

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*

6:45 P.M. OR SUCH LATER TIME AS REQUIRED TO IMMEDIATELY FOLLOW THE  
COMMITTEE OF THE WHOLE MEETING SCHEDULED TO BEGIN AT 6:30 P.M. ALL ON  
**TUESDAY, JULY 9, 2013**

- A. Call to Order and Roll Call
- B. Citizen Comment Period
- C. Approval of Minutes
  - 1. Approval of regular meeting of June 18, 2013.
- D. Hearings
  - 1. Public Hearing regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at approximately 7120 to 7400 W. Puetz Road, from Residential – Multi-Family Use to Residential Use (Point Real Estate LLC, applicant).
- E. Organizational Business
  - 1. Boards and Commissions Appointments
    - a. Michael Soto, Forward Franklin Economic Development Commission-Dist. #5
    - b. David Guzlecki, Board of Review-Alderman Dandrea's appointment
- F. Letters and Petitions
- G. Reports and Recommendations
  - 1. Donations
    - a. to the Fair Commission
      - 1. St. Martins Inn LLC in the amount of \$100.
      - 2. M. Squared, Inc. in the amount of \$300.
      - 3. Rosie's Tax and Bookkeeping Services LLC in the amount of \$250.
    - b. to the Police Department
      - 1. Master Lock in the amount of \$250.
      - 2. Priests of the Sacred Heart in the amount of \$500.
      - 3. Franklin Lioness Club in the amount of \$200.
    - c. to the Health Department
      - 1. Franklin Lioness Club in the amount of \$200.
    - d. to the Fire Department
      - 1. Franklin Lioness Club in the amount of \$200.
  - 2. Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map designation for property located at approximately 7120 to 7400 W. Puetz Road from Residential – Multi-Family use to Residential use (approximately 9.504 acres) (Point Real Estate LLC, Applicant).
  - 3. Ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District (Point Real Estate LLC, Applicant) (approximately 9.504 acres) (approximately 7120 to 7400 W. Puetz Road).

4. Pleasant View/Victory Creek Trail development and location project (immediately south of and east of Pleasant View Elementary School): Review of Proposed Alternate Route(s).
5. Standards, Findings and Decision of the City of Franklin Common Council upon the application of the City of Franklin for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance (Pleasant View/Victory Creek Trail).
6. Temporary street closure (S. Legend Drive/Schlueter Parkway) request in conjunction with the July 27, 2013 bike rodeo.
7. Request for the City of Franklin to further support the Milwaukee Gateway Aerotropolis Corporation by making a \$5,000 financial contribution.
8. Ordinance establishing Wisconsin Statute § 66.0609 as the System of Approving Claims for the City of Franklin and Establishing a City of Franklin Payment Policy Allowing Weekly Payments of Expenditures.
9. Authorization to proceed with obtaining bids for sanitary rehabilitation on failing sanitary sewer on S. 35th Street and S. 36th Street between W. Madison Blvd. and W. Marquette Ave.; on W. Marquette Ave. between S. 35th Street and S. 36th Street; and in an easement south of W. Madison Blvd. between S. 36th Street and 37th Place; and authorization to proceed with general maintenance for repairing the lining of 7 manholes serving the Home Depot on S. 27th Street and sealing of leaks in 12 manholes throughout the City.
10. Change Order No. 4 for Contract No. 1 of the Ryan Creek Interceptor public sanitary sewer project serving the southwest portion of Franklin.
11. Authorization to advertise for bids for the installation of sanitary sewer and water main on S. 76th Street between W. Faith Drive and W. Puetz Road for the installation in advance of the reconstruction of S. 76th Street by Milwaukee County and the setting of the public hearing date.

H. Licenses and Permits

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

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

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

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

REMINDERS:

July 18	Plan Commission	7:00 p.m.
July 23	Common Council	6:30 p.m.
August 6	Committee of the Whole AND Common Council	6:30 p.m.
August 8	Plan Commission	7:00 p.m.
August 20	Common Council	6:30 p.m.



APPOINTMENTS-  
CONTINUED

E.1.d. Alderman Dandrea moved to approve the Mayoral appointment of Karen Wesener, Dist. #1 to the Library Board, term expires 7/01/16. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

E.1.e. Alderman Skowronski moved to approve Alderman Skowronski's appointment of James Kerr to the Board of Review. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.

E.1.f. Alderman Schmidt moved to approve the Mayoral appointment of Jerry Edmonds, Dist. #5 to the Forward Franklin Economic Development Commission, term expires 7/01/15. Seconded by Alderman Skowronski. On roll call, all voted Aye; motion carried.

E.1.g. Alderman Skowronski moved to approve the Mayoral appointment of Nathan Jurowski, Dist. #6 to the Complete Streets and Connectivity Committee, term expires 11/01/14. Seconded by Alderman Wilhelm. On roll call, all voted Aye; motion carried.

E.1.h. Alderman Skowronski moved to approve Mayoral appointment of Alderman Schmidt to the Plan Commission, term expires 4/30/14. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

E.1.i Alderman Schmidt moved to approve Mayoral appointment of Fred Knueppel, Dist. #5 to the Plan Commission, term expires 4/30/14. Seconded by Alderman Skowronski. Alderman Mayer moved to call the question. Seconded by Alderman Skowronski. All voted Aye; motion carried. On the roll call for the main motion, all voted Aye; motion carried.

RES. 2013-6889  
CERTIFIED SURVEY  
MAP  
SWEENEY AND NEW  
HOPE COMMUNITY  
CHURCH, INC.

G.1. Alderman Skowronski moved to adopt Resolution No. 2013-6889, A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING A PART OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 7, AND PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 18, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (KENNETH R. SWEENEY, CHERYL R. SWEENEY AND NEW HOPE COMMUNITY CHURCH, INC., OWNERS) (11241, 11255 AND 11321 WEST ST. MARTINS ROAD). Seconded by Alderman Schmidt. All voted Aye; motion carried.

TRAIL ALONG  
S. NORTH CAPE RD.

G.2. Alderman Skowronski moved to direct that the Park Impact Fee analysis incorporate approximately 10,820 lineal feet of trail along S. North Cape Road, as well as the associated costs, for the purpose of applying park impact fee funding to support the project, pending finalization of the project approval. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Alderman Skowronski moved to direct the Planning Department to bring forward an amendment to the Comprehensive Outdoor Recreation Plan prior to the end of 2013 that provides for a trail along S. North Cape Road. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

RECONSTRUCTION ON  
S. 27TH ST.

G.3. No action was taken to provide direction to the Wisconsin Department of Transportation relative to the width of the sidewalk along S. 27th Street and the desire for underground utilities subject to obtaining the necessary financing through Tax Increment Financing.

WATER MAIN  
INSTALLATION-  
W. ST MARTINS RD.

G.4. Alderman Mayer moved to direct staff to take the necessary action to facilitate the installation of 430 feet of water main on W. St. Martins Road just southeast of S. Chapel Hill Drive and report back to the Common Council for the necessary approvals and public hearing. Seconded by Alderman Skowronski. All voted Aye; motion carried.

PHASE 3  
RAWSON HOMES  
PPII PROGRAM

G.5. Alderman Wilhelm moved to authorize staff to proceed with the initial planning for Phase 3 of the Rawson Homes Private Property Inflow and Infiltration program as financed by the Milwaukee Metropolitan Sewerage District including S. 37th Place, S. 36th Street and S. 35th Street between W. Madison Boulevard and W. Marquette Avenue; and W. Madison Boulevard and W. Marquette Avenue between S. 35th Street and S. 37th Place. Seconded by Alderman Schmidt.  
Alderman Mayer left the Council Chambers (See Item G.8.).  
All voted Aye; motion carried.

SEWRPC PLANNING  
REPORT NO. 54

G.6. Alderman Taylor moved to refer Southeastern Wisconsin Regional Planning Commission Planning Report No. 54, *A Regional Housing Plan for Southeastern Wisconsin: 2035* to the Plan Commission for review and recommendation to the Common Council for adoption of a Resolution. Seconded by Alderman Skowronski. All voted Aye; motion carried.

2014 CDBG PROGRAM

G.7. Alderman Taylor moved to authorize the Director of Administration to submit a Letter of Support for the Southwest Interfaith Elderly Home Support Services Program for \$5,000 and project applications for the Senior Travel Program for \$5,000 and the Community Room/City Hall Fire Alarm Project (Phase II & III) for \$67,000. Seconded by Alderman Dandrea. All voted Aye; motion carried.

70/30 GOAL  
DEFINITIONS AND  
CALCULATIONS

G.8. Alderman Mayer returned to his seat.  
Alderman Skowronski moved to refer the report and calculations that pertain to the 70/30 Goal definition and calculations to the newly formed task force, Forward Franklin Economic Development Authority, Plan Commission and Community Development Authority. Seconded by Alderman Taylor. All voted Aye; motion carried.

CHAMBER DIRECTORY  
AND COMMUNITY  
GUIDEBOOK

G.9. Alderman Skowronski moved to authorize the back cover ad promoting the City of Franklin in the South Suburban Chamber of Commerce's Membership Directory and Community Guidebook for \$5,000. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2013-2108  
AMEND ORD 2012-2096  
2013 BUDGETS AND  
TAX LEVY

G.10. Alderman Taylor moved to adopt Ordinance No. 2013-2108, AN ORDINANCE TO AMEND ORDINANCE 2012-2096, AN ORDINANCE ADOPTING THE 2013 BUDGETS AND TAX LEVY FOR THE CITY OF FRANKLIN, TO APPROVE CHANGES TO 2013 BUDGET TO THE GENERAL FUND, CAPITAL OUTLAY FUND, CAPITAL IMPROVEMENT FUND, AND THE EQUIPMENT REPLACEMENT FUND. Seconded by Alderman Dandrea. All voted Aye; motion carried.

APPROVING CLAIMS  
AND PAYMENT POLICY

G.11. Alderman Taylor moved to adopt AN ORDINANCE ESTABLISHING WISCONSIN STATUTE 66.0609 AS THE SYSTEM OF APPROVING CLAIMS FOR THE CITY OF FRANKLIN AND ESTABLISHING A CITY OF FRANKLIN PAYMENT POLICY, with the inclusion of "department order" in Section 3. Seconded by Alderman Dandrea.  
Alderman Skowronski moved to amend the motion to require the Mayor to review and sign all checks. Motion died due to the lack of a second.  
At 8:27 p.m. Mayor Tom Taylor passed the gavel to Council President Steve Taylor, who then chaired the meeting. The gavel was returned to Mayor Tom Taylor at 8:30 p.m.  
On roll call for the adoption of the Ordinance, Aldermen Dandrea, Taylor and Schmidt voted Aye; Aldermen Mayer, Wilhelm and Skowronski voted No. Mayor broke the tie by voting No.  
Alderman Wilhelm moved to refer to City Attorney for review and return to next meeting. Seconded by Alderman Mayer. All voted Aye; motion carried.

CITY OF FRANKLIN  
PURCHASING POLICY

G.12. Alderman Skowronski moved to table A RESOLUTION ESTABLISHING A CITY OF FRANKLIN PURCHASING POLICY. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2013-6890  
AWARDING CONTRACT  
TO BS&A SOFTWARE

G.13. Alderman Taylor moved to adopt Resolution No. 2013-6890, A RESOLUTION AWARDING A CONTRACT TO BS & A SOFTWARE FOR THE PURCHASE OF FINANCIAL SYSTEMS SOFTWARE as amended. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2013-6891  
INVESTMENT POLICY  
STATEMENT

G.14. Alderman Taylor moved to adopt Resolution No. 2013-6891, A RESOLUTION TO AMEND THE INVESTMENT POLICY STATEMENT FOR THE CITY OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST. Seconded by Alderman Dandrea. All voted Aye; motion carried.

MISCELLANEOUS  
LICENSES

H.1. Alderman Dandrea moved to grant the following licenses:

2013-14 Operator License to Adamczyk, Janine M., 3217 W. Verona Ct., Milwaukee; Ambriz, Jose E., 2232 S. 16th St., Milwaukee; Anders, Michael K., S70W13749 Tess Corners Dr., Muskego; Andreleczyk, Iwona, 5045 W. College Ave. #67, Greendale; Arbogash, Adam O., 1351 N. 70th St., Wauwatosa; Arredondo, Krysta M., 4335 W. Rawson Ave., subject to satisfactory schooling; Balcerzak, Amy B., 2605 E. Emily Ave., Oak Creek; Balistreri, Wendy S., 7271 S. Delaine Dr., Oak Creek; Baratta, Tina M., 11207 42nd Ave., Pleasant Prairie; Barth, Jill M., 4651 W. Sharon Ln.; Behrendt, Larry E., 6631 S. 51st St.; Beierle, Wendy J., 9221 S. 96th St.; Bellanger, Alicia E., 4137 W. McGinnis Dr.; Bostwick, Darrell J., 3423 S. 60<sup>th</sup> St.; Braun, James A., 904 Michigan Ave., South Milwaukee; Brown, Craig A., 525 Eastern Trail, Mukwonago; Brown, Maurice Jr., 10819 N. Cedarburg Rd., Mequon subject to satisfactory schooling; Brunette, David A., 4236 S. 61st St. #3, Greenfield; Canales, William J., 3423 S. 60th St., Milwaukee; Carreno, Stephen M., 4091 Heatheridge Dr.; Cauley, Joseph A., 1813 S. 70th St., West Allis; Coley, Denise A., 7345 S. Delaine Dr., Oak Creek subject to satisfactory schooling; Connors, Jennifer M., 1825 W. Timber Ridge Ln. #9210, Oak Creek; Cook, Joshua R., S70W17778 Muskego Dr., Muskego; Dach, Michael D., 109 N. Third St. Upper, Waterford; Danforth, Cheryl E., 3759 N. 61st St., Milwaukee; Decker, Carol S., 1624 S. 61st St., West Allis; Deford, Kristen M., 7161 S. 38th St.; Delgado, Julie T., 6853 W. Kathleen Ct. #6; Dragicevic, Bosko, 9419 S. 27th St.; Drakulic, David M., 7525 W. Clarke St., Wauwatosa; Franczak, Jason W., 6943 S. Tumblecreek Dr.; Gaglianello, Gino J., 5873 Riverside Dr., Greendale; Glanzmann, Jacqueline M., 4915 W. Loomis Rd., Greenfield; Gorlewski, Melissa D., 7562 S. 73rd St.; Greer, Patricia A., 1702 E. Eden Pl., St. Francis; Hanley, Debra L., 8248 Four Oaks Dr.; Harmon, Andrea M., 1022 W. River Place Blvd. #14, Waukesha; Hatfield, Bambi D., 5105 W. Coldspring Rd., Greenfield; Hein, Kaila M., 4283 W. Victory Creek Dr.; Hermanson, Michelle L., 4928 S. 35th St., Greenfield; Hinkley, Nicole L., 5439 Rainbow Dr., Greendale; Hopkins, Carl W.,

LICENSES-  
CONTINUED

2270 N. 119th St., Wauwatosa; Jacques, Amy M., 28706 Beach Dr., Waterford; Jazdzewski, Sharon J., 9231 S. 27th St.; Johnson, Scot A., 7401 Dartmoor Ave., Greendale; Kharel, Sabitri B., 7815 S. Scepter Dr., #23; Kitzerow, Allison L. 1633 N. Prospect Ave. #9F, Milwaukee; Kloppenburg, Breana, 7801 W. Imperial Dr.; Kuiper, Sue M., 9213 S. Aspen Dr. Unit 4, Oak Creek; Lake, Jill H., W135 S7013 Hale Park Dr., Muskego subject to satisfactory payment; Leannais, Kimberly D., 6317 Riverside Dr., Waterford; Lindner, Kimberly A., 10267 W. Parkedge Cir.; Loh, June A., 7930 W. Coldspring Rd., Greenfield subject to satisfactory payment; Luce, Dawn R., 2956 Chickory Rd., Racine; Lucksted, Candi L., 14619 Two Mile Rd., Franksville; Magolan, Michael j., W125 S8583 Countryview Ct., Muskego with warning letter from City Clerk; Marker, Crystal L., 8931 S. 79th St.; Markowski, Erik A., 3906 W. Oklahoma Ave., Milwaukee; Matecki, Mark J., 1007 W. Morgan Ave., Milwaukee; Mlynczak, Susan M., 6921 Spring St., Mount Pleasant; Monti, Henry L., 2408 Prospect St., Racine; Moore, Amy E., 3954 S. 56th St., Milwaukee; Moore, Amy E., 3954 S. 56th St., Milwaukee; Nelson, James W., 211 W. Oak Leaf Dr. #5, Oak Creek; Nessmann, Carolyn, 8503 W. Puetz Rd.; Pedriana, Rodayah R., 10617 Beacon Hill Ct. W.; Quiles-Lembcke, Kristi A., 5588 Serene Ct., Greendale; Rabiega, Daniel A., 3733 W. Jerelin Dr.; Rabiega, Richard G., 3733 W. Jerelin Dr.; Reed, Vicki L., 5315 S. McCreedy Ave., Cudahy; Reikowski, Mark A., W125S8317 North Cape Rd., Muskego; Reynolds, Sue E., 5443 Mulberry Dr., Greendale; Rullmann, Lynette M., 219 Franklin St. #A, Delavan; Rusch, Megan L., 3815 S. Town Rd., New Berlin; Schilling, Scott A., 3521 S. Chase Ave., Milwaukee; Schmeling, Jake E., 3159 S. 50th St., Milwaukee; Schramm, Arron J., 1228 Drexel Blvd., South Milwaukee; Schultz, Mary A., 2664 Hidden Dr., St. Francis; Shutta, Julia A., 3215 Blakewood Ave., South Milwaukee; Siciliano, Vito M., 1064 Main St. #2, Antioch, IL; Stallman, Ciji M., 1033 S. 74th St., West Allis; Syed, Ahmeduddin, 11200 W. Gilbert Ave., Unit C, Wauwatosa; Templin, Holly A., 12168 W. Virginia Cir. #6; Tiedke, Nathan T., 8029 S. 61st St.; Torres, Andrew G., 6627 Greenway #4, Greendale; Tran, Andrew Q., 3935 W. Dory Dr.; Varga, Kathleen A., 2605 Rebecca Dr., Racine; Wegner, Kathleen R., 26545 Nordic Ridge Dr., Wind Lake subject to satisfactory payment; Woychik, Teresa A., 3545 E. Puetz Rd., Oak Creek; Young, Faye M., 6156 S. 42nd St., Greenfield; Zeka, Kristin M., 6885 S. Timber Ridge Ln. #7206, Oak Creek; Saldivar, Dawn M., 1635 Manitoba Ave. lower, South Milwaukee with warning letter from City Clerk; Stankowski, Nicole L., 3166 W. Thorncrest Dr.; Clifford, Joel B., 2155A S. Kinnickinnic Ave., Milwaukee; Duffy, Kristen M., 8039 S. 85th St. with warning letter from City Clerk; Sekyi, Jordan K., 4261 S. 97th St., Greenfield with warning letter from City Clerk;

LICENSES-  
CONTINUED

Class A Combination License to Franklin Quik Chek, LLC, 8305 S. 27th St., Virendra Verma, Agent subject to satisfactory payment & inspections;

Class B Combination Entertainment & Amusement License to Rock Sports Complex, LLC, 7900 W. Crystal Ridge Dr., Thomas J. Johns, Agent subject to satisfactory payment & inspections;

Entertainment & Amusement License to Milwaukee County Sports Complex, 6000 W. Ryan Rd., Jason Rosploch, Manager subject to satisfactory inspections; Oakwood Golf Course, 3600 W. Oakwood Rd., Jason Rosploch, Manager; Whitnall Park Golf Club House, 6701 S. Park Rd., Jason Rosploch, Manager;

Day Care License to Amy's Academy, 9758 S. Airways Ct., Amy Sidello, Manager subject to satisfactory inspections; Academy of Integrity, 3900 W. Ryan Rd., La Quessah Blockton, Manager subject to satisfactory inspections; Academy of Performing Arts, 7221 S. 76th St., Stacy Tuschi, Manager;

Pharmacy License to Aurora Pharmacy, 9200 W. Loomis Rd., Seven C. Hermann, Manager subject to satisfactory inspections;

Coin Machine Operator License to American Entertainment, W337 S5059 Hwy. GG, Dousman, Kenneth Grothmann, Owner; Clear Choice ATM, Ltd., 4930 Bayside Cove, Waterford, Robert Kostner, Owner; Games Are Us, W144 S6315 College Ct., Muskego, Steven A. Murphy, Owner; Mitchell Novelty Co., 3506 W. National Ave., Milwaukee, Ralph H. Fleege, Owner; National Amusement Systems, 2740 S. 9th Place, Milwaukee, Janis Thein, Owner; National Entertainment Network, LLC, 325 Interlocken Pkwy. B, Broomfield, CO; Red's Novelty Ltd., 1921 S. 74th St., West Allis, Jay G. Jacomet, Owner; Reggie's Amusement, LLC, 4918 S. Packard Ave., Cudahy, Reginald L. Zeniecki, Owner; Wisconsin P & P Amusement, 12565 Lisbon Rd., Brookfield;

Extraordinary Entertainment & Special Event to MACC Fund Car Show, Person in Charge: Wayne Seidel, 6455 S. 108th St., Hiller Ford Charity Car Show on 9/8/13;

Class B Combination Entertainment & Amusement to Little Cancun Restaurant, 7273 S. 27th St., Veronica Cerera, Owner contingent on licensee compliance with the sanitarian's risk control plan;

LICENSES-  
CONTINUED

Also moved to hold Operator License for Brown, Nedra L., 26644 Long Lake Rd., Wind Lake; Galindo, Angelina, 2920 S. 9th St., Milwaukee; Oster, Jonathan J., 3030A S. 48th St., Milwaukee; Kozinski, Nicholas J., 5252 S. Packard Ave., Cudahy; Schneider, Halee L., 8100 W. Tripoli Ave., Milwaukee all subject to appearing before the License Committee and refer Smukowski, Kristilynn, 38 Acadian Ave., Hartford to City Attorney for possible hearing for suspension or revocation. Seconded by Alderman Mayer. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

I.1. Alderman Dandrea moved to approve net City vouchers in the range of Nos. 147477 through 147663 dated June 18, 2013 in the amount of \$1,031,438.19. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

Alderman Mayer moved to approve net payroll dated June 14, 2013 in the amount of \$335,404.94. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:50 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.

D.I.

CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, July 9, 2013, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at approximately 7120 to 7400 West Puetz Road, from Residential - Multi-Family Use to Residential Use (Point Real Estate LLC, applicant). The property which is the subject of this application bears tax key no. 850-0004-000, consisting of approximately 9.504 total acres of vacant land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at [www.franklinwi.gov](http://www.franklinwi.gov). Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 30th day of May, 2013.

Sandra L. Wesolowski  
City Clerk

N.B. Class I

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/09/13</p>
<p>ORGANIZATIONAL BUSINESS</p>	<p>Boards and Commissions Appointments</p>	<p>ITEM NUMBER</p> <p><i>E.1.</i></p>

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

Forward Franklin Economic Development Commission

Michael Soto, term expires 7/01/14

Board of Review

David Guzlecki, Alderman Dandrea's appointment

**Name:** Michael A. Soto  
**PhoneNumber:** 414-975-6218  
**EmailAddress:** [mike.soto@continuumarchitects.com](mailto:mike.soto@continuumarchitects.com)  
**YearsasResident:** 13 years  
**Alderman:** Doug Schmidt  
**ArchitecturalBoard:** 0  
**CivicCelebrations:** 0  
**CommunityDevelopmentAuthority:** 0  
**FinanceCommittee:** 0  
**EnvironmentalCommission:** 0  
**ForwardFranklinEconomicDevelopComm:** 1  
**FairCommission:** 0  
**BoardofHealth:** 0  
**FirePoliceCommission:** 0  
**ParksCommission:** 0  
**LibraryBoard:** 0  
**PlanCommission:** 0  
**PersonnelCommittee:** 0  
**BoardofReview:** 0  
**BoardofPublicWorks:** 0  
**BoardofWaterCommissioners:** 0  
**TechnologyCommission:** 0  
**WasteFacilitySitingCommittee:** 0  
**BoardofZoning:** 0  
**WasteFacilitiesMonitoringCommittee:** 0  
**CompanyNameJob1:** Continuum Architects & Planners S.C.  
**TelephoneJob1:** 414-220-9640  
**StartDateandPositionJob1:** 2002- present / Architect  
**EndDateandPositionJob1:**  
**CompanyNameJob2:** HGA  
**TelephoneJob2:** 414.278.8200  
**StartDateandPositionJob2:** 1998 / Architect  
**EndDateandPositionJob2:** 2002 / Architect  
**CompanyNameJob3:** Kahler Slater  
**TelephoneJob3:** (414) 272-2000

**StartDateandPositionJob3:** 1992 / Architect  
**EndDateandPositionJob3:** 1998 / Architect  
**Signature:** Michael A. Soto  
**Date:** 10-23-12  
**Signature2:** Michael A. Soto  
**Date2:** 10-23-12  
**Address:** 6749 Harvard Dr. Franklin WI 53132  
**PriorityListing:**

**WhyInterested:**

I am a registered Architect in the State of Wisconsin since 1990. I am a Principal at the Architectural Design & Planning firm of Continuum Architects & Planners SC. My experience & passion for managing various projects from small publicly funded interior renovations (MATC), to large privately funded projects (St. Johns on the Lake 22 story tower), should serve the Forward Franklin economic development committee well. I am also a board member for Citizens for Community development.

**CompanyAddressJob1:**

220 S 1st Street Milwaukee WI

**DescriptionofDutiesJob1:**

Principal / Project manager managing projects from conceptual design through construction.

**AddressJob2:**

333 East Erie Street Milwaukee, Wisconsin, 53202

**DescriptionofDutiesJob2:**

Project manager / Project Architect managing projects from conceptual design through construction.

**AddressJob3:**

648 North Plankinton Avenue Milwaukee, WI 53203

**DescriptionofDutiesJob3:**

Project Architect managing projects from conceptual design through construction.

**AdditionalExperience:**

Martial Arts, 2nd degree Black belt, Bike riding, running, snow skiing. My wife Lisa owns the Snap Fitness Center, Franklin WI & the Snap Fitness Center, Mukwonago WI. We built our current home in Franklin in 1999. 2 children Aaron (15), Noah (12) both attending Franklin public school system.

**ClientIP:**

69.129.179.98

**SessionID:**

pkty2w5535d4wvqygz222liu

[See Current Results](#)

City of Franklin  
9229 West Loomis Road  
Franklin, Wisconsin 53132

**VOLUNTEER FACT SHEET**

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

**PERSONAL:**

Name DAVID GUZLECKI  
Address 8235 So 79th FRANKLIN WI 53132  
Phone Number 414-573-1868  
E-Mail DGUZLECKI@YMAIL.COM  
Length of Time a Franklin Resident 15 YEARS  
Alderman or District Number #1

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

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

**Why are you interested in joining this (these) particular Board and/or Commission?**  
UNIFORMITY AND TAX VALUE OF HOMES AND HOME VALUE.  
MY BACKGROUND IN ENGINEERING + CONSTRUCTION SHOULD PROVIDE  
CITY VALUE.

**VOLUNTEER OR WORK EXPERIENCE**

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

Company Name: <b>CAUSE</b>	Address: <b>WATERFORD</b>	Telephone: <b>—</b>
Date started: <b>2007</b>	Starting Position: <b>MEMBER</b>	
Date left: <b>2011</b>	Position upon leaving: <b>MEMBER</b>	
Description of duties: <b>PARTICIPATION IN RIVER CLEAN-UP + CARP REMOVAL</b>		

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

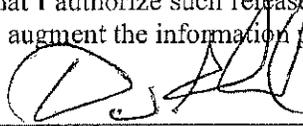
Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

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

REGISTERED DESIGN ENGINEER FOR STATE OF WI SINCE 2007

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

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

06/18/2013

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<p><b>APPROVAL</b></p> <p><i>Slu</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>7/09/13</p>
<p><b>Reports and Recommendations</b></p>	<p><b>Donations from St. Martins Inn LLC in the amount of \$100; M. Squared, Inc. in the amount of \$300 and Rosie's Tax and Bookkeeping Services LLC in the amount of \$250 to the Fair Commission</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.I.a.</i></p>

The City of Franklin Fair Commission has received donations St. Martins Inn LLC in the amount of \$100; M. Squared, Inc. in the amount of \$300 and Rosie's Tax and Bookkeeping Services LLC in the amount of \$250 to be used for the promotion of the St. Martin's Fair.

**COUNCIL ACTION REQUESTED**

Motion to accept the donation of \$100 from St. Martins Inn LLC ; \$300 from M. Squared, Inc. and \$250 from Rosie's Tax and Bookkeeping Services LLC to the Fair Commission to be used for the promotion of the St. Martin's Fair.

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<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>7/09/13</b>
<b>Reports and Recommendations</b>	<b>Donations from Master Lock in the amount of \$250; Priests of the Sacred Heart in the amount of \$500 and Franklin Lioness Club in the amount of \$200 to the Police Commission</b>	<b>ITEM NUMBER</b> <i>G.I.B.</i>

The City of Franklin Police Department has received the following donations:

Master Lock in the amount of \$250 to be used to purchase materials and supplies for Annual National Night Out event.

Priests of the Sacred Heart in the amount of \$500 to be used to purchase materials and supplies for Annual National Night Out event.

Franklin Lioness Club in the amount of \$200 to be used to support programs the Police Department provides.

**COUNCIL ACTION REQUESTED**

Motion to accept the donation of \$250 from Master Lock; \$500 from Priests of the Sacred Heart and \$200 from Franklin Lioness Club to the Police Department.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>7/09/13</b></p>
<p>Reports and Recommendations</p>	<p><b>Donation from Franklin Lioness Club in the amount of \$200 to the Health Department</b></p>	<p>ITEM NUMBER</p> <p><i>G.I.C.</i></p>

The City of Franklin Health Department has received a donation from the Franklin Lioness Club in the amount of \$200.

**COUNCIL ACTION REQUESTED**

Motion to accept the donation of \$200 from the Franklin Lioness Club to the Health Department.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR</b></p> <p><b>COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>7/09/13</b></p>
<p><b>REPORTS AND</b></p> <p><b>RECOMMENDATIONS</b></p>	<p>Donation from the Franklin Lioness club in the amount of \$200 to the Fire Department,</p>	<p><b>ITEM NUMBER</b></p> <p><i>G.l.d.</i></p>

The City of Franklin Fire Department has received a donation from the Franklin Lioness Club in the amount of \$200. The Department plans to use the donation towards the provision of fire education and prevention activities in the community.

**COUNCIL ACTION REQUESTED**

Motion to accept the donation of \$200 by the Franklin Lioness Club on behalf of the Fire Department.

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">07/09/13</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FOR PROPERTY LOCATED AT APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD FROM RESIDENTIAL – MULTI-FAMILY USE TO RESIDENTIAL USE (APPROXIMATELY 9.504 ACRES) (POINT REAL ESTATE LLC, APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.2.</i></p>

At its June 20, 2013, meeting the Plan Commission approved a resolution recommending the adoption of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 7120 to 7400 West Puetz Road from Residential – Multi-Family use to Residential use, pursuant to Wis. Stat. §66.1001(4)(b) (approximately 9.504 acres) (Point Real Estate LLC, Applicant).

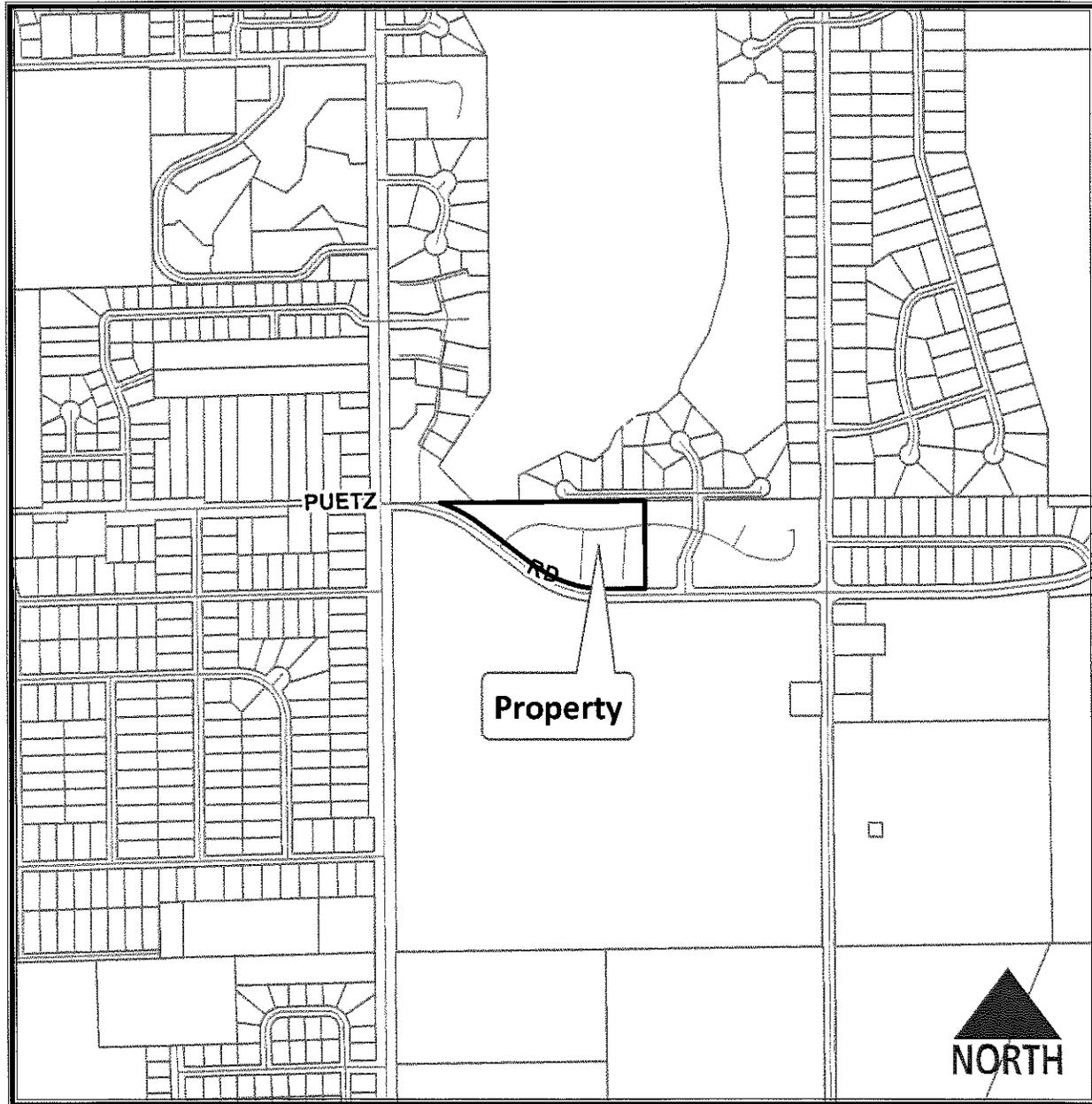
Additional information can be found with the associated Rezoning Application.

**COUNCIL ACTION REQUESTED**

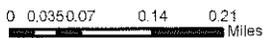
A motion to adopt Ordinance No. 2013-\_\_\_\_\_, to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 7120 to 7400 West Puetz Road from Residential – Multi-Family use to Residential use (approximately 9.504 acres) (Point Real Estate LLC, Applicant).



# Proposed Avian Estates Single-Family Subdivision



Planning Department  
(414) 425-4024



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

## ORDINANCE NO. 2013-\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE  
MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR  
PROPERTY LOCATED AT APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD FROM  
RESIDENTIAL - MULTI-FAMILY USE TO RESIDENTIAL USE  
(APPROXIMATELY 9.504 ACRES)  
(POINT REAL ESTATE LLC, APPLICANT)

---

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, the City of Franklin has applied for an amendment to the Comprehensive Master Plan to change the proposed use of certain property from Residential – Multi-Family Use to Residential Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on June 20, 2013, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at approximately 7120 to 7400 West Puetz Road, bearing Tax Key No. 850-0004-000, consisting of approximately 9.504 total acres of vacant land, from Residential - Multi-Family Use to Residential Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on July 9, 2013; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the Future Land Use Map use designation for the property located at approximately 7120 to 7400 West Puetz Road from Residential – Multi-Family Use to Residential Use. Such property is more particularly described within Ordinance No. 2013-\_\_\_\_ of even-date herewith.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain

in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by Alderman \_\_\_\_\_.

Passed and adopted by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">07/09/13</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT TO R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT (POINT REAL ESTATE LLC, APPLICANT) (APPROXIMATELY 9.504 ACRES) (APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>6.3.</i></p>

At its June 20, 2013, meeting following a properly noticed public hearing, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District subject to the approval of the related Comprehensive Master Plan Amendment (Point Real Estate LLC, Applicant) (approximately 9.504 acres) (approximately 7120 to 7400 West Puetz Road).

**COUNCIL ACTION REQUESTED**

A motion to adopt Ordinance No. 2013-\_\_\_\_\_ to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District (Point Real Estate LLC, Applicant) (approximately 9.504 acres) (approximately 7120 to 7400 West Puetz Road).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2013-\_\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND  
FROM R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT TO R-3  
SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT  
(POINT REAL ESTATE LLC, APPLICANT)  
(APPROXIMATELY 9.504 ACRES)  
(APPROXIMATELY 7120 TO 7400 WEST PUETZ ROAD)

---

WHEREAS, Point Real Estate LLC having petitioned for the rezoning of a certain parcel of land from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District, such vacant land being located at approximately 7120 to 7400 West Puetz Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 20th day of June, 2013, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

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

SECTION 1:           §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District:

BEING A PART OF LANDS IN THE NORTHWEST 1/4 AND THE  
NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22,  
TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF  
FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 1743, (EXCEPT THE EASTERLY PORTION THEREOF DESCRIBED AS PART OF PHASE I AREA OF AVIAN AT TUCKWAY CONDOMINIUM, DOCUMENT NO. 08812915), AND MORE CLEARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID 1/4 SECTION; THENCE N 89°19'05" E ALONG THE NORTH LINE OF NORTHWEST 1/4 OF SAID SECTION, A DISTANCE OF 358.43 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF W. PUETZ ROAD; THENCE CONTINUING N 89°19'05" E ALONG THE NORTH LINE OF SAID 1/4 SECTION, A DISTANCE OF 1211.58 FEET TO A POINT ON THE WEST LINE OF PHASE I AREA OF SAID AVIAN AT TUCKAWAY CONDOMINIUM; THENCE S 00°24'35" E ALONG SAID WEST LINE OF PHASE I AREA, A DISTANCE OF 517.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF W. PUETZ ROAD; THENCE S 89°19'05" W ALONG THE NORTH LINE OF SAID ROAD, A DISTANCE OF 238.43 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG AN ARC OF A CURVE AND THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD, WHOSE CENTER LIES TO THE NORTH, WHOSE RADIUS IS 681.78 FEET, WHOSE CHORD BEARS N 71°51'26" W 439.98 FEET, A DISTANCE OF 448.00 FEET TO A POINT OF TANGENCY; THENCE N 53°01'57" W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD, A DISTANCE OF 419.98 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG AN ARC OF CURVE AND THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD, WHOSE CENTER LIES TO THE SOUTH, WHOSE RADIUS IS 761.78 FEET, WHOSE CHORD BEARS N 62°31'58" W 251.46 FEET, A DISTANCE OF 252.62 FEET TO THE POINT OF BEGINNING. Tax Key No. 850-0004-000.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

ORDINANCE NO. 2013-\_\_\_\_

Page 3

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by Alderman \_\_\_\_\_.

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

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

# Avian Estates Rezoning and Comprehensive Plan Amendment

Project Narrative  
June 10, 2013

Franklin

JUN 10 2013

City Development

## General Summary

Avian Estates is a proposed 13 lot single family residential neighborhood that will be developed per the R-3 conventional zoning standards along a public cul-de-sac. The subject property is located on the north side of Puetz Road, just west of South Avian Way and it is surrounded by a golf course and single family residential to the north, Puetz Road to the south and west and a duplex condominium development to the east. The property contains 9.5 acres of land, it is currently vacant and sanitary sewer, watermain and storm sewer services are fully constructed. The ponds and the landscaping along the north side of Puetz Road will be placed in two outlots.

## Road Design

The Developer has considered Staff's recommendation for extending a public street through the proposed development to connect to West Greyhawk Lane and respectively, the Developer would like to proceed with the cul-de-sac design as shown and submitted on the concept plan. The initial layout that was reviewed with the City included extending a public road, but after several meetings, the Developer decided to redesign the site using a cul-de-sac alignment based on the following reasons:

1. West Greyhawk Lane is a private street and extending a public street through the proposed development would create a connection of a private and public street in the middle of a block. This scenario would potentially create confusion for snowplowing and road maintenance.
2. The major concern raised at a preliminary meeting with the Avian at Tuckaway Condominium Association was introducing additional traffic from the subject site onto their private road. The Association was strongly against having to pay for additional road maintenance from traffic not generated from within their neighborhood.
3. Based on comments from a few City officials, if the public through road was extended, they believed that there would be potential long term pressure from Avian at Tuckaway for the City to assume the road maintenance responsibilities for the private road due to the public traffic using the road. Entertaining of accepting responsibility would potentially create a bad precedent for the City due to other condo developments having trouble maintaining their roads and looking to the City for help.
4. A number of the lots in the proposed development are significantly improved with the cul-de-sac design and the land is more evenly distributed between the lots.

## **Site Intensity Calculation**

The gross site area of the proposed development is 9.504 acres. There are no existing road right-of-ways, land for ultimate road right-of-way, major utilities or public park/school site areas and no previously reserved open space or land approved for nonresidential uses contained within the boundaries of the property. The Base Site Area is 9.504 acres.

The steep slopes located on the property north of Puetz Road are manmade, so the area was excluded from the land protection calculation. There is a small tree line on the north side of the property which has an area of 0.238 acres. The wetland and wetland buffer area on the site contain 0.042 acres and 0.091 acres respectively. The total resource protection land area is 0.3 acres.

Based on the calculations shown in table 15-3.0504, the maximum net density yield of the site is 15.8 dwelling units. The maximum gross density yield of the site is 16.3 dwelling units. Therefore, the maximum number of permitted dwelling units of the site is 15.

## **Rezoning and Comprehensive Plan Amendment**

The property is currently zoned R-8 General Residential District and was previously approved for duplex condominiums. The proposed development plan contains 13 single family lots which requires rezoning the property to R-3.

The Future Land Use Map indicates the property being developed as residential, multi-family. The proposed development plan is for a single family use, so an amendment to the comprehensive master plan is required. Whispering Woods, directly to the north of the subject property, and the property south across Puetz Road are developed or planned as a single family residential use. Avian at Tuckaway is adjacent to this property and is developed as multi-family. Due to the similar adjacent single family land use, the requested land use change fits the nature of the general area. In addition, the proposed amendment provides consistency with the following Goals and Objectives of the Franklin Comprehensive Plan:

1. Goals #1 & 10 – The conceptual plan indicates the wetlands and wooded areas on the site will be protected through wetland and conservation easements.

The developer is proposing to impose restrictions on the property that are higher than the minimums required by the City. The restrictions will promote high value development, contributing to the City's tax base and helping to lower the City tax rate. The specific detail regarding the proposed restrictions and magnitude of the tax base creation are discussed in more detail later in the narrative.

2. Goal #2 – The development has been planned to integrate and protect the environmental resources on the property. The proposed single family use is compatible with the resources, which will not be altered or disturbed in any way.
3. Goals #4 & 33 – The development plan shows a sidewalk connecting the cul-de-sac to West Greyhawk Lane facilitating the homeowners ability to access other properties and potentially the existing trail to the east, helping to promote an active and healthy lifestyle.
4. Goal #5 – The proposed development will help grow the City with a high suburban quality as discussed above and the stormwater facilities needed to control erosion and other pollution have already been constructed to achieve this objective. Any additional stormwater requirements by the City will be designed and implemented into the development.
5. Goal #6 – A water quality pond has been constructed to protect the wetland located on the property. In addition, the tree line located on the north part of the property will be protected via a conservation easement.
6. Goal #9 – The proposed development of the property is needed to meet the residential demand in Franklin. According to MLS, the City has less than two dozen single family lots available for sale that are less than 1 acre.
7. Goal #22 – As described above, the proposed development is essentially an infill site that is compatible with the single and multi-family neighborhoods that surround it. The covenants will also promote the use of low-maintenance materials such as cement board siding, brick and stone to help achieve the long term objective good home maintenance.
8. Goal #23 – The proposed development has covenants that will lead to the introduction of a third housing type and price point into the area to go along with the multi-family to the east and the golf course lots to the north. Changing the Comprehensive plan from multi to single family will help prevent a multi-family surplus.

## **Covenants**

The neighborhood's covenants will be created to harmonize with the architecture of the adjacent condominium buildings. Following is a summary of the covenants:

1. Unit size: Ranch – 2,000 sf., Two Story – 2,200 sf. (1,100 sf. first floor)
2. Garage: 2 ½ car minimum, front entry, raised panel doors with windows
3. Building Materials:
  - a. Natural materials

- b. Masonry is required, at least one focal point and some banding on the front elevation
  - c. Wood corner boards
  - d. Aluminum fascia and soffit allowed
  - e. No aluminum or vinyl siding
4. Fireplace: Chimneys not required, if there is a flue extending out the roofline, the flue must be enclosed in a chase
5. Windows: Wrapped with 4" minimum trim, if there are grids, they must be on all elevations
6. Roof Pitch and Roof Materials: 8/12 pitch all homes, 30 year dimensional shingles
7. Driveways: Concrete or asphalt
8. Post Lights and Mailboxes: Standard required (similar to Avian condos)
9. Fences & Outbuilding: Not allowed

## **Tax Base**

Based on the aforementioned covenants, the average assessed value of the home and lot is projected to be in the \$380,000 range. At the current tax rate, each lot would produce approximately \$9,435 in taxes for a total project tax base of \$122,655.

## **Natural Resource Protection Summary**

The best available information was reviewed to determine applicable natural resource protections that will have to be implemented. Based on the following summary of our findings, no natural resources will be impacted by the proposed development:

1. Steep Slopes: The existing site slopes across the property range from 2% to 5%. The only exception is the area just north of Puetz Road which has 4:1 slopes, which were created during the construction of Puetz Road based on their general uniformity. A copy of the condominium grading plan is enclosed which shows the predeveloped site contours.
2. Woodlands and Forests: A small tree line is located along the north property line, partially on the subject property and partially on the Whispering Woods property. The trees are already included in a 10' wide conservation easement from the original certified survey map. The easement will be shown on the final plat for the development and no grading will occur in the easement. An aerial showing the trees is included herewith. The remaining trees shown on the aerial were all planted when the utilities were constructed.
3. Lakes, Ponds and Streams: There are two ponds shown on the included aerial, both of which were constructed for stormwater purposes. There are no other natural lakes, ponds or streams in the immediate area.

4. Shore Buffers: There are no lakes, ponds or streams within 1,000 feet of the property, so there are no shore buffers.
5. Floodplains/floodway/floodlands: The attached map does not show any floodplain, floodway or floodland.
6. Wetlands: One 0.046 acre wetland is located on the far west side of the development. The wetland was delineated and shown on the First Amendment to Avian at Tuckaway Condominiums. No grading or changes to the stormwater pond are planned and no lots abut the wetland area.





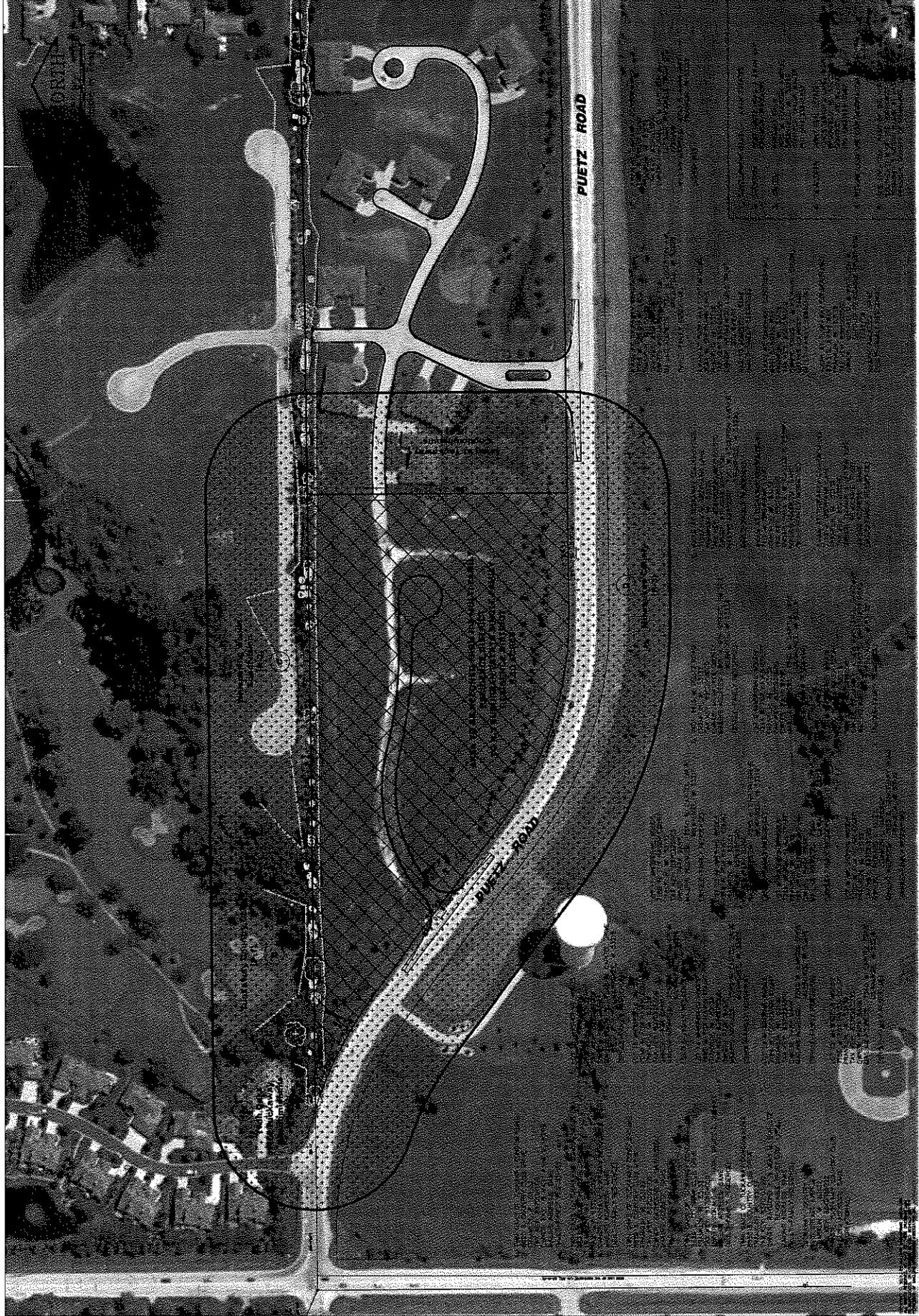
1-X  
SHEET NO.

NO.	1	REVISION
DATE	APRIL 5, 2013	REVISED PER CITY OF FRANKLIN COMMENTS
BY	ML	
DATE	APRIL 19, 2013	
BY	ML	
DATE	APRIL 19, 2013	

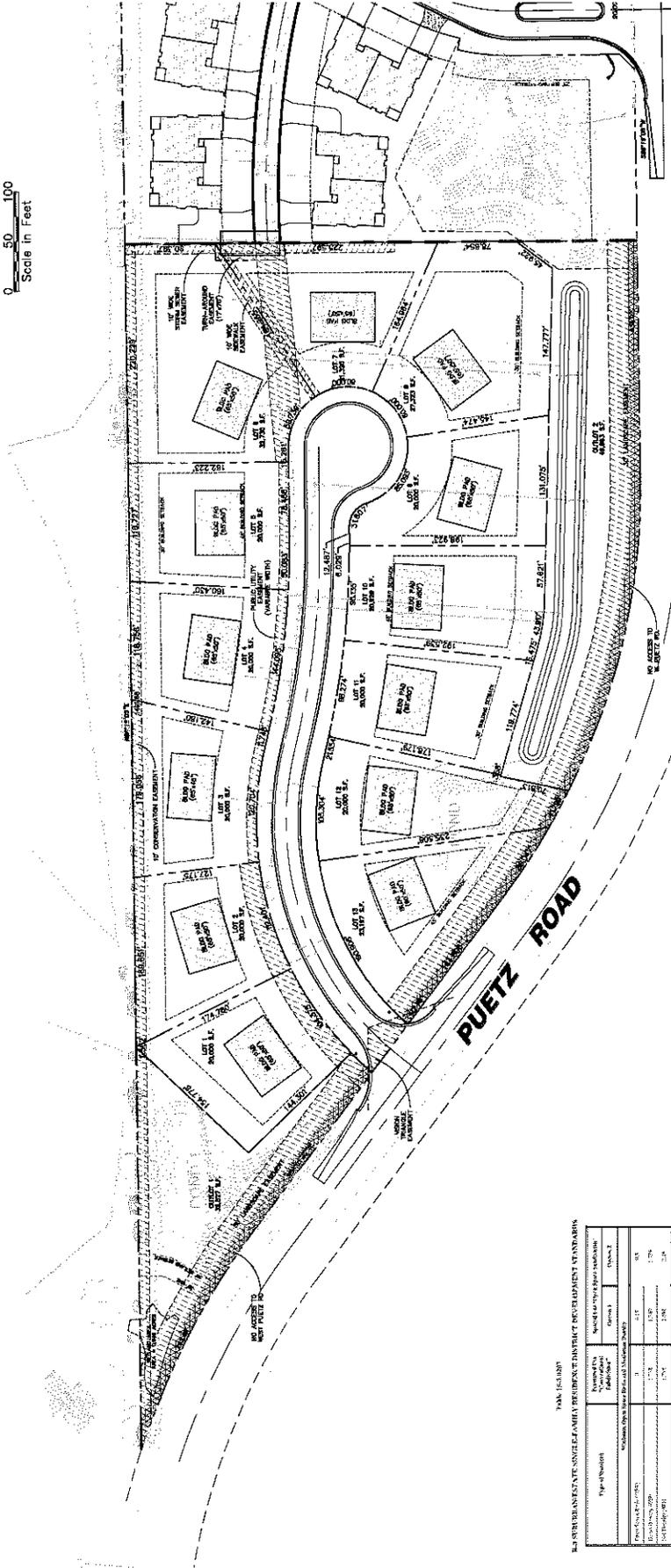
NOTING SCALE: 1" = 80'
DATE: APRIL 19, 2013
DESIGNED BY: ML
DRAWN BY: ML
CHECKED BY: ML

**McClure**  
Engineering Associates, Inc.  
10412 10TH COURT  
FRANKLIN, WISCONSIN 53120  
TEL: 608-785-1100  
FAX: 608-785-1101

**EXHIBIT - REZONING**  
AVIAN ESTATES  
FRANKLIN, WISCONSIN  
JOB NUMBER: 09-13-104  
FILE NAME: C:\work\proj\091301\091301\091301.dwg



NO.	DATE	REVISIONS
1	JAN 7, 2013	ISSUED FOR CITY COMMENTS
2	JAN 7, 2013	REVISED PER CITY COMMENTS



CITY OF FRANKLIN  
 ENGINEERING DEPARTMENT  
 CONCEPTUAL LAYOUT  
 AVIAN ESTATES  
 FRANKLIN, WISCONSIN

TABLE 1 (continued)  
 24. SUBSEQUENT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

Item	Minimum	Maximum	Notes
1. Lot Area	10,000 sq. ft.	15,000 sq. ft.	Minimum lot area shall be 10,000 sq. ft. and maximum lot area shall be 15,000 sq. ft.
2. Lot Width	30 feet	40 feet	Minimum lot width shall be 30 feet and maximum lot width shall be 40 feet.
3. Lot Depth	100 feet	150 feet	Minimum lot depth shall be 100 feet and maximum lot depth shall be 150 feet.
4. Front Yard Setback	10 feet	15 feet	Minimum front yard setback shall be 10 feet and maximum front yard setback shall be 15 feet.
5. Side Yard Setback	5 feet	10 feet	Minimum side yard setback shall be 5 feet and maximum side yard setback shall be 10 feet.
6. Rear Yard Setback	5 feet	10 feet	Minimum rear yard setback shall be 5 feet and maximum rear yard setback shall be 10 feet.
7. Maximum Building Footprint	1,500 sq. ft.	2,000 sq. ft.	Maximum building footprint shall not exceed 1,500 sq. ft. or 2,000 sq. ft.
8. Maximum Building Height	10 feet	15 feet	Maximum building height shall not exceed 10 feet or 15 feet.
9. Maximum Number of Units	1	2	Maximum number of units per lot shall be one or two.
10. Maximum Density	10 units per acre	15 units per acre	Maximum density shall be 10 units per acre or 15 units per acre.
11. Minimum Lot Coverage	10%	15%	Minimum lot coverage shall be 10% or 15%.
12. Maximum Lot Coverage	30%	35%	Maximum lot coverage shall be 30% or 35%.
13. Minimum Open Space	5%	10%	Minimum open space shall be 5% or 10%.
14. Maximum Open Space	20%	25%	Maximum open space shall be 20% or 25%.
15. Minimum Tree Retention	10%	15%	Minimum tree retention shall be 10% or 15%.
16. Maximum Tree Retention	30%	35%	Maximum tree retention shall be 30% or 35%.
17. Minimum Tree Planting	1 tree per 1,000 sq. ft.	2 trees per 1,000 sq. ft.	Minimum tree planting shall be one tree per 1,000 sq. ft. or two trees per 1,000 sq. ft.
18. Maximum Tree Planting	5 trees per 1,000 sq. ft.	10 trees per 1,000 sq. ft.	Maximum tree planting shall be 5 trees per 1,000 sq. ft. or 10 trees per 1,000 sq. ft.
19. Minimum Tree Size	2 inches	4 inches	Minimum tree size shall be 2 inches or 4 inches.
20. Maximum Tree Size	12 inches	18 inches	Maximum tree size shall be 12 inches or 18 inches.
21. Minimum Tree Spacing	10 feet	15 feet	Minimum tree spacing shall be 10 feet or 15 feet.
22. Maximum Tree Spacing	30 feet	40 feet	Maximum tree spacing shall be 30 feet or 40 feet.
23. Minimum Tree Survival	100%	100%	Minimum tree survival shall be 100%.
24. Maximum Tree Survival	100%	100%	Maximum tree survival shall be 100%.

1. All dimensions are in feet unless otherwise noted.  
 2. All dimensions are rounded to the nearest foot.  
 3. All dimensions are subject to change without notice.

McClure Engineering Associates, Inc.  
 1810 Old Orchard Road  
 Madison, WI 53713  
 (608) 261-8888





REPORT TO THE PLAN COMMISSION

Meeting of June 20, 2013

Rezoning and Comprehensive Master Plan Amendment

RECOMMENDATION: City Development Staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment applications for Avian Estates.

Table with 2 columns: Field Name and Description. Fields include Project Name, Project Address, Applicant, Owners (property), Current Zoning, Proposed Zoning, Use of Surrounding Properties, and Applicant Action Requested.

Introduction:

On May 21, 2013, the applicant submitted an application to rezone the property located at approximately 7120 to 7400 West Puetz Road from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District in anticipation of a 13 lot single-family subdivision.

The applicant is first requesting approval for the rezoning and Comprehensive Master Plan amendment, prior to moving forward with the Preliminary Plat and Final Plat Applications. If the subject applications are approved, the applicant intends to submit the Preliminary Plat Application soon thereafter.

The applicant went before the Committee of the Whole at their May 6, 2013 meeting for conceptual review of the proposed subdivision plat. After receiving comments from the Committee of the Whole, the applicant decided to proceed with the subject applications and the proposed residential subdivision development.

### **Project Description/Analysis:**

The property to be rezoned and amended in the Comprehensive Master Plan is located along West Puetz Road, between South 76<sup>th</sup> Street and South 68<sup>th</sup> Street (Taxkey No. 850-0004-000). The property is currently vacant and is approximately 9.50 acres. The land was previously planned for the Phase II expansion of the Avian at Tuckaway Condominium development.

The applicant has included the Rezoning Exhibit along with a Conceptual Layout, Landscape Plan and a Natural Resource Protection Plan (NRPP) map.

Per the NRPP and Certified Survey Map No. 7413, the property contains a 10-foot wide Conservation Easement along the north property line. The property also contains a wetland in the northwest corner of the site. This wetland is adjacent to the proposed Outlot 1, which consists of an existing storm water pond. The wetland was delineated on January 8, 2003 by Graef, Anhalt, Schloemer & Associates, Inc., now Graef. The wetland and associated wetland buffer and setback will not be disturbed by the proposed subdivision development; therefore, staff has not required a re-delineation even though the most recent delineation was completed over five years ago. Staff will likely recommend during its review of the anticipated subdivision plat that the applicant submit a written Conservation Easement for Common Council review and approval and recording with Milwaukee County. The CSM also shows a 30-foot wide Landscape Buffer Easement adjacent to West Puetz Road.

The conceptual layout includes 13 residential lots and 2 outlots located on a publicly dedicated cul-de-sac with ingress and egress from West Puetz Road. The lot sizes range from the R-3 Residence District minimum of 20,000 square feet to 32,730 square feet.

Staff will likely suggest during its review of the anticipated subdivision plat that the proposed public street be extended to connect to West Greyhawk Lane to provide an additional access through South Avian Way. This suggestion would connect a public street to a portion of West Greyhawk Lane, a private road owned by the adjacent condominium development. In their project narrative, the applicant has noted several concerns with this suggestion, including the connection of a public street to a private drive, the Avian at Tuckaway Condominium Association concerns with a through street, maintenance issues, and changes to the lot configuration.

### **Comprehensive Master Plan Consistency**

*Consistent with, as defined by Wisconsin State Statute, means "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."*

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property as Residential – Multi-Family. The land to the east (Avian at Tuckaway Condominium development) is also designated as Residential – Multi-Family. The majority of the area to the north and south is planned Residential uses. The property also abuts planned Recreational and Areas of Natural Resource Features uses to the north (Tuckaway Country Club) and Institutional

use to the south (City of Franklin water tower site). The properties west of South 76<sup>th</sup> Street (west of the subject property) are existing single-family residential uses and designated as such on the Future Land Use Map.

In the project narrative, the applicant has stated that the subject rezoning and comprehensive master plan amendment, and proposed single-family residential subdivision development is consistent with the following goals set forth within the Comprehensive Master Plan:

- Preserve and enhance the City's community character, including individual planning area identities, while directing growth and development.
- Protect environmental resources.
- Promote an active and healthy lifestyle.
- Protect natural resources while permitting growth and high quality suburban character.
- Protect natural resources to a greater extent, and agricultural resources to a lesser extent.
- Balanced Development
- High quality and high value development.
- Ensure compatibility with adjacent land uses.
- Provide adequate location and choice of housing and a variety of housing types for varying age and income groups for different size households.
- Develop a system of sidewalks and paths that links neighborhoods to active destinations.

**Staff Recommendation:**

City Development Staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment applications for Avian Estates.

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">07/09/13</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>PLEASANT VIEW/VICTORY CREEK TRAIL DEVELOPMENT AND LOCATION PROJECT (IMMEDIATELY SOUTH OF AND EAST OF PLEASANT VIEW ELEMENTARY SCHOOL): REVIEW OF PREOPOSED ALTERNATE ROUTE(S)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.4.</i></p>

At the regular meeting of the Plan Commission on June 20, 2013, the following action was approved: motion to proceed with the alternatives analysis focusing on a variant of Alternate 1, tweaking all alternatives to have the least amount of impacts and most recreational value, and makes the connections to the school, neighborhoods and park, and forwarding this motion and plan to the Franklin School District.

Attached for the Common Council's consideration is a map showing the location of the three trail alternatives, as revised by the comments made at the June 20<sup>th</sup> Plan Commission meeting, as well as a copy of the staff report presented at that meeting. At the time of preparation of this Common Council Action Sheet, comments had not been received from the School District.

It can be noted that the Parks Committee had previously reviewed this matter, and at its May 13<sup>th</sup> meeting approved a motion to "recommend approval of a trail route based on an optimal alternative that meets Milwaukee Metropolitan Sewerage District and other approving agency requirements." It can also be noted that the Franklin Complete Streets and Connectivity Committee is scheduled to review this matter at its July 11<sup>th</sup> meeting.

It is important to note that only the proposed locations of wetland crossings have been reviewed in detail, field verified, and shown on the attached map. The location of the remainder of the three alternative trails is approximate and has not been field verified. It is envisioned that only the preferred alternative, when selected by the Common Council, would be field located, reviewed in detail, and revised if necessary by the actual field conditions encountered onsite.

**COUNCIL ACTION REQUESTED**

Motion to direct staff to inform the Wisconsin Department of Natural Resources that Alternative 1 is the City's preferred trail location.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>07/09/13</p>
<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>STANDARDS, FINDINGS AND DECISION OF THE CITY OF FRANKLIN COMMON COUNCIL UPON THE APPLICATION OF THE CITY OF FRANKLIN FOR A SPECIAL EXCEPTION TO CERTAIN NATURAL RESOURCE PROVISIONS OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.5.</i></p>

At their June 20, 2013 meeting, the Plan Commission recommended denial of the Pleasant View/Victory Creek Trail Natural Resource Features Special Exception.

**COUNCIL ACTION REQUESTED**

A motion to deny the Pleasant View/Victory Creek Trail Natural Resource Features Special Exception.

 **CITY OF FRANKLIN** 

**REPORT TO THE PLAN COMMISSION**

**Meeting of June 20, 2013**

**Pleasant View/Victory Creek Trail Location and Natural Resource Special Exception**

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<b>Project Name:</b>	Pleasant View/Victory Creek Trail
<b>Project Location:</b>	Immediately south of and east of Pleasant View Elementary School which is located at 4601 W. Marquette Avenue, and east of Pleasant View Neighborhood Park
<b>Applicant:</b>	The City of Franklin
<b>Property Owner:</b>	The City of Franklin
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District, FW Floodway & C-1 Conservancy District
<b>2025 Comprehensive Plan:</b>	Recreational and Areas of Natural Resource Features
<b>Use of Surrounding Properties:</b>	Single-family to the north and south, vacant land zoned for single-family to the east and Pleasant View Elementary School and Pleasant View Neighborhood Park to the west
<b>Applicant's Action Requested:</b>	Recommendation to the Common Council of a trail route for the Pleasant View/Victory Creek Trail

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**INTRODUCTION AND ANALYSIS:**

On June 4, 2013, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) completed wetland delineations at each of the three wetland crossing alternatives that have been discussed by the Plan Commission for the Pleasant View/Victory Creek Trail. Previous Plan Commission staff reports are attached for additional information.

Below is a brief summary of each alternative and their relative wetland impacts. Exhibit A, attached, is a table created by Department of City Development staff indicating various pros and cons for each alternative for Plan Commission and Common Council consideration. At the time of this report, staff is in the process of creating a map that identifies the specific location of each of the three alternative wetland crossings, as well as the approximate location of the entire trail associated with each alternative. Staff has estimated the amount of wetland impacts in each alternative summary below. Once completed, the map will provide the total amount of disturbance of wetland, wetland buffer and wetland setback for each trail route. The map will be distributed separately prior to the June 20, 2013 Plan Commission meeting.

**Elements Common to all Three Trail Crossing Alternatives**

SEWRPC has determined that the wetland does extend continuously north/south through the project area; therefore, all three alternatives would have wetland impacts. A

Wisconsin Department of Natural Resources (DNR) permit will be required for development of the trail regardless of the alternative route selected.

The City of Franklin Engineering Department took soil borings at each of the three wetland crossings and determined that the trail could be successfully constructed at any of the alternative locations.

It is anticipated that all wetland crossing options would be designed to accommodate use by emergency vehicles and snow plowing along its entire length. Bridge construction or construction of boardwalks could be considered to avoid wetland impacts and DNR permitting; however, a bridge or boardwalk may add substantial cost to the project and could eliminate or limit the accessibility of the trail to emergency responders and snow plowing vehicles. Furthermore, legislation at the state level is currently under consideration that would allow trail activities within wetlands with only a General Permit from the DNR and possibly no required mitigation. Therefore, staff does not recommend consideration of any such bridge or boardwalk at this time.

All three wetland crossing alternatives are through areas of wetland that have been previously disturbed.

The DNR has requested that the City discuss these three specific alternatives in the City's alternatives analysis, which will be required upon submittal of a DNR permit application.

Staff would recommend, irrespective of whatever alternative location is chosen, that appropriate mitigation and/or restoration be undertaken as part of the Natural Resource Special Exception that will be required by the City's Unified Development Ordinance. The details of the mitigation/restoration would be determined at that time.

#### Alternative 1

Alternative 1 is the furthest north wetland crossing option. The trail will cross two separate wetland areas with a total impact of approximately 270 square feet. This area is currently disturbed by a mowed path. SEWRPC assisted in determining the location of the crossing based upon their assessment of, and providing for the least amount of impacts to, the wetlands. This location could be adjusted slightly if necessary to provide a more efficient route without significantly increasing the amount of wetland impacts.

#### Alternative 2

Alternative 2 is the middle crossing option. This crossing would impact approximately 3,700 square feet of wetlands. This area has previously been disturbed by the U.S. Fish and Wildlife Service, which had created a small berm across the wetland in order to decrease the soil erosion that was occurring in this area. The proposed trail would be located upon the small berm, which has since reverted back to a wetland.

#### Alternative 3

Alternative 3 is the southern wetland crossing option. This crossing would impact approximately 3,670 square feet of wetlands. This area had historically been disturbed by a farm tractor crossing and associated culvert, and is currently disturbed by a mowed path. The proposed trail would be located along the route of the mowed path and the historic tractor crossing.

**STAFF RECOMMENDATION:**

Based upon the information set forth in this report and the attached table, Staff recommends selection of Alternative 2.

Along with forwarding its recommendation to the Common Council, staff recommends that the Plan Commission also forward its recommendation to the Complete Streets and Connectivity Committee and the Parks Commission, in case those committees would wish to forward recommendations to the Common Council as well.

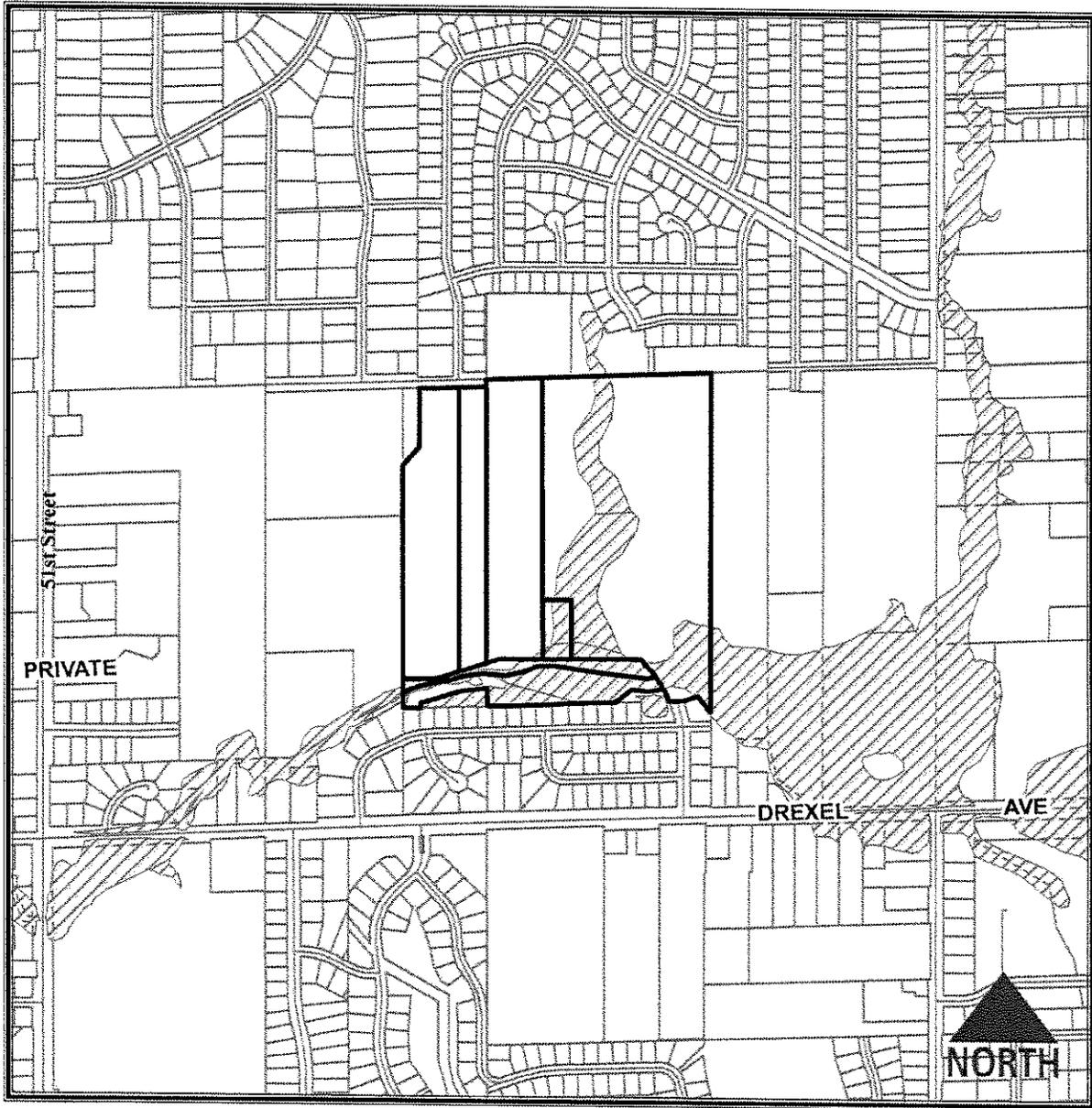
If Alternative 3 is not selected, staff recommends the Plan Commission recommend denial of the NRSE Application. Staff will then prepare a new NRSE Application and public hearing notice for the chosen Alternative.

## Exhibit A

Factors	Alternative 1 (northern crossing)			Alternative 2 (middle crossing)			Alternative 3 (southern crossing)		
	Pro's	Con's	Pro's	Con's	Pro's	Con's			
<b>Amount of anticipated wetland impacts</b>	Approximately 270 square feet of wetland impacts, which is the least amount of impact compared to the other alternatives. Wetland impacts occur in a previously disturbed area.		Wetland impacts occur in a previously disturbed area.	Approximately 3,700 square feet of wetland impacts, which is the largest amount of impact of the three alternatives.	Wetland impacts occur in a previously disturbed area.	Approximately 3,670 square feet of wetland impacts, which is more than Alternative 1 but less than Alternative 2.			
<b>Safety</b>	A much smaller portion of the trail would be located within the floodplain and be subject to periodic flooding than Alternative 1. Designed to accommodate emergency and snow plowing vehicles.		Due to the existing ground elevation at this location, the trail is likely to be constructed completely out of the floodplain. Designed to accommodate emergency and snow plowing vehicles.		Designed to accommodate emergency and snow plowing vehicles.	The largest portion of the trail, of the three alternatives, would be located within the floodplain and be subject to periodic flooding.			
<b>Costs</b>		Potentially more cost if the trail would split to have one section extend to the school and another section extend to the park. Does not provide efficient access to Pleasant View Park, and dependent upon funding decisions, may not provide any access to the park at this time.	Approximately same cost as Alternative 1.		Approximately same cost as Alternative 2.				
<b>Site Considerations</b>	Moves most of the trail and any impacts further from existing homes. Closely matches a current snowed path. Provides efficient access to Pleasant View School.		Provides access to both Pleasant View Park and Pleasant View Elementary school.		Closely matches the historic farm crossing and a current snowed path. Provides access to both Pleasant View Park and Pleasant View Elementary.	Closest location of the three alternatives to existing homes.			
<b>Aesthetics</b>	Parallels and provides a close view of the wetland to the west and the woodlands to the north.	Does not parallel and provide a close view of the East Branch of the Root River to the south.	Parallels and provides a close view of a portion of the wetland to the west.	Does not parallel and provide a close view of the East Branch of the Root River to the north.	Parallels and provides a close view of the East Branch of the Root River to the south.	Does not parallel and provide a close view of the wetland to the west or the woodlands to the north.			
<b>Consistency with adopted plans and grant application</b>		Would not substantially facilitate development of the trail along the East Branch of the Root River as set forth in the CMP and CORP. Less consistent with the grant application.	More closely matches and facilitates the approximate trail location shown in the CMP and CORP plans. Consistent with the grant application.		More closely matches and facilitates the approximate trail location shown in the CMP and CORP plans. Consistent with the grant application.				
<b>Timing</b>	Approximately same timeframe as Alternatives 2 and 3.			Staff anticipates approximately the same timeframe as Alternatives 1 and 3; however, this crossing may require U.S. Fish and Wildlife approval. At this time, staff is not aware if this will affect the timing.		Approximately same timeframe as Alternatives 1 and 2.			



# Pleasant View/Victory Creek Trail



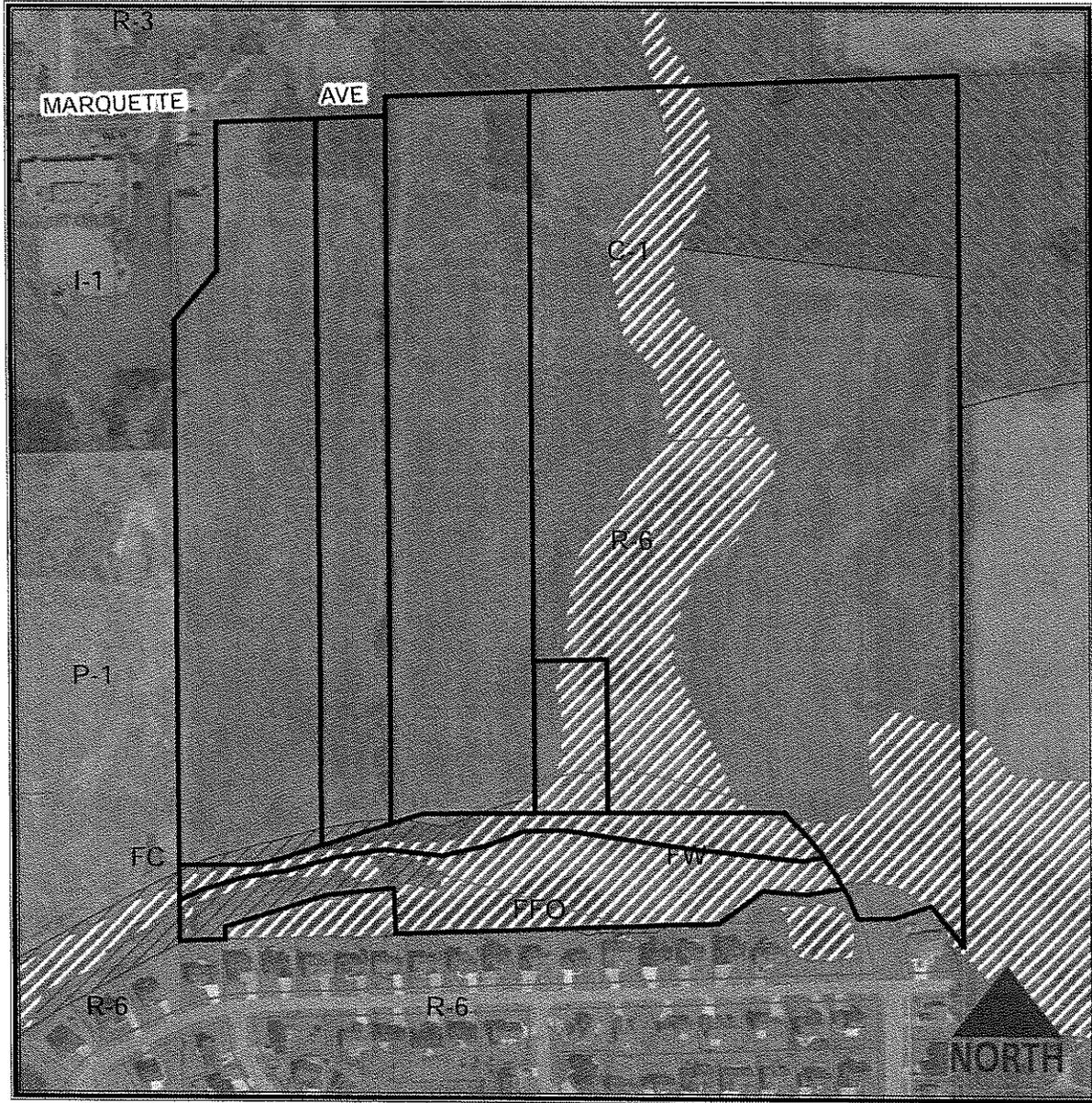
Planning Department  
(414) 425-4024



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



# Pleasant View/Victory Creek Trail

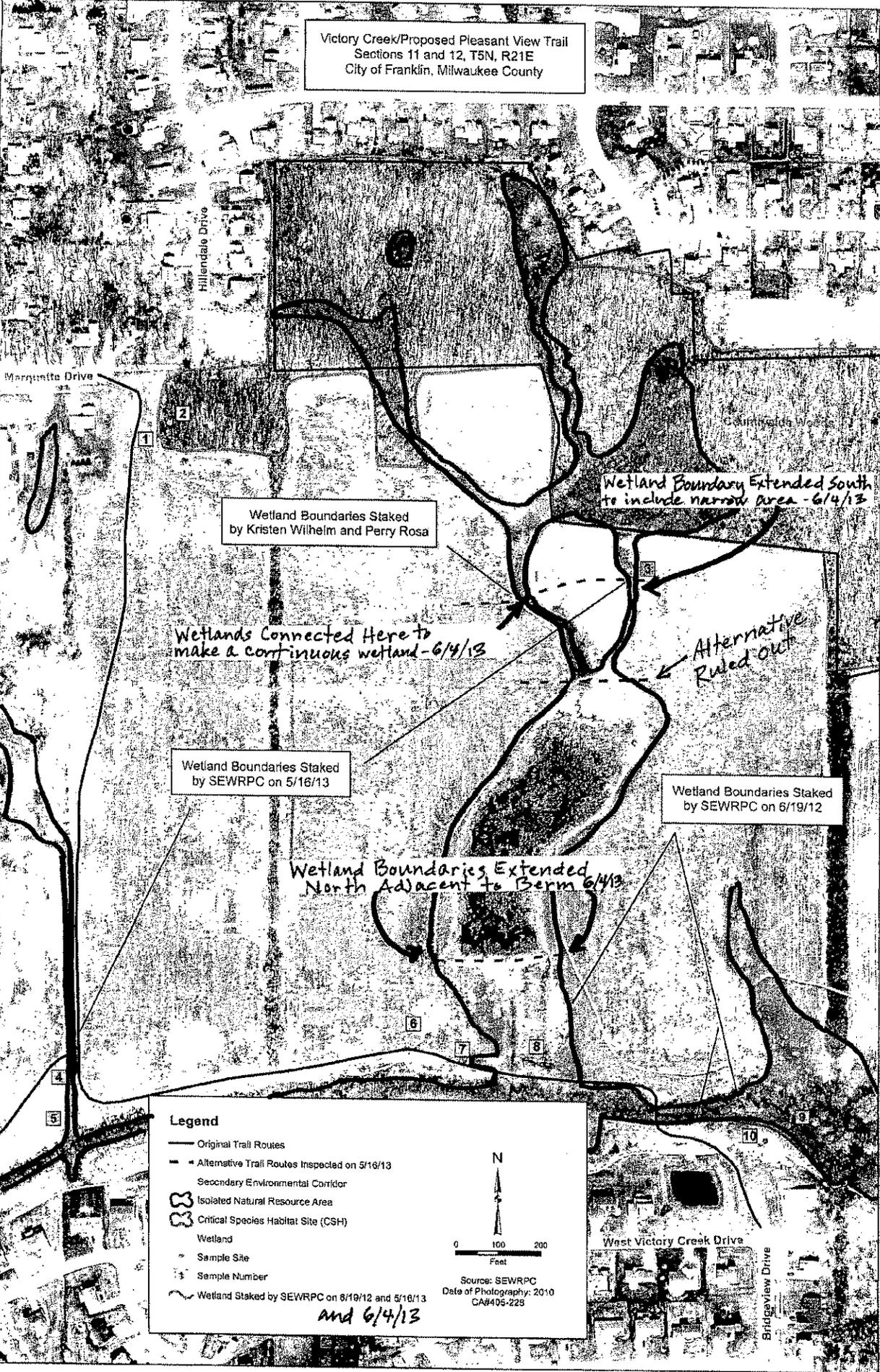


Planning Department  
(414) 425-4024



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

Victory Creek/Proposed Pleasant View Trail  
 Sections 11 and 12, T5N, R21E  
 City of Franklin, Milwaukee County



Wetland Boundaries Staked  
 by Kristen Wilhelm and Perry Rosa

Wetland Boundary Extended South  
 to include narrow area - 6/4/13

Wetlands Connected Here to  
 make a continuous wetland - 6/4/13

Alternative  
 Ruled out

Wetland Boundaries Staked  
 by SEWRPC on 5/16/13

Wetland Boundaries Staked  
 by SEWRPC on 6/19/12

Wetland Boundaries Extended  
 North Adjacent to Berm 6/4/13

**Legend**

- Original Trail Routes
- - - Alternative Trail Routes Inspected on 5/16/13
- ▭ Secondary Environmental Corridor
- ⊕ Isolated Natural Resource Area
- ⊕ Critical Species Habitat Site (CSH)
- Wetland
- Sample Site
- 3 Sample Number
- ~ Wetland Staked by SEWRPC on 6/19/12 and 5/16/13 and 6/4/13

N  
 0 100 200  
 Feet  
 Source: SEWRPC  
 Date of Photography: 2010  
 CA#406-228



# CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of June 6, 2013

### Natural Resource Special Exception and Trail Development and Location Project

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<b>Project Name:</b>	Natural Resources Special Exception (NRSE) request and trail development and location project for the Pleasant View/Victory Creek Trail
<b>Project Location:</b>	Immediately south of and east of Pleasant View Elementary School which is located at 4601 W. Marquette Avenue, and east of Pleasant View Neighborhood Park
<b>Applicant:</b>	The City of Franklin
<b>Property Owner:</b>	The City of Franklin
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District, FW Floodway & C-1 Conservancy District
<b>2025 Comprehensive Plan:</b>	Recreational and Areas of Natural Resource Features
<b>Use of Surrounding Properties:</b>	Single-family to the north and south, vacant land zoned for single-family to the east and Pleasant View Elementary School and Pleasant View Neighborhood Park to the west
<b>Applicant's Action Requested:</b>	Recommendation to the Common Council for approval of the proposed Natural Resource Special Exception (NRSE)

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#### **PROJECT STATUS:**

At their May 9, 2013, meeting the Plan Commission passed a motion to table the Natural Resource Special Exception request for the Pleasant View/Victory Creek trail development to the first Plan Commission meeting in June. The May 9, 2013 staff report is attached for further information relating to the application.

On May 16, 2013, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) conducted a site visit, and with input from Department of Natural Resource staff, delineated several areas of wetland for consideration in an alternatives analysis for potential wetland crossing options for the Pleasant View/Victory Creek trail.

At that site visit, three possible alternatives were identified. City Staff is continuing to work with SEWRPC to compare the amount of wetland impacts for each alternative. Once the amount of impact is calculated for each crossing, the alternatives may be reviewed and further considered by the Plan Commission and Common Council, so a final trail route can be determined. Furthermore, a new NRSE Application may be needed, or the current NRSE request revised, based upon the final route selection.

#### **CONCLUSION:**

Department of City Development staff recommends the subject item be tabled for staff to continue to work with SEWRPC and the DNR and return to the Plan Commission with a detailed assessment of each wetland crossing option considered.



# CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of May 9, 2013

### Pleasant View/Victory Creek Trail Location

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<b>Project Name:</b>	Pleasant View/Victory Creek Trail
<b>Project Location:</b>	Immediately south of and east of Pleasant View Elementary School which is located at 4601 W. Marquette Avenue, and east of Pleasant View Neighborhood Park
<b>Applicant:</b>	The City of Franklin
<b>Property Owner:</b>	The City of Franklin
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District, FW Floodway & C-1 Conservancy District
<b>2025 Comprehensive Plan:</b>	Recreational and Areas of Natural Resource Features
<b>Use of Surrounding Properties:</b>	Single-family to the north and south, vacant land zoned for single-family to the east and Pleasant View Elementary School and Pleasant View Neighborhood Park to the west
<b>Action Requested:</b>	Recommendation to the Common Council of a final route for the Pleasant View/Victory Creek Trail

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#### INTRODUCTION:

Staff is presently working with representatives of the Wisconsin Department of Natural Resources (DNR) and the Army Corps of Engineers (ACOE) on the submittal of applications for permits which may be required from these agencies for the construction of the proposed Pleasant View/Victory Creek Trail. As part of this effort, the final detailed location of, and impacts associated with, the proposed Pleasant View/Victory Creek Trail must be identified.

As more than one option exists for the location of this trail (see Map 1), this matter is being brought to the Plan Commission for its review and consideration, and recommendation to the Common Council. This information will also be provided to the Parks Commission and the Complete Streets and Connectivity Committee for their consideration.

This matter was also presented at the Committee of the Whole meeting of May 6, 2013 and the Common Council meeting of May 7, 2013. It is important to note that should the Common Council approve a Pleasant View/Victory Creek Trail location as generally depicted in Option 2, the Natural Resource Special Exception for this trail, and DNR/ACOE permits for a trail crossing of the wetland, would no longer be necessary. However, a permit from the DNR would still be necessary for the existing bridge across the East Branch of the Root River and for a crossing of a drainage ditch adjacent to Pleasant View Park (if a connection to that park is to be made).

#### BACKGROUND:

In April 2012 the City of Franklin applied for, and in August 2012 successfully received, two Stewardship program grants to help fund the cost of constructing a trail within the area commonly referred to as Victory Creek Park and Victory Creek Conservation Easement Area. As set forth in the

grant application, the proposed trail is intended to connect Pleasant View Neighborhood Park, Pleasant View Elementary School, the subdivisions to the south, such as Victory Creek Estates, Cooked Creek and High View Estates and the subdivisions to the north, such as Rawson Heights and Countryside Estates.

On April 24, 2013, a site visit to review the proposed trail location was held, and was attended by representatives of the DNR, the ACOE, the Complete Streets and Connectivity Committee, and the City of Franklin Engineering and Planning Departments. The refined trail location as proposed by staff at the time of the site visit (see Map 2, the light blue "Previously Proposed Victory Creek Trail" line) and staked onsite, extended north from S. Bridge View Drive and W. Victory Creek Drive, around the stormwater basin, across the existing bridge over the East Branch of the Root River, west through a wetland area to Pleasant View Park, and then north to Pleasant View Elementary School and W. Marquette Avenue.

The DNR requested that the City consider moving the trail crossing of the north-south wetland complex further to the north to a narrower point of the wetland, and utilize a bridge to span the wetland at that location (which would likely eliminate any impacts upon the wetland). The DNR representative indicated that if such a revised crossing was not utilized, that the City would need to address that issue in an alternatives analysis as part of its application to the DNR. In an email to staff, Mr. Jensen of the DNR stated that the "application must clearly illustrate the alternative routes of the trail and justify how you minimized and avoided the wetland area (including the feasibility in relation to the budget of the project)."

#### **COMPARISON OF ALTERNATIVES:**

The two most likely trail locations in staff's opinion, based upon the preceding information, are identified on Map 2. A brief comparison of the pro's and con's of both options is provided in the table on the next page. It is envisioned that some of this information would also be part of any alternatives analysis that would be required by the DNR for Option 1.

While both options would cross the East Branch of the Root River at the same location (where an existing bridge is located), and both options would provide access to Pleasant View School and Marquette Avenue, where they cross the north-south wetland complex would differ, and Option 2 would not provide access to Pleasant View Park at this time.

Option 1 (the southern crossing) is intended to follow the existing mowed path and the areas of historic disturbance as closely as possible (as depicted by the dark blue line "Revised Proposed Trail" shown on Map 2), would provide access to both Pleasant View Park and Pleasant View School at this time (consistent with the exhibits provided in the grant application), and assumes that a bridge over the north-south wetland complex would not be necessary. It is envisioned that a bridge would not be necessary at this location because this area has historically been disturbed by past farming activities (including the placement of a culvert and gravel to facilitate farm vehicle crossings) and because that location is currently mowed and used by neighbors as part of an informal path (see attached photo).

Option 2 (the northern crossing) is intended to cross the north-south wetland complex at its narrowest point with a bridge, and would likely have no wetland impacts associated with it. However, a wetland delineation of this location would be necessary (the Southeastern Wisconsin Regional Planning Commission has already been requested by staff to visit the site again). It would also need to be determined if the bridge should be large enough to span the entire 100-year floodplain at this location (which may be wider than the wetland). Costs for this bridge would need to be determined (it can be noted that such costs were not included within the subject grant application and grant award). Option 2 would also move much of the trail farther away from the Victory Creek subdivision, a request that was raised during the Safe Routes to School (SRTS) Plan open house. But this option is not envisioned to provide access to Pleasant View Park at this time.

Staff would note its concern should access to Pleasant View Park not be provided by this trail at this time. The premise of the grant application (and as shown on Exhibits A, B, C, E and F of the grant application) was that the proposed trail would provide access to both the park and the school. The grant application states "The Pleasant View/Victory Creek Trail will be a multi-modal trail connecting several parks, neighborhoods, and schools while providing public access to over 100 acres of rolling fields, wetlands, and woodlands." Furthermore, the Parks Commission, at its April 9, 2012 meeting, moved to "recommend approval of a resolution in support of a Knowles-Nelson State Stewardship Grant application by the City of Franklin Common Council for a multi-purpose trail on lands located to the south and southeast of Pleasant View Elementary School subject to the trail being placed contiguous to the Pleasant View Neighborhood Park property."

<i>Factors</i>	<b>Option 1 (southern crossing)</b>		<b>Option 2 (northern crossing)</b>	
	<i>Pro's</i>	<i>Con's</i>	<i>Pro's</i>	<i>Con's</i>
Amount of anticipated wetland and floodland impacts		More wetland and floodland impacts anticipated.	Less floodland and no wetland impacts anticipated if a large enough bridge is built across the north-south wetland and floodland.	
Safety	Designed to accommodate use by emergency vehicles and snow plowing along its entire length.	A portion of the trail would be located within the floodplain and be subject to periodic flooding.	A much smaller portion of the trail would be located within the floodplain and be subject to periodic flooding.	The bridge over the north-south wetland is not envisioned to accommodate emergency vehicle access.
Costs	Less costly as no new bridge is anticipated.			More costly. Substantially more costly if the bridge is designed to accommodate emergency vehicles.
Site Considerations	More closely matches the historic farm crossing and the current mowed path. Provides access to Pleasant View Park.		Moves most of the trail and any impacts further from existing homes. Provides a more direct route to Pleasant View School.	Does not provide access to Pleasant View Park at this time.
Aesthetics	Provides a close view of the stream and its associated natural resources.			A bridge over the wetland and floodplain (if necessary) would be out of proportion and scale with the rest of the site.
Consistency with adopted plans	More closely matches and facilitates the approximate trail location shown in the CMP and CORP plans. Consistent with the grant application.			Would not substantially facilitate development of the trail along the East Branch of the Root River as set forth in the CMP and CORP. Less consistent with the grant application.
Timing		More time will be required for permit application/approval if the alternatives analysis is denied by the DNR.	Less time will be needed for permit application/approval.	

**CONCLUSION:**

Staff recommends that the Pleasant View/Victory Creek Trail location as depicted by Option 1 be forwarded to the Common Council for its consideration and approval, subject to input from the Parks Commission and the Complete Streets and Connectivity Committee.


**CITY OF FRANKLIN**

**REPORT TO THE PLAN COMMISSION**

Meeting of May 9, 2013

**Natural Resource Special Exception**


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<b>Project Name:</b>	Natural Resources Special Exception (NRSE) request for the Pleasant View/Victory Creek Trail development
<b>Project Location:</b>	Immediately south of and east of Pleasant View Elementary School which is located at 4601 W. Marquette Avenue, and east of Pleasant View Neighborhood Park
<b>Applicant:</b>	The City of Franklin
<b>Property Owner:</b>	The City of Franklin
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District, FW Floodway & C-1 Conservancy District
<b>2025 Comprehensive Plan:</b>	Recreational and Areas of Natural Resource Features
<b>Use of Surrounding Properties:</b>	Single-family to the north and south, vacant land zoned for single-family to the east and Pleasant View Elementary School and Pleasant View Neighborhood Park to the west
<b>Applicant's Action Requested:</b>	Recommendation to the Common Council for approval of the proposed Natural Resource Special Exception (NRSE)

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**INTRODUCTION:**

In April 2012, the City of Franklin submitted an application to the Wisconsin Department of Natural Resources for stewardship local assistance programs to construct a trail within the area commonly referred to as Victory Creek Park and Victory Creek Conservation Easement Area. The proposed trail connects Pleasant View Neighborhood Park, Pleasant View Elementary School, the subdivisions to the south, such as Victory Creek Estates, Cooked Creek and High View Estates and the subdivisions to the north, such as Rawson Heights and Countryside Estates.

On August 23, 2012, Department of City Development staff received letters from the Wisconsin Department of Natural Resources tentatively awarding grant funding for construction of the Pleasant View/Victory Creek Trail. The total estimated project cost for design and construction of the Pleasant View/Victory Creek Trail is \$193,440.

Funding in the amount of \$45,000 is from the National Recreation Trails grant program and \$51,720 from State of Wisconsin Stewardship – Acquisition and Development of Local Parks grant program. The total amount awarded is \$96,720. The grants require a 50% match by the City of Franklin, which would provide total funding in the amount of \$193,440.

At their February 19, 2013 meeting, the Common Council accepted the grant agreements provided by the WDNR.

The construction of the trail will impact a wetland located on the subject properties as delineated by the Southeastern Wisconsin Regional Planning Commission (SEWRPC). The City of Franklin is requesting approval of a Special Exception to Natural Resource Feature Provisions to allow the Pleasant View/Victory Creek Trail to cross the wetland, wetland buffer and wetland setback associated with the wetland. There will be approximately 3,000 square feet of wetland impacts, 2,500 square feet of impacts to the wetland buffer and 2,500 square feet of wetland setback impacts. Although an exact location has not yet been determined an approximate location has been identified in the grant application materials and is included herein. Staff is continuing to work with the WDNR, Army Corps of Engineers (ACOE) and the Milwaukee Metropolitan Sewage District (MMSD) to determine the most appropriate location to cross the wetland.

At their April 24, 2013 meeting, the Environmental Commission approved "to recommend approval to allow approximately 3,000 square feet of wetland filling and paving, approximately 2,500 square feet of filling and paving of the wetland buffer and approximately 2,500 square feet of wetland setback filling and paving, to allow for the construction of the Pleasant View/Victory Creek Trail subject to the City obtaining all required approvals and permits from the Army Corp of Engineers and the Wisconsin Department of Natural Resources prior to the commencement of work."

The Environmental Commission did not recommend mitigation as a requirement of approval.

### **PROJECT DESCRIPTION:**

On April 4, 2013, Mayor Thomas Taylor signed the NRSE Application for the Pleasant View/Victory Creek Trail project, allowing staff to complete the NRSE process requirements.

Attached are materials prepared by Planning staff, the Engineering Department and the SEWRPC, which identify and describes the natural resource features being impacted and the amount of impacts. SEWRPC conducted a field assessment on June 19, 2012 of the proposed trail route. Staff received a letter from SEWRPC, dated September 10, 2012, which included a map from the field assessment and a vegetation survey. Staff anticipates crossing at the narrowest point of the southern portion of the wetland as shown on the attached maps.

Based upon the information described above, the impacts resulting from the grading and paving of the trail include:

- Approximately 3,000 square feet (0.069 acres) of wetland impacts
- Approximately 2,500 square feet (0.057 acres) of wetland buffer impacts
- Approximately 2,500 square feet (0.057 acres) of wetland setback impacts

Planning staff has provided further details in the NRSE Question and Answer Form (attached). Staff found no reasonable alternatives to avoid the wetland impacts. The wetland runs north/south across the entire length of the project area. The trail must cross the wetland to provide the desired connections between the school park and adjacent neighborhoods. Not

making these connections would defeat the purpose of the trail. Furthermore, the trail is proposed in an area that was previously disturbed and is currently a mowed footpath, so native plant communities will not be disturbed significantly. It can be noted from a review of historic aerial photographs that the bridge over the East Branch of the Root River has been present at least as far back as 1956 and the trail will have minimal impacts to storm and flood water storage and is consistent with the conservation purposes of the land.

Similar to other Natural Resource Special Exception requests, Staff recommends that the City obtain all required approvals and permits from the Army Corp of Engineers and the Wisconsin Department of Natural Resources, prior to the commencement of work.

If mitigation for the proposed wetland impacts is desired, below are several options to consider, which staff believes are commensurate with the proposed disturbance.

Wetland impacts to the site have been minimized by locating the trail within an area of historical disturbance (an existing ad hoc footpath mowed by area residents). Furthermore, the trail project is a benefit to and serves the general public. Staff will further assess possible mitigation opportunities during their site visit scheduled for April 24, 2013.

In 2010 the Friends of Franklin Parks, in cooperation with the City of Franklin Parks Department and the Milwaukee Area Land Conservancy, planted 75 Oak Trees adjacent to the Countryside Woods, which is located along the northern portion of the subject project area. The oak tree saplings were provided free of charge by the Livings Lands & Waters Million Trees Project in partnership with Milwaukee's Argosy Foundation. Management of this planting, including dead or damaged tree replacement, pruning, etc. could be continued.

- Exotic/Invasive plant species control. There may be an opportunity to collaborate with The Conservation Fund in an effort to control the presence of a highly invasive plant species within the project area. The Conservation Fund has expressed a desire to treat an approximately 20-foot diameter area of Common Reed (*Phragmites australis*) with an herbicide application.
- Restore and replant areas adjacent to the trail with a native wetland seed mix
- Soil stabilization and erosion control measures within project area
- Coordinate with the Friends of Franklin Parks to perform a buckthorn removal event within the project area.

Comprehensive Master Plan Consistency:

- *Consistent with, as defined by Wisconsin State Statute, means "furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan."*

Comprehensive Master Plan. An off-street trail in this general vicinity is illustrated on Map 7.4 Bicycle and Pedestrian Circulation Facilities of the 2025 Comprehensive Master Plan. In addition, the trail is consistent with trail locations depicted on Map 7.1 Existing and Planned Public Outdoor Recreation Sites: 2010 of the City's Comprehensive Outdoor Recreation Plan.

**CONCLUSION:**

Department of City Development staff recommends approval of the Natural Resource Special Exception, subject to the conditions of approval in the attached draft Standards Finding and Decision.

*Draft 4/22/13*

Standards, Findings and Decision  
of the City of Franklin Common Council upon the  
Application of the City of Franklin for a Special Exception to Certain  
Natural Resource Provisions of the City of Franklin Unified Development Ordinance

Whereas, the City of Franklin, having filed an application dated April 8, 2013, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated \_\_\_\_\_, 2013 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated \_\_\_\_\_, 2013 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the property which is the subject of the application for a Special Exception is located immediately south of and east of Pleasant View Elementary School (4601 West Marquette Avenue), and east of Pleasant View Neighborhood Park, zoned R-6 Suburban Single-Family Residence District, FW Floodway District, FFO Floodplain Fringe Overlay District and C-1 Conservancy District, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

Whereas, Section 15-10.0208B. of the City of Franklin Unified Development Ordinance, as amended by Ordinance No. 2003-1747, pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature, provides in part: "The decision of the Common Council upon any decision under this Section shall be in writing, state the grounds of such determination, be filed in the office of the City Planning Manager and be mailed to the applicant."

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated April 8, 2013 by Franklin Public Schools, pursuant to the City of Franklin Unified Development Ordinance, the proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *but rather*, \_\_\_\_\_.

2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:

a. be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives: \_\_\_\_\_; *or*

b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives: \_\_\_\_\_.

3. The Special Exception, including any conditions imposed under this Section will:

a. be consistent with the existing character of the neighborhood: *the proposed development with the grant of a Special Exception as requested will be consistent with the existing character of the neighborhood; and*

b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: \_\_\_\_\_; *and*

c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: \_\_\_\_\_; *and*

d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development: *(this finding only applying to an application to improve or enhance a natural resource feature).*

The Common Council considered the following factors in making its determinations pursuant to Section 15-10.0208B.2.d. of the Unified Development Ordinance.

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: \_\_\_\_\_.
2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: \_\_\_\_\_.
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: \_\_\_\_\_.
4. Aesthetics: \_\_\_\_\_.
5. Degree of noncompliance with the requirement allowed by the Special Exception: \_\_\_\_\_.
6. Proximity to and character of surrounding property: \_\_\_\_\_.
7. Zoning of the area in which property is located and neighboring area: *Residential*.
8. Any negative affect upon adjoining property: *No negative affect upon adjoining property is perceived.*
9. Natural features of the property: \_\_\_\_\_.
10. Environmental impacts: \_\_\_\_\_.
11. A recommendation from the Environmental Commission as well as a review and recommendation prepared by an Environmental Commission-selected person knowledgeable in natural systems: *The Environmental Commission recommendation and its reference to the report of \_\_\_\_\_ is incorporated herein.*
12. The practicable alternatives analysis required by Section 15-9.0110C.4. of the Unified Development Ordinance and the overall impact of the entire proposed use or structure, performance standards and analysis with regard to the impacts of the proposal, proposed design solutions for any concerns under the Ordinance, executory actions which would maintain the general intent of the Ordinance in question, and other factors relating to the purpose and intent of the Ordinance section imposing the requirement: *The Plan Commission recommendation and the Environmental Commission recommendation address these factors and are incorporated herein.*

### Decision

*Upon the above findings and all of the files and proceedings heretofore had upon the subject application, the Common Council hereby grants a Special Exception*

*for such relief as is described within Exhibit C, upon the conditions: 1) that the natural resource features upon the property to be developed be protected by a perpetual conservation easement to be approved by the Common Council prior to any development within the areas for which the Special Exception is granted; 2) that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted; 3) that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for the City of Franklin and all other applicable provisions of the Unified Development Ordinance. The duration of this grant of Special Exception is permanent.*

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

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

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

**City of Franklin Environmental Commission**

TO: Common Council  
DATE: April 24, 2013  
RE: Special Exception application review and recommendation  
APPLICATION: City of Franklin, Applicant, dated: April 8, 2013

**I. §15-9.0110 of the Unified Development Ordinance Special Exception to Natural Resource Feature Provisions Application information:**

1. Unified Development Ordinance Section(s) from which Special Exception is requested: *Section 15-4.0102 of the UDO.*
2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions): *The proposed Pleasant View/Victory Creek trail is a 10-foot wide multi-purpose recreational path that will disturb approximately 3,000 square feet of wetland, 2,500 square feet of wetland buffer and 2,500 square feet of wetland setback.*
3. Applicant's reason for request: *The City of Franklin received and accepted a grant to share in the cost to develop the proposed trail, which will connect Pleasant View Neighborhood Park, Victory Creek Special Park, Pleasant View Elementary School and adjacent neighborhoods. In order to cross Victory Creek Special Park the trail must cross a wetland, which is part of a larger wetland complex stretching north/ south across the entire project area.*
4. Applicant's reason why request is appropriate for Special Exception: *The requested special exception is appropriate because there are no practicable alternatives to the proposed trail location. A wetland complex stretches north/south across the entire length of the project area, which is a unique circumstance affecting the Victory Creek Special Park properties. If the trail did not cross the wetland, it would not make the desired connections between the school, park and adjacent neighborhoods, which is the entire purpose of the trail; therefore, not crossing the wetland would render the trail project incomplete and the alternative would be to simply not construct the trail.*

**II. Environmental Commission review of the §15-9.0110C.4.f. Natural Resource Feature impacts to functional values:**

1. Diversity of flora including State and/or Federal designated threatened and/or endangered species: *The proposed trail impacts are primarily within an established ad hoc footpath and will not significantly disturb native plant communities. According to a report from the Southeastern Wisconsin Regional Planning Commission, SEWRPC No. CA-405-228, no Federal- or State-designated Special Concern, Threatened or Endangered species were observed during the field inspection of the subject trail route on June 19, 2012. Black haw (viburnum prunifolium), a State-designated Special Concern Species, has been recorded in Countryside Woods. The northern terminus of the proposed trail is adjacent to the western edge of Countryside Woods, which is also a critical species habitat (CSH). However, the trail will not impact the CSH as delineated by SEWRPC.*
2. Storm and flood water storage: *There will be no significant impacts to storm and flood water storage as a result of the proposed trail.*
3. Hydrologic functions: *The proposed trail route crosses the East Branch Root River floodplain wetland complex. This wetland complex is vast, straddling both sides of the East Branch Root River and stretching north across Victory Creek Park into the Countryside Woods critical species habitat. Impacts to wetlands from the proposed trail will have minimal impacts on the overall hydrologic functions of the wetland complex as a whole.*
4. Water quality protection including filtration and storage of sediments, nutrients or toxic substances: *The lands encompassed by Victory Creek Park are protected by a Conservation Easement between the City of Franklin and the Milwaukee Metropolitan Sewerage District (MMSD). The property is part of a plan to prevent future flooding and to protect the water quality by preserving open space and hydric soils at risk for development. The proposed trail is an activity that is consistent with the conservation purposes of the land and an allowable use pursuant to the conservation easement. The trail will not significantly impact the parks ability to protect water quality or filter and store sediments, nutrients and toxic substances.*
5. Shoreline protection against erosion: *The proposed trail route will utilize an existing bridge to cross the East Branch Root River, thereby minimizing impacts to the shoreline.*
6. Habitat for aquatic organisms: *Habitat for aquatic organisms will not be disturbed as the trail route primarily follows an area previously disturbed by the ad hoc establishment of a footpath.*

7. Habitat for wildlife: *The proposed trail utilizes an existing bridge to cross the East Branch Root River and the trail route primarily follows an area previously disturbed by the ad hoc establishment of a footpath. For these reasons, impacts to wildlife habitat have been minimized.*
8. Human use functional value: *No known impact*
9. Groundwater recharge/discharge protection: *The proposed trail route crosses the East Branch Root River floodplain wetland complex. This wetland complex is vast, straddling both sides of the East Branch Root River and stretching north across Victory Creek Park into the Countryside Woods critical species habitat. The proposed trail will not significantly impact the wetland complex's overall ability to recharge groundwater and slowly discharge stormwater into the East Branch Root River.*
10. Aesthetic appeal, recreation, education, and science value: *The proposed trail will not degrade the aesthetic appeal, recreation, education, or scientific value of the East Branch Root River or its associated floodplain, and wetlands. On the contrary, the proposed trail will provide access to Victory Creek Park for a greater number of Franklin residents for more numerous recreational opportunities than are currently provided for enjoying the aesthetic appeal of the East Branch Root River, its associated floodplain, and wetlands. In addition, the proposed trail will make the natural resource features of Victory Creek Park more accessible to students at Pleasant View Elementary School for educational opportunities.*
11. State or Federal designated threatened or endangered species or species of special concern: *Black haw (viburnum prunifolium), a State-designated Special Concern Species, has been recorded in Countryside Woods. The northern terminus of the proposed trail is adjacent to the western edge of Countryside Woods, which is also a critical species habitat (CSH). However, the trail will not impact the CSH as delineated by SEWRPC.*
12. Existence within a Shoreland: *Yes, pursuant to the 2005 Wisconsin Wetland Inventory Map the affected wetland is a shoreland wetland. WDNR and likely USACOE approvals are required, prior to the commencement of work.*
13. Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time: *The project area contains a SEWRPC delineated Secondary Environmental Corridor, Isolated Natural Resource Area, and Critical Species Habitat; however, the proposed trail route will either avoid these features or meet SEWRPC regulations.*

**III. Environmental Commission review of the §15-10.0208B.2.d. factors and recommendations as to findings thereon:**

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *The condition giving rise to this request for a Special Exception was not self-imposed by the City, but rather is the result of a wetland complex which runs north/south through the entire project area making it impossible to alter the route of the trail to not impact the wetland.*
2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:
  - a. be unreasonably burdensome to the applicants and that there are no reasonable practicable alternatives: \_\_\_\_\_ ; or
  - b. unreasonably and negatively impact upon the applicants' use of the property and that there are no reasonable practicable alternatives: *There are no practicable alternatives to the proposed trail location because a wetland complex stretches north/south across the entire length of the project area. If the trail did not cross the wetland, it would not make the desired connections, which is the entire purpose of the trail; therefore, not crossing the wetland would render the trail project incomplete and the alternative would be to simply not construct the trail.*
3. The Special Exception, including any conditions imposed under this Section will:
  - a. be consistent with the existing character of the neighborhood: *The proposed Special Exception will not adversely affect the existing character of the neighborhood* \_\_\_\_\_ ; and
  - b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: *The proposed Special Exception will not undermine the ability to apply or enforce natural resource protection requirements with respect to other properties* \_\_\_\_\_ ; and
  - c. be in harmony with the general purpose and intent of the provisions of this Ordinance prescribing the requirement: *The proposed Special Exception will be in harmony with the general purpose and intent of the provisions of this Ordinance prescribing the requirement* \_\_\_\_\_ ; and
  - d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development (*this finding only applying to an application to improve or enhance a natural resource feature*):

**IV. Environmental Commission review of the §15-10.0208B.2.a., b. and c. factors and recommendations as to findings thereon:**

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *Victory Creek Special Park is an undeveloped specialized recreational area or "special park". Special parks generally contain high quality natural resource features, are limited in active recreational value. The lands encompassed by Victory Creek Park are protected by a Conservation Easement between the City of Franklin and the Milwaukee Metropolitan Sewerage District (MMSD). The property is part of a plan to prevent future flooding and to protect the water quality by preserving open space and hydric soils at risk for development. The proposed trail is an activity that is consistent with the conservation purposes of the land and an allowable use pursuant to the conservation easement.*
2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: *The wetland complex which runs north/south through the entire project area is an exceptional circumstance which makes it impossible to alter the route of the proposed trail to avoid wetland impacts, while at the same time connecting the park, school and adjacent neighborhoods.*
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The proposed trail is consistent with the conservation purposes of the Victory Creek Special Park and an allowable use pursuant to the conservation easement. The trail will not significantly impact the parks ability to protect water quality or filter and store sediments, nutrients and toxic substances. The proposed trail will provide better access to Victory Creek Park for an increased number of Franklin residents for several recreational opportunities that are currently not provided for in the park. Therefore, Franklin residents will have better access and more ways to enjoy the aesthetic appeal of the East Branch Root River, its associated floodplain, and wetlands. In addition, the proposed trail will make the natural resource features of Victory Creek Special Park more accessible to students at Pleasant View Elementary School for educational opportunities.*
4. Aesthetics: *The overall aesthetics of the site will not be impacted negatively by the proposed special exception.*
5. Degree of noncompliance with the requirement allowed by the Special Exception: *The proposed Pleasant View/Victory Creek trail will disturb approximately 3,000*

*square feet of wetland, 2,500 square feet of wetland buffer and 2,500 square feet of wetland setback.*

6. Proximity to and character of surrounding property: *Single-Family residences to the north, south and west and park and institutional to the east.*

7. Zoning of the area in which property is located and neighboring area: *Victory Creek Special Park is zoned R-6 Suburban Single-Family Residence District, FW Floodway District, FFO Flood Fringe Overlay District and C-1 Conservancy District. The adjacent subdivisions to the north and south are zoned R-6 Suburban Single-Family Residence District. Finally, Pleasant View Neighborhood Park is zoned P-1 Park District and the Pleasant View Elementary School property is zoned I-1 Institutional District.*

8. Any negative affects upon adjoining property: *The proposed Special Exception will not impact any adjoining properties negatively.*

9. Natural features of the property: *The City is requesting a Special Exception to Natural Resource Feature Provisions of the Unified Development Ordinance to allow a proposed trail to traverse a wetland thereby impacting the wetland and its associated wetland buffer and wetland setback. There are many other natural resource features on the site, which the City is not proposing to impact including: mature woodland, young woodland, wetland, wetland buffer, wetland setback, shore buffer, stream and floodplain.*

10. Environmental impacts: *The proposed Pleasant View/Victory Creek trail will disturb approximately 3,000 square feet of wetland, 2,500 square feet of wetland buffer and 2,500 square feet of wetland setback.*

#### **V. Environmental Commission Recommendation:**

The Environmental Commission has reviewed the subject Application pursuant to §15-10.0208B. of the Unified Development Ordinance and makes the following recommendation:

1. The recommendations set forth in Sections III. and IV. Above are incorporated herein.
2. The Environmental Commission recommends [approval] [denial] of the Application upon the aforesaid recommendations for the reasons set forth therein.

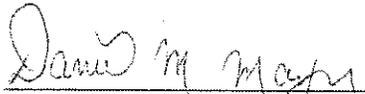
3. The Environmental Commissions recommends that should the Common Council approve the Application, that such approval be subject to the following conditions:
  - a. Any permits or approvals required by the Wisconsin Department of Natural Resources and/or the U.S. Army Corps of Engineers shall be obtained prior to filling any wetlands on the property.

The above review and recommendation was passed and adopted at a regular meeting of the Environmental Commission of the City of Franklin on the 24<sup>th</sup> day of April, 2013.

Dated this 25 day of APRIL, 2013.

  
\_\_\_\_\_  
Wesley Cannon, Vice-Chairman

Attest:

  
\_\_\_\_\_  
Daniel M. Mayer, Alderman

### Project Summary

The Pleasant View/Victory Creek Trail will be a multi-modal trail connecting several parks, neighborhoods, and schools while providing public access to over 100 acres of rolling fields, wetlands and woodlands. A portion of the trail will act as the backbone link to Milwaukee County's Oak Leaf Trail and a connection to retail and business. A tractor bridge would be rehabilitated and converted for safe pedestrian river crossing without increased riparian impacts. The entire trail would be on City of Franklin park and open space lands. The project fulfills a portion of the City's 2025 Comprehensive Outdoor Recreation Plan (CORP).

### Project Description

The proposed improvements include the development of a multi-modal trail to meet required ADA design criteria, replacing an existing culvert and/or adding a floating bridge to traverse one drainage crossing, and the rehabilitation of a tractor bridge, as the current and only crossing of the Root River's east branch.

The Pleasant View/Victory Creek Trail elements will consist of minimal land clearing, as most of the land is former farmland. Preliminary design includes a crushed aggregate base with a maximum 10-foot asphalt surface to avoid multi-user conflict, provide ease of maintenance, and conform to ADA requirements. Due to soil erosion, a culvert replacement at one crossing of the drainage area is anticipated. The crossing location was selected to avoid future trail extension crossings and where erosion is known to occur. **Soil stabilization as part of the replacement culvert fitting (or a floating footbridge) would provide a benefit to offset any projected impacts.** For the river crossing, city staff performed an initial review of a former tractor bridge. Rehabilitation of the deck surface and the addition of side rails are anticipated. To assure bridge safety, a technical specification for the pedestrian bridge conversion by an outside consultant is included in the project cost. The proposed trail and former tractor bridge are **completely off-road** on parkland and do not require road crossings or road shoulder use. Light recreational activities and a natural area design component will fulfill the City's park plan.

### Background, Partnerships and Plans

In 2005, nearly 80-acres of farmland were purchased through the Milwaukee Metropolitan Sewerage District (MMSD) Green Seams Program then donated to the City as open space. Recognizing the CORP plan identified this area for a future trail and that would link to land previously purchased in 1998 (WDNR Urban Green Space), the City negotiated the right for multi-use trails. Recently, the Park and Trails Commissions partnered with the Franklin School District to seek safe linkages to multiple destinations. The partnership resulted in funding from WisDOT and a *Safe Routes to School Plan* that was adopted as part of the City's Comprehensive Master Plan. Franklin also adopted the County's Trail Network Plan. **The project builds upon the following partnerships and/or plans:**

- City of Franklin – CORP, Comprehensive Master Plan and Safe Routes to School Plan
- Milwaukee County Regional Trail Network Plan
- Milwaukee County Park and Open Space Plan
- Milwaukee Metropolitan Sewerage District & The Conservation Fund - Green Seams Program
- Wisconsin Department of Transportation – Safe Routes to School (SRTS) Plan assistance
- Franklin Public School District – Partners on the SRTS planning efforts
- Southeastern Wisconsin Regional Planning Commission – Planning Report 132
- Friends of Franklin's Parks – Citizen volunteers providing assistance with park needs
- Citizens for Community Development – Citizen volunteers that inform businesses about local projects

### Public Use and Access

Access of this estimated 3,400-foot trail begins at the sidewalk of Pleasant View Elementary School then extends south within the 80-acre open field of the *Victory Creek Special Park*. A westerly stub will be connected to the future *Pleasant View Neighborhood Park*. The trail then proceeds south to a tractor bridge, which crosses the east branch of the Root River. After the river crossing, trail users will be able to **access the regional Oak Leaf Trail**. Accessibility to Franklin High School and the newly constructed sidewalk will be gained, which has not previously been available. Full City ownership allows **immediate public access and signage** to be posted at all access points. (See mapping for suggested access points and signage locations).

Utilizing the former tractor bridge will allow a south access and greatly minimize floodplain or river impacts. It also allows hundreds of residents **off-road access and linkage** to Pleasant View School, its mini-park, the future active neighborhood park, and several natural areas, including a Southeastern Regional Planning Commission (SEWRPC) identified Isolated Natural Resource and the Root River tributary. The trail will not impact the unique woodland or river but will improve access for recreation, education and wildlife viewing. **Permitted activities** include hiking, biking, cross country skiing, fishing, roller-skating, nature education, observation, peaceful reflection and photography. Tree mitigation and Arbor Day tree planting are also permitted with prior approval. A westerly trail stub will connect the *planned neighborhood park*, projected to include ice-skating, tennis, volley ball, picnic and grilling areas or other outdoor facilities as listed in the CORP. The unique natural woodland, its nearby tree mitigation area, and the linkage to the Oak Leaf Trail present a **regional value**.

### Land Description

Multiple subdivisions, a senior living center, grade school, mini-park, and a proposed active city park bound the project. A SEWRPC identified environmental corridor and isolated natural resource area, the Oak Leaf Trail and commercial areas are also nearby. The trail parcel is mainly old-field vegetation with some re-seeded native grasses. Common herbs within the non-forested trail parcel include brome grass, bluegrass, big bluestem, red clover, reed canary and manna grass. Slopes range from nearly level to about 6 percent. The parcel is divided by a narrow, emergent wetland that drains south to the Root River's east branch. This wetland originates within adjacent forested lands of the Victory Creek Special Park (Tifton Woods) inventoried by SEWRPC in 2000. The Root River tributary flows from east to west across the southern end of the site and has a thinly forested riparian corridor of box elder, willow and ash trees that corresponds roughly to the mapped 100-year floodway boundary.

### Benefits and Goals

Benefits of the Pleasant View/Victory Creek Trail include **meeting the needs and deficiencies of the City's adopted 2025 Comprehensive Outdoor Recreation Plan (CORP, pg 49)**. Project goals within the plan include:

- Providing safe off-road pedestrian access to recreational lands and schools
- Improving disability access
- Creating a linkage to the regional Oak Leaf Trail
- Connecting parks to destinations such as retail and business
- Improves community real estate walking and biking scores
- Promotes a healthy living lifestyle

This trail provides connection and access benefits to the planned active park, plus a safe, walkable link between schools and neighborhoods. The trail is located to link to the school's outdoor education area that was restored with over 500 native forbs by school children in 2000. It will also provide access to other attractive and high-value natural resources (Root River, wetlands and woodlands) with benefits to school curricula and the personal growth of students.

The project area is also located near senior living complexes and an ADA compliant trail will provide senior residents with a place to recreate. In addition, senior citizens are often school volunteers and the trail provides a key link to off-road school access. Furthermore, the trail enhances the quality of life for all residents and promotes a healthy living lifestyle.

The project will enhance tourism by increasing the value of the Oak Leaf Trail system. As a spur connection, it will provide access to the Root River, local parks and quality natural communities and open spaces that would otherwise not be accessible. The project is the backbone linkage between the Milwaukee County Oak Leaf Trail and local businesses. **Local businesses will benefit from visits by trail users and prior investments in the Oak Leaf Trail, which serves a large population, will be positively leveraged.**

#### **Land Management, Operation and Maintenance**

Funds for park maintenance are included in the city budget and the city as an impact fee ordinance. The city's Park, Public Works and Engineering Departments have operation and maintenance authority. Helping to keep non-vehicular access areas safe is a function of the Police Bicycle Patrol Unit. If constructed as proposed, emergency needs and maintenance could also be reached by motor vehicle. The parks department and friends group, along with users, would be additional monitoring partners. Current soil erosion in the drainage area will be managed by restoration during development of the trail crossing. Rehabilitation of the tractor bridge makes practical use of an already installed crossing on the east branch of the Root River.

#### **Implementation and Costs**

Senior planner, Nick Fuchs will be the grant reporting contact. The city engineer or his designee, with approval of the Franklin mayor and city council, will manage the project. MMSD will be an active partner due to an Intergovernmental Agreement and easement, which allow for an asphalt trail. The city's share of the project will come from impact fees collected for recreational facilities. Depending on the bid costs, Force Accounts may be used to keep the project within the proposed budget. Guidelines developed by the Franklin Finance Director and approved by the Council will be used to control costs to the maximum extent practicable. With the above in mind, the **proposed project timeline** is as follows:

1. Initial Project Design Estimates	Completed
2. DNR and Army Corps of Engineers permits and approvals	October 2012
3. Bidding & Final Design	January 2013
4. Contract Approval	March 2013
5. Earliest Construction Start Date	April 2013
6. Latest Construction Completion Date (including restoration)	November 2013

Project Total \$193,440 (For details, see the project cost estimate sheet).

#### **Problems and Challenges**

- The trail will be built on a site with modest sloping. Runoff has caused some erosion locations in proximity of the trail, which will need to be evaluated and stabilized.
- A second challenge is a safe river crossing. Rehabilitation of the existing tractor bridge avoids additional floodplain impacts required of a new crossing and will serve to correct any potential bridge safety issues. Without timely restoration the cost savings and public access benefit will otherwise be lost.
- User conflicts are more easily resolved by an increased trail width. Maintenance, walkers, bicyclists and wheelchair users will benefit from the proposed increased trail width.
- The project resolves long-standing connection and access problems between neighborhoods, schools, trails and parks.

<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR</b></p> <p><b>COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>7/09/13</b></p>
<p><b>Reports and Recommendations</b></p>	<p><b>Temporary Street Closure Request in conjunction with the July 27, 2013 Bike Rodeo</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.6.</i></p>

The City of Franklin Health Department with community partners has **rescheduled** the 5<sup>th</sup> annual bike rodeo at city hall on Saturday July 27, 2013. Up to 150 children with parent(s) will attend. The event will be staged from the lower level of City Hall and the actual bike safety course will extend onto Legend Drive. For safety purposes the police department and department of public works have recommended streets closures on Legend Drive and Schlueter Parkway. The fire department concurs with the proposed street closure plan. The health department recommends street closures from 6 AM until 2 PM on Saturday July 27th. The application for temporary closing of street(s) has been submitted and reviewed by the city clerk.

**COUNCIL ACTION REQUESTED**

Motion to approve street closures on Legend Drive and Schlueter Parkway on Saturday July 27, 2013 in conjunction with the City of Franklin sponsored bike safety rodeo.

CITY OF FRANKLIN  
APPLICATION FOR TEMPORARY CLOSING OF STREET  
OFFICE OF THE CITY CLERK  
[clerksdept@franklinwi.gov](mailto:clerksdept@franklinwi.gov)  
9229 W. LOOMIS RD.  
FRANKLIN WI 53132  
414-425-7500

**Name:** William M. Wucherer, Director of Health & Human Services  
**Address:** 9229 W. Loomis Road  
Franklin, WI 53132  
**Phone:** 414-427-7530 (Direct)

**Name of person or association applicant represents:**

City of Franklin Health Department  
**Address:** 9229 W. Loomis Road  
Franklin, WI 53132  
**Phone:** 414-425-9101

**Nature and purpose of the obstruction or street closing:** On Saturday July 27<sup>th</sup> the Franklin Health Department will host its 5<sup>th</sup> annual bike rodeo for local children ages 6-11 behind city hall. The bicycle safety course will be designed on Legend Drive. Street closures are essential to protect participants.

**Description of all parts of the road, street or highway is proposed to be obstructed or closed:** Three barricade locations are proposed by the Franklin Police Department including (1) at or near 8501 Legend Drive by Forest Hill Condominium, (2) at the library entrance on Legend Drive, and (3) at the library entrance on Schlueter Parkway. The condominium management is aware and supportive of this community event. They have graciously advertised the event in their condominium newsletter and mentioned the road closure. Access in the public library will not be altered. Access to city hall from Legend Drive and Loomis Road will not be impeded.

**Date and time of obstruction or closing:** Road closure is recommended from 6 AM—2 PM on Saturday July 27, 2013. The bike road is scheduled from 10 AM—12noon; however, significant preparation in marking the safety course is required before the event begins

**Estimated number of people proposed to attend:** 150 children can register in advance for this year's bike rodeo. Each child must be accompanied by an adult.

**Cleanup plan:** Upwards to 75 volunteers will assist the Franklin Health Department. Clean-up will be done immediately after the event is concluded. Little waste or refuse related to this event is likely.

**Provisions to allow ingress and egress of people or businesses denied access during the event:**

Residents and participants will have full access to city hall and the public library. The fire department is aware of this event and can accommodate requests for service.

**Permission received from additional jurisdiction:** The Franklin Police Department (Officer Bandur) has designed the bike safety course and recommended barricade locations. Department of Public Works Superintendent Jerry Schaefer and Foreman Dale Linneman agree with the road closure plan and will provide barricades for the event. Acting Fire Chief Adam Remington has reviewed the proposed road closure plan and has no objection.

**Date:** June 20, 2013

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
William M. Wucherer  
**Applicant**

\_\_\_\_\_  
Notary public, \_\_\_\_\_ Co., Wisconsin  
My Commission \_\_\_\_\_

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<p><b>APPROVAL</b></p> <p><i>Slw</i> </p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>7/9/2013</b></p>
<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>Request for the City of Franklin to Further Support the Milwaukee Gateway Aerotropolis Corporation by Making a \$5,000 Financial Contribution</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.7.</i></p>

In January 2010, the City of Franklin became a member of "The Airport Gateway Business Association" (AGBA) as approved by the Common Council at their December 15, 2009 meeting. Membership involved a \$100 annual membership fee and no other specific commitments. AGBA manages and serves as the staff for the Milwaukee Gateway Aerotropolis Corporation (MGAC) of which Mayor Taylor serves as a member of the MGAC Board.

Other than the annual \$100 membership fee, no other specific financial commitments were put in place when the City became a member of the AGBA. The AGBA, however, was asking participating entities to assist in identifying and securing funding to support the efforts of the MGAC. You may recall that Mr. Tom Rave, Executive Director of The Gateway to Milwaukee, made a presentation to the Common Council at their meeting of November 13, 2013 regarding an update of the Aerotropolis Milwaukee regional economic development effort. Members of the Council discussed the importance of the MGAC efforts and the importance of the City being a member and further supporting their efforts through a contribution to AGBA/MGAC. No motion authorizing a contribution, however, was made.

Attached is a list of historical financial contributions made to the MGAC. Tome Rave is suggesting a \$5,000 contribution at this time and has provided an invoice to that end. Appropriations are available in the Contingency line item should the Common Council wish to make a contribution.

**COUNCIL ACTION REQUESTED**

Motion to authorize a contribution of \$5,000 from the City's contingency appropriation to be made to the Milwaukee Gateway Aerotropolis Corporation, of which the City of Franklin is a member, to support their local and regional economic development efforts.

MGAC Contributions to date (as of July 5, 2013)

	2009	2010	2011	2012	2013	TOTAL
AGBID	15,000	17,500	124,225	48,146	21,354	226,225
Cudahy		1,000*		2,500		3,500
Franklin		500*				500
Greendale			4,000	1,500	2,000	7,500
Greenfield		800*	5,000	1,000	1,000	7,800
Milwaukee, City		800*			20,000	20,800
Milwaukee, CO					7,500	7,500
Oak Creek		1,000*	5,000	5,000		11,000
South Milwaukee		1,000*				1,000
St. Francis			2,000		2,000	4,000
WHEDA				5,000		5,000
Cobalt Partners				2,000		2,000
Caterpillar					15,000	15,000
<b>TOTAL</b>	<b>15,000</b>	<b>22,600</b>	<b>140,225</b>	<b>65,146</b>	<b>68,854</b>	<b>311,825</b>

\*Contribution for exhibiting at ICSC convention



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Cobalt Partners, LLC

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Barry Bateman  
General Mitchell International Airport

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Eric Nitechke  
WI Department of Natural Resources

Bob Ruesch  
President, Village of Hales Corners

Stephen Scalfidi  
Mayor, City of Oak Creek

CoryAnn St. Marie-Caris  
Mayor, City of St. Francis

Tom Taylor  
Mayor, City of Franklin

Wyman Winston  
WI Housing and Economic Development  
Authority

Ken Yunker  
Southeastern WI Regional Planning  
Commission

Tom Zepecki  
Mayor, City of South Milwaukee

Paul Vornhott  
The Port of Milwaukee

**INVOICE**

**DATE:** July 5, 2013

**TO:** City of Franklin  
9229 W Loomis Road  
Franklin, WI 53132  
ATTN: Tom Taylor

**FROM:** Milwaukee Gateway Aerotropolis Corporation  
861 W Layton Avenue  
Milwaukee, WI 53221

**AMOUNT:** \$5,000

**DESCRIPTION:** Contribution to Milwaukee Gateway  
Aerotropolis Corporation, a 501(c)3 nonprofit  
Wisconsin corporation that is developing  
Aerotropolis Milwaukee to be an efficient,  
interconnected, sustainable, multimodal freight  
and passenger complex serving Southeastern  
Wisconsin

**QUESTIONS:** Please contact:  
Tom Rave, Executive Director  
262-844-1330  
[trave@gatewaytomilwaukee.com](mailto:trave@gatewaytomilwaukee.com)

**THANK YOU** for supporting this effort.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>July 9, 2013</p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p>Ordinance Establishing Wisconsin Statute § 66.0609 as the System of Approving Claims for the City of Franklin and Establishing a City of Franklin Payment Policy Allowing Weekly Payments of Expenditures</p>	<p><b>ITEM NUMBER</b></p> <p><i>G.8.</i></p>

The above subject matter was before the Common Council on June 18, 2013. A motion to adopt the proposed ordinance to establish Wis. Stat. § 66.0609 as the system of approving claims for the City failed. A motion to refer the subject matter to the City Attorney for review and return at this meeting then passed. Upon the related subsequent subject matter item on that agenda regarding establishing a purchasing policy, a motion to put the matter over to this meeting passed. Attached is the entirety of the above subject matter materials as were contained in the June 18, 2013 Council agenda packet. The City Attorney is prepared to report upon the review. The Director of Administration on Friday, due to his prior vacation and holiday absence, advised and requested and asks that the Common Council allow more time for the Department of Administration to review until the next Common Council meeting.

**COUNCIL ACTION REQUESTED**

As the Common Council may deem appropriate.

<p>APPROVAL</p> <p><i>Slu</i> <i>MP</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/18/2013</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>Ordinance Establishing Wisconsin Statute 66.0609 as the system of approving claims for the City of Franklin and establishing a City of Franklin Payment Policy allowing weekly payments of expenditures</p>	<p>ITEM NUMBER</p> <p><i>6.11</i></p>

**Background**

The Common Council has in the past asked if approval of vouchers was necessary at each Common Council meeting. The answer has been yes. That is correct as long as the City is operating under Wisconsin Statute 66.0607. An alternate system of approving claims is available that does not require Council approval prior to payment of claims. It requires reporting of amounts paid to the Council at least monthly.

For efficiency and effectiveness reasons the Finance Department desires to switch to a weekly payment of bills. The City of Franklin presently pays bills twice a month the day after the Common Council meetings. The present practice authorizes the Director of Finance & Treasurer to issue manual checks in specific situations when it is the best interest of the City of Franklin. The number of manual checks per week averages between 10 to 20 checks and is mostly due to our twice a month payment system. They require duplicate entry, first on a typewriter and second into our payment system (newer systems may have a one write capacity ours does not). Switching to the alternate payment system would facilitate a weekly payment of claims.

In addition our Bank has been encouraging the City of Franklin to increase its fraud prevention capabilities by instituting a process called either positive pay or positive payee pay. In this system we provide the check numbers to the bank and they verify all checks attempting to clear our account to make sure that they are clearing valid check numbers against our accounts. One of the major difficulties in a positive pay environment is the amount of manual check issuance. To date we have not had any fraud activities on our bank accounts. Banks are generally responsible for fraud losses. They may reach a point that they transfer that responsibility to the customer unless the customer exercises available antifraud options such as positive pay.

**Analysis**

The Finance Department is proposing that the City of Franklin adopt, through an ordinance, paying its bills under Wisconsin Statute 66.0609 an alternate system of approving claims. This will allow:

- Weekly payment of vouchers
- The Director of Finance & Treasurer will sign each week's voucher listing indicating that the requirements under section 66.0609 have been met
- The Mayor, if he elects to review a voucher listing, will sign the weekly voucher listing indicating that his review has been completed
- At each meeting Council will receive a report for each week since the last Council meeting
- Council will be able to receive the report without having a roll call vote
- Ability to create and provide a weekly file to our bank for fraud prevention purposes

We currently comply with all four points in the statute with the fourth point instead of a fidelity bond of \$10,000 for the Director of Finance & Treasurer the City has a \$300,000 in insurance coverage for all employees that handle money including the Director.

The existing policy/procedure document from 2005 incorporates the policy changes necessary to change to the alternate payment system and to a weekly payment of bills is found in the attached payment policy that is recommended for approval.

Copies of Wisconsin Statutes 66.0607 and 66.0609 are attached for reference.

The relative section of the League Handbook is also attached indicating that the governing body must approve all claims before payment is made under 66.0607 and describing the alternate system of claims under 66.0609 which does not require governing body approval before payment.

The Municipalities our size were surveyed and three of the six Municipalities are using the alternate system. See attached survey.

The proposed format of the report to Council can be in check number order (copy attached), Department order or vendor order for each weekly report. Staff is recommending check number order which is mostly in alphabetic order except for manual checks which will be rare due to weekly processing. The other two orders require an additional processing step to produce. Council should indicate which order they prefer to see the reports.

Another difference between statutes is section 66.0607 requires the Mayor to sign all checks unless the Council has taken a specific action that he not sign the checks. Under 66.0609 the Mayor is not required to sign checks. Our current bank resolution authorizes the Mayor to sign checks. If the organization desires a change a new resolution designating authorized signors for checks & orders can be presented at a future Council meeting.

The Finance Committee has reviewed these policy changes and is recommending approval to the Common Council.

### **COUNCIL ACTION REQUESTED**

Motion to adopt Ordinance No. 2013 - \_\_\_\_\_ establishing Wisconsin Statute 66.0609 as the system of approving claims for the City of Franklin and establishing a City of Franklin Payment Policy.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2013\_\_\_\_\_

AN ORDINANCE ESTABLISHING WISCONSIN STATUTE 66.0609 AS THE SYSTEM OF APPROVING CLAIMS FOR THE CITY OF FRANKLIN AND ESTABLISHING A CITY OF FRANKLIN PAYMENT POLICY

WHEREAS the City of Franklin would like to switch to an alternative system of approving claims under section 66.0609; and

WHEREAS, that would enable the City of Franklin to pay its bills on a weekly basis; and

WHEREAS, weekly payment of bills will enable staff to implement available antifraud procedures; and

WHEREAS, the Common Council will receive reports at each meeting with the information required in section 66.0609.

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

- Section 1 that the City of Franklin approves the switch to an alternative system of approving claims under section 66.0609 of the Wisconsin Statutes.
- Section 2 that the Payment Policy 151-03-002 be adopted.
- Section 3 that the voucher listing reports be prepared in Check no./alphabetic order or vendor order or department order (Pick One)

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of June, 2013.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of June, 2013 .

APPROVED:

ATTEST:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_ NOES \_\_\_\_ ABSENT \_\_\_\_

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

**Subject:** Payment Policies

**Issue Date:** June \_\_, 2013

**Source:** Ordinance 2013-xxxx

**Affected  
Departments:** All City of Franklin Departments

**Prior Practice** All amounts due by the City of Franklin from the receipt of goods and services shall be paid in accordance with Wisconsin statutes sec 66.0607(1) that indicates that the Treasurer shall make all disbursements from the treasury after the Common Council has approved the vouchers for that period.

All payroll amounts due by the City of Franklin to employees for services rendered shall be paid in accordance with Wisconsin statutes sec 62.12(8)(b) that indicates that the payroll is verified by the proper official. The designated official shall be the Director of Finance and Treasurer or the Accounting Supervisor for payroll and payroll related vouchers for that period.

In some situations it is in the City of Franklin's best interest to pay a voucher prior to the approval date. Examples of those situations could be a significant discount for payment by a specified date, a statutory deadline, a deposit with an order or payments to avoid late payment charges. In those situations the Director of Finance and Treasurer has been authorized to make judgments and release those individual checks prior to general Council approval as necessary for the best interests of the City of Franklin.

**Statutory  
Authority:**

**66.0609 Financial procedure; alternative system of approving claims.**

"(1) The governing body of a village or of a city of the 2nd, 3rd or 4th class may by ordinance enact an alternative system of approving financial claims against the municipal treasury other than claims subject to s. 893.80. The ordinance shall provide that payments may be made from the city or village treasury after the comptroller or clerk of the city or village audits and approves each claim as a proper charge against the treasury, and endorses his or her approval on the claim after having determined that all of the following conditions have been complied with:

(a) That funds are available for the claim pursuant to the budget approved by the governing body.

(b) That the item or service covered by the claim has been duly authorized by the proper official, department head or board or commission.

(c) That the item or service has been actually supplied or rendered in conformity with the authorization described in par. (b).

(d) That the claim is just and valid pursuant to law. The comptroller or clerk may require the submission of proof to support the claim as the officer considers necessary.

(2) The ordinance under sub. (1) shall require that the clerk or comptroller file with the governing body not less than monthly a list of the claims approved, showing the date paid, name of claimant, purpose and amount.

(3) The ordinance under sub. (1) shall require that the governing body of the city or village obtain an annual detailed audit of its financial transactions and accounts by a certified public accountant licensed or certified under ch. 442 and designated by the governing body.

(4) The system under sub. (1) is operative only if the comptroller or clerk is covered by a fidelity bond of not less than \$5,000 in villages and 4th class cities, of not less than \$10,000 in 3rd class cities, and of not less than \$20,000 in 2nd class cities.

(5) If an alternative procedure is adopted by ordinance in conformity with this section, the claim procedure required by ss. 61.25 (6), 61.51, 62.09 (10), 62.11 and 62.12 and other relevant provisions, except s. 893.80, is not applicable in the city or village."

**Policies:**

All amounts due by the City of Franklin from the receipt of goods and services shall be paid in accordance with Wisconsin statutes sec 66.06097(1), that indicates that t

The Director of Finance and Treasurer or in his absence the Deputy Finance Director shall make all disbursements from the treasury after the Finance Department has reviewed each weekly voucher for items 1 (a) to (d) in the above listing and the Director of Finance and Treasurer or in his absence the Deputy Finance Director has signed the voucher listing. If the Mayor elects to review a voucher listing he will sign the weekly voucher listing indicating that his review has been completed. The weekly voucher listings will be reported at the next Council meeting.

All payroll amounts due by the City of Franklin to employees for services rendered shall be paid in accordance with Wisconsin statutes sec 62.12(8)(b) that indicates that the payroll is verified by the proper official. The designated official shall be the Director of Finance and Treasurer Deputy Finance Director or the Accounting Supervisor for payroll and payroll related vouchers for that each payroll period.

In rare ~~some~~ situations it ~~is~~ will be in the City of Franklin's best interest to pay a voucher prior to the next weekly voucher listing approval date. Examples of those situations could be a significant discount for payment by a specified date, a statutory deadline or a deposit with an order. In those situations the Director of Finance and Treasurer or the Deputy Finance Director ~~are~~ has been authorized to make judgments and release those individual checks prior to the next weekly voucher listing general Council approval as necessary for the best interests of the City of Franklin.

**Types of Disbursements:**

- Petty Cash reimbursements
- Special Clearance checks
- Voucher checks
- Wire Transfers
- ACH Debits to City Accounts

**Description:**

**Petty Cash Reimbursements**

- Available to employees of the City of Franklin
- Limited to a maximum of \$25.00
- Petty Cash voucher required with following information:
  - Name and signature of employee being reimbursed
  - Business purpose of reimbursement
  - Receipt for item(s) being reimbursed
  - Account Number(s) to be charges
  - Signature of Department Head or designee
  - Petty Cash is reimbursed at least monthly

**Special Clearance Checks**

- Available for occasional payments to Vendors that are needed to be made to address urgent needs
- Limited to maximum of \$250.00
- Special Clearance voucher required with the following information:
  - Name and address of vendor being paid
  - Business purpose of the payment
  - Invoice being paid, purchase order or voucher to be paid
  - Account Number(s) and amounts to be charged
  - Signature of Department Head or designee
  - Special Clearance account is reimbursed at least monthly

**Voucher Checks**

- Regular method for paying City Obligations
- All purchases over \$250.00 are made with Voucher checks unless agreement is in place to use Wire Transfer or ACH debits have been agreed to

- No purchase made that is not in the currently approved budget, ~~or if not~~ has explicit Common Council approval if not budgeted or restricted funding source
- Purchase order/voucher requisition then issued and signed by department head
- Invoices submitted to department ordering material or service
- Department is responsible for insuring that the materials were received or the service was performed
- Voucher is prepared for each invoice or charge to be processed
  - Name and address of vendor being paid
  - Business purpose of the payment
  - Invoice being paid, purchase order or voucher to be paid
  - Account Number(s) and amounts to be charged
  - Signature of Department Head or designee

### **Manual Checks**

In ~~some rare~~ situations it is in the City of Franklin's best interest to pay a voucher prior to the weekly voucher listing approval date. Weekly processing will minimize the issuance of this type of check

### **Wire Transfers**

- Required form of payment for Debt service payments
- Property Tax Payments to other taxing jurisdictions
- Transfers of funds between City of Franklin bank and investment accounts
- Process is covered by a policy document which requires separate initiators and confirmers

### **ACH Debits to City Accounts**

- Certain vendors by terms of their agreements with the City of Franklin are paid by regular debits to City of Franklin bank accounts Examples include:
  - Auxiant for Self funded health claims
  - Ceridian for payroll and payroll taxes
  - ING for deferred tax deductions
  - Principal Mutual for Defined Contribution deductions
  - WE Energies for utility payments
  - Federal grant payments

### **The Accounts**

#### **Payable process: The Finance Office**

- Receives all vouchers from departments
- Vouchers over Mayoral limit currently \$5,000, or whatever limit established by the Mayor from time to time, not already counter signed by the Mayor are sent for Mayor's signature.

- Reviews the vouchers for correctness of name, amounts and account numbers ( two people review)
- For construction contracts reviews the payment draws against the total contract amount
- Prepares the voucher reports for the Common Council
- Determines the method of payment (check, wire transfer or ACH Debit)
- Prepares the checks for signing
- Sorts the checks above \$25,000 from the remainder of the checks
- Circulates the checks above \$25,000 to the authorized signors
- ~~after Common Council approval mails the checks to the vendors.~~
- Property tax refund voucher listings are signed by the Director of Finance and Treasurer or the Deputy Finance Director before distribution

The Treasury Office:

- Receives the checks from the Finance Office
- Maintains the custody to the check signing facsimile stamp
- Affixes the facsimile stamp to the checks below \$25,000 and ~~returns the checks to the Accounts Payable area.~~
- ~~After Common Council approval mails the checks to the vendors.~~
- ~~In the event that an individual voucher is not approved that check is placed in the vault until approved or returned to the Finance Office to be voided if there is not an expectation of future approval.~~
- Manual checks requires the actual signature of the authorized signors

| 9/9/05

66.0607 Withdrawal or disbursement from local treasury.

- (1) Except as otherwise provided in subs. (2) to (5) and in s. 66.0608, in a county, city, village, town, or school district, all disbursements from the treasury shall be made by the treasurer upon the written order of the county, city, village, town, or school clerk after proper vouchers have been filed in the office of the clerk. If the statutes provide for payment by the treasurer without an order of the clerk, the clerk shall draw and deliver to the treasurer an order for the payment before or at the time that the payment is required to be made by the treasurer. This section applies to all special and general provisions of the statutes relative to the disbursement of money from the county, city, village, town, or school district treasury except s. 67.10 (2).
- (2) Notwithstanding other law, a county having a population of 500,000 or more may, by ordinance, adopt any other method of allowing vouchers, disbursing funds, reconciling outstanding county orders, reconciling depository accounts, examining county orders, and accounting consistent with accepted accounting and auditing practices, if the ordinance prior to its adoption is submitted to the department of revenue, which shall submit its recommendations on the proposed ordinance to the county board of supervisors.
- (3) Except as provided in subs. (2), (3m) and (5), disbursements of county, city, village, town or school district funds from demand deposits shall be by draft or order check and withdrawals from savings or time deposits shall be by written transfer order. Written transfer orders may be executed only for the purpose of transferring deposits to an authorized deposit of the public depositor in the same or another authorized public depository. The transfer shall be made directly by the public depository from which the withdrawal is made. No draft or order check issued under this subsection may be released to the payee, nor is the draft or order check valid, unless signed by the clerk and treasurer. No transfer order is valid unless signed by the clerk and the treasurer. Unless otherwise directed by ordinance or resolution adopted by the governing body, a certified copy of which shall be filed with each public depository concerned, the chairperson of the county board, mayor, village president, town chairperson or school district president shall countersign all drafts or order checks and all transfer orders. The governing body may also, by ordinance or resolution, authorize additional signatures. In lieu of the personal signatures of the clerk and treasurer and any other required signature, the facsimile signature adopted by the person and approved by the governing body may be affixed to the draft, order check or transfer order. The use of a facsimile signature does not relieve an official from any liability to which the official is otherwise subject, including the unauthorized use of the facsimile signature. A public depository is fully warranted and protected in making payment on any draft or order check or transferring pursuant to a transfer order bearing a facsimile signature affixed as

provided by this subsection notwithstanding that the facsimile signature may have been affixed without the authority of the designated persons.

- (3m) A county, city, village, town or school district may process periodic payments through the use of money transfer techniques, including direct deposit, electronic funds transfer and automated clearinghouse methods. The county, municipal or school district treasurer shall keep a record of the date, payee and amount of each disbursement made by a money transfer technique.
- (4) Except as provided in sub. (3m), if a board, commission or committee of a county, city, village, town or school district is vested by statute with exclusive control and management of a fund, including the audit and approval of payments from the fund, independently of the governing body, payments under this section shall be made by drafts or order checks issued by the county, city, village, town or school clerk upon the filing with the clerk of certified bills, vouchers or schedules signed by the proper officers of the board, commission or committee, giving the name of the claimant or payee, and the amount and nature of each payment.
- (5) In a 1st class city, municipal disbursements of public moneys shall be by draft, order, check, order check or as provided under sub. (3m). Checks or drafts shall be signed by the treasurer and countersigned by the comptroller. Orders shall be signed by the mayor and clerk and countersigned by the comptroller, as provided in the charter of the city. Disbursements of school moneys shall be as provided by s. 119.50.
- (6) Withdrawal or disbursement of moneys deposited in a public depository as defined in s. 34.01 (5) by a treasurer as defined in s. 34.01 (7), other than the elected, appointed or acting official treasurer of a county, city, village, town or school district, shall be by endorsement, written order, draft, share draft, check or other draft signed by the person or persons designated by written authorization of the governing board as defined in s. 34.01 (1). The authorization shall conform to any statute covering the disbursement of the funds. A public depository is fully warranted and protected in making payment in accordance with the latest authorization filed with it.
- (7) No order may be issued by a county, city, village, town, special purpose district, school district, cooperative education service agency or technical college district clerk in excess of funds available or appropriated for the purposes for which the order is drawn, unless authorized by a resolution adopted by the affirmative vote of two-thirds of the entire membership of the governing body.

History: 1971 c. 154; 1971 c. 211 s. 124; 1977 c. 142, 225; 1979 c. 318; 1981 c. 20; 1983 a. 145; 1983 a. 189 s. 329 (21); 1983 a. 192 s. 303 (2); 1983 a. 368, 538; 1985 a. 91, 225; 1989 a. 56 s. 258; 1993 a. 399; 1999 a. 150 s. 109; Stats. 1999 s. 66.0607; 2001 a. 16.

66.0609 Financial procedure; alternative system of approving claims.

- (1) The governing body of a village or of a city of the 2nd, 3rd or 4th class may by ordinance enact an alternative system of approving financial claims against the municipal treasury other than claims subject to s. 893.80. The ordinance shall provide that payments may be made from the city or village treasury after the comptroller or clerk of the city or village audits and approves each claim as a proper charge against the treasury, and endorses his or her approval on the claim after having determined that all of the following conditions have been complied with:
  - (a) That funds are available for the claim pursuant to the budget approved by the governing body.
  - (b) That the item or service covered by the claim has been duly authorized by the proper official, department head or board or commission.
  - (c) That the item or service has been actually supplied or rendered in conformity with the authorization described in par. (b).
  - (d) That the claim is just and valid pursuant to law. The comptroller or clerk may require the submission of proof to support the claim as the officer considers necessary.
- (2) The ordinance under sub. (1) shall require that the clerk or comptroller file with the governing body not less than monthly a list of the claims approved, showing the date paid, name of claimant, purpose and amount.
- (3) The ordinance under sub. (1) shall require that the governing body of the city or village obtain an annual detailed audit of its financial transactions and accounts by a certified public accountant licensed or certified under ch. 442 and designated by the governing body.
- (4) The system under sub. (1) is operative only if the comptroller or clerk is covered by a fidelity bond of not less than \$5,000 in villages and 4th class cities, of not less than \$10,000 in 3rd class cities, and of not less than \$20,000 in 2nd class cities.
- (5) If an alternative procedure is adopted by ordinance in conformity with this section, the claim procedure required by ss. 61.25 (6), 61.51, 62.09 (10), 62.11 and 62.12 and other relevant provisions, except s. 893.80, is not applicable in the city or village.

History: 1971 c. 108 ss. 5, 6; 1971 c. 125 s. 523; 1977 c. 285 s. 12; 1979 c. 323; 1985 a. 29; 1991 a. 316; 1999 a. 150 s. 113; Stats. 1999 s. 66.0609; 2001 a. 16.

## Cal Patterson

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From: Jesse Wesolowski [JWeslaw@aol.com]  
Sent: Saturday, April 14, 2012 10:04 AM  
To: Cal Patterson  
Subject: Wis. Stats. 66.0607 and 66.0609

Found nothing in the Mun. Code. Zero hits on both statute numbers in the League opinions. Below is the League Handbook history and discussion. Unless the alternative method was adopted by an ordinance not in the Code book or unless I somehow missed it in the search, an ordinance would need to be adopted for that method. Let me know if you have any further questions. Thanks.

### Financial Administration

#### Claims Against Municipalities

A municipal governing body must review and approve all claims (i.e., bills, vouchers and invoices submitted to the municipality for payment) before they can be paid unless it adopts an ordinance directing that an alternative procedure, described below, be followed delegating approval authority to the municipal clerk. If the governing body retains the authority to approve claims, it may want to establish a claims policy to make the process more efficient. For example, a policy could direct the clerk to organize the list of claims presented to the governing body for approval so that several claims by the same claimant are grouped together. In addition, the governing body might want to reserve close examination for larger claims. Also, a governing body might consider establishing an audit committee to review the claims and make a recommendation to the governing body. Schneider, *Handbook for Wisconsin Town Officials*, (1994).

In most instances, claims are for previously approved services or materials and are allowed. All claims or bills against a city or village must be presented to the clerk in an itemized form as required by secs. 62.12(8), 61.51(1), and 893.80(1)(b), Stats. "Itemized" means listed in sufficient detail to clearly identify the nature of all items. In many instances, detailed duplicates of the sales slips representing the items on the claim can be attached to the claim to fully explain all items. It is customary for the clerk to provide a uniform claim form under either sec. 61.51 or 62.12(8), Stats. Stock claim forms, which also are sometimes called invoices or vouchers, may be purchased from office supply businesses.

#### Cities

In cities having a comptroller, the clerk must deliver the sworn claims to the comptroller for examination. The comptroller or person serving as such must examine the claim within thirty days and return it to the clerk for her or his approval or with a disapproval report. The clerk then places the claim before the council for action at its next meeting. If the clerk acts as comptroller, he or she performs this step under secs. 62.09(10)(c) and 62.12(8), Stats.

#### Villages

In villages, each claim must be audited. The audit is usually performed by a committee of the board or by an individual designated by the board after which the clerk must endorse on the claim the words "Allowed" or "Disallowed," adding the actual amount allowed, if any. Sec. 61.51(l), Stats. The actual amount allowed on each claim must be shown in the minutes of the proceedings of the board. Every claim allowed must be filed by the clerk, and those of each year consecutively numbered, as required by sec. 61.51(l), Stats. This numbering should be for the calendar year, which is the fiscal year.

Certain boards and commissions also may audit and approve payment of claims against funds over which they have exclusive control under sec. 66.0607(4), Stats.

#### Claims for Damages

Before any claim for damages may be brought or maintained against a city or village, the claim must be presented to the governing body in the manner prescribed for filing a claim by sec. 893.80, Stats. The party bringing the claim must give written notice of the circumstances of the claim, within 120 days after the happening of the event giving rise to the claim, to the appropriate governmental entity, officer, agent or employee. However, failure to give the requisite notice will not bar action on a claim if the municipality had actual notice of the claim and the claimant shows to the court's satisfaction that the delay or failure to give the required notice has not been prejudicial to the defendant municipality, employee or officer. Sec. 893.80(i)(a), Stats. The claimant must also submit an itemized statement of the relief sought within the applicable time period for the type of relief sought. *Schwetz v. Employers Ins. of Wausau*, 126 Wis.2d 32, 374 N.W.2d 241 (Ct. App. 1985). If the claim is disallowed, the claimant has six months to institute an action after receiving notice of such disallowance by registered or certified mail. Sec. 893.80(l)(b), Stats.

#### Alternative Procedure for Approval of Financial Claims

In 1945, the League successfully persuaded the state legislature to adopt a law providing for an alternative method of paying claims. This method is available to cities and villages by the adoption of a simple ordinance. It permits the payment of legal claims under proper conditions without formal governing body approval of each and every claim.

The conditions outlined in sec. 66.0609, Stats., authorizing this alternative procedure are several. Payments from the treasury are made after the clerk or comptroller has audited and endorsed each claim as a proper charge against the treasury and determined that:

1. funds are available in the budget to pay the claim;
2. the item or service covered by the claim has been authorized by the proper official or agency;
3. the item or service has been actually supplied or rendered;
4. the claim is just and valid pursuant to law.

The clerk or comptroller may require submission of proof to show compliance with the above items. Under this alternative procedure, the clerk or comptroller must file a monthly list of claims with the governing body showing the date paid, name of claimant, purpose and amount. Sec. 66.0609(2), Stats. The ordinance implementing the alternative procedure must also provide that an annual detailed post-audit of all financial transactions be performed and that the clerk or comptroller file a fidelity or surety bond. Sec. 66.0609(3), Stats. Adoption of this claim approval process does not negate the necessity of filing a claim under sec. 893.80, Stats., with the governing body to bring and maintain legal action against the municipality for all or any portion of a claim disallowed by the clerk or comptroller. Sec. 66.0609(5), Stats.

#### Disbursements from the Treasury

Disbursements from the municipal treasury are made as provided in sec. 66.0607, Stats. Under that procedure, the municipal treasurer makes the disbursement following the written order of the clerk after proper vouchers have been filed with the clerk and approved. Sec. 66.0607, Stats. In circumstances where the statutes allow for payment by the treasurer without an order from the clerk, the clerk must draw an order and give it to the treasurer prior to payment. The clerk's written order is not required where the municipality has designated a fiscal agent under sec. 77.10(2), Stats., and where the governing body has authorized the periodic payments to be made under sec. 66.0607(3m), Stats., through the use of "money transfer techniques, including direct deposit, electronic funds transfer and automated clearinghouse methods." In such cases, the municipal treasurer must keep a record of the date, payee and amount of each transfer made by the money transfer technique. If any municipal board, commission or committee is vested by statute with exclusive control and management of a fund, including the audit and approval of payments from the fund, such as the library board, payments are made by draft or order check issued by the clerk upon the filing of certified vouchers signed by the proper officers of the board, commission or committee. The vouchers must show the name of the claimant and the amount and nature of each payment. Sec. 66.0607(4), Stats.

Municipal clerks may not issue orders in excess of funds available or appropriated for the purpose of

the order, unless authorized by a resolution adopted by a two-thirds vote of the governing body. Secs. 66.0607(7) and 65.90(5), Stats.

Disbursements of municipal funds from demand deposits (i.e., checking accounts) must be by draft or order check. Sec. 66.0607(3), Stats. Money may be withdrawn from savings or time deposits only by written transfer order. Transfers may be made only to another authorized deposit in the same or another authorized public depository. In other words, cash withdrawals cannot be made from municipal accounts.

The clerk and treasurer must sign draft or order checks and transfer orders. The village president or mayor must also countersign such documents unless the municipality, by resolution or ordinance, decides not to require their signatures. If the governing body decides not to require the village president or mayor to countersign checks and transfer orders, a certified copy of the resolution or ordinance must be filed with each concerned public depository. Sec. 66.0607(3), Stats.

A municipal governing body may also, by resolution or ordinance, require other signatures on draft or order checks and transfer orders. In addition, governing bodies may authorize facsimile signatures in lieu of personal signatures. Use of facsimile signatures does not relieve any official from liability for the unauthorized use of the signature. Public depositories are protected from liability by making payments or transfers pursuant to approved facsimile signatures. Sec. 66.0607(3), Stats.

City of Franklin  
Surrounding Cities - Surveyed

Municipality	Population	Contact	Voucher Payment under		Manuals Allowed	Separate Treasurer	UFD
			66.0607	66.0609 other			
West Allis	C 60,300	Mark Weiss Finance Manager 414-302-8292 No Response					
Wauwatosa	C 46,320	John Ruggini Finance Director 414-479-8962	Y		Y	N	
New Berlin	C 39,770	Ralph Chipman Finance Director 262-797-2448	Y		Y	N	
Brookfield	C 37,870	Robert Scott Director of Finance 262-782-9650	Y		Few	N	
Greenfield	C 36,740	Paula Schaefer Finance Director 414-329-5285	Y		Few	N	
Menomonee Falls	V 35,680	Jason Kaczmarek Finance Director 262-532-4235 <a href="mailto:j.kaczmarek@menomonee-falls.org">j.kaczmarek@menomonee-falls.org</a>	Y		Few	Y	N-Clerk
Franklin	C 35,520	Cal Patterson Director of Finance & Treasurer	Y		Y	N	
Oak Creek	C 34,530	Vacant Barb Guckenberger Finance Director Treasurer 414-768-6514 414-768-6559	Y		Y	Y	N
Muskego	C 24,217	Sharon Mueller Director of Finance & Adr 262-679-5622 No Response					Elected-3yr
Not Contacted:							
Milwaukee	C 595,425						
South Milwaukee	C 24,103						
Cudahy	C 18,247						
Greendale	V 14,123						
Whitefish Bay	V 14,105						
Shorewood	V 13,174						
Glendale	C 12,808						
Brown Deer	V 12,065						
Hales Corners	V 7,683						
Fox Point	V 6,644						
Bayside	V 4,380						
West Milwaukee	V 4,200						
River Hills	V 1,591						

ATP

6/4/12

ACS GOV'T FINANCIAL SYSTEM  
05/31/2012 09:34:14

Disbursement Journal

CITY OF FRANKLIN, WISCONSIN  
6L060S-007.20 RECAPPAGE  
6L540R

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
01	GENERAL FUND	466,307.70
15	LIBRARY FUND	53,923.05 ✓
19	SOLID WASTE COLLECTION FUND	36,090.00 ✓
24	ST MARTINS FAIR FUND	485.00 ✓
25	HEALTH DEPT GRANT FUND	3,873.44 ✓
26	OTHER GRANTS	1,558.00 ✓
28	DONATIONS FUND	700.01 ✓
41	CAPITAL OUTLAY FUND	14,216.74 ✓
43	TIF 2 BUSINESS PARK PHASE 3	823,317.71 ✓
46	CAPITAL IMPROVEMENT FUND	3,010.82 ✓
47	STREET IMPROVEMENT FUND	2,095.02 ✓
48	TIF 3 BUS PK-S27-31/DREXEL	883.40 ✓
49	TIF 4 BUS PK-S27/BAKWOOD	252.00 ✓
61	SEWER FUND	54,078.93 ✓
75	SELF-INSURANCE FUND	160,272.24 ✓
80	RETIREE HEALTH FUND	23,349.70 ✓
88	EMPLOYEE ACTIVITIES	8.38 ✓
TOTAL ALL FUNDS		1,644,314.14 ✓

1-644-314-14

BANK RECAP:

#15

BANK NAME	DISBURSEMENTS
CITY US BANK	1,644,314.14
TOTAL ALL BANKS	1,644,314.14

#65

- 0143046 Johns  
35,386.00
- 0143066 MCFLS  
38,013.00
- 0145134 Wesolowski  
25,147.49
- 0145144 World Fuel  
37,107.00
- 117 314 898

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F Y S	ACCOUNT
US BANK									
1957	05/31/12	FRANKLIN TRUST ACCT/	6057 5/4 HPS MED CURR Y	14,631.37	050912	050912			
1957	05/31/12	FRANKLIN TRUST ACCT/	6057 5/4 HPS MED CURR RETD	109.58	050912	050912			N N 75.000.5010.5501
1957	05/31/12	FRANKLIN TRUST ACCT/	6057 5/4 HPS MED PRIOR YR	510.96	050912	050912			N N 80.000.5015.5501
1957	05/31/12	FRANKLIN TRUST ACCT/	6057 5/4 AFI FEE	282.20	050912	050912			N N 75.000.5010.5509
1957	05/31/12	FRANKLIN TRUST ACCT/	6057 5/4 AFI FEE	1.86	050912	050912			N N 75.000.5010.5503
				15,535.97	*CHECK TOTAL				N N 80.000.5015.5503
1958	05/31/12	FRANKLIN TRUST ACCT/	6057 4/20 HPS AFI FEE ADJ	8.51CR		051112			
1958	05/31/12	FRANKLIN TRUST ACCT/	6057 4/20 HPS PRIOR ADJ	500.21CR	051112	051112			N N 75.000.5015.5503
				508.72CR	*CHECK TOTAL				N N 75.000.5010.5509
1959	05/31/12	FRANKLIN TRUST ACCT/	6057 5/11 AFI FEE	1,201.12	051112	051112			
1959	05/31/12	FRANKLIN TRUST ACCT/	6057 5/11 HPS MED CURR	69,573.67	051412	051112			N N 75.000.5010.5503
1959	05/31/12	FRANKLIN TRUST ACCT/	6057 5/11 HPS MED CURR RETD	81.00	051412	051112			N N 75.000.5010.5501
				70,855.79	*CHECK TOTAL				N N 75.000.5010.5509
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 MED CURR YR	21,007.40	051012	051412			
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 MED PRIOR YR	352.69	051012	051412			N N 75.000.5010.5501
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 DENTAL CURR YR	1,153.25	051012	051412			N N 75.000.5010.5509
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 DENTAL PRIOR YR	149.00	051012	051412			N N 75.000.5020.5501
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 SP MULTIPLES '11 PRIOR	500.21	051012	051412			N N 75.000.5020.5509
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 MED CURR RETD	1,254.67	051012	051412			N N 75.000.5010.5506
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 MED PRIOR RETD	110.23	051012	051412			N N 80.000.5015.5501
1960	05/31/12	ALLIANCE BENEFIT GRD	13053 5/10 DENTAL CURR RETD	127.50	051012	051412			N N 80.000.5015.5509
				24,655.00	*CHECK TOTAL				N N 75.000.5025.5501
1961	05/31/12	FRANKLIN-PAYROLL ACC	6097 5/17 PAYROLL TRAKS	33,045.37	051712	051812			
									N N 01.1100.1111
1962	05/31/12	IRS PAYROLL TAXES	9070 5/18 FED TAX PAYRD	52,177.66	051612	051812			
1962	05/31/12	IRS PAYROLL TAXES	9070 5/18 SOC SEC TAX P	50,217.42	051612	051812			N N 01.2000.2141
1962	05/31/12	IRS PAYROLL TAXES	9070 5/18 MEDICARE TAX	14,003.03	051612	051812			N N 01.2000.2149
				116,398.11	*CHECK TOTAL				N N 01.2000.2144
1963	05/31/12	WI DEPT OF REVENUE	23067 5/18 STATE PYRL T	26,495.75	051612	051812			
									N N 01.2000.2142
1964	05/31/12	FRANKLIN TRUST ACCT/	6057 5/18 HPS MED CURR	22,738.76	052112	051812			
1964	05/31/12	FRANKLIN TRUST ACCT/	6057 5/18 HPS MED CURR RET	166.25	052112	051812			N N 75.000.5010.5501
1964	05/31/12	FRANKLIN TRUST ACCT/	6057 5/18 AFI FEE	401.85	052112	051812			N N 80.000.5015.5501
1964	05/31/12	FRANKLIN TRUST ACCT/	6057 5/18 AFI FEE RETD	2.83	052112	051812			N N 75.000.5010.5503
				23,629.69	*CHECK TOTAL				N N 80.000.5015.5503
1965	05/31/12	ALLIANCE BENEFIT GRD	13053 5/17 MEDICAL CURR Y	9,073.02	051812	052112			
1965	05/31/12	ALLIANCE BENEFIT GRD	13053 5/17 MEDICAL PRIOR YR	55.82	051812	052112			N N 75.000.5010.5501
1965	05/31/12	ALLIANCE BENEFIT GRD	13053 5/17 DENTAL CURR YR	3,805.25	051812	052112			N N 75.000.5010.5509
1965	05/31/12	ALLIANCE BENEFIT GRD	13053 5/17 MED CURR RETD	19,427.42	051812	052112			N N 75.000.5020.5501
1965	05/31/12	ALLIANCE BENEFIT GRD	13053 5/17 MED CURR RETD	14.04	051812	052112			N N 80.000.5015.5501
				32,375.55	*CHECK TOTAL				N N 80.000.5015.5509

WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM INVOICE	PO#	F 9 S ACCOUNT
	US BANK					
1966 05/31/12	PRINCIPAL MUTUAL	16007 MAY'12 PERSIDN PAY	29,988.03	051812 052112		N M 01.2000.2147
1966 05/31/12	PRINCIPAL MUTUAL	16007 MAY'12 PW EMPLOYEE	2,549.60	051812 052112		N M 01.2000.2167
1966 05/31/12	PRINCIPAL MUTUAL	16007 MAY'12 RFNDS/REIMBURSN	1.06CR	051812 052112		N M 01.0000.4781
			32,536.57	*CHECK TOTAL		
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	4,918.95	060412 060412		N M 01.161.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	159.26	060412 060412		N M 01.551.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	1,503.87	060412 060412		N M 01.331.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	1,431.43	060412 060412		N M 01.351.0000.5559
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	3,264.54	060412 060412		N M 61.731.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	4,175.43	060412 060412		N M 01.351.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	14,662.61	060412 060412		N M 01.351.0000.5557
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	127.38	060412 060412		N M 01.331.0000.5419
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	267.89	060412 060412		N M 01.351.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	118.98	060412 060412		N M 01.331.0000.5419
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	5,725.97	060412 060412		N M 15.511.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	3,675.70	060412 060412		N M 01.211.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 ELECTRIC	2,218.77	060412 060412		N M 01.221.0000.5552
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	389.80	060412 060412		N M 01.221.0000.5554
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	1,681.09	060412 060412		N M 15.511.0000.5554
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	1,838.71	060412 060412		N M 01.211.0000.5554
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	1,292.53	060412 060412		N M 01.181.0000.5554
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	59.00	060412 060412		N M 01.551.0000.5554
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	50.22	060412 060412		N M 01.331.0000.5554
1967 05/31/12	WE ENERGIES	23016 APR'12 GAS	231.05	060412 060412		N M 61.731.0000.5554
			52,091.95	*CHECK TOTAL		
141545 05/31/12	WI DEPT FINANCIAL IN	12009 NOTARY RENEWAL-VOID	20.00CR	012412 KALIK RENEM		N M 01.211.0000.5329
142082 05/31/12	AURORA MEDICAL GROUP	1135 PHYSCLS-REISSUE #1429	148.30CR	030712 EG0023117		N M 01.221.0000.5211
142082 05/31/12	AURORA MEDICAL GROUP	1133 PHYSCLS-REISSUE #14	1,038.10CR	030712 EG0023117		N M 01.221.0000.5211
			1,186.40CR	*CHECK TOTAL		
142845 05/31/12	SCHAEFER/JEROME	19078 DONA'T ENVIR COMM-VOID	91.00CR	051512 TREES		N M 28.102.7030.5821
142905 05/31/12	CARROLL/DIANA	12008 REFUND 2ND CHARGE	104.00	051012 796-9992-006		N M 19.0000.4490
142906 05/31/12	MILW CO CLERK OF CDU	13165 BAIL C&FPD 12-001874	150.00	050812 TR77014		N M 01.2000.2436
142907 05/31/12	BROWN DEER POLICE DE	12027 BAIL PD #M1022870	235.00	050912 TR77035		N M 01.2000.2436
142908 05/31/12	RACINE CO CIRCUIT CO	12028 BAIL C&11-2068	235.00	050312 TR76890		N M 01.2000.2436
142909 05/31/12	CFDA	12029 CFDA REVIEW FEE	435.00	051012 05/10/12		N M 01.132.0000.5213
142910 05/31/12	AT&T	1184 APR'12 911 WIRELESS T	193.46	042812 414245635304	096453 P	N M 01.211.0000.5415
142911 05/31/12	EMS MEDICAL BILLING	5014 MEDICARE REVALIDA'T F	323.00	051512 REVALIDA'T'12	096292 P	N M 01.221.0000.5294

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 7/9/13
Reports & Recommendations	<b>SUBJECT:</b> Authorization to proceed with sanitary rehabilitation on failing sanitary sewer on S. 35th Street, and S. 36th Street between W. Madison Blvd. and W. Marquette Ave, on W. Marquette Ave. between S. 35th Street and S. 36th Street and in an easement south of W. Madison Blvd. between S. 36th Street and 37th Place, the lining of 7 manholes serving the Home Depot on S. 27th Street and sealing of leaks in 12 manholes throughout the City.	ITEM NO.  6.9.

### BACKGROUND

Pursuant to the maintenance of the sanitary sewer system, the budget includes \$150,000 for repair and rehabilitation of the City's sanitary sewer system. Staff recommends the following projects to be completed this year:

- 1.) \$42,500 for the lining of the sanitary sewer on S. 35th Street and S. 36th Street, between W. Madison Blvd. and W. Marquette and W. Marquette Ave. between S. 35th Street and S. 36th Street and on easement south of W. Madison Blvd. between S. 36th Street and S. 37th Place.
- 2.) \$21,000 for the lining of the walls and benches of 7 manholes in the general area of Home Depot - 6489 S. 27th Street.
- 3.) \$13,000 to pressure grout twelve leaks in the main line joints, lateral connection and manholes at various locations throughout the City.

### ANALYSIS

The above maintenance work is necessary to remove excessive infiltration entering the sanitary sewer system. In order to produce effective joints between the lining of the private laterals in phase III of the Rawson Homes private property inflow and infiltration program being financed by the Milwaukee Metropolitan Sewerage District, it's important to do the lining of the main line sanitary sewer prior to the lateral lining.

### OPTIONS

Authorize staff to proceed. Item 1 above will require a public works bid. Items 2 and 3 are general maintenance and can utilize the State approved procedure for the award of projects under \$25,000.

or  
Table

### FISCAL NOTE

With the completion of the three projects stated above, approximately \$20,000 will still be remaining in the Sanitary Sewer Rehabilitation budget.

### RECOMMENDATION

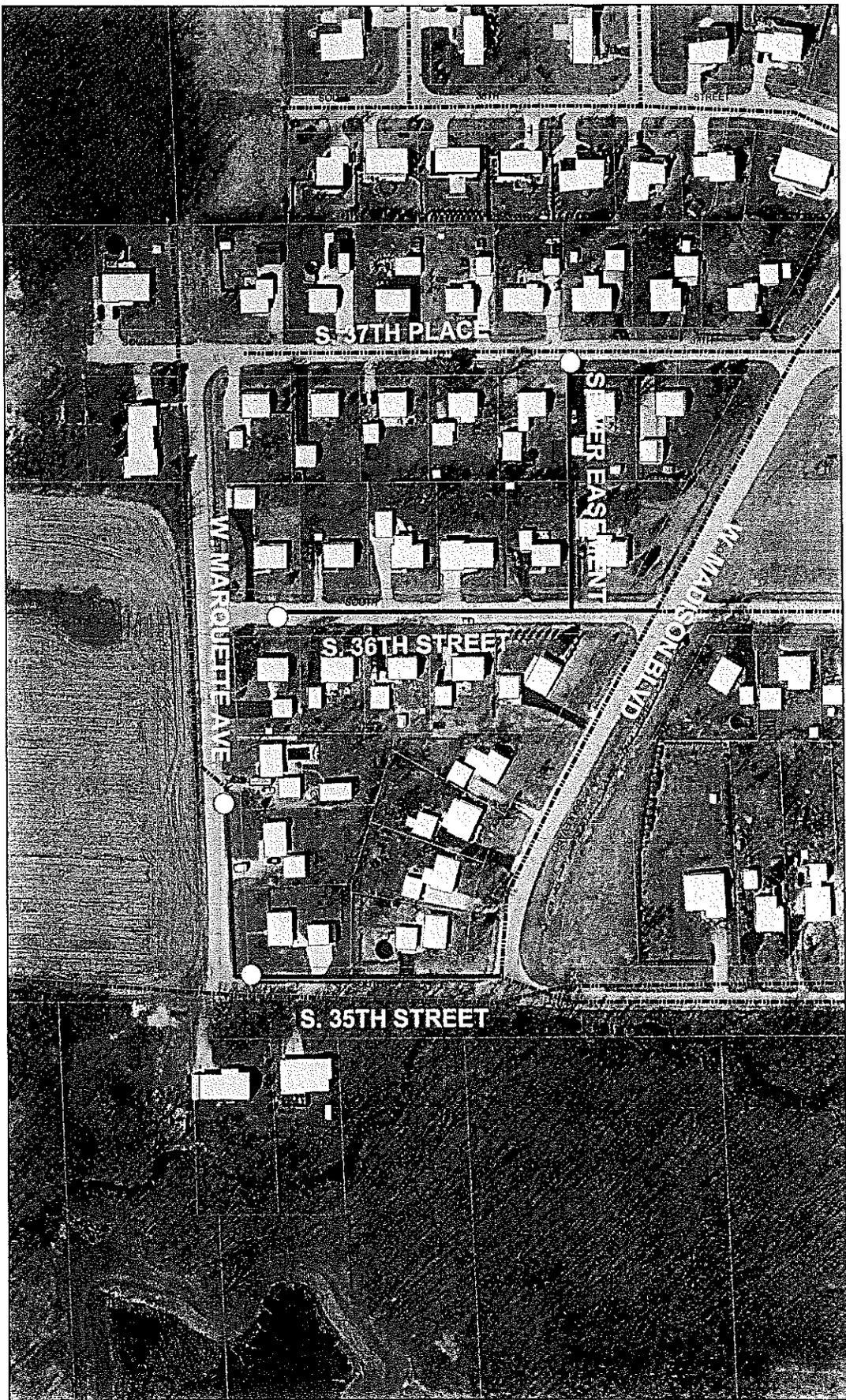
Motion to authorize staff to proceed with the following sanitary sewer maintenance projects.

1. \$42,500 for the lining of the sanitary sewer on S. 35th Street and S. 36th Street, between W. Madison Blvd. and W. Marquette and W. Marquette Ave. between S. 35th Street and S. 36th Street and on easement south of W. Madison Blvd. between S. 36th Street and S. 37th Place.
2. \$21,000 for the lining of the walls and benches of 7 manholes in the general area of Home Depot – 6489 S. 27th Street.
3. \$13,000 to pressure grout twelve leaks in the main line joints, lateral connection and manholes at various locations throughout the City.

JMB/sr/db

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PROPOSED 2013 SEWER  
LINING PROJECT



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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 7/9/13
Reports & Recommendations	SUBJECT: Change Order No. 4 for Contract No. 1 of the Ryan Creek Interceptor serving the southwest portion of Franklin	ITEM NO. <i>G.10.</i>

**BACKGROUND**

Please be advised that staff has proposed Change Order No. 4 for Contract No. 1 of the Ryan Creek Interceptor with Super Excavators, Inc. for additional pavement marking required by the Wisconsin Department of Transportation. See attached letter from Ruckert-Mielke.

**ANALYSIS**

Change Order No. 4 is for an additional amount of pavement marking required by WDOT as follows: 375 feet of yellow epoxy, 3000 feet of white epoxy, 673 feet of diagonal epoxy and mobilization for a total cost of \$10,719.80. It has been determined that the contractor has to pay 1/3 of the billing and the project will pay 2/3 of the billing.

**OPTIONS**

Approve  
or  
Table

**FISCAL NOTE**

The project will pay for this Change Order and approvals will be necessary from MMSD and DNR. This project will come-in under budget and is now substantially complete and taking flow.

**RECOMMENDATION**

Motion to authorize the City Engineer to sign Change Order No. 4 for Contract #1 of the Ryan Creek Interceptor for \$7,146.53 increasing the total cost to \$5,683,509.16.

JMB/db

Encl.



Ruekert·Mielke

engineering solutions for a working world

June 10, 2013

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

RECEIVED  
JUN 11 2013  
City of Franklin  
Engineering Department

RE: Ryan Creek sanitary Sewer Interceptor  
Contract C02006-C01  
Change Order No. 4

Dear Mr. Bennett:

Enclosed for the City's review and approval are copies of Change Order No. 4 for this Contract.

Change Order No. 4 covers the costs for additional pavement markings required by WDOT over and above those required by the original bidding Documents.

During their final inspection of the Project, WDOT Staff determined that they wanted any existing pavement marking adjacent to any new, replaced pavement markings to be repainted also so that they all matched. There is no way that we or the Contractor could have anticipated this requirement at the time of bidding in 2011.

The costs requested are fair and reasonable and we recommend approval by the City.

After the City has reviewed this information and approved this Change Order, please have the appropriate City Official sign and date the enclosed copies and return all copies to me for further execution by the appropriate individuals at MMSD and WDNR. A fully executed copy will be returned to you for your files.

Please contact me with any questions.



Mr. John M. Bennett, P. E.  
City of Franklin  
June 10, 2013  
Page 2

Thank you.

Very truly yours,

RUEKERT/MIELKE

Joseph W. Eberle, P.E.  
Principal/Senior Project Manager

JWE:sjs  
Enclosure

cc: Calvin Patterson, City of Franklin  
Francis Fuja, P. E., Wisconsin Department of Natural Resources  
Larry E. Ellis, P. E., Milwaukee Metropolitan Sewerage District  
Steve Schraufnagel, Super Excavators, Inc.  
Gerald E. Powell, P.E., Ruekert & Mielke, Inc.  
File

**CHANGE ORDER**

No. Four (4)

Date of Issuance: June 10, 2013

Effective Date: June 10, 2013

Project: Ryan Creek Sanitary Sewer Interceptor 60th Street to 76th Street, City of Franklin

Contract: C02006-C01

Owner: City of Franklin

Effective Date of Agreement: November 14, 2013

Contractor: Super Excavators, Inc.

Engineer: Ruekert/Mielke

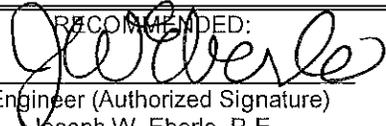
The Contract Documents are modified as follows upon execution of this Change Order:

Description: Additional pavement markings on Ryan Road (STH 100).

Reason for Change Order: Wisconsin Department of Transportation requirements.

Attachments: Letter to John Bennett, dated June 10, 2013; Century Fence Invoice dated 06/05/13

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price  \$ 5,435,671.00	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase from previously approved Change Orders No. <u>1</u> to No. <u>3</u> :  \$ 240,691.63	● Increase ● ● Decrease ● from previously approved Change Orders No. ___ to No. ___ : Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order:  \$ 5,676,362.63	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order:  \$ 7,146.53	● Increase ● ● Decrease ● of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order:  \$ 5,683,509.16	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days or dates

RECOMMENDED:  
By:   
Engineer (Authorized Signature)  
Joseph W. Eberle, P.E.  
Ruekert / Mielke

Date: 6.10.13

APPROVED:  
By: \_\_\_\_\_  
MMSD (Authorized Signature)

Date: \_\_\_\_\_

ACCEPTED:  
By: \_\_\_\_\_  
Owner (Authorized Signature)  
City of Franklin

Date: \_\_\_\_\_

APPROVED:  
By: \_\_\_\_\_  
DNR (Authorized Signature)

Date: \_\_\_\_\_

ACCEPTED:  
By: \_\_\_\_\_  
Contractor (Authorized Signature)  
Super Excavators, Inc.

Date: \_\_\_\_\_



SOLD TO: Super Excavators, Inc #7A-E11  
 N59 W14601 Bobolink Ave.  
 Menomonee Falls, WI 53051

SINCE 1917 THE MARK OF PERMANENCE  
 EQUAL OPPORTUNITY EMPLOYER

YOUR ORDER #:

CONTRACT: August 26, 2011

OUR JOB #: 1879-E

PROJECT Ryan Creek Sanitary Sewer Interceptor 76th to 92nd  
 City of Franklin  
 Milwaukee County, Wisconsin

DATE ENTERED: November 17, 2011

COMPLETE: 1-May-13

CONTRACT \$: 2,700.00

DATE BOOKED: June 5, 2013

**INVOICE**

ESTIMATE: # 1

QUANTITY	TO DATE	U	ITEM DESCRIPTION	PRICE	TOTAL	\$ AMT. THIS ESTIMATE
375	3,741	LF	4" Yellow Epoxy	0.80	2,992.80	
3,000	5,140	LF	4" White Epoxy	0.80	4,112.00	
	673	LF	12" Diagonal Epoxy	5.00	3,365.00	
	1	ea	Extra Mobilization	250.00	250.00	
Total Booked					10,719.80	
Less Previously Booked						
Current Estimate Total						\$ 10,719.80

C.O.# \_\_\_\_\_ AMT. \_\_\_\_\_  
 C.O.# \_\_\_\_\_ AMT. \_\_\_\_\_  
 C.O.# \_\_\_\_\_ AMT. \_\_\_\_\_  
 Gallons Paint  
 Gallons Epoxy  
 Pounds Beads

pinksheet.02 Re  
 Notes:

*1/3 Super  
 2/3 Project*

1300 HICKORY ST.  
 P.O. BOX 727  
 PEWAUKEE, WISCONSIN 53072-0727  
 TEL (262) 547-3331  
 (800) 558-0507  
 FAX (262) 691-3463  
 (262) 691-3487  
 www.centuryfence.com

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 7/9/13
Reports & Recommendations	<b>SUBJECT:</b> Authorization to advertise for bids for the installation of sanitary sewer and water main on S. 76 <sup>th</sup> Street between W. Faith Drive and W. Puetz Road for the installation in advance of the reconstruction of S. 76 <sup>th</sup> Street by Milwaukee County and the setting of the public hearing date	<b>ITEM NO.</b> <i>G.11.</i>

**BACKGROUND**

Per the direction of the Common Council at their regular meeting of December 4, 2012 regarding the agreement to have Graef, Inc. complete the construction plans for installation of sanitary sewer and water main on the portions of S. 76<sup>th</sup> Street planned for reconstruction by the County that are not served by sanitary sewer and water main, please be advised that the plans are complete and the next step is to advertize for bids and set up a public hearing date for August 20, 2013 at 6:30 p.m.

**ANALYSIS**

See attached sheet for the area proposed to receive sanitary sewer and water main extensions. The final action to proceed with the project cannot be made until after the special assessment public hearing. The actual front foot costs will be determined by the actual bid cost not to exceed the established maximum assessment cost for residential properties as follows:

Sanitary Sewer	\$82.26
Water Main	\$67.25

**OPTION**

Authorize staff to go out for bids and the setting of a public hearing date.

or

Table

**FISCAL NOTE**

Cost to be financed by special assessment, the sanitary sewer connection and the water connection/impact fee.

**RECOMMENDATION**

Motion to direct staff to advertise for bids for the installation of sanitary sewer and water main extension in areas without said facilities on S. 76<sup>th</sup> Street from W. Faith Drive to W. Puetz Road and set a public hearing date of August 20, 2013 at 6:30 p.m. before the Common Council

JMB/sg  
Encl.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 12-4-12
Reports & Recommendations	SUBJECT: A resolution authorizing officials to execute an engineering services agreement with Graef, Inc. for the extension of sanitary sewer and/or water main on the west side of S. 76th Street between W. Faith Drive and W. Puetz Road	ITEM NO. G.10.

**BACKGROUND**

Pursuant to the direction of the Common Council at their regular meeting of September 18, 2012, staff is proceeding with the necessary action to complete the extension of sanitary sewer and water main on the west side of S. 76th Street in the area that Milwaukee County plans to reconstruction in 2014. The next step in this process is to select a consulting engineering firm to develop the plans and specifications for the proposed extensions.

**ANALYSIS**

The design of the proposed sanitary sewer and water main extension, which will provide for service to property (infilling), is a basic design project that could be completed by about any engineering firm. Staff is recommending the selection of Graef, Inc. due to their familiarity with the City design standards and utilize specifications that meet the requirements of the City Attorney; therefore, less staff time will be necessary during the design, bidding and administration of this project.

**OPTIONS**

Adopt resolution  
 or  
 Table

**FISCAL NOTE**

The cost of the design and construction of the sanitary sewer and water main will be financed through the process of special assessment with the oversize being taken from the connection fee/impact fee accounts.

**RECOMMENDATION**

Motion to adopt Resolution No. 2012- \_\_\_\_\_, a resolution authorizing officials to execute an engineering services agreement with Graef, Inc. for the extension of sanitary sewer and/or water main on the west side of S. 76th Street between W. Faith Drive and W. Puetz Road

JMB/db

- RES. 2012-6837  
LAND COMBINATION  
NICHOLAS MAZOS  
AND JUNE MAZOS
- G.4. Alderman Taylor moved to adopt Resolution No. 2012-6837, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 930-0006-000 AND 930-9995-003 (4416 WEST OAKWOOD ROAD AND 4625 WEST OAKWOOD PARK DRIVE) (NICHOLAS MAZOS AND JUNE MAZOS, APPLICANTS). Seconded by Alderman Schmidt. All voted Aye; motion carried.
- RES. 2012-6838  
LAND COMBINATION  
5C INVESTMENTS LLC
- G.5. Alderman Taylor moved to adopt Resolution No. 2012-6838, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 930-0006-000 AND 930-9995-003 (4625 WEST OAKWOOD PARK DRIVE AND 4416 WEST OAKWOOD ROAD) (5C INVESTMENTS LLC, APPLICANT). Seconded by Alderman Wilhelm. All voted Aye; motion carried.
- SPECIAL EXCEPTION  
DAVID W BEHRENS
- G.6. Alderman Skowronski moved to table to the October 2, 2012 Common Council meeting, the Standards, Findings and Decisions of the City of Franklin Common Council upon the application of David W. Behrens, Principle of GreenbergFarrow Architecture, Inc. for a Special Exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- CHANGE ORDER NO. 1  
W OAKWOOD RD.
- G.7. Alderman Taylor moved to authorize the City Engineer to sign Change Order No. 1 for the W. Oakwood Road water main extension from 400 feet west of S. 34th Street to 4,200 feet west of S. 34th Street and 1,000 feet north in an easement from W. Oakwood Road to W. Oakwood Park Drive, Project 2011-WU101 for a reduction in cost of \$4,574.24, reducing the cost from \$509,187.00 to \$504,612.76 due to a reduction in actual quantities used. Seconded by Alderman Solomon. All voted Aye; motion carried.
- SANITARY SEWER  
AND/OR WATER MAIN  
S 76TH ST.
- G.8. Alderman Solomon moved to direct staff to proceed with the necessary action to extend sanitary and/or water main in the areas without such facility located on the west side of S. 76th Street between W. Puetz Road and W. Faith Drive in advance of the reconstruction of S. 76th Street in 2014 by Milwaukee County with the understanding that a special assessment public hearing will be necessary prior to proceeding and to inform the property owners of this decision. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- RES. 2012-6839  
STORM WATER  
MANAGEMENT BASINS
- G.9. Alderman Schmidt moved to adopt Resolution No. 2012-6839, A RESOLUTION AWARDDING A PROPOSAL TO CERTIFY CERTAIN STORM WATER MANAGEMENT BASINS. Seconded by Alderman Skowronski. All voted Aye; motion carried.

76th Street Reconstruction Project - Water Main Special Assessment 2013

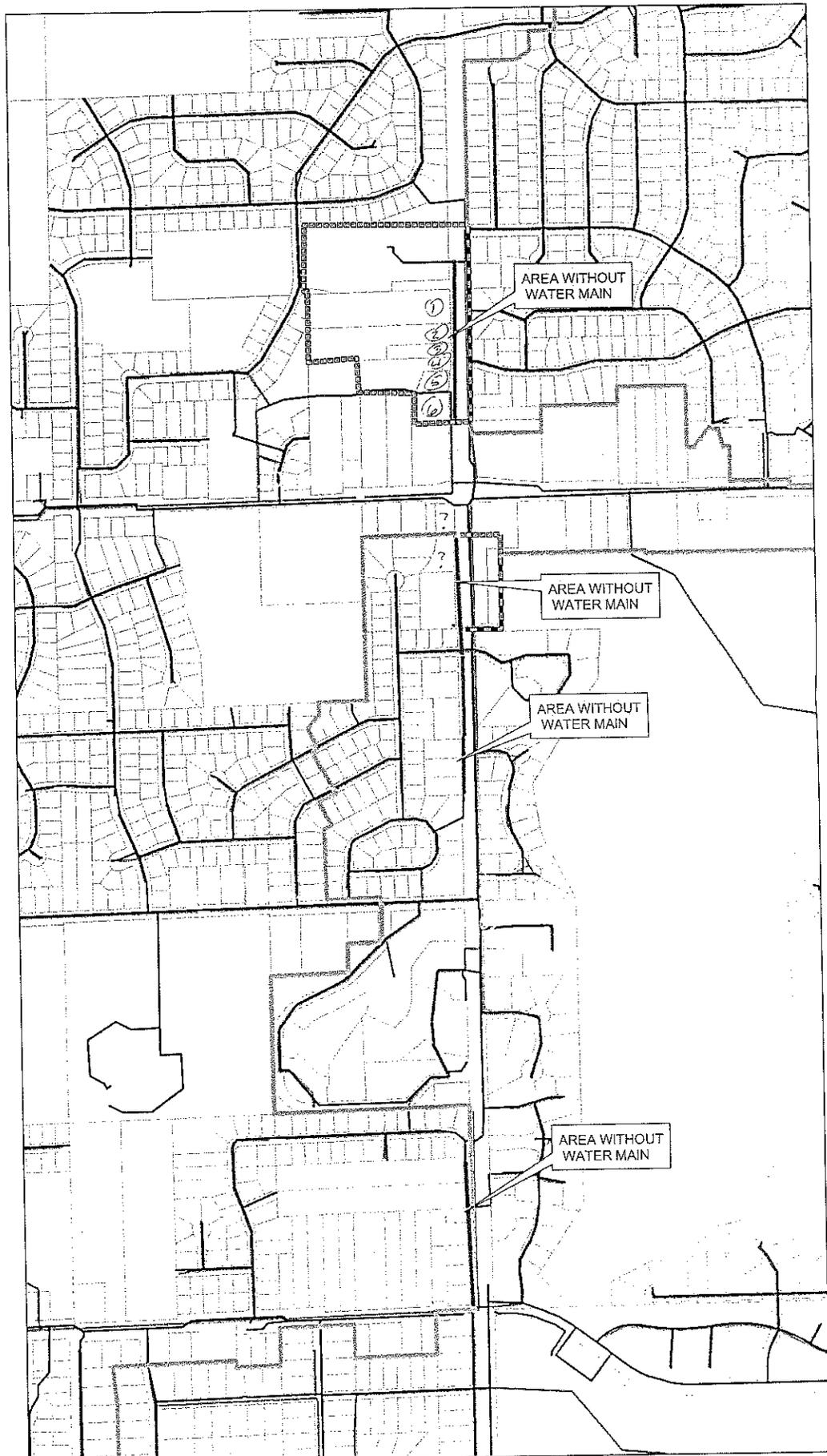
TAX KEY NO.	PROPERTY ADDRESS	OWNER NAME & MAILING ADDRESS	ZONING	PROPERTY FRONTAGE (FT)	ASSESSMENT FRONTAGE	WATER MAIN ASSESSMENT RATE	WATER MAIN ASSESSMENT	NO. OF LATERALS	LATERAL SIZE	LATERAL RATE	LATERAL ASSESSMENT	DAMAGES	TOTAL ASSESSMENT
<b>LOCATION: W. DREXEL AVENUE to W. FAITH DRIVE</b>													
792-9990-000	7711 S. 76th Street	Trust Co Trustee Thomas C. Kyser 203 E. Mill Avenue Cadott, WI 54727	R-6	221.22	221.22			1	1 1/4"			0	
792-9991-000	7735 S. 76th Street	Dennis F. & Joanne L. Schaefer 7735 S. 76th Street Franklin, WI 53132	R-6	130.00	130.00			1	1 1/4"			0	
792-9992-000	7751 S. 76th Street	Vincent P. Gallo IV 7751 S. 76th Street Franklin, WI 53132	R-6	90.00	100.00			1	1 1/4"			0	
792-9993-001	7771 S. 76th Street	Blase & Cathleen Catanese 7771 S. 76th Street Franklin, WI 53132	R-6	60.12	100.00			1	1 1/4"			0	
792-9993-002	Parcel south of 7771 S. 76th Street	Blase & Cathleen Catanese (Same)	R-6	160.70	160.70							0	
792-9999-001	7845 S. 76th Street	John E. & Dianne M. Tice 7845 S. 76th Street Franklin, WI 53132	R-6	200.00	200.00			1	1 1/4"			0	
<b>TOTALS:</b>													
<b>LOCATION: W. FOREST HILL AVE. to W. NORWOOD LN.</b>													
803-9996-000	8141 S. 76th Street	David Roberts & Katherine Ann Matthews 8141 S. 76th Street Franklin, WI 53132	R-6	120.00	120.00			1	1 1/4"			0	
803-9997-000	8151 S. 76th Street	Robert & Tricia McCuen 8151 S. 76th Street Franklin, WI 53132	R-6	122.63	122.63			1	1 1/4"			0	
803-9998-000	8161 S. 76th Street	George G. & Victoria Rakowski 8161 S. 76th Street Franklin, WI 53132	R-6	120.00	120.00			1	1 1/4"			0	
<b>TOTALS:</b>													
<b>LOCATION: W. NORWOOD LN. to a PT. 763' NORTH</b>													
803-9980-001	8011 S. 76th Street	Jerome & June Dybul P.O. Box 313 Mukwonago, WI 53149	R-6	368.47	368.47			2	1 1/4"			0	
<b>TOTALS:</b>													
<b>LOCATION: W. PUETZ RD. to LAKE POINTE DRIVE</b>													
838-9984-000	8547 S. 76th Street	2 MIKE'S LLC 6500 Industrial Loop Greendale, WI 53129	R-6	164.88	164.88			1	1 1/4"			0	
838-9985-000	8567 S. 76th Street	2 MIKE'S LLC. (Same as above) Elisabeth & Steven Joyal	R-6	164.89	164.89							0	
838-9995-000	8601 S. 76th Street	Joseph L. & Ann M. Banas 8601 S. 76th Street Franklin, WI 53132	R-6	91.39	100.00			1	1 1/4"			0	
838-9996-000	8635 S. 76th Street	Teri Ann M. Gudykowski 8635 S. 76th Street Franklin, WI 53132	R-6	127.75	127.75			1	1 1/4"			0	
838-9997-002	8623 S. 76th Street	Robert J. Lask 8623 S. 76th Street Milwaukee, WI 53220	R-6	146.36	146.36			1	1 1/4"			0	
838-9998-000	8647 S. 76th Street	Robert J. Lask 8647 S. 76th Street Franklin, WI 53132	R-6	130.00	130.00			1	1 1/4"			0	
<b>TOTALS:</b>													

76th Street Reconstruction Project - Sewer Main Special Assessment 2013

TAX KEY NO.	PROPERTY ADDRESS	OWNER NAME & MAILING ADDRESS	ZONING	PROPERTY FRONTAGE (FT)	ASSESSMENT FRONTAGE	SEWER MAIN ASSESSMENT RATE	SEWER ASSESSMENT	NO. OF LATERALS	LATERAL SIZE	LATERAL ASSESSMENT	DAMAGES	TOTAL ASSESSMENT
LOCATION: 560' NORTH OF W. DREXEL AVE. to W. FAITH.												
792-9990-000	7711 S. 76th Street	Trust c/o Trustee Thomas C. Kyser 203 E. Mill Avenue Cadott, WI 54727	R-6	221.22	221.22			1	6"		0	
792-9991-000	7735 S. 76th Street	Dennis F. & Joanne L. Schaefer 7735 S. 76th Street Franklin, WI 53132	R-6	130.00	130.00			1	6"		0	
792-9992-000	7751 S. 76th Street	Vincent P. Gallo IV 7751 S. 76th Street Franklin, WI 53132	R-6	90.00	100.00			1	6"		0	
TOTALS:												
LOCATION: W. FOREST HILL AVE. to W. NORWOOD LN.												
803-9996-000	8141 S. 76th Street	David Roberts & Katherine Ann Matthews 8141 S. 76th Street Franklin, WI 53132	R-6	120.00	120.00			1	6"		0	
803-9997-000	8151 S. 76th Street	Robert & Tricia McCuen 8151 S. 76th Street Franklin, WI 53132	R-6	122.63	122.63			1	6"		0	
803-9998-000	8161 S. 76th Street	George G. & Victoria Rakowski 8161 S. 76th Street Franklin, WI 53132	R-6	120.00	120.00			1	6"		0	
TOTALS:												
LOCATION: W. NORWOOD LN. to a PT. 763' NORTH												
803-9980-001	8011 S. 76th Street	Jerome & June Dybul P.O. Box 313 Mukwonago, WI 53149	R-6	368.47	368.47			2	6"		0	
TOTALS:												

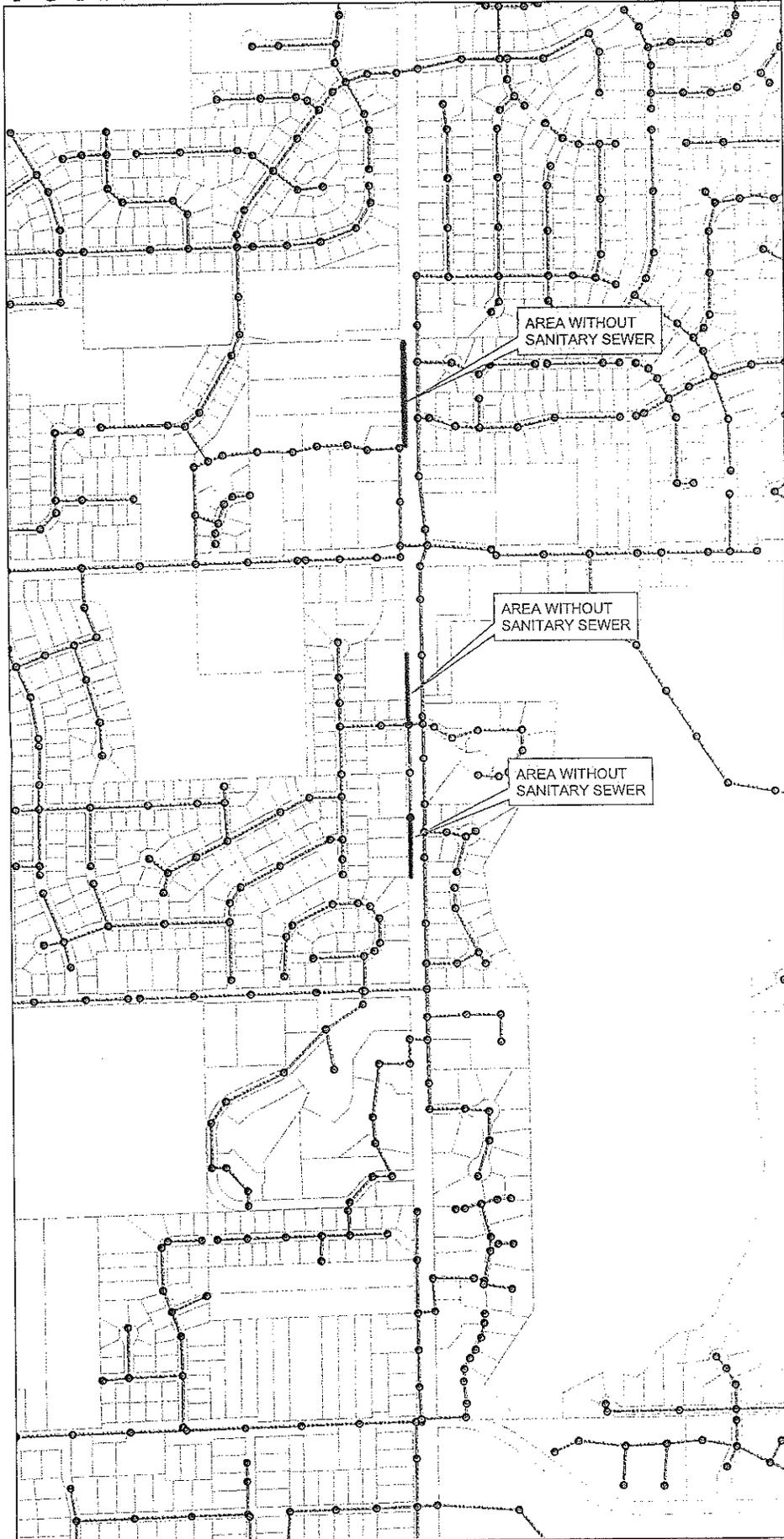
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# POSSIBLE WATER MAIN EXTENSION S. 76TH STREET RECONSTRUCTION



Proposed water main extension      Change in East/West Pressure Districts

# POSSIBLE SANITARY SEWER EXTENSION S. 76TH STREET RECONSTRUCTION



<p><b>APPROVAL</b></p> <p><i>slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>7/09/13</b></p>
<p><b>LICENSES AND PERMITS</b></p>	<p><b>MISCELLANEOUS LICENSES</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>H.1.</i></p>

See attached list from meetings of July 9, 2013

**COUNCIL ACTION REQUESTED**



**City of Franklin**

9229 W. Loomis Road  
Franklin, WI 53132-9728

414-425-7500

**License Committee  
Agenda\*  
Alderman's Room  
July 9, 2013 – 5:40 pm**

<b>1.</b>	<b>Call to Order &amp; Roll Call</b>	<b>Time</b>		
<b>2.</b>	<b>Applicant Interviews &amp; Decisions</b>			
<b>License Applications Reviewed</b>		<b>Recommendations</b>		
<b>Type/ Time</b>	<b>Applicant Information</b>	<b>Approve</b>	<b>Hold</b>	<b>Deny</b>
Restaurant License 2013-14 5:45 p.m.	<b>Pantheon, Inc.</b> 7621 W Rawson Ave Franklin, WI 53132 Debbie Koutromanous, Agent			
<b>Update Retail Food and Restaurant Licenses</b>	Update from Director of Health & Human Services regarding retail food and restaurant license applicants			
<b>Operator -New 2013-14 5:50 pm</b>	<b>Kozinski, Nicholas J</b> 5252 S Packard Ave Cudahy, WI 53110 Walgreen – S 76 <sup>th</sup> St			
<b>Operator -Renewal 2013-14 5:55 pm</b>	<b>Oster, Jonathan J</b> 3030A S 48 <sup>th</sup> St Milwaukee, WI 53219 Walgreen – S 76 <sup>th</sup> St			
<b>Operator -New 2013-14 6:00 pm</b>	<b>Schneider, Halee L</b> 8100 W Tripoli Ave Milwaukee, WI 53220 Walgreen -- S 76 <sup>th</sup> St			
<b>Operator -New 2013-14</b>	<b>Bauer, Kaye A</b> 1715 E Rusk Ave Milwaukee, WI 53207 Wal-Mart Store			
<b>Operator - Renewal 2013-14</b>	<b>Bielinski, Tanya J</b> 10590 W Cortez Cir Franklin, WI 53132 Landmark			
<b>Operator - New 2013-14</b>	<b>Calliari, Jenna M</b> 7133 W Wind Lake Road Wind Lake, WI 53185 Rock Sports Complex			
<b>Operator - Renewal 2013-14</b>	<b>Courtright, Amanda J</b> 5063 N 37 <sup>th</sup> St Milwaukee, WI 53209 Country Lanes			
<b>Operator - New 2013-14</b>	<b>Crivello, Daniel R</b> 3015 E Somers Ave Cudahy, WI 53110 Wal-Mart Store			
<b>Operator - Renewal 2013-14</b>	<b>Curtis, Michele L</b> 12045 W St Martins Rd Franklin, WI 53132 Romey's Place			
<b>Operator - Renewal 2013-14</b>	<b>Falvey, Alyssa A</b> 1106 Fleetfoot Dr, #D Waukesha, WI 53186 Polish Center of Wisconsin			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - New 2013-14	<b>Flasch, Brittany M</b> 4760 W Hunting Park Dr Franklin, WI 53132 Rock Sports Complex			
Operator - New 2013-14	<b>Fullington, Carrie A</b> 459 Adeline Dr Franksville, WI 53126 7-Eleven			
Operator -Renewal 2013-14	<b>Hiracheta, Rebecca A</b> 4609 S Packard Ave Cudahy, WI 53110 Wal-Mart Store			
Operator -Renewal 2013-14	<b>Hofstedt, Jason W</b> 4061 W Mangold Ave Greenfield, WI 53221 Wal-Mart Store			
Operator - New 2013-14	<b>Matecki, Henry</b> 9501 W Loomis Rd, #417 Franklin, WI 53132 Buckhorn Inn			
Operator - Renewal 2013-14	<b>Najera, Ali L</b> 8627 W Cascade Dr Franklin, WI 53132 Landmark			
Operator - New 2013-14	<b>Pollen, Gregory G</b> 17100 W Shadow Dr New Berlin, WI 53150 Wal-Mart Store			
Operator - New 2013-14	<b>Popp, Denise K</b> S70W13392 Fennimore Ln Muskego, WI 53150 Romey's Place			
Operator - New 2013-14	<b>Powers, D'Antae D</b> 245 Southtowne Dr, #E201 South Milwaukee, WI 53172 Wal-Mart Store			
Operator - New 2013-14	<b>Saskowski, Hannah M</b> S80W16536 Pellman Ln Muskego, WI 53150 Rock Sports Complex			
Operator - New 2013-14	<b>Saskowski, Molly J</b> S80W16536 Pellman Ln Muskego, WI 53150 Rock Sports Complex			
Operator - New 2013-14	<b>Swezey, Jonathan F</b> 7637 Missions Wood Ct Franklin, WI 53132 Rock Sports Complex			
Operator - Renewal 2013-14	<b>Toor, Balbir Kaur</b> 3840 W Jerelin Dr Franklin, WI 53132 27 <sup>th</sup> St Mobil			
Operator - Renewal 2013-14	<b>Walvisch, Laurie C</b> 234 Montana Ave, #2 South Milwaukee, WI 53172 Bowery Bar & Grill			
Operator - Renew 2013-14	<b>Woods, Benjamin S</b> S70W13372 Fennimore Ln Muskego, WI 53150 Wal-Mart Store			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - Renew 2013-14	<b>Zacher, Alyssa G</b> 8871 S Oak Park Dr, #13 Oak Creek, WI 53154 Bowery Bar & Grill			
Operator - New 2013-14	<b>Zeniecki, Sherry L</b> 5312 S Nicholson Ave Cudahy, WI 53110 Wal-Mart Store			
<b>3.</b>	<b>Adjournment</b>	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.

<b>APPROVAL</b> <i>Dw Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>7/9/13</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER</b> <i>I.1.</i>

Provided for Council approval is a list of vouchers dated July 9, 2013 Nos. 147664 through 147880 in the amount of \$1,208,582.26. Included in this listing is \$18,155.62 in library vouchers.

The net city vouchers for July 9, 2013 are \$1,190,426.64

Approval is requested for the net payroll dated June 28, 2013 in the amount of \$ 336,121.44.

### COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range Nos.147664 through Nos.147880 in the amount of \$ 1,190,426.64 dated July 9, 2013.

Motion approving net payroll dated June 28, 2013 in the amount of \$ 336,121.44.