

***REVISED

CITY OF FRANKLIN
COMMON COUNCIL MEETING**
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, JUNE 4, 2013, 6:30 P.M.

- A. Call to Order and Roll Call
- B. Citizen Comment Period
- C. Approval of Minutes
 - 1. Approval of regular meeting of May 21, 2013.
- D. Hearings
- E. Organizational Business
 - 1. Boards and Commissions Appointments
 - a. Alderman Mayer, Fair Commission
 - b. Alderman Skowronski, Plan Commission
 - c. Dave Fowler, Plan Commission-Dist. #5
 - d. Charles Porter, Board of Public Works-Dist. #6
 - e. Kenneth Kazmierski, Architectural Board-Dist. #4
 - f. Ted Juerisson, Architectural Board-Dist. #6
 - g. Casper Green, Personnel Committee-Dist. #4
 - h. James Luckey, Board of Review-Alderman Schmidt's appointment
 - i. Carol Brunner, Board of Review-Alderman Mayer's appointment
 - j. George Vignywich, Community Development Authority-Dist. #3
 - k. George Vignywich, Civic Celebrations Commission-Dist. #3
- F. Letters and Petitions
- G. Reports and Recommendations
 - 1. Update from Police Chief Oliva on the transfer of management at the Milwaukee County House of Correction and the impact on City services.
 - *** 2. Donations
 - a. Police Department Community Grant Award of \$2,000 from The Walmart Foundation.
 - *** b. Police Department donation of \$1,000 from Marion and John Blyshak, Jr.
 - 3. Resolution authorizing the installation of a fence within the 50 foot "Landscape Planting Buffer and Highway Setback Line", as described on the subdivision plat, upon Lot 48 in Stone Hedge Addition No. 1 Subdivision (7444 South Stone Hedge Drive) (David Parker and Kori Weber-Parker, Applicants).
 - 4. Resolution authorizing certain officials to accept a conservation easement for and as part of the review and approval of a special use for a 42 unit residential apartment use upon property located at approximately S. 60th Street and W. Ryan Road (Forest View-Franklin Limited Partnership, Applicant).
 - 5. Resolution imposing conditions and restrictions for the approval of a special use for a dog obedience and training business use upon property located at 9438 S. 29th Street (Tiffany Gutman, D/B/A Paws-itivity Behaved K9s Corporation, Applicant).
 - 6. Authorization to advertise for bids for the extension of W. Marquette Avenue from S. 49th Street to the west line of Pleasant View Elementary School.

7. Review of letter from Milwaukee County relative to alternatives and costs for the installation of sidewalk on the east side of S. North Cape Road for the full length in Franklin.
8. Memorandum of Understanding between the Wisconsin Department of Transportation, Wheaton Franciscan Healthcare – Franklin, and the City of Franklin relative to traffic improvements on S. 27th Street (WIS 241) near the intersection of W. Wheaton Way.
9. Resolution awarding a contract in the amount of \$17,825.00 to the Wanasek Corporation for the relay of 80 lineal feet of sanitary sewer on W. Candlestick Lane.
10. Resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Resolution-Reporting year 2012.
11. Economic Development staffing and duties.

H. Licenses and Permits

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

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

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

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

REMINDERS:

June 6	Plan Commission	7:00 p.m.
June 18	Common Council	6:30 p.m.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 21, 2013
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on May 21, 2013 and called to order at 6:30 p.m. by Mayor Tom Taylor in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Aldermen Mark Dandrea, Dan Mayer, Kristen Wilhelm, Steve Taylor, Doug Schmidt, and Ken Skowronski. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski and City Clerk Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:31 p.m. and closed at 6:35 p.m.
- APPROVAL OF
MINUTES-5/7/13 C.1. Alderman Taylor moved to approve the minutes of the regular meeting of May 7, 2013. Seconded by Alderman Mayer. All voted Aye; motion carried.
- PUBLIC HEARING-
CHANGE FUTURE LAND
USE FOR 9733 S. 76TH
STREET D.1. The public hearing was called to order at 6:40 p.m. regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at approximately 9733 South 76th Street, from Institutional Use to Business Park Use and was closed at 6:42 p.m. (See Item G.5.)
- 2012 COMPREHENSIVE
ANNUAL FINANCIAL
REPORT G.1. Alderman Taylor moved to receive and place on file the Comprehensive Annual Financial Report (CAFR), and the required communications letter from CliftonLarsonAllen LLP. Seconded by Alderman Skowronski. All voted Aye; motion carried.
- HOUSE OF CORRECTION
TRANSFER OF
MANAGEMENT G.2. Police Chief Olivia provided an update on the transfer of management at the Milwaukee County House of Correction and the impact on City services.
Alderman Wilhelm moved to direct the City Attorney to research and bring back to the Common Council at the next meeting information for consideration relating to impact on City services and other information as he sees appropriate. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- ORD 2013-2105
EXTENSION OF AND
COST RECOVERY OF
PUBLIC SANITARY
SEWER – RYAN CREEK G.3. Alderman Skowronski moved to adopt Ordinance No. 2013-2105, AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF FRANKLIN, WISCONSIN TO PROVIDE FOR THE EXTENSION OF AND COST RECOVERY OF PUBLIC SANITARY SEWER WITHIN THE SOUTHWEST SANITARY SEWER SERVICE AREA SERVED BY THE RYAN CREEK INTERCEPTOR PUBLIC SANITARY SEWER. Seconded by Alderman Taylor.

RYAN CREEK-
CONTINUED

At 7:24 p.m. Mayor Tom Taylor passed the gavel to Council President Steve Taylor, who then chaired the meeting. The gavel was returned to Mayor Tom Taylor at 7:27 p.m.

Motion carried on a voice vote on the adoption of Ordinance No. 2013-2105, Alderman Wilhelm abstained.

FRANKLIN PUBLIC
SCHOOL SPECIAL
EXCEPTION TO
NATURAL RESOURCE

G.4.

Alderman Schmidt moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Franklin Public Schools for a Special Exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Mayer. Alderman Wilhelm moved to call the question. Seconded by Alderman Mayer. All voted Aye; motion carried.

Motion carried on a voice vote for the main motion, Alderman Wilhelm abstained.

ORD 2013-2106
AMEND
COMPREHENSIVE
MASTER PLAN FOR 9733
S 76TH STREET (CITY OF
FRANKLIN)

G.5.

Alderman Skowronski moved to adopt Ordinance No. 2013-2106, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE FUTURE LAND USE MAP USE DESIGNATION FOR PROPERTY LOCATED AT APPROXIMATELY 9733 SOUTH 76TH STREET FROM INSTITUTIONAL USE TO BUSINESS PARK USE (APPROXIMATELY 17.77 ACRES) (CITY OF FRANKLIN, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD 2013-2107
AMEND UDO (ZONING
MAP) FOR 9733 S. 76TH
STREET (CITY OF
FRANKLIN)

G.6.

Alderman Mayer vacated his seat at this time.

Alderman Skowronski moved to adopt Ordinance No. 2013-2107, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE CERTAIN PARCELS OF LAND FROM I-1 INSTITUTIONAL DISTRICT TO BP BUSINESS PARK DISTRICT (CITY OF FRANKLIN, APPLICANT) (APPROXIMATELY 17.77 ACRES) (APPROXIMATELY 9733 SOUTH 76TH STREET). Seconded by Alderman Taylor. All voted Aye; motion carried.

CLARE MEADOWS/ S.
51ST STREET
SIDEWALK
COMMUNITY
DEVELOPMENT BLOCK
GRANT PROJECT

G.7.

Alderman Taylor moved to appropriate \$40,000 of the unspecified fund balance in the Capital Improvement Fund to the 2013 Capital Improvement Fund for the City's share of Phase I and II project costs for construction of the Clare Meadows/S. 51st Street CDBG sidewalk project from Clare Meadows to W. Minnesota Avenue. Seconded by Alderman Skowronski. All voted Aye; motion carried.

- RES. 2013-6882
ROAD RESERVATION
OF S. 49TH STREET FOR
EXTENSION OF W.
MARQUETTE AVE.
- G.8. Alderman Mayer returned to his seat.
Alderman Wilhelm moved to adopt Resolution No. 2013-6882, A RESOLUTION ACCEPTING A ROAD RESERVATION FOR THE 60 FEET RESERVED FOR FUTURE EXTENSION OF S. 49TH STREET SOUTH OF W. MARQUETTE AVENUE AS GRANTED BY QUIT CLAIM DEED NO. 4980272, REEL 909, IMAGE 50, DATED FEBRUARY 17, 1976 REQUIRED FOR THE EXTENSION OF W. MARQUETTE AVENUE EAST OF S. 49TH STREET. Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES 2013-6883
BID FOR S. 37TH PLACE
PRIVATE PROPERTY
SANITARY SEWER
LATERAL INFLOW AND
INFILTRATION
REHABILITATION
- G.9. Alderman Wilhelm moved to adopt Resolution No. 2013-6883, A RESOLUTION AWARDDING BID TO THE LOWEST BIDDER FOR THE S. 37TH PLACE PRIVATE PROPERTY SANITARY SEWER LATERAL INFLOW AND INFILTRATION REHABILITATION FROM W. RAWSON AVENUE TO W. MADISON BOULEVARD. Seconded by Alderman Taylor. All voted Aye; motion carried.
- BIDS FOR
INSTALLATION OF
CONCRETE SIDEWALK
ON S. 51ST STREET
- G.10. Alderman Taylor moved to authorize staff to advertise for bids for the installation of concrete sidewalk on S. 51st Street from W. Minnesota Avenue south 2200 lineal feet to the entrance of Clare Meadows. Seconded by Alderman Mayer. All voted Aye; motion carried.
- CITY OF FRANKLIN
VISION AND MISSION
STATEMENT
- G.11. Alderman Wilhelm moved to direct the Finance Department and Director of Administration to provide additional information that may support or in addition to the 70/30 goal, including the possibility of an economic development director. Seconded by Alderman Taylor. All voted Aye; motion carried.
- CLOSED SESSION-
ACQUISITION OF LAND
FOR EXTENSION OF W.
EVERGREEN STREET
- G.12. Alderman Wilhelm moved to enter closed session at 8:34 p.m. pursuant to Wis. Stat. §19.85(1)(e), to discuss the acquisition of land for the extension of W. Evergreen Street from the end of existing W. Evergreen Street east of S. 51st Street east to the west line of the Pleasant View Park site to acquire Parcel No. 3 located at 7501 S. 49th Street and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:03 p.m., moved to approve the offering price, as discussed in closed session, for Parcel No. 3, located at 7501 S. 49th Street for the extension of W. Evergreen Street from the end of existing W. Evergreen Street east of S. 51st Street east of the west line of the Pleasant View Park site. Seconded by Alderman Schmidt. All voted Aye; motion carried.

- CLAIM FROM DENNIS WINIARSKI G.13. Alderman Taylor moved to deny the claim of Dennis Winiarski, alleging sustained damages as a result of City negligence from a lightning strike in 2010 to property located at 6875 W. Kathleen Court in Franklin, pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with the insurance adjuster that the investigation has found no negligence on the City of Franklin, and further that Wisconsin Statute 893.80 requires a written notice of circumstance be filed with the City within 120 days of the incident. Seconded by Alderman Mayer. All voted Aye; motion carried.
- CLAIM FROM STEVEN DOCTER G.14. Alderman Taylor moved to deny the claim of Steven Docter, for sustained damages to its vehicle as a result of hitting a valve box cover in the roadway of W. Franklin Drive on December 11, 2012 pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with the insurance adjuster that the investigation revealed that the City of Franklin should have discretionary immunity, as discussed in the Council Action Sheet, for liability in this case on no negligence on the part of the City. Seconded by Alderman Mayer. All voted Aye; motion carried.
- MISCELLANEOUS LICENSES H.1. Alderman Dandrea moved to approve the following licenses:
- Class A Beer 2013-14 License to: Roettgers Co. Inc., d/b/a: Franklin Mobil Mart, 7103 S. 27th St., Michael Miller, Agent, subject to satisfactory background checks & inspections;
- Class A Combination 2013-14 License to: Hodach Petroleum, Inc., 9830 W. St Martins Rd., Stephen A. Hodach, Agent; Mega Marts, LLC, d/b/a: Pick N Save, 7780 S. Lovers Lane Rd., Daniel Romero, Agent; Priya Corp., 5040 W. Rawson Ave., Kavita Khullar, Agent;
- Class A Combination 2013-14 License to: 27th Street Mobil, LLC, d/b/a: Franklin Mobil, 6611 S. 27th St., Davinder Singh Toor, Agent; 7-Eleven, Inc., 7610 W. Rawson Ave., Eleri Baecker, Agent; Priya Corp., 5120 W. Ryan Rd., Kavita Khullar, Agent; Sendik's Franklin, LLC, 5200 W. Rawson Ave., Theodore T. Balistreri, Agent; Spirit Dreams LLC, 6507A S. 27th St., Scott R. Haese, Agent; all subject to satisfactory inspections;
- Further moved to hold Class A Combination 2013-14 License for Franklin Quik Chek, LLC, 8305 S. 27th St., Virendra Verma, Agent until Common Council meeting of 6/4/13;
- Class A Combination & Pharmacy 2013-14 License to: Target Corporation, 7800 S. Lovers Lane Rd., Christopher J. Gresky, Agent, subject to satisfactory inspections;

LICENSES-
CONTINUED

Class A Combination & Pharmacy 2013-14 License to: Sam's East, Inc., 6705 S. 27th St., Christi Mehta, Agent; Wal-Mart Stores East, LP, 6701 S. 27th St., Michael Sandleback, Agent; Walgreen Co., 9527 S. 27th St., Kathleen Rockteacher, Agent; Walgreen Co., 7130 S. 76th St., Matthew Louzakis, Agent; Walgreen Co., 9909 W. Loomis Rd., Neil Morgenthaler, Agent, subject to satisfactory background checks & inspections;

Class A Combination & Pharmacy 2013-14 License to: Wisconsin CVS Pharmacy, LLC, 5220 W. Rawson Ave., Thomas McGrath, Agent, subject to satisfactory background checks;

Class A Combination Day Care & Pharmacy 2013-14 License to: Ultra Mart Foods, Inc., 7201 S. 76th St. John Stachowiak, Agent, subject to satisfactory background checks & inspections;

Class B Beer 2013-14 License to: Chai Garden, 6509 S. 27th St. Joseph Ty, Owner, subject to satisfactory background checks & inspections;

Class B Beer 2013-14 License to: M Squared, Inc., d/b/a Crossroads Pizza & Subs, 11357 W. St Martins Rd., Leonard Vanden Boom, Agent;

Class B Beer Entertainment & Amusement 2013-14 License to: Federation of Croatian Societies, Inc., 9100 S. 76th St., Josef Becker, Sr., Agent, subject to satisfactory inspections. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Skowronski moved to approve the following licenses:
Class B Combination 2013-14 License to: ERJ Dining III, LLC, d/b/a: Chili's Grill & Bar, 6439 S. 27th St., Paul S. Thompson, Agent; La Toscana Restaurant, LLC, 8405 S. 27th St., Mirela Sopiqoti Zarka, Agent; M & W Leung, LLC, d/b/a: Green Tea Garden, 7336 S. 76th St., May F. Leung, Agent; Pantheon, Inc., 7621 W Rawson Ave., Debbie Koutromanous, Agent; RLGIDI, Inc., d/b/a: Casa Di Giorgio, 3137 W Rawson Ave., Rex Idrizi, Agent; Robley Tech, Inc., d/b/a: Michaelangelo's Pizza, 8330 W. Puetz Rd., Dennis Rau, Agent, subject to satisfactory inspections;

Class B Combination 2013-14 License to: Q T Pizza, LLC, d/b/a: Rounding Third Pizzeria, 7119B S. 76th St., Susan A. Toetz, Agent and St. Martins Inn, LLC, 11318 W. St. Martins Rd., Dennis J. Wegner, Agent, subject to background checks & inspections;

LICENSES-
CONTINUED

Class B Combination Entertainment & Amusement 2013-14 License to B.S.T., LLC, d/b/a Mulligan's Irish Pub & Grille, 8933 S. 27th St., Brian Francis, Agent; The Bowery, LLC, 3023 W. Ryan Rd., Roger W. Hein, Agent; Buckhorn Inn, 9461 S. 27th St., Christopher Matecki, Owner; Franklin Hotel Company, LLC, d/b/a: Staybridge Suites, 9575 S. 27th St., Mark D. Hansen, Agent; H, B & H, LLC, d/b/a: On the Border, 10741 S. 27th St., Gerald Hay, Agent; The Landmark of Franklin, LLC, 11401 W. Swiss St., Laurie Beth Knaack-Helm, Agent; Three Cellars, 7133 S. 76th St., Shawn M Vollmer, Agent, subject to satisfactory inspections;

Further moved to hold Class B Combination Entertainment & Amusement 2013-14 License to: Rock Sports Complex, LLC, 7900 W. Crystal Ridge Dr., Samantha Skeen, Agent until Common Council meeting of 6/4/13; Eric's Setback, 6357 S. 27th St., Eric Schneeberg, Owner and TJAL Holdings, Inc., d/b/a: Irish Cottage, 11433 W. Ryan Rd., Roseann Losiniecki, Agent, subject to appearing before the License Committee;

Class B Combination Entertainment & Amusement 2013-14 License to: Gus' Mexican Cantina, LLC, 6514-20 S. Lovers Lane Rd., Ghasen Hosseini, Agent; Rawson Pub, Inc., 5621 W. Rawson Ave., Steven D. Schweitzer, Agent; Seventy-Six Street Pub & Grill, Inc., d/b/a: The Hideaway Pub & Eatery, 9643 S. 76th St., Debra J. Schaefer, Agent and Wild Breed, Inc., d/b/a: Squirrel Haus, 11430 W. Swiss St., Cynthia Girmscheid, Agent;

Class B Combination Entertainment & Amusement 2013-14 License to: Little Cancun Restaurant, 7273 S. 27th St., Veronica Cerera, Owner; Polonia Sport Club, Inc., 10200 W Loomis Rd., Theresa S. Polanski, Agent; Polish Heritage Alliance, Inc., d/b/a: Polish Center of Wisconsin, 6941 S. 68th St., Thomas P. Rassmussen, Agent; Two Brothers Property Holdings, LLC, 9405 S. 27th St., Vaso Dragicevic, Agent subject to satisfactory background checks & inspections;

Class B Combination Entertainment & Amusement Bowling Alley 2013-14 License to: Country Lanes, LLC, 11231 W. Forest Home Ave., Robert Sczersen, Agent; St. Nikola Religious & Cultural Enterprises, Inc., d/b/a: Root River Lanes, 7220 W. Rawson Ave. Slavko Jevtic, Agent, subject to satisfactory inspections;

Class B Combination Entertainment & Amusement and Coin Machine Tags 2013-14 License to: Hanley's Grille & Bar, LLC, 7101 S. 76th St., Terrence M. Hanley, Agent, subject to satisfactory inspections;

LICENSES-
CONTINUED

Further moved to hold Class B Combination Temporary Entertainment & Amusement and Coin Machine Tag 2013-14 License to: Romey's Place, 7508 S. North Cape Rd., Nathan J. Fabry, Owner, pending additional information;

Class B Combination Entertainment & Amusement Country Club 2013-14 License to: Tuckaway Country Club, Inc., 6901 W. Drexel Ave., Jennifer Jacobi, Agent;

Day Care 2013-14 License to: Academy of Preschool Learning, 3900 W. Ryan Rd., Nadeen Balsis, Manager; Faith Academy, 7700 W. Faith Dr., Jennifer Finch, Manager; Jubilee Christian School, 3639 W. Ryan Rd., Tanya Soich, Director; Kinder Care, 7260 S. 76th St., Sally Lemke, Manager; Ms Rikki's Structured Day Care, 11227 W. Forest Home Ave., Rochelle Boyce, Director; Risen Savior Nursery School, 9501 W. Drexel Ave., Teresa Tobin, Manager; St. James Preschool, 7219 S. 27th St., Mary Tripoli, Manager, subject to satisfactory inspections;

Further moved to hold Day Care 2013-14 License to: Amy's Academy, 9758 S Airways Ct., Amy Sidello, Manager until 6/4/13 Common Council meeting;

Day Care 2013-14 License to: Kinder Care, 6350 S. 108th St., Lisa M. Kopplin, Manager, subject to satisfactory background checks & inspections;

Mobile Home Court 2013-14 License to: D&K Management VIII, LLC, 6405 S. 27th St., Wendy Winograd, Manager and Franklin Mobile Estates, 6361 S. 27th St., David Steinberger, Manager, subject to satisfactory inspections;

Auto Salvage Yard 2013-14 License to Al's Auto Salvage, 10942 S. 124th St., Al Schill, Owner and Durham Auto Salvage & Sales, 10565 S. 124th St., Gilbert Couillard, Jr., Manager, subject to satisfactory background checks & inspections;

Further moved to hold Pharmacy 2013-14 License to Aurora Pharmacy, 9200 W. Loomis Rd., Steven C. Herrmann, Manager, until completion of license received;

Entertainment & Amusement 2013-14 License to: Family Tree Haus, LLC, 5080 W Ashland Way, Mark Haushalter, Manager; Jump Zone, 6544 S Lovers Lane Rd., Susan Haines, Manager; and Marcus Cinema of Wisconsin, LLC, d/b/a: Showtime, 8910 S 102nd St., Mark A. Gramz, Manager, subject to satisfactory inspections;

LICENSES-
CONTINUED

Entertainment & Amusement 2013-14 License to: Innovative Health & Fitness, 8800 S. 102nd St., Tim Beyer, Manager, subject to satisfactory background checks & inspections, subject to satisfactory background checks & inspections;

Further moved to hold Entertainment & Amusement 2013-14 License to: Milwaukee County Sports Complex, 6000 W. Ryan Rd., Joe Mrozinski, Manager; Oakwood Golf Course, 3600 W. Oakwood Rd., Joe Mrozinski, Manager; Whitnall Park Golf Club House, 6701 S. Park Rd., Joe Mrozinski, Manager, to 6/4/13 Common Council meeting;

Further moved to hold Coin Machine Operator 2013-14 License to: American Entertainment, W337 S5059 Hwy GG, Dousman, Kenneth Grothmann, Owner; Clear Choice ATM, Ltd., 4930 Bayside Cove, Waterford, Robert Kostner, Owner; Games Are Us, W144 S6315 College Ct., Muskego, Steven A. Murphy, Owner; Mitchell Novelty Co., 3506 W. National Ave., Milwaukee, Ralph H. Fleege, Owner; National Coin, 2740 S. 9th Place, Milwaukee, Janis Thein, Owner; Red's Novelty Ltd., 1921 S. 74th St., West Allis, Jay G. Jacomet, Owner; Reggie's Amusement, LLC, 4918 S. Packard Ave., Cudahy, Reginald L. Zeniecki, Owner; S & P Equipment, 5025 S. Packard Ave., Cudahy, Salvatore Purpora, Owner; Primegamez, LLC, 943 Hunter Dr, #56, Racine, Daniel Takerian, Owner; Winners Amusements & Video Game Service, 2310 S. Green Bay Rd, C-344, Racine, Michael A. Fox, Owner; Wisconsin P & P Amusement, 12565 Lisbon Rd., Brookfield, Michael L. Weigel, Owner TP to 6/4/13 Common Council meeting. Seconded by Alderman Taylor. All voted Aye, motion carried.

Alderman Taylor moved to grant the following licenses: Operator-New-2012-13 License to: Bostwick, Darrell J., 3423 S. 60th St., Milwaukee; Flasch, Amanda D., 28867 Stone Ridge Ct., Waterford; Martinson, Sarah A., 1546 S. 65th St., West Allis, Rawson Pub; Michalek, Frederick J., S69 W25205 Longview Dr., Waukesha;

Operator 2013-14 License to: Augustine, Jessica A., 3385 S. 99th Ct.; Flasch, Amanda D., 28867 Stone Ridge Ct., Waterford; Bartolone, Michael J., 8041 W. Tripoli Ave. Milwaukee; Bergner, John E., 8501 Parkland Dr.; Bieringer, Megan A., 8136 W. Coventry Dr.; Binderim, Aelisha K., 1029 E. Knapp St, #313, Milwaukee; Braovac, John D., 1335 S. 124th St., Brookfield; Brown, Timothy J, 1516 Marion Ave., South Milwaukee; Davison, Barbara J., 6931 S. Phyllis Ln.; Drought, Caroline N., 10506 W. Euclid Ave., West Allis; Ellis, Nicole L., 7331 W. Wind Lake Rd., Wind Lake; Falk, Diane M., 4505 S. 124th St., New Berlin; Falk, Michael D., 10440 W. Scharles Ave., Hales Corners; Fletcher, Heather E., 5345 S. Tuckaway Lane, #6,

LICENSES-
CONTINUED

Greenfield; Gagliano, Eric M., 3723 Meadow Rose Ct., Franksville; Gidlund, Tanya J., 5001 S. 40th St., Greenfield; Godec, Maxine J., 5160 S. Oakridge Dr., New Berlin; Haase, Jody L., 2431 W. Carroll Ave., Oak Creek; Haese, Jeremy J., 11811 W. Rawson Ave., Hall, Nicole A., 1983 S. 83rd St., West Allis; Hart, Desirea D., 2588A, S. Burrel St., Bayview; Haussy, Jennifer N., 4410 S. Placid Dr., Greenfield; Hodach, Daniel P., 4520 Empire Ln., Waterford; Irwin, Kelly J., 416 3 Mile Rd, #1B, Racine; Jennings, Jenny L., 8232 S. 88th St.; Johnson, Sandra J., 6158 S. Swift Ave., Cudahy; Kalebic, Donna J., 6200 N. Bay Ridge Ave., Whitefish Bay; King, Kathleen A., 8524 6th Mile Rd., Caledonia; Kleczka, Julie A., 6860 S. Highfield Dr., Oak Creek; Knackert, Robert A., 9049 S. 83rd St.; Koefler, Jacob A., 11507 W. Church St.; Kowalski, Kristin J., 11210 W. 6th Mile Road, Franksville; Larscheidt, Sharon J., 11126 W. Ryan Road; Levenhagen, Brittney S., 6516 S. 35th St.; Madsen, Susan M., 2305 Blake Ave., Racine; Marquardt, Shelly L., 2733 N. Maple Rd., Burlington; McDonald, Michelle R., 718 S. 112th St. West Allis; Megna, Anthony M., 10321 W. Church St.; Palma, Jessica R., 3455 S. 56th St., Milwaukee; Peters, Ryan J., 7206 W. Plainfield Ave., Greenfield; Pilipovic, Vedrana, 965 S. 76th St., #7, Milwaukee; Rainwater, Jeanne A, 2604 W. LeRoy Ave., Milwaukee; Reichl, Michael B., 7557 Drake Lane; Rozek, Jenna K., 2669 S. 92nd St., West Allis; Rozek, Jessica L., 2669 S. 92nd St., West Allis; Rozewicz, Christine A., 8123 S. Legend Dr #A; Sawinski, Brian K., 8137 S. 47th St.; Schmitt, Sloan T., 10224 W. Forest Home Ave. #3A, Hales Corners; Spranger, Margaret M., 3536 County Road H, #4, Franksville; Steingold, Dale E., 1832 108th St., Franksville; Stricharchuk, Nicholas R., 2429A S. Austin St., Milwaukee; Toetz, Timothy R., 7461 Hill Valley Ct., Greendale; Tyson, Lynda J., 6813 Crocus Ct, #2., Greendale; Welch, Alisha R., 1555 S. 56th St., West Allis; Wichgers, Amanda M., 3536 E. Layton Ave, Apt B, Milwaukee; Zarka, Natasha, 8405 S. 27th St ;

Further moved to hold 2013-14 Operator License for Mast, Amy L., 8349 S. Newbury Dr, #1708, Oak Creek, subject to appearing before the License Committee;

Further moved to hold 2013-14 Operator License for Grass, Randy, 9056 W. Elm Ct, Unit F, subject to receipt of schooling. Seconded by Alderman Skowronski. All voted Aye; motion carried.

Alderman Taylor moved to grant the following licenses: Operator 2013-14 License to Skeen, Samantha J., 9140 W. Waterford Sq. South, Greenfield, with warning letter from City Clerk; Mast, Mast, Amy L., 8349 S. Newbury Dr. #1708, Oak Creek; Brown, Ronalee A., 3010 Fifth Ave., #4, South Milwaukee; Fish, Jason M., 1425 S. Ridgeway Rd., New Berlin;

LICENSES-
CONTINUED

Grochowski, Halina, 1111 W. Rosewood Trail, Oak Creek; Hanley, Erin K., 105 Riverview Dr., Waterford; Jackson, Ozzie L., Jr., 309 Meadowbrook Dr., Fredonia; Lang, Antoinette M., 8423 S. 100th St.; Lehmann, Rebecca R. 3445 S. 24th St., Milwaukee; Lucchesi, Michelle A., 2050 W. Van Beck Ave., Milwaukee; Matuszak, Jan E., 7520 S. Manitowoc, Oak Creek; Page, Andrew M., 2616 N. Fredrick Ave., #213, Milwaukee; Ruskiewicz, Nathan J. 222 S. Third St. #205, Milwaukee; Schaefer, Amanda J., 3272 S. Quincy Ave., Milwaukee; Schaefer, Lisa K., 212 S. Barclay St., #303, Milwaukee;; Schnell, Jason C., 1612 59th Street., Kenosha; Turner, Tamara G. 2561 E. Adams Ct. #6, Cudahy; Wainio, Sally A., 306 Montana Ave., South Milwaukee;

Temporary Class B Wine License to Federation of Croatian Societies, Inc., Father's Day Picnic, Person in Charge, John Braovac, 9100 S. 76th St. on 6/16/13 and Croatian Fest on 7/20-21, 2013;

Extraordinary Entertainment & Amusement Event 2013-14 License to: Ragner Events, Relay Madison to Chicago, Person in Charge: Andria Huskinson on Franklin streets on June 7-8, 2013 subject to department recommendations;

Further moved to hold Operator License subject to appearing before the License Committee: Jared M. Fox, 2605 N. Prospect Ave. #2, Milwaukee; John B. Lehman, 11871 Woodland Cir., Hales Corners and Michael J. Magolan, W125 S8583 Countryview Ct., Muskego, subject to appearing before the License Committee/ Seconded by Alderman Dandrea. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Schmidt moved to approve net City vouchers in the range of Nos. 147133 through 147292 dated May 21, 2013 in the amount of \$1,258,254.78. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.
Alderman Mayer moved to approve net payroll dated May 17, 2013 in the amount of \$336,793.72. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:27 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/04/13
ORGANIZATIONAL BUSINESS	Boards and Commissions Appointments	ITEM NUMBER <i>E.1.</i>

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

Fair Commission

Alderman Mayer, term expires 4/19/16

Plan Commission

Alderman Skowronski, term expires 4/30/14

Dave Fowler, term expires 4/30/16

Board of Public Works

Charles Porter, term expires 4/30/16

Architectural Board

Kenneth Kazmierski, term expires 4/40/16

Ted Juerisson, term expires 4/30/16

Personnel Committee

Casper Green, term expires 4/30/16

Board of Review

James Luckey, Alderman Schmidt's appointment

Carol Brunner, Alderman Mayer's appointment

Community Development Authority

George Vignyich, term expires 8/30/16

Civic Celebrations Commission

George Vignyich, term expires 7/01/15

RECEIVED
CITY OF FRANKLIN
2013 MAY 31 PM 2:50

City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

VOLUNTEER FACT SHEET

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

PERSONAL:

Name GEORGE VIGNYVICH
Address 4781 W Woodland DR
Phone Number 414-421-2905
E-Mail gvignyvich@yahoo.com
Length of Time a Franklin Resident 7 1/2 years
Alderman or District Number Kristen Wilhelm

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

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

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

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: M&I BANK	Address: 770 N Water St	Telephone: 414-765-7700
Date started: 1/1983	Starting Position: Asst. Treasurer	
Date left: 9/30/2005	Position upon leaving: Vice President	
Description of duties: In charge of Real Estate Division		

Company Name: Twin City Fed Minneapolis MN	Address: —	Telephone: —
Date started: 6/1/81	Starting Position: Asst. V.P. Asst. V.P.	
Date left: 12/1/82	Position upon leaving: Asst. V.P.	
Description of duties: HEAD of TCF Financial Data Products		

Company Name: 1 st Fed of WI	Address: 250 E Wisconsin	Telephone: —
Date started: 6/1/70	Starting Position: Asst. Vice President Vice President	
Date left: 5/31/81	Position upon leaving: Vice President	
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.

Quartermaster VFW Post of WI (Treasurer)
American Serb Memorial Hall Gen Manager

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: George J. Jankovich

Date: 5/31/13

Name: David C. Fowler
PhoneNumber: 414 529-4665
EmailAddress: dfowler@mmsd.com
YearsasResident: 24 years
Alderman: District 5 Scmidt
ArchitecturalBoard: 0
CivicCelebrations: 0
CommunityDevelopmentAuthority: 0
FinanceCommittee: 0
EnvironmentalCommission: 0
ForwardFranklinEconomicDevelopComm: 0
FairCommission: 0
BoardofHealth: 0
FirePoliceCommission: 0
ParksCommission: 0
LibraryBoard: 0
PlanCommission: 1
PersonnelCommittee: 0
BoardofReview: 0
BoardofPublicWorks: 0
BoardofWaterCommissioners: 0
TechnologyCommission: 0
WasteFacilitySitingCommittee: 0
BoardofZoning: 0
WasteFacilitiesMonitoringCommittee: 0
CompanyNameJob1: MMSD
TelephoneJob1: 414 277-6368
StartDateandPositionJob1: 9/30/96
EndDateandPositionJob1: Senior Project Manager
CompanyNameJob2:
TelephoneJob2:
StartDateandPositionJob2:
EndDateandPositionJob2:
CompanyNameJob3:
TelephoneJob3:

StartDateandPositionJob3:

EndDateandPositionJob3:

Signature:

David C Fowler

Date:

4/15/13

Signature2:

David C. Fowler

Date2:

4/15/13

Address:

7549 Riverview Frmaklin, WI 53132

PriorityListing:

WhyInterested:

I have served on the planning commission for approximately 24 years and before that I served on the Fas Chairperson of the Franklin Trail Committee. I have been recently appointed to the Connectivity committee. I have over 20 years of eperience in project management in construction projects including design, and planning. I am a Certified Floodpalin Manager in the State of Wisconsin. I have expertise in floodplain managment, stormwater managment, and some urban planning.

CompanyAddressJob1:

260 West Seeboth Milwaukee, WI 53204

DescriptionofDutiesJob1:

My two primary tasks: 1. Manage preliminary engineering, design and construction projects for the MMSD watercourse section. 2. Watercourse Maintenance Manager ovesee the O &M contract to maintain the Districts jurisdictional watercourses. Other duties: Attend public meetings for the District to represent Doistrict policy primarily in the area of flood managment and stormwater managment.

AddressJob2:

DescriptionofDutiesJob2:

AddressJob3:

DescriptionofDutiesJob3:

AdditionalExperience:

I am on the board of the Association of State Floodplain Managers a national organization of 14,000 members I have served two years on a task committee on flood policy for the American Society of Civil Engineers I have been active with the Franklin Public Schools as a PTA member and a volunteer I like canoeing, golf, biking and hunting. Not necessarily in that order.

ClientIP:

38.101.0.136

SessonID:

a2czolijkflmh145alvxwqef

[See Current Results](#)

RECEIVED
CITY OF FRANKLIN

2013 MAY -6 AM 11:20

City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

VOLUNTEER FACT SHEET

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

PERSONAL:

Name CASPER T. GREEN
Address 3519 W. FOREST HILL AVE. FRANKLIN, WI 53132
Phone Number 414-423-4488
E-Mail CASPERGREEN@JUNO.COM
Length of Time a Franklin Resident 30 YRS
Alderman or District Number DISTRICT #4 ALD. S. TAYLOR

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

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

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

I'VE BEEN ON THE PERSONNEL BOARD FOR SEVERAL YRS. I ENJOY THE BOARD. I TALKED W/MAYOR TAYLOR ABOUT MY TENURE + HE ASKED ME IF I WOULD MIND CONTINUING ON THE PERSONNEL COMMITTEE. I DON'T MIND.

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:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
<u>Description of duties:</u>		

Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
<u>Description of duties:</u>		

Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
<u>Description of duties:</u>		

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.

I AM RETIRED. RETIRED EFFECTIVE 1/1/1994. I NEGOTIATED DOZENS OF UNION CONTRACTS; PRESENTED DOZENS OF ARBITRATION CASES.

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: Casper T. Accen

Date: 5/7/13

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>June 4, 2013</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Update from Police Chief Oliva on the transfer of management at the Milwaukee County House of Correction and the impact on City services</p>	<p>ITEM NUMBER</p> <p><i>G.I.</i></p>

The subject matter was referred to this meeting by the Common Council at its meeting on May 21, 2013. Pursuant to Council direction, attached is a draft letter prepared following legal research by the City Attorney for Common Council review. The Police Chief will be at the meeting to further update the Common Council on the subject matter.

COUNCIL ACTION REQUESTED

As the Common Council may deem appropriate.

June 5, 2013

Mr. Michael Hafemann, Superintendent
Milwaukee County House of Correction
8885 South 68th Street
Franklin, Wisconsin 53132

D R A F T

re: Milwaukee County House of Correction security and law enforcement services

Dear Superintendent Hafemann:

The above subject matter was before the City of Franklin Common Council at its meetings on May 21, 2013 and June 4, 2013. While City officials were aware of the widely reported transfer of supervisory authority, as well as the transfers of not only inmates, but House of Correction officer/guard staff, it was noted that Franklin was not in any way advised in advance of those occurrences as was previously requested. The Common Council was also advised by the Chief of Police about initial requests upon the transfer of supervisory authority, for Franklin Police Department support and services not only for instances of crime prevention and enforcement within the Milwaukee County House of Correction, but also for Milwaukee County House of Correction officer/guard training education and qualification needs. While both the Chief of Police and the Mayor did report that there was a resultant substantial element of trust in your leadership following discussions with you, the Common Council directed this letter with regard to its concern for no repetition of any lack of communication with the City upon matters involving the House of Correction and public safety, and also with regard to the provision of local government services as set forth above, which are inherently matters of Milwaukee County responsibility, whether it be Milwaukee County itself or the Milwaukee County Sheriff's Department.

The Franklin City Attorney was directed to review the concerns regarding the provision of Franklin Police Department services to what are considered to be elemental and inherent needs of a County facility. In this regard, citation to the Wisconsin Supreme Court is provided as follows.

"The rule is, local taxation for local purposes, or taxation on the benefits conferred, but not beyond them." *Buse v. Smith*, 74 Wis.2d 550, 577, 247 N.W.2d 141, 154 (1976).

"The public purpose doctrine, as enunciated by the majority, had two aspects: ***
2. The purpose of the tax must be one which pertains to the public purpose of the district within which the tax is to be levied and raised. ***

As one can see from the holding of the majority and from the cases following, the rule that 'taxes must be spent at the level at which they are raised' means only that there must be some correspondence between the taxing district or districts upon whom the burden of a given tax rests and the district or districts thought to be benefited by the expenditure of

the proceeds. One taxing district cannot be taxed for the sole benefit of another taxing district. This court has said "there can be no legitimate taxation unless for the uses of the government' levying it." *Buse v. Smith*, 74 Wis.2d 550, 589-591, 247 N.W.2d 141, 159-160 (1976) (Abrahamson, Day and Heffernan, dissenting). [footnotes omitted]

While Franklin will provide all services necessary to protect its citizens, it is inappropriate for anyone to in any way attempt to transfer any of the elemental and inherent responsibilities and their attendant costs of a County facility supported by and providing services for all of the citizens and taxpayers within the nineteen municipalities comprising Milwaukee County, to the singular municipality of the City of Franklin and its taxpayers.

Again, appreciation is noted with regard to your communicated commitment that the above initial request concerns or needs shall not recur. Copies of this correspondence are being sent to the Milwaukee County Executive, the Milwaukee County Sheriff and the Chairman of the Milwaukee County Board for their knowledge of the concerns of the City of Franklin and their consideration thereof in the governmental operations which they oversee.

Very truly yours,

Thomas M. Taylor,
Mayor

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>06/04/13</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Police Department Community Grant Award of \$2000.00 from The Walmart Foundation</p>	<p>ITEM NUMBER</p> <p><i>G.2.a.</i></p>

The City of Franklin Police Department has been awarded a grant from The Walmart Foundation and Facility #1551 through the Local Community Contribution Program in the amount of \$2000.00 to be used specifically for Drug Abuse Resistance Education (D.A.R.E.).

COUNCIL ACTION REQUESTED

Motion to accept this donation of \$2000.00 from The Walmart Foundation and Facility #1551 to be deposited into the Police D.A.R.E. Donation Account.

Jodi Vandenboom

From: Robert Berres
Sent: Tuesday, May 28, 2013 11:10 AM
To: Police - Admin
Subject: FW: Walmart Foundation Request ID 8732731

Dear Chief,

FYI on a grant I requested.

PO Berres

-----Original Message-----

From: do-not-reply@wal-mart.com [<mailto:do-not-reply@wal-mart.com>]
Sent: Friday, May 24, 2013 3:08 PM
To: Robert Berres
Subject: Walmart Foundation Request ID 8732731

Dear robert berres,

The Walmart Foundation and Facility # 1551 are pleased to inform you that your organization has been selected to receive a grant through the Local Community Contribution Program in the amount of \$2,000.00. We believe that your organization is doing important work to the communities you serve, and we are proud that we are able to support you in your efforts.

Your grant payment will be awarded to you by check, and it will be sent to the address listed in your grant application. Your grant check will be issued within the next few weeks and mailed to your organization as quickly as possible.

Thank you for the work your organization does to create opportunities so people can live better.

Sincerely,

The Walmart Foundation

CG/JMAIL/30522427

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>June 4, 2013</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Police Department donation of \$1000.00 from Marion and John Blyshak, Jr.</p>	<p>ITEM NUMBER</p> <p><i>G.2.b.</i></p>

The City of Franklin Police Department has received a donation from Marion and John Blyshak, Jr. to be put toward the purchase of materials for our bi-annual Franklin Police Department Citizen Academy classes.

COUNCIL ACTION REQUESTED

Motion to accept the donation of \$1000.00 from Marion and John Blyshak, Jr. to be deposited into the Police Donations Account and earmarked for Citizen Academy materials and supplies.

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/04/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 50 FOOT "LANDSCAPE PLANTING BUFFER AND HIGHWAY SETBACK LINE", AS DESCRIBED ON THE SUBDIVISION PLAT, UPON LOT 48 IN STONE HEDGE ADDITION NO. 1 SUBDIVISION (7444 SOUTH STONE HEDGE DRIVE) (DAVID PARKER AND KORI WEBER-PARKER, APPLICANTS)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.3.</i></p>

At its May 23, 2013, meeting the Plan Commission recommended approval of a resolution authorizing the installation of a fence within the 50 foot "Landscape Planting Buffer and Highway Setback Line" as described on the subdivision plat, upon Lot 48 in Stone Hedge Addition No. 1 Subdivision (7444 South Stone Hedge Drive) (David Parker and Kori Weber-Parker, Applicants).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2012-_____, authorizing the installation of a fence within the 50 foot "Landscape Planting Buffer and Highway Setback Line" as described on the subdivision plat, upon Lot 48 in Stone Hedge Addition No. 1 Subdivision (7444 South Stone Hedge Drive) (David Parker and Kori Weber-Parker, Applicants).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2013-_____

A RESOLUTION AUTHORIZING THE INSTALLATION OF A
FENCE WITHIN THE 50 FOOT "LANDSCAPE PLANTING BUFFER AND
HIGHWAY SETBACK LINE", AS DESCRIBED ON THE SUBDIVISION PLAT,
UPON LOT 48 IN STONE HEDGE ADDITION NO. 1 SUBDIVISION
(7444 SOUTH STONE HEDGE DRIVE)
(DAVID PARKER AND KORI WEBER-PARKER, APPLICANTS)

WHEREAS, §15-5.0102A. of the Unified Development Ordinance prohibits the building of structures within the required 50 foot landscape bufferyard easement in a residential subdivision which backs upon the right-of way of an existing or proposed limited access arterial street or highway; and

WHEREAS, David Parker and Kori Weber-Parker having applied for a release of the 50 foot "landscape bufferyard easement and highway setback line", as described on the subdivision plat, upon their property to the extent necessary to install an aluminum fence along the east line of the property which is adjacent to Milwaukee County Trunk Highway K (West Old Loomis Road) and within the easement upon the property located at 7444 South Stone Hedge Drive, Tax Key No. 754-0050-000, such property being zoned R-3E Suburban/Estate Single-Family Residence District; and

WHEREAS, the subject landscape bufferyard easement and highway setback line is denoted upon the Final Plat for Stone Hedge Addition No. 1 Subdivision as a "Landscape Planting Buffer" and is more particularly described as follows:

50 FOOT LANDSCAPE EASEMENT ON LOT 48

THE SOUTHEAST 50 FEET OF LOT 48 IN STONE HEDGE SUBDIVISION ADDN NO 1 BEING A PART OF THE NE 1/4, SE 1/4, SW 1/4 AND NW 1/4 OF THE NW 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY WISCONSIN COMMENCING AT THE SOUTHWEST CORNER OF THE NW OF SECTION 5, T 5 N, R 21 E; THENCE N 88°35'21" E 1692.88 FEET; THENCE N 30°45'40" E 120.51 FEET; THENCE N 88°35'21" E 42.53 FEET; THENCE N 30°45'40" E 255.52 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING N 30°45'40" E 118.98 FEET; THENCE N 00°11'17" W 63.54 FEET; THENCE N 81°40'39" W 50.56 FEET; THENCE S 00°11'17" E 57.18 FEET; THENCE S 30°45'40"W 105.14 FEET; THENCE S 59°14'20" E 50.00 FEET TO THE PLACE OF BEGINNING; and

WHEREAS, the 50 foot landscape bufferyard easement and highway setback line denoted upon the Final Plat for Stone Hedge Addition No. 1 Subdivision and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

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

WHEREAS, the Common Council having considered the request for the release of the 50 foot landscape bufferyard easement and highway setback line only so as to allow for the subject fence installation, and having considered the proposed location of and type of fence to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed fence will not be readily visible from the adjoining highway or create any adverse impact upon the aesthetic or buffering purposes of the landscape bufferyard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of an aluminum fence of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of David Parker and Kori Weber-Parker filed on May 15, 2013, be and the same is hereby authorized and approved and that the landscape bufferyard easement and highway setback line restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

BE IT FURTHER RESOLVED, that the applicant shall further obtain all required permit(s) for the installation of the subject fence and that the subject fence shall be installed pursuant to such permit(s) within one year of the date hereof, or all approvals granted hereunder shall be null and void.

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

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

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

RESOLUTION NO. 2013-_____

Page 3

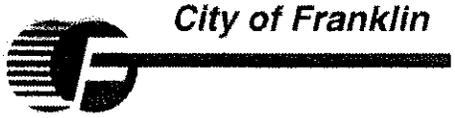
APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



MISCELLANEOUS APPLICATION

(Complete, accurate and specific information must be entered, including full legal names. Please Print.)

Date: 5-14-13

Property Owner(s)/Legal Entity: DAVID PARKER; Kori Weber-Parker
 Applicant (Legal Business Owner Name): Kori Weber-Parker, DAVID PARKER

Address: 7444 S. STONE HEDGE DR
 Address: 7444 S. STONE HEDGE DR

City: FRANKLIN State: WI Zip: 53132
 City: FRANKLIN State: WI Zip: 53132

Phone: 414-698-1858 Fax: _____
 Phone: 414-698-1858 Fax: _____

Email Address: KoriWeberParker@gmail.com
 Email Address: KoriWeberParker@gmail.com

Project Name: Landscape Easement Release Request
 Project Description: Requesting Release of Landscape Easement
 Project Property Address: 7444 S. Stone Hedge Dr Project Tax Key No(s): 74 005000
 Existing Zoning: _____ Existing Use: _____ Proposed Use: _____

- All Miscellaneous submittals must include and be accompanied by the following:**
- This Application form accurately completed with original signatures (facsimiles and copies will not be accepted).
 - Application Filing Fee: \$125, payable to the City of Franklin.
 - Ten copies of a Project Narrative (i.e., a detailed description of the project).
 - Other information as may be deemed appropriate for the request.

- A meeting must be scheduled with the Planning Department prior to Application submittal.
- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- Submittal of Application for review is not a guarantee of approval.
- Plan Commission review and approval may be required.

The applicant and property owner(s) hereby certify that: (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s) knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application; and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis. Stat. §943.13.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature(s) below. If more than one, all of the owners of the property must sign this Application).

Signature of Property Owner: Kori Weber Parker Signature of Applicant: Kori Weber Parker
 Name and Title: owner Name and Title: owner
 Date: 5-14-13 Date: 5-14-13

Signature of Property Owner: D. J. [Signature]
 Name and Title: Owner
 Date: 5/14/13

Project Contact Name: _____
 Company: _____
 Phone: _____
 Email: _____

Franklin

MAY 15 2013

City Development

REQUEST FOR RELEASE OF 50' LANDSCAPE EASEMENT

For 7444 S Stone Hedge Drive

Description of the project

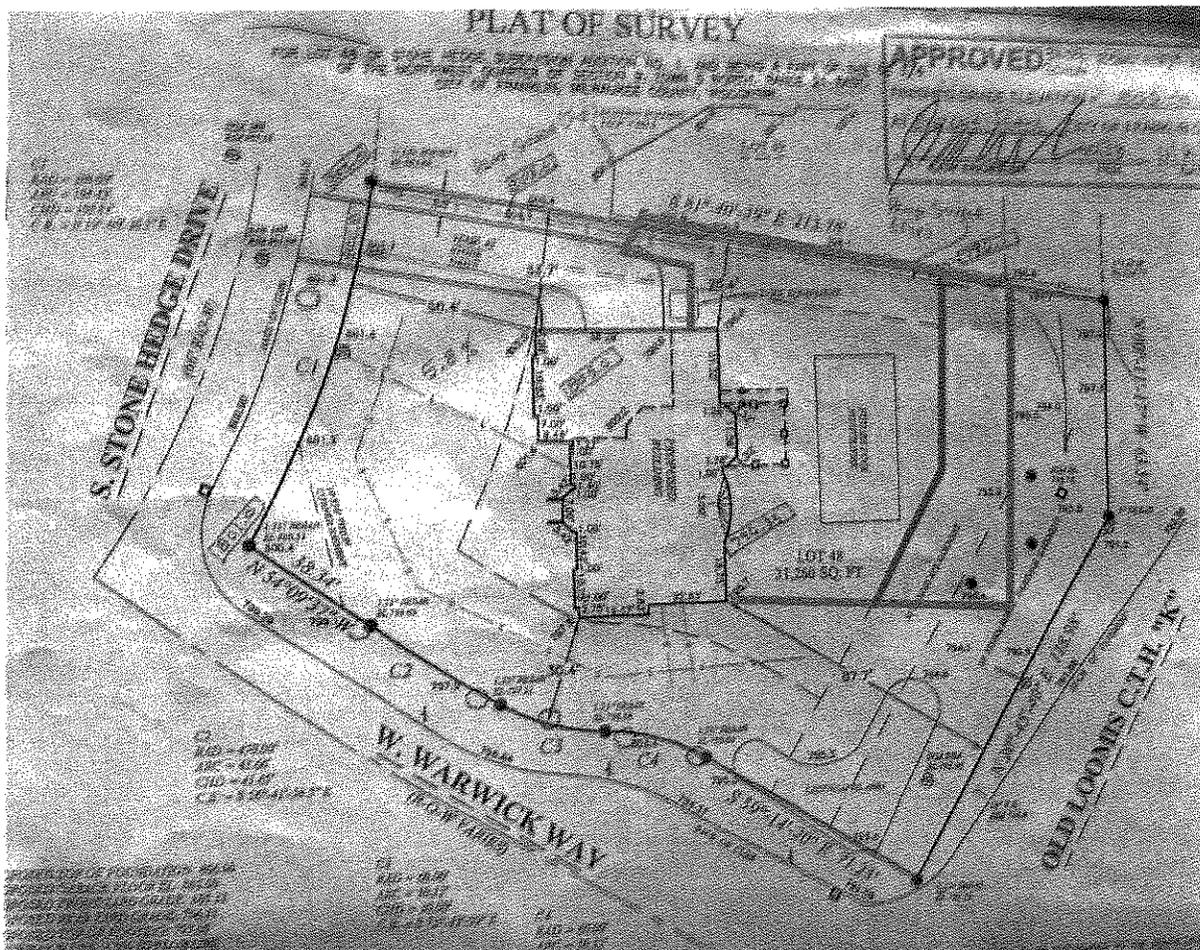
We, David Parker and Kori Weber-Parker, recently put an in-ground pool in our backyard. We plan on putting up a 5' black aluminum ornamental fence as pictured below. We are requesting the release of the 50' landscape easement so that we can place the east side of the fence on the backside of our berm which is inside the 50' landscape easement as shown below in red on the plat survey.



Franklin

MAY 15 2013

City Development



Blue line represents the east side of the fence running just in front of the landscape easement. The Red line is the proposed fence location.

Reasons why the landscape easement should be released

- We had created a berm which is in the landscape easement and was intended to be part of the landscaping around the pool and enclosed inside the fence.
- Running the fence in the landscape easement is aesthetically pleasing and allows usage of a larger portion of our yard for which we pay significant taxes.
- Section 15.11.0103 of the Unified Development Ordinance (UDO) defines a bufferland as follows: “An area of land within the boundaries of a lot...using trees, shrubs, **fences**, and/or berms designed to limit continuously the view and/or sound from the lot or site to adjacent lots or sites.” The bufferland specifically mentions that a fence can be part of the bufferland.

From: [Daniel Mayer](#)
To: [Tom Taylor](#)
Cc: [Joel Dietl](#); [Nick Fuchs](#); [Daniel Mayer](#)
Subject: Variance at 7444 South Stone Hedge Drive, Agenda Item IIIB
Date: Thursday, May 23, 2013 12:08:47 PM

Dear Mayor Taylor and Members of the Franklin Plan Commission,

Please include this letter with the documentation and/or discussion of the Franklin Plan Commission meeting of 5-23-13 as appropriate.

The purpose of this letter is to address item III B on the agenda regarding the property at 7444 South Stone Hedge Drive.

Please accept this letter as my support for Mr. Parker's variance request: (Request for Release of "Landscape Planting Buffer Restriction and Highway Setback Line", as Described on the Subdivision Plat, to Allow for the Installation of a Fence). I believe his request is reasonable and the fence he proposes will only add to the positive appearance and use of the property. I concur with Department of City Development Staff's assessment that the variance should be allowed.

The only caveat to this endorsement is that he must follow any applicable guidelines for in-ground pool enclosure safety.

I had planned to be present tonight but another commitment arose. Joel or Nick, could you please print this message for the Plan Commission.

Thank You.

Sincerely,
Daniel M Mayer
Alderman, District Two



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of May 23, 2013

Release of 50 foot Landscape Easement & Highway Setback Line

RECOMMENDATION: Department of City Development Staff recommends approval of the release of the 50-foot Landscape Easement & Highway Setback Line to allow for the installation of a fence upon Lot 48 of the Stone Hedge Subdivision Addition No. 1.

Project Name:	Request to release 50 foot Landscape Easement & Highway Setback Line
Project Address:	7444 South Stone Hedge Drive
Applicant:	David Parker
Owners (property):	David J. Parker and Kori Weber-Parker
Current Zoning:	R-3E Suburban/Estate Single-Family Residence District
Use of Surrounding Properties:	Single-family residential to the north, south, east and west
Applicant Action Requested:	Recommendation of approval to release the 50-foot Landscape Easement & Highway Setback Line to allow for the installation of a fence

Introduction/Project Description:

On May 15, 2013, the applicant submitted a Miscellaneous Application, requesting to install a fence within the 50-foot Landscape Easement and Highway Setback Line denoted on the Final Plat for Stone Hedge Subdivision Addition No. 1 for Lot 48, located at 7444 South Stone Hedge Drive.

The applicant is proposing to construct a black aluminum fence, five feet in height within the 50-foot Landscape Easement and Highway Setback Line on the rear of their property, abutting West Old Loomis Road (C.T.H. K). A portion of the fence is also located within a 30-foot storm sewer and drainage easement. The Engineering Department does not object to this encroachment.

The applicant is proposing to install the fence to enclose an in-ground swimming pool and yard area. The fence will be placed along the backside of a recently constructed berm. It can be noted that the property to the north, Lot 49, has an existing fence in a similar location; however, that lot only contains the 30-foot storm sewer and drainage easement. The applicant has provided a written description, a sample photograph of the fence and a site plan illustrating the approximate location of the fence for review.

The Stone Hedge Subdivision Addition No. 1 was recorded with Milwaukee County on June 14, 2005. Currently and at the time of plat approval, Section 15-5.0102 of the UDO requires Landscape Bufferyard Easements when lots within a proposed Subdivision back upon right-of-way of an existing or proposed limited access arterial street or highway. More specifically, a

planting strip must be a minimum of thirty feet in width and is reserved for the planting of trees and shrubs, and the building of structures is prohibited.

Staff has directed the property owners to discuss the fence location with the Homeowner's Association to receive their approval.

Staff Recommendation:

Department of City Development Staff recommends approval of the release of the 50-foot Landscape Easement & Highway Setback Line to allow for the installation of a fence upon Lot 48 of the Stone Hedge Subdivision Addition No. 1.

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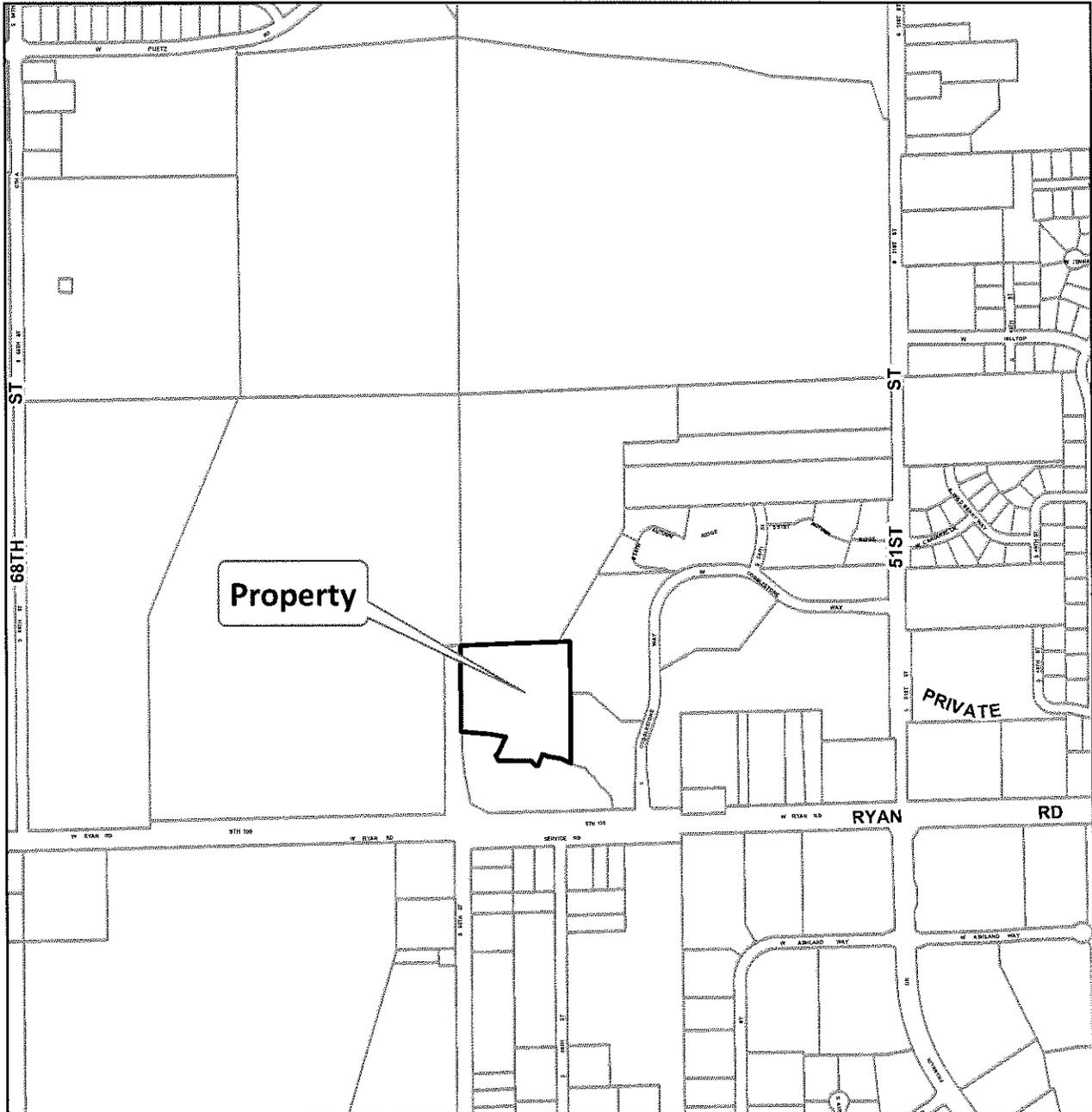
<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/04/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SPECIAL USE FOR A 42 UNIT RESIDENTIAL APARTMENT USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH 60TH STREET AND WEST RYAN ROAD (FOREST VIEW- FRANKLIN LIMITED PARTNERSHIP, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.4.</i></p>

City Development staff recommends approval of a resolution authorizing certain officials to accept a conservation easement for and as part of the review and approval of a special use for a 42 unit residential apartment use upon property located at approximately South 60th Street and West Ryan Road (Forest View-Franklin Limited Partnership, Applicant), subject to technical corrections by the City Attorney.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2013-_____, authorizing certain officials to accept a conservation easement for and as part of the review and approval of a special use for a 42 unit residential apartment use upon property located at approximately South 60th Street and West Ryan Road (Forest View-Franklin Limited Partnership, Applicant), subject to technical corrections by the City Attorney.

Forest View Apartment Development



0 600 1,200 2,400 Feet

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

City Development 2012
(2010 Aerial Layer)



STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2013-_____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO
ACCEPT A CONSERVATION EASEMENT FOR AND AS PART
OF THE REVIEW AND APPROVAL OF A SPECIAL USE FOR A 42 UNIT
RESIDENTIAL APARTMENT USE UPON PROPERTY LOCATED AT
APPROXIMATELY SOUTH 60TH STREET AND WEST RYAN ROAD (FOREST
VIEW-FRANKLIN LIMITED PARTNERSHIP, APPLICANT)

WHEREAS, the Plan Commission having recommended approval of a Special Use application of Forest View-Franklin Limited Partnership, on February 7, 2013, and the Plan Commission having conditioned approval thereof in part upon Common Council approval of a Conservation Easement to protect the mature woodlands, young woodlands, wetlands and wetland buffers on the site; and

WHEREAS, §15-7.0103Q. and §15-7.0702Q. of the Unified Development Ordinance requires the submission of a Natural Resource Protection Plan in the Special Use review process and the Unified Development Ordinance requires conservation easements to be imposed for natural resource features identified within such Plan to protect such features, all as part of the approval process for a Planned Development District Amendment; and

WHEREAS, the City Engineering Department, Department of City Development and the Office of the City Attorney having reviewed the proposed Conservation Easement and having recommended approval thereof to the Common Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Conservation Easement submitted by Forest View-Franklin Limited Partnership, in the form and content as annexed hereto, be and the same is hereby approved; and the Mayor and City Clerk are hereby authorized to execute such Easement as evidence of the consent to and acceptance of such easement by the City of Franklin.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of the Conservation Easement in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

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

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

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS
TO ACCEPT A CONSERVATION EASEMENT ***
FOREST VIEW-FRANKLIN LIMITED PARTNERSHIP
RESOLUTION NO. 2013-_____

Page 2

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

CONSERVATION EASEMENT

Forest View Apartments

This Conservation easement is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Forest View Franklin-Limited Partnership, hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes.

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, SW ¼ of Section 23, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, mature woodlands, young woodlands, wetland buffers, wetlands, and the Stantec Environmental Report, dated October 17, 2012, with all applicable revision dates, which is located in the office of the Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

WHEREAS, Grantee is a "holder", as contemplated by §700.41(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over, and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this conservation easement; and

WHEREAS, the Grantee is willing to accept this conservation easement subject to the reservations and to the covenants, terms, conditions, and restrictions set out herein and imposed hereby;

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over, and across the protected property.

Grantee's rights hereunder shall consist solely of the following:

1. To view the protected property in its natural, scenic, and open condition;
2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act; and
3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over, or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:

1. Construct or place buildings or any structure;
2. Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect: such improvements as may be so approved being intended to enhance the resource value

and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by §236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the ____ day of _____, A.D. 20__.

CITY OF FRANKLIN

By: _____
Thomas M. Taylor, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

Personally came before me this _____ day of _____, A.D. 20__, the above named Thomas M. Taylor, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. _____, adopted by its Common Council on the _____ day of _____, 20__.

Notary Public

My commission expires _____

This instrument was drafted by the City of Franklin.

Approved as to contents:

Nicholas Fuchs, Senior Planner
Department of City Development

Date Received and Reviewed

Approved as to form only:

Jesse A. Wesolowski
City Attorney

Date Received and Reviewed

MORTGAGE HOLDER CONSENT

The undersigned, Tri City National Bank, a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering encumbering the Property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on November 18, 2011, as Document No. 10055138, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

IN WITNESS WHEREOF, Mortgagee has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed, as of the day and year first above written.

Tri City National Bank:
a Wisconsin Banking Corporation

By: April L Kraft

Name: April L. Kraft

Title: Vice President

STATE OF WISCONSIN)
)ss
COUNTY OF MILWAUKEE)

On this, the 30th day of May, 2013, before me, the undersigned, personally appeared, April L. Kraft the Vice President of Tri City National Bank, a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

Name: Christina Serj

Notary Public, State of Wisconsin

My commission expires 1-22-17

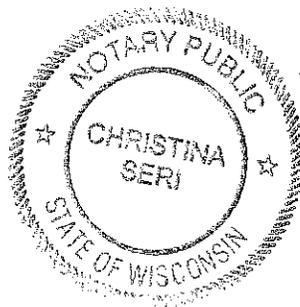
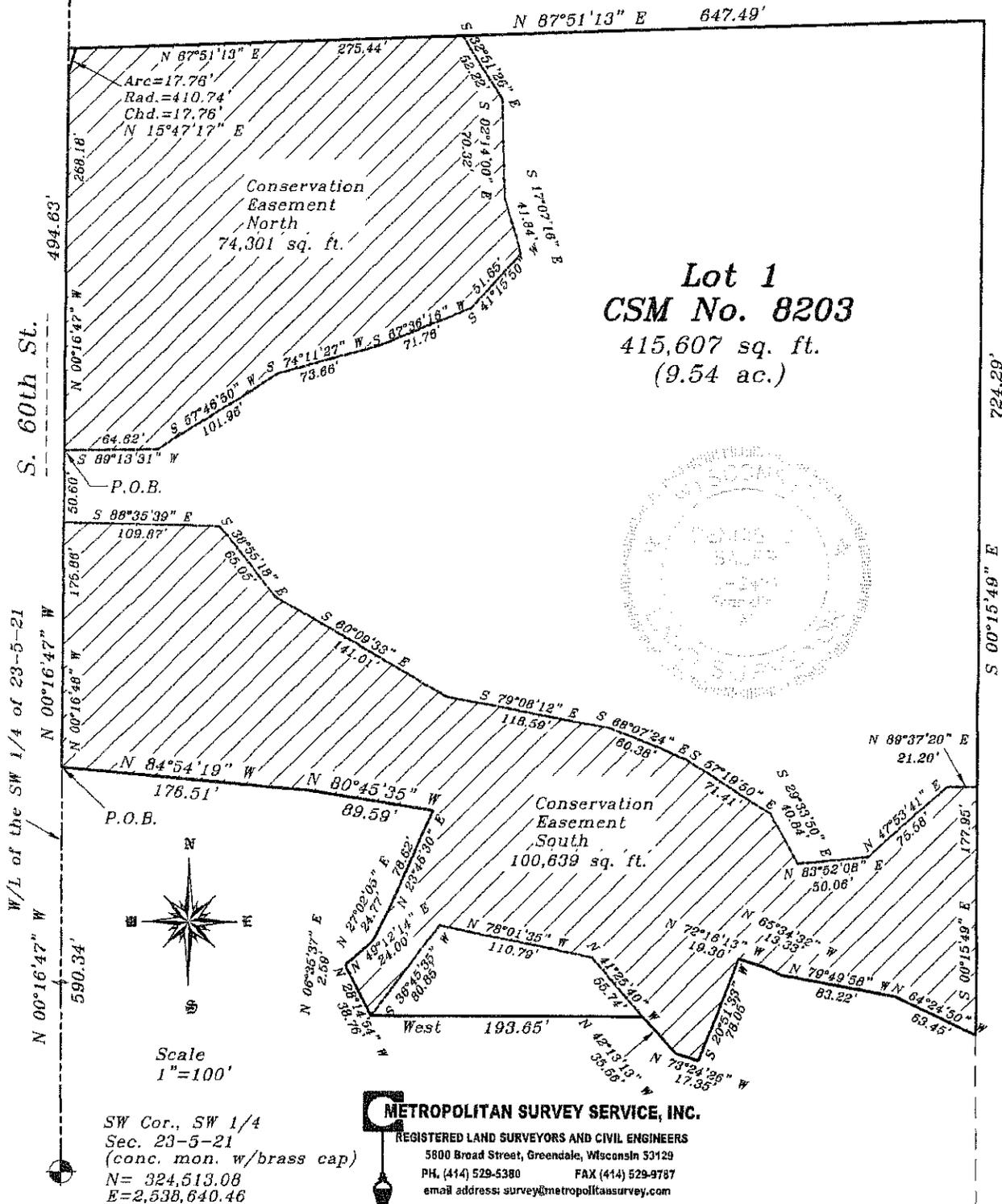


Exhibit "A" Conservation Easement

Being a part of Lot 1 of recorded Certified Survey Map No. 8203, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



Conservation Easement - North

LEGAL DESCRIPTION:

Being a part of Lot 1 of Recorded Certified Survey Map No. 8203, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of said Southwest 1/4 of Section 23; thence N 00°16'47" W along the West line of said Southwest 1/4, 816.80 feet to the point of beginning; thence continuing along said West line, N 00°16'47" W, 268.18 feet to the point of a curve; thence Northeasterly along the arc of a curve, 17.76 feet, whose radius is Southeast 410.74 feet, whose chord distance is 17.76 feet and whose chord bearing is N15°47'17" E to the North line of said Lot 1; thence N 87°51'13" E along said North line, 275.44 feet; thence S 32°51'26" E, 52.22 feet; thence S 02°14'00" E, 70.32 feet; thence S 17°07'16" E, 41.84 feet; thence S 41°15'50" W, 51.65 feet; thence S 67°36'16" W, 71.76 feet; thence S 74°11'27" W, 73.66 feet; thence S 57°46'50" W, 101.96 feet; thence S 89°13'31" W, 64.62 feet to the point of beginning. Said lands contain 74,301 square feet.

Conservation Easement - South

LEGAL DESCRIPTION:

Being a part of Lot 1 of Recorded Certified Survey Map No. 8203, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; bounded and described as follows: Commencing at the Southwest corner of said Southwest 1/4 of Section 23; thence N 00°16'47" W along the West line of said Southwest 1/4, 590.34 feet to the point of beginning; thence continuing along said West line, N 00°16'47" W, 175.86 feet; thence S 88°35'39" E, 109.87 feet; thence S 38°55'18" E, 65.05 feet; thence S 60°09'33" E, 141.01 feet; thence S 79°08'12" E, 118.59 feet; thence S 68°07'24" E, 60.38 feet; thence S 57°19'50" E, 71.41 feet; thence S 29°33'50" E, 47.84 feet; thence N 83°52'08" E, 50.06 feet; thence N 47°53'41" E, 75.58 feet; thence N 89°37'20" E, 21.20 feet to the East line of said Lot 1; thence S 00°15'49" E along said East line, 177.95 feet; thence N 64°24'50" W, 63.45 feet; thence N 79°49'58" W, 83.22 feet; thence N 65°34'32" W, 13.33 feet; thence N 72°16'13" W, 19.30 feet; thence S 20°51'33" W, 78.05 feet; thence N 73°24'26" W, 17.35 feet; thence N 42°13'13" W, 35.56 feet; thence N 41°25'40" W, 55.74 feet; thence N 78°01'35" W, 110.79 feet; thence S 36°45'35" W, 80.85 feet; thence N 28°14'54" W, 38.76 feet; thence N 06°35'37" E, 2.59 feet; thence N 49°12'14" E, 24.00 feet; thence N 27°02'05" E, 24.77 feet; thence N 23°46'30" E, 78.62 feet; thence N 80°45'35" W, 89.59 feet; thence N 84°54'19" W, 176.51 feet to the point of beginning. Said lands contain 100,639 square feet.



<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>06/04/13</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DOG OBEDIENCE AND TRAINING BUSINESS USE UPON PROPERTY LOCATED AT 9438 SOUTH 29TH STREET (TIFFANY GUTMAN, D/B/A PAWS-ITIVLY BEHAVED K9S CORPORATION APPLICANT)</p>	<p>ITEM NUMBER</p> <p><i>G, 5.</i></p>

At its May 9, 2013, meeting, following a properly noticed public hearing, the Plan Commission tabled a resolution imposing conditions and restrictions for the approval of a Special Use for a dog obedience and training business use upon property located at 9438 South 29th Street (Tiffany Gutman D/B/A Paws-itivly Behaved K9s Corporation, Applicant).

At its May 23, 2013, meeting, the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a dog obedience and training business use upon property located at 9438 South 29th Street (Tiffany Gutman D/B/A Paws-itivly Behaved K9s Corporation, Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2013-_____, a resolution imposing conditions and restrictions for the approval of a Special Use for a dog obedience and training business use upon property located at 9438 South 29th Street (Tiffany Gutman D/B/A Paws-itivly Behaved K9s Corporation, Applicant).



9438-9450 South 29th Street



Planning Department
(414) 425-4024



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

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2013-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A DOG OBEDIENCE
AND TRAINING BUSINESS USE UPON PROPERTY
LOCATED AT 9438 SOUTH 29TH STREET
(TIFFANY GUTMAN, D/B/A PAWS-ITIVLY BEHAVED K9S
CORPORATION, APPLICANT)

WHEREAS, Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation having petitioned the City of Franklin for the approval of a Special Use within a B-4 South 27th Street Mixed-Use Commercial District under Standard Industrial Classification Title No. 752 "Animal Specialty Services", to allow for a dog obedience and training business use upon property located at 9438 South 29th Street, bearing Tax Key No. 879-9991-002, more particularly described as follows:

Parcel 2 of Certified Survey Map 3517, in the Southeast 1/4 of Section 24, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of May, 2013, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation, for the approval of a Special Use for the property particularly

TIFFANY GUTMAN, D/B/A PAWS-ITIVLY BEHAVED K9S CORPORATION –
SPECIAL USE
RESOLUTION NO. 2013-_____
Page 2

described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation, successors and assigns, as a dog obedience and training business use, which shall be developed in substantial compliance with, and operated and maintained by Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation, pursuant to those plans City file-stamped May 10, 2013 and annexed hereto and incorporated herein as Exhibit A.
2. Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation, 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 Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation dog obedience and training business, 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.
3. The approval granted hereunder is conditional upon Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation, and the dog obedience and training business use for the property located at 9438 South 29th Street: (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.
4. The hours of operation shall be limited to 8:00 a.m. to 8:30 p.m. daily.
5. The exterior of the site shall not be used for obedience training activities such as, but not limited to, outdoor classes, exercise areas, play areas, or kenneling.
6. A revised Site Plan, addressing minor technical corrections shall be submitted to the Department of City Development for review and approval.
7. The off-street handicap accessible parking space shall be signed in accordance with Table 15-5.0202(I)(3) of the City of Franklin Unified Development Ordinance and the “Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities” as amended.
8. The two (2) cargo containers in the rear yard shall either be removed from the site or screened with a sight proof wood fence at least six (6) feet in height, in accordance with Section 15-3.0803(F) of the City of Franklin Unified Development Ordinance.

TIFFANY GUTMAN, D/B/A PAWS-ITIVLY BEHAVED K9S CORPORATION –
SPECIAL USE
RESOLUTION NO. 2013-_____
Page 3

BE IT FURTHER RESOLVED, that in the event Tiffany Gutman, d/b/a Paws-itivly Behaved K9S Corporation, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

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

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

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

TIFFANY GUTMAN, D/B/A PAWS-ITIVLY BEHAVED K9S CORPORATION –
SPECIAL USE
RESOLUTION NO. 2013-_____

Page 4

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



*"Paws-itivity"
Behaved K9's*

9438 S. 29th Street

Franklin

MAY 10 2013

City Development

Project Narrative:

My name is Tiffany Gutman and I have been dog training for over 15 years. I was so passionate about it that I opened my own business, Paws-itivly Behaved K9s, in 2003 in the Oak Creek area where I have never had one complaint from other tenants or surrounding neighbors. In 2012 I was out growing my facility and started to look for new places and really liked the Franklin community (I have clients from the area) and found the 9438 S. 29th street property.

Paws-itivly Behaved K9s is an obedience training facility that trains dogs of all size and age. We offer group classes (3-7 max dogs in a class), private lessons in the facility or in the home, behavior evaluations, treadmill training, advanced obedience, canine good citizen classes and training and fitness camps during the day (dogs can be dropped off for a few hours to be leash trained and walked, use the treadmills and obedience trained by a trainer if owners don't have the time). We open Monday, Wednesday-Fridays from 8am-8:30pm and Saturdays from 9am-1pm (Tuesdays and Sundays by appointment only for private lessons). We do not board overnight at the facility.

Paws-itivly Behaved K9s currently has 4 employees. We have a fantastic reputation, success rate and come highly recommended by all the veterinarians in the surrounding areas. 80% of our clientele is referred by current or past students, rescue organizations or vets.

Special use standards and regulations

1. Yes, we will be in harmony with the general and specific purposes of this ordinance
2. We will not have an adverse impact
3. We will not interfere with surrounding development
4. Yes
5. We will not have traffic congestion
6. We will not destruct significant features
7. We will comply with standards



CITY OF FRANKLIN



Item III.A.

REPORT TO THE PLAN COMMISSION

Meeting of May 23, 2013

Special Use

RECOMMENDATION: City Development Staff recommends approval of the proposed special use for an obedience and training business use upon property located at 9438 South 29th Street.

Project Name: Paws-itively Behaved K9s Special Use

Project Address: 9438 South 29th Street

Applicant: Paws-itively Behaved K9s Corporation

Owners (property): Larry J. & Lynette Schneider

Current Zoning: B-4 South 27th Street Mixed-Use Commercial District

2025 Comprehensive Master Plan Mixed Use

Use of Surrounding Properties: Single-family residences to the north and south, commercial to the west and single-family/institutional to the east.

Applicant Action Requested: Recommendation of approval for the proposed Special Use for Paws-itively Behaved K9s to locate at 9438 South 29th Street.

Please note that:

- Staff recommendations are underlined, in italics and are included in the draft ordinance.

INTRODUCTION:

On March 29, 2013, Tiffany Gutman submitted a Special Use application requesting approval to operate an obedience and training business for dogs within an existing building on property located at 9438 South 29th Street. The proposed obedience and training business corresponds to Standard Industrial Classification (SIC) Title No. 752, Animal Specialty Services, which is allowed in the B-4 South 27th Street Mixed Use Commercial District as a Special Use.

HISTORY:

Paws-itively Behaved K9s Corporation has been occupying the building at 9438 South 29th Street since January of this year, without any approvals from the City of Franklin. In order to address this situation, Staff has been working with Paws-itively Behaved K9s Corporation on obtaining Special Use approval.

PROJECT DESCRIPTION AND ANALYSIS:

The applicant is requesting Special Use approval to operate a dog training business in the 2,625 square foot commercial building located at 9438 South 29th Street. The property is approximately 1.17 acres or 50,965 square feet. In addition to the commercial building, the property also

encompasses a single-family residence (9450 South 29th Street) which the property owner rents to a third party.

Paws-itively Behaved K9s Corporation is an obedience and training facility for dogs. The applicant offers group classes with a maximum class size of 3-7 dogs. Other services include; private lessons at the facility or in home, behavior evaluations, treadmill training, advanced obedience training, canine good citizen classes and training and fitness camps. Paws-itively Behaved K9s currently has four (4) employees. Hours of operation are Monday and Wednesday through Friday from 8:00 a.m. to 8:30 p.m., Saturdays from 9:00 a.m. to 1:00 p.m. and Sundays by appointment only for private lessons. Staff recommends hours of operation be limited to 8:00 a.m. to 8:30 p.m. daily.

The proposed dog obedience training takes place entirely indoors. However, the dogs are walked in the rear yard of the property to relieve themselves. According to the applicant, there will be no overnight boarding of dogs at this facility. Staff recommends no part of the exterior of the site be used for obedience training or as a dog play area.

Parking:

Table 15-5.0203 of the City of Franklin Unified Development Ordinance (UDO) defines requirements for off-street parking. Unfortunately, dog obedience and training is not one of the uses listed in this section. According to Section 15-5.0503(B) of the UDO, "...In the case of Special Uses, parking spaces for Special Uses not listed in Table 15-5.0203 shall be provided in accordance with requirements designated by the Plan Commission upon recommendation of the City Planner and as may be required by the Mayor and Common Council. The provisions of a use which is deemed similar by the Plan Commission may be applied upon recommendation of the City Planner." Staff finds the obedience training use to be similar to a veterinary office/clinic, which requires 4.5 spaces/1,000 square feet of gross floor area according to Table 15-5.0203 of the UDO. If one applies this standard, then the proposed 2,625 square foot obedience training facility would be required to provide a minimum of twelve (12) off-street parking spaces.

The site currently has eleven (11) off-street parking spaces striped, with an additional graveled area in the rear of the building. The Site Plan indicates fourteen (14) parking spaces, but spaces 11 through 14 are actually graveled, not paved and striped. There is however, an eleventh parking space striped to the north of the garage that is not identified on the Site Plan. Staff finds the existing off-street parking adequately serves the needs of the obedience training use. However, staff recommends the applicant submit a revised Site Plan addressing technical corrections to the Department of City Development for review and approval.

The applicant identified Parking Space No. 4 on the Site Plan as a handicap accessible off-street parking space, which meets UDO requirements for a parking lot with 25 or fewer spaces. However, this space does not include a sign, which includes the international symbol for barrier-free environments and a statement informing the public the parking space is reserved for use by persons with disabilities. Staff recommends the off-street handicap accessible parking space be signed in accordance with Table 15-5.0202(I)(3) of the City of Franklin Unified Development

Ordinance and the "Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities" as amended.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. The applicant has provided a written response to each of the seven standards.

Outdoor Storage:

The property owner is storing two cargo containers in the rear yard of the property, which is visible from both South 29th Street and West Ryan Road. According to Section 15-3.0803(F) of the UDO, "open storage areas shall be screened from view of any street." Therefore, staff recommends removing the two (2) cargo containers from the site or screening them with a sight proof wood fence at least six (6) feet in height.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the proposed special use for an obedience and training business use upon property located at 9438 South 29th Street.

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i> Reports & Recommendations	SUBJECT: Authorization to advertise for bids for the extension of W. Marquette Avenue from S. 49 th Street to the west line of Pleasant View Elementary School	6/4/13 ITEM NO. <i>G.6.</i>

BACKGROUND

Pursuant to the 2013 budget that contains funding for the extension of W. Marquette Avenue as an interim public street, it is recommended by staff that the City advertise for bids in early June such that the project can be completed prior to the start of the school year.

ANALYSIS

The City's consultant has negotiated the purchase of the right-of-way from the north portion of the street extension from Richard L. & Jeanne Hamrick. It appears that the south half, which is owned by Franklin Oasis, LLC, may have to proceed to jurisdictional offer (JO), which should acquire the property by the middle of July. (Common Council must approve JO before proceeding.)

It is recommended by staff that the City start the bidding process such that the Common Council can award bids shortly after the right-of-way is acquired.

The proposed street extension will be a rural street design, similar to the existing street within the adjacent subdivision

OPTION

Approve advertising for bids
or
Table

FISCAL NOTE

Costs included in project budget which is \$80,000.

RECOMMENDATION

Motion for authorize staff to advertise for bids for the extension of W. Marquette Avenue from S. 49th Street to the west line of the Pleasant View Elementary School site with the bids returned to the Common Council for action.

JMB/sg

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i>		6/4/13
Reports & Recommendations	SUBJECT: Review of letter from Milwaukee County relative to alternatives and costs for the installation of sidewalk on the east side of S. North Cape Road for the full length in Franklin.	ITEM NO. <i>G.7.</i>

BACKGROUND

Pursuant to the direction of the Common Council relative to the inclusion of sidewalk along the east side of S. North Cape Road when the roadway is reconstructed, by Milwaukee County in 2014, please be advised that I have received a reply from Milwaukee County's consultant relative to alternatives and costs.

ANALYSIS

The consultant, Himalayan Consultants, LLC, has identified five alternatives: from (1) do nothing, (2) a five (5) foot wide sidewalk on house side of the ditch, (3) a ten (10) foot wide walk on the house side of the ditch, (4) a five (5) foot sidewalk in an urban section, and (5) just clearing, grubbing and grading for future sidewalk/path only. See attached report. It is requested by the County that the City make a timely decision to keep the project on schedule for a 2014 construction.

After discussing the design with the consultant, it appears that the cost estimate for alternate 2, 3 and 5 are misleading in that they do not include all grading preparation and right-of-way acquisition necessary, and that an alternate 2 and 3 could approach alternate 4 in cost when the cost of right-of-way and disturbance to the existing properties are included. Alternate 4 can be constructed within existing right-of-way and would be the least disturbance to the property owners on the east side of S. North Cape Road.

OPTIONS

Policy decision

FISCAL NOTE

(See report.)

RECOMMENDATION

Policy decision for direction to be given to Milwaukee County.

JMB/db

Encl.



May 14, 2013

Mr. Brian Dranzik
Director of Administration
Transportation Division/DPW
Milwaukee County Department of Transportation
2711 W. Wells Street, Suite 300
Milwaukee, WI 53208

COPY

RE: JURISDICTIONAL TRANSFER OF THE COUNTY PORTION
OF S. NORTH CAPE ROAD AND S. 68TH STREET

Dear Mr. Dranzik:

Pursuant to your letter of March 20, 2013 relative to the possible transfer of jurisdiction of the County's portion of S. North Cape Road and S. 68th Street to the City of Franklin, please be advised that the Common Council at their regular meeting of April 7, 2013 took the following actions:

- 1.) That the City will accept the jurisdictional transfer after the roadways are reconstructed to a standard acceptable to the City (that on S. North Cape Road the under lying concrete pavement is crushed prior to repaving.)
- 2.) That the City would like to consider the installation of a multi-use path with terrace along the east side of the S. North Cape Road with Milwaukee County furnishing the City with a preliminary design and cost estimate prior to a final decision by the City. Please advise that if the sidewalk is included if the reconstruction of S. North Cape Road can be completed during the 2014 construction season.

If you would provide the City with a draft intergovernmental agreement including the City's cost share of the multi-use path this agreement can be placed on the June 4, 2013 Common Council agenda. In order to have this action placed on the Common Council Agenda the agreement must be received no later than May 29, 2013.

If you have any questions, please feel free to contact me.

Yours very truly,

John M. Bennett, P.E.
City Engineer

JMB/db

cc: Mayor Thomas M. Taylor
Alderman Taylor, Ald./Supervisor
Sandi Wesolowski
Andrea Weddle-Henning

Jack Bennett

From: Andrea.Weddle-Henning@milwcnty.com
Sent: Wednesday, May 29, 2013 2:06 PM
To: Jack Bennett
Cc: Brian.Dranzik@milwcnty.com; 'Clark.Wantoch@milwcnty.com'; Ken Skowronski; Paul.Kuglitsch@milwcnty.com; Steve.Taylor@milwcnty.com; Tom Taylor
Subject: RE: Draft Intergovernmental Agreement for Jurisdictional Transfer of CTH to Franklin - Portions of S. North Cape Rd. and S. 68th St.
Attachments: WH020151 Sidewalk Rough Estimate 5-29-2013.pdf

Hi Jack,

To assist the City of Franklin with their decision on installation of sidewalk on S. North Cape Rd. (CTH J), we requested our design consultant to provide alternatives along with a rough construction estimate of each alternative as attached.

Milwaukee County would need to know as soon as possible the City of Franklin's alternative for sidewalk so that we can move forward with our design of the project accordingly as sidewalk is 100% City of Franklin's cost for installation/construction and maintenance.

We hope that you find this information helpful in making your decision.

Thank,

Andrea J. Weddle-Henning, P.E.
Transportation Engineering Manager
Milwaukee County DOT- Transportation Services
2711 W. Wells St., Suite 300
Milwaukee, WI 53208
Office: (414) 278-4934
Fax: (414) 223-1850
Email: andrea.weddle-henning@milwcnty.com

From: Jack Bennett <JBennett@franklinwi.gov>
To: "Clark.Wantoch@milwcnty.com" <Clark.Wantoch@milwcnty.com>,
Cc: "Brian.Dranzik@milwcnty.com" <Brian.Dranzik@milwcnty.com>, "Andrea.Weddle-Henning@milwcnty.com" <Andrea.Weddle-Henning@milwcnty.com>,
"Paul.Kuglitsch@milwcnty.com" <Paul.Kuglitsch@milwcnty.com>, "Steve.Taylor@milwcnty.com" <Steve.Taylor@milwcnty.com>, Tom Taylor <tom2563@att.net>,
Ken Skowronski <KSkowronski@franklinwi.gov>
Date: 05/20/2013 03:01 PM
Subject: RE: Draft Intergovernmental Agreement for Jurisdictional Transfer of CTH to Franklin - Portions of S. North Cape Rd. and S. 68th St.

The next Common Council date after June 4 meeting will be June 18.

From: Clark.Wantoch@milwcnty.com [<mailto:Clark.Wantoch@milwcnty.com>]
Sent: Monday, May 20, 2013 2:50 PM
To: Jack Bennett
Cc: Brian.Dranzik@milwcnty.com; Andrea.Weddle-Henning@milwcnty.com; Paul.Kuglitsch@milwcnty.com;

Steve.Taylor@milwcnty.com

Subject: Draft Intergovernmental Agreement for Jurisdictional Transfer of CTH to Franklin - Portions of S. North Cape Rd. and S. 68th St.

Jack

We received your letter dated May 14th for the subject transfer, a copy is attached.

Attorney Paul Kuglitsch, with Milwaukee county, will be preparing the agreement document. He is unable to meet the requested deadline of May 29th for the June 4th Franklin Common Council meeting. What would be the deadline for the next Franklin Common Council meeting?

Paul also informed me that the process follows an Annexation of the CTH to Franklin. The jurisdictional transfer is done when two municipalities are involved, not a municipality and a county. The agreement will be written to commit both Franklin and Milwaukee County to approve the Annexation process.

I am sure more details will be provided on the process in the agreement. Paul plans to get you an advanced draft for your review in the hopes of having the final version ready for the future Franklin Common Council meeting.

Your bullet number (2) asked about the impact on the schedule if a multi-use path (sidewalk) were added along the east side of the S. North Cape Rd. project. We do not expect that to be a concern at this time.

If you have any questions, please let me know.

Thanks
Clark Wantoch
Director of Highway Operations
Milwaukee County
w 414 278-4823
c 414 327-5272

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Himalayan Consultants, LLC

Engineers and Hydrogeologists

May 29, 2013

Andrea Weddle-Henning, P.E.
Transportation Engineering Manager
Milwaukee County DOT – Transportation Services
2711 W. Wells St., Suite 300
Milwaukee, WI 53208

Subject: Sidewalk Estimate
S. North Cape Road (CTH J) Reconditioning Project
Hi-View Drive to S. Carroll Circle
Project ID: WH020151

Dear Andrea:

We have looked into the possibility of installing either a 5-foot sidewalk or a 10-foot path along the east side of S. North Cape Road from project limit to project limit. As we discussed, I have broken down the options into five alternatives. The proposed alternatives are:

1. Do Nothing
2. 5-Foot Sidewalk on the other side of the Ditch
3. 10-Foot Path on the other side of the Ditch
4. 5-Foot Sidewalk in an Urban Section
5. Clearing, Grubbing and Grading for Future Sidewalk/Path Only

Using our proposed design of a rural roadway without pedestrian accommodations as the benchmark, I have detailed each alternative, estimated the additional construction cost to the project, and estimated the number of properties along the route that would be affected by each alternative. Please note that this is a rough estimate based on preliminary information to assist City of Franklin in their decision on possible sidewalk/path options. A more detailed estimate can be provided after an alternative has been chosen.

* One significant assumption needs to be stated here. When determining number of properties affected by the alternative, we used the typical distance from the reference line to determine if there was an impact. In Alternatives 2, 3 and 5, the ditch may widen in flat areas to maintain pitch. This widening may cause additional properties to be impacted which cannot be foreseen until we are farther along in the design process.

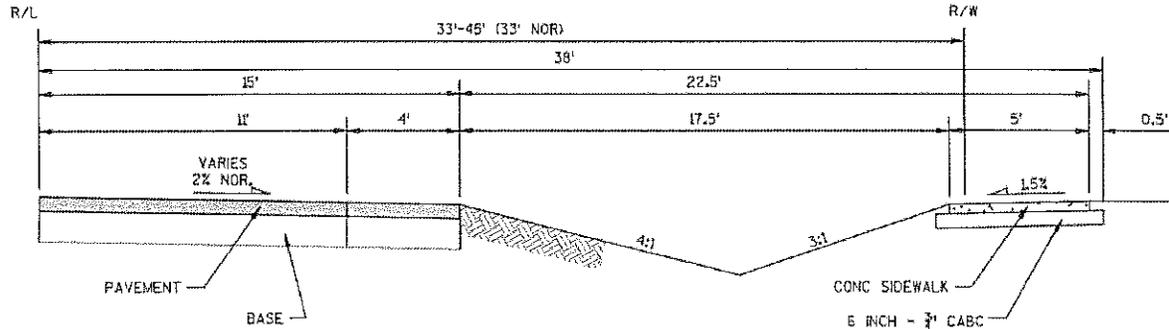
Alternative 1 – Do Nothing

We already have an exemption for pedestrian accommodations from Trans 75 in place. There are no requirements for the County to have to install pedestrian accommodations. So in this alternative, we do not install either a sidewalk or a path. Additional construction cost: \$0. Additional properties affected: 0.

Alternative 2 – 5-Foot Sidewalk on the other side of the Ditch

In Alternative 2, a 5-foot sidewalk is constructed on the other side of the ditch. See typical section below:

ALTERNATIVE #2



We estimate that this alternative will cost an extra \$218,800. See estimate below:

Alternative 2 5-Foot Sidewalk on the other side of the Ditch				
Item	Unit	Quantity	Unit Price	Total
Sidewalk 4-Inch	SF	54,500	\$3.00	\$163,500.00
Base Aggregate Dense 3/4 -Inch	Ton	2,480	\$12.00	\$29,760.00
Clearing	STA	46	\$130.00	\$5,980.00
Grubbing	STA	46	\$105.00	\$4,830.00
Common Excavation	CY	3,030	\$4.00	\$12,120.00
Curb Ramp Detectable Warning Field	SF	80	\$33.00	\$2,640.00
				\$218,830.00

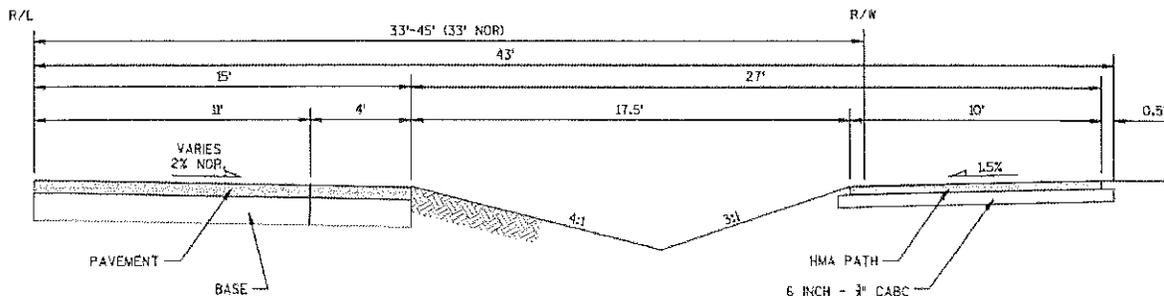
The number of affected properties for Alternative 2 along the corridor would be as follows:

31 FEEs, 67 TLEs

Alternative 3 – 10-Foot Path on the other side of the Ditch

In Alternative 3, a 10-foot path is constructed on the other side of the ditch. See typical section below:

ALTERNATIVE #3



We estimate that this alternative will cost an extra \$303,700. See estimate below:

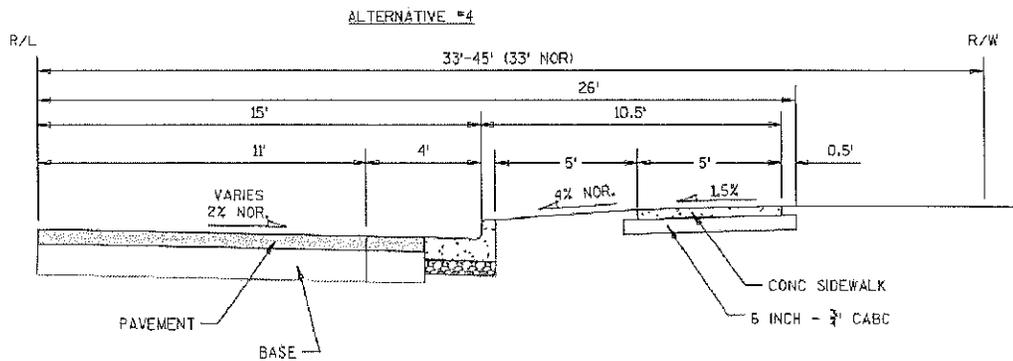
Alternative 3				
10-Foot Path on the other side of the Ditch				
Item	Unit	Quantity	Unit Price	Total
HMA Pavement Type E-1	Ton	2,790	\$52.00	\$145,080.00
Asphaltic Material PG58-28	Ton	170	\$170.00	\$28,900.00
Tack Coat	Ton	300	\$11.00	\$3,300.00
Base Aggregate Dense 3/4 -Inch	Ton	6,830	\$12.00	\$81,960.00
Clearing	STA	46	\$260.00	\$11,960.00
Grubbing	STA	46	\$210.00	\$9,660.00
Common Excavation	CY	5,050	\$4.00	\$20,200.00
Curb Ramp Detectable Warning Field	SF	80	\$33.00	\$2,640.00
				\$303,700.00

The number of affected properties for Alternative 3 along the corridor would be as follows:

67 FEEs, 75 TLEs

Alternative 4 – 5-Foot Sidewalk in Urban Section

In Alternative 4, a 5-foot sidewalk is constructed 5 feet behind the curb of an urban section. See typical section below:



We estimate that this alternative will cost an extra \$740,400. See estimate below:

Alternative 4 5-Foot Walk in Urban Section				
Item	Unit	Quantity	Unit Price	Total
Sidewalk 4-Inch	SF	54,500	\$3.00	\$163,500.00
Base Aggregate Dense 3/4 -Inch	Ton	2,480	\$12.00	\$29,760.00
Common Excavation	CY	3,030	\$3.50	\$10,605.00
Storm Sewer	LF	8,180	\$50.00	\$409,000.00
Manholes	EA	20	\$1,800.00	\$36,000.00
Manhole Covers	EA	20	\$525.00	\$10,500.00
Inlets	EA	55	\$900.00	\$49,500.00
Inlet Covers	EA	55	\$525.00	\$28,875.00
Curb Ramp Detectable Warning Field	SF	80	\$33.00	\$2,640.00
				\$740,380.00

In Alternative 4, the curb and gutter replaces two feet of pavement and there will be less clearing, grubbing and restoration. As a result, the cost of the curb and gutter is offset by the reduction in other items. However, an urban section requires the use of storm sewer, which is a costly upgrade.

The number of affected properties for Alternative 4 along the corridor would be as follows:

0 FEE, 1 TLE

Alternative 5 – Clear, Grub and Grade for Sidewalk/Path Only

In Alternative 5, the County will clear, grub and grade for a future sidewalk or path to be installed by the City of Franklin. Alternative 5A analyzes a future sidewalk similar to Alternative 2. Alternative 5B analyzes a future path similar to Alternative 3.

We estimate that Alternative 5A will cost an extra \$22,900. See estimate below:

Alternative 5A Grading for 5-Foot Sidewalk on the other side of the Ditch				
Item	Unit	Quantity	Unit Price	Total
Clearing	STA	46	\$130.00	\$5,980.00
Grubbing	STA	46	\$105.00	\$4,830.00
Common Excavation	CY	3,030	\$4.00	\$12,120.00
				\$22,930.00

We estimate that Alternative 5B will cost an extra \$41,800. See estimate below:

Alternative 5B				
Grading for 10-Foot Path on the other side of the Ditch				
Item	Unit	Quantity	Unit Price	Total
Clearing	STA	46	\$260.00	\$11,960.00
Grubbing	STA	46	\$210.00	\$9,660.00
Common Excavation	CY	5,050	\$4.00	\$20,200.00
				\$41,820.00

The number of affected properties for Alternative 5 along the corridor would be as follows:

Alternative 5A: 0 FEEs, 67 TLEs

Alternative 5B: 0 FEEs, 75 TLEs

Summary

This estimate does not attempt to quantify the financial cost to acquiring real estate. With the high number of impacted properties, the cost of Alternatives 2 and 3 may approach or exceed the cost of Alternative 4. A real estate specialist should be consulted if Alternatives 2 or 3 are pursued.

Alternatives 1 and 4 are best as far as the project schedule is concerned because they should not delay the project. The plat preparation and real estate acquisition that would be required for Alternatives 2, 3 and 5 could delay the project's completion date.

I hope this information helps the County and the City of Franklin to decide on a course of action. Please feel free to contact me with any questions.

Sincerely,



Paul Jenswold, P.E.
Senior Project Manager

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i> Reports & Recommendations	SUBJECT: Memorandum of Understanding between the Wisconsin Department of Transportation, Wheaton Franciscan Healthcare – Franklin, and the City of Franklin relative to traffic improvements on S. 27th Street (WIS 241) near the intersection of W. Wheaton Way	6/4/2013 ITEM NO. <i>G.8.</i>

BACKGROUND

Pursuant to the construction of a medical office building north of the Wheaton Franciscan Hospital located at S. 27th Street, please be advised that the City approvals required Wheaton to complete a Traffic Impact Analysis (TIA) which was completed and indicated that no additional traffic improvements are required for the first building constructed, but that for the future building traffic improvement may be required such as a traffic signal.

ANALYSIS

Staff has worked with the staff of Wheaton and the DOT to develop a Memorandum of Understanding (MOU) which in general states that no improvements are required at this time, but if in the future the Wheaton development requires traffic improvement, Wheaton will pay the Franklin’s share of said improvements. If a new T.I.A indicated that other new development in the area contributed to the need for improvement, the costs shall be borne proportionately between Wheaton and the other development.

OPTIONS

Approve

or

Table

FISCAL NOTE

No cost to Franklin

RECOMMENDATION

Motion to authorize the Mayor and City Clerk to sign the Memorandum of Understanding relative to traffic improvement on S. 27th Street (WIS 241) in the vicinity of W. Wheaton Way between Wheaton Franciscan Healthcare – Franklin , the City of Franklin and the Wisconsin Department of Transportation.

JMB/sr

Encl.

MEMORANDUM OF UNDERSTANDING

BY AND AMONG WHEATON FRANCISCAN HEALTHCARE-FRANKLIN, INC.; WISCONSIN DEPARTMENT OF TRANSPORTATION; AND CITY OF FRANKLIN

This Memorandum of Understanding ("MOU") is made by and among Wheaton Franciscan Healthcare-Franklin, Inc. ("Wheaton"); the Wisconsin Department of Transportation ("State"); and the City of Franklin ("Franklin"), as of the date of final signature below ("Effective Date").

RECITALS

A. Wheaton is the owner of certain real property ("Wheaton Campus") located generally north of West Oakwood Road, south of West South Branch Boulevard, and west of WIS 241 a/k/a South 27th Street ("WIS 241") in the City of Franklin, within which Wheaton Campus, Wheaton had previously constructed a hospital and is currently constructing a medical office building consisting of approximately 66,000 square feet ("2013 MOB").

B. Incident to approvals to permit the construction and development of the 2013 MOB, Franklin and State required Wheaton to have a traffic impact analysis ("TIA") prepared on the impact the 2013 MOB would have on traffic on WIS 241, including at the intersections of West Wheaton Way and West Ryan Road with WIS 241, which TIA was prepared by Traffic Analysis and Design, Inc. under date of December 10, 2012.

C. WisDOT concluded the existing transportation system can accommodate the 2013 MOB development traffic, and no improvements along WIS 241 are required at this time. Future additional development on either or both of the Wheaton Campus or other lands along WIS 241 located in either the City of Oak Creek or in the City of Franklin, may require improvements at either or both of the West Wheaton Way and West Ryan Road intersections with WIS 241, for which reason, the parties are entering into this MOU.

UNDERSTANDING

NOW, THEREFORE, Wheaton, WDOT and Franklin agree as follows:

A. FRANKLIN/WHEATON RESPONSIBILITIES.

1. Prior to any further development on the Wheaton Campus or on any other property located in the City of Franklin or the City of Oak Creek along WIS 241, the State shall require new or updated TIAs ("New TIA") to be prepared by the developers of such properties to determine the impact of the newly proposed developments on WIS 241 traffic, particularly at the intersections of West Wheaton Way and West Ryan Road.

2. If a New TIA is prepared incident to further development on the Wheaton Campus beyond the 2013 MOB, and there has been no other development along the WIS 241 corridor, which the State concludes based on an accepted New TIA is contributory to the need for intersection upgrades at West Wheaton Way, Wheaton shall be responsible for Franklin's share of West Wheaton Way upgrades. If the New TIA concludes that other developments, in either the City of Franklin or the City of Oak Creek contributed to the need for such upgrades, the cost of the required upgrades shall be borne proportionately by Wheaton and such other developments based on such projected contribution.

B. STATE RESPONSIBILITIES. State shall be responsible to:

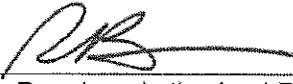
1. Coordinate with Wheaton, Franklin, the City of Oak Creek and/or any other developers of lands along the WIS 241 corridor in reviewing any New TIAs to determine what improvements, if any, are required for the intersections with West Ryan Road or West Wheaton Way by a newly proposed development.

2. Review and issue any necessary permits for required improvements within State right-of-way. All permit work shall conform to the standards of the State's Facilities Development Manual (FDM).

3. Review and approve any required land divisions meeting requirement of state statutes.

This MOU is made as of the Effective Date.

WHEATON:
WHEATON FRANCISCAN HEALTHCARE-FRANKLIN, INC.

By: 
Ron L. Boecker, Authorized Representative and Vice President-
Construction and Facility Services, Wheaton Franciscan
Services, Inc.

Date: May 24, 2013

STATE:
WISCONSIN DEPARTMENT OF TRANSPORTATION

By: 
Sheri Schmit, Southeast Region Planning Chief

Date: May 20, 2013

FRANKLIN:
CITY OF FRANKLIN

By: _____
Thomas M. Taylor, Mayor

Date: May __, 2013

Attest: _____
Sandra L. Wesolowski, City Clerk

Date: May __, 2013

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APPROVAL <i>She</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/4/2013
Reports & Recommendations	SUBJECT: A resolution awarding a contract in the amount of \$17,825.00 to the Wanasek Corporation for the relay of 80 lineal feet of sanitary sewer on W. Candlestick Lane	ITEM NO. <i>69.</i>

BACKGROUND

As a result of televised review of sanitary sewer on W. Candlestick Lane, east of S. Mission Drive, a depressed section (sag) of sewer has been found. The sag can be removed by relaying 80 lineal feet of this 8" sewer. Both W. Candlestick Lane and S. Mission Drive, being part of the 2013 Road Program, will therefore require this relay be performed before repaving.

ANALYSIS

A cost estimate indicated that this project would not exceed \$25,000.

State Statute allows municipalities, if construction cost does not exceed \$25,000, to receive quotes for project construction.

Quotes were received from the following three (3) qualified contractors:

Globe Contractors	\$23,499.00
D.F. Tomasini	\$21,500.00
Wanasek Corporation	\$17,825.00

The low quote received from the Wanasek Corporation in the amount of \$17,825.00 was recommended by staff for award.

To allow for this award, further per State Statute, it is necessary for the Board of Public Works to direct publishing a Class I Notice of its intent to award contract (find notice). As recommended by the Board of Public Works, this notice was published in the May 23, 2013 local paper.

OPTIONS

Approve or deny

The relay needs to be completed prior to August resurfacing.

FISCAL NOTE

Funding for this rehabilitation proposed to be taken from the Sewer Rehabilitation Fund.

RECOMMENDATION

Motion to adopt Resolution No. 2013-_____, a resolution awarding a contract in the amount of \$17,825 to the Wanasek Corporation for the relay of 80 lineal feet of sanitary sewer on W. Candlestick Lane

RJR/sg
 Encl.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2013 - _____

A RESOLUTION AWARDDING A CONTRACT IN THE AMOUNT
OF \$17,825.00 TO THE WANASEK CORPORATION FOR THE RELAY OF
80 LINEAL FEET OF SANITARY SEWER ON W. CANDLESTICK LANE

WHEREAS, the City of Franklin received quotes for the relay of 80 lineal feet of sanitary sewer on W. Candlestick Lane east of S. Mission Drive; and

WHEREAS, the low quote was received from the Wanasek Corporation in the amount of \$17,825.00; and

WHEREAS, the Wanasek Corporation is a qualified public works contractor.

WHEREAS, as recommended by the Board of Public Works, the City placed a Class I Notice of intent to award in its local paper consistent with State Statute.

WHEREAS, it is in the best interest of the City as recommended by the City's staff and Board of Public Works to award a contract in the amount of \$17,825.00 to the Wanasek Corporation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that the Wanasek Corporation be awarded the contract for the relay of 80 lineal feet of sanitary sewer on W. Candlestick Lane.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to execute a contract with the Wanasek Corporation on behalf of the City.

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RJR/sg

CITY OF FRANKLIN

OFFICIAL NOTICE OF PROPOSED
RELAY OF SANITARY SEWER PIPE

Notice is hereby given that the City of Franklin Board of Public Works has recommended to the Common Council the award of a contract to the Wanasek Corporation for the relay of 80 lineal feet of 8" sanitary sewer on W. Candlestick Lane.

Included in the total price is necessary supervision, labor, equipment and materials to relay this pipe.

The total price of this relay being \$17,825.00.

Questions regarding the project may be directed to Assistant City Engineer, Ronald J. Romeis at (414) 425-7510.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/4/13
Reports & Recommendations	SUBJECT: A resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Resolution – Reporting year 2012	ITEM NO. <i>G.10.</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 2012 annual report. There is only minor changes from the 2012 report passed by Common Council on 8/7/12.

ANALYSIS

It is important to meet the stipulation from the DNR that this report be filed electronically on or before July 31, 2013. 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. 2013 - _____, a resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Resolution – Reporting year 2012.

JMB/db
 Enc.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2013 - _____

A RESOLUTION APPROVING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NR-208 COMPLIANCE MAINTENANCE RESOLUTION - REPORTING YEAR 2012

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 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 _____, 2013 by Alderman _____.

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL <i>Slw</i> <i>[Signature]</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/4/2013
REPORTS & RECOMMENDATIONS	Economic Development Staffing & Duties	ITEM NUMBER <i>G. 11.</i>

The attached information is relative to the Economic Development staffing and duties that was requested by the Common Council. Please see the attached memo from the Director of Administration.

COUNCIL ACTION REQUESTED

As determined by the Common Council.

MEMORANDUM

Date: May 31, 2013

To: Mayor Tom Taylor
Common Council Members
FFEDC Members

From: Mark W. Lubberda 
Director of Administration

RE: Economic Development Staffing and Duties

In order to most accurately address a job description for an individual to oversee or direct the economic development efforts of the City on a day-to-day basis, it is necessary to identify what will be the duties of the job. In short, the potential range of economic development tasks is very broad and identifying the intended scope can help to more closely align an individual with the position. Additionally, in conjunction with establishing the duties of the job, one must determine the best manner in which to fit the individual into the organizational structure of the City. In other words, is economic development to be someone's only duty, their primary duty, a secondary duty, or one of many duties? On that point and in order to put such organizational structure issues in perspective, a brief survey of other communities was conducted. Next, this memo provides some background information concerning economic development planning as addressed in the 2025 Comprehensive Master Plan, which provides a discussion on potential economic development duties. Lastly, some job description options are presented for discussion purposes, pending further guidance on the anticipated economic development duties.

Community Approaches to Economic Development: To help in evaluating a strategy for considering the need for economic development staff for the City of Franklin, a brief survey was conducted of Milwaukee area communities and other Wisconsin communities generally between 29,000 and 65,000 people. For each community we attempted to ascertain where in their organizational structure economic development was addressed, any relationships with private economic development organizations, and salary levels for senior economic development staff. Information is provided to the extent it was available from the various communities and to the extent that it provides a variation in perspective or a clarification of their strategy or methodology.

The following communities were contacted and asked to participate.

Milwaukee County:	Greenfield	Cudahy	Wauwatosa
	Oak Creek	Greendale	West Allis
	South Milwaukee		
Other Milwaukee Area:	Menomonee Falls	New Berlin	Brookfield
Other Similar Population:	Manitowoc	Wausau	Beloit
	West Bend	Sheboygan	Fond du Lac
	Janesville	Sun Prairie	

[Note: For convenience, Attachment A summarizes these descriptions even further, but I strongly encourage you to read the brief, but more detailed, descriptions below in order to more fully understand how economic development is addressed. These longer explanations below may help avoid any gross oversimplification represented in Attachment A.]

The communities are sorted based upon a broad categorization of their approach to economic development.

Economic Development Director:

Wauwatosa (46,320): The Economic Development Director reports to the City Administrator and “collaborates with the Economic Development Advisory Commission, the Wauwatosa Economic Development Corporation, the Wauwatosa Revolving Loan Fund, the Community Development Authority, and other City Boards and Commissions.” The current salary is \$108,182.

Sun Prairie (29,840): The Director of Economic Development heads the Economic & Community Development Department, which the website refers to as the Office of Economic Development. Economic Development is separate from the planning area. The Director of Economic Development also oversees the Media Center (cable TV), tourism, and the Business Improvement District. It is a one person office. The salary range is \$63,482 to \$88,875.

Cudahy (18,247): Director of Economic Development, Inspection, and Zoning. The salary range is \$65,000 to \$80,000. Cudahy does have a Community Development Authority.

Part of Planning &/or Community Development:

Sheboygan (49,110): The Director of Planning and Development heads the Department of Planning and Development and is responsible for economic development and his 5 additional professional staff. (The position of Development Manager was just renamed to the Director title this year.) Among other things, the job description indicates that the position also serves as the Executive Director of the Redevelopment Authority, administers the Economic Development Loan Program, directs TIF development, and serves as technical advisor to the Housing Rehabilitation Committee, the Plan Commission, and the Industrial Development Commission. The salary range is \$79,140 to \$118,709.

Oak Creek (34,530): The Director of Community Development heads economic development through the Department of Community Development, which also includes planning and zoning, but not engineering or building inspection. They are largely reactionary and do not have the staff to chase new business development, as they only have two additional professional staff. As such, the Director’s time is split between planning, zoning, and economic development, with strict economic development, traditionally, receiving the smaller percentage of work. The Director does staff the CDA which is chaired by the Mayor. The CDA has not been exceedingly active in the past, but recently they have developed marketing materials associated with the City’s new branding effort. Additionally, it is expected that the CDA will pursue a contract with an individual to perform business generation tasks and chase business development. Additionally, the City is undertaking a public/private partnership with WE Energies, using WisPark, who has an obligation to invest 20 million dollars into the community and projects in the community. WisPark is using their economic development and

land acquisition expertise, while the City creates TIFs and assists with land acquisition. This strategy will be used to develop the lake front, Oakwood Business Park, and the Drexel Town Square. The Director's salary range is \$81,475 to \$90,490.

Greenfield (36,740): The Community Development Manager "manages and supervises community development operations" and "coordinates development proposal review," but economic development is not specifically listed. The Director also oversees building inspection. The salary range is \$71,768 to \$82,356.

West Allis (60,300): The Director of the Department of Development "supervises the management of three divisions in the Department of Development which comprises Housing, Economic Development and Planning and Zoning" and serves as the Executive Director to the West Allis Community Development Authority. This position also "implements the activities of the Overall Economic Development Program." The salary range is \$93,454 to \$116,813. The Director has a Community Development Manager who "coordinates the City's community and neighborhood revitalization programs as related to economic development" and "manages economic development activities including business recruitment and retention efforts, community promotion, business courtesy visits, economic development financial assistance programs" and "provides staff support [to] the Community Development Authority, Tax Increment Joint Review Board, Business Improvements District, Economic Partnership Committee, and the Economic Development Loan Task Force." The Community Development Manager's salary range is \$66,539 to 83,179.

New Berlin (39,770): The Director of Community Development runs the Community Development Department which includes planning, engineering, building inspection, storm water utility, and GIS. The Director only spends about a quarter of his time on economic development, but one of his two associate planners spends most of her time on economic development, largely performing marketing tasks like preparing their Economic Development Newsletter. Their CDA is an historical board that is not currently very busy, and they have no active TIFs and only spend a little of time on retention.

Wausau (39,160): Community Development Director in the Community Development Department. Their website indicates that "The Community Development Department activities center on Housing, Economic and Community Development, and Redevelopment. The Department, including the Community Development Authority, has an approximate \$4M annual budget which is financed primarily through [HUD] and is staffed by 12 full and part time employees...The Community Development Authority manages elderly and disabled public housing." The job description lists a very broad range of economic development related duties. The salary range is \$67,745 to \$94,898, and the incumbent is at the top of the range.

West Bend (31,380): The Director of Development is the economic development director, but he is also currently serving as the interim City Administrator. The salary for the position is currently \$90,000, which includes acting City Administrator pay. The Director oversees the Office of City Planning, the Office of Economic Development, and the Office of Building Inspection, as well as the Airport, GIS, Building Maintenance, TIF administration and the Revolving Loan Fund.

Roles Split Between Municipality and Private Corporation:

Fond du Lac (43,100): Fond du Lac contracts with a county-wide Fond du Lac County Economic Development Corporation for all external advertising and contacts. The FCEDC, for example, handles all WEDC site requests. All internal economic development such as industrial park development and redevelopment issues are handled by the Community Development Department, which handles planning, zoning, rehabilitation, building inspection, downtown parking, and the Senior Center. The salary range for the Director, who has been there 22 years, is \$98,723 to \$126,930.

Beloit (36,850): The Greater Beloit Economic Development Corporation (GBEDC) is a non-profit organization with an office in City Hall and in the downtown. The two employees were included in the compensation study performed for the City. The Economic Development Director is in the same salary range as the Community Development Director: \$83,900 to \$138,400. Part of the GBEDC's role is to sell Beloit once a business has already determined it is interested in Rock County in general. (See Rock County 5.0 for a description of the Rock County partnership.)

Janesville (63,480) Janesville is currently in a period of transition due to turnover. Since 1989 and until recently, Janesville had an Economic Development Director separate from the planning function. The department focused on TIFs, downtown revitalization, and industrial development. One of their more significant duties was negotiating TIF agreements. The long-term individual had a salary of approximately \$105,000, which after his retirement the position was rehired in the \$95,000 to \$100,000 range. The position is again vacant but is being retooled into two Economic Development Coordinator positions with an advertised salary of \$49,768 to \$71,617. It is anticipated that both will report to the Assistant City Manager. The extra body will provide more staff to increase efforts toward downtown revitalization and environmental remediation. (See Rock County 5.0 for a description of the Rock County partnership.)

"Rock County 5.0 is a five-year public / private initiative to advance Rock County's economic development vision through a single voice. This vision, which has been developed through various interrelated local and/or countywide plans, represents a holistic approach to repositioning and revitalizing our economy. By working together as one community, we have the ability to leverage ideas and resources." (From their website) 5.0 is a strategic economic development partnership capitalized through Federal EDA money, as well as private corporations, chambers, and the various municipalities in Rock County. They focus on marketing, prospect development, and selling Rock County and coordinating business visits to the County. Each community then tries to sell itself once a prospect has targeted Rock County in general.

Manitowoc (33,750): The City Planner in the Planning Department directs internal economic development efforts and maintains any TIFs and the economic development loan and tax credit programs, which are oriented toward encouraging investment and attracting private and public capital into the community and offers general business support services to support the expansion of businesses. With his background and 26 years of experience, he negotiates and drafts various economic development agreements, loan documents, and closing documents, which is a more advanced skill level than the average economic development leader. In 2011, Building Inspection

and Assessing were added under him, which, in conjunction with staffing cuts, caused the elimination of their long-term, previous efforts on housing programs. Projects are now triaged and dealt with on a priority basis. The Planner's salary range is \$75,691 to \$102,814.

Manitowoc also uses a private Economic Development Corporation Manitowoc County (EDCMC), which is not a County department but is a non-profit organization. The EDCMC lists three cities and nine villages that participate, as well as dozens of private investors. They indicate three primary areas of effort: Entrepreneurship for new businesses including finding space, financing, assistance with business plans, etc; existing business support such as help with training needs or addressing space issues; and working with Site Selectors looking for a piece of property. To existing businesses they promote the following: "Our free and low cost expert consultative support to existing and new businesses in Manitowoc County add up to the solutions and services you need to: locate financing and incentives options, track down available sites and buildings, guide you in workforce solutions, productivity, and environmental issues." They also do work in the high schools to promote manufacturing, bring in business development speakers, and are beginning a five county collaborative industry cluster development project. Their EDCMC Executive Director makes about \$85,000 plus bonuses.

Brookfield (37,870): The Director of Community Development runs the Department of Community Development, but the Economic Development Coordinator, with an extensive economic development background, largely addresses the day-to-day economic development matters. The department also has a Neighborhood Planner and administrative staff. The Director probably spends only 10 to 20 percent of his time on economic development matters with most of that being larger development issues that are overlapping issues between economic development and general development/planning. The economic development component is largely supported through the Hotel Room Tax, which brings in about \$2,000,000 per year. There is a CDA which is not currently very active. Business retention is a big part of their focus. A revolving loan fund is largely administered by a third party administrator (Business Lending Partners, an arm of the Racine County EDC). The Waukesha County Economic Development Corporation, M7, and WEDC largely do the external promoting. The City will partner with the WCEDC and combine funds into one loan to help attract or retain businesses as needed, again a third party administrator manages the loan. The Director of Community Development's salary range is \$91,166 to \$118,516, and the Economic Development Coordinator's salary range is \$60,747 to \$78,972.

Menomonee Falls (35,680): The Director of Community Development oversees the Department of Community Development, but the Planner/Economic Development Specialist addresses most economic development issues on a day-to-day basis. Depending upon the size of the project the Director and/or City Manager would also be directly involved. The small staff has largely been reactionary and has largely focused on redevelopment efforts. For example, the Economic Development Master Fund and Revolving Loan Fund largely provide smaller loans (>\$40,000) for façade updates and remodeling to accommodate new tenants. The CDA is a separate body to which they simply serve as staff, with the City Manager doing most of the direct presentations to the CDA. The Department does not include zoning or inspection.

External marketing is largely left to the Waukesha County Economic Development Corporation.

Economic Development Corporation or Private Organization:

South Milwaukee (21,103): The Community Development Authority is responsible for economic development and public housing. The Director of the CDA is not a City employee but, rather, works for the CDA. The Director spends three-quarters of her time maintaining public housing and only about a quarter on economic development. The salary range for the position is \$63,792 to \$82,018.

City Manager's Office:

Greendale (14,123): No specific delegation or designation of economic development responsibility appears to have been made, as such the City Manager retains such authority and responsibility.

Anecdotal Input from Economic Development Professionals: As part of the survey of positions laid out above, I had an opportunity to speak with a number of the individuals performing the economic development duties in the various communities. Following are some themes or highlights of those discussions that may merit consideration as the City considers its options moving forward.

Departments are forced to be reactionary. There was a significant consensus that reduced staffing levels, limited resources, and the broad scope of tasks forced economic development officials to be largely reactionary as opposed to proactive. The most proactive activities seemed to be packaging land together so that it would be ready and available when opportunity knocked. Most directors believed their boards wanted them to be more proactive and that the boards did not fully grasp the reality that staffing and resource levels forced them to be reactionary and to heavily prioritize what gets done and who gets attention. As such, caution was frequently suggested in being realistic as to what can be accomplished relative to the resource levels dedicated.

New business development is not a primary function at the individual municipal level. Almost uniformly, economic development staff were not out pounding the pavement, cold calling, and attending trade shows to attract potential businesses to their community. If a community had this function it was being performed by a separate economic development corporation which in almost every instance was a partnership organization serving a broader geographic area, most commonly a county-wide function.

Business retention is time consuming. Careful consideration needs to be made of the role that business retention is to play in a community's economic development plan. Business retention isn't as flashy as new business development, and it is difficult to measure or prove success because one can't be sure what business would have been lost but for the retention efforts. Brookfield, for example, has an annual work plan that expects 80-100 on-site business contacts, problem resolution services, completion of an Annual Survey of Businesses, and 8-10 digital economic development newsletters. That is a significant amount of work – and therefore resources – invested in business retention economic development that, one could argue, is not generating one new job or one new tax dollar.

Promotion and marketing is a distinct talent and distinct effort. Newsletters, twitter feeds, websites, brochures, and similar items take a significant amount of time to produce and a budget beyond salaries. Their development, however, can benefit from specialized skill sets. Almost

uniformly, the economic development staff had planning backgrounds, whereas promotional materials, one could argue, require marketing or public relations backgrounds. Many individuals develop this skill set, but it may not be automatic to someone who is otherwise a very competent economic development professional. A community might wish to consider down-playing the expectation of direct development of promotional materials as part of a job description, and establish a budget to contract for that skill set separately. Although this requires budgeted resources, it does free up staff time for other economic development functions.

Skill sets vary. Multiple individuals indicated they had been performing such duties for over 20 years, so they were drafting their own development agreements, land offers, etc. Others negotiated concepts but relied heavily upon legal support to prepare the final language of various agreements. This more technical skill set seemed to correlate with higher salaries as well. The skill set of the economic development staff, therefore, needs to be considered not only in drafting the job description but in setting the salary and in anticipating the budget and time involvement of attorney support.

Small business versus big business. Work loads and tasks varied greatly depending upon which targets were being pursued. For example, multiple communities established revolving loan funds to support small businesses and focused on \$15,000, \$25,000, or \$40,000 maximum loans. These are start up loans that are likely filling smaller store fronts. The resources needed are smaller – one community capitalized the initial fund with only \$100,000 the first year – but the workload and skill sets are different. A staff member in this roll may be more of a business development specialist that assists them in putting together a business plan, helps them work with a bank to get financing, coordinates with the SBA, etc. Such tasks can be very labor intensive. Many people argue, however, that keeping store fronts occupied and vacancy rates down will promote new development, thus justifying the investment. The background of such a business development individual might not be planning.

“Planning” was sacrificed. Economic development staff who also supervised planning noted that actual “planning” suffered in order to accomplish economic development duties. They noted that boards often saw reactive economic development as a more pressing immediate need and, therefore, very little traditional urban planning was being performed. The caution they offered was that economic development needs to occur within a logical framework of good urban planning to avoid bad results where a good development ends up with a bad planning impact, often after the fact.

Franklin’s Economic Development Planning Background – The Comprehensive Master Plan:

Guidance on the expected economic development related tasks for any such position can be found in “Chapter 4: Economic Development” of the City’s 2025 Comprehensive Master Plan (“2025 CMP”). We know at a very high level the three overall guiding principles of the City’s economic development effort are as follows:

“Promote a high quality community for residents and businesses alike,
Create jobs for a growing population, and
Stabilize and expand a diverse tax base.” (2025 CMP, p.4-7)

The 2025 CMP expands on these three guiding principles by offering 9 economic development goals and objectives, which are summarized below and described more fully on pages 4-7 to 4-9 of the 2025 CMP:

- “Pursue and achieve business attraction, retention, and expansion”
- “70/30 ratio of residential to commercial assessed valuation”
- “Balanced Development” or “promoting business development to enhance the tax base while promoting residential development to meet citizen demands for residential housing”
- “High Quality and High Value Development”
- “Expand and stabilize the current economic base”
- “Create a range of employment opportunities [jobs] at the state, regional, and local levels.”
- “Redevelop lands with existing infrastructure and public services and maintain and rehabilitate existing residential, commercial, and industrial structures”
- “Decrease homeowner’s tax burden through quality non-residential development”
- “Establish an economic development program that can effectively react to requests for information from potential developers and proactively work to recruit business to the City”

The 2025 CMP recognizes that these 9 goals and objectives need to be addressed in an organized, prioritized fashion. As such, the 2025 CMP states that “To ensure that progress is made toward the economic development goals and objectives, the City must establish an Economic Development Program and an Economic Development Plan [EDP].” (p. 4-46) Relative to the EDP the 2025 CMP indicates on page 4-49 the two following policies of the City.

“It shall be the policy of the City of Franklin that the City shall develop and maintain a written Economic Development Plan that comprises the action plan for economic development, addressing business retention and attraction and any other aspect of the components of economic development as determined by the Common Council.”

“It shall be the policy of the City of Franklin that the stated purpose of the EDP, unless further clarified or established by the Common Council, shall be ‘to promote long-term economic growth through attracting, landing, retaining, and expanding businesses, fostering and increasing employment, and expanding the local tax base.’”

The significance of this effort is emphasized in the 2025 CMP on page 4-50 where it indicates that “The strategy or activity of developing a written Economic Development Plan (EDP) is essential, because it is generally accepted within the economic development community that in cities with a written EDP, the economic development efforts are more effective and efficient and are better measured and monitored.” It cautions, however, that “the EDP must remain fluid and flexible, both proactive and reactive. It must be able to be frequently modified to reflect current City and market conditions.”

Rounding out the concept of an EDP, the 2025 CMP sets forth a series of strategies and activities that should be included in or considered by the initial EDP. Although an initial EDP has not yet been developed, those strategies and activities are set forth in Attachment B for your convenience. Lastly, the 2025 CMP identifies an example of “Performance Measurements for Economic Development” based upon the proposed strategies and activities as noted. Monitoring the progress will be an important component of ensuring the investment is achieving the intended results and of ensuring the strategies are periodically aligned with or realigned to identifiable and achievable goals.

Economic Development Position: The discussion above is important because understanding the framework for the position is critical for Human Resources to identify the experience, knowledge, and skills required for a person to succeed in a position. Along that same line, if the City doesn’t define its expectations for the position, the City could easily hire a person who becomes dissatisfied with the job and leaves after a very short tenure. For example, if the job becomes more focused on business retention, development of inventories and databases, and reacting to prospective businesses, then a

new employee who was expecting to develop more proactive marketing pieces and travel to trade shows and meet with site location consultants is not likely to stay in the position long. Similarly the skill sets and experience required – and the likely salary requirements – will be very different for a free standing economic development individual than a Director of Community Development that is also overseeing planning, and possibly engineering and/or building inspection.

Therefore, in developing a job description and in considering hiring economic development staff the following are the first two questions that need to be addressed:

1. **What is the desired organizational span of control?**
2. **What are the expected duties of the position, both in economic development and in any other functional area?**

These two questions strongly suggest that prior to drafting a first job description some preliminary determination of the scope of an economic development plan be addressed, such as that already discussed in the 2025 Comprehensive Master Plan, and attached as Attachment B. A brief look at Attachment B quickly reveals an additional reason that developing an EDP with priorities is important to the development of the job description: attempting to accomplish everything listed in Attachment B might simply not be possible for one person. As discussed above, developing relationships with existing businesses through regular contacts in order to promote business retention can be very time consuming. Should this be part of our economic development strategy? Similarly, developing and maintaining the inventories and databases needed to help sell Franklin to prospective new businesses and turning that information into effective marketing tools could be an all consuming position.

In short, economic development is such a broad topic with such a broad range of potential strategies and programs that simply hiring economic development staff prior to identifying the intended scope and priorities of economic development efforts could become very problematic. In such an instance, it would be difficult for the individual to know if they are being successful and there could easily be competing opinions on the Common Council as to the effectiveness of the individual.

Given these parameters, **the attached job description, Attachment C**, which should be considered a draft pending further input from the Common Council, focuses on the 2025 CMP identification of the need to develop an EDP and the preliminary tasks identified in the 2025 CMP. This task, in and of itself, could be very time consuming during the first year. After that, the individual might find themselves developing separate individual programs like an Ombudsman Program or an Ambassador Program, or developing marketing materials, or traveling to trade shows. The attached job description (Attachment C) has been written broadly enough to incorporate all of these things. It should, however, be recognized that the individual initially hired might not have been selected based upon the education, experience, skills, and knowledge that would be best suited for the set of duties and goals ultimately identified in the EDP. The title itself is not immediately significant, but it should be noted that the description is written as if it were a separate economic development position.

As an alternative to Attachment C, the following very broad economic development language can be incorporated into any job description to give the individual an overall responsibility for economic development without calling out in great detail any specific tasks or programs that the individual needs to perform. Applying this approach could be an interim step while an EDP is being prepared. Once an EDP is prepared it will be possible to target job description language to specific employee types and hire directly for specific education, experience, skills, and abilities. Two options are offered. The first has a

greater level of detail of the broad nature of economic development services. The second simply references economic development in general.

OPTION 1: "Administer and coordinate economic development for the City, including the retention and recruitment of businesses, by developing and implementing a city-wide Economic Development Plan, by promoting the City through various means including preparing marketing and informational data and materials, by representing the City as a primary contact for business representatives, and by implementing and directing economic development programs as established by the Common Council."

OPTION 2: "Administers and coordinates economic development projects, programs, and planning initiatives for the City."

For example, either of the above text options could be added to the City of Franklin's existing job description for a Community Development Director, which does not very specifically address economic development. The job description has been attached for your convenience (Attachment D).

In addition to adding the language in Option 1 or 2, if the Common Council pursued this strategy, consideration should then be made to adding specific reference to any existing project area that was to be assigned as part of the economic development function. For example, coordination with the FFEDC, 27th Street, CDA, or TIFs could be added, depending upon what was the intent of the Common Council.

Lastly, If the Common Council believes there is a pressing need to commence "economic development" in a manner exceeding our current efforts and that it must be done prior to developing an EDP or prior to some clear identification of tasks or goals, then three main alternatives are apparent.

- 1. Contract for economic development services**, likely addressing both a fixed price for development of an EDP and a per hour cost for other reactive and proactive services (development of marketing materials, responding to potential business development requests, etc.)
- 2. Hire an individual with economic development experience.** As is being set up in Janesville, such a person would likely work directly under the chief executive officer (in our case the Mayor). Such a delegation allows for immediate action by the current board, while giving the staff member the perceived authority of the Office of the Mayor, which many developers like. (Developers like to know that they are working with somebody who has the authority to actually help them and can, to some extent, speak for the City.) At the same time, the individual can also oversee development of the EDP to more clearly identify the long-term intent of economic development.
- 3. Reinstitute a Director of Community Development** and assign economic development back to planning. This would reinvigorate the notion of a Department of Community Development. The majority of communities have followed this approach, but recall, as noted above, nobody is doing it successfully with a strong, proactive large business development effort. Additionally, communities recognize that such a delegation comes at a price of reduced "planning," which can include everyday planning such as site reviews and detailed reviews of development proposals.

Wage Summary: The following table summarizes the wages for the positions identified above in the “Community Approaches to Economic Development.” One can pretty much assume that the positions received standard benefit packages, which runs approximately 35 to 40 percent of annual wages.

	50,000	60,000	70,000	80,000	90,000	100,000	110,000	120,000	130,000	140,000
Wauwatosa (Pop. 46,320)	→ \$108,182 Econ. Dev. Director									
Sun Prairie (Pop. 29,840)	→ \$63,482 to \$88,875 Dir. of Economic									
Cudahy (Pop. 18,247)	→ \$65,000 to \$80,000 Dir. of Econ. Dev., Inspection, &									
Sheboygan (Pop. 49,110)	→ \$79,140 to \$118,709 Director of Planning & Development									
Oak Creek (Pop. 34,530)	→ \$81,475 to \$90,490 Dir. of Community Development									
Greenfield (Pop. 36,740)	→ \$71,768 to \$82,356 Comm. Development Manager									
West Allis (Pop. 60,300)	→ \$93,454 to \$116,813 Dir. of the Dept. of Development									
	→ \$66,539 to \$83,179 Community Development Mgr.									
Wausau (Pop. 39,160)	→ \$67,745 to \$94,898 Community Development Dir.									
West Bend (Pop. 31,380)	→ \$90,000 Dir. of Development (includes pay serving as Interim City Admin.)									
Fond du Lac (Pop. 43,100)	→ \$98,723 to \$126,930 Dir. of Community Development									
Beloit (Pop. 36,850)	→ \$83,900 to \$138,400 (Same range for both positions) Economic Dev. Director & Community Development Director									
Janesville (Pop. 63,480)	→ Approx. \$95,000-\$100,000 Econ. Dev. Director									
	→ \$49,768 to \$71,617 Restructuring to 2 Econ. Dev. Coordinator Positions									
Manitowoc (Pop. 33,750)	→ \$75,691 to \$102,814 City Planner									
	→ \$85,000 + Bonuse Also uses Executive Director of Econ. Dev. Corporation Manitowoc County (EDCMC)									
Brookfield (Pop. 37,870)	→ \$91,166 to \$118,516 Dir. of Comm. Development									
	→ \$60,747 to \$78,972 Economic Dev. Coordinator									
South Milwaukee (Pop. 21,103)	→ \$63,792 to \$82,018 Director of the CDA (non-City Employee)									
Franklin (Pop. 35,520)	→ \$83,304 to \$116,619 Community Development Director									
	→ \$57,920 to \$75,295 Planning Manager									
	→ \$51,450-\$66,885 Senior Planner									

Footnote:

New Berlin (Pop. 39,770) - Director of Community Development - no salary data available.

Menomonee Falls (Pop. 35,680) - Dir. of Community Development & Planner/Econ. Dev. Specialist & Waukesha Co. Econ. Dev. Corporation - no salary data available.

Greendale (Pop. 14,123) - City Manager - no salary data available.

Additional Notes:

1. If the Common Council perceives that there is time for a ready-aim-fire approach, the Common Council might consider contracting with a firm that can assist the City in the initial step of developing an Economic Development Program as called for the 2025 CMP. As a one-time project, cash reserves or contingency funding would not be an inappropriate source to fund such an endeavor. Depending upon the extent of the project, prior discussions might suggest of cost of \$25,000 to \$40,000, with \$50,000 to \$80,000 for a more elaborate, in-depth plan.

2. An additional argument for a separate economic development function or staff. It was already noted above that Directors of Community Development reported that including economic development under the same umbrella as planning, negatively impacted planning. Wauwatosa, Janesville, Beloit, and Sun Prairie already establish such offices separately. Similarly, Oak Creek anticipates contracting out the service in order not to pile the duties onto Community Development and to keep the duties separate. There was a recent period of about a year where Franklin operated in that fashion. Prior to eliminating the position of the Director of Community Development there was a period where Planning was moved out from under the span of control of that position.

During that period, I saw a very positive dynamic that I believe was beneficial to the process and assisted in keeping a positive relationship with potential developers. Planning staff had to continue to “negotiate” with developers during the plan review stage trying to get site and building improvements and, at times, had to recommend to the Plan Commission for further improvements, or even recommend denial. The role of Planning is an adversarial one that demands them to impose the requirements of the Municipal Code and the UDO. In short, at times they have to be the “bad cop.” The Community Development Director, however, was able to be an advocate for the business and focus on the benefits of the development potential. I believe having a “good cop” helped maintain an overall positive relationship, even when there were concerns with the site plan or development proposal.

3. IMPORTANT: The City of Franklin is already doing Economic Development. Franklin has not ignored or passed up opportunities that have come to our attention. They Mayor has engaged the necessary staff to address each potential that became evident and has proactively pursued some that were not so evident. When the WEDC ran a blind test or experiment of the ability of communities to respond to site selection requests, called “The Request for Information Process Improvement Project” or project Apollo, City staff quickly mobilized and submitted proposal materials within the deadline and, ultimately, received a respectable score from the WEDC of a 3.125 out of 4 for our package. Also, the City restructured its Economic Development Commission into the FFEDC, which has participated in development of new promotional materials and established a new website for the purpose of Economic Development and community promotion. The 27th Street Project is still active, and recently the City has undertaken steps to expand the TIF along 27th street, which is clearly an economic development effort. In the last couple of years the City revamped its initial development review process to aid developers. Additionally, it is hard not to categorize the massive staff, council, and board and commission effort that went into the Ryan Creek Interceptor as anything short of an economic development success. That project alone will dramatically influence further economic development over the next 50 years.

Conclusion: The summary of community approaches to economic development is useful in providing perspective, but it does not provide a definitive solution. It is clear that long-term, proactive, business generation programs are not common. Ultimately, writing a job description focused on or that incorporates economic development will not be difficult. I have provided examples or strategies that could be used, and the job descriptions for most of the other communities referenced are available for review if you are interested. The difficult challenge is defining more precisely what one means when they say “economic development.” At that point a job description that clearly identifies the duties to be performed and targets the appropriate education, experience, and skill set can be drafted. Hopefully, this memo has provided you with sufficient information to begin to address those parameters.

For the purpose of convenience, the following VERY briefly summarizes and categorizes the approaches used to address economic development and each respective community's population; however, I strongly encourage reading the brief, but more detailed, descriptions in the body of the memo in order to more fully understand how economic development is addressed in each community. Those longer explanations may help avoid any gross oversimplification.

Economic Development Director:

Wauwatosa (46,320) Economic Development Director, \$108,182.
 Sun Prairie (29,840) Director of Economic Development, \$63,482 to \$88,875.
 Cudahy (18,247): Director of Economic Development, Inspection, and Zoning, \$65,000 to \$80,000.

Part of Planning &/or Community Development

Sheboygan (49,110) Director of Planning and Development, \$79,140 to \$118,709.
 Oak Creek (34,530) Director of Community Development, \$81,475 to \$90,490 CDA pursuing a contract with an individual to perform business generation tasks and chase business development and a public/private partnership with WE Energies/WisPark.
 Greenfield (36,740) Community Development Manager, \$71,768 to \$82,356.
 West Allis (60,300). Director of the Department of Development, \$93,454 to \$116,813, with a staff Community Development Manager, \$66,539 to 83,179.
 New Berlin (39,770) The Director of Community Development with an Associate Planner who largely does Economic Development marketing.
 Wausau (39,160) Community Development Director, \$67,745 to \$94,898.
 West Bend (31,380) Director of Development (\$90,000, which includes acting City Administrator pay).

Roles Split Between Municipality and Private Corporation:

Fond du Lac (43,100) Director of Community Development, \$98,723 to 126,930, and a contract with the Fond du Lac County Economic Development Corporation for all external advertising and contacts.
 Beloit (36,850) An Economic Development Director and a separate Community Development Director. Both at \$83,900 to \$138,400. Community promotion through the Greater Beloit Economic Development Corporation (GBEDC) and Rock County 5.0.
 Janesville (63,480) Currently restructuring to two Economic Development Coordinator positions, \$49,768 to \$71,617, under the Assistant City Manager. External marketing and business generation through Rock County 5.0.
 Manitowoc (33,750) City Planner, \$75,691 to \$102,814, and the Economic Development Corporation Manitowoc County (EDCMC) (Executive Director \$85,000).
 Brookfield (37,870) Director of Community Development, \$91,166 to \$118,516, with an Economic Development Coordinator, \$60,747 to \$78,972. The Waukesha County Economic Development Corporation, M7, and WEDC largely do the external promoting.
 Menomonee Falls (35,680) Director of Community Development and a Planner/Economic Development Specialist. External marketing is largely left to the Waukesha County Economic Development Corporation.

Economic Development Corporation or Private Organization:

South Milwaukee: Director of the Community Development Authority, \$63,792 to \$82,018, not a city employee.

City Manager's Office:

Greendale (14,123): No specific delegation or designation of economic development responsibility appears to be made.

~~The strategy or activity of developing a written Economic Development Plan (EDP) is essential, because it is generally accepted within the economic development community that in cities with a written EDP, the economic development efforts are more effective and efficient and are better measured and monitored. Frequent review and amendment of the EDP is also essential because of the full breadth of potential efforts, activities, strategies, and programs that could be considered under all of the five general components listed above. As previously noted, the EDP must remain fluid and flexible, both proactive and reactive. It must be able to be frequently modified to reflect current City and market conditions.~~

~~At the same time, the City must evaluate its resource capabilities, evaluate the market and business environment, and consider its current position and desired position against standards for each of the five economic development components. Using that information, the City can develop an Economic Development Plan (EDP) that, presumably, tackles the biggest problems first and invests resources, both time and money, where they can have the largest or most effective impact. The EDP and the related efforts are then monitored over time and periodically modified and updated to ensure that the City's economic development efforts remain appropriate based upon the City's ability to pay and the community and business community's needs.~~

The Initial Economic Development Plan

As previously noted, the City of Franklin has, in fact, been proactive in planning for future growth and economic development. The community commissioned the Franklin First Economic Development Strategic Plan (Ticknor, 2000) then began implementation through further study with Franklin First Development Plan (R.A. Smith, 2001). These studies provided local leaders with insight and fiscal data necessary to actively promote economic development through the use of tax increment financing. These documents will to serve as useful guides for developing the initial EDP as they provide a starting point to ensuring the EDP reflects local agreement on a shared vision and shared values.

The Economic Development Program of the City of Franklin shall be set forth in the initial Economic Development Plan which shall be completed by December 31, 2010 and, at a minimum, shall include or consider the following strategies or activities.

- Develop a specific formula for calculating the 70/30 ratio. This is necessary because there are property types other than just business and residential categories and because some properties, such as large apartment buildings, are classified by the state as business, while their core function is residential in nature.
- Develop and maintain a written Ambassador Program targeted at retention of existing businesses by establishing and maintaining lines of communication through direct contact and marketing, including planned visits to corporate executives, hosting special events, etc.

- Develop and maintain an Ombudsman Program targeted at assisting new development through the planning and approvals process of the City concluding with a mutually acceptable project, where appropriate.
- Develop new business development strategies such as promotional materials, revolving loan funds, conference and site visits, etc.
- Develop a web-based marketing and promotional application.
- Develop and implement a strategic planning process for the CDA.
- Develop and maintain inventories and databases as identified in the Economic Development Plan, such as land availability and related parcel records, price, utility lines, utility company policies regarding extensions of utility lines and services, assessments, current taxes including special districts, distance to nearest interstate and airport, labor market statistics, demographics, etc.
- Develop and maintain a Community Economic Development Profile, including key economic development indicators and community characteristics. [For example, (Income: personal income per capita, median household income, income distribution, wages and salaries per job) (Commerce: gross product per capita, retail sales per capita, new business starts, net business development, business size metrics) (Employment: employment changes, net jobs created or retained, employment in new economy jobs, unemployment rate.))]
- Consider evaluation of and review and improvement to the development approval processes.
- Develop and employ multi-media marketing tools, including print materials, news and media stories, etc.
- Prepare and implement surveys, targeting groups or issues such as of qualified developers, resident expectations, needs of existing businesses, etc.
- Identify and solicit qualified developers.
- Develop contacts with development and business placement real estate firms and site selection consultants.
- Develop a revised list of desired businesses and business types

Economic Development Performance Measurements

For each of the strategies and activities identified, the Economic Development Plan (EDP) should, wherever possible, establish Economic Development Performance Measurements. The impact of economic development efforts are difficult to measure because it is impossible to confidently determine what would have happened absent the economic development effort. Therefore, economic development typically measures the activities undertaken themselves and/or broad community measures on which economic development can have a positive impact, such as tax base growth and per capita income growth. Such broad community measures of economic development success and related base-line measurements would need to be established. The bottom line is that some standards or measurement must be set forth within the EDP, or as otherwise determined by the Common Council, to help ensure continuation of an effective economic development effort and continued, worthwhile monitoring and oversight of that effort.

For example, in the event the Economic Development Plan (EDP) as adopted incorporates an Ambassador Program, the plan can require a deadline to submit an Ambassador Program design and further identify expectations such as the following: develop a list and schedule of existing business Ambassador contacts, initiate contacts with one-third of Ambassador Program businesses each year, number of businesses assisted beyond initial contact, amount of staff time spent on the Ambassador Program.

An example of a summary of an Economic Development performance measurement schedule and related actions or activities is set forth in Table 4.14.

Table 4.14: Performance Measurements for Economic Development

Action or Activity to be completed	Completion Date or Workload Indicator
Submit a written action plan for economic development.	
Establish broad community measures of economic development success and generate a base-line document.	
Submit an Ambassador Program design.	
Develop a list and schedule of existing business Ambassador Contacts	
Initiate contacts with one-third of Ambassador Program Businesses	#
Number of businesses assisted beyond initial contact	
Percent of Director's time spent on Ambassador Program	
Submit an Ombudsman Program design.	
Number of businesses assisted.	
Percent of Director's time spent on Ombudsman Program.	
Develop a web-based marketing and promotional application.	
Develop a strategic planning process for the CDA.	
Implement a strategic planning process for the CDA.	
Develop an action plan and timeline for 27 th Corridor Plan implementation	
Develop a listing of and management plan for inventories and databases to be maintained.	
Develop a content plan and management plan for a Community Economic Development Profile.	
Generate a Community Economic Development Profile.	
Host the annual EDC business gathering	
Attend trade shows and economic development events	
New Business Development	
Prospective Business Contacts (# of Meetings / # Businesses)	/
Number of Inquiries	
Percent of Director's time spent on Economic Development	
Develop contacts with development and business placement real estate firms and site selection consultants	
Reports on legislative developments (meeting presentation/written)	
Legislative updates/advisements issued	

EXAMPLE:

This Job Description has not been reviewed or approved by the Common Council

**CITY OF FRANKLIN
Job Description**

ATTACHMENT C

Job Title: Director of Economic Development

Department: City Development

Reports To: Mayor

Salary Level: Management/Administrative/Supervisory Level XII

FLSA Status: Exempt

Prepared By:

Prepared Date: June 2013

Approved By: Common Council Resolution 2013-

Approved Date:

Summary Under the general direction and supervision of the Mayor, administers the economic development of the City, including the retention and recruitment of businesses, and monitors legislative activity. Coordinates economic development activities and other assigned functions by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Administer and coordinate economic development for the City, including the retention and recruitment of businesses, by promoting the City, by serving as an ombudsman or advocate for and ambassador to existing and potential, desirable development, and by executing components of economic development plans and policies as appropriate.

Represent the City as the initial, primary contact for business representatives, real estate developers, and property owners who propose development projects within the City and for existing Franklin businesses that request assistance.

Build and maintain positive relationships with the business community.

Prepare marketing and informational data, stories, materials, pamphlets, and handouts for economic development purposes for use in the City website, newsletters, media outlets, and for general and targeted distribution.

Prepare and maintain information, graphics, charts, and promotional materials, etc. for economic development activities.

Provide leadership and direction in the development and presentation of short and long range plans; administer, compile interpret, and analyze data on demographic, economic, and physical factors affecting economic development and land use; and prepare or

Confer with government officials, business leaders, civic leaders, City planners, City Boards and Commissions, the news media, and consultants regarding economic development issues and policies and development proposals; make professional recommendations for commercial, office, industrial, residential, and community development and land uses; and provide background information for public policy decisions relating to community development and renewal.

Serve as the Executive Director of the City of Franklin Community Development Authority and oversee and coordinate development within the Franklin Business Park.

Provide direct staff support for the Joint 27th Street Steering Committee and recruit and coordinate economic development for the South 27th Street corridor, including Tax Incremental Finance (TIF) Districts #3 and #4.

In conjunction with the city's finance director, coordinates the processing and issuance of IRBs or other local economic development financing tools.

Provide direct staff support for the Forward Franklin Economic Development Commission and serve on or attend and participate in the meetings of other boards, commissions, or economic development or planning organizations as directed.

Prepare and manage the annual budget for economic development.

Serve as a legislative liaison for City-wide purposes; monitors local, state, and Federal legislation and regulations relating to economic development and general City services; and report findings, trends, and recommendations to the Mayor and others, as directed.

Supervisory Responsibilities

Direct the work of subordinate staff as established through the annual budget process or as directed by the Mayor or action of the Common Council. May supervise contracted employees. Carry out supervisory responsibilities in accordance with City and Department policies and applicable laws. Responsibilities may include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding, coaching and disciplining employees; addressing complaints and resolving problems.

Qualifications

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

Master's degree in Urban Planning/Public Administration, law degree, or equivalent is required; a minimum of seven (7) years of combined experience in economic development, public administration, real estate or planning; and at least four (4) years

experience in a management capacity; or equivalent combination of education and experience to exhibit a thorough knowledge of principles, methods, materials and equipment common to municipal economic development and/or municipal land use planning. Prior experience in the field of real estate development is desirable.

Language Skills

Ability to research, read, analyze, interpret, and understand general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, manuals, and marketing materials. Ability to communicate effectively, verbally and in writing, and to work effectively with contractors, developers, other agencies, and the public. Ability to effectively present information and respond to questions from elected officials, Franklin residents, business representatives, property developers and owners, civic organizations, citizen groups, the general public, and local, state and federal officials.

Mathematical Skills

Ability to calculate figures and amounts such as discounts, interest, proportions, percentages, area,. Ability to apply concepts of basic algebra and geometry.

Reasoning Ability

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables. Ability to demonstrate general knowledge of planning and zoning legislation, and analyze changes in legislation as it impacts the City. Ability to understand environmental issues. Considerable ability to plan, organize, manage, and administer projects requiring coordination with others.

Computer Skills

To perform this job successfully, an individual should have knowledge of Geographic Information System software, Microsoft Excel, Microsoft Outlook and Microsoft Word. Web site content management software, Microsoft Publisher or similar software, Microsoft Access or similar software, and Microsoft Project or similar software is beneficial.

Certificates, Licenses, Registrations

Certified Economic Developer certification, membership in the American Institute of Certified Planners, or membership in the State Bar of Wisconsin is desired. Possession of a valid motor vehicle operator’s license is required.

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 regularly required to sit and talk or hear. The employee is frequently required to use hands to finger, handle, or feel. The employee is occasionally required to stand; walk and reach with hands and arms. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception and 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.

While performing the duties of this Job, the employee is occasionally exposed to fumes or airborne particles and outside weather conditions. The noise level in the work environment is usually moderate.

Miscellaneous 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: Community Development Director
Department: Community Development
Reports To: Mayor
Salary Level: Management/Administrative/Supervisory Level XII
FLSA Status: Exempt
Prepared By: Becky Dudek, Human Resources Coordinator
Original Date: December 13, 2001
Last Revision: March 17, 2003
Approved By: Common Council
Approved Date: April 15, 2003

Summary Under the general direction and supervision of the Mayor, develops comprehensive plans and programs for utilization of land and physical facilities in the City. Represents the City in all development activities by performing the following duties.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Provide management of the Community Development Department functions.

Market the City of Franklin for the purpose of attracting quality development to the City.

Compiles and analyzes data on economic, social, and physical factors affecting land use, and prepares or requisitions graphic and narrative reports on data.

Confers with local authorities, civic leaders, social scientists, and land planning and development specialists to devise and recommend arrangements of land and physical facilities for residential, commercial, industrial, and community uses.

Recommends governmental measures affecting land use, public utilities, community facilities, and housing and transportation to control and guide community development and renewal.

Familiarity with environmental impact reports applying to specified private and public planning projects and programs.

Provide primary support to the Common Council toward their function as the final decision-makers regarding City community development activities, especially in the areas of comprehensive planning, economic development and business services.

Provide recommendations to the Common Council, Plan Commission and other Boards and Commissions for updating the Comprehensive Master Plan in response to changing trends and community needs.

* Represents the City as primary contact with developers who propose development projects in the City.

Provide recommendations to the Common Council, Plan Commission and other Boards and Commissions for the updating of the Unified Development Ordinance in response to changing trends and community needs.

Provide direct oversight to the preparation and monitoring of the Community Development Department Budget.

Provide the Common Council and various Boards and Commissions with external legislative updates affecting City Community Development.

Supervisory Responsibilities

Directs the work of one subordinate manager who supervises three employees in the Planning Division. Is responsible for the overall direction, coordination, and evaluation of these staff. Also directly supervises one additional employee and contractual agreements. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

Qualifications To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

Bachelor's degree in Urban Planning/Public Administration or equivalent is required and a Master's degree is desired; a minimum of seven (7) years of combined experience in community/economic development and planning related experience, at least four (4) years experience in a management capacity; or equivalent combination of education and experience. Private sector business management experience is desirable.

Language Skills

Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business

correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the general public.

Mathematical Skills

Ability to calculate figures and amounts such as discounts, interest, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

Reasoning Ability

Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

Computer Skills

To perform this job successfully, an individual should have knowledge of Geographic Information System software; Microsoft Excel and Microsoft Word software.

Certificates, Licenses, Registrations

- * Member of the American Institute of Certified Planners and/or Wisconsin Economic Development Association is desired.

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 regularly required to sit and talk or hear. The employee is frequently required to use hands to finger, handle, or feel. The employee is occasionally required to stand; walk and reach with hands and arms. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and 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.

While performing the duties of this Job, the employee is occasionally exposed to fumes or airborne particles and outside weather conditions. The noise level in the work environment is usually moderate.

Ability to demonstrate general knowledge of planning and zoning legislation and analyze changes in legislation as it impacts the City.

Ability to understand environmental awareness and issues.

Miscellaneous 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.

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>6/04/13</p>
<p>LICENSES AND PERMITS</p>	<p>MISCELLANEOUS LICENSES</p>	<p>ITEM NUMBER</p> <p><i>H.1.</i></p>

See attached list from meeting of June 4, 2013.

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

License Committee Agenda* Alderman's Room June 4, 2013 – 5:30 pm

1.	Call to Order & Roll Call	Time		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - New 2013-14 5:35 p.m.	Fox, Jared M 2605 N Prospect Ave #2 Milwaukee, WI 53211 Tuckaway County Club			
Operator - Renewal 2013-14 5:40 p.m.	Lehman, John B 11871 Woodland Cir Hales Corners, WI 53130 Root River Center			
Operator - New 2012-13 5:45 p.m.	Bielinski, Tanya J 10590 W Cortez Circle Franklin, WI 53132 Landmark			
Operator - Renewal 2013-14 5:50 p.m.	Magolan, Michael J W125 S8583 Countryview Ct Muskego, WI 53150 Tuckaway Country Club			
Operator - Renewal 2013-14 5:55 p.m.	Klecza, Eric J 6860 S Highfield Dr Oak Creek, WI 53154 Root River Center			
Class B Combination Entertainment & Amusement 2013-14 6:00 p.m.	TJAL Holdings, Inc d/b/a: Irish Cottage 11433 W Ryan Rd Roseann Losiniecki, Agent			
Class B Combination Entertainment & Amusement 2013-14 6:05 p.m.	Eric's Setback 6357 S 27th St Eric Schneeberg, Owner			
Operator - New 2012-13	Hofstedt, Jason W 4061 W Mangold Ave Greenfield, WI 53221 Wal-Mart Store			
Operator - New 2012-13	Jakircevic, Ivan S 3766 N 77 th St Milwaukee, WI 53222 Croatian Park			
Operator - Renewal 2013-14	Jakircevic, Ivan S 3766 N 77 th St Milwaukee, WI 53222 Croatian Park			
Operator - New 2012-13	Woods, Benjamin S S70W13372 Fennimore Ln Muskego, WI 53150 Wal-Mart Store			
Temp Operator - New 2012-13	Young, Roger A 3411 S Chicago Ave., #7 South Milwaukee, WI 53172 Xavierian Missionaries Festivities			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - Renewal 2013-14	Baum, Gail M 3411 S Chicago Ave., #8 South Milwaukee, WI 53172 Buckhorn Inn			
Operator - Renewal 2013-14	Birmingham, Christopher B 1728 Cherry St South Milwaukee, WI 53172 Root River Center			
Operator - New 2013-14	Bonilla, Christina M 270 E Highland Ave Milwaukee, WI 53202 Target Store			
Operator - New 2013-14	Bruckner, Julie L 1213 Pippin Ct Mequon, WI 53092 Sendiks Food Market			
Operator - Renewal 2013-14	Brys, Mark L 1833 W Meyer Lane, #12301 Oak Creek, WI 53154 Buckhorn Inn			
Operator - Renewal 2013-14	Brys, Pamela J 1833 W Meyer Lane, #12301 Oak Creek, WI 53154 Buckhorn Inn			
Operator – Renewal 2013-14	Coyle, Shannon L 4461 S 49 th St Greenfield, WI 53220 Root River Center			
Operator - Renewal 2013-14	Danforth, Cheryl E 3759 N 61 st St Milwaukee, WI 53216 Wal-Mart Store			
Operator - Renewal 2013-14	Falkowski, Lori A 10227 Parklane Ct Hales Corners, WI 53130 Sendiks Food Market			
Operator - New 2013-14	Garnier, Vanessa A 11027 W Grant St, #5 West Allis, WI 53227 Sendiks Food Market			
Operator - New 2013-14	Geldon, Christopher M 1321 Drexel Blvd South Milwaukee, WI 53172 Sendiks Food Market			
Operator - Renewal 2013-14	Gillis, Kermit D 5512 W Park Dr, #203 Greenfield, WI 53221 Wal-Mart Store			
Operator - Renewal 2013-14	Girmscheid, Stuart J 2911 15 th Ave South Milwaukee, WI 53172 Squirrel Haus			
Temp Operator – New 2013-14	Grass, Randy F 9056 W. Elm Ct. Unit F Franklin, WI 53132 Franklin Civic Celebration			
Operator - Renewal 2013-14	Hutts, Lisa M 5612 Euston St Greendale, WI 53129 Pick n Save – 76 th St			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - Renewal 2013-14	Jubeck, Adam J 2430 W Briar Lake Way, #2B Oak Creek, WI 53154 Bowery Bar & Grille			
Operator - Renewal 2013-14	Kaur, Jasleen 2040 W Jonathan Dr Oak Creek, WI 53154 Wal-Mart Store			
Operator - Renewal 2013-14	Klein, Wyatt C 1421 17 th Ave South Milwaukee, WI 53172 On the Border			
Operator - Renewal 2013-14	Martens-Parthun, Deborah A 5373 S Merrill Ave Cudahy, WI 53110 Wal-Mart Store			
Operator - Renewal 2013-14	Martinson, Sarah A 1546 S 65 th St West Allis, WI 53214 Rawson Pub			
Operator - Renewal 2013-14	Miller, Janet 2737 S 58 th St Milwaukee, WI 53219 Pick n Save – 76 th St			
Operator - Renewal 2013-14	Nicolai, Elizabeth A 9243 S 51 st St Franklin, WI 53132 Sendiks Food Market			
Operator - Renewal 2013-14	Orban, Kory R W3765S4872 E Pretty Lake Rd Dousman, WI 53118 Wal-Mart Store			
Operator - Renewal 2013-14	Palmer, Robin S 1830 Milwaukee Ave South Milwaukee, WI 53172 Wal-Mart Store			
Operator - Renewal 2013-14	Peterson, Bryan K 10234 W Scepter Circle Franklin, WI 53132 Sendiks Food Market			
Operator - Renewal 2013-14	Piotrowski, Shannon L 6401 W Burdick Ave Milwaukee, WI 53219 Eric's Setback			
Operator - Renewal 2013-14	Poteracki, Tanina M 2933 W Drexel Ave, #502 Franklin, WI 53132 Pick n Save – 76 th St			
Operator - Renewal 2013-14	Reichart, Debra A 25304 Windsong Ct Wind Lake, WI 53185 Rawson Pub			
Operator - Renewal 2013-14	Riesner, Terese A 10630 S Peggy Dr Oak Creek, WI 53154 Hideaway Pub & Eatery			
Operator - New 2013-14	Ross-Slupecki, Mary L 6432 S 17 th St Milwaukee, WI 53221 Wal-Mart Store			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator - Renewal 2013-14	Segura, Trisha Ashli 7 Ohio St Racine, WI 53405 Hideaway Pub & Eatery			
Operator - Renewal 2013-14	Sporleder, Deborah E S108W16327 Loomis Dr Muskego, WI 53150 Pick n Save – 76 th St			
Operator - Renewal 2013-14	Tairi, Mary E 3644 E Layton Ave Cudahy, WI 53110 Wal-Mart Store			
Operator - Renewal 2013-14	Weiss, Sharon A 550 W Riverwood Dr, #104 Oak Creek, WI 53154 Pick n Save – 76 th St			
Operator - Renewal 2013-14	West, Jeffrey S 1464 E Wild Ginger Way Oak Creek, WI 53154 Sendiks Food Market			
Operator - Renewal 2013-14	Zalewski, Raquel M 3500 W Southland Dr Franklin, WI 53132 Rawson Pub			
Operator - Renewal 2013-14	Zolinski, Jennifer M 209 E Bradley Ave Milwaukee, WI 53207 Eric's Setback			
Class A Combination 2013-14	Franklin Quik Chek, LLC 8305 S 27th St Virendra Verma, Agent			
Class B Combination Entertainment & Amusement 2013-14	Rock Sports Complex, LLC 7900 W Crystal Ridge Dr Thomas J. Johns, Agent			
Class B Combination Entertainment & Amusement 2013-14	Little Cancun Restaurant 7273 S 27 th St Veronica Cerera, Owner			
Entertainment & Amusement 2013-14	Milwaukee County Sports Complex 6000 W Ryan Rd Jason Rosploch, Manager			
Entertainment & Amusement 2013-14	Oakwood Golf Course 3600 W Oakwood Rd Jason Rosploch, Manager			
Entertainment & Amusement 2013-14	Whitnall Park Golf Club House 6701 S Park Rd Jason Rosploch, Manager			
Day Care 2013-14	Amy's Academy 9758 S Airways Ct Amy Sidello, Manager			
Day Care 2013-14	Academy of Integrity 3900 W. Ryan Road La Queesha Blockton, Manager			
Day Care 2013-14	Academy of Performing Arts 7221 S. 76 th Street Stacy Tuschi, Manager			

Type/ Time	Applicant Information	Approve	Hold	Deny
Pharmacy 2013-14	Aurora Pharmacy 9200 W Loomis Rd Steven C. Herrmann, Manager			
Coin Machine Operator 2013-14	American Entertainment W337 S5059 Hwy GG Dousman, WI 53118 Kenneth Grothmann, Owner			
Coin Machine Operator 2013-14	Clear Choice ATM, Ltd. 4930 Bayside Cove Waterford, WI 53185 Robert Kostner, Owner			
Coin Machine Operator 2013-14	Games Are Us W144 S6315 College Ct Muskego, WI 53150 Steven A. Murphy, Owner			
Coin Machine Operator 2013-14	Mitchell Novelty Co 3506 W National Ave Milwaukee, WI 53215 Ralph H. Fleege, Owner			
Coin Machine Operator 2013-14	National Amusement Systems 2740 S 9th Place Milwaukee, WI 53215 Janis Thein, Owner			
Coin Machine Operator 2013-14	Red's Novelty Ltd 1921 S 74th St West Allis, WI 53219 Jay G. Jacomet, Owner			
Coin Machine Operator 2013-14	Reggie's Amusement, LLC 4918 S Packard Ave Cudahy, WI 53110 Reginald L. Zeniecki, Owner			
Coin Machine Operator 2013-14	S & P Equipment 5025 S Packard Ave Cudahy, WI 53110 Salvatore Purpora, Owner			
Coin Machine Operator 2013-14	Primegamez, LLC 943 Hunter Dr, #56 Racine, WI 53406 Daniel Takerian, Owner			
Coin Machine Operator 2013-14	Wisconsin P & P Amusement 12565 Lisbon Rd Brookfield, WI 53005 Michael L. Weigel, Owner			
Extraordinary Entertainment & Special Event	Xaverian Missionaries Person in Charge: Fr. Mark Marangone, s.x. Location: 4500 Xavier Dr Event: Annual Festival Dates of Event: 6/22/2013 to 6/23/2013			
Temporary Class B Beer	Xaverian Missionaries Person in Charge: Fr. Mark Marangone, s.x. Location: 4500 Xavier Dr Event: Annual Festival Dates of Event: 6/22/2013 to 6/23/2013			
Temporary Class B Beer	Civic Celebration – Fourth of July Festivities Person in Charge: Michael B Reichl Location: 9229 W Loomis Rd Dates of Event: 7/3/2013 thru 7/4/2013			

Type/ Time	Applicant Information	Approve	Hold	Deny
Temporary Entertainment & Amusement	Civic Celebration – Fourth of July Festivities Person in Charge: Michael B Reichl Location: 9229 W Loomis Rd Dates of Event: 7/3/2013 thru 7/4/2013			
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.

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APPROVAL <i>Slw AP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/4/13
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.1.</i>

Provided for Council approval is a list of vouchers dated June 4, 2013 Nos. 147293 through 147476 in the amount of \$968,140.38. Included in this listing is \$64,636.93 in library vouchers.

The net city vouchers for June 4, 2013 are \$903,503.45.

Approval is requested for the net payroll dated May 31, 2013 in the amount of \$ 345,669.65.

COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range Nos.147293 through Nos.147476 in the amount of \$ 903,503.45 dated June 4, 2013.

Motion approving net payroll dated May 31, 2013 in the amount of \$ 345,669.65.