

<p style="text-align: center;">APPROVAL <i>slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 3/1/16</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">AUTHORIZATION TO EXECUTE AN AGREEMENT WITH MELANIPHY & ASSOCIATES, INC. FOR INDEPENDENT MARKET ANALYSIS SERVICES RELATED TO THE BALLPARK COMMONS DEVELOPMENT</p>	<p style="text-align: center;">ITEM NUMBER <i>6.5.</i></p>

Summary

Approval of the motion would authorize the City to execute an agreement with Melaniphy & Associates, Inc. (Melaniphy) for an independent market analysis review for a fee up to \$25,000 for the Ballpark Commons development proposal. The independent market analysis would inform sensitivity modeling to be conducted by Ehlers during their Tax Incremental District (TID) analysis.

Background

This follows the Common Council's approval on February 2, 2016 of a memorandum of understanding (MOU) with Zimmerman Ventures, LLC, the developer proposing the Ballpark Commons project and on February 16 approval to hire Ehlers to conduct an independent financial evaluation of a TID.

Fee

Staff requests authorization for related fees up to \$25,000 to be used from the Economic Development, other professional services budget item. Note that the fee proposal from Melaniphy is \$18,500 based on hours estimated to complete the project, but does not include reimbursable expenses or meetings. The increase in the request is expected to cover expenses and the opportunity for a presentation to the Common Council upon completion of the market analysis.

Process

The development team is preparing a development proposal for Ehlers' TID evaluation. The development proposal is informed by a market analysis contracted by the development team. The MOU approved on February 2, 2016 requires Zimmerman Ventures to share the development team's market analysis with the City. In an effort to mitigate concerns over potential bias in the development team's market analysis and to add specialized expertise to the City's review process, staff sought proposals for an independent market analysis. The independent market analysis will inform the TID sensitivity modeling to be conducted by Ehlers.

Ehlers recommended the firms from which proposals were sought, Cushman-Wakefield (Chicago) and Melaniphy (Chicago). While both firms have extensive market analysis experience in Wisconsin, Melaniphy is recommended based on price and the thoroughness of their proposal.

It should be noted that the firm hired by the development team for their market analysis, Moegenburg Research, was also recommended by Ehlers. If the motion fails or is not acted upon, staff will proceed with assisting Ehlers in completing their TID feasibility study based on information provided by the development team and Moegenburg Research.

COUNCIL ACTION REQUESTED

A motion authorizing certain officials to execute an agreement with Melaniphy & Associates, Inc. for independent market analysis services related to the Ballpark Commons development for a fee up to \$25,000.



REAL ESTATE COUNSELORS
SITE SELECTION SPECIALISTS

ECONOMISTS
CONSULTANTS

MARKET ANALYSTS
INVESTMENT ADVISORS

John C. Melaniphy
President

February 24, 2016

Mr. Aaron Hertzberg
Director of Economic Development
City of Franklin
9229 W. Loomis Road
Franklin, Wisconsin 53132

**In re: Market Feasibility Study
Ballpark Commons
Sports-Anchored Mixed-Use Development
Franklin, Wisconsin**

Dear Mr. Hertzberg:

I have prepared this proposal to undertake a review of the Market Feasibility Study of the proposed Ballpark Commons sports-anchored mixed-use development at Rawson Road and Loomis. I have reviewed the information provided by the City of Franklin including a site plan and the elevations of the project.

Provided below is a brief discussion of our firm's experience along with a description of the tasks required to prepare the promotional leasing brochure. Additional information can easily be found on our Company Website at www.melaniphy.com where a much larger list of our private and public study experience is provided.

Brief Melaniphy & Associates, Inc. Experience

Melaniphy & Associates, Inc. is a team of real estate counselors, site selection specialists, market analysts, retail and restaurants consultants, and international investment advisors. Members of our firm, evaluate both problems and opportunities involving urban and suburban development and redevelopment. Since its beginning in 1971, the company has successfully advised thousands of national and international clients in both the private and public sectors regarding solutions to their individual needs.

Our firm has conducted market evaluations throughout the United States, Canada, México, South America, Europe, and the Middle East. Several of the specific retail projects conducted by Melaniphy & Associates, Inc. are provided below.

- **In Glendale, Wisconsin (a Milwaukee suburb)**, we conducted all of the market and economic feasibility studies for **Bayshore Town Center**, a redevelopment of old Bayshore Mall. The Lifestyle expansion of 500,000 square foot increased the complex to over 1,000,000 square feet. Initially, the City of Glendale and Corrigan Properties formed a private public partnership to expand the mall. Through our efforts, Steiner +

MELANIPHY & ASSOCIATES, INC.

6348 North Milwaukee Avenue, #198, Chicago, Illinois 60646 (773) 467-1212

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

Associates eventually partnered in the development to complete the project. The redevelopment involved the use of eminent domain, condemnation, and tax increment financing (TIF) to assemble the parcels for the Lifestyle expansion. Our role was to study the market and to advise the City of Glendale, Corrigan Properties, and Steiner + Associates on the market potential, square footage requirements, tenant mix, timing, placement, rent structure, and likely sales productivity, among others. The project opened in 2006 and is very successful.

- In **Milwaukee, Wisconsin** we completed market and economic feasibility studies over the years for Southridge Mall, Northridge Mall, City of Mequon, City of Brookfield, Marcus Theaters, the CMC Heartland Partners Shops property in the Menomonee Valley, and many others. The CMC Shops property analysis involved examination of the impacts of the Miller Park Stadium development on the property.
- In **Minneapolis, Minnesota**, we developed a 10-year strategic plan for **Mall of America** (4.5 million square feet) designed to strengthen the tenant mix, improve market penetration within 10 miles, and determine expansion opportunities. The plan is currently being implemented.
- In **Chicago, Illinois** we completed the Economic Impact Study for the Chicago Cubs organization for lights at Wrigley Field. The study was utilized by the Chicago Cubs to lobby the City of Chicago and the Illinois Legislature to permit night baseball at Wrigley Field for 18 night games. The study examined the impact Wrigley Field had upon restaurant, retail and recreational facilities in the Wrigleyville neighborhood the overall revenue generated by the Chicago Cubs.
- In **Columbus, Ohio**, we completed a market feasibility analysis of Easton Town Center's tenant mix along with its market penetration and trade area generation. Next, we addressed expansion possibilities for **Easton Town Center**, a truly urban lifestyle center developed by Steiner + Associates, Inc. The planned expansion included a new 600,000 square foot Power Center and 200,000 square foot expansion between Nordstrom's and Macy's. The existing Easton Town Center includes an 800,000 square foot lifestyle center with numerous specialty retail stores and 14 full service restaurants, along with Nordstrom and Macy's department stores. The recession delayed the expansion of this project.
- In **Charlotte, North Carolina**, we conducted an analysis of the demand for retail facilities adjacent to Concord Mills Outlet Center. Concord Mills has over 1,500,000 square feet of outlet stores and sales exceeding \$500,000,000. Possible new tenants included Lowe's, Walgreens, Nordstrom Rack, a supermarket, and numerous other retailers. Our assignment was to determine if the adjacent properties could indeed successfully attract new retailers. Much of it has been implemented since we completed our work.

- In **Myrtle Beach, South Carolina** we prepared a retail market feasibility study of the former Myrtle Beach Air Force Base. Myrtle Beach generates over 14 million visitors annually. The project envisioned an approximate 400,000 square foot lifestyle center as part of the Air Force base redevelopment plan.
- In **Vernon Hills, Illinois** we conducted market feasibility studies for the Village of Vernon Hills on numerous projects including Hawthorn Center and surrounding big box shopping centers. We recently completed an analysis of the proposed Menards store at Milwaukee Avenue and Gregg's Parkway.
- In **Chicago's River North Area**, we conducted a market feasibility study of the planned **Plum Market**, a two-level gourmet grocery store in a new mid-rise apartment complex. The proposed grocery store contained 23,000 square feet on two levels featuring both grocery items and prepared foods. Approximately 150 indoor parking spaces are provided. The new unit competes with nearby Dominick's and Jewel, along with Whole Foods and a new Mariano's Fresh Market. The store is open and operating successfully.
- In **Chicago, Illinois** we prepared a market feasibility study for McCaffery Interests for the USX Southworks site and provided recommendations regarding the market for a major retail development project as part of a master-planned, mixed-use development.
- In **Oak Creek, Wisconsin**, a Milwaukee suburb, we prepared a market feasibility study of the planned new Downtown for Oak Creek, including a mixed-use development including a new City Hall, Library, retail, office, and a major Meijer Store. The analysis was completed for Wispark the development arm of Wisconsin Electric. The project is being implemented.
- In **St. Charles, Illinois**, a Chicago suburb we conducted a redevelopment analysis of Charlestowne Mall. The Mall has three department stores and yet the retail space is primarily vacant. We prepared a report, assisted in finding a new owner, and have counseled mall ownership on a new development path.
- In **Washington D.C.**, we conducted an analysis of National Place. Specifically, we were focused upon the Food Court located in the project. We examined the operating units, their performance, placement, size, menus, customer traffic flow, seating, seating turnover, average dining times, and daypart differences. We recommended a series of actions designed to improve customer generation, restructure the food units in the Food Court, and generally make the facility a more appealing place.
- In **Lincolnwood, Illinois**, we have conducted a study of the proposed Shoppes at Lincoln Pointe. This 25-acre mixed-use development includes retail, restaurants,

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

office, recreational, and hotel. Residential development on an adjacent parcel is planned in the future.

- In **Lincolnshire, Illinois**, we recently conducted a study of CityPark of Lincolnshire the mixed-use development located at Milwaukee Avenue and Aptakisic Road. We recommended a strategy to improve occupancy and retail sales productivity at the shopping center. CityPark is adding several of the recommended tenants.

Please visit our website at www.melaniphy.com to see a wider variety of projects conducted and over 30 articles which we have written and posted.

Melaniphy & Associates, Inc. has provided consulting services for over 40 years. Members of our firm have between 20 and 30 years of market and site selection experience. Some of our clients include: the Simon Property Group, General Growth Properties, Westfield, Bain Capital, G.E. Capital, U.S. Equities, Hines Interests, The RREEF Funds, Steiner + Associates, Inc., Metropolitan Pier and Exposition Authority, Hamilton Partners, Urban Retail Properties, Heitman Capital Management, Crown Community Development, Household Commercial, Aetna Life Insurance Company, Travelers Life Insurance Company, Marriott, Glimcher Realty Corporation, Unocal Corporation, Wal-Mart, Target, Meijer, J.C. Penney Company, Macy's, Kohl's, Woodman's Food Markets, Citibank Mexico, Liverpool (Mexico), Fabricas de Francia (Mexico), Kerzner International, Lettuce Entertain You Enterprises, and numerous others.

Our affiliations have included the International Council of Shopping Centers, National Retail Federation, the National Restaurant Association, the International Real Estate Location Institute, and the Realty Club of Chicago, among others.

John C. Melaniphy is the author of **Commercial and Industrial Condominiums**, published by the Urban Land Institute in 1974 and **Restaurant and Fast Food Site Selection**, published by John Wiley & Sons in 1992. In the later '60's he set up Kentucky Fried Chicken's real estate and construction division and selected and built hundreds units. He is also a contributing author of the book entitled **Shopping Centers and Other Retail Properties** published by John Wiley & Sons in 1996. His latest book, **The Restaurant Location Guidebook**, *a guide to picking restaurant and quick service food locations* was published in 2007. He has also authored over 100 articles and have presented over a hundred of seminars covering real estate, site selection, development opportunities, and long-range economic planning. Finally, Melaniphy & Associates has published the **Chicagoland Retail Sales Report**, covering retail sales changes for the City of Chicago and Suburbs based upon changes in retail sales tax receipts. The reports analyze the top 20 suburbs by major retail categories. We have been tracking and writing about the data and the changes since 1985. The **2015 Chicagoland Retail Sales Report** is available on our website

The Ballpark Commons property is a proposed \$120 million development proposed on land at and around an existing sports complex called The Rock with 6 outdoor baseball fields, BMX bike courses, an umbrella bar in the summer and a ski/snowboard and tubing hill in the winter. The site currently generates approximately 150,000 trips per year. The complex is located on Milwaukee County Park land and formerly served as a landfill. The stadium and indoor sports complex would be located on that land and all other development would be on privately owned property. The developer plans a 4,000 spectator (2,500 hard seats) baseball stadium to serve an independent minor league team (In the American Association of Independent Professional Baseball) and the UW-Milwaukee (a DI- college program). Additionally, a 4-season tournament sports complex would be built with four little league sized baseball fields that could also be used

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

for other indoor sports including soccer and lacrosse 265,000 square feet. Retail and restaurant are suggested to be included in the entry of the complex. To the east of the stadium between Rawson Road and 76th Street there is a suggestion for 1 or 2 hotels accommodating up to 220 rooms as well as the possibility of additional restaurant and retail out lots. The development envisions 36,800 square feet of restaurants (4) and 27,500 square feet of commercial.

To the south of the sports complex along Rawson Road would be a 120,000 office development and mixed-use buildings with approximately 47,000 square feet of ground floor retail space with office space or apartments above. Further south, would be 200 to 240 garden style, luxury apartments spread across 3 and 3 story buildings and a 6,600 square foot club house.

The purpose of our program is to determine the market feasibility of developing a sports-anchored mixed-use development featuring a baseball stadium, entertainment, restaurants, retail, hotels, office, and recreational facilities on the subject sites. Obviously, both the short and long range goals are to maximize the development opportunities of the property and the property tax and sales tax generation.

OBJECTIVES

The objectives of the study have been defined as follows:

- A. A determination of the market feasibility for a baseball stadium, retail, restaurants, entertainment, restaurants, office, hotel, recreational, and any other uses that might be identified.
- B. A thorough understanding of the physical characteristics of the site, access, circulation, visibility, interrelationship with the new stadium, perceptions, competition, and the impact of the surrounding uses.
- C. A thorough evaluation of the present and future economic conditions of the Milwaukee area; demographic changes: retail, restaurant, recreational, entertainment, hotel, and apartment developmental trends: entertainment patterns: changing markets: major and minor commercial developments: shifting office patterns, hotel utilization, apartment occupancy trends, corporate relocations, recreational demands, and other pertinent factors.
- D. A review of current leasing, sales experience, occupancy levels, vacancy, rental rates, real estate sales comparables, building sizes, site sizes, development standards and profiles of buyers and tenants.
- E. A determination of the market for the development of a major mixed use project on the Subject Site, including site configurations, building sizes, rental rates, absorption, appropriate users, phasing of the development, and the interrelationship between various uses to one another and the impact upon absorption.
- F. The review of comparable situations (i.e. stadiums in proximity to mixed use developments or individual types of uses). If possible, data will be obtained regarding compatibility and possible conflicts, if they exist.

- G. The amount of land that should be allocated to each type of use recommended, and the general placement of the uses to maximize potential and the interrelationship between various uses
- H. An examination of the need for governmental financial assistance. (Ehlers will conduct a TIF analysis of the project.)
- I. The preparation of a market feasibility study and mixed-use development strategy that maximizes the development opportunities of the property in keeping with the market potential, strength and weaknesses of competitors, and the attractiveness of the subject property.

MARKET AND ECONOMIC FEASIBILITY ANALYSIS

The specifics of each element of the market study are as follows:

A. RETAIL DEVELOPMENT

The objectives of the retail, entertainment and restaurant portion of the market analysis are as follows:

1. We will review our existing inventory of Milwaukee area malls, shopping centers, power center, free-standing big boxes, entertainment, and outlet complexes, with special emphasis on tenant type, tenant mix, rental rates, vacancy turnover, location, strengths, weaknesses, square foot performance, trends, standards, and local market idiosyncrasies.
2. An evaluation of the interrelationship of the subject site to competitive retail, entertainment, and restaurant facilities.
3. An analysis of the existing road network including the road changes resulting from the new stadium development. Traffic count and traffic flow data will be obtained and evaluated. Driving times will be undertaken for 5, 10 and 15 minutes from the Subject Site to duplicate the experiences of shoppers, employees, tenants, residents, visitors, fans, and others. This part of the analysis will assist in the evaluation of each of the mixed-uses being examined as a part of this study. They are described in later sections of this proposal.
4. We review the trade area delineated in the market study in consideration of the road network, competition, demographics, household income, shopping patterns, driving times, stadium attraction, traffic conflicts, possible different merchandise mixes and other to be identified elements.
5. We will examine the Demographics of the trade area and analyze the forecasts made over the next five years. Demographics include the mix of the population, sex, age, households, household size, employment, ethnicity, and other important factors.

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

6. Anticipated Stadium attraction, home games, start times, forecasted attendance, possible home game traffic and shopping conflicts, and other pertinent factors. Data provided by the developer will also be utilized for the study of other uses on the Subject Site.
7. Household income and personal consumption expenditures will be evaluated and forecast over the next five years.
8. Calculation of the potential retail, entertainment and restaurant sales which might be captured by specific types of retailers, entertainment venues, restaurants, and others on the subject property for their first and fifth year of operation.
9. A determination of the market for the development of a retail, restaurant and entertainment uses on the Subject Site.
10. Recommendations regarding the amount of square footage type of retail, entertainment, and restaurant space which can be supported on the Subject Property. Outlot development recommendations will also be provided.
11. A determination of the number of parking spaces required to meet consumer demand on the Subject Property,
12. Recommendations regarding the placement of the developed facilities in relation to other recommended uses.
13. Recommended timing for phasing for any parts of the retail, entertainment, and restaurant facilities recommended.
14. Acreage requirements for a retail, entertainment, and outlot facilities will be determined.

B. OFFICE MARKET ANALYSIS

We will examine the office market findings and the likely opportunities for office development both now and in the future. The steps in the office market review are as follows:

1. A review of our office inventory will be undertaken along with building locations, sizes, age, types of tenants, amenities, rental rates, concessions, and vacancy.
2. A review of the elements that create demand for office space including: population growth, white and technological employment characteristics, business growth, locational attributes, office concentrations, vacancy (overall and location specific), business relocation, back office space demand, casual office occupancy patterns, the new Stadium, accessibility improvement, travel time, and other factors which impact office demand.

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

3. A review of the source of the demand for additional office space both now and over the next five years. Also, a determination of the source of supply and the Subject Site's ability to meet any identified demand.
4. A determination of the amount of office space which can be developed on the subject property, the probable absorption, types of tenants envisioned, and other pertinent factors.
5. The number of parking spaces required.
6. Amenities, that might be necessary to maximize the office opportunity, improve absorption, and interact with other compatible possible uses.
7. We will review the recommended rentals for the envisioned facilities.
8. Land allocation requirements.
9. A review of the placement of the facilities on the site.

C. HOTEL MARKET ANALYSIS

This portion of the review of the market feasibility analysis focuses on the market for hotel rooms, meeting facilities, and limited convention space on the Subject Site both now and in the future. The elements included are:

1. We will review our inventory of hotel rooms in the Milwaukee market. Our inventory includes the name, location, size, occupancy levels, room rates, amenities provided, meeting rooms, convention space, recreational facilities, parking, and other characteristics.
2. The expected Stadium attraction data will be evaluated to determine the reality of the projects and incorporated into the hotel analysis. Comparable situations will also be reviewed.
3. Business and employment change in the area and that which can be anticipated over the next five years will be examined. From this analysis we will examine this activity into hotel room demand.
4. The market for hotel rooms (by type, i.e. budget, suites, extended stay, select-service, full service), meeting facilities and convention space in the area will be estimated.
5. The number of rooms which can effectively be developed both now and over the next five years on the subject property will be examined. This indicates the share of the market which the Subject Property can anticipate, in contrast to competitive developments or expansion of existing facilities.

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

6. We will analyze the recommended room rates and anticipated occupancy levels from the market study.
7. Restaurant, bar, and recreational facilities required and other amenities will be reviewed.
8. The current and likely future demand for meeting and convention facilities will be examined.
9. The acreage requirements and placement of such facilities on the subject property will be examined.
10. Integration of the hotel/motel/convention facility into the sports-anchored mixed-use development will be considered.

D. RECREATIONAL MARKET ANALYSIS

This portion of the review of the market feasibility study focuses upon the potential opportunity for a recreational type facility or facilities compatible with the new Stadium. The various aspects of this portion of the analysis is as follows:

1. The determination of the market for market rate recreational facilities in the market area in addition to the existing “The Rock Sports Complex” which currently features 6 outdoor baseball fields, BMX bike course, and seasonal summer umbrella bar, and winter skiing/snowboarding and tubing facility.
2. A review of mixed-use and/or residential development around other new or fairly new baseball parks in other cities, and other recreational facilities that have been developed. The developer may provide some of this data. We plan to review some other markets that have undertaken sports-anchored projects of a similar nature.
3. We will review the recommendations regarding the types and sizes of facilities, market potential, user groups, amount of land required, parking, and other amenities.
4. Timing and staging of the recreational facilities to maximize the absorption of the development will be reviewed.
5. Acreage and placement recommendations will be provided.

G. INTERRELATIONSHIP OF RECOMMENDED USES

On the basis of the evaluation of each of the individual uses, we will determine the interrelationships between each of the uses. Proper placement, mix, and timing can have a significant impact on the absorption of one use in contrast to another.

Market Feasibility Study – Ballpark Commons, Franklin, Wisconsin

REPORTS, COSTS AND TIMING

Our charges are based upon the hours spent by our professional staff at their regular billing rates, plus any expenses incurred. We estimate that to complete the project as proposed will cost \$18,500 plus reimbursable expenses.

Our current work schedule is such that we can undertake work on this project within two weeks and complete the entire process within a period of 5 to six weeks depending upon how quickly we receive the market study. This proposal will remain in effect for 30 days.

We have not budgeted for any meetings. Should you wish to have kick off meeting we could schedule the meeting to coincide with our site visit and field work. Any additional meetings would be billed at our regular billing rates plus expenses.

If you wish to proceed, please sign one copy of this letter in the space below and return it to me, along with a retainer in the amount of \$9,000. An additional billing of \$9,500 will be billed upon delivery of the reports.

We will deliver 10 copies of the completed reports along with a PDF electronic file of the report. I hope that we will have an opportunity to assist you in this endeavor.

Respectfully submitted,

MELANIPHY & ASSOCIATES, INC.

John C. Melaniphy
President

Accepted by:

City of Franklin

Aaron Hertzberg
Director of Economic Development

Date: _____

Blank Page

APPROVAL <i>Stw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 03/01/2016
Reports & Recommendations	CHANGE PATH LOCATION FOR W. ST. MARTINS RD. (CTH MM) PROJECT	ITEM NO. <i>G.6.</i>

BACKGROUND

Per Common Council Resolution No. 2014-7048, Franklin "...conditionally accepts the concept of the jurisdictional transfer from Milwaukee County of W. St. Martins Road (CTH MM) from S. North Cape Road to S. Lovers Lane Road in exchange for the removal of asphalt, rubblizing and compacting the concrete, and resurfacing with HMA, widening to a rural cross section of 30-foot width including shoulders, installation of a multiuse sidewalk/pathway along one side only, the repair of storm sewer systems, and public informational meetings with regard to the design of the road project."

Furthermore, per Common Council Resolution No. 2015-7071, Staff worked with Milwaukee County to prepare supporting documentation for a project that is compliant with Wisconsin Administrative Code Chapter Trans 75 (Trans 75), Bikeways and Sidewalks in Highway Projects which would require pedestrian and bicycle accommodations on W. St. Martins Rd. Staff has verified with WISDOT that even though TRANS75 was repealed the requirements are still valid because of when the project was initiated.

Alderman Mayer has requested that the path be changed to the south (west) side.

ANALYSIS

Once WISDOT approved the TRANS 75 exception that allowed the path to be located on one side only, Staff discussed the location decision with County Engineering Staff. Staff thought that the path could be placed on either side of the road. Both sides have concerns and opportunities. The only concern Staff stipulated to the County was not switching alternating sides along the project that would have required undesirable pedestrian crossings.

As it was a Milwaukee County design, Staff allowed the County to initially make the best determination. The decision to place the path on the north side (east side) include, but are not limited to the following reasons:

- North side has more connectivity with neighborhoods
- North side has more connectivity with public schools
- North side will have connectivity with the Robinwood Trail and other park features.
- North side has connection to more residents
- North side has less conflicts with utility poles
- North side will provide better pedestrian access to mailboxes

From the early stages of design, the path has been located on the north side of W. St. Martins Road. This project has had two public information meetings (30% plans September 10, 2015 and 60% plans January 27, 2016). Although some comments are appreciative of having pedestrian access, there has been a vocal opposition to the path- primarily among the property owners that would have the path in front of their home. This is not atypical for sidewalk projects.

Milwaukee County has proceeded with the design of the project and Staff met with County Engineering staff on February 24, 2016 to discuss 90% plans. It is very doubtful that the County Engineering staff could redesign the project and meet the anticipated schedule. The schedule is as follows:

- have the letting on April 6, 2016
- construction starting May 2016
- Stage 1 (western half) to be substantially complete August 26, 2016
- Stage 2 (eastern half) to be substantially complete November 18, 2016.

County personnel have publicly stated that any delay in completing construction in 2016 would result in the project not being done at all.

OPTIONS

Ask Staff to request County Engineering Staff to redesign path on south (west) side of W. St. Martins Road. Or

Accept current design and allow County project to proceed as planned.

FISCAL NOTES

Changing the location of the path will have no additional financial impact to the City. There is \$150,000 budgeted for misc work primarily related to utilities.

If the project is canceled by the County, there are planned utility modification issues that would no longer need to be funded. Additionally, a yet to be determined cost share agreement with the County for 1-foot additional width of concrete walk would not need to be considered.

RECOMMENDATION

Accept current design and allow County project to proceed as planned.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slee</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;">March 1, 2016</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION TO TEMPORARILY DESIGNATE W. CHURCH STREET AS TWO- WAY TRAFFIC AND NO-PARKING FROM S. 116TH STEET TO W. ST MARTINS ROAD</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.7.</p>

BACKGROUND

In 2016 Milwaukee County is planning to reconstruct W. St. Martins Road from S. Lovers Lane, through the St. Martins Village Area, past W. Forest Home Avenue, and almost to S. North Cape Road. Construction is expected to start in May 2016 and the western portion (through the village area) is expected to be substantially complete by August 26, 2016 and the eastern portion is expected to be substantially complete by November 18, 2016.

W. Church Street is a one-way street southwest of W. St. Martins Road. Citizens have requested that this section of W. St. Martins Road be designated as two-way traffic during construction. Depending on construction activity, it may be difficult to access Swiss Street and thus an area along S. 116th Street would be difficult to access- most notably St. Martin of Tours Parish School.

Existing City Code 245-4 lists One-Way direction for W. Church Street from S. 116th Street to St. Martins Road. W. Church Street is the only street in the City designated as one-way.

Existing City Code 245-5 D. lists No Parking for W. Church Street as follows:

- North side between 116th Street and W. St Martins Road
- South Side from 116th Street to a point 400 feet east.

This matter was tabled at the February 16 Common Council meeting to consider use of a right-of-way between W. Spring Street and W. Swiss Street.

ANALYSIS

All other streets in the area are two-way traffic. This section of W. Church Street is not as wide as the other streets which justify the one-way designation and limitation on street parking.

If two-way traffic were allowed on this section of W. Church Street, it is recommended that more of this section of street be designated as no-parking. Approximately the eastern most towards W. St Martins Road (140-feet) is wide enough to accommodate parking and is often utilized for local businesses.

Attached is an exhibit of the existing and proposed signs.

- A “Stop” sign should be added for west bound traffic at the intersection of W. Church Street and S. 116th Street.
- “No Parking” signs should be added for the southern side of W. Church Street up to 140-feet of W. St. Martins Road.
- All “One Way” signs should be bagged or temporarily removed.
- All “Do Not Enter” signs should be bagged or temporarily removed.

The change in signs should coincide with the commencement of construction activity by the Milwaukee County contractor and should be returned to existing travel routes and patterns when the contractor is

substantially complete. To allow the flexibility of the contractor's schedule, the exact timing of the sign changes should be as designated by the City Engineer. The City Engineer will make contact with Essential Services when the signs are altered.

Staff looked at the right-of-way between W. Spring Street and W. Swiss Street and found that it would need significant improvements for a designated detour route all summer. It is felt that local residents will know about the "short cut" but additional traffic should not be encouraged to travel this way.

To further employ the two-way traffic designation, staff is prepared to:

- temporarily stripe a yellow center line
- place some flexible posts along the center line
- add a speed limit sign (25 mph) for the west bound traffic
- notify the three churches regarding this resolution

Chief Oliva with the Franklin Police Department has reviewed the proposal and has no concerns.

OPTIONS

Approve or Table

FISCAL NOTES

DPW can make the signage modifications within the current operating budget.

REMMENDATIONS

Motion to sign Resolution to temporarily designate two-way travel for W. Church Street from S. 116th Street to St. Martins Road and further temporarily designate no-parking for the south side from 116th Street easterly up to 140-feet from W. St Martins Road. The dates of the temporarily designation shall coincide with the 2016 reconstruction of W. St. Martins Road as determined by the City Engineer and enforceable when posted by DPW.

The Board of Public Works considered this issue on February 9, 2016 and made a positive recommendation to the Common Council to pass the attached resolution.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY
RESOLUTION NO. 2016 - _____

A RESOLUTION TO TEMPORARILY DESIGNATE W. CHURCH STREET AS TWO-WAY
TRAFFIC AND NO-PARKING FROM S. 116TH STREET TO W. ST MARTINS ROAD

WHEREAS, in 2016 Milwaukee County is planning to reconstruct W. St. Martins Road from S. Lovers Lane to S. North Cape Road; and

WHEREAS, W. St. Martins Road will be a construction zone and often closed to through traffic during 2016; and

WHEREAS, access and navigation to/from locations in the western part of the St. Martins Village Area will be difficult during the County's reconstruction project; and

WHEREAS, W. Church Street from S. 116th Street to W. St. Martins Road is currently designated as one-way per City Code 245-4; and

WHEREAS, the south side of W. Church Street from 116th Street to a point 400 feet east is currently designated as no parking per City Code 245-5; and

WHEREAS, W. Church Street approximately 140-feet west of W. St. Martins Road is suitable for two-way traffic plus parking on one side only; and

WHEREAS, W. Church Street west of a point 140-feet west of W. St. Martins Road is not suitable for two-way traffic plus parking; and

WHEREAS, The City Engineer/Director of Public Works will be in close coordination with Milwaukee County and familiar with construction schedules;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that upon coordination with the Milwaukee County DOT-Transportation Services, the City Engineer will direct the Department of Public Works to temporarily post W. Church Street from S. 116th Street to W. St. Martins Road as two-way traffic and restrict on-street parking for all of this section with the exception of the eastern-most 140-feet on the south side. Signs reflecting this resolution will be posted after essential services have been notified; and

BE IT FURTHER RESOLVED that upon further coordination with the Milwaukee County DOT-Transportation Services, the City Engineer will direct the Department of Public Works re-install signage on W. Church Street from S. 116th Street to W. St. Martins Road to pre-construction conditions and City Codes 245-4 and 245-5 will be back in effect as written.

Introduced at a regular meeting of the Common Council of the City of Franklin this
_____ day of _____, 2016 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this
_____ day of _____, 2016.

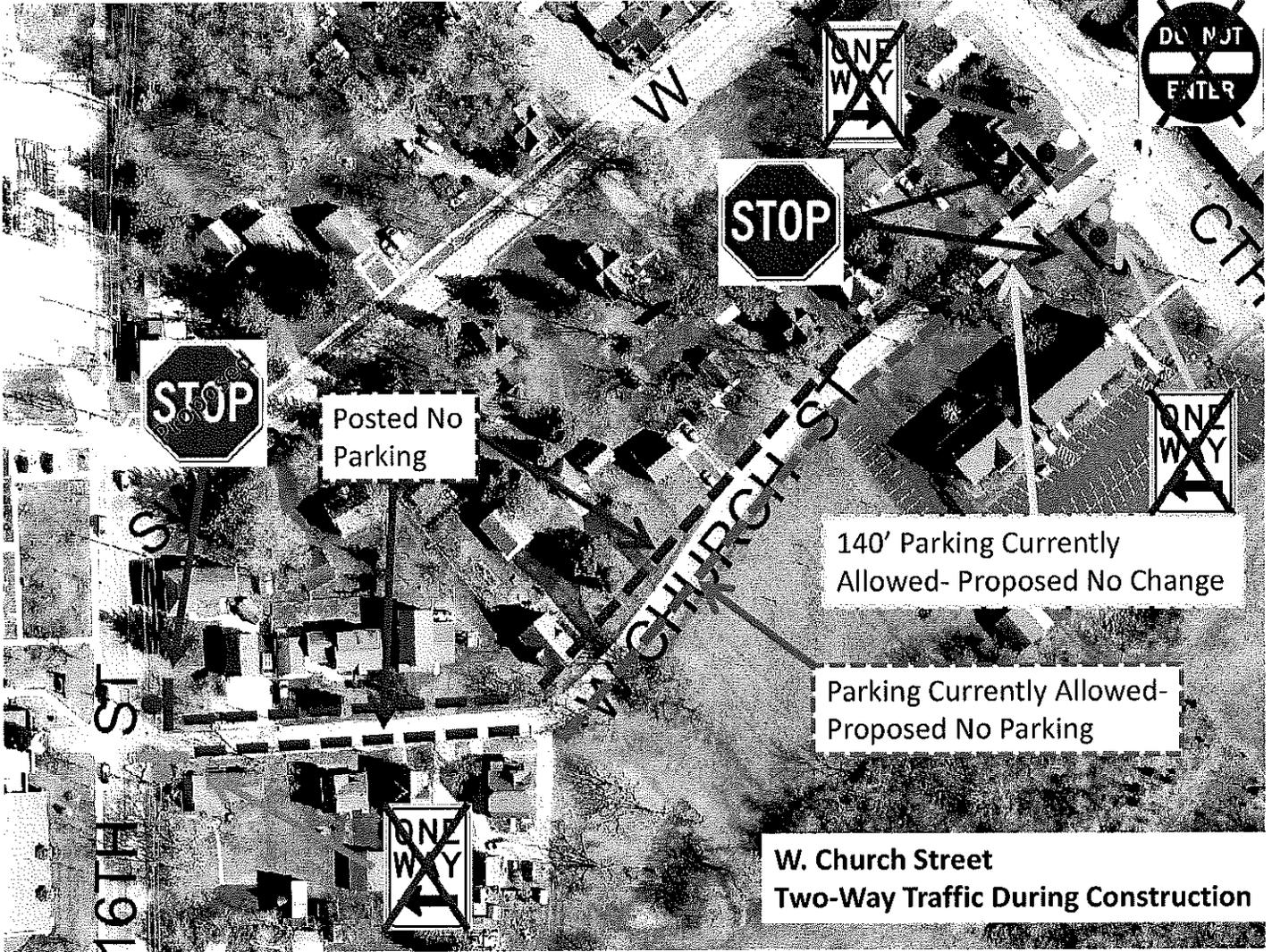
APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



Posted No Parking



140' Parking Currently Allowed- Proposed No Change

Parking Currently Allowed- Proposed No Parking

**W. Church Street
Two-Way Traffic During Construction**

16TH ST

W. CHURCH ST

W. ... ST

CTH



APPROVAL <i>Slw</i> <i>pk</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 1, 2016
REPORTS & RECOMMENDATIONS	2016 Sewer Service Fund User Fee revision	ITEM NUMBER <i>G.8.</i>

Background

Annually MMSD reviews the sanitary sewer rate structure and provides a user manual with rate changes. This is in keeping with Environmental Protection Agency regulations that user charges must be apportioned to each of these users or class of users on the basis of wastewater flow and strength discharged to the system. Franklin Municipal Code 207-14 (H) (3) provides for this rate review.

The 2016 MMSD Cost Manual provided for a rate increase. If the sewer fund were a regulated utility, that rate could be immediately passed along to rate payers. Combining the MMSD rate increase with a local sewerage charge, the Director of Finance & Treasurer is recommending a 5.1% residential sanitary sewer rate reduction effective Jan. 1, 2016. The total sanitary sewer charge for a Franklin single-family residence would be \$50.31 per quarter (compared to \$52.98 in 2015). This represents a 5.1% reduction from 2015. The table below helps explain the interplay of these rate and percentage changes.

The proposed rate change components are as follows:

	2016	2015	Inc (Dec)
Volumetric Charge	107.26	101.77	5.4%
Connection Charge	21.71	30.21	(28.1)%
Hazardous Waste Disposal	5.19	4.75	9.3%
Total MMSD Charge	134.16	136.73	(1.9)%
Franklin sewerage charge	67.08	75.20	(10.8)%
Total Annual Charge	201.24	211.93	(5.1)%
Quarterly Residential Charge	50.31	52.98	(5.1)%

Commercial customers would experience a fixed fee reduction to \$8.15 (was \$11.70 in 2015) and a volumetric rate of \$2.8842/(000 gallons) compared to \$2.7171/(000 gallons). Commercial Customer bills are more dependent upon the volume introduced to the system, and will see an increase as a result of the increased MMSD volumetric charge. By way of example:

Sample Commercial Customer bill	2016	2015	% Change
Fixed Charge	8.15	11.70	(39.3)%
Volume charge – 500,000 gal	1442.10	1358.65	6.1%
Total	1450.25	1370.35	5.8%

In investigating the basis for the volumetric rate increase, MMSD staff reported to the Director of Administration (whose summary comprises the remainder of this paragraph) that the deviation occurring between rising volumetric rates and decreasing fixed rates was not due to a change in District policy and is based upon allocation of charges in accordance with their accounting

requirements. In summary, MMSD calculates volumetric rates by applying their MMSD Cost Recovery Manual, which is a policy document, overseen by the PSC, that establishes the cost centers and chargeback parameters and mechanisms for those cost centers. In very simple terms, a number of factors such as changes in cost patterns associated with Infiltration and Inflow costs; the cost center origin of prior year, year-end fund balances; and actual maintenance cost centers as reported by their contracted plant operator have all applied greater costs to flow charges that impact volumetric rates. The bottom line is that the methodology they followed adheres to PSC-approved mechanisms and reflects actual accounting results. MMSD staff did indicate that they anticipate that the increase this year should be a one-year blip and that any larger increase that might be considered for next year (as driven by actual costs) could potentially be mitigated by application of stabilization funds they maintain for rate smoothing. Additionally, the pattern of the last couple years has led them to hire an outside firm to investigate their chargeback mechanism. Any future changes to the policy would be communicated to all participating communities directly through both the TAT (where the City Engineer is a participant) and through the ICC and the MMSD Executive Board (where the Mayor represents the City). In the end, the PSC would determine if any potential adjustments in accounting practices and allocations was appropriate.

Fiscal Note

In 2008, the common Council adopted a Sewer rate policy that considers the Sewer Fund balance and the relationship between local and MMSD charges. Projected Sewer Fund reserves at Dec 2015 are expected to decline by over \$1 million as a result of the Water & Wastewater building project. Still the Sewer Fund balance will be high enough such that the local charge can be reduced.

There are currently 10,248 Sewer customers – 9,133 of those are single family or Multi-family residences. (Please note there are more sewer customers than water customers – 8,172).

Actions taken by the City have actually offset some of the MMSD volumetric rate increase. The local charge has gone down each year since 2011, by way of reducing the ratio applied to the MMSD rate from 64% in 2011 to 50% in the proposed 2016 rates. These changes are in keeping with the sewer rate policy adopted in 2008. This reflects a 10% decrease from 2015 when the ratio was 55%. With these changes the City has mitigated the increase in the volumetric rate that MMSD will be using for 2016.

Recommendation

The Finance Committee reviewed this proposed rate at its February 23, 2016 meeting and is recommending Common Council adoption effective January 1, 2016. The proposed rates, if adopted, would appear on the first quarterly billing.

COUNCIL ACTION REQUESTED

Motion to adopt the quarterly 2016 Residential Sewer rate of \$50.31 and a quarterly Industrial connection charge of \$8.15 plus a Per Gallon charge of \$2.88 per thousand gallons effective January 1, 2016 as provided by Municipal Code 207-14 H (3)(b).

<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;">03/01/2016</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE FOR THE BILLING OF PRO-RATED SOLID WASTE COLLECTION SERVICE FEES</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.9.</i></p>

BACKGROUND

Per Ordinance No. 2011-2063:

Section 5 That a Solid Waste Collection Special Revenue Fund is hereby authorized with an annual charge to the property tax bills of those who are eligible to receive the solid waste collection service, such charge potential in the budget adoption process having been previously publically noticed in the city newsletter, and such charge being due upon adoption hereof, as may otherwise be required."

ANALYSIS

Since the inception of Ordinance 2011-2063, new property owners have accessed the solid waste disposal services provided by the City of Franklin's contractor free of charge until the first tax bill is issued. This length of time can exceed 12 months.

During the partial year of "free trash service", the Contractor, City, and other utility users are incurring costs for pickup and disposal. It is proposed that when a property owner is added to the solid waste collection service, the Finance Department would send pro-rated bills until the tax bills address the annual charges.

OPTIONS

Take no action, leave existing policy and practice as-is. Or
Adopt new Ordinance to modify Ordinance 2011-2063 to include pro-rated language

FISCAL NOTES

2016 annual cost for solid waste disposal service is \$106.95. All new revenue would be added to the Solid Waste Collection Special Revenue Fund.

RECOMMENDATIONS

Adopt Ordinance No. 2016-_____ to amend the Municipal Code to provide for the billing of pro-rated solid waste collection service fees for properties receiving such service which were not charged for same upon the real property tax bill for the property due to commencement of such service subsequent to the city budget and real property tax bill preparation and delivery process for the subject year(s).

ORDINANCE NO. 2016-_____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE
TO PROVIDE FOR THE BILLING OF PRO-RATED SOLID WASTE COLLECTION
SERVICE FEES FOR PROPERTIES RECEIVING SUCH SERVICE WHICH WERE NOT
CHARGED FOR SAME UPON THE REAL PROPERTY TAX BILL FOR THE
PROPERTY DUE TO COMMENCEMENT OF SUCH SERVICE SUBSEQUENT TO THE
CITY BUDGET AND REAL PROPERTY TAX BILL PREPARATION AND DELIVERY
PROCESS FOR THE SUBJECT YEAR(S)

WHEREAS, Ordinance No. 2011-2063, An Ordinance Adopting the Annual Budgets and Tax Levy and Other Revenue for the City of Franklin for Fiscal Year 2012, provided at Section 5: “[t]hat a Solid Waste Collection Special Revenue Fund is hereby authorized with an annual charge to the property tax bills of those who are eligible to receive the solid waste collection service,...”; and

WHEREAS, since the creation of the Solid Waste Collection Special Revenue Fund, property owners have contributed to the costs of the City contract waste hauler for a subject year by way of such costs appearing on the tax bills mailed in December of the prior year upon and following the adoption of the City budget for the subject year; and

WHEREAS, since the creation of the Fund, the City of late has experienced a number of properties, due to new development and otherwise, having commenced the services of the City contract waste hauler at a time during a year such that the annual costs thereof did not appear upon the real property tax bill for the property assessing such costs for the subject year; and

WHEREAS, the Department of Public Works and the Finance Department having recommended that such properties be billed for such services for which the cost thereof has not been charged previously on the real property tax bill for the properties; and

WHEREAS, the Common Council having reviewed such recommendations and having determined that same are fair and reasonable and in the public interest.

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

SECTION 1: §218-5. Collection and transportation of solid waste., of the Municipal Code of the City of Franklin, Wisconsin, the title only, be and the same is hereby amended to read as follows: “Collection and transportation of solid waste; solid waste collection fees.”

SECTION 2: §218-5.A. of the Municipal Code of the City of Franklin, Wisconsin, be and the same is hereby amended to read as follows:

- (1) The owner and occupant of any premises, business establishment or industry shall be responsible for the satisfactory collection and transportation of all solid waste accumulated at that premises, business establishment or industry to a solid waste disposal site or facility, unless arrangements for such purpose have been made with a collecting and transporting service holding a permit from the City. Single-family and two-family through four-family residences shall be served by the City contract hauler, and the owners and occupants of such properties shall place solid waste at curbside pursuant to §218-4.G.
- (2) The owner of any premises served by the City contract hauler shall pay a solid waste collection service fee to the City for such services by way of an annual charge upon the real property tax bill for such premises. The amount of such fee shall be as determined by the Common Council for such year as set forth in an ordinance adopting the City budget(s) for such year. Any owner of any premises served by the City contract hauler for which such services commenced at a time during a year such that the annual costs thereof did not appear upon the real property tax bill for the property assessing such costs for the subject year's service, shall be billed for such services by the City upon the commencement of such services for the balance of the year(s) of such services to be provided, until the cost for same becomes a charge on the real property tax bill for such premises. Any amount so billed and remaining unpaid for such premises at the time of the preparation for a tax bill upon a City budget adopted for the forthcoming year shall be added to the annual charge for the forthcoming year as a charge upon the real property tax bill.

SECTION 3: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2016, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2016.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2011-2063

AN ORDINANCE ADOPTING THE ANNUAL BUDGETS AND TAX LEVY
AND OTHER REVENUE FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2012

WHEREAS, the Finance Committee has reviewed and amended, where desired, the Mayor's Recommended 2012 Annual Budgets for the General Fund, Library Fund, Sewer Service Fund, Capital Outlay Fund, Equipment Revolving Fund, Street Improvement Fund, Capital Improvement Fund and Debt Service Fund for the City of Franklin; and

WHEREAS, the Proposed Budget recommended by the Finance Committee includes property taxes of \$21,450,000 that are levied to support the 2012 Annual Budget with a resulting City tax rate of approximately \$6.07 with the Common Council concurring in the need; and

WHEREAS, a Public Hearing was held by the Common Council on November 15, 2011 regarding the 2012 Proposed Annual Budgets; and,

WHEREAS, the Common Council determined that it would be in the best interest of the City and adopted the 2012 Annual Budgets as recommended by the Finance Committee, and

WHEREAS, the Mayor vetoed the 2012 Annual Budgets adopted on November 15, 2012 and that veto was sustained at a special Common Council meeting on November 29, 2011, and

WHEREAS, the Mayor's Recommended Budget incorporating the establishment of a Solid Waste Collection Fund, full funding for the Police and Fire Departments and other minor changes arising after the Recommended Budget was delivered to the Finance Committee, and

WHEREAS, the Common Council has determined that it would be in the best interest of the City to adopt these budgets as the 2012 Annual Budgets for the City of Franklin.

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

Section 1 That the 2012 Expenditure Budgets for the General Fund of \$24,972,000 (Pg. 8-9); for the Library Fund of \$1,357,945 (Pg. 20); Library Fund of \$1,357,945 (Pg. 20); for the Solid Waste Collection Fund of \$1,512,000; for Sewer Service Fund Operating Expenditure Budget of \$3,032,000 (Pg. 24-24.1); for the Capital Outlay Fund of \$551,050 (Pg. 31); for the Equipment Replacement Fund of \$539,300 (Pg. 33); for the Street Improvement Fund of \$620,000 (Pg. 37); for the Capital Improvement Fund for projects having Common Council approval of \$1,000,000 (Pg. 43); for the Capital Improvement Fund for budgetary authorization for Projects awaiting Common Council approval of \$3,413,500 (Pg. 43); for the Debt Service Fund of \$8,863,652 for City purposes (Pg. 45) totaling \$45,855,447 are adopted as the Annual expenditure budgets for the City of Franklin for fiscal year 2012.

Section 2 That in addition: 2012 capital additions for the Sewer Service Fund capitalized equipment accounts of \$1,500,650 (Pg. 23); 2012 scheduled TIF District #3 repayments of \$3,272,529 (Pg. 48) and 2005 TIF District Debt Service interfund advance payments for TIF District #4 of \$831,607 (Pg. 48) are adopted as annual required payments for those respective funds for fiscal year 2012.

Section 3 That the 2012 property taxes used to support: the General Fund of \$16,226,000 (Pg. 8-9); the Library Fund of \$1,222,000 (Pg. 20); the Capital Outlay Fund of \$384,000 (Pg. 31); the Equipment Replacement Fund of \$281,000 (Pg. 33); the Street Improvement Fund of \$604,000 (Pg. 37); the Debt Service Fund of \$1,750,000 for City purposes (Pg. 45); totaling \$20,467,000 are levied and adopted as the annual property tax levies for the City of Franklin for fiscal year 2012 with a resulting City tax rate of approximately \$5.79.

Section 4 That the 2011 Revenue Budgets for other than property taxes for the General Fund of \$7,421,000 (Pg. 8-9); for the Library Fund of \$66,000 (Pg. 20); for the Solid Waste Collection Fund of \$1,591,000; for Sewer Service Fund of \$3,258,000 (Pg. 24); for the Capital Outlay Fund of \$140,000 (Pg. 31); for the Equipment Replacement Fund of \$180,000 (Pg. 33); for the Street Improvement Fund of \$298,000 (Pg. 37); for the Capital Improvement Fund of \$4,294,000 (Pg. 43); for the Debt Service Fund of \$454,623 for City purposes (Pg. 45) totaling \$17,733,623 are adopted as the annual revenue budgets for other than property taxes for the City of Franklin for fiscal year 2012.

Section 5 That a Solid Waste Collection Special Revenue Fund is hereby authorized with an annual charge to the property tax bills of those who are eligible to receive the solid waste collection service, such charge potential in the budget adoption process having been previously publically noticed in the city newsletter, and such charge being due upon adoption hereof, as may otherwise be required.

Section 6 That the annual charge for 2012 solid waste collection service be set at \$104.00 for each property eligible to receive the solid waste collection service.

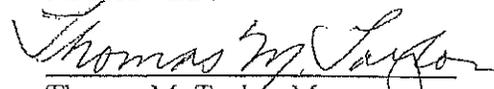
Introduced at a special meeting of the Common Council of the City of Franklin this 29th day of November, 2011 by Alderman Skowronski.

Passed and adopted at a special meeting of the Common Council of the City of Franklin this 29th day of November, 2011.

ATTEST:


Sandra L. Wesolowski, City Clerk

APPROVED:


Thomas M. Taylor, Mayor

AYES 3 NOES 2 ABSENT 1
(Ald. Skowronski) (Ald. Taylor) (Ald. Wilhelm)
(Ald. Schmidt) (Ald. Olson)
(Ald. Solomon)

<p>APPROVAL</p> <p><i>Shw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>March 1, 2016</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Resolution to Amend Articles III and V of the Administrative Rules and Procedures for the Board of Public Works Commission, Officers and Quorum</p>	<p>ITEM NUMBER</p> <p><i>G. 10.</i></p>

The above subject matter was tabled to this meeting by the Common Council at its February 16, 2016 meeting. Enclosed are the packet materials from that meeting. Also attached is a copy of the Board of Public Works Administrative Rules and Procedures. Subsequent to the last meeting, staff review of the historical process utilized by the Common Council upon consideration of Board, Commission and Committee proposed Administrative Rules determined that Council action was simply by motion. The below recommended motion adds a further change to those recommended by the Board, which is to delete/replace the use of the term "Commission" in the Rules, as the body is a Board.

COUNCIL ACTION REQUESTED

A motion to approve the amendments to the Board of Public Works Administrative Rules and Procedures to provide that a quorum shall be four members, and to delete any references to a Vice Chair and to a "Commission", the latter of which shall be deleted or replaced by the term "Board" as appropriate in context.

jw



City of Franklin, Wisconsin

Board of Public Works Commission

Administrative Rules and Procedures

August, 2001

Board of Public Works Commission

Administrative Rules and Procedures

Table of Contents

<u>Page</u>	<u>Article</u>	<u>Title</u>
1	I	Name of Commission
1	II	Authorization
1	III	Membership
1	IV	Duties
1	V	Officers
2	VI	Committees, Subcommittees
2	VII	Meetings
4	VIII	Order of Business
4	IX	Non-member Participation
4	X	Revisions, Amendments

Exhibit

- A Section 10-1 of the Municipal Code of Franklin.

Board of Public Works Commission

Administrative Rules and Procedures

Article I. Name of Commission

The name of this Commission shall be the "Board of Public Works Commission" of the City of Franklin, Wisconsin, hereinafter referred to as "the Commission".

Article II. Authorization

The authorization for the establishment of the Commission is set forth in Section 10-1 of the Municipal Code of Franklin, Wisconsin, as amended, hereinafter referred to as "Section 10-1", which is incorporated herein by this reference and is presented in Exhibit A.

Article III. Membership

- Section 1. The composition of the Commission shall be as established in Section 10-1A and as may otherwise be specified by the Common Council.
- Section 2. The terms of the members shall be as established in Section 10-1B and as may otherwise be specified by the Common Council.
- Section 3. Each member, including the presiding officer, shall have one (1) vote. Voting by proxy is not permitted. On a tie vote, the motion is lost.
- Section 4. All members shall serve without compensation.
- Section 5. A quorum shall be five (5) members, or a majority of all the members of the commission.
- Section 6. Actions, communications, etc. of Commission members shall be subject to the provisions of the Wisconsin Statutes, including but not limited to the Open Meetings Act, and the Municipal Code and policies of the City of Franklin, including but not limited to the Code of Ethics.

Article IV. Duties

The duties of the Commission shall be as established in State Statutes 62.14(6) and as may otherwise be specified by the Common Council.

Article V. Officers

- Section 1. The officers of the Commission shall be the Chair and Recorder.
- Section 2. The Chair and the Recorder shall be elected by and from the Commission resident members. The Recorder shall be a member at large.

- Section 3. The term of Chair shall be from election to the next election. Elections to fill this office shall be held at the first Commission meeting and the first Commission meeting on or after October 1 of each subsequent year. Elections to fill vacancy will be held at the first Commission meeting after the vacancy occurs.
- Section 4. The Chair shall preside at all meetings and hearings of the Commission, and shall have the duties normally conferred by parliamentary usage to such office. The Chair, with the assistance of the City staff ex officio members of the Commission, shall:
- a) Call meetings of the Commission as needed to fulfill the duties of the Commission, and determine the time and place of such meetings.
 - b) Prepare agendas for meetings and hearings.
 - c) Prepare reports of Commission actions.
 - d) Provide notice to all Commission members.
 - e) Arrange proper and legal notice of hearings.
 - f) Attend to correspondence of the Commission as approved by the Commission.
 - g) Determine that the Staff Secretary keeps the official Minutes and records of the Commission.
 - h) Determine that all Commission members have these Administrative Rules and Procedures, and such other records as may be necessary for the satisfactory conduct of the duties of Commission member.
 - i) Have other duties as may from time to time be assigned by the Commission.
- Section 5. When the Chair is unable to preside or fulfill the duties of the Chair, the Vice Chair shall preside and assume the duties of the Chair until the Chair is able to preside.
- Section 6. When the Chair and the Vice Chair are unable to preside or fulfill the duties of the Chair and a quorum of the Commission is present for a properly noticed and scheduled Commission meeting or hearing, the Recorder may call the Commission to order and shall temporarily preside solely over the selection of a Chair Pro Tempore by and from the Commission members present. Upon selection, the Chair Pro Tempore shall preside and assume the duties of the Chair until the Chair is able to preside.

Article VI. Committees, Subcommittees

- Section 1. The Commission may establish committees and subcommittees as deemed appropriate or necessary to fulfill the duties of the Commission.
- Section 2. The Chair shall appoint committee and subcommittee members and officers.

Article VII. Meetings

- Section 1. The Commission, its committees and subcommittees shall meet as needed to fulfill the duties of the Commission.
- Section 2. The Commission may adopt a regular, periodic meeting schedule as needed to fulfill the duties of the Commission, and determine the time and place of such meetings.

- Section 3. All meetings of the Commission shall be open to the general public, subject to the provisions of the Wisconsin Statutes (Open Meetings Act).
- Section 4. Except as otherwise provided herein or specified by the Common Council, the parliamentary procedure of the Commission shall be as provided in Robert's Rules of Order Newly Revised.
- Section 5. A record of all Commission actions shall be kept as part of its Minutes.
- Section 6. Any member of the Commission may place on a Commission agenda for consideration, discussion, action, etc. any matter that is properly within or related to the duties, rules, procedures, activities, etc. of the Commission, by notice to the Chair and the Recorder.
- Section 7. All materials and information related to matters to be considered by the Commission shall be delivered to the Staff Secretary not later than seven (7) working days preceding the meeting at which the matter is to be considered. Matters submitted for consideration by the Commission may be rescheduled to a subsequent Commission meeting when the Recorder has determined that any required materials and information have not been received by the specified time.
- Section 8. Agendas and other materials for each meeting shall, whenever possible, be delivered to the members of the Commission not later than three (3) working days preceding the meeting.
- Section 9. Actions of the Commission requiring approval of a two third (2/3) vote of all of the members are:
- a) To revise or amend these Administrative Rules and Procedures (except items established in the statutes and regulations of the State of Wisconsin or the Municipal Code of the City of Franklin, Wisconsin, which shall be as adopted by the applicable authoritative body).
- Section 10. The Commission may terminate any meeting at 10:00 p.m. or at any time thereafter with agenda items not yet considered. Any agenda item(s) under consideration or not yet considered at the time of meeting termination under this section shall be continued to the next meeting.

Article VIII. Order of Business

Section 1. Each Commission agenda shall provide for the following order of business:

- I. Call To Order, Roll Call and Pledge of Allegiance.
- II. Approval of Minutes of Previous Meeting(s).
- III. Public Comment Period.
- IV. Old Business.
- V. New business.
- VI. Adjournment.

Section 2. In general, the order of business shall follow the printed agenda. The order of business may vary from the printed agenda by consensus of the Commission members present.

Article IX. Non-member Participation

Section 1. Letters, documents and other records relevant to matters before the Commission or within Commission duties are welcome at any time by submission to the Secretary, subject to timing requirements established elsewhere herein. Submissions related to a specific matter before the Commission will be considered when the specific matter is considered. Submissions related to other matters within the Commission duties will be considered in the Other Business section of the agenda or as otherwise deemed applicable by the Commission.

Section 2. Except for properly noticed and scheduled public hearings, non-member testimony during Commission meetings shall be limited to a) applicants with matters before the Commission, b) persons with knowledge or expertise relevant to matters before the Commission or within Commission duties and c) the mayor and aldermen of the City of Franklin. Such non-member testimony shall be permitted during the Citizen Comment Period or at the discretion of and upon recognition by the Chair or on consensus of the Commission members present, and upon statement of name, address and basis for testimony.

Section 3. At a properly noticed and scheduled public hearing of the Commission, any person may speak on the specified subject of the hearing upon recognition by the Chair and statement of name and primary residence address.

Article X. Revisions, Amendments

Section 1. Rules and procedures noted herein which are established in the statutes and regulations of the State of Wisconsin or the Municipal Code of the City of Franklin shall be as adopted and amended by the applicable authoritative body.

Section 2. Other rules and procedures noted herein may be revised or amended by majority vote of the Commission resident members.

<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;"><i>2/16/16</i></p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION TO AMEND ARTICLES III AND V OF THE ADMINISTRATIVE RULES AND PROCEDURES FOR THE BOARD OF PUBLIC WORKS COMMISSION, OFFICERS AND QUORUM</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.15.</i></p>

BACKGROUND

The Board of Public Works at their January 12, 2016 meeting reviewed Administrative Rules and Procedures for the Commission.

ANALYSIS

As a result of their review there were two items that appeared to need updating:

- The first item being under Article III Membership, Section 5. As found quorum required five (5) members. The commission has existed with six (6) citizens at large and an Alderman who votes, thus totaling seven (7). A majority should be changed to four (4) members for quorum. If the number of Commissioners would increase the section allows for a majority to prevail.
- The second item being under Article V, Officers in Section 5 and Section 6 where a vice chair is indicated to be part of the Commission. The listing of vice chair is contrary to Section 1 of this article which indicates the only officers shall be a chair and recorder. This being consistent with long standing practices of the Commission.

OPTION

Modify the Administrative Rules and Procedures
Table or deny.

RECOMMENDATIONS

Motion to adopt Resolution No. 2016 - _____, a resolution to amend the Administrative Rules and Procedures for the Board of Public Works commission, officers and quorum.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2016 - _____

A RESOLUTION TO AMEND ARTICLE III AND V
OF THE ADMINISTRATIVE RULES AND PROCEDURES
FOR THE BOARD OF PUBLIC WORKS
COMMISSION, OFFICERS AND QUORUM

WHEREAS, the Board of Public Works having reviewed the Administrative Rules and Procedures for the Board of Public Works Commission at their meeting of January 12, 2016 and recommended to Common Council at their February 9, 2016 meeting amendments be made.

NOW, THEREFORE, the Common Council of the City of Franklin do hereby ordain as the following amendments under the Board of Public Works Commission:

Article III. Membership Section 5

Quorum to be changed from five(5) to four (4) members.

Article V. Officers Section 5 and Section 6

Eliminate Section 5

Change Section 6 to be 5 and read "When the Chair is unable to preside"

Introduced at a regular meeting of the Common Council of the City of Franklin on the _____ day of _____, 2016, by Alderman _____.

Passed and adopted by the Common Council on the _____ day of _____, 2016.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

RJR/db

Blank Page

<p>APPROVAL <i>Slw</i> <i>PSK</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE March 1, 2016</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>An Ordinance to Amend Ordinance 2015-2198, an Ordinance Adopting the 2016 Annual Budgets for the General Fund, Development Fund, Donations Fund, Capital Outlay Fund, Capital Improvement Fund TID 3 Fund, TID 4 Fund for the City of Franklin for Fiscal Year 2016 to Approve Budget Encumbrances from the 2015 Budget as Amendments to the 2016 Budget</p>	<p>ITEM NUMBER <i>G.11.</i></p>

Background

Each year generally accepted accounting principles require a search for encumbrances. An encumbrance is a contract or written purchase order that was entered into or ordered during the fiscal year with the intent that the contract or purchase order would be completed in that year or the understanding that the project would take more than one fiscal year to complete. Projects meeting the definition of an encumbrance must have a portion of the fund balance reserved for the costs necessary to complete the project.

In 2013 the conversion to the BS&A software added tracking of encumbrances. The attached lists the identified encumbrances.

Analysis

For the year 2015 there are projects in General Fund, Development Fund, Donations Fund, Capital Outlay Fund, Capital Improvement Fund, TID 3 Fund, and TID 4 Fund which could be encumbered.

Fiscal Impact

These actions allow those funds to be used without penalizing respective 2016 budgets for the projects in process. Revenue was provided in the 2015 Budget but was unused. The 2015 year-end financial reports and the year-end fund balances will include the impact of the encumbrances. Revenue was provided in the 2015 Budget but was unused. The fiscal impact of encumbrances to each of the funds is a reduction of the respective fund balance.

Recommendation

The Finance Committee reviewed this 2016 Budget Amendment for Encumbrances and recommends that Common Council adopt this Ordinance.

COUNCIL ACTION REQUESTED

Motion to adopt An Ordinance to Amend Ordinance 2015-2198, an Ordinance Adopting the 2016 Annual Budgets for the General Fund, Development Fund, Donations Fund, Capital Outlay Fund, Capital Improvement Fund, TID 3 Fund, and TID 4 Fund for the City of Franklin for Fiscal Year 2016 to Approve Budget Encumbrances from the 2015 Budget as Amendments to the 2016 Budget

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2016_____

AN ORDINANCE TO AMEND ORDINANCE 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL FUND, DEVELOPMENT FUND, DONATIONS FUND, CAPITAL OUTLAY FUND, CAPITAL IMPROVEMENT FUND, TID 3 FUND, AND TID 4 FUND, FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016 TO APPROVE BUDGET ENCUMBRANCES FROM THE 2015 BUDGET AS AMENDMENTS TO THE 2016 BUDGET

WHEREAS, the Common Council of the City of Franklin adopted the 2016 Annual Budgets for the General Fund, Development Fund, Donations Fund, Capital Outlay Fund, Capital Improvement, TID 3 Fund, and TID 4 Fund, and

WHEREAS, certain monies included in the 2015 Annual Budgets of the respective funds were intended to be expended in 2015 and were committed for expenditure prior to December 31, 2015; and

WHEREAS, these amounts will be expended in 2016, and as a result, the related appropriations should be made available and appropriated in the 2016 budget; and

WHEREAS, Common Council has determined that it would be in the best interest of the City to approve such encumbrance in the 2016 budgets of the respective funds; and

WHEREAS, the Budget Appropriation Units will be adjusted for the items listed below.

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

Section 1 That certain encumbered funds of the 2015 budgeted amounts be transferred forward to the 2016 Annual Budget for the respective funds of the City of Franklin to pay for 2015 encumbrances as follows:

General Fund

Info Services	Non-Personnel	Increase	11,366.76
Admin	Non-Personnel	Increase	19,700.00
Police	Non-Personnel	Increase	12,719.91
Building Inspection	Non-Personnel	Increase	793.80
Engineering	Non-Personnel	Increase	1,057.45
Highway	Non-Personnel	Increase	61,983.10
Development	Non-Personnel	Increase	38,415.00

Development Fund

Professional Services		Increase	3,320.50
-----------------------	--	----------	----------

Donations Fund				
	Police	Non-Personnel	Increase	2,134.00
Capital Outlay Fund				
	Finance	Software	Increase	5,350.00
	Police	Comp Equip	Increase	1,730.95
	Fire	Comp Equip	Increase	11,000.00
	Fire	Equipment	Increase	4,750.00
	Bldg Inspec	Software	Increase	16,458.75
	Highway	Auto Equip	Increase	3,159.00
	Parks	Park Equip	Increase	2,169.44
Capital Improvement Fund				
	Police	Other Equip	Increase	7,964.48
	Fire	Emerg Vehicle	Increase	6,100.00
	Fire	Roof	Increase	78,500.00
	Highway	Engineer/Culver	Increase	45,158.40
	Highway	Emerg Vehicle	Increase	31,859.59
	Parks	Equipment	Increase	24,280.00
	Parks	Engin – Kayla	Increase	3,836.76
	Parks	Kayla’s	Increase	147,104.67
	Parks	College – path	Increase	9,100.00
	Parks	Eng – Southbk	Increase	4,462.50
	Parks	Eng – River Pk	Increase	103,631.00
	DPW	S N Cape Rd	Increase	113,499.70
TID 3	Highway	S 27 th St	Increase	2,320,288.71
TID 4	Professional		Increase	12,100.00

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this resolution.

Introduced at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2016.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2016.

APPROVED:

ATTEST:

Stephen R Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

**City of Franklin
2015 Budget Encumbrances and Carryovers to 2016**

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Encumbrance</u>	<u>Fund</u>	<u>Dept</u>	<u>Acct</u>	<u>Description</u>
73723	8/10/2015	GOVHR USA LLC	6,966.76	01	0144	5160	IT Director recruitment
73770	11/30/2015	Hearland Business Systems	4,400.00	01	0144	5214	Infrastructure Assessment
73629	12/26/2014	GOV HR USA LLC	19,700.00	01	0147	5219	Classification & Compensation Study
		Total Gen Government	31,066.76				
73807	12/29/2015	Red the Uniform Taylor	850.00	01	0211	5326	Uniforms
73791	12/18/2015	Kaiser Police Supply	3,496.00	01	0211	5327	Pistols w/sites
73792	12/18/2015	Kaiser Police Supply	1,358.00	01	0211	5327	Pistols w/sites
73802	12/29/2015	Streicher's	314.91	01	0211	5327	leather duty gear
73789	12/18/2015	Prophoenix Corp	2,001.00	01	0211	5425	training
73787	12/18/2015	Lippert Tile Co Inc	4,700.00	01	0211	5558	Carpeting in Communication Center
		Total Public Safety	12,719.91				
73774	12/11/2015	Transcat	793.80	01	0231	5242	recalibration of 3 light meters
73658	3/3/2015	Graef	1,057.45	01	0321	5219	W St Martin's Rd Consulting
73776	12/17/2015	Tapco Traffic & Parking	4,260.00	01	0331	5343	U Channel Sign Post
73779	12/18/2015	3M	3,798.00	01	0331	5343	Sign Making materials
73775	12/18/2015	County Materials Corp	15,281.60	01	0331	5381	Risers - adjusting rings
73799	12/29/2015	3m	3,693.50	01	0331	5381	Sign Making materials
73809	12/30/2015	Norway Specialized Services	4,950.00	01	0331	5381	Screen 16,500 ton of Asphalt
73759	11/23/2015	Phillips Lighting Co	13,500.00	01	0331	5246	Light Poles
73760	11/23/2015	Valmont Light Poles	16,500.00	01	0331	5246	Light Poles
		Total Public Works	63,834.35				
73675	4/7/2015	Graef	9,530.00	01	641	5219	Traffic Study - 76th & Loomis
73763	11/23/2015	Int'l Economic Development Council	385.00	01	641	5424	membership - Hertzberg
73576	11/10/2014	Qurles & Brady	3,300.00	01	641	5219	Area A & G TID
73576	11/10/2014	Qurles & Brady	3,400.00	01	641	5219	Area A & G TID
73577	11/10/2014	Ehlers	10,900.00	01	641	5219	Area A & G TID
73577	11/10/2014	Ehlers	10,900.00	01	641	5219	Area A & G TID
		Total Development	38,415.00				
		Total General Fund	146,036.02				
73768	11/30/2015	Demco Inc	2,698.00	15	0551	5812	furniture - Gaylord CD/video
73677	4/13/2015	Ruekert Mielki	3,320.50	27	0000	5219	Water Impact Fee study
73792	12/18/2015	Kiesler Police Supply Inc	2,134.00	28	211	5327.7055	Pistols

**City of Franklin
2015 Budget Encumbrances and Carryovers to 2016**

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Encumbrance</u>	<u>Fund</u>	<u>Dept</u>	<u>Acct</u>	<u>Description</u>
73793	12/18/2015	Kiesler Police Supply Inc	3,366.00	28	211	5327.7055	Pistols
		Total Donations	5,500.00				
73713	7/30/2015	Real Asset Management	5,350.00	41	151	5499	Fixed Asset software
73805	12/29/2015	Advantage Police Supply	4,750.00	41	221	5841	Rescue Task Force Equipment
73757	11/23/2015	CDW Government Inc	1,730.95	41	211	5841	Microsoft Surface Pro 4
73797	12/28/2015	Waukesha County Radio Service	11,000.00	41	221	5815	Radio programming
73655	2/24/2015	MS Govern	1,938.75	41	231	5843	Cornerstone Permit Data Conversion
73656	2/25/2015	MS Govern	14,520.00	41	231	5843	Open Forms Starter Kit
73808	12/30/2015	Mike's Trailer Sales	3,159.00	41	331	5811	Model XLY-612SA35T
73800	12/29/2015	Rundle Spence Mfg	2,169.44	41	551	5832	Replacement Drinking fountain
		Total Capital Outlay	44,618.14				
73766	11/30/2015	General Fire Equipment	7,964.48	46	211	5819.7070	Emergency Vehicle Preemption
73798	12/28/2015	Emergency Lighting & Electric	6,100.00	46	221	5819.7070	Emergency Vehicle Preemption
73748	10/21/2015	Cudahy Roofing & Supply	78,500.00	46	221	5822.9658	Fire Station #1 roof replacement
73732	9/15/2015	Malas Engineering	45,158.40	46	331	5837.9314	Engineering - St Martin's Rd culvert replacement
73711	7/22/2015	WI Dept of Transport	8,286.53	46	331	5839.7070	Emergency Vehicle - Hwy 100 & Drexel
73712	7/22/2015	WI Dept of Transport	8,286.53	46	331	5839.7070	Emergency Vehicle - Loomis & Drexel
73778	12/21/2015	WI Dept of Transport	8,286.53	46	331	5839.7070	Emergency Vehicle - Ryan & 76th
73780	12/21/2015	Pro Electric	3,500.00	46	331	5839.7070	Emergency Vehicle - Hwy 100 & Drexel
73781	12/21/2015	Pro Electric	3,500.00	46	331	5839.7070	Emergency Vehicle - Loomis & Drexel
73752	10/22/2015	Bay Communications	24,280.00	46	551	5819.9820	Camera's at Kayla's Playground
73695	6/9/2015	Graef	3,836.76	46	551	5832.9820	Engineering - Kayla's Playground
73718	7/30/2015	Willkomm Excavating	147,104.67	46	551	5832.9820	Site work
73772	12/21/2015	Malas Engineering	9,100.00	46	551	5833.3260	engineering - pathway on College Ave
73720	7/30/2015	JDS Professional Service	4,462.50	46	551	5833.9831	Engineering - Southbrook Trail
73754	11/16/2015	JDS Professional Service	103,631.00	46	551	5837.9828	Engineering - River Park Trail
73682	4/16/2015	Milw County Dept of Transportation	8,024.64	46	755	5830.3589	S North Cape Road - work
73682	4/16/2015	Milw County Dept of Transportation	13,401.86	46	756	5826.3589	S North Cape Road - sanitary sewer work
73738	10/7/2015	Milw County Dept of Transportation	19,734.00	46	755	5830.3589	S North Cape Road - work
73738	10/7/2015	Milw County Dept of Transportation	72,339.20	46	756	5819.3589	S North Cape Road Storm Sewer
		Total Capital Improvement	575,497.10				
73727	8/13/2015	WI Dept of Transport	161,712.00	48	331	5828.3027	S 27th St - sidewalk
73727	8/13/2015	WI Dept of Transport	1,308,960.00	48	331	5834.3027	S 27th St - street lights
73727	8/13/2015	WI Dept of Transport	422,216.00	48	331	5838.3027	S 27th St - streetscape- signage
73698	5/21/2015	WI Dept of Transport	421,704.00	48	755	5830.3027	S 27th St - water main work
73699	5/21/2015	First Supply	5,696.71	48	755	5830.3027	S 27th St - water materials
		Total TID 3	2,320,288.71				

**City of Franklin
2015 Budget Encumbrances and Carryovers to 2016**

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Encumbrance</u>	<u>Fund</u>	<u>Dept</u>	<u>Acct</u>	<u>Description</u>
73576	10/11/2014	Qurles & Brady	3,300.00	49	0	5212	legal fees on TID Amendment
73577	10/10/2014	Ehlers	8,800.00	49	0	5219	TID Amendment work
		Total TID 4	12,100.00				
		Total Encumbrances	3,110,058.47				

Budget Amendment

APPROVAL <i>Slw</i> <i>PA</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE March 1, 2016
REPORTS & RECOMMENDATIONS	An Ordinance to Amend Ordinance 2014-2152, an Ordinance Adopting the 2015 Annual budgets for the General Fund for the City of Franklin for Fiscal Year 2015, to Provide Personnel Appropriations for Personnel Costs Related to the Classification and Compensation Study and Fire Department Overtime	ITEM NUMBER <i>G.12.</i>

Background

As 2015 is wrapping up, a handful of departments are seeing expenditures exceed the budget appropriation.

1. The Finance Dept had a large group of folks who were below the minimums established by the Classification and Compensation study. As a result of the Class & Comp study the actual personnel costs exceeded the appropriation by 0.5% or \$2,112.
2. The Fire Dept had more than one long term medical disability that pushed overtime higher than expected. This caused all personnel costs to exceed budget by \$37,177 (0.7%).
3. Parks department shares personnel with the Highway Dept. Summer and fall maintenance work on park pavilions was much greater than planned. The Parks Dept was over budget appropriations by \$17,324 (15%). This can be shifted from Highway Dept personnel budget.
4. The Planning Dept had a larger increase as a result of the Class & Comp study than the budget anticipated. The Dept was \$3,216 (1%) over the personnel appropriation.

Options

The Parks overage can be transferred from the Highway Dept, as the Highway Dept was under budget by an amount greater than what the Parks Dept was over budget. The Fire, Finance and Planning Dept overages would come from Restricted Contingency

Recommendation

The Finance Director recommends transferring \$17,400 from Highway Personnel Costs to Parks Dept Personnel Costs. The Finance further recommends transferring \$2,200 to Finance Personnel Costs, \$37,200 to Fire Dept Personnel Costs and \$3,300 to Planning; all coming from Restricted Contingency totaling \$42,700.

COMMON COUNCIL ACTION REQUESTED

Motion to adopt an Ordinance to Amend Ordinance 2014-2152, an Ordinance Adopting the 2015 Annual budgets for the General Fund for the City of Franklin for fiscal year 2015, to Provide Personnel Appropriations for Personnel Costs related to the Classification and Compensation Study and Fire Department Overtime.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2016 _____

AN ORDINANCE TO AMEND ORDINANCE 2014-2152, AN ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS FOR THE GENERAL FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2015, TO PROVIDE PERSONNEL APPROPRIATIONS FOR PERSONNEL COSTS RELATED TO THE CLASSIFICATION AND COMPENSATION STUDY AND FIRE DEPT OVERTIME

WHEREAS, the Common Council adopted the 2015 Budget for the City of Franklin providing resources and appropriations for 2015 and

WHEREAS, Fire Department overtime costs exceeded budget appropriations related to several long term medical leaves, and

WHEREAS, the Highway Department shares personnel with the Parks Department with the Parks Department spending more than expected time repairing and maintaining park pavilions, and

WHEREAS, the Classification and Compensation Study resulted in additional personnel costs in the Finance and Planning Departments.

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

Section 1 That the 2015 Budgets of the General Fund be adjusted as follows:

General Fund			
Finance	Personnel Costs	Increase	\$2,200
Fire	Personnel Costs	Increase	37,200
Highway	Personnel Costs	Decrease	17,400
Parks	Personnel Costs	Increase	17,400
Planning	Personnel Costs	Increase	3,300
Contingency	Restricted	Decrease	42,700

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2015.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk
AYES ____ NOES ____ ABSENT ____

APPROVAL <i>Slw</i> <i>Par</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE March 1, 2016
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY, GRANTS FUND AND CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO APPROPRIATE FUNDS FOR HEALTH GRANTS, VIDEO CONFERENCING EQUIPMENT AND RE-APPROPRIATE UNUSED 2015 CAPITAL OUTLAY INFORMATION SYSTEM EQUIPMENT AND SOFTWARE APPROPRIATIONS AND CAPITAL IMPROVEMENT FUND APPROPRIATIONS FOR FIRE DEPT CLOSETS	ITEM NUMBER <i>G.13.</i>

Background

At the December 15, 2015 Common Council meeting, the Council directed staff to prepare a 2016 Budget Amendment to re-appropriate \$50,000 of Unrestricted Contingency in the Capital Outlay Fund for a proposed video conferencing system. (Item G11)

At that same December 15, 2015 meeting, the Common Council directed staff (G12) to prepare a 2016 Budget Amendment to re-appropriate uncompleted projects in the Information Systems Department for certain Computer equipment and software totaling \$126,139 as well as Capital Improvement Fund appropriations for Fire Station 2 & 3 climate controlled security closets totaling \$25,000

Discussion

The Finance Committee reviewed this item, and recommended that the Video Conferencing equipment be appropriated in the Muni Buildings equipment Capital Outlay Fund rather than Contingency Appropriations as directed in the Common Council motion.

A draft Budget Amendment Ordinance to accomplish these directives is attached for the Council's consideration.

Recommendation

The Finance Committee reviewed this Budget Amendment at its February 23, 2016 meeting and recommends its adoption.

COMMON COUNCIL ACTION REQUESTED

Motion adopting of an ordinance to amend ordinance 2015-2198, an ordinance adopting the 2016 annual budgets for the Capital Outlay, Grants Fund and Capital Improvement Fund for the City of Franklin for fiscal year 2016, to appropriate funds for Health Grants, video conferencing equipment and re-appropriate unused 2015 Capital Outlay information system equipment and software appropriations and Capital Improvement Fund appropriations for Fire Dept closets.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2016 _____

AN ORDINANCE TO AMEND ORDINANCE 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY, GRANTS FUND AND CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO APPROPRIATE FUNDS FOR HEALTH GRANTS, VIDEO CONFERENCING EQUIPMENT AND RE-APPROPRIATE UNUSED 2015 CAPITAL OUTLAY AND CAPITAL IMPROVEMENT INFORMATION SYSTEM EQUIPMENT AND SOFTWARE APPROPRIATIONS FOR FIRE DEPT CLOSETS

WHEREAS, the Common Council adopted the 2016 Budget for the City of Franklin providing resources and appropriations for 2016 in the Capital Outlay Fund and the Capital Improvement Fund; and

WHEREAS, the 2015 Capital Improvement Fund appropriations included an appropriation of \$25,000 for Security Closet projects at two Fire Stations that remains uncompleted; and

WHEREAS, the 2015 Capital Outlay Fund included appropriations for items in the amounts of \$5,000 for SAN Hard Drive, \$6,000 for RAM Additions to Cluster Servers at City Hall, \$900 for a Laptop for IT Department, and \$25,000 for VPN Upgrade, \$16,250 for MS Office License Upgrades, \$47,989 remaining for the Network Backup and Business Continuity Solution and \$25,000 for Edit-App solution that remain uncompleted; and

WHEREAS, the 2015 Capital Outlay budget had unspent Contingency Appropriations in excess of \$50,000; and

WHEREAS, the Common Council directed staff to obtain proposals for video conferencing capability in 2016; and

WHEREAS, the Health Department has additional grant funds available for health emergency preparedness of \$13,365; and

WHEREAS, the Common Council believes such projects are necessary for the welfare of the Community.

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

Section 1 That the 2016 Budgets be adjusted as follows:

Capital Outlay Fund			
Info Services	Computer Equipment	Increase	36,900
	Computer Software	Increase	89,239
Muni Bldg	Equipment	Increase	50,000

Grants Fund				
Health	Grant Revenue	Increase		13,365
	Grant Expenditures	Increase		13,365

Capital Improvement Fund				
Fire	Building Improvements	Increase		25,000

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2016.

APPROVED:

 Stephen R Olson, Mayor

ATTEST:

 Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

Blank Page

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/1/16
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.1.

See attached list from meeting of March 1, 2016.

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

License Committee

Agenda*

Aldermen's Room

March 1, 2016 – 6:00 pm

1.	Call to Order & Roll Call	Time:		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – New 2015-16	Mandy L Mayrand 28911 Fir Lane Waterford, WI 553185 Swiss Street Pub & Grill			
Operator – New 2015-16	Jonah T Spaay 4444 W Central Ave Franklin, WI 53132 Chili's Bar & Grill			
Operator – New 2015-16	Benjamin T Turowski 7144 S 47 th Place Franklin, WI 53132 7 Eleven			
Change of Agent 2015-16	Henry L Monti 2408 Prospect Street Racine, WI 53404 Sam's East Inc.			
3.	Adjournment			
		Time		

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

APPROVAL <i>Slw</i> <i>Pod</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/1/16
--	-----------------------------------	--------------------------------------

Bills	Vouchers and Payroll Approval	ITEM NUMBER I. 1
--------------	--------------------------------------	-----------------------------------

Attached are vouchers dated February 12, 2016 through March 1, 2016 Nos. 159779 through Nos. 159980 in the amount of \$ 2,377,505.32. Included in this listing are EFT's Nos. 3090 through Nos. 3108 and Library vouchers totaling \$ 22,178.63. Voided checks in the amount of \$ (2,274.65) are separately listed.

Early release disbursements under Resolution 2013-6920 in the amount of \$ 673,225.40 are provided on a separate listing and are also included on the complete disbursement listing.

The net payroll dated February 19, 2016 is \$ 366,879.29 previously estimated at \$ 378,000.00. Payroll deductions for February 19, 2016 are \$384,163.95 previously estimated at \$ 382,000.00.

The estimated payroll for March 4, 2016 is \$ 348,000.00 with estimated deductions of \$ 212,000.00.

Attached is a list of property tax refunds and settlements Nos. 16350 through 16359 and EFT Nos. 83 through Nos. 91 dated February 12, 2016 through March 1, 2016 in the amount of \$ 21,845,111.48. These refunds have been released as authorized under Resolution 2013-6920.

COUNCIL ACTION REQUESTED

Motion approving net general checking account City vouchers in the range of Nos. 159779 through Nos. 159980 in the amount of \$ 2,377,505.32 dated February 12, 2016 through March 1, 2016.

Motion approving the net payroll dated February 19, 2016 in the amount of \$ 366,879.29 and payments of the various payroll deductions in the amount of \$ 384,163.95 plus any City matching payments, where required.

Motion approving the net payroll dated March 4, 2016 estimated at \$ 348,000.00 and payments of the various payroll deductions estimated at \$ 212,000.00, plus any City matching payments, where required.

Motion approving property tax refunds and settlements Nos. 16350 through Nos. 16359 in amount of \$ 21,845,111.48 dated February 12, 2016 through March 1, 2016.