

<p style="text-align: center;">APPROVAL <i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 7/15/14</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">CONCEPT REVIEW FOR A PROPOSED SINGLE-FAMILY RESIDENTIAL AND COMMERCIAL DEVELOPMENT (AT APPROXIMATELY 11906 WEST LOOMIS ROAD AND 11205 WEST RYAN ROAD) (COLLIERS INTERNATIONAL, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER <i>G.4.</i></p>

Introduction

Mr. Joe Eldredge of Colliers International, would like to present to the Common Council a Concept Review for a proposed single-family residential and commercial development to be located south of the intersection of W. Loomis Road and W. Ryan Road (at approximately 11906 West Loomis Road and 11205 W. Ryan Road). The property is owned by Loomis Road Properties LLC. Materials regarding this matter were not available at the time of the Common Council packet distribution but will be available at the Common Council meeting.

Background and Project Description

The subject properties (consisting of three parcels) are zoned R-2 Estate Single-Family Residence District and C-1 Conservancy District, and combined encompass approximately 145 acres. The properties are currently vacant and are located: south of W. Ryan Road; south and east of W. Loomis Road; and west of S. 112th Street. The area is identified for future business park uses in the City of Franklin 2025 Comprehensive Master Plan.

The applicant is considering a residential development consisting of a mixture of lot sizes/densities (such as those typically found in the City's R-2, R-3, and R-5 zoning districts) which they believe would work well in this area. The applicant also envisions some commercial development immediately adjacent to Loomis Road and/or Ryan Road.

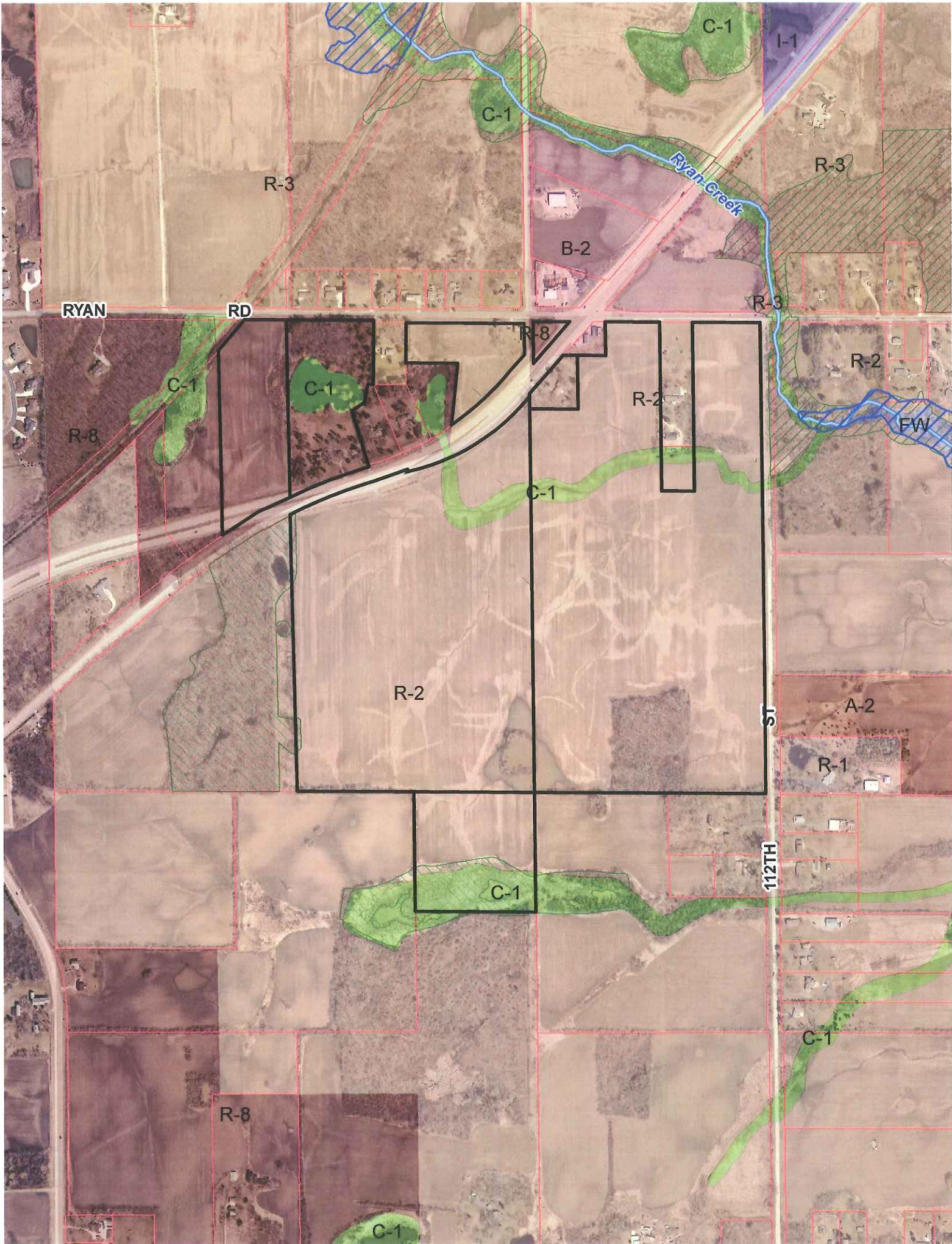
Furthermore, the applicant indicates that this development would likely occur in phases, possibly as open space/conservation subdivisions with amenities such as public trails in the earlier phases and the commercial development in the later phases.

The proposed uses would require rezoning of the subject lands, as well as an amendment of the City's Comprehensive Master Plan.

Staff would note that while connection to the Ryan Creek Interceptor Sewer is available north of and adjacent to the subject properties, public water service is located about one-half mile to the north along Loomis Road (adjacent to the Meinerz Animal Campus). Department of City Development staff would recommend a business park use for this area as envisioned in the City's Comprehensive Master Plan and would further recommend the provision of public sewer and water service to whatever development occurs in this area.

COUNCIL ACTION REQUESTED

Provide direction to the applicant regarding the proposed development for the proposed single-family residential and commercial development (at approximately 11906 West Loomis Road and 11205 West Ryan Road) (Colliers International, applicant).

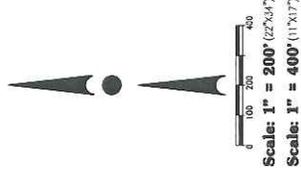


SITE PLAN

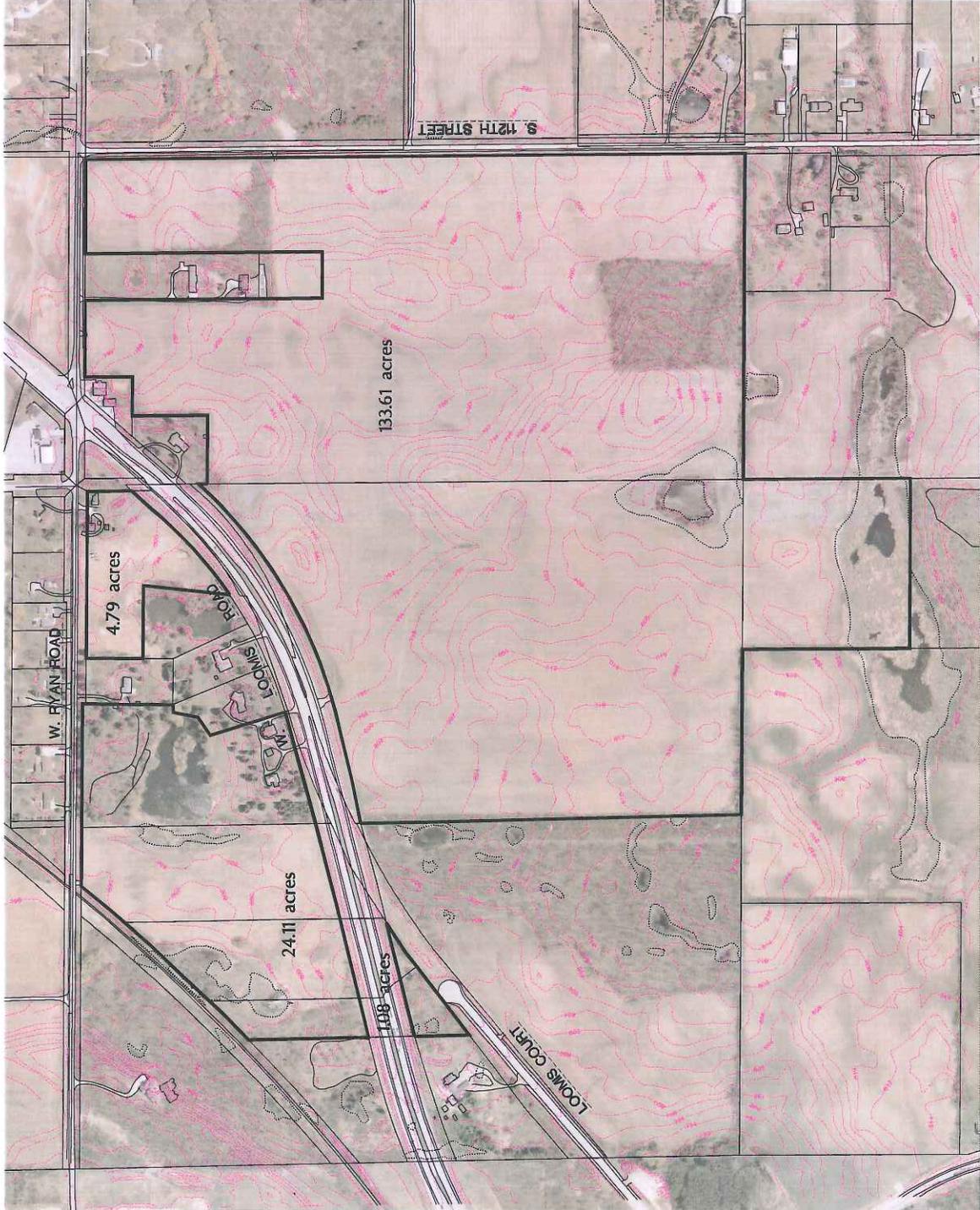
LOOMIS RD. & RYAN RD.
CITY OF FRANKLIN, WI



17768 W. CAPITOL DRIVE
FRANKLIN, WI 53120
PHONE: (262) 790-1480
FAX: (262) 790-1481
E-MAIL: jpasulko@trioeng.com



GENERAL LOCATION:
SOUTHWEST CORNER OF THE CITY
OF FRANKLIN
SECTION 30, TOWNSHIP 5 NORTH,
RANGE 21 EAST



BLANK PAGE

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>July 15, 2014</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>A Resolution to Release in part a Tree Preservation and Conservancy Easement Upon Lot 64 of the Woodlands of Franklin Subdivision (6960 South Brian Court; Tax Key No. 740-0165-000)</p>	<p>ITEM NUMBER</p> <p><i>6.5.</i></p>

The above lot in the Woodlands of Franklin Subdivision was one of the number of lots considered by the Plan Commission at its meeting on March 4, 2010 under the subject matter of occurrences of encroachment upon conservation easement areas and claim of limited building footprint on subdivision lots. The subdivision was the second in the City to have conservation easements imposed on the plat, though applied for earlier than the amendments to the Unified Development Ordinance requiring the same (at the time of plan review, the Environmental Commission noted with its recommendation that this and other lots would be complicated to build upon and retain the natural features without some encroachment). In sum, the Plan Commission noted the staff reports regarding easement encroachments within the subdivision and decided to take no action regarding the same. Lot 64 is approximately 3/4 conservation easement. A pre-built survey map of same is attached. Also attached is a photo copy of a brick/block patio installed after original construction by the original property owner. Back in 2010, same was found to encroach upon the tree preservation and conservation easement and the subject lot was before the Plan Commission for that reason (which included a review by the Southeastern Wisconsin Regional Planning Commission concluding that several of the lots had the same challenging footprint). The property owner has requested by way of an application for a building permit, permission to build an approximately 7 inch high wood deck over the patio area, exactly matching the boundaries of this for some number of years existing patio as installed by the previous property owner. Attached is a diagram of the proposed deck construction. Staff recommends approval of the proposed easement release. Attached is a draft resolution for such purpose.

COUNCIL ACTION REQUESTED

A motion to adopt A Resolution to Release in part a Tree Preservation and Conservancy Easement Upon Lot 64 of the Woodlands of Franklin Subdivision, recognizing that no protected natural resources are located in the area to be released.

LEGAL DESCRIPTION:

Lot 64 in **WOODLANDS OF FRANKLIN**, being a redivision of Parcel 3 of Certified Survey Map No. 4565, being a part of the Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 2, together with lands in the Northeast 1/4, Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 2, Township 5 North, Range 21 East, in the city of Franklin, Milwaukee County, Wisconsin.

Revisions:

- September 13, 2006 - By: AW - Revised building plan per builder/owner request.
- October 12, 2006 - By: BL - Added proposed silt fence per city request.



SCALE: 1" = 30'

Setback Requirements:
 Front Yard = 35.00'
 Side Yard = 10.00'
 Rear Yard = 30.00'

APPROVED

FINISHED GRADE ELEVATION = 749.10

AT GARAGE FLOOR CITY OF FRANKLIN DATUM

John W. Bennett W.A.B. 10-25-06
 CITY ENGINEER PER DATE

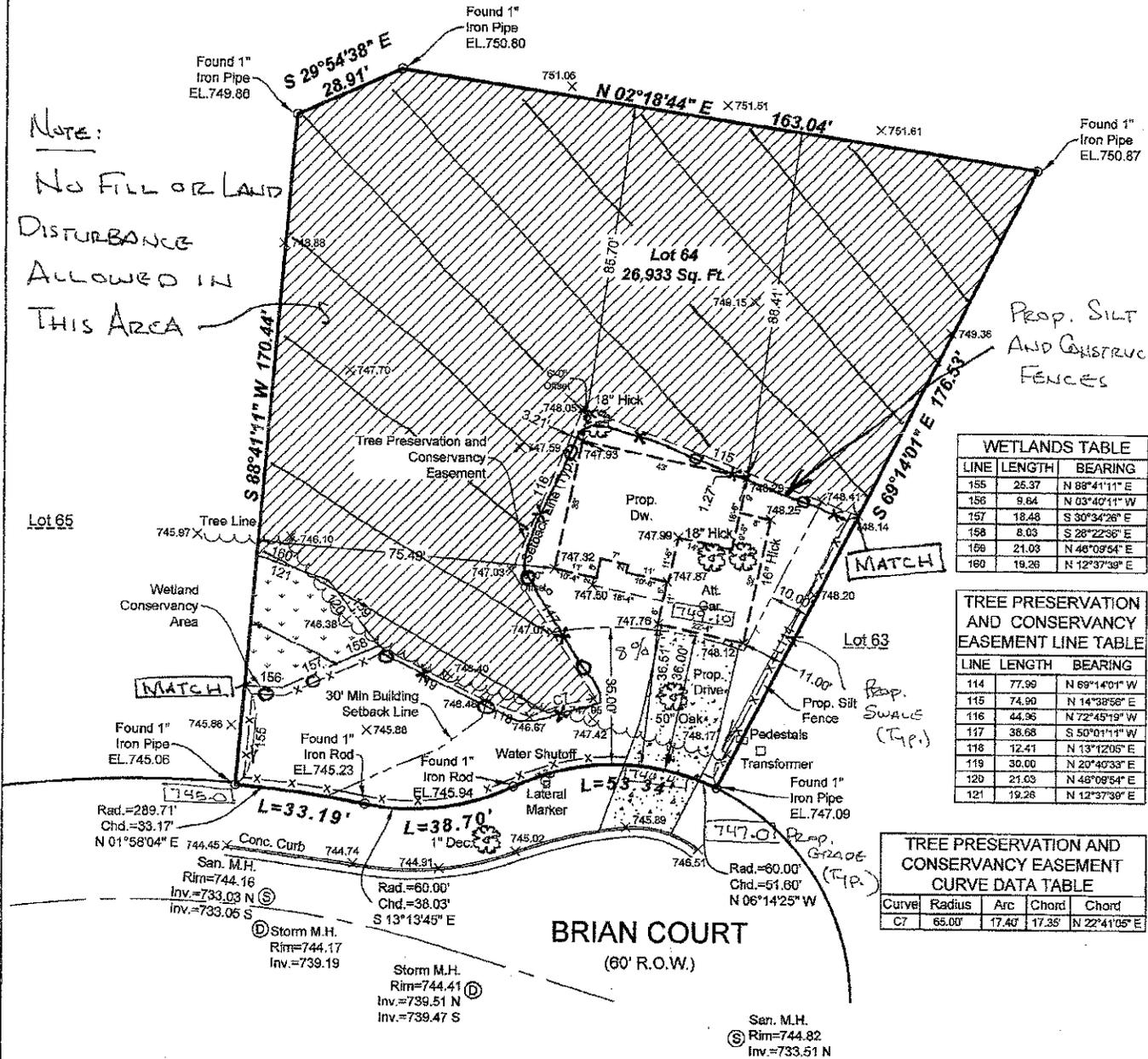
Prop. Finish
 Yard Grade

749.0

(per Grading Plan)

NOTE:
 NO FILL OR LAND
 DISTURBANCE
 ALLOWED IN
 THIS AREA

PROP. SILT
 AND CONSTRUCTION
 FENCES



WETLANDS TABLE

LINE	LENGTH	BEARING
155	25.37	N 88°41'11" E
156	9.64	N 03°40'11" W
157	18.48	S 30°34'26" E
158	8.03	S 28°22'36" E
159	21.03	N 46°09'54" E
160	19.26	N 12°37'39" E

TREE PRESERVATION AND CONSERVANCY EASEMENT LINE TABLE

LINE	LENGTH	BEARING
114	77.99	N 69°14'01" W
115	74.90	N 14°38'56" E
116	44.96	N 72°45'19" W
117	38.68	S 50°01'11" W
118	12.41	N 13°12'05" E
119	30.00	N 20°40'33" E
120	21.03	N 46°09'54" E
121	19.26	N 12°37'39" E

TREE PRESERVATION AND CONSERVANCY EASEMENT CURVE DATA TABLE

Curve	Radius	Arc	Chord	Chord
C7	65.00'	17.40'	17.35'	N 22°41'05" E

LANDCRAFT SURVEY AND ENGINEERING, INC.

REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS
 2077 South 116th Street, West Allis, WI 53227
 PH. (414) 604-0674 FAX (414) 604-0677
 INFO@LANDCRAFTSE.COM

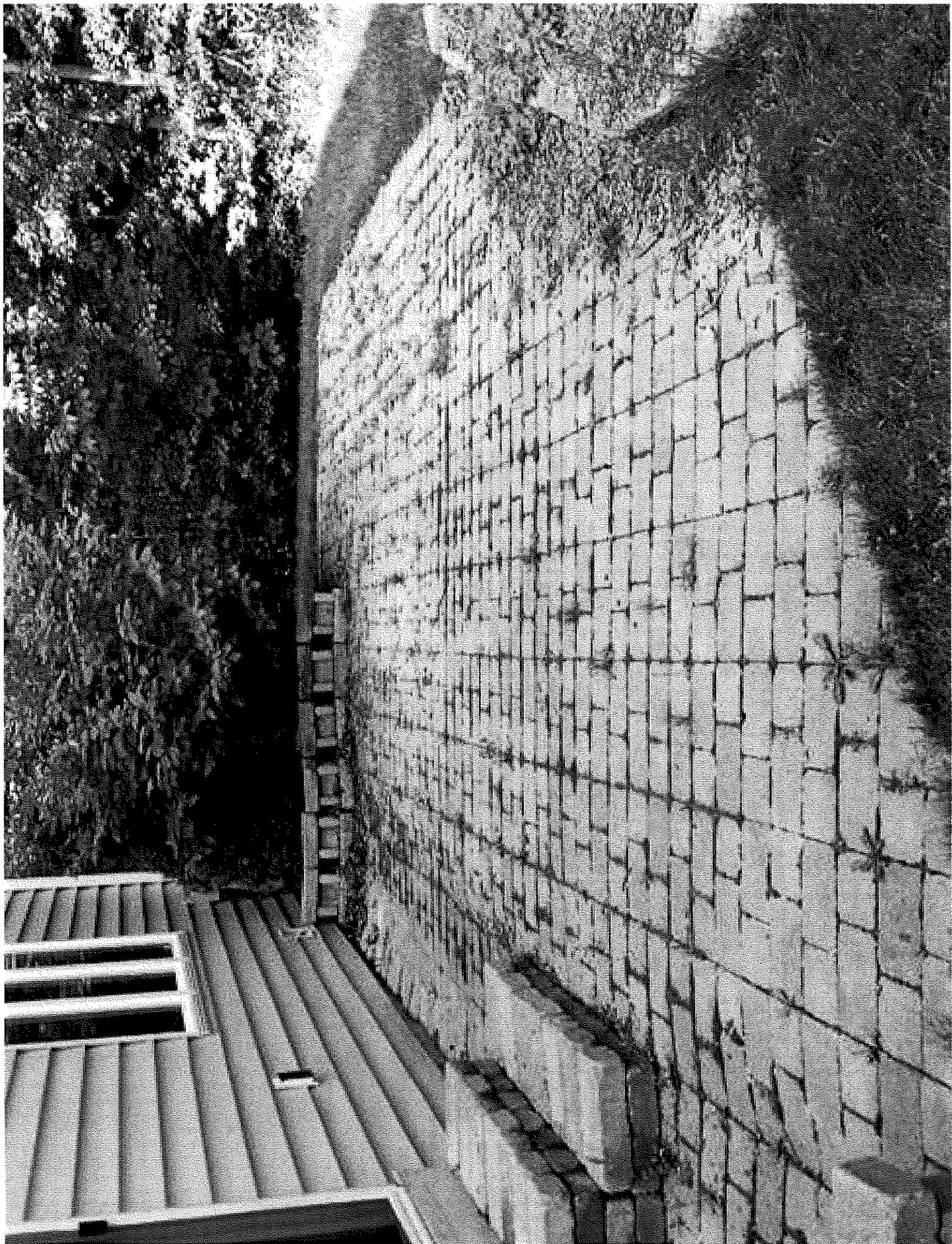


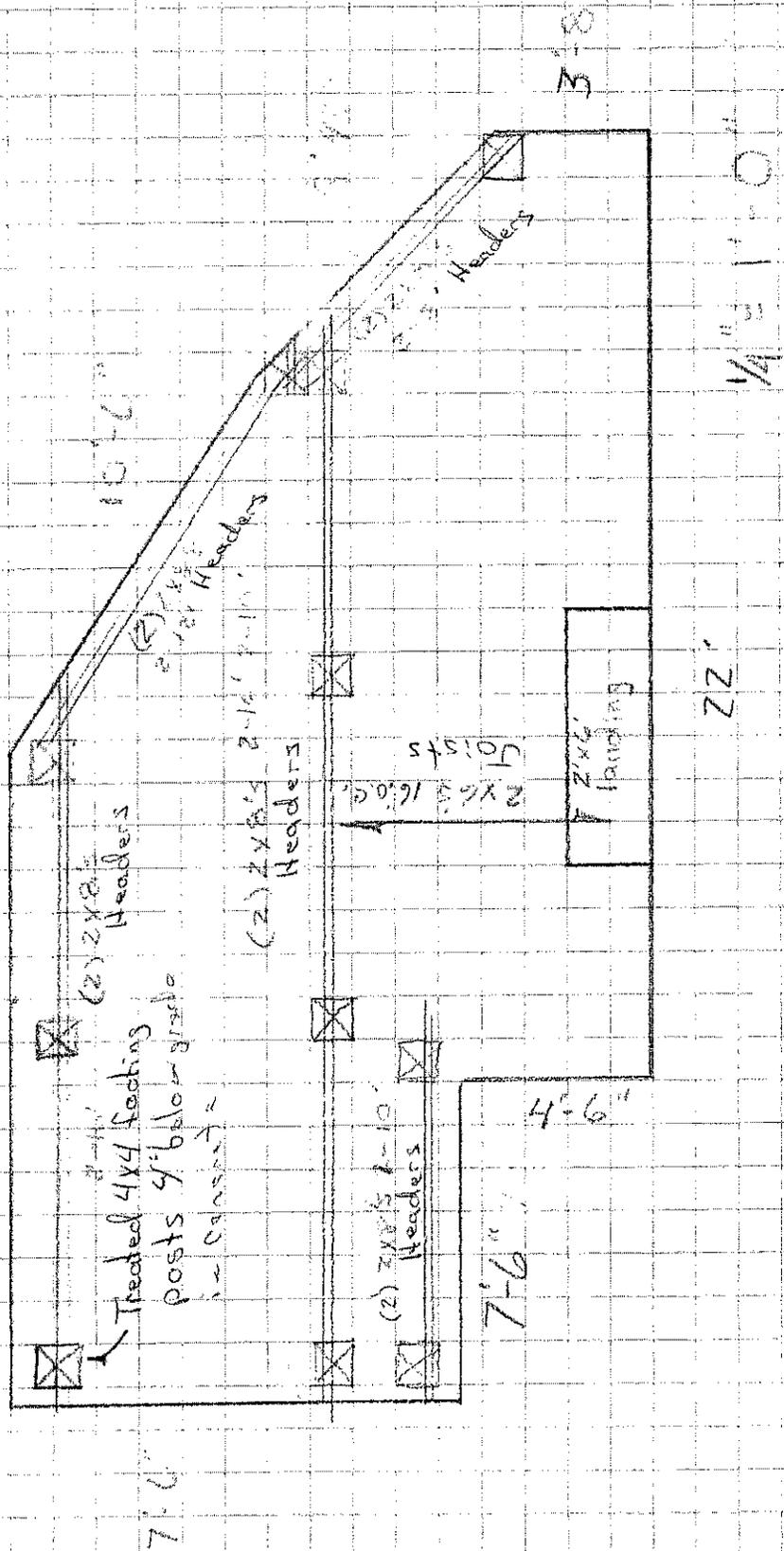
I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

NOTE: Proposed finished yard as shown on this drawing is a suggested grade and should be verified by the owner and/or the builder and approved by the building department.

DRAWING BY: SR
 FIELD WORK BY: SD





15'

7'-6"

10'-0"

3'-8"

22'

1/4" = 1'-0"

Treated 4x4 footing posts 4' below grade - constant

(2) 2x8's Headers

(2) 2x8's 2-10" Headers

(2) 2x8's 2-10" Headers

(2) 2x8's Headers

2x6's 16' o.c. Joists

2x6' landing

4'-6"

7'-6"

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

Draft 7/11/14

RESOLUTION NO. 2014-_____

A RESOLUTION TO RELEASE IN PART A TREE PRESERVATION AND
CONSERVANCY EASEMENT UPON LOT 64 OF THE WOODLANDS OF FRANKLIN
SUBDIVISION
(6960 South Brian Court; Tax Key No. 740-0165-000)

WHEREAS, the Final Plat for the Woodlands of Franklin Subdivision provides a tree preservation and conservancy easement upon Lot 64; and

WHEREAS, the subject tree preservation and conservancy easement upon Lot 64 was an easement imposed under the Unified Development Ordinance prior to the adoption of amendments to the Ordinance providing for additional natural resources protections and special exceptions thereto; and

WHEREAS, the proximity of the principal residential building area upon Lot 64 to the tree preservation and conservancy easement thereon resulting from the platting of the Subdivision, with the back of the building essentially touching the easement area, and the fact of the installation of a concrete brick/block patio encroaching upon the easement area shortly after the construction of the principal dwelling, as photograph documented in October 2007, have rendered the property to be an appropriate subject for relief from the full imposition of the tree preservation and conservancy easement, so as to allow for the permitting of a wood deck less than one foot in height upon the previously concrete bricked/blocked patio, without any further easement encroachment or impact upon any trees upon the property, which would allow for the development of Lot 64 consistent with area lots in the Subdivision; and

WHEREAS, the property owner of Lot 64 has requested the release of 15 feet from the westerly border adjacent to and only for the width of the existing dwelling structure on the property of the tree preservation and conservancy easement as it exists upon approximately 3/4 of the lot area, to allow for the construction of a home; and

WHEREAS, Woodlands Subdivision Lot 64, located at 6960 South Brian Court, is more particularly described as follows:

Lot 64 in Woodlands of Franklin, being a redivision of Parcel 3 of Certified Survey Map No. 4565, being a part of the Southeast 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 2, together with lands in the Northeast 1/4, Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 2, Township 5 North, Range 21 East, in the city of Franklin, Milwaukee County, Wisconsin; Tax key no. 740-0165-000; and

WHEREAS, the existing conservancy easement upon Lot 64 is recorded in the Office of the Register of Deeds for Milwaukee County as Document No. 8785388, Reel 5840, Image 4072 is legally described as follows:

All that part of Lot 64, "Woodlands of Franklin", being a redivision of Parcel 3 of Certified Survey Map No. 4565, being a part of the SE 1/4 and SW 1/4 of the SE 1/4 of Section 2, together with lands in the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the SE 1/4 of Section 2, T 5 N, R 21 E, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the Northeast corner of said Lot 64; thence S 29°54'38" E along the East line of said Lot 64, 28.91 feet; thence S 2°18'44" W along said East line, 163.04 feet to the South line of said Lot 64; thence N 69°14'01" W along said South line, 98.54 feet; thence N 14°38'56" E, 74.90 feet; thence N 72°45'19" W, 44.96 feet; thence S 50°01'11" W, 38.68 feet; thence Northwesterly 17.40 feet along the arc of a curve whose center is to the Southwest, whose radius is 65.00 feet, and whose chord bears N 22°41'05" W, 17.35 feet; thence N 13°12'05" E, 12.41 feet; thence N 20°40'33" E, 30.00 feet; thence N 46°09'54" E, 21.03 feet; thence N 12°37'39" E, 19.26 feet to a point on the North line of said Lot 64; thence N 88°41'11" E along said North line, 111.85 feet to the place of beginning; and

WHEREAS, the proposed tree preservation and conservancy easement following the release of the 15 feet from the westerly border is depicted upon Exhibit B annexed hereto and legally described as follows:

[add legal description]; and

WHEREAS, the conservancy easement is a restriction which was imposed by the Franklin Common Council; and

WHEREAS, Wis. Stats. § 236.293 provides in part that any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body vests in the public body the right to enforce the restriction at law or in equity and that the restriction may be released or waived in writing by the public body having the right of enforcement; and

WHEREAS, the Common Council having determined that the release of the restriction is fair and reasonable under all of the circumstances and will promote the welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the tree preservation and conservancy easement upon Lot 64 Woodlands of Franklin Subdivision, recorded in the Office of the Register of Deeds

RESOLUTION NO. 2014- _____

Page 3

for Milwaukee County as Document No. 8785388, Reel 5840, Image 4072, be and the same is hereby partially released, to remove 15 feet from its westerly border immediately adjacent to the existing dwelling structure currently located thereon, and the area of the conservancy easement is hereby amended and approved to be as is set forth upon Exhibit B annexed hereto, accordingly.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of this Resolution with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

BLANK PAGE

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">07/15/14</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION TO AMEND RESOLUTION NO. 2003-5610 IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT 5120 WEST RYAN ROAD TO ALLOW FOR THE SALE OF DIESEL FUEL (PRIYA CORPORATION/5100 LLC, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.6.</i></p>

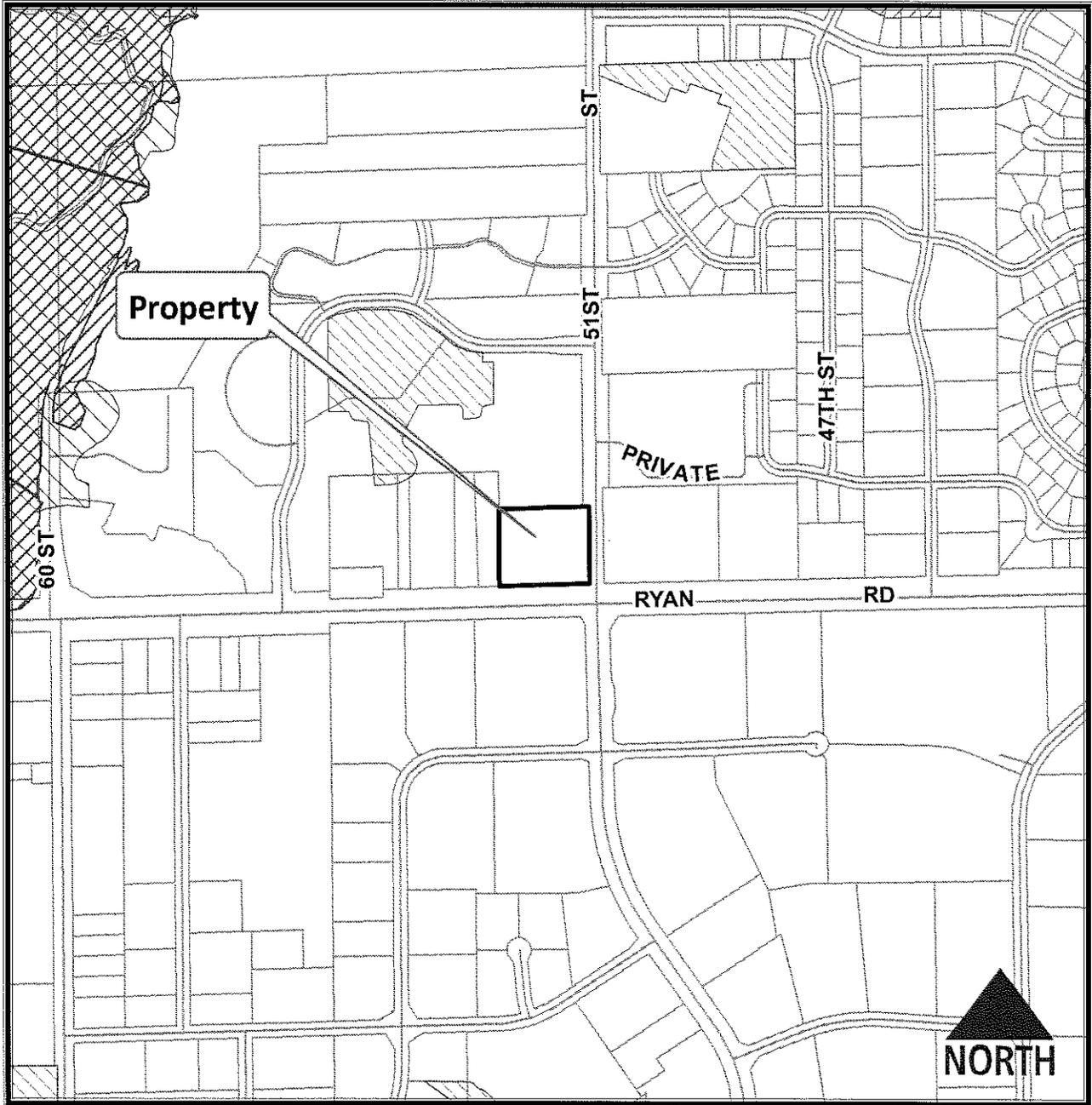
At its July 3, 2014 meeting, following a properly noticed public hearing, the Plan Commission recommended approval of a resolution to amend Resolution No. 2003-5610 imposing conditions and restrictions for the approval of a Special Use for property located at 5120 West Ryan Road to allow for the sale of diesel fuel (Priya Corporation/5100 LLC, Applicant).

COUNCIL ACTION REQUESTED

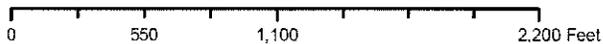
A motion to adopt Resolution No. 2014-_____, a resolution to amend Resolution No. 2003-5610 imposing conditions and restrictions for the approval of a Special Use for property located at 5120 West Ryan Road to allow for the sale of diesel fuel (Priya Corporation/5100 LLC, Applicant).



5120 West Ryan Road
TKN 882-9999-002



Planning Department
(414) 425-4024



2013 Aerial Photo

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.

RESOLUTION NO. 2014-_____

A RESOLUTION TO AMEND RESOLUTION NO. 2003-5610 IMPOSING
CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE
FOR PROPERTY LOCATED AT 5120 WEST RYAN ROAD TO ALLOW FOR
THE SALE OF DIESEL FUEL
(PRIYA CORPORATION/5100 LLC, APPLICANT)

WHEREAS, Priya Corporation/5100 LLC having petitioned the City of Franklin for the approval of an amendment to Resolution No. 2003-5610, conditionally approving a Special Use to locate a gas station, car wash, dry cleaner and convenience store upon property located at 5120 West Ryan Road, such property being zoned B-3 Community Business District, more particularly described as follows:

Part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin and being more particularly described as follows: Commencing at the Southeast corner of the Southwest 1/4 of said Section 23; thence North 00°24'05" West along the East line of the Southwest 1/4 of said Section 23, 60.02 feet to a point on the North right-of-way line of West Ryan Road and to the point of beginning; thence continuing North 00°24'05" West along said East line, 414.98 feet; thence South 88°22'46" West, 473.00 feet; thence South 00°24'05" East, 414.98 feet to said North right-of-way line; thence North 88°22'46" East along said right-of-way line, 473.00 feet to the point of beginning and containing 4.505 acres (196,241 sq. ft.) of land, more or less, and being subject to all easements and restrictions of record; Tax Key Number: 882-9999-002; and

WHEREAS, such proposed amendment being for the purpose of allowing for the sale of diesel fuel at the Andy's on Ryan gas station located at 5120 West Ryan Road, specifically, striking Condition No. 4 of Resolution No. 2003-5610 which states, "No diesel fuel shall be sold from this site."; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 3rd day of July, 2014, and the Plan Commission thereafter having determined to recommend that the proposed amendment to Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed amendment to Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property;

PRIYA CORPORATION/5100 LLC – AMENDMENT TO SPECIAL USE
RESOLUTION NO. 2014-_____

Page 2

that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Priya Corporation/5100 LLC for the approval of an amendment to Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this amendment to Special Use is approved only for the use of the subject property by Priya Corporation/5100 LLC, successors and assigns, for the Andy's on Ryan sale of diesel fuel.
2. The approval granted hereunder is conditional upon Priya Corporation/5100 LLC and the Andy's on Ryan sale of diesel fuel for the property located at 5120 West Ryan Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

BE IT FURTHER RESOLVED, that in the event Priya Corporation/5100 LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this amendment to Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the additional Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

PRIYA CORPORATION/5100 LLC – AMENDMENT TO SPECIAL USE
RESOLUTION NO. 2014-_____

Page 3

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be an amendment to such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance, and that all of the terms and conditions of Resolution No. 2003-5610, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

City of Franklin,
Department of City Development.

Ref: Priya Corporation Special Use Amendment- Staff Comments
Ref: Project Narrative- answers

2. The original drawings were submitted with diesel pumps. The inspections were all approved with diesel pumps. It was not our intentions to make this mistake deliberately and intentionally.

If we had noticed this before, we would have requested this amendment before. To have a gas station in and around an industrial park which does not sell diesel would not have made a lot of sense.

This was a mistake that was overlooked by everyone.

3. The Station hours are 5 AM to 11:30 PM every day.

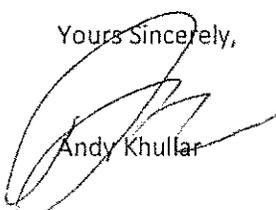
4. We have a total of 8 pumps of which 2 are diesel.

5. Diesel sales make up to 10-15% of our total fuel sales.

6. No, we do not accommodate eighteen wheelers.

Thank You,

Yours Sincerely,


Andy Khullar

Franklin

JUN 27 2014

City Development

RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL
OF A SPECIAL USE FOR
PROPERTY LOCATED AT 5100 WEST RYAN ROAD
(PRIYA CORPORATION)

WHEREAS, Priya Corporation has petitioned the Common Council of the City of Franklin for a Special Use to locate a gas station, car wash, dry cleaner and convenience store on property located in the SW 1/4 of Section 23, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

TAX KEY NUMBER: 882-9999-000

Legal Description: That part of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, bounded and described as follows: Commencing at the Southeast corner of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, running thence North 0 degrees 56'43" East along the East line of said 1/4 Section, said line being also the center line of South 51st Street, 60.02 feet to the point of beginning of the land herein described; thence North 0 degrees 56'43" East along the East line of said 1/4 Section, said line being also the center line of South 51st Street, 414.98 feet to a point; thence South 89 degrees 43'34" West and parallel to the South line of said 1/4 Section, 253.00 feet to a point; thence South 0 degrees 56'43" West and parallel to the East line of said 1/4 Section, 414.98 feet to a point on the North line of the Ryan Road, said point being 60.00 feet North of (measured at right angles) the center line of Ryan Road, thence North 89 degrees 43'34" East along the North line of Ryan Road, and parallel to the South line of said 1/4 Section, 253.00 feet to the point of beginning. Said land being in the City of Franklin, County of Milwaukee, State of Wisconsin.

WHEREAS, said petition has been duly referred to the Plan Commission of the City of Franklin for a public hearing thereof pursuant to the requirements of Section 15-9.0103D. of the Unified Development Ordinance, and more particularly for the use of the above described land, and

WHEREAS, the Plan Commission had advertised and held a public hearing on October 27, 2003, on the petition as a result of which said Commission recommended to the Common Council that a Special Use be approved, finding the proposal conforms to the standards for the granting of a special use as set forth in Section 15-3.0700 of the Unified Development Ordinance, and

WHEREAS, the conditions and restrictions for the special use, as recommended by the City Plan Commission, are as follows:

1. To locate a gas station, car wash, dry cleaner and convenience store pursuant to the approved site plans, including lighting, landscaping and approved building materials, colors and elevations.
2. The Special Use is in the name of Priya Corporation only.
3. This Special Use Permit shall not be transferable for other uses on the subject property.
4. No diesel fuel shall be sold from this site.

5. Hours of operation for the Car Wash shall be: 1) Weekdays from 7:00 a.m. to 9:00 p.m., 2) Saturdays from 8:00 a.m. to 5:00 p.m., 3) Sundays from 10:00 a.m. to 5:00 p.m.
6. Hours of operation for the Fuel Pumps and Convenience Store Operations are daily from 6:00 a.m. until 10:00 p.m.
7. A cross-access easement across the site for the benefit of adjacent sites, in the form of an easement and in a location and design approved by the Engineering Department shall be provided.
8. The applicant shall comply with all requirements of the City of Franklin Unified Development Ordinance (as amended), City Design Standards and Construction Specifications, Building Code, and Fire Safety Code, including addressing of building, and all other applicable governmental laws, statutes, rules, regulations, codes and ordinances.
9. The erection, construction, alteration and location of signs, other advertising structures, marquees and awnings shall be in accordance with the provisions of the City of Franklin Sign Ordinance and shall be submitted and approved by the Architectural Review Board.
10. Outside storage of merchandise, materials and supplies shall be prohibited.
11. Trucks, construction vehicles, and/or abandoned vehicles shall not be parked overnight on the property.
12. No idling of delivery trucks while on site.
13. The Plan Commission shall approve all additions or alterations to the Building and/or Site Plan prior to Building Permit issuance.
14. The applicant shall maintain the property, including all landscaping, in good aesthetic condition at all times.
15. All electric, telephone, and/or cable television service wires or other cables shall be installed underground within the boundaries of the subject property.
16. When conflicts occur in terms and condition of this Special Use, with other City Codes and regulations, the more restrictive shall apply.
17. A revised site plan incorporating the additional right-of-way for South 51st Street and the appropriate setbacks from South 51st Street be presented to planning staff for review and approval by December 26, 2003, or, without further action by the Plan Commission or the Common Council, the special use authorization shall be null and void.

18. The property owner shall apply for and receive approval for a land combination for the gas station parcel and the adjacent parcel to the west no later than December 26, 2003 or, without further action by the Plan Commission or the Common Council, the special use authorization shall be null and void.
19. This special use shall be established within one (1) year after the date of granting thereof, by way of the issuance of occupancy permits or upon completion of all construction or, without further action by the Plan Commission or the Common Council, the special use authorization shall be null and void.

NOW, THEREFORE, BE IT RESOLVED that the conditions and restrictions as recommended by the Plan Commission hereinabove set forth by and the same are hereby adopted and approved as the conditions and restrictions for the said use.

NOW, THEREFORE, BE IT FURTHER RESOLVED that in the event the owner does not comply with the conditions and restrictions of this Special Use permit, following a ten (10) day notice and failure to comply, the Common Council, upon notice and hearing, may revoke the Special Use permit granted to the owner.

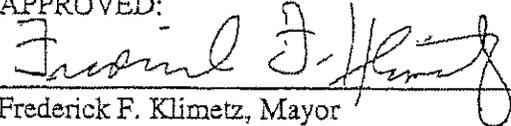
AND BE IT FURTHER RESOLVED that the violations of the terms and conditions of this Resolution shall be considered to be a violation of the Unified Development Ordinance and the penalty for such violations shall bear a maximum forfeiture of \$2,500.00, or as amended for each violation upon conviction and a maximum sentence of ninety (90) days imprisonment if such forfeiture is not paid. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any violation is not a waiver of that or any other violation of this permit.

AND BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record a certified copy of this resolution with the Register of Deeds for Milwaukee County, Wisconsin.

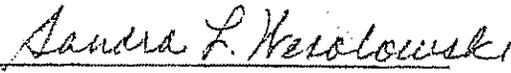
INTRODUCED at a special meeting of the Common Council this 27th day of October 27, 2003, by Alderman Sohns

PASSED AND ADOPTED by the Common Council of the City of Franklin this 27th day of October, 2003.

APPROVED:


Frederick F. Klimetz, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 4 NOES 1 ABSENT 1
(Ald. Ryan) (Ald. Bergmann)

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION**

Meeting of July 3, 2014

Special Use Amendment

RECOMMENDATION: Department of City Development staff recommends approval of the Special Use Amendment.

Project Name:	Andy's on Ryan Special Use Amendment
Project Address:	5120 West Ryan Road
Applicant:	Andy Khullar, Priya Corporation
Property Owner:	5100 LLC
Current Zoning:	B-3 Community Business District
2025 Comprehensive Plan	Commercial
Use of Surrounding Properties:	Residential to the north, Franklin Business Park to the south and vacant commercially zoned land to the east and west
Applicant Action Requested:	Approval of the Special Use Amendment Application to allow the sale of diesel fuel

Project Description/Analysis

On June 9, 2014, the applicant submitted a Special Use Amendment requesting the removal of Condition No. 4 of Resolution No. 2003-5610 which states, "No diesel fuel shall be sold from this site" to allow for the sale of diesel fuel.

According to the applicant's project narrative, Andy's on Ryan has been selling diesel fuel since the day the business opened in 2005. The applicant has indicated that the original drawings included diesel pumps and that the prohibition of the sale of diesel fuel was a "mistake that was overlooked by everyone."

As shown on the Site Plan, Andy's on Ryan contains eight pumps, two of which dispense diesel fuel. The sale of diesel fuel makes up approximately 10% to 15% of total fuel sales. The applicant has also noted that the site does not accommodate large semi-trailer trucks (i.e. 18-wheelers).

Staff is not aware of the specific reasons given in 2005 for the prohibition of diesel sales. At this time, staff does not object to the sale of diesel fuel and is not aware of any issues related to the sale of diesel, which has been occurring onsite since 2005. Furthermore, there are several auto manufacturers that utilize diesel engines in their passenger cars and small trucks. Many auto manufacturers are installing highly efficient diesel engines in 2014 and upcoming 2015 models, such as Volkswagon, Mercedes, Ford, BMW, Jeep, Mazda and Volvo; therefore, the sale of diesel is not necessarily for large trucks. However, staff would note that prior to any site plan

and/or use change, such as the addition of a truck fueling area, a separate Special Use Amendment review and approval would be needed from the City of Franklin Common Council.

Staff Recommendation

Department of City Development staff recommends approval of the Special Use Amendment.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slew</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">July 15, 2014</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p>Application of Milwaukee Water Works, Milwaukee County, Wisconsin, for Authority to Increase Water Rates; Public Service Commission of Wisconsin Docket No. 3720-WR-108; some 137 properties in the City of Franklin being affected thereby</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.7.</i></p>

Annexed hereto is a copy of the June 17, 2014 and the June 3, 2014 Council Action Sheets and the accompanying Milwaukee Water Works (MWW) May 5, 2014 letter, in regard to the above subject matter. The City Attorney had further conversations with the MWW Superintendent and the Wisconsin Public Service Commission (PSC) Division of Water staff and legal counsel following the June 17, 2014 Council action, which provided: "that the City await final determination of the Public Service Commission, any appeals to such decision on the pending Milwaukee Water Rate Case, and if 100% of the public fire protection charges from Milwaukee Water Works is charged to the customers, then staff would be directed at that time to place a rebate of the amount allocated from the general taxes in Franklin as a credit to the sewer charge bill from the City of Franklin." The reason for those discussions is set forth in the attached email dated June 30, 2014. PSC indicated that the direction to MWW was due to the fact that it had not been charging the costs of public fire protection to suburban customers and that it had to do so under the applicable laws regarding unjust discrimination in rate setting; the direction was based upon prior MWW rate cases; the subject matter was not technically part of the pending MWW rate case in terms of an initial setting of public fire protection charges to suburban customers; MWW should be charging the public fire protection costs forthwith; and the public fire protection charges previously approved by the PSC in prior rate cases could/will be changed in amount in a decision upon the pending MWW case. The City Attorney conferred with the MWW Superintendent following the discussion with PSC staff, with the result being to bring the above subject to the Council for this meeting, as the prior Council action delayed any consensual understanding of the customer rate billing charging until the pending MWW case was decided. The Superintendent noted that under the applicable regulations (also previously mentioned by PSC staff), MWW could backcharge the customers for a period of two years, though it would not do so upon a consensual result as recommended below. The difference between the Council Action Requested below and the prior Council action is that the anticipated result starts earlier (essentially forthwith, as opposed to anywhere from approximately 60 to 90 days from now to the time for any appeals thereafter, if any, to be completed).

COUNCIL ACTION REQUESTED

A motion to recognize that the Milwaukee Water Works will be charging public fire protection costs to its customers located in the City of Franklin and that upon the commencement of such billing by Milwaukee Water Works, staff is directed to at that time and thereafter during such public fire protection charge billing by Milwaukee Water Works, place a rebate of the amount allocated from the general taxes in Franklin for such purpose, allocated and calculated per each subject billed customer's property, as a credit to the sewer charge bills from the City of Franklin for those customers.

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE June 17, 2014
REPORTS AND RECOMMENDATIONS	Application of Milwaukee Water Works, Milwaukee County, Wisconsin, for Authority to Increase Water Rates; Public Service Commission of Wisconsin Docket No. 3720-WR-108; some 137 properties in the City of Franklin being affected thereby	ITEM NUMBER

Annexed hereto is a copy of the June 3, 2014 Council Action Sheet and the accompanying Milwaukee Water Works (MWW) May 5, 2014 letter. The City Attorney had further conversations with Wisconsin Public Service Commission (PSC) Division of Water staff and legal counsel and the Milwaukee Assistant City Attorney representing the MWW. The bottom line reached by PSC staff and legal counsel upon review of the application of public fire protection charges to areas served by MWW located in another municipality is that the only option available under all of the rate regulations and laws is that the utility charge and receive 100% of the public fire protection charges from its customers (in this case, the 137 properties in Franklin). Upon further study by the Director of Finance and Treasurer, it is noted that the vast majority of the 137 properties are served by a 1 inch or smaller meter; the tax equivalent share of public fire protection collected from Franklin general property taxes for a 1 inch meter served \$100,000 property under the current levy is \$7.80 per year. The Director of Finance and Treasurer and the City Attorney will be present at the meeting to discuss the subject with the Council.

COUNCIL ACTION REQUESTED

A motion as the Common Council deems appropriate.

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE June 3, 2014
REPORTS AND RECOMMENDATIONS	Application of Milwaukee Water Works, Milwaukee County, Wisconsin, for Authority to Increase Water Rates; Public Service Commission of Wisconsin Docket No. 3720-WR-108; some 137 properties in the City of Franklin being affected thereby	ITEM NUMBER

Upon information gleaned from the Wisconsin Public Service Commission (PSC) web site, Milwaukee Water Works (MWW) commenced a water utility rate increase case before the PSC on or about March 4, 2014. Some 137 properties along the northern border of the City of Franklin are served by MWW. The only information received by staff with regard to the subject matter was the attached letter from the Superintendent of MWW on May 5, 2014. Attached is a newspaper article dated May 28, 2014, describing the participation of other municipalities in the proceedings before the PSC. Staff informs that no notice of the commencement of the proceedings was received other than the letter aforementioned. The Director of Finance has conferred with the Superintendent of MWW and the City Attorney has conferred with PSC staff. Apparently, while not specifically named in the proceedings, Franklin is under consideration due to the MWW application naming "suburban" class customers, as a prior PSC practice.

The subject matter of concern is that apparently, MWW has not been charging the costs of public fire protection (pfp), a standard cost of regulated Wisconsin water utilities, to the some 137 properties in Franklin, and the PSC in the aforementioned proceedings has directed MWW to address the situation with Franklin and the other municipalities with similar prior non-pfp charged customers of MWW. MWW offered the alternatives to Franklin of City pay or the some 137 property owners pay, in the attached letter.

The City of Franklin initiated what has been termed by the PSC as the "Franklin Method" for the payment of public fire protection charges, with the adoption of the attached Resolution No. 92-3913 on December 15, 1992, and a subsequent PSC public hearing proceeding and Decision thereon, the result being that a municipality may decide (as Franklin did) to pay one-half of the cost of public fire protection services from general revenues and require the other one-half to be paid by the utility customers.

The roughly estimated total costs of the MWW request (stated to be at the instance of the PSC in the aforesaid rate case proceedings) is in the \$13,500 to \$15,500 range. Discussions aforesaid by the Director of Finance and the City Attorney have mentioned the potential of the City paying one-half, with the subject some 137 property owners paying the other one-half of the pfp costs to MWW; those discussions included the disclaimer that neither office had any authority to do so, but were in response to the MWW position in the letter and follow-up correspondence that either the City or the property owners pay the entire charge, with no sharing involved, in preparation for the subject matter to be placed before the Franklin Common Council.

The Director of Finance and Treasurer and the City Attorney will be present at the meeting to discuss the subject with the Council. Staff at the time of this writing is also intending to search the archives for the PSC Decision on the "Franklin Method", so that same will be available for Council review at the meeting.

COUNCIL ACTION REQUESTED

A motion as the Common Council deems appropriate.

Milwaukee Water Works

Safe, Abundant Drinking Water.

VII-C
RECEIVED

MAY 05 2014

City of Franklin
Engineering Department

May 1, 2014

John Bennett
City Engineer
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

Dear Mr. Bennett:

As you know, there are 137 "boundary" customers in Franklin that receive water service from, and are billed directly by, Milwaukee Water Works (MWW). These customers are served by MWW due to the proximity of our utility's water main(s) to the properties. The addresses for these "boundary" customers are attached.

The Public Service Commission (PSC) has brought to our attention that in addition to the water service charge and charge for the amount of water used, these customers should also be billed for public fire protection (PFP), but they are not being so charged. In order for MWW to properly assess the PFP charges, we need to know how Franklin would like to have these charges levied. Under Wis. Stats. 196.03(3)(b), each governing body can choose to accept an annual charge from MWW, or have the customers direct charged for PFP service on their "water" bill. If the PFP is to be charged to the community, a resolution to this effect must be passed. A copy of the resolution must be sent to MWW. If the charge is to be placed on each customer's bill, all that is needed is a letter from the appropriate city official to that effect. The PFP charge is based on meter size per the attached tariff.

Please let me know how you would like to proceed. The PSC has indicated that a response is required before the public hearing date for MWW's upcoming rate adjustment request, which is currently scheduled for June 25, 2014.

Thank you very much for your assistance with this matter.

Very truly yours,



Carrie M. Lewis
Superintendent

CML:sls
Enclosure



6363 S 35TH ST	1 INCH
6351 S 35TH ST	1 INCH
6343 S 35TH ST	1 INCH
6331 S 35TH ST	1 INCH
6323 S 35TH ST	1 INCH
6311 S 35TH ST	1 INCH
6300 S 35TH ST	1 1/2 INCH
6316 S 35TH ST	1 1/2 INCH
6332 S 35TH ST	1 1/2 INCH
6350 S 35TH ST	1 INCH
6354 S 35TH ST	1 INCH
6358 S 35TH ST	1 INCH
6362 S 35TH ST	1 INCH
6370 S 35TH ST	1 INCH
6380 S 35TH ST	1 INCH
6388 S 35TH ST	1 INCH
6384 S 35TH ST	1 INCH
6376 S 35TH ST	1 INCH
6366 S 35TH ST	1 INCH
6604 S 35TH ST	1 1/2 INCH
6604 S 35TH ST	1 INCH
6586 S 35TH ST	1 1/2 INCH
6586 S 35TH ST	1 INCH
6556 S 35TH ST	1 1/2 INCH
6556 S 35TH ST	1 INCH
6516 S 35TH ST	1 1/2 INCH
6516 S 35TH ST	1 INCH
6410 S 35TH ST	1 INCH
6400 S 35TH ST	1 INCH
6430 S 35TH ST	1 INCH
6426 S 35TH ST	1 1/2 INCH
6422 S 35TH ST	1 INCH
6418 S 35TH ST	1 1/2 INCH
6414 S 35TH ST	1 INCH
3829 W COLLEGE AV	1 INCH
3829 W COLLEGE AV	5/8 INCH
3831 W COLLEGE AV	5/8 INCH
3833 W COLLEGE AV	5/8 INCH
3835 W COLLEGE AV	5/8 INCH
3837 W COLLEGE AV	5/8 INCH
3839 W COLLEGE AV	5/8 INCH
3841 W COLLEGE AV	1 INCH
3841 W COLLEGE AV	5/8 INCH
3843 W COLLEGE AV	5/8 INCH
3845 W COLLEGE AV	5/8 INCH
3847 W COLLEGE AV	5/8 INCH
3819 W COLLEGE AV	1 INCH

3819 W COLLEGE AV	5/8 INCH
3821 W COLLEGE AV	5/8 INCH
3823 W COLLEGE AV	5/8 INCH
3825 W COLLEGE AV	5/8 INCH
6503 S 27TH ST	1 INCH
6503 S 27TH ST	5/8 INCH
3709 W COLLEGE AV	5/8 INCH
6341 S 27TH ST	3/4 INCH
3400 W SYCAMORE ST	1 INCH
3400 W SYCAMORE ST	5/8 INCH
3402 W SYCAMORE ST	5/8 INCH
3404 W SYCAMORE ST	5/8 INCH
3406 W SYCAMORE ST	5/8 INCH
3420 W SYCAMORE ST	1 INCH
3420 W SYCAMORE ST	5/8 INCH
3422 W SYCAMORE ST	5/8 INCH
3424 W SYCAMORE ST	5/8 INCH
3426 W SYCAMORE ST	5/8 INCH
6341 S 27TH ST	5/8 INCH
3440 W SYCAMORE ST	1 INCH
3440 W SYCAMORE ST	5/8 INCH
3442 W SYCAMORE ST	5/8 INCH
3444 W SYCAMORE ST	5/8 INCH
3446 W SYCAMORE ST	5/8 INCH
3480 W SYCAMORE ST	1 INCH
3480 W SYCAMORE ST	3/4 INCH
3482 W SYCAMORE ST	5/8 INCH
3484 W SYCAMORE ST	3/4 INCH
3486 W SYCAMORE ST	5/8 INCH
3460 W SYCAMORE ST	1 INCH
3460 W SYCAMORE ST	5/8 INCH
3462 W SYCAMORE ST	3/4 INCH
3464 W SYCAMORE ST	5/8 INCH
3466 W SYCAMORE ST	3/4 INCH
3350 W SYCAMORE ST	1 INCH
3350 W SYCAMORE ST	5/8 INCH
3352 W SYCAMORE ST	5/8 INCH
3354 W SYCAMORE ST	5/8 INCH
3356 W SYCAMORE ST	5/8 INCH
3310 W SYCAMORE ST	1 INCH
3310 W SYCAMORE ST	5/8 INCH
3312 W SYCAMORE ST	5/8 INCH
3314 W SYCAMORE ST	5/8 INCH
3316 W SYCAMORE ST	5/8 INCH
3330 W SYCAMORE ST	1 INCH
3330 W SYCAMORE ST	5/8 INCH
3332 W SYCAMORE ST	5/8 INCH

3334 W SYCAMORE ST	5/8 INCH
3336 W SYCAMORE ST	5/8 INCH
3370 W SYCAMORE ST	1 INCH
3370 W SYCAMORE ST	3/4 INCH
3372 W SYCAMORE ST	5/8 INCH
3374 W SYCAMORE ST	5/8 INCH
3376 W SYCAMORE ST	3/4 INCH
3390 W SYCAMORE ST	1 INCH
3390 W SYCAMORE ST	5/8 INCH
3392 W SYCAMORE ST	3/4 INCH
3394 W SYCAMORE ST	5/8 INCH
3396 W SYCAMORE ST	3/4 INCH
3331 W COLLEGE AV	3/4 INCH
6489 S 27TH ST	1 1/2 INCH
6489 S 27TH ST	5/8 INCH
6525 S 27TH ST	1 1/2 INCH
6525 S 27TH ST	5/8 INCH
3715 W COLLEGE AV	3/4 INCH
6439 S 27TH ST	1 1/2 INCH
6439 S 27TH ST	5/8 INCH
3177 W COLLEGE AV	3/4 INCH
3177 W COLLEGE AV	5/8 INCH
6531 S 27TH ST	1 INCH
6531 S 27TH ST	3/4 INCH
6499 S 27TH ST	1 INCH
6499 S 27TH ST	3/4 INCH
6310 S 108TH ST	3/4 INCH
10535 W COLLEGE AV	5/8 INCH
6421 S 27TH ST	1 1/2 INCH
6421 S 27TH ST	5/8 INCH
6361 S 27TH ST	6 INCH

RATE FILE

Sheet No. 1 of 1

Schedule No. F-1.1

Public Service Commission of Wisconsin

Amendment No. 111

Milwaukee Water Works

Public Fire Protection Service – Suburban: Greenfield, Hales Corners, and St. Francis

For public fire protection service furnished to areas served at retail outside the City of Milwaukee where the suburban retail communities have chosen to have the utility directly bill public fire protection to all classes of retail general service customers under Wis. Stat. § 196.03(3)(b), the charges to cover the use of facilities shall be the following.
(Urban charges in Schedule F-1 plus 25 percent surcharge).

Quarterly Public Fire Protection Service Charges:

5/8 - inch meter - \$	7.19	3 - inch meter - \$	166.09
3/4 - inch meter - \$	7.19	4 - inch meter - \$	270.38
1 - inch meter - \$	23.82	6 - inch meter - \$	509.85
1 1/4 - inch meter - \$	23.82	8 - inch meter - \$	892.24
1 1/2 - inch meter - \$	54.08	10 - inch meter - \$	1,139.44
2 - inch meter - \$	83.05	12 - inch meter - \$	1,390.50

Customers who are provided service under Schedule Mg-2 shall also be subject to the charges in this schedule.

Billing: Same as Schedule Mg-1

From: Jesse Wesolowski [<mailto:jweslaw@aol.com>]
Sent: Thursday, July 10, 2014 6:57 PM
To: Sandi Wesolowski
Cc: Steve Olson; Kristen Wilhelm (External); carrie.lewis@milwaukee.gov; David - PSC Prochaska; arielle.silverkarsh@wisconsin.gov; Lay-See McMillan; Paul Rotzenberg; Ron Romeis
Subject: Fwd: MWW public fire protection charges; Franklin customers

Begin forwarded message:

From: Jesse Wesolowski <jweslaw@aol.com>
Subject: MWW public fire protection charges; Franklin customers
Date: June 30, 2014 at 2:19:21 PM CDT
To: David - PSC Prochaska <David.Prochaska@wisconsin.gov>, arielle.silverkarsh@wisconsin.gov
Cc: Paul Rotzenberg <PRotzenberg@franklinwi.gov>

Below is the action of the Common Council at its 6/17/14 meeting, which I read into the record following discussion and questions between and among Council Members, Citizens and staff. The Franklin Director of Finance called today and said MWW said that the subject pfp charges have, in effect, nothing to do with the MWW case for which the public hearing was held on the 25th. My short version is that the entire parameter of understanding in information received and discussed re: "suburban" parties, etc., as well as the initial MWW correspondence mention of the public hearing date on June 25, was that the pfp method would be decided by the PSC (and the Franklin Council action anticipated the 100% charge to customers result we discussed prior thereto, without any further action by Franklin [also as we discussed]). I also heard today that MWW wants to implement the direct charges to customers now, without any further PSC action/decision, which doesn't fit perfectly into the Council action. Could you please call or email me re: what the PSC process is from here on in re: the MWW pfp charges and Franklin customers, and if it is not part of the ongoing MWW rate case, why not, so I can advise re: any return of the item to the Common Council. Thanks.

"Alderman Schmidt moved to suspend the regular order of business and allow citizens to speak. Seconded by Alderman D Mayer. All voted Aye: motion carried. Alderwoman Evans moved that the City await final determination of the Public Service Commission, any appeals to such decision on the pending Milwaukee Water Rate Case, and if 100% of the public fire protection charges from Milwaukee Water Works is charged to the customers, then staff would be directed at that time to place a rebate of the amount allocated from the general taxes in Franklin as a credit to the sewer charge bill from the City of Franklin. Seconded by Alderman D Mayer. All voted Aye; motion carried."

Jesse A. Wesolowski

Jesse A. Wesolowski
Wesolowski, Reidenbach & Sajdak, S.C.
11402 West Church Street
Franklin, Wisconsin 53132
Phone: (414) 529-8900
Facsimile: (414) 529-2121
Email: JWesLaw@aol.com

This is a communication from the law firm of Wesolowski, Reidenbach & Sajdak, S.C. and may contain information which is privileged, confidential, and protected by the attorney-client or attorney work product privileges. If you are not the addressee, note that any disclosure, copying, distribution, or use of the contents of this communication is prohibited. If you have received this transmission in error, please destroy it and notify us as soon as practicable by telephone at 414-529-8900.

<p>APPROVAL</p> <p><i>Slew</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/15/2014</p>
<p>REPORTS & RECOMMENDATIONS</p> <p><i>[Signature]</i></p>	<p>Letter of Understanding Between the City of Franklin and Franklin Professional Firefighters I.A.F.F. Local 2760 and an Amendment to the 2013-2015 Labor Agreement Between the City of Franklin and the Franklin Professional Firefighters I.A.F.F., Local 2760 Relative to Financial Reimbursements or Corrections</p>	<p>ITEM NUMBER</p> <p><i>6.8.</i></p>

The Director of Administration recommends approval by the Common Council of Attachment "A" to the attached Settlement Agreement, which constitutes a Letter of Understanding between and Amendment to the labor agreement between the City of Franklin and the Franklin Professional Firefighters Union. The Settlement Agreement itself is also attached for convenience and additional information.

At its regular meeting of November 13, 2012, the Common Council approved the Tentative Agreement for 2013-2015 with the Franklin Professional Firefighters, Local 2760 of the International Association of Firefighters, and authorized execution of a labor agreement incorporating the provisions. That labor agreement remains in effect.

A grievance relative to the payment of longevity to certain officers was filed by the Union which was denied by the Fire Chief February 7, 2014. The nature of the grievance was that certain firefighters (4 of them) were identified as not having received timely longevity adjustments as provided for by the contract. Upon identification of the error, the City issued corrections to the extent required by law, which was going back two years. The Union grieved because the oversight, which was not observed by the City or the affected individuals, went back approximately 5 years.

In the continued spirit of cooperation between the parties, the Director of Administration met with and worked with the Union for a resolution. The intent was to identify if a resolution could be determined prior to proceeding to the next step in the grievance process or, subsequently, to arbitration. A Settlement Agreement was ultimately reached with the Union. In summary, the compromise that was reached has the following primary impacts.

1. Make the officers whole for the direct cost (no interest) of longevity not paid.
2. Mutually agree that future corrections will be able to go back to the start of the labor contract that includes the date of the 2-year look-back period.
3. That the Union agrees, for inclusion in the labor agreement, that the City has the same such right for corrections that go the other way; in other words, the City has the right for a deduction applied to payroll for an oversight or overpayment.

The settlement agreement itself falls within the scope and authority of the Director of Administration to execute within his duties as Human Resources Director. The third component of the Settlement Agreement, however, requires the Common Council to approve and the Union membership to ratify a letter of understanding affecting the current contract and an amendment to the labor agreement that will take effect January 1, 2016, as the contract enters into the dynamic status quo period if not yet revised.

As such, the Common Council is being asked to approve Attachment "A" of the Settlement Agreement, not the entire agreement itself. [Nonetheless, note that the full agreement is contingent upon approval of the attachment.]

As to the Attachment, the Director of Administration recommends approval. In addition to resolving the grievance, the letter of understanding and amendment to the contract serve to memorialize within the contract the City's ability to deduct from payroll corrections that require reimbursement to the City. In my experience, this authority often leads to disputes by employees and unions. Although IRS rules address and limit the period of look-back an employer must use to make corrections that benefit the employee, there is no clear comparable language that extends that authority to employer for corrections that benefit the employer. Lack of that clear language often leads to disputes. In effect, by approving the recommended contract addition, we are mutually agreeing to resolve a potential future problem by institutionalizing the City's ability for reimbursement corrections. Importantly, by requiring ratification by the membership and inclusion directly into the contract, the intent is to show that clause would have the same standing as all other contract provisions. It is for that reason that the Common Council must approve the contract: only the Common Council can directly modify labor contract terms since it is the approving authority for the labor contract itself. [Note: Grievance resolutions do not typically require Common Council approvals, but due to the nature of this one, the Common Council needs to be involved.]

On July 1, 2014, I received the following email content from Bob Manke, President of the Franklin Professional Firefighters Local 2760:

"On June 9th I put a vote on our website which was on the proposed language in the longevity Grievance. That vote ended at 1700 yesterday. I currently have 39 members and 38 of the 39 voted. The results were 35 yes and 3 no to accept the language as written. So as a resolution to the grievance, Local 2760 accepts the language as written in your email dated 6/4/2014. Thank you for your patience on this issue."

In an effort to finally resolve this issue, I have moved it immediately to the Common Council as delaying the matter for input from the Personnel Committee would further postpone resolution until sometime in August.

COUNCIL ACTION REQUESTED

A motion to approve and authorize execution of a Letter of Understanding Between the City of Franklin and Franklin Professional Firefighters I.A.F.F. Local 2760 and an Amendment to the 2013-2015 Labor Agreement Between the City of Franklin and the Franklin Professional Firefighters I.A.F.F., Local 2760, labeled "Attachment A", relative to Financial Reimbursements or Corrections.

ATTACHMENT "A"

Letter of Understanding Between
the City of Franklin and Franklin Professional Firefighters I.A.F.F. Local 2760
for consideration along with the current 2013 -2015 contract through December 31, 2015

And

Amendment to the Labor Agreement Between
The City of Franklin and Franklin Professional Firefighters I.A.F.F. Local 2760 – 2013-2015,
effective January 1, 2016

Subject to ratification of this Letter of Understanding/Amendment to the above referenced Labor Agreement, with effective periods as noted in the title above, by both the Association's membership and the City of Franklin Common Council, this Letter of Understanding, comprising approval of the intent as indicated in "Section 3" and "Part 3" below, shall become effective July 15, 2014, and this Amendment to the Labor Agreement, comprising the full form as set forth below, shall become effective January 1, 2016.

Labor Agreement shall be amended, effective January 1, 2016, as follows:

Part 1. The title to Article XXIII shall be amended to read as follows: "Direct Deposit and Financial Reimbursements or Corrections."

Part 2. A "Section 3" shall be added to the end of Article XXIII reading as follows:

"Section 3. Except as otherwise subject to the limitations of state and federal law, the City and the Association mutually agree to extend the period during which an active member of the Association is eligible for a payment(s) from the City for a correction(s) to payment(s) required under the terms of this collective bargaining agreement. The purpose of this provision is to extend such repayment period from the statutory, 2-year look-back period to the date of the beginning of the labor agreement that includes the first date of that 2-year look-back period. (For example, an event first identified on July 15, 2013, would have a first date of the two-year look-back period of July 15, 2011, which would require a correction back to January 1, 2010, the start of the labor agreement that covered the July 15, 2011, date.) The City shall have a parallel and matching extension beyond a 2-year look-back period, which defines the period during which the City may apply a correction(s), which correction(s) causes a reduction in the net payment to the individual(s), for over payment(s) made relative to the requirements under the terms of this Labor Agreement. By incorporation into this Labor Agreement, the City is authorized by each Association member to make any such necessary reduction(s) from any payment(s) required under the terms of this Agreement. It is understood by both parties, however, that the members and the Association retain any rights to grieve any such correction(s) if they believe such correction is not in compliance with the terms of this Labor Agreement."

Part 3. It is understood by the parties that a future application of the language may extend into the past to a period prior to the effective date of this Amendment.

Part 4. It is the intent of both parties that this Letter of Understanding is not intended to represent a general re-opener of the contract of any kind, and, further, modification of the Labor Agreement, as described herein, is intended to be limited exclusively to the contents of this Amendment and is intended to have no impact on "opening" the labor contract prior to its effective date.

For the UNION (Officers)

For the CITY

Settlement Agreement
For
Resolution of a Grievance on Repayment of Longevity Pay
("Settlement Agreement")
May 6, 2014

Background: A grievance was filed by members Mark Mussa and David Newsom of the Franklin Professional Firefighters I.A.F.F. Local 2760 (the "Association"), with support from the Association, which was later joined by member Jeremy Tietyen, related to "retroactive payment of longevity." The Fire Chief denied the grievance in a memo dated February 7, 2014 and for the reasons stated therein. The Association then left a memo addressed to Mark Lubberda, dated February 17, 2014, in the Fire Chief's mail slot on or before February 20th. The memo requested "to meet to discuss the issue of Longevity pay...". Representatives of each party met on April 1, 2014, to discuss the matter to determine if a mutual resolution of the matter was available. Additionally, member Anthony Psichulis was found to have similar circumstances.

In order to resolve the longevity claims of Mussa, Newsom, Tietyen, Psichulis, and the Association, the City of Franklin (the "City") and the Association agree to the following.

1. Mark Mussa will receive an additional payment through payroll of \$504; David Newsom will receive an additional payment through payroll of \$504; Jeremy Tietyen will receive an additional payment through payroll of \$78; and Anthony Psichulis will receive an additional payment through payroll of \$234. Said payments represent payment of additional longevity costs for the period in excess of two years and are not part of current wages. The payments will be paid as part of a regular payroll check, will be classified through the payroll system in a manner as determined by the City, and are subject to any taxes or deductions as required by law. By executing below, the each member agrees that said payment resolves, in its entirety, their individual longevity-related grievance and hereby waives his rights, if any, to any future wage claim related to the grieved longevity payments.
2. Any deviations from the requirements of Article V "Grievance Procedure" of the labor agreement that may have occurred by the Union are hereby waived in relation to this grievance subject to settlement of this grievance as provided for herein and subject to a stipulation that the Association will hold the City harmless with regard to such a waiver. As such, the Association may not claim the City's actions with regard to this longevity grievance as evidence, in whole or in part, of a past practice and may not use against the City, in any way, the City's agreement to waive or ignore enforcement of such grievance process requirements in this instance.
3. The Association and the City may administratively execute this Settlement Agreement based upon their own approval process; however, settlement of the grievance as presented herein is subject to ratification by the Association membership and by the City's Common Council of a Letter of Understanding which eventually becomes an amendment to the "Labor Agreement

Between the City of Franklin and Franklin Professional Firefighters" ("the Labor Agreement") that amends Article XXIII of the Labor Agreement to provide, in general, for an extension of the allowable reimbursement or correction period for both parties. The Letter of Understanding/Amendment is attached and labeled "Attachment A" to this Settlement Agreement. Failure of the Letter of Understanding/Amendment to secure the necessary approvals shall render this Settlement Agreement, in its entirety, even if executed, null and void. Note that the delayed effective date of the Letter of Understanding is intended to provide a period after approval during which the payments as set forth in #1 above may be completed. The parties agree that the amendment shall take the form of a "Letter of Understanding" between the Franklin Professional Firefighters I.A.F.F. Local 2760 and the City of Franklin, for consideration along with the current 2013 -2015 contract, and immediately upon January 1, 2016 the language shall be considered as an amendment included into the Labor Agreement as "Section 3" of Article XXIII, with such inclusion not subject to a "maintenance of the status quo" expectation that is associated with the end of a contract period.

For the Association

For the City

President

Date

Director of Administration

Date

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/15/2014</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Support and participation in the 24th Annual South Suburban Chamber of Commerce Golf Outing (Alderman Dandrea)</p>	<p>ITEM NUMBER</p> <p><i>G, 9,</i></p>

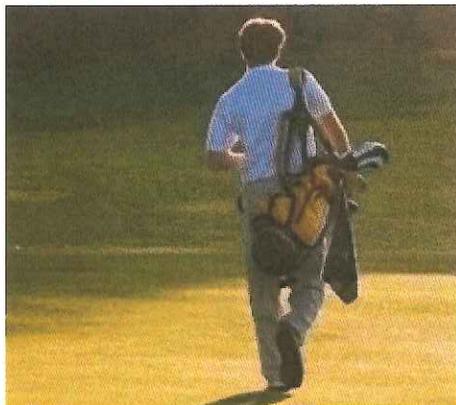
Attached is the event description and sponsorship opportunities for the 24th Annual South Suburban Chamber Golf Outing, benefitting the Scholarship Fund. This event will be held on August 18, 2014, at the Meadowbrook Country Club, Racine.

COUNCIL ACTION REQUESTED

A motion as the Common Council deems appropriate.

Events Calendar

2014 South Suburban Chamber 24th Annual Golf Outing



It's never too early to start thinking about golf!

Date: August 18, 2014
 Time: 09:00 AM - 07:00 PM

[Register Online](#)

[Back to Calendar](#)

Event Location

Meadowbrook Country Cl
 2149 N. Green Bay Rd.
 Racine, WI 53405

Date/Time Information

Monday, August 18, 2014
 Registration starts at 9:00 a.m.
 Lunch will be provided
 18 Hole Tee Time at 11:00 a.m.
 9 Hole Tee Time at 1:30 p.m.

Contact Information

Chamber Staff
info@southsuburbanchamber.com

Event Options

- [register online now](#)
- [current weather](#)
- [print this page](#)
- [email to a friend](#)
- [add to calendar](#)

Set a Reminder

Email to
 before the event
[Submit Request for a Reminder](#)

[Back to Calendar](#)

Event Description

**PLEASE JOIN US FOR THE 24th ANNUAL
 SOUTH SUBURBAN CHAMBER GOLF OUTING,
 BENEFITTING THE SCHOLARSHIP FUND**

**MONDAY, AUGUST 18, 2014
 MEADOWBROOK COUNTRY CLUB
 2149 N. GREEN BAY RD.
 RACINE, WI 53405**

10 a.m.: Registration Begins

Lunch will be provided

Noon: 18 HOLE TEE OFF

2:30 p.m.: 9 HOLE TEE OFF

The proceeds from the Golf Classic help to support the many activities of the Chamber as well as the scholarships for a graduating senior from both Oak Creek and Franklin High Schools who plans to pursue a career in business.

SPONSORSHIP OPPORTUNITIES NOW AVAILABLE!

<p>Presenting Sponsor: \$3,500 Presenting Sponsorship includes: Two complimentary foursomes for the event; logo advertisement on all media and promotional materials; reserved seating at dinner. Your company name will be in the lead title for the entire outing on all signs, media, programs and sponsor signage. Two additional dinner reservations. Acknowledgement and reserved seating at the dinner. Free featured member of the month on the website.</p>
<p>Gold Sponsor: \$2,000 Two complimentary foursomes for the event; logo advertisement on all media and promotional materials; reserved seating at dinner. Two additional dinner reservations. Acknowledgement at the dinner.</p>
<p>Silver Sponsor: \$1,500 A complimentary foursome for the event; logo on all media and promotional materials, programs and</p>

sponsor boards; reserved seating for your foursome the dinner. Two additional dinner reservations. Acknowledgement at the dinner.

Dinner Sponsorship: \$1,200

\$1,200 Dinner Sponsorship includes: A complimentary foursome for the event; logo on all media, programs and sponsor boards; reserved seating for your foursome at the dinner. Acknowledgement at the dinner.

Lunch Sponsorship:

We will request box lunches from our restaurant members.

Lunch Sponsorship (\$800) includes: (Daily Herald)

Logo on all media, programs and sponsor boards; two complimentary golfers. Acknowledgement at the dinner.

Sign in Table Sponsor: \$500

Sign in Table Sponsorship includes: Logo on all media, programs and sponsor boards; signage at the table with representation. Opportunity to hand out materials or promo items at registration. Acknowledgement at the dinner.

Beverage Cart (2 available) \$300

Beverage Cart or Fruit Cart Sponsorship includes: Company name on all media, programs and sponsor boards; signage on the specified beverage cart. Company representative may ride with specified cart, but may not sell any of the beverages. Acknowledgement at the dinner.

Hole Sponsorships (Multiple Sponsorships Available*)

All hole sponsors are encouraged to have a table for promotional information and/or gifts for golfers and a company representative at the sponsored hole.

***Hole in One Sponsorship: \$500 or Event Hole Sponsorship: \$500**

Sponsorship includes: Logo on all media, programs and sponsor boards; logo at the contest hole. Acknowledgement at the dinner.

***Hole sponsors: \$300**

Company name in the program and sponsor board; signage at the tee of the sponsored hole.

***Foursome of 18 Golf with Hole Sponsorship: \$800**

***Foursome of 9 Hole Golf with Hole Sponsorship: \$600**

Hole Sponsorship includes:

Company name in the program and sponsor board; signage at the tee of the sponsored hole, golf for four.

***Raffle Items/Gift Bag Sponsors:**

Promote your business and support the Chamber by donating raffle items or gift bag items.

Golf 18 Hole Foursome: \$600

Golf & Dinner: \$150 per golfer

Dinner Networking Only: \$30

Golf 9 Hole Foursome: \$400

Golf & Dinner: \$100 per golfer

Dinner Networking Only: \$30

[Business Directory](#) [Events Calendar](#) [Hot Deals](#) [Job Postings](#) [Weather](#) [Home](#)

Powered by
 Micronet

BLANK PAGE

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>7/15/2014</p>
<p>LICENSES AND PERMITS</p>	<p>Miscellaneous Licenses</p>	<p>ITEM NUMBER</p> <p>H.1.</p>

Attached is the License Committee agenda from their meeting of July 15, 2014. The License Committee will make their recommendations at this Common Council meeting.

COUNCIL ACTION REQUESTED

Motion to approve/deny/hold licenses and permits as recommended by the License Committee.



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

**License Committee
Agenda*
Alderman's Room
July 15, 2014 – 5:30 pm**

1.	Call to Order & Roll Call	Time:		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - New 2014-15 5:50 p.m.	Ter Laan, Cheyanne M 7300 W Southridge Dr, #205 Greenfield, WI 53220 Chili's Bar & Grill			
Operator - Renewal 2014-15	Adamczyk, Janine M 3217 W Veronica Ct Milwaukee, WI 53215 Polish Center			
Operator - New 2014-15	Baehler, Cassandra J 509 Portage St Fond Du Lac, WI 54935 Rock Sports Complex			
Operator - Renewal 2014-15	Bost, Katlyn R 8450 W Lake Pointe Dr Franklin, WI 53132 Rock Sports Complex			
Operator - New 2014-15	Cane, Thomas N 5432 Olympia Dr Greendale, WI 53129 Knights of Columbus			
Operator - Renewal 2014-15	Courtright, Amanda J 5063 N 37 th St Milwaukee, WI 53209 Country Lanes			
Operator - Renewal 2014-15	Davison, Barbara J 6931 S Phyllis Ln Franklin, WI 53132 Pick 'n Save – S Lovers Lane Rd			
Operator - Renewal 2014-15	Delgado, Julie T 11416 W Church St Franklin, WI 53132 Landmark			
Operator - Renewal 2014-15	Drought, Caroline N 1122 E Russell Ave, #206 Milwaukee, WI 53207 Pick 'n Save – S Lovers Lane Rd			
Operator - Renewal 2014-15	Essenberg, Alexander P 4806 W Midland Dr Greenfield, WI 53219 Walgreen – Loomis Rd			
Operator - New 2014-15	Fickau, Nicole M 839 N Marshall St, #68 Milwaukee, WI 53202 Pick 'n Save – S Lovers Lane Rd			
Operator - New 2014-15	Fischer, Patrick J 9208 W Hayes Ave, #3 Milwaukee, WI 53227 Pick 'n Save – S Lovers Lane Rd			

Operator - New 2014-15	Garcia, Brittany S 8224 S 79 th St Franklin, WI 53132 Rock Sports Complex			
Operator - New 2014-15	Garcia, Miguel 3553 S 33 rd St Greenfield, WI 53221 Wal-Mart Store			
Operator - New 2014-15	Gnacinski, Garrett M 7835 Chapel Hill Ct W Franklin, WI 53132 Pick 'n Save – S Lovers Lane Rd			
Operator - Renewal 2014-15	Haase, Jody L 2431 W Carroll Ave Oak Creek, WI 53154 7-Eleven			
Operator - Renewal 2014-15	Hushek, Andrew R 5315 W Arizona St Milwaukee, WI 53219 VFW Post 10394 - St Martins Fair			
Operator - Renewal 2014-15	Jacques, Amy M 28706 Beach Dr Waterford, WI 53185 Irish Cottage			
Operator - New 2014-15	Kaur, Gagandeep 10155 W Forest Home Ave, #101 Hales Corners, WI 53130 Midtown Gas & Liquor			
Operator - Renewal 2014-15	Larscheidt, Sharon J 11126 W Ryan Rd Franklin, WI 53132 Pick 'n Save – S Lovers Lane Rd			
Operator - Renewal 2014-15	Lucier, Melissa A 1530 S 94 Pl West Allis, WI 53214 7-Eleven			
Operator - New 2014-15	Masta, Lisa M 915 Minnesota Ave, #9 South Milwaukee, WI 53172 7-Eleven			
Operator - Renewal 2014-15	McDonald, Michelle R 718 S 112 th St West Allis, WI 53214 Pantheon Family Restaurant			
Operator - Renewal 2014-15	Moldenhauer, Andrea M 1022 River Place Blvd, #14 Waukesha, WI 53189 Romey's Place			
Operator - Renewal 2014-15	Napierala, Dana S 3264 S 55 th St Milwaukee, WI 53219 Eric's Setback			
Operator - Renewal 2014-15	Nessmann, Carolyn M 8503 W Puetz Rd Franklin, WI 53132 To be Determined			
Operator - Renewal 2014-15	Ogorzelec, Christine M 23627 82 nd Ave Salem, WI 53168 7-Eleven			

Operator - Renewal 2014-15	Popp, Denise K W182S7715 Valley Dr Muskego, WI 53150 Romey's Place			
Operator - New 2014-15	Radish, Natalie E 577W16192 Mariner Ct Muskego, WI 53150 Pick 'n Save – S Lovers Lane Rd			
Operator - New 2014-15	Robbins, Neil D 10109 S 13 th St Oak Creek, WI 53154 Bowery Bar & Grill			
Operator - Renewal 2014-15	Runnoe, Amanda J 2827 W Parnell Ave, #312 Milwaukee, WI 53221 Chili's Bar & Grill			
Operator - Renewal 2014-15	Sauer, Jessica R 8869 W Lake Pointe Cir Franklin, WI 53132 Rock Sports Complex			
Operator - Renewal 2014-15	Sauer, Stephanie K 8869 W Lake Pointe Cir Franklin, WI 53132 Rock Sports Complex			
Operator - Renewal 2014-15	Schilling, Scott A 3521 S Chase Ave Milwaukee, WI 53207 7-Eleven			
Operator - New 2014-15	Sheldon, Timothy J 8355 S Golden Fields Dr Oak Creek, WI 53154 Buckhorn Bar & Grill			
Operator - Renewal 2014-15	Silva, Juan F 432 S Kendrick Ave Burlington, WI 53105 Swiss Street Pub & Grill			
Operator - New 2013-14	Singh, Gurjit 347 E Lincoln Ave, #3 Milwaukee, WI 53207 Midtown Gas & Liquor			
Operator - Renewal 2014-15	Singh, Gurjit 347 E Lincoln Ave, #3 Milwaukee, WI 53207 Midtown Gas & Liquor			
Operator - Renewal 2014-15	Singh, Poonam 16225 Cumberland Trl Brookfield, WI 53005 Franklin Quik Chek			
Operator - New 2014-15	Smoker, Tyrone W 8814 W Rogers St West Allis, WI 53227 Hideaway Pub & Eatery			
Operator - New 2014-15	Steckling, Jonathan S 4190 E Barton Rd Oak Creek, WI 53154 Pick 'n Save – S Lovers Lane Rd			
Operator - Renewal 2014-15	Trudeau, Mary K 11410 W Mayers Dr Franklin, WI 53132 Swiss St Pub & Grill			

Operator - New 2014-15	Udvare, Keri A W130S8574 Durham Dr Muskego, WI 531502 Cross Roads Pizza & Subs			
Operator - New 2014-15	White, Cassandra A 7940 W Winston Way Franklin, WI 53132 Pick 'n Save – S Lovers Lane Rd			
Operator - New 2014-15	White, Judith A 3302 W Franklin Ter Franklin, WI 53132 To be Determined			
Entertainment & Amusement 2014-15	Prime-Timez, LLC d/b/a Fun-Timez 6544 S Lovers Lane Rd Mohammed Nowman, Manager			
Temporary Class B Beer	Franklin Lions Club Person in Charge: David Lindner Event: St Martins Labor Day Fair Event Date: August 31 – September 1, 2014			
Temporary Class B Beer	Franklin Lioness Club Person in Charge: Jacqueline Glanzmann Event: St Martins Labor Day Fair Event Date: August 31 – September 1, 2014			
Temporary Class B Beer	VFW Post 10394 Hales Corners-Franklin Person in Charge: Andrew Hushek Event: St Martins Labor Day Fair Event Date: August 31 – September 1, 2014			
Temporary Entertainment and Amusement	VFW Post 10394 Hales Corners-Franklin Person in Charge: Andrew Hushek Event: Live Music at St Martins Labor Day Fair Event Date: August 31 – September 1, 2014			
3. Rules & Procedures	License Committee Administrative Rules and Procedures			
4.	Adjournment		Time	

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

BLANK PAGE

<p style="text-align: center;">APPROVAL</p> <p><i>DB</i> <i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 7/15/14</p>
<p style="text-align: center;">Bills</p>	<p style="text-align: center;">Vouchers and Payroll Approval</p>	<p style="text-align: center;">ITEM NUMBER I. 1.</p>

Attached is a list of vouchers dated July 2, 2014 through July 10, 2014 Nos. 152809 through Nos. 152952 in the amount of \$ 699,290.28. Included in this listing is EFT's Nos. 2648 through Nos. 2653.

The net payroll dated July 11, 2014 is \$ 343,037.94, previously estimated at \$ 362,000.00 Payroll deductions for July 11, 2014 are \$ 217,768.35, previously estimated at \$ 235,000.00.

The estimated net payroll dated July 25, 2014 is \$ 340,000.00 with estimated payroll deductions of \$ 388,000.00.

There were no property tax refunds.

COUNCIL ACTION REQUESTED

Motion approving net general checking account City vouchers in the range Nos. 152809 through Nos. 152952 in the amount of \$ 699,290.28 dated July 2, 2014 through July 10, 2014.

Motion approving the net payroll dated July 11, 2014 in the amount of \$ 343,037.94 and payments of the various payroll deductions in the amount of \$ 217,768.35, plus any City matching payments, where required.

Motion approving the net payroll dated July 25, 2014 estimated at \$ 340,000.00 and payments of the various payroll deductions estimated at \$ 388,000.00 plus any City matching payments, where required.