

<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;">05/07/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">REQUEST BY AHMED ALI TO RELEASE A PORTION OF THE CONSERVANCY EASEMENT ON LOT 31 OF THE WOODLANDS OF FRANKLIN SUBDIVISION LOCATED AT 4471 WEST MELISSA COURT</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.5.</i></p>

At the April 16, 2013, meeting of the Common Council, the following action was approved: move to refer a proposed front yard setback variance and/or a natural resource special exception for the property located at 4471 W. Melissa Ct. Lot 31 of the Woodlands of Franklin Subdivision to staff to return subject to the Common Council at their May 7th meeting with a prepared Section 236 resolution to release a portion of the 30 foot wetland buffer/setback easement subject to receipt of written application for such purpose.

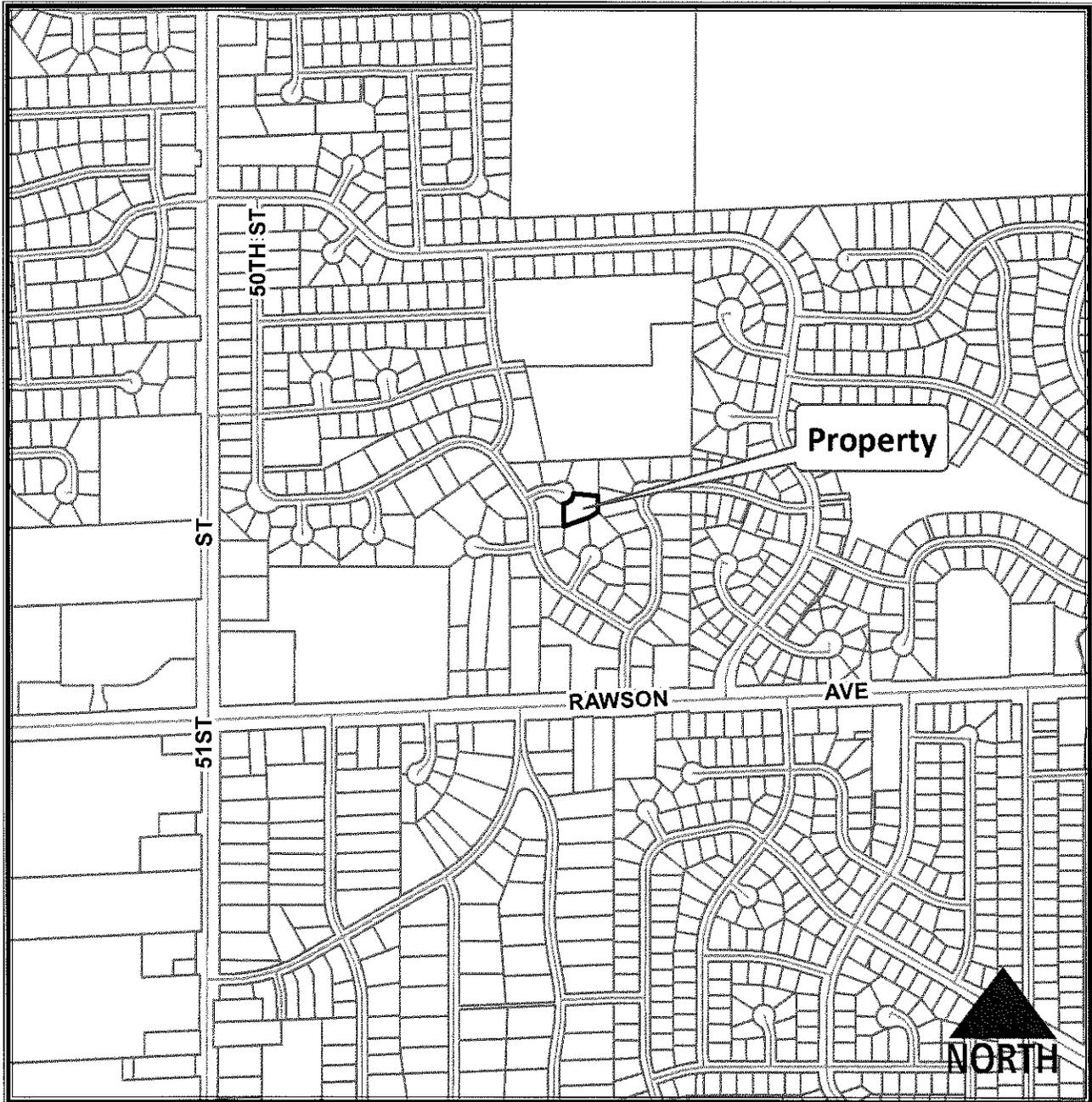
On April 25, 2013, Mr. Ali submitted a written request for the City to release a portion of the Conservancy Easement on Lot 31 of the Woodlands of Franklin Subdivision to provide relief for the construction of his home. Mr. Ali's home builder, William Ryan Homes, has prepared exhibits to depict the home layout as it relates to the existing easement locations (Exhibit A) and the proposed amendment to the conservancy easement area (Exhibit B).

COUNCIL ACTION REQUESTED

A motion to approve the request by Ahmed Ali to release a portion of the Conservancy Easement on Lot 31 of the Woodlands of Franklin subdivision, located at 4471 W. Melissa Court.



Woodlands of Franklin Lot 31



Planning Department
(414) 425-4024



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

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2013-____

A RESOLUTION TO RELEASE IN PART A CONSERVANCY EASEMENT UPON LOT
31 OF THE WOODLANDS OF FRANKLIN SUBDIVISION
(4471 West Melissa Court; Tax Key No. 740 0132 000)

WHEREAS, the Final Plat for the Woodlands of Franklin Subdivision provides a conservancy easement upon Lot 31; and

WHEREAS, the subject conservancy easement upon Lot 31 was an easement imposed under the Unified Development Ordinance prior to the adoption of amendments to the Ordinance providing for additional natural resources protections and special exceptions thereto; and

WHEREAS, the number of and area of various easements and non-buildable areas upon Lot 31 resulting from the platting of the Subdivision have rendered the property to be an appropriate subject for relief from the full imposition of the conservancy easements, which would allow for the development of Lot 31 consistent with area lots in the Subdivision; and

WHEREAS, the property owner of Lot 31 has requested the release of 14.6 feet from the northerly border of the approximately over [60] foot wide conservancy easement to allow for the construction of a home; and

WHEREAS, Woodlands Subdivision Lot 31, located at 4471 West Melissa Court, is more particularly described as follows:

Lot 31 of the Woodlands of Franklin, being a subdivision of the SE 1/4 and SW 1/4 of the Southeast quarter and the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the Southeast quarter of Section 2, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin; Tax key no. 740 0132 000; and

WHEREAS, the existing conservancy easement upon Lot 31 is recorded in the Office of the Register of Deeds for Milwaukee County as Document No. 8785388, Reel [5840], Image [4030] is legally described as follows:

All that part of Lot 31, "Woodlands of Franklin", being a redivision Parcel 3 of Certified Survey Map No. 4565, being a part of the SE 1/4 and SW 1/4 of the SE 1/4 of Section 2, together with lands in the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of Section 2, T 5 N, R 21 E, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the Southwest corner of said Lot 31; thence N 2°18'17" W along the West line of said Lot 31, 67.87 feet to the point of

beginning; thence N 88°12'45" E, 23.75'; thence S 89°07'14" E, 17.61 feet; thence N 39°57'20" E, 20.32 feet; thence N 58°46'02" E, 31.72 feet; thence N 80°12'07" E, 24.33 feet; thence N 65°5'55" E, 25.30 feet; thence N 61°27'42" E, 26.69'; thence N 53°49'38" E, 27.60 feet; thence N 52°50'36" E 19.49 feet to a point on the East line of said Lot 31; thence S 0°41'47" W along said East line, 77.69 feet; thence S 56°25'12" W, 60.78 feet: thence S 70°30'50" W, 141.38 feet to the place of beginning; and

WHEREAS, the proposed conservancy easement following the release of the 14.6 feet from the northerly border is depicted upon Exhibit B annexed hereto and legally described as follows:

All that part of Lot 31 of the Woodlands of Franklin, being a subdivision of the SE 1/4 and SW 1/4 of the Southeast quarter and the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the Southeast quarter of Section 2, Town 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the Southwest corner of said Lot 31; thence N 2°18'17" W along the West line of said Lot 31, 57.87 feet; thence N 88°12'45" E, 23.42'; thence S 89°07'14" E, 22.13 feet; thence N 39°57'20" E, 23.43 feet; thence N 58°46'02" E, 28.17 feet; thence 85°56'49" E, 30.83 feet; thence N 57°27'15" E, 49.14 feet; thence N 53°49'38" E, 24.85'; thence N 52°56'42" E, 15.34 to a point on the East line of said Lot 31, thence S 00°41'47" W along the said East line, 65.07 feet; thence S 59°25'12" W, 60.78 feet; thence S 70°30'50" W, 141.83 feet to the place of beginning; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the conservancy easement upon Lot 31 Woodlands of Franklin Subdivision, recorded in the Office of the Register of Deeds for Milwaukee County as Document No. 8785388, Reel [5840], Image [4030], be and the same is hereby partially released, to remove 8.6 feet from its northerly border, and the area of the

RESOLUTION NO. 2013-_____

Page 3

conservancy easement is hereby amended and approved to be as is set forth upon Exhibit B annexed hereto, accordingly.

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

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Date: 4-25-2013

To Mayor and Members of Common council
City of Franklin, Wisconsin

From Ahmed Ali
6610 S, 35th Street, #201
Franklin, WI-53132

RE: Lot 31, 4471 W. Melissa Court Woodlands of Franklin Subdivision

Dear Mayor and members of the Common Council:

I am applying for a release of a portion of the 30-ft buffer/setback easement and/or building setback for my parcel in order to build my home. The lot is not typical and is challenging for building placement under the restrictions placed on the lot, which were placed on lots prior to the requirements resources rules.

Attached in Exhibit A is the home layout showing the area needed for a release. This Exhibit A shows the current easement locations as they relate to the home being proposed.

Attached as Exhibit B is the plat showing the amended Conservancy Easement Exhibit and the accompanying legal description. This depicts and reflects the requested release area under request. Although the treed area is not part of this request, it is also shown for reference.

The specific area for the requested release is 8.6 ft to allow for the back corner of the building. This modification will allow me to build my home and be inline with the neighboring homes and provide a solution to conditions that have also been needed for other lots in this subdivision.

Your support and consideration for this request is appreciated.

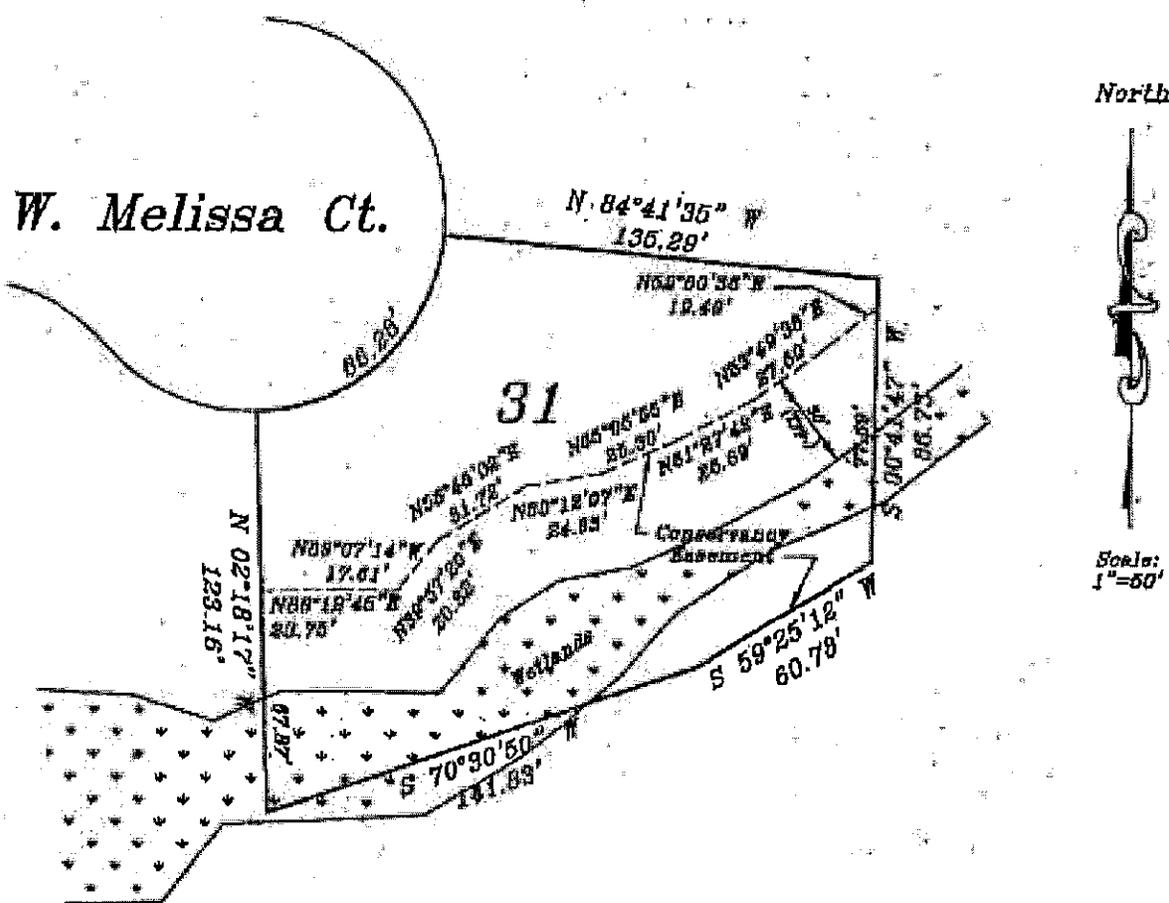
Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ahmed Ali', with a stylized flourish at the end.

Ahmed Ali
Owner : Lot 31 4471 W Melissa Court

Conservancy Easement

All that part of Lot 31, "Woodlands of Franklin", being a redivision of Parcel 3 of Certified Survey Map No. 4885, being a part of the SE 1/4 and SW 1/4 of the SW 1/4 of Section 2, together with lands in the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of Section 2, T 6 N, R 21 E, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the Southwest corner of said Lot 31; thence N 2°18'17" W along the West line of said Lot 31, 87.87 feet to the point of beginning; thence N 88°12'45" E, 23.75 feet; thence S 89°07'14" E, 17.81 feet; thence N 89°57'20" E 20.32 feet; thence N 58°48'08" E, 31.72 feet; thence N 80°12'07" E 24.33 feet; thence N 55°05'55" E 25.30 feet; thence N 61°27'42" E 26.89 feet; thence N 65°48'38" E 27.80 feet; thence N 62°50'36" E 19.49 feet to a point on the East line of said Lot 31; thence S 0°41'47" W along said East line, 77.88 feet; thence S 66°25'12" W, 60.78 feet; thence S 70°30'50" W, 141.38 feet to the place of beginning.



MetraData\FinalPlans\Franklin\Woodlands of Franklin.dwg

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MAYE
4030

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<p style="text-align: center;">APPROVAL <i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COMMITTEE OF THE WHOLE ACTION</p>	<p style="text-align: center;">MEETING DATE 05/06/13</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">CONCEPT REVIEW FOR A PROPOSED 13-LOT R-3 SUBURBAN/ESTATE SINGLE- FAMILY RESIDENTIAL SUBDIVISION DEVELOPMENT AT APPROXIMATELY 7120-7400 WEST PUETZ ROAD (POINT REAL ESTATE LLC, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER <i>E. 6.</i></p>

Introduction

On April 16, 2013, Joseph A. Bukovich of Point Real Estate LLC, filed a Concept Review Application with the Department of City Development. The applicant is proposing a 13-lot single-family residential subdivision on property formerly planned as Phase II Expansion Land for the Avian at Tuckaway Condominium development, located at approximately 7120-7400 West Puetz Road.

The 9.5-acre property is currently zoned R-8 Multiple-Family Residence District. The property is presently vacant and is bounded by single-family residential land, Tuckaway Country Club and PDD No. 8 (Twin Oaks of Tuckaway Condominiums) to the north, land zoned single-family residential and the City of Franklin water tower zoned I-1 Institutional District to the south and west and Avian at Tuckaway Condominium development to the east. The subject property is identified as “Residential – Multi-Family” in the City of Franklin 2025 Comprehensive Master Plan.

Applicant’s Proposal

The applicant is proposing a 13-lot single-family residential subdivision based upon the “conventional subdivision” R-3 Suburban/Estate Single-Family Residence District standards. The proposed subdivision plat also contains two outlots consisting of the stormwater ponds. The applicant is proposing the development on a private cul-de-sac extending from West Puetz Road. The applicant has indicated that preliminary information shows no natural resource impacts for the proposed development. Additional information can be found in the applicant’s project narrative and conceptual plat.

Staff has made the following preliminary comments:

Planning Department:

1. Staff recommends that the applicant propose a public street. Section 15-2.0204 of the Unified Development Ordinance requires that “every building shall be constructed or erected upon a lot or parcel of land which abuts no less than sixty (60) feet upon a dedicated public street right-of-way, including cul-de-sac lots.”
2. The proposed development will require submittal of a Rezoning Application to rezone the property from R-8 Multiple-Family Residence District to R-3 Suburban/Estate Single-Family Residence District, a Comprehensive Master Plan

Amendment Application to amend the Future Land Use Map designation from “Residential – Multi-Family” to “Residential” and a Final Plat Application. If the cul-de-sac continues to be proposed as a private street, a Land Division Variance is also required.

Engineering Department:

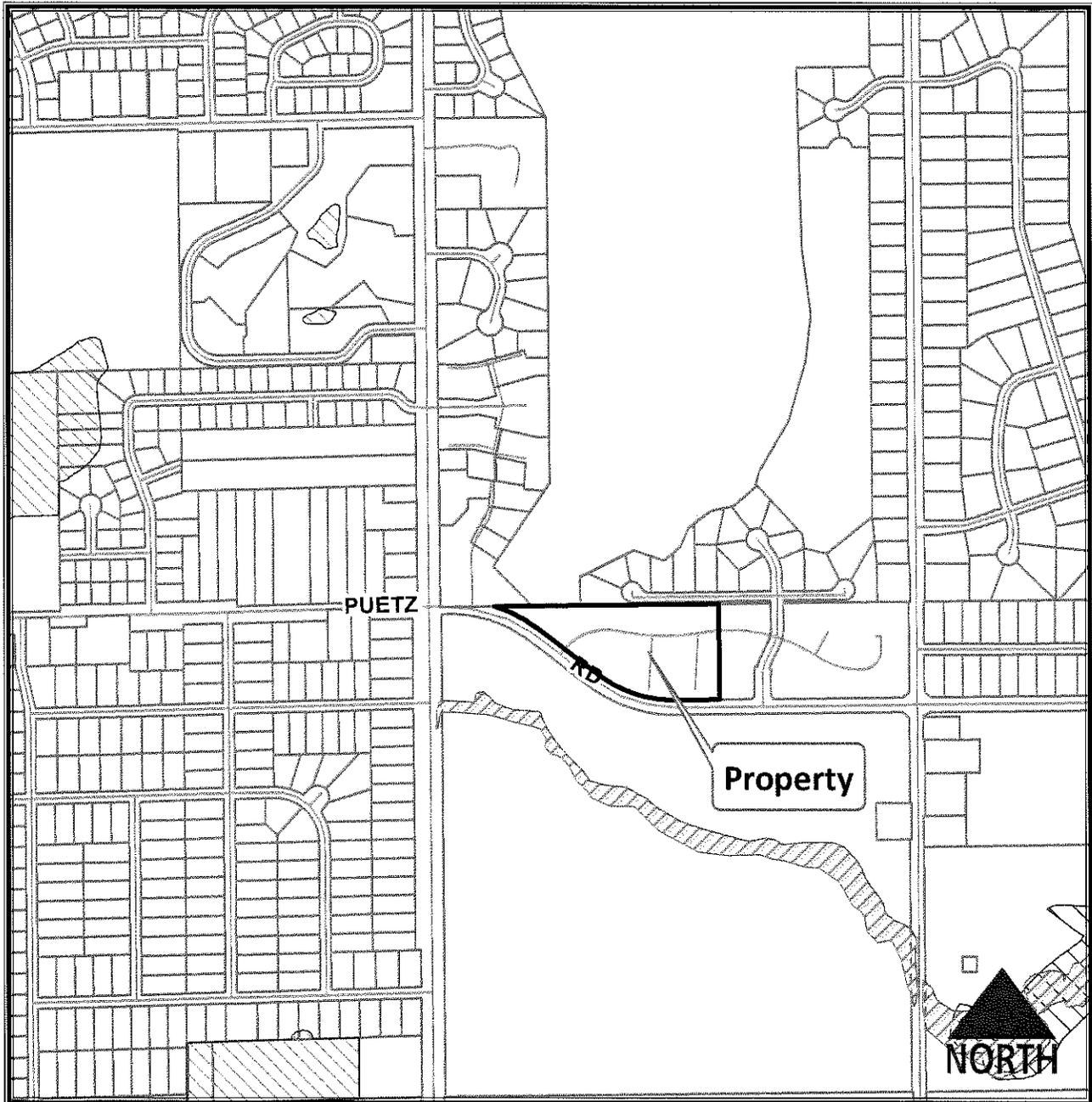
1. The proposed street should be a public street shown on the final plat. As a public street the residents will not have to pay for maintenance. The street shall be built to City of Franklin standards.
2. This development will require Storm Water Management review by the City’s consultant.
3. A site grading plan will be required to be prepared by the owner’s engineer per City specifications.
4. The Engineering Department would recommend a portion of the street right-of-way be moved south to provide for greater lot depth of lots number 2 and 3.
5. Due to the proposed location of the street right-of-way relative to the existing sanitary sewer and water main locations, permanent utility easements will be required on lots 1, 6 and 7.
6. Applicant will need to submit a development agreement and letter of credit

COMMITTEE OF THE WHOLE ACTION REQUESTED

Provide direction to the applicant regarding the proposed 13-lot R-3 Suburban/Estate Single-Family Residential Subdivision development at approximately 7120-7400 West Puetz Road (Point Real Estate LLC, Applicant).



Avian Estates Concept Review



Planning Department
(414) 425-4024



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

Avian Estates Project Description

APR 16 2013

General Summary

City Development

Avian Estates is a proposed 13 lot single family residential neighborhood that is proposed to be developed on a private cul-de-sac per the R-3 conventional zoning standards. The subject property is located on the north side of Puetz Road, just west of South Avian Way and the Avian at Tuckaway Condominiums. The property contains 9.5 acres of land, it is currently vacant and sanitary sewer, watermain and storm sewer services are fully constructed. The ponds and the landscaping along the north side of Puetz Road will be placed in two outlots. The property will have to be rezoned from R-8 to R-3 and a revision to the comprehensive master plan will be required.

Natural Resource Protection

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

1. Steep Slopes: The existing site slopes across the property range from 2% to 5%. The only exception is the area just north of Puetz Road which has slopes at 4:1, which were probably created during the construction of Puetz Road based on their general uniformity. A copy of the condominium grading plan is enclosed which shows the predeveloped site contours.
2. Woodlands and Forests: A small tree line is located along the north property line, partially on the subject property and partially on the Whispering Woods property. The trees are already included in a 10' wide conservation easement from the original certified survey map. The easement will be shown on the final plat for the development and no grading will occur in the easement. An aerial showing the trees is included herewith. The remaining trees shown on the aerial were all planted when the utilities were constructed.
3. Lakes, Ponds and Streams: There are two ponds shown on the included aerial, both of which were constructed for stormwater purposes. There are no other natural lakes, ponds or streams in the immediate area.
4. Shore Buffers: There are no lakes, ponds or streams within 1,000 feet of the property, so there are no shore buffers.
5. Floodplains/floodway/floodlands: The attached map does not show any floodplain, floodway or floodland.
6. Wetlands: One wetland is located on the far west side of the development. The wetland was delineated and shown on the First Amendment to Avian at Tuckaway

Condominiums. No grading or changes to the stormwater pond are planned and no lots abut the wetland area.

Covenants

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

1. Unit size: Ranch – 2,000 sf., Two Story – 2,200 sf. (1,100 sf. first floor)
2. Garage: 2 ½ car minimum, front entry, raised panel doors with windows
3. Building Materials:
 - a. Natural materials
 - b. Masonry is required, at least one focal point and some banding on front elevation
 - c. Wood corner boards
 - d. Aluminum fascia and soffit allowed
 - e. No aluminum or vinyl siding
4. Fireplace: Chimneys not required, if there is a flue out the roof, it must be in a chase
5. Windows: Wrapped with 4" minimum trim, if there are grids, they must be on all elevations
6. Roof Pitch and Roof Materials: 8/12 pitch all homes, 30 year dimensional shingles
7. Driveways: Concrete or asphalt
8. Post Lights and Mailboxes: Standard required (similar to Avian condos)
9. Fences & Outbuilding: Not allowed

Tax Base

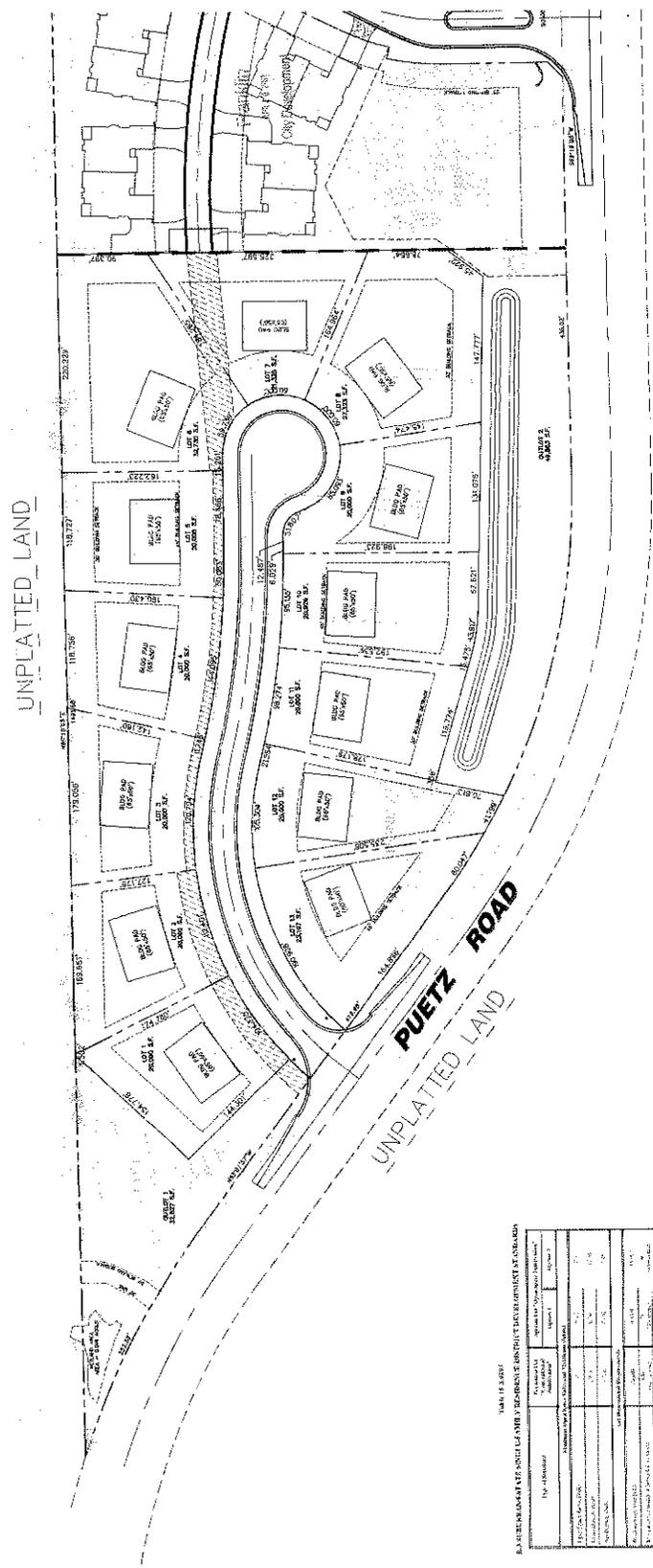
Based on the aforementioned covenants, the average assessed value of the home and lot is projected to be in the \$380,000 range. At the current tax rate, each lot would produce approximately \$9,435 in taxes for a total project tax base of \$122,655.

CONCEPTUAL LAYOUT
AVIAN ESTATES
 WEST PUETZ ROAD
 FRANKLIN, WISCONSIN



DATE: APRIL 15, 2013
 DRAWN BY: JLM
 CHECKED BY: JLM
 PROJECT NO.: 13-001
 SHEET NO.: 1 OF 1

NO.	DESCRIPTION
1	CONCEPTUAL LAYOUT



UNPLATTED LAND

UNPLATTED LAND

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

DATE: APRIL 15, 2013
 DRAWN BY: JLM
 CHECKED BY: JLM
 PROJECT NO.: 13-001
 SHEET NO.: 1 OF 1

TABLE IS JUSTIFIED

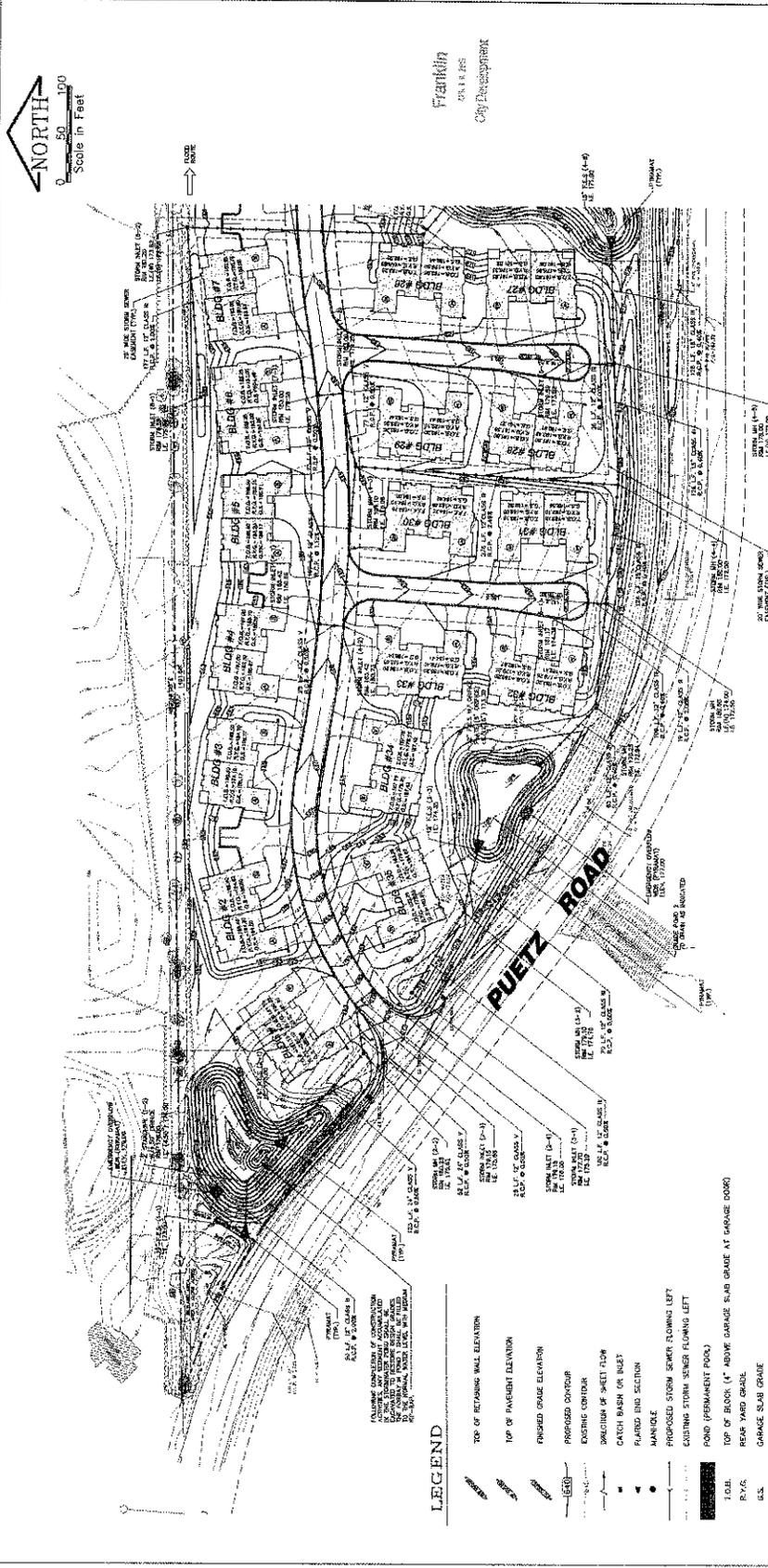
DATE: APRIL 15, 2013

NO.	DESCRIPTION	AMOUNT	TOTAL
1	CONCEPTUAL LAYOUT	100.00	100.00
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DATE: APRIL 15, 2013

DATE: APRIL 15, 2013

NO.	REVISIONS	DATE
1	ISSUE FOR PERMITS	04/21/2009
2	REVISED TO SHOW PERMITS	05/20/2009
3	REVISED TO SHOW PERMITS	06/10/2009
4	REVISED TO SHOW PERMITS	06/10/2009
5	REVISED TO SHOW PERMITS	06/10/2009
6	REVISED TO SHOW PERMITS	06/10/2009
7	REVISED TO SHOW PERMITS	06/10/2009
8	REVISED TO SHOW PERMITS	06/10/2009
9	REVISED TO SHOW PERMITS	06/10/2009
10	REVISED TO SHOW PERMITS	06/10/2009



BENCHMARK	ELEVATION
NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 22-5-21	181.12
NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 22-5-21	174.32
LOCAL M.B. W. CROSS C&P	

NOTE: CONTRACTOR SHALL ESTABLISH AND MAINTAIN TWO BENCHMARKS AT ALL TIMES DURING CONSTRUCTION.

TOP OF BLOCK IS 4" ABOVE GARAGE SLAB GRADE AT GARAGE DOOR.

CITY OF FRANKLIN
 ENGINEERING DEPARTMENT
MASTER GRADING AND DRAINAGE PLAN
AVIAN AT TUCKAWAY
 FRANKLIN, WISCONSIN

RECORD DRAWING

This Record Drawing is not warranted but is believed to represent conditions upon completion of construction within reasonable tolerances based upon the information furnished to the Engineer pertaining to changes made during construction.

- USE THE SEQUENCE OF PAVING AND DRAINAGE OPERATIONS TO COMPLETE THE PROJECT.
- RESERVE CONCRETE DETAIL TO BE MAINTAINED BY CONTRACTOR THROUGH THE COURSE OF THE PROJECT AND REVISED UPON PROJECT COMPLETION.
- ALL FINISH GRADES SHALL BE MAINTAINED TO WITHIN THE TOLERANCES SPECIFIED IN THE CONTRACT DOCUMENTS.
- ALL BUILDING STRUCTURES AND ROADWAY FULL MATERIAL SHALL BE MAINTAINED TO WITHIN THE TOLERANCES SPECIFIED IN THE CONTRACT DOCUMENTS.
- FOLLOWING COMPLETION OF CONSTRUCTION ACTIVITIES, ANY EXCESS MATERIAL SHALL BE REMOVED FROM THE SITE AND MAINTAINED AND PROVIDED TO THE CITY OF FRANKLIN.
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- IF ANY PART OF THE PLAN IS FOUND TO BE IN CONFLICT WITH THE FOLLOWING SEQUENCE OF OPERATIONS, THE CONTRACTOR SHALL MAINTAIN THE FOLLOWING SEQUENCE OF OPERATIONS:
- CONSTRUCT THE DRAINAGE BASINS AND THE ASSOCIATED DRAINAGE SYSTEMS.
- PAVE THE DRIVEWAYS AND THE ASSOCIATED DRIVEWAYS.

- GRADING AND DRAINAGE NOTES**
- THE GRADING AND DRAINAGE PLAN IS BASED UPON THE SURVEY DATA AND THE BENCHMARKS SHOWN ON THE PLAN. THE CONTRACTOR SHALL MAINTAIN THE BENCHMARKS THROUGHOUT THE PROJECT.
 - THE GRADING AND DRAINAGE PLAN IS BASED UPON THE SURVEY DATA AND THE BENCHMARKS SHOWN ON THE PLAN. THE CONTRACTOR SHALL MAINTAIN THE BENCHMARKS THROUGHOUT THE PROJECT.
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LEGEND

- TOP OF RETAINING WALL ELEVATION
- TOP OF PAVEMENT ELEVATION
- PROPOSED GRADE ELEVATION
- PROPOSED DRIVEWAY
- EXISTING CURBLINE
- SMOOTHED SHEET FLOW
- CATCH BASIN OR BUILT
- PAVED DRIVE SECTION
- MANHOLE
- PROPOSED STORM SEWER FLOWING LEFT
- EXISTING STORM SEWER FLOWING LEFT
- POND (PERMANENT POOL)
- TOP OF BLOCK (4" ABOVE GARAGE SLAB GRADE AT GARAGE DOOR)
- PERMITS
- GRADING

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
Reports & Recommendations	SUBJECT: Board of Public Works recommendation to purchase a used truck with mounted pot hole patcher from the Equipment Revolving Fund for a total cost of \$47,000.	5/7/13 ITEM NO. G.7.

BACKGROUND

Please be advised that the Board of Public Works has recommended that the City purchase a used truck mounted pot hole patcher from Big Truck & Equipment Sales, LLC. of Norwalk, CA for a cost of \$45,000 plus \$2,000 for transportation for a total cost of \$47,000 (enclosed information).

ANALYSIS

See attached information as follows: (1) Internet ad from Big Truck & Equipment Sales, LLC, (2) Information on the budgeted slip-in pot hole patcher, (3) Mr. Schaefer's memo's of April 18 and 19, (4) Memo from Paul Rotzenberg relative to available funding and (5) photos of existing and proposed pot hole patcher.

In general this recommendation is based on the fact that the planned equipment purchase is a 2003 Model and has had very little use, with an odometer reading of 5,600 miles. In addition to being a very good purchase, this equipment will reduce labor costs as in most cases a two man crew will be able to handle pot hole patching and this type of plug-in pot-hole patch is ready to be placed into operation early in the morning as it holds the temperature for use early in the morning.

OPTIONS

Approve the purchase
or
Table

FISCAL NOTE

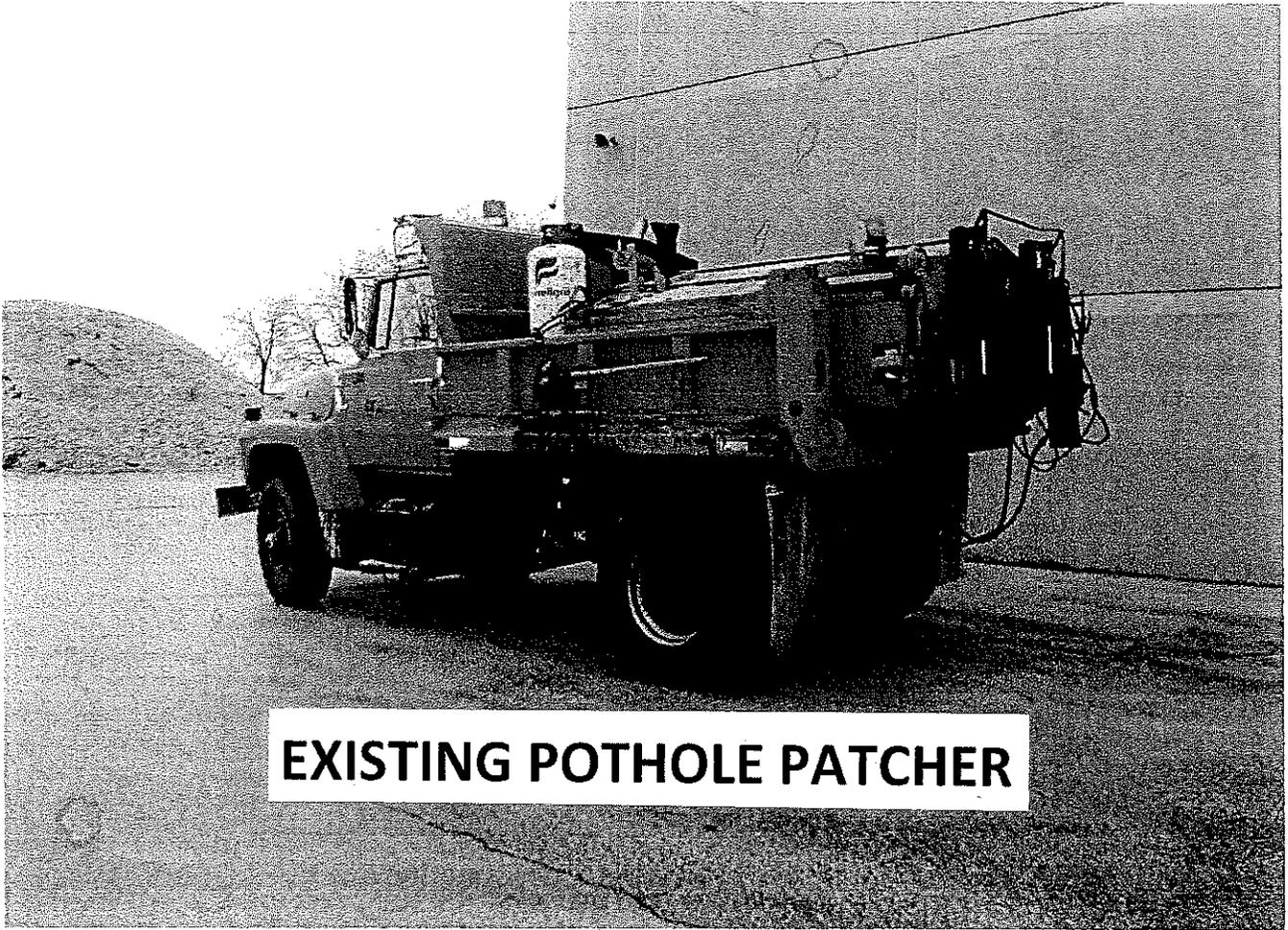
See financial memo.

RECOMMENDATION

Motion to authorize the purchase of a used truck mounted Akzo Nobel FP5 Flameless Pot Hole Patcher mounted on a 2003 Freightliner FL70 from Big Truck and Equipment Sales, LLC, for a cost of \$45,000 plus \$2,000 shipping from Norwalk, CA subject to the Highway Superintendent checking out the equipment prior to purchase.

JMB/db

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EXISTING POTHOLE PATCHER



PROPOSED PURCHASE

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MEMORANDUM FROM DEPARTMENT OF PUBLIC WORKS

DATE: April 19, 2013

TO: Mayor Taylor
Franklin Common Council
Board of Public Works

FROM: Jerry Schaefer, Public Works Superintendent

SUBJECT: Justification for Purchase of Used Pothole Patcher Truck

In recent years we have had winter weather conditions that are devastating to our roadways. The multiple freeze / thaw cycles we are experiencing increases pavement movement. This in turn accelerates the breakup and deterioration of our streets. We have experienced an increase in repairs required **throughout the City**, and staff has made all efforts possible to keep up with this ongoing problem.

Within Franklin there are 166 miles of local streets that are under jurisdiction of the City. On average about 4 - 5 miles of roadway are resurfaced each year, at a cost of approximately \$200,000.00 per mile. This work is completed through the annual street improvement fund. All other maintenance repairs are completed by Public Works Department employees using road maintenance supplies purchased through the general fund.

Proper pavement maintenance pothole patching and crack sealing are critical in extending pavement life. The pothole patch truck being requested will greatly assist the Public Works Department in completing efficient, effective repairs. Staff will be more efficient; all tools and materials necessary to complete a permanent patch are carried on this unit. The work will be more effective; this unit will have available:

- hydraulic breaker for asphalt removal
- compressed air for cleaning the area to be repaired
- tack coat pavement adhesion
- plate compactor for proper pavement compaction

Staff recommends the purchase of this unit for the reasonable cost of \$47,000.00, compared to the purchase of a new unit.



MEMORANDUM FROM DEPARTMENT OF PUBLIC WORKS

DATE: April 18, 2013
TO: Mayor Taylor
FROM: Jerry Schaefer, Public Works Superintendent
SUBJECT: Purchase of Used Pothole Patcher Truck

The 2013 Equipment Revolving Fund includes \$30,000.00 to replace the Public Works Departments slip-in pothole patcher.

Present Patch Truck: 1990 Ford Single Axle Dump equipped with a 1986 PB Loader Model B-3-SM, 3 yd Pothole Patcher

History: The City of Franklin purchased the 1990 single axle dump new. It was equipped with snowplows and salt spreader, but presently is only used for pothole patching. The 1986 slip-in pothole patcher was purchased used in 1992.

The present condition of the 1990 single axle dump was reviewed, and quotations for a new slip-in pothole patcher were requested. The dump box on the 1990 Ford will require major repairs prior to the mounting of a new pothole patcher and the quotations for a new pothole patcher unit were well over the budgeted amount.

Quotations received for a slip-in pothole patcher were:

PB Loader Model B-4SM, 4 cu yd	\$52,271.00
Spaulding 5 ton Slip-In Patcher	\$42,275.00

Staff then searched for other options. There were no used slip-in units found, but the following complete unit was located for sale in Norwalk, California; a 2003 Freightliner FL70, equipped with an Akzo Nobel FP5 Flameless Pothole Patcher.

Chassis	Engine:	Diesel Caterpillar 210 HP
	GVWR:	33,000
	Transmission:	Automatic
	Mileage:	5,600 (like new condition)

This chassis is permanently mounted with the following pothole patcher:
Akzo Nobel FP5 Flameless Pothole Patcher, 5 cu yds

Features	Compressed air supply
	Solvent tank with pump
	Emulsion tank with spray wand
	2 rubble storage compartments for removed material

Features, cont.

Plate compactor storage with hydraulic lift
Arrowboard
Hydraulic breaker
Auger unload
Hydraulic driven generator
Electric heating coils
110 plug-in for overnight heating of asphalt

Benefits

Will keep asphalt warm and usable for up to four days
No dumping of excess asphalt at the end of work shift no concerns of overage
Pick up full load anytime and have material available at the beginning of work shift
No vehicle will be required to transport the plated compactor or air compressor
Overcast days: no concern of rain, material can be used the following day
No diesel fuel or propane necessary for heating asphalt material (electric heat coils)
All tools and materials necessary to complete a permanent pothole patch are mounted directly on the patch truck

Fiscal:

2003 Freightliner F170 with Akzo Nobel FP5 Pothole Patcher

\$45,000.00

Transport unit from Norwalk, CA to Franklin, WI

\$ 2,000.00

\$47,000.00 total

Equipment Revolving Fund

\$30,000.00

Sale of truck #734 with pothole patcher and snowplows

\$10,000.00

Public Works Department recently completed sale of a surplus wide area mower

\$ 9,425.00

\$49,425.00

Funds are available to complete the purchase of this unit.

M E M O R A N D U M

DATE: April 19, 2013
TO: Mayor Taylor
 Franklin Common Council
 Board of Public Works
FROM: Paul Rotzenberg, Deputy Finance Director 
RE: Funding of Proposed Pothole Patcher Truck

There are funds available in the equipment revolving fund to support this purchase. As described in the Council Action sheet, the purchase would total \$47,000. The original request was for \$30,000 – reflecting a \$17,000 overage. The sale of other equipment (truck #734) and the old Pothole Patcher will fund \$10,000 of this overage. The balance of the resource would come from fund balance.

A budget amendment would be required for this transaction, increasing Property Sales by \$7,000 and Increasing expenditures by \$17,000.

A summary of the Fund recent activity follows:

Description	2011 Actual	2012 Actual	2013 Adopted	2013 Revised
Revenue – Taxes	130,000	281,000	285,000	285,000
Landfill Siting	150,000	150,000	150,000	150,000
Investment Earnings	22,427	22,136	13,000	13,000
Property Sales	30,462	17,025	3,000	10,000
Other	0	134,091	0	0
Total Revenue	332,889	604,252	451,000	458,000
Fire Equipment	0	170,627	170,000	170,000
Building Inspect	40,602	47,739	0	0
Public Works	255,401	310,350	233,000	250,000
Total Expenditures	296,003	528,716	403,000	420,000
Transfers In	0	173,540	0	0
Net Rev (Expenditure)	36,886	249,076	48,000	38,000
Beginning Fund Balance	1,480,732	1,517,618	1,766,694	1,766,694
Ending Fund Balance	1,517,618	1,766,694	1,814,694	1,804,694

BIG TRUCK & EQUIPMENT SALES, LLC

13804 Shoemaker Ave. Norwalk, CA 90650
- 10 miles from Disneyland



[Close Window](#)
[Email This](#)
[Financial Calculator](#)
[Add To Watch List](#)
[Print This](#)

2003 FREIGHTLINER FL70



Specifications	
Quantity	1
Stock Number	3029
Year	2003
Manufacturer	FREIGHTLINER
Model	FL70
Price	\$49,500 USD
Location	Norwalk, California
Condition	Used
Mileage	5,600 mi
Drive Side	Left Hand Drive

Detailed Description

2003 Freightliner FL70, Cat 3126, 210HP, Allison Automatic, Air Brakes, A/C, Akzo Nobel FP5 Flameless Pot Hole Patcher, PTO Driven 10KW Generator, 5.1 Cubic Yard Capacity, Hydraulic Jack Hammer, Emulsion Sprayer, Chelsea PTO, Arrow Board, Ex-City, 33,000 GVW, Only 5600 Miles.

Can Not Be Registered In California, Unless Retrofitted With A Diesel Particulate Filter(DPF); 4x2

Say you saw this 2003 FREIGHTLINER FL70 On TruckPaper.com!

[Send BIG TRUCK & EQUIPMENT A Message](#)

Contact:

BIG TRUCK & EQUIPMENT

Truck/Trailer is located in:

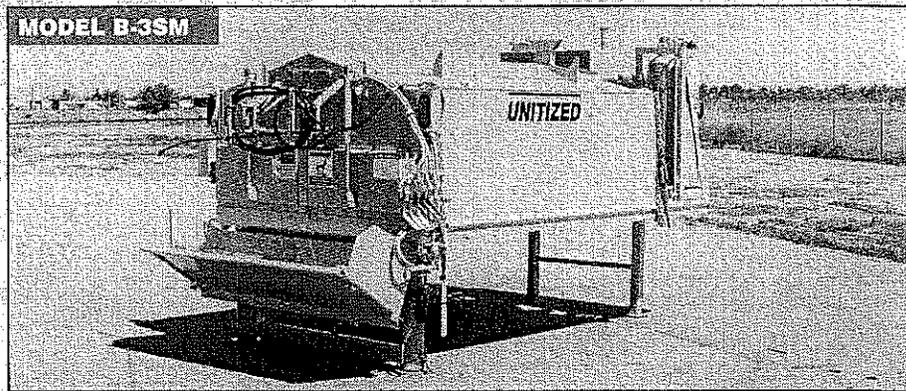
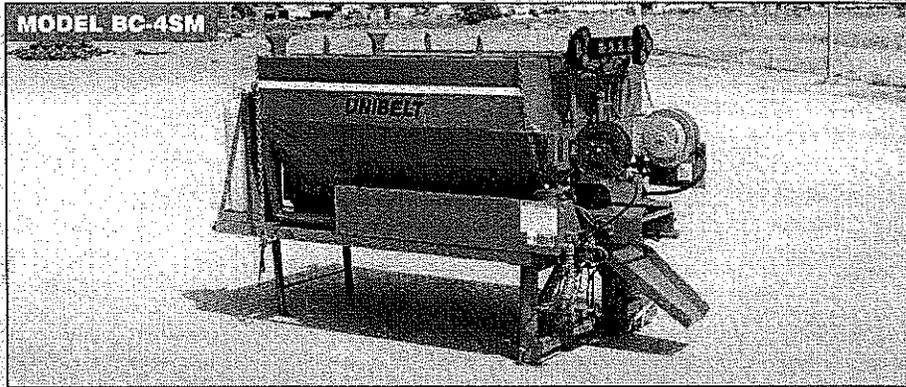
Norwalk, California

Phone: (562)926-5015

Fax: (562)926-5049

OTHER EQUIPMENT REVIEWED

PB LOADER
CORPORATION



PATCHERS

TRAILER MOUNTED AND SLIP-IN

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i> Reports & Recommendations	SUBJECT: Milwaukee County's request for jurisdictional transfer of County Trunk Highway's (C.T.H.'s) as follows: S. 68th Street north of W. Ryan Road (C.T.H. A) and S. North Cape Road (C.T.H. J) from High View Drive to W. Forest Home Avenue with the jurisdiction changing from County to City.	5/7/13 ITEM NO. <i>G.8.</i>

BACKGROUND

Please be advised that City staff has been working with Milwaukee County staff relative to the reconstruction of S. North Cape Road (C.T.H. J) and the reconstruction of S. 68th Street (C.T.H. A) north of W. Ryan Road adjacent to the House of Correction (HOC). As part of the design construction, County staff is requesting that the City take jurisdiction of both streets after they are reconstructed to City standards.

In 1969, Milwaukee County, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and the State Highway Commission – now the Department of Transportation, jointly prepared a report called “A Jurisdictional Highway System Plan for Milwaukee County” which set forth the recommended jurisdiction of each section of each roadway – see attached plan with red color being State, blue County and green City. The plan did show the beltline freeway which was later de-mapped. All roads not shown won't be under the jurisdiction of the City. The two streets under consideration were selected to ultimately be changed from County to City jurisdiction along with St. Martins Road (C.T.H. MM) and Old Loomis Road south of W. Rawson Avenue. Also, after the de-mapping of the beltline freeway, both S. 51st Street north of W. Ryan Road and W. Puetz Road from S.T.H. 100 to S. 27th Street, the committee determined that the above two streets would become Milwaukee County jurisdiction. This took place over four decades ago and no action has been taken to implement this plan. See attached map from original report.

ANALYSIS

Mayor Taylor has requested that staff calculate the cost to the City for taking over the jurisdiction of S. North Cape Road and the portion of S. 68th Street north of W. Ryan Road. Engineering staff has worked with the Superintendent of the Highway Department and Deputy Finance Director to determine a yearly cost. Items such as plowing and salting, street sweeping, roadside mowing, pavement marking, crack sealing, tree brushing, random ditching and shouldering and signage, and after 20 years, milling off old asphalt and the overlay of a new surface were included in calculating the cost to take over the roads. Costs were accumulated over a 20 year period with a yearly total at \$33,415 per year in today's dollar. The first few years the annual cost would be approximately \$6,500 per year – not including setting aside funds for repaving after 20 years (See attached memos).

From a functional stand point both S. North Cape Road and S. 68th Street are functioning as local streets. Historically, S. North Cape Road functioned as a County Trunk Highway until W. Forest Home Avenue was constructed about 50 years ago. They have functioned in parallel, W. Forest Home Avenue as a major arterial and S. North Cape Road carries mostly local traffic. The HOC was constructed when the City was a town and little is known why this section of S. 68th Street was designated as a County Trunk Highway.

OPTIONS

Policy decision to accept the jurisdiction of S. North Cape Road and/or S. 68th Street.

FISCAL NOTE

See attached cost estimates.

RECOMMENDATION

Policy decision.

JMB/db/sr
 Encl.



MEMORANDUM: FROM ENGINEERING

DATE: April 29, 2013
TO: Board of Public Works
City Engineer Bennett
FROM: Assistant City Engineer Romeis
RE: TRANSFER OF COUNTY ROADS - OVERVIEW

Milwaukee County Department of Transportation has, over the past several years, given consideration to the transfer of several of its County Trunk Highways to the City of Franklin. The following are those under consideration:

	Length of Road	Proposed Year of Maintenance/Transfer
North Cape Road (CTH J)	10,200 LF	2014
St. Martin's Road (CTH MM)	8,900 LF	2015
Old Loomis Road (CTH K)		
SW of Rawson Avenue	2,200 LF	2015
NE of S. 76 th Street	700 LF	2015
S. 68th Street (CTH A)	3,900 LF	2014
TOTAL:	<u>25,900 LF</u>	
	4.9 MI	

Potential transfer should consider the primary function of the road for City travel and for County access or through travel as a connector, community to community. If the road is providing primarily for City of Franklin property owner commuting and fits the City road network, it could justify it being owned and maintained by the City. The Jurisdictional Highway Plan for Milwaukee County developed by SEWRPC includes these streets as being transferred, County to City.

Transfer of these roads has been considered in the past. It was agreed that consideration of a transfer would occur only after deferred maintenance was performed by Milwaukee County at their cost. Maintenance would require the pulverization or rubblization of existing pavement and overlay consistent with City practices. In addition maintenance would be required along roadside shoulders, ditches and associated storm sewer, trimming of roadside trees, striping and the up-grade of traffic signage.

Once the maintenance described above has been performed this road could receive responsive attention and maintenance management as part of the City road system.

The County has suggested transfer of the above road occur over several years, beginning in 2014 with North Cape Road and S. 68th Street. Cost estimates of maintenance tasks for a 20 year period and comparison to the existing highway budgeting have been studied and are developed in attached memorandums.

RJR/db



MEMORANDUM: FROM ENGINEERING

DATE: April 29, 2013

TO: City Engineer Bennett

FROM: Assistant City Engineer Romeis
Highway Superintendent Schaefer

SUBJECT: Study of Maintenance Costs (Over 20 Years) of S. North Cape Road (W. Forest Home Avenue to South Corporate Limits) and S. 68th Street from W. Ryan Road to 3,900 Lineal Feet North

A study has been performed by staff to determine the anticipated averaged annual cost to maintain both County Trunk Highways under consideration.

The following is a table of maintenance tasks and assumed task frequency. The frequency is based on the assumption that Milwaukee County will be reconstructing pavement, including remove/replace storm sewer in need, shoulder pavement, striping and updating signage of the entire length of roadway.

MAINTENANCE TASK	TASK FREQUENCY	TWENTY YEAR COST	
		S. North Cape Road CTH J (2.0 miles)	S. 68 Street CTH A (0.75 miles)
- Plowing & Salting	Annual	\$88,000	\$33,000
- Sweeping	Annual	\$4,000	\$800
- Road Side Mowing	Annual	\$4,400	\$2,000
- Striping	@ 2 Years	\$30,500	\$13,700
- Crack Sealing	@ 3 Years	\$2,800	\$1,400
	@ 7 Years	\$5,600	\$2,800
- Tree Brushing	@ 7 Years	\$2,900	0
- Random Ditching and Shouldering	10 Years	\$11,300	\$4,200
- Signage Updates	10 Years	\$19,100	\$8,400
- Mill & Overlay Surface	20 Years	\$316,600	\$116,800
Twenty Year Total Cost		\$485,200	\$183,100
Annual Total Cost		\$24,260	\$9,155

The first three tasks are common to all City roads on an annual basis. Centerline and edge striping is performed once every two years. The remaining tasks required at times to keep the public road right-of-way functioning in a safe and effective manner are based on an assumed frequency. In the twentieth year, it is assumed that the surface course will be milled off and repaved.

RJR/sg

M E M O R A N D U M

DATE: April 26, 2013
TO: Assistant City Engineer Romeis
FROM: Paul Rotzenberg, Deputy Finance Director 
RE: Department of Public Works road maintenance costs

The following joins recent discussions regarding costs to maintain city roads, in context of a transfer of roads from Milwaukee County to the city.

These 2.75 miles of roads would add approximately \$8,250 (2.75 mi x \$3,000/mi – see Engineering memo on this topic) in the initial years to DPW costs. As the roads age, the cost per year would rise.

A review of recent DPW financial results follows:

	Actual 2009	Actual 2010	Actual 2011	Actual 2012	Budget 2013
Labor & Benefits	1,715,275	1,642,998	1,777,718	1,754,016	1,767,074
Other Costs	<u>618,276</u>	<u>621,941</u>	<u>690,332</u>	<u>679,266</u>	<u>784,300</u>
Total Dept Costs	2,333,551	2,264,939	2,468,050	2,433,282	2,551,374
Miles of Roads	166	166	166	166	166
Cost per Mi					
Costs per mile	14,058	13,644	14,868	14,658	15,370

Dept costs have a fixed and step value, which would not be significantly impacted by the addition of a few miles of roads. The above DPW information does include aid to other City activities (elections, celebrations, etc – which consume not more than 10% of the above costs). However, as road miles added approaches the size of a snow plowing route, cost can step up from current levels. The costs outlined above, do not reflect these step values. Recognizing the step costs, the amount of annual cost added to city resource requirements would be lower than the values outlined above, until such time as another snow plowing route became warranted. Please note that the above analysis does not include the cost of equipment (trucks, plows, etc) which also operates on a stop function.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 5/7/2013
Reports & Recommendations	SUBJECT: A resolution awarding the contract to the lowest bidder, Norcon Corp. in the amount of \$31,860.00 for rehabilitative work on the S. 60 th Street bridge 800 feet south of W. Oakwood Road	ITEM NO. 6.9.

BACKGROUND

Bi-yearly bridge inspections show the condition of the bridge getting progressively worse. Surface restoration is recommended to extend the life of this structure. This bridge was originally built in 1984.

This work is estimated to take two weeks to complete. No bridge closures are expected.

ANALYSIS

The bids received were as follows:

Norcon Corp.	\$ 31,860.00
American Pavement Solutions	\$ 65,600.00
Nugen Johnson, LLC	\$142,500.00

The budgeted amount for this project is \$30,000. Staff recommends the award to Norcon Corp. in the amount of \$31,860.00.

OPTIONS

Approve or deny the award.

FISCAL NOTE

The engineer's estimate for this work is \$37,700.00. The funding for this project was budgeted at \$30,000.00 in the Capital Improvement Fund for 2013.

RECOMMENDATION

Motion to adopt Resolution No. 2013-_____, a resolution awarding the contract to the lowest bidder, Norcon Corp. in the amount of \$31,860.00 for rehabilitative work on the S. 60th Street bridge 800 feet south of W. Oakwood Road.

MJB/sg

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2013 - _____

A RESOLUTION AWARING CONTRACT TO THE
LOWEST BIDDER, NORCON CORP. IN THE AMOUNT
OF \$31,860.00 FOR REHABILITATIVE WORK ON THE S. 60TH STREET
BRIDGE 800 FEET SOUTH OF W. OAKWOOD ROAD

WHEREAS, the City of Franklin advertised and solicited bids for the rehabilitation of the S. 60th Street bridge; and

WHEREAS, the low bidder was Norcon Corp. with a bid of \$31,860.00; and

WHEREAS, Norcon Corp. is a qualified public works contractor.

WHEREAS, it is in the best interest of the City as recommended by the City's staff to award the contract at the total base bid of \$31,860.00 to Norcon Corp.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Norcon Corp. be awarded the contract for the rehabilitation of the S. 60th Street bridge.

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

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

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

APPROVED:

Thomas M. Taylor, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

MJB/sg

APPROVAL <i>Slw CM?</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/7/13
REPORTS & RECOMMENDATIONS	Authorization to establish a money market account with American Deposit Management Co. for use in the management of OPEB Trust Assets	ITEM NUMBER <i>G.10.</i>

Background

The Common Council on November 18, 2008 adopted a resolution that established the CITY OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST, a Section 115 trust and designated the Director of Finance & Treasurer as the Employer representative. The Trust document names the Director of Administration as the Trustee for the Trust. The Council established an Investment Policy and appointed an investment manager to invest funds until needed. The investment policy provides for additional investment managers to be added for the management of funds. Currently two investment vehicles hold trust assets: Fidelity Investments and Convergence Funds.

Analysis

The Finance Committee has reviewed the need and is recommending establishing a money market account in the name of the OPEB Trust to receive from the City and hold money from time to time until the money is transferred into one of the Trust's investment accounts. A memo to the Finance Committee explains the need for this money market account.

Recommendation

The Finance Committee is recommending to the Common Council establishing the Convergence Core Plus Fund as an additional investment option for the City of Franklin Post Employment Benefits Trust.

COUNCIL ACTION REQUESTED

Motion to authorize the Trust to establish a money market account with American Deposit Management Co. for the City of Franklin Post Employment Benefits Trust.



American Deposit Management Co.

Getting Started

Please complete and sign this Application, along with any required supplemental forms identified through this application process.

In order to complete this Application, you will need some or all of the following information:

- Identification information, such as a driver's license, passport, or another type of government-issued identification (a copy is required):
 - *Public depositors need not provide detail on personal information, however, must provide a board resolution or equivalent for their approval to transact on behalf of the entity*
- Company Tax Identification Number/Social Security Number
- Back-up contact information
- Current documentation of Corporate Signer Authority (non-public depositors only). Acceptable documents would be Articles of Incorporation, Resolution of Authority, Certificate of Good Standing, Corporate Resolution or State Filing of Incorporation.

The above information helps us comply with various regulations and rules and the USA PATRIOT Act, a Federal law that requires certain companies to obtain, verify, and record information that identifies each applicant. Please note: if we cannot verify the information you provide, we may be required to restrict or deny your account.

1 Select An Account

Account Type

- Public Entity (includes municipalities, school districts, and more)
- Corporate Account (includes non-profit, LLC, corporations)

Other Accounts

Do you have other accounts with us? Yes No

2 Please Tell Us About Your Entity

Entity Information

CITY OF FRANKLIN Post
EMPLOYMENT BENEFITS TRUST 39-6005897
 Company Name TIN #
 9229 W LOOMIS ROAD Alternative Name
 Permanent Address Apt/Suite No.
 FRANKLIN WI 53132 USA
 City State ZIP Code Country
 414-427-7510 414-427-7527 WWW.FRANKLINWI.GOV
 Main Phone Fax Number Alternative Number Web Address

Mailing Address (if different from above) Apt/Suite No.
 City State ZIP Code Country

Classification Type:

LLC DBA Corporation Non-Profit Public Entity

USA PATRIOT Act Information (Required by Federal law—See page 1)

All corporate signers please provide the information below. Non-resident aliens, also include a completed W-8BEN. PUBLIC ENTITIES DO NOT NEED TO PROVIDE PERSONAL INFORMATION

Signer #1
 CALVIN A PATTERSON DIRECTOR of FINANCE
 First Name Middle Name Last Name Title
 7/4/1946 e.patterson@franklinwi.gov
 Date of Birth (mm/dd/yyyy) Social Security or Taxpayer ID No. Email Address

ID No. (Select one): Driver's License Passport State ID Other Government-issued ID Place/Country of Issuance

Issue Date (mm/yyyy) Expiration Date (mm/yyyy) Work Phone

Signer #2
 ROSANNE ZIMMERMAN DEPUTY TREASURER
 First Name Middle Name Last Name Title
 5/3/1951 R.ZIMMERMAN@FRANKLINWI.GOV
 Date of Birth (mm/dd/yyyy) Social Security or Taxpayer ID No. Email Address

ID No. (Select one): Driver's License Passport State ID Other Government-issued ID Place/Country of Issuance

Issue Date (mm/yyyy) Expiration Date (mm/yyyy) Work Phone

2

Please Tell Us About Yourself—CONTINUED

Authorized Employee (an employee other than an applicant listed in the previous section)

Contact Information

Mr. Mrs. Ms. Dr. Suffix Sr. Jr.

MAEK _____ W _____ LUDERDA _____
First Name Middle Name Last Name

Use the same contact information listed for the primary applicant.

422 MAPLE LOPE _____ Director of Administration
Permanent Address Corporate Title:
Williams Bay WI 53191
City State ZIP Code
414-858-1100 414-659-3087 mluderda@franklinwi.gov
Work Phone Home Phone Email Drivers License # and Exp Date

Please check if you have been at your current home address for less than one year.

Mailing Address (if different from above) Apt/Suite No.

City State ZIP Code Country

Authorized to:

- Transact debits and credits on behalf of company
- Receive information pertaining to company account with ADM
- Authorize account closure
- Other(please explain): authorizes to change signors

2 Please Tell Us About Yourself—CONTINUED

Company Information

Industry and Other Affiliations

NAICS Code	Industry	Years in Business and Nature of Business Activity
	GOVERNMENT	57 YEARS

3 Bank Information

Primary Bank Information

For purposes of interest payments and withdrawal requests, we need your primary bank account information so we can credit your account accordingly. Please provide the information below:

Bank Name	Branch Number (if known)	How long have you banked here?	
Address		Apt/Suite No.	
City	State	ZIP Code	Country
Phone	Website	Routing Number	Account Number for funds deposit
Contact Person:			Phone Number:
Email Address:			

This is an:

- Operating Account (checking)
- Money Market Account (savings)

Other (please explain): OPFB TRUST

Any withdrawals from this account need to be wired DIRECTLY TO EITHER: (DO NOT WIRE ANY FUNDS TO THE CITY OF FRANKLIN)

- 1) FIDELITY INVESTMENTS % CITY OF FRANKLIN Post Employment Benefits Trust
- 2) CONVERGENCE Funds % US BANCORP SERVICES LLC

4 Tell Us How You Will Fund This Account

Please tell us how you are funding this account (check all that apply):

- Check
- Wire Transfer *FROM CITY*
- Cash
- ACH

5 Tell Us How You Want to Work With Us

Managing Your Cash

Please choose one of the cash management programs listed below.

Interest Management* (check one):

- ACH monthly interest to operating account (listed in Section 3)
- Reinvest in the same account

*Can be changed at anytime

Statement Delivery

I would like to receive my statement monthly in the following way: (check as many boxes as applicable)

- Paper Statement Request (\$5.00 per month fee applies)
- Primary Applicant's e-Mail Address
- Co-Applicant's e-Mail Address
- Authorized Employee e-Mail Address
- Other Email Recipient. Please specify name, title and email address

1. *Tom BAKALARSKI Accounting Supervisor TBAKALARSKI@FZOD/Knowi.gov*
- 2.

6

Review and Submit This Application

Confirmations and Signatures – Please Read Carefully

By signing this Application, you affirm that you have received and read this Application and any supplemental documents governing this relationship. You affirm that the information you have provided is accurate and you agree to notify us of any changes in the information provided, including ANY change of signers.

Signatures

Authorized Signers on behalf of the Organization:

Thomas M TAYLOR MAYOR
Name (please print) Title

SANDRA WASOLOWSKI Director of Clerk Services
Signature Date
Name (please print) Title

Signature Date

Please mail your completed Application to the address listed below, or fax it to 414-961-6673.
American Deposit Management, LLC. 505 Wells Street, Suite 200, Delafield, WI 53018

MEMORANDUM

DATE: April 18, 2013
TO: Finance Committee
FROM: Cal Patterson, Director of Finance & Treasurer
RE: Establishment of a Money Market Account in OPEB Trust Name for OPEB Investments

During the course of this year's audit a possible audit issue arose. The various accounting treatment possibilities are discussed in an attached memo from Renee Messing the CliftonLarsonAllen (CLA) partner.

The technically correct GASB accounting treatment is in conflict with the established City of Franklin funding policy effective starting in 2008. The established City policy expenses the retiree health costs over the working lives of the employees with the past service cost amortized over a 30 year period. The 2012 actuarial determined cost was \$837,575. The City funded this amount in the 2012 year.

The audit issue pits good management/investment policy versus good accounting policy. The practice has been to transfer to the trust funds in excess of retiree claims payments on a quarterly basis after the end of each quarter. That practice has been in effect since 2009 with no concern previously expressed by our auditors over transfers made after year end. The funding pattern was interrupted in early 2012 as the Trust investment manager was put on probation due to poor investment performance in 2011. Quarterly transfers were suspended due to the probationary status. An alternative investment option was established for the trust in the fourth quarter of 2012 due to the probation and the need to make transfers to the Trust.

After the establishment of the Trust alternative investment vehicle the election and the fiscal cliff dominated the news and the investment climate. The investment of the accumulated funds was delayed as it was deemed reasonable to wait to see the impact of the uncertainty in the markets before making the transfer. Since then the markets moved in an upward direction and the funds have continued to be held in City accounts pending a market adjustment to make transfers to the Trust. Sequestration and the pending federal debt limit issues continue to cloud the investment climate.

This led to the conflict with the accounting treatment. The preferred accounting treatment is in direct conflict with the City's funding policy and could not be considered. The staff and the auditor agreed on a passed adjustment that was reviewed and agreed by the Finance Committee Chairman per CLA policy.

Looking back at the uncertainty the Trust should have had a money market account established so that the funds could have been substantially transferred into the Trust's name prior to the end of the year. To remove the conflict between investment policy and accounting policy and get the funds into the Trust's name rather than the City name and to prevent this issue from being an issue in the future staff is recommending that the Common Council establish a money market account in the name of the OPEB Trust.

Memo of 4/5/2013 from Renee Messing of CliftonLarsonAllen regarding 2012 City of Franklin Audit

City of Franklin
OPEB Trust Reporting

1. Summary of current status:

The City has reported approximately \$511,000 as expenditures in the governmental funds and a "payment" to the OPEB Trust Fund. In the OPEB Trust Fund, this "payment" has been recorded as contribution revenue. However, the cash related to this payment is still in the City's bank balances at December 31, 2012 and has not been transferred to the OPEB Trust accounts as of 4/4/13.

The City has informed us that the transfer was not made because of concerns about the OPEB trust investment manager's results and general market conditions. The City did not want to put additional funds in the hands of this manager for investment of the funds.

2. GAAP

Current generally accepted accounting principles related to the accounting for an OPEB contribution are outlined in GASB No. 45 par. 13(g) as follows:

g. Contribution deficiencies or excess contributions of the employer—A contribution deficiency or excess contribution is the difference between the ARC for a given year and the **employer's contributions** in relation to the ARC. For the purposes of this Statement, an employer has made a contribution in relation to the ARC if the employer has (1) made payments of benefits directly to or on behalf of a retiree or beneficiary, (2) made premium payments to an insurer, or (3) irrevocably transferred assets to a trust, or equivalent arrangement, in which plan assets are dedicated to providing benefits to retirees and their beneficiaries in accordance with the terms of the plan and are legally protected from creditors of the employer(s) or plan administrator. **Earmarking of employer assets or other means of financing that do not meet the conditions in the preceding sentence do not constitute contributions in relation to the ARC, and the assets earmarked or otherwise accumulated should be considered employer assets for the purposes of this Statement.** Amortization of a contribution deficiency or excess contribution should begin at the next actuarial valuation, unless settlement is expected not more than one year after the deficiency or excess occurred. If settlement has not occurred by the end of that term, amortization should begin at the next actuarial valuation.

Accordingly, the correct reporting would require the following changes to the City's financial statements for 2012.

- Eliminate the expenditures in the General Fund and re-instate the cash balance of \$511,000.
- Eliminate the contribution revenue in the OPEB Fund and reduce the cash balance of \$511,000.
- In the government-wide statement of net position, report an OPEB liability of \$511,000.
- In the reconciliation of the fund statements to the government-wide statements, the \$511,000 would be reported as an accrual of these costs.

When the City actually transfers the cash to the OPEB accounts in 2013, essentially the opposite of the above would be recorded.

3. Audit Considerations

Since the City's current reporting represents a GAAP departure, we will evaluate it based on planning and performance materiality. The error above is below planning materiality of \$988,000 and performance materiality of \$749,000. Accordingly, this item could be reported as a passed adjustment. This would require reporting in the audit communication letter. The recommendation of firm-wide quality assurance is to obtain agreement from the Chair of the Finance Committee.

4. Other Possible Considerations

Other changes that the City could consider in the financial statement presentation would include the following:

- Revise the financial statements to reflect the contribution as a receivable in the OPEB fund and a payable in the General Fund, since the City still owns the cash. This is still a GAAP departure, however, we would be willing to accept this reporting if the City demonstrates subsequent transfer of the cash to an OPEB trust bank account.
- Consider the cash balance to be a "revocable" trust. Add language to the note disclosures to identify that the amounts reported as OPEB trust represent the consolidation of the revocable trust and the irrevocable trust. The cash balance of revocable trust would need to be identified, either on the face of the OPEB statement or in the notes.

5. Prior Year Amounts

Based on discussion with the City Finance Director on 4/4/13, questions were raised about prior year reporting. The approximate amount of City cash reported as OPEB assets in prior years were as follows:

2009	\$ 19,000
2010	307,000
2011	45,000

The amounts in 2009 and 2011 were insignificant and no exception was taken with them.

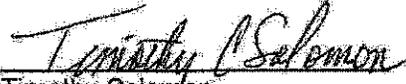
The original actuarial valuation applicable to 2010 was dated September 15, 2009 and reported an ARC of approximately \$617,000 for 2010. In 2010, the City had a settlement of the contract with police union. As a result, the City asked the actuary to recalculate the ARC which increased the ARC by approximately \$177,000 for a total of approximately \$794,000. The recalculated amount was documented in an email from the actuary and reviewed during the audit procedures. However, the date of the email was not documented. The procedures documented included reviewing payments of contributions to the OPEB trust. Our work papers record the following as contributions:

Check 134953, 7/23/10, \$200,000
Check 137848, 3/11/11, 284196
Medical expense paid by the City, \$311,704
Total, \$795,500

Our file does not document any conversation with the City Finance Director related to reporting of this item. It appears that because of the circumstances of recalculating the ARC and the fact that the City made the payment to the trust subsequent to year end and before completion of

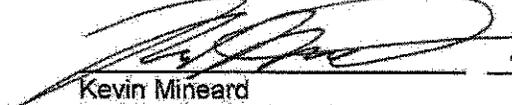
the audit, we did not take exception to reporting the cash as belonging to the OPEB trust – essentially treating it as if it were in transit.

Option 3 reviewed and agreed



Timothy Solomon,
Finance Committee Chairman

4/10/13
Date



Kevin Mineard
Finance Committee Vice Chairman

4/15/13
Date

<p>APPROVAL</p> <p><i>Slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>5/7/2013</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Acceptance of Low Quote of J&H Heating, Inc. for Replacement of the Air-Conditioning Compressor on HVAC Air-Handling Unit No. 2 that Services a Portion of City Hall</p>	<p>ITEM NUMBER</p> <p><i>6.11.</i></p>

Setting on top of the roof of the original section of City Hall are three HVAC air handling units. These units provide heating, cooling, and fresh intake for that original section of the building. Over the past two summers we have been experiencing an increasing number of issues with the second stage air-conditioning compressor on HVAC Unit No. 2 that services the Clerk's Office area, the Treasury Office, the Assessor's Office, as well as the Engineering and City Development Office areas. This compressor has bearings and valves that are failing and has reached the end of its service life and is in need of replacement. With this being an issue that has been progressing over the past two years, \$9,000 was requested and approved as a 2013 Capital Outlay Budget expense for this repair.

Three HVAC contractors have submitted quotes for this compressor replacement: JF Ahern, J&H Heating, Inc., and Mechanical Concepts, Inc. Bids ranged from \$8,059 to \$8,938 with J&H Heating, Inc. submitting the lowest cost proposal. All three of these vendors have been used in the past for City projects/repairs, so all are reputable vendors for providing the needed service.

COUNCIL ACTION REQUESTED

Motion to accept the low quote of J&H Heating, Inc. in the amount of \$8,059 for replacement of the air-conditioning compressor on HVAC Air-Handling Unit No. 2 that services a portion of City Hall as approved as part of the 2013 Capital Outlay Budget.

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">May 7, 2013</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Pleasant View Trail Project Status</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G. 12.</i></p>

Alderpersons Wilhelm and Dandrea are requesting an update and review of the Pleasant View Trail Project and its status. Project funding was previously approved under allocations associated with the WDNR Knowles Nelson Stewardship Program.

The proposed trail location is in District 3 north of West Drexel Avenue, through Conservancy lands proceeding to north to Pleasant View School. Project language provided at the time of the request is included here for the Council's information.

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

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

Benefits and Goals

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

- Providing safe off-road pedestrian access to recreational lands and schools
- Improving disability access
- Creating a linkage to the regional Oak Leaf Trail
- Connecting parks to destinations such as retail and business

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

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

ACTION REQUESTED

A motion as the Council deems appropriate.

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<p>APPROVAL</p> <p><i>Slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>5/6/2013</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>City of Franklin Vision Statement, Mission Statement, and "70/30" Goal</p>	<p>ITEM NUMBER</p> <p><i>G. 13.</i></p>

The City of Franklin has an existing Vision Statement and Mission Statement that were created in 2004. They were unanimously reapproved at a Special Common Council meeting on April 25, 2009 and received continued support based upon their inclusion in the City's 2025 Comprehensive Master Plan. The following excerpt from the Master Plan identifies the Vision and Mission Statements, as approved.

Vision Statement: The City of Franklin's vision is to enhance the quality of life for present and future generations by providing economic growth through the highest quality of residential, recreational, and business development in Southeastern Wisconsin.

Mission Statement: The City of Franklin's mission is to be a well-planned model community providing for a high quality of life for residents of all ages. The future of Franklin is founded on quality development that includes smaller and mixed-use commercial centers and corridors, that provides for new office parks that attract knowledge-workers and information industries to the community, while continuing to develop and maintain quality residential areas that provide a wide range of housing opportunities to support the needs of working professionals, seniors, and families. The residents of Franklin will have access to parks, open space, and a wide range of recreational programs and facilities that help to promote an active and healthy lifestyle. Franklin will be a community where modern conveniences, friendly people, and a small town atmosphere combine with low crime, a clean environment, and quality educational opportunities to make Franklin the primary destination to live and learn, work and play, and to do business.

In conjunction with these two statements, the City has also established and promoted a "70/30" Goal which was confirmed by the Common Council on June 29, 2005 and, similarly, received continued support based upon its inclusion in the City's 2025 Comprehensive Master Plan. The following excerpt from the Master Plan identifies the "70/30" Goal, as approved.

- **"70/30" Goal:** On June 29, 2005, the Common Council of the City of Franklin unanimously confirmed "that it remain the goal of the Common Council to obtain the 70/30 ratio of residential to commercial assessed valuation." This goal is referred to as the "70/30 goal."

In order to promote continued cooperation with and dedication to an overall organizational philosophy, the Mayor recommends discussion on and/or confirmation of these critical guiding statements by the City of Franklin.

No action is required to continue with these as part of the guiding values of the City of Franklin as they are already adopted policy, but the Council may wish to renew their approval with an affirmative motion.

COUNCIL ACTION REQUESTED

As may be determined at the discretion of the Common Council.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/07/13
REPORTS & RECOMMENDATIONS	Summer Meeting Schedule for 2013	ITEM NUMBER <i>G.14</i>

The Common Council may wish to set a summer meeting schedule for the months of June, July and August (also including September Committee of the Whole due to Labor Day). If any changes are made to the regularly scheduled dates, the normal meeting schedule would resume on September 17, 2013.

(Note: National Night Out event will be held on Monday, August 5, 2013.)

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4 Independence Day	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 LABOR DAY	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

COUNCIL ACTION REQUESTED

No action (regular meeting schedule would be 1st and 3rd Tuesdays for Common Council with Committee of the Whole on the Monday preceding the 1st Tuesday).

OR

Motion to establish the amended meeting schedule for 2013 (all meetings to begin at 6:30 p.m.) as follows: _____.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/07/13
Licenses and Permits	MISCELLANEOUS LICENSES	ITEM NUMBER <i>H.1.</i>
<p>See attached list from meeting of May 7, 2013</p> <p style="text-align: center;"><u>COUNCIL ACTION REQUESTED</u></p>		



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

**License Committee
Agenda*
Alderman's Room
May 7, 2013 – 5:45 p.m.**

1.	Call to Order & Roll Call	Time		
2.	Review of			
	<ul style="list-style-type: none"> • License Committee Administrative Rules and Regulations • Policies and Procedures for License Committee 			
3.	License Application Reviews			
		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2012-13 6:00 pm	Segura, Trisha A 7 Ohio St Racine, WI 53405 Establishment: Hideaway Pub & Eatery			
Operator 2012-13	Jonic, Aliya B 1810 Rawson Ave South Milwaukee, WI 53172 Establishment: 7-Eleven			
4.	Set meeting schedule for 2013-2014 License Applications			
5.	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>CAP</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/7/13
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.1.</i>

Provided for Council approval is a list of vouchers dated May 7, 2013 Nos. 146906 through 147132 in the amount of \$1,139,228.41. Included in this listing is \$36,770.97 in library vouchers.

The net city vouchers for May 7, 2013 are \$ 1,102,457.44.

Approval is requested for the net payroll dated April 19, 2013 in the amount of \$ 331,853.19 and May 3, 2013 in the amount of \$ 327,391.32.

COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range Nos.146906 through Nos.147132 in the amount of \$ 1,102,457.44 dated May 7, 2013.

Motion approving net payroll dated April 19, 2013 in the amount of \$ 331,853.19 and payroll dated May 3, 2013 in the amount of \$327,391.32.