

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA
TUESDAY, JULY 5, 2011, 6:30 P.M.

- A. Call to Order and Roll Call
- B. Citizen Comment Period
- C. Approval of Minutes
 - 1. Approval of regular meeting of June 21, 2011.
- D. Hearings
- E. Organizational Business
- F. Letters and Petitions
- G. Reports and Recommendations
 - 1. Donation from M, Squared, Inc. in the amount of \$300 to the Fair Commission.
 - 2. Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Steele Solutions Properties, LLC. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.
 - 3. Request from Fire Department for approval to purchase software and accessories in the amount of \$13,300 instead of additional laptop computers from the Capital Outlay Fund.
 - 4. 2012 Milwaukee County Community Development Block Grant (CDBG) Program Application.
 - 5. Resolution authorizing the Mayor and City Clerk to execute such agreements and instruments necessary to provide for the continuing participation of the City of Franklin with Milwaukee County in the Community Development Block Grant Program and the Home Investment Partnership Program.
 - 6. Authorizations necessary to proceed with the CDBG project "Handicap Accessibility Sidewalk to Clare Meadows" (51st Street Clare Meadows north to Rawson Avenue) including seeking additional CDBG funding, use of Capital Improvement Fund unspecified fund balance, and initiation of project action steps.
 - 7. Authorization to complete the development of Serenity Estates Subdivision with work to be performed as part of the 2011 Local Road Program.
 - 8. Resolution establishing City of Franklin ward boundaries following the 2010 Federal Census.
 - 9. Claim of Shaun Moersfelder for damage to driveway by City snowplow truck. The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a claim of Shaun Moersfelder for alleged damage to her driveway located at 7813 S. Ridgewood Drive by a City plow truck on February 20, 2011 and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

10. Revised acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of S. 60th Street and W. Ryan Road generally following the Ryan Creek to the intersection of W. Ryan Road and S. 112th Street, thence westerly along W. Ryan Road to the west City limits, upon the following property identified as Acquisition Map Parcel No. 12, Tax Key Number 935-9994-009 located at 8400 W. Oakwood Road. The Council may enter closed session pursuant to Wis. Stat. §19.85(1)(e), to consider the terms and negotiation of the revised public acquisition of easement for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

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.

[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:

July 7	Plan Commission	7:00 p.m.
July 19	Common Council	6:30 p.m.

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/05/11</p>
<p>Reports and Recommendations</p>	<p>Donation from M Squared, Inc. in the amount of \$300 to the Fair Commission</p>	<p>ITEM NUMBER</p> <p><i>G.I.</i></p>

The City of Franklin Fair Commission has received a donation from M Squared, Inc. in the amount of \$300 to be used for the promotion of the St. Martin's Fair.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$300 from M Squared, Inc. to the Fair Commission to be used for the promotion of the St. Martin's Fair.

<p>APPROVAL</p> <p><i>Slw</i> <i>CAP</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/5/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Steele Solutions Properties, LLC</p>	<p>ITEM NUMBER</p> <p><i>G.2.</i></p>

Lynda Templen of Whyte Hirschboeck Dudek S.C. has requested on behalf of her client Steele Solutions Properties, LLC consideration of IDRB funding of \$5.4 Million from the City of Franklin.

Their plan is to add 34,000 sq. ft. to their existing facility of 41,000 sq. ft. at 9909 South 57th Street in Franklin and is described in the attached Summary Request.

Information with respect to the job impact of the project is included in the packet of information.

The City of Franklin's IDRB policy requires our Bond Council to review potential IDRB documents to insure that the City is protected. Quarles and Brady has reviewed the initial resolution and it is in the customary form and has the necessary language to keep the City from having any liability from this transaction.

COUNCIL ACTION REQUESTED

Motion to approve Resolution 2011 _____ approving an Initial Resolution regarding Industrial Development Revenue Bond Financing for Steele Solutions Properties, LLC.

Summary
Request for City of Franklin, Wisconsin to Serve as Conduit Issuer
for
Not to Exceed \$5,400,000 Industrial Development Revenue Bonds to Benefit
Steele Solutions Properties, LLC Project

This will summarize the request of Steele Solutions Properties, LLC, a Wisconsin limited liability company (the “Company”), asking that the City of Franklin, Wisconsin (the “City”) consider an Initial Resolution to benefit the Company through the conduit issuance of industrial development revenue bonds (“IRBs”) to finance a project located in the City of Franklin consisting of the (i) construction of an approximately 34,000 square foot addition to an existing approximately 41,000 square foot facility located at 9909 South 57th Street in the City of Franklin, Wisconsin (the “Facility”) which is used by Steele Solutions, Inc., a Wisconsin corporation, to manufacture custom structural steel platforms and structures, (ii) acquisition and installation of equipment at the Facility, (iii) refunding of existing debt issued to finance the construction of the Facility and (iv) payment of certain costs of issuance (collectively, “Phase I”); and the (i) possible construction of a second story office addition to the Facility, (ii) acquisition and installation of equipment at the Facility and (iii) payment of certain costs of issuance (“Phase II” and together with Phase I, the “Project”). In an IRB transaction, a state or local governmental entity issues bonds and loans the proceeds from the sale of the bonds to a private entity for an authorized project. In Wisconsin, cities, villages and towns, as well as duly constituted redevelopment authorities and community development authorities may issue IRBs.

These IRBs are municipal bonds; however, they are not general obligations of the City. If the City agrees to issue bonds to benefit the proposed Project:

1. The City will not be liable for payment of the principal and interest on the bonds;
2. The City will not have ongoing responsibilities of monitoring or reporting with regard to the bonds or the Project.
3. The bonds do not count against the City’s borrowing capacity. The City will not levy a tax for payment of the bonds.

The City acts strictly as a conduit, which enables the Company to borrow at a lower rate of interest.

Because the bonds are issued by a governmental entity, the holder of the bond may exclude the interest on the bonds from gross income for federal tax purposes.

Inducement/Reimbursement

Companies considering IRB financing must obtain an Initial Resolution, also sometimes referred to as an “inducement resolution” or “qualified reimbursement resolution” from the municipality in which the Project being financed is located in order to preserve the option to use IRBs. The Initial Resolution is preliminary approval only and is non-binding as to the City or the Company but is required by Federal tax law and State law. If the Initial Resolution is adopted by

the City, this will assure that when and if bonds are issued, all eligible project costs incurred no more than 60 days prior to the date of the Initial Resolution (including reimbursement of equity contributions or refunding of conventional financing), may be included in the ultimate IRB financing. Failure to have a qualified resolution may result in disqualifying certain costs.

The Company will benefit from the tax-exempt financing by owning and/or using the bond financed-facilities and will enjoy a lower interest rate as a result of using a bond structure. A lending institution will secure payment of the bonds pursuant to a direct pay Letter of Credit and the bonds will be sold to the public market, or a lending institution will directly purchase the bonds. The Trustee for the bonds will look solely to the Company for repayment. Bondholders will not look to the City for payment. The City will assign all of its rights, liability and responsibilities under the bonds to a third party fiduciary Trustee for administration for the benefit of the bondholders. The Company will be fully responsible for repaying the loan and must make the arrangements with the Trustee for the payment on the bonds. If the Company is not able to meet its payment obligations, the Bank will realize on its collateral and enforce its rights against the Company. The City is not liable for payment.

The foregoing is just a brief discussion of tax-exempt financing. The key point to remember is that the City will be considering from a policy standpoint whether to encourage the location of the Company in the City. By issuing the bonds, the City will give the Company an interest rate benefit, because the tax-exempt bonds will be tax-exempt in the hands of the bondholders. It must be emphasized that the City will not be liable in any way on the bonds; the bonds are special, limited obligations of the City.

The Company respectfully asks that the Common Council consider the Initial Resolution at its meeting on July 5, 2011. For agenda purposes, the City should please describe the Initial Resolution as follows:

“Consideration of an Initial Resolution Regarding Industrial Development Revenue Bond Financing for Steele Solutions Properties, LLC. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.”

Someone from Whyte Hirschboeck Dudek S.C. will attend the Common Council meeting on July 5, 2011 to answer any questions.

\$5,400,000
City of Franklin, Wisconsin
Industrial Development Revenue Bonds, Series 2011
(Steele Solutions Properties, LLC Project)

CHECKLIST FOR CITY OF FRANKLIN, WISCONSIN (the "Issuer")

ITEM	ACTION TO BE TAKEN BY ISSUER	DATE ACTION TAKEN
1. Whyte Hirschboeck Dudek S.C. ("WHD") provides Procedure Letter to City of Franklin, Wisconsin ("Issuer").	N/A	June 22, 2011
2. WHD provides Fee Estimate Letter to City Clerk of Issuer and Department of Commerce ("DOC").	City Clerk signs Fee Estimate Letter and returns to WHD.	June 22, 2011
3. WHD / Borrower provide Job Estimate to Issuer, DOC and union representatives (if any).	N/A	June 22, 2011
4. WHD provides Initial Resolution (inducement resolution) to Issuer.	City Clerk includes Initial Resolution in Common Council packets and on Agenda.	June 22, 2011
5. City Clerk provides Notice of Meeting to consider Initial Resolution. Must include job information. See Procedure Letter for required language.	City Clerk provides notice of meeting, including required job language, as per usual Common Council meeting in order to comply with Wisconsin open meetings law.	Notice of meeting provided by City for meeting on July 5, 2011
6. Common Council considers Initial Resolution.	Common Council considers Initial Resolution.	July 5, 2011
7. WHD publishes Notice to Electors.	City Clerk calls Kate L. Albrecht at WHD (414-978-5516) to confirm adoption of Initial Resolution.	July 6, 2011
WHD provides a copy of Initial Resolution and publication date of Notice to Electors to DOC.	City Clerk mails copy of signed Initial Resolution to Kate L. Albrecht.	July 6, 2011
9. WHD provides Issuer with Final Resolution and other documents.	City Clerk includes Final Resolution in Common Council packets and on Agenda. Issuer reviews documents.	TBD
10. City Clerk provides Notice of Meeting to consider Final Resolution. Final Resolution considered approximately 4 weeks after publication of Notice to Electors (#7 above); however, bonds cannot be issued sooner than 30 days after publication of Notice to Electors.	City Clerk provides notice of meeting as per usual Common Council meeting in order to comply with Wisconsin open meetings law.	TBD
11. WHD publishes TEFRA Notice at least 14 days prior to meeting date.	City Clerk includes Notice of Public Hearing on Agenda.	TBD
12. Issuer holds TEFRA public hearing and considers Final Resolution.	Common Council holds TEFRA public hearing, considers Final Resolution, and signs and returns all bond documents provided by WHD to Kate L. Albrecht.	TBD
13. Closing to sign bond documents, issue bonds, fund loan.	N/A - WHD will send a closing book to Issuer upon closing.	TBD

Whyte Hirschboeck Dudek S.C.
Lynda R. Templen, Esq. 414-978-5505

Notice of Intent to Obtain a Municipal Industrial Revenue Bond

Section 66.1103 (4m) (a) 1 of the Wisconsin Statutes requires the person or business who intends to obtain an industrial revenue bond issue from a Wisconsin municipality to notify this intention to the Department of Commerce and to any collective bargaining agent in the state with whom the person or business has a collective bargaining agreement. This notification must occur at least 30 days prior to entering into the revenue agreement or signing the loan contract. The person or business must provide information on the number of full-time jobs that are expected to be eliminated, created, or maintained at the project site and elsewhere in Wisconsin as a result of the project which is the subject of this notice. The person or business named below hereby gives notice of intent to obtain an Industrial Revenue Bond pursuant to s. 66.1103 of the Wisconsin Statutes.

I. Project

A. Person: Mike Thelen, President
 Business: Steele Solutions, Inc./Steele Solutions Properties, LLC
 Address: 9909 South 57th Street
 Post Office/ZIP: Franklin, WI 53132

B. Project site: City of Franklin, Wisconsin
 (Name of city, village or town in which the project is located)

C. Project type: Expansion at Present Location Relocation Within Same Municipality
 Relocation From Within State Relocation from Out-of-State New Business
 Branch-Wisconsin Operation Branch-Out-of-State Operation Other: _____

D. Maximum amount of IRB financing: \$5,400,000

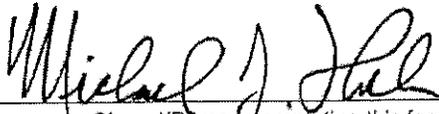
II. Employment Estimates (to result within the next 3 years)

Number of Full-Time Jobs	Before Project	To Be Maintained at New Site	To Be Created	To Be Eliminated	Net Total Number of Jobs
A. <u>At the Project Site</u>	53	53	30	0	83
B. <u>At All Other Wisconsin Operations</u>	0	0	0	0	0
C. <u>Net Totals</u>	53	53	30	0	83

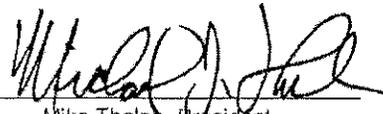
D. Will any jobs transfer from one or more locations to the project site? Yes No

Number of jobs to transfer: N/A

Location(s) the jobs will transfer from: (municipality) N/A



 Signed/Person completing this form



 Mike Thelen, President June 21, 2011
 Date

(414) 367-5110
 Telephone Number

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

COMMON COUNCIL OF
CITY OF FRANKLIN, WISCONSIN

RESOLUTION NO. 2011 - _____

**INITIAL RESOLUTION REGARDING
INDUSTRIAL DEVELOPMENT REVENUE BOND
FINANCING FOR
STEELE SOLUTIONS PROPERTIES, LLC**

WHEREAS, Section 66.1103 of the Wisconsin Statutes (the "Act") authorizes the City of Franklin, Wisconsin (the "Issuer"), to authorize the issuance and sale of bonds by the Issuer to construct, equip, re-equip, acquire by gift, lease or purchase, install, reconstruct, rebuild, rehabilitate, improve, supplement, replace, maintain, repair, enlarge, extend or remodel industrial projects; and

WHEREAS, Steele Solutions Properties, LLC, a Wisconsin limited liability company, and/or a related entity (collectively, the "Borrower"), desires to complete a project consisting of financing the (i) construction of an approximately 34,000 square foot addition to an existing approximately 41,000 square foot facility located at 9909 South 57th Street in the City of Franklin, Wisconsin (the "Facility") which is used by Steele Solutions, Inc., a Wisconsin corporation, to manufacture custom structural steel platforms and structures, (ii) acquisition and installation of equipment at the Facility, (iii) refunding of existing debt issued to finance the construction of the Facility and (iv) payment of certain costs of issuance (collectively, "Phase I"); and the (i) possible construction of a second story office addition to the Facility, (ii) acquisition and installation of equipment at the Facility and (iii) payment of certain costs of issuance ("Phase II" and together with Phase I, the "Project"), all of which would contribute to the well-being of the City of Franklin, Wisconsin; and

WHEREAS, the cost of the Project is presently estimated to be \$5,400,000 and the amount proposed to be financed with one or more issues or series of tax-exempt and/or taxable industrial development revenue bonds (the "Bonds") does not exceed \$5,400,000; and

WHEREAS, it is the public interest of the Issuer to promote, attract, stimulate, rehabilitate and revitalize commerce, industry and manufacturing, to promote the betterment of the economy of the Issuer; and

WHEREAS, the Borrower has requested that the Issuer now approve an initial resolution (the "Initial Resolution") providing for the financing of the Project in an amount not to exceed \$5,400,000; and

WHEREAS, the Issuer is a municipality organized and existing under and pursuant to the laws of the State of Wisconsin, and is authorized to enter into revenue agreements with eligible participants with respect to the Project whereby eligible participants agree to cause said Project to be constructed and to pay the Issuer an amount of funds sufficient to provide for the prompt payment when due of the principal and interest on said industrial development revenue bonds.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Wisconsin, as follows:

1. Based upon representations of the Borrower, it is the finding and determination of the Common Council that the Project is a qualified "project" within the meaning of the Act and that the Borrower is an "eligible participant" within the meaning of the Act. The Issuer shall:

(a) Finance the Project in an amount not to exceed \$5,400,000; and

(b) Issue industrial development revenue bonds in one or more series of tax-exempt and/or taxable bonds (the "Bond(s)"), in an amount not to exceed \$5,400,000 in order to finance costs of the Project.

2. The aforesaid plan of financing contemplates, and is conditioned upon, the following:

(a) The Bonds shall never constitute an indebtedness of the Issuer within the meaning of any state constitutional provision or statutory limitation;

(b) The Bonds shall not constitute or give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers;

(c) The Project shall be subject to property taxation in the same amount and to the same extent as though the Project were not financed with industrial development revenue bonds;

(d) The Borrower shall find a purchaser for all of the Bonds; and

(e) The City's out-of-pocket costs, including but not limited to legal fees and Trustee's fees, in connection with the issuance and sale of the Bonds shall be paid by the Borrower; and

(f) A notice of public hearing required by federal law for purposes of Section 147(f) of the Internal Revenue Code, as amended, shall be published in a newspaper of general circulation in the City of Franklin to provide interested individuals or parties the opportunity to testify as to the Project and the issuance of the Bonds.

3. The aforesaid plan of financing shall not be legally binding upon the Issuer nor be finally implemented unless and until:

(a) The details and mechanics of the same are authorized and approved by a further resolution of the Common Council which shall be solely within the discretion of the Common Council;

(b) The City Clerk shall cause notice of adoption of this Initial Resolution, in the form attached hereto as Exhibit A, to be published once in a newspaper of general circulation in the City of Franklin, and the electors of the City of Franklin shall have been given the opportunity to petition for a referendum on the matter of the aforesaid Bond issue, all as required by law;

(c) Either no such petition shall be timely filed or such petition shall have been filed and said referendum shall have approved the Bond issue;

(d) The City Clerk shall have received an employment impact estimate issued under Section 560.034 of the Wisconsin Statutes;

(e) All documents required to consummate the financing have been duly authorized and delivered; and

(f) The Issuer and the Borrower have resolved all land use and special use issues with respect to the affected property and the Project.

4. Pursuant to the Act, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Borrower having represented that it is able to negotiate satisfactory arrangements for completing the Project and that the Issuer's interests are not prejudiced thereby.

5. The City Clerk is directed, following adoption of this Initial Resolution (i) to publish notice of such adoption not less than one time in the official newspaper of the City of Franklin, Wisconsin, such notice to be in substantially the form attached hereto as Exhibit A and (ii) to file a copy of this Initial Resolution, together with a statement indicating the date the Notice to Electors was published, with the Secretary of Business Development of the State of Wisconsin within twenty (20) days following the date of publication of such notice.

6. This Initial Resolution is an "initial resolution" within the meaning of the Act and official action toward issuance of the Bonds for purposes of Sections 103 and 144 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder. Furthermore, it is the reasonable expectation of the Issuer that proceeds of the Bonds may be used to reimburse expenditures made on the Project prior to the issuance of the Bonds. The maximum principal amount of debt expected to be issued for the Project on the date hereof is \$5,400,000. This statement of official intent is made pursuant to Internal Revenue Code §1.150-2.

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

EXHIBIT A

NOTICE TO ELECTORS OF THE CITY OF FRANKLIN, WISCONSIN

TAKE NOTICE that the Common Council of the City of Franklin, Wisconsin (the "Issuer"), at a regular meeting held at City Hall, 9229 West Loomis Road, Franklin, Wisconsin, on July 5, 2011, adopted an Initial Resolution pursuant to Section 66.1103 of the Wisconsin Statutes, as amended, expressing the intention to issue not to exceed \$5,400,000 of industrial development revenue bonds of the Issuer (the "Bonds") on behalf of Steele Solutions Properties, LLC, a Wisconsin limited liability company, and/or a related entity (collectively, the "Borrower"). The Borrower desires to complete a project consisting of financing the (i) construction of an approximately 34,000 square foot addition to an existing approximately 41,000 square foot facility located at 9909 South 57th Street in the City of Franklin, Wisconsin (the "Facility") which is used by Steele Solutions, Inc., a Wisconsin corporation, to manufacture custom structural steel platforms and structures, (ii) acquisition and installation of equipment at the Facility, (iii) refunding of existing debt issued to finance the construction of the Facility and (iv) payment of certain costs of issuance (collectively, "Phase I"); and the (i) possible construction of a second story office addition to the Facility, (ii) acquisition and installation of equipment at the Facility and (iii) payment of certain costs of issuance ("Phase II" and together with Phase I, the "Project"). The Borrower has represented that the net number of full-time equivalent jobs which the Project is expected to create on the Project site is 23.

Pursuant to the terms of Section 66.1103 of the Wisconsin Statutes, all requirements that the Project be subject to the contracting requirements contained in Section 66.1103 are waived, the Borrower having represented that it is able to negotiate satisfactory arrangements for completing the Project and that the Issuer's interests are not prejudiced thereby.

THE BONDS SHALL NEVER CONSTITUTE AN INDEBTEDNESS OF THE ISSUER, NOR SHALL THE BONDS GIVE RISE TO ANY PECUNIARY LIABILITY OF THE ISSUER, NOR SHALL THE BONDS BE A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWERS OF THE ISSUER. RATHER, THE BONDS SHALL BE PAYABLE SOLELY FROM THE REVENUES AND OTHER AMOUNTS TO BE DERIVED PURSUANT TO THE REVENUE AGREEMENT RELATING TO SAID PROJECT TO BE ENTERED INTO BETWEEN THE ISSUER AND THE BORROWER.

The Initial Resolution may be inspected in the office of the City Clerk at 9229 West Loomis Road, Franklin, Wisconsin, during business hours.

TAKE FURTHER NOTICE THAT THE ELECTORS OF THE CITY OF FRANKLIN MAY PETITION FOR A REFERENDUM ON THE QUESTION OF THE BOND ISSUE. Unless within thirty (30) days from the date of the publication of this Notice a petition signed by not less than five percent (5%) of the registered electors of the City of Franklin is filed with the City Clerk requesting a referendum on the question of the issuance of the Bonds, the Issuer will issue the Bonds without submitting the proposition for the electors' approval. If such petition is filed as aforesaid, then the Bonds shall not be issued until approved by a majority of the electors of the City of Franklin voting thereon at a general or special election.

Sandra L. Wesolowski, City Clerk
City of Franklin, Wisconsin

<p>APPROVAL</p> <p><i>ADP</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/5/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Approval to purchase software and accessories instead of additional laptop computers in the Capital Outlay Fund</p>	<p>ITEM NUMBER</p> <p><i>G.3.</i></p>

In the Capital Outlay Fund items to be acquired require specific budgetary approval. The attached memo from the Fire Department details the change they are requesting.

The change involves purchasing \$13,300 in software and accessories to upgrade all five Tough Book computers into mobile data terminals instead of purchasing two additional laptop computers with three additional laptop computers to be purchased in the future.

The cost of the new solution is \$1,300 more than is currently budgeted for the laptop computers and accessories and the Fire Department proposes to use funds from the EMS Funding Assistance Program for the difference.

COUNCIL ACTION REQUESTED

Motion to approve purchasing software and accessories instead of additional laptop computers in the Capital Outlay Fund.

Attn: Cal Patterson, Director of Finance

Re: Capital Budget Request for Mobile Data Terminals.

I would like to take a few minutes to explain what we would like to do regarding the Mobile Data Terminals expenditure request in the 2011 capital budget, since it is slightly different than the plan that former Assistant Chief Lloyd Bertram initially submitted.

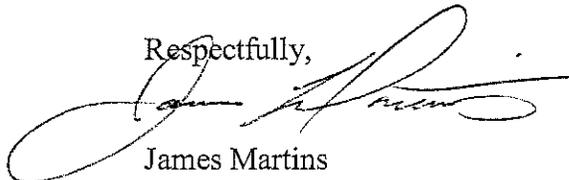
The \$12,000 request that Lloyd originally made was intended to pay for two new laptop computers; along with wireless air cards and routers; and several software programs that together would allow ambulances and/or engines to receive dispatch information, dispatch the nearest apparatus according to GPS coordinates, map a response route, and to store/access information regarding target hazards, building pre-plans, and available water supply. This system would also allow the units to communicate response and on-scene information directly to the dispatch console through the touch-screen, as well as access information on patient medications or poisons.

A.C. Bertram's original plan was to first install these two MDTs in two of our paramedic ambulances, or possibly one in an ambulance and one in an engine. He then planned to budget for additional MDTs for the other front-line apparatus over successive years.

The request that was submitted provided for both the laptop computers and necessary software. However, in consulting with both our IT personnel and the laptop manufacturers, we have determined that the Panasonic Tough Book laptops – which we already utilize on every ambulance for our electronic patient care reports – have more than enough capacity to run all of these programs. By not purchasing two additional laptops, and instead dedicating the money to the software and accessories (mounting cradle, GPS antennae, etc...) we would be able to upgrade four of our existing Tough Books to MDTs; and for an overage of approximately \$1,300 (which we would take from the Wisconsin EMS Funding Assistance Program), we would be able to upgrade all five of our current Tough Books. This would include all of our front-line ambulances.

I believe this would save a great deal of money in the long term. It would also be much more user-friendly to our personnel from the start, and better utilize equipment and capabilities that we already have.

Respectfully,



James Martins
Fire Chief

<p>APPROVAL</p> <p><i>Slaw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/05/11</p>
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<p>REPORTS & RECOMMENDATIONS</p>	<p>2012 Milwaukee County Community Development Block Grant (CDBG) Program Application</p>	<p>ITEM NUMBER</p> <p>G.4.</p>
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The City has received notice from Milwaukee County establishing a tentative proposal submission deadline for the 2012 Community Development Block Grant Applications of Friday, August 19, 2011. The application process does require that a public hearing be held for the purpose of obtaining comments on the City's specific proposed use of Community Development funds for 2012 and to gather additional ideas and proposals for possible use.

The Director of Administration is requesting that the Common Council schedule the required public hearing for the August 2, 2011 Common Council Meeting. The attached "Notice of Public Hearing" will be published in the paper on Thursday, July 14th, for the August 2, 2011 Public Hearing.

Common Council action will also need to be taken on the 2012 CDBG Applications at the August 2, 2011 meeting in order to submit the applications to Milwaukee County by August 19, 2011.

Any funding requests or suggestions should be submitted to the Director of Administration as soon as possible.

COUNCIL ACTION REQUESTED

Motion to schedule a Public Hearing and consideration of Grant Applications for the August 2, 2011 Common Council Meeting for the 2012 Milwaukee County Community Development Block Grant (CDBG) Program.

CITY OF FRANKLIN

NOTICE OF PUBLIC HEARING

RE: Milwaukee County Community Development Block Grant Application

PLEASE BE ADVISED that the Common Council of the City of Franklin will hold a public hearing on Tuesday, August 2, 2011, at 6:30 p.m., or soon thereafter as the matter may be heard, at Franklin City Hall, Common Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin, in accordance with the regulation under Title I of the Housing and Community Development Act of 1974.

The purpose of the hearing is to provide local residents the opportunity to comment regarding the City of Franklin's request of funds from Milwaukee County's Community Development Block Grant Program for 2012. Individuals seeking additional information in advance of the public hearing may contact the Department of Administration at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours (Monday-Friday, 8:30 a.m. to 5 p.m.).

At this hearing, citizens are invited to inform municipal officials of local community development and housing needs and to comment on proposed projects eligible for Community Development Block Grant funding. The request is subject to revision and modification following the public hearing, as determined by the Common Council. After the hearing and following action by the Common Council, the City will apply to Milwaukee County for the allocation of CDBG funds.

Dated this 14th day of July, 2011.

MARK W. LUBERDA
DIRECTOR OF ADMINISTRATION

<p>APPROVAL</p> <p><i>Slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/05/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Resolution Authorizing the Mayor and City Clerk to Execute Such Agreements and Instruments Necessary to Provide for the Continuing Participation of the City of Franklin with Milwaukee County in the Community Development Block Grant Program and the Home Investment Partnership Program</p>	<p>ITEM NUMBER</p> <p>G.5.</p>

Attached is a resolution authorizing the Mayor and City Clerk to execute such agreements and instruments necessary to provide for the continuing participation of the City of Franklin with Milwaukee County in the Community Development Block Grant Program and the Home Investment Partnership Program for the fiscal years of 2012, 2013, and 2014.

In August 2008, the Common Council authorized a similar resolution for the City to enter into an Intergovernmental Cooperation Agreement with Milwaukee County for the period 2009 through 2011. The two differences between the current agreement and this new attached agreement are the years for which the new agreement is effective (2012-2014) and the change in the yearly CDBG distribution formula as spelled out on Page 2 of the attached agreement under "Consideration". The distribution formula, as previously set and approved by the ICC, is made up of an equal share for each municipality, a proration based on the municipality's population, and a proration based on the municipality's low income population, all as defined by the Housing and Community Development Act of 1974 as amended.

COUNCIL ACTION REQUESTED

Motion to approve Resolution No. 2011-_____ A Resolution Authorizing the Mayor and City Clerk to Execute Such Agreements and Instruments Necessary to Provide for the Continuing Participation of the City of Franklin with Milwaukee County in the Community Development Block Grant Program and the Home Investment Partnership Program.

RESOLUTION NO. 2011-_____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SUCH AGREEMENTS AND INSTRUMENTS NECESSARY TO PROVIDE FOR THE CONTINUING PARTICIPATION OF THE CITY OF FRANKLIN WITH MILWAUKEE COUNTY IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE HOME INVESTMENT PARTNERSHIP PROGRAM

WHEREAS, the City of Franklin previously entered into an Intergovernmental Cooperation Agreement with Milwaukee County for the period 2009 through 2011 for the administration of the Federal Community Development Block Grant Program and the Federal Home Investment Partnership Program, both programs providing Federal financial assistance per their terms to local communities and the City of Franklin having historically received and applied funds every year at least from the Community Development Block Grant Program; and

WHEREAS, counties in Wisconsin, pursuant to Wisconsin Statutes 59.01, and municipalities in Wisconsin, pursuant to Wisconsin Statutes 66.0301 have the necessary authority to enter into contracts of the type herein contemplated; and

WHEREAS, the continued participation in the Community Development Programs requires approval of a Cooperation Agreement with Milwaukee County through the form of a resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Mayor and City Clerk be and the same are hereby authorized to execute and deliver such agreements and instruments as they may determine necessary to allow for the continued participation of the City of Franklin with Milwaukee County in the cooperative administration of the Federal Community Development Block Grant Program and the Federal Home Investment Partnership Program, for the Federal fiscal years of 2012, 2013, and 2014, within the general terms and requirements of those laws regulating such Programs, and to deliver such agreements and instruments as may be required to make them effective.

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

COOPERATION AGREEMENT

THIS AGREEMENT entered into on this _____ day of _____, 2011,
by and between Milwaukee County, Wisconsin (hereinafter referred to as "The County") and the
_____, (hereinafter referred to as "The Municipality").

WITNESSETH:

WHEREAS, the United States Congress enacted the Housing and Community Development Act of 1974 (P.L. 93-383) as amended, (hereinafter referred to as "The Act") providing Federal assistance for the support of community development activities which are directed toward the specific objectives identified in Section 101 of The Act; and

WHEREAS, the United States Congress also enacted the Cranston-Gonzalez National Affordable Housing Act (P.L. 100-625) as amended, (hereinafter referred to as NAHA) providing Federal assistance for, among other things, the HOME Investment Partnership program (hereinafter referred to as HOME) which is intended to increase the number of families served with decent, safe, sanitary, and affordable housing and to expand the long-term supply of affordable housing; and

WHEREAS, The Act makes possible the allocation of funds to Milwaukee County for the purpose of undertaking only community development program activities identified in Section 105 of The Act; and

WHEREAS, NAHA makes possible the allocation of funds to Milwaukee County for the purpose of undertaking housing programs identified in Section 211 of NAHA; and

WHEREAS, the County intends to apply to the U.S. Department of Housing and Urban Development (hereinafter referred to as "HUD") for funds authorized under The Act and NAHA; and

WHEREAS, The Act recognizes that The Municipality may enter into cooperation agreements with The County in order to undertake housing and community development activities as authorized in Section 105 of The Act; and

WHEREAS, The County and The Municipality have determined that joint action is an effective way to accomplish the purposes of said Act and NAHA; and

WHEREAS, counties in Wisconsin, pursuant to Wisconsin Statutes 59.01 and municipalities in Wisconsin, pursuant to Wisconsin Statutes 66.0301 have the necessary authority to enter into contracts of the type herein contemplated;

NOW, THEREFORE, upon the consideration of the mutual promises contained herein, it is agreed between The County and The Municipality as follows:

PURPOSE

The purpose of this Agreement is to establish the mutual desire to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, by means of submitting a Consolidated Plan and Annual Action Plan for both HUD Community Development Block Grant Funds (CDBG) as an Urban County from Federal Fiscal Years 2012, 2013, and 2014 appropriation and from any program income generated from the expenditure of such funds, and HUD HOME funds from appropriations in the same three (3) Federal Fiscal years and from any program income generated from the expenditure of such funds.

CONSIDERATION

The Municipality, by the execution of this Cooperation Agreement, agrees to have its yearly CDBG allocation based upon three factors: equal share, population, and extent of poverty all as defined in The Act, included in the formula allocation set forth in The Act for the purpose of determining the allocation of funds to The County. The County agrees to include The Municipality as part of its Annual Action Plan to be submitted to HUD under the terms and conditions of The Act.

RESTRICTIONS

Neither Milwaukee County nor The Municipality shall have a veto or other restrictive power which would in any way limit the cooperation of the parties to this Agreement or obstruct the implementation of the approved Consolidated Plan during the period covered by this Agreement.

TERM

The term of this Agreement shall be three (3) years commencing the day of execution and continuing through the three entire Program Years 2012, 2013, and 2014 and for such additional time as may be required for the expenditure of program income received and of funds granted through The Act and NAHA to Milwaukee County for such period, as defined by HUD regulations and included within HUD Notice CPD 05-01. A municipality executing an Agreement for participation shall not have the opportunity to terminate or withdraw from the Agreement during the period that this Agreement is in effect. This Agreement shall be in effect for three successive years and remain in effect until the CDBG and HOME funds and program income received with respect to activities carried out during the three-year period are expended and the funded activities completed.

PROVISIONS

Milwaukee County and the _____ agree to undertake all actions necessary to assure compliance with Milwaukee County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, provisions of the National Environmental Policy Act of 1969, and other applicable laws. In addition, The Municipality is subject to the same requirements applicable to subrecipients, pursuant to 24 CFR 570.501(b), including the requirement of a written agreement as set forth in 24 CFR 570.503.

Non-compliance by The Municipality with any of the provisions above may constitute non-compliance by The County which may provide cause for funding sanctions or other remedial actions by the Department of Housing and Urban Development. Further, Urban County Community Development funding is prohibited for activities in or in support of any cooperating unit of government that does not affirmatively further fair housing within its own jurisdiction or that impedes The County's actions to comply with its fair housing certification.

Nothing contained in this Agreement shall deprive any Municipality of any power of zoning, development control or other lawful authority that it presently possesses.

Pursuant to HUD regulations, The Municipality may not apply for grants under the Small Cities or State CDBG Programs from appropriations for fiscal years during the period in which it is participating in the Urban County's CDBG program.

Pursuant to HUD regulations, The Municipality may not participate in a HOME consortium except through The County, regardless of whether The County receives a HOME formula allocation. However, this Agreement does not preclude The County or The Municipality from applying for State HOME funds.

The Municipality attests that it has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

The Municipality must inform The County of any income generated by the expenditure of Community Development Block Grant funds received by The Municipality.

Any such program income must be paid to The County, or if the completion of an approved activity should require the use of program income, The Municipality may retain said income upon mutual agreement of The County and The Municipality.

Any program income The Municipality is authorized to retain may only be used for eligible activities in accordance with all Community Development Block Grant requirements as may then apply.

The Municipality must establish and maintain appropriate record keeping and reporting of any retained program income and make such available to The County in order that The County can meet its monitoring and reporting responsibilities to the U.S. Department of Housing and Urban Development.

If the Milwaukee County Urban County Community Development program is, at some future date, closed-out, or if the status of The Municipality's participation in the Milwaukee County Urban County Community Development program changes, any program income retained by The Municipality, or received subsequent to the close-out or change in status, shall be paid to The County.

If The Municipality utilizes in whole or in part, funds covered by this Agreement to acquire and/or improve real property which will be within the control of the Municipality, then the following standards shall apply:

1. The Municipality will notify The County in advance of any modification or change in the use of real property from that planned at the time of the acquisition or improvement, including disposition;
2. The Municipality will, if acquired or improved property is sold or transferred for a use which is not an eligible Community Development Block Grant activity, reimburse The County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-Community Development Block grant Funds); and

3. Program income generated from the disposition or transfer of property acquired and/or improved in whole or in part with Community Development Block Grant funds prior to or subsequent to the close-out, change of status, or termination of this Cooperation Agreement shall be treated under the provisions of this Agreement concerning program income.

The above Cooperation Agreement has been authorized by the governing body of the _____, by law, dated _____ (copy attached), and is executed this _____ day of _____, 2011 by the Chief Executive of the _____.

Name: _____

Title: _____

Name: _____

Title: _____

The above Cooperation Agreement has been authorized by the Milwaukee County Board of Supervisors under Resolution No. _____, dated _____, (copy attached), and is executed this _____ day of _____, 2011 by the Director of the Department of Health and Human of Milwaukee County.

Geri Lyday, Interim Director
Department of Health and Human Services

<p style="text-align: center;">APPROVAL</p> <p><i>Stev</i> <i>M. W. W.</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">7/5/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Authorizations necessary to proceed with the CDBG project "Handicap Accessibility Sidewalk to Clare Meadows" (51st Street Clare Meadows north to Rawson) including seeking additional CDBG funding, use of Capital Improvement Fund unspecified fund balance, and initiation of project action steps</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.6.</i></p>

The Common Council has taken multiple steps to approve the installation of a sidewalk along 51st Street to provide handicapped and senior accessibility to Clare Meadows, a seniors living facility, and to provide the seniors at Clare Meadows a valuable walkable linkage between Clare Meadows and the retail grocery and pharmacy stores along Rawson. Most recently the Common Council approved the CDBG project agreement. This project made a good complement to last year's effort which extended a sidewalk south enabling this senior population safe and handicapped accessible access to the community's walking trails that can provide valuable exercise and a beneficial social outlet. Prior to its approval by Common Council, Staff indicated that the project would require "approximately \$50,000 in non-CDGB resources." The final project was submitted as a two-year, phased project with the first year going from Clare Meadows to Minnesota Avenue and the second going from Minnesota Avenue to Rawson Avenue.

Initial cost estimates for the project had been based roughly upon the cost experience for the southern portion of the sidewalk. Unfortunately, preliminary engineering indicates that the rougher terrain and site conditions going north increase the costs of the project. Insufficient funding is available, even incorporating the anticipated City contribution.

I have been working with Milwaukee County, who coordinates the County-wide CDBG efforts, to identify options. One community in the county-wide consortium, River Hills, has unused funding available which must be spent very soon but they have no current projects available. Milwaukee County is working with them and has asked that Franklin deliver a request to River Hills (draft attached) for them to transfer their available resources to Franklin (\$63,747). If approved by their board, Milwaukee County will issue the necessary contract amendment. In accepting these added resources, if so allowed by the Village of River Hills, the City of Franklin must complete the stretch to Minnesota Avenue this year and must complete the Phase 2 portion to Rawson next year. Carrying funds over between years would not be viable, and not completing phase 2 in 2012 could be problematic. With Milwaukee County CDBG contracts coming out so late this year the project is behind schedule; nonetheless, Engineering indicates that the sidewalk to Minnesota could still get final design and be installed this year with site restoration completed by DPW in the spring.

Following is a summary showing approximately how the financing of the project would occur.

	2011	2012	Project
	Phase 1	Phase 2	Total
Construction Estimate	\$112,030	\$56,630	\$168,660
Restoration	\$10,500	\$6,120	\$16,620
Estimated Cost Less Restoration	\$101,530	\$62,750	\$164,280
Approx. 20% Contingency	\$22,970	\$17,250	\$40,220
Max. Estimated Cost	\$135,000	\$80,000	\$215,000
Funding			
City's Initial 2011 CDBG Allocation	\$40,500		
Reduction due to Federal Funding	\$3,078		
City's Net 2011 CDBG Allocation	\$37,422		
Additional Available CDBG Allocation	\$63,747		
TOTAL CDBG ALLOCATION	\$101,169	\$33,372	\$134,541
NET COST TO CITY			
Base Construction Estimate	\$361	\$23,258	\$23,619
Restoration	\$10,500	\$6,120	\$16,620
All Contingency	\$22,970	\$17,250	\$40,220
Maximum Potential City Cost	\$33,831	\$46,628	\$80,459

The above table shows the resources required to install the sidewalk during 2011. Note, however, that although the concrete sidewalk to Minnesota Avenue can be constructed during 2011, the restoration will need to occur in the spring of 2012 (due to the potential late season concrete pour). Since the contract executed as part of the 2011 project must be completed and closed in 2011 in order to use the additional resources, the restoration of this area in 2012 will use City staff and resources. The Table above also shows that the entire project, through 2012, is estimated to require City funding of just over \$40,000 with an additional \$40,000 in contingency possible, which is not inconsistent with the original very rough estimate of \$50,000. Although it is unlikely that the full \$40,000 in contingency will be required, the City should expect that some contingency will be needed (for example to acquire some temporary slope easements in some areas in order to "smooth" the sidewalk location into existing yard slopes) and must recognize the possibility that it all could be needed.

The Council Action Sheet for 6/7/11, where the Common Council approved the CDBG Project "Handicap Accessibility Sidewalk to Clare Meadows," noted that "There is currently \$50,000 unspecified available in the Capital Improvement Fund." As part of the action to move forward, the Common Council should authorize the necessary funds to cover the potential project shortfall as discussed above.

I understand that since the project first moved forward, the Trails Committee has since discussed other potential needs for and benefits of a sidewalk along this route; nonetheless, it is important to remember that this project is intended to serve the senior and handicapped population of Clare Meadows to improve their health, quality of life, and access to basic life needs that can help them sustain independent living.

COUNCIL ACTION REQUESTED

Motion to direct the Director of Administration to request a CDBG funding transfer to seek additional CDBG funding, authorize the Director of Administration to execute the necessary CDBG contract amendments if additional funding is provided, authorize use of up to \$25,000 of the unspecified fund balance in the Capital Improvement Fund in 2011, recommend the 2012 Capital Improvement Fund budget incorporate up to \$55,000 for the City's share of Phase 2 project costs, and authorize staff to complete the design the sidewalk, obtain bids for installation, and pursue limited slope easements where necessary.

DRAFT

July 6, 2011
Mr. Thomas Tollaksen
Village Manager
Village of River Hills
7650 N. Pheasant Lane
River Hills, WI 53217

Re: Request for Transfer of Milwaukee County CDBG Funds to the City of Franklin

Dear Mr. Tollaksen,

It is our understanding that Mr. Leonard Jackson of the Milwaukee County Community Development Block Grant (CDBG) Program Office has contacted you about the City of Franklin needing some additional CDBG funding in order to complete one of its 2011 certified CDBG projects. The project being referred to is the "Franklin Handicap Accessibility to Clare Meadows," where funding is to be provided to pay for a sidewalk to provide accessibility to the elderly residents of the Clare Meadows Senior Housing facility. The project is being done in two phases; Phase I incorporating sidewalk from the entrance to Clare Meadows Senior Housing facility north to approximately W. Minnesota Avenue and Phase II completing the sidewalk from W. Minnesota Avenue to Rawson Avenue. Once complete, this project will benefit approximately 287 senior residents, giving them walking access to a commercial/retail area of grocery shopping, a pharmacy, restaurants, and other services along Rawson Avenue. This project will help improve their health, quality of life, and ability to sustain independent living.

Due to the total 2011 Milwaukee County CDBG allocation being reduced county-wide by 7.6% and to conditions identified in the field, available funds will not allow the City of Franklin to complete the Phase I portion of this sidewalk project for 2011. Therefore, the City of Franklin wishes to respectfully request from the Village of River Hills a permanent transfer of its unexpended CDBG funds in the amount of \$63,747.42 to the City of Franklin in order to complete this CDBG project. With this transfer of funds the City of Franklin will be able to commit to completing both phases of the sidewalk project. As an indicator of our support for this project, you should be aware that in addition to the CDBG funding, the City of Franklin is committing between \$40,000 and \$80,000 of its own resources, depending up the need for use of project contingencies.

We truly appreciate the Village of River Hills' consideration of this request. For your convenience, I have attached a draft of the CDBG contract amendment as prepared by Mr. Jackson. Please feel free to contact me at 858-1100 should you need any additional information pertaining to this transfer request or the project itself.

Sincerely,

Mark W. Luberda
Director of Administration

MWL/lh

AMENDMENT TO THE FOLLOWING
COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENTS
BETWEEN MILWAUKEE COUNTY, VILLAGE OF RIVER HILLS AND THE CITY OF FRANKLIN

3R29/209528 2011	Northshore Library Accessibility Unallocated Funds Unallocated Funds	Agreement executed February 12, 2009 No Agreement No Agreement
---------------------	--	--

It is agreed that Community Development Block Grant funding in the amount of \$22,072.42 from the 3R29/209528 Northshore Accessibility project be transferred to the 3K16/211709 Clare Meadows Handicap Accessibility project.

It is agreed that Community Development Block Grant funding in the amount of \$20,053.00 from 3F39/209572 Unallocated Funds be transferred to the 3K16/211709 Clare Meadows Handicap Accessibility project.

It is agreed that Community Development Block Grant funding in the amount of \$21,622.00 from Unallocated Funds be transferred to the 3K16/211709 Clare Meadows Handicap Accessibility project.

This amended project shall operate in conformance with all other considerations and requirement included in the original agreement (Identifier 3K16/211709).

As a result of these transfers of funds, the amounts allocated to the affected project and the unreimbursed balance is as follows:

PROGRAM YEAR	PROJECT	ALLOCATED	UNREIMBURSED BALANCE
2009	Northshore Library Accessibility Project	\$ 22,072.42	\$ 0.00
2010	Unallocated Funds	\$ 20,053.00	0.00
2011	Unallocated Funds	\$ 21,622.00	0.00
2009	Northshore Library Accessibility Project	\$ 22,072.42	\$ 22,072.42
2010	Unallocated Funds	\$ 20,053.42	\$ 20,053.00
2011	Unallocated Funds	\$ 21,622.00	\$ 21,622.00
3K16/211709 Project Total		\$ 63,747.42	\$ 63,747.42

EXECUTED BY:

FOR THE VILLAGE OF RIVER HILLS

Bob Brunner, President

Date

Barbara Goeckner, Clerk

Date

FOR THE CITY OF FRANKLIN

Thomas Taylor, Mayor

Date

Sandra Wesolowski, Clerk

Date

FOR MILWAUKEE COUNTY

Geri Lyday, Interim Director
Department of Health & Human Services

Date

Control Number: 1

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i>		7/5/11
Reports & Recommendations	SUBJECT: The Franklin Engineering Departments seeks authorization to complete the development of Serenity Estates Subdivision. The work to be performed as part of the 2011 Local Road Program.	ITEM NO. <i>G.7.</i>

BACKGROUND

This development is at a point that the surface course of pavement needs to be installed. The development company, Equitable Development LLC, the developer no longer exists as a registered corporation. Letters have been sent to the principals asking for the development to be completed. No reply has been received at the requested deadline date of June 15, 2011.

ANALYSIS

The existing pavement base course is showing signs of deterioration and Department of Public Works Superintendent recommends that the surface course of asphalt pavement be installed and public utility adjustment be performed.

OPTIONS

Do nothing

or

Approve authorization

FISCAL NOTE

The remaining funds in an escrow deposit for this development is \$30,256.43. The engineering estimate to install the surface course of asphalt pavement and make to necessary repairs is \$27,600.00. The actual cost for this work will be the sum of unit prices taken from the bid items approved in the 2011 Local Road Program.

RECOMMENDATION

The Franklin Engineering Department is authorized to complete the development of Serenity Estates Subdivision. The work to be performed as part of the 2011 Local Road Program.

MJB/sg

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>07/05/2011</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Resolution Establishing Ward Boundaries Following the 2010 Federal Census</p>	<p>ITEM NUMBER</p> <p><i>G.8.</i></p>

Attached is a resolution establishing new ward boundaries, as required by §5.15, Wis. Stats., following each Federal Census. Also attached is the current aldermanic district and ward boundary map that was adopted on August 14, 2001,. (The Director of Clerk Services will be present to provide statistics, Census information, and redistricting requirements at the Common Council meeting.)

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2011-____, A RESOLUTION ESTABLISHING WARD BOUNDARIES IN THE CITY OF FRANKLIN FOLLOWING THE 2010 FEDERAL CENSUS.

OR

As directed.

RESOLUTION NO. 2011-____

A RESOLUTION ESTABLISHING CITY OF FRANKLIN WARD BOUNDARIES
FOLLOWING THE 2010 FEDERAL CENSUS

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

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

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

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

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

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

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

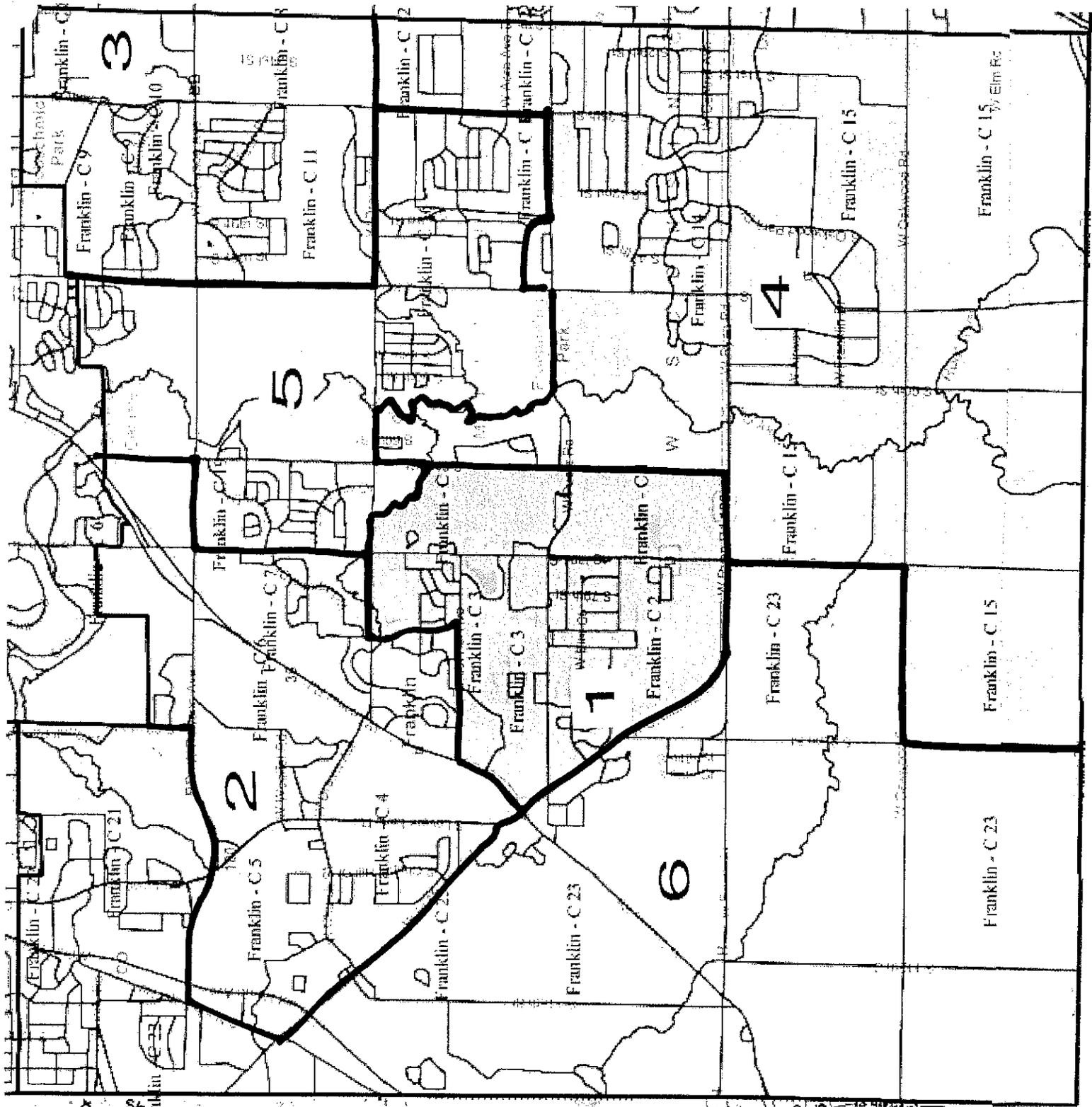
APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____



Plan A (6/30/11)

Aldermanic District Totals:		35,451	Total	Population						
AD 1 Wards 1, 2, 3	5890	AD 4 Wards 12, 13, 14, 15	5937							
County Supervisory Districts 11 and 17		County Supervisory Districts 9 and 11								
Franklin School		Franklin School and Oak Creek-Franklin School								
AD 2 Wards 4, 5, 6, 7	5856	AD 5 Wards 16, 17, 18, 19	5857							
County Supervisory Districts 9 and 17		County Supervisory Districts 9, 11, and 17								
Franklin School		Franklin School and Oak Creek-Franklin School								
AD 3 Wards 8, 9, 10, 11	6064	AD 6 Wards 20, 21, 22, 23	5847							
County Supervisory Districts 9 and 11		County Supervisory Districts 9 and 17								
Franklin School and Oak Creek-Franklin School		Franklin School and Whitnall School								
District	Population Target	Within Range	White	Hispanic	Black	American Indian	Pacific	Asian	Other	Other/m/lt
Franklin - C1	1809 600 to 2100	Yes	443	109	1244	3	0	6	0	4
Franklin - C2	2022 600 to 2100	Yes	1849	69	14	13	1	73	2	1
Franklin - C3	2059 600 to 2100	Yes	1917	54	22	11	0	52	3	0
Franklin - C4	1415 600 to 2100	Yes	1242	96	24	2	1	46	3	1
Franklin - C5	1078 600 to 2100	Yes	1004	30	17	4	0	16	0	7
Franklin - C6	1283 600 to 2100	Yes	1089	34	29	3	0	125	0	3
Franklin - C7	2080 600 to 2100	Yes	1962	55	23	7	0	32	0	1
Franklin - C8	1835 600 to 2100	Yes	1326	170	76	19	0	233	0	11
Franklin - C9	1768 600 to 2100	Yes	1333	122	40	15	0	242	2	14
Franklin - C10	683 600 to 2100	Yes	533	25	16	1	0	106	0	2
Franklin - C11	1778 600 to 2100	Yes	1530	79	18	6	0	127	0	18
Franklin - C12	1259 600 to 2100	Yes	1114	47	15	11	0	69	0	3
Franklin - C13	1706 600 to 2100	Yes	1518	56	36	7	0	85	0	4
Franklin - C14	1584 600 to 2100	Yes	1356	86	21	6	4	104	2	5
Franklin - C15	1388 600 to 2100	Yes	1188	79	21	13	2	83	1	1
Franklin - C16	1982 600 to 2100	Yes	1684	68	41	8	0	169	9	3
Franklin - C17	1178 600 to 2100	Yes	977	45	12	0	0	142	0	2
Franklin - C18	788 600 to 2100	Yes	651	34	17	6	0	77	3	0
Franklin - C19	1909 600 to 2100	Yes	1712	78	31	10	2	75	0	1
Franklin - C20	1457 600 to 2100	Yes	1263	75	33	7	0	75	1	3
Franklin - C21	701 600 to 2100	Yes	598	35	17	7	2	42	0	0
Franklin - C22	1878 600 to 2100	Yes	1762	52	10	15	2	34	3	0
Franklin - C23	1811 600 to 2100	Yes	1640	94	17	6	0	48	6	0

Guidelines for Adjusting Municipal Wards Following the 2010 Federal Census

State of Wisconsin
Legislative Reference Bureau

March 2011

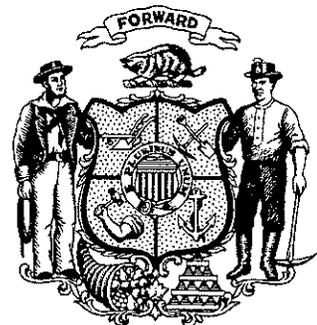


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GUIDELINES FOR ADJUSTING MUNICIPAL WARDS FOLLOWING THE 2010 FEDERAL CENSUS

This bulletin provides information on the ward subdistricting process, the statutory requirements and legal deadlines that must be met, and the relationship among state, county, and local governments in establishing and using municipal wards to form election districts.

For municipal and county clerks, this bulletin supplements the release of detailed population data reflecting the results of the 2010 decennial federal census. It provides guidance to counties and municipalities regarding adjusting ward boundaries so that wards may be combined to form election districts at every level of government.

I. WHAT IS A WARD AND HOW IS IT USED?

Definition

What we in Wisconsin call a “ward” is referred to as a “precinct” in other states or a “voting district” (vtd) by the Census Bureau. Wards do not constitute election districts from which municipal officials are elected, and thus are not subject to the “one person, one vote” requirement which governs the formation of election districts. Instead, wards are intended to serve as administrative subunits that are aggregated into election districts of equal population. Cities, villages, and towns form municipal wards by combining whole census blocks. Municipalities are required to adjust ward boundaries following the decennial federal census to conform to statutorily prescribed population ranges and meet other requirements including compactness, contiguity, and community of interest. Once established, wards serve as the building blocks used by the legislature, counties, and cities in redistricting their respective election districts.

Why Use Wards to Form Election Districts?

The initial rationale for establishing municipal wards was to give local governments the opportunity to influence the delineation of the boundaries of census tracts and enumeration districts and have a useful tool for planning purposes. As the result of enactment of federal legislation in 1975 (P.L. 94-171), municipalities were given the opportunity to receive population data for voting districts as well as census geography. The establishment of wards was made mandatory following the 1980 Census, and the legislature and courts have used those wards to form legislative districts. This is in contrast to previous legislative redistricting that relied on geographic descriptions to define the boundaries of legislative districts.

The use of locally defined wards which take into account growth patterns, communities of interest, and geography rather than the population collection units devised by the Census Bureau, provides a more meaningful building block to form election districts.

In addition, using the same wards to describe the boundaries of aldermanic, supervisory, and legislative districts aids voters and election officials.

Who Is Required to Establish Wards?

Section 5.15, Wisconsin Statutes, requires that all cities, villages, and towns with a population of 1,000 or more establish wards. Municipalities under 1,000 population may establish

wards if they choose to. In addition, a county board may request that a municipality within the county establish a ward or wards if the county board proposes to place the municipality in two or more supervisory districts. The governing body of a municipality – the common council or village or town board – is responsible for establishing ward boundaries. An ordinance or resolution describing the ward boundaries must be adopted by a majority of the members of the governing body.

Requirements for Constructing Wards

In creating wards, municipalities are required to follow the standards specified in Section 5.15 of the statutes. Wards must:

- *Be comprised of whole census blocks*
Wards are constructed by aggregating whole census blocks so that the population of the ward falls within a predetermined range (see: Population Ranges of Wards, p. 3-4). The census block is the smallest unit for which population is tabulated, and is typically bounded by streets or other prominent physical features. Political boundaries (municipal limits and county lines) may also serve as block boundaries. Blocks may be as small as a typical city block bounded by four streets or as large as several square miles in rural areas. They usually contain fewer than 100 people. [5.15 (1)(b)]
There are two exceptions to the “whole block” requirement. A municipality may split a census block if its population is too large to permit the establishment of aldermanic districts of equal population. If annexed or detached territory divides a block, the affected municipalities may incorporate only the portion of the block contained within their boundaries. [5.15 (2) (c) and (g)]
Any division of blocks must be based on the best evidence available of where the block’s residents actually live. “Best evidence” includes data such as housing units, utility connections, and vehicle registrations. [5.15 (2) (cm)]
- *Suit the convenience of voters*
Wards should “as far as practicable”, be kept compact and observe the community of interest of existing neighborhoods. [5.15 (1) (b)]
- *Be comprised of contiguous territory*
The only exception is island territory which is defined as territory separated from the major part of the municipality by water or the territory of another municipality. [5.15 (1) (b)]
- *Take into account the county supervisory district plan*
Municipalities must make a “good faith effort” to accommodate the tentative county supervisory district plan by establishing wards which meet the county’s needs. [5.15 (2) (d)]
- *Consider population and racial and ethnic characteristics*
Wards must be constructed in a manner that permits the creation of supervisory and aldermanic districts of substantially equal population. They must also enhance the participation of members of racial or language minority groups in the political process and their ability to elect representatives of choice. [5.15 (2) (bm); 5.15 (1) (a) 2.]
- *Comply with the population ranges specified by law*
See Section on Population Ranges of Wards.
- *Lie entirely within one municipality and one county*

Wards may not cross municipal or county lines. [5.15. (1) (d)]

- *Reflect the municipal boundaries in place on August 1, 2011*

By specifying a uniform “snapshot” date for municipal boundaries, discrepancies are avoided in municipal boundaries, which is especially important for those also forming the boundaries between legislative districts. [5.15 (1) (b)]

Annexations

In general, annexations take effect on the date specified by the annexation ordinance or resolution. For purposes of adjusting ward boundaries, however, territory affected by annexations and detachments occurring up to August 1, 2011, must be incorporated in the ward plan adopted by the municipality. Annexations (or detachments) which occur after August 1, 2011, are not delayed because of redistricting but are not relevant for purposes of municipal subdistricting or legislative redistricting. Thus, municipal wards and legislative districts will reflect the same municipal boundaries in effect on the August 1, 2011, “snapshot” date.

Two additional points relating to annexations bear mentioning. The first is that once the boundaries of legislative districts are established by the legislature, annexations, consolidations, detachments, or any other action by a municipality cannot alter legislative districts. If a city or village annexes territory that is part of an adjacent assembly district, the annexed territory remains, for the rest of the decade, in the assembly district in which it was placed by the legislature. The second point relates to the population of the annexed or detached territory. Because all redistricting must be based on the population as reported by the decennial federal census which enumerates inhabitants according to their residences on April 1, 2010, the population of territory shifted by annexation between April 1, 2010 (the date used by the U.S. Bureau of the Census to determine place of residence), and August 1, 2011 (the date used by the legislature to determine municipal boundaries) must be computed using the location of residents on April 1, 2010. For purposes of redistricting, all population remains in the municipality where it was located on August 1, 2011, and cannot be counted in another municipality because of a subsequent annexation or detachment, although for purposes of elections, municipalities may adjust aldermanic district boundaries to reflect annexations and detachments after they become effective.

Population shifts occurring during the decade are not reflected in supervisory or aldermanic districts recorded until the next decennial census is taken, except that a county may alter the boundaries of its supervisory districts during mid-decade to reflect municipal boundary changes and a city may adjust the number of aldermanic districts in the city not more than once every two years, using the existing wards.

Thus, for purposes of redistricting, municipal boundaries must be shown as of August 1, 2011, and population must be allocated as reported by the Census Bureau based on residence as of April 1, 2010.

Population Ranges of Wards

The population ranges for wards were not arrived at arbitrarily; they were intended to approximately correspond to the population ranges of the geographic reporting units used by the U.S. Bureau of the Census.

Statute Section 5.15 (1) (a) directs that the population of a ward be established at a “convenient point” within the population range set by law with “due consideration for the known trends of population increase or decrease”. Thus, the population of each ward should be set

at a level which is consistent with the prescribed population ranges, and which can accommodate fluctuations in population over a relatively long time.

Section 5.15 (2) (b) establishes specific population ranges, tied to the population of the municipality, that wards must fall within:

Population of Municipality	Ward Population Range
Cities over 150,000	1,000 to 4,000
Cities 39,000 to 149,999	800 to 3,200
Cities, villages, or towns	
10,000 to 38,999	600 to 2,100
1,000 to 9,999	300 to 1,000
Cities, villages, or towns to 999 . .	no division required

Wards may be established below the prescribed population ranges under several specified circumstances. These situations include territory which is located in a county or school district other than the county or school district in which the major part of the municipality is located; island territory containing resident population; territory which becomes part of a municipality after the adoption of a decennial ward plan; territory consisting of a portion of a ward the remainder of which has been detached from a municipality; and wards established to permit the creation of supervisory districts of equal population.

Adjusting Ward Boundaries in 2011

Ward boundaries are intended to be as permanent as possible with changes made only to accommodate changes in population growth patterns, alterations in municipal boundaries, or the mathematical requirements of creating election districts of equal population. Ward boundaries require adjustment under the following circumstances:

- *To reflect changes in population*
Municipalities are required to adjust the boundaries of those wards which, according to the 2010 Census of Population, have either gained or lost population and as a result no longer fit with the statutory population ranges. A ward which exceeds the maximum of the applicable population range is to be divided into two or more wards; a ward which falls below the minimum of the applicable population range is to be combined with an adjacent ward or combined with the adjacent ward and subdivided into two or more wards. [5.15 (1) (a) 3.]
- *To reflect changes in minority population*
Municipalities are also required to consider the racial and ethnic characteristics of the population when adjusting ward boundaries so that members of racial or language minority groups have an opportunity to elect candidates of their choice. Although wards do not directly constitute election districts, they are used to form such districts. Thus, minority population must be distributed within a combination of wards in such a manner as to make it possible to combine those wards to construct an aldermanic or supervisory district in which a racial or language minority has an opportunity to elect a representative of its choice. Court decisions have held that Black and Hispanic populations must be given special attention in redistricting and that election districts must be drawn so that a minority group has a fair chance to elect a candidate of its choice. [5.15 (1) (a) 2.]

- *To reflect changes in municipal boundaries*
Adjustments in ward boundaries must be made to accommodate annexations, detachments, or other changes in municipal boundaries that have occurred since the previous ward plan was adopted. [5.15 (1) (b), (2) (f)]
- *To accommodate the establishment of county supervisory districts*
Wards may also need adjustment to permit the establishment of county supervisory districts of equal population. Municipalities are required to consider the tentative county supervisory district plan in determining whether existing ward boundaries need to be changed. The county's tentative plan must include the number and tentative boundaries of the proposed supervisory districts or a description of boundary requirements. In the event that a municipality needs to be divided into two or more supervisory districts which cannot be accommodated within the existing ward plan, the county board is to submit a written statement to the municipality indicating the approximate location and population of the requested wards. [5.15. (2) (d)]
- *To facilitate the creation of aldermanic districts of equal population*
A municipality may find it necessary to adjust existing ward boundaries if they no longer allow for the creation of aldermanic districts that are as nearly equal in population as practicable. [5.15 (2) (bm)]
- *Mid-decade changes*
Once established, the boundaries of each ward are to remain unchanged until the next decennial census. However, several exceptions are recognized, although no ward line adjustment may cross the boundary of an assembly district. A town board may adjust ward boundaries if a new town is created or if part of the town is annexed to a city or village and realignment of the remaining town wards becomes necessary. [5.15 (7)] A city, village, or town must adjust ward boundaries to reflect a municipal detachment. [5.15 (2) (e)] New territory that becomes part of a municipality during the decade may constitute new ward, even if that ward falls below the prescribed minimum population range. [5.15 (2) (f) 4.] An annexation ordinance may annex territory to an existing ward or may place it in a new ward. [66.0217 (8) (b)] Finally, a ward may be adjusted by the legislature, as a matter of statewide concern, in the enactment of legislative districts. [5.15 (1) (c)]
- *To summarize:*
The only reasons for adjusting ward boundaries are to: 1) comply with the population ranges required by law, 2) reflect changes in municipal boundaries occurring subsequent to the adoption of the previous ward plan, 3) permit the establishment of election districts of substantially equal population, and 4) permit the establishment of aldermanic or supervisory districts which enhance the participation of minorities in the political process and their ability to elect representatives of their choice.

The intent is that wards remain relatively permanent, with changes in ward boundaries made only to accommodate changes in population growth patterns, alterations in municipal boundaries, or the mathematical requirements of creating election districts of equal population.

In addition to the obvious benefit of greatly simplifying the task of reestablishing a ward plan based on the decennial census, municipalities benefit in other ways when ward lines are not disturbed. When wards remain relatively constant, the administration of elections is sim-

plified. Although the combination of wards comprising an election district may change, and aldermanic, supervisory, legislative, and congressional districts must be redrawn to reflect shifts in population, ward boundaries often need not change. Voter identification with the ward develops and is strengthened over time, and election officials have fewer problems in administering elections.

II. USING WARDS TO FORM ELECTION DISTRICTS

3-Step Process

The establishment of municipal wards requires cooperation between the municipality and the county board of each county in which a municipality is located and involves a 3-step process. Each step must be completed within 60 days.

Step 1 requires the county board to submit a tentative county supervisory district plan to each municipal governing body in the county. The county board is required to hold a public hearing on the tentative plan. If a municipality needs to be divided and placed in more than one supervisory district, the board is to indicate the approximate location of the territory from which a ward is sought and the approximate population of the ward.

In step 2, municipalities have a maximum of 60 days to adjust ward boundaries to comply with the proposed supervisory district plan following receipt of the tentative plan.

The third 60-day step requires counties to adopt final supervisory district plans and cities to establish aldermanic district plans.

The governing body of a municipality – the common council or village or town board – is responsible for establishing ward boundaries. An ordinance or resolution describing the ward boundaries must be adopted by a majority of the members of the governing body. Section 5.18 of the Wisconsin Statutes provides that if a municipality fails to adopt a ward plan within the prescribed time period, the county or any elector of the municipality may submit a proposed ward plan to the appropriate circuit court. If the court finds that the existing municipal ward plan fails to comply with statutory requirements, it may promulgate the submitted plan, or any other plan, to serve as a temporary ward plan until superseded by a valid plan enacted by the municipality.

Time Table

The official publication of population data and census maps on March 21, 2011, started the redistricting clock. As noted, counties have up to 60 days to enact a tentative redistricting plan; municipalities are allotted up to the following 60 days to enact an ordinance or resolution establishing municipal wards; and counties and municipalities are given up to 60 days to establish election districts. Each step begins when the previous step is completed and each step must be completed within 60 days. The 3 steps should be completed by October 1, 2011. All local elections beginning January 1, 2012, must be from the newly established districts. The Wisconsin Legislature is given the entire 2011-2012 session to establish legislative district boundaries. As a practical matter – so that the 2012 legislative elections can be based on the new districts – the legislature must complete redistricting by early May 2012 to facilitate publication of the first legal notice in May 2012 for the 2012 fall elections.

Requirement	Date/Completed By
P.L. 94-171 file received	March 10, 2011
Population data posted on the Redistricting Web site	March 21, 2011
Counties adopt tentative supervisory plans	June 2011
Municipalities adopt ward plans	August 2011
Counties establish supervisory districts	October 2011
Cities establish aldermanic districts	October 2011
Legislature establishes legislative and congressional districts	April 2012

Numbering of Wards and Combining Wards for Voting Purposes

Wards are to be designated by consecutive whole numbers beginning with the number “one”. Wards may be combined to allow the use of a common polling place as long as the numbering of the combined wards is not changed. [5.15 (4) (a)] Municipalities having a population of 35,000 or more are required to maintain separate returns for all wards. Municipalities under 35,000 population are not required to maintain separate returns for combined wards as long as all voters in the combined wards are eligible to vote for the same offices. A resolution combining wards for voting purposes must be adopted prior to each election, although resolutions adopted by municipalities under 35,000 remain in effect until modified or rescinded. [5.15 (6) (b)]

III. COUNTY SUPERVISORY DISTRICTS

There are 2 steps involved in the establishment of county supervisory districts. The first step requires the county board to adopt a preliminary county supervisory district plan within 60 days after detailed population data and block level maps are made available by the state. The second step begins after municipalities adopt ward plans and requires the county board to enact a final supervisory district plan. A public hearing is required before adoption of both the tentative and final plans.

Step 1 – 59.10 (3) (b) 1.

At the first public hearing, the county board is directed to solicit suggestions from municipalities concerning the proposed tentative plan. The plan may be amended after the public hearing to incorporate suggestions received. A copy of the tentative plan is to be sent to the governing body of each municipality in the county.

County boards are to work cooperatively with municipalities in establishing supervisory districts. Supervisory districts are to be comprised of whole contiguous municipalities, parts of the same municipality, or contiguous parts of adjoining municipalities consisting of whole wards. All districts are to be substantially equal in population. Dual member districts are not permitted. If the tentative plan requires that a municipality be divided between two or more districts, the county board is to provide the municipality with a copy of the plan and a statement specifying the approximate location and population of the territory needed for the wards required to create the districts.

If the county board fails to adopt a tentative plan within 14 days from the expiration of the 60-day period, any municipality or voter within the county may submit a proposed plan to the circuit court. The court may promulgate that plan, or any other plan, as a temporary

supervisory district plan until superseded by a valid plan enacted by the county board. [59.10 (6)]

Step 2 – 59.10 (3) (b) 2.

The second step in the process requires the county board to hold a second public hearing and adopt a final supervisory district plan. This is to occur within 60 days after all the municipalities in the county have adjusted wards. All wards within a supervisory district must be contiguous, except for wards within a municipality that are wholly surrounded by water or another municipality, in which case the noncontiguous ward may be combined with its parent municipality to form a supervisory district. The county board chairperson is to file a copy of the final plan with the Secretary of State.

The complete text of Section 59.10 (3) (b) governing county supervisory districting is printed in the Appendix.

IV. ALDERMANIC DISTRICTS

The common council of a city is required to redistrict aldermanic districts within 60 days of adjusting its ward boundaries. Aldermanic districts are to be constructed from contiguous whole wards (excluding any isolated ward consisting of island territory surrounded by water or another municipality), must be as compact as possible, and must contain, as nearly as practicable, an equal number of inhabitants.

The redistricting ordinance must be adopted by a majority vote of all members of the common council. The common council is authorized to increase or decrease the number of aldermanic districts during the decade. Such action must not occur more frequently than once every two years and requires a two-thirds vote of the members of the common council.

Only towns and villages with a population of 1,000 or more are required to establish wards. However, all municipalities may be required to establish wards when necessary to create supervisory, legislative, or congressional districts of equal population. Town supervisors and village trustees continue to be elected on an at-large basis.

The text of Section 62.08, pertaining to the alteration of aldermanic districts, is printed in the Appendix.

V. REPORTING REQUIREMENTS

In addition to the division ordinance or resolution, municipalities must provide to the county clerk of each county in which the municipality is located, a list of census block numbers contained within each ward. Any split blocks must be identified and the population for each part provided, based on the April 1, 2010, reporting date. A map of the municipality showing the revised ward boundaries is also required. The resolution or ordinance, list of blocks, and map must be sent to the appropriate county clerk or clerks within five days after adoption of the ward plan.

Municipalities over 10,000 population are also required to send an additional copy of the ordinance or resolution, block number list, and map to the Legislative Reference Bureau (P.O. Box 2037, Madison, WI 53701-2037) within five days of the adoption of the ward plan.

Additional instructions will be sent concerning the format for reporting information.

VI. FOR FURTHER INFORMATION

For assistance in ward subdistricting and alteration of election districts, local officials have a number of resources available including regional planning commissions, county extension agents, county land information officers, and local government interest groups. There are also several Internet Web sites that provide useful information. Population data, maps, and other information are available on the Wisconsin Legislature redistricting Web site at: <http://www.legis.state.wi.us/ltsb/redistricting>. The U.S. Census Bureau Web site provides downloadable maps and redistricting population data at: <http://www.census.gov/rdo>. (See Appendix B.)

At the state and regional level, information is available from several sources. These include:

Legislative Reference Bureau

1 East Main Street
P.O. Box 2037
Madison, Wisconsin 53701-2037

Contact: Michael Keane (608) 266-0346; michael.keane@legis.wisconsin.gov

For: General information on redistricting
Format for sending ward plans to the state

Contact: Larry Barish (608) 266-0344; larry.barish@legis.wisconsin.gov

For: General information on redistricting

Contact: Steve Miller (608) 267-2175; steve.miller@legis.wisconsin.gov

For: General information on redistricting

Legislative Technology Services Bureau

Suite 200, 17 West Main Street
Madison, Wisconsin 53703-3305

Contact: Tony Van Der Wielen (608) 283-1817; tony.vandervielen@legis.wisconsin.gov

For: Information on using WISE-LR software
Electronic data
Copies of maps

Applied Population Laboratory

Department of Community and Environmental Sociology
316 Agriculture Hall, 1450 Linden Drive
Madison, Wisconsin 53706

Contact: Dan Veroff, Extension Demographic Specialist (608) 265-9545;
dveroff@wisc.edu

For: Census data questions

Government Accountability Board
Elections Division
812 East Washington Avenue, 3rd Floor
P.O. Box 7984
Madison, Wisconsin 53707-7984

Contact: Diane Lowe (608) 266-3276; diane.lowe@wi.gov
Steve Pickett (608) 266-3061; steve.pickett@wi.gov

For: Questions on administration of elections

U.S. Census Bureau
Chicago Regional Census Center
500 West Madison Street, Suite 1600
Chicago, Illinois 60661
Contact: Gail Krmeneč, Asst. Regional Census Manager (312) 454-2709;
gail.krmeneč@census.gov
For: Count Question Resolution (CQR) program
Boundary, geocoding, and coverage corrections

VII. APPENDIX

A: *Statutory References*

The following statute sections are reprinted from the 2009-10 Wisconsin Statutes.

Text of Section 5.15

5.15 Division of municipalities into wards. (1) (a) 1. Every city, village, and town in this state shall by its common council or village or town board, respectively, be divided into wards as provided in this section, except as authorized in sub. (2). The boundaries of the wards established under this section, and the number assigned to each ward, are intended to be as permanent as possible, and to this end each ward shall when created contain a population at a convenient point within the applicable population range under sub. (2) (b), with due consideration for the known trends of population increase or decrease within that part of the municipality in which the ward is located.

2. Once established, the boundaries of each ward shall remain unchanged until a further decennial federal census of population indicates that the population of a ward is then above or below the applicable population range or until the ward boundaries are required to be changed to permit creation of supervisory or aldermanic districts of substantially equal population or to enhance the participation of members of a racial or language minority group in the political process and their ability to elect representatives of their choice.

3. If the population of a ward has increased above the maximum of its population range or if the population of a ward must be decreased for a reason specified in subd. 2., the ward shall be divided into 2 or more wards in compliance with sub. (2) (b). If the population of a ward has decreased below the minimum of its population range or if the population of a ward must be increased for a reason specified in subd. 2., the ward shall, if possible, be combined with an

adjoining ward, or the underpopulated ward and one adjoining ward shall be combined and together subdivided into 2 or more wards in compliance with sub. (2).

(b) Except as authorized in sub. (2) (a), within 60 days after the receipt of a tentative supervisory district plan and written statement, if any, from the county board of each county in which a municipality is located, the governing body of the municipality shall adjust its wards according to the schedule shown in sub. (2). All territory contained within the municipality, and only the territory so contained, on August 1 following the year of the federal decennial census shall be contained within a ward. Except as authorized in sub. (2), each ward shall consist of whole blocks. To suit the convenience of the voters residing therein each ward shall, as far as practicable, be kept compact and observe the community of interest of existing neighborhoods and other settlements. All territory within a ward shall be contiguous, except for island territory as defined in sub. (2) (f) 3. Enactment or adoption of a division ordinance or resolution requires the affirmative vote of a majority of the members of the governing body.

(c) The wards established by municipal governing bodies under this section on the basis of the published results of each federal decennial census of population shall govern the adjustment of supervisory districts under s. 59.10 (2) (a) and (3) (b) and of aldermanic districts under s. 62.08 (1) for the purpose of local elections beginning on January 1 of the 2nd year commencing after the year of the census until revised under this section on the basis of the results of the next decen-

nial census of population unless adjusted under sub. (2) (f) 4., (6) (a) or (7), or unless adjusted, as a matter of statewide concern, in the enactment of legislative districts under article IV, section 3, of the constitution on the basis of the most recent decennial census of population.

(d) Every ward shall be wholly contained within a single county.

(2) (a) Except as required by par. (d), no city electing its common council at large in which the total population is less than 1,000, and no village or town in which the total population is less than 1,000 is required to be divided into wards under this section, but any such city, village or town may divide itself into wards if the creation of wards facilitates the administration of elections. No village or town located in a county having only one town is required to be divided into wards under this section.

(b) 1. In any city in which the population is at least 150,000, each ward shall contain not less than 1,000 nor more than 4,000 inhabitants.

2. In any city in which the population is at least 39,000 but less than 150,000, each ward shall contain not less than 800 nor more than 3,200 inhabitants.

3. In any city, village or town in which the population is at least 10,000 but less than 39,000, each ward shall contain not less than 600 nor more than 2,100 inhabitants.

4. In any city, village or town in which the population is less than 10,000, each ward shall contain not less than 300 nor more than 1,000 inhabitants.

(bm) Every city electing the members of its common council from aldermanic districts shall assemble the blocks wholly or partially contained within the city into wards that will enable the creation of aldermanic districts that are substantially equal in population.

(c) If the population of a block exceeds the maximum population for a ward otherwise specified in this subsection, such block shall be constituted a ward by itself, except that if the population of a block substantially exceeds the population of proposed aldermanic districts in a city so that, if the block were to constitute an aldermanic district, the populations of the aldermanic districts in the city would not be substantially equal, the city shall divide the block to permit assembly into wards that will enable creation of aldermanic districts that are substantially equal in population.

(cm) Any division of blocks under this section shall be based on the best evidence available. In this paragraph, "best evidence" includes, but is not limited to, the population of the block and other information received from the U.S. bureau of the census and such data as number of housing units, utility connections and vehicle registrations or a special census conducted locally. For each ward so established, the population estimate shall be correlated with the results of the most recent federal decennial census, so that the total population reported for all wards in the municipality agrees with the census results.

(d) Every municipality shall make a good faith effort to accommodate the tentative plan submitted by the county or counties in which it is located under s. 59.10 (2) (a) or (3) (b) 1., and shall divide itself into wards in such a manner that will permit the creation of county supervisory districts in accordance with the population requirements for the plan specified in s. 59.10 (2) (a) or (3) (b) 1.

(e) Notwithstanding par. (b), if territory is detached from a city, village or town after adoption of a decennial ward plan, and the remaining portion of the ward to which it was attached falls below the prescribed minimum population for the applicable range, the remaining portion of the population may be constituted a ward by itself.

(f) Notwithstanding par. (b), any city, village or town may establish a ward below the prescribed minimum population for the appli-

cable range whenever the proposed ward is established under par. (a), (d) or (e) or whenever the proposed ward contains solely:

1. That part of a city or village situated in a county other than the county in which the major part of the municipality is located.

2. That part of a city, village or town belonging to a school district other than the school district to which the major part of the municipality belongs.

3. Island territory containing a resident population. In this subdivision, "island territory" means territory surrounded by water, or noncontiguous territory which is separated by the territory of another municipality or by water, or both, from the major part of the municipality to which it belongs.

4. New territory which becomes a part of a city, village or town after the adoption of a decennial ward plan.

(g) If a block is affected by an annexation or detachment which establishes a municipal boundary that subdivides the block, the municipalities in which the block is contained shall incorporate only the portion of the block contained within their boundaries in their ward plans.

(4) (a) The division ordinance or resolution shall number all wards in the municipality in whole numbers in consecutive order, beginning with the number one, shall designate the polling place for each ward, and shall describe the boundaries of each ward consistent with the conventions set forth in s. 4.003. The ordinance or resolution shall be accompanied by a list of the block numbers used by the U.S. bureau of the census that are wholly or partly contained within each ward, with any block numbers partly contained within a ward identified, and a map of the municipality which illustrates the revised ward boundaries.

(b) Within 5 days after adoption or enactment of an ordinance or resolution under this section, the municipal clerk shall transmit one copy of the ordinance or resolution to the county clerk of each county in which the municipality is contained, accompanied by the list and map specified in par. (a). If the population of the municipality exceeds 10,000, the municipal clerk shall furnish one copy to the legislative reference bureau at the same time. Each copy shall identify the name of the municipality and the county or counties in which it is located.

(5) When a town is divided into wards, the annual town meeting shall be held in a location authorized under s. 60.11 (3) (a).

(6) (a) Following any municipality-wide special federal census of population, the governing body of the municipality in which the special census was held may, by ordinance or resolution, adjust the ward boundaries, but no ward line adjustment may cross the boundary of an assembly district. The municipal clerk shall transmit copies of the ordinance or resolution in compliance with sub. (4) (b).

(b) No later than 60 days before each September primary and general election, and no later than 30 days before each other election the governing body of any municipality may by resolution combine 2 or more wards for voting purposes to facilitate using a common polling place. Whenever wards are so combined, the original ward numbers shall continue to be utilized for all official purposes. Except as otherwise authorized under this paragraph, every municipality having a population of 35,000 or more shall maintain separate returns for each ward so combined. In municipalities having a population of less than 35,000, the governing body may provide in the resolution that returns shall be maintained only for each group of combined wards at any election. Whenever a governing body provides for common ballot boxes and ballots or voting machines, separate returns shall be maintained for each separate ballot required under ss. 5.62 and 5.64 at the September primary and general election. The municipal clerk shall transmit a copy of the resolution to the county clerk of each county in which the municipality is contained. In municipalities having a population of less than 35,000, the resolution shall remain in effect for each election until modified or rescinded, or until a new division is made under this section.

(7) If a new town is created or if part of a town is annexed to a city or village during a decennial period after the period for ward adjustments under sub. (1) (b), the town board of any town to which territory is attached or from which territory is detached, without regard to the time provisions of sub. (1) (b), may, by ordinance or resolution, adjust the wards in that town, but no ward line adjustment may cross the boundary of an assembly district. The town clerk shall transmit copies of the ordinance or resolution making the adjustment in compliance with sub. (4) (b).

(8) Until divided, all elections are held in the established wards.

History: 1971 c. 304 ss. 3 to 5, 29 (2); 1977 c. 26, 418, 427, 449; 1979 c. 260; 1981 c. 4 ss. 2 to 10, 18; 1981 c. 314; 1983 a. 29, 192, 442; 1983 a. 484 ss. 8e, 174; 1983 a. 538; 1985 a. 304 ss. 8 to 10, 12; 1987 a. 391; 1991 a. 5, 143, 315; 1993 a. 213; 1995 a. 201; 1999 a. 182; 2005 a. 149, 312.

City and county apportionment is discussed. *City of Janesville v. Rock County*, 107 Wis. 2d 187, 319 N.W.2d 891 (Ct. App. 1982).

The court properly voided the city's plan and adopted the county's plan, even though the county did not adopt the plan within 60 days of receiving census data. *County of La Crosse v. City of La Crosse*, 108 Wis. 2d 560, 322 N.W.2d 531 (Ct. App. 1982).

Text of Section 5.18

5.18 Enforcement of division requirement. If any municipality fails to comply with s. 5.15, the county in which the municipality is located or any elector of the municipality may submit to the circuit court for any county in which the municipality is located within 14 days from the expiration of the 60-day period under s. 5.15 (1) (b) a proposed plan for the division of the municipality into wards in compliance with this section. If the circuit court finds that the exist-

ing division of the municipality into wards fails to comply with s. 5.15, it shall review the plan submitted by the petitioner and after reasonable notice to the municipality may promulgate the plan, or any other plan in compliance with s. 5.15, as a temporary ward plan for the municipality to remain in effect until superseded by a ward plan adopted by the governing body in compliance with s. 5.15.

History: 1985 a. 304 ss. 9, 11, 12.

Text of Section 59.10

59.10 Boards: composition; election; terms; compensation; compatibility. The boards of the several counties shall be composed of representatives from within the county who are elected and compensated as provided in this section. Each board shall act under sub. (2), (3) or (5), unless the board enacts an ordinance, by a majority vote of the entire membership, to act under sub. (1). If a board enacts such ordinance, a certified copy shall be filed with the secretary of state.

(1) **SELF-ORGANIZED COUNTIES.** (a) *Number of supervisors and apportionment of supervisory districts.* In each county with a population of at least 500,000, sub. (2) (a) and (b) applies. In counties with a population of less than 500,000 and more than one town, sub. (3) (a) to (c) applies. In counties with one town only, sub. (5) applies.

(b) *Terms.* The term of office of supervisors is 2 years. A board may determine whether the terms shall be concurrent or staggered. Supervisors shall be elected at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms and shall take office on the 3rd Tuesday in April following their election. If the board determines that supervisors shall serve staggered terms, the board shall, by ordinance, provide for a division of supervisors into 2 classes, one class to be elected for one-half of a full term and the other class for a full term and thereafter the supervisors shall be elected for a full term. The board shall publish the ordinance as a class 1 notice, under ch. 985, or as a notice, as described under s. 59.14 (1m) (b), before publication of the notice of the election at which supervisors are to be elected.

(c) *Compensation.* The method of compensation for supervisors shall be determined by the board.

(d) *Vacancies.* A board may determine the procedure for filling a vacancy.

(2) **MILWAUKEE COUNTY.** In each county with a population of at least 500,000:

(a) *Composition; supervisory districts.* Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, the board shall adopt and transmit to the governing body of each city and village wholly or partially contained within the county a tentative county supervisory district plan to be considered by the cities and villages when dividing into wards. The plan shall specify the number of supervisors to be elected and shall divide the county into

a number of districts equal to the number of supervisors, with each district substantially equal in population and consisting of contiguous whole wards. Except as otherwise provided in this paragraph, the board shall develop and adopt the tentative plan in accordance with sub. (3) (b) 1. The board shall adopt a final plan by enacting an ordinance in accordance with sub. (3) (b) 2. to 4.

(b) *Election; term.* Supervisors shall be elected for 4-year terms at the election to be held on the first Tuesday in April next preceding the expiration of their respective terms, and shall take office on the 3rd Monday in April following their election.

(c) *Compensation.* Each supervisor shall be paid by the county an annual salary set by the board. The board may provide additional compensation for the chairperson. Section 66.0505 applies to this paragraph.

(d) *Changes during decade.* 1. 'Number of supervisors; redistricting.' The board may, not more than once prior to November 15, 2010, decrease the number of supervisors after the enactment of a supervisory district plan under par. (a). In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under sub. (3) (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. The chairperson of the board shall file a certified copy of any redistricting plan adopted under this subdivision with the secretary of state.

2. 'Election; term.' Any redistricting plan enacted under subd. 1. becomes effective on the first November 15 following its enactment, and first applies to the spring election following the plan's effective date. Any redistricting plan enacted under subd. 1. shall remain in effect until the effective date of a redistricting plan subsequently enacted under par. (a). Supervisors elected from the districts created under subd. 1. shall serve for 4-year terms and shall take office on the 3rd Monday in April following their election.

(3) **OTHER COUNTIES.** (a) *Classification; maximum number of supervisors.* Counties with a population of less than 500,000 and

more than one town are classified and entitled to a maximum number of supervisors as follows:

1. Counties with a population of less than 500,000 but at least 100,000 shall have no more than 47 supervisors.
2. Counties with a population of less than 100,000 but at least 50,000 shall have no more than 39 supervisors.
3. Counties with a population of less than 50,000 but at least 25,000 shall have no more than 31 supervisors.
4. Counties with a population of less than 25,000 and containing more than one town shall have no more than 21 supervisors.
5. If the population of any county is within 2% of the minimum population for the next most populous grouping under this paragraph, the board thereof, in establishing supervisory districts, may employ the maximum number for such districts set for such next most populous grouping.

(b) *Creation of supervisory districts.* 1. Within 60 days after the population count by block, established in the decennial federal census of population, and maps showing the location and numbering of census blocks become available in printed form from the federal government or are published for distribution by an agency of this state, but no later than July 1 following the year of each decennial census, each board shall propose a tentative county supervisory district plan setting forth the number of supervisory districts and tentative boundaries or a description of boundary requirements, hold a public hearing on the proposed plan and adopt a tentative plan. The proposed plan may be amended after the public hearing. The board shall solicit suggestions from municipalities concerning the development of an appropriate plan. The board shall transmit to each municipal governing body in the county the tentative plan that is adopted. Each district shall consist of whole wards or municipalities. Each district shall be designated to be represented by one supervisor, and all districts shall be substantially equal in population. In the tentative plan, the board shall, whenever possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. If the division of a municipality is sought by the board, the board shall provide with the plan a written statement to the municipality affected by each proposed division specifying the approximate location of the territory from which a ward is sought to be created for contiguity purposes and the approximate population of the ward proposed to effectuate the division.

2. Within 60 days after every municipality in the county adjusts its wards under s. 5.15, the board shall hold a public hearing and shall then adopt a final supervisory district plan, numbering each district. Wards within each supervisory district created by the plan shall be contiguous, except that one or more wards located within a city or village which is wholly surrounded by another city or water, or both, may be combined with one or more noncontiguous wards, or one or more wards or portions of wards consisting of island territory as defined in s. 5.15 (2) (f) 3. may be combined with one or more noncontiguous wards or portions of wards within the same municipality, to form a supervisory district.

4. The chairperson of the board shall file a certified copy of the final districting plan with the secretary of state.

(c) *Changes during decade; municipal boundary adjustments.* After the enactment of a plan of supervisory districts under par. (b), a municipal incorporation, annexation, detachment or consolidation may serve as a basis for altering between federal decennial censuses the boundaries of supervisory districts, in the discretion of the board. The number of supervisory districts in the county shall not be changed by any action under this paragraph. Any plan of county supervisory districts enacted under par. (b) may be amended under this paragraph but shall remain in effect as amended until superseded by another plan enacted by the board under par. (b) and filed with the secretary of state.

(cm) *Changes during decade; reduction in size.* 1. 'Number of supervisors; redistricting.' Except as provided in subd. 3., following the enactment of a decennial supervisory district plan under par. (b), the board may decrease the number of supervisors. In that case, the board shall redistrict, readjust, and change the boundaries of supervisory districts, so that the number of districts equals the number of supervisors, the districts are substantially equal in population according to the most recent countywide federal census, the districts are in as compact a form as possible, and the districts consist of contiguous whole wards in existence at the time at which the redistricting plan is adopted. In the redistricting plan, the board shall adhere to the requirements under par. (b) 2. with regard to contiguity and shall, to the extent possible, place whole contiguous municipalities or contiguous parts of the same municipality within the same district. In redistricting under this subdivision, the original numbers of the districts in their geographic outlines, to the extent possible, shall be retained. No plan may be enacted under this subdivision during review of the sufficiency of a petition filed under subd. 2. nor after a referendum is scheduled on such a petition. However, if the electors of the county reject a change in the number of supervisory districts under subd. 2., the board may then take action under this subdivision except as provided in subd. 3. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of state.

2. 'Petition and referendum.' Except as provided in subd. 3., the electors of a county may, by petition and referendum, decrease the number of supervisors at any time after the first election is held following enactment of a decennial supervisory district plan under par. (b). A petition for a change in the number of supervisors may be filed with the county clerk. Prior to circulating a petition to decrease the number of supervisors in any county, a petitioner shall register with the county clerk, giving the petitioner's name and address and indicating the petitioner's intent to file such a petition. No signature on a petition is valid unless the signature is obtained within the 60-day period following such registration. The petition shall specify the proposed number of supervisors to be elected. Within 14 days after the last day for filing an original petition, any other petitioner may file an alternative petition with the county clerk proposing a different number of supervisors to be elected, and, if the petition is valid, the alternative proposed in the petition shall be submitted for approval at the same referendum. An alternative petition is subject to the same registration and signature requirements as an original petition. Each petition shall be in the form specified in s. 8.40 and shall contain a number of signatures of electors of the county equal to at least 25 percent of the total votes cast in the county for the office of supervisor at the most recent spring election preceding the date of filing. The county clerk shall promptly determine the sufficiency of a petition filed under this subdivision. Upon determination that a petition is sufficient, or if one or more valid alternative petitions are filed, upon determination that the petitions are sufficient, the county clerk shall call a referendum concurrently with the next spring or general election in the county that is held not earlier than 42 days after the determination is made. The question proposed at the referendum shall be: "Shall the board of supervisors of County be decreased from members to members?". If one or more alternative valid petitions are filed within 14 days after the last day that an original petition may be filed, the question relating to the number of supervisors shall appear separately. The first question shall be: "Shall the size of the county board of supervisors of County be decreased from its current membership of members?". Any subsequent question shall be: "If so, shall the size of the board be decreased to members?". Each elector may vote in the affirmative or negative on the first question and may then vote in the affirmative on one of the remaining questions. If the first question is not approved by a majority of the electors voting on the question, any subsequent question is of no effect. If the question is approved by a majority of the electors voting on the question, or, if more than one question is submitted, if the first

question is approved by a majority of the electors voting on the question, the board shall enact an ordinance prescribing revised boundaries for the supervisory districts in the county. The ordinance shall be enacted in accordance with the approved question or, if more than one question is submitted, in accordance with the choice receiving a plurality of the votes cast. The districts are subject to the same requirements that apply to districts in any plan enacted by the board under subd. 1. If the board has determined under sub. (1) (b) to adopt staggered terms for the office of supervisor, the board may change the expiration date of the term of any supervisor to an earlier date than the date provided under current ordinance if required to implement the redistricting or to maintain classes of members. The county clerk shall file a certified copy of any redistricting plan enacted under this subdivision with the secretary of state.

3. 'Limitation.' If the number of supervisors in a county is decreased by the board or by petition under this paragraph, no further action may be taken by the board or by petition under this paragraph in that county until after enactment of the next decennial supervisory district plan by the board under par. (b).

4. 'Election; term.' Any redistricting plan enacted under subd. 1. takes effect on November 15 following its enactment and first applies to the election of supervisors at the next spring election following the effective date that immediately precedes the expiration of the terms of office of supervisors in the county. Any reduction in the number of supervisory districts under subd. 2. that is approved at a spring election shall be enacted in the form of a redistricting plan no later than November 15 following that election and shall first apply to the election of supervisors at the next spring election immediately preceding the expiration of the terms of office of supervisors in the county, and any reduction in the number of supervisory districts under subd. 2. that is approved at a general election shall be enacted in the form of a redistricting plan no later than the 2nd succeeding November 15 following that election and shall first apply to the election of supervisors at the next spring election following that November 15 immediately preceding the expiration of the terms of office of supervisors in the county. Any redistricting plan enacted under subd. 1. or 2. shall remain in effect until the effective date of any subsequent redistricting plan enacted under sub. (3) (c) or until the effective date of a redistricting plan subsequently enacted under par. (b). Supervisors elected from the districts created under subd. 1. or 2. shall serve for 2-year terms and shall take office on the 3rd Tuesday in April following their election.

(d) *Election and term of supervisors.* Supervisors are county officers, shall be elected for 2-year terms at the election to be held on the first Tuesday in April in even-numbered years and shall take office on the 3rd Tuesday in April of that year.

(e) *Vacancies.* If a vacancy occurs on the board, the board chairperson, with the approval of the board, shall appoint a person who is a qualified elector and resident of the supervisory district to fill the vacancy. The successor shall serve for the unexpired portion of the term to which the person is appointed, unless the board orders a special election to fill the vacancy, in which case the person appointed shall serve until his or her successor is elected and qualified. The board may, if a vacancy occurs before June 1 in the year preceding expiration of the term of office, order a special election to fill the vacancy. If the board orders a special election during the period beginning on June 1 and ending on November 30 of any year, the special election shall be held concurrently with the succeeding spring election. If the board orders a special election during the period beginning on December 1 and ending on May 31 of the succeeding year, the special election shall be held on the Tuesday after the first Monday in November following the date of the order. A person so elected shall serve for the residue of the unexpired term.

(f) *Compensation.* Each supervisor shall be paid a per diem by the county for each day that he or she attends a meeting of the board.

Any board may, at its annual meeting, by a two-thirds vote of all the members, fix the compensation of the board members to be next elected. Any board may also provide additional compensation for the chairperson.

(g) *Mileage.* Each supervisor shall, for each day that he or she attends a meeting of the board, receive mileage for each mile traveled in going to and returning from the meetings by the most usual traveled route at the rate established by the board under s. 59.22 as the standard mileage allowance for all county employees and officers.

(h) *Limitation on compensation.* Except for services as a member of a committee as provided in s. 59.13 no supervisor shall be paid for more days' attendance on the board in any year than is set out in this schedule: in counties having a population of less than 25,000, 20 days; at least 25,000 but less than 100,000, 25 days; at least 100,000 but less than 500,000, 30 days.

(i) *Alternative compensation.* As an alternative method of compensation, in counties having a population of less than 500,000, including counties containing only one town, the board may at its annual meeting, by a two-thirds vote of the members entitled to a seat, fix the compensation of the supervisors to be next elected at an annual salary for all services for the county including all committee services, except the per diem allowance for services in acquiring highway rights-of-way set forth in s. 84.09 (4). The board may, in like manner, allow additional salary for the members of the highway committee and for the chairperson of the board. In addition to the salary, the supervisors shall receive mileage as provided in par. (g) for each day's attendance at board meetings or for attendance at not to exceed 2 committee meetings in any one day.

(j) *Supplementary compensation.* The board, in establishing an annual salary, may enact an ordinance providing for a per diem for all committee meetings attended in excess of 40 committee and board meetings.

(4) **COMPATIBILITY.** No county officer or employee is eligible for election or appointment to the office of supervisor, but a supervisor may also be a member of a committee, board or commission appointed by the county executive or county administrator or appointed or created by the county board, a town board, a mosquito control district, the common council of his or her city, the board of trustees of his or her village or the board of trustees of a county institution appointed under s. 46.18.

(5) **COUNTIES HAVING ONLY ONE TOWN.** In all counties containing one town only, the board shall consist of the members of the town board and one supervisor from every village. A supervisor from a village shall be elected at the time the other village officers are elected. A majority of the members shall constitute a quorum of the county board. Each supervisor shall receive compensation and mileage as provided in sub. (3) (f) and (g). The chairperson of the board elected under s. 59.12 (1) may be, but need not be, the same person who is elected chairperson of the town board under s. 60.21 (3) (a).

(6) **ENFORCEMENT OF DIVISION REQUIREMENT.** If a county fails to comply with sub. (2) (a) or (3) (b), any municipality located in whole or in part within the county or any elector of the county may submit to the circuit court for the county within 14 days from the expiration of either 60-day period under sub. (2) (a) or (3) (b) a proposed tentative or final plan for creation of supervisory districts in compliance with this section. If the court finds that the existing division of the county into supervisory districts fails to comply with this section, it shall review the plan submitted by the petitioner and after reasonable notice to the county may promulgate the plan, or any other plan in compliance with this section, as a temporary supervisory district plan until superseded by a districting plan adopted by the board in compliance with this section.

History: 1971 c. 134, 211, 304; 1973 c. 118 ss. 2 to 4, 7; 1973 c. 334 s. 57; 1973 c. 336; 1975 c. 93 s. 113; 1975 c. 116, 200; 1977 c. 427; 1979 c. 34, 89, 122, 260; 1981 c. 4, 390; 1983 a. 29; 1983 a. 192 ss. 115, 303 (1), (2); 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29, 304; 1989 a. 56 s. 258; 1991 a. 5, 316; 1993 a. 490; 1995 a. 16 s. 2; 1995

a. 201 s. 100; Stats. 1995 s. 59.10; 1997 a. 35; 1999 a. 150 s. 672; 2001 a. 107; 2003 a. 32; 2005 a. 100, 235, 248; 2007 a. 72, 97.

Cross-reference: See s. 17.21 (5) for provision as to filling vacancies on county boards in counties over 500,000.

Cross-reference: See s. 59.20 (1) for county supervisor residency requirements.

Cross-reference: See s. 66.0505 for restrictions on changes in compensation of county board members.

City and county apportionment is discussed. *City of Janesville v. Rock County*, 107 Wis. 2d 187, 319 N.W.2d 891 (Ct. App. 1982).

The trial court properly voided a city's supervisory district plan and adopted the county's plan even though the county did not adopt the plan within 60 days of receiving census data as required by sub. (3). *County of La Crosse v. City of La Crosse*, 108 Wis. 2d 560, 322 N.W.2d 531 (Ct. App. 1982).

Sub. (3) (a) does not establish a separate minimum for each class of county. The constitutionality of sub. (3) (a) is discussed. 60 Atty. Gen. 327.

A vacancy on a county board due to resignation may be filled by appointment by the county board chairperson when the board is not in session. 61 Atty. Gen. 1.

An incumbent county supervisor must resign before the county board may consider his or her appointment as highway commissioner. 61 Atty. Gen. 424.

A county board supervisor risks violations of s. 946.13 if he is appointed as counsel for indigent defendants. 62 Atty. Gen. 62, 118.

Under sub. (3) (c) alteration of county supervisory district boundaries between decennial censuses is authorized only when ward boundaries originally relied upon in reapportioning the county have been subsequently altered by incorporation, annexation, detachment, or consolidation. 63 Atty. Gen. 544.

Section 59.06 (2) (intro.) [now 59.13 (2) (intro.)] does not prohibit payment of additional mileage under s. 59.03 (3) (g) [now 59.10 (3) (g)]. 68 Atty. Gen. 73.

Text of Section 62.08

62.08 Alteration of aldermanic districts. (1) Within 60 days after the wards have been readjusted under s. 5.15 (1) and (2) the common council of every city, including any city of the first class, shall redistrict the boundaries of its aldermanic districts, by an ordinance introduced at a regular meeting of the council, published as a class 2 notice, under ch. 985, and thereafter adopted by a majority vote of all the members of the council, so that all aldermanic districts are as compact in area as possible and contain, as nearly as practicable by combining contiguous whole wards, an equal number of inhabitants according to the most recent decennial federal census of population.

(2) If territory becomes a part of any city after adoption of the ordinance under sub. (1), the limitations of s. 5.15 relating to population or area do not apply to the creation of new wards in the attached territory, or to the addition of the territory to an existing ward, but no ward line adjustment may cross the boundary of an assembly district.

(3) Whenever the boundaries of aldermanic districts are altered, or new aldermanic districts created, every aldermanic district or ward officer residing within the territory of a new or altered aldermanic district shall hold the same respective office therein for the remainder of the officer's term; and all other vacancies shall be filled as provided by law for the filling of such vacancies.

(4) The common council of any city may, by a two-thirds vote of all its members but not more frequently than once in 2 years, increase or decrease the number of aldermanic districts or the number of members of the city council, and in that case shall redistrict, readjust and change the boundaries of aldermanic districts, so that they are as nearly equal in population according to the most recent city-wide federal census as practicable by combining contiguous whole wards. In redistricting such cities the original numbers of the

aldermanic districts in their geographic outlines shall as far as possible be retained, and the aldermanic districts so created and those the boundaries of which are changed shall be in as compact form as possible. This subsection does not apply to changes in aldermanic districts authorized under sub. (4m).

(4m) If in a city that is solely contained within one county the aldermanic districts are coterminous with the supervisory districts of the county and the county board decreases the number of supervisors in the county after enactment of a redistricting plan under s. 59.10 (3) (cm), the common council of the city may, by a majority vote of the council, no later than November 15 immediately preceding the expiration of the terms of office of members of the council, decrease the number of aldermanic districts and the corresponding number of members of the council in the city to maintain coterminous boundaries between the aldermanic and supervisory districts and may change the expiration date of the term of any council member to an earlier date than the date provided under the current ordinance if required to implement the redistricting or to maintain classes of members.

(5) If a city fails to comply with sub. (1), any elector of the city may submit to the circuit court for any county in which the city is located within 14 days from the expiration of the 60-day period under sub. (1) a proposed plan for creation of aldermanic districts in compliance with this section. If the court finds that the existing division of the city into aldermanic districts fails to comply with this section, it shall review the plan submitted by the petitioner and after reasonable notice to the city may promulgate the plan, or any other plan in compliance with this section, as a temporary aldermanic district plan until superseded by a districting plan adopted by the council in compliance with this section.

History: 1971 c. 304, 336; 1973 c. 12; 1979 c. 260; 1981 c. 4; 1985 a. 304; 1991 a. 316; 2005 a. 100.

B: Web Sites

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In Wisconsin, responsibility for redrawing legislative and congressional district lines rests with the legislature. The legislature is required to redraw legislative and congressional districts every ten years based upon the results of the decennial federal census.

Despite changes in redistricting technology and uncertainty about judicial standards, the purpose of redistricting and the end result remain unchanged -- that is, the establishment of election districts which provide representational equality for all potential voters.

As the Wisconsin Legislature prepares for redistricting, this site will aim to provide Legislators and other interested persons with information related to redistricting in Wisconsin.

Questions about Redistricting? Email us at gis@legis.wisconsin.gov

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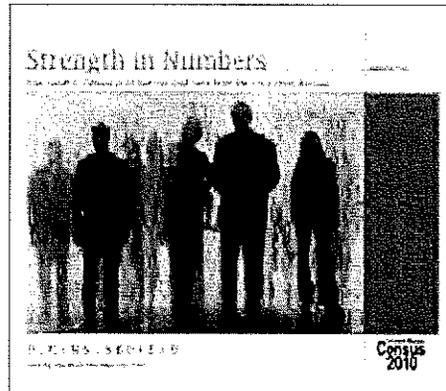
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This booklet provides a historical record of the activities and data involved with the U.S. Census Bureau's Redistricting Data Program for the 2010 Census. In addition to providing a background of the role of the U.S. Census Bureau in redistricting and apportionment, this document goes on to detail specifics about the participation of states and the data products produced specifically for the 2010 Census. This compilation of information in a single source document gives an authoritative source of information about how the 2010 Census Redistricting Data Program was conducted.

For further information or a hard-copy of the booklet, please call the Census Redistricting Data Office at (301) 763-4039.



The Census Bureau will make available the 2010 Census Redistricting Data [P.L. 94-171] Summary Files and the geographic support products through links on the "Data" page of this website. Products will be posted on a flow basis by state. To access these links, please select the "Data" tab at the top of this page. Each product type will be listed as a link on the left side of the "Data" page.

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- RB-04-1 Wisconsin Legislative District Almanac. April 2004
- RB-06-2 Issues in Administering the Death Penalty. October 2006
- RB-10-1 Summary of the 2009-2010 Wisconsin Legislative Session. July 2010

Informational Bulletins

- IB-08-1 Fair Employment, Antidiscrimination, and Worker Protection Laws in Wisconsin. February 2008
- IB-08-2 Wisconsin's Role in Electing the President. February 2008
- IB-08-4 Ask the LRB. December 2008. Revised November 2010
- IB-09-1 A Study Guide to the 2009-2010 Wisconsin Blue Book. September 2009
- IB-09-2 Inside the 2009-2010 Wisconsin Blue Book. September 2009
- IB-10-1 2011 Legislative Session Fiscal Estimate Manual. November 2010
- IB-11-1 Guidelines for Adjusting Municipal Wards Following the 2010 Federal Census. March 2011

Wisconsin Briefs

- Brief 08-3 Real ID. March 2008
- Brief 08-4 Constitutional Amendment to be Considered by Wisconsin Voters, April 1, 2008. March 2008
- Brief 08-6 Protecting Children from Unsafe Products. May 2008
- Brief 08-8 Great Lakes-St. Lawrence River Basin Water Resources Compact. June 2008
- Brief 08-9 Privacy Laws in Wisconsin. July 2008
- Brief 08-11 Electronics Recycling. September 2008
- Brief 08-14 Autism Treatment. November 2008
- Brief 08-16 Firearms Laws in Wisconsin. December 2008
- Brief 09-4 Compensation of Wisconsin Legislators. February 2009
- Brief 09-5 Executive Partial Veto of Assembly Bill 75. August 2009
- Brief 09-6 Regional Transit Authorities (RTAs). November 2009
- Brief 10-1 Raw Milk Sales. April 2010
- Brief 10-2 Executive Vetoes of Bills Passed by the 2009 Wisconsin Legislature from January 13, 2009, to May 21, 2010. May 2010
- Brief 10-3 Energy in Wisconsin. June 2010
- Brief 10-4 Candidates: Primary Election, September 14, 2010. July 2010
- Brief 10-5 State Agencies, Boards, Commissions, or Councils Created, Repealed, or Revised by the 2009 Legislature - 2009 Wisconsin Acts 1-406. August 2010
- Brief 10-6 Candidates: General Election, November 2, 2010. October 2010
- Brief 10-7 Medical Marijuana. November 2010
- Brief 10-8 Wisconsin State Officers. November 2010
- Brief 10-9 Salaries of State Elected Officials Effective January 2011. December 2010
- Brief 11-1 Brief Biographies 2011 Wisconsin Officers. January 2011
- Brief 11-2 Profile of the 2011 Wisconsin Legislature, January 3, 2011. January 2011
- Brief 11-3 Wisconsin Women Legislators - A Historical List. January 2011
- Brief 11-4 Constitutional Amendments Given "First Consideration" Approval by the 2009 Wisconsin Legislature. January 2011

Budget Briefs

- Brief 08-1 Warren Knowles-Gaylord Nelson Stewardship 2000 Program. January 2008
- Brief 08-2 No Call List and Cell Phones. July 2008
- Brief 09-1 Early Release and Sentencing Reforms. September 2009
- Brief 09-2 Domestic Partnership. September 2009
- Brief 10-1 Mandatory Motor Vehicle Insurance. May 2010

Legislative Briefs

- Brief 08-1 Emergency Contraception for Rape Victims. March 2008
- Brief 08-2 State Electrical Code and Electrician Licensing. March 2008
- Brief 08-3 Terminating Tenancy in Domestic Abuse Cases. April 2008
- Brief 08-4 Scrap Metal Sales Regulations. April 2008
- Brief 08-5 Repeat Drunken Driving Penalties Increased. May 2008
- Brief 08-6 Virtual Charter Schools. May 2008
- Brief 08-7 Changes in Impact Fees and Development of Public Facilities. July 2008
- Brief 08-8 Organ Donation. July 2008
- Brief 09-1 Indoor Smoking Ban in Wisconsin. May 2009
- Brief 10-1 Human Growth and Development Instruction - 2009 Act 134. March 2010
- Brief 10-2 Increased Penalties and Ignition Interlock Requirements for Drunk Driving Offenses. April 2010
- Brief 10-3 Payday Loans - 2009 Wisconsin Act 405. November 2010

Reference Section (608) 266-0341; Fax (608) 266-5648
Legal Section (608) 266-3561; Fax (608) 264-6948
Library Circulation Desk (608) 266-7040

One East Main Street
P.O. Box 2037
Madison, Wisconsin 53701-2037

<p>APPROVAL</p> <p><i>Slw</i> <i>[Signature]</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>07/05/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Claim of Shaun Moersfelder for Damage to Driveway by City Snowplow Truck</p>	<p>ITEM NUMBER</p> <p><i>G. 9.</i></p>

Claim of Shaun Moersfelder for alleged damage to her driveway located at 7813 S. Ridgewood Drive by a City plow truck on February 20, 2011. The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a claim of Shaun Moersfelder for alleged damage to her driveway located at 7813 S. Ridgewood Drive by a City plow truck on February 20, 2011 and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Staff recommends denial of the claim pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with the insurance adjuster that there is no liability on behalf of the City of Franklin. The investigation found no evidence to establish that a City plow truck was responsible for causing the damage and it is possible the driveway was damaged by other means.

COUNCIL ACTION REQUESTED

The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a claim of Shaun Moersfelder for alleged damage to her driveway located at 7813 S. Ridgewood Drive by a City plow truck on February 20, 2011 and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Motion to deny the claim of Shaun Moersfelder pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with the insurance adjuster that there is no liability on behalf of the City of Franklin. The investigation found no evidence to establish that a City plow truck was responsible for causing the damage and it is possible the driveway was damaged by other means.

June 24, 2011

City of Franklin
Attn: Lisa Huening
9229 Loomis Rd.
Franklin, WI 53132-9728

2011 JUN 27 11 11 AM
CITY OF FRANKLIN



1700 Opdyke Court
Auburn Hills, Michigan
48326
(248) 371-3100
(800) 225-6561
(248) 371-3091 fax
www.midwestclaims.com

Re: Program: League of Wisconsin Municipalities Mutual Insurance
Our Insured: City of Franklin
Date of Loss: 02/20/2011
Our Claim #: WI8 154072
Claimant: Shaun Moersfelder
7813 S Ridgewood Drive, Franklin, WI 53132

Dear Ms. Huening:

Midwest Claims Service, Inc. is the claim administrator for the League of Wisconsin Municipalities Mutual Insurance who provides the insurance coverage for the City of Franklin. We have received notice of the above-stated claim in which the claimant alleges a City plow caused damage to her driveway. The incident occurred on February 20, 2011.

Our investigation has revealed that certain alleged facts regarding duty or causation are in dispute or unproven; therefore, we recommend that the City of Franklin deny this claim pursuant to the Wisconsin statute for disallowance of claim 893.80(1g). The disallowance of the claim in this manner will allow us to shorten the statute of limitations period to 6 months.

The basis of this denial should be that there is no liability on behalf of the City of Franklin. Our investigation found no evidence to establish that a City plow was responsible for causing the damage and it is possible her driveway was damaged by other means. In the absence of evidence to support the claimant allegation that the City is responsible for these damages, we recommend the denial.

Please send your denial letter directly to the claimant, at the above stated addresses. Your denial should be sent certified or registered mail and must be received by the claimant within 120 days after you received the claim. Please send a copy of your denial to our address as stated above. Please feel free to call me at 800-225-6561 x3099 with any additional questions.

Sincerely,

Shannon Fike
Claims Adjuster

Enclosure – sample letter

cc: R&R INSURANCE



June 24, 2011

Shaun Moersfelder
7813 S Ridgewood Drive
Franklin, WI 53132

1700 Opdyke Court
Auburn Hills, Michigan
48326
(248) 371-3100
(800) 225-6561
(248) 371-3091 fax
www.midwestclaims.com

Re: Program: League of Wisconsin Municipalities Mutual Insurance
Our Insured: City of Franklin
Date of Loss: 02/20/2011
Our Claim #: WI8 154072
Claimant: Shaun Moersfelder

Dear Ms. Moersfelder:

Midwest Claims Service, Inc. is the claim administrator for the League of Wisconsin Municipalities Mutual Insurance who provides the insurance coverage for the City of Franklin. We have received notice of the above-stated claim in which it is alleged that a City plow caused damage to your driveway. The incident occurred on February 20, 2011.

Our investigation has revealed that certain alleged facts regarding duty or causation are in dispute or unproven; therefore, we will be recommending that the City of Franklin disallow the claim. Our investigation did not find any liability on behalf of the City. We did not find any evidence to support the contention that a City plow caused the resulting damages. It is possible your driveway was damaged by other means.

Sincerely,

Shannon Fike
Claims Adjuster

cc: City of Franklin
R&R INSURANCE

CITY OF FRANKLIN
CLAIM/INCIDENT REPORT FORM

Date: June 3, 2011
Type of Claim: Cracked Driveway
Name: Shaun Moersfelder
Address: 7813 S Ridgewood Dr
Telephone Number: (414) 529-7557
Estimate of Damages (if known): _____

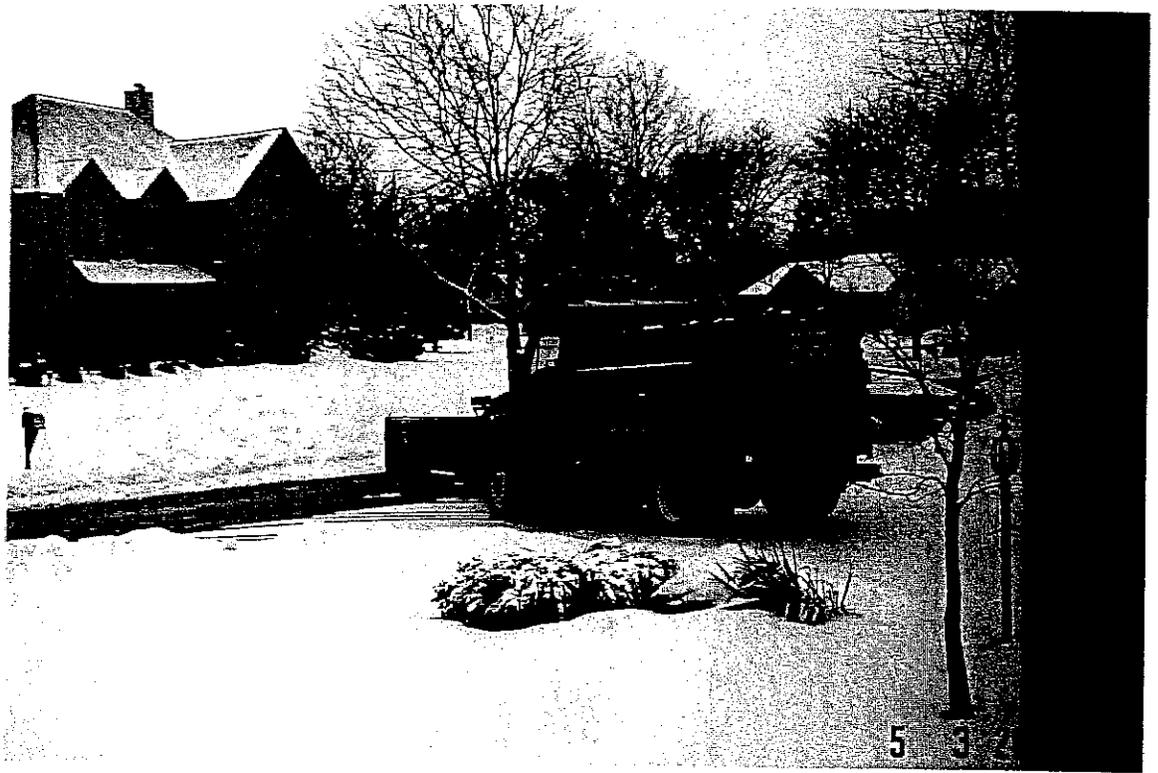
Explanation:

For the years of last winters the winter before the snowplow driver used my Driveway to turn around in. Before that we had Wayne and he never used my Driveway to turn around in. I really want Wayne back! Wayne should train these other Drivers how to plow. The first year it cracked I put a filler in and this year it cracked that as well I would want my approach fix by removing the old & replace with new concrete. They also drove over my marker & Broke them.
See pictures

Submitted by: Shaun Moersfelder

I also had called about the driver turning around in my Driveway several Times this past Winter
Feb 20th
Feb 22 - Ron March 5th
Feb 24 twice





APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i>		7/5/11
Reports & Recommendations	Revised acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, upon the following property identified as Acquisition Map Parcel No. 12, Tax Key Number 935-9994-009 located at 8400 W. Oakwood Road	ITEM NO. <i>G. 10.</i>

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

COUNCIL ACTION REQUESTED

Motion to enter closed session pursuant to Wis. Stat. §19.85 (1) (e), to consider the terms and negotiation of the revised public acquisition of easement for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

or

Motion to authorize the revised offering price for easement acquisition for Acquisition Map Parcel 12 for the Ryan Creek Interceptor Sewer project as recommended by the appraisal firm of Single Source, Inc. and the City Engineer.

JMB/sg

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/5/2011</p>
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<p>Licenses and Permits</p>	<p>Miscellaneous Permits</p>	<p>ITEM NUMBER</p> <p><i>H.1.</i></p>
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See attached list from meeting of July 5, 2011

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

License Committee

Agenda*

Alderman's Room

July 5, 2011 - 5:30 p.m.

1.	Call to Order & Roll Call	Time		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - Renewal 5:30 p.m.	Kaishian, Tammy S 2323 S 92 nd St West Allis, WI 53227 Crystal Ridge Ski Area			
Operator - New 5:40 p.m.	Magolan, Michael J W125 S8583 Country View Ct Muskego, WI 53150 Tuckaway Country Club			
Operator - Renewal 5:55 p.m.	Stankowski, Nicole L 3166 W Thorncrest Dr Franklin, WI 53132 The Bowery Bar & Grill			
Class B Combination Review of Incident Reports 6:00 p.m.	H, B & H, LLC d/b/a: On the Border Agent: Daniel Hay Location: 10741 S 27 th St			
Class B Combination and Entertainment & Amusement 2011-12	Formula Four, Inc d/b/a: Jakob's Pub 6951 S Lovers Lane Rd Agent: Donald E Wick			
Class B Combination and Entertainment & Amusement 2011-12	TJAL Holdings, Inc d/b/a: Irish Cottage 11433 W Ryan Rd Agent: Roseann C Losiniecki			
People Uniting for the Betterment of Life and Investment in the Community (“PUBLIC”) Grant	Franklin Police Dept – National Night Out Kick Off Applicant: Officer Jon Czerwinski Fee Waivers: Temp Entertainment & Amusement Fee & Sign Permits Location: 9151 W Loomis Rd			
Temporary Entertainment & Amusement	Franklin Police Dept – National Night Out Kick Off Applicant: Officer Jon Czerwinski Date: Monday 8/1/2011 6:00 p.m. to 9:00 p.m. Location: 9151 W Loomis Rd			
Operator - New 2010-11	Kozlowski, Nora L 8390 S Yorkshire Dr Apt 804 Oak Creek, WI 53154 The Wild Breed Saloon			
Operator – Renewal 2011-12	Kozlowski, Nora L 8390 S Yorkshire Dr Apt 804 Oak Creek, WI 53154 The Wild Breed Saloon			
Operator - New 2010-11	Schleicher, Angela T 8525 W Cascade Dr Franklin, WI 53132 Irish Cottage			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Schleicher, Angela T 8525 W Cascade Dr Franklin, WI 53132 Irish Cottage			
Operator – Renewal 2011-12	Adamczuyk, Janine M 3217 W Verona Ct Milwaukee, WI 53215 Polish Center			
Operator – Renewal 2011-12	Bal, Satinder S 5449 W Highlands Ct Franklin, WI 53132 Franklin Mobil – Sycamore & 27th			
Operator – Renewal 2011-12	Balistreri, Wendy S 7271 S Delaine Dr Oak Creek, WI 53154 Country Lanes			
Operator – Renewal 2011-12	Bellanger, Alicia E 8813 W Maple St West Allis, WI 53214 The Hideaway Pub & Eatery			
Operator – Renewal 2011-12	Bellanti, Mary A 608A Cornerstone Crossing Waterford, WI 53185 Irish Cottage			
Operator – Renewal 2011-12	Cauley, Joseph A 1813 S 70 th St West Allis, WI 53214 Rawson Pub			
Operator – Renewal 2011-12	Chambers, Jessica K 9027 S 29 th St Franklin, WI 53132 Walgreens – 27 th St			
Operator – Renewal 2011-12	Clifford, Joel B 2155A South K K Milwaukee, WI 53202 On the Border			
Operator – Renewal 2011-12	Courtright, Amanda J 5063 N 37 th St Milwaukee, WI 53209 Country Lanes			
Operator – Renewal 2011-12	Czarnecki, Chad R 2987 W Drexel Ave #307 Franklin, WI 53132 On the Border			
Operator – Renewal 2011-12	Gloyd, James P 4508 Riverside Rd Waterford, WI 53185 Eric's Setback			
Operator – Renewal 2011-12	Hintzke, Gregg E 8651 Ventara Dr #3078 Oak Creek, WI 53154 Walgreens – 27 th St			
Operator – Renewal 2011-12	Jacques, Amy M 6500 S Loomis Rd Windlake, WI 53185 Irish Cottage			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Johnson, Scot A 7401 Dartmoor Ave Greendale, WI 53129 The Hideaway Pub & Eatery			
Operator – Renewal 2011-12	Kinnee, Melanie M N8016 Woody Lane Ixonia, WI 53036 Country Lanes			
Operator – Renewal 2011-12	Levenhagen, Brittney S S82 W17532 Clearbrook Rd Muskego, WI 53150 Rawson Pub			
Operator – Renewal 2011-12	Lonzaga, Marcia G 6028 W Wells St Wauwatosa, WI 53213 Walgreens – 27 th St			
Operator – Renewal 2011-12	Lucksted, Candi L 14619 Two Mile Rd Franksville, WI 53126 The Hideaway Pub & Eatery			
Operator – Renewal 2011-12	Majchrzak, Victor W 1649 S 30 th St Milwaukee, WI 53215 Country Lanes			
Operator – Renewal 2011-12	Markowski, Erik A 3906 W Oklahoma Ave Milwaukee, WI 53215 Rawson Pub			
Operator – Renewal 2011-12	Palma, Jessica R 3455 S 56 th St Milwaukee, WI 53219 Michaelangelo's Pizza			
Operator – Renewal 2011-12	Paprocki, Dana M 577 W14233 McShane Dr Muskego, WI 53150 Country Lanes			
Operator – Renewal 2011-12	Singh, Poonam 16225 Cumberland Trail Brookfield, WI 53005 Jai Beru			
Operator – Renewal 2011-12	Sommers, Lucinda A 6929 S 117 th St Franklin, WI 53132 Pantheon			
Operator – Renewal 2011-12	Wagner, Joseph A 8447 W Maple St West Allis, WI 53214 The Hideaway Pub & Eatery			
Operator – Renewal 2011-12	Woythal, Maria L 10990 W Forest Home Ave Hales Corners, WI 53130 Country Lanes			
Operator – Renewal 2011-12	Yang, Yer 5656 N 69 th St Milwaukee, WI 53218 Wal-Mart			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – New 2011-12	Jackson, Ozzie 9305 W Mitchell St West Allis, WI 53214 On the Border			
Operator – New 2011-12	Coleman, Alfonzia II 12500 Duncan Ln New Berlin, WI 53151 On the Border			
Operator – New 2011-12	Schramm, Arron J 1228 Drexel Blvd South Milwaukee, WI 53172 Polish Center			
Operator – New 2011-12	Markiewicz, David L 34717 Oak Knoll Rd Burlington, WI 53105 Walgreens – Loomis Rd			
Operator – New 2011-12	Loonsfoot, Christopher L 6516 S 35 th St #101 Franklin, WI 53132 Walgreens – 27 th St			
Operator – New 2011-12	Siciliano, Vito M 1064 Main St #2 Antioch, IL 60002 On the Border			
Operator – New 2011-12	Benoit, Madeline L 9163 S 96 th St Franklin, WI 53132 Irish Cottage			
Operator – New 2011-12	Firmin, Gwendelyn R 10434 S Katie Dr Oak Creek, WI 53154 Walgreens – 27 th St			
Coin Machine Operator 2011-12	United Amusement, LLC Owner: Robert Yench 8925 N Terryson Dr Milwaukee, WI			
Coin Machine Operator 2011-12	Action Games, LLC Owner: Lynn Messmer 1100 Menomonee Ave South Milwaukee, WI 53172			
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>Slw CAP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 7/5/2011
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.1.</i>

Provided separately for Council approval is a list of vouchers Nos. 138964 through 139126 in the amount of \$2,422,198.17. Included in this listing is \$24,927.31 in Library Fund vouchers. The net City vouchers are \$2,397,270.86.

Approval is requested for the net payroll of July 1, 2011 in the amount of \$ 339,244.20.

COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range of Nos. 138964 through 139126 in the amount of \$ 2,397,270.86.

Approval is requested for the net payroll of July 1, 2011 in the amount of \$ 339,244.20.