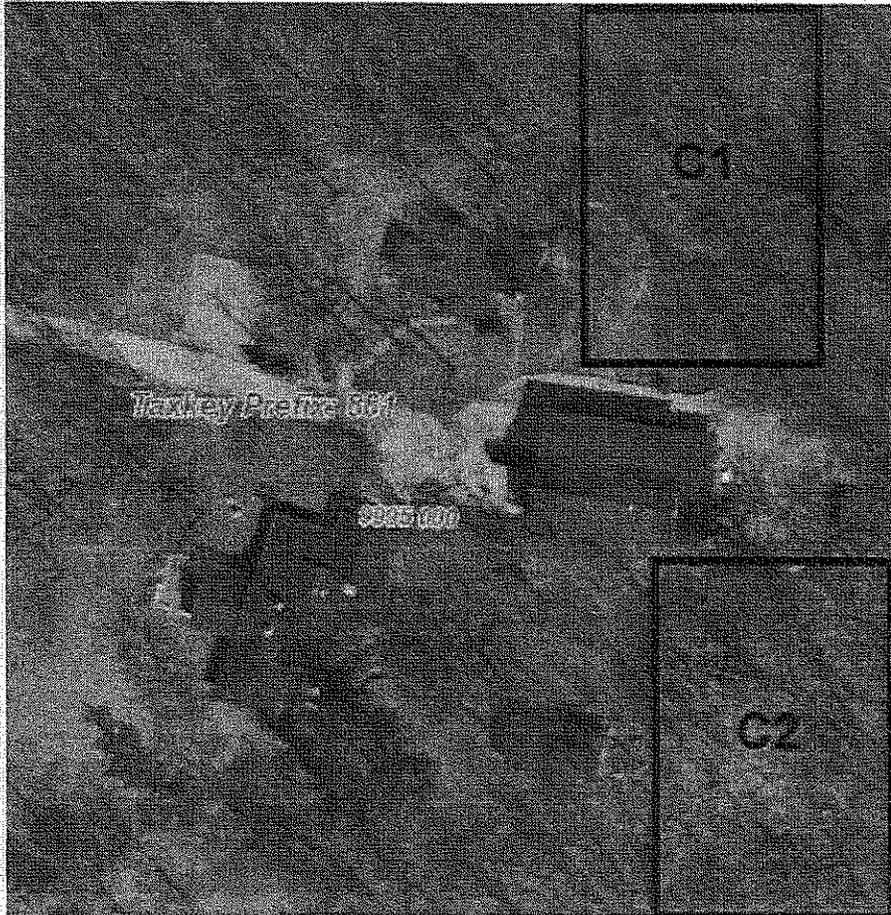
R1 indicates a location of a future recreational structure that requires the removal of the existing guest house. This option would best align with the build of a new main dwelling (MD) in either of the locations shown as MD1 in section 4.4. See 5.2 for Recreational Structure conceptual options.



R2 indicates a location of a future recreational structure to the southwest of the existing main dwelling (MD). Option R2 is best utilized if the existing main dwelling (MD) remains in use for the long-term, if a replacement main dwelling is built in either location MD2 or MD3 as shown in 4.4. It is also possible for R2 to be paired with the MD1 location for the main dwelling; however, it is less convenient.

R3 indicates a location of a future recreational structure to east of the existing main dwelling (MD). Option R3 requires the removal of the existing utility building (U). This option is best utilized if the existing main dwelling (MD) remains in use for the long-term, or if a replacement main dwelling is built in either location MD2 or MD3 as shown in 4.4. Though it is also possible for R3 to be paired with the MD1 location for the main dwelling, it is not a likely choice.

4.3 Future Outdoor Recreational Court Options (C)

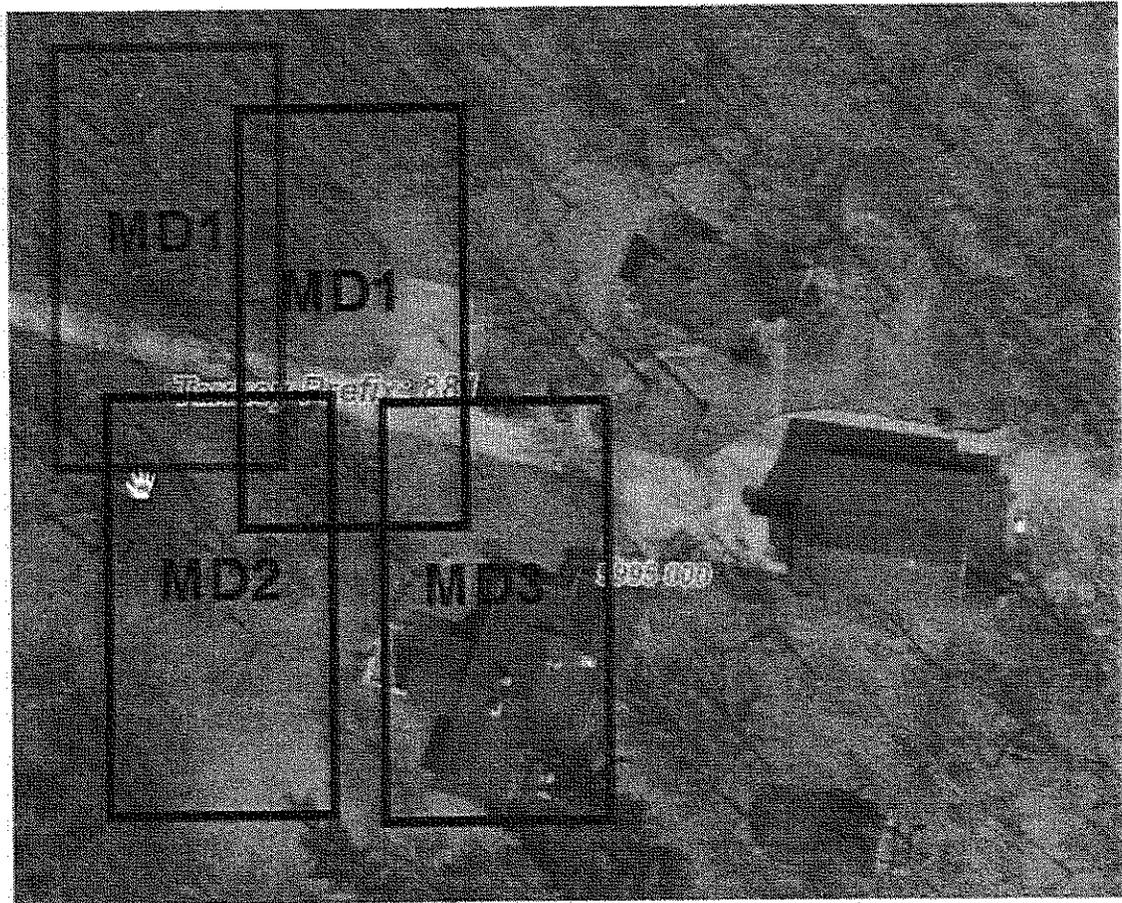


C1 indicates a location of an outdoor recreational court to the northeast of the existing guest dwelling (GD) and to the north of the existing multi-purpose structure (MP). This location is directly to the west of an ephemeral wetland area which would require appropriate setback and to the south of the residential lots on the northern border of the property. The area described as C1 is a mixture of woods, extended yard from the existing guest house and some underbrush.

C2 indicates a location of an outdoor recreational court to the east of the existing utility building (U). This location is best pursued the main dwelling is located in position MD2 or MD3 and if the recreational structure is located in position R2 or R3. The area described as C2 is a mixture of woods, extended yard from the existing guest house and some underbrush.

See 5.3 for Outdoor Recreational Court conceptual options.

4.4 Future Main Dwelling Location Options (MD)



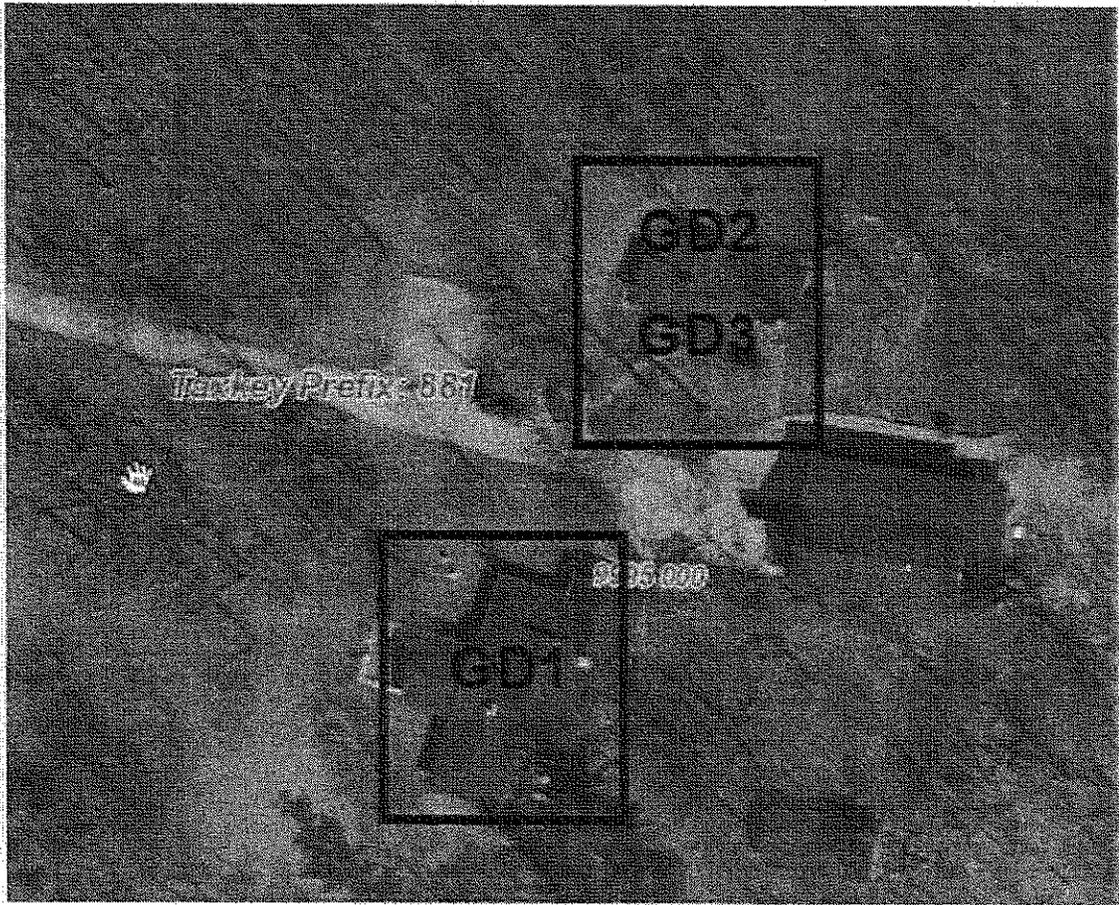
Either of the MD1 positions indicates the location of a new main dwelling which would be best paired with recreational structure location R1 and outdoor recreational court location C1. If this option is pursued, it is probable that the existing guest dwelling (GD) would be razed such that the existing main dwelling (MD) would then be used as a guest dwelling in position GD1. Location MD1 is a mixture of woods, extended yard from the existing guest house and some underbrush. Depending on the exact location of MD1, it is possible that this includes part of an existing parking pad and possibly an existing septic tank and/or septic drain field. Pursuing this option would also require rerouting of a portion of the existing driveway and overhead electrical service.

MD2 represents the build of a new main dwelling (MD) directly to the west of the existing main dwelling. This option would be best pursued such that the existing main dwelling is utilized during the construction of the new home, but that it is razed after the new home is occupied. The option is best paired with positions R2 or R3 for the Recreational Structure and with position C2 for the outdoor recreational court. It is possible to retain the existing guest dwelling (GD) in this case. Location MD2 slopes to the southwest and is primarily extended yard from the existing main dwelling.

MD3 represents either the long-term use of the existing main dwelling or the replacement of that dwelling with a new home. This location would be best paired with positions R2 or R3 for the Recreational Structure and with position C2 for the outdoor recreational court.

See 5.4 for replacement Main Dwelling conceptual options.

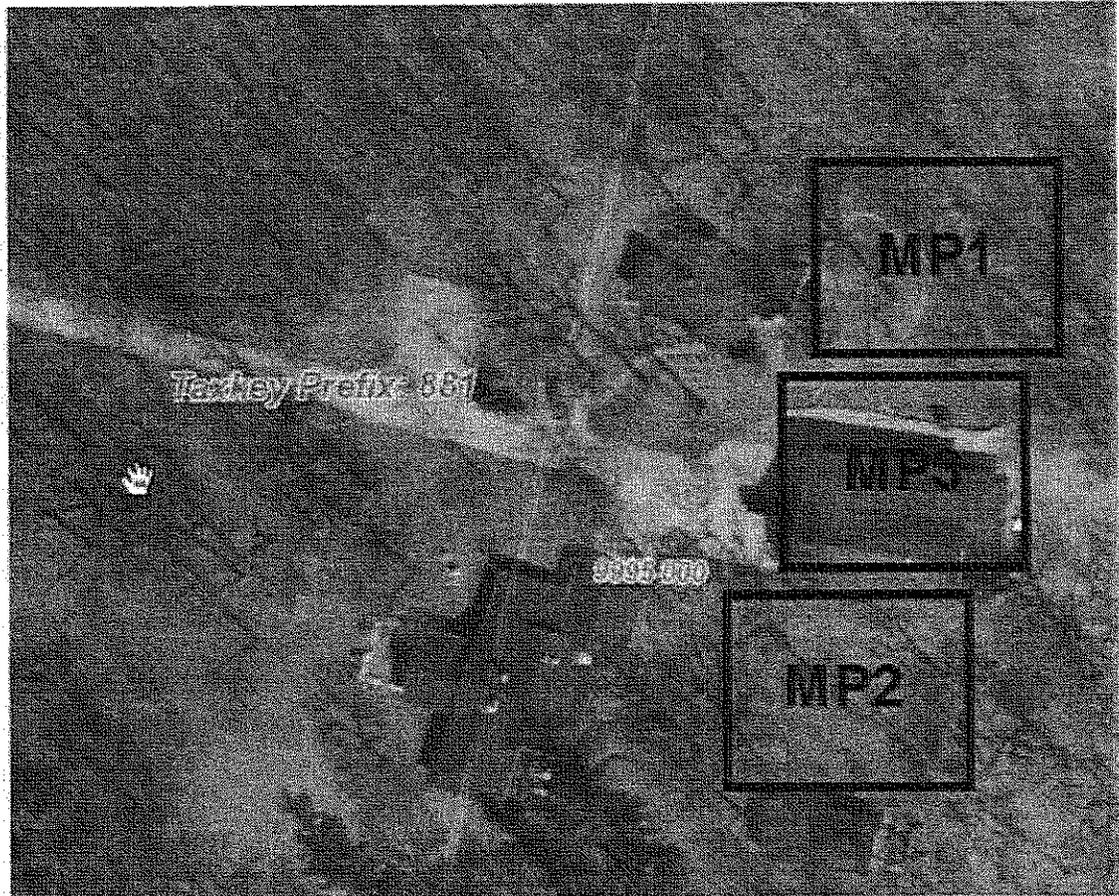
4.5 Future Guest Dwelling Location Options (GD)



GD1 indicates the use of the existing main dwelling as a future guest dwelling, or the replacement of the existing main house with a different guest house. It is more likely that the existing main house would be retained as a guest house than replacing it with a newly constructed guest house. This option is most logically paired with locations MD1 for the main dwelling, R1 for the Recreational Structure and C1 for the Outdoor Recreational Court.

GD2 and GD3 options are located roughly in the same location and are most likely paired with a main dwelling located in either MD2 or MD3, a Recreational Structure located in either R2 or R3 and an Outdoor Recreational Court located in either C2 or C1. GD2 and GD3 can represent either the continued use of the existing guest dwelling or the replacement of the existing guest dwelling with a new structure.

4.6 Future Multi-Purpose Structure Location Options (MP)

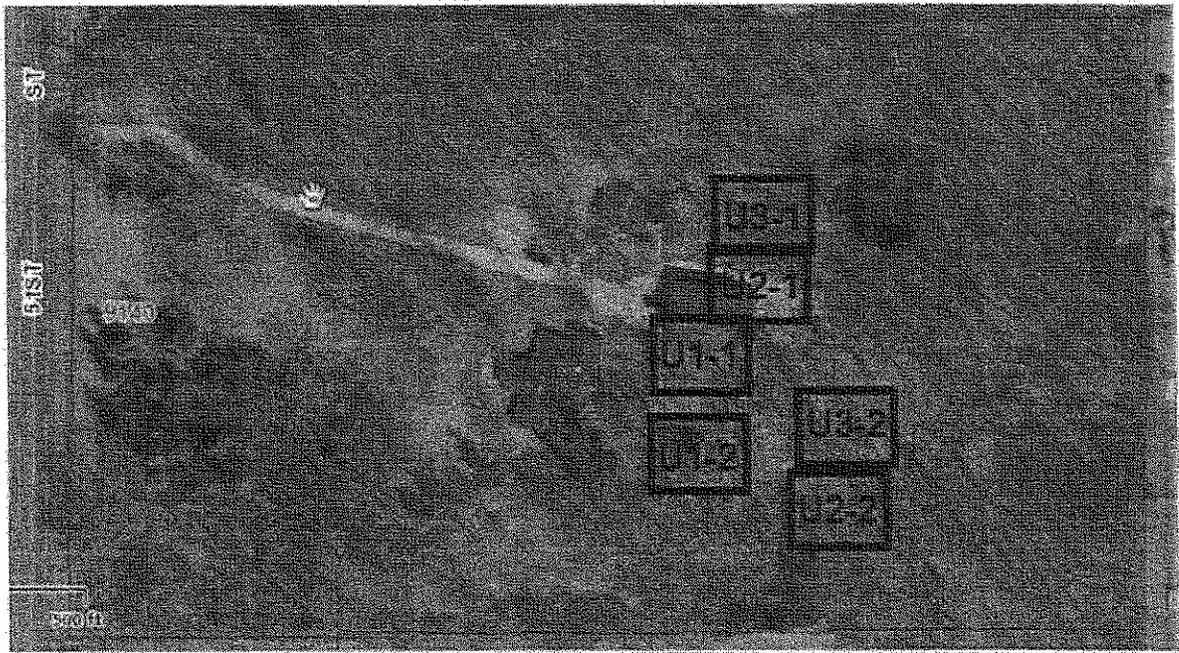


MP1 indicates a new multi-purpose structure to the north of the existing structure. It is improbable that this would be pursued unless the existing multi-purpose building needs to be razed due to condition or maintenance cost. If this turns out to be the case, the MP1 location is best suited to a case when the main dwelling is located in position MD1, the recreational structure is located in position R1, and the outdoor recreational court is located in position C2. Location MP1 is a mixture of woods, extended yard to the north of the existing multi-purpose structure and some underbrush.

MP3 indicates the continued use of the existing multi-purpose structure or the replacement of that structure in the same location.

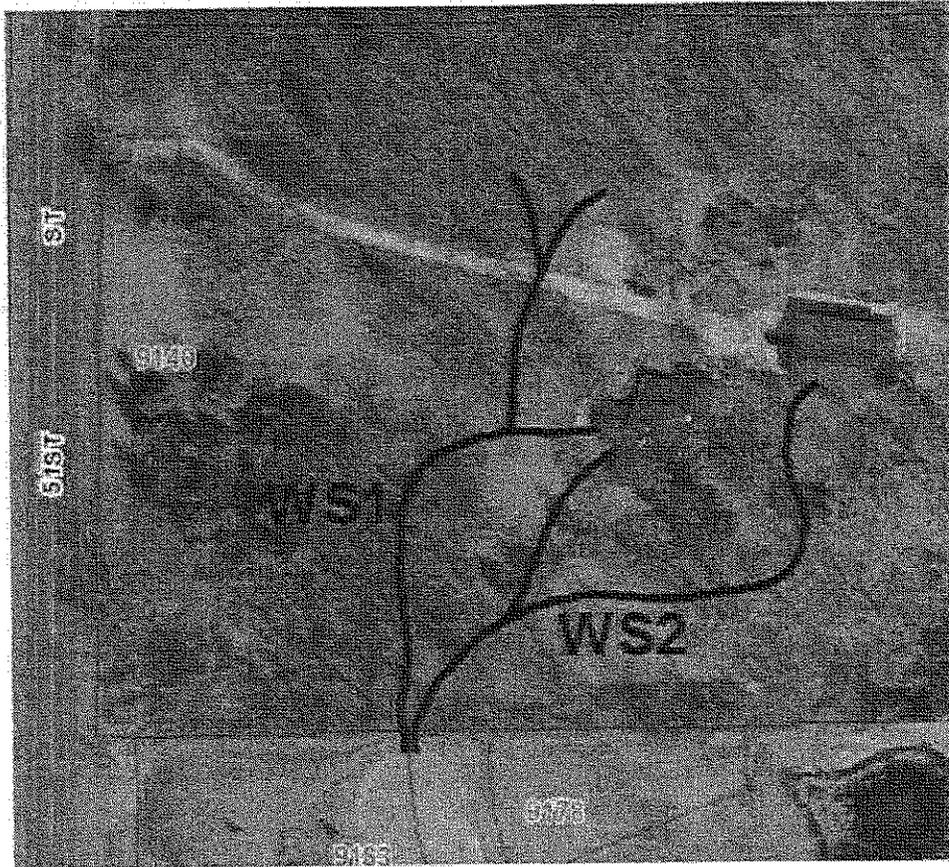
MP2 indicates a new multi-purpose structure to the south of the existing structure. It is improbable that this would be pursued unless the existing multi-purpose building needs to be razed due to condition or maintenance cost. If this turns out to be the case, the MP3 location is best suited to a case when the main dwelling is located in position MD2 or MD3, the recreational structure is located in position R2 and the outdoor recreational court is located approximately in position C2. Location MP2 is a mixture of extended yard to the south of the existing multi-purpose structure and a few trees. The existing utility structure would likely need to be razed if the multi-purpose structure were located in position MP2.

4.7 Future Utility Structure Location Options (U)



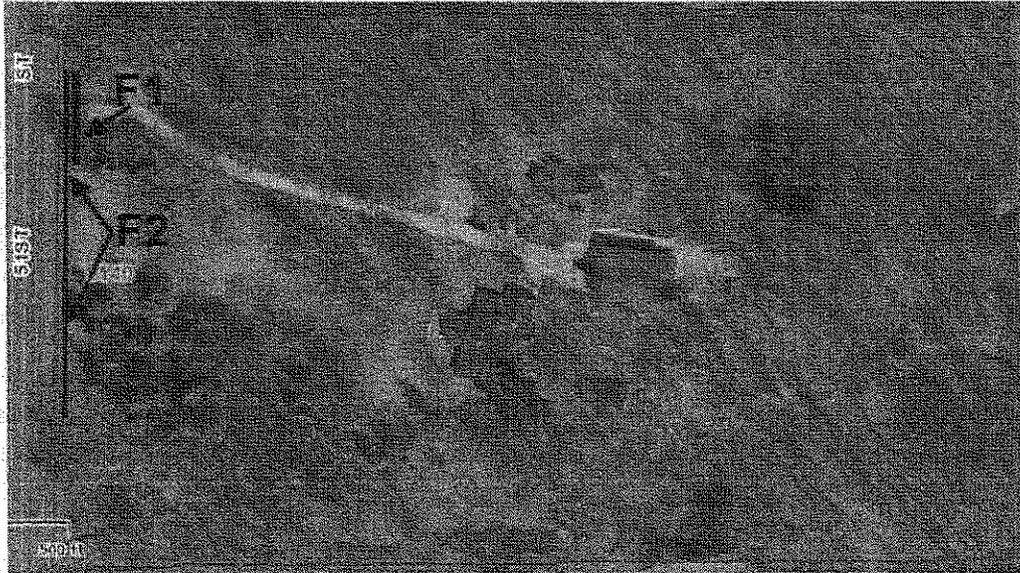
Locations U1, U2 and U3 represent various locations for up to two utility structures. This / these structures would be placed in the areas indicated under various cases based upon the location of other structures. These locations are a mixture of woods, extended yard from the existing guest house and some underbrush; however, U1-2 also represents the location of the existing utility structure.

4.8 Potential Future Water / Sewer Lateral Hookup (WS)



Municipal water and sewer are available near the southern boundary of the property, near the northern end of Wildberry Way. Depending upon cost, the Buyers may eventually elect to connect to municipal sewer, municipal water, or both. This is not a high priority in the near-term; however, is likely desirable for conservation of the lot and surrounding areas as new improvements are added. Sewer and water hookup to the existing main dwelling would be the priority, as well as to a new recreational structure.

4.9 Potential Future Fence and Gate Options (F)



Option F1 indicates a gate that extends across the driveway and is electronically controlled. The most likely option, if pursued, would be F1. Option F2 assumes the same gate, along with a fence that extends several hundred feet along the portion of the western lot line which is not wooded. See 5.5 for conceptual fence and gate options.

ARTICLE 5. CONCEPTUAL FUTURE IMPROVEMENTS

5.1 Walking / Biking Path through woods to northerly street access (P)

The routes of the walking / biking path shown in 4.1 are intended to be very low impact to the environment. Minor brush trimming and soil leveling (by hand) will occur and will need to be continued perpetually in order to keep the path accessible. Forest leaves or a very limited amount of crushed aggregate may also be used on the pathway to act as a ground barrier to future vegetation growth. We do not intend to add soil stabilizers or other man-made products – this is envisioned to be a natural path which can be walked with care (not stabilized or widened in a manner consistent with disabled person access) or which can be ridden on mountain bikes or hybrid bikes. The intent of the path is to provide safe access to the surrounding subdivision. This path may be used as access to and from a school bus route stop along Hilltop Lane.

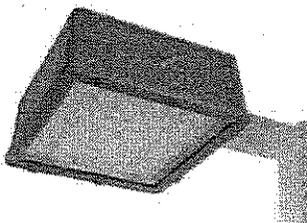
Along the pathway we also intend to install high-voltage lighting and security cameras at regular intervals. The intent of the lighting is to provide safe walking and/or riding during times of year when days are shorter and the intent of the cameras is to assure child safety along the walkway.

The lighting would likely be post-mounted, dark sky lights with switched controls at both ends of the pathway so that the pathway may be illuminated upon entry and darkened upon exit. It is likely that LED bulbs would be used to assure low heat and high lumen generation with minimal energy. Examples of the possible lighting options are

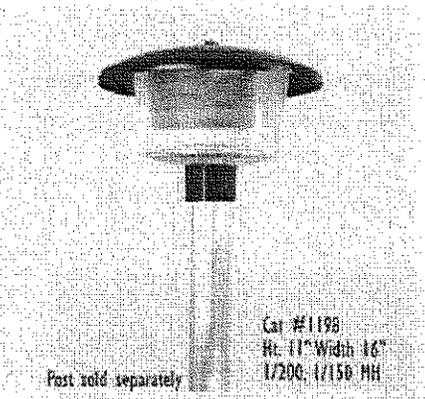
5.1.1 Pathway Lighting Concept 1: Kirkham Dark Sky Outdoor Post Mount Light Style # 48700



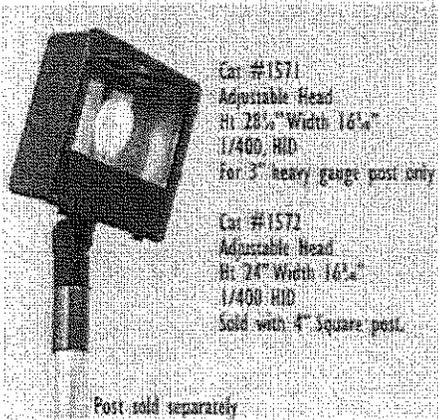
5.1.2 Pathway Lighting Concept 2: Shoebox LED Light



5.1.3 Pathway Lighting Concept 3: Polycarbonate Dark Sky Friendly Post Light



5.1.4 Pathway Lighting Concept 4: Adjustable Dark Sky Friendly Post Light

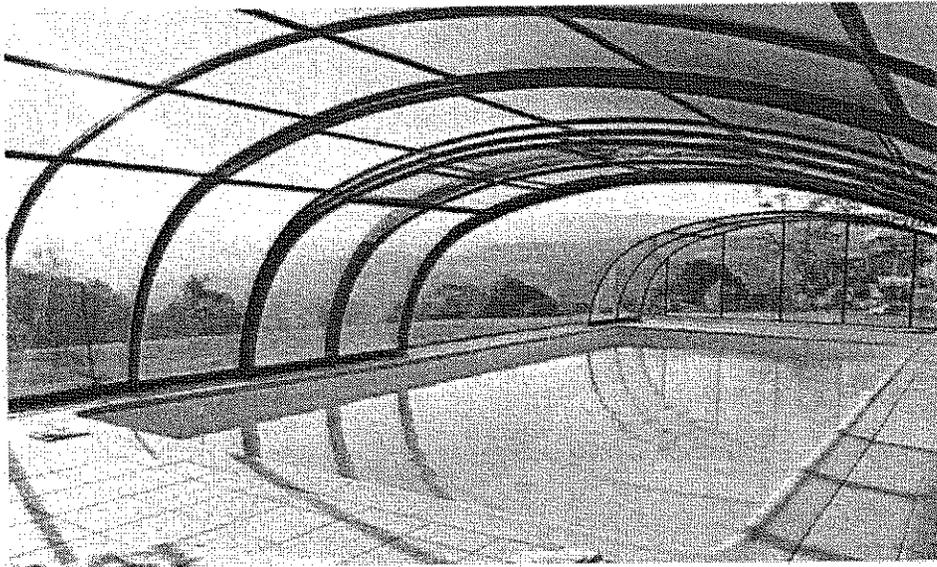


The security cameras would be mounted on a subset of the light poles and possibly on simple, stand-alone fixtures. Specific security camera options need more research and are envisioned to be without noticeable environmental impact.

5.2 Conceptual Recreational Structures (R).

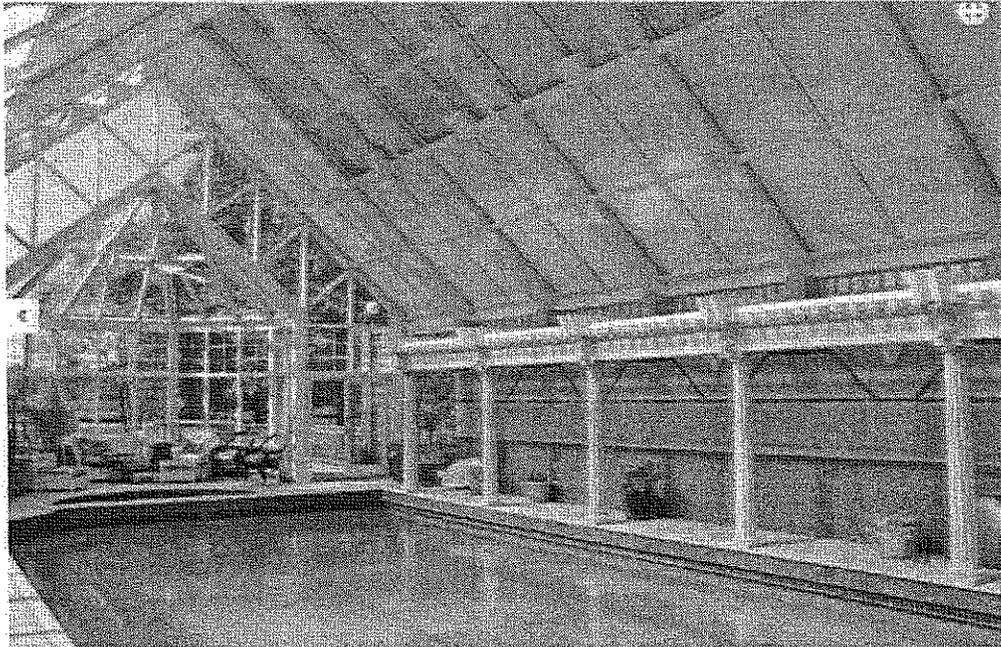
The Recreational Structure referenced in 4.2 is intended to contain a pool in all cases; however, it may contain more than a pool. The intent is to also include independent heat (possibly geothermal or solar), a changing room, and possibly more.

5.2.1 Concept 1: Retractable Pool Structure with pool

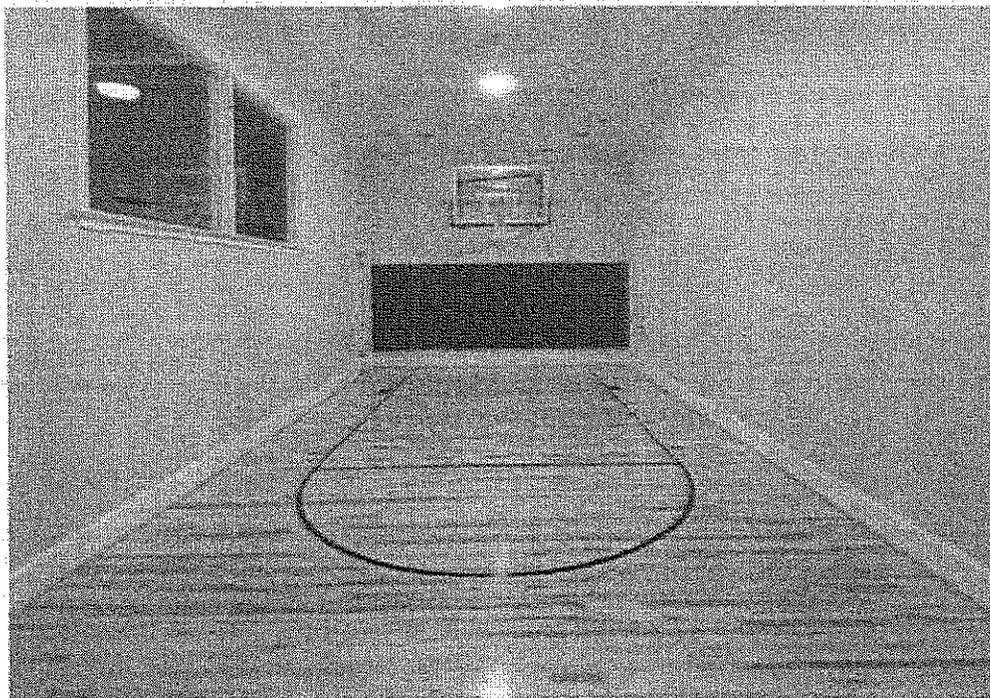


The above structures are telescoping so that they can open up in warm weather and be enclosed during inclement weather.

5.2.2 Concept 2: Fixed Recreational Structure with pool



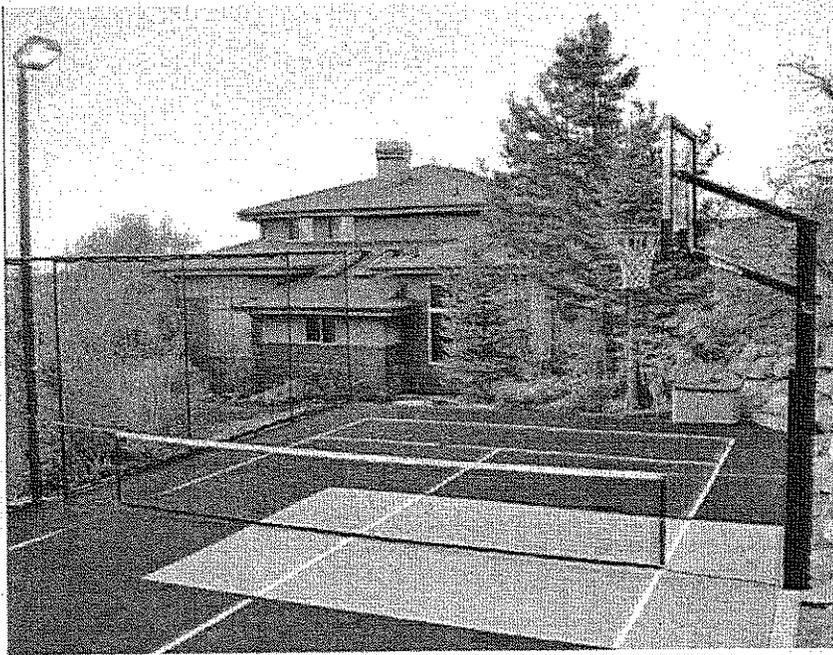
5.2.3 Concept 3: Indoor Basketball Court as part of Recreational structure with pool



The pursuit of an indoor basketball court would depend upon cost.

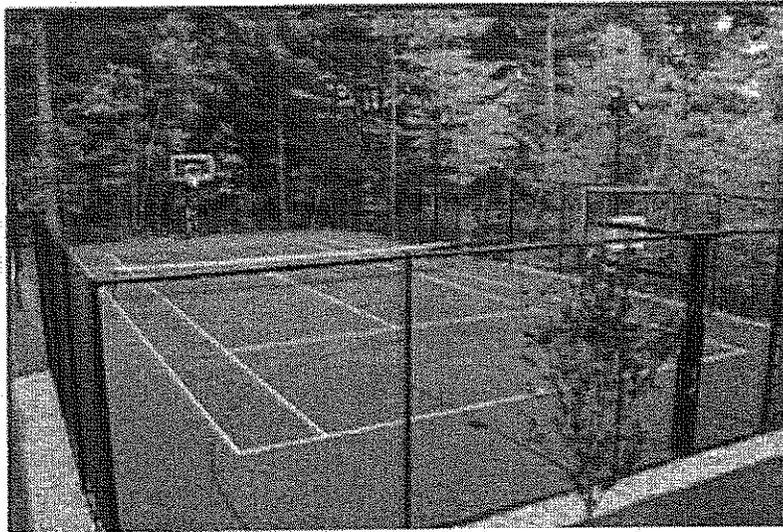
5.3 Conceptual Outdoor Recreational Court (C)

5.3.1 Concept 1: Lighted Half-Court Basketball Court and Full-Court Tennis Court



This is a good representation of a likely configuration for an outdoor recreational court. We would not likely pursue fencing around the court and it is more likely that lighting would exist on sides away from the basketball hoop.

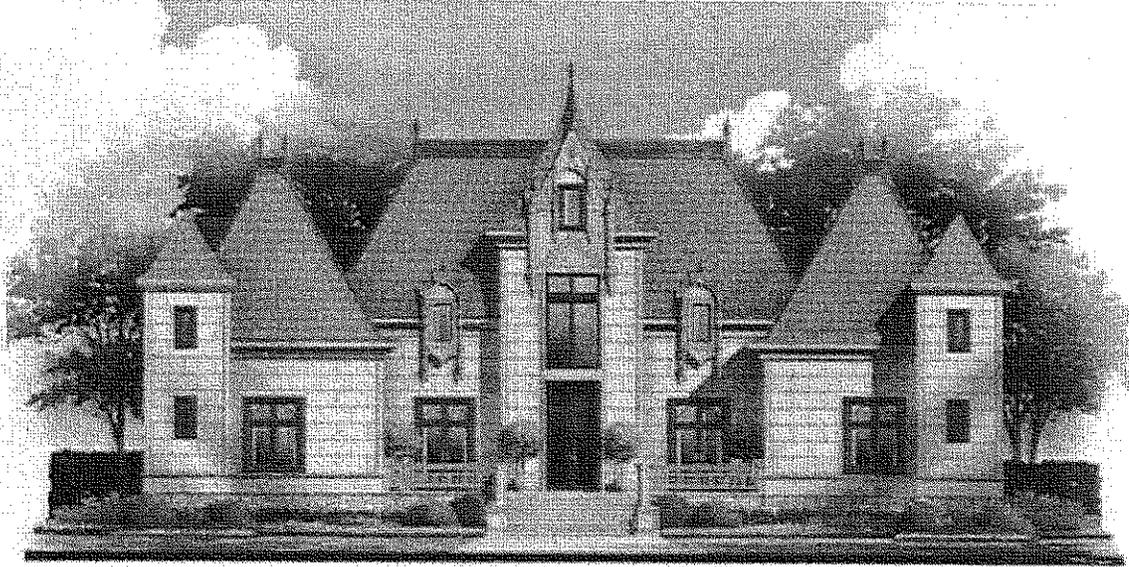
5.3.2 Concept 2: Lighted Full-Court Basketball Court and Full-Court Tennis Court (120 ft x 70 ft)



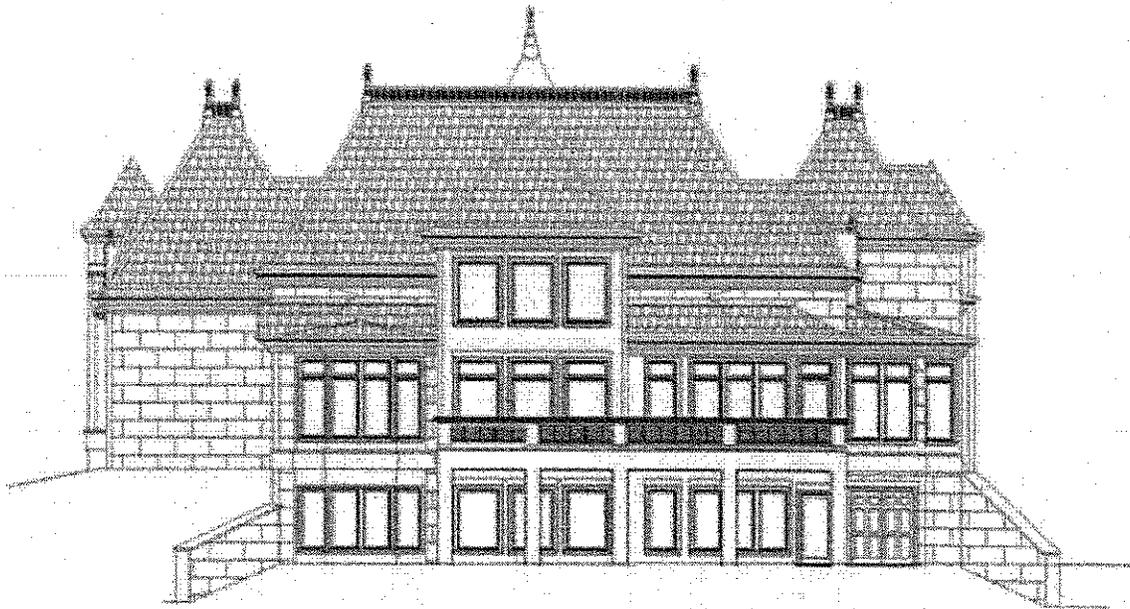
5.4 Conceptual Main Dwelling Replacement Structures.

5.4.1 Main Dwelling Concept 1: Devereaux House Plan: 2 story, 4458 square foot, 4 bedroom, 4 full bathrooms

Front Rendering

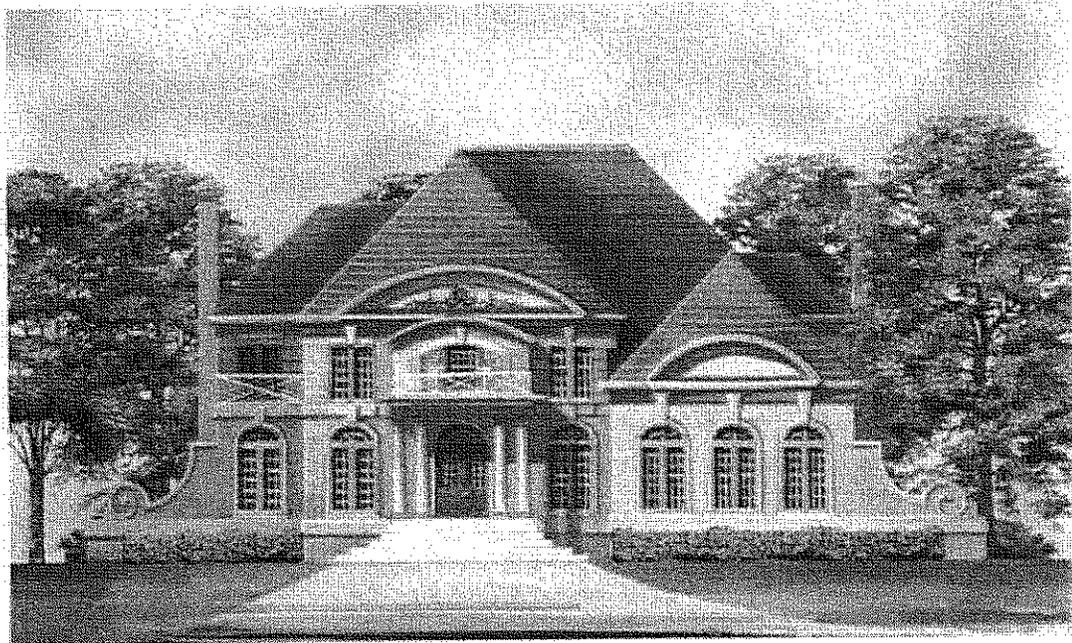


Rear Elevation



5.4.2 Main Dwelling Concept 2: Hepplewhite – 3,820 Square Foot 2 Story 3 Bedrooms, 3 Bathrooms

Front Rendering

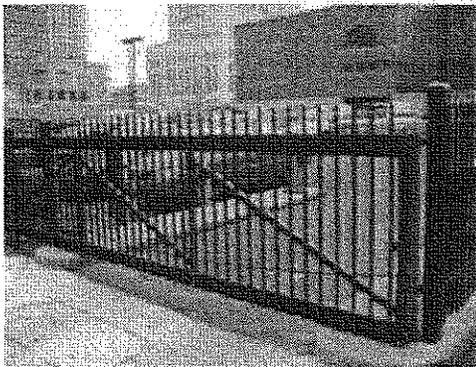


Rear Elevation



5.5 Conceptual Fence and Gate (F).

5.5.1 Concept 1: Anti-Ram Ornamental Steel Fence (Stalwart II pictured)



The electronically-controlled gate referenced in 4.9 would either be a dual swinging gate, dual sliding gate or single sliding gate. Gate and fence would likely be black, powder-coated steel approximately 6 feet in height.

ARTICLE 6. PROPOSED DESIGN CONTROL

6.1 Plans and Specifications. Structures to be constructed will be of traditional architecture or estate-caliber architecture. Conceptual examples of potential future structures are included in Article 5, herein.

6.2 Main house dwelling. The total minimum finished living area of a one-story main house dwelling shall be 2,800 square feet. The total minimum finished living area of a two-story main house dwelling shall be 3,000 square feet; of the 3,000 minimum square feet, the minimum finished first floor living area shall be 1,500 square feet. No main house dwelling shall exceed 50 feet in height, excluding spirals, cupolas, weathervanes and chimneys. The main house may be a multi-generational dwelling with two internal dwellings contained in the same overall structure. Only one main house (either standard or multi-generational) may be constructed on the lot.

6.3 Guest dwelling. The total minimum finished living area of a one-story guest house dwelling shall be 800 square feet. The total minimum finished living area of a two-story guest house dwelling shall be 1,200 square feet; of the 1,200 minimum square feet, the minimum finished first floor living area shall be 600 square feet. No guest house dwelling shall exceed 30 feet in height, excluding spirals, cupolas, weathervanes and chimneys. Only one guest house may be constructed on the lot.

6.4 Recreational structure: A new, recreational structure may be added with a size up to 60 feet x 80 feet. This structure may house a pool, basketball court, or other recreational items. The structure may be fully or partially an aqua dome, skylight structure or other similar structure such that natural light is permitted through the structure to the recreational areas. The structure may also be retractable or removable such that the recreational area is "outdoor" in warm seasons and such that the recreational area is enclosed in cold seasons. The multi-purpose structure may include independent lighting, heat, plumbing, water and other services. The recreational structure shall not exceed 40 feet in height. Only one recreational structure may be constructed on the lot.

6.5 Multi-purpose structure: The existing oversized, detached garage (i.e., Pole Barn) measuring approximately 40 feet x 60 feet is permitted. It is permissible to replace the existing oversized, detached garage with a similar structure up to 50 feet x 70 feet. Similar to the existing structure, a replacement multi-purpose structure may include a finished recreation room, home office, vehicle parking, general storage, and other segmented areas. The multi-purpose structure may include independent lighting, heat, plumbing, water and other services, but shall not be used as a permanent dwelling. No multi-purpose structure shall exceed 50 feet in height. Only one multi-purpose structure may be constructed on the lot.

6.6 Utility structures: The existing utility structure may be replaced by up to two utility structures where each is no greater than 20 feet x 40 feet. The utility structures may include independent lighting, heat, plumbing, water and other services, but shall not be used as a permanent dwelling. No utility structure shall exceed 30 feet in height. Only two utility structures may be constructed on the lot.

6.7 Replacement overlaps: It is allowable for one additional of each type of structure to be present on the lot during the construction of a like-designated structure. This replacement overlap may exist for up to 1 year after occupancy is granted for the replacement structure. Thereafter, the replaced structure is to be razed. The effect of this is that construction replacement is permissible and the following may temporarily result as set forth here: (A) two main houses, (B) two guest houses, (C) two recreational structures, (D) two multi-purpose structures, or (E) three utility structures.

6.8 Total development: During times when no replacement construction is occurring, only one main house (either standard or multi-generational), one guest house, one recreational structure, one multi-purpose structure and two utility structures may be constructed on the lot. During periods of construction, up to two additional structures may temporarily present on the lot, subject to the restrictions set forth in 6.7, above. In no event shall the cumulative area of all structures be greater than a 10% maximum lot coverage ratio.

6.9 Unit Measurement. The square footage of a dwelling unit shall be measured along the perimeter of the dwelling unit at and above grade (measured along the exterior walls exclusive of garages, porches, patios, breezeways and similar additions).

6.10 Roof Pitch, Roof Materials and Roof Overhangs for dwellings. With the exception of existing structures, the roofs on all multi-story dwelling units must have a minimum pitch of eight (8) feet in height for each twelve (12) feet in length (8/12) and all one (1) story dwelling unit roofs shall have a minimum pitch often (10) feet in height for each twelve (12) feet in length (10/12), unless the architectural style of either the type of dwelling is inconsistent with the specified pitch (i.e., Mediterranean style) or if aesthetics would not be significantly improved by the steeper pitch. The roof of a dwelling unit shall be covered with at least twenty five (25) year dimensional shingles. Roof overhangs of the dwelling unit shall be a minimum of eight (8) inches at the eaves and two (2) inches at gable ends.

6.11 Fireplaces. All fireplace flues that protrude from the roof shall be enclosed in a chimney, with the exception of up to 24" of the uppermost flue extension. All chimneys and exterior chases shall be clad in matching siding materials or masonry. All direct vent fireplace flues that exit a wall shall be constructed to be flush with the exterior wall.

6.12 Structure Setbacks. There are no required setbacks between the multiple structures located on the property; however, the following minimum setbacks apply to all structures constructed in relation to the lot lines:

Front:	40 feet
Side:	10 feet
Corner:	30 feet
Rear:	30 feet
Wetland:	50 feet

6.13 Recreational Courts. Outdoor recreational courts (i.e. basketball, tennis, etc.) may be constructed and lighted. Such courts must abide by the structure setback requirements and lighting must adhere to the following requirements (contact Jim Rhyner and get requirements for this).

6.14 Driveways. Driveways shall be located at least six (6) feet from all side Lot lines.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slew</i></p>	<p style="text-align: center;">REQUEST FOR</p> <p style="text-align: center;">COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">2/5/13</p>
<p style="text-align: center;">Reports and Recommendations</p>	<p style="text-align: center;">Update on Wisconsin DNR Molybdenum in Groundwater Public Health Assessment</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.2.</i></p>

Background: During a two-year environmental study, the Wisconsin Department of Natural Resources found elevated molybdenum concentrations in drinking water from private wells in Racine County (Caledonia) and Milwaukee County (Oak Creek). No well samples were obtained in the City of Franklin.

Molybdenum is a naturally occurring metal typically found in low concentrations in the earth's crust and waters. The State of Wisconsin has set a health-based ground water standard for molybdenum of 40 micrograms per liter. This is the same lifetime health advisory level set by the US Environmental Protection Agency. Molybdenum is also an important dietary nutrient consumed in leafy vegetables, legumes, grains, meat, and included as a dietary supplement in multivitamins.

Molybdenum is occasionally found naturally in groundwater but can also be present due to man-made industrial sources such as coal ash. Through the sampling study, the WI DNR has concluded molybdenum did not originate from the Hunt Landfill in Oak Creek. In addition, the study was inconclusive on whether the source of elevated molybdenum is naturally occurring or from the We Energies ash fills areas, also located in Oak Creek. In an effort to resolve "the unknown source" of the molybdenum in question, the WI DNR has expanded the survey area; consequently, the entire City of Franklin is now included in the sampling project.

Homeowners with a private well are being asked to voluntarily test their groundwater for molybdenum. Department of Health Services epidemiologist Elizabeth Evans concluded it is very unlikely that drinking water at levels found in the DNR sampling area would result in adverse health effects for residents. The median molybdenum range of 60-80 micrograms per liter, which is equivalent to the amount of molybdenum in one multivitamin tablet, was discovered within the original sampling area. The WI DNR advised residents to avoid the extremely low risk associated with long term molybdenum exposures by not consuming water that contains molybdenum above the WI groundwater standard of 40 micrograms per liter (or 40 parts per billion).

Analysis: Between August 2009 and September 2011, a group of 153 private wells were sampled for molybdenum primarily in Oak Creek and Caledonia. Forty-four private wells (29%) tested above the state groundwater standard of 40 micrograms per liter. Those homeowners were discouraged from drinking ground water with elevated molybdenum levels and advised to seek alternate potable water sources. Homeowners may consider installation of home water treatment devices like reverse osmosis or distillation, which remove molybdenum. Finally, the WI DNR encourages every homeowner with a private well to test their drinking water every year for bacteria and, at this time, molybdenum. Molybdenum testing is voluntary and relatively inexpensive (\$13.00- \$45.00). The WI DNR welcomes voluntarily-provided results of well testing to identify elevated molybdenum in light of recent inclusive findings from its 2-year environmental study in Caledonia and Oak Creek.

As noted above, the entire geographic area of the City of Franklin was recently included in an expanded sampling area intended to identify molybdenum levels and possible sources. There are approximately 3,000 parcels with private wells and buildings (likely households) in the City of Franklin. A local molybdenum sampling project for this entire group of private well households is

possible. With Common Council approval including necessary resources and financial support, a molybdenum sampling project of this scope could be implemented.

The Franklin Health Department, however, is distributing molybdenum water test kits. The test kits are provided for free and the homeowner pays the sampling fee when sending the water sample to the laboratory. Approximately 70 kits have already been given to residents with private wells. In addition the health department has been able to provide accurate information for all inquires about molybdenum.

The southeastern WI DNR private well supply specialist, Zoe McManama, is thrilled that Franklin is offering voluntary testing and that over 70 test kits have already been given to homeowners with private wells. Our voluntary kit distribution already amounts to approximately 45% of all the tests performed by the WI DNR in Oak Creek and Caledonia over the past 2 years! Ms. McManama was unable to recommend a specific alternative sampling strategy other than what the health department is currently providing. She commented that any additional data provided would be beneficial towards their public health assessment.

Options and Fiscal Note:

1. Continue current community outreach for voluntary molybdenum testing, which is paid by the homeowner, and monitor updates of the WI DNR molybdenum project. This option commits current health department resources and no additional costs.
2. Conduct outreach to all private well homeowners and offer free molybdenum testing within a defined project period which could cost as much as \$39,000 for 3,000 tests plus \$1,000 for a direct mail campaign.
3. Develop a molybdenum well testing project that expands upon current outreach strategies and samples fewer than all private well. The cost would vary depending upon the final project design, for example, a 20% rate (or 600 tests @ \$13.00 each) would cost approximately \$7,800 plus \$1,000 for a direct mail campaign.

Recommendation: Based upon a review of the available literature; numerous interviews with content experts from the WI DNR, WI DHS, and the WI State Laboratory of Hygiene; and the DHS assessment that "it is very unlikely that drinking water at the levels found in the area [Oak Creek and Caledonia] would result in health effects for residents," **Option #1 is a reasonable and measured public health response to the current molybdenum issue.** The health department will continue to distribute voluntary test kits, will monitor the DNR molybdenum project, and will report back to the Common Council if there is any significant change in circumstances.

COUNCIL ACTION REQUESTED

The Franklin Health Department will follow the above referenced recommendation unless otherwise directed. Motion to receive and to file.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 2/5/2013
REPORTS AND RECOMMENDATIONS	Request Council approval of Clinical Affiliation Agreement with Gateway Technical College, in order to allow Department employees to receive paramedic training credit through Gateway	ITEM NUMBER <i>G. 3.</i>

Background:

This attached agreement allows our employees to receive credit towards paramedic certification through Gateway during the course of their usual EMS responses while working for the City of Franklin. The agreement also allows our experienced paramedics (some of which are also current Gateway instructors) to act as mentors to Gateway students who are employed with the Department.

The Gateway paramedic training program is well-respected, and a cost-effective alternative to the Milwaukee County EMS education program.

COUNCIL ACTION REQUESTED

Request approval of this agreement, as we currently have a new employee attending Gateway, who would have to schedule ride-along time with another department.

Attn:

Mayor Taylor, Jesse Wesolowski, Cal Patterson;

Attached is a clinical agreement between Gateway Technical College and the City of Franklin for 2013. We have had previous agreements in place with them; however they expire at the end of each term. This agreement allows our employees to receive credit towards paramedic certification through Gateway during the course of their usual EMS responses while working for the City of Franklin. The agreement also allows our experienced paramedics to act as mentors to Gateway students who are employed with the Department.

I would appreciate your approval of this agreement, as we currently have a new employee attending Gateway, who would have to schedule ride-along time with another department. Also, the Gateway program is well-respected, and a cost-effective alternative to the Milwaukee County EMS education program. Please contact me if you have any questions or concerns.

Respectfully,

Adam,



Adam Remington,

Acting Fire Chief

**CLINICAL AFFILIATION AGREEMENT
BETWEEN
City of Franklin
AND
Gateway Technical College – EMS Division**

THIS AGREEMENT made by and between the City of Franklin, a municipal corporation of the State of Wisconsin ("City"), and Gateway Technical College, a member of the Wisconsin Technical College System of the State of Wisconsin ("GTC"), collectively called the "Parties". This relationship is established for the purpose of education and clinical training of GTC's students in the program of Paramedical Medicine Education. By this Agreement, the City retains responsibility for the care of its patients and GTC accepts responsibility for its students' clinical activities and clinical education. To establish this educational relationship, the Parties agree as follows:

1. Program Agreement

Annually, the Parties intend to mutually agree in writing as to GTC's proposed objectives for clinical placement of its students. The Program Agreement sets forth the educational program for GTC's students' clinical experience at the City. GTC's Paramedic clinical education program objectives will contain at a minimum the following:

- academic content and nature of anticipated clinical experience
- qualifications of its faculty and students as needed for the clinical experience
- anticipated schedule of the clinical experience
- the educational responsibilities of the City and GTC as it applies to this Agreement

All fully executed Program Agreements are incorporated by reference and become a part of this Agreement.

2. Term and Termination

The term of this Agreement shall be for one year from March 1, 2013 to September 1, 2013. The Parties shall mutually agree in writing to any renewal of this Agreement. This Agreement may be terminated by either Party without cause upon ninety (90) days written notice to the other Party. City reserves the right to immediately terminate this agreement for GTC's failure to comply with conditions set forth herein.

3. Responsibilities of GTC

GTC agrees that it shall:

- A. Be responsible for the educational program of its students assigned to City with the placement of students in accordance with a mutually agreed upon schedule for the clinical assignments.

- B. Require students to submit to the City evidence of immunization records provided to the school if requested and as determined by the City, except that if a student is an employee of City and is being paid by City to participate in the program activities, this provision is waived. City employees are to be covered by the City's Workers Compensation policy while in training.
- C. Require its on-site faculty (if applicable) and students to abide by all City policies, rules and regulations including, but not limited to, City policies of conduct, infection control, standard precautions and the handling of hazardous materials.
- D. Remove any student or faculty member from the program upon City's request, which shall not be unreasonably made.
- E. Retain responsibility for the actions of its faculty and students while at the City under this Agreement, except that the City will retain its standard responsibility for the actions of City employees who are being paid by the City to participate in the training activities.
- F. Obtain and maintain in full force and effect during the term of this Agreement comprehensive general liability and professional liability insurance covering its students, faculty, employees and agents against all liabilities associated with the educational process contemplated by this Agreement, with limits of not less than \$5,000,000.00 per occurrence. Direct medical services are not included in Gateway Technical College's coverage. However, City will be responsible for obtaining the coverage noted herein for any City employees who are being paid by City to participate in the training activities. Upon City's request, GTC shall provide the City with proof of insurance evidencing such coverage within thirty (30) days of execution of this Agreement and shall require its insurance carrier to provide the City with thirty (30) days prior written notice of any revocation or reduction in such coverage.
- G. Obtain a statement from each student which certifies the student is an active member of a municipal fire department. GTC shall furnish a copy of the statement to the City prior to the start of a student's training. The Fire Chief may approve other individuals for training upon written documentation that the individual is affiliated with an emergency services provider or health care provider. This provision does not apply to students who are employed by City and are being paid by City to participate in the training activities.

4. Responsibilities of the City

City agrees that it shall:

- A. Allow the use of its clinical and educational facilities, including parking assignments as available, as mutually agreed upon by the parties.
- B. Maintain standards of patient care and institutional policies which will provide quality patient care and thus, provide optimum educational experience.

- C. Provide facilities, supplies and materials for the delivery of patient care by the GTC's students.
- D. Provide or refer students to alternate outpatient treatment in case of accident or illness. However, in no circumstances shall City bear the cost of any such treatment including, but not limited to, emergency room or outpatient treatment, *unless the student is employed by City and is being paid by City to participate in the training program.*

5. Responsibilities of Both Parties

- A. In addition to the above, the Parties shall: Gateway Technical College. GTC shall indemnify, defend and hold harmless the City, its governing board, officers, employees and agents from and against any and all liabilities, claims, losses, lawsuits, judgments, and/or expenses including attorney fees, arising, either directly or indirectly, from any act or failure to act by GTC or any of its employees. GTC shall indemnify the City for any negligent acts or omissions by any Student that may arise during the course and scope of the practicum experience as described in this Agreement and the attached Program Addenda. GTC shall not indemnify the City for any willful acts or failures to act by any Student that may arise out of this Agreement and attached Program Addenda.
- B. City of Franklin. The City shall indemnify, defend and hold harmless GTC, its governing board, officers, faculty, employees and agents from and against any and all liabilities, claims, losses, lawsuits, judgments, and/or expenses including attorney fees, arising, either directly or indirectly, from any act or failure to act by the City or any of its employees or agents, that may occur during or that may arise out of this Agreement.
- C. Comply with all applicable federal and state laws, rules and regulations including, but not limited to, those regarding confidentiality of patient care records, the protection of human research subjects and the unlawful discrimination against any Party receiving services under this Agreement because of race, color, sex, national origin, age or handicap.
- D. Amend or modify this Agreement only in writing and after formal approval by each party.
- E. Deliver notices required to be given under this Agreement in writing, hand delivered or sent by United States Certified or Registered mail, postage prepaid, to the address below:

City of Franklin Fire Department
8901 W. Drexel Av
Franklin WI 53132
Attn: James Martins, Fire Chief

With a copy to:

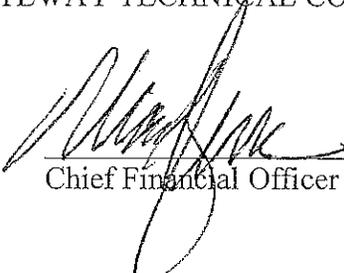
City of Franklin Fire Department
8901 W. Drexel Av
Franklin WI 53132
Attn: Lloyd Bertram, Assistant Fire Chief

And:

Gateway Technical College – HERO Center
380 McCanna Parkway
Burlington, WI 53105
Attn: Gary E. Leyer EMS Program Chair

Dated this 17th day of January, 2013.

GATEWAY TECHNICAL COLLEGE

By:  _____
Chief Financial Officer / Vice President Administration

CITY OF FRANKLIN

By: _____
Title

APPROVED AS TO FORM:

City Attorney

Provisions have been made to pay the liability that will accrue hereunder.

Finance Director

APPROVAL <i>Slw</i> <i>CDP</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE 2/5/13
REPORTS & RECOMMENDATIONS	Approval of Amending the TIF District #3 Project Plan to expand the District one-half mile to the north and to include the estimated costs of the 27th St Streetscape costs from W College Ave to W. Drexel and a contract to engage Ehlers and Associates for assistance through the TIF Amendment process	ITEM NUMBER <i>G.A.</i>

The Council in its May 1, 2012 meeting expressed its intent for the CDA to take the necessary steps to be able to include the current 27th Street road reconstruction costs from W College to W Drexel in the TIF District. The minutes page for that action is attached.

The CDA in their May 24, 2012 meeting directed staff to review alternatives with Ehlers to determine if the District should be amended. The conclusion was that it should be amended.

Staff looked at the possibility of doing an overlay over part of TIF District #3 but encompass either the entire area from W College to W Drexel or the area from one half mile south of W College to W Drexel but believe that an amendment to the existing TIF District, which is needed anyway due to the 15% over project cost issue, is the best alternative.

Due to the change in timing of the 27th Street reconstruction to 2017 the costs estimates have been updated and the lead sheet of the TIF District Cash Flow Analysis updated.

The next step would be an outside feasibility analysis to determine that the addition to the TIF District would meet all of the statutory requirements. Following that a public participation phase where a public hearing and meetings with the Joint Review Board would be held and the third phase would be the actual filing with the State. Ehlers and Associates has prepared a contract proposal for them to assist the City/CDA in this process. That proposal is attached.

The CDA in their January 17, 2013 meeting recommended to the Common Council that the TIF District #3 be amended and recommended to the Common Council that a contract with Ehlers and Associates be approved to guide the City/CDA through the TIF amendment process.

COUNCIL ACTION REQUESTED

Motion to direct staff to take the necessary actions so that TIF District #3 is amended to include the 27th Street streetscape costs from W College Ave. to W Drexel Ave.

Motion to approve a contract with Ehlers and Associates to guide the City/CDA through the TIF amendment process for TIF District #3.

ACADEMY OF
PERFORMING ARTS-
CONTINUED

LOCATED AT 7221 SOUTH 76TH STREET (STACY M. TUSCHL, OWNER OF STUDIO 21 POM & DANCE ACADEMY, INC. D/B/A THE ACADEMY OF PERFORMING ARTS, APPLICANT). Seconded by Alderman Olson. All voted Aye; motion carried.

27TH STREET
STREETSCAPE
ELEMENTS

F.7.

Alderman Solomon moved to direct staff to form a Tax Increment Finance District for the 27th Street Corridor to pay for improvements. Seconded by Alderman Olson. Alderman Olson withdrew his second.

Alderman Olson moved to approve the elements as outlined in the spreadsheet of 12/28/2011 on page 96 of the Council agenda packet of 5/01/2012, with the contingency that no expenditures occur until such time as the TIF is approved for W. College Avenue to W. Drexel Avenue and plans are in place for continuing the TIF from W. Drexel Avenue south to W. South County Line Road, and further that the CDA take jurisdiction, and approves the recommended cost sharing of 50/50 upon all of the elements except for underground utilities within the City of Franklin which cost share shall be 90% Franklin and 10% Oak Creek. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

RECONSTRUCTION
OF S. 51ST ST.

F.8.

Alderman Wilhelm moved to authorize staff to proceed with the reconstruction of S. 51st Street from a point 1075 feet north of W. Rawson Avenue to the north City limits, the trail on the west side from the existing sidewalk to W. Princeton Drive and the sidewalk on the east side from the existing sidewalk to W. Xavier Drive, and authorize the advertisement for bids. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2012-6803
2012 STREET
IMPROVEMENT
PROGRAM

F.9.

Alderman Solomon moved to adopt Resolution No. 2012-6803, A RESOLUTION AWARDED CONTRACT TO THE LOWEST BIDDER, PAYNE & DOLAN, INC., IN THE AMOUNT OF \$440,708.50, FOR THE 2012 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2012-6804
OFFICIAL
NEWSPAPER

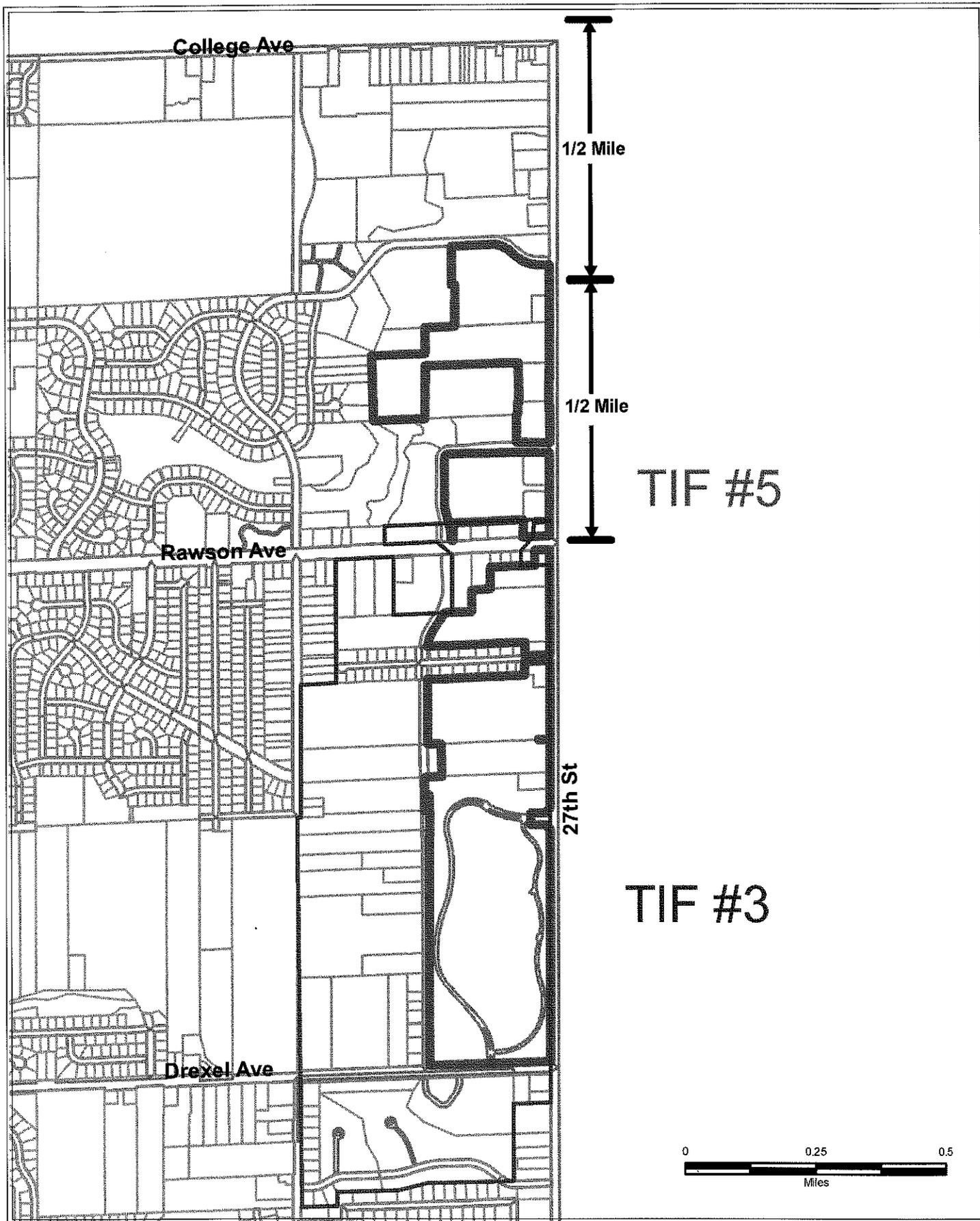
F.10.

Alderman Taylor moved to adopt Resolution No. 2012-6804, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Schmidt. All voted Aye; motion carried.

2012 MEETING
SCHEDULE

F.11.

Alderman Skowronski moved to establish the amended meeting schedule for 2012 (all meetings to begin at 6:30 p.m.) as follows:
Combined Committee of the Whole/Council meeting-June 4
Council meeting-June 19
Combined Committee of the Whole/Council meeting-July 10
Council meeting-July 24
Combined Committee of the Whole/Council meeting-August 7
Council meeting-August 21



City of Franklin
 GIS Department
 9229 W. Loomis Rd.
 Franklin, WI 53132
 www.franklinwi.gov

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor.
 This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.
 All mileages depicted are approximate.

27th Street Cost Allocations

Updated Dec 28, 2012

Current (2011) Cost Estimate:

	Oak Creek	Franklin	College to Rawson	Rawson to Drexel (1Mile)
Sidewalk cost	207,537	103,769	-	103,769
Streetlight cost	250,000	125,000	-	125,000
All other costs	583,542	291,771	145,886	145,886
State Design & Engineering	200,000	100,000	50,000	50,000
15% Contingency	186,162	93,081	46,540	46,540
DOT sponsored CSS	(450,000)	(225,000)	(112,500)	(112,500)
Phase 1 Cost elements	<u>977,241</u>	<u>488,620</u>	<u>129,926</u>	<u>358,694</u>
Cost to bury utilities *	2,000,000	1,800,000	900,000	900,000
15' easement cost - utilities *	265,000	238,500	119,250	119,250
15% Contingency- Utilities *	339,750	305,775	152,888	152,888
Total Cost to bury Utilities	<u>2,604,750</u>	<u>2,344,275</u>	<u>1,172,138</u>	<u>1,172,138</u>
Total Costs	<u><u>3,581,991</u></u>	<u><u>2,832,895</u></u>	<u><u>1,302,063</u></u>	<u><u>1,530,832</u></u>

Estimated @ 2% compounded
1.12616

2017 Estimate:

Sidewalk cost **	233,720	116,860	-	116,860
Streetlight cost **	281,541	140,770	-	140,770
All other costs	657,163	328,582	164,291	164,291
State Design & Engineering	225,232	112,616	56,308	56,308
15% Contingency	209,648	104,824	52,412	52,412
DOT sponsored CSS	(450,000)	(225,000)	(112,500)	(112,500)
Phase 1 Cost elements	<u>1,157,305</u>	<u>578,653</u>	<u>160,511</u>	<u>418,141</u>
Cost to bury utilities	2,252,325	2,027,092	1,013,546	1,013,546
15' easement cost - utilities *	298,433	268,590	134,295	134,295
15% Contingency- Utilities	382,614	344,352	172,176	172,176
Total Cost to bury Utilities	<u>2,933,372</u>	<u>2,640,034</u>	<u>1,320,017</u>	<u>1,320,017</u>
Total Costs	<u><u>4,090,677</u></u>	<u><u>3,218,687</u></u>	<u><u>1,480,528</u></u>	<u><u>1,738,159</u></u>

Assessments to property owners
Possible TIF Funding
Possible City Funding

	-	-	257,630
	740,264	740,264	1,480,528
	0	0	0

* Burying utilities is allocated 90% Franklin 10% Oak Creek all other allocations are 50% to each community
 ** Franklin sidewalk and streetlight cost allocated 100% to south of Rawson Ave as they are not replacements
 Budget: 27th street cost estimate.xlsx

City of Franklin
TIF #3 Projection
Projected Cash Flow
January 17, 2013

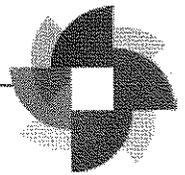
Year	Revenue										Expenditures				TIF Status			
	Tax Levy	Interest Income 3.00%	Computer Aid	Developer Loan Repayment	Grant & Debt Proceeds	Total Revenue	Interest & Fees	Debt Service Principal	Project Costs	Admin Expenses	Total Expenditures	Yearly Cash Activity	Net Cash Balance	Note Balance	Net Debt Balance	Fund Balance		
																	Year	End
2005	-	60,525	-	-	3,905,571	3,966,096	66,036	-	906,440	61,554	1,034,030	2,932,066	2,932,066	-	3,905,571	(973,505)		
2006	-	114,349	-	-	94,429	208,778	179,643	-	2,021,091	70,527	2,271,261	(2,062,483)	869,593	-	4,000,000	(3,130,417)		
2007	251,402	102,647	317,482	130,950	16,700,000	17,502,481	693,528	-	17,280,607	75,136	18,049,271	(546,790)	322,793	10,000,000	9,700,000	622,793		
2008	504,283	14,311	304,643	789,625	11,137,628	12,750,490	762,386	10,100,000	2,087,552	46,955	12,996,893	(246,403)	76,390	9,400,000	11,300,000	8,176,390		
2009	1,535,719	6,159	363,993	792,679	800,000	3,488,550	804,998	2,115,000	615,003	29,202	3,564,203	(75,653)	737	8,785,000	10,600,000	7,985,737		
2010	2,295,166	7,725	326,765	790,589	-	3,420,245	736,093	2,225,000	105,028	11,564	3,077,685	342,560	343,297	8,160,000	9,000,000	8,503,297		
2011	1,407,207	10,971	333,786	793,255	-	2,545,219	675,943	1,640,000	9,683	9,986	2,335,612	209,607	552,904	7,520,000	8,000,000	8,072,904		
2012	1,650,483	16,587	282,085	795,629	-	2,744,784	596,392	2,655,000	17,000	29,000	3,297,392	(552,608)	296	6,865,000	6,000,000	6,865,296		
2013	1,547,835	9	267,981	797,710	1,105,000	3,718,535	505,173	3,170,000	11,000	29,000	3,715,173	3,362	3,658	6,195,000	4,605,000	5,093,658		
2014	1,450,097	110	254,582	6,255,776	2,050,000	10,010,565	278,839	9,695,000	11,000	29,000	10,013,839	(3,275)	383	-	3,155,000	(3,154,617)		
2015	1,519,997	11	241,853	-	-	1,761,861	70,575	1,605,000	-	29,000	1,704,575	57,286	57,669	-	1,550,000	(1,492,331)		
2016	1,621,923	1,730	229,760	-	-	1,853,413	33,750	850,000	500,000	29,000	1,412,750	440,663	498,332	-	700,000	(201,668)		
2017	1,701,213	14,950	216,272	-	-	1,934,435	18,750	150,000	1,480,528	29,000	1,678,278	256,157	754,489	-	550,000	204,489		
2018	1,083,296	22,635	207,358	-	-	1,313,289	8,250	550,000	1,480,528	29,000	2,067,778	(754,489)	(0)	-	-	(0)		
2019	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2020	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2021	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2022	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2023	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2024	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2025	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2026	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
2027	(0)	(0)	-	-	-	(0)	-	-	-	-	0	(0)	(0)	-	-	(0)		
	16,568,621	372,719	3,338,559	11,146,213	35,792,628	67,218,739	5,430,356	34,755,000	26,525,460	507,924	67,218,740	(0)	(0)					
								(10,000,000)										
								(1,146,213)	(10,000,000)									
								4,284,143	14,755,000									

Debt Refinanced (10,000,000)
TEA Grant (1,000,000)
Developer Loan payments (11,146,213)
Net Debt borrowed and repaid - 24,792,628

Note: The taxable loan is considered revenue as repaid and the debt balance is net of the loan to developer.
Project costs can not be initiated after June 21, 2020

Assumptions:

- 1 Computer aid will decrease at 5% per year.
- 2 Payoff by 2017 represented to the Other Taxing Jurisdictions through the Joint Review Board



January 23, 2013

Mr. Cal Patterson
Finance Director
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

RE Engagement for Services related to Amendment of TID # 3 and comment on TID # 4 Amendment.

Dear Cal:

In accordance with your request, we are herewith transmitting an electronic copy of our Tax Incremental District Contract for services relating to the amendment of the project plan for your Tax Increment District #3. If it is approved by the Council, please have one copy signed and returned to our office.

You will note that our contract is divided into four phases. A breakdown of the services to be provided by phase has been outlined in this contract. The City would have the right to terminate the project at the conclusion of each phase. At this time, Ehlers is prepared to begin the Feasibility Analysis. Should the City decide to move forward with this project, following the completion of the analysis, Ehlers is prepared to begin all other phases outlined.

With regard to the inclusion of reconstruction costs for S. 27th from Drexel to S. County Line within an existing district project plan or a new district, we understand that the project would not be scheduled to begin until around 2027. If this is the case, it would not be possible to include in either TID 3 or TID 4 as the expenditure period ends for both of these districts in 2020. In addition, the inclusion of these costs in any plan, (new or existing) would need to be justified to the extent that they are needed to stimulate new development within the TID that is paying the costs. In order to maximize the benefit of TID participation for these costs, we would recommend waiting until you get closer to the point of construction of both new private increment that could benefit from the improvement and to coincide with the timing of the street improvements themselves. At that point you could consider the creation of a new district or overlay district which would include the costs and also provide a demonstrated basis for the need for said costs to encourage the growth that is desired in the proposed district. This would provide you with more years of TID increment and assure that the development would be available to pay for same. If the timing should move up to a point say within 2015-2019, you might consider amending TID # 4 to include within that plan, however you would only be able to capture about 9-10 years of increment at best given the remaining life of the district.

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EHLERS
LEADERS IN PUBLIC FINANCE

Wisconsin
Offices also in Illinois and Minnesota

phone 262-785-1520
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375 Bishops Way, Suite 225
Brookfield, WI 53005-6202

City of Franklin
Proposal for TIF Services
January 23, 2013

We would be happy to discuss this with the City more fully at your convenience. In any event, if you have questions regarding the engagement proposal attached, please give me a call.

We look forward to the opportunity to work with the City on this important project.

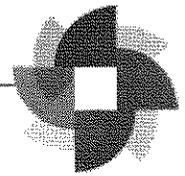
Very Truly Yours,

EHLERS & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Michael C. Harrigan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael C. Harrigan, CIPFA
Senior Financial Advisor - Board Chair

cc: Mark Lubberda, City Administrator
Sandra L. Wesolowski, City Clerk
Todd Taves, Financial Advisor – Principal, Ehlers
Dawn Gunderson, Financial Advisor – Vice President, Ehlers
Paula Czaplewski, TIF & Disclosure Coordinator, Ehlers



PROPOSAL FOR AMENDING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NO. 3 IN THE CITY OF FRANKLIN, WISCONSIN

SERVICES PROVIDED BY EHLERS & ASSOCIATES

When Ehlers & Associates is engaged to provide services for the amendment of a Tax Incremental District (the "District"), it will perform its services in four phases. We will cooperate with your clerk, staff, engineer, attorney, elected officials and Council/CDA throughout all phases.

Feasibility Phase -- When the Council/CDA decides to proceed with the amendment of the District, Ehlers & Associates shall be responsible for the following:

- Review revised list of projects proposed to be included within the Project Plan amendment, to determine general eligibility under the Wisconsin Tax Increment Law.
- Using information provided by your staff, or others, identify the potential for development within the District, the probable value of expected improvements, and the requirement for public improvements and other public expenditures within the half mile radius of the District boundary.
- Provide a review of the City's financial capabilities to implement economic development projects, including preliminary present value calculation of estimated Tax Incremental Financing cashflow.
- Provide preliminary financial analysis and report regarding the feasibility of the proposed District amendment.

Public Participation Phase -- When the Council/CDA decides to proceed with the amendment of the District, Ehlers & Associates shall be responsible for the following:

- Develop and author a draft copy of a Project Plan Amendment around the goals and objectives determined by the Council/CDA.
- Provide draft resolutions & agendas for CDA, Common Council, Joint Review Board, and Public Hearing.
- Prepare, mail and publish the notices of public hearing as required by the Tax Increment Law, to include notification to the overlapping taxing jurisdictions.
- Attend all statutorily required meetings of CDA, Common Council, Joint Review Board and Public Hearing, to include participation as needed in presentation of

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project plan, explain the role and responsibilities of the Joint Review Board and answer questions regarding the proposed District.

- Provide drafts of all project plans and documents in sufficient quantity for Staff, CDA, Common Council, Joint Review Board, and public hearing.
- Work with your staff, engineer, planner or other designated party to obtain a map of the boundaries of the District, a map showing existing uses and conditions of real property within the District, and a map showing proposed improvements and uses in the District, as required to be included within the project plan document. (Note: required mapping will not be prepared by Ehlers)

Final Documentation and State Filing -- After the public hearing and approval of the Project Plan Amendment by the CDA, Common Council and Joint Review Board, Ehlers & Associates shall:

- Provide a final Project Plan Amendment document containing all required elements and information. Provide the City with up to 15 bound copies and a .pdf of the final document. Submit the adopted Project Plan Amendment to the Wisconsin Department of Revenue.
- Prepare and submit to the Wisconsin Department of Revenue all documents, forms and data required and provide the City with a bound copy of this complete final transcript. This document is the City's final record for this District amendment.

On-Going Services -- If the City decides that assistance is required after the submission of the initial submission of forms to the Department of Revenue, Ehlers & Associates will be available for the following:

- Assist the clerk in answering questions regarding the initial submission of forms to the Department of Revenue (*no additional charge*).
- Assist the clerk in answering questions regarding completing annual forms for the Department of Revenue and for the computation of tax levies (*no additional charge*).
- Review, revise and update projections contained in the Project Plan Amendment (*\$1,500 annual flat fee*).
- Meet with private developers to explain the implementation of the Project Plan Amendment (*billed hourly*).
- Developer Negotiation - Ehlers has been instrumental in assisting communities negotiate developer agreements and create public/private partnerships, including Municipal Revenue Obligations / Pay-As-You-Go financing (*billed hourly*).
- Review with staff any proposals for additional Project Plan amendments to determine

eligibility and requirements under the Tax Increment Law. Project Plan amendments may include; addition of property to the District; subtraction of property from the District; amendment of the list of projects to be undertaken; and approval of sharing of increment between eligible donor and recipient Districts (*Separate contract applies.*)

- Project Financing - If the City decides to proceed with implementation and in the event the City needs to procure funds to pay for eligible project costs, Ehlers would be prepared to assist in updating the TID cash flow projections, structuring debt issues to properly integrate with the projected TID cash flows and conducting either a competitive or negotiated sale of the debt on behalf of the City to assure the lowest possible interest rates and costs of issuance. (*Separate Fee Schedule applies.*)

Fees -- Ehlers & Associates shall be entitled to a fee after completion of each of Phase of this proposal as follows:

Feasibility Phase:	\$4,300
Public Participation Phase:	\$7,500
Final Documentation and State Filing Phase:	<u>\$1,200</u>
Total for all Phases:	\$13,000
On-Going Services *:	As Indicated Above

- * For any services requested and performed under the On-Going Services Phase, Ehlers & Associates shall be compensated at its standard hourly rate for financial advisors (currently \$175 to \$250), except that if the City wishes to further amend the District's boundaries and/or project plan, Ehlers will provide a separate fee proposal for services required depending on the nature and extent of the amendment. Examples of on-going services include:

- Community workshops
- Economic blight determinations
- Redevelopment plans
- Boundary amendments
- Project plan amendments
- Development agreement review
- Financial analysis of developer requests for TIF assistance

The fees outlined above shall include all travel, overhead and time compensation for Ehlers & Associates and its subcontractors, if any.

Please note that the 2009 Wisconsin Act 28 included a change to the tax incremental finance statutes. Sections 66.1105(6)(ae), 66.1106(7)(am) & 60.85(6)(am), Wis. Stats., which authorize the Department of Revenue to charge an annual administrative fee of \$150 to each municipality for each tax incremental district for which the department authorizes the allocation of a tax increment. The annual fee must be paid to the Department of Revenue no later than May 15.

City of Franklin
Proposal for TIF Services
January 23, 2013

The City shall provide, at the City's expense, the required maps and legal description of the District amendment area. The City shall also be responsible for paying for publication of notices, and any professional services fees that it incurs from its attorney, engineer, surveyor, certified public accountant and others.

Ehlers & Associates fees, and all other costs incurred in relation to the amendment of the District, are eligible to be paid from tax increment revenues, provided the District's amendment is approved.

Respectfully submitted,

EHLERS & ASSOCIATES, INC.



Michael C. Harrigan, CIPFA
Senior Financial Advisor - Board Chair

The above proposal is hereby accepted by the City of Franklin, Wisconsin by its

authorized Officers this _____ day of _____, 20__.

Signature

Title

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APPROVAL <i>Slw</i> <i>CR</i>	REQUEST FOR COMMON COUCIL ACTION	MEETING DATE 2/5/13
REPORTS & RECOMMENDATIONS	Recommendation to delay planning for a TIF District to cover Streetscape costs from W. Drexel to South County Line Road and any uncompleted sewer, water and road costs that are now part of TIF District #4	ITEM NUMBER <i>6.5.</i>

The Council in its May 1, 2012 meeting passed a motion including that "...and plans are in place for continuing the TIF from W Drexel to South County Line Road ...".

Some of the relevant issues include:

- The reconstruction of 27th Street from W Drexel to South County Line Road is currently estimated at 10 years after the W College Ave to W Drexel reconstruction or some time after 2027
- Will the main cost driver "buried utilities" be applicable to this section of road
- Both TIF District #3 and #4 cannot begin a construction project after mid 2020
- That the reconstruction of 27th Street from W Drexel to South County Line Road qualifies as a valid TIF District project and meets all statutory requirements

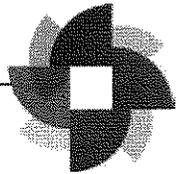
In lieu of the above issues staff recommended to the CDA and the CDA is recommending to the Common Council that firm planning to cover Streetscape costs from W. Drexel to South County Line Road and any uncompleted sewer, water and road costs that are currently part of TIF District #4 be delayed until one or more of the following occur:

- TIF District #4 Phase one is fully funded and no requests for Phases 2 and 3 have not been needed to be implemented,
- The reconstruction of W College Avenue to W Drexel Avenue is completed and the benefits of the streetscape are evaluated.
- The definitive timeline for the reconstruction from W Drexel to South County Line Road has been established.

The CDA is recommending to the Common Council that due to the three reasons above that the firm planning of a TIF District for this area be deferred until more relevant information is available.

COUNCIL ACTION REQUESTED

Motion to defer firm planning for a TIF District for the area from W Drexel to South County Line Road until more relevant information is available.



January 11, 2013

Mr. Cal Patterson
Finance Director
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

RE Engagement for Services related to Amendment of TID # 3 and comment on TID # 4 Amendment.

Dear Cal:

In accordance with your request, we are herewith transmitting an electronic copy of our Tax Incremental District Contract for services relating to the amendment of the project plan for your Tax Increment District #3. If it is approved by the Council, please have one copy signed and returned to our office.

You will note that our contract is divided into four phases. A breakdown of the services to be provided by phase has been outlined in this contract. The City would have the right to terminate the project at the conclusion of each phase. At this time, Ehlers is prepared to begin the Feasibility Analysis. Should the City decide to move forward with this project, following the completion of the analysis, Ehlers is prepared to begin all other phases outlined.

With regard to the inclusion of reconstruction costs for S. 27th from Drexel to S. County Line within an existing district project plan or a new district, we understand that the project would not be scheduled to begin until around 2027. If this is the case, it would not be possible to include in either TID 3 or TID 4 as the expenditure period ends for both of these districts in 2020. In addition, the inclusion of these costs in any plan, (new or existing) would need to be justified to the extent that they are needed to stimulate new development within the TID that is paying the costs. In order to maximize the benefit of TID participation for these costs, we would recommend waiting until you get closer to the point of construction of both new private increment that could benefit from the improvement and to coincide with the timing of the street improvements themselves. At that point you could consider the creation of a new district or overlay district which would include the costs and also provide a demonstrated basis for the need for said costs to encourage the growth that is desired in the proposed district. This would provide you with more years of TID increment and assure that the development would be available to pay for same. If the timing should move up to a point say within 2015-2019, you might consider amending TID # 4 to include within that plan, however you would only be able to capture about 9-10 years of increment at best given the remaining life of the district.

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Offices also in Illinois and Minnesota

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375 Bishops Way, Suite 225
Brookfield, WI 53005-6202

APPROVAL <i>Slw CAP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 2/5/13
REPORTS & RECOMMENDATIONS	Resolution to Establish a Collateralized Bank Accounts Policy and to authorize the use of a Standby Letter of Credit issued by the Federal Home Loan Bank for bank account collateralization with US Bank	ITEM NUMBER <i>G.6.</i>

The City has had the bank accounts of our main bank (US Bank) collateralized for over a dozen years and it probably dates back to the beginning of the relationship with US Bank. The method of collateralization has been in the form of pledged bank securities. In the unlikely event that the bank was unable to return funds that the City has on deposit, the City would be entitled to a like amount of the pledged collateral being held by the Federal Reserve Bank in our name. A copy of a recent pledged collateral statement is attached.

Due to higher costs and stricter requirements on banks pertaining to securities US Bank has come to the City and requested using another form of pledged collateral: a Standby Letter of Credit issued by the Federal Home Loan Bank in place of the collateralized securities.

In addition to asking for specific approval having a policy on this subject would be beneficial.

The information provided by US Bank is attached for your review.

There is no fiscal impact of implementing this recommendation.

The initial amount of the Standby Letter of Credit is expected to be \$28M which is the average of the last seven years year end (our high point) collateral position.

The proposed policy was reviewed by the Finance Committee and the Committee is recommending the policy and establishing a Standby Letter of Credit issued by the Federal Home Loan Bank as the vehicle for collateralization of bank balances to the Common Council for approval.

The Finance Committee discussion asked that we try to get a longer term and automatic renewal at the end of the term. US Bank has agreed to a one year term but is not able to make the letter of credit automatically renew but is making it their responsibility to notify the City of the annual renewal.

COUNCIL ACTION REQUESTED

Motion to approve Resolution 2013-_____ establishing a City of Franklin Collateralized Bank Accounts Policy and authorizing the Director of Finance & Treasurer to enter into the necessary agreements with US Bank to establish a Standby Letter of Credit issued by the Federal Home Loan Bank.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2013-_____

A RESOLUTION TO ESTABLISH A CITY OF FRANKLIN
COLLATERALIZED BANK ACCOUNTS POLICY AND TO AUTHORIZE THE USE OF A
STANDBY LETTER OF CREDIT ISSUED BY THE FEDERAL HOME LOAN BANK FOR
BANK ACCOUNT COLLATERALIZATION WITH US BANK

WHEREAS, the City of Franklin has not had a formal policy statement on Collateralized Bank Accounts; and

WHEREAS, it is desirable to establish a Collateralized Bank Accounts Policy; and

WHEREAS, the Common Council has reviewed the Collateralized Bank Accounts Policy 151-09-001 dated March 5, 2013 presented by the Director of Finance & Treasurer and reviewed by the Finance Committee;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin that the Collateralized Bank Accounts Policy dated March 5, 2013 is approved; and

NOW BE IT FURTHER RESOLVED, that the Director of Finance & Treasurer is authorized to enter into the necessary agreements with US Bank to establish a Collateralized Bank Account arrangement using a Standby Letter of Credit issued by the Federal Home Loan Bank instead of the present agreement using pledged securities.

Introduced at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2013.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2013.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

**City of Franklin
Finance Department Policy/Procedure**

Subject: Collateralized Bank Accounts Policy

Issue Date: February 2013

Source: Common Council resolution 2013-xxxx

Affected

Departments: All

Purpose:

To maintain the safety of funds being held in the City's main bank accounts to enable repayment to the City of funds being held by the Bank in the event that the bank could not produce the funds when requested by the City.

Policy:

1. The City's main bank accounts shall be covered by a pledge (collateralization) agreement to protect the City from the Bank not being able to provide the City with funds that the City has on deposit.
2. The amounts to be collateralized shall be in the form of bank securities, an independent letter of credit or a comparable process having as least as good of security as the other two options.
3. The Director of Finance & Treasurer shall be responsible to administer the agreement so that the bank maintains a sufficient level of collateral for the City.
4. When collateralized by securities; the securities must have a value in excess of the deposits being maintained, be maintained by an independent third party and be regularly reported to the City. Release of any collateral being held requires both the Director of Finance & Treasurer and the Deputy Treasurer consent to the release.
5. When collateralized by a letter of credit; the letter of credit must have a value in excess of the deposits being maintained, be issued by an independent third party and be in possession of the City.
6. The City may use banks other than its main bank on an uncollateralized basis for amounts not to exceed 10% of the City's year end balance of deposits for specific situations that serve the best interests of the City.
7. The City may use banks other than its main bank on an uncollateralized basis for amounts not to exceed 50% of the City's year end balance of deposits when the purpose of the deposits is earning interest.



**U.S. Bank National Association
Pledged Collateral Statement**

12/31/2012

Pledgee: FRANK CITY OF FRANKLIN

T MCBRIDE

Description	Cusip	Maturity Date	Original Face	Current Par	Market Price	Market Value
FHLMC FGTW C90689	31335HXS7	07/01/2023	2,675,000.00	396,095.89	1.09	432,430.95
FNMA POOL 874997	31409MDA8	11/01/2014	15,070,000.00	14,157,966.46	1.06	15,067,056.57
Total Pledged:			\$17,745,000.00	\$14,554,062.35		\$15,499,487.52

Uninsured Deposits:	\$8,237,872.23
Collateral %:	188.15%

Market Value - This amount represents the market value of the securities listed in your Collateral Statement for which the various quotation services were able to obtain appraisals based on the closing prices and/or the mean bid and ask within the last 3 days of the statement period. Because of the nature of the data provided by the quotation services, the accuracy of such prices cannot be guaranteed.

Uninsured Deposits - The deposit level reflected in the Pledged Collateral Statement is the amount reported at month end and may not include recent changes.

Collateral % - This represents your collateral coverage percentage, calculated as market value of securities to deposit levels less FDIC insurance.

Cal Patterson

From: teresa.mcbride@usbank.com
Sent: Thursday, December 20, 2012 2:24 PM
To: Cal Patterson
Subject: Further information regarding the FHLB Standby Letter of Credit

Hi Cal,

I am following up on our conversation from yesterday.

1) SLC Issuance Process:

Our Collateral Department will continue to manage the collateral program for all of our customers. They will continue to monitor on a daily basis, as they do today, that all balances are covered by the SLC issued for each municipality. To start the process of switching, I would complete the internal request to issue the SLC to our collateral group. The collateral group will then call you and verify the contact information with you. They will then send you a pledged securities release form (the same form you have signed in the past when you had excess collateral) and ask that you sign it and send it back to them. The collateral group will then send the request to issue the SLC to the Federal Home Loan Bank and you should receive the SLC within a few days. The release form will not be sent to the Federal Reserve until you confirm that you have received the SLC. At that time, the collateral department will send the release to the Federal Reserve. Please make sure you have the form with you because the Fed will then call you or Roseanne and ask you to confirm the CUSIP numbers of the securities being released. It is at that point that the securities will be released, after you already have the SLC in place as collateral.

2) SLC expiration date

The reason we currently are requesting SLC's to be renewed quarterly is to allow us to check with the municipalities if the amount of the SLC needs to be increased or decreased. If you would prefer to have the SLC issued for a longer term, we can do that. Currently we can issue the SLC with a maturity date of November 1, 2013. Our collateral group would then call you, or the contact you indicate, a week before the expiration of the letter of credit and ask you what dollar amount you would like to renew for. The renewal notice would then be sent to the City by the FHLB prior to expiration date. I also found out a contact at the FHLB that would be available to answer any questions you may have for them.

FHLB CINCINNATI INFORMATION SHEET

Address:

221 E. 4th Street Suite 1000
1000 Atrium Two / P.O. Box 598
Cincinnati, Ohio 45202

Letter of Credit contact: Jeff Berryman

Berrymanjs@fhlbcin.com

Phone: 1-800-828-4191

Fax: 513-852-5747

Cal, please let me know if you have any additional questions. I appreciate very much your willingness to review this information.

I will be in the office tomorrow. I know you are off on Fridays and Mondays so you might not be back until after Christmas. Feel free to call my cell phone if you would want to discuss further today or sometime next week as I am working from home today and I will be out of the office between Christmas and January 1.

I wish you and your family Happy Holidays!!

Regards,

Teresa McBride
Vice President & Relationship Manager
Government Banking Division
U.S. Bank National Association
777 E. Wisconsin Avenue

Cal Patterson

From: teresa.mcbride@usbank.com
Sent: Tuesday, December 18, 2012 4:03 PM
To: Cal Patterson
Subject: Standby Letter of Credit as collateral
Attachments: What is a standby letter of credit.docx; Sample SLC.pdf; debtratings_12-06-2012[1].pdf

Hi Cal,

I got your voice mail message regarding further clarification about my previous email. Please find below additional information and I will call you tomorrow to discuss further.

To restate, these are discussions we are having with all government entities across the U.S. The changes are due to the federal regulations beginning 1/1/13 as part of the Dodd-Frank legislation and Basel III international banking changes. Securities are getting tighter and more expensive for all banks. We would replace the securities typically held as collateral with a AAA rated Federal Home Loan Bank (FHLB) of Cincinnati irrevocable standby letter of credit for collateral protection of your public entity deposits. No securities collateral would be released until you have the standby letter of credit in hand. Someone from our collateral department, will be leading you through that process as there are a couple forms that need to be signed and sent back.

I have attached a general description of a standby letter of credit in case anybody at the City is not familiar with what they are.

To summarize: at our request, the FHLB will send the SLC directly to you. A letter of credit agreement will be executed by the Federal Home Loan Bank to the beneficiary, City of Franklin, which will set forth the terms, conditions and procedures. This SLC would need to be presented to the FHLB if U.S Bank failed to perform its demand deposit obligation. Therefore, you should keep the SLC in a safe place. Please find attached a sample of the SLC.

Benefits of these letters of credit:

- Immediate cash to the public depositor should the bank fail to perform their demand deposit obligations (Same day credit if the depositor presents the FHLB LC by 2:00 PM. If after 2:00 PM credit will be received the following business day.)
- Guaranteed dollar level rather than a fluctuating market value of securities that are subject to market volatility

We would issue the Letter of Credit on a quarterly basis and renew each quarter. We ask that you let us know the peak deposit amount and we will add 10% to that to make sure you are fully covered and do not need to ask for another letter of credit. Although if something were to happen unexpectedly, you can request an additional letter of credit.

I have also attached U.S. Bank's most recent debt ratings.

Please let me know if you have any additional questions.

Thanks,

Teresa McBride
Vice President & Relationship Manager
Government Banking Division
U.S. Bank National Association
777 E. Wisconsin Avenue

What is a standby letter of credit?

A Standby Letter of Credit (called "SLC or "LC") are written obligations of an issuing bank to pay a sum of money to a beneficiary on behalf of their customer in the event that the customer does not pay the beneficiary.

Why do we have standby letters of credit?

The standby letter of credit comes from the banking legislation of the United States, which forbids US credit institutions from assuming guarantee obligations of third parties. (Most other countries outside of the USA continue to allow bank guarantees.) To circumvent this US banking rule, the US banks created the standby letter of credit, which is based on the uniform customs and practice for documentary credits. In 1998 the International Chamber of Commerce (ICC) added ISP98 (International Standby Practices 98) as the rules to guide standby letters of credit.

Who are the parties to the standby letter of credit?

- (1) The Applicant. This is the customer of the bank who applies to the bank for the standby letter of credit. He must provide collateral to the bank or have sufficient credit to induce the bank to issue the instrument. He also must pay the bank a fee for issuing the instrument.
- (2) The Issuing Bank. This is the applicant's bank that issues the standby letter of credit.
- (3) The Beneficiary. This is the party in whose favor the instrument is issued.

What is the purpose of the standby letter of credit?

The standby basically fulfills the same purpose as a bank guarantee: it is payable upon first demand and without objections or defenses on the basis of the underlying transaction between the applicant and the beneficiary.

FEDERAL HOME LOAN BANK
OF CINCINNATI

SAMPLE

Beneficiary:

Letter of Credit No.:

Date:

Issue date

Ladies and Gentlemen:

For the account of US Bank National Association, Cincinnati, Ohio, we hereby authorize you to draw on us at sight up to an amount of \$.

This letter of credit is irrevocable, unconditional and nontransferable.

Drafts drawn under this letter of credit must be accompanied by the original letter of credit and be presented in substantially the form attached as Exhibit A, at the office identified below by an authorized officer of the beneficiary no later than 2:00 P.M., Cincinnati time, on _____ Said Exhibit is hereby incorporated and made a part of this letter of credit. *maturity date*

This letter of credit is an obligation of the Federal Home Loan Bank and is not an obligation of the United States Government and is not guaranteed by the United States Government. This letter sets forth in full the terms of our obligations to you, and such undertaking shall not in any way be modified or amplified by any agreement in which this letter is referred to or to which this letter of credit relates, and any such reference shall not be deemed to incorporate herein by reference any agreement.

We engage with you that multiple drafts can be drawn under and in compliance with the terms of this letter of credit and that we will duly honor any such drafts at the Credit Department of the Federal Home Loan Bank of Cincinnati, P.O. Box 598, Cincinnati, Ohio 45201-0598.

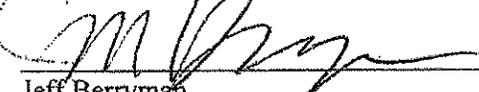
This letter of credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication 600, which is incorporated into the text of this letter of credit by reference. Further, this letter of credit shall be governed by and construed in accordance with the laws of the State of Ohio without giving effect to the conflict of law principles thereof.

Sincerely,



R. Kyle Lawler

Senior Vice President



Jeff Berryman

Assistant Vice President

c: Robert Mensch
US Bank National Assoc.

**EXHIBIT A TO
IRREVOCABLE LETTER OF CREDIT**

SIGHT DRAFT

Federal Home Loan Bank of Cincinnati
P.O. Box 598
Cincinnati, Ohio 45201-0598

_____ (Date)

_____ (Time of Receipt by FHLB of Cincinnati)

Pay on demand to _____ the sum of U.S. _____ Dollars
(\$ _____). This draft is drawn under your Irrevocable Letter of Credit
No. 5-_____.

_____ **TREASURER**

By: _____
(Authorized Officer)

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APPROVAL <i>Slew</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE FEBRUARY 5, 2013
REPORTS & RECOMMENDATIONS <i>and</i>	Ordinance to Amend Ordinance 2012-2096, an Ordinance Adopting the 2013 Budgets and Tax Levy for the City of Franklin, to Approve Budget Encumbrances from the 2012 Budget to the 2013 Budgets	ITEM NUMBER <i>G.7.</i>

Background

Each year Generally Accepted Accounting Principles (GAAP) require a search for encumbrances. An encumbrance is a contract or written purchase order that was entered into or ordered during the fiscal year with the intent that the contract or purchase order would be completed in that year or the understanding that the project would take more than one fiscal year to complete. Projects meeting the definition of an encumbrance must have a portion of the fund balance reserved for the costs necessary to complete the project.

Analysis

For the year 2012 there are \$21,500 in General Fund encumbrances, \$10,000 in Capital Outlay Fund, \$6,600 in the Capital Improvement Fund, \$9,600 in Development Fund and \$21,000 in Library Fund encumbrances.

			Encumbrances
General Fund	Street Lighting	Traffic Signals (5246)	18,000
	Police	Supplies – Ammo (5327)	3,500
Capital Outlay Fund	Municipal Court	Cash Receipting Software (5843)	3,000
	Fire	Turnout Gear (5818)	7,000
Capital Improvement Fund	Police	Mobile Radio (7076.5819)	6,600
Development Fund		Impact Fee Study (5219)	9,600
Library Fund		Flooring (512.0000.5822)	21,000

The Library Board approved the encumbrance at a special meeting January 16, 2013

It is good policy to approve encumbrances prior to starting the City audit that begins March 25, 2013.

Fiscal Note

The fiscal impact of encumbrances to each of the Funds is a reduction of the respective fund balance. The 2012 year-end financial reports and year-end fund balances will include the impact of the encumbrances. Revenue was provided in the year 2012 but was unused. These actions allow those funds to be used without penalizing respective 2013 budgets or the projects in process.

Recommendation

The Finance Committee approved the encumbrances and recommends the Common Council adopt an ordinance to include them in the 2013 budget.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2013_____

AN ORDINANCE TO AMEND ORDINANCE 2012-2096, AN ORDINANCE ADOPTING THE 2013 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE BUDGET ENCUMBRANCES FROM THE 2012 BUDGET TO THE 2013 BUDGET

WHEREAS, the Common Council of the City of Franklin adopted the 2013 Annual Budgets for the General Fund, Capital Outlay Fund, Capital Improvement Fund, Development Fund and Library Fund; and

WHEREAS, certain monies included in the 2012 Annual Budgets of the respective funds were intended to be expended in 2012 and were committed for expenditure prior to December 31, 2012 (Encumbered amounts); and

WHEREAS, encumbered amounts will be expended in 2013, and as a result, the related appropriations should be carried over to the 2013 budget to reflect its commitment in 2012 and expenditure in 2013; and

WHEREAS, Common Council has determined that it would be in the best interest of the City to approve such encumbrance funds from the 2012 budgets of the respective funds to the 2013 budgets of the respective funds.

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

Section 1 That certain encumbered funds of 2012 budgeted amounts be transferred forward to the 2013 Annual Budget for the respective funds of the City of Franklin to pay for 2012 encumbrances, as follows:

General Fund	Street Lighting	Traffic Signals	18,000
	Police	Supplies – Ammo	3,500
Capital Outlay Fund	Municipal Court	Cash Register Software	3,000
	Fire	Turnout Gear	7,000
Capital Improvement	Police	Mobile Radio	6,600
Development Fund		Professional Fees	9,600
Library Fund	Restricted	Flooring	21,000

Section 2 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 _____, 2013.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2013 .

APPROVED:

ATTEST:

Thomas M. Taylor, Mayor

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 2/4/13
Reports & Recommendations	SUBJECT: Provide information on the DPW change in cold weather salting of streets	ITEM NO. <i>G.8.</i>

BACKGROUND

Information will be provided on the change in method that the Department of Public Works is utilizing for ice control in cold weather.

ANALYSIS

Director of Public Works will report on the change in methods being utilized for ice control on City streets.

RECOMMENDATION

No action required.

JMB/sg

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 2/5/13
Reports & Recommendations	SUBJECT: A resolution awarding bid to the lowest bidder for S. 36th Street Sanitary Sewer main lining from W. Missouri Avenue to W. Madison Boulevard	ITEM NO. <i>G.9.</i>

BACKGROUND

Pursuant to the direction of the Common Council staff has solicited Public Works bids for the lining of the sanitary sewer on S. 36th Street from W. Missouri Avenue to W. Madison Boulevard. This area has been tested for leakage and nearly every joint leaks. At one section the root nearly closed the main line sanitary – a potential for a multi-house sanitary sewer back-up. Note – the roots have been cut, but experience has shown that the roots grow back within a year. This section of sanitary sewer is planned for lateral relay or lining, and the mainline sanitary sewer should be lined prior to the use of “T” liners for the laterals in order to obtain a good seal at the “Y”connection.

ANALYSIS

A total of three bids were received as shown on the attached document. It appears that the City has received a very good price for the lining of this section of sanitary sewer. In the Rawson Homes area (S. 36th Street and S. 37th Place) the only other sanitary sewer that may need relining is S. 36th Street south of W. Madison Boulevard and this area is under study. S. 37th Place sanitary sewers are constructed of a different material - Transite on S. 37th Place where S. 36th Street is clay sewer pipe. The transite pipe showed very little leakage.

OPTIONS

Motion to adopt resolution
or
Table

FISCAL NOTE

The main line sanitary sewer does not qualify for funding from the MMSD; therefore, the cost will be funded from the Sanitary Sewer Budget where \$150,000 has been made available in the sewer rehabilitation account.

RECOMMENDATION

Motion to adopt Resolution No. 2013-_____, a resolution awarding bid to the lowest bidder for S. 36th Street Sanitary Sewer main lining from W. Missouri Avenue to W. Madison Boulevard.

JMB/db

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2013 - _____

A RESOLUTION AWARDDING BID TO THE LOWEST BIDDER
FOR S. 36th STREET SANITARY SEWER MAIN LINING
FROM W. MISSOURI AVENUE TO W. MADISON BOULEVARD

WHEREAS, the City of Franklin advertised and solicited bids for the lining of the Sanitary Sewer on S. 36th Street from W. Missouri Avenue to W. Madison Boulevard; and

WHEREAS, the low bidder was Visu-Sewer Inc., with a bid of \$34,821.00; and

WHEREAS, Visu-Sewer Inc., is a qualified public works contractor, that has previously worked in the City of Franklin; and

WHEREAS, it is in the best interest of the City as recommended by the City's engineering staff and consulting engineers to award the contract to Visu-Sewer Inc., in the amount of \$34,821.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that Visu-Sewer Inc., be awarded the contract for the S. 36th Street Sanitary Sewer relining from W. Missouri Avenue to W. Madison Boulevard based on their low bid for a total cost of \$34,821.00 in accordance with bid specifications.

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

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2013 by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2013.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____

NOES _____

ABSENT _____

JMB/sr/db

January 21, 2013

RECEIVED
JAN 24 2013
City of Franklin
Engineering Department

Mr. John M. Bennett, P. E.
City Engineer/Director of Public Works
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

RE: 36th Street Sanitary Sewer Main Lining

Dear Mr. Bennett:

Bids for the above project were opened on January 18, 2013 at 10:00 a.m. at the City of Franklin Hall and were as follows:

We reviewed the documentation submitted by the apparent low bidder and found that:

1. The Bid Form has been appropriately completed.
2. We have no objections to the low bidder, nor to the proposed major subcontractors and suppliers.
3. Low bidder has successfully completed similar projects over the last several years.

On these bases, we recommend that Visu-Sewer, Inc. be awarded the 36th Street Sanitary Sewer Main Lining contract, in the amount of \$34,821.00. This amount is based on the bid unit prices and estimated quantities. Actual quantities, and therefore the final contract price, may vary. On all construction projects, and especially complex ones like this, unpredictable factors may increase the final contract amount. For this reason we recommend that the City of Franklin include a 10 percent contingency when preparing the financial plan for this work.

Our review did not include an evaluation of bidder's current financial condition nor of their permanent safety program.

Should you decide to accept our recommendation, we have prepared the enclosed Notice of Award for your use. After City Council approval has been received, please have the appropriate official sign where indicated and forward all three signed copies of the Notice of Award to our office. We will then fill in the date at the top of page one and forward it, with contracts for execution, to the Contractor. One fully completed Notice of Award will be returned to you for your records.



Ruekert·Mielke

engineering solutions for a working world

Recommendation of Award
Mr. John M. Bennett, P. E.
City of Franklin
January 21, 2013
Page 2

Bids remain subject to acceptance until March 19, 2013, unless Bidder agrees to an extension. Please advise us of your award decision, or call if there are any questions.

Very truly yours,

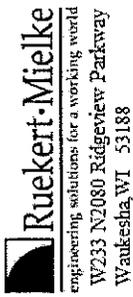
RUEKERT/MIELKE

David M. Buechl, P.E., R.L.S.
Project Engineer

DB:sjs

Encl: Notice of Award (3 copies)
Bid Tabulation

cc: Ronald J. Romeis, P.E., City of Franklin
Michael F. Campbell, P.E., Ruekert/Mielke
File



COST COMPARISON OF BIDDERS

OWNER: CITY OF FRANKLIN
 PROJECT: 36TH STREET SANITARY SEWER MAIN LINING
 BID OPENING DATE: January 18, 2012 10:00 A.M.

BASE BID			VISU-SEWER, INC.		TERRA ENGINEERING CONSTRUCTION CORPORATION		MICHEL'S CORPORATION		
ITEM #	ITEM DESCRIPTION	UNIT	QTY.	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL
1	8-Inch Sanitary Sewer CIPP Liner	L.F.	1,460	\$23.85	\$34,821.00	\$26.95	\$39,347.00	\$37.25	\$54,385.00
TOTAL OF ALL ESTIMATED PRICE (ITEM 1)					\$34,821.00		\$39,347.00		\$54,385.00

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>02/05/13</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>PLANNING DEPARTMENT 2012 ANNUAL REPORT, REVIEW OF PERMITS AND APPLICATIONS, SPECIAL PROJECTS AND COMMUNITY GROWTH ISSUES (2008 THROUGH 2012 OVERVIEW INCLUDED)</p>	<p>ITEM NUMBER</p> <p><i>G.10.</i></p>

The attached information will also be presented to the Plan Commission at its February 7, 2013 meeting. This report is intended for informational purposes only, action on this matter is not required.

COUNCIL ACTION REQUESTED

No action required.



Planning Department Annual Report: 2012

Prepared for:

Mayor Thomas M. Taylor
City of Franklin Common Council

Prepared by:

City of Franklin Planning Department

City of Franklin Vision Statement: The City of Franklin's vision is to enhance the quality of life for present and future generations by providing economic growth through the highest quality of residential, recreational, and business development in Southeastern Wisconsin. *(Adopted by the Common Council April 25, 2009, and included by reference in the City of Franklin 2025 Comprehensive Master Plan)*

City of Franklin 70/30 Goal: That it remain a goal of the Common Council to obtain the 70/30 ratio of residential to commercial assessed valuation. *(Motion passed by the Common Council June 29, 2005, and included by reference in the City of Franklin 2025 Comprehensive Master Plan)*

City of Franklin 2025 Comprehensive Master Plan: Franklin's prominent location adjacent to the Milwaukee – Chicago corridor, as well as the availability of vacant and developable land, makes the City a very attractive, high quality area for business opportunities. *(Excerpt from Chapter 4: Economic Development)*

INTRODUCTION

The City of Franklin's Planning Department oversees planning and zoning activities and is responsible for the administration of the Unified Development Ordinance and implementation of the Comprehensive Master Plan. The Department's role includes the dissemination of this information to the public and coordination with other City departments, boards, commissions, public officials, and applicants to ensure the timely review of projects.

Specifically, the Planning Department is responsible for providing planning, zoning, and development-related support to the Mayor and Common Council and primary staff support to the Plan Commission, the Board of Zoning and Building Appeals, the Environmental Commission, the Franklin Complete Streets & Connectivity Committee, the Quarry Monitoring Committee, and the Parks Commission. The

Department also provides assistance to the City Attorney's Office for the Community Development Authority and the Forward Franklin Economic Development Committee.

It can be noted that much of the Planning Department's activities result in ordinances and/or resolutions that are adopted by the Common Council and are incorporated into the City's rules and regulations. For instance, in 2012, 55 percent of the ordinances adopted by the Common Council were researched/prepared by the Department (19 of 34), and 25 percent of the resolutions approved by the Common Council were researched/prepared by the Department (21 of 81).

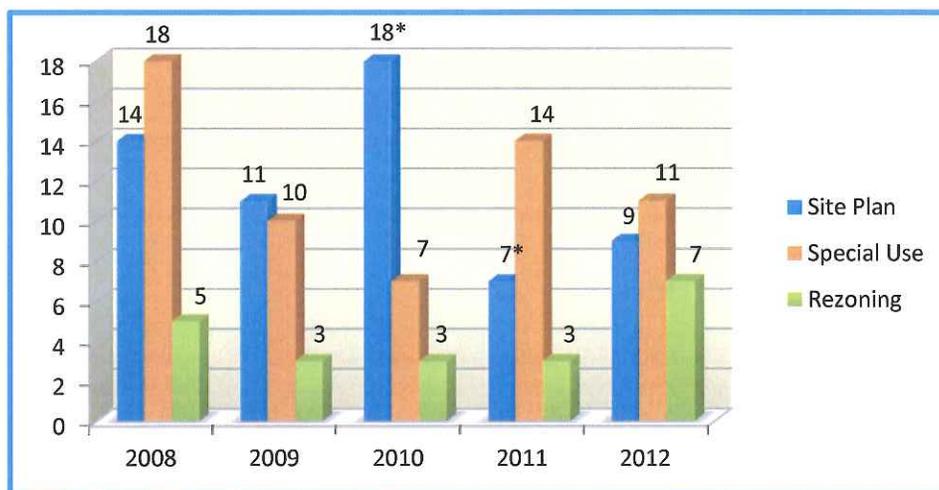
It can be noted that in 2012, the projects reviewed by the Planning Department had an estimated combined building construction value of about \$26.8 million. This compares to about \$18.7 million of development proposed in 2011, \$23.5 million in 2010, about \$13.0 million in 2009, and about \$27.4 million in 2008. The 4 projects which comprise the majority of the \$26.8 million value in 2012 are noted throughout this report.

This report provides a summary of the Planning Department's activities during 2012 related to the review of permits and applications, special projects, and community growth issues. To put the activity in some perspective, the report also contains information from previous years.

ZONING AND LAND DIVISION ACTIVITIES

While Site Plan, Rezoning, and Special Use applications were as usual at the forefront of Department reviews in 2012, the number of such applications still remained below historic (pre-2007 recession) levels. Subdivision Plat and Certified Survey Map application reviews continue to be significantly below historic levels.

Figure 1



Number of Applications

(* Revised Total to NOT include Minor Site Plan Review.)

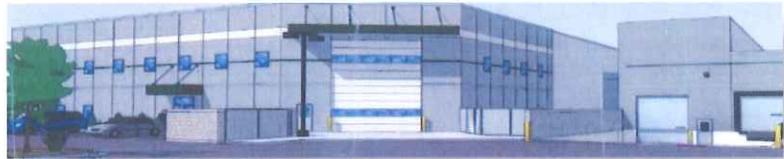
Site Plans

The minor site plan amendment process to allow for administrative (Planning Manager) approval of eligible minor changes to an approved Site Plan, approved via Ordinance No. 2010-2022, resulted in 18 applications in 2012 (a significant increase from the previous year).

Site Plan and Site Plan Amendments that were heard at a Board or Commission included nine in 2012 (a slight increase from the previous year but less than the past few years).

A notable project in 2012 included:

- S & C Electric added 42,162 square feet to their existing business at 5251 South Franklin Drive for a development cost of approximately \$3,200,000.



*S & C Electric ~ Building Addition
Franklin Business Park ~ West Franklin Drive*

Special Uses

The number of Special Use and Special Use amendments applied for in 2012 totaled eleven (a decrease from last year but consistent with the past few years).

Notable projects reviewed in 2012 included:

- Integrated Aquaponics, for the development of an Indoor Controlled Environment Aquaponic Agriculture System Business located at 3617 West Elm Road. Not yet constructed.
- Grass Unlimited, Inc., d/b/a/ Nature's Nook, for approval to host an annual weekly Farmer's Market on Saturdays, June through October, from 9:00 a.m. to 2:00 p.m. for property located at 9801 South 27th Street.
- Wheaton Franciscan Healthcare-Franklin, Inc., for a new 64,086 square foot professional medical office building located at 9969 South 27th Street.
Development Cost Estimate: \$11,000,000.



*Professional Medical Office Building
Wheaton Franciscan Healthcare-Franklin
South 27th Street*

Two notable projects that will be reviewed in 2013 include:

- Forestview LLC, for approval for a 42 unit apartment community development (previously approved as a condominium development but never constructed) located at South 60th Street north of West Ryan Road.
- Kwik Trip, Inc., for a 3100 s.f. convenience store, gasoline service station and carwash located at approximately 10750 West Speedway Drive, Development Cost Estimate: \$4,000,000.



*Kwik Trip, Inc.
West Speedway Drive*

Rezoning

Requests for property rezoning increased in 2012 with a total of 7 requests and which included the creation of two new Planned Development Districts. This also included one rezoning request that was tabled pending further review and has not been brought forward, and another request that was withdrawn by the applicant. Approved rezoning requests consist of:

- 5C Investments LLC requested rezoning of a part of the property located at approximately 4416 West Oakwood Road from R-2 Estate Single-Family Residence District to Planned Development District No. 18 (Franklin Business Park). (*Following approval of a land swap with Nicholas and June Mazos for redevelopment of the Baptista's site.*)
- Nicholas Mazos and June Mazos, requested rezoning of a part of the property located at 4625 West Oakwood Road, from Planned Development District No. 18 (Franklin Business Park) to R-2 Estate Single-Family Residence District.
- Holterman Family Trust recently applied to reconfigure 2 parcels located at 8032 and 8182 West Oakwood Road via a 3 parcel Certified Survey Map and to rezone the smaller parcels to A-1 Agricultural District and maintain the larger parcel in the A-2 Prime Agricultural District. (*These applications will be heard in early 2013.*)
- Meijer Grocery and Department Store was approved for development as Planned Development District No. 36 (Meijer Grocery and Department Store Development) and rezoned property from B-3 Community Business District, Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) and FW Floodway District to Planned Development District No. 36 and FW Floodway District for property located at the eastern corner of West Loomis Road and West St. Martins Road (STH 100).

- Rock Sports Complex, LLC was approved for development as Planned Development District No. 37 (The Rock Sports Complex) and rezoned property from A-1 Agricultural District, R-2 Estate Single-Family Residence District and FW Floodway District to Planned Development District No. 37 and FW Floodway District for property located northwest of the corner of West Loomis Road and West Rawson Avenue. Development Cost Estimate: \$3,000,000.



Seven requests for amendments to Planned Development Districts were submitted in 2012 (more than previous years), presented to the Plan Commission, and were approved by the Common Council. These consist of:

- Gordon Food Service Marketplace Realty Five, LLC, received approval to amend Planned Development District No. 10 (Riverwood Village-Paul Bouraxis Development) to authorize an increase in signage area for the Gordon Food Service Marketplace store and future retail building development at 6919 South 27th Street. Sign Valuation: \$49,600.

Gordon Food Service Marketplace Realty Five, LLC, received approval early January 2012 to develop a Marketplace retail store and held its Grand Opening Ceremony October 15, 2012. Development Cost Estimate: \$772,500.

- 5C Investments LLC, requested to amend Planned Development District No. 18 (Franklin Business Park) to allow a land exchange with an adjoining residential property (located at 4416 West Oakwood Road) to accommodate a parking lot expansion for Baptista's Bakery, Inc. located at 4625 West Oakwood Park Drive.

- Franklin Senior Housing, Inc. received approval to amend Planned Development District No. 22 (Clare Meadows), property located at 7704 South 51st Street, to amend the 2011 approval to allow a three story 30 unit senior independent living apartment building. Development Cost Estimate: \$1,500,000.



- Franklin Senior Housing, Inc. received further approval to amend Planned Development District No. 22 (Clare Meadows), property located at 7704 South 51st Street, to make technical changes required by the United States Department of Housing and Urban Development.

- David W. Behrens, Principal of GreenbergFarrow Architecture, Inc., and representing Meijer Grocery and Department Stores, received approval to amend Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) to allow for removal of a parcel of land for its potential use in an adjoining property development, at the eastern corner of West Loomis Road and West St. Martins Road.
- United Financial Group, Inc. received approval to amend Planned Development District No. 31 (Foresthill Highlands/United Financial Group, Inc.) to revise a portion of a previously approved senior housing development into a combination market rate and senior housing apartment development on a parcel located north of West Puetz Road at approximately 9200 West.
- Scrub Plus RA, LLC received approval to amend Planned Development District No. 34 (Hampton Inn and Suites Plus Mixed Use Commercial) to authorize redevelopment of the existing commercial car care center located at 7700 West Rawson Avenue.
Development Cost Estimate: \$175,000.



Additionally, the approval of the senior and market rate development of Foresthill Highlands required review and approval of a Natural Resource Special Exception by the Common Council.

Certified Survey Map, Land Combination and Subdivision Plat Activity

The number of applications for land division via Certified Survey Map and Land Combinations of existing lots were similar to the past few years. Five Certified Survey Map applications and three Land Combination requests were received in 2012. Two of the Certified Survey Map applications created 2 new lots (one residential and one commercial), one Certified Survey Map application is a re-division of existing commercial lots, two Certified Survey Maps involved the combination of lots into one lot (one residential parcel and one request combined 8 commercial lots into one commercial development parcel of 29.48 acres). A request for a land swap for the redevelopment of the Baptista's site in the Franklin Business Park generated two applications for Land Combination. One request for re-approval of a Certified Survey Map enabled the commercial development to go forward with additional zoning approvals.

The City received one request to condominiumize an existing two-family residential property.

- Avita Real Estate Solutions LLC located at 8977-8979 South Cordgrass Circle West.

No new applications were submitted in 2012 for subdivision plats, continuing a trend which had begun in 2009.

Board of Zoning & Building Appeals

The number of applications to the Board of Zoning & Building Appeals in 2012 was slightly less than the number of requests in previous years (as shown in Figure 2); however, the complexity of the applicant requests increased.

Figure 2

<u>Board of Zoning & Building Appeals</u>	
Year	Total Applications
2008	14
2009	10
2010	11
2011	10
2012	9

Applications to the Board of Zoning and Building Appeals for 2012 included requests for the standard variances to setback or location requirements for accessory structures and building construction/additions, but also included requests for reduced maximum lot coverage, a height and size variance for accessory structure construction, and a business request for reduced parking lot setback and Landscape Surface ratio. A request for an addition to a two-family building resulted in approval of an expansion of a non-conforming use/structure.

Unified Development Ordinance Text Amendments

Review and recommendation of text amendments to the Unified Development Ordinance are one of the specific tasks assigned to the Planning Department. These are generally significant as they often reflect a revision of the parameters by which development may occur in Franklin. Five applicant sponsored amendments were reviewed in 2012 (similar to recent years):

► **Ordinance No. 2012-2074**, to amend text at Table 15-3.0602 to add "Controlled Environment Agriculture" as a type of use and to allow such use as a Special Use in the RC-1 Conservation Residence District, A-1 Agricultural District and A-2 Prime Agricultural District (Scott Biller, Vice President of Integrated Aquaponics, Inc., Applicant).

► **Ordinance No. 2012-2076**, to amend text at Table 15-3.0603 Standard Industrial Classification Title No. 752 "Animal Specialty Services" to allow for such use as a Special Use in the B-4 South 27th Street Mixed-Use Commercial District (Cloe M. Anton, d/b/a Top Dog Grooming & Daycare, Applicant).

► **Ordinance No. 2012-2079**, to amend text at Table 15-3.0603 Standard Industrial Classification Title Nos. 4731 Freight Transportation Arrangement, 8322 Individual and Family Services, 6411 Insurance Agents, Brokers, & Service, 6512 Non-Residential Building Operators, 6519 Real Property Lessors, not elsewhere classified, 6531 Real Estate Agents and Managers and 6552 Sub-Dividers and Developers, not elsewhere classified, to allow for such uses as a Permitted Use in the M-1 Limited Industrial District; and Standard Industrial Classification Title Nos. 1711 Plumbing, Heating, Air-Conditioning, 1721 Painting and Paper Hanging, 1731 Electrical Work, 1751 Carpentry Work, 1752 Floor Laying and Floor Work, not elsewhere classified, 1761 Roofing, Siding, and Sheet Metal Work and 782 lawn and Garden Services, to change in part such uses from a Special Use to a Permitted Use in the M-1 Limited Industrial District (Kendall G. Breunig, Applicant).

► **Ordinance No. 2012-2084**, to amend text at Section 15-3.0505A.2., to remove "PDD District" from the retail building size limit provisions (David W. Behrens, Principal of GreenbergFarrow Architecture Inc., Applicant).

► **Ordinance No. 2012-2099**, to amend text at Table 15-3.0603 Standard Industrial Classification Title No. 8641 "Civic, Social, and Fraternal Associations" to allow for such use as a Permitted Use in the B-4 South 27th Street Mixed-Use Commercial District (Lawrence D. Neldner, Trustee, South Shore Lodge #3 Free and Accepted Masons of Wisconsin, Applicant).

Miscellaneous

Concept Reviews

Slightly more than previous years, five Concept Reviews in 2012 were presented to the Common Council and one request was heard by the Plan Commission.

- Residential lot division, 8260 South 116th Street, was presented to the Plan Commission.
- Forest View, LLC, property located at South 60th Street north of West Ryan Road, to change a Special Use approval from residential condominium to apartment living units.
- Meijer Department & Grocery Store proposal for retail building development on the property located at the intersection of West St. Martins Road and West Loomis Road.
- Scrub Plus RA, LLC, redevelopment of the retail property located at 7700 West Rawson Avenue.
- United Financial Group, Inc. presented a proposal for a mix of senior housing and market-rate residential townhome and apartment units for undeveloped land north of the 9200 block of West Puetz Road as part of the Foresthill Highlands development.
- Kwik Trip, Inc., proposed a convenience store/gas dispensing facility with detached car wash for property located at approximately 10750 West Speedway Drive.

Development Review Team Meetings

Slightly less than previous years, eight Development Review Team meetings were held in 2012. These meetings, which include representatives from the property owner/developer and from the City departments that might be involved in review of a proposed project, are intended to provide an early opportunity for all affected parties to get together to discuss the technical aspects of a proposed project. It is also intended that any major issues or opportunities identified at this meeting could then be addressed early in the project's planning stages.

Temporary Use

Similar to previous years, application requests for Temporary Uses in 2012 were eleven. Three of the proposals were reviewed by the Plan Commission.

- Home Depot U.S.A., Inc., annual request for outdoor seasonal sales of plant goods and commodity bagged goods, upon property located at 6489 South 27th Street 6489 South 27th Street.
- Ahmadiyya Movement in Islam returned in 2012 to the Milwaukee County Sports Complex located at 6000 West Ryan Road, with an overnight youth retreat.
- The Holiday Craft & Gift Expo, requested by Torbenson Shows LLC, was held at the Milwaukee Sports Complex, 6000 West Ryan Road, during the Thanksgiving weekend.

It is appropriate to note that several businesses requested Temporary Use approvals (required only Staff approvals) that have been, or are envisioned to be, annual events held in the Franklin area. Of note:

- Mulligan's Irish Pub & Grill, 8933 South 27th Street, continues annual and semi-annual St. Patrick's Day events.
- Gus's Mexican Cantina, 6514 South Lovers Lane Road, sponsored a customer appreciation car show.
- The Rock Sports Complex, LLC, hosted a Haunted Hill event at their new location at 7900 West Crystal Ridge Drive.

Zoning Compliance Permit

More than last year but similar to other previous years, Zoning Compliance permit requests were 44 in 2012. Notable examples for zoning compliance permits to locate within, relocate, or expand operations in existing commercial/retail sites included:

- Cole Taylor Bank, 9809 South Franklin Drive, Suite 300, Loan Production Office, Tenant Alteration Cost Estimate: \$50,000.
- Advanced Chemical Systems Inc., 9640 South 60th Street, a Wastewater Pretreatment Chemicals/Equipment/Processes Company, Building/Tenant Alteration Cost Estimate: \$210,000.
- Mattress Firm, 7720 South Lovers Lane Road, Suite 200, Retail Mattress Store, Tenant Alteration Cost Estimate: \$33,800.

- Glitz Nail Boutique, LLC, 7720 South Lovers Lane Road, Suite 230, Manicure & Pedicure Salon, Tenant Alteration Cost Estimate: \$63,622.
- Sprout Maternity Store, 4202 West Oakwood Park Court, Suite 130, Retail sales of Maternity Clothes & Gifts, Tenant Alteration Cost Estimate: \$25,000.

Additional businesses approved via Zoning Compliance Permits and new to the City in 2012 include:

- ▶ More Than Rewards, Inc., 5008 & 5010 W. Ashland Way, *Computer Software Development*
- ▶ Professional Hearing & Audiology Clinics, Ltd., 8217 S. 27th Street, *Office & Clinic for Audiologists*
- ▶ 7-Eleven, 7610 W. Rawson Avenue, *Gas Station & Convenience Store*
- ▶ American Republic Insurance Company, 10700 W. Venture Drive, Ste C (Upper), *Insurance Agents*
- ▶ Mad Science of Milwaukee, 5032 W. Ashland Way, *Science Education Company*
- ▶ Mibar Products, Ltd., 11307 W. Forest Home Avenue, *Snowmobile, ATV and Lawnmower Accessories*
- ▶ New Ram Express, LLC, 10700 W. Venture Dr., Ste A, *Transportation Broker*
- ▶ Poss Painting Contractors, 10700 W. Venture Dr., Ste E, *Painting Contractor*
- ▶ Valenti Classics, Inc., 9848 S. 57th Street, *Classic/Antique/Collector Car Restoration Services/Sales*
- ▶ WS Services, 10700 W. Venture Drive, Ste D, *Lawn & Garden Services*
- ▶ Balloonee Toonz, 2735A W. Rawson Avenue, *Retail Sales of Balloons, Gifts, Party Supplies*
- ▶ Jaco Environmental, Inc., 10061 S. 54th Street, *Recycler of Household Appliances*
- ▶ Snips Family Hair Care Co., 5060 W. Rawson Avenue, *Hair Salon*
- ▶ Sports Physical Therapy & Rehab Specialists, 9120 W. Loomis Road, Ste 200, *Physical Therapy*
- ▶ NTT Worldwide Telecommunications Corp., 4777 West Ironwood Drive, *Data Center Services*
- ▶ Empathium Design, LLC, 11217 W. Forest Home Avenue, Ste 5, *Industrial Design Studio*
- ▶ Alpha Geeks, 5030 W. Rawson Avenue, *Computer Sales & Repair*

Zoning Enforcement

Zoning enforcement actions/complaints filed with the Planning Department decreased slightly in 2012. 36 requests were filed in 2012, 43 in 2011, 29 in 2010, 41 in 2009, and 51 in 2008. It can be noted that since the 2007 recession, the average annual number of complaints have been about double what there were before the 2007 recession. It is also important to note that a significant commitment of staff time is required in the research and resolution of most zoning enforcement actions.

PLANNING ACTIVITIES

In addition to the zoning, land division, and ordinance revision related responsibilities noted earlier in this report, the Planning Department is also charged with the duty of helping guide the City's long-range planning activities. While this duty is often associated with implementation of the recommendations contained within the City's Comprehensive Master Plan, other similarly important tasks are often assigned to the Department by the City as noted below.

Comprehensive Master Plan

Adopted on October 21, 2009, the City of Franklin 2025 Comprehensive Master Plan is a guide to direct future actions of the City as they may relate to planning, zoning, land division, and official mapping. The Department received three applications for amendments to the City of Franklin 2025 Comprehensive Master Plan in 2012, with only one application going forward.

► **Ordinance No. 2012-2090**, to change the Future Land Use Map use designation for property located at the eastern corner of West Loomis Road and West St. Martins Road (STH 100), from Mixed Use to Commercial Use and to change the City of Franklin Crossroads Trade Area Regulating Plan to allow for such Commercial Use (approximately 29.48 acres) (David W. Behrens, Principal of GreenbergFarrow Architecture Inc., Applicant).

In addition, the Planning Department provided assistance to the 27th Street Steering Committee in its efforts to further refine the streetscaping elements and costs set forth in the *South 27th Street Corridor Streetscape Manual* (which is an element of the *South 27th Street Corridor Plan* which in turn is an element of the City's Comprehensive Master Plan). These revisions were subsequently recommended for approval by the Community Development Authority, the Plan Commission, and the Forward Franklin Economic Development Commission, and approved by the Common Council in 2012.

Economic Development Initiatives

To maintain the City's competitiveness in light of the current economic uncertainties within the nation, the state, and the region, the City has generally assigned a high priority to economic development related issues. In this regard, during 2012 the Planning Department has :

- Responded to a number of data requests from parties representing companies looking to build within or relocate to a southeastern Wisconsin community such as Franklin. These data requests are often confidential and time sensitive, and are sometimes anonymous. In many instances, these data requests require a significant amount of staff time and/or coordination with other agencies or city departments. The Meijer development proposal started as just such a confidential, time sensitive, and anonymous data request.
- Completed a comprehensive revision and update of the City's Economic Resource Guide to ensure that it remains a useful tool for the City and a valuable source of information for existing and new businesses. Completed a City of Franklin Amenities Map which displays those resources, services, businesses, etc. in the City which are often of importance to businesses within or considering location to the City.
- Continued to provide information and data to the Community Development Authority and the Forward Franklin Economic Development Committee to assist with their efforts towards those initiatives assigned to them.

- Prepared a draft report on a proposed revision of the City's natural resource protection standards partly in order to further streamline the city's regulations and development review process as it pertains to natural resource identification, protection, and regulation. The draft report was reviewed by the Forward Franklin Economic Development Committee, the Environmental Commission, and the Plan Commission during 2012.

Franklin Complete Streets & Connectivity Committee (formerly Franklin Trails Committee)

The Planning Department continued to staff the Franklin Complete Streets & Connectivity Committee throughout 2012. This included the provision of assistance towards the development of a Complete Streets Policy for the City.

Quarry Monitoring

In response to inquiries and concerns expressed by a number of citizens, and the Plan Commission as well, the City undertook a number of actions in 2012 related to quarry monitoring.

At its March 20, 2012, meeting the Common Council directed that the Mayor and staff execute an interim blast monitoring contract with the consulting firm of Aquifer Science and Technology (the firm which had undertaken similar monitoring of the quarry on behalf of the City previously from 2001 through 2005). The subject blast monitoring was initiated in June of 2012 and is overseen by the Planning Department.

At its April 17, 2012, meeting, the Common Council directed that a Request for Proposals (RFP) for quarry monitoring services for the City of Franklin be distributed. A Staff Workgroup (with Planning Department representation) was created to review the responses to the RFP and to recommend selection of a consultant, which was accomplished in July of 2012.

At its June 4, 2012, meeting, the Common Council created a Quarry Monitoring Committee, and assigned the Planning Department as staff to the Committee. The Committee, which had its first meeting on September 13, 2012, is directed to undertake those actions reasonably necessary to assist the City in reviewing the monitoring of the operations and activities of the quarry operators and to provide comment and recommendations on such matters to the Common Council.

ANTICIPATED PROJECTS IN 2013

Major projects envisioned for the Planning Department in 2013 include:

- Continued work on the economic development related initiatives identified by the Mayor and the Common Council. This will likely include:
 - Continued compilation and update of a comprehensive list of all businesses within the City.
 - Continued maintenance of the updated Business page, and economic development related tables, charts, and maps, on the City's website.
 - Continued provision of assistance towards those other boards, commission, and staff working on their economic development related initiatives, such as: a formalized economic incentives program; a business retention and recruitment program; creation of additional economic development strategies; and preparation of additional marketing materials.
- Continued staffing of and provision of assistance to the Franklin Complete Streets & Connectivity Committee.
- Continued staffing of and provision of assistance to the Quarry Monitoring Committee, including:
 - Oversight of the interim quarry blast monitoring by Aquifer Science and Technology.
 - Further refinement of the long-term quarry monitoring proposal, with assistance from a number of interested parties. It is envisioned that oversight of the long-term quarry monitoring will be conducted by the Planning Department and the Quarry Monitoring Committee.
- Continued research/preparation of UDO Text Amendments to further improve and/or streamline the development review process within the City, possibly to include: clarification and simplification of the relationship between site plans and special uses; further natural resource mapping/standard revisions; and revision of accessory structure standards.
- Periodic review of the various components of the Comprehensive Master Plan to ensure that they continue to reflect the directives and policies of the City of Franklin. This may include review of the Crossroads Plan, the 27th Street Plan, and the Civic Center District.

PLANNING DEPARTMENT PROJECT TRACKING

Attached is a table compiled by Planning Department staff of the types of projects which the Department reviews. The figures documented for 2012 and for future years reflect the diversity of reviewing applications.

It can be noted that a project submitted to the Department may often consist of a number of separate applications. For example a single project could include a certified survey map, a Natural Resource Protection Plan, easements, a rezoning, and a Comprehensive Master Plan amendment. The Department tracks all applications within a project separately.

PLANNING DEPARTMENT Project Tracking	2008	2009	2010	2011	2012
COMMON COUNCIL ORDINANCES:					
UDO Text Amendments	12	4	7	5	5
CMP Amendments	0	1	4	4	3
Rezoning	4	1	3	3	5
PDD New/Amendments	1/4	2/2	0/4	0/4	2/7
COMMON COUNCIL RESOLUTIONS:					
Certified Survey Map/Land Combination	5/3	6/1	8/0	8/0	5/3
Plat – Condominium/Preliminary	0/1	2/0	0	1/0	1
Plat – Final	1	0	0	0	0
Plat – Preliminary Revised	0	0	0	0	0
Easements (Conservation , Cross Access, Releases)	7	7	5	4	2
Landscape Review	1	1	0	0	0
Mitigation		1	0	0	0
Natural Resource Special Exception	1	2	2	0	2
Special Use / Special Use Amendments	7/11	4/6	6/1	11/3	8/3
Vacation-Street or ROW	3	2	0	0	0
COMMON COUNCIL ACTION:					
Concept Review	5	3	4	5	6
Determinations/Approvals not listed elsewhere	2	0	1	0	1
COMMISSION RESOLUTION:					
Building Move	0	1	0	0	0
Master Sign Program New/Amendments	0	4	0/1	0/1	0/1
Monument Sign/Signage	3	0	5	0/1	2/0
Site Plan/ Site Plan Amendments	4/10	5/6	3/15	1/6	0/9
Landscape Plan Approval		0	1	1	1
Accessory Use	0	1	0	0	0
Temporary Use: Dept/Commission approval	11	4/6	5/6	6/2	8/3
PLAN COMMISSION ACTION:					
Determinations/Approvals not listed elsewhere	3	0	0	3	0
BOARD OF ZONING & BLDG APPEALS:					
Variances	11	8	11	10	8
Non-Conforming Use	1	1	0	0	1
Area Exception	2	1	0	0	0
DEPARTMENT APPROVED:					
Minor Site Plan Dept Approved	n/a	n/a	2	12	18
Building Permit Review	70	56	72	59	55
NRPP Reviews: Consultant/Staff review	7	6	3/5	0/5	1/5
Home Occupation	1	4	11	6	1
Zoning Compliance	41	44	57	24	44
Zoning Letter	9*	6	10	14	9
Extraordinary Event Special Event	3	8	4	4	8
Complaints	51	41	29	43	36
PROJECT TOTALS:					
	295	248	285	246	263
MEETINGS:					
Consultation Meetings	105	183	286	231	181
Boards & Commission Meetings	74	78	125**	112**	108

n/a=Not Applicable

Blank Cells = Undetermined

*Totals not confirmed

**Corrected #

(Totals by application year)
(rev 1/2013)med

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</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;">2/4/12</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Enforcement of the Noxious Weed Ordinance</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.11.</i></p>

Section 178-3(F) of the Municipal Code enables the City to mow lots or yards with noxious weeds or overgrown lawn grass. Alderman Taylor questions whether the City should change its current practice to reduce the number of parcels mowed during each growing season or to encourage quicker reaction by individuals in the spring.

Current Practice: After a weed complaint is submitted to the City, the Clerk notifies the Weed Commissioner who then inspects the property. If the property is found in violation of the municipal code, the property owner is sent a notice and provided 5 business days to mow the property. If it is not mowed within the required period, the Weed Commissioner will have the property mowed. The Weed Commissioner will then monitor the property throughout the mowing season and if an additional mow is required he performs the service; no additional warning/violation notice is sent. After each mowing, the Weed Commissioner informs the Clerk's Office that the service was performed, and the Clerk's office prepares an invoice. Each invoice includes an additional \$10 administrative fee.

Options:

- 1) Continue the current practices as is: One could argue that the current system is not broken. Mowing occurs reasonably soon after the initial notice of violation, and the Weed Commissioner monitors the property throughout the remainder of the season. As such, problem parcels are generally addressed in a timely manner throughout the summer.
- 2) Continue the current practice but increase the administrative fee: Increase the administrative fee to \$25 to further cover the cost of processing invoices and accounts receivable. This can be considered no matter which other strategy, if any, is considered.
- 3) Add municipal citations or the threat of municipal citations: The Municipal Code also provides that an individual in violation of the noxious weed (including lawn length) ordinance can be issued a municipal citation in addition to simply being instructed to mow the violating vegetation. This general citation authorization has historically not been implemented in conjunction with the mowing procedure, and I don't believe it is a common practice elsewhere. In this scenario, the individual would still pay the cost of any mowing that occurs, but they would also be subject to court costs and, if found guilty, the fee imposed by Municipal Judge. For example the ordinance provides for a potential forfeit of "not less than \$1 nor more than \$2,500, together with the costs of prosecution," but with a second offense beginning at \$10. With court costs and other required charges a base fine of \$30 costs the individual \$88.80 and a base fine of \$50 costs the individual \$114. The theory of this strategy is that the added cost and inconvenience of a municipal citation would cause individuals to not rely upon the City for mowing or notice of the need to mow. The risk to the City is the added potential burden of prosecuting such municipal citations if they are issued. It would also add the administrative effort of issuing the citation. Additionally, the City might need to

compensate the Weed Commissioner for time spent testifying in Municipal Court if needed, which compensation could come from fines as levied.

- 4) Impose Municipal Citations only with repeat offenders: This strategy would involve sending each individual for whom the City mowed last year a letter informing them that if the City has to send them a notice this year it will be accompanied by a municipal citation (which is enforced even if the individual mows in response to a subsequent mowing order). Similarly, any new individual to whom the City sends a notice this year will be advised that if the City has to perform a second mowing, they will receive a municipal citation as well. The theory of this strategy is the same as number 3 above, but it will also attempt to instigate people to mow earlier in the year and not wait until complaints begin to occur before performing their first mow.
- 5) Accelerate the current timeline. If the primary concern is addressing early spring mowing, the Clerk has indicated that the current timelines could be accelerated. Historically, the City has targeted commencement of enforcement and the annual appointment of a Weed Commissioner for May15, a date referenced in the State Statutes. Those statutes, however, do enable the City to address the matter sooner and so that enforcement could commence as soon as weather permits each spring.
- 6) Ensure more substantial fines: This would involve implementing number 3 and/or 4, but also modifying the municipal code to increase the minimum code violation to \$50 (thus, \$114) or more, with subsequent municipal citations doubled. As the Municipal Judge determines the amount of the fine following a guilty verdict, within the range authorized by the code, if the Common Council wants to ensure a more substantial fine, it should consider incorporating the revised fine amount directly into the code.

The process, as it currently is, works smoothly from an administrative perspective and is generally well received by the individuals contacted. As such, if you do not believe that noxious weeds and yard lengths constitute a problem, it may be best to leave the system as it is. On the other hand, if you believe that the situation is not under control and that noxious weeds and yard lengths continue to constitute a significant problem, adding municipal citations, higher fines, and/or increased administrative fees might be a reasonable strategy to address the problem.

The Clerk, the lead administrative staff in coordinating noxious weed enforcement, believes that accelerating the timeline in the spring (#5) and increasing the administrative fee (#2) is the best strategy for enhancing the current enforcement.

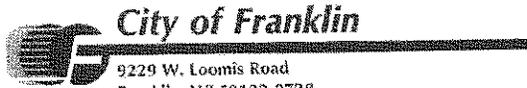
COUNCIL ACTION REQUESTED

Further direction or action as determined by the Common Council.

APPROVAL <i>Slew</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 2/5/2013
Licenses and Permits	Miscellaneous Permits	ITEM NUMBER <i>H. 1.</i>

See attached list from meeting of February 5, 2013

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

**License Committee
Agenda*
Alderman's Room
February 5, 2013 – 6:00 p.m.**

1.	Call to Order & Roll Call	Time		
2.	License Application Reviews	Recommendations		
		Approve	Hold	Deny
Type/ Time	Applicant Information			
Operator 2012-13 6:00 p.m.	Fabre, Tina M. 1557 S Fifth St Milwaukee, WI 53204 Wal-Mart			
Operator 2012-13 6:05 p.m.	Leannais, Kimberly D. W182 S8450 Racine Ave A7 Muskego, WI 53150 Country Lanes			
Operator 2012-13	Jaitly, Jatinder K. 230 E Stuart Dr Oak Creek, WI 53154 Jai Beru			
Operator 2012-13	Fuller, Ronald E 2105 W Lapham St #6 Milwaukee, WI 53204 Wal-Mart			
Class A Combination Change of Agent 2012-13	Walgreen Co. d/b/a Walgreens #15020 7130 S. 76 th St. New Agent: Matthew M Mouzakis			
Special Class B fermented malt beverage and Temporary Entertainment & Amusement	St. Martin of Tours Church Vietnamese New Year Celebration Person In Charge: Diane Winkowski Location: 7963 S. 116 th St. Date of event: 2/10/13			
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.

APPROVAL <i>Slew CAP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 2/5/13
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.1.</i>

Provided for Council approval is a list of vouchers dated February 5, 2013 Nos. 145908 through 146107 in the amount of \$ 2,677,268.19. Included in this listing is \$ 54,974.33 in library vouchers.

The net city vouchers for February 5, 2013 are \$ 2,622,293.86.

Approval is requested for the net payroll dated January 25, 2013 in the amount of \$ 360,778.80.

Held over from prior meeting: See attached memo.

Check # 145854	Pace Electric Inc. Ballast in Kitchen 2 and 3 GFCI receptacles	\$536.00
	Pace Electric Inc. Ballast in Kitchen 3 and exterior light work	\$393.00
		\$929.00

COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range Nos. 145908 through Nos. 146107 in the amount of \$ 2,622,293.86 dated February 5, 2013.

Motion approving net payroll dated January 25, 2013 in the amount of \$ 360,778.80.

Motion approving Check #145854 in the amount of \$929.00.



MEMORANDUM

Date: February 1, 2013
To: Aldermen
From: Mark W. Luberda 
Director of Administration
RE: Fire Department electrical work invoices

At the Common Council meeting of January 22, 2013, the Common Council requested that separate action be taken on Check No. 145854 to Pace Electric, Inc.

The check was comprised of two invoices, and the check listing simply indicated the following:

Ballast in Kitchen #2	536.00
Ballast in Kitchen #3	<u>393.00</u>
	929.00

Due to the abbreviated nature of the information on the check run, the complete extent of the work performed for the Fire Department was not identified. Attached for your convenience is a copy of the invoices themselves. Each identifies a second project that was done under the scope of that invoice. As such the total work performed was more extensive than simply 'installation of a ballast.'

Mark Prusinski with Pace Electric indicates that the first invoice involved 2 trips and a total of 4 hours labor. The second invoice was two trips and 2 ¾ hours labor. Per Bob Tesch, our Facilities Manager,, the hourly rate of \$84.75 is not inconsistent with the rates typical for such services. Pace charges a 10% up charge for materials charges. Bob reviewed the invoices and believes the invoices to be reasonable for the full extent of the work identified.

I recommend approval.

5557
AR

PACE ELECTRIC, INC.

12015 W. Janesville Rd.
Hales Corners, WI 53130
Phone: 414-425-3305
Fax: 414-425-2215

Date: January 4, 2013
Invoice: 29302

Bill To: Franklin Fire Dept #1
8901 W. Drexel
Franklin, WI 53132

V-Kelle

Mark Proemski

Terms: Net 10 Days

DESCRIPTION	AMOUNT
RE: Station #3, 4755 W. Drexel Ave.	
Furnish and replace defective fluorescent dimming ballast for kitchen area lighting.	
Furnish and replace defective 40 amp lighting contactor for exterior building lights.	
Labor	\$233.00
Material	\$91.00
Fluorescent Dimming Ballast	\$69.00
Total Due	\$393.00

2 3/4 hours
2 trips

110%

for Mark's face