

***REVISED

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY, JUNE 7, 2011, 6:30 P.M.

- A. Call to Order and Roll Call
- B.
 - 1. Citizen Comment Period
 - 2. Announcements from Mayor Taylor of upcoming community events & news items:
 - a. Recognition and presentation-Ben Franklin Elementary School Project Citizen teams.
 - b. Proclamation in Recognition of Franklin Senior Citizens, Inc.
 - c. Certificate of Recognition and gratitude-Casper Green.
- C. Approval of Minutes
 - 1. Approval of regular meeting of May 17, 2011.
- D. Hearings
 - 1. Public Hearing regarding a proposed 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 11255 W. St. Martins Road, from Mixed Use to Institutional (New Hope Community Church, Inc., applicant).
- E. Organizational Business
 - 1. Boards and Commissions Appointments
 - a. Alderman Wilhelm-Economic Development Commission.
 - b. James Luckey-Board of Review, 5th District nomination.
- F. Letters and Petitions
 - *** 1. Letter from Tony Megna requesting permission to farm five acres of the six acre parcel on W. Church Street and Hwy. 100.
- G. Reports and Recommendations
 - 1. Consent Agenda
 - a. Donation from Mr. & Mrs. Frank Dethloff in the amount of \$25 to the Fire Department.
 - b. Donation from Black Bear Bottling LLC of flavored water products to the Fire Department.
 - c. Donation from Target, Inc. in the amount of \$50 to the Public Works Department for the 10th Annual City-wide cleanup and Arbor Day event held on April 30, 2011.
 - 2. City of Franklin's Community Development Block Grant Program projects for 2011.
 - 3. Approval of the concept of a primary duty assignment position as a full-time Crime Prevention Officer and authorization to negotiate and execute the necessary Memorandum of Understanding with the Franklin Police Officers Association.
 - 4. 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 11255 W. St. Martins Road from Mixed Use to Institutional (approximately 0.6 acres) (New Hope Community Church, Inc., applicant).

5. Ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from VB Village Business District to I-1 Institutional District (11255 W. St. Martins Road) (approximately 0.6 acres) (New Hope Community Church, Inc., applicant).
6. Resolution conditionally approving a 2 lot Certified Survey Map, being located in all that part of the southwest 1/4 of the southeast 1/4 of Section 7, and part of the northwest 1/4 of the northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (New Hope Community Church, Inc.) (11321 and 11255 W. St. Martins Road).
7. Resolution conditionally approving a condominium plat for 9030-32 S. Cordgrass Circle Condominiums at 9030-32 S. Cordgrass Circle East, Lot 45 Prairie Grass Preserve Subdivision (Waterstone Bank SSB, applicant).
8. Job description for Chief Financial Officer.
9. Employment agreement for Calvin Patterson as Director of Finance & Treasurer and Chief Financial Officer.
10. Approving an agreement with U.S. Bank National Association ND to provide credit cards for use by department heads for payment of services over the internet and in situations where checks processing is difficult.
11. Status report on Tax Increment Finance District #2, Tax Increment Finance District #3 and Tax Increment Finance District #4.
12. Mayoral Ad Hoc Development Process Review Committee request for funding assistance for the South Suburban Chamber of Commerce's 10th Anniversary Business Appreciation Event.
13. Resolution opposing the adoption of Senate Bill 83 relating to various changes to the eminent domain laws.
14. Community Development Authority recommendations as to business incentive options and the creation of a revolving loan fund.
15. Preliminary resolution declaring intent to exercise special assessment powers granted by Section 66.0701 of the State Statues for installing water main in W. Puetz Road from W. St. Martins Road (STH 100) to a point 300 feet east of W. St. Martins Road and set a public hearing date for August 2, 2011 at 6:30 p.m.
16. Resolution awarding contract to the lowest bidder, Payne & Dolan, Inc. in the amount of \$181,895.15 for the reconstruction of the parking lots and drives for City Hall and Fire Station No. 1.
17. Resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Resolution-reporting year 2010.
18. Engineering Department recommendation of \$40,000 funding from the Capital Improvement Fund for W. Drexel Avenue bridge repair at 300' east of S. 51st Street.
19. Ordinance to amend Section 222-4. of the Municipal Code –Street Openings and Excavations.
20. Amendment to the Ruekert-Mielke, Inc. Engineering Services Agreement for the design of the Ryan Creek Interceptor sanitary sewer for additional easements.

21. Resolution to Confirm of Record Minor Revisions to and Amending Accordingly the Acquisition Map Approved and the Determinations made thereupon pursuant to Resolution No. 2011-6694, A Resolution Determining the Necessity of the Public Acquisition of Easement Rights and Interests in Property and Approving an Acquisition Map (Relocation Order) for the Location, Extension, Installation and Maintenance of Public Sanitary Sewer Facilities to Provide Sanitary Sewer Service to the Southwest Area of the City of Franklin by way of the Ryan Creek Interceptor Sewer Installation Upon Property in the Area from the Intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the Intersection of West Ryan Road and South 112th Street, thence Westerly Along West Ryan Road to the West City Limits.
 22. Resolution adopting criteria for use in the Milwaukee County redistricting plan.
 23. Milwaukee County Board of Supervisors resolution adopting a tentative plan for the redistricting plan of the County Board.
 24. Committee of the Whole Recommendations
 - A. Ordinance to restructure the Economic Development Mission Process Administration of the City of Franklin to create the Forward Franklin Economic Development Committee (Ald. Taylor).
 - B. Ordinance to Amend the Municipal Code as it Pertains to the Composition and Duties of the Economic Development Commission (Ald. Schmidt).
 - C. Ordinance to Repeal and Recreate §10-8 of the Municipal Code Relating to the Composition and Purpose of the Economic Development Commission.
 25. Acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of S. 60th Street and W. Ryan Road generally following the Ryan Creek to the intersection of W. Ryan Road and S. 112th Street, thence westerly along W. Ryan Road to the west City limits, upon the following one property identified by Acquisition Map Parcel No. 7, Tax Key Number 897-9997-000 and address 9705 S. 76th Street (Said easement rights and interest are due to a minor adjustment to the route of the interceptor). The Council may enter closed session pursuant to Wis. Stat. §19.85(1)(e), to consider the terms and negotiation of the public acquisition of easement(s) for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
- H. Licenses and Permits
1. Miscellaneous Licenses.
- I. Bills
1. Vouchers and Payroll approval.
- J. Adjournment

Franklin Common Council

6/07/11

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

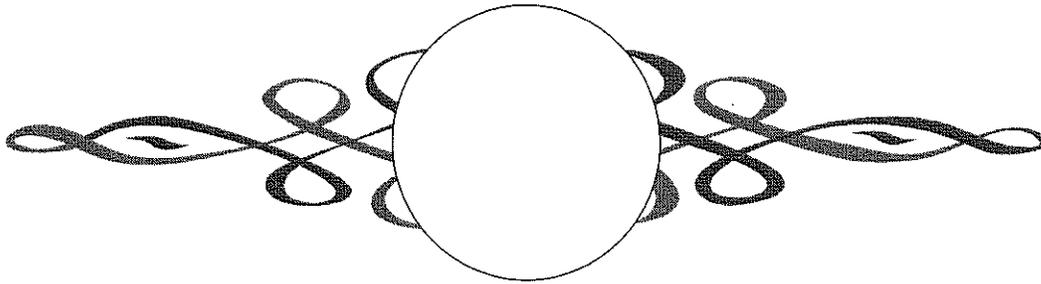
[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

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

REMINDERS:

June 9	Plan Commission	7:00 p.m.
June 21	Common Council	6:30 p.m.

THE CITY OF FRANKLIN



WHEREAS, the Franklin Senior Citizens, Inc. is an established not-for-profit corporation in the City of Franklin that is open to all Franklin residents who are 55 years of age and older; and

WHEREAS, the Franklin Senior Citizens, Inc. was first established on May 19, 1971 with a beginning membership of 64 and has grown to a current membership of 195, has served the Franklin community for the past 40 years; and

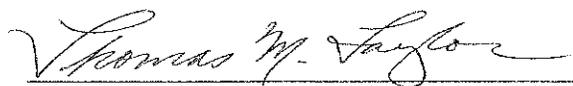
WHEREAS, the Franklin Senior Citizens, Inc. has a long history of community volunteering, local leadership, and supportive relationships that have enhanced the dignity and independence of its Franklin Seniors; and

WHEREAS, some of the volunteering efforts of the Franklin Senior Citizens include volunteering on a daily basis at the Milwaukee County City Hall Senior Meal Site with serving, cleanup, and taking reservations; volunteering at the yearly Senior Health & Wellness Day sponsored by the Franklin Health Department; volunteering at the yearly Franklin Christmas Tree Lighting event; collecting food for the local food pantries; volunteering for the Franklin 4th of July Parade; sponsoring students at various American Legion events; as well as organizing and running the Franklin Seniors Walking Club at the Milwaukee County Sports Complex that began in 2002 and is open to all Milwaukee County residents; and

WHEREAS, the volunteering efforts and dedication shown by the Franklin Senior Citizens organization in making a difference in the Franklin community is so very important and appreciated.

NOW, THEREFORE, I, Thomas M. Taylor, Mayor of the City of Franklin, do hereby extend hearty congratulations and commend the Franklin Senior Citizens, Inc. for their 40 years of outstanding achievements, community service, and dedication.

Dated: June 1, 2011


Thomas M. Taylor, Mayor

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

CERTIFICATE OF RECOGNITION AND GRATITUDE

CASPER GREEN

WHEREAS, our nation's heritage is based on citizen involvement and citizen participation; volunteerism is of enormous benefit in building a better community; and

WHEREAS, the dedication of volunteers who conduct the City and public's business is often unrecognized despite the essential services they perform and the quality of life they improve through their humble efforts; and

WHEREAS, Casper Green has dedicated a tremendous amount of his valuable time to the City of Franklin through his extensive involvement with the Franklin Senior Citizens as well as serving as a member of the City's Negotiations Committee and presently, since 2005, as a member of its Personnel Committee; and

WHEREAS, Casper Green, a tireless advocate for all senior citizens in Franklin, having served as President of the Franklin Senior Citizens, Inc. for 16 years from 1995 to 2011, who was extremely instrumental in establishing the Franklin Senior Meal Program dining site, who regularly attends Franklin Common Council meetings in order to apprise the Franklin Senior Citizens on the upmost current issues and happenings of the Franklin community; and whose #1 focus is and always has been on the seniors of this community; and

WHEREAS, Casper Green, who has been contributing his numerous skills and abilities to Milwaukee County since retiring in 1994, was inducted into the Milwaukee County Senior Citizen Hall of Fame in 2007; and

WHEREAS, Casper Green was the grand prize winner of the 2010 Milwaukee County Golden Idol Senior Talent Competition; and

WHEREAS, the City of Franklin is privileged to express special appreciation and gratitude to Casper Green for his hard work, sacrifices, and unselfish spirit of dedication to the citizens of the City of Franklin. Simply put, as quoted by one of Casper's supporters, "he is truly one in a million, with a limitless heart and devotion."

NOW, THEREFORE, I, Thomas M. Taylor, Mayor of the City of Franklin, do hereby publicly recognize and thank Casper Green and join all of Franklin in expressing our sincere gratitude for his loyal and conscientious service and outstanding contributions to the residents and community of Franklin, Wisconsin.

Dated at Franklin, Wisconsin, this 1st day of June, 2011.


Thomas M. Taylor, Mayor

D.1.

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, June 7, 2011, 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 City of Franklin 2025 Future Land Use Map for property located at 11255 West St. Martins Road, from Mixed Use to Institutional (New Hope Community Church, Inc., applicant). The property which is the subject of this application bears tax key no. 799-9973-000, consisting of approximately 0.6 acres of 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. 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 14th day of April, 2011.

Sandra L. Wesolowski
City Clerk

N.B. Class I

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/07/11</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:

Economic Development Commission

Alderman Wilhelm, 3 yr. term expires 4/15/14

Board of Review

James Luckey, 5th District nomination

City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

2011 NOV 23 11:14 AM
CITY OF FRANKLIN

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 James J. Luckey
Address 4925 W. Rawson Ave Franklin 53132
Phone Number (414) 421-6539
E-Mail luckeyjim@yahoo.com
Length of Time a Franklin Resident 38 years
Alderman or District Number #3

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 Board | <input type="checkbox"/> Civic Celebrations |
| <input type="checkbox"/> Community Development Authority | <input type="checkbox"/> Economic Development Commission |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Ethics Board |
| <input type="checkbox"/> Fair Commission | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> Fire and Police Commission | <input type="checkbox"/> Board of Health |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Parks Commission |
| <input type="checkbox"/> Personnel Committee | <input type="checkbox"/> Plan Commission |
| <input type="checkbox"/> Board of Public Works | <input checked="" type="checkbox"/> Board of Review |
| <input type="checkbox"/> Technology Commission | <input type="checkbox"/> Board of Water Commissioners |
| <input type="checkbox"/> Board of Zoning and Building Appeals | <input type="checkbox"/> Facility Needs Committee |
| <input type="checkbox"/> Impact Fee Task Force | <input type="checkbox"/> Waste Facilities Monitoring Committee |

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

Being semi-retired I now have time to do volunteer for the Franklin community that has served me well. My business experience should be of benefit.

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: J.+M. LUCKEY'S Tire + Service	Address: 401 S. 705th. Mil. 53214	Telephone: (414) 476-LUCK -5825
Date started: Oct. 12, 1981	Starting Position: Owner	
Date left: Dec. 31, 2007	Position upon leaving: Owner	
Description of duties: Hands on management of entire operation		

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

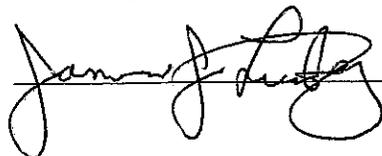
Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

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.

B.A. - Business Admin. - UWM - 1971

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:

5/26/11

Tony Megna
10321 W Church St
Franklin, WI .553132
June 1st 2011

F.I.

To Honorable Mayor Tom Taylor
And city alderman

Dear Mayor Taylor

I own six acre on Church St and Hwy 100 which has been in my wife family since the late 1800 , I have owned this parcel of land since 1980 which at the time was zoned for farming . I had the zoning changed to B2 zoning in 1982 because of prospective tenant at that time which fell through.

The reason for this letter is to request permission to farm five of the six acres and eliminate the cost of cutting the weeds

I still may have time for spring planting, if it's to late for planting I would then plant in the fall.

Mr. Mayor I hope you and the council can grant me permission to farm my property, it's better to grow a crop than to grow weeds

Sincerely,

Tony Megna
Tony Megna

<p>APPROVAL <i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE 6/7/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Fire Department donation of \$25 from Mr. & Mrs. Frank Dethloff</p>	<p>ITEM NUMBER <i>G.I.a.</i></p>

The City of Franklin Fire Department has received a donation from Mr. & Mrs. Frank Dethloff in the amount of \$25 to be used towards safety and education activities.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$25 from Mr. & Mrs. Frank Dethloff.



City of Franklin

May 3, 2011

Mr. and Mrs. Frank Dethloff
7227 S. Foxcroft Court
Franklin, WI 53132

Dear Karen and Frank:

On behalf of all of us at the Franklin Fire Department thank you so much for the \$25.00 donation. It was not necessary for you to thank us in this way. Are hope is that all is well. We will place your gift in our fire donation account that can be used for a variety of department related safety and education activities. Again, thank you very much.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Martins', written over a horizontal line.

James Martins
Fire Chief
City of Franklin Fire Department

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/07/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Donation from Black Bear Bottling LLC of flavored water products to the Fire Department</p>	<p>ITEM NUMBER</p> <p><i>G.1.6.</i></p>

The City of Franklin Fire Department has received a donation of flavored water products from Black Bear Bottling LLC to be used in the fire stations or at the scene of a fire call.

COUNCIL ACTION REQUESTED

Motion to accept the donation of flavored water products from Black Bear Bottling LLC.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/07/2011
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REPORTS & RECOMMENDATIONS	Department of Public Works donation of \$50 from Target, Inc.	ITEM NUMBER <i>G.I.C.</i>
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The City of Franklin Public Works Department has received a donation from Target, Inc. in the amount of \$50.00 for supplies for the 10th Annual City Wide Clean-Up and Arbor Day Event held on April 30, 2011. These funds were used for snacks to distribute to the approximately 150 volunteers who participated in this event.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$50.00 from Target, Inc. which was used for supplies for the 10th Annual City Wide Clean-Up and Arbor Day Event.

<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;">6/7/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">City of Franklin's Community Development Block Grant Program Projects for 2011</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.2.</i></p>

At their July 13, 2010 meeting, the Common Council approved a motion authorizing the Director of Administration to submit applications for the 2011 Milwaukee County Community Development Block Grant Program (CDBG), to authorize the necessary CDBG funding contracts, if approved as submitted, and to oversee administration of the grant funding. We recently received for execution the 2011 CDBG agreements from Milwaukee County for the three projects for which the City applied; however, all three agreements reflect an across-the-board decreased funding amount of 7.6% than what the City requested (see below table). Since the above mentioned motion of July 13, 2010 gave the Director of Administration authorization to execute the CDBG funding contracts **if they were approved as submitted**, the Director of Administration is apprising the Council of the City's final 2011 Milwaukee County CDBG funding amounts for its three projects and recommends the Council authorize him to execute these said CDBG agreements between the City and Milwaukee County.

City funding is dependent upon the actual total dollar amount available to Milwaukee County and the number of Milwaukee County municipalities that participate. The County indicates that the total County allocation was actually reduced 17.7%, but they were able to keep the 2011 impact down to 7.6% by applying previously unallocated funds. The City's reduction, therefore, is consistent with the Countywide impact. Additionally, it should be noted that an expectation of the Milwaukee County CDBG program is that no more than 15% of a municipality's project dollars should go towards Public Service projects, or social service type programs not involving construction. The City's 2011 CDBG project amounts, as approved by Milwaukee County, are at 25.3% Public Service expenditures. As such, I do not recommend requesting that monies from Project 3 be diverted to Projects 1 and 2.

	<u>Amounts Applied For</u>	<u>Final Milw. Co. Approved Amounts</u>
1. Senior Citizen Activities (includes Senior Travel Program)	\$ 8,700	\$ 8,038 (-7.6%)
2. Home Support Services (Southwest Interfaith)	5,000	4,620 (-7.6%)
3. Handicap Accessibility Sidewalk to Clare Meadows	<u>40,500</u>	<u>37,422</u> (-7.6%)
TOTAL	\$54,200	\$50,080 (-7.6%)

Please note that the original Council Action Sheet for proposed projects did not recommend the Claire Meadows Sidewalk project due to a need for "approximately \$50,000 in non-CDBG resources". Through project phasing (first phase to Minnesota Avenue), the 2011 demand was estimated to be reduced to about \$30,000, but the cut in CDBG funding adds another approximately \$2,500 to this need. There is currently \$50,000 unspecified available in the Capital Improvement Fund.

The Director of Administration recommends approval and authorization to execute the 2011 CDBG agreements between Milwaukee County and the City of Franklin. If the motion is approved, I will inform the various organizations of the necessary cut in the 2011 funding as required by the reduction in federal funding.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to execute the 2011 Community Development Block Grant Agreements between Milwaukee County and the City of Franklin and to oversee administration of the grant funding.

<p style="text-align: center;">APPROVAL</p> <p><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;">June 7, 2011</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Approval of the Concept of a Primary Duty Assignment as Full-Time Crime Prevention Officer and Authorization to negotiate and execute the necessary Memorandum of Understanding with the Franklin Police Officers Association</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G. 3.</i></p>

Attached is a proposal from the Police Chief relative to a full-time Crime Prevention Officer which was reviewed by the Personnel Committee on May 16, 2011. The Personnel Committee recommended the Common Council approve the Police Chief's proposal.

Crime Prevention Officer is currently an extra duty assignment performed by certain officers in the department, similar to Evidence Technician, Senior Citizen Liaison, Property Room Custodian, etc. As the Police Chief indicates, a number of current Patrol Officers currently perform such related duties on a part-time basis along with their other Patrol Officer responsibilities. It is the Police Chief's intent to consolidate and expand on some of these duties to improve efficiencies and to prepare the department for the future by enhancing the use of technology tools in communication and information collection and distribution with the public. As such, one Patrol Officer would be assigned the primary duty assignment of Crime Prevention Officer, with other individuals continuing to provide a supporting role on a reduced, part-time basis.

Normally, the assignment of duties within a department would not require Common Council involvement. The Chief, however, strongly believes that for the position to be most effective the Patrol Officer assigned would need to work a shift more closely paralleling a regular work week and the needs of the position. The Police Chief desires to assign the individual to a shift approximately 10:00 a.m. to 6:00 p.m., Monday – Friday, while anticipating some flexibility between 8:00 a.m. and 7:00 p.m.. This shift schedule is not provided for by the current labor agreement; therefore, prior to implementing the primary duty assignment of full-time crime prevention officer a Memorandum of Understanding (MOU) with the Franklin Police Officers Association is necessary.

It is useful to clarify the action steps that are required. For example, the Chief's wording implies a new "position" is being created, which is not the case. The individual remains a Patrol Officer and will be available for full police officer duties at the Chief's discretion (although it is expected that the individual will be busy full-time dealing with crime prevention efforts and tasks). This proposal does not create a new position or job description or cause a new employee to be hired.

The primary contract change will be the creation of a Crime Prevention Officer Primary Duty Assignment shift as noted above. There will also be some administrative details addressing the issue of an 8 hour shift versus the current 8.25 hour shift. In order to keep this proposal cost neutral compared to the traditional 5/2, 5/3 shift, the individual will be granted 3 hours of comp time per pay period. It is assumed that the individual will then use these hours to take off holidays (such as Thanksgiving) that occur during the week. In this manner, the proposal is effectively cost neutral; although there could be some limited cost because the comp time language allows the individual to have these few days paid out and then work during that holiday. This parallels the method previously used for the School Liaison Officer.

Similarly, it is expected that the MOU will address the Chief's plan to allow seniority to prevail in the selection of this individual from those who are already assigned one of the part-time CPO duty assignments.

Naturally, the MOU may address other related items to clarify the details of the assignment, as is the nature of any such negotiation, but that no wage or benefit items will be significantly impacted.

Since the MOU will not have any significant cost impact, staff recommends that the Director of Administration and Police Chief be authorized to negotiate and execute the agreement provided it is substantially consistent with the concept as set forth above.

COUNCIL ACTION REQUESTED

Motion to approve the concept of a Primary Duty Assignment as Full-Time Crime Prevention Officer and to authorize the Director of Administration and Police Chief to negotiate and execute a Memorandum of Understanding with the Franklin Police Officers Association to allow for such implementation provided there are no significant additional wage or benefit costs.

FULL TIME CRIME PREVENTION OFFICER

The police department currently utilizes 6 officers on a part time basis to perform crime prevention duties. These officers routinely get pulled from their regular patrol duties to perform this function.

The police department recommends creating a full time Crime Prevention Officer (CPO). This officer would be the department's primary employee responsible for the coordination of crime prevention services. The department would retain several officers trained in crime prevention to assist as needed for larger scale crime prevention functions, but their involvement would be limited and occasional.

In order for the CPO to have maximum effectiveness and efficiency, his/her primary hours of duty would be Monday through Friday 10:00AM-6:00PM, although this schedule would be flexible based on the needs of the department.

Duties of the CPO will include: Neighborhood and Business Watch Programs, Residential Security Surveys, Identify Theft Prevention Program, Crime Stoppers, National Night Out, Bike Rodeo, Crime Prevention Booth, Internet Safety Program, Robbery Response Training, Elderly Crime Prevention, Child Fingerprinting Program, Child Safety Seat Inspection Program, Vacation Home Check Program, Gang Graffiti Awareness and Prevention Program, Community Satisfaction Surveys, Grant Applications and Implementation.

In addition, the newly created CPO position would be responsible for managing the department's forthcoming E Services delivery system. The Phoenix Citizen Reporting program will deliver a number of services over the internet. Some of the services eventually intended to be delivered electronically are: Accident Report downloading, Open Record Requests, Vacation Home Check Requests, Parking Permissions, Crime Mapping and Minor Complaint Self Reporting. The intent is to gradually increase the number and scope of services the police department delivers over the internet. In light of tight budgets, it is critical we find more efficient and effective ways to deliver services to the public. E Services is one of the primary ways to do this.

The creation of a full time CPO position would require a Memorandum Of Understanding with the Police Union as it would be a newly created position. Union leadership has been consulted and have agreed to the concept and proposed working conditions of this position.

There is no change in monetary compensation with this plan. The officer taking this position would receive on average, 6.5 hours of compensatory time off per month to adjust from a rotating off group schedule of 2002 hours/year to a 5 day a week schedule of 2080 hours/year schedule.

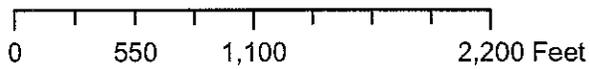
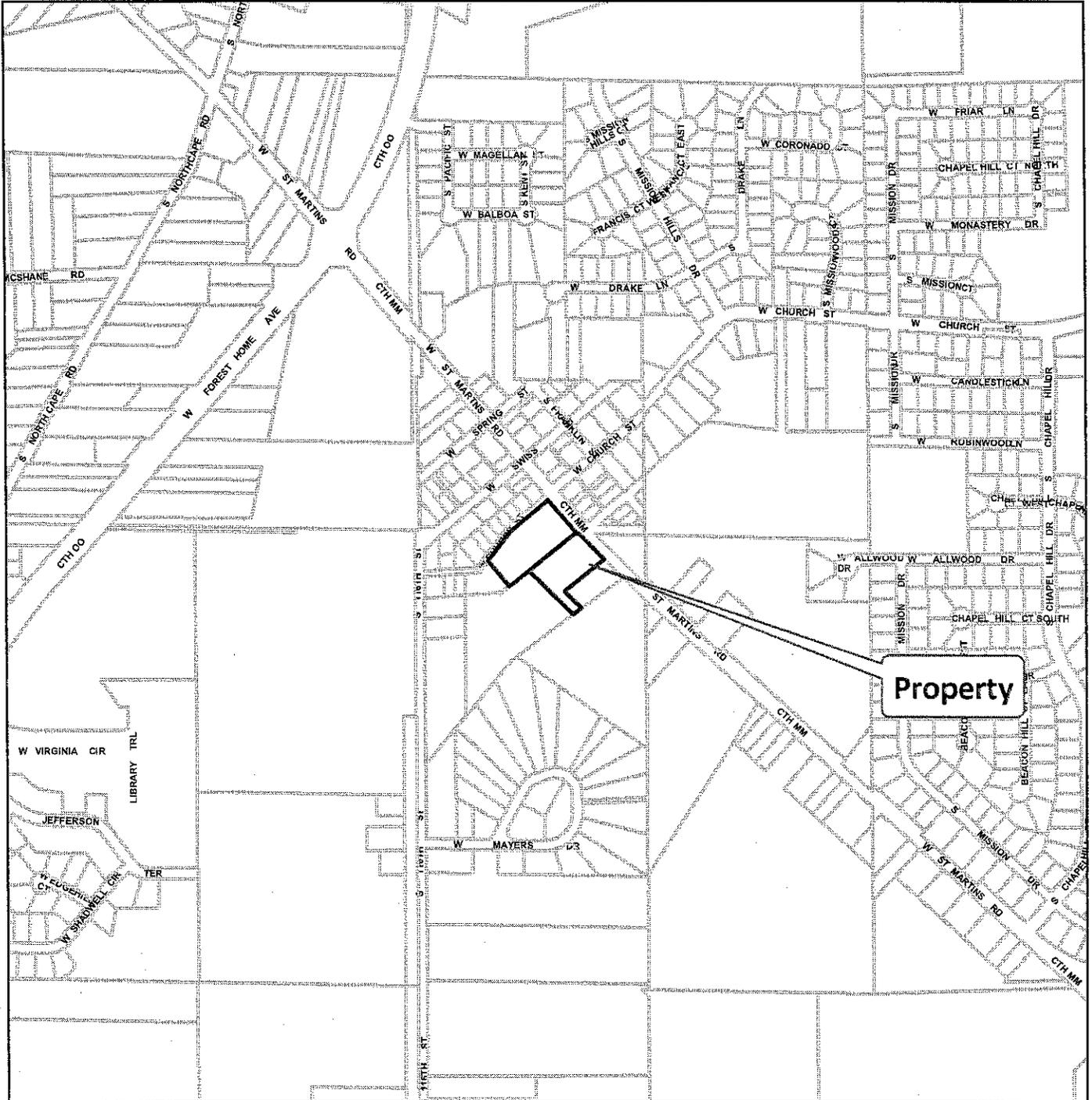
<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/07/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">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 11255 WEST ST. MARTINS ROAD FROM MIXED USE TO INSTITUTIONAL (APPROXIMATELY 0.6 ACRES) (NEW HOPE COMMUNITY CHURCH, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>6.4</i></p>

At its May 5, 2011, meeting the Plan Commission recommended approval 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 11255 West St. Martins Road from Mixed Use to Institutional (Approximately 0.6 acres) (New Hope Community Church, Inc., Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2011-_____, 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 11255 West St. Martins Road from Mixed Use to Institutional (Approximately 0.6 acres) (New Hope Community Church, Inc., Applicant).

11255 & 11321 W. St. Martins Road



City Development 2011
(2010 Aerial Layer)



ORDINANCE NO. 2011-_____

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 11255 WEST ST. MARTINS ROAD FROM MIXED USE TO INSTITUTIONAL (APPROXIMATELY 0.6 ACRES) (NEW HOPE COMMUNITY CHURCH, INC., 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, New Hope Community Church, Inc. has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at 11255 West St. Martins Road, from Mixed Use to Institutional; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on May 5, 2011, 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 City of Franklin 2025 Future Land Use Map for property located at 11255 West St. Martins Road, from Mixed Use to Institutional; 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 June 7, 2011; 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 City of Franklin 2025 Future Land Use Map designation for property located at 11255 West St. Martins Road from Mixed Use to Institutional.

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.

ORDINANCE NO. 2011-_____

Page 2

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 _____, 2011, 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 _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

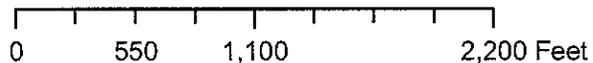
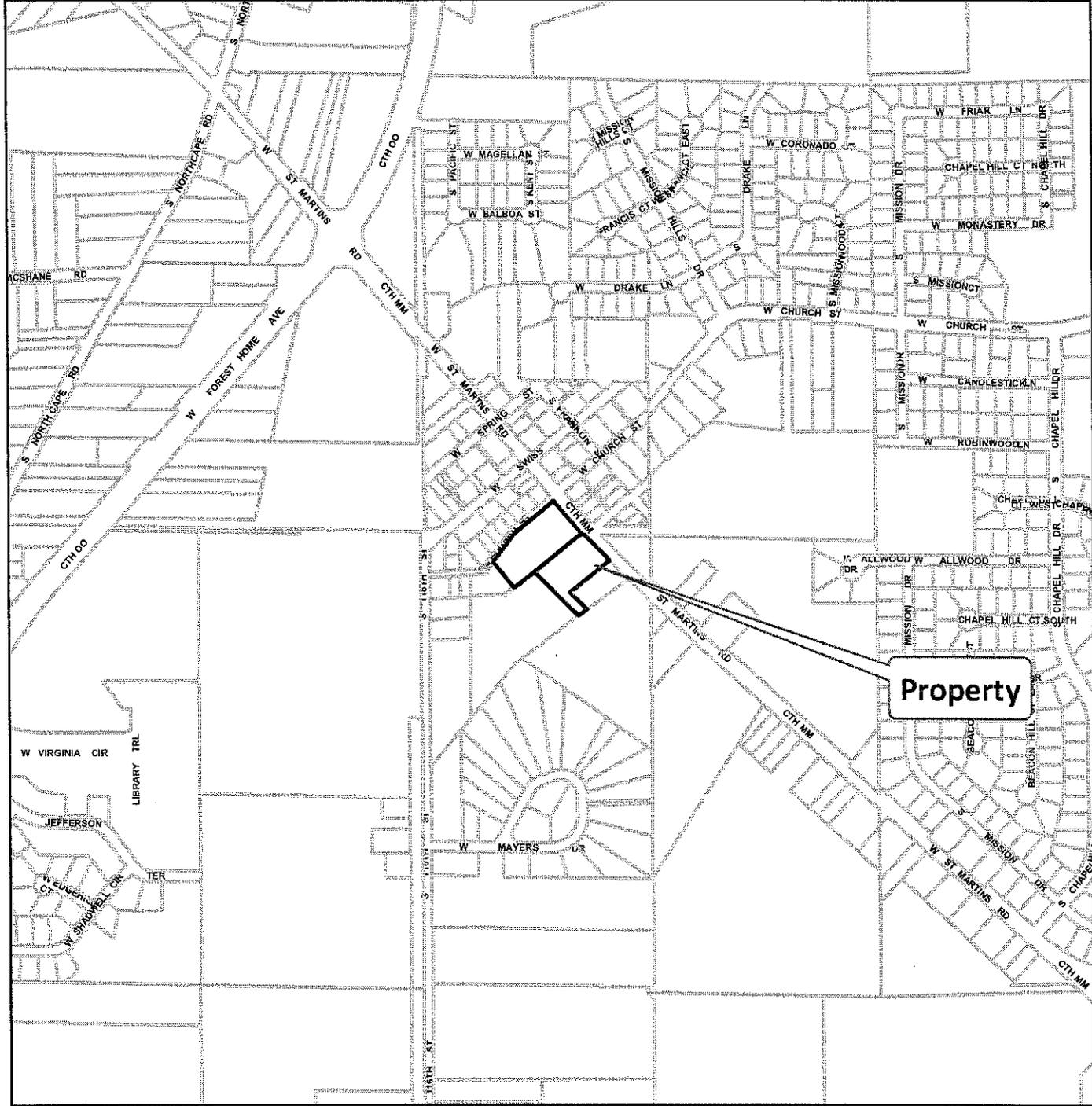
<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/07/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM VB VILLAGE BUSINESS DISTRICT TO I-1 INSTITUTIONAL DISTRICT (11255 WEST ST. MARTINS ROAD) (APPROXIMATELY 0.6 ACRES) (NEW HOPE COMMUNITY CHURCH, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>6.5.</i></p>

At its May 5, 2011, meeting the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from VB Village Business District to I-1 Institutional District (11255 West St. Martins Road) (Approximately 0.6 acres) (New Hope Community Church, Inc., Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2011-_____, an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from VB Village Business District to I-1 Institutional District (11255 West St. Martins Road) (Approximately 0.6 acres) (New Hope Community Church, Inc., Applicant).

11255 & 11321 W. St. Martins Road



City Development 2011
(2010 Aerial Layer)



STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2011-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE
(ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM VB VILLAGE
BUSINESS DISTRICT TO I-1 INSTITUTIONAL DISTRICT
(11255 WEST ST. MARTINS ROAD)
(APPROXIMATELY 0.6 ACRES)
(NEW HOPE COMMUNITY CHURCH, INC., APPLICANT)

WHEREAS, New Hope Community Church, Inc. having petitioned for the rezoning of a certain parcel of land from VB Village Business District to I-1 Institutional District, such land being located at 11255 West St. Martins Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 5th day of May, 2011, 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 VB Village Business District to I-1 Institutional District:

All that part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Northeast corner of the Northeast 1/4 of Section 18; thence N 88°47'56" W along the North line of said section, 1715.21 feet to a point on the South line of West St. Martins Road and the point of beginning of lands to be described; thence N 40°13'34" W along said South line, 13.32 feet to a point; thence S 50°42'49" W, 355.68 feet to a point; thence S 45°17'04" E, 74.18 feet to a point; thence N 50°42'56"

E, 352.78 feet to a point on the South line of West St. Martins Road; thence N 45°17'04" W, along said South line 41.31 feet to a point; thence N 40°13'34" W, along said South line 19.37 feet to the point of beginning. Said lands containing 26,072 square feet (0.60 acres). Tax Key No. 799-9973-000; and

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 and the recording of the Certified Survey Map combining the lands described in and subject to this ordinance, which map was approved pursuant to a resolution adopted on even-date herewith.

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION

Meeting of May 5, 2011

Rezoning, Certified Survey Map, and Comprehensive Master Plan Amendment

RECOMMENDATION: Department of City Development staff recommends approval of the Rezoning, Certified Survey Map, and Comprehensive Master Plan Amendment requests, subject to the conditions of approval in the attached draft ordinance and resolutions.

Project Name:	New Hope Community Church Rezoning, Certified Survey Map, and Comprehensive Master Plan Amendment.
Project Location:	11321 and 11255 West St. Martins Road
Property Owner:	New Hope Community Church, Inc. and Kenneth & Cheryl Sweeney
Applicant:	New Hope Community Church, Inc.
Agent:	Russell Raposa, One Source Design, LLC
Current Zoning:	I-1 Institutional District and VB Village Business District
2025 Comprehensive Plan:	Institutional and Mixed Use
Use of Surrounding Properties:	Single-family residential to the north, south and west and Wegner's St. Martins Inn and single-family residential to the east
Applicant's Action Requested:	Recommendation to the Common Council for approval of the Rezoning, Certified Survey Map, and Comprehensive Master Plan Amendment.

Introduction and Background:

On March 22, 2011, Mr. Raposa of One Source Design, LLC, submitted applications for a Certified Survey Map (CSM), Comprehensive Master Plan Amendment, and Rezoning. These applications have been submitted in anticipation of a future 11,000 square foot addition to New Hope Community Church. The applicant indicates that the land proposed to be added to the existing New Hope Community Church property is needed for additional parking, storm water management facilities, and to meet the lot coverage and landscape surface ratio zoning requirements of the I-1 Institutional District.

New Hope Community Church is a permitted use in the I-1 Institutional District. The building was previously used as the Holy Assumption Catholic Church. The Site Plan was originally approved by the Plan Commission at their November 16, 2000, meeting via Resolution No. 2000-11, when New Hope Community Church proposed an addition to the building for Sunday school classrooms, offices and storage space. The item was tabled at the November 2, 2000, meeting for consideration of stucco throughout the proposed addition or cleaning and exposing the original Cream City brick. The final approval allowed the EFIS addition and included a condition that "no part of existing church building shall be modified, demolished or diminished without prior consent of the Plan Commission, except as necessary to allow the addition

approved by this Resolution.” The building is not listed on the Federal or State Register of Historical buildings; however the Milwaukee County Historical Society designated the structure a Milwaukee County Landmark in 1998. An amendment to the site plan was approved in 2002 to add an accessory building to the site (Resolution No. 2002-144).

The proposed addition will require Site Plan Amendment approval by the Plan Commission. The applicant has indicated the church is still fundraising for the addition and has not yet established a timeline for the future expansion. The expansion is for a multi-purpose facility, which would include a gymnasium and stage. Included in your packets is a preliminary site plan. The applicant went before the Development Review Team on July 29, 2010, and received preliminary staff comments. Approval of the Rezoning, Certified Survey Map, and Comprehensive Master Plan Amendment does not constitute Site Plan approval. The Site Plan provided is preliminary and further review will be required upon submittal of a Site Plan Amendment Application.

Project Description:

Rezoning:

The applicant is proposing to acquire a portion of an adjacent parcel and combine the land with the New Hope Community Church property. The church property is zoned I-1 Institutional District, however, the adjacent property is zoned VB Village Business District. Therefore, the land being acquired must be rezoned to I-1 Institutional District to avoid split zoning, which is prohibited per Section 15-3.0103A.3. of the Unified Development Ordinance. The land proposed to be rezoned has an area of approximately 0.6 acres and is described in the Rezoning Exhibit and Rezoning Ordinance (attached). The revised parcels are shown on the proposed Certified Survey Map.

Certified Survey Map:

The applicant is proposing a Certified Survey Map (CSM) that would shift a portion of the south property line of the existing New Hope Community Church lot further south by approximately 75 feet, reducing the size of the lot to the south by the same amount. Lot 1 of the proposed CSM, which would encompass the New Hope Community Church property, has an area of 145,041 square feet. Lot 2 of the proposed CSM has an area of 61,147 square feet. The applicant is proposing I-1 Institutional District zoning for all of Lot 1, while Lot 2 will retain its existing VB Village Business District zoning. Lot 1 of the proposed CSM meets the minimum lot area requirement of the I-1 Institutional District. Similarly, Lot 2 of the proposed CSM meets the minimum lot area requirement of the VB Village Business District.

The Certified Survey Map (CSM) submitted for Plan Commission review contains a minor technical omission that will have to be corrected prior to recording. The applicant must add “and dedication accepted” after the word approved on page 7 of 7. This and any other technical omissions or errors must be corrected prior to recording with Milwaukee County per Condition No. 1 of the draft resolution. The applicant will also have to submit a written Conservation Easement to match the Conservation Easement details on page 3 of the CSM, per Condition No. 3 of the draft resolution.

Comprehensive Master Plan Amendment:

The applicant is proposing to amend the 2025 Comprehensive Master Plan specifically to revise the Future Land Use map, in order to ensure that the rezoning request described in this report is consistent with the Future Land Use map. The applicant's narrative provides statements to demonstrate that the amendment to change the subject area from Mixed Use to Institutional is consistent with the mission and vision statements of the 2025 Comprehensive Master Plan. In summary, the applicant has stated the multi-purpose facility will: promote an active and healthy lifestyle; preserve and enhance the City's community character, including individual planning area identities (Village of St. Martin's), while directing growth and development; will protect natural resources; preserve and enhance the City's community character; and will create jobs. Please see the applicant's project narrative for further details.

Staff Recommendation:

Department of City Development staff recommends approval of the Rezoning, Certified Survey Map, and Comprehensive Master Plan Amendment requests, subject to the conditions of approval in the attached draft ordinance and resolutions.

New Hope Community Church
Rezoning Narrative

City Development

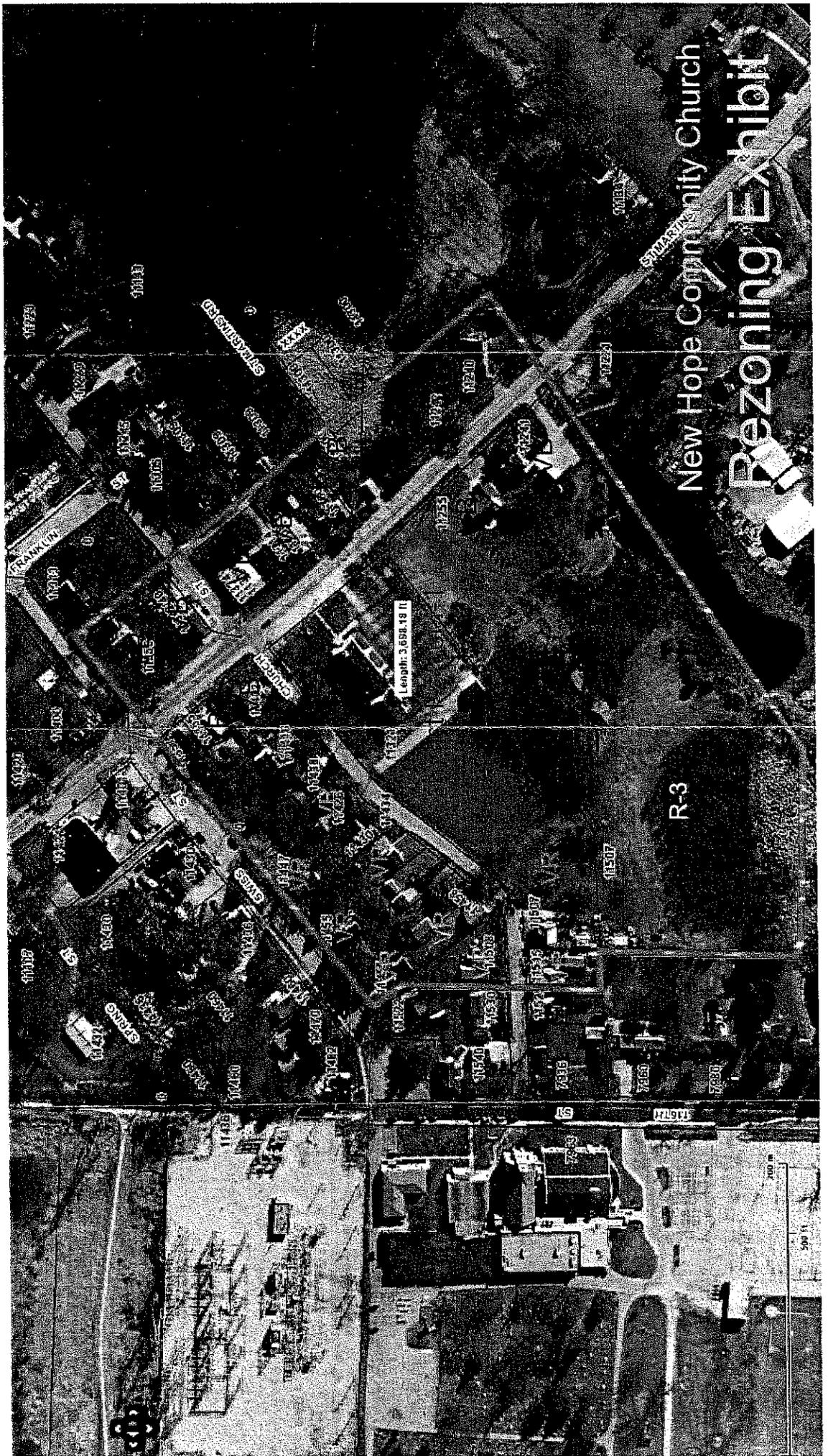
New Hope Community Church is looking to their continued growth as an opportunity to expand their building to house a Multi-Purpose Facility. The Multi-purpose Facility would house a stage and gymnasium. This addition would be used to for larger gatherings for the congregation as well as those in the local community looking for places that can accommodate large groups or small sporting events **(Referenced as Goal #4 Promote an active & healthy Lifestyle. in the Goals and Objectives Section of Chapter 2 in Franklins 2025 Comprehensive Master Plan)**. In order to achieve the goals set forth, New Hope Community Church is requesting the rezoning from VB to I1 and combination of the two parcels (Tax Keys #799-9973-000 & 799-9974-001). This re-zoning would allow the church to move forward on their plans for the addition. The added land would afford the church to meet zoning requirements for green space and lot coverage as well as storm water management facilities.

New Hope Community Church is cognizant of the City of Franklins concerns of preserving the community feel of the St Martin's historic district and it natural resources **(Goals #1 Preserve and enhance the City's community character, including individual planning area identities, while directing growth and development. & #2 Protect environmental resources. in the Goals and Objectives Section of Chapter 2 in Franklins 2025 Comprehensive Master Plan)**. Knowing these are concerns New Hope Community Church will preserve the village feel in the development of its addition as well as keeping the natural resources that will be located on the newly formed parcels intact as they are today.

The new facility would also promote the healthy lifestyle that Franklin refers to in its Comprehensive Master plan by providing a spiritual and recreational facility that can be used to directly impact the local community. **(Goals #1 Preserve and enhance the City's community character, including individual planning area identities, while directing growth and development)**

This Expansion would also impact employment to the surrounding community by providing construction jobs for the better part of the year that it would take to construct the facility **(Referenced as Goal #12 Create Jobs. in the Goals and Objectives Section of Chapter 2 in Franklins 2025 Comprehensive Master Plan)**. Although, it would be short term it would also impact the surrounding commercial businesses in the immediate area of the construction.

New Hope Community Church looks forward to continuing this process with the cooperation of the City of Franklin.



New Hope Community Church

Rezoning Exhibit

Length: 2,694.19 ft

R-3

200 ft
500 ft

<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;">06/07/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING LOCATED IN ALL THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (NEW HOPE COMMUNITY CHURCH, INC.) (11321 AND 11255 WEST ST. MARTINS ROAD)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.6</i></p>

At its May 5, 2011, meeting the Plan Commission recommended approval of a resolution conditionally approving a 2 lot certified survey map, being located in all that part of the southwest 1/4 of the southeast 1/4 of Section 7, and part of the northwest 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (New Hope Community Church, Inc.) (11321 and 11255 West St. Martins Road).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2011-_____, a resolution conditionally approving a 2 lot certified survey map, being located in all that part of the southwest 1/4 of the southeast 1/4 of Section 7, and part of the northwest 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (New Hope Community Church, Inc.) (11321 and 11255 West St. Martins Road).

RESOLUTION NO. 2011-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING LOCATED IN ALL THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(NEW HOPE COMMUNITY CHURCH, INC.)
(11321 AND 11255 WEST ST. MARTINS ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being located in a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 11321 and 11255 West St. Martins Road, bearing tax key nos. 799-9974-001 and 799-9973-000, New Hope Community Church, Inc., applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by New Hope Community Church, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

NEW HOPE COMMUNITY CHURCH, INC. – CERTIFIED SURVEY MAP
RESOLUTION NO. 2011-_____

Page 2

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. New Hope Community Church, Inc., successors and assigns, and any developer of the New Hope Community Church, Inc. 2 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the New Hope Community Church, Inc. 2 lot certified survey map project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon New Hope Community Church, Inc. and the 2 lot certified survey map project for the property located at 11321 and 11255 West St. Martins 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 the Certified Survey Map, certified by owners, Kenneth Sweeney and Cheryl Sweeney, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, Kenneth Sweeney and Cheryl Sweeney, 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 _____, 2011.

NEW HOPE COMMUNITY CHURCH, INC. – CERTIFIED SURVEY MAP
RESOLUTION NO. 2011-_____

Page 3

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

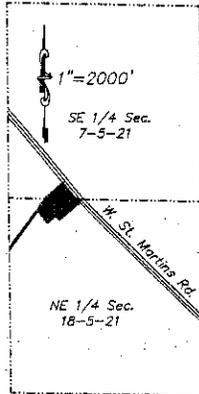
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CERTIFIED SURVEY MAP NO.

Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



GRAPHIC SCALE

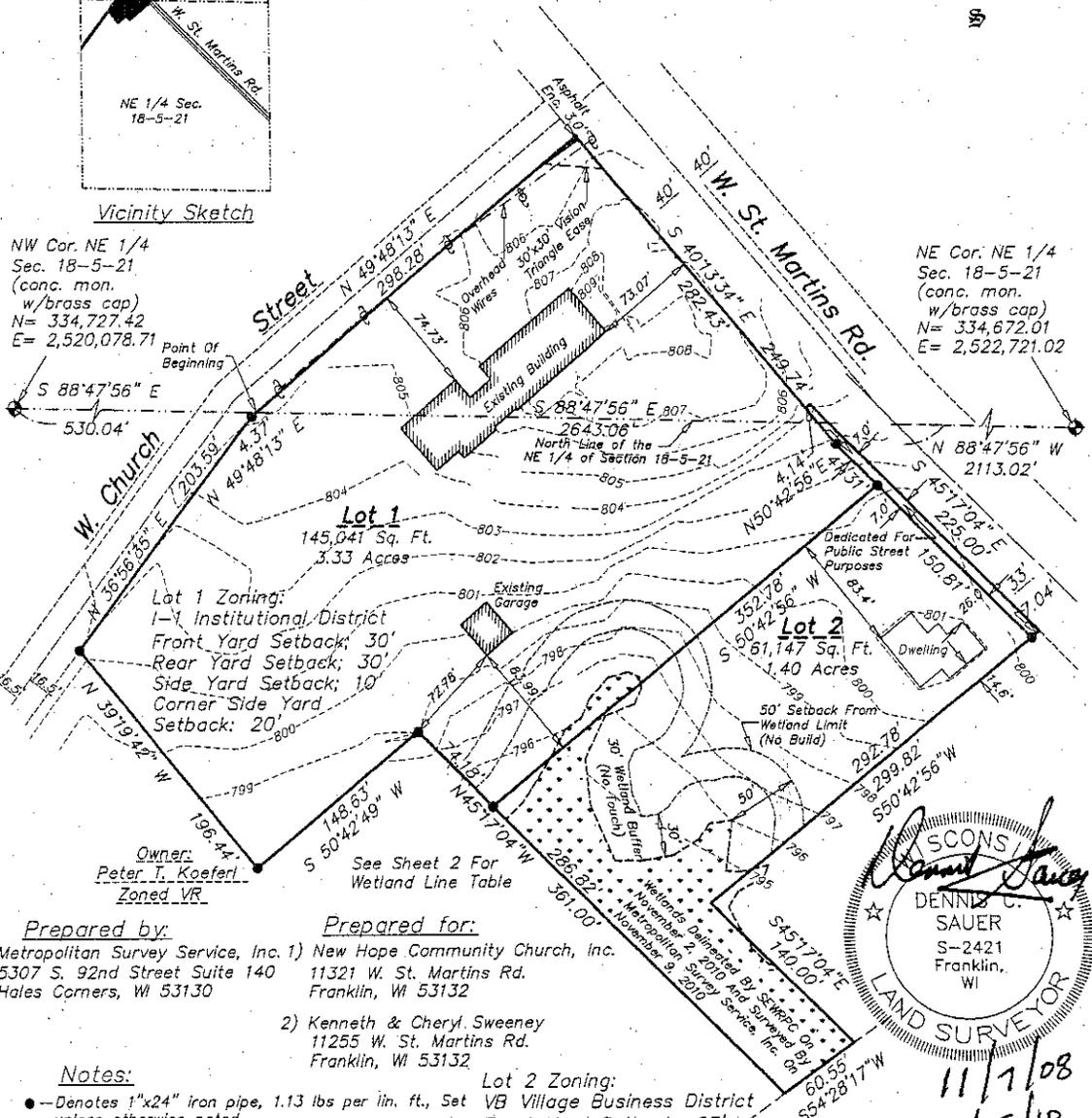


1 inch = 100 Ft.



NW Cor. NE 1/4 Sec. 18-5-21 (conc. mon. w/brass cap) N= 334,727.42 E= 2,520,078.71

NE Cor. NE 1/4 Sec. 18-5-21 (conc. mon. w/brass cap) N= 334,672.01 E= 2,522,721.02



Owner: Peter J. Koefel Zoned VR

Prepared for:

- Prepared by: Metropolitan Survey Service, Inc. 1) New Hope Community Church, Inc. 5307 S. 92nd Street Suite 140 Hales Corners, WI 53130
- 2) Kenneth & Cheryl Sweeney 11255 W. St. Martins Rd. Franklin, WI 53132

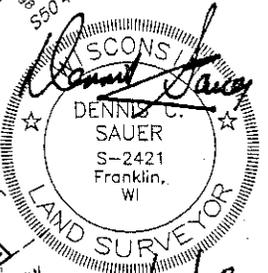
Notes:

- Denotes 1"x24" iron pipe, 1.13 lbs per lin. ft., Set unless otherwise noted.
- ◊ Denotes Power Pole

This C.S.M. is served by municipal sanitary sewer and water.

Map bearings refer to Grid North of the Wisconsin State Plane Co-ordinate System, South Zone, with the North line of the NE 1/4 of Section 18, T5N, R21E having an assumed bearing of S 88°47'56" E.

Lot 2 Zoning: VB Village Business District Front Yard Setback; 25' Rear Yard Setback; 20' Side Yard Setback; 5' Corner Side Yard Setback; 15'



11/7/08
11/15/10
4/19/11

Franklin

APR 22 2011

City Development



CERTIFIED SURVEY MAP NO. _____

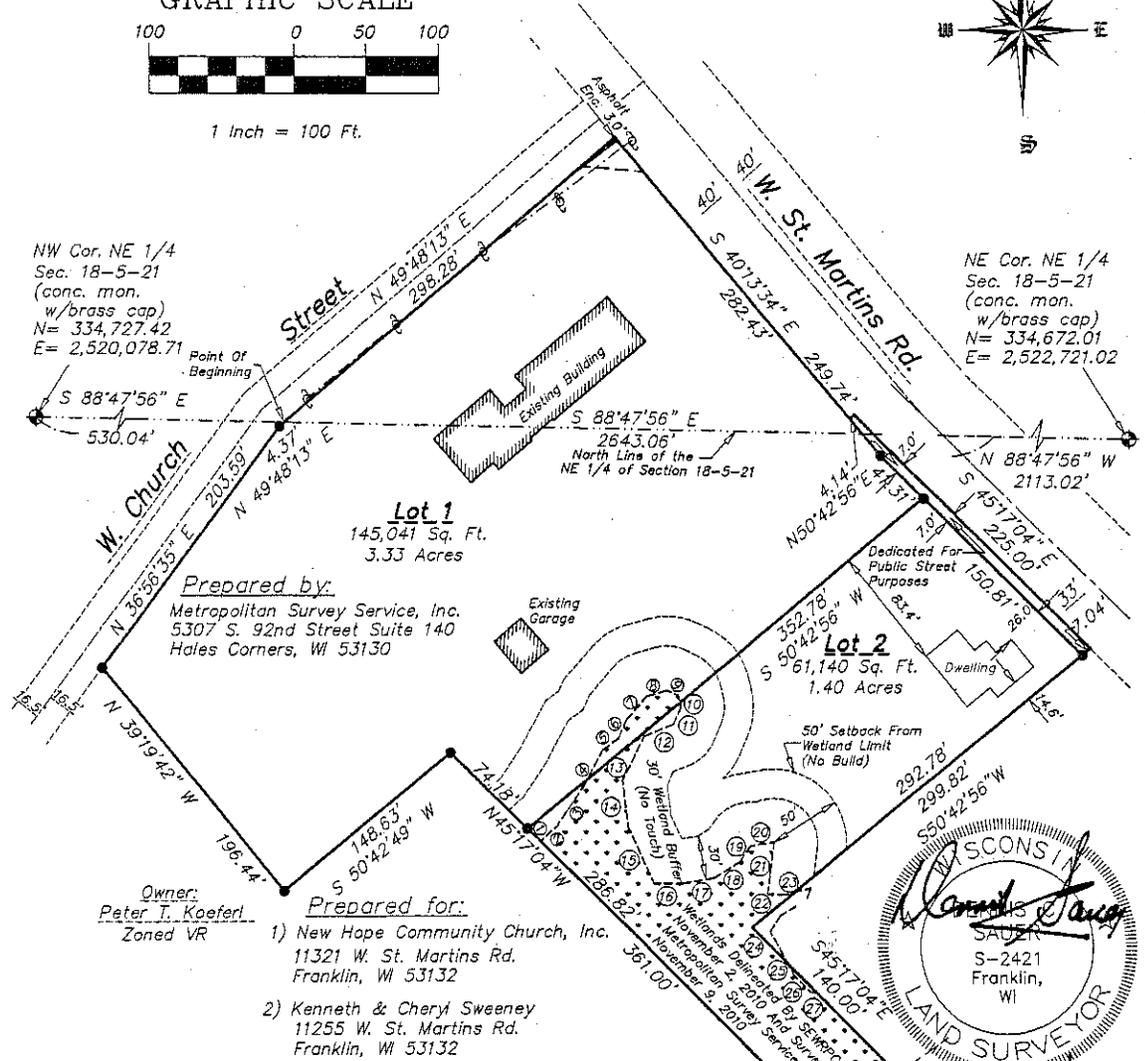
Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Wetland Detail

GRAPHIC SCALE



1 Inch = 100 Ft.



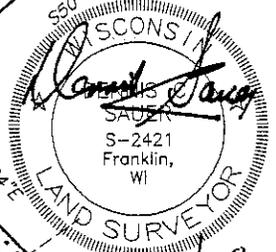
NW Cor. NE 1/4
Sec. 18-5-21
(conc. mon.
w/brass cap)
N= 334,727.42
E= 2,520,078.71

NE Cor. NE 1/4
Sec. 18-5-21
(conc. mon.
w/brass cap)
N= 334,672.01
E= 2,522,721.02

Prepared by:
Metropolitan Survey Service, Inc.
5307 S. 92nd Street Suite 140
Hales Corners, WI 53130

Owner:
Peter J. Koefler
Zoned VR

- Prepared for:
- 1) New Hope Community Church, Inc.
11321 W. St. Martins Rd.
Franklin, WI 53132
 - 2) Kenneth & Cheryl Sweeney
11255 W. St. Martins Rd.
Franklin, WI 53132



11/7/08
11/15/10
4/19/11

WETLAND LINE TABLE					
LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
1	S 45°17'04" E	12.37'	14	S 06°33'47" E	32.76'
2	N 47°29'59" E	15.87'	15	S 24°25'35" E	41.83'
3	N 33°33'44" E	32.02'	16	S 89°31'29" E	19.45'
4	N 28°11'29" E	28.01'	17	N 80°37'06" E	21.98'
5	N 53°33'37" E	13.92'	18	N 57°43'31" E	21.33'
6	N 23°36'47" E	13.97'	19	N 34°34'35" E	12.91'
7	N 41°26'06" E	20.85'	20	N 81°30'27" E	16.44'
8	N 74°44'50" E	14.34'	21	S 07°35'11" W	35.71'
9	S 65°16'28" E	8.49'	22	S 87°42'55" E	11.09'
10	S 13°05'04" E	7.69'	23	N 76°42'37" E	8.30'
11	S 23°33'33" W	12.83'	24	S 45°17'04" E	33.48'
12	S 67°51'49" W	22.03'	25	S 28°57'26" E	9.55'
13	N 26°09'04" E	33.25'	26	S 46°10'17" E	16.88'
			27	S 77°07'35" W	2.87'

CERTIFIED SURVEY MAP NO.

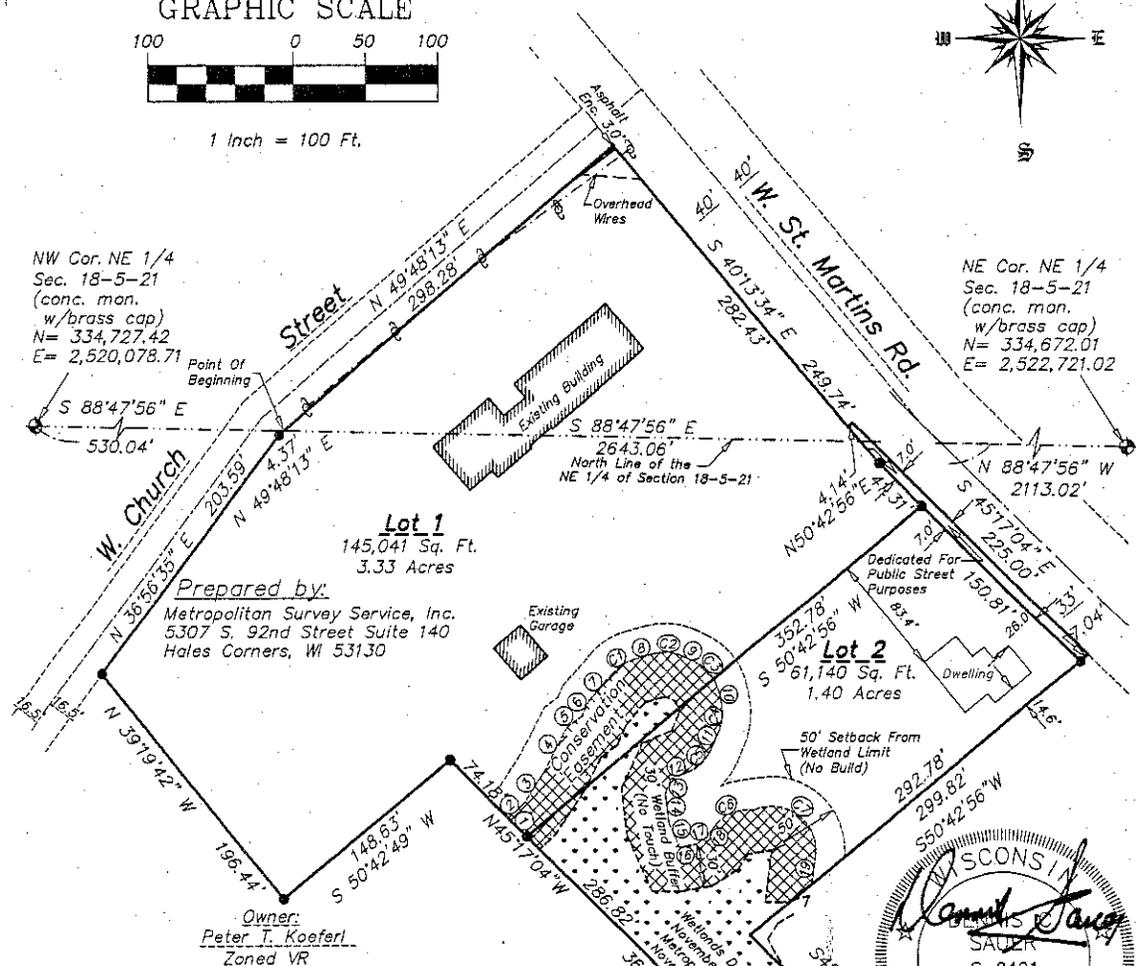
Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Conservation Easement

GRAPHIC SCALE



1 Inch = 100 Ft.



NW Cor. NE 1/4
 Sec. 18-5-21
 (conc. man.
 w/brass cap)
 N= 334,727.42
 E= 2,520,078.71

NE Cor. NE 1/4
 Sec. 18-5-21
 (conc. man.
 w/brass cap)
 N= 334,672.01
 E= 2,522,721.02

Prepared by:
 Metropolitan Survey Service, Inc.
 5307 S. 92nd Street Suite 140
 Hales Corners, WI 53130

Owner:
 Peter T. Koefler
 Zoned VR



Prepared for:
 1) New Hope Community Church, Inc.
 11321 W. St. Martins Rd.
 Franklin, WI 53132
 2) Kenneth & Cheryl Sweeney
 11255 W. St. Martins Rd.
 Franklin, WI 53132

11/7/08
 11/15/10
 7/19/11

LINE	BEARING	LENGTH
1	S 45°17'04" E	17.67'
2	N 47°29'59" E	13.66'
3	N 33°33'44" E	26.95'
4	N 28°11'29" E	33.36'
5	N 53°33'37" E	12.65'
6	N 23°36'47" E	10.65'
7	N 41°26'06" E	25.56'
8	N 74°44'50" E	14.34'
9	S 65°16'28" E	8.49'
10	S 13°05'04" E	7.69'
11	S 23°33'33" W	12.83'
12	S 67°51'49" W	12.76'
13	S 21°50'03" W	10.41'
14	S 06°33'47" E	20.45'
15	S 24°25'35" E	17.57'
16	N 80°37'06" E	11.18'
17	N 57°43'31" E	9.11'
18	N 34°34'35" E	6.76'
19	S 07°32'47" W	20.70'

Curve	Length	Radius	Chord	Chd. Bearing
C1	17.44'	30.00'	17.20'	S 58°05'28" W
C2	20.93'	30.00'	20.51'	N 85°15'49" W
C3	27.33'	30.00'	26.39'	N 39°10'46" W
C4	19.19'	30.00'	18.86'	N 05°14'14" E
C5	23.20'	30.00'	22.62'	N 45°42'41" E
C6	32.90'	30.00'	31.27'	S 65°59'28" W
C7	62.94'	30.00'	52.01'	N 54°17'26" W



Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Dennis C. Sauer, Registered Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Northeast corner of the Northeast 1/4 of Section 18; thence N 88°47'56" W along the North line of said section, 2113.02 feet to a point on the South line of West Church Street and the point of beginning of lands to be described; thence N 49°48'13" E along said South line, 298.28 feet to a point on the South line of West St. Martins Road; thence S 40°13'34" E along said South line 249.74 feet to a point; thence N 50°42'56" E along said South line 4.14 feet to a point; thence S 45°17'04" E along said South line, 225.00 feet to a point; thence S 50°42'56" W, 299.82 feet to a point; thence S 45°17'04" E, 140.00 feet to a point; thence S 54°28'17" W, 60.55 feet to a point; thence N 45°17'04" W, 361.00 feet to a point; thence S 50°42'49" W, 148.63 feet to a point; thence N 39°19'42" W, 196.44 feet to a point on the South line of West Church Street; thence N 36°56'35" E along said South line, 203.59 feet to a point; thence N 49°48'13" E along said South line 4.37 feet to the point of beginning. Excepting the North 7.00' of the East 225.00 feet for public street purposes. Said lands containing 206,188 square feet (4.73 acres).

That I have made such survey, land division and map by the direction of, New Hope Community Church, Inc., and Kenneth Sweeney owners of said land.

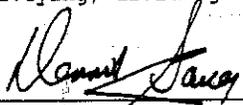
That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code in surveying, dividing and mapping the same.

NOVEMBER 7, 2008
Date

11/15/10

9/19/11


Dennis C. Sauer
Registered Land Surveyor S-2421





Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE

Kenneth and Cheryl Sweeney, husband and wife, as owners, do hereby certify that we have caused the lands described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin State Statutes and the Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code in surveying, dividing and mapping the same.

IN WITNESS WHEREOF, the said Kenneth and Cheryl Sweeney has caused these presents to be signed at _____, Wisconsin, this _____ day of _____, 20__.

Kenneth Sweeney

Cheryl Sweeney

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20__, Kenneth and Cheryl Sweeney to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____



11 | 7 | 08
11 | 15 | 10
4 | 19 | 11



Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

New Hope Community Church, Inc., a Wisconsin corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that it has caused the lands described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin State Statutes and the Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code in surveying, dividing and mapping the same.

IN WITNESS WHEREOF, the said New Hope Community Church, Inc., has caused these presents to be signed by Donald Spielman, President, at _____, Wisconsin, this _____ day of _____, 20____.

New Hope Community Church, Inc.:

Donald Spielman, President

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20____, Donald Spielman, President of New Hope Community Church, Inc., to me known to be the person who executed the foregoing instrument and acknowledged the same.

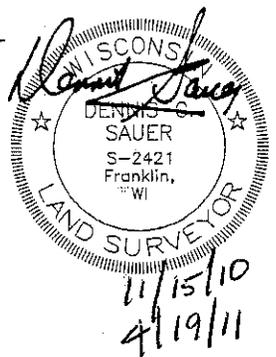
Notary Public-State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

U.S. Bank, N.A., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this map and does hereby consent to the above certification of owner.

IN WITNESS WHEREOF, the said U.S. Bank, N.A., has caused these presents to be signed by _____, (title) _____, at _____, Wisconsin, this _____ day of _____, 20____.

Signed _____
Print Name and Title: _____





Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Southeast 1/4 of Section 7, and part of the Northwest 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

CONSENT OF CORPORATE MORTGAGEE CONTINUED

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20____,
_____, (Title) _____ of U.S. Bank,
N.A., to me known to be the person who executed the foregoing instrument
and acknowledged the same.

Notary Public-State of Wisconsin
My Commission Expires: _____

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of Franklin, Resolution No.
_____, on this _____ day of _____, 20____.

Thomas M. Taylor, Mayor
City of Franklin

Sandra L. Wesolowski, Clerk
City of Franklin



THIS INSTRUMENT WAS DRAFTED BY:
Dennis C. Sauer, R.L.S. S-2421

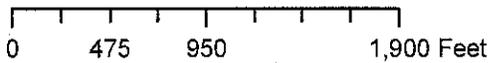
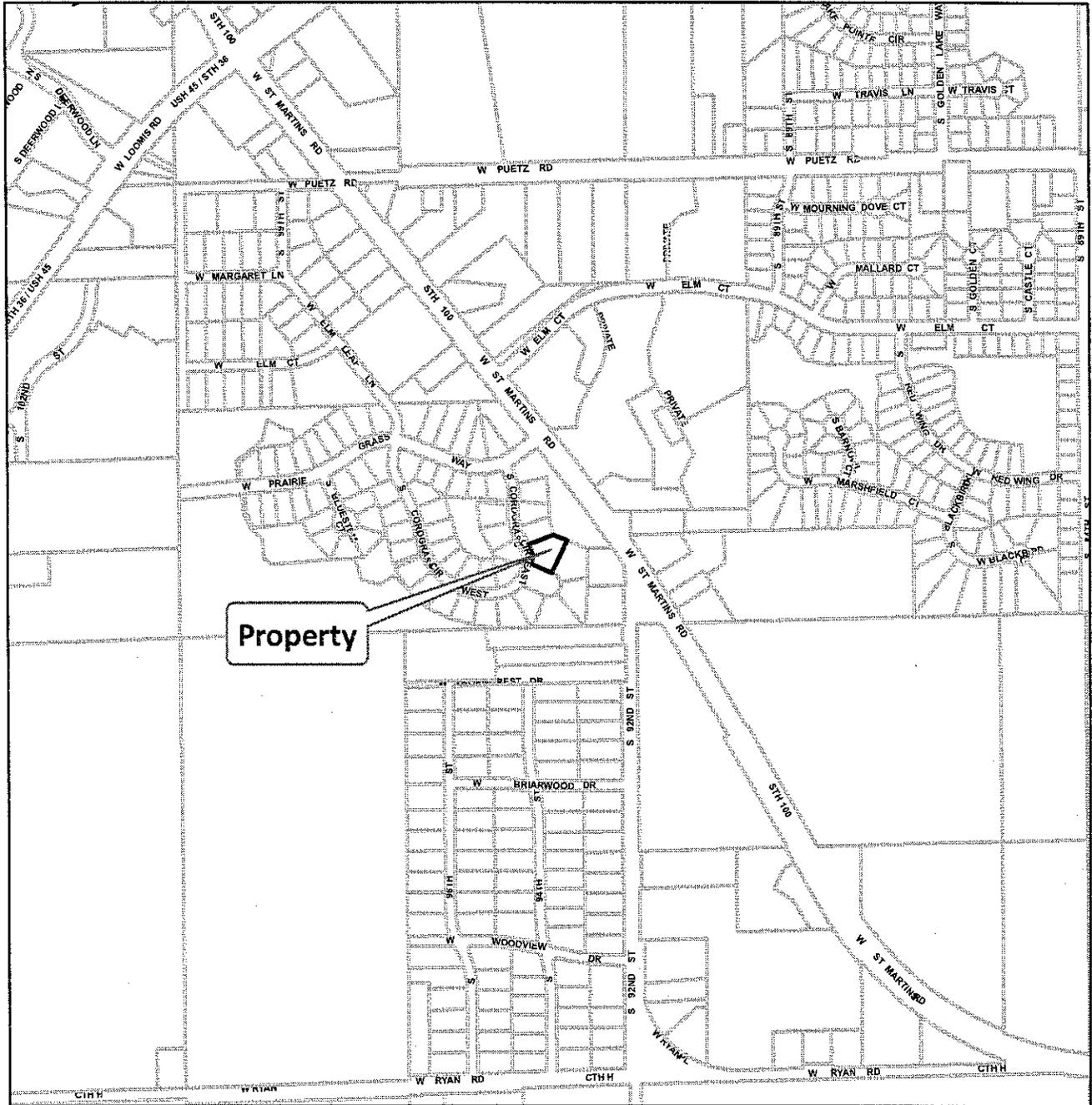
<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/07/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR 9030-32 S. CORDGRASS CIR. CONDOMINIUMS AT 9030-9032 SOUTH CORDGRASS CIRCLE EAST LOT 45 PRAIRIE GRASS PRESERVE SUBDIVISION (WATERSTONE BANK SSB, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.7.</i></p>

At its May 19, 2011, meeting, the Plan Commission recommended a resolution conditionally approving a condominium plat for 9030-32 S. Cordgrass Cir. Condominiums at 9030-9032 South Cordgrass Circle East Lot 45 Prairie Grass Preserve Subdivision, subject to parties creating condominium association documents that the City Attorney and Planning staff review and approve for items of interest to the City (Waterstone Bank SSB, Applicant).

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2011-_____, conditionally approving a condominium plat for 9030-32 S. Cordgrass Cir. Condominiums at 9030-9032 South Cordgrass Circle East Lot 45 Prairie Grass Preserve Subdivision (Waterstone Bank SSB, Applicant).

9030-9032 S. Cordgrass Circle East TKN 847-0084-000



City Development 2011
(2010 Aerial Layer)



**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of May 19, 2011****Condominium Plat**

RECOMMENDATION: City Development Staff recommends approval of the Condominium Plat for Waterstone Bank SSB, at 9030-9032 South Cordgrass Circle East, subject to the conditions in the attached draft resolution.

Project Name:	9030-32 S. Cordgrass Cir. Condominiums
Project Address:	9030-9032 South Cordgrass Circle East
Applicant:	Waterstone Bank, SSB
Owner:	Waterstone Bank, SSB
Zoning:	R-7 Two-Family Residence District
Use of Surrounding Properties:	Existing condominiums and an outlot containing a wetland and stormwater pond to the north, and vacant lots to the south east and west.
2025 Comprehensive Plan:	Residential – Multi-Family
Applicant Action Requested:	Recommendation of approval to the Common Council for the proposed Condominium Plat Application upon property located at 9030-9032 South Cordgrass Circle East.

INTRODUCTION AND ANALYSIS:

Please note that:

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

On April 19, 2011, Waterstone Bank, SSB, filed a Condominium Plat Application with the Department of City Development for property located at 9030-9032 South Cordgrass Circle East. The applicant is proposing to divide the existing duplex on the property into two condominium units, which requires a Condominium Plat to be reviewed and approved by the Plan Commission and Common Council pursuant to the Unified Development Ordinance.

The subject lot is Lot 45 of the Prairie Grass Preserve Subdivision. Lot 45, and the adjacent lots are zoned R-7 Two-Family Residence District. The proposed Condominium Plat is consistent with the 2025 Comprehensive Master Plan, as the future land use designation for the property is Residential – Multi-Family.

According to the Milwaukee County Automated Mapping and land Information System (MCAMLIS), Fifteen (15) out of twenty-nine (29) duplex lots in the two-family portion of the Prairie Grass Preserve Subdivision have already been converted to condominiums. This includes the adjacent lot to the north, Lot 46 of the Prairie Grass Preserve Subdivision, which is now the 9014-16 S. Cordgrass Circle Condominiums. Although fifteen (15) duplexes have already been converted to condominiums, the 9030-32 S. Cordgrass Cir. Condominium Plat is the first to be reviewed and approved by the City of Franklin.

Staff found two minor technical corrections within the Condominium Plat, which need to be rectified prior to recording of the Condominium Plat. The required changes include, relabeling “Lot 46 Prairie Grass Preserve Subdivision” to “9014-16 S. Cordgrass Circle Condominiums”, and relabeling the zoning of Outlot No. 7 to “R-3 Suburban/Estate Single-Family Residence District”. Both of these minor technical corrections are addressed by Condition No. 1 of the attached resolution.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the Condominium Plat for Waterstone Bank, SSB at 9030-9032 South Cordgrass Circle East, subject to the conditions in the attached draft resolution.

RESOLUTION NO. 2011-_____

A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM
PLAT FOR 9030-32 S. CORDGRASS CIR. CONDOMINIUMS AT
9030-9032 SOUTH CORDGRASS CIRCLE EAST
LOT 45 PRAIRIE GRASS PRESERVE SUBDIVISION
(WATERSTONE BANK SSB, APPLICANT)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a condominium plat for 9030-32 S. Cordgrass Cir. Condominiums, such plat being a division of a part of the Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 20, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 9030-9032 South Cordgrass Circle East, bearing tax key no. 847-0084-000, Lot 45 Prairie Grass Preserve Subdivision, WaterStone Bank SSB, applicant; said Condominium Plat having been reviewed by the City Plan Commission following the reviews and recommendations or reports of the Department of City Development and the City Engineering Department, and the Plan Commission having recommended approval thereof at its meeting on May 19, 2011, pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed condominium plat is appropriate for approval pursuant to law upon certain conditions and is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Condominium Plat for 9030-32 S. Cordgrass Cir. Condominiums, as submitted by WaterStone Bank SSB, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, and that all minor technical deficiencies within the Condominium Plat be rectified, all prior to the recording of the Condominium Plat.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development

A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR
WATERSTONE BANK SSB (9030-32 S. CORDGRASS CIR. CONDOMINIUMS)
RESOLUTION NO. 2011-_____

Page 2

and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. WaterStone Bank SSB, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the 9030-32 S. Cordgrass Cir. Condominiums development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
4. The approval granted hereunder is conditional upon WaterStone Bank SSB and the 9030-32 S. Cordgrass Cir. Condominiums development for the property located at 9030-9032 South Cordgrass Circle East: (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.
5. The 9030-32 S. Cordgrass Cir. Condominiums development project shall be developed in substantial compliance with the terms and provisions of this Resolution.

BE IT FURTHER RESOLVED, that the Condominium Plat for 9030-32 S. Cordgrass Cir. Condominiums be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a condominium plat, the City Clerk is hereby directed to obtain the recording of the Condominium Plat for 9030-32 S. Cordgrass Cir. Condominiums 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 _____, 2011.

A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR
WATERSTONE BANK SSB (9030-32 S. CORDGRASS CIR. CONDOMINIUMS)
RESOLUTION NO. 2011-_____

Page 3

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Project Narrative

Owner proposes to create two condominium units at 9030-32 S Cordgrass Cir, Franklin WI. The property is located in the development known as Prairie Grass Preserve. The neighbor consists of single family homes, duplex homes, and townhouse style condominiums.

Each condominium unit is serviced by its own gas, electric, sewer, and water utilities. Each unit has its own two car garage and individual unit entry.

The proposed condominium for the property is confirming with the area and development.

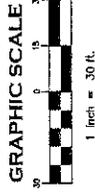
Franklin

MAY 6 2011

City Development



CAPITOL SURVEY ENTERPRISES
 2440 W. WISCONSIN AVE.
 WAUKESHA, WI 53226
 PH: (414) 727-7510
 FAX: (414) 727-7518
 WWW.CAPITOLSURVEY.COM



PREPARED FOR:
 WATERSTONE BANK
 11200 WEST PLANK CT
 WAUWATOSA, WI

Franklin

MAY 6 2011

City Development

SHEET 1 OF 2

9030-32 S. CORDGRASS CIR. CONDOMINIUMS

LOT 45 IN PRAIRIE GRASS PRESERVE, A SUBDIVISION IN THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

CONTAINING 29,733 SQUARE FEET OR 0.68 ACRES
 ADDRESS: 9030 S CORDGRASS CIRCLE EAST

VICINITY MAP
 NE 1/4 20-5-21



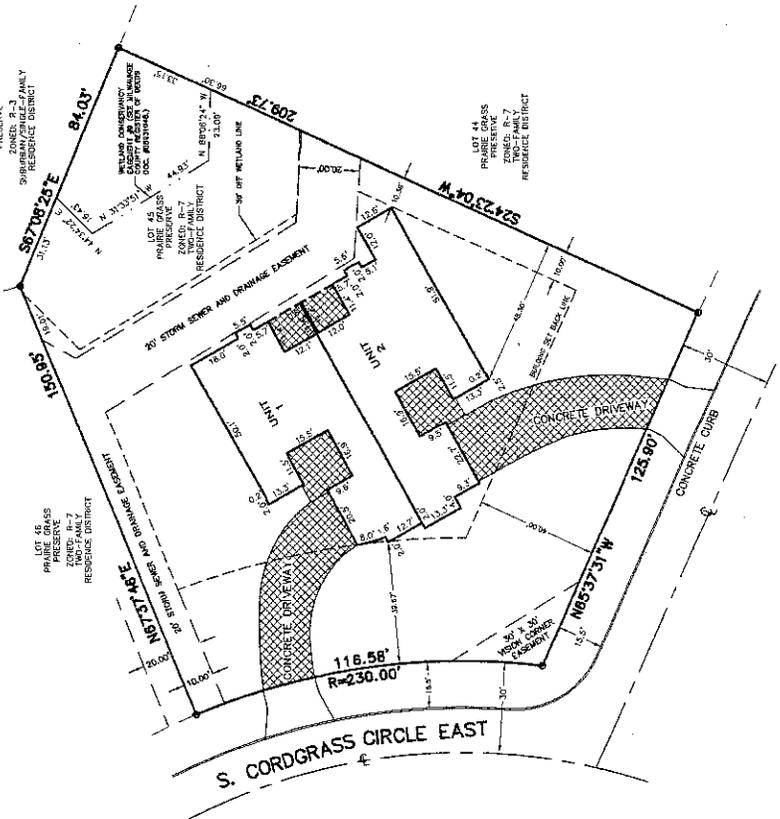
SCALE:
 1" = 200'

LEGEND

UNITED COMMON ELEMENTS, CONSIST OF THE WALKS, PATIOS OR PORCHES, IF ANY, IMMEDIATELY ADJACENT AND APPURTENANT TO EACH UNIT TO WHICH THE DRIVEWAY IMMEDIATELY ADJACENT AND APPURTENANT TO THE GARAGE DOOR TO EACH UNIT

ALL OTHER AREAS ARE EITHER COMMON ELEMENTS OR DESIGNATED UNITS

- UNIT
- WETLAND LINE
- SET BACK LINE
- EASEMENT LINE



REVISED MAY 5, 2011

I, MICHAEL J. BERRY, BEING A LICENSED SURVEYOR AUTHORIZED TO PRACTICE LAND SURVEYING IN THE STATE OF WISCONSIN, DO HEREBY CERTIFY THAT THIS PLAN IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY AND THE INFORMATION CONTAINED THEREIN IS THE DECLARATION OF PRAIRIE GRASS PRESERVE CONDOMINIUM ASSOCIATION AND ITS ATTACHEES. DIAGNOSTIC FLOOR PLANS FOR THE BUILDING AND THE APPROXIMATE DIMENSIONS, FLOOR AREA AND LOCATIONS OF EACH UNIT WITH ALL COMMON ELEMENTS ARE ATTACHED TO THE PLAN.

FEBRUARY 15, 2011

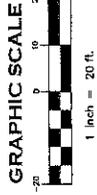
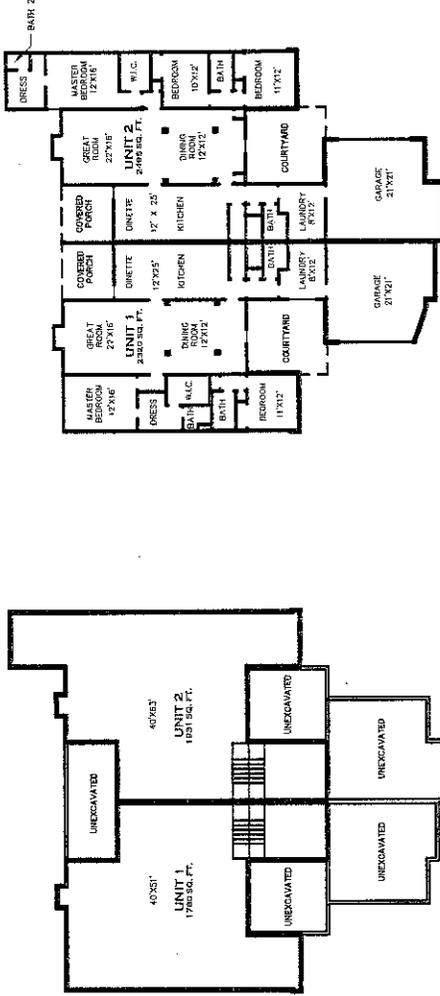
MICHAEL J. BERRY, R.L.S.
 REGISTERED LAND SURVEYOR 5-2545

9030-32 S. CORDGRASS CIR. CONDOMINIUMS

LOT 45 IN PRAIRIE GRASS PRESERVE, A SUBDIVISION IN THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



CAPITOL SURVEY ENTERPRISES
 2467 N. MATYAN BLVD., SUITE 200
 WYOMING, WISCONSIN 53190
 PH: (414) 727-7510
 FAX: (414) 727-7518
 WWW.CAPITOLSURVEY.COM



<p>APPROVAL</p> <p><i>Slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/7/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Job Description for Chief Financial Officer</p>	<p>ITEM NUMBER</p> <p>G.8.</p>

At their meeting of May 17, 2011, the Common Council directed the Director of Administration to prepare and submit a Job Description for Chief Financial Officer.

The attached job description for Chief Financial Officer is consistent with the Common Council's adopted strategy for succession planning in the Finance Department. In fact, as clearly indicated in the "Summary" of the position, it is specifically tailored to the temporary, part-time position as approved in concept. The "Essential Duties and Responsibilities" are similarly drafted and provide for the ability to allocate tasks between this job and the Director of Finance and Treasurer. They clearly highlight "the intent of completing the transition aspect of the succession plan in a timely manner and preparing the new Director of Finance and Treasurer for CFO responsibilities..." Many of the remaining portions of the job description parallel the description for the Director of Finance and Treasurer. To highlight that point and for your convenience I have attached a track-changes version of the document that used the Director of Finance and Treasurer job description as the starting point.

The revised/amended employment agreement for Cal Patterson, also on this agenda, anticipates approval of this job description.

Staff recommends approval.

COUNCIL ACTION REQUESTED

Motion to approve the Job Description for Chief Financial Officer.

CITY OF FRANKLIN
Job Description

Job Title: Chief Financial Officer
Department: Finance
Reports to: Mayor
Salary level: Management/Administrative/Supervisory Level XI
FLSA Status: Exempt
Prepared by: Mark W. Luberda
Prepared Date: June 1, 2011
Approved By: **Common Council Action**
Approved Date: June 7, 2011

Summary:

Also known as CFO, a temporary, part-time position intended to be filled by an existing Director of Finance and Treasurer during the transition phase to a new Director of Finance and Treasurer as part of an overall approved succession plan. Supervise, direct, mentor, and provide guidance and support to a new Director of Finance and Treasurer. Perform portions of the duties of the Director of Finance and Treasurer as necessary to support the planned transition of the job to and development of the new Director of Finance and Treasurer.

Essential Duties and Responsibilities:

Supervise, oversee, mentor, and provide guidance to the Director of Finance and Treasurer with the intent to develop the Director of Finance and Treasurer's familiarity with the requirements of the job and ability to perform the job.

Delegate, move, and/or assign duties, tasks, and authorities between the position of Director of Finance and Treasurer and this CFO position.

Perform the above Essential Duties and Responsibilities with the intent of completing the transition aspect of the succession plan in a timely manner and preparing the new Director of Finance and Treasurer for CFO responsibilities and recognizing that following the transition the Director of Finance and Treasurer will have CFO authority as provided for in the relevant job description.

Retain overall responsibility to ensure all Essential Duties and Responsibilities and requirements of the position of Director of Finance and Treasurer are carried out.

Peripheral Duties:

Perform other duties and assume other responsibilities as apparent or as delegated.

Minimum Qualifications: 5 years as an incumbent Director of Finance and Treasurer with the City of Franklin. "Education and Experience," "Licensing and Certification," and "Necessary Knowledge, Skills and Abilities" as listed in the Director of Finance and Treasurer Job Description

Supervision Received:

Works under the general policy guidance and direction of the Mayor or policies established by the Common Council

Supervision Exercised:

Exercises supervision of the Director of Finance and Treasurer and Accounting Supervisor and/or Deputy Treasurer as delegated as part of the delegation of duties between this position and the Director of Finance and Treasurer. .

Responsibility for Public Contact:

Daily contact requiring courtesy, discretion and sound judgment.

Tools and Equipment Used:

Familiar with computers and computer software including financial, tax, cash receipting, special assessment and payroll software, spreadsheet, database, presentation and word processing software, copy machine, fax machine, 10-key calculator and telephone.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit, talk and hear. The employee is occasionally required to walk; use hands and fingers to operate, handle, or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderately quiet.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

**CITY OF FRANKLIN
Job Description**

Job Title: [Chief Financial Officer](#)
Department: Finance and Treasurer
Reports to: Mayor
Salary level: Management/Administrative/Supervisory Level XI
FLSA Status: Exempt
Prepared by: [Mark W. Luberd](#)
Prepared Date: [June,1, 2011](#)
Approved By: **Common Council [Action](#)**
Approved Date: [June,7, 2011](#)

Summary:

[Also known as CFO, a temporary, part-time position intended to be filled by an existing Director of Finance and Treasurer during the transition phase to a new Director of Finance and Treasurer as part of an overall approved succession plan. Supervise, direct, mentor, and provide guidance and support to a new Director of Finance and Treasurer. Perform portions of the duties of the Director of Finance and Treasurer as necessary to support the planned transition of the job to and development of the new Director of Finance and Treasurer.](#)

Essential Duties and Responsibilities:

[Supervise, oversee, mentor, and provide guidance to the Director of Finance and Treasurer with the intent to develop the Director of Finance and Treasurer's familiarity with the requirements of the job and ability to perform the job.](#)

[Delegate, move, and/or assign duties, tasks, and authorities between the position of Director of Finance and Treasurer and this CFO position.](#)

[Perform the above Essential Duties and Responsibilities with the intent of completing the transition aspect of the succession plan in a timely manner and preparing the new Director of Finance and Treasurer for CFO responsibilities and recognizing that following the transition the Director of Finance and Treasurer will have CFO authority as provided for in the relevant job description.](#)

[Retain overall responsibility to ensure all Essential Duties and Responsibilities and requirements of the position of Director of Finance and Treasurer are carried out.](#)

Peripheral Duties:

Perform other duties and assume other responsibilities as apparent or as delegated.

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Deleted: Supervise, direct, analyze, interpret and communicate the finance and treasury operations of the City to provide management of the departments, information and guidance to the Mayor, Director of Administration, Finance Committee and Common Council Members.

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Deleted: Evaluate, develop, recommend and implement fiscal and treasury policies that will result in sound fiscal and treasury management.¶

¶ Analyze, interpret and communicate financial operating results (monthly, quarterly and through special reports) to provide information and guidance to City officials and departments and provide technical financial support to City departments.¶

¶ Provide high level consultation to City officials on financial and treasury management issues.¶

¶ Prepare complex financial analysis and reports¶

¶ Responsible for establishing and maintaining good internal control polices and procedures to insure proper segregation of duties to the extent possible with available manpower to see that all receipts are properly deposited, all disbursements are properly expended and City assets are safeguarded to the extent possible. To insure the proper review of bank statements is performed on a regular basis, each month's ba... [1]

Minimum Qualifications: 5 years as an incumbent Director of Finance and Treasurer with the City of Franklin. "Education and Experience," "Licensing and Certification," and "Necessary Knowledge, Skills and Abilities" as listed in the Director of Finance and Treasurer Job Description.

Supervision Received:

Works under the general policy guidance and direction of the Mayor or policies established by the Common Council

Supervision Exercised:

Exercises supervision of the Director of Finance and Treasurer and Accounting Supervisor and/or Deputy Treasurer as delegated as part of the delegation of duties between this position and the Director of Finance and Treasurer.

Responsibility for Public Contact:

Daily contact requiring courtesy, discretion and sound judgment.

Tools and Equipment Used:

Familiar with computers and computer software including financial, tax, cash receipting, special assessment and payroll software, spreadsheet, database, presentation and word processing software, copy machine, fax machine, 10-key calculator and telephone.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit, talk and hear. The employee is occasionally required to walk; use hands and fingers to operate, handle, or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderately quiet.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

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Graduation from an accredited college or university with a Bachelor's degree in accounting, four (4) to five (5) years municipal accounting or finance experience, a minimum of two years in public accounting, or any equivalent combination of education and experience.¶

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Deleted: Certified Public Accountant or Certified Public Finance Officer certification.¶

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Deleted: Thorough knowledge of regulations, policies and procedures that apply to accounting and financing in municipal government.¶

¶

Ability to read, analyze and interpret complex documents.¶

¶

Working knowledge of data processing equipment and applications which apply to municipal government.¶

¶

Ability to formulate, initiate and administer policies and procedures for effective fiscal control.¶

Ability to plan, delegate and supervise personnel in a manner that will gain and maintain respect.¶

¶

Ability to maintain effective and respected work relationships with other appointed officials, elected officials, department heads and the general public.¶

¶

Ability to present and communicate ideas and concepts in public and private, both verbally and in writing.¶

¶

Ability to make independent judgments that have highly significant impacts on the organization.¶

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Evaluate, develop, recommend and implement fiscal and treasury policies that will result in sound fiscal and treasury management.

Analyze, interpret and communicate financial operating results (monthly, quarterly and through special reports) to provide information and guidance to City officials and departments and provide technical financial support to City departments.

Provide high level consultation to City officials on financial and treasury management issues.

Prepare complex financial analysis and reports

Responsible for establishing and maintaining good internal control polices and procedures to insure proper segregation of duties to the extent possible with available manpower to see that all receipts are properly deposited, all disbursements are properly expended and City assets are safeguarded to the extent possible. To insure the proper review of bank statements is performed on a regular basis, each month's bank statement reconciliation must be signed and dated by both the preparer and the Director indicating the bank reconciliation was completed, reviewed and was acceptable.

Manage the investment of City funds including making the short term investment decisions for the City in accordance with investment policies and goals, and local, state and federal regulations including maintaining required investment records and preparing necessary reports.

Supervise the annual property tax collection to insure that all funds received are properly credited against taxpayers receivable balance and deposited daily. The timely payment is made to other taxing jurisdictions and the final settlement is timely made to the County.

Supervise the subsequent collection of delinquent personal property taxes to maximize the subsequent collection of these delinquent taxes to the extent possible and the timely chargeback of any uncollected personal property taxes to the taxing jurisdictions.

Act in the lead role in debt management, bond issuance and credit rating issues including determining appropriate times to refinance existing debt to ensure the most efficient use of the City's bond capacity and borrowed monies.

Supervise and maintain the City's payroll operations to ensure the efficient handling of employees' pay, deductions and benefit payments.

Supervise and maintain the City's accounts payable operations to ensure the efficient and timely handling of payment of the City's obligations.

Supervise and maintain the City's special assessment collection system to ensure the proper collection of special assessment receivables from taxpayers when due.

Supervise and maintain the City's cash receipting system to insure the proper receipt, deposit and recording of all funds received.

Supervise and maintain the operation of the financial and treasury data processing systems and analyze and recommend data processing alternatives.

Prepare the annual revenue and expenditure budget forecast, coordinate the requests for capital and operating budget expenditures and summarize the budgets requests for the Mayor, Finance Committee and Common Council all under the general direction of the Mayor. Monitor the changes to the budget as it goes through the review process. Support the departments by preparing, for their review, the departmental personal service budgets and assisting them with budget related issues.

Prepare the annual adopted budget document based on the input received.

Supervise the operation of the Self Insurance Fund including the setting of reimbursement rates from City departments, employees and retirees to insure the solvency of this fund.

Supervise and train assigned personnel, to ensure development of their full potential.

Supervise preparation of the annual audit and prepares the City's Comprehensive Annual Financial Report.

Receive the tax levy certifications from the other taxing jurisdictions and combined with the City of Franklin tax levy information calculate the proper tax increment for the TIF Districts

Prepare the annual property tax rates for use in the annual property tax bills. Calculate the tax bills to insure that the proper amounts get billed to taxpayers.

Maintain all official accounting records and insures that reporting is in conformance with generally accepted government accounting principles.

Insure the statutory duties of Treasurer are performed as required.

Attend meetings, when required, to support financial items. This may include meeting outside of normal business hours.

Provide the Board of Water Commissioners with assistance in financial matters.

Provide the Community Development Authority with assistance in financial matters.

Maintain and catalog permanent records as required by the State.

<p style="text-align: center;">APPROVAL</p> <p><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;">6/7/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Employment Agreement for Calvin Patterson as Director of Finance & Treasurer and Chief Financial Officer</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.9.</i></p>

At their meeting of 5/17/11, the Common Council directed that the Director of Administration submit a proposed, amended employment agreement between the City of Franklin and Cal Patterson. The primary purpose of the revision is to incorporate the approved strategy for succession planning for the department that anticipates a one-year term with the possibility for early termination after six months, potential extensions if needed, and potential, hourly, contracted service following retirement.

The following summarizes the purpose/intent of the primary changes as numbered on the "marked up" version of the agreement (attached).

1. Written to cover that his job title doesn't change until a person is hired as a planned replacement.
2. Reconciles the employment agreement with the Job Description for Chief Financial Officer.
3. Sets the timeline for Cal moving to half time. He has provided a written confirmation of his desired timeline (a copy of which is attached). So, instead of retiring on August 1st, this employment agreement permits him to move to half-time at that point. Since the City does not currently have any half-time managers, the Agreement requires that he report hours worked to the Director of Administration.
4. Sets the initial term as "Chief Financial Officer" to one year, as per Common Council direction. This section eliminates the automatic renewal/extension language that is in the current contract. It retains the ability to extend the contract by 6-month intervals, but any such extension requires Common Council action; it is not automatic.
5. This contract retains the "at-will" status language of the current contract which gives the greatest flexibility for termination moving forward and is an important Human Resources consideration. Although the early termination language matches the Council directive (at 6 months), I recommend retaining the right for termination during that period if it is "for cause" or by mutual agreement.
6. In conjunction with retaining our right to "at-will" status following 180 days (6 months), Cal retains his right to provide a 30-day notice following 180-days.
7. Salary remains at his current rate, but is cut in half at the point he moves to half time. The automatic annual increase clause is eliminated. The incentive pay for not retiring is removed from this contract as it would have expired at the end of June, 2011.
8. Simply indicates that the benefit rate moves to 50% at the time that the hours worked goes to 50%.
9. Incorporates the existing health insurance continuation language into the new term, but starts the clock on the three-year term such that it includes the period during which Cal is working half-time.

10. Addresses existing Severance language since the Non-Rep benefits ordinance didn't anticipate part-time status. Generally, he is to get full-time severance for the years he worked full-time and half-time severance thereafter.
11. Cal's prior contract didn't address dental coverage after full-time employment. This language treats him as other part-time, non-represented employees during his active employment, and similarly extends to him the COBRA option as would be extended to any other separating employee.
12. Sets an agreed upon rate for contracted service following the discontinuation of his role as Chief Financial Officer. The rate approximates his current hourly rate with typical payroll and tax adjustments and is very reasonable for a professional contracted service at this level. The language also notes that authorized appropriations are required; thereby, effectively retaining Common Council control use of this contract feature.

As a continuation of the prior contract and provided the job description for Chief Financial Officer was approved, this agreement fairly addresses a contract term that extends active employment on a half-time basis during the transition period associated with a planned succession strategy. To that end, staff recommends approval.

COUNCIL ACTION REQUESTED

Motion to approve the Employment Agreement between the City of Franklin and Calvin Patterson as Director of Finance & Treasurer and Chief Financial Officer and that said agreement be executed by the Mayor.

EMPLOYMENT AGREEMENT

This agreement made and entered into this ___ day of June, 2011 by and between the City of Franklin (the "Employer") and Calvin A. Patterson (the "Employee").

In consideration of the mutual covenants and promises contained in this agreement, the Employer and the Employee agree as follows:

Section 1. Duties and Position. The Employer hereby agrees to employ the Employee in the capacity of Director of Finance & Treasurer, serving as the City's Chief Financial Officer, until such time that another individual is hired by the Employer as the Director of Finance & Treasurer, at which time the Employee will serve in the capacity of Chief Financial Officer, which position description shall be adopted at the discretion of the Common Council. As Director of Finance & Treasurer the Employee will have the duties and responsibilities to supervise, direct, analyze, interpret and communicate the finance and treasury operations of the Employer; to provide management of the department, information and guidance to the Mayor, Director of Administration, Department Heads, Finance Committee, Common Council, Community Development Authority and Board of Water Commissioners; and as more fully set forth by the City of Franklin "Job Description" approved by the Franklin Common Council on January 17, 2006 and as amended May 17, 2011, to perform such other legally permissible and proper duties and functions, consistent with the scope of the job description, as the Mayor shall from time to time assign. When serving under the job description of Chief Financial Officer, as approved by the Common Council June of 2011 the Employee will have the responsibility for supervision, oversight, and direction of the Director of Finance and Treasurer and will have the authority to allocate duties and responsibilities of the Director of Finance and Treasurer to himself as Chief Financial Officer.

The Employee agrees to continue to perform at a professional level of competence the functions and duties of the position. Employee agrees to and shall be required to use his best efforts at all times to coordinate, streamline and make efficient city operations, under his scope of authority in accordance with the position description. To that end, it shall be the Employee's responsibility to take the initiative in investigating other areas where the financial operations may be coordinated, streamlined or made more efficient and Employee shall make recommendations in these areas. The Employee understands and agrees that an average level of performance is not acceptable under this contract and Employee must consistently exhibit above average skill, diligence and initiative in exercising the duties of this position.

Both parties acknowledge that if workloads exceed reasonable capacities, it will be necessary for the Mayor and/or Common Council to establish written goals and objectives and/or a prioritization of tasks to assist the Employee in the allocation of time and resources.

The Employee agrees to devote the time necessary to complete the duties and responsibilities normally expected of the position during the term of this contract. The Employee and Employer agree, however, that effective August 1, 2011, the Employee shall switch to a schedule and workload equivalent to half-time employment. Employee and Employer further agree that such half-time schedule and workload includes evening meetings; is intended to be an average schedule for the period commencing and following August 1, 2011; and that the Employee does have access to the City's approved Flex-time Policy. The Employee shall track and report hours worked to the Director of Administration.

Additionally, both parties acknowledge that the Employee must routinely devote time outside of normal office hours in the performance of the position's duties and that as an FLSA-exempt employee work hours remain flexible and are not fixed. As such, use of such flexible hours shall not require use of vacation or personal leave balances, provided, however, that such usage may not cover a full-day block of time without approval of the Mayor. The Mayor shall notify the Employee, if it is deemed by the Employer, that the Employee is not balancing said demands reasonably or to the expectations of the City.

During the term of this Agreement, Employee shall not engage in any other employment, occupation, or consulting that would materially conflict or interfere with the performance of Employee's duties and responsibilities without the prior approval of the Mayor.

Section 2. Term of Employment. The initial term of this contract shall commence July 2, 2011, and shall terminate one-year after a new Director of Finance and Treasurer is hired and assumes the duties of the position, except as otherwise provided for herein. Prior to the end of each contract term the Franklin Common Council may take action to extend the contract for a six-month period on the same terms and conditions.

However, it is expressly agreed and understood by the parties hereto that the Employee is an at-will employee of the Employer. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Employer to terminate the services of the Employee at any time, except that during the first 180 days after a new Director of Finance and Treasurer is hired and assumes the duties of the position such termination shall be for cause or by mutual agreement. It is further understood and agreed by the parties hereto that the Employee shall have no property right or vested interest in a renewal contract and no promise to renew shall be binding unless reduced to writing, approved by the Mayor and the Common Council. In the event that Employee is terminated by Employer prior to the end of a contract term, the employee will be deemed to have retired at the date of separation from employment.

Further, following 180 days after a new Director of Finance and Treasurer is hired and assumes the duties of the position, which deadline shall not apply in the event of mutual agreement, nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign/retire at any time

subject only to Employee providing thirty (30) calendar days written notice of the Employee's intent to resign/retire.

Section 3. SALARY. In consideration for the services rendered and effective with the initial term of the agreement, the Employer will continue to pay the Employee the same base salary in effect prior to this amended contract, which amount is \$4,235.77 bi-weekly. Effective 8/1/11 the base salary shall be \$2,117.88 for the remaining terms of the agreement.

Salary payments shall be made in the same manner as salaries of other city employees (currently bi-weekly and direct deposited to financial institution of employee's choice).

Section 4. PERFORMANCE EVALUATION. The Mayor shall review and evaluate the performance of Employee at his discretion. The Mayor shall define such goals and performance objectives for the Employee which the Mayor determines are necessary and required and within the scope of the job description.

Section 5. BENEFITS. Prior to August 1, 2011, except as otherwise provided for herein, the Employee shall be entitled to such benefits as provided in the Ordinance Establishing Benefits for Full Time Non-Represented Management Employees of the City of Franklin and as otherwise established by the Common Council for exempt employees and as may be amended from time to time at the discretion of the Common Council, with the additions/modifications indicated below and with wages/salary as indicated in Section 3 above. Commencing with August 1, 2011, Employee shall be entitled to 50% of such benefits (or at a 50% rate depending how the benefit is best described) as provided in the Ordinance Establishing Benefits for Full Time Non-Represented Management Employees of the City of Franklin and as otherwise established by the Common Council for exempt employees and as may be amended from time to time at the discretion of the Common Council, with the additions/modifications indicated below and with wages/salary as indicated in Section 3 above.

1. Employer upon execution of this agreement agrees to provide full employer paid family health benefit coverage to Employee for a period of three years. However, termination for just cause will void this retiree benefit. Coverage shall be as an active employee during the term(s) of this agreement and as a retiree thereafter for the remaining portion of the three years.
2. Employee shall continue to accrue 6.16 hours of vacation per pay period; however, effective 8/1/11, the Employee's accrual shall reduce to 3.08 hours of vacation per pay period, which may be used at the discretion of the Mayor. Effective 8/1/11 all other leave balance types shall accrue at fifty percent of the rate specified in the referenced ordinance. Then current leave balance banks remain unaffected by the change in accrual rates.

3. Life insurance shall be maintained by Employer for the benefit of Employee at least equal to two (2) times the Employee's annualized bi-weekly base salary. In the event that Employer does not maintain such aforementioned life insurance in adequate amounts, Employer shall, within thirty (30) calendar days of Employee's death, pay to Employee's estate a lump sum payment equal to two times the Employee's annualized bi-weekly base salary less any insurance in force.
4. Employee will be provided with a City-paid cell phone to be used for business purposes and de minimis personal use.
5. Professional fees to be paid by the Employer at the discretion of the Mayor (GFOA, WGFOA, etc.)
6. The Employee may incur reasonable expenses for furthering the Employer's business, including expenses for entertainment, travel, and similar items. The Employer shall reimburse Employee for all business expenses after the Employee presents an itemized account of expenditures, pursuant to Employer policy and subject to approval by the Mayor.
7. Employee shall upon reasonable notice, furnish such information and proper assistance to the Employer as it may reasonably require in connection with any litigation in which it is, or may become, a party either during or after employment. In addition, Employer agrees to provide indemnification from all claims pursuant to state statutes.
8. Upon termination, except for termination for just cause, Severance shall be paid out applying 11 years of full-time service and additional completed years thereafter, if earned, shall be applied as half-time service.
9. Effective August 1, 2011, Employee may continue to take family or single dental insurance by paying half of the monthly premium each month while an active employee. Upon termination or retirement, the Employee is eligible to continue dental coverage under COBRA and in accordance with COBRA provisions and timelines.

Section 6. RESIDENCY. During the term of this agreement, the employee shall not be required to become a resident of the City of Franklin.

Section 7. CONSULTING. During any period of retirement while the Employee is receiving retiree health benefits the Employer through its Mayor and/or Common Council may contract with the Employee for the Employee to provide specific services on an hourly basis at \$75 per hour or on a project basis at a mutually agreed upon fee subject to the availability of the Employee and authorized appropriations.

Section 8. GENERAL PROVISIONS. The text herein shall constitute the entire agreement between the parties and may be amended or modified only by further written agreement between the parties. Following execution and upon its effective date, this Agreement supersedes the prior Employment Agreement.

If any provisions or any portions of this agreement are held unconstitutional, invalid or unenforceable, the remainder of this agreement or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

City of Franklin
By

Employee

Thomas M. Taylor, Mayor

Calvin A. Patterson

Dated: _____

Dated: _____

EMPLOYMENT AGREEMENT

This agreement made and entered into this ___ day of June, 2011, by and between the City of Franklin (the "Employer") and Calvin A. Patterson (the "Employee").

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In consideration of the mutual covenants and promises contained in this agreement, the Employer and the Employee agree as follows:

Section 1. Duties and Position. The Employer hereby agrees to employ the Employee in the capacity of Director of Finance & Treasurer, serving as the City's Chief Financial Officer, until such time that another individual is hired by the Employer as the Director of Finance & Treasurer, at which time the Employee will serve in the capacity of Chief Financial Officer, which position description shall be adopted at the discretion of the Common Council. As Director of Finance & Treasurer the Employee will have the duties and responsibilities to supervise, direct, analyze, interpret and communicate the finance and treasury operations of the Employer; to provide management of the department, information and guidance to the Mayor, Director of Administration, Department Heads, Finance Committee, Common Council, Community Development Authority and Board of Water Commissioners; and as more fully set forth by the City of Franklin "Job Description" approved by the Franklin Common Council on January 17, 2006 and as amended May 17, 2011, to perform such other legally permissible and proper duties and functions, consistent with the scope of the job description, as the Mayor shall from time to time assign. When serving under the job description of Chief Financial Officer, as approved by the Common Council June of 2011 the Employee will have the responsibility for supervision, oversight, and direction of the Director of Finance and Treasurer and will have the authority to allocate duties and responsibilities of the Director of Finance and Treasurer to himself as Chief Financial Officer.

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The Employee agrees to continue to perform at a professional level of competence the functions and duties of the position. Employee agrees to and shall be required to use his best efforts at all times to coordinate, streamline and make efficient city operations, under his scope of authority in accordance with the position description. To that end, it shall be the Employee's responsibility to take the initiative in investigating other areas where the financial operations may be coordinated, streamlined or made more efficient and Employee shall make recommendations in these areas. The Employee understands and agrees that an average level of performance is not acceptable under this contract and Employee must consistently exhibit above average skill, diligence and initiative in exercising the duties of this position.

Both parties acknowledge that if workloads exceed reasonable capacities, it will be necessary for the Mayor and/or Common Council to establish written goals and objectives and/or a prioritization of tasks to assist the Employee in the allocation of time and resources.

The Employee agrees to devote the time necessary to complete the duties and responsibilities normally expected of the position during the term of this contract. The Employee and Employer agree, however, that effective August 1, 2011, the Employee shall switch to a schedule and workload equivalent to half-time employment. Employee and Employer further agree that such half-time schedule and workload includes evening meetings; is intended to be an average schedule for the period commencing and following August 1, 2011; and that the Employee does have access to the City's approved Flex-time Policy. The Employee shall track and report hours worked to the Director of Administration.

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Additionally, both parties acknowledge that the Employee must routinely devote time outside of normal office hours in the performance of the position's duties and that as an FLSA-exempt employee work hours remain flexible and are not fixed. As such, use of such flexible hours shall not require use of vacation or personal leave balances, provided, however, that such usage may not cover a full-day block of time without approval of the Mayor. The Mayor shall notify the Employee, if it is deemed by the Employer, that the Employee is not balancing said demands reasonably or to the expectations of the City.

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During the term of this Agreement, Employee shall not engage in any other employment, occupation, or consulting that would materially conflict or interfere with the performance of Employee's duties and responsibilities without the prior approval of the Mayor.

Section 2. Term of Employment. The initial term of this contract shall commence July 2, 2011, and shall terminate one-year after a new Director of Finance and Treasurer is hired and assumes the duties of the position, except as otherwise provided for herein. Prior to the end of each contract term the Franklin Common Council may take action to extend the contract for a six-month period on the same terms and conditions.

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However, it is expressly agreed and understood by the parties hereto that the Employee is an at-will employee of the Employer. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Employer to terminate the services of the Employee at any time, except that during the first 180 days after a new Director of Finance and Treasurer is hired and assumes the duties of the position such termination shall be for cause or by mutual agreement. It is further understood and agreed by the parties hereto that the Employee shall have no property right or vested interest in a renewal contract and no promise to renew shall be binding unless reduced to writing, approved by the Mayor and the Common Council. In the event that Employee is terminated by Employer prior to the end of a contract term, the employee will be deemed to have retired at the date of separation from employment.

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Deleted: If the resolution does not pass by a majority vote, then Employee will be terminated June 30, 2008. If no resolution on renewal of this contract is submitted to the Common Council by April 1st, 2008, this contract will automatically be renewed for 12 months under the same terms and conditions, subject to salary and benefit increases. Thereafter, if no resolution on renewal of this contract is submitted to the Common Council by April 1st of each subsequent year this contract will automatically be renewed for 12 months under the same terms and conditions, subject to salary and benefit increases ¶

Further, following 180 days after a new Director of Finance and Treasurer is hired and assumes the duties of the position, which deadline shall not apply in the event of mutual agreement, nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign/retire at any time

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subject only to Employee providing thirty (30) calendar days written notice of the Employee's intent to resign/retire.

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Section 3. SALARY. In consideration for the services rendered and effective with the initial term of the agreement, the Employer will continue to pay the Employee the same base salary in effect prior to this amended contract, which amount is \$4,235.77 bi-weekly. Effective 8/1/11 the base salary shall be \$2,117.88 for the remaining terms of the agreement.

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Deleted: In addition to Employee's salary stated above, Employer shall pay to Employee any temporary assignment pay over and above this Agreement for any work performed by Employee for job responsibilities not covered in the "Job Description" approved by the Franklin Common Council on January 17, 2006 and included in the job description of other employees. Such temporary assignment pay shall be at a rate and for a duration as mutually agreed, except in the event a mutual agreement is not reached the rate and duration shall be as set by the Employer.¶
At the beginning of each automatically renewable term compensation equal to one half of the then current retiree health benefit for this Employee, as if this Employee had retired on that date, divided by 26 will be added to the bi-weekly base salary of the Employee for that term. This benefit is in lieu of the Employee not retiring and exercising the retiree health benefit for that period.¶

Salary payments shall be made in the same manner as salaries of other city employees (currently bi-weekly and direct deposited to financial institution of employee's choice).

Section 4. PERFORMANCE EVALUATION. The Mayor shall review and evaluate the performance of Employee at his discretion. The Mayor shall define such goals and performance objectives for the Employee which the Mayor determines are necessary and required and within the scope of the job description.

Section 5. BENEFITS. Prior to August 1, 2011, except as otherwise provided for herein, the Employee shall be entitled to such benefits as provided in the Ordinance Establishing Benefits for Full Time Non-Represented Management Employees of the City of Franklin and as otherwise established by the Common Council for exempt employees and as may be amended from time to time at the discretion of the Common Council, with the additions/modifications indicated below and with wages/salary as indicated in Section 3 above. Commencing with August 1, 2011, Employee shall be entitled to 50% of such benefits (or at a 50% rate depending how the benefit is best described) as provided in the Ordinance Establishing Benefits for Full Time Non-Represented Management Employees of the City of Franklin and as otherwise established by the Common Council for exempt employees and as may be amended from time to time at the discretion of the Common Council, with the additions/modifications indicated below and with wages/salary as indicated in Section 3 above.

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Deleted: Following and in conjunction with a satisfactory performance evaluation, the bi-weekly base salary will be increased by three-percent (3%), effective January 1st of each year beginning January 1, 2007.

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1. Employer upon execution of this agreement agrees to provide full employer paid family health benefit coverage to Employee for a period of three years. However, termination for just cause will void this retiree benefit. Coverage shall be as an active employee during the term(s) of this agreement and as a retiree thereafter for the remaining portion of the three years.

9

Deleted: In the event that Employee is terminated by Employer, except for just cause, a lump sum payment equal to ninety (90) calendar days of base salary shall be paid to Employee at termination date. The employee will be deemed to have retired at date of separation from employment, except in the event of termination for just cause.¶

2. Employee shall continue to accrue 6.16 hours of vacation per pay period; however, effective 8/1/11, the Employee's accrual shall reduce to 3.08 hours of vacation per pay period, which may be used at the discretion of the Mayor. Effective 8/1/11 all other leave balance types shall accrue at fifty percent of the rate specified in the referenced ordinance. Then current leave balance banks remain unaffected by the change in accrual rates.

8

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3. Life insurance shall be maintained by Employer for the benefit of Employee at least equal to two (2) times the Employee's annualized bi-weekly base salary. In the event that Employer does not maintain such aforementioned life insurance in adequate amounts, Employer shall, within thirty (30) calendar days of Employee's death, pay to Employee's estate a lump sum payment equal to two times the Employee's annualized bi-weekly base salary less any insurance in force.
4. Employee will be provided with a City-paid cell phone to be used for business purposes and de minimis personal use.
5. Professional fees to be paid by the Employer at the discretion of the Mayor (GFOA, WGFOA, etc.)
6. The Employee may incur reasonable expenses for furthering the Employer's business, including expenses for entertainment, travel, and similar items. The Employer shall reimburse Employee for all business expenses after the Employee presents an itemized account of expenditures, pursuant to Employer policy and subject to approval by the Mayor.
7. Employee shall upon reasonable notice, furnish such information and proper assistance to the Employer as it may reasonably require in connection with any litigation in which it is, or may become, a party either during or after employment. In addition, Employer agrees to provide indemnification from all claims pursuant to state statutes.

8. Upon termination, except for termination for just cause, Severance shall be paid out applying 11 years of full-time service and additional completed years thereafter, if earned, shall be applied as half-time service.

9. Effective August 1, 2011, Employee may continue to take family or single-dental insurance by paying half of the monthly premium each month while an active employee. Upon termination or retirement, the Employee is eligible to continue dental coverage under COBRA and in accordance with COBRA provisions and timelines.

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Section 6. RESIDENCY. During the term of this agreement, the employee shall not be required to become a resident of the City of Franklin.

Section 7. CONSULTING During any period of retirement while the Employee is receiving retiree health benefits the Employer through its Mayor and/or Common Council may contract with the Employee for the Employee to provide specific services on an hourly basis at \$75 per hour or on a project basis at a mutually agreed upon fee subject to the availability of the Employee and authorized appropriations.

Deleted: REDUCTION IN HOURS
In the event that Employee and Employer mutually agree to a reduction in the hours and responsibilities of the Employee the bi-weekly base salary of the Employee would be reduced. That reduction would be to an amount based upon the percentage of the hours to be worked bi-weekly divided by the eighty (80) hours in a bi-weekly pay period. During this period the Employer would continue to be responsible for the full health benefits.
↑
Section 8.

Section 8. GENERAL PROVISIONS. The text herein shall constitute the entire agreement between the parties and may be amended or modified only by further written agreement between the parties. Following execution and upon its effective date, this Agreement supersedes the prior Employment Agreement.

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If any provisions or any portions of this agreement are held unconstitutional, invalid or unenforceable, the remainder of this agreement or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

City of Franklin
By

Employee

Thomas M. Taylor, Mayor

Calvin A. Patterson

Dated: _____

Dated: _____

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May 18, 2011

To: Mark Luberda, Director of Administration
From: Cal Patterson, Director of Finance & Treasurer
Subject: Notice of Intent to Transition to Part time Status

Based upon the action on this subject at last night's Common Council meeting and our recent conversations on this same subject, I wish to inform you of my intent to initially transition to a half time status effective August 1, 2011 and at a later time to full retirement. This decision is subject to the necessary changes in my employment agreement being made and approved by the Common Council.

This notice is being provided at this time to enable you to advertise for the replacement of the Director of Finance & Treasurer position as soon as possible. As you are aware it is important for the next person to be on board as soon as possible so as to be able to participate as much as possible in the development of the 2012 recommended budget.

The primary motivation of my action is reduce the stress and complexity in my life and to provide for a smooth transition from one CFO to the next. But I would be remiss if I did not point out that the present workload of the position was a factor in reaching my decision to go to a part time status and transition out. At that time I hope that the organization will give serious consideration to addressing the departmental workload.

Again it has been a pleasure to provide financial direction on a full time basis to the City and work with the other employees of the City for a better Franklin for the past eleven years.

A handwritten signature in cursive script that reads "Calvin A. Patterson".

Calvin A. Patterson

<p>APPROVAL</p> <p><i>Slw</i> <i>CAF</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/7/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Approving an agreement with U.S. Bank National Association ND to provide credit cards for use by department heads for payment of services over the internet and in situations where checks processing is difficult</p>	<p>ITEM NUMBER</p> <p><i>G.10.</i></p>

The City of Franklin has avoided the issuance of credit cards in the past due to costs and the possibility of employee misuse. Increasingly the use of credit cards is the preferred form of payment due to the company not wanting to issue credit to occasional customers. Therefore in some cases the only way purchases can be made is over the internet. An example is a three year domain name renewal where IT faced an issue of pricing at \$216 using a credit card and \$1,380 using a check for payment.

It has been the intent for the last two years to have credit cards available for department heads and their immediate staff's use on an occasional basis. Requests for credit card availability have been repeatedly made by the Director of Administration, Police Chief and City Engineer for the availability of credit cards for occasional purchases.

Our bank has a program through a State of Wisconsin contract that will provide the credit cards at no cost to the City. We have held off pending consideration of a larger P Card (purchase card program) but difficulties in getting information analyzed has delayed the ability to request a larger program.

The purchase card program claims that payments to vendors can be made cheaper and more efficient than by check and in conjunction with the State program would provide a rebate to the City based upon the dollar value of purchases made on P Cards. Authority is not being requested for the P Card payment program at this time but active research is being done to enable that option to be considered in the near future.

Approval is being requested at this time to establish an initial program for department heads and their immediate staffs to use credit cards for internet and other one time payments that currently require manual checks to be issued. The Finance Department will establish policies under which the cards will be used and failure to follow the policies will result in a department being unable to use the credit cards. The initial program will consist of five cards with three of them available for shared use. A progress report will be made in 120 days or when a larger P Card proposal is ready for presentation to Council, if sooner.

COUNCIL ACTION REQUESTED

Motion to approve the political subdivision agreement with U.S. Bank National Association ND signed by the Director of Finance and Approved as to form by the City attorney to provide credit cards for use by department heads for payment of services over the internet and in situations where checks processing is difficult.

POLITICAL SUBDIVISION ADDENDUM

This Political Subdivision Addendum ("**Political Subdivision Addendum**") is entered into, by and between U.S. Bank National Association ND ("**U.S. Bank**"), Voyager Fleet Systems Inc. as an agent for U.S. Bank ("**Voyager**"), and the Political Subdivision identified herein and executing this Political Subdivision Addendum as "**Political Subdivision**", and constitutes an addendum to and modification of the Contract for Charge Card Services, dated May 1, 2004 (the "**Contract**") between the **State of Wisconsin** (the "**State**"), U.S. Bank, and Voyager, as amended. This Political Subdivision Addendum shall become effective upon signing by or on the behalf of U.S. Bank and Voyager ("**Effective Date**") and supersedes any previous and like addenda with the Political Subdivision.

RECITALS

- A. The State has entered into the Contract for the purpose of making available a Purchase Card Program, Corporate Card Program, Central Purchasing System Program and Voyager Fleet Card Program as described in the Contract for use by the State and Political Subdivisions;
- B. The State has agreed to permit Political Subdivisions to participate in the Purchase Card Program, Corporate Card Program, Central Purchasing System Program and Voyager Fleet Card Program, provided that Political Subdivision assumes all responsibility and liability for Political Subdivision's performance of the terms and conditions of the Contract as if Political Subdivision was the entity signing the Contract as the State. The State shall not bear liability or responsibility for Political Subdivision under the Contract or this Political Subdivision Addendum; and
- C. Political Subdivision has received a copy of the Contract from the State, and after a thorough review of the Contract, desires to participate under Contract as a Political Subdivision; provided that Political Subdivision assumes all responsibility and liability for Political Subdivision's performance of the terms and conditions of this Political Subdivision Addendum, as well as the Contract, as if Political Subdivision was the entity signing the Contract as the State, but Political Subdivision shall not be liable for the acts and omissions of the State under the Contract or this Political Subdivision Addendum.

AGREEMENT

Now therefore, in consideration of the foregoing Recitals, which are incorporated herein by reference, the mutual promises and covenants set forth in the Contract, which are incorporated herein by reference, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, all parties agree as follows:

1. Capitalized terms used in this Political Subdivision Addendum and not otherwise defined in this Political Subdivision Addendum are used with the same respective meanings attributed thereto in the Contract.
2. Political Subdivision agrees to accept and perform all duties, responsibilities and obligations required of the State. Cards shall be issued to designated employees of Political Subdivision upon execution of this Political Subdivision Addendum by Political Subdivision, U.S. Bank, and Voyager.
3. In order to determine credit qualifications for the Political Subdivision, the Political Subdivision shall provide U.S. Bank with the last three (3) years of audited financial statements with this signed Political Subdivision Addendum. The Political Subdivision shall provide to U.S. Bank annual financial statements thereafter. U.S. Bank will review the financial statements and notify the Political Subdivision of the approval or decline of its credit qualification. If such financial statements can be independently obtained by U.S. Bank, the Political Subdivision will not be required to provide such financial statements.
4. Aggregate Product Credit Limit and Account Credit Limits. Subject to credit approval by U.S. Bank and/or Voyager, an Account Credit Limit (an "**ACL**") for each Account and an Aggregate Product Credit Limit (the "**PCL**") for all Accounts shall be established by U.S. Bank and/or Voyager pursuant to this Political Subdivision Addendum.
 1. Revising the PCL. U.S. Bank and/or Voyager, at its sole discretion, shall have the right to revise the PCL. U.S. Bank and/or Voyager shall provide notice to Political Subdivision of any decrease in the PCL which results in a revised PCL that is lower than the aggregate current amount outstanding on all Accounts. Upon such event, Political Subdivision shall have ten (10) days to make a payment to U.S. Bank and/or Voyager that is sufficient to reduce the aggregate current amount outstanding to an amount that is equal to or less than the revised PCL.

2. Revising ACLs. U.S. Bank and/or Voyager, at its sole discretion, shall have the right to revise any ACL.
 - a. Political Subdivision Accounts. U.S. Bank and/or Voyager shall provide notice to Political Subdivision of any decrease in an ACL which results in a revised ACL that is lower than the aggregate current amount outstanding on the Account. Upon such event, Political Subdivision shall have ten (10) days to make a payment to U.S. Bank and/or Voyager on the Account that is sufficient to reduce the aggregate current amount outstanding for such Account to an amount that is equal to or less than the revised ACL.
 - b. Cardholder Accounts. U.S. Bank and/or Voyager, at its sole discretion, shall have the right to revise any ACL and/or limit spending activity on any Cardholder Account.
 - c. Fraudulent Activity. U.S. Bank and/or Voyager may temporarily revise any ACL and/or limit spending activity on any Account for which fraudulent activity is suspected.
5. Political Subdivision shall make payment to U.S. Bank for all Debt incurred by Political Subdivision, its Cardholders and Accountholders as provided in the Contract. "Debt" means all amounts charged to a card and/or account including without limitation all amounts related to purchases, fees and other Charges that are owed to U.S. Bank and/or Voyager by Political Subdivision, its Cardholders and Accountholders.
6. Political Subdivision declares that cards shall be used for official Political Subdivision purchases only, and shall not be used for individual, consumer purchases or to incur consumer debt. Political Subdivision warrants that it possesses the financial capacity to perform all of its obligations under the Contract and this Political Subdivision Addendum.
7. The representations, warranties and recitals of Political Subdivision set forth in this Political Subdivision Addendum and the Contract constitute valid, binding and enforceable agreements of Political Subdivision. All extensions of credit made pursuant to this Political Subdivision Addendum or the Contract to Political Subdivision will be valid and enforceable obligations of Political Subdivision and Political Subdivision shall pay to U.S. Bank and/or Voyager all Debts incurred by Political Subdivision in accordance with the terms of the Contract and this Political Subdivision Addendum. The execution of this Political Subdivision Addendum and the performance of the obligations hereunder and under the Contract are within the power of Political Subdivision, have been authorized by all necessary action and do not constitute a breach of any agreement to which Political Subdivision is a party or is bound.
8. The notice address for Political Subdivision is:

Political Subdivision:

City of Franklin

9229 W Loomis Road

Franklin, WI 53132

Attn: Director of Finance & Treasurer

9. Authorization and Execution. Political Subdivision represents and warrants that this transaction is within the scope of the normal course of business and does not require further authorization for the Political Subdivision to be duly bound by this Political Subdivision Addendum. This Political Subdivision Addendum requires approval as to form by the Attorney for the Political Subdivision. If this Political Subdivision Addendum is not approved as to form by the Attorney for the Political Subdivision, the completion of a Certificate of Authority is required and must accompany this Political Subdivision Addendum.

In witness whereof, the parties have, by their duly authorized representatives, executed this Political Subdivision Addendum.

Dated this ____ day of _____, 20__ by:

Dated this ____ day of _____, 20__ by:

City of Franklin
Legal Name of Political Subdivision

U.S. Bank National Association ND

(Signature of Authorized Individual)

(Signature of Authorized Individual)

Calvin A Patterson
(Printed Name of Authorized Individual)

Steven R. Kehr
(Printed Name of Authorized Individual)

(Printed Title of Authorized Individual)

Vice President
(Printed Title of Authorized Individual)

Approved as to form

U.S. Bank National Association ND
By Voyager Fleet Systems Inc., Agent

(Signature of Attorney for Political Subdivision)

(Signature of Authorized Individual)

Jesse A. Wesolowski
(Printed Name of Attorney)

Steven R. Kehr
(Printed Name of Authorized Individual)

Vice President
(Printed Title of Authorized Individual)

APPROVAL <i>Slw</i> <i>CP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/7/11
REPORTS & RECOMMENDATIONS	Status Report on TIF District #2, TIF District #3 & TIF District #4	ITEM NUMBER <i>G.11</i>

The CDA at their last meeting after reviewing and discussing the first quarter financial reports for the TIF Districts moved that Common Council be given a comprehensive report on TIF Districts 2, 3 & 4.

TIF District #2

A one page report is attached that shows the final year tax increment was received and the final debt service payment was made. After the receipt of the computer aid payment from the State and the completion of the two projects in process (Oakwood road construction and the Pond retrofit) the formal resolution for termination of the TIF District will be made. The interim step of informing the State that the TIF District will not be receiving a tax increment has been completed.

TIF District #3

The latest cash flow report for TIF District #3 has been updated with end of year information and updated estimates for possible future projects. The cost of the remaining project (27th Street road reconstruction) as currently estimated will be greater than the overall spending limit established for the TIF District and will require an amendment to the project plan and approval by the Joint Review Board at a future date. TIF District #3 would be able to close in 2016 based upon the projects now completed. Dependent on the policy decisions made in regard to 27th Street road reconstruction a closing date of 2016, 2017 or 2018 is possible.

TIF District #4

The latest cash flow report for TIF District #4 has been updated with end of year information and updated estimates for possible Phase 2 and Phase 3 projects. The Phase 1 projects are all complete with the exception of the Oakwood Road water extension that is currently in process.

If only the Phase 1 projects are considered the current outstanding debt will be repaid over the next five years. If there was no development pressure at that time for this area TIF District #4 could be able to close in 2016. Assuming the need for the infrastructure in Phase 2 and Phase 3 of this district those phases could be completed and funded in 2026.

Options:

Motion to receive the report and place on file

Such other action as the Council may determine.

COUNCIL ACTION REQUESTED

City of Franklin
Community Development Authority
Projected Cash Flow
June 2, 2011

Year	Revenue					Expenditures					Total Expenditures	Net Yearly Change	End of Year		
	Tax Levy	Land Sales Participation & Other	State Computer Aid	Interest 3.0%	Amounts Borrowed	Total Available	Debt Service	Fiscal Charges	Admin Expense	Capital Expenditures			Net Assets	CDA Debt Outstanding	
1993-02	9,350,687	4,981,162	222,403	1,712,372	54,345,000	70,611,624	43,352,376	1,160,196	805,574	24,800,536	70,118,662	492,942	492,942		
Reclass									(75,446)	75,446					
2003	2,631,082	68,222	119,379	13,023		2,831,706	2,523,167	5,187	6,227		2,534,581	297,125	790,068	22,270,000	
2004	2,729,979	52,119	102,135	20,994		2,905,227	3,365,053	4,250	2,564	83,580	3,455,447	(550,220)	239,847	20,030,000	
2005	2,919,438	177,846	88,555	39,876		3,225,715	3,311,836	3,000	11,410	237,461	3,563,707	(337,992)	(98,145)	17,715,000	
2006	2,860,368	19,547	68,964	164,260	10,000,000	13,113,139	13,435,703	39,450	12,157	37,577	13,524,887	(411,748)	(509,893)	15,195,000	
2007	2,858,012	11,544	88,791	37,440		2,995,787	3,468,287	3,000	8,043	4,235	3,483,565	(487,778)	(997,671)	12,375,000	
2008	3,944,725	-	72,391	40,060		4,057,176	2,833,531	1,550	10,792	29,375	2,875,248	1,181,928	184,257	10,000,000	
2009	3,071,885	1,000	55,599	32,767		3,161,251	2,648,250	-	9,313	151,469	2,809,032	352,219	536,476	7,700,000	
2010	3,894,359	125,672	234,886	23,027		4,277,944	3,248,000	-	11,563	93,316	3,352,879	925,065	1,461,541	4,700,000	
	34,260,535	5,437,111	1,053,103	2,083,819	64,345,000	107,179,569	78,186,203	1,216,633	802,197	25,512,995	105,718,028	1,461,541	1,461,541		
2011	4,493,995	15,000	1,022,785	17,446		5,549,226	4,794,000	-	11,663	500,000	5,305,663	243,563	1,705,104	0	
2012	(1,705,104)					(1,705,104)		-			-	(1,705,104)	(0)	0	
	2,788,891	15,000	1,022,785	17,446	-	3,844,122	4,794,000	-	11,663	500,000	5,305,663				
Less Debt	37,049,426	5,452,111	2,075,888	2,101,265	64,345,000	111,023,690	82,980,203	1,216,633	813,860	26,012,995	111,023,691	(0)			
	-	-	-	-	(64,345,000)	(64,345,000)	(64,345,000)	-	-	-	(64,345,000)				
	37,049,426	5,452,111	2,075,888	2,101,265	-	46,678,690	18,635,203	1,216,633	813,860	26,012,995	46,678,691				

1/11 received 7/11 to be received 3/11 paid

**City of Franklin
Community Development Authority**

**Tax Increment District #3
Cash Flow Model**

Issued December 21, 2010
Updated June 2, 2011

Presented by:

Calvin A. Patterson

City of Franklin Director of Finance & Treasurer

M E M O R A N D U M

DATE: December 21, 2010/June 2, 2011
TO: Community Development Authority
FROM: Calvin A. Patterson, Director of Finance & Treasurer
RE: Report and Analysis of TID #3 Cash Flow Projection

Attached is a projection of tax increment revenue, expenditures, debt service payments and the net asset position for TID #3 based upon equalized values released by the Department of Revenue on August 15, 2010 and the taxes levied in December 2010.

Summary Conclusions:

1. Actual development during the first six years of the TIF District was 104% of the development assumptions. Even with an assumption that there will be some construction in the TIF District in 2011 will reduce the actual development to 89% of the development assumptions.
2. The growth, to date, in increment value has come from the NM and ICON projects.
3. The 2011 annual tax increment was significantly lower than the prior year due to corrections to the equalized value in this TIF District based on some prior year equalizations errors. The 2012 increment level should increase due to the corrective adjustments ending.
4. The 27th Street project is the only remaining project to be completed. That project is dependant on the State's construction schedule and is estimated to be started in 2015. General expectations are that the cost of this remaining project as currently estimated will be greater than the limit established for the TIF District and will require an amendment to the project plan and approval by the Joint Review Board at a future date. Additionally at that time the CDA and Council may wish to add part or all of the cost of the reconstruction of 27th Street one half mile outside of the TIF District to the TIF Project Plan.
5. The projection of a slower rate of future development and the possible inclusion of additional project costs may result in the need for TIF District #3 to extend its debt repayment obligations. This can be accomplished by a short term borrowing or an interfund advance from the City. For projection purposes it is being shown as an interfund advance without any commitment by the City to provide the advance.
6. Realization of the assumptions in the TID #3 analysis would result in the TIF District being funded in 2016, 2017 or 2018 depending upon the projects approved. The TIF District would then be eligible to close with the tax increment released the following year. By that year the tax increment generated will be \$101 million and the tax revenue generated will be \$2.2 million with a City share of approximately one third of that amount. The original project plan anticipated full funding of the TIF District in 2017.

The analysis is qualified to the following extent:

1. Realizing the stated assumptions will determine the results of the projection.
2. The tax rate assumption is based on the actual equalized tax rate in effect in December 2010 less an assumed decline in tax rate of 1.0%. If the tax rate varies from the assumption it will have either a positive or negative impact on these projections.

City of Franklin
TIF #3 Projection
Projected Cash Flow
December 21, 2010 & June 2, 2011

Year	Revenue										Expenditures				TIF Status		
	Tax Levy	Interest Income 3.00%	Computer Aid	Developer Loan Repayment	Grant & Debt Proceeds	Total Revenue	Debt Service		Project Costs	Admin Expenses	Total Expenditures	Yearly Cash Activity	Net Cash Balance	Note Balance	Net Debt Balance	Fund Balance	
							Interest & Fees	Principal									
2005	-	60,525	-	-	3,905,571	3,966,096	66,036	-	906,440	61,554	1,034,030	2,932,066	2,932,066	-	3,905,571	(973,505)	
2006	-	114,349	-	-	94,429	208,778	179,643	-	2,021,091	70,527	2,271,261	(2,062,483)	869,583	-	4,000,000	(3,130,417)	
2007	251,402	102,647	317,482	130,950	16,700,000	17,502,481	693,528	-	17,280,607	75,136	18,049,271	(546,790)	322,793	10,000,000	9,700,000	622,793	
2008	504,283	14,311	304,643	789,625	11,137,628	12,750,490	762,386	10,100,000	2,087,552	46,955	12,996,893	(246,403)	76,390	9,400,000	11,300,000	8,176,390	
2009	1,535,719	6,159	353,993	792,679	800,000	3,488,550	804,998	2,115,000	615,003	29,202	3,564,203	(75,653)	737	8,785,000	10,600,000	7,985,737	
2010	2,295,166	7,725	328,765	790,589	-	3,420,245	736,093	2,225,000	105,028	11,564	3,077,685	342,560	343,297	8,160,000	9,000,000	8,503,297	
2011	1,407,207	10,299	333,787	793,255	-	2,544,548	675,943	1,640,000	-	29,000	2,344,943	199,605	542,902	7,520,000	8,000,000	8,062,902	
2012	1,705,892	16,287	317,098	795,629	700,000	3,534,906	606,892	2,655,000	-	29,000	3,290,892	244,014	786,916	6,865,000	6,700,000	6,951,916	
2013	1,777,060	23,607	301,243	797,710	1,000,000	3,899,621	524,598	3,170,000	-	29,000	3,723,598	176,023	962,938	6,195,000	5,200,000	5,457,938	
2014	1,847,508	28,888	286,181	6,255,776	800,000	9,218,353	277,939	9,695,000	-	29,000	10,001,939	(783,586)	179,352	-	2,500,000	(2,320,648)	
2015	1,950,247	5,381	271,872	-	-	2,227,499	48,000	1,900,000	500,000	29,000	2,377,000	(149,501)	29,851	-	700,000	(670,149)	
2016	2,030,163	896	258,278	-	650,000	2,939,337	27,000	250,000	2,616,000	29,000	2,922,000	17,337	47,188	-	1,100,000	(1,052,812)	
2017	2,172,500	1,416	245,364	-	-	2,419,280	28,500	300,000	2,026,000	29,000	2,383,500	35,780	82,968	-	800,000	(717,032)	
2018	493,447	2,489	233,096	-	-	729,032	12,000	800,000	-	-	812,000	(82,968)	0	-	-	0	
	17,970,595	394,978	3,549,801	11,146,213	35,787,628	68,849,215	5,443,556	34,750,000	28,157,721	497,938	68,849,215	0					
	Debt Refinanced				(10,000,000)			(10,000,000)									
	TEA Grant				(1,000,000)												
	Developer Loan payments			(11,146,213)			(1,146,213)	(10,000,000)	(10,000,000)								
	Net Debt borrowed and repaid				24,787,628		4,297,343	14,750,000	18,157,721								

Note: The taxable loan is considered revenue as repaid and the debt balance is net of the loan to developer.

Assumptions:

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

City of Franklin
TIF #3 Projection
Projected Debt Service
December 21, 2010 & June 2, 2011

Tax Exempt G.O. Bonds	\$ 1,000,000
Improvements Cost	\$ 1,000,000
Capitalized Interest	\$ -
Est Issuance Cost	\$ -
Rounding	\$ -

Tax Exempt G.O. Bonds	\$ 10,083,583
Improvements Cost	\$ 10,017,933
Capitalized Interest	\$ -
Est Issuance Cost	\$ 65,650
Rounding	\$ -

Interfund Advance	\$ -
Improvements Cost	\$ -
Capitalized Interest	\$ -
Est Issuance Cost	\$ -
Rounding	\$ -

Debt Issues

Year	Debt Service 8/15/05			Debt Service 8/28/08			Debt Service				
	Balance	Principal 3/1	Interest (3/1 & 9/1) avg = 4.55%	Total	Balance	Principal 3/1	Interest (3/1 & 9/1) avg = 3.25%	Total	Principal (3/31, 6/30, 9/30 & 12/31) avg = 3.00%	Interest	Total
2005	4,000,000	-	66,036	66,036	-	-	-	-	-	-	-
2006	4,000,000	-	179,643	179,643	-	-	-	-	-	-	-
2007	7,000,000	-	295,926	295,926	-	-	-	-	2,700,000	70,021	70,021
2008	700,000	6,300,000	216,253	6,516,253	10,000,000	-	-	-	600,000	65,620	3,265,620
2009	-	700,000	5,311	705,311	9,800,000	200,000	334,118	534,118	600,000	15,127	615,127
2010	-	-	-	-	9,000,000	800,000	314,500	1,114,500	-	1,841	801,841
2011	-	-	-	-	8,000,000	1,000,000	287,500	1,287,500	-	-	-
2012	-	-	-	-	6,000,000	2,000,000	240,000	2,240,000	700,000	10,500	10,500
2013	-	-	-	-	3,500,000	2,500,000	165,000	2,665,000	1,700,000	36,000	36,000
2014	-	-	-	-	-	3,500,000	61,250	3,561,250	2,500,000	63,000	63,000
2015	-	-	-	-	-	-	-	-	700,000	48,000	1,848,000
2016	-	-	-	-	-	-	-	-	1,100,000	27,000	277,000
2017	-	-	-	-	-	-	-	-	800,000	28,500	328,500
2018	-	-	-	-	-	-	-	-	-	12,000	812,000
2019	-	-	-	-	-	-	-	-	-	-	-
2020	-	-	-	-	-	-	-	-	-	-	-
2021	-	-	-	-	-	-	-	-	-	-	-
2022	-	-	-	-	-	-	-	-	-	-	-
2023	-	-	-	-	-	-	-	-	-	-	-
2024	-	-	-	-	-	-	-	-	-	-	-
2025	-	-	-	-	-	-	-	-	-	-	-
2026	-	-	-	-	-	-	-	-	-	-	-
2027	-	-	-	-	-	-	-	-	-	-	-
		7,000,000	763,169	7,763,169		10,000,000	1,402,368	11,402,368	7,750,000	377,609	8,127,609

Note: This issue was originally \$4M and was increased to \$7M on 3-1-07. It was reduced to \$1M in 2008 and repaid to the Debt Service Fund in 2009.

Premium	83,583
Debt Issuance to other funds	65,650
	(19,695)
	45,955
	37,628

**City of Franklin
TIF #3 Projection
Projected Revenue
December 21, 2010 & June 2, 2011**

Const. Year	Incr. Year	Revenue Year	Full Value Beginning of Year	Total Increment	DOR Adjustment	Inflation & Additional Increment	Cumulative Equalized Increment Value	Tax Rate	Increment Revenue Collected
2005	2006	2007	-	11,743,000		1,178,100	12,921,100	19.46	251,402
2006	2007	2008	12,921,100	8,668,000		3,315,300	24,904,400	20.25	504,283
2007	2008	2009	24,904,400	44,487,000		5,491,100	74,882,500	20.51	1,535,719
2008	2009	2010	74,882,500	15,432,000	10,000,000	5,587,800	105,902,300	21.67	2,295,166
2009	2010	2011	105,902,300	-	(42,000,000)	(2,467,600)	61,434,700	22.91	1,407,207
2010	2011	2012	61,434,700	-	12,000,000	1,792,029	75,226,729	22.68	1,705,892
2011	2012	2013	75,226,729	2,000,000		1,929,949	79,156,678	22.45	1,777,060
2012	2013	2014	79,156,678	2,000,000		1,969,249	83,125,927	22.23	1,847,508
2013	2014	2015	83,125,927	3,500,000		2,008,941	88,634,868	22.00	1,950,247
2014	2015	2016	88,634,868	2,500,000		2,064,031	93,198,899	21.78	2,030,163
2015	2016	2017	93,198,899	5,432,000		2,109,671	100,740,570	21.57	2,172,500
2016	2017	2018	100,740,570	5,660,000		2,185,088	108,585,658	21.35	2,318,265
2017	2018	2019	108,585,658	5,060,000		2,263,539	115,909,196	21.14	2,449,874
2018	2019	2020	115,909,196	2,000,000		2,336,774	120,245,970	20.92	2,516,121
2019	2020	2021	120,245,970	2,000,000		2,380,142	124,626,112	20.72	2,581,697
2020	2021	2022	124,626,112	2,000,000		2,423,943	129,050,055	20.51	2,646,608
2021	2022	2023	129,050,055	-		2,468,183	131,518,238	20.30	2,670,254
2022	2023	2024	131,518,238	-		2,492,864	134,011,102	20.10	2,693,659
2023	2024	2025	134,011,102	-		2,517,793	136,528,895	19.90	2,716,824
2024	2025	2026	136,528,895	-		2,542,971	139,071,866	19.70	2,739,753
				112,482,000	Should have been		Reported		40,810,203
Base Value Increment				\$117,768,200			\$ 117,768,200		
Equalized Value				72,232,400			61,434,700		
Assessed Value Ratio				\$190,000,600			\$ 179,202,900		
				\$190,000,600			\$ 190,000,600		
				100.00%			106.03%		

Base Value Increment	Do to Prior Year Error
\$117,768,200	72,232,400
72,232,400	\$190,000,600
\$190,000,600	\$190,000,600
100.00%	100.00%

Assumptions:

1. Property value inflation 1.00%
2. Property additions 0.00%
3. Mil Rate Inflation -1.00%

Note The Mil rate deflation assumption is based upon the recent experience of the City of Franklin that the development within TIFs is happening at a greater rate than outside the TIF effectively lowering the TIF rate. In addition it assumes the impact of the current tax levy limits will continue in some format in the future.

City of Franklin
TIF #3 Projection
Development Assumptions
December 21, 2010 & June 2, 2011

Const Year	Project Plan (Memo)	Development							Difference from Plan	
		ICON	Johnson Bank	31st Office Bldg	Land N of NM	27th Street	Add NM 2	Rawson Avenue		Total
	Project Plan	44,750,000	1,000,000	1,000,000	9,180,000	2,500,000	37,500,000	-	95,930,000	
2005	17,850,000	10,543,000	1,200,000						11,743,000	(6,107,000)
2006	11,900,000	8,400,000			268,000				8,668,000	(3,232,000)
2007	12,500,000	2,825,000			510,000			1,752,000	44,487,000	31,987,000
2008	6,500,000	3,737,000							15,432,000	8,932,000
2009	13,000,000								0	(13,000,000)
2010	15,560,000								0	(15,560,000)
2011	15,560,000	2,000,000							2,000,000	(13,560,000)
2012	3,060,000	2,000,000							2,000,000	
2013		2,000,000		1,000,000	500,000				3,500,000	
2014		2,000,000			500,000				2,500,000	
2015		2,000,000		3,060,000	372,000				5,432,000	
2016		2,600,000		3,060,000					5,660,000	
2017		2,000,000		3,060,000					5,060,000	
2018		2,000,000							2,000,000	
2019		2,000,000							2,000,000	
2020		2,000,000							2,000,000	
2021									0	
		46,105,000	1,200,000	1,000,000	9,180,000	2,150,000	51,095,000	1,752,000	112,482,000	(10,540,000)

Assumptions:

1. Construction includes \$5 million in non taxable computers
2. Project Estimate

Project Estimate	80,000,000
Less 1/2 of Computer	(2,500,000)
Less 1/2 of Personal property	(4,000,000)
	<u>73,500,000</u>

City of Franklin
TIF #3 Projection
Project Expenditures
December 21, 2010 & June 2, 2011

Const Year	Project Costs										Loan Incentives	Total
	Stormwater Management	Right of Way 31st ST	Construction 31st ST-N 6903	Construction 31st ST-S 6904	Construction Drexel	Construction 27th ST	Grants,Loans	Sub-total				
2005		643,614	210,909	51,667		250		906,440			906,440	
2006	46,200	295,878	1,520,186	37,765		121,062		2,021,091			2,021,091	
2007		5,150	729,855	487,315		(15,134)	6,000,000	7,280,607		229,750	7,510,357	
2008			143,343	60,618		5,298		2,087,552		290,900	2,378,452	
2009			26,038	14,327		131		615,003		272,775	887,778	
2010			3,161	717				105,028		254,175	359,203	
2011										235,200	235,200	
2012										215,775	215,775	
2013										195,900	195,900	
2014										92,925	92,925	
2015								500,000			500,000	
2016								2,616,000			2,616,000	
2017								2,026,000			2,026,000	
2018												
2019												
2020												
	46,200	944,642	2,633,492	652,409	2,627,371	5,253,607	6,000,000	18,157,721		1,787,400	19,945,121	
		3,624,334										

Phase	Project Plan	Projection	Difference
N 31st St	3,500,000	3,624,334	124,334
31st St Reconstruction	1,000,000	652,409	(347,591)
Grants-loan subsidy	-	1,787,400	1,787,400
Drexel	1,100,000	2,627,371	1,527,371
27th St Reconstruction	2,200,000	5,253,607	3,053,607
Grants	5,000,000	5,000,000	-
	12,800,000		6,145,121
	115.0%		
Total Project Limit	14,720,000	18,945,121	
Add'l TEA Grant	1,000,000	1,000,000	
Estimated Project Cost	15,720,000	19,945,121	4,225,121



City of Franklin

Proposed Tax Increment District No. 3 ("Area C")

Project Costs

PROJECT LIST	PHASE I PROJECTS 2005 ¹	PHASE II PROJECTS 2006	PHASE III PROJECTS 2008
31st Street (W. Rawson to 1/2 Mi. South)			
Stormwater Management	350,000		
ROW Acquisition	782,000		
Street Improvements	1,251,800		
Sanitary Sewer ¹	167,600		
Water Main ¹	171,500		
Engr, Insp., Design & Testing	545,000		
Subtotal	3,267,900		
31st Street (Reconstruct and Landscaping S. to Drexel Ave.)	1,000,000		
27th Street, (Reconstruction)			
Local Share of Street Construction			
Streetscape, Lighting & Other Aesthetic Improvements		2,200,000	
Drexel Ave, (Reconstruction)			
Local Share of Street Construction		1,100,000	
Sub total		3,300,000	
Development Incentives / Cash Grants			5,000,000
Contingency	232,100		
TOTAL ESTIMATED PROJECT COSTS	4,500,000	3,300,000	5,000,000
Financing Expenses			
Fees (Advisory, Bond Counsel, Discount, Rating)	83,642	66,349	93,920
Capitalized Interest	230,700	35,629	330,450
Subtotal	314,342	101,978	424,370
TOTAL CAPITAL REQUIRED	4,814,342	3,401,978	5,424,370
Less Rounding/Interest Earnings	(24,342)	(16,978)	(24,370)
NET BOND SIZE	4,790,000	3,385,000	5,400,000

NOTES:

¹Costs for this portion of the project may be special assessed and/or paid from connection fee funding.



EHLERS
ASSOCIATES, INC.

S. 27th Street Elements - DRAFT
Preliminary Cost Estimates PHASE I College Ave to Drexel Ave
2/26/2010 Traffic Signals Alternative

All Costs Net Present Value = 2009\$

WisDOT Cost Share Items*	Cities Total Cost - Phase I	Per City Cost - Phase I	Per City Per Mile Cost - Phase I
Road Construction for 1.1 mile @ 25%	\$2,062,500	\$1,031,250	\$515,625
Real Estate Acquisition for 1.1 mile @ 25%	\$400,000	\$200,000	\$100,000
Total Cities Cost for WisDOT Items	\$2,462,500	\$1,231,250	\$615,625
City only Costs for Enhanced Elements	Cities Total Cost - Phase I	Per City Cost - Phase I	Per City Per Mile Cost - Phase I
Additional Streetscape Design Elements	\$3,716,710	\$1,858,355	\$929,178
Utility Easement Cost	\$265,000	\$132,500	\$66,250
Buried Utility Cost	\$3,000,000	\$1,500,000	\$750,000
ROW Acquisitions (for elements only)	\$16,000	\$8,000	\$4,000
Final Design & Engineering Fee	\$350,000	\$175,000	\$87,500
15% Contingencies (for enhanced elements only)	\$1,102,157	\$551,078	\$275,539
Total Cities Cost for Enhanced Items	\$8,449,867	\$4,224,933	\$2,112,467
Combined Total	\$10,912,367	\$5,456,183	\$2,728,092
WisDOT Sponsored CSS (3% of Project Cost)	\$450,000	\$225,000	\$112,500
Overall Grand Total	\$10,462,367	\$5,231,183	\$2,615,592

<25387> 590 238

<87113> 2025 334

112 920 2615 592

*Pending Origin/Destination Analysis

The Development Cost Analysis represents HNTB's best judgment as professionals familiar with the construction & design industry. Figures are based upon local construction costs. HNTB cannot and will not guarantee bids. Bids may vary from these estimates.

**City of Franklin
Community Development Authority**

**Tax Increment District #4
Cash Flow Model**

**Issued December 21, 2010
Updated June 2, 2011**

Presented by:

Calvin A. Patterson

City of Franklin Director of Finance & Treasurer

M E M O R A N D U M

DATE: December 21, 2010/June 1, 2011
TO: Community Development Authority
FROM: Calvin A. Patterson, Director of Finance & Treasurer
RE: Report and analysis of TID #4 Cash Flow Projections

Attached is a projection of tax increment revenue, expenditures, debt service payments and the net asset position for TID #4 based upon equalized values released by the Department of Revenue on August 15, 2010 and the taxes levied in December 2010.

Observations:

1. All Phase 1 projects have been completed. The completed costs were in line with the revised estimate for these projects and proceeds have been borrowed to fund the project costs.
2. Council approved adding the 51st Street water main project constructed in 2009 and the 2011 Oakwood Road water main project estimated to cost \$864,000 funded through interfund borrowing. Both of these water main projects are necessary to have sufficient water available to support future development in the TIF#4 project area.
3. The development assumptions are a major factor in the projected cash flow of the TIF District. The economic slowdown has resulted in delaying the projected years in which the various known projects are estimated to be constructed compared to the prior projection. Future economic activity will determine the actual years of development and any variance from the projections will impact the projection either positively or negatively.
4. The projection includes the potential costs of the Project Plan Phase 2 and Phase 3 projects. The estimated costs of 27th Street reconstruction in this TIF District is not included as the current timing would occur after the limit for incurring project costs.
5. The increment declined due to a prior year equalized valuation adjustment.
6. The tax increment revenue realized over the next seven years is projected to retire the borrowing from the first phase by 2016. This is the same year as previous projections due to increased computer aid less slower development assumptions.

7. The tax increment can continue to be received after that time to support phases 2 & 3 for this TIF District. Those phases will begin when there is development to support those Project Plan expenditures. It is forecast that the tax increment will be needed through 2026 the statutory limit for this district.
8. At some point in the future it should be studied to see if it makes sense to close this TIF District and establish another TIF District to handle phases 2 & 3 and the costs of the 27th Street reconstruction from Drexel to the County Line.

The analysis is qualified to the following extent:

1. The stated assumptions determine the results of the projection.
2. The tax rate assumption is based on the actual equalized tax rate in effect in December 2010 less an assumed decline in tax rates of 1.0% per year. If the tax rate varies from the assumption it could have either a positive or negative impact on these projections.

City of Franklin
TIF #4 Phase I Projection
Projected Cash Flow
December 21, 2010 & June 2, 2011

Year	Revenue						Expenditures						TIF Status			Year End Fund Balance
	Tax Levy	Computer Aid	Misc Revenue	Interest Income 3.00%	Debt Issued	Total	Project Costs	Admin Expenses	Debt Service		Total	Yearly Cash Activity	Net Cash	Outstanding Debt		
									Interest	Principal						
2005	-	-	-	39,408	2,812,416	2,851,824	179,470	34,844	47,553	-	261,867	2,589,957	2,589,957	2,812,416	(222,459)	
2006	-	-	-	117,860	116,353	234,213	659,840	35,237	129,485	-	824,562	(590,349)	1,999,608	2,928,769	(929,161)	
2007	17,702	4,884	294,196	28,754	2,971,231	3,316,767	3,522,075	53,667	116,893	1,500,000	5,192,635	(1,875,868)	123,740	4,400,000	(4,276,260)	
2008	236,803	6,862	34,337	9,354	3,700,000	3,987,356	388,006	51,827	187,046	3,100,000	3,726,879	260,477	384,217	5,000,000	(4,615,783)	
2009	221,611	5,474	57,051	8,341	600,000	892,477	529,168	28,555	223,924	337,000	1,118,647	(226,170)	158,047	5,263,000	(5,104,953)	
2010	1,268,430	3,254	78,217	5,120	-	1,355,021	51,227	9,625	198,646	1,000,000	1,259,498	95,523	253,570	4,263,000	(4,009,430)	
2011	836,103	55,615	-	7,607	-	899,325	348,000	15,000	174,164	525,000	1,062,164	(162,839)	90,731	3,738,000	(3,647,269)	
2012	840,513	52,834	-	2,722	100,000	996,070	-	15,000	145,623	700,000	860,623	135,447	226,178	3,138,000	(2,911,822)	
2013	844,878	50,193	-	6,785	-	901,856	-	15,000	107,114	975,000	1,097,114	(195,258)	30,920	2,163,000	(2,132,080)	
2014	849,199	47,683	-	928	200,000	1,097,809	-	15,000	63,094	1,038,000	1,116,094	(18,285)	12,635	1,325,000	(1,312,365)	
2015	879,878	45,299	-	379	250,000	1,175,556	-	15,000	21,536	1,125,000	1,161,536	14,020	26,655	450,000	(423,345)	
2016	1,003,914	43,034	-	800	-	1,047,748	-	15,000	9,000	450,000	474,000	573,748	600,403	-	600,403	
2017	1,062,001	40,882	-	18,012	-	1,120,895	-	15,000	-	-	15,000	1,105,895	1,706,298	-	1,706,298	
2018	1,386,370	38,838	-	51,189	3,800,000	5,276,397	5,548,000	15,000	76,000	-	5,639,000	(362,603)	1,343,695	3,800,000	(2,456,305)	
2019	1,472,851	36,896	-	40,311	-	1,550,058	-	15,000	132,000	1,000,000	1,147,000	403,058	1,746,754	2,800,000	(1,053,246)	
2020	1,790,723	35,051	-	52,403	4,100,000	5,978,177	6,000,000	-	194,000	-	6,194,000	(215,823)	1,530,931	6,900,000	(5,369,069)	
2021	2,519,693	33,299	-	45,928	4,700,000	7,298,920	6,851,000	-	370,000	-	7,221,000	77,920	1,608,850	11,600,000	(9,991,150)	
2022	2,603,488	31,634	-	48,266	-	2,683,387	-	-	420,000	2,200,000	2,620,000	63,387	1,672,238	9,400,000	(7,727,762)	
2023	2,607,251	30,052	-	50,167	-	2,687,471	-	-	332,000	2,200,000	2,532,000	155,471	1,827,709	7,200,000	(5,372,291)	
2024	2,610,974	28,550	-	54,831	-	2,694,355	-	-	240,000	2,400,000	2,640,000	54,355	1,882,064	4,800,000	(2,917,936)	
2025	2,614,657	27,122	-	56,462	-	2,698,241	-	-	144,000	2,400,000	2,544,000	154,241	2,036,304	2,400,000	(363,696)	
2026	2,289,096	25,766	-	61,089	-	2,375,952	-	-	48,000	2,400,000	2,448,000	(72,048)	1,964,256	-	1,964,256	
	27,956,138	643,221	463,801	706,715	23,350,000	53,119,875	24,076,786	348,755	3,380,078	23,350,000	51,155,619					

Note: Phase 1 projected to be fully funded by 2016.
TIF will continue until Phase 2 and Phase 3 projects are complete or fully funded. (Phase 2 - 5,548,000 & Phase 3 - 12,851,000). 27th St reconstruction may reduce the scope of later phases.
Per the Project Plan the TIF is anticipated to be completed during the year 2023.

City of Franklin
TIF #4 Projection
Projected Debt Service
December 21, 2010 & June 2, 2011

Tax Exempt G.O. Bonds	\$ 3,000,000
Improvements Cost	\$ 2,715,000
Capitalized Interest	\$ 259,377
Est Issuance Cost	\$ 24,975
Rounding	\$ 648

Interfund Advance	\$ 3,500,000
Improvements Cost	\$ 3,500,000
Capitalized Interest	-
Est Issuance Cost	-
Rounding	-

Total	\$ 6,500,000
	\$ 6,215,000
	\$ 259,377
	\$ 24,975
	\$ 648

Year	Debt Service 8/15/05			Debt Service (3/1 & 9/1) 4.00%			Debt Service (3/1 & 9/1) 4.00%			Debt Issues		
	Balance	Principal 3/1	Interest (3/1 & 9/1)	Total	Balance	Principal 3/1	Interest (3/1 & 9/1)	Total	Balance	Principal	Interest	Total
2005	3,000,000	-	47,553	47,553	3,000,000	-	47,553	47,553	3,000,000	-	47,553	47,553
2006	3,000,000	-	129,485	129,485	3,000,000	-	129,485	129,485	3,000,000	-	129,485	129,485
2007	1,500,000	1,500,000	77,823	1,577,823	2,900,000	-	39,070	39,070	4,400,000	1,500,000	116,893	1,616,893
2008	5,000,000	-	121,405	121,405	-	3,100,000	65,641	3,165,641	5,000,000	3,100,000	187,046	3,287,046
2009	4,663,000	337,000	214,850	551,850	600,000	-	9,074	9,074	5,263,000	337,000	223,924	560,924
2010	4,263,000	400,000	197,117	597,117	-	600,000	1,529	601,529	4,263,000	1,000,000	198,646	1,198,646
2011	3,738,000	525,000	174,164	699,164	-	-	-	-	3,738,000	525,000	174,164	699,164
2012	3,038,000	700,000	143,623	843,623	100,000	-	2,000	2,000	3,138,000	700,000	145,623	845,623
2013	2,163,000	875,000	105,114	980,114	-	100,000	2,000	102,000	2,163,000	975,000	107,114	1,082,114
2014	1,125,000	1,038,000	59,094	1,097,094	200,000	-	4,000	4,000	1,325,000	1,038,000	63,094	1,101,094
2015	-	1,125,000	8,536	1,133,536	450,000	-	13,000	13,000	450,000	1,125,000	21,536	1,146,536
2016	-	-	-	-	-	450,000	9,000	459,000	-	450,000	9,000	459,000
2017	-	-	-	-	-	-	-	-	-	-	-	0
2018	-	-	-	-	3,800,000	-	76,000	76,000	3,800,000	-	76,000	76,000
2019	-	-	-	-	2,800,000	1,000,000	132,000	1,132,000	2,800,000	1,000,000	132,000	1,132,000
2020	-	-	-	-	6,900,000	-	194,000	194,000	6,900,000	-	194,000	194,000
2021	-	-	-	-	11,600,000	-	370,000	370,000	11,600,000	-	370,000	370,000
2022	-	-	-	-	9,400,000	2,200,000	420,000	2,620,000	9,400,000	2,200,000	420,000	2,620,000
2023	-	-	-	-	7,200,000	2,200,000	332,000	2,532,000	7,200,000	2,200,000	332,000	2,532,000
2024	-	-	-	-	4,800,000	2,400,000	240,000	2,640,000	4,800,000	2,400,000	240,000	2,640,000
2025	-	-	-	-	2,400,000	2,400,000	144,000	2,544,000	2,400,000	2,400,000	144,000	2,544,000
2026	-	-	-	-	-	2,400,000	48,000	2,448,000	2,400,000	-	48,000	2,448,000
2027	-	-	-	-	-	-	-	-	-	-	-	0
		6,500,000	1,278,764	7,778,764		16,850,000	2,101,314	18,951,314		23,350,000	3,380,078	26,730,078

**City of Franklin
TIF Projection
Projected Revenue
December 21, 2010 & June 2, 2011**

Const. Year	Incr. Year	Rev. Year	Full Value Beginning of Year	Total Increment	DOR Adjustment	Inflation & Additional Increment	Cumulative Equalized Increment Value	Tax Rate	Increment Revenue Collected
2005	2006	2007	-	712,021		198,179	910,200	19.45	17,702
2006	2007	2008	910,200	9,725,000		1,059,700	11,694,900	20.25	236,803
2007	2008	2009	11,694,900	19,758,000	(21,300,000)	653,000	10,805,900	20.51	221,611
2008	2009	2010	10,805,900	674,500	46,600,000	446,800	58,527,200	21.67	1,268,430
2009	2010	2011	58,527,200	4,500,000	(23,300,000)	(3,225,300)	36,501,900	22.91	836,103
2010	2011	2012	36,501,900	-	-	563,198	37,065,098	22.68	840,513
2011	2012	2013	37,065,098	-	-	568,830	37,633,928	22.45	844,878
2012	2013	2014	37,633,928	-	-	574,518	38,208,446	22.23	849,199
2013	2014	2015	38,208,446	1,200,000	-	580,263	39,988,710	22.00	879,878
2014	2015	2016	39,988,710	5,500,000	-	598,066	46,086,776	21.78	1,003,914
2015	2016	2017	46,086,776	2,500,000	-	659,047	49,245,823	21.57	1,062,001
2016	2017	2018	49,245,823	15,000,000	-	690,637	64,936,460	21.35	1,386,370
2017	2018	2019	64,936,460	3,900,000	-	847,544	69,684,003	21.14	1,472,851
2018	2019	2020	69,684,003	15,000,000	-	895,019	85,579,022	20.92	1,790,723
2019	2020	2021	85,579,022	35,000,000	-	1,053,969	121,632,992	20.72	2,519,693
2020	2021	2022	121,632,992	3,900,000	-	1,414,509	126,947,501	20.51	2,603,488
2021	2022	2023	126,947,501	-	-	1,467,654	128,415,155	20.30	2,607,251
2022	2023	2024	128,415,155	-	-	1,482,331	129,897,485	20.10	2,610,974
2023	2024	2025	129,897,485	-	-	1,497,154	131,394,639	19.90	2,614,657
2024	2025	2026	131,394,639	-	-	1,512,125	132,906,764	19.70	2,618,299
				117,369,521					28,285,341

Base Equalized Value Increment	\$ 19,817,900
Total Equalized Value	\$ 36,501,900
Assessed Value Ratio	\$ 56,319,800
	\$ 58,097,700
	103.16%

Assumptions:

1. Property value inflation 1.00%
2. Property additions 0.00%
3. Mill Rate Inflation -1.00%

City of Franklin
TIF #4 Projection
Development Assumptions
December 21, 2010 & June 2, 2011

Const. Year	Project Plan Estimate	Development						Total
		MLG Residential	MLG Commercial	Covenant	Oakwood South	Conway	Additional Lots	
		19,967,049	12,579,974	18,000,000	30,000,000	-	100,000,000	180,547,023
2005	-		712,021					712,021
2006	12,877,813	925,000		8,800,000				9,725,000
2007	33,423,756	4,806,300		13,924,000		1,027,700		19,758,000
2008	4,245,454	534,500		140,000				674,500
2009	-	-		4,500,000				4,500,000
2010	-	-						-
2011	-	-						-
2012	38,000,000	-						-
2013	8,000,000	1,200,000						1,200,000
2014	8,000,000	1,200,000	4,300,000					5,500,000
2015	8,000,000	2,500,000						2,500,000
2016	8,000,000		15,000,000					15,000,000
2017	7,500,000	3,900,000						3,900,000
2018	7,500,000			15,000,000				15,000,000
2019	7,500,000		20,000,000	15,000,000				35,000,000
2020	7,500,000	3,900,000						3,900,000
2021	7,500,000							-
2022	7,500,000							-
2023	7,500,000							-
2024	7,500,000							-
	180,547,023	18,965,800	40,012,021	27,364,000	30,000,000	1,027,700	-	117,369,521

54 lots @ 25 Acres X
\$350,000 \$1,600,000 per acre



City of Franklin

Proposed Tax Increment District No. 4 ("Area D")

Project Costs¹

PROJECT LIST	PHASE I PROJECTS 2005	PHASE II PROJECTS 2008	PHASE III PROJECTS 2012
Oakwood Road and Lands North			
Water Main (Ryan Road to Oakwood Road) ²	600,000		
Oakwood Road Reconstruction (48' Wide)/Median	1,860,000		
Oakwood Road Sanitary Sewer ²	260,000		
Traffic Signals/Median Reconstruction	200,000		
Oakwood Road Water Main ²	390,000		
Roundabout Covenant/MLG Entrance	172,400		
Improvement into MLG Property (150 feet) from S. 27th Street	110,000		
Subtotal	3,592,400		
Extension of Sanitary Sewer on S. 27th Street south of Oakwood Road			
Gravity Main (Oakwood to Elm Road)		420,000	
Gravity Main (Lift station to south of Elm Road)		209,000	
Lift Station (S. 27th St. at S. County Line)		2,200,000	
Force Main (Lift station to Elm Road)		240,000	
Water Main (S. 27th Street - Oakwood to S. County Line) ²		750,000	
Subtotal		3,619,000	
Installation of infrastructure south of Oakwood Road			
Elm Road Reconstruction (48' Wide)			1,490,000
South County Line Road Reconstruction (48' Wide)			1,830,000
Middle and West Road Construction (40' Wide)			5,010,000
Traffic Signals/Median Reconstruction			400,000
Sanitary Sewer			1,611,000
Water Main in Elm Rd., S. County Line, Middle and West Rd. & North Stubs			1,560,000
Easement (Oakwood to Elm Road)			420,000
Subtotal			12,321,000
Contingency	177,000	229,000	530,000
Land Acquisition			
Fitzsimmons Woods ³	375,000		
Oakwood Road Right of Way	200,000		
Conservancy Land (Two Areas)		1,500,000	
Subtotal	575,000	1,500,000	
TOTAL ESTIMATED PROJECT COSTS	4,284,400	5,548,000	12,851,000
Financing Expenses			
Fees (Advisory, Bond Counsel, Discount, Rating)	83,432	102,098	191,932
Capitalized Interest	450,741	430,511	0
Subtotal	534,173	532,609	191,932
TOTAL CAPITAL REQUIRED	4,818,573	6,080,609	13,042,932
Less Rounding/Interest Earnings	(28,573)	(20,609)	(62,932)
NET BOND SIZE	4,790,000	6,060,000	12,980,000

NOTES:

- ¹ Source of project cost estimates are City Engineer memos dated 11-10-04 and 1-18-05. Land acquisition costs for Fitzsimmons Woods and Conservancy Areas provided by Alderman Solomon at 1-3-05 meeting.
- ² Costs for this portion of the project may be special assessed and/or paid from connection fee funding. The City reserves the right to substitute these costs with other infrastructure costs that may be necessary to develop the Tax Increment District.
- ³ Total cost of acquisition exclusive of any grant funds which may be received.



EHLERS
A ASSOCIATES INC.

<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 06/07/11</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Mayoral Ad Hoc Development Process Review Committee Request for Funding Assistance For the South Suburban Chamber of Commerce's 10th Anniversary Business Appreciation Event</p>	<p style="text-align: center;">ITEM NUMBER <i>G.12.</i></p>

At its May 24, 2011, meeting, the Mayoral Ad Hoc Development Process Review Committee moved to recommended that the Common Council consider the provision of financial assistance towards the South Suburban Chamber of Commerce's 10th Anniversary Business Appreciation Event.

As indicated by Mr. Mark Hansen, President of the South Suburban Chamber of Commerce, this event is intended to provide the elected officials and business leaders of the two communities of Franklin and Oak Creek an opportunity to network with one another and to express the two communities' appreciation of their local businesses. Mr. Hansen further indicated that the two Mayors will be invited to speak about their respective communities and of issues that may be of interest to the attendees of the Business Appreciation Event.

According to Mr. Hansen, this event would be hosted by the South Suburban Chamber of Commerce, and sponsored jointly by the Cities of Franklin and Oak Creek. As such, the South Suburban Chamber of Commerce is respectfully requesting a contribution of \$1,500 from each community. The event is scheduled for September 22, 2011, from 5:30 pm to 7:00 pm, at the Wheaton-Franciscan Hospital. Further questions about this matter can be directed to Mr. Hansen who will be present at the Common Council meeting.

COUNCIL ACTION REQUESTED

A motion to approve use of \$1,500.00 of Contingency Fund appropriations for the South Suburban Chamber of Commerce's 10th Anniversary Business Appreciation Event and to direct the Finance Director to incorporate this change into a future budget modification to move the expenditure into the Economic Development - Other Professional Services 2011 budget line item.

<p>APPROVAL</p> 	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/7/11</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>A Resolution Opposing the Adoption of Senate Bill 83 Relating to Various Changes to the Eminent Domain Laws</p>	<p>ITEM NUMBER</p> <p>G.13.</p>

Below, as authored by Mike Harrigan, Chairman and Senior Financial Advisor with Ehlers & Associates, Inc., is a summary of the negative impacts of Senate Bill 83 which relates to various changes to the eminent domain laws. Attached for Common Council consideration is a resolution indicating the City's position in opposition to the adoption of Senate Bill 83.

"Approved out of Senate Committee on May 12, 2011 by a 3-2 vote, Senate Bill 83 substantially restricts the instances in which a local government can acquire property through eminent domain. Of particular note and concern, the bill changes the definitions of "blighted property" and "blighted area" such that to make a finding of blight, the subject property would as a pre-condition have had to been cited for violation of a state or local building code, and have had to fail to correct those deficiencies after having received at least two notices from the local government to do so. Furthermore, the cost to correct the code violations would need to exceed 50% of the value of the improvements on the site.

Since a Community Development Authority (CDA) or a Redevelopment Authority (RDA) can only exercise its powers in blighted areas, or over blighted properties, this stringent requirement for determining blight would eliminate their ability for involvement in most economic development and redevelopment efforts. As examples, unless the property in question met the strict blight requirements noted above, a CDA or RDA would be unable to:

- Acquire and assemble property for redevelopment, even if the owners approached the Authority.
- Provide development incentives, or raise the funds through lease revenue bonds.
- Act as a conduit issuer for double tax-exempt private-financing of economic development projects.
- Provide loans, grants, or other assistance through programs operated by the Authority.

The state should not change the law in this case because it is functioning well as it is. Without the ability to use the eminent domain tool, many excellent projects would not have happened including Bayshore Mall in Glendale, improvements in the Menomonee Valley in Milwaukee, and other similar projects in West Bend, Beloit, Oshkosh, Cudahy, and Racine."

COUNCIL ACTION REQUESTED

Motion to approve Resolution No. 2011-____, A Resolution Opposing the Adoption of Senate Bill 83 Relating to Various Changes to the Eminent Domain Laws which includes directing the City Clerk to transmit a copy of this Resolution to its Senate and Assembly representatives in the State Legislature and to Governor Scott Walker along with a letter from the Mayor requesting that this legislation be abandoned, defeated, or vetoed.

RESOLUTION NO. 2011-_____

A RESOLUTION OPPOSING THE ADOPTION OF SENATE BILL 83 RELATING TO VARIOUS CHANGES TO THE EMINENT DOMAIN LAWS

WHEREAS, the City of Franklin has significant need for economic development and redevelopment; and

WHEREAS, the City has created a Community Development Authority (CDA) which has designated certain areas of the City as blighted under the current definition of blight as set forth in Wisconsin Statutes; and

WHEREAS, the CDA can only exercise its powers for economic development and redevelopment in areas for which a redevelopment plan has been approved, and which meet the existing definitions of blight; and

WHEREAS, Senate Bill 83 would so significantly narrow the definition of blight that it would effectively eliminate the ability of the CDA to function, making economic development and redevelopment more difficult, if not impossible; and

WHEREAS, Senate Bill 83 would nearly eliminate the ability to acquire property for economic development through eminent domain, undermining the ability to assemble property for redevelopment; and

WHEREAS, Senate Bill 83 would effectively be an anti-business initiative because it would put the City of Franklin and all Wisconsin municipalities at a disadvantage in terms of their ability to promote development and redevelopment within their communities.

NOW, THEREFORE, BE IT RESOLVED that for the reasons cited in this resolution and in the attached summary which is hereby made a part of this resolution, the Common Council of the City of Franklin opposes Senate Bill 83.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to its Senate and Assembly representatives in the State Legislature and to Governor Scott Walker along with a letter from the Mayor requesting that this legislation be abandoned, defeated, or vetoed.

Introduced at a regular meeting of the Common Council of the City of Franklin this 7th day of June, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 7th day of June, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Attachment to Resolution No. 2011-_____

Summary of Negative Impacts of Senate Bill 83

Approved out of Senate Committee on May 12 by a 3-2 vote, Senate Bill 83 substantially restricts the instances in which a local government can acquire property through eminent domain. Of particular note and concern, the bill changes the definitions of "blighted property" and "blighted area" such that to make a finding of blight, the subject property would as a pre-condition have had to been cited for violation of a state or local building code, and have had to fail to correct those deficiencies after having received at least two notices from the local government to do so. Furthermore, the cost to correct the code violations would need to exceed 50% of the value of the improvements on the site.

Since a Community Development Authority (CDA) or a Redevelopment Authority (RDA) can only exercise its powers in blighted areas, or over blighted properties, this stringent requirement for determining blight would eliminate their ability for involvement in most economic development and redevelopment efforts. As examples, unless the property in question met the strict blight requirements noted above, a CDA or RDA would be unable to:

- Acquire and assemble property for redevelopment, even if the owners approached the Authority.
- Provide development incentives, or raise the funds through lease revenue bonds.
- Act as a conduit issuer for double tax-exempt private-financing of economic development projects.
- Provide loans, grants or other assistance through programs operated by the Authority.

The state should not change the law in this case because it is functioning well as it is. Without the ability to use the eminent domain tool, many excellent projects would not have happened including Bayshore Mall in Glendale, improvements in the Menomonee Valley in Milwaukee, and other similar projects in West Bend, Beloit, Oshkosh, Cudahy, and Racine.

<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 June 7, 2011</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Community Development Authority recommendations as to business incentive options and the creation of a revolving loan fund</p>	<p style="text-align: center;">ITEM NUMBER <i>G, 14,</i></p>

The Community Development Authority considered the subject matter of business incentive options at its meeting on May 26, 2011. As part of its consideration it reviewed a proposed revolving loan fund program. The CDA Executive Director presented a draft program premised upon a reportedly successful and praised program in the City of Minneapolis, Minnesota, which involves governmental participation in conjunction with local private lending institutions on a dollar equal contribution partnership basis. The Authority also heard from the Director of Finance upon the subject, with regard to some recommended changes to the draft. The CDA adopted a motion to recommend to the Common Council to include such development incentive provisions as determined appropriate by the Authority on the record at the May 26, 2011 meeting and to recommend the consideration by the Common Council of the creation of a revolving loan fund to assist existing business expansion and improvement and new business development. Such action included the comments from the Director of Finance to the draft revolving loan program document and, which as so amended, is annexed hereto for the Council's consideration. Program funding sources as recommended by the Director of Finance are that initial funding be provided by reallocating the Master Planning Fund 2010 year end fund balance of \$109,020; that for further funding, within the 2012 Budget and thereafter, the Council allocate the amount of room taxes upon the Staybridge Suites Hotel, as an ongoing funding source for the purposes of economic development to the revolving loan fund; and that further funding as may be determined necessary be provided by internal borrowing or as a one time transfer from the general fund balance upon the creation and operation of the revolving loan fund. The CDA also adopted a motion, following its review of the extensive business development information provided on the City website, to recommend to the Common Council that it direct staff to update the economic development information Presentation on the City website.

COUNCIL ACTION REQUESTED

A motion to authorize the creation of a revolving loan fund to assist existing business expansion and improvement and new business development in the form and content as presented to the Common Council on June 7, 2011, with such technical changes as may be made by the Director of Finance and the City Attorney.

A motion to direct staff to update the economic development information Presentation on the City website.

2% REVOLVING LOAN FUND PROGRAM GUIDELINES

I. PURPOSE OF FUND

To provide financial assistance to office, retail, service and light manufacturing businesses through joint private sector and public action.

To establish a city-wide low interest, longer term loan program to provide:

- Capability and incentive for owners and tenants to upgrade the appearance, structural condition and operating efficiency of their place of business.
- Improvement of their market and service of their business to the community.
- Retention and expansion of job opportunities.

In the event program funds are not sufficient to meet all eligible applications, priority will be given first to those businesses, which, without the low interest rate, would not be able to improve their property or expand their business. Secondly, priority will be given to those businesses located in Tax Incremental District areas of the City. Thirdly, priority to applicants with personal net worth less than \$1 million. Subject to these priorities, the City in reviewing applications may consider the following:

- The date of the application.
- The extent of the improvements leveraged by the 2% Revolving Loan Funds.
- The extent of new or expanded business and job opportunities.
- The extent of rehabilitation and use of existing vacant structures.

II. PARTICIPATION AND FINANCING

The 2% Revolving Loan Fund (RLF) program is established and will operate as a public/private sector partnership of the City of Franklin and local banks.

The 2% RLF will provide one-half of each small business loan up to a maximum of \$40,000 per borrower at an interest rate of 2%.

Matching funds at least equal to the amount provided by the 2% RLF will be provided at current interest rates by local community banks.

The portion of the borrower's equity to be injected into the project will be determined by the bank.

Administration will be shared by the City of Franklin, the Community Development Authority and Department of Finance and participating local banks.

- the Community Development Authority and Department of Finance will coordinate the program with business and community development organizations.
- Local banks will execute Lender Agreements with the Community Development Authority to carry out their participation and loan administration in accordance with these guidelines.

III. LOAN TERMS AND CONDITIONS

A. 2% RLF/BANK Participation

The 2% RLF and a participating bank will share in a loan on a matching basis. For example, the 2% RLF and a bank will each provide \$40,000 for a \$80,000 loan.

B. Maximum Loan

2% RLF will participate in a loan up to a maximum of \$40,000 per project with up to 2 loans per borrower. A bank may increase its portion over \$40,000. Maximum loan per building is \$120,000 in the case of a multi-tenant building.

C. Interest Rates

The 2% RLF loans are made at a fixed rate of 2%. In most instances, these funds are subordinate to funds provided by the bank.

The participating bank is allowed to charge an annual rate, fixed or variable of up to two percent above the prime rate of interest over the term of the loan.

EXAMPLE:

	Amount	Rate	Year Term	Monthly Payment
2% RLF Loan	\$25,000	2%	10	\$230
Bank Loan	<u>\$25,000</u>	10%	10	<u>\$330</u>
Total	\$50,000			\$560
		Blended 6 %		

D. Term

The term of the loan shall be up to 10 years. The bank shall make the determination for an appropriate term relating to the applicant's ability to pay and the use of funds.

E. Collateral Required

The bank and the Community Development Authority together shall determine the type and amount of collateral the borrower will provide and the bank shall in most cases have a senior lien on the collateral.

The bank shall file any liens required on collateral.

F. Loan Administration

The bank shall have the sole responsibility of determining the applicant's credit risk through a credit bureau and any other type of investigation typically used by the bank which information shall be shared with the City.

City Staff will evaluate and approve individual loan applications in accordance with these approved program guidelines.

The City of Franklin and the Community Development Authority are not named on the loan papers. All loan documents are to be in the name of the bank.

Payments on both loans are due and payable to the bank with the bank then promptly forwarding the payment on the RLF loan to the City. Payments must be received on both loans for the loan to remain current. Follow up on loan delinquencies are the responsibility of the bank

The applicant is required to pay an Origination Fee of 1% of the principal amount of the City/Community Development Authority's loan with a minimum payment of \$150 to cover program administration. It shall be the responsibility of the bank to collect this fee and to remit it to the City of Franklin.

G. Loan Disbursements

Payments to borrowers and/or contractors shall be made by the bank. Loan disbursements will be limited to three (3) in total; two partial payments plus one final payment (minimum of 10% of total loan) when all work is completed and inspected.

H. Lien Wavers

The bank will collect lien waivers and/or other documentation as deemed necessary by the bank.

IV. ELIGIBILITY CRITERIA

A. Applicants

The applicant may be: individual owners, partnerships, corporations, tenant operators or contract for deed purchasers.

An applicant must have the ability to repay the loan and be an acceptable credit risk as determined by a bank.

Applicant must have obtained a commitment letter from a participating lending institution in order to secure a waiting list status for the 2% RLF.

An applicant's property status must be as a conforming use under the City of Franklin Unified Development Ordinance.

Applicants may apply for funding multiple times but can in no case borrow more than \$40,000 per project. In the case that the original \$40,000 has been paid off and 5 years have expired since the most recent loan origination, the borrower is eligible for an additional \$40,000.

Applicant's property must be in compliance with all applicable City and State ordinances, statutes, rules and regulations.

Upon completion of the improvements, the applicant's property must pass all required governmental inspections.

In the event that the borrower moves his/her business out of the City of Franklin, the RLF loan will become due and payable.

B. Improvements

1. Exterior Improvement Loan

All building improvements, structurally and architecturally, shall be of high quality. An applicant may improve the exterior appearance of the building and property and will not be required to do any interior improvements if the applicant passes the City of Franklin health and safety inspection. Where design standards have been established for the area in which the loan is to be made, review and approval of any business or community organization responsible will be obtained by the borrower.

The following are eligible expenditures:

- Building addition or enlargement which increases the non/residential assessed value of the property.
- All work on the front and sides of business buildings facing public streets.
- Cleaning, painting and staining of exterior surfaces.
- Masonry repairs.
- Repairing or replacing of cornices, entrances, doors, windows, decorative details and awnings.
- Sign removal, repairing or replacement.
- Architectural design services for plans and specifications.
- Parking lots, including lighting, surfacing and landscaping.
- Building identification.
- Other items that are viewed necessary to complement the exterior of the building.
- Building permits.
- Energy audits.
- Roofing.
- Energy conservation.
- Handicap access.
- Streetscape costs not financed by special assessment.

2. Exterior-Interior Improvement Loan

Upon upgrading the exterior appearance and the correction of all health and safety code deficiencies (as recorded by the City Inspection Department) an applicant may include other fixed interior improvements in the work plan. In addition to the eligible expenditures listed previously under the exterior improvement loan, the following additional expenditures are eligible:

- Almost all fixed improvements including the repair and/or decoration of walls, ceilings, floors, lighting, windows, doors, entrances, electrical, plumbing, mechanical, air conditioning, architectural change, energy improvements, etc.
- Professional fees in conjunction with the completion of a project may be paid for reasonable engineering, architectural and other related service fees necessary to plan, estimate costs, etc.

3. Production Equipment Loan

If the applicant passes the City's health and safety inspection, loan funds may be borrowed for the purchase of production equipment. Production equipment is defined as any equipment or machinery that will increase the productivity of the business. The purchase of equipment should also contribute to new job opportunities or business investment. Replacement of equipment will not be considered an eligible purchase unless the applicant can demonstrate increased job opportunities resulting from the

purchase of the equipment.

C. Ineligible Costs

The following costs are ineligible

- Refinancing of existing debts.
- Non-fixed improvements.
- Working capital.
- Inventory.
- Sweat Equity (payment for the applicant's own labor and performance for construction of improvements).
- Billboard Advertising

D. Improvements Completed Prior to Loan Closing

Such improvements are eligible if the following steps have been taken:

- Applicant must have already filled out a loan application with City/Community Development Authority prior to the work proceeding.
- Applicant must have a commitment letter from their Bank and the City/Community Development Authority confirming their financing and approval of the project.
- Applicant must agree to include all Health and Safety items in work to be done.
- Final bids will be required to assess the total City/Community Development Authority portion of the loan. Closing will not be set up until final bids have been received.

If the above conditions have been met, the applicant may proceed using his/her own funds or interim financing from a bank. However, this is done at the applicant's and/or bank's own risk until the total scope of work has been approved by the City/Community Development Authority and the loan has been closed.

E. Community Group or Association Notification

An appropriate Community Group or Association, as designated by the Department of City Development, will be notified of loan applications received from businesses in their planned development district or neighborhood development area.

F. Public Purpose For Use of 2% RLF Funds

The loan applicant must fit into at least ONE of the categories below, in order to be eligible for the 2% RLF program.

1. The assisted project improves the economic viability of the City or the community area it serves.
2. The assisted project provides for increasing operating efficiency and marketability of the business.
3. The assisted project prevents or eliminates deterioration by making building improvements.

4. The assisted project provides an increase in the non-residential tax base of the property to further the 70% residential 30% non-residential tax base ratio goal of the City.
5. The assisted project provides for business services or products to serve an existing need in the City or the community area it serves or will serve.

V. CONTRACTING AND CONSTRUCTION

All applicants shall provide the City with information on the "Loan Application" detailing applicant's interest regarding rehabilitation or expansion of the building or of the new construction, giving permission for health and safety inspection and any other requested supplements necessary to achieve the approval of the project.

A document (Scope of Work) must be submitted to the Department of City Development and the bank detailing the work to be performed, estimated cost, specifically detailing how the health and safety work is to be satisfied and any other documentation necessary to achieve City approval of the project.

Contractors and all sub-contractors providing work under this program are to be licensed and must meet the insurance and bonding requirements of the bank. The contractor and/or sub-contractor is to be knowledgeable of and/or responsible for quality and workmanship, conducting proper business practices, be financially capable and demonstrate that they are an Equal Opportunity Employer.

The quality and progress of the work is to be monitored throughout the term of the contract by the loan recipient, general contractor and the bank.

Payment requests (either partial or final) cannot be made by the borrower or contractor until a written request for payment (or estimate) is made and the loan recipient, City/Community Development Authority, and bank have accepted the improvement plan in writing. If the contractor requests periodic draws on completed work, the draws shall be limited in amounts equal to the value of materials furnished and/or services performed at the time of request. Number of payments will be limited to three (3) including the final payment. All payments are subject to a final 10% holdback. The holdback may be used to correct unsatisfactory work, or to defray costs to obtain a replacement contractor and/or to complete the project. The contractor is to furnish the necessary lien waivers to the bank or borrower for all payments. All work is to be covered by the normal required permits and approvals of affected agencies.

All work must be inspected by the City of Franklin to insure conformance with code and compliance with specifications prior to final payment. Final payment will not be made until all building related permits have been signed off by the field inspectors.

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i>		6/7/11
Reports & Recommendations	SUBJECT: A preliminary resolution declaring intent to exercise special assessment powers granted by section 66.0701 of the Wisconsin Statutes for installing water main and laterals in W. Puetz Road from W. St. Martins Road (STH 100) to a point 300 feet east of W. St. Martins Road and set a public hearing date for August 2, 2011 at 6:30 p.m.	ITEM NO. <i>G.15.</i>

BACKGROUND

Pursuant to the recommendation from the Board of Water Commissioners relative to completing a 300 foot section of water main on W. Puetz Road at W. St. Martins Road in conjunction with the construction of the Puetz Road booster station, it is necessary to adopt a preliminary resolution for special assessment and set a public hearing date.

ANALYSIS

The only two parcels that will be assessed are parcels that are a part of the proposed Legend Creek Retail Center. No single-family lots are involved in this project. The booster station and this small water main extension are recommended as part of the 2009 Water System Study and will increase the reliability of the Utility's water system serving the western portion of the City.

OPTIONS

Adopt the preliminary resolution and set a public hearing date.

or

Table

FISCAL NOTE

The estimated cost is \$59,300 which will be funded through special assessment and the water impact fee for the oversize cost.

RECOMMENDATION

A motion to adopt Resolution No. 2011 _____, a preliminary resolution declaring intent to exercise special assessment powers granted by section 66.0701 of the Wisconsin Statutes for installing water main and laterals in W. Puetz Road from W. St. Martins Road (STH 100) to a point 300 feet east of W. St. Martins Road.

and

Set the public hearing for August 2, 2011 at 6:30 p.m.

JMB/sg

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY
RESOLUTION NO. 2011- _____

A PRELIMINARY RESOLUTION DECLARING INTENT
TO EXERCISE SPECIAL ASSESSMENT POWERS
GRANTED BY SECTION 66.0701 OF THE STATE STATUTES
FOR INSTALLING WATER MAIN IN W. PUETZ ROAD FROM W. ST. MARTINS ROAD (STH 100)
TO A POINT 300 FEET EAST OF W. ST. MARTINS ROAD
AND SET A PUBLIC HEARING DATE FOR AUGUST 2, 2011 AT 6:30 P.M.

WHEREAS, the Common Council has at the recommendation of the Board of Water Commissioners determined that it is expedient and necessary for the best interests of the City and the property affected thereby that the following permanent improvements be made as herein described.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin.

1. The Common Council declares its intent to exercise police powers granted to it by law and adjudge that it is necessary for the health, safety and welfare of the public and affected property owners that water main and appurtenances be installed in the following which constitutes the district limits:
 - W. Puetz Road from W. St. Martins Road (STH) to a point 300 feet east of W. St. Martins Road (STH 100)
2. The Common Council exercises its power to levy special assessments under its police power as authorized in Section 207-15 of the Municipal Code and Section 66.0701 of the Wisconsin Statutes.
3. The Common Council further declares that all assessments may be paid in one (1) payment when the work is completed, or in the next succeeding tax roll, or in the number of annual installments, or the number of installments as determined within the final resolution.
4. The City Engineer and/or his authorized representative is hereby directed to prepare the report described in Section 207-15 of the Municipal Code for the installation of water main in W. Puetz Road from W. St. Martins Road (STH 100) to a point 300 feet east of W. St. Martins Road (STH 100).
5. Upon completion of such report the City Engineer and/or his authorized representative is directed to file a copy thereof in the Office of the City Clerk for public inspection.
6. That the City Clerk is directed to schedule and give notice of a Public Hearing on said improvements to be conducted by the Mayor and Common Council in accordance with the provisions of Section 207-15 of the Municipal Code.

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____
NOES _____
ABSENT _____

REPORT ON SPECIAL ASSESSMENTS

**W. PUETZ ROAD
WATER MAIN CONSTRUCTION**

DRAFT COPY

**FROM W. ST. MARTINS ROAD TO A POINT
300 FEET EAST OF W. ST. MARTINS ROAD**

JUNE 8, 2011

The Common Council of the City of Franklin directed Engineering staff to prepare the Report on Special Assessments for the installation of water main in W. Puetz Road from W. St. Martins Road to a point 300 feet east of W. St. Martins Road in the City of Franklin as included in Resolution No. 2011-____, adopted on June 7, 2011.

Herewith is the report, consisting of Schedules A through D, a reference map and bid tabulation, attached.

FRANKLIN ENGINEERING DEPARTMENT

John M. Bennett
City Engineer

SCHEDULE A – CONSTRUCTION PLANS AND SPECIFICATIONS

DRAFT COPY

SCHEDULE B – TOTAL PROJECT COSTS

Net estimated water main construction costs (main oversize costs)	\$ 45,741.00
20 Percent Overhead	\$ 9,148.20
Assessable Construction Costs	\$ 54,889.20

City’s cost to Non-assessable 292 x \$12.50	\$ 3,650.00
20 Percent Overhead	\$ 730.00
Total City Costs for Oversizing	\$ 4,380.00

TOTAL CONSTRUCTION COSTS	\$ 49,391.00
OVERHEAD	<u>9,878.20</u>
TOTAL PROJECT COSTS	\$ 59,269.20

No Laterals

SCHEDULE C – ASSESSMENTS COSTS

Total Frontage (lineal feet)	536.92
Total Assessable Frontage (lineal feet)	536.92

Assessable Construction Cost = \$54,889.20
 Water Main Assessment Rate - $\$54,899.20/536.92 = \$102.23/\text{ft.}$

Maximum Assessment rate for R-3 & R-8 is \$83.75.

Total Assessment Return

Total \$ 44,967.05

Total from Water Impact Fee Account \$ 14,302.15

No land is to be taken nor damages contemplated on this project.

Properties Served By Water Main

The properties which are subject to the assessment are benefited by public water service in the following seven (maybe more) ways:

- Increased fire protection
- Reliability of water supply
- Assurance of a water supply which has been routinely tested for potability (lack of contamination)
- Elimination of the reliance on maintenance and repair of individual wells

- The develop ability of vacant, under-developed or partially-developed properties which are deferred from development by the lack of municipal water supply causing a negative impact on the fair market value
- The elimination of the potential for cross-contamination between individual limestone wells
- The elimination of the use of the limestone aquifer in the vicinity of outcropping which are more susceptible to contamination by pollution from surface contaminants including fertilizers, pesticides and spills.

SCHEDULE D

The properties, against which the assessments are proposed, are benefited. The schedule of special assessments lists property descriptions, ownership of record and assessments.



DRAFT COPY

MEMORANDUM: FROM ENGINEERING

DATE: May 23, 2011

TO: File

FROM: John M. Bennett, P.E., City Engineer

SUBJECT: VIEWING OF PROPERTIES FOR THE W. PUETZ ROAD WATER MAIN
EXTENSION BETWEEN W. ST. MARTINS ROAD AND A POINT 300 FEET
EAST OF W. ST. MARTINS ROAD

The installation of water main by special assessment procedure is proposed on W. Puetz Road between W. St. Martins Road and a point 300 feet east of W. St. Martins Road. Please be advised that on the afternoon of May 23, 2011 I field reviewed the property and premises on the subject project area. The following are observations made during the viewing of the properties and premises as summarized below.

The proposed 16-inch diameter water main alignment will be constructed on the north side of W. Puetz Road from W. St. Martins Road and a point 300 feet east of W. St. Martins Road. A portion of the extension on W. Puetz Road will be within the ditch area along the north side of W. Puetz Road.

In summary, the viewing of the area does indicate a benefit to the properties contained within the project area for all vacant parcels and developed parcels. All vacant lands have the potential for development and existing developed lands on private wells have a potential of pollutants entering the limestone aquifer serving the area. A proposed shopping center has received approval for the construction by the Planning Commission and Common Council, but to date, the shopping center has not proceeded with construction.

JMB/sg

W. Puetz Road Water 2011

TAX KEY NO.	PROPERTY ADDRESS	OWNR NAME & MAILING ADDRESS	ZONING	PROPERTY FRONTAGE (FT)	ASSESSMENT FRONTAGE	WATER MAIN ASSESSMENT RATE	ASSESSMENT	DAMAGES	TOTAL ASSESSMENT
847-9986-000	9640 W. Puetz Road	Legend Creek LLC 4635 S. 108th Street Greenfield, WI 53228	R-8	169.68	169.68	83.75	\$ 14,210.70	0	\$ 14,210.70
840-9998-000	9710 W. St. Martins Road	Legend Creek LLC 4635 S. 108th Street Greenfield, WI 53228	B-3	367.24	367.24	83.75	\$ 30,756.35	0	\$ 30,756.35
TOTALS:				536.92	536.92		\$ 44,967.05		\$ 44,967.05

83.75 Maximum Assessment (2011) for R-8 & B-3 Zoning

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/7/2011
Reports & Recommendations	SUBJECT: A resolution awarding contract to the lowest bidder, Payne & Dolan, Inc. in the amount of \$181,895.15 for the reconstruction of the parking lots and drives for City Hall and Fire Station No. 1	ITEM NO. <i>G.16.</i>

BACKGROUND

The City of Franklin received four (4) bids on May 27, 2011 for this reconstruction. The asphalt in the City Hall parking lot has exceeded a reasonable service life and is in need of replacing. Curb and gutter and sidewalk repair will be done at the same time within this contract. In addition, the east drive, front parking lot and rear staging area of the Fire Department will be resurfaced.

Project reconstruction will not begin until after July 11, 2011. Work at the City Hall will be in two phases to allow on-going City Hall access. Coordination with staff, officials and the seniors will be given in a timely manner, and signing will provide for way finding.

ANALYSIS

The bids received were as follows:

	<u>City Hall</u>	<u>Fire Station No. 1</u>	<u>Total</u>
Payne Dolan, Inc.	\$138,362.05	\$43,533.10	\$181,895.15
Stark Asphalt	\$166,366.95	\$47,023.00	\$213,389.95
Black Diamond Group	\$167,278.50	\$60,521.00	\$227,799.50
PLM Pavins, Inc.	\$206,759.40	\$58,181.10	\$264,940.50

The engineer's estimate was \$232,100. Staff recommends the award to Payne & Dolan, Inc. in the amount of \$181,895.15.

OPTIONS

Approve or deny the award.

FISCAL NOTE

There will be additional project cost to modify the City Hall storm sewer system and have the lots striped, both by the Department of Public Works, estimated at \$25,000.

Funding of this project was budgeted at \$310,000 in the Capital Improvement Fund for 2011.

RECOMMENDATION

Motion to adopt Resolution No. 2011-_____, a resolution awarding contract to the lowest bidder, Payne & Dolan, Inc. in the amount of \$181,895.15, for the reconstruction of the parking lots and drives for City Hall and Fire Station No. 1.

MJB/sg

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011 - _____

A RESOLUTION AWARDING CONTRACT TO THE LOWEST BIDDER, PAYNE & DOLAN, INC. IN THE AMOUNT OF \$181,895.15 FOR THE RECONSTRUCTION OF THE PARKING LOTS AND DRIVES FOR CITY HALL AND FIRE STATION NO. 1

WHEREAS, the City of Franklin advertised and solicited bids for the reconstruction of the parking lots and drives for Franklin City Hall and Fire Station No. 1; and

WHEREAS, the low bidder was Payne & Dolan, Inc., with a bid of \$181,895.15; and

WHEREAS, Payne & Dolan, Inc. is a qualified public works contractor.

WHEREAS, it is in the best interest of the City as recommended by the City's staff to award the contract at the total base bid of \$181,895.15 to Payne & Dolan, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Payne & Dolan, Inc. be awarded the contract for the reconstruction of the parking lots and drives for Franklin City Hall and Fire Station No. 1.

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

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

MJB/sg

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/7/11
Reports & Recommendations	SUBJECT: A resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Resolution – Reporting year 2010	ITEM NO. <i>6.17.</i>

BACKGROUND

Each year the City is required to file with the Wisconsin Department of Natural Resources the Compliance Maintenance Annual Report. Attached please find the 2010 annual report. There is only minor changes from the 2009 report passed by Common Council on 6/29/10.

ANALYSIS

It is important to meet the stipulation from the DNR that this report be filed electronically on or before June 30, 2011. The report requires an approval by the governing body and such resolution is attached.

OPTIONS

Adopt resolution

Or

Table

FISCAL NOTE

A depreciation/replacement account has been established. The staff only expends funds that are budgeted in the amount approved by the City of Franklin budget.

RECOMMENDATION

Motion to adopt Resolution No. 2011 - _____, a resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Resolution – Reporting year 2010.

RJR/sr
 Enc.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011- _____

A RESOLUTION APPROVING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NR-208 COMPLIANCE MAINTENANCE RESOLUTION – REPORTING YEAR 2010

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its **wastewater collection system** under Wisconsin Administrative Code NR 208;

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the Compliance Maintenance Annual Report (CMAR);

WHEREAS, it is necessary to provide recommendations or an action response plan for all individual CMAR section grades (of “C” or less) and/or an overall grade point average (<3.00);

BE IT THEREFORE RESOLVED by the Common Council of the City of Franklin that the following recommendations or actions will be taken to address or correct problems/deficiencies of the wastewater treatment or collection system as identified in the Compliance Maintenance Annual Report (CMAR);

- (1) Continue to identify inflow and infiltration (I & I) to the City’s sanitary sewer system and take action to eliminate all I & I detected.
- (2) Continue the City record of having no bypasses or overflow.

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

PASSED AND ADOPTED at a special meeting of the Common Council of the City of Franklin this _____ day of _____, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___
NOES ___
ABSENT ___

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
6/1/2011

Reporting Year: 2010

Financial Management

	Questions	Points						
1.	Person Providing This Financial Information							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Name:</td> <td>Roy Kainz</td> </tr> <tr> <td>Telephone:</td> <td>(414) 421-2581</td> </tr> <tr> <td>E-Mail Address(optional):</td> <td>rkainz@franklinwi.gov</td> </tr> </table>	Name:	Roy Kainz	Telephone:	(414) 421-2581	E-Mail Address(optional):	rkainz@franklinwi.gov	
Name:	Roy Kainz							
Telephone:	(414) 421-2581							
E-Mail Address(optional):	rkainz@franklinwi.gov							
2.	Are User Charge or other Revenues sufficient to cover O&M Expenses for your wastewater treatment plant AND/OR collection system ?	0						
	<p> <input checked="" type="radio"/> Yes (0 points) <input type="radio"/> No (40 points) </p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>							
3.	When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: 2010	0						
	<p> <input checked="" type="radio"/> 0-2 years ago (0 points) <input type="radio"/> 3 or more years ago (20 points) <input type="radio"/> Not Applicable (Private Facility) </p>							
4.	Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?	0						
	<p> <input checked="" type="radio"/> Yes <input type="radio"/> No (40 points) </p>							
REPLACEMENT FUNDS(PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 5)								
5.	Equipment Replacement Funds							
	5.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: 2010	0						
	<p> <input checked="" type="radio"/> 1-2 years ago (0 points) <input type="radio"/> 3 or more years ago (20 points) <input type="radio"/> Not Applicable Explain: </p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>							
	5.2 What amount is in your Replacement Fund?							
	Equipment Replacement Fund Activity							
	5.2.1 Ending Balance Reported on Last Year's CMAR:	\$227,388.00						
	5.2.2 Adjustments if necessary (e.g., earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	+ \$0.00						
	5.2.3 Adjusted January 1st Beginning Balance	\$227,388.00						

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

**Last Updated:
6/1/2011**

Reporting Year: 2010

Financial Management (Continued)

	<p>5.2.4 Additions to Fund (e.g., portion of User Fee, earned interest, etc.) + \$34,464.00</p> <p>5.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 5.2.5.1 below*.) - \$0.00</p> <p>5.2.6 Ending Balance as of December 31st for CMAR Reporting Year \$261,852.00</p> <p>(All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.)</p> <p>*5.2.5.1. Indicate adjustments, equipment purchases and/or major repairs from 5.2.5 above</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>							
	<p>5.3 What amount should be in your replacement fund? \$261,852.00</p> <p>(If you had a CFWP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the HELP option button.)</p>							
	<p>5.3.1 Is the Dec. 31 Ending Balance in your Replacement Fund above (#5.2.6) equal to or greater than the amount that should be in it(#5.3)?</p> <p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No Explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>							
6.	Future Planning							
	<p>6.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating or new construction of your treatment facility or collection system?</p> <p><input checked="" type="radio"/> Yes (If yes, please provide major project information, if not already listed below)</p> <p><input type="radio"/> No</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;">Project Description</th> <th style="width: 20%;">Estimated Cost</th> <th style="width: 20%;">Approximate Construction Year</th> </tr> </thead> <tbody> <tr> <td>The Milwaukee Metropolitan Sewerage District (MMSD) through its facilities planning, and as requested by the Cities of Franklin and Muskego are planning a project titled "Ryan Creek Interceptor". The project will enable the development and improvement of the southwest section of the City.</td> <td style="text-align: center;">\$31,000,000.00</td> <td style="text-align: center;">2012</td> </tr> </tbody> </table>		Project Description	Estimated Cost	Approximate Construction Year	The Milwaukee Metropolitan Sewerage District (MMSD) through its facilities planning, and as requested by the Cities of Franklin and Muskego are planning a project titled "Ryan Creek Interceptor". The project will enable the development and improvement of the southwest section of the City.	\$31,000,000.00	2012
Project Description	Estimated Cost	Approximate Construction Year						
The Milwaukee Metropolitan Sewerage District (MMSD) through its facilities planning, and as requested by the Cities of Franklin and Muskego are planning a project titled "Ryan Creek Interceptor". The project will enable the development and improvement of the southwest section of the City.	\$31,000,000.00	2012						
7.	Financial Management General Comments:							
	<div style="border: 1px solid black; height: 20px; width: 100%;"></div>							

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
6/1/2011

Reporting Year: 2010

Sanitary Sewer Collection Systems

	Questions	Points
1.	Do you have a Capacity, Management, Operation & Maintenance (CMOM) requirement in your WPDES permit? <input type="radio"/> Yes <input checked="" type="radio"/> No	
2.	Did you have a <u>documented</u> (written records/files, computer files, video tapes, etc.) sanitary sewer collection system operation & maintenance or CMOM program last calendar year? <input checked="" type="radio"/> Yes (go to question 3) <input type="radio"/> No (30 points) (go to question 4)	0
3.	Check the elements listed below that are included in your Operation and Maintenance (O&M) or CMOM program.: <input checked="" type="checkbox"/> Goals: Describe the specific goals you have for your collection system: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> The adjusted goal of the Department is to complete a round of cleaning every 5 years and to continue to maintain the list of scheduled cleaning sites. We will continue on the 10 year televising inspection of the pipeline and identify potential problems. After inspection, prioritization of the sites will be made for repair. </div> <input checked="" type="checkbox"/> Organization: Do you have the following written organizational elements (check only those that you have): <input checked="" type="checkbox"/> Ownership and governing body description <input checked="" type="checkbox"/> Organizational chart <input checked="" type="checkbox"/> Personnel and position descriptions <input checked="" type="checkbox"/> Internal communication procedures <input type="checkbox"/> Public information and education program <input checked="" type="checkbox"/> Legal Authority: Do you have the legal authority for the following (check only those that apply): <input checked="" type="checkbox"/> Sewer use ordinance Last Revised MM/DD/YYYY 02/16/2004 <input checked="" type="checkbox"/> Pretreatment/Industrial control Programs <input checked="" type="checkbox"/> Fat, Oil and Grease control <input checked="" type="checkbox"/> Illicit discharges (commercial, industrial) <input checked="" type="checkbox"/> Private property clear water (sump pumps, roof or foundation drains, etc) <input type="checkbox"/> Private lateral inspections/repairs <input checked="" type="checkbox"/> Service and management agreements <input checked="" type="checkbox"/> Maintenance Activities: details in Question 4 <input checked="" type="checkbox"/> Design and Performance Provisions: How do you ensure that your sewer system is designed and constructed properly? <input checked="" type="checkbox"/> State plumbing code <input checked="" type="checkbox"/> DNR NR 110 standards <input checked="" type="checkbox"/> Local municipal code requirements <input checked="" type="checkbox"/> Construction, inspection and testing <input checked="" type="checkbox"/> Others: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> Inspection classes are held specifically for our Department and contracted inspectors to review specs and procedures. </div>	

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
6/1/2011

Reporting Year: 2010

Sanitary Sewer Collection Systems (Continued)

	<p><input checked="" type="checkbox"/> Overflow Emergency Response Plan: Does your emergency response capability include (check only those that you have):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Alarm system and routine testing <input checked="" type="checkbox"/> Emergency equipment <input checked="" type="checkbox"/> Emergency procedures <input checked="" type="checkbox"/> Communications/Notifications (DNR, Internal, Public, Media etc) <p><input checked="" type="checkbox"/> Capacity Assurance: How well do you know your sewer system? Do you have the following?</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Current and up-to-date sewer map <input checked="" type="checkbox"/> Sewer system plans and specifications <input checked="" type="checkbox"/> Manhole location map <input checked="" type="checkbox"/> Lift station pump and wet well capacity information <input checked="" type="checkbox"/> Lift station O&M manuals <p>Within your sewer system have you identified the following?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Areas with flat sewers <input type="checkbox"/> Areas with surcharging <input type="checkbox"/> Areas with bottlenecks or constrictions <input type="checkbox"/> Areas with chronic basement backups or SSO's <input checked="" type="checkbox"/> Areas with excess debris, solids or grease accumulation <input type="checkbox"/> Areas with heavy root growth <input type="checkbox"/> Areas with excessive infiltration/inflow (I/I) <input type="checkbox"/> Sewers with severe defects that affect flow capacity <input checked="" type="checkbox"/> Adequacy of capacity for new connections <input type="checkbox"/> Lift station capacity and/or pumping problems <p><input checked="" type="checkbox"/> Annual Self-Auditing of your O&M/CMOM Program to ensure above components are being implemented, evaluated, and re-prioritized as needed.</p> <p><input checked="" type="checkbox"/> Special Studies Last Year (check only if applicable):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Infiltration/Inflow (I/I) Analysis <input type="checkbox"/> Sewer System Evaluation Survey (SSES) <input type="checkbox"/> Sewer Evaluation and Capacity Management Plan (SECAP) <input type="checkbox"/> Lift Station Evaluation Report <input checked="" type="checkbox"/> Others: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Began a flow monitoring program in the oldest parts of the collection system to determine areas to target for possible PPII implementation. This will be an on-going study.</p> </div>	
--	--	--

4.	<p>Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained:</p>	
----	--	--

Cleaning	25	% of system/year
Root Removal	1	% of system/year
Flow Monitoring	.5	% of system/year

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

**Last Updated:
6/1/2011**

Reporting Year: 2010

Sanitary Sewer Collection Systems (Continued)

Smoke Testing	<input style="width: 50px;" type="text" value="0"/>	% of system/year
Sewer Line Televising	<input style="width: 50px;" type="text" value="10"/>	% of system/year
Manhole Inspections	<input style="width: 50px;" type="text" value="25"/>	% of system/year
Lift Station O&M	<input style="width: 50px;" type="text" value="52"/>	# per L.S./year
Manhole Rehabilitation	<input style="width: 50px;" type="text" value="1"/>	% of manholes rehabed
Mainline Rehabilitation	<input style="width: 50px;" type="text" value="0"/>	% of sewer lines rehabed
Private Sewer Inspections	<input style="width: 50px;" type="text" value="3"/>	% of system/year
Private Sewer I/I Removal	<input style="width: 50px;" type="text" value="0"/>	% of private services
Please include additional comments about your sanitary sewer collection system below:		
The City of Franklin, in conjunction with MMSD, may embark on a program to inspect and possibly rehab private laterals. No definite decision has been made at this time.		

5.	Provide the following collection system and flow information for the past year:
<input style="width: 80px;" type="text" value="35.98"/>	Total Actual Amount of Precipitation Last Year
<input style="width: 80px;" type="text" value="31.3"/>	Annual Average Precipitation (for your location)
<input style="width: 80px;" type="text" value="195"/>	Miles of Sanitary Sewer
<input style="width: 80px;" type="text" value="4"/>	Number of Lift Stations
<input style="width: 80px;" type="text" value="0"/>	Number of Lift Station Failure
<input style="width: 80px;" type="text" value="0"/>	Number of Sewer Pipe Failures
<input style="width: 80px;" type="text" value="0"/>	Number of Basement Backup Occurrences

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
6/1/2011

Reporting Year: 2010

Sanitary Sewer Collection Systems (Continued)

3	Number of Complaints
.833	Average Daily Flow in MGD
1.13	Peak Monthly Flow in MGD(if available)
5.832	Peak Hourly Flow in MGD(if available)

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

**Last Updated:
6/1/2011**

Reporting Year: 2010

Sanitary Sewer Collection Systems (Continued)

	NUMBER OF SANITARY SEWER OVERFLOWS (SSO) REPORTED (10 POINTS PER OCCURRENCE)	0														
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Date</th> <th style="width: 40%;">Location</th> <th style="width: 25%;">Cause</th> <th style="width: 20%;">Estimated Volume (MG)</th> </tr> </thead> <tbody> <tr> <td colspan="4" style="text-align: center;">NONE REPORTED</td> </tr> </tbody> </table>	Date	Location	Cause	Estimated Volume (MG)	NONE REPORTED										
Date	Location	Cause	Estimated Volume (MG)													
NONE REPORTED																
	Were there SSOs that occurred last year that are not listed above? <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, list the SSOs that occurred: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>															
	PERFORMANCE INDICATORS <table style="width: 100%;"> <tr> <td style="border: 1px solid black; width: 15%; text-align: center;">0.00</td> <td>Lift Station Failures(failures/ps/year)</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">0.00</td> <td>Sewer Pipe Failures(pipe failures/sewer mile/yr)</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">0.00</td> <td>Sanitary Sewer Overflows (number/sewer mile/yr)</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">0.00</td> <td>Basement Backups(number/sewer mile)</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">0.02</td> <td>Complaints (number/sewer mile)</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">1.4</td> <td>Peaking Factor Ratio (Peak Monthly:Annual Daily Average)</td> </tr> <tr> <td style="border: 1px solid black; text-align: center;">7.0</td> <td>Peaking Factor Ratio(Peak Hourly:Annual daily Average)</td> </tr> </table>		0.00	Lift Station Failures(failures/ps/year)	0.00	Sewer Pipe Failures(pipe failures/sewer mile/yr)	0.00	Sanitary Sewer Overflows (number/sewer mile/yr)	0.00	Basement Backups(number/sewer mile)	0.02	Complaints (number/sewer mile)	1.4	Peaking Factor Ratio (Peak Monthly:Annual Daily Average)	7.0	Peaking Factor Ratio(Peak Hourly:Annual daily Average)
0.00	Lift Station Failures(failures/ps/year)															
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0.00	Sanitary Sewer Overflows (number/sewer mile/yr)															
0.00	Basement Backups(number/sewer mile)															
0.02	Complaints (number/sewer mile)															
1.4	Peaking Factor Ratio (Peak Monthly:Annual Daily Average)															
7.0	Peaking Factor Ratio(Peak Hourly:Annual daily Average)															
6	Was infiltration/inflow(I/I) significant in your community last year? <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, please describe: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>															
7	Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year? <input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, please describe: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>															
8	Explain any infiltration/inflow(I/I) changes this year from previous years? <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>															

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
6/1/2011

Reporting Year: 2010

Sanitary Sewer Collection Systems (Continued)

9.	What is being done to address infiltration/inflow in your collection system?	

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:

Reporting Year: 2010

WPDES No.0047341

GRADING SUMMARY				
SECTION	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial Management	A	4.0	1	4
Collection Systems	A	4.0	3	12
TOTALS			4	16
GRADE POINT AVERAGE(GPA)=4.00		4.00		

Notes:

A = Voluntary Range

B = Voluntary Range

C = Recommendation Range (Response Required)

D = Action Range (Response Required)

F = Action Range (Response Required)

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:

Reporting Year: 2010

Resolution or Owner's Statement

NAME OF GOVERNING BODY OR OWNER	DATE OF RESOLUTION OR ACTION TAKEN
City of Franklin	
RESOLUTION NUMBER	
ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B, required for grade C, D, or F):	
Financial Management: Grade=A	
Collection Systems: Grade=A	
ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS (Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00) G.P.A. = 4.00	

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/7/11
Reports & Recommendations	SUBJECT: The Franklin Engineering Department recommends approval of \$40,000 funding from the Capital Improvement Plan for W. Drexel Avenue Bridge repair at 300' east of S. 51 st Street	ITEM NO. <i>6.18.</i>

BACKGROUND

Bridge structure P 40-0717 was built in 1936. Over the years this bridge has experienced surface deterioration and loss of section.

ANALYSIS

This bridge will require vertical and abutment restoration.

OPTION

Do nothing

or

Approve recommendation

FISCAL NOTE

The Capital Improvement Plan has \$40,000 budgeted for this work.

RECOMMENDATION

The Franklin Engineering Department recommends approval of \$40,000 funding from the Capital Improvement Plan for W. Drexel Avenue Bridge repair at 300' east of S. 51st Street

MB/db

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i> Reports & Recommendations	SUBJECT: Ordinance to amend Section 222-4 of the Municipal Code Street openings and excavations	6/7/11 ITEM NO. <i>G.19.</i>

BACKGROUND

These changes reflect an updating of the existing code and permit fees. The City of Franklin Board of Public Works has reviewed and approved these changes at their May 12, 2011 meeting.

ANALYSIS

Research of other neighboring communities show our existing \$25.00 fee is well below permit fees charged to utility companies.

OPTIONS

Adopt ordinance
or
Table for additional information

FISCAL NOTE

Increase in fees for street opening permits to utility companies.

RECOMMENDATION

Motion to adopt Ordinance 2011-_____ an ordinance to amend Section 222-4 of the Municipal Code Street openings and excavations.

MB/sg
Encl.

ORDINANCE TO AMEND SECTION 222.4 OF THE MUNICIPAL CODE
STREET OPENINGS AND EXCAVATIONS

WHEREAS, the Board of Public Works has recommended revising the Municipal Code relating to street openings and excavations.

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

SECTION I. Section 222.4 of the Municipal Code of the City of Franklin is hereby amended to the following:

A. Permit required. No person shall open or tear any part of any street, alley, sidewalk, parkway or other public place in the City for any purpose without first obtaining a permit from the Director of Public Works or his or her authorized representative.

B. Insurance required.

(1) A permit shall be issued only upon the condition that the applicant submit evidence to the Director of Public Works that the applicant is covered by public liability insurance by the following amounts and that such insurance protects the City from all claims.

Personal Injury		Property
<u>One Person</u>	<u>One Accident</u>	
\$1,000,000	\$2,000,000	\$500,000

(2) The evidence of insurance shall also provide that the City be notified at least 10 days prior to cancellation or expiration of the insurance.

C. Information to accompany application. The applicant for a permit shall submit to the Director of Public Works, at the time the permit is applied for, sufficient information relating to the work to be done. The Director of Public Works shall determine if sufficient information is submitted, but in no case shall it be less than the following:

(1) The applicant shall state the nature and location of the work, the reason for the work and the proposed method of doing the work.

(2) The proposed utility plan shall show the area(s) and type(s) of erosion control that may be necessary to control disturbed soil. Work site restoration shall show location and material to be used.

D. Permit fee. The permit fee(s) is given in the schedule in D. (1). Upon written notice to the permit applicant, restoration work that is not completed or not deemed to be of acceptable quality by the Director of Public Works or his representative, the applicant will be given 20 days to correct all deficiencies. The City may then complete work or hire a contractor to correct the deficiencies and bill the applicant for work performed.

The permit fee schedule is as follows:

- Application fee of \$50.00
- First 1' to 200' length \$50.00
- Minimum total fee = \$100.00
- Additional 10 cents per foot for installed utility lengths exceeding 200 feet

Calculation will be made based on the number of lineal feet of utility main installed or repaired.

- E. Permit to be displayed. The permit shall be displayed on the site at all times.
- F. Permit to become void. Unless the work shall be commenced within 30 calendar days of the issuance of the permit, the permit shall be void, and a new permit shall be obtained and an additional fee charged. The permit will remain in effect for one year from date of issuance. The Director of Public Works may extend the time limitation for sufficient cause.
- G. Notices required.
 - (1) The permittee shall notify all public and private individuals, firms and corporations affected by the work at least 24 hours before such work is to start.
 - (2) The permittee shall notify the Director of Public Works or his or her authorized representative at least 24 hours prior to the time of starting work and again at least four hours prior to backfilling and/or restoring the surface.
- H. Emergency work. In the event of an emergency arising out of office hours, at night, Sundays or legal holidays, when an immediate excavation may be necessary for the protection of public or private property, the same shall be reported to the Police Department, which shall grant permission to make the necessary excavation upon the express condition that an application be made in the manner herein provided on or before noon of the next following business day.
- I. Construction of new facilities. Within six months after notification by the City that a new street, alley or sidewalk pavement is to be constructed, all public and private utilities, firms or individuals shall construct their necessary facilities in a manner not to interfere with the paving work.
- J. Maximum street opening. The permittee shall prosecute the work in such a manner so that not more than 600 lineal feet of trench shall be open at one time.
- K. Completion of the work. Excavations shall not remain open in excess of three calendar days unless specific permission is obtained from the Director of Public Works prior to the third day. For each day or fraction thereof the excavation remains open in excess of three days, the permittee shall forfeit to the City as damages the sum of \$25.00.
- L. Method of doing work.
 - (1) Excavating. The trench shall be excavated to a sufficient width and depth to permit the laying of the pipe or conduit, using special care to avoid damaging existing conduits or pipes. All work shall be done in a manner to conform to the Wisconsin Administrative Codes that may apply and to the rules and regulations of the City. All refuse and excess excavated material shall be removed from the street surface as the work progresses and shall not be permitted to be deposited on the site.
 - (2) Maintenance of opening. The applicant shall backfill the opening immediately upon the completion of the work and place at least eight inches of traffic bind or similar material in the opening. The applicant shall maintain the opening in good condition for six months after the completion of the work or until the surface has been restored, either by the permittee or the City.
 - (3) Backfilling. Backfilling shall be done with due care in a workmanlike manner and shall be consolidated by flooding or tamping according to approved methods so as to prevent the settling of the facility. In all streets, alleys, sidewalks or other public ways, whether improved or unimproved, all excavated material shall be removed and the trench shall be completely backfilled with clear limestone, one bag concrete mix slurry or gravel, unless permission is obtained from the Director of Public Works to use excavated material for backfill.

(4) Barriers and lights in streets. Each opening made in the street or public ways shall be enclosed with sufficient barriers. Red lights must be kept burning from sunset to sunrise, one red light to be placed at each end of opening in street and other lights to be placed at intervals of 10 feet. All necessary precautions shall be taken to guard the public effectually from accidents or damage to persons or property from the beginning to the end of the work.

(5) Restoration of surface.

Should any person, firm or corporation fail to restore the surface within seven calendar days or within a period determined by the Director of Public Works, the City will make such repairs and will direct to bill the utility for the cost of labor, material and an administrative cost of 15%.

(6) Street cuts.

(a) How cut. All cuts in streets owned by or to be dedicated to the City shall be saw cut.

(b) Backfill. Excavation from street cuts made in streets owned by or to be dedicated to the City shall be backfilled with aggregate slurry backfill consisting of No. 1 and No. 2 coarse aggregate Class "C" concrete mix, with the cement deleted and prepared by mixing the material with water to inundate the aggregate sufficient to provide an approximate three-inch slump which is deposited in the trench directly from a concrete transit mix truck according to Standard Specifications for Sewer and Water Construction in Wisconsin, March 1, 1980 (4th ed.).

(c) Enforcement.

[1] Any person who violates the provisions of this subsection may be ordered by the Municipal Court to properly cut and/or excavate and properly backfill the street cut.

[2] Any person who violates the provisions of this subsection is subject to the provisions of Chapter 1, General Provisions, § 1-19.

M. Plumbing permits. See also §§ 190-8 through 190-12 and §§ 190-16 and 190-17. In the event of conflict, such sections shall control.

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

MB/sg

<p>APPROVAL</p> <p><i>Slw</i> <i>MW</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/7/11</p>
--	--	---

<p>REPORTS & RECOMMENDATIONS</p>	<p>Resolution Adopting Criteria for Use in the Milwaukee County Redistricting Plan</p>	<p>ITEM NUMBER</p> <p><i>G.20.</i></p>
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Attached is a copy of a resolution unanimously approved by the Intergovernmental Cooperation Council of Milwaukee County (ICC) on May 9, 2011 expressing opposition to the tentative redistricting plan approved by the Milwaukee County Board of Supervisors on April 21, 2011. As noted in this resolution, the ICC believes the Milwaukee County communities have not been properly consulted under Section 59.10(3)(b)1 of the Wisconsin Statutes that requires the County Board to "solicit suggestions from municipalities concerning the development of an appropriate plan". The intent of the ICC resolution is that a representative redistricting outcome will only result if the redistricting process is open and transparent, allowing for public education and engagement.

Attached for Common Council consideration is a City resolution to convey to Milwaukee County the City's position as to the importance of developing a redistricting plan that respects the needs of all its residents and complies with the requirements of State law.

COUNCIL ACTION REQUESTED

Motion to approve Resolution No. 2011-____, A Resolution of the Common Council of the City of Franklin, Wisconsin, Adopting Criteria for Use in the Milwaukee County Redistricting Plan.

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FRANKLIN,
WISCONSIN, ADOPTING CRITERIA FOR USE IN THE MILWAUKEE COUNTY
REDISTRICTING PLAN

WHEREAS, the Milwaukee County Board adopted a tentative Supervisor District Plan (County Board File No. 11-179/11-227 at a meeting held on April 21, 2011) (“Tentative Plan”); and

WHEREAS, Milwaukee County and the Common Council of the City of Franklin have certain responsibilities for redistricting under federal and state law including, but not limited to, 5.15 and 59.10, Wis. Stats., the Fourteenth and Fifteenth Amendments to the United States Constitution, and the Voting Rights Act, 42 U.S.C.A. 1973, et seq.; and

WHEREAS, Section 59.10(3)(b)(1) of the Wisconsin Statutes expressly requires counties to work with and solicit suggestions from municipalities concerning the development of an appropriate Tentative Plan; and

WHEREAS, the City of Franklin did not receive a solicitation or consultation from the Milwaukee County Board of Supervisors prior to the Milwaukee County Board’s adoption of a Tentative Plan and thus the City’s concerns have not been taken into consideration prior to passage of the Tentative Plan; and

WHEREAS, the City of Franklin is in receipt of correspondence dated May 4, 2011 from the Milwaukee County Clerk requesting that the City of Franklin adjust wards and report a ward plan to the County Clerk and the State of Wisconsin; and

WHEREAS, a set of established redistricting criteria will serve as a framework to guide the City of Franklin and Milwaukee County in the consideration of redistricting plans.

NOW THEREFORE BE IT RESOLVED by the City of Franklin, Wisconsin, in its consideration of a tentative redistricting adopted by Milwaukee County Board of Supervisors plan and related ward maps, will adhere to the following criteria:

1. Milwaukee County Board of Supervisors shall confer with the City of Franklin in accordance with 59.10, Wis. Stats., prior to the adoption of a Tentative Plan.
2. No supervisory district plan shall be drawn for the purpose of favoring or disfavoring any incumbent supervisor or other person; provided, however, that consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
3. Additional public hearings shall be held to inform the public of the details of the plan and to solicit their views and opinions.
4. The plan should be narrowly tailored to avoid retrogression in the position of racial minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise.

RESOLUTION NO. 2011-____
PAGE 2

5. The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting.

Introduced at a regular meeting of the Common Council of the City of Franklin this 7th day of June, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 7th day of June, 2011.

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

A RESOLUTION EXPRESSING THE INTERGOVERNMENTAL COOPERATION
COUNCIL'S (ICC) POSITION ON THE TENTATIVE REDISTRICTING PLAN ADOPTED
BY THE MILWAUKEE COUNTY BOARD OF SUPERVISORS

WHEREAS, the Milwaukee County Board of Supervisors is required to reapportion its districts following the completion of the federal decennial census; and

WHEREAS, the Milwaukee County Board adopted a tentative Supervisor District Plan (County Board File No. 11-179/11-227 at a meeting held on APRIL 21, 2011) ("Tentative Plan"); and

WHEREAS, municipalities within Milwaukee County have a significant interest in seeing that the redistricting process complies with traditional principles, including the preservation of core interests of districts contained in the prior redistricting plan, consideration of minority populations and preservation of communities of interest; and

WHEREAS, preserving cores of previous districts facilitates constituency-representative relationships while consideration of minority groups and communities of interest facilitate the ability of minorities and other communities of interest to elect representatives of their choice who reflect their respective concerns; and

WHEREAS, section 59.10(3) (b)(1) of the Wisconsin Statutes expressly requires counties to work with and solicit suggestions from municipalities concerning the development of an appropriate Tentative Plan; and

WHEREAS, Milwaukee County municipalities' input was not solicited in the process of developing Tentative Plan and thus the municipalities' concerns have not been taken into consideration prior to adoption of the tentative plan; and

WHEREAS, diverse groups throughout Milwaukee County, including the National Association for the Advancement of Colored People, American Civil Liberties Union of Wisconsin, Hispanic community representatives, Greater Milwaukee Committee, along with editorialists have expressed significant concerns with the Tentative Plan and the process by which it was adopted.

NOW, THEREFORE, BE IT RESOLVED, that the Intergovernmental Cooperation Council hereby requests that the Milwaukee County Board provide written confirmation of the steps that it has taken to solicit suggestions from municipalities concerning the development of a Tentative Plan in compliance with sec. 59.10(3)(b)(1), Wis. Stats.; and

BE IT FURTHER RESOLVED that the Intergovernmental Cooperation Council expresses its intent to conduct additional public meetings to solicit community input in order to develop an appropriate plan that addresses concerns of preservation of core interests of districts, consideration of minority populations and preservation of communities of interest in a revised Tentative Plan; and

BE IT FURTHER RESOLVED that the Intergovernmental Cooperation Council objects entirely not only to the process utilized, but also to the proposed redistricting.

Introduced at a meeting of the Intergovernmental Cooperation Council this 9th day of May, 2011,
and adopted unanimously.


Franklin Mayor Tom Taylor
Chairman I.C.C.


Greenfield Mayor Michael J. Neitzke
Vice-Chairman I.C.C.



Intergovernmental Cooperation Council of Milwaukee County

TO: Milwaukee County Municipal Chief Elected Officials
FROM: Intergovernmental Cooperation Council of Milwaukee County
DATE: May 19, 2011
RE: REJECTION OF MILWAUKEE COUNTY REDISTRICTING PLAN

- Bayside
- Brown Deer
- Cudahy
- Fox Point
- Franklin
- Glendale
- Greendale
- Greenfield
- Hales Corners
- Milwaukee
- Milwaukee County
- Oak Creek
- River Hills
- St. Francis
- Shorewood
- South Milwaukee
- Wauwatosa
- West Allis
- West Milwaukee
- Whitefish Bay

Attached please find a copy of the resolution unanimously approved by the Intergovernmental Cooperation Council of Milwaukee County (ICC) on May 9, 2011 expressing opposition to the tentative redistricting plan approved by the Milwaukee County Board of Supervisors on April 21, 2011.

As noted in the attached resolution, we believe that our communities have not been properly consulted under sec. 59.10(3) (b)1, Wis. Stats., that requires the County Board to "solicit suggestions from municipalities concerning the development of an appropriate plan".

Further, a plan that is intended to serve the public interest for the next ten years must reflect the needs of our community and not just the political self-interest of incumbent office-holders. Many have commented upon the transparent attempt to gerrymander the North Shore to achieve political objectives. The intent of the ICC resolution is that a representative redistricting outcome will only result if the redistricting process is open and transparent, allowing for public education and engagement.

To assist your community in connection with this process, we have attached a sample resolution that could be adopted by your board or council to convey to the County the importance of developing a redistricting plan that respects the needs of all of our residents and complies with the requirements of state law. A more inclusive process will ultimately result in a plan that has more broad-based support. Accordingly, we plan to host additional public meetings and will invite elected officials from your community to attend and participate.

Please contact Mayor Tom Taylor in Franklin (tom2563@att.net) or Mayor Michael Neitzke in Greenfield (MayorNeitzke@greenfieldwi.us), if you have any questions or need additional information. Please forward copies of any resolutions that are passed to them. With your assistance and support, we will get the flawed Milwaukee County redistricting plan rejected and have an appropriate plan approved.

RESOLUTION NO. _____

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF _____,
("CITY") WISCONSIN ADOPTING CRITERIA FOR USE IN REDISTRICTING

WHEREAS, the Milwaukee County Board adopted a tentative Supervisor District Plan (County Board File No. 11-179/11-227 at a meeting held on April 21, 2011) ("Tentative Plan"); and

WHEREAS, Milwaukee County and the Common Council of the City of _____ Have certain responsibilities for redistricting under federal and state law including, but not limited to, 5.15 and 59.10, Wis. Stats., the Fourteenth and Fifteenth Amendments to the United States Constitution, and the Voting Rights Act, 42 U.S.C.A. 1973, et seq.; and

WHEREAS, section 59.10(3)(b)(1) of the Wisconsin Statutes expressly requires counties to work with and solicit suggestions from municipalities concerning the development of an appropriate Tentative Plan; and

WHEREAS, the City of _____ did not receive a solicitation or consultation from the Milwaukee County Board of Supervisors prior to the Milwaukee County Board's adoption of a Tentative Plan and thus the City's concerns have not been taken into consideration prior to passage of the Tentative Plan; and

WHEREAS, the City of _____ is in receipt of correspondence dated May 4, 2011 from the Milwaukee County Clerk requesting that the City of _____ adjust wards and report a ward plan to the County Clerk and the State of Wisconsin; and

WHEREAS, a set of established redistricting criteria will serve as a framework to guide the City of _____ and Milwaukee County in the consideration of redistricting plans.

NOW THEREFORE BE IT RESOLVED by the City of _____, Wisconsin, in its consideration of a tentative redistricting adopted by Milwaukee County Board of Supervisors plan and related ward maps, will adhere to the following criteria:

1. Milwaukee County Board of Supervisors shall confer with the City of _____ in accordance with 59.10, Wis. Stats. Prior to the adoption of a Tentative Plan.
2. No supervisory district plan shall be drawn for the purpose of favoring or disfavoring any incumbent supervisor or other person; provided, however, that consideration may be given to the preservation of incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas.
3. Additional public hearings shall be held to inform the public of the details of the plan and to solicit their views and opinions.

4. The plan should be narrowly tailored to avoid retrogression in the position of racial minorities as defined in the Voting Rights Act with respect to their effective exercise of the electoral franchise.
5. The plan should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting.

PASSED AND APPROVED this the _____ day of _____, 2011, by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the Common Council of the City of _____, Wisconsin

CITY OF _____:

by: _____

ATTEST:

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 06/07/2011
REPORTS AND RECOMMENDATIONS	Milwaukee County Board of Supervisors resolution adopting a tentative plan for the redistricting plan of the County Board	ITEM NUMBER <i>G.21.</i>

Attached is a certified copy of Milwaukee County Board of Supervisors File No. 11-179/11-227 relating to the 2012 Redistricting Plan, which the City received on May 12, 2011.

At the current time, the Director of Clerk Services is proceeding with adjusting ward boundaries in line with the proposed county supervisory district plans. The ward boundaries will be brought back to the Common Council for adoption upon completion of the creation of wards with population ranges of 600 to 2,100 based on our population of 35,451.

The adopted ward adjustments are then forwarded to Milwaukee County. Within sixty days of receiving our ward adjustments, Milwaukee County is required to adopt final supervisory district plans. At that time, Franklin is also required to establish aldermanic district plans.

COUNCIL ACTION REQUESTED

No action required.

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Supervisor Michael Mayo, Sr., Chairperson
From The Special Committee on Redistricting, reporting on:

File No. 11-179/11-227
(Journal, April 21, 2011)

(ITEM 45) From the County Board Research Analyst, submitting the 2012 Redistricting Plan Recommendations, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the Chairman of the County Board established a Special Committee on Redistricting to carry out the requirements of the State law which requires the redistricting of the County Board based on the official 2010 census; and

WHEREAS, State Statues require the adoption by the County Board of a tentative plan within 60 days of receipt of the 2010 census block data and the forwarding of this plan to all municipalities so that they may establish ward lines; and

WHEREAS, the County Board must adopt a tentative redistricting plan, prior to May 23, 2011, which must be submitted to the County Executive; and

WHEREAS, a new redistricting plan, is recommended by the Special Committee on Redistricting on April 21, 2011; now, therefore,

BE IT RESOLVED, that the County Board hereby adopts a tentative plan for the redistricting plan of the County Board based on 18 supervisory districts, (copies of the population data and maps with boundaries of each district are incorporated by reference and have been included in this file); and

BE IT FURTHER RESOLVED, that the County Clerk shall provide this plan to each municipality in Milwaukee County upon the adoption of this resolution.

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APPROVED AS TO FORM
John J. Gorman
CORPORATION COUNSEL

RECORD OF COUNTY BOARD AND COUNTY EXECUTIVE ACTIONS 3327 R2	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance	COUNTY BOARD FILE NO. 11-179 11-227
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CERTIFICATION TO COUNTY BOARD PASSAGE	I certify that the attached resolution or ordinance was adopted by The Board of Supervisors of Milwaukee County at a meeting held on the <u>21</u> day of <u>April</u> 20 <u>11</u> by a vote of <u>11</u> ayes <u>7</u> noes. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>DATE SIGNED <u>4/22/11</u></p> <p>DATE SIGNED <u>4/22/11</u></p> </div> <div style="width: 50%; text-align: right;"> <p>COUNTY CLERK <u>[Signature]</u></p> <p>COUNTY BOARD CHAIRMAN <u>[Signature]</u></p> </div> </div>
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COUNTY EXECUTIVE'S ACTION	I approve the attached resolution or ordinance. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">DATE SIGNED _____</div> <div style="width: 50%; text-align: right;">COUNTY EXECUTIVE _____</div> </div>
----------------------------------	--

CERTIFICATION OF PUBLICATION	DATE PUBLISHED _____ DATE SIGNED _____ COUNTY CLERK _____
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RECEIPTS

BY COUNTY CLERK'S OFFICE	DATE SIGNED <u>4/27/2011</u> SIGNATURE <u>[Signature]</u>
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COUNTY OF MILWAUKEE
INTER-OFFICE COMMUNICATION

*Redistricting
Committee* 1

Referred

APR 14 2011

**County Board
Chairman**

DATE: April 13, 2011

TO: Lee Holloway, Chairman, County Board of Supervisors
Supervisor Michael Mayo, Sr., Milwaukee County Board Redistricting Committee

FROM: Glenn E. Bultman, County Board Research Analyst

SUBJECT: **County Board Staff 2012 Redistricting Plan Recommendations**

The County Board staff recommends that the attached draft plan, map and description of each change be adopted as the tentative 2012 Redistricting Plan for Milwaukee County. This plan has 18 districts, with the following changes recommended to the current districts containing part of the City of Milwaukee.

1. Ward 5 is transferred from District 2 to 7.
2. Wards 11, 13, 17, 165 and parts of 2, 3 and 164 is transferred from District 1 to 13.
3. Ward 15 is transferred from District 1 to 7.
4. Wards 18, 19, 99, 166 and part of 164 is transferred from District 1 to 10.
5. Wards 53 and 54 is transferred from District 3 to 10.
6. Wards 58, 71, 173 and part of 60 is transferred from District 10 to 5.
7. Ward 59 is transferred from District 3 to 4.
8. Part of Ward 61 and 112 plus all of 176 is transferred from District 13 to 10.
9. Part of Ward 61 plus all of 62 is transferred from District 13 to 5.
10. Ward 88 is transferred from District 18 to 15.
11. Ward 121 is transferred from District 5 to 7.
12. Ward 125 and 289 is transferred from District 5 to 15.
13. Wards 132, 290, 291 and part of 292 is transferred from District 4 to 12.
14. Wards 144 and 200 is transferred from District 16 to 4.
15. Ward 149 is transferred from District 18 to 2.
16. One block of Ward 220 is transferred from District 14 to 4.
17. Wards 258 and 259 is transferred from District 6 to 2.
18. Wards 261 and 264 is transferred from District 6 to 18.
19. Wards 286 and 287 is transferred from District 15 to 19.
20. Ward 294 is transferred from District 4 to 15.

These changes affect about 15% of the 314 Wards in the City of Milwaukee. All other wards in the City of Milwaukee are recommended to retain their current districts.

All suburban changes are recommended to the current districts as follows:

1. All of Bayside, Brown Deer, Fox Point and River Hills including Glendale Ward 9 in District 6 is combined with all of Glendale Wards 2 to 8 and 10 to 12 and Wards 156, 157, 158, 161, 162, 1, 4 and parts of 2 and 3 of Milwaukee to create one district; (which contains about one-half of current Districts 1 and 6). Ward 1 of Glendale from District 13 is made part of this District and added to the population total for District 1.
2. Ward 1 of Glendale is transferred from District 13 to 1.
3. Wards 2, 3, 4, 7 and 24 of Franklin is transferred from District 9 to 17.
4. Ward 8 and parts of 18, 19 and 20 west of South 68th street of Franklin is transferred from District 11 to 17.
5. Ward 17 of Franklin is transferred from District 11 to 9.
6. Wards 3 and 4 of Greenfield is transferred from District 16 to 11.
7. Part of Oak Creek in Ward 12 is transferred from District 9 to 8.
8. Part of Wauwatosa containing Wards 18 and 20 and part of Ward 19 is transferred from District 15 to 19.
9. Part of West Allis containing Wards 19, 20, 22, 23 and 24 is transferred from District 17 to 16.
10. All of West Milwaukee is transferred from District 19 to 15.
11. Part of Whitefish Bay containing Wards 1, 2, 3, 4, 5, 6, 8, 12 and parts of Wards 9 and 10 is transferred from District 6 to 3.
12. Parts of Whitefish Bay consisting of Wards 7, 11 and part of Wards 9 and 10 is transferred from District 6 to 13.

These changes affect about 17 Suburban wards, West Milwaukee, and all of the North Shore Suburbs except Shorewood.

All other suburban wards retain their current districts.

Attached is the population data, based upon this report, which is needed to determine compliance with State and Federal legal requirements and maps of the recommended draft staff redistricting plan



Glenn E. Bultman, County Board Research Analyst

Attachments

cc: County Board of Supervisors

2012 PROPOSED Supervisory District Totals by Race

	TOTAL	Dev.	WHITE	BLACK	HISPANIC	AMINDIAN	PISLAND	ASIAN	OTHER	OTHER/MLT
Supervisory District 1*	25706	-51.2%	10713	13245	904	110	14	530	42	148
Supervisory District 2	52683	0.1%	8755	37871	1841	264	21	3398	69	464
Supervisory District 3	52709	0.1%	45905	2123	1725	226	29	2457	113	131
Supervisory District 4	53982	2.5%	20456	3203	27886	762	36	1437	50	152
Supervisory District 5	51323	-2.5%	11613	32336	2760	312	22	3750	70	460
Supervisory District 6*	26022	-50.6%	19386	4133	876	119	14	1395	54	105
Supervisory District 7	51576	-2.0%	7050	40149	1676	187	15	2021	81	397
Supervisory District 8	52642	0.0%	44985	1415	4570	623	19	889	47	94
Supervisory District 9	54204	2.9%	45970	1384	3498	426	32	2690	75	129
Supervisory District 10	51116	-2.9%	12157	34511	2079	240	18	1623	73	415
Supervisory District 11	53988	2.5%	41946	2883	5816	603	16	2499	68	157
Supervisory District 12	53930	2.4%	8444	5537	37784	685	15	1211	74	180
Supervisory District 13	51359	-2.5%	13352	33021	3432	267	6	745	97	439
Supervisory District 14	53127	0.9%	36398	1756	12079	684	38	1957	87	128
Supervisory District 15	53492	1.6%	37528	8773	4862	508	28	1449	101	243
Supervisory District 16	51641	-1.9%	41432	2175	6164	735	21	913	73	128
Supervisory District 17	53685	2.0%	47012	1353	2785	344	23	2095	33	100
Supervisory District 18	52263	-0.7%	16268	29642	2782	352	41	2608	104	466
Supervisory District 19	52287	-0.7%	45588	2069	2520	338	49	1536	59	128
TOTALS	947735	52651	514958	257579	126039	7785	457	35083	1370	4464

* Page 4
 * Supervisory Districts 1 and 6 would be combined in this plan.

2012 PROPOSED Voting Age Population Totals by Race

	TOTAL18	% of Total	WHITE18	BLACK18	HISPANIC18	AMINDIAN18	PISLAND18	ASIAN18	OTHER18	OTHERMLT18
Supervisory District 1*	19006	73.9%	9088	824	532	80	9	364	30	79
Supervisory District 2	35458	67.3%	7919	2407	1064	177	11	1938	34	248
Supervisory District 3	45357	86.1%	39911	1790	1377	194	27	1941	76	91
Supervisory District 4	38267	70.9%	18089	1854	16612	556	21	1029	27	79
Supervisory District 5	36836	71.8%	11080	20879	1904	239	18	2401	44	271
Supervisory District 6*	20339	78.2%	15639	3039	563	88	10	911	29	60
Supervisory District 7	35289	68.4%	6000	26697	983	131	10	1185	42	241
Supervisory District 8	41834	79.5%	37029	861	2726	450	13	677	27	51
Supervisory District 9	41633	76.8%	36367	874	2158	281	21	1836	37	59
Supervisory District 10	38236	74.8%	11813	23184	1447	188	17	1298	41	248
Supervisory District 11	43182	80.0%	34988	2225	3661	427	14	1743	40	84
Supervisory District 12	35379	65.6%	7380	3243	23297	498	14	801	48	98
Supervisory District 13	37431	72.9%	11940	22207	2201	197	6	571	58	251
Supervisory District 14	40788	76.8%	30439	1042	7409	513	32	1233	54	66
Supervisory District 15	41456	77.5%	31182	5824	2880	373	18	992	57	130
Supervisory District 16	40568	78.6%	34415	1288	3587	524	18	629	40	67
Supervisory District 17	43227	80.5%	39032	796	1646	243	17	1416	25	52
Supervisory District 18	36044	69.0%	13934	18315	1636	252	31	1597	46	233
Supervisory District 19	41028	78.5%	36816	1271	1483	233	24	1098	35	68
TOTALS	711358	75.1%	433061	168280	77116	5644	331	23660	790	2476

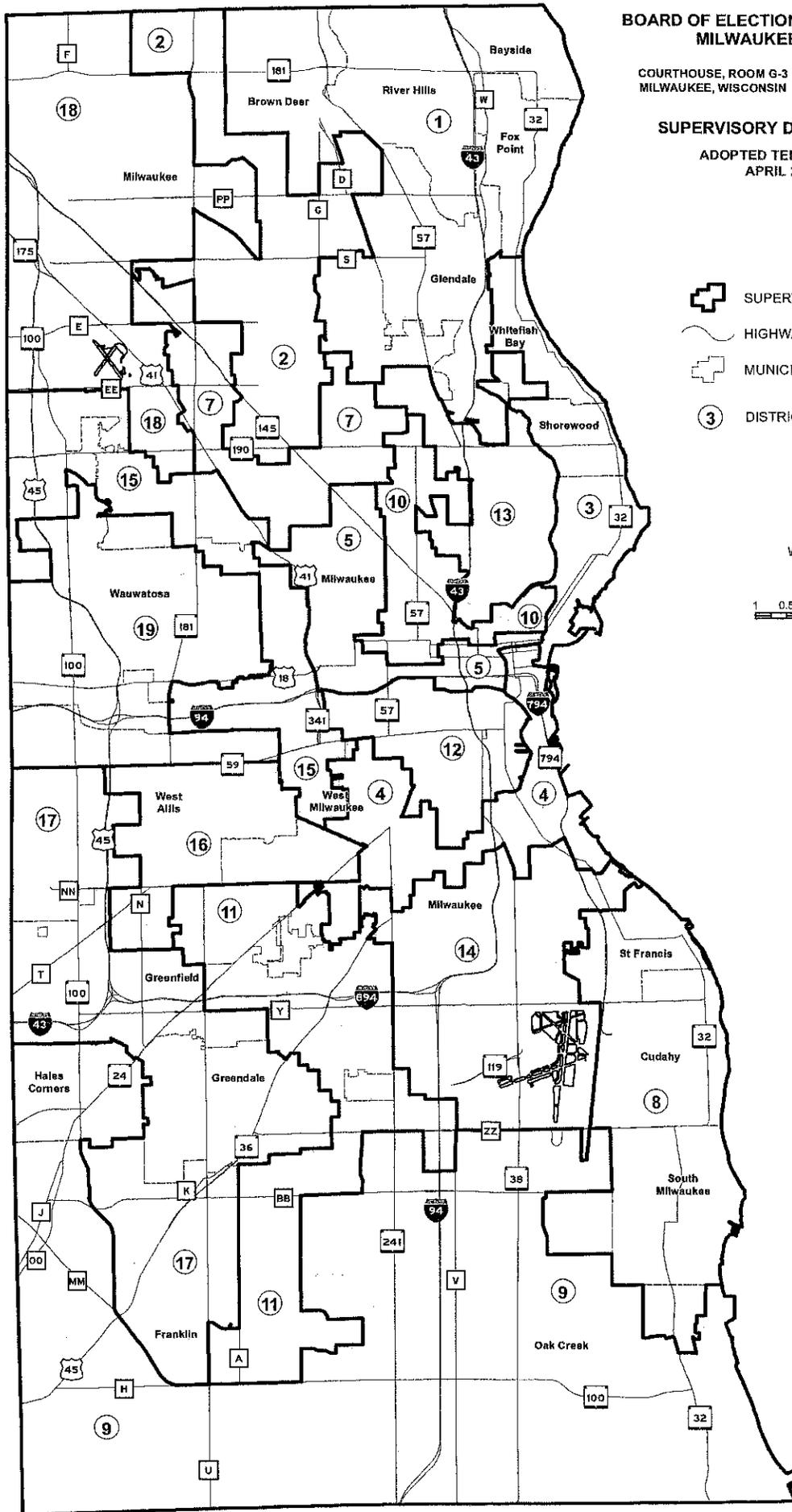
* Supervisory Districts 1 and 6 would be combined in this plan.

**BOARD OF ELECTION COMMISSIONERS
MILWAUKEE COUNTY**

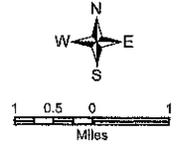
COURTHOUSE, ROOM G-3 901 NORTH 9TH STREET
MILWAUKEE, WISCONSIN TELEPHONE 278-4060

SUPERVISORY DISTRICTS 2011

ADOPTED TENTATIVE PLAN
APRIL 29, 2011



-  SUPERVISORY DISTRICT DRAFT
-  HIGHWAY
-  MUNICIPAL BOUNDARY
-  DISTRICT NUMBER

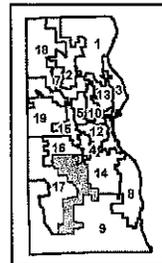
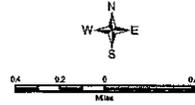
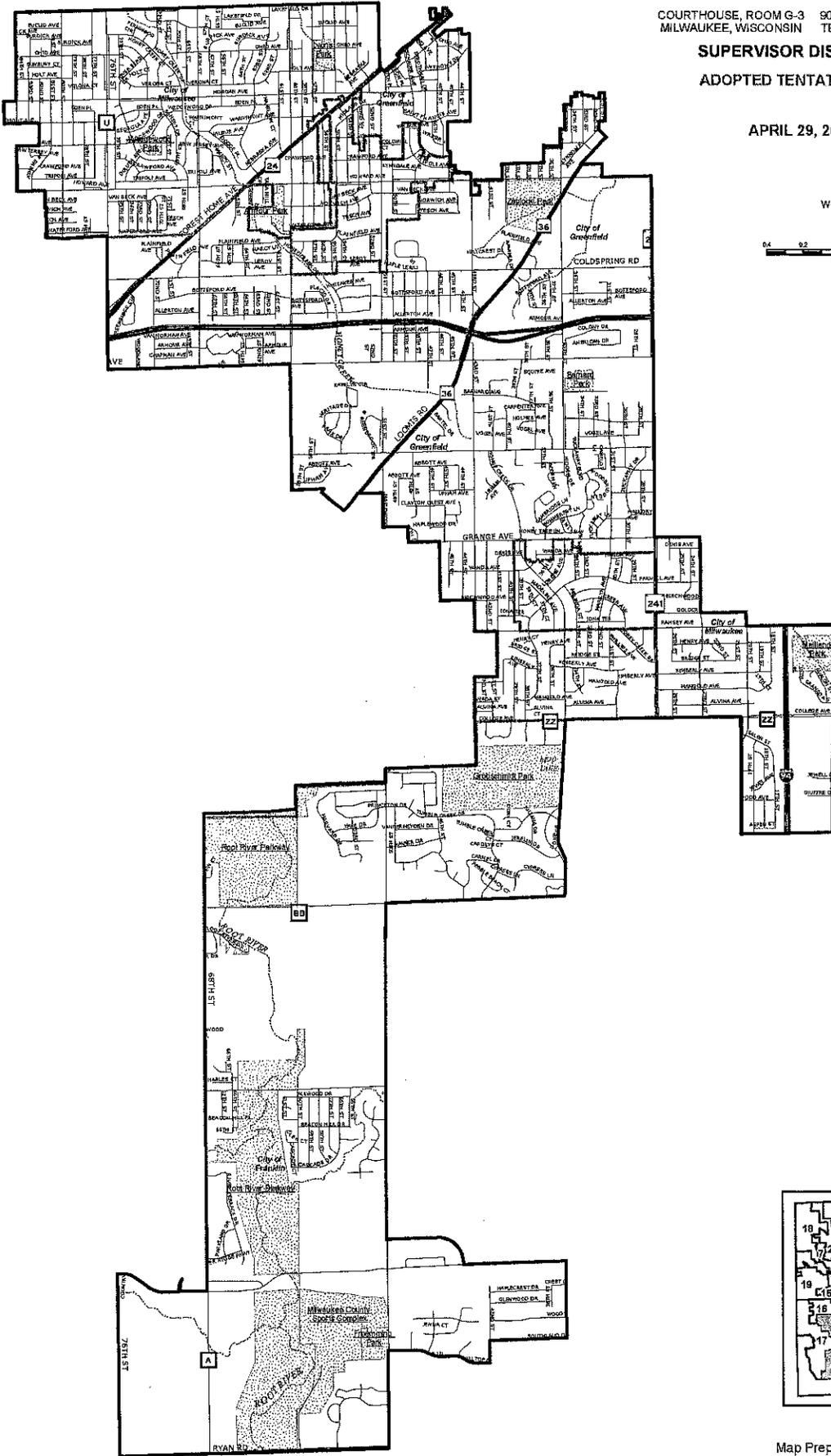


**BOARD OF ELECTION COMMISSIONERS
MILWAUKEE COUNTY**

COURTHOUSE, ROOM G-3 901 NORTH 9TH STREET
MILWAUKEE, WISCONSIN TELEPHONE 278-4080

**SUPERVISOR DISTRICT 11
ADOPTED TENTATIVE PLAN**

APRIL 29, 2011



Map Prepared By:
**Milwaukee County
Land Information Office**

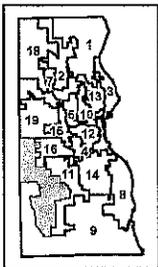
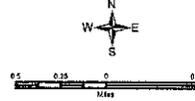
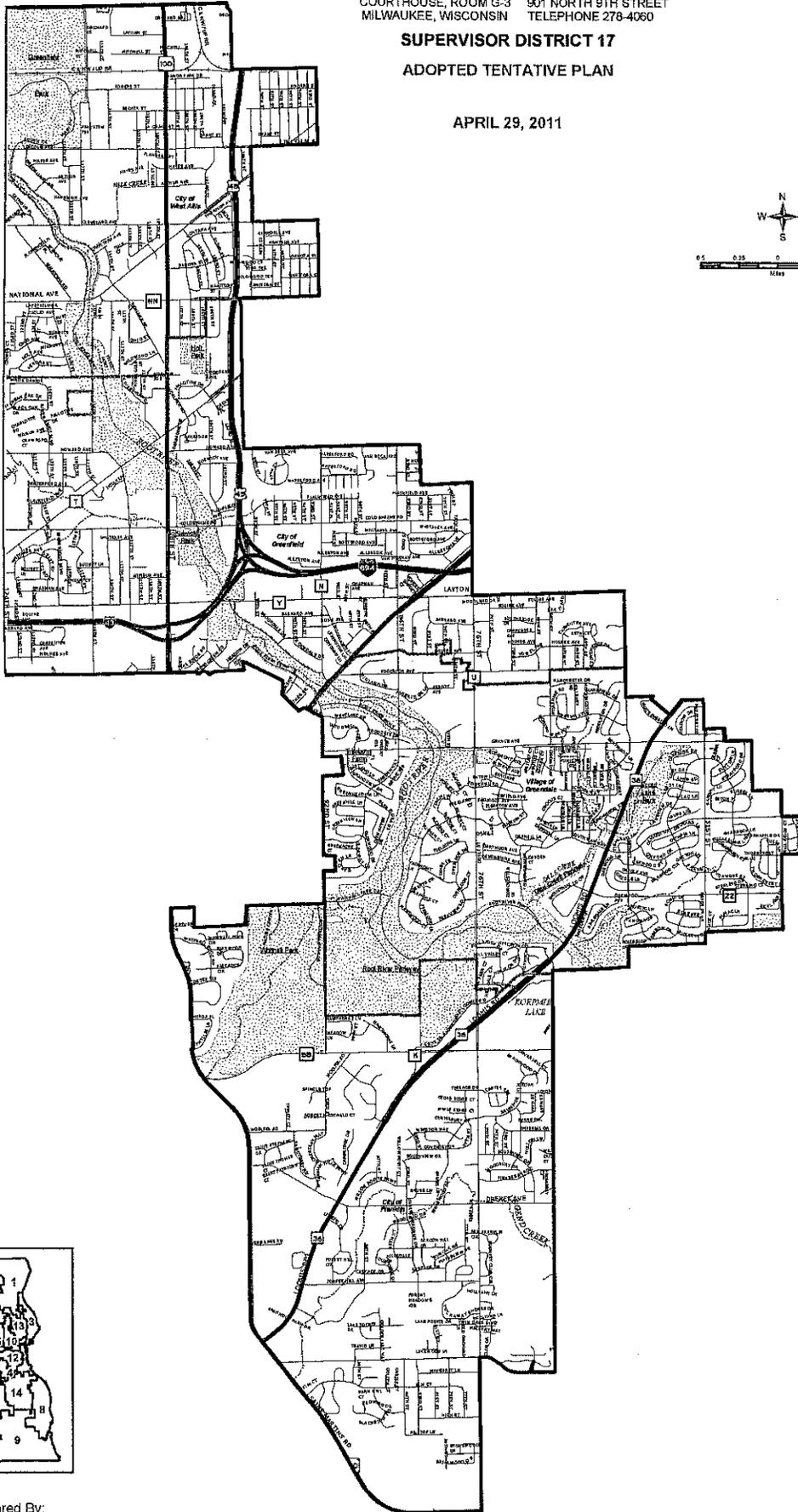
BOARD OF ELECTION COMMISSIONERS
MILWAUKEE COUNTY

COURTHOUSE, ROOM G-3 901 NORTH 9TH STREET
MILWAUKEE, WISCONSIN TELEPHONE 278-4060

SUPERVISOR DISTRICT 17

ADOPTED TENTATIVE PLAN

APRIL 29, 2011



Map Prepared By:

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/7/11
Reports & Recommendations	SUBJECT: Amendment to the Ruckert-Mielke, Inc. Engineering Services Agreement for the design of the Ryan Creek Interceptor sanitary sewer for additional easements	ITEM NO. <i>G. 22.</i>

BACKGROUND

Pursuant to the design of the Ryan Creek Interceptor by the firm of Ruckert-Mielke, Inc., please be advised that Ruckert-Mielke, Inc. has requested a contract amendment to the agreement for extra easements that were required due to changes in alignment and extra width required due to the deepness of the proposed sanitary sewer.

ANALYSIS

Please note from the attached map, the change in easements required. In part, the extra easements resulted from (1) decision not to pass through Franklin Park as requested by staff at Milwaukee County Parks and (2) the extra temporary construction easements along S. 92nd Street, S. 112th Street and W. Ryan Road west of S. 112th Street due to extra width needed due to the depth of the sanitary sewer.

OPTIONS

Motion to adopt amendment.

or

Table

FISCAL NOTE

The original scope of service for the approved Engineering Services Agreement was for 20 easements at a cost of \$147,752.00 or \$7,387.60 per easement vs. the revised scope of services for 41 easements at a cost of \$200,967.00 or \$5,587.42 per easement. The net result is an increase in the agreement of \$53,215.00 or a 3.26 percent increase of their contract of \$1,630,241.45. The only previous contract amendment was for \$19,700.00 due to the need of a phase II environmental assessment on the southeast corner of W. Loomis Road and W. Ryan Road (phase 1 assessment indicated the need for a phase II assessment). Original agreement \$1,630,241.45 – plus \$19,700.00 – plus \$53,215.00 equals a revised agreement cost of \$1,703,156.45. The construction cost as contained in the Clean Water Grant application is \$32,037,222.00; therefore, the Engineering Services Agreement with the two amendments is 5.32 percent of construction costs. The standard average rate for projects of this size by the American Society of Civil Engineers is 5.34 percent.

RECOMMENDATION

Motion to authorize staff to increase the payment for the additional easements at a cost of \$53,215.00, increasing the cost of the Engineering Services Agreement to \$1,703,156.45.

JMB/sg
Encl.

April 1, 2011

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

RE: Ryan Creek Interceptor

Dear Mr. Bennett:

I wanted to update you on the current status of our Engineering Agreement with the City for the Design Phase of the Ryan Creek Interceptor.

Our original proposal assumed 23 easements would be required for this Project. Based upon our discussion with City Staff, discussion with various property owners and the results of the geotechnical investigation, we have had to increase the number of property owners. We will need easements from approximately 39. This increase is due to changes in the preliminary sewer route alignment and to the soil conditions encountered along the final sewer alignment which will require wider trenches in order to install the pipe. Most, if not all, of these additional easements are temporary in nature and should be obtained at minimal expense. They will, however, require additional mapping, title reports, appraisals and negotiations in order to obtain.

This number of 39 includes 3 parcels currently owned by Milwaukee County Parks Department that the City will need to obtain permits from that we had to prepare exhibits, title reports, and appraisals for.

The staking in the field of the additional 16 easements will be covered under our existing project budget.

The estimated cost for professional services for these additional 16 easements is \$53,215.

We request an amendment to our Agreement to cover this additional work.

I will continue to keep you informed as we proceed further, but wanted you to be aware of the current status.

Mr. John M. Bennett, P.E.
City of Franklin
April 1, 2011
Page 2

Please contact me with any questions.

Thank you.

Very truly yours,

RUEKERT/MIELKE



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

JWE:sjs

cc: Jesse A. Wesolowski, City of Franklin
Anthony D. Petersen, P.E., Ruekert/Mielke
File

A1.04 *Sewer Route Landowner Negotiations & Easement Acquisitions*

- A. Assist Owner with negotiations and acquisition of Project easements.
 - 1. Attend informational meetings with property owners
 - 2. Determine easements required
 - 3. Prepare cadastral map of necessary easements
 - 4. Prepare and send letters of introduction to affected property owners
 - 5. Obtain title work
 - 6. Prepare legal descriptions & exhibits of easements
 - 7. Create coordinate data for easement staking
 - 8. Assist City Attorney with relocation order
 - 9. Conduct sales study
 - 10. Prepare appraisals
 - 11. Assist with acquisitions
 - 12. Project management
 - 13. Negotiate with property owners
 - 14. Assist City Attorney with Jurisdictional Offer To Purchase
 - 15. Obtain title commitments
 - 16. Assist City Attorney with easement agreements (15 - 20 easements)
 - 17. Map final easement boundaries

A1.05 *Financial Plan Preparation*

- A. Complete Clean Water Fund loan Intent to Apply & Priority Evaluation Ranking forms
- B. Preparation of Financing Plan
 - 1. Provide Overview Of Financing Plan (planning strategies and meetings)
 - 2. Prepare Financing Plan
 - a. Outline and develop overall plan
 - b. Develop timeline for Project financing and cash flows
 - c. Meetings with City Staff
- C. Prepare Clean Water Fund loan application
 - 1. Meetings and teleconferences with DNR and DOA staff
 - 2. Obtain necessary contracts, bid documents, user charge system, information, budget detail and statement of land ownership
 - 3. Prepare MBE/WBE/SBRA Certification forms
 - 4. Prepare Plan Of Operation Certification checklist
 - 5. Prepare Force Account Certification checklist
 - 6. Prepare Reimbursement And Authorize Representative Resolutions
 - 7. Prepare Project budget worksheet
 - 8. Prepare Project cost categories
 - 9. Prepare parallel cost ratio

April 1, 2011

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

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Ruekert·Mielke

engineering solutions for a working world

Mr. John M. Bennett, P.E.
City of Franklin
April 1, 2011
Page 2

Please contact me with any questions.

Thank you.

Very truly yours,

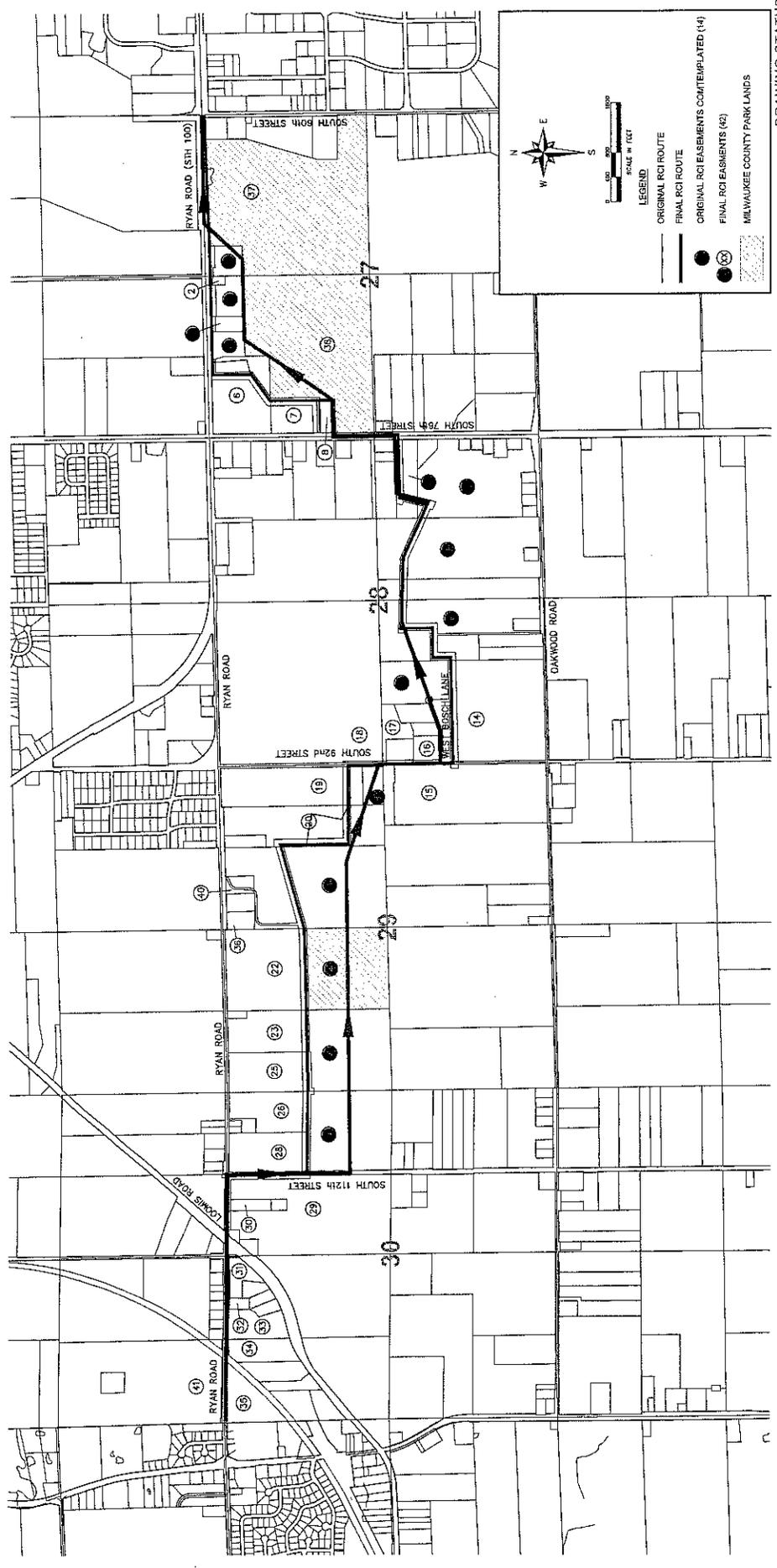
RUEKERT/MIELKE

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

JWE:sjs

cc: Jesse A. Wesolowski, City of Franklin
Anthony D. Petersen, P.E., Ruekert/Mielke
File

RYAN CREEK INTERCEPTOR
 ACQUISITION MAP
 PROJECT NO. C02006
 CITY OF FRANKLIN - MILWAUKEE COUNTY - WISCONSIN



REUSE OF DOCUMENTS THIS DOCUMENT AND THE SEAL AND SIGNATURE OF THE PROFESSIONAL ENGINEER OR ARCHITECT ARE VALID ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE TITLE BLOCK AND SHALL BE VOID IF REUSED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER OR ARCHITECT.	VERIFY SCALES ALL DIMENSIONS SHALL BE IN FEET UNLESS OTHERWISE NOTED. # NOT ON RECORD THIS SHEET, AS PART OF THE PROJECT, SHALL BE RECORDED IN THE MILWAUKEE COUNTY RECORDS.	DESIGN D BY: XXXXXXXX C BY: XXXXXXXX E BY: XXXXXXXX A BY: XXXXXXXX	This Design Prepared By: Ruekert-Mielke engineering solutions for a working world <small>1000 WEST WISCONSIN AVENUE, SUITE 100, MILWAUKEE, WI 53233-3000 TEL: 414.224.1100 FAX: 414.224.1101</small>	REV. 2 08/02/11 04/04/11 REV. 1 02/17/11	ADD PARCEL 41 ROUTE CHANGES-PARCELS 8, 12-15, 20, ADD 40 DRAWING ISSUED	BKC JWE JWE	BY APVD	CITY OF FRANKLIN RYAN CREEK INTERCEPTOR ACQUISITION MAP 10-H0 THRU 302-45	DRAWING NO.: K-X SHEET: X DATE: XXXXXXXX CONTRACT: XXXXXXXX MASS FILE: XXX-XXX-light
				DRAWING STATUS					

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE June 7, 2011
REPORTS AND RECOMMENDATIONS	<p>A Resolution to Confirm of Record Minor Revisions to and Amending Accordingly the Acquisition Map Approved and the Determinations made thereupon pursuant to Resolution No. 2011-6694, A Resolution Determining the Necessity of the Public Acquisition of Easement Rights and Interests in Property and Approving an Acquisition Map (Relocation Order) for the Location, Extension, Installation and Maintenance of Public Sanitary Sewer Facilities to Provide Sanitary Sewer Service to the Southwest Area of the City of Franklin by way of the Ryan Creek Interceptor Sewer Installation Upon Property in the Area from the Intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the Intersection of West Ryan Road and South 112th Street, thence Westerly Along West Ryan Road to the West City Limits</p>	ITEM NUMBER <i>6.23.</i>

See attached copy of Resolution No. 2011-6694 and the above-entitled Resolution draft, with their respective incorporated acquisition maps. Resolution No. 2011-6694 at paragraph 5. provided that its approvals include "such minor revisions determined to be reasonably necessary by the City Engineer to further the overall Ryan Creek Interceptor Sewer project". While the City Engineer has so opined, staff recommends adoption of the attached draft resolution prior to filing the revised map with the County Clerk, so that there is a complete formal record of the revisions in the City governing body files.

COUNCIL ACTION REQUESTED

A motion to adopt A Resolution to Confirm of Record Minor Revisions to and Amending Accordingly the Acquisition Map Approved and the Determinations made thereupon pursuant to Resolution No. 2011-6694, A Resolution Determining the Necessity of the Public Acquisition of Easement Rights and Interests in Property and Approving an Acquisition Map (Relocation Order) for the Location, Extension, Installation and Maintenance of Public Sanitary Sewer Facilities to Provide Sanitary Sewer Service to the Southwest Area of the City of Franklin by way of the Ryan Creek Interceptor Sewer Installation Upon Property in the Area from the Intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the Intersection of West Ryan Road and South 112th Street, thence Westerly Along West Ryan Road to the West City Limits.

RESOLUTION NO. 2011-_____

A RESOLUTION TO CONFIRM OF RECORD MINOR REVISIONS
TO AND AMENDING ACCORDINGLY THE ACQUISITION MAP APPROVED
AND THE DETERMINATIONS MADE THEREUPON PURSUANT TO RESOLUTION
NO. 2011-6694, A RESOLUTION DETERMINING THE NECESSITY OF THE PUBLIC
ACQUISITION OF EASEMENT RIGHTS AND INTERESTS IN PROPERTY AND
APPROVING AN ACQUISITION MAP (RELOCATION ORDER) FOR THE
LOCATION, EXTENSION, INSTALLATION AND MAINTENANCE OF PUBLIC
SANITARY SEWER FACILITIES TO PROVIDE SANITARY SEWER SERVICE TO
THE SOUTHWEST AREA OF THE CITY OF FRANKLIN BY WAY OF THE RYAN
CREEK INTERCEPTOR SEWER INSTALLATION UPON PROPERTY
IN THE AREA FROM THE INTERSECTION OF SOUTH 60TH STREET
AND WEST RYAN ROAD GENERALLY FOLLOWING THE RYAN
CREEK TO THE INTERSECTION OF WEST RYAN ROAD AND
SOUTH 112TH STREET, THENCE WESTERLY ALONG WEST
RYAN ROAD TO THE WEST CITY LIMITS

WHEREAS, the Common Council adopted Resolution No. 2011-6694, as above-entitled, on March 1, 2011, and municipal staff and the Ryan Creek Interceptor Sewer project consultant having furthered the Common Council determinations and directives thereunder; and

WHEREAS, municipal staff and the project consultant having communicated with owners of property depicted in the Acquisition Map dated February 17, 2011 approved pursuant to Resolution No. 2011-6694, and having worked to address property owners' communications and having worked to further avoid environmental areas, as well as communicating with owners of adjoining properties to accommodate such project layout matters; and

WHEREAS, municipal staff and the project consultant having prepared an amended Acquisition Map dated May 26, 2011, to address such project layout matters, and the City Engineer having determined pursuant to paragraph 5. of Resolution No. 2011-6694, that such amendments constitute "such minor revisions determined to be reasonably necessary by the City Engineer to further the overall Ryan Creek Interceptor Sewer project"; and

WHEREAS, such minor revisions to the Acquisition Map dated February 17, 2011, as set forth upon the Acquisition Map dated May 26, 2011, include: Parcel 6 - Tax Key No. 897-9996-000 alignment changed at property owner request to coincide with a future proposed street pattern and a proposed future entrance onto West Ryan Road; Parcel 7 - Tax Key No. 897-9997-000 alignment changed to eliminate easement on Parcel 8; Parcel 8 - Tax Key No. 897-9998-000 easement eliminated; Parcel 12 - Tax Key No. 935-9994-009

alignment changed to preserve a wooded area, and to relocate temporary access at property owner request; Parcel 13 - Tax Key No. 935-9999-009 easement eliminated and alignment relocated to the property to the south to preserve a wooded area, avoid disturbance of existing improvements and alleviate access concerns to existing properties along West Bosch Lane during construction; Parcel 14 - Tax Key No. 935-9999-007 received the alignment relocated from Parcel 13 to the north; Parcel 15 - Tax Key No. 936-9996-000 temporary easement relocated to accommodate construction of the realigned sewer on Parcel 14; Parcel 20 - Tax Key No. 894-9998-002 alignment relocated to avoid wetland areas; Parcel 35 - Tax Key No. 891-9994-000 temporary easement eliminated to avoid some tree removal on the property outside the West Ryan Road right-of-way; Parcel 40 - Tax Key No. 894-9999-004 and Parcel 21 - Tax Key No. 894-999-001 temporary easement from West Ryan Road relocated at property owner request; Parcel 36 - Tax Key No. 894-9999-002 easement eliminated due to the creation of the Parcel 40 easement; Parcel 41 - Tax Key No. 890-9991-001 temporary easement added to facilitate construction of the sewer in West Ryan Road.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Common Council recognizes, approves and confirms the minor revisions to the Acquisition Map dated February 17, 2011, all as depicted and set forth upon the Acquisition Map dated May 26, 2011, a copy of which is annexed hereto and incorporated herein, which serves and shall serve in lieu of the Acquisition Map dated February 17, 2011, and that all findings, terms and provisions set forth in Resolution No. 2011-6694 apply and shall apply to the Acquisition Map dated May 26, 2011.

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

SCHEDULE OF LANDS & INTERESTS REQUIRED
PROJECT NO. C02006

PLE - PERMANENT LIMITED EASEMENT
TLE - TEMPORARY LIMITED EASEMENT

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE. PARCELS ARE SHOWN TO CONSTRUCTION PLAN SHEET NUMBERS REFER TO CONSTRUCTION PLAN AND PROFILE SHEETS.

AREAS SHOWN IN THE SQUARE FOOTAGE COLUMN MAY BE APPROXIMATE AND ARE DERIVED FROM MAPS & DOCUMENTS OF PUBLIC RECORD OR EXISTING RIGHT-OF-WAY AND OCCUPATIONAL PERMITS. THE SQUARE FOOTAGE COLUMN IS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

PARCEL NUMBER	SHEET NUMBER	OWNER	TAX KEY NUMBER	INTEREST REQUIRED	SQUARE FOOTAGE		ADDRESS	PARCEL NUMBER
					PILE	TILE		
1	11-12	DONALD A. FANETTI & GLENK'S INVESTMENTS LLC	898-9999-000	PILE / TILE	15,000	28,299	680 SEVENTH AVE. NE, WELLS FARGO, ND 58078	1
2	12	DONALD FANETTI	897-9992-000	PILE / TILE	4,202	3,251	E6498 690TH AVE., MENOMONEE, WI 54751	2
3	12	JUAN R. RODRIGUEZ & CHERYL A. RODRIGUEZ	897-9993-000	PILE / TILE	15,470	33,521	9312 S 33RD ST., FRANKLIN, WI 53132	3
4	12-13	RYAN ROAD INVESTMENT PARTNERS LLC & ALOYSIUS B. RUTKOWSKI	897-9994-000	PILE / TILE	7,335	12,225	2138 N. 68TH ST., WAUWATOSA, WI 53213	4
5	13	O'MALLEY INVESTMENTS II FAMILY LTD PARTNERSHIP	897-9995-000	PILE	14,107		5200 W. LOOMIS RD., GREENDALE, WI 53129	5
6	13-14	JOHN A. O'MALLEY & MARY A. O'MALLEY	897-9996-000	PILE / TILE	41,690	110,112	5200 W. LOOMIS RD., GREENDALE, WI 53129	6
7	13-15	THOMAS R. DURANSO & STEVEN DURANSO	897-9997-000	PILE / TILE	36,698	90,364	W205 58125 PASADENA DR., MUSKEGO, WI 53150	7
8	15	JAMES W. HOUTLER & JOYCE R. HOUTLER	897-9998-000	PILE / TILE	11,703	45,968	9991 S. 76TH ST., FRANKLIN, WI 53132	8
9	17-18	JOHN SCHWEITZER, JR. & BARBARA N. SCHWEITZER	934-9993-001	PILE / TILE	11,703	45,968	7912 W. OAKWOOD RD., FRANKLIN, WI 53132	9
10	18	SCHWEITZER FAMILY PARTNERSHIP	934-9992-010	PILE / TILE	31,563	95,202	8180 W. OAKWOOD RD., FRANKLIN, WI 53132	10
11	18-19	HOLTERMAN FAMILY TRUST	935-9998-001	PILE / TILE	245,113	245,113	8400 W. OAKWOOD RD., FRANKLIN, WI 53132	11
12	19-22	MARVIN W. WOLFF & ALICE LYNN WOLFF	935-9994-009	PILE / TILE	36,698	113,538	9770 S. 76TH ST., FRANKLIN, WI 53132	12
13	22	DONALD WOELBING & MARION WOELBING	935-9999-000	PILE / TILE	48,981	146,935	8850 W. BOSCH LN., FRANKLIN, WI 53132	13
14	22-24	DOROTHY BOSCH REVOCABLE TRUST DATED 02/10/1997	935-9999-007	PILE / TILE	48,981	146,935	8850 W. BOSCH LN., FRANKLIN, WI 53132	14
15	24	DONALD ACKER & PAULENE ACKER	936-9998-000	PILE/TILE		7,201	10023 S. 92ND ST., FRANKLIN, WI 53132	15
16	24	LUDWIG SCOTT A. & SANDRA L. REVOCABLE TRUST DATED 09/12/2006	935-9997-000	TILE	12,114		9110 W. BOSCH LN., FRANKLIN, WI 53132	16
17	24-25	PASNIAK LIVING TRUST DATED 06/19/2010	935-9999-002	TILE	1,818		9910 S. 92ND ST., FRANKLIN, WI 53132	17
18	25	ARCHDIOCESE OF MILWAUKEE	895-9999-000	TILE	18,838	14,128	P.O. BOX 07912, MILWAUKEE, WI 53207	18
19	25-26	8623 SOUTH 92ND STREET LLC	894-9997-002	PILE / TILE	56,514	52,756	3661 S. 60TH ST., MILWAUKEE, WI 53220	19
20	26-27	MARY ANN JURASINSKI	894-9998-032	PILE / TILE	158,426	160,556	6083 51ST ST., ROCHESTER, MN 55901	20
21	27-29	SCOTT A. MAYER	894-9998-001	PILE / TILE	41,149	158,426	9733 W. RYAN RD., FRANKLIN, WI 53132	21
22	30-31	JOHN T. NAPIENTEK & MARSHA J. NAPIENTEK	893-9995-001	PILE / TILE	39,608	86,892	10233 W. RYAN RD., FRANKLIN, WI 53132	22
23	31	JOSEPH HERITZ	893-9997-002	PILE / TILE	49,213	36,973	10831 W. RYAN RD., FRANKLIN, WI 53132	23
24	30-32	SCOTT T. REPINSKI & SHARON K. NESSMANN	893-9998-000	TILE	20,346		P.O. BOX 320366, FRANKLIN, WI 53132	24
25	31-32	ANTHONY HERITZ & GERALDINE HERITZ	893-9997-001	PILE / TILE	19,259	50,422	10903 W. RYAN RD., FRANKLIN, WI 53132	25
26	32	ARTHUR HERITZ & GERALDINE HERITZ	892-9998-001	PILE / TILE	42,682	19,700	10903 W. RYAN RD., FRANKLIN, WI 53132	26
27	32-33	SCOTT T. REPINSKI & SHARON K. NESSMANN	892-9998-000	TILE	47,610	42,682	P.O. BOX 320366, FRANKLIN, WI 53132	27
28	32-33	THE TRUST UNDER THE WILL OF ROBERT D. DIEDRICH	892-9991-000	PILE / TILE	41,105	41,105	11111 W. RYAN RD., FRANKLIN, WI 53132	28
29	33-35	LOOMIS ROAD PROPERTIES LLC	892-9992-000	TILE	90,627		11835 W. RYAN RD., FRANKLIN, WI 53132	29
30	34	EUGENE D. & MARLENE MAGARICH	892-9994-000	TILE	7,400		11527 W. RYAN RD., FRANKLIN, WI 53132	30
31	35-36	LOOMIS ROAD PROPERTIES LLC	891-9989-003	TILE	9,360		11835 W. RYAN RD., FRANKLIN, WI 53132	31
32	36	MICHAEL & W. ZOLECKI	891-9989-004	TILE	3,640		11835 W. RYAN RD., FRANKLIN, WI 53132	32
33	36	A & E REALTY LLC	891-9989-001	TILE	9,736		11835 W. RYAN RD., FRANKLIN, WI 53132	33
34	36	A & E REALTY LLC	891-9989-000	TILE	6,144		11835 W. RYAN RD., FRANKLIN, WI 53132	34
35	36-37	FRANK J. JANISZEWSKI & PAMELA J. JANISZEWSKI	891-9994-000	TILE			12501 W. RYAN RD., FRANKLIN, WI 53132	35
36	29	SCOTT A. MAYER	894-9999-002	PERMIT	26,346		9733 W. RYAN RD., FRANKLIN, WI 53132	36
37	10-11	MILWAUKEE COUNTY	898-9998-000	PERMIT	27,604		901 N. 9TH ST., MILWAUKEE, WI 53233	37
38	13-16	MILWAUKEE COUNTY	897-9999-000	PERMIT	31,504		901 N. 9TH ST., MILWAUKEE, WI 53233	38
39	28	MILWAUKEE COUNTY	893-9993-000	PERMIT		37,020	901 N. 9TH ST., MILWAUKEE, WI 53233	39
40	26-27	SCOTT A. MAYER	894-9999-004	TILE			9733 W. RYAN RD., FRANKLIN, WI 53132	40
41	29	JTS PROPERTIES OF FRANKLIN LLC	890-9991-001	TILE		25,313	12200 W. RYAN RD., FRANKLIN, WI 53132	41

REUSE OF DOCUMENTS
This document and the information contained herein are the property of Ruckert-Mielke Engineering and Planning, Inc. and shall not be used for any other project without the written consent of Ruckert-Mielke Engineering and Planning, Inc.

VERIFY SCALES
Scale: 1" = 40' (Horizontal)
Scale: 1" = 20' (Vertical)

THE DESIGN PREPARED BY:
Ruckert-Mielke
Engineering and Planning, Inc.
1000 W. Wisconsin Ave., Suite 200
Milwaukee, WI 53233
Tel: 414-224-1111 Fax: 414-224-1112
www.ruckert-mielke.com

REV. 4 09/26/11 SQUARE FOOTAGE CHANGES-PARCELS 7, 8, 38
REV. 3 08/02/11 SQUARE FOOTAGE CHANGES-PARCELS 6, 16-18, 20,
REV. 2 04/04/11 ADD 40
REV. 1 02/24/11 SQUARE FOOTAGE CHANGES-PARCELS 22, 29-32
REV. 0 02/17/11 DRAWINGS ISSUED

DATE 02/17/11

REVISION DESCRIPTION

BT 14-P10

CITY OF FRANKLIN
CITY OF FRANKLIN
RYAN CREEK INTERCEPTOR
SCHEDULE OF LANDS & INTERESTS
10430 THRU 10645

DRAWING STATUS
DRAWING NO.:
SHEET: XX
DATE: MONTH YEAR
CONTENTS: XXXXXXXX
PLOT FILE: XXXXXXXX.dgn

RESOLUTION NO. 2011- 6694

A RESOLUTION DETERMINING THE NECESSITY OF THE
PUBLIC ACQUISITION OF EASEMENT RIGHTS AND INTERESTS IN
PROPERTY AND APPROVING AN ACQUISITION MAP (RELOCATION ORDER)
FOR THE LOCATION, EXTENSION, INSTALLATION AND MAINTENANCE OF
PUBLIC SANITARY SEWER FACILITIES TO PROVIDE SANITARY SEWER
SERVICE TO THE SOUTHWEST AREA OF THE CITY OF FRANKLIN BY
WAY OF THE RYAN CREEK INTERCEPTOR SEWER INSTALLATION
UPON PROPERTY IN THE AREA FROM THE INTERSECTION OF
SOUTH 60TH STREET AND WEST RYAN ROAD GENERALLY
FOLLOWING THE RYAN CREEK TO THE INTERSECTION
OF WEST RYAN ROAD AND SOUTH 112TH STREET,
THENCE WESTERLY ALONG WEST RYAN
ROAD TO THE WEST CITY LIMITS

WHEREAS, the Ryan Creek Interceptor Sewer was depicted in the Sewerage Commission of Milwaukee County's (together with the Sewerage Commission of the City of Milwaukee, the predecessors of the Milwaukee Metropolitan Sewerage District) original master plan for facilities development in 1967; and

WHEREAS, the Ryan Creek Interceptor Sewer having been depicted in all succeeding facilities plans adopted thereafter by the Milwaukee Metropolitan Sewerage District, though without plan for implementation; and

WHEREAS, the population of the City of Franklin having nearly tripled since 1967; and

WHEREAS, for most of the past decade, an approximate two-thirds of the land area of the City of Franklin being within the Milwaukee Metropolitan Sewerage District and being substantially served by public sanitary sewer and developed, with nearly a third of the City remaining outside of the District area and not being served by public sanitary sewer and being substantially undeveloped; and

WHEREAS, the "Vision for the City of Franklin", December 2004, as prepared by MSA Professional Services, Inc. together with the Mayor and Common Council and senior City staff, stated to "be brought to life only through the deliberate daily efforts of the community's leaders... [and to be representing] the beginning – and not the end – of a commitment to total quality improvement", provides in part under Part IV. Intergovernmental Relations: "[w]ork to establish a working relationship with MMSD to accomplish the Ryan Creek Interceptor and phased implementation of the extension of sewer services to outlying areas"; and under Part VI. Safety, Health & Welfare: "[e]xpand sewer

and water to outlying areas”; “[p]rovide sewer service to the Ryan Road corridor”; and “[c]omplete the Ryan Creek Interceptor”; and under “Goal Setting”, identifying “action-oriented objectives”: “MMSD... Ryan Creek Interceptor”; and

WHEREAS, the Common Council on June 29, 2005, at a Special Common Council Meeting, having discussed the “need for the Ryan Creek Interceptor”; and

WHEREAS, the Common Council on December 20, 2005, having adopted Resolution No. 2005-6002, A Resolution Authorizing Officials to Execute an Engineering Services Agreement with R.A. Smith & Associates, Inc. for Sanitary Sewer Study of Ryan Creek Interceptor Service Area; and

WHEREAS, the Common Council on January 3, 2006, having considered a letter from the Milwaukee Metropolitan Sewerage District Executive Director, regarding the Ryan Creek Interceptor, confirming his discussion with the Mayor and that the “City of Franklin has communicated to the District the immediate need for sanitary sewer to a specific area within the City” and that the “‘Ryan Creek Interceptor’ as briefly described in the 2010 Facilities Plan, could fulfill this need”; and that “[b]y Council action, the City of Muskego has also requested that the Ryan Creek Interceptor be constructed”; and

WHEREAS, in furtherance of the Vision, the City of Franklin by way of its Mayor, its Common Council, its City Engineer participating as a member of the District’s Technical Advisory Team, its consultants, and its neighboring community of the City of Muskego, having continually continued to petition the District for the development of the Ryan Creek Interceptor; and

WHEREAS, the 2025 Comprehensive Master Plan of the City of Franklin, following the input received from numerous public informational meetings, recommends the implementation of the Ryan Creek Interceptor in Chapter 8: Utilities and Community Facilities, Chapter 9: Intergovernmental Cooperation, and Chapter 10: Implementation; and

WHEREAS, the Ryan Creek Interceptor having previously been included in the District’s 2020 Facilities Plan, without specific implementation directive, and with estimated total system costs of in excess of \$100,000,000; and

WHEREAS, Ruekert & Mielke, Inc., consult from time to time separately to the Milwaukee Metropolitan Sewerage District, the City of Franklin and the City of Muskego, having studied the matter of the Ryan Creek Interceptor and the plans therefore as developed through the years, and having prepared for and with the District staff, a plan for the development of the Ryan Creek Interceptor with a cost estimated to be some one-third of the total system costs previously estimated, which resulted in a Milwaukee Metropolitan

Sewerage District draft 2020 Facilities Plan – Addendum 2 Franklin/Muskego Advanced Facilities Plan, providing for an Alternative D; and

WHEREAS, the Common Council having reviewed such Plan and Alternative D and having determined that such Plan will further the “commitment to total quality improvement” as is set forth within its Vision, and having adopted Resolution No. 2009–6610 on December 1, 2009, A Resolution Approving the 2020 Facilities Plan – Addendum 2 Franklin/Muskego Advanced Facilities Plan Providing for Alternative D, the Ryan Creek Interceptor Gravity Sewer Alternative, and Petitioning the Milwaukee Metropolitan Sewerage District to Amend the 2020 Facilities Plan to so Provide for the Ryan Creek Interceptor Gravity Sewer; and

WHEREAS, on January 25, 2010, the Milwaukee Metropolitan Sewerage District Commission adopted the 2020 Facilities Plan – Addendum 2 Franklin/Muskego Advanced Facilities Plan Providing for Alternative D, the Ryan Creek Interceptor Gravity Sewer Alternative; and

WHEREAS, on September 7, 2010, the Common Council approved an Intergovernmental Cooperation Agreement Between the City of Franklin and the Milwaukee Metropolitan Sewerage District Concerning Financing, Design, Construction, Operation, Maintenance and Ownership of the Ryan Creek Interceptor Sewer; and

WHEREAS, on September 27, 2010, the Milwaukee Metropolitan Sewerage District Commission approved the Intergovernmental Cooperation Agreement Between the City of Franklin and the Milwaukee Metropolitan Sewerage District Concerning Financing, Design, Construction, Operation, Maintenance and Ownership of the Ryan Creek Interceptor Sewer; and

WHEREAS, the Intergovernmental Cooperation Agreement providing in substantial part that the City of Franklin obtain a Clean Water Fund Program loan for the project and undertake the project thereunder, with the District thereafter being responsible for the loan repayment, the costs thereof being a District obligation; and

WHEREAS, in furtherance of the project, the City of Franklin Engineering Department having worked with the project consultant, Ruckert & Mielke, Inc., to obtain the most efficient layout of the extension of the Ryan Creek Interceptor Sewer in conjunction with the planned future public street layout as set forth in the 2025 Comprehensive Master Plan of the City of Franklin and consistent with a substantial concern for environmentally sensitive lands and public and private interests in lands within the area of potential installation of the Ryan Creek Interceptor Sewer facility; and

WHEREAS, the City of Franklin, with its consulting engineers, Ruckert & Mielke, Inc., having prepared the necessary plans for such sanitary sewer extension and such plans

also describing the lands necessary for such extension as described in an Acquisition Map dated February 17, 2011; and

WHEREAS, Wis. Stat. § 62.23(5) provides in part that the Council, or other public body or officer of the City having final authority thereon, shall refer to the City Plan Commission, for its consideration and report before final action is taken by the Council, public body or officer, the location and extension for any public utility; and that the Common Council so referred the subject to the Plan Commission on February 15, 2011, and that the Plan Commission by unanimous vote on February 17, 2011 determined such extension and location pursuant to the Acquisition Map dated February 17, 2011; and

WHEREAS, Wis. Stat. § 62.22(4)(d) provides in part that the Council may by resolution declare it necessary to condemn land, describing it, for any authorized purpose, and that before adopting the resolution it shall be referred to the Board of Public Works, who shall make a particular description of each lot, parcel or subdivision of land proposed to be taken, and report the same to the Council, and that pursuant to a referral by the Common Council on February 15, 2011, the Board of Public Works by unanimous vote on February 17, 2011 made such description pursuant to the Acquisition Map dated February 17, 2011; and

WHEREAS, the Common Council having considered the necessity in the public interest of the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor Sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, and the aforesaid determination by the Plan Commission that such sanitary sewer installation as described upon the attached Acquisition Map dated February 17, 2011 is reasonably located and necessary in the public interest, and the Board of Public Works by its aforesaid action at such meeting having made such description of the lands necessary for such sanitary sewer improvement as set forth upon such Acquisition Map; and the Common Council having found that the public acquisition of the necessary easements to provide for such public sanitary sewer service promotes and protects the health, safety and welfare of the Community and additionally serves to accommodate the orderly development of the City of Franklin to provide for the continued growth in tax base and employment, in the public interest.

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

1. That the public acquisition of the easement interests in the property described upon the Acquisition Map dated February 17, 2011 for the location, extension, installation

and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor Sewer installation in and upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits annexed hereto is reasonably requisite to accomplish the public purpose of protecting and promoting the public health and welfare of the Community, the public waters and environment within and beyond it, and to accommodate the orderly development of the City of Franklin to provide for the continued growth in tax base and employment within the City of Franklin, Wisconsin, and that the Common Council determines that such public acquisition is necessary, accordingly.

2. That it is necessary, in the furtherance of the above stated public purpose, for the City to acquire the easements upon the real estate more particularly described upon the Acquisition Map for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin, and the Acquisition Map dated February 17, 2011, be and the same is hereby approved.
3. That the acquisition by the City of the easements upon the property described upon the Acquisition Map for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin as annexed hereto, is necessary in order to implement and further the public purposes of the project to accommodate the orderly development of the City of Franklin to provide for the continued growth in tax base and employment, to protect public waters and the environment and to promote the health, safety and welfare of the Community.
4. That in addition to and consistent with its determination of necessity, this Resolution is a Relocation Order in accordance with Wis. Stat. § 32.05(1) for the Ryan Creek Interceptor Sewer project, which will be constructed, installed and maintained within the area depicted and described within the Acquisition Map dated February 17, 2011 annexed hereto and incorporated herein.
5. That all references herein to the Acquisition Map dated February 17, 2011, its approval, use and application, shall be subject to and include such minor revisions determined to be reasonably necessary by the City Engineer to further the overall Ryan Creek Interceptor Sewer project.
6. That the City will acquire, by eminent domain in accordance with Chapter 32 of the Wisconsin Statutes, if necessary, the easement interests in the real estate described in

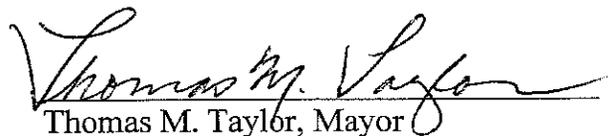
the Acquisition Map from the record owners thereof, and from any and all other persons or entities who may have an interest in said real estate.

7. That municipal staff and Ruckert & Mielke, Inc., are hereby authorized and directed to obtain an appraisal, relocation plan and further order, if necessary, and all other necessary related activities, to negotiate for and on behalf of the City, with the owners of the above described real estate and all other interested persons for the purchase of easements thereupon by the City.
8. That in the event municipal staff and Ruckert & Mielke, Inc., as authorized hereunder, are unable to agree with the owners of the above described real estate as to the compensation to be paid for such easements, subject to and within the authority as granted by the Common Council, then title to and possession of said real estate easements shall be acquired by the City, through eminent domain and the City Attorney, or such special counsel as may be directed, is hereby authorized, empowered and directed to institute proceedings in any court of competent jurisdiction to acquire title to and possession of said real estate for the City, in accordance with Chapter 32 of the Wisconsin Statutes.

Introduced at a regular meeting of the Common Council of the City of Franklin this 1st day of March, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 1st day of March, 2011.

APPROVED:


Thomas M. Taylor, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 5 NOES 1 ABSENT 0
(Ald. Wilhelm)

SCHEDULE OF LANDS & INTERESTS REQUIRED
PROJECT NO. C02006

AREAS SHOWN IN THE SQUARE FOOTAGE COLUMN MAKE A DOCUMENT OF PUBLIC RECORD OR EXISTING RIGHT-OF-WAY AND OCCUPATIONAL LINES AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

OWNERS NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF AND INTERESTS SHEET NUMBERED AND PROFILE SHEETS.

PLE -- PERMANENT LIMITED EASEMENT
TILE -- TEMPORARY LIMITED EASEMENT

PARCEL NUMBER	SHEET NUMBER	OWNER	TAX KEY NUMBER	INTEREST REQUIRED	SQUARE FOOTAGE		ADDRESS	PARCEL NUMBER
					PLE	TILE		
1	10-11	DONALD A. FANETTI & GLENN'S INVESTMENTS LLC	888-9989-000	PLE / TILE	15,000	28,299	680 SEVENTH AVE. NE, WELLS FARGO, ND 58078	1
2	11	DONALD FANETTI	897-9982-000	PLE / TILE	4,202	3,251	69496 69TH AVE, MENOMONEE, WI 53121	2
3	11	JUAN R. RODRIGUEZ & CHERYL A. RODRIGUEZ	897-9983-000	PLE / TILE	15,470	33,521	9312 S 3RD ST., FRANKLIN, WI 53132	3
4	11-12	RYAN ROAD INVESTMENT PARTNERS LLC & ALOYSIUS B. RUTKOWSKI	897-9984-000	PLE / TILE	7,335	12,225	2136 N. 68TH ST., WAUKESHA, WI 53139	4
5	12	O'MALLEY INVESTMENTS II FAMILY LTD PARTNERSHIP	897-9985-000	PLE / TILE	14,107		5200 W. LOOMIS RD., GREENDALE, WI 53129	5
6	12-13	JOHN A. O'MALLEY & MARY A. O'MALLEY & JAMES B. O'MALLEY	897-9986-000	PLE / TILE	41,233	119,500	5200 W. LOOMIS RD., GREENDALE, WI 53129	6
7	13-14	THOMAS R. DURANSO & RICHARD DURANSO & STEVEN DURANSO	897-9987-000	PLE / TILE	23,634	51,645	W205 58125 PASKADENA DR., MUSKEGEE, WI 53180	7
8	14-15	JAMES W. HOUTLER & JOYCE R. HOUTLER	897-9988-000	PLE / TILE	5,973	4,978	9770 S. 76TH ST., FRANKLIN, WI 53132	8
9	16-17	JOHN SCHWEITZER, JR. & BARBARA N. SCHWEITZER	934-9993-001	PLE / TILE	36,698	113,538	9991 S. 76TH ST., FRANKLIN, WI 53132	9
10	17	SCHWEITZER FAMILY PARTNERSHIP	934-9992-010	PLE / TILE	11,703	45,968	7912 W. OAKWOOD RD., FRANKLIN, WI 53132	10
11	17-18	HOLTERMAN FAMILY TRUST	934-9998-001	PLE / TILE	31,563	95,202	8180 W. OAKWOOD RD., FRANKLIN, WI 53132	11
12	18-19	MARVIN W. WOLFF & ALICE LYNN WOLFF	935-9994-009	PLE / TILE	186,329	186,329	8400 W. OAKWOOD RD., FRANKLIN, WI 53132	12
13	19-20	DONALD WOELBING & MARION WOELBING	935-9998-009	PLE / TILE	56,301	56,301	8850 W. BOSCH LN., FRANKLIN, WI 53132	13
14	20-21	DOROTHY BOSCH REVOCABLE TRUST DATED 02/10/1987	935-9999-007	PLE / TILE	18,254	2,017	8830 W. OAKWOOD RD., FRANKLIN, WI 53132	14
15	21	DONALD ACKER & PAULENE ACKER	935-9998-000	PLE / TILE	4,200	4,200	10023 S. 92ND ST., FRANKLIN, WI 53132	15
16	21	LUDWIG SCOTT A. & SANDRA L. REVOCABLE TRUST DATED 09/12/2006	935-9997-000	TILE	12,114		8110 W. BOSCH LN., FRANKLIN, WI 53132	16
17	21	PASNAK LIVING TRUST DATED 08/19/2010	935-9999-002	TILE	1,818		9910 S. 92ND ST., FRANKLIN, WI 53132	17
18	21-22	ARCHDIOCESE OF MILWAUKEE	895-9989-000	TILE	14,128		P.O. BOX 07912, MILWAUKEE, WI 53207	18
19	22-23	8623 SOUTH 92ND STREET LLC	894-9997-002	PLE / TILE	18,838		3861 S. 80TH ST., MILWAUKEE, WI 53220	19
20	23-25	MARY ANN JURASINSKI	894-9998-002	PLE / TILE	51,223	169,889	6083 51ST ST., ROCHESTER, MN 55901	20
21	25-26	SCOTT A. MAYER	894-9989-001	PLE / TILE	41,149	144,278	9733 W. RYAN RD., FRANKLIN, WI 53132	21
22	26-27	JOHN T. NAPIENIEK & MARSHA J. NAPIENIEK	893-9985-001	PLE / TILE	40,524	86,073	10233 W. RYAN RD., FRANKLIN, WI 53132	22
23	27	SCOTT T. REPINSKI & SHARON K. NISSMANN	893-9987-002	PLE / TILE	20,346	49,213	10931 W. RYAN RD., FRANKLIN, WI 53132	23
24	27-28	ANTHONY HERITZ & GERALDINE HERITZ	893-9988-000	PLE / TILE	36,973	36,973	P.O. BOX 320366, FRANKLIN, WI 53132	24
25	27-28	ANTHONY HERITZ & GERALDINE HERITZ	893-9987-001	PLE / TILE	19,259	50,422	10903 W. RYAN RD., FRANKLIN, WI 53132	25
26	28	ANTHONY HERITZ & GERALDINE HERITZ	892-9989-001	PLE / TILE	42,682		10903 W. RYAN RD., FRANKLIN, WI 53132	26
27	28-29	SCOTT T. REPINSKI & SHARON K. NISSMANN	892-9988-000	PLE / TILE	18,700	47,610	P.O. BOX 320366, FRANKLIN, WI 53132	27
28	28-29	THE TRUST UNDER THE WILL OF ROBERT D. DIEDRICH	892-9981-000	PLE / TILE	18,972		11111 W. RYAN RD., FRANKLIN, WI 53132	28
29	29-31	LOOMIS ROAD PROPERTIES LLC	892-9982-000	TILE	90,632	90,632	11835 W. RYAN RD., FRANKLIN, WI 53132	29
30	31	EUGENE D. & MARLENE MARGARICH	892-9984-000	TILE	7,471		11327 W. RYAN RD., FRANKLIN, WI 53132	30
31	32	LOOMIS ROAD PROPERTIES LLC	891-9989-004	TILE	9,357		11835 W. RYAN RD., FRANKLIN, WI 53132	31
32	32	MICHAEL & W. ZOLECKI	891-9989-003	TILE	3,644		11835 W. RYAN RD., FRANKLIN, WI 53132	32
33	32-33	A & E REALTY LLC	891-9989-001	TILE	9,735		11835 W. RYAN RD., FRANKLIN, WI 53132	33
34	33	A & E REALTY LLC	891-9989-000	TILE	6,144		11835 W. RYAN RD., FRANKLIN, WI 53132	34
35	33-34	FRANK J. JANISZEWSKI & PAMELA J. JANISZEWSKI	891-9984-000	TILE	20,393		12301 W. RYAN RD., FRANKLIN, WI 53132	35
36	25-26	SCOTT A. MAYER	894-9989-002	TILE	15,877		9733 W. RYAN RD., FRANKLIN, WI 53132	36
37	10-11	MILWAUKEE COUNTY	898-9988-000	PERMIT	26,345		901 N. 9TH ST., MILWAUKEE, WI 53233	37
38	12-15	MILWAUKEE COUNTY	897-9989-000	PERMIT	106,291		901 N. 9TH ST., MILWAUKEE, WI 53233	38
39	26-27	MILWAUKEE COUNTY	893-9995-002	PERMIT	31,934		901 N. 9TH ST., MILWAUKEE, WI 53233	39

DRAWING NO. XX
SHEET: X
DATE: X
COMMIT: X
HARD FILE: X

CITY OF FRANKLIN
LINE 1 - METROPOLITAN INTERCEPTOR SEWER SYSTEM - No. 8
LINE 2 - PROJECT NAME MUST MATCH PROJECT SPEC BOOK COVERS
LINE 3 - PROJECT NUMBER (DELETE IF NOT USED)
LINE 4 - PROJECT DETAIL
LINE 5 - CIVIL

APPROVED BY: [Signature]
DATE: 02/17/11
DRAWING ISSUED

REVISION DESCRIPTION

REV. NO. DATE

This Design Prepared By:
Ruekert-Mielke
Engineering Solutions for a Growing World
www.ruekert-mielke.com

SCALE: AS SHOWN
DATE: 02/17/11
PROJECT NO. C02006

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/07/11
REPORTS & RECOMMENDATIONS	Committee of the Whole Recommendations	ITEM NUMBER

The Council may act on recommendations from the Committee of the Whole meeting on June 6, 2011.

- A. Ordinance to restructure the Economic Development Mission Process Administration of the City of Franklin to create the Forward Franklin Economic Development Committee (Ald. Taylor).
- B. Ordinance to Amend the Municipal Code as it Pertains to the Composition and Duties of the Economic Development Commission (Ald. Schmidt).
- C. Ordinance to Repeal and Recreate §10-8 of the Municipal Code Relating to the Composition and Purpose of the Economic Development Commission.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/7/11
Reports & Recommendations	Acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, upon the following one property identified by Acquisition Map Parcel No. 7, Tax Key Number 897-9997-000 and address 9705 S. 76 th Street. (Said easement rights and interest are due to a minor adjustment to the route of the interceptor.)	ITEM NO. <i>6.25</i>

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

COUNCIL ACTION REQUESTED

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

or

Motion to authorize the offering price for easement acquisition for Acquisition Map Parcel 7 for the Ryan Creek Interceptor Sewer project as recommended by the appraisal firm of Single Source, Inc. and the City Engineer.

JMB/db

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/7/2011
Licenses and Permits	Miscellaneous Permits	ITEM NUMBER <i>H.1.</i>

See attached lists of meetings of May 31, and June 6 & 7, 2011

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

**License Committee
Agenda***

Alderman's Room

May 31, 2011 – 6:00 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 2011 – 12 6:05 p.m.	Bednarek, Michael S 4905 Steeple Dr Greendale, WI 53129 Pick n Save - Drexel			
Operator – Renewal 2011-12 6:10 p.m.	Nelson, James W 211 W Oak Leaf Dr #5 Oak Creek, WI 53154 Three Cellars			
Operator - New 2011 - 12	Adamec, Jennifer K 7749 S Scepter Dr #6 Franklin, WI 53132 Walgreens – Loomis Rd			
Operator - New 2010-11	Adler, Jamie L 419 N Grandview Blvd Waukesha, WI 53188 Walgreens – Loomis Rd			
Operator - New 2010-11	Delgado, Julie T 6853 W Kathleen Ct #6 Franklin, WI 53132 Location – Unknown			
Operator – New 2011 - 12	Hyland, Thomas J 1220 S 65 th St West Allis, WI 53214\ Pick n Save – Drexel			
Operator – New 2011 - 12	Kosalos, Sarah J 8840 W Travis Ln Franklin, WI 53132 Pick n Save – Drexel			
Operator – New 2011 - 12	Matias, Andrew R 10717 6½ Mile Rd Caledonia, WI 53108 Walgreens – 27 th			
Operator – New 2011 - 12	Rausch, Nicole M 7810 S 100 th St Franklin, WI 53132 Pick n Save – Drexel			
Operator – New 2011 - 12	Smith, Krystal M 7111 Hollow Ln Greendale, WI 53129 Pick n Save – Drexel			
Operator – Renewal 2011-12	Alverio, Laura M 359 E Becher St Milwaukee, WI 53207 Pick n Save - Drexel			
Operator – Renewal 2011-12	Bartolone, Michael J 8041 W Tripoli Ave Milwaukee, WI 53220 On the Border			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Beierle, Wendy J 9221 S 96 th St Franklin, WI 53132 Hodach Citgo			
Operator – Renewal 2011-12	Beyer, Lynn E 4085 S 65 th St #12 Greenfield, WI 53220 Pick n Save - Drexel			
Operator – Renewal 2011-12	Blunt, Diane 3111 E James Dr Oak Creek, WI 53154 Sendik's Food Market			
Operator – Renewal 2011-12	Brandt, Daniel J 1928 Penhurst Way Waukesha, WI 53186 Sendik's Food Market			
Operator – Renewal 2011-12	Braovac, John D 1335 S 124 th St Brookfield, WI 53005 Croatian Park			
Operator – Renewal 2011-12	Braun, James A 904 Michigan Ave South Milwaukee, WI 53172 Three Cellars			
Operator – Renewal 2011-12	Brys, Mark L 1833 W Meyer Ln #12301 Oak Creek, WI 53154 Buckhorn Inn			
Operator – Renewal 2011-12	Brys, Pamela J 1833 W Meyer Ln #12301 Oak Creek, WI 53154 Buckhorn Inn			
Operator – Renewal 2011-12	Christofferson, Scott J S76 W 17145 Deer Creek Ct Muskego, WI 53150 Walgreens - Loomis			
Operator – Renewal 2011-12	Davison, Barbara J 6931 S Phyllis Ln Franklin, WI 53132 Pick n Save - Drexel			
Operator – Renewal 2011-12	Dilaveri, Teki 4338 W Victory Creek Dr Franklin, WI 53132 Mulligan's Irish Pub & Grille			
Operator – Renewal 2011-12	Drought, Caroline N 10506 W Euclid Ave West Allis, WI 53227 Pick n Save - Drexel			
Operator – Renewal 2011-12	Eskowski, Mark A 8908 W Verona Ct Milwaukee, WI 53227 Sendik's Food Marketvh			
Operator – Renewal 2011-12	Fakler, Melissa 2015 N Wisconsin St Racine, WI 53402 Open Pantry			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Falk, Diane M 4505 S 124 th St New Berlin, WI 53151 Cross Roads Pizza & Subs			
Operator – Renewal 2011-12	Falk, Michael D 10440 W Scharles Ave Hales Corners, WI 53130 Cross Roads Pizza & Subs			
Operator – Renewal 2011-12	Falkowski, Lori A 10227 Parklane Ct Hales Corners, WI 53130 Sendik's Food Market			
Operator – Renewal 2011-12	Feest, Stephanie M 580 W Riverwood Dr #210 Oak Creek, WI 53154 Mulligan's Irish Pub & Grille			
Operator – Renewal 2011-12	Floyd-Hyke, Jacqueline M 1626 S 58 th St West Allis, WI 53214 Roettger's Mobil Mart			
Operator – Renewal 2011-12	Gagliano, Eric M 3723 Meadow Rose Ct Franksville, WI 53126 The Bowery Bar & Grill			
Operator – Renewal 2011-12	Gaus, Nicole L 5037 S 41 st St Milwaukee, WI 53221 The Bowery Bar & Grill			
Operator – Renewal 2011-12	Gillum, Stephanie M 4445 S 117 th St Greenfield, WI 53228 Pick n Save - Drexel			
Operator – Renewal 2011-12	Godec, Maxine J 5160 S Oakridge Dr New Berlin, WI 53146 Cross Roads Pizza & Subs			
Operator – Renewal 2011-12	Grochowski, Halina 1111 W Rosewood Trail Oak Creek, WI 53154 Buckhorn Inn			
Operator – Renewal 2011-12	Hanley, Debra L 8248 Four Oaks Dr Franklin, WI 53132 Hanley's Grille & Bar			
Operator – Renewal 2011-12	Hanley, Erin K 105 Riverview Dr Waterford, WI 53185 Hanley's Grille & Bar			
Operator – Renewal 2011-12	Hodach, Daniel P 4520 Empire Ln Waterford, WI 53185 Hodach Citgo			
Operator – Renewal 2011-12	Jazdzewski, Franklin W 2810 S 15 th Pl Milwaukee, WI 53215 Roettger's Mobil Mart			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Jazdzewski, Sharon 9231 S 27 th St Franklin, WI 53132 Roettger's Mobil Mart			
Operator - Renewal 2011-12	Jubeck, Adam J 2430 W Briar Lake Way #2B Oak Creek, WI 53154 The Bowery Bar & Grill			
Operator - Renewal 2011-12	Koefler, Jacob A 11507 W Church St Franklin, WI 53132 Cross Roads Pizza & Subs			
Operator - Renewal 2011-12	Kwiatkowski, Anthony J 580 W Riverwood Dr #208 Oak Creek, WI 53154 On the Border			
Operator - Renewal 2011-12	Larscheidt, Sharon J 11126 W Ryan Rd Franklin, WI 53132 Pick n Save - Drexel			
Operator - Renewal 2011-12	Lebeck, Barbara 8825 S 77 th St Franklin, WI 53132 Pick n Save - Drexel			
Operator - Renewal 2011-12	Leung, Sue M 2975 E Diane Dr Oak Creek, WI 53154 Green Tea Garden			
Operator - Renewal 2011-12	Marquardt, Kimberly M 8918 N Raynor Ave Franksville, WI 53126 Hodach Citgo			
Operator - Renewal 2011-12	Marquardt, Ronald R 6013 E Windlake Rd Union Grove, WI 53182 Hodach Citgo			
Operator - Renewal 2011-12	Marquardt, Shelly L 6013 E Windlake Rd Union Grove, WI 53182 Hodach Citgo			
Operator - Renewal 2011-12	Matecki, Henry 6837 Conforti Ct Franklin, WI 53132 Buckhorn Inn			
Operator - Renewal 2011-12	Nelson, Norma J 211 W Oak Leaf Dr #5 Oak Creek, WI 53154 Three Cellars			
Operator - Renewal 2011-12	Nicolai, Elizabeth A 9243 S 51 st St Franklin, WI 53132 Sendik's Food Market			
Operator - Renewal 2011-12	Toetz, Timothy R 7461 Hill Valley Ct Greendale, WI 53129 Rounding Third Pizzeria			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Perkins, Samantha L 1833 W Meyer Ln #12105 Oak Creek, WI 53154 The Bowery Bar & Grill			
Operator - Renewal 2011-12	Rabiega, Richard G 3733 W Jerelin Dr Franklin, WI 53132 Polonia Sport Club			
Operator - Renewal 2011-12	Rahlf, Melissa S 2160 E Village Dr Oak Creek, WI 53154 Hanley's Grille & Bar			
Operator - Renewal 2011-12	Riesner, Terese A 10630 S Peggy Dr Oak Creek, WI 53154 The Hideaway Pub & Eatery			
Operator - Renewal 2011-12	Rozeck, Jenna K 6433 W Powell Pl Wauwatosa, WI 53213 Cross Roads Pizza & Subs			
Operator - Renewal 2011-12	Rozewicz, Christine A 8123 S Legend Dr #A Franklin, WI 53132 Rawson Pub			
Operator - Renewal 2011-12	Rusch, Megan L 3815 S Town Rd New Berlin, WI 53151 Roettger's Mobil			
Operator - Renewal 2011-12	Shulta, Ericka A 7859 S Scepter Dr #32 Franklin, WI 53132 Hanley's Grille & Bar			
Operator - Renewal 2011-12	Smith, Patrice M 11800 W Forest Home Ave Franklin, WI 53132 Walgreens - Loomis			
Operator - Renewal 2011-12	Swaney, Matthew B 8129 W Ohio Ave Milwaukee, WI 53219 Walgreens - Loomis			
Operator - Renewal 2011-12	Taylor, Lisa A 2415 S Nicholson Ave #280-2 South Milwaukee, WI 53172 Pick n Save - Drexel			
Operator - Renewal 2011-12	Tyson, Lynda J 6813 Crocus Ct #2 Greendale, WI 53129 Hodach Citgo			
Operator - Renewal 2011-12	Wainio, Sally A 306 Montana Ave South Milwaukee, WI 53172 The Bowery Bar & Grill			
Operator - Renewal 2011-12	Walvisch, Laurie C 234 Montana Ave #2 South Milwaukee, WI 53172 The Bowery Bar & Grill			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - Renewal 2011-12	West, Jeffry S 2140 Orchard Way Oak Creek, WI 53154 Sendik's Food Market			
Operator - Renewal 2011-12	Zarka, Natasha 8405 S 27 th St Franklin, WI 53132 La Toscana			
Class A Beer 2011-12	M Squared, Inc d/b/a: Cross Roads Pizza & Subs 11357 W St Martins Rd Leonard Vanden Boom, Agent			
Class A Beer 2011-12	Roettgers Co, Inc d/b/a: Franklin Mobil Mart 7103 S 27 th St Marion Harrington, Agent			
Class A Combination 2011-12	Priya Corp d/b/a: Andy's on Rawson 5040 W Rawson Ave Kavita Khullar, Agent			
Class A Combination 2011-12	Sendik's Franklin, LLC d/b/a: Sendik's Food Market 5200 W Rawson Ave Theodore T Balistreri, Agent			
Class A Combination 2011-12	Target Corporation 7800 Lovers Lane Rd Katie A Sasse, Agent			
Pharmacy 2011-12	Target Corporation 7800 Lovers Lane Rd Megan Mitzner, Manager			
Class A Combination 2011-12	Walgreen Co d/b/a: Walgreens #01942 7144 S 76 th St Megan M Thornton, Agent			
Pharmacy 2011-12	Walgreen Co d/b/a: Walgreens #01942 7144 S 76 th St Megan M Thornton, Manager			
Class B Combination 2011-12	B.S.T., LLC d/b/a: Mulligan's Irish Pub & Grille 8933 S 27 th S Brian P Francis, Agent			
Class B Combination Entertainment & Amusement 2011-12	Franklin Hotel Company, LLC d/b/a: Staybridge Suites 9575 S 27 th St Mark D Hansen, Agent			
Class B Combination Entertainment & Amusement 2011-12	Polish Heritage Alliance, Inc d/b/a: Polish Center of Wisconsin 6941 S 68 th St Le Ann M Launstein, Agent			
Class B Combination 2011-12	St Martins Inn, LLC d/b/a: Wegner's St Martins Inn 11318 W St Martins Rd Dennis J Wegner, Agent			

Class B Combination Entertainment & Amusement Bowling Alley 2011-12	St Nikola Religious & Cultural Enterprises, Inc d/b/a: Root River Center 7220 W Rawson Ave Slavko Jevtic, Agent			
3.	Adjournment	Time		

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



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

License Committee

Agenda*

Alderman's Room

June 6, 2011 – 5:30 pm and June 7, 2011 – 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 - Renewal 5:35 p.m.	Braovac, John D 1335 S 124 th St Brookfield, WI 53005 Croatian Park			
Operator - New 5:40 p.m.	Hyland, Thomas J 1220 S 65 th St West Allis, WI 53214 Pick n Save – Lovers Lane Rd			
Operator - New 5:45 p.m.	Magolan, Michael J W125 S8583 Country View Ct Muskego, WI 53150 Tuckaway Country Club			
Class A Combination 2011-12	Priya Corp 5120 W Ryan Rd Kavita Khullar, Agent			
Class A Combination 2011-12	Hodach Petroleum, Inc 9830 W St. Martins Rd Stephen A Hodach, Agent			
Class A Combination 2011-12	JAI Beru, LLC 8305 S 27 th St Virendra Verma, Agent			
Class A Combination 2011-12	Spirit Dreams LLC 6507A S 27 th St Scott R Haese, Agent			
Class A Combination & Pharmacy 2011-12	Wai-Mart Stores East, LP 6701 S 27 th St Michael Sandleback, Agent			
Class B Combination Entertainment & Amusement Bowling Alley 2011-12	Country Lanes 11231 W Forest Home Ave Robert Sczersen, Agent			
Class B Combination Entertainment & Amusement 2011-12	Eric's Setback 6357 S 27 th St Eric Schneeberg, Owner			
Class B Combination Entertainment & Amusement 2011-12	Gus' Mexican Cantina, LLC 6514 S Lovers Lane Rd Ghasen Hosseini, Agent			
Class B Combination Entertainment and Amusement & Coin Machine Tag 2011-12	Hanley's Grille & Bar, LLC 7101 S 76 th St Terrence M Hanley, Agent			

Type/ Time	Applicant Information	Approve	Hold	Deny
Class B Combination 2011-12	La Toscana Restaurant, LLC 8405 S 27 th St Mirela Sopiçoti Zarka, Agent			
Class B Combination 2011-12	M & W Leung, LLC d/b/a: Green Tea Garden 7336 S 76 th St May F Leung, Agent			
Class B Combination 2011-12	Pantheon, Inc 7621 W Rawson Ave Debbie Koutromanous, Agent			
Class B Combination 2011-12	Q T Pizza, LLC d/b/a: Rounding Third Pizzeria 7119B S 76 th St Theodore Quartana, Agent			
Class B Combination 2011-12	Robley Tech, Inc d/b/a: Michaelangelo's Pizza 8330 W Puetz Rd Dennis Rau, Agent			
Class B Combination Amusement Tag 2011-12	Romey's Place 7508 S North Cape Rd Nathan J Fabry, Owner			
Temporary Entertainment & Amusement	Romey's Place 7508 S North Cape Rd Event: St Martins Fair – Music Dates: 9/4/2011 & 9/5/2011			
Class B Combination Entertainment & Amusement 2011-12	Seventy-Six Street Pub & Grill, Inc d/b/a: The Hideaway Pub & Eatery 9643 S 76 th St Debra J Schaefer, Agent			
Class B Combination 2011-12	Three Cellars 7133 S 76 th St Shawn M Vollmer, Agent			
Class B Combination Entertainment & Amusement Country Club 2011-12	Tuckaway Country Club, Inc 6901 W Drexel Ave Jennifer Sobczak, Agent			
Day Care 2011-12	Academy of Preschool Learning 3900 W Ryan Rd Dee Balsis, Manager			
Day Care 2011-12	Faith Academy 7700 W Faiith Dr La Queesha Blockton, Manager			
Day Care 2011-12	Jubilee Christian School 3639 W Ryan Rd Tanya Soich, Director			
Day Care 2011-12	Kinder Care 7260 S 76 th St Sally Lemke, Manager			
Day Care 2011-12	Risen Savior Nursery School 9501 W Drexel Ave Teresa Tobin, Manager			
Day Care 2011-12	St James Preschool 7219 S 27 th St Mary Tripoli, Manager			

Type/ Time	Applicant Information	Approve	Hold	Deny
Pharmacy 2011-12	CVS Pharmacy 5220 W Rawson Ave Nader Y Botros, Pharmacist			
Pharmacy 2011-12	Pick N Save 7201 S 76 th St Chung M Yee, Mgr			
Auto Salvage Yard 2011-12	Al's Auto Salvage 10942 S 124 th St Al Schill, Owner			
Auto Salvage Yard 2011-12	Durham Auto Salvage & Sales 9461 S 27 th St Christopher Matecki, Owner			
Coin Machine Operator 2011-12	American Entertainment W337 S5059 Hwy GG Dousman, WI 53118 Kenneth Grothmann, Owner			
Coin Machine Operator 2011-12	Games Are Us W144 S6315 College Ct Muskego, WI 53150 Steven A Murphy, Owner			
Coin Machine Operator 2011-12	Mitchell Novelty Co 3506 W National Ave Milwaukee, WI 53215 Ralph H Fleege, Owner			
Coin Machine Operator 2011-12	National Amusement Systems 2740 S 9 th Place Milwaukee, WI 53215 Janis Thein, Owner			
Coin Machine Operator 2011-12	Red's Novelty Ltd 1921 S 74 th St West Allis, WI 53219 Jay G Jacomet, Owner			
Coin Machine Operator 2011-12	Reggie's Amusement, LLC 4918 S Packard Ave Cudahy, WI 53110 Reginald L Zeniecki, Owner			
Coin Machine Operator 2011-12	Wisconsin P & P Amusement 12565 Lisbon Rd Brookfield, WI 53005 Fred L Weigel, Owner			
Operator – New 2011-12	Arbogash, Adam O 1351 N 70 th St Wauwatosa, WI 53213 Walgreens – 76 th St			
Operator – New 2011-12	Barth, Jill M 4651 W Sharon Ln Franklin, WI 53132 Walgreens – 76 th St			
Operator – New 2011-12	Kloppenburg, Breana M 7801 W Imperial Dr Franklin, WI 53132 Walgreens – 76 th St			
Operator – New 2011-12	Matuszak, Jan E 7520 S Manitowoc Oak Creek, WI 53154 Tuckaway Country Club			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – New 2011-12	McCloud, Laurie L 2750 S 52 nd St Milwaukee, WI 53219 Walgreens - Loomis			
Operator – New 2011-12	Page, Andrew M 4657 W Oakwood Rd Franklin, WI 53132 Tuckaway Country Club			
Operator – Renewal 2011-12	Balcerzak, Amy B 2605 E Emily Ave Oak Creek, WI 53154 Walgreens – 76 th St			
Operator – Renewal 2011-12	Behrendt, Larry E 6631 S 51 st St Franklin, WI 53132 Walgreens -76 th St			
Operator – Renewal 2011-12	Braatz, Pamela L 8419 W Hillsdale Dr Franklin, WI 53132 Walgreens – Loomis Rd			
Operator – Renewal 2011-12	Brooks, Thomas B 13865 W Thomas Dr New Berlin, WI 53151 On the Border			
Operator – Renewal 2011-12	Carreno, Stephen M 4091 Heatheridge Dr Franklin, WI 53132 Open Pantry			
Operator – Renewal 2011-12	Carroll, Jessica L 26063 Barberrry Ln Waterford, WI 53185 Walgreens – Loomis Rd			
Operator – Renewal 2011-12	Clark, Alan R 5370 S Tuckaway Dr Greenfield, WI 53221 Discount Cigarettes & Liquor			
Operator – Renewal 2011-12	Covele, Jorunn A W125 S9379 Prairie Meadows Dr Muskego, WI 53150 Walgreens – Loomis Rd			
Operator – Renewal 2011-12	Doepke, Jennifer L 7817 W Waterford Ave Milwaukee, WI 53220 Walgreens – 76 th St			
Operator – Renewal 2011-12	Fish, Jason M 1425 S Ridgeway Rd New Berlin, WI 53146 Tuckaway Country Club			
Operator – Renewal 2011-12	Gidlund, Tanya J 5001 S 40 th St Greenfield, WI 53221 Walgreens - Loomis Rd			
Operator – Renewal 2011-12	Gorlewski, Melissa D 7562 S 73 rd St Franklin, WI 53132 Walgreens – 76 th St			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – Renewal 2011-12	Gregovich, Joseph A 4677 N 117 th St Wauwatosa, WI 53225 Open Pantry			
Operator – Renewal 2011-12	Hasse, Jody L 2431 W Carroll Ave Oak Creek, WI 53154 Open Pantry			
Operator – Renewal 2011-12	Haese, Jeremy J 11811 W Rawson Ave Franklin, WI 53132 Discount Cigarettes & Liquor			
Operator – Renewal 2011-12	Hahn, Mary A 11001 S 92 nd St Franklin, WI 53132 Walgreens – 76 th St			
Operator – Renewal 2011-12	Haussy, Jennifer N 4410 S Placid Dr Greenfield, WI 53220 Open Pantry			
Operator – Renewal 2011-12	Hermanson, Michelle L 4928 S 35 th St Milwaukee, WI 53221 Sam's Club			
Operator – Renewal 2011-12	Jacobi, Kelly A 7753 W Pathfinder Ln West Bend, WI 53090 Walgreens - Loomis Rd			
Operator – Renewal 2011-12	Kahrs, Michelle A 2050 W Van Beck Ave Milwaukee, WI 53221 Tuckaway Country Club			
Operator – Renewal 2011-12	Katzman, Timothy J W1390 Spring Prairie Rd Burlington, WI 53105 Open Pantry			
Operator – Renewal 2011-12	Klecza, Julie A 6880 S Highfield Dr Oak Creek, WI 53154 Root River Center			
Operator – Renewal 2011-12	Krolkowski, Mark A 8700 S Country Dr #102 Oak Creek, WI 53154 Root River Center			
Operator – Renewal 2011-12	Lake, Jill H W135 S7013 Hale Park Dr Muskego, WI 53150 Wegner's St Martins Inn			
Operator – Renewal 2011-12	Lang, Antoinette M 8423 S 100 th St Franklin, WI 53132 Walgreens – Loomis Rd			
Operator – Renewal 2011-12	Mlynczak, Susan 6921 Spring St Mount Pleasant, WI 53406 Hanley's Grille & Bar			

Operator – Renewal 2011-12	Mudek, David J 6930 S North Cape Rd Franklin, WI 53132 Walgreens – 76 th St			
Operator – Renewal 2011-12	Oster, Jonathan J 5825 Lakeview Dr Greendale, WI 53129 Walgreens – 76 th St			
Operator – Renewal 2011-12	Rainwater, Jeanne A 6455 S 20 th St #14 Oak Creek, WI 53154 Staybridge Suites			
Operator – Renewal 2011-12	Rasmussen, Thomas P 720 Harvey Ave Brookfield, WI 53005 Polish Center of Wisconsin			
Operator – Renewal 2011-12	Reikowski, Mark A W125 S8317 North Cape Rd Muskego, WI 53150 Walgreen – 76 th St			
Operator – Renewal 2011-12	Reynolds, Sue E 5443 Mulberry Dr Greendale, WI 53129 Sam's Club			
Operator – Renewal 2011-12	Roberts, Kimberly A 10534 W Cortez Cir #6 Franklin, WI 53132 Walgreens – 76 th St			
Operator – Renewal 2011-12	Rozek, Jessica L 5122 W Bluemound Rd Milwaukee, WI 53208 Cross Roads Pizza & Subs			
Operator – Renewal 2011-12	Saldivar, Dawn M 1216 S Memorial Dr #16 South Milwaukee, WI 53172 Eric's Setback			
Operator – Renewal 2011-12	Schaefer, Lisa K 2233 N Summit #306 Milwaukee, WI 53202 Tuckaway Country Club			
Operator – Renewal 2011-12	Schilling, Scott A 3521 S Chase Ave Milwaukee, WI 53207 Open Pantry			
Operator – Renewal 2011-12	Schnell, Jason C 1612 59 th St Kenosha, WI 53140 On the Border			
Operator – Renewal 2011-12	Schuetz, Gail S 8750 S 99 th St Franklin, WI 53132 Walgreens - Loomis			
Operator – Renewal 2011-12	Sharifian, Nicole J 3812 S 77 th St Milwaukee, WI 53220 Sam's Club			

Operator – Renewal 2011-12	Shutta, Julie A 3215 Blakewood Ave South Milwaukee, WI 53172 Sam's Club			
Operator – Renewal 2011-12	Smukowski, Kristilynn 3733 S 33 rd St Greenfield, WI 53221 Eric's Setback			
Operator – Renewal 2011-12	Sokolowski, Patricia E 5355 S Tuckaway Ln #1 Greenfield, WI 53221 Open Pantry			
Operator – Renewal 2011-12	Tomorsky, Jessica L 3415 S 113 th St #7 West Allis, WI 53227 Walgreens – 76 th St			
Operator – Renewal 2011-12	Wegner, Kathleen R 26545 Nordic Ridge Dr Wind Lake, WI 53185 Wegner's St Martins Inn			
Operator – Renewal 2011-12	Wisniewski, Nicole C 9478 S 94 th St Franklin, WI 53132 Walgreens – Loomis Rd			
Operator – Renewal 2011-12	Wyss, Nicole B W254 S6488 Ridge Rd Waukesha, WI 53189 Romey's Place			
Operator – Renewal 2011-12	Zeka, Kristin M 6885 S Timber Ridge Ln #7206 Oak Creek, WI 53154 Walgreens – 76 th St			
Extra Ordinary Entertainment & Amusement	Xaverian Missionaries Festival Person in Charge: Fr Alfredo Turco 4500 Xaverian Dr June 25, & 26, 2011			
Temporary Class B Beer & Wine	Xaverian Missionaries Festival Person in Charge: Fr Alfredo Turco 4500 Xaverian Dr June 25, & 26, 2011			
3.	Set time for Next License Committee Meeting			
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.

APPROVAL <i>Slw CAP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/7/2011
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.1.</i>

Provided separately for Council approval is a list of vouchers Nos.138558 through 138811 in the amount of \$1,679,805.11. Included in this listing is \$45,944.33 in Library Fund vouchers and \$279.00 in Fund 45 vouchers. The net City vouchers are \$ 1,633,581.78.

Approval is requested for the net payroll of May 20, 2011 in the amount of \$ 343,120.27.
Approval is requested for the net payroll of June 3, 2011 in the amount of \$ 344,392.68.

COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range of Nos.138558 through 138811 in the amount of \$ 1,633,581.78.

Approval is requested for the net payroll of May 20, 2011 in the amount of \$ 343,120.27.
Approval is requested for the net payroll of June 3, 2011 in the amount of \$ 344,392.68.