

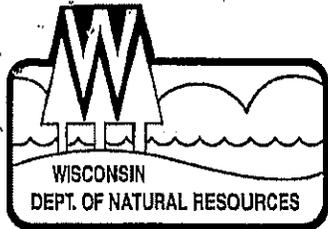
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| <p align="center">APPROVAL</p> | <p align="center">REQUEST FOR COUNCIL ACTION</p> | <p align="center">MEETING DATE May 17, 2016</p> |
| <p>REPORTS AND RECOMMENDATIONS</p> | <p>An Ordinance to Amend the Unified Development Ordinance Text to Add a Footnote to Table 15-4.0100 to Provide that All Public (Federal, State, County, and City Owned) Streets, Sidewalks and Trails Construction Shall Conditionally Not Be Subject To the Natural Resource Features Protection Standards Following the Review and Approval of an Application Therefore by the Common Council (City of Franklin, Applicant)</p> | <p>ITEM NUMBER A.7.</p> |

The subject matter of the above item was before the Common Council at its May 3, 2016 regular meeting. Attached hereto are copies of the action sheet from that meeting and a draft ordinance prepared in part as a result of the discussion at the May 3 meeting, which does not fully exempt streets, sidewalks and trails construction from the natural resource features protections of the Unified Development Ordinance, but does provide a more streamlined process for the consideration of such improvements in relation to natural resource features protection, while retaining final Common Council approval thereof. Also attached hereto are copies of a Department of Natural Resources correspondence (Amendment to the Regional Water Quality Management Plan – City of Franklin) and Southeastern Wisconsin Regional Planning Commission environmentally significant areas resource document (SEWRPC Community Assistance Planning Report No. 176 (Second Edition), Sanitary Sewer Service Area for the City of Franklin, Milwaukee County, Wisconsin, dated June 2011) for the information of the Common Council.

COUNCIL ACTION REQUESTED

A motion to adopt An Ordinance to Amend the Unified Development Ordinance Text to Add a Footnote to Table 15-4.0100 to Provide that All Public (Federal, State, County, and City Owned) Streets, Sidewalks and Trails Construction Shall Conditionally Not Be Subject To the Natural Resource Features Protection Standards Following the Review and Approval of an Application Therefore by the Common Council.

Ryan Creek
Interceptor



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

RECEIVED

Scott Walker, Governor
Cathy Stepp, Secretary

JUL 21 2011
City of Franklin
Engineering Department

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

July 20, 2011

DNR File No. SE-0129

Mr. David L. Stroik, Chairman
Southeastern Wisconsin Regional Planning Commission
W239 N1812 Rockwood Drive
P.O. Box 1607
Waukesha, WI 53187-1607

SUBJECT: Amendment to the Regional Water Quality Management Plan -
City of Franklin

Dear Mr. Stroik:

We have completed our review of the subject amendment request submitted to the Department on July 5, 2011. The Department hereby approves the sewer service area amendment request which adds a total of 5,310 acres to the City of Franklin Sanitary Sewer Service Area.

The area to be added includes the south and the southwest portions of the City of Franklin and is immediately adjacent to the current sewer service area. The amendment would bring the entire City of Franklin into the sewer service area. The proposed area includes 1,554 acres of environmentally significant lands, 410 acres of existing urban land, and agricultural and open lands account for the balance of 3,346 acres (see Maps 2 and 3).

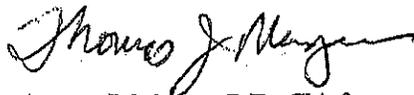
The proposed amendment was requested by the City of Franklin on April 5, 2011 and was adopted by SEWRPC per Resolution Number 2011-09 on June 15, 2011.

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Sincerely,



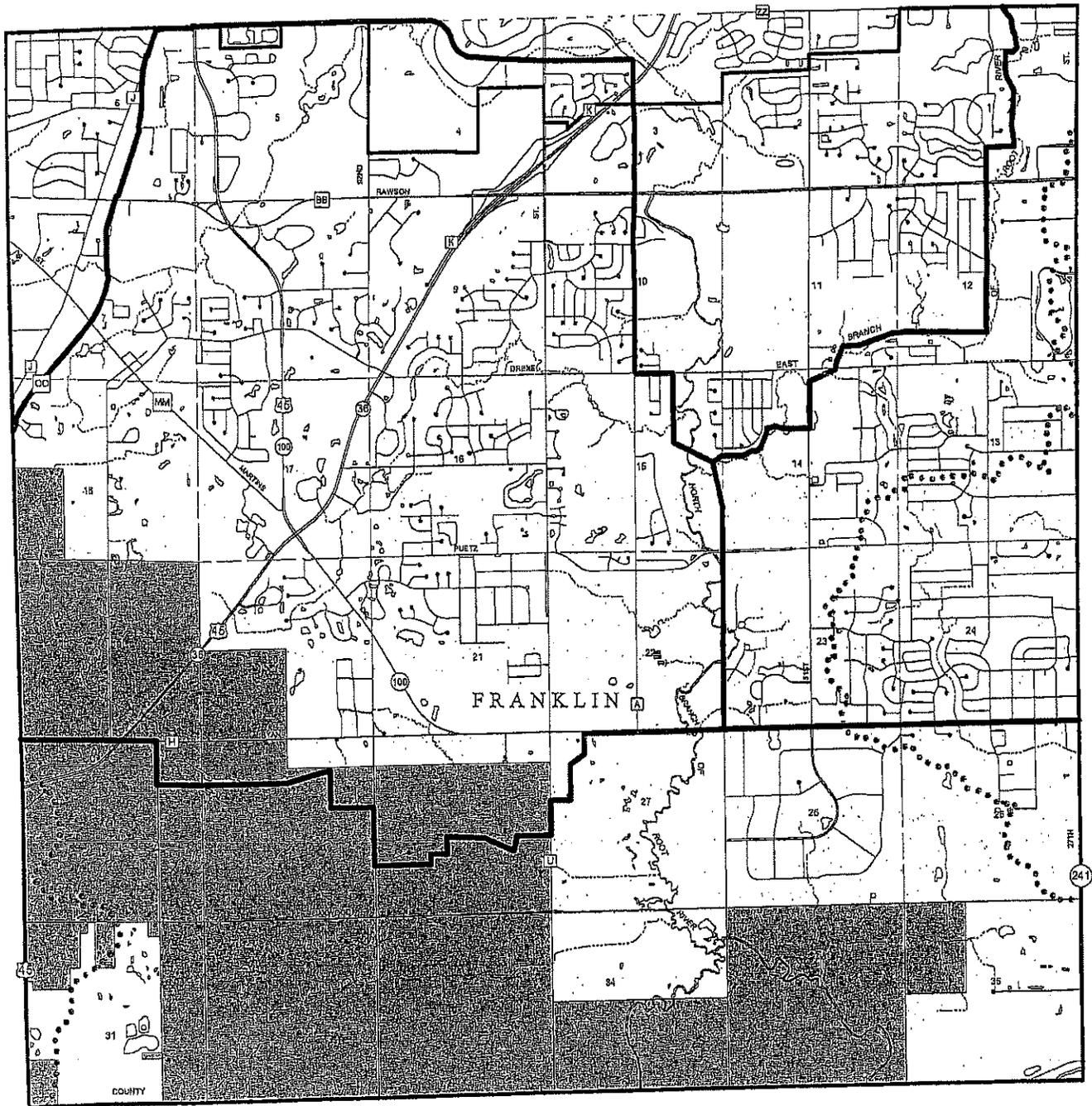
Thomas J. Muga, P.E., Chief
Wastewater Section
Bureau of Watershed Management

cc:

Ms. Sandra L. Wesolowski, Clerk, City of Franklin, 9229 W. Loomis Rd, Franklin, WI 53132
Mr. John M. Bennett, Engineer, City of Franklin, 9229 W. Loomis Rd, Franklin, WI 53132
Mr. Joseph Eberle, Ruekert & Mielke, Inc., W233 N2080 Ridgeview Pkwy, Waukesha, WI 53188-1020
Mr. Kevin Shafer, Executive Director, Milwaukee Metropolitan Sewerage District,
260 W. Seeboth St., Milwaukee, WI 53188-1020
Mr. Michael Luba, Basin Supervisor, WDNR- SER - Sturtevant
Mr. John Hammen, Acting Regional Director – WDNR - SER – Milwaukee
Ms. Fran Keally – DNR - WT/3

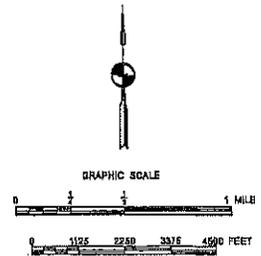
Map 2

PROPOSED CHANGES TO THE FRANKLIN SANITARY SEWER SERVICE AREA

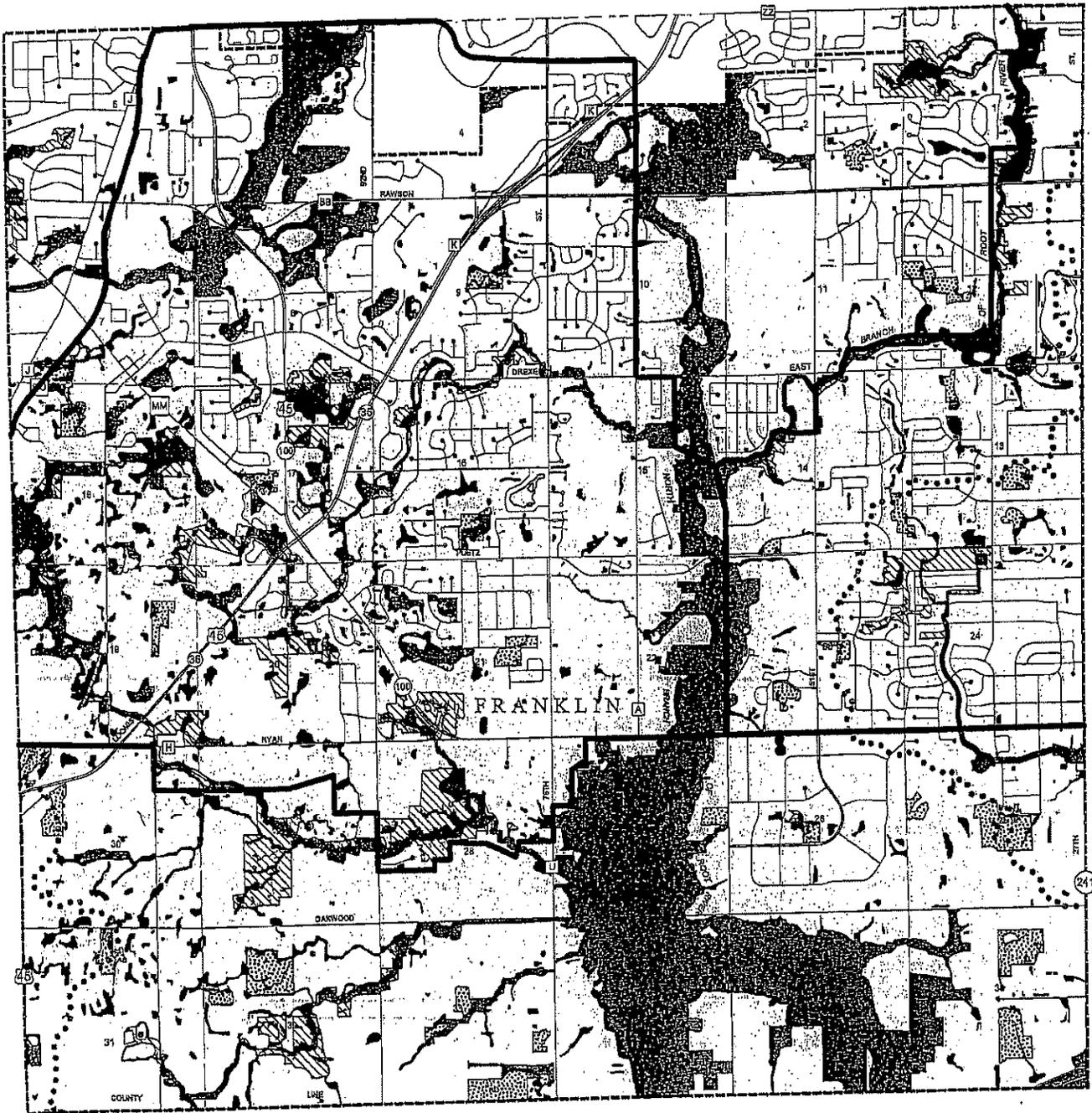


- FRANKLIN PLANNED SANITARY SEWER SERVICE AREA AS DEFINED IN SEWRPC COMMUNITY ASSISTANCE PLANNING REPORT NO. 176
 - AREAS PROPOSED TO BE ADDED TO THE FRANKLIN SEWER SERVICE AREA
- EXISTING INTERCEPTOR SEWER
 - PROPOSED RYAN CREEK INTERCEPTOR SEWER
 - EXISTING CITY AND VILLAGE BOUNDARIES; 2010

Source: SEWRPC.



FRANKLIN PLANNED SANITARY SEWER SERVICE AREA

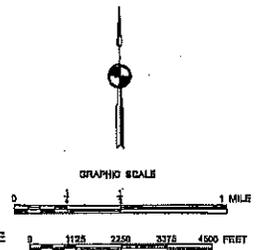


-  PRIMARY ENVIRONMENTAL CORRIDOR
-  SECONDARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE LOCATED OUTSIDE ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  FRANKLIN PLANNED SANITARY SEWER SERVICE AREA
-  PLANNED SANITARY SEWER SERVICE AREA BOUNDARY

-  EXISTING INTERCEPTOR SEWER
-  PROPOSED RYAN CREEK INTERCEPTOR SEWER

RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS LIMITED TO RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
-  PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.



Source: SEWRPC.

The proposed expanded sanitary sewer service area encompasses 2,369 acres of primary environmental corridors (11 percent of the sewer service area); 1,576 acres of secondary environmental corridors (7 percent of the sewer service area); and 697 acres of isolated natural resource areas (3 percent of the sewer service area). The sewer service area also encompasses a total of 541 acres of small wetlands and surface water areas less than five acres in size located outside the environmental corridors and isolated natural resource areas, accounting for 2 percent of the sewer service area.

Included in the environmental corridors and isolated natural resource areas shown on Map 3 are certain floodland areas which do not currently have the resource features to be classified as environmental corridors or isolated natural resource areas, but which may be expected to eventually revert to more natural conditions and become part of the system of environmental corridors and isolated natural resource areas. These areas are shown in a blue color on Map 4; together they encompass a total of 359 acres. As those floodplains revert to more natural conditions, the resource classification of certain small adjacent areas would change, as shown on Map 4.

Restrictions on Sewered Development in Environmentally Significant Areas

The regional land use and water quality management plans recommend the preservation of primary environmental corridors in essentially natural, open use and recommend that County and local units of government consider protecting and preserving secondary environmental corridors and isolated natural resource areas. Consistent with regional plans, policies adhered to by the Wisconsin Department of Natural Resources and Department of Commerce in their regulation of sanitary sewerage systems prohibit or otherwise limit the extension of sanitary sewers to serve development in such areas. The following restrictions apply:

1. The extension of sanitary sewers to serve new development in primary environmental corridors is confined to limited recreational and institutional uses and rural-density residential development (maximum of one dwelling unit per five acres) in areas other than wetlands, floodlands, shorelands, and steep slopes. Primary environmental corridors within the proposed Franklin sewer service area are shown with a green background color on Map 3.⁴
2. The extension of sanitary sewers to serve development in portions of secondary environmental corridors and isolated natural resource areas comprised of wetlands, floodlands, shorelands, or steep slopes is not permitted. The portions of secondary environmental corridors and isolated natural resource areas comprised of wetlands, floodlands, shorelands, or steep slopes within the proposed sewer service area are identified with a brown background color on Map 3.

As previously indicated, the mapping of environmentally significant areas as presented in this report is a representation of conditions based upon the most recent available natural resource base information. It is expected that in many cases, as specific development proposals arise, a field survey will be necessary to more precisely identify the boundaries of environmental corridors and isolated natural resource areas in the vicinity of the proposed development. In such cases, the detailed field delineations serve as the basis for the review of proposed sewer extensions.

⁴*Consistent with the year 2035 regional land use plan, in lieu of recreational or rural density residential development, up to 10 percent of the upland corridor area in a parcel may be disturbed in order to accommodate urban residential, commercial, or other urban development under the following conditions: 1) the area to be disturbed is compact rather than scattered in nature; 2) the disturbance area is located on the edge of a corridor or on marginal resources within a corridor; 3) the development does not threaten the integrity of the remaining corridor; 4) the development does not result in significant adverse water quality impacts; and 5) development of the remaining corridor lands is prohibited by conservation easement or deed restriction. Each such proposal must be reviewed on a case-by-case basis.*

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 5-13-16]

ORDINANCE NO. 2016-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT TO ADD A FOOTNOTE TO TABLE 15-4.0100 TO PROVIDE THAT ALL PUBLIC (FEDERAL, STATE, COUNTY, AND CITY OWNED) STREETS, SIDEWALKS AND TRAILS CONSTRUCTION SHALL CONDITIONALLY NOT BE SUBJECT TO THE NATURAL RESOURCE FEATURES PROTECTION STANDARDS FOLLOWING THE REVIEW AND APPROVAL OF AN APPLICATION THEREFORE BY THE COMMON COUNCIL (CITY OF FRANKLIN, APPLICANT)

WHEREAS, the Department of City Development and the Engineering Department having review the Unified Development Ordinance regarding the construction of public streets and the needs thereof, in relation to the natural resource features protection standards existing under the Ordinance, and having considered that the Southeastern Wisconsin Regional Planning Commission conditionally allows trails through Environmental Corridors and also allows streets and highways through Environmental Corridors upon more stringent conditions; and

WHEREAS, City staff having determined that the need to facilitate the provision of a safe and efficient transportation system, in recognition of the importance of connectivity for motor vehicle, pedestrian and other modes of transportation, and to provide more flexibility within the Unified Development Ordinance natural resource features protections related thereto to accomplish the more safe and efficient system while also substantially considering and accounting for any natural resource features necessarily impacted by such needs, and having recommended an amendment to the Unified Development Ordinance to provide for a more efficient process in the undertaking of fulfilling such public needs; and

WHEREAS, the Plan Commission having reviewed the proposed amendment, and having held a public hearing on the proposal on the ____ day of _____, 2016 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council upon the recommendations of the Plan Commission and City staff having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: TABLE 15-4.0100 NATURAL RESOURCE PROTECTION STANDARDS of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended to add a footnote (f) thereto, which footnote "(f)" shall be inserted as a reference in the Zoning District Type categories Table titles "Agricultural", "Residential" and "Nonresidential" and which footnote shall read as follows:

(f) Notwithstanding anything to the contrary set forth in this Ordinance, all public (Federal, State, County, and City owned) streets, sidewalks and trails construction shall not constitute "development" subject to the natural resource features protection standards under this Ordinance, and the creation and later existence thereof shall not require the grant of a special exception to the provisions of this Ordinance for natural resource features protection; provided, however, that no public street, sidewalk or trail construction may occur unless an application for same is approved by the Common Council. The Common Council may approve and grant such application provided that: i) such street, sidewalk or trail is designed and constructed by or under the direction of the respective governmental entity; ii) all other required governmental permits and approvals, including, but not limited to those required by the Wisconsin Department of Natural Resources (and subject to the approved wetland determination/delineation application requirements of the WIDNR effective June 1, 2016 as may be applicable) and the U.S. Army Corps of Engineers; iii) all remaining areas of natural resource features disturbed by such construction shall be restored to the restoration standards of §15-4.0102I. of this Ordinance; iv) that such public street, sidewalk and trail shall be designed and reviewed pursuant to a practicable alternatives analysis in a priority manner to first consider alternative locations, second to minimize the amount of disturbance, and third to include mitigation in such instances where impact to particularly important natural resource features, including, but not limited to Southeastern Wisconsin Regional Planning Commission designated Primary Environmental Corridor, Secondary Environmental Corridor and Isolated Natural Resource Area lands, is unavoidable; and v) with regard to woodlands and forests, the City Forester shall perform an on-site inspection of the area(s) proposed to support the street, sidewalk or trail, consider the practicable alternatives analysis under iv) above applicable thereto, and recommend thereupon to the Common Council for its consideration of the subject matter application. A determination by the Common

Council upon an application shall be made upon consideration as to whether the application proposal is reasonable and necessary in the public interest and that the provision of safe and efficient transportation and connectivity public improvements outweighs the public interest in the complete protection of natural resource features under all the circumstances presented. The Common Council may conditionally approve an application as it determines reasonably necessary.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

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 _____

| | | |
|---|--|--|
| <p>APPROVAL</p> <p><i>Stw</i></p> | <p>REQUEST FOR COUNCIL ACTION</p> | <p>MEETING DATE</p> <p>May 3, 2016</p> |
| <p>REPORTS AND RECOMMENDATIONS</p> | <p>Direction regarding a proposed amendment to the Unified Development Ordinance to exempt public streets, sidewalks, trails and appurtenances from the City's Natural Resource Protection Standards (City of Franklin, Applicant)</p> | <p>ITEM NUMBER</p> <p><i>G.H.</i></p> |

INTRODUCTION

The Engineering Department and the Planning Department are requesting permission to prepare an amendment to the Unified Development Ordinance (UDO) to exempt public streets, sidewalks, trails and appurtenances (such as associated bridges, clearing and grading for shoulders, terraces, etc.) from the City's Natural Resource Protection Standards.

BACKGROUND

Staff has encountered a number of situations where the extension or expansion of a public street, sidewalk or trail into protected natural resource features was contemplated, which in staff's opinion served a valuable public purpose, but for reasons including the time, effort and uncertainty associated with obtaining a Natural Resource Special Exception, such public road or trail extension/expansion was not pursued, was substantially altered, or was subjected to an additional significant expense of time, effort, and/or money. Examples include:

- Extension of a proposed cul-de-sac and/or trail across wetlands located immediately west of Pleasant View Park/School as part of a proposed residential subdivision.
- Placement of a pedestrian bridge across a wetland and extension of a trail into wetland buffers and setbacks in Ernie Lake Park.
- Construction of a proposed trail through woodlands, wetlands, and shorelands around Koepmier Lake by the Conservancy for Healing and Heritage.
- Construction of a proposed trail through wetland setbacks and buffers at Southbrook Church linking Robinwood Elementary School to St. Martins Road.
- Extension of Evergreen Street through wetlands to Pleasant View Park.
- Construction of the Oak Leaf Trail through wetlands, woodlands, shorelands and floodplain in the Root River Parkway.
- Construction of a proposed sidewalk within/adjacent to wetlands on the south side of College Avenue.
- Expansion of Drexel Avenue through wetlands near 35th Street.
- Construction of a proposed trail/bridge in the River Park subdivision over the East Branch of the Root River

PROPOSAL

Staff's recommended proposal is to exempt all public (Federal, State, County, and City owned) streets, sidewalks and trails from all City of Franklin natural resource protection standards provided that:

- such street, sidewalk or trail is designed and constructed by or under the direction of such public agencies;
- all other required permits and approvals, including WDNR and ACOE, are obtained;
- that all remaining areas of natural resource features disturbed by such construction shall be restored to the restoration standards of Section 15-4.0102I. of the UDO; and
- that such public streets, sidewalks and trails be designed in a manner as to first consider alternative locations, second to minimize the amount of disturbance, and third to include mitigation in those instances where impact to particularly important natural resource features is unavoidable.

Staff would note that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) does allow trails through its Environmental Corridors (including wetlands, shorelands, and floodplains) under similar conditions. And allows streets and highways through its Environmental Corridors subject to these conditions as well as to mitigation and no net loss of flood storage capacity or wetlands.

Should the Common Council have concerns or reservations about staff's initial proposal, staff would strongly recommend that at least the construction, reconstruction, and expansion of public streets, sidewalks and trails within existing right-of-ways and easements be exempted from the City's natural resource protection standards subject to the conditions noted above.

CONCLUSION

To facilitate the provision of a safe and efficient transportation system, in recognition of the importance of connectivity for automobiles, pedestrians, and other modes of transportation, and to provide more flexibility within the City's natural resource protection provisions, staff proposes that the Unified Development Ordinance be amended to exempt public streets, sidewalks, trails, and appurtenances from the City's natural resource protection standards.

COUNCIL ACTION REQUESTED

A motion to direct staff to prepare an ordinance to amend the Unified Development Ordinance to exempt public streets, sidewalks, trails and appurtenances from the City's natural resource protection standards, to schedule a public hearing before the Plan Commission upon the proposed text amendment, to assist the Plan Commission in its deliberations thereon, and to subsequently forward this matter to the Common Council for its consideration and possible action.

| APPROVAL | REQUEST FOR COUNCIL ACTION | MTG. DATE 05/17/2016 |
|---------------------------|---|-------------------------|
| Reports & Recommendations | MOTION TO AUTHORIZE CONSULTANT AMENDMENT TO GRAEF FOR CONSTRUCTION OF SEWER AND WATER OPERATIONS CENTER (5500 W AIRWAYS AVENUE) | ITEM NO. 25.8 |

BACKGROUND

Construction is complete for the Sewer and Water Operations Center (SWOC). A Certificate of Occupancy was issued December 29, 2015 and all punch list items have been completed.

March 15, 2016, the Board of Water Commissioners recommended approval of a final change order and Common Council signed the final change order for the contractor, Miron Construction, Inc.

ANALYSIS

The project is located over an old NIKE missile site. Soil borings were conducted but did not reflect the magnitude of the undercutting required to establish suitable base for the building foundations, slab, and parking areas. In addition, issues with the electric service prevented the contractor from completing many of the electrical, heating, and mechanical work which impacted the contractor's schedule.

The unforeseen project delays extended GRAEF's efforts for approximately seven months. Staff has reviewed, discussed, and negotiated the attached Amendment #2 to their professional services agreement in the amount of \$9,750.00.

| | |
|--------------|-------------------------------------|
| \$170,550.00 | Initial Design Contract |
| \$ 82,398.60 | Initial Construction Administration |
| \$ 51,750.00 | Amendment 1 |
| \$ 9,750.00 | Amendment 2 |
| \$314,448.60 | Total GRAEF contract for this work. |

The Board of Water commissioners has discussed this final payment to GRAEF and have no objections. Note that the total design and construction administration by GRAEF reflects 10.8% of the final construction costs.

OPTIONS

Sign Professional Services Amendment in the amount of \$9,750.00 for GRAEF.

FISCAL NOTE

Funds are associated with the construction of the SWOC project. The Sewer Fund has no 2016 appropriation for this cost. However, \$5,000 of the building furniture appropriation could be repurposed for this cost.

The Water Fund has no 2016 appropriation for this cost. The Water Fund has deferred another capital project, and could repurpose those funds to this contract amendment.

RECOMMENDATION

Authorize staff to execute attached Professional Services Amendment in the amount of \$9,750.00.



One Honey Creek Corporate Center
125 South 84th Street, Suite 401
Milwaukee, WI 53214-1470
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

collaborate / formulate / innovate

April 15, 2016

Mr. Glen E. Morrow, P.E.
Director of Public Works/City Engineer
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

Subject: **Franklin Water and Wastewater Operations and Maintenance Facility
Professional Services Amendment**
GRAEF Project No. 2013-0168.04

Dear Mr. Morrow:

Per your request, Graef-USA Inc. (GRAEF) is pleased to provide this proposal to amend our agreement for additional contract administration for the above referenced project. This amendment is subject to GRAEF's Standard Terms and Conditions, which were attached to our original agreement dated February 10, 2014. This amendment is for professional services for the following additional services:

Additional contract administration for the construction of the Franklin Water and Wastewater Operations and Maintenance Facility. The facility had an original final completion date of September 18, 2015. Due to unforeseen circumstances beyond our control, the project is coming to a conclusion in April of 2016. The amendment is for the additional 7 months of contract administration. A more detailed justification of the requested fee is as follows:

- 7 additional months of administering the contract.
- 7 additional months of meetings, phone calls, emails, and other correspondences with the Contractor and the City.
- Preparation/review/discussion/meetings of 4 additional pay applications.
- Preparation/review/discussion/meetings/negotiations of 2 additional change orders totaling 29 separate items.
- From the original final completion date of September 18, 2015 to April 15, 2016, over 135 hours of labor at a cost exceeding \$18,000 were incurred. However, some of those hours would have been incurred regardless of the completion date. The remaining hours due to the additional 7 months of administering the contract equate to \$9,750 of labor costs. This equates to approximately \$1,400/month for the additional 7 months or about 10 hours/month.
- By negotiating one particular change order request by a subcontractor, GRAEF had the request reduced from \$8,550 to \$666, a savings of almost \$8,000 to the City.



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Total amendment for the additional contract administration is \$9,750. To accept this amendment, please sign and date this proposal and return one copy to GRAEF. Please feel free to contact me to discuss any details of this amendment.

Sincerely,
Graef-USA Inc.

Michael N. Paulos, P.E.
Principal

Accepted by: City of Franklin

(Signature)

(Name Printed)

(Title)

Date: _____

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| APPROVAL | REQUEST FOR COUNCIL ACTION | MEETING DATE 03/15/2016 |
| REPORTS & RECOMMENDATIONS | RESOLUTION TO SIGN A MILWAUKEE METROPOLITAN SEWERAGE DISTRICT GREEN SOLUTIONS FUNDING AGREEMENT FOR PAVERS AT FRANKLIN WOODS (3723 W PUETZ RD) | ITEM NUMBER 25.9. |

BACKGROUND

The construction of Kayla's Playground at Franklin Woods Nature Center (3723 W. Puetz Road) is nearing completion. A portion of the improvements involves pavers that allow storm water to infiltrate into the soil. The cost of the pavers and related appetencies are eligible to be reimbursed from Metropolitan Sewerage District (MMSD) through the Green Solutions funding. To access this funding, an agreement with MMSD must be executed in addition to the commitments contained in the agreements. City has recently accessed this fund for pavers and bio-retention areas at the new Sewer and Water Operations Center.

ANALYSIS

The budget for Kayla's Playground has been widely distributed and reflected a reimbursement from this fund in the amount of \$79,000. City Staff has computed the cost of the paver system and it reflects \$87,354.83. MMSD staff has prepared the agreement to reflect the actual expenditures of \$87,354.83.

| | |
|--------------------|---|
| \$48,000.00 | 6,000 Sf Pavers (\$8.00/Sf Bid Materials And Installation) ¹ |
| \$ 6,394.50 | Stone (870 Tons @ \$7.35/Ton Materials) ³ |
| \$ 500.00 | Underdrain System (185 Lf Of 4" With Three Inlets With Castings) ³ |
| \$ 2,222.33 | Filter Fabric ² |
| \$ 6,240.00 | Concrete Curbing To Contain Pavers (156 Lf @\$40.00/Lf) ¹ |
| \$ 18,998.00 | Sidewalk To Contain Pavers (2,714 Sf @\$7.00/Sf) ¹ |
| <u>\$ 5,000.00</u> | City DPW labor ⁴ |
| \$87,354.83 | Total ⁵ |

Notes:

- ¹ Low Bid by Wilkomm Excavating
- ² Low Bid at Home Depot
- ³ City DPW Purchase and materials on-hand
- ⁴ City Labor was in excess of \$150,000 for entire project, City designed and installed subdrain, fabric, and aggregate beneath pavers
- ⁵ Prices do not include Design. Both City Engineering and GRAEF were involved

OPTIONS

Authorize signing the MMSD Green Solutions Funding Agreement; or
Do not sign the agreement. This option will require additional Finance Discussion to determine how to adjust Kayla's Playground project income.

FISCAL NOTES

This Agreement with MMSD is required for reimbursement for the pavers.

RECOMMENDATIONS

Motion to adopt Resolution No. 2016-____ a resolution authorizing certain officials to sign a Green Solutions Funding Agreement with Milwaukee Metropolitan Sewerage District for pavers at Franklin Woods (3723 W Puetz Rd)



Green Solutions Funding Agreement

Kayla's Playground Pavers

M03076P44

This Agreement is between the Milwaukee Metropolitan Sewerage District (District), 260 West Seeboth Street, Milwaukee, Wisconsin 53204-1446 and the City of Franklin (Franklin), 9295 West Loomis Road, Franklin, Wisconsin 53132.

WHEREAS, Wisconsin law authorizes any municipality to establish an intergovernmental cooperation agreement with another municipality for the furnishing of services (Wis. Stat. sec. 66.0301); and

WHEREAS, the District is responsible for collecting and treating wastewater from locally-owned sewerage systems in the District's service area; and

WHEREAS, during wet weather, stormwater enters the sewerage system, increasing the volume of wastewater the District must collect and treat; and

WHEREAS, during wet weather, stormwater directly enters surface water, increasing pollution levels in those waterways and increasing the risk of flooding; and

WHEREAS, green infrastructure, such as constructed wetlands, rain gardens, green roofs, bioswales, and porous pavement, reduces the volume of stormwater in the sewerage system and the amount of pollutants discharged to surface waters; and

WHEREAS, the District's wastewater discharge permit requires the installation of twelve million gallons of new green infrastructure retention capacity before the end of 2017; and

WHEREAS, the District wants to expedite the amount of green infrastructure installed in its service area; and

WHEREAS, Franklin plans to install green infrastructure that supports the District's green infrastructure goals;

Now, therefore, for the consideration of the mutual promises made by the parties to this Agreement, the parties agree as follows.

1. Date of Agreement

This Agreement becomes effective immediately upon signature by both parties and ends when Franklin receives final payment from the District or when the parties terminate this Agreement according to sec. 12 of this Agreement.

2. District Funding

The District will reimburse Franklin for the cost of the project described in the attached project description (Project), up to \$87,355. The District will provide funding after the District receives the Baseline Report and the Conservation Easement.

3. Location of the Project

The Project location is 3723 West Puetz Road, Franklin.

4. Baseline Report

After completion of the Project, Franklin will provide a Baseline Report using forms provided or approved by the District. The Baseline Report will include:

- (a) a site drawing, showing the Project as completed;
- (b) design specifications for the Project, including rainwater capture capacity (maximum per storm) and other information regarding runoff rate reduction or pollutant capture;
- (c) a legal description of the property where the Project is located;
- (d) photographs of the completed Project;
- (e) a maintenance plan;
- (f) an outreach and education strategy, including a description of events or activities completed or planned;
- (g) an itemization of all construction costs, with supporting documentation;
- (h) a W-9 Tax Identification Number form;
- (i) a Small, Veterans, Women, and Minority Business Enterprise Report; and
- (j) an Economic Impact Report, showing the total number of people and the estimated number of hours worked on design and construction of the Project by Franklin's employees, contractors, consultants, and volunteers.

5. Procedure for Payment

Franklin will submit an invoice to the District for the amount to be reimbursed. The invoice will document all costs to be reimbursed. Invoices from consultants will provide: their hourly billing rates, if applicable; the hours worked, by individual; and a summary of the tasks accomplished.

Franklin will send the Baseline Report and the invoice to:

Andrew Kaminski, Project Manager
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, Wisconsin 53204 – 1446

The District will not provide reimbursement until the Project is complete and the District has received all required deliverables.

6. Changes in the Project and Modifications to the Agreement

Any changes to the Project must be approved by the District in writing in advance. The District will not reimburse for work that is not described in the original project description unless Franklin obtains prior written approval from the District.

7. Modifications to this Agreement

Any modifications to this Agreement will be in writing and signed by both parties.

8. Project Maintenance

Franklin will maintain the Project for at least ten years. If the Project fails to perform as anticipated or if maintaining the Project is not feasible, then Franklin will provide a report to the District explaining the failure of the Project or why maintenance is not feasible. Failure to maintain the Project will make Franklin ineligible for future District funding until Franklin corrects the maintenance problems.

9. Permits, Certificates, and Licenses

The Franklin is solely responsible for compliance with all federal, state, and local laws and any required permits, certificates, or licenses.

10. Public Bidding

Franklin must select professional service providers according to Franklin's ordinances and policies. Franklin must procure all non-professional services, such as construction, sewer inspection, and post-construction restoration, according to State of Wisconsin statutes and regulations and Franklin's ordinances and policies. Whenever work valued over \$25,000 is procured without the use of a public sealed bidding process, the District may request and Franklin must provide an opinion from a licensed attorney representing Franklin explaining why the procurement complies with State of Wisconsin law and Franklin's ordinances.

11. Responsibility for Work, Insurance, and Indemnification

Franklin is solely responsible for planning, design, construction and maintenance of the Project, including the selection of and payment for consultants, contractors, and materials.

Franklin is solely responsible for ensuring compliance with Wisconsin prevailing wage law.

The District will not provide any insurance coverage of any kind for the Project or the Franklin.

Franklin will defend, indemnify, and hold harmless the District and its Commissioners, employees, and agents against any and all damages, costs, liability, and expenses, including attorney's fees and related disbursements, arising from or connected with the planning, design, construction, operation, or maintenance of the Project.

12. Terminating this Agreement

The District may terminate this Agreement at any time before the commencement of construction. After the commencement of construction, the District may terminate this Agreement only for good cause, including, but not limited to, breach of this Agreement by Franklin. Franklin may terminate this Agreement at any time, but will not receive any payment from the District if Franklin does not complete the Project.

13. Conservation Easement

After the completion of construction, the District must receive a Conservation Easement from Franklin. The Conservation Easement will be limited to the Project. The term of the Conservation Easement will be ten years. Franklin will cooperate with the District to prepare the Conservation Easement.

14. Exclusive Agreement

This Agreement is the entire agreement between Franklin and the District.

15. Severability

If a court holds any part of this Agreement unenforceable, then the remainder of the Agreement will continue in effect.

16. Applicable Law

The laws of the State of Wisconsin apply to this Agreement.

17. Resolving Disputes

If a dispute arises under this Agreement, then the parties will try to resolve the dispute with the help of a mutually agreed-upon mediator in Milwaukee County. The parties will equally share the costs and fees associated with the mediation, other than attorney's fees. If the dispute is not resolved within 30 days after it is referred to the mediator, then either party may take the matter to court.

18. Notices

All notices and other communications in connection with this Agreement will be in writing and will be considered given as follows:

- when delivered personally to the recipient's address as stated on this Agreement; or
- three days after being deposited in the United States mail, with postage prepaid to the recipient's address as stated on this Agreement.

19. Independence of the Parties

This Agreement does not create a partnership. The Franklin does not have authority to make promises binding upon the District or otherwise have authority to enter into contracts on the District's behalf.

20. Assignment

Franklin may not assign any rights or obligations under this Agreement without the District's prior written approval.

21. Public Records

Franklin will produce any records in the possession of the Franklin that are subject to disclosure by the District pursuant to the State of Wisconsin's Open Records Law, Wis. Stats. secs. 19.31 to 19.39. Franklin will indemnify the District against any and all claims, demands, or causes of action resulting from Franklin's failure to comply with this requirement.

Signatures on Next Page

**MILWAUKEE METROPOLITAN
SEWERAGE DISTRICT**

CITY OF FRANKLIN

By: _____

Kevin L. Shafer, P.E.
Executive Director

By: _____

Stephen R. Olson
Mayor

Date: _____

Date: _____

Approved as to Form

By: _____

Attorney for the District

By: _____

Sandra L. Wesolowski
City Clerk

By: _____

Paul Rotzenberg
Director of Finance & Treasurer

By: _____

Jesse A. Wesolowski
City Attorney

Green Solutions Funding Agreement

Kayla's Playground Pavers

M03076P44

Project Description

Franklin will construct a playground within Franklin Woods Nature Preserve at 3723 West Puetz Road. Ancillary work includes parking areas, restroom, landscaping, and a patio area.

Franklin will construct the patio area with permeable pavers, as shown in the attached drawings. The pavers will filter the stormwater and minimize runoff. The pavers will allow stormwater runoff to soak into two feet of clean stone. Water would then soak into the ground and flow over time under the playground into the wetland where current drainage discharges. The 6,000 square feet of pavers will provide a retention capacity of 18,000 gallons.

Budget

| | |
|--------------------|---|
| \$48,000.00 | 6,000 sf Pavers (\$8.00/sf Bid Materials and Installation) ¹ |
| \$ 6,394.50 | Stone (870 tons @ \$7.35/Ton materials) ³ |
| \$ 500.00 | Underdrain System (185 lf of 4", three inlets with castings) ³ |
| \$ 2,222.33 | Filter Fabric ² |
| \$ 6,240.00 | Concrete curbing to contain Pavers (156 lf @\$40.00/lf) ¹ |
| \$ 18,998.00 | Sidewalk to contain Pavers (2,714 sf @\$7.00/sf) ¹ |
| <u>\$ 5,000.00</u> | City DPW labor ⁴ |
| \$87,354.83 | Total ⁵ |

Notes:

¹ Winning Bid by Wilkomm Excavating

² Winning Bid at Home Depot

³ City DPW Purchase and materials on-hand

⁴ City Labor was in excess of \$150,000 for entire project, City designed and installed subdrain, fabric, and aggregate beneath pavers

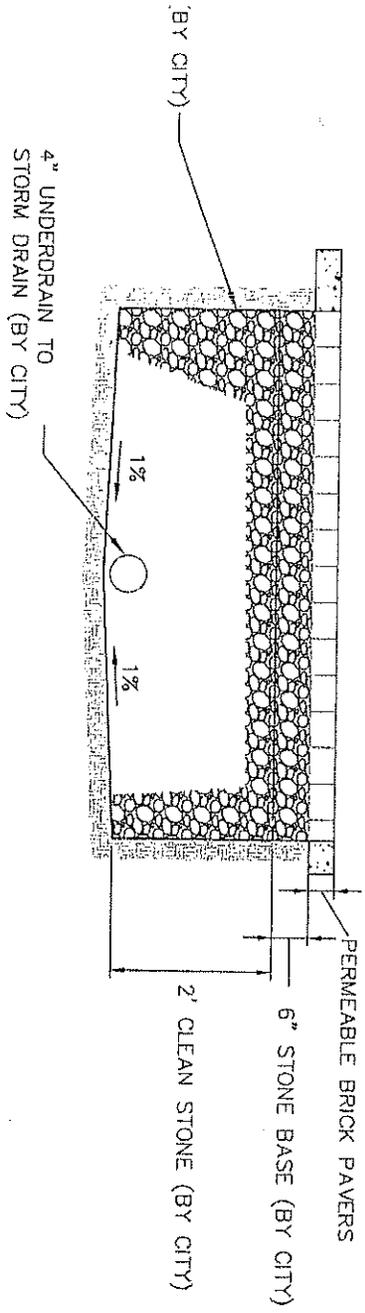
⁵ Prices do not include Design. Both City Engineering and GRAEF were involved

Schedule

Franklin will installed underdrains and stone in the fall of 2015. Franklin will complete concrete curbing and sidewalk to contain edges of pavers before June 30, 2016.

Outreach and Education

Franklin will post educational signage at the Project site. This signage will acknowledge District funding for the Project. In addition, Franklin will describe the Project and its benefits in a community newsletter or web page.



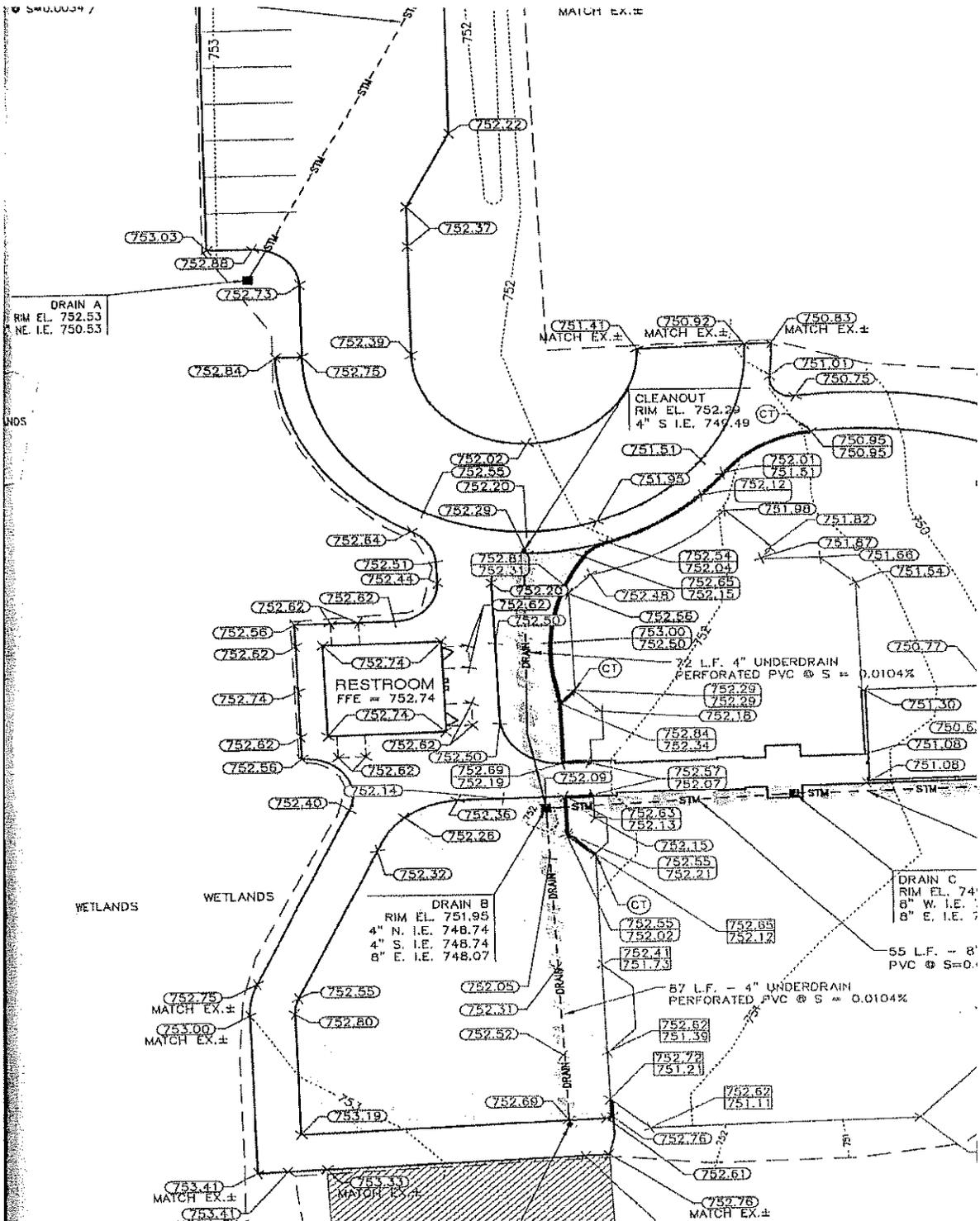
GENERAL NOTES

1. UNDERDRAIN SHALL BE 4" PERFORATED PVC.

6

TYPICAL PERMEABLE PAVER SECTION

N.T.S.



STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2016 - _____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO SIGN A GREEN SOLUTIONS FUNDING AGREEMENT WITH MILWAUKEE METROPOLITAN SEWERAGE DISTRICT FOR PAVERS AT FRANKLIN WOODS (3723 W PUETZ RD)

WHEREAS, the City of Franklin is incorporating an pervious system to allow stormwater infiltration; and

WHEREAS, the selected stormwater infiltration system of pavers, clean aggregate, filter cloth, and concrete sidewalk and crubing to surround the pavers is a green solution encouraged by the Milwaukee Metropolitan Sewerage District (MMSD); and

WHEREAS, MMSD provides Green Solutions Funding for eligible projects related to stormwater runoff; and

WHEREAS, the City may receive reimbursement of \$87,354.83 from MMSD towards the construction of Kayla's Playground at Franklin Nature Center.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that authorizes the Mayor and City Clerk to sign a Green Solutions Funding Agreement with Milwaukee Metropolitan Sewerage District for Kayla's Playground Pavers at Franklin Woods (3723 W Puetz Rd)

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 _____

RJR/db

Resols\Resolution awarding change order to Stark Pavement to the 2016 LRP

| APPROVAL | REQUEST FOR COUNCIL ACTION | MTG. DATE |
|---------------------------|---|---------------------------------|
| Reports & Recommendations | REQUEST TO DESIGN WATER AND SANITARY SEWER PROJECT IN THE VICINITY OF S. WOELFEL ROAD AND W. RAWSON AVENUE. | 5/17/2016 ITEM NO. S. 10. |

BACKGROUND

On April 19, 2016 Common Council instructed Staff to survey 24 property owners in the vicinity of S. Woelfel Road and W. Rawson Avenue for water and sanitary sewer service. A copy of the survey letter is attached. The survey letter requested if they were interested in water service, sanitary sewer service and if they would consider paying more money to protect landscaping within the public right of way.

ANALYSIS

20 of the 24 property owners returned the surveys. The attached exhibit and spreadsheet illustrates the responses. One response (7210 S Woelfel Rd.) did not indicate any votes. Note that one response represented three properties (7165, 7145, 7217 S. Woelfel Rd).

Water:

- 11 properties indicated a “no” for wanting water service. However, one property (7140 S Woelfel Rd) already receives water service. These negative responses are predominately on the south end between Spindle Top Ct and W. Grandview Ct.
- 1 property indicated a “maybe” for water service (7270 S. 92nd St.)
- 7 properties indicated a “yes” for water service and are predominately on the northern section of S. Woelfel Rd.

Based on the responses, Staff proposes that a watermain project be extended from the intersection of S. Woelfel Rd and W. Rawson Ave to W. Spindletop Ct. This project will provide looping from W. Stonehedge Dr to W. Spindle Ct and stub for a future watermain along W. Rawson Ave. This watermain would serve:

- 5 properties that voted “yes” for water,
- 4 properties that voted “no” for water,
- 1 property that voted “maybe” for water,
- 1 property that returned a survey without any votes
- 1 property that voted “no” for water but is already receiving water service
- 12 properties total

Sewer:

- 11 properties indicated a “no” for sanitary sewer service. However, one property (7140 S. Woelfel Rd) already receives service and another (7345 S. 92nd St) has a sanitary lateral to an empty lot. These negative responses are predominately on the south end.
- 1 property indicated a “maybe” for sanitary service (7270 S. 92nd St.)
- 7 properties indicated a “yes” for sanitary service and are predominately on the northern section of S. Woelfel Rd. However two of these properties are served by a private grinder pump force main system.

Based on the responses, Staff proposes that a sanitary sewer project be extended from the lot line of 7210 & 7222 S. Woelfel Rd northerly to W. Rawson Avenue, then westerly to a low spot near the S. 92nd Street and W. Rawson Ave intersection. This location would have a lift station and designed to be easily adaptable to serve a larger basin that would include Hawthorne Estates. Initially this sanitary sewer project would serve:

- 6 properties that voted “yes” for sanitary sewer

- 2 properties that voted “no” for sanitary sewer
- 1 property that returned a survey without any votes
- 1 property that voted no but is already receiving sanitary sewer service
- 3 properties that did not return a survey
- 3 properties that could easily be served at a later date and assessed at that time.
- 13 properties as part of this project (16 potential properties total)

Location: Generally, Staff prefers to locate new utilities in existing neighborhoods outside of the pavement section to keep costs lower by avoiding granular backfill and significant pavement restoration issues. Unfortunately, that method for this project would result in significant landscaping and tree removal and damage. Property owners were asked to provide input to limit the assessment values and keep the utilities outside of pavement where possible, or select an option to pay above the assessment values to compensate for the additional costs of avoiding landscaping and trees.

- 8 properties voted “yes/maybe” to spend more for trees and landscaping,
- 8 properties voted “no” to spend more for trees and landscaping
- 16 properties total.

The favorable responses were predominately on the northern section of W. Woelfel Road and of the 14 properties that would be served by one or both proposed projects, six of them may be in favor of spending more. Staff proposes that design proceed as two options while City Legal determines how additional funds could be assessed to property owners to compensate for a more expensive option.

OPTIONS

Direct Staff to solicit an engineering consultant to prepare a proposal for a water and sewer project as outlined herein. Or

Direct Staff to solicit an engineering consultant to prepare a proposal for an alternate water and sewer project. Or

Table

FISCAL NOTE

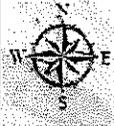
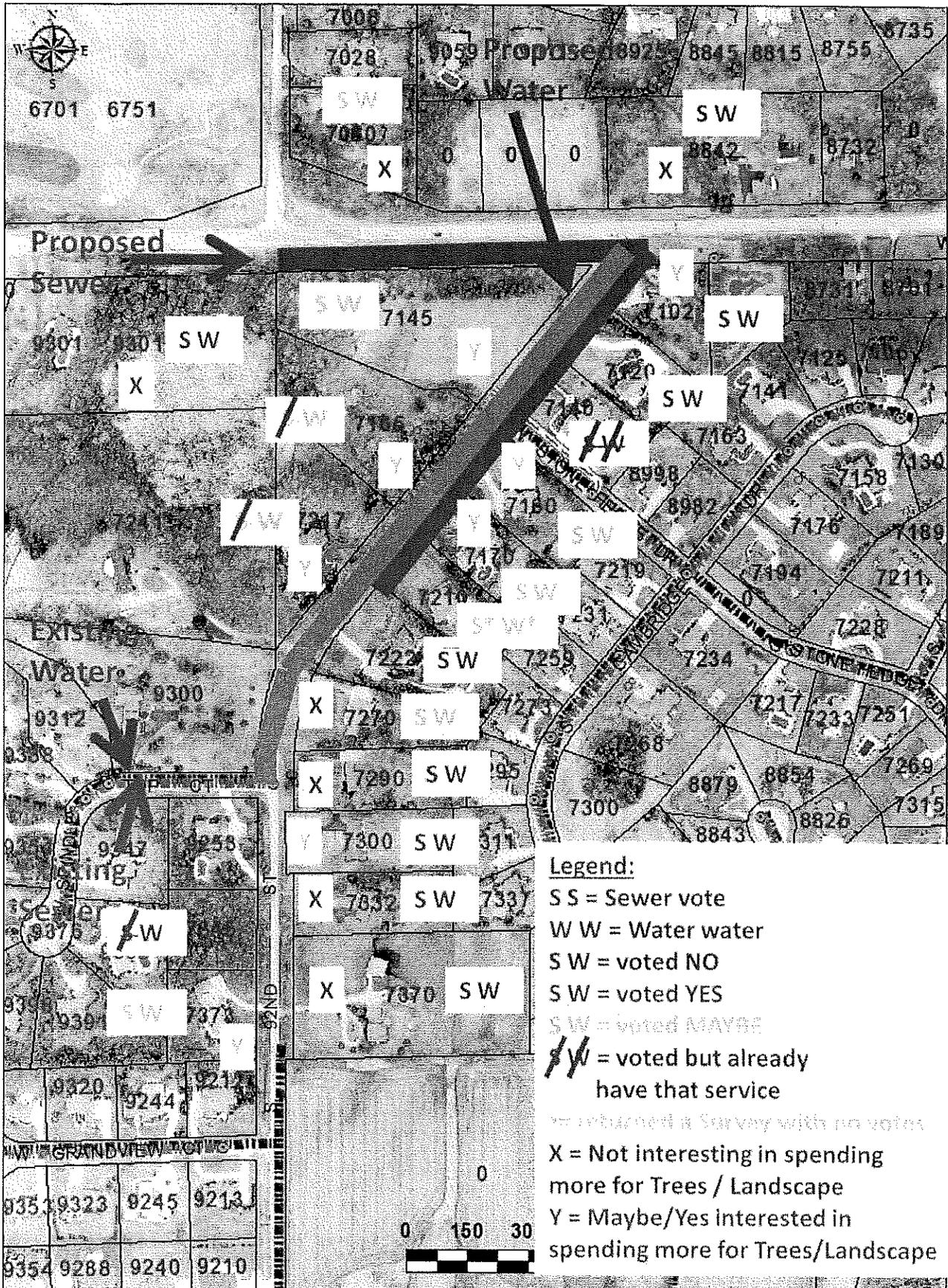
There is currently \$554,598.69 in the Sewer Development Fund to finance the sewer project. Assessments will be established to reimburse the fund for the costs equivalent to serve the affected property owners only. The increase in cost for a larger lift station to serve ultimate needs would be solely funded by the Sewer Development Fund and not financed by the initial sewer customers.

There is currently \$352,711.84 in the Water Development Fund to finance the water project suitable for service to the affected property owners only. Upsizing a water main would be paid for by the water impact fees which currently has a \$457,402.71 fund balance.

Please keep in mind that there are other projects under consideration that may impact available balances on utility development funds.

RECOMMENDATION

Direct Staff to solicit an engineering consultant to prepare a proposal for a water and sewer project as outlined herein.



6701 6751

Proposed

Sewer

EXISTING
Water

Legend:

- S S = Sewer vote
- W W = Water water
- S W = voted NO
- S W = voted YES
- S W = voted MAYBE
- ~~S W~~ = voted but already have that service
- X = Not interesting in spending more for Trees / Landscape
- Y = Maybe/Yes interested in spending more for Trees/Landscape



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April 26, 2016

Property Owner Name

Property Address

Re: Survey for Water and/or Sanitary Sewer Utility Service

Dear Property Owner,

The City of Franklin has been asked to consider the development of a sewer main and/or water main extension project in your neighborhood. For the Common Council to consider the extents of the proposed utility project(s), we are soliciting your desire for sanitary sewer and/or water service. Once the survey of your neighborhood is collected and we summarize the answers, we will propose a project with cost estimates and discuss with Common Council for their consideration.

You should know that even if you do not want water service and the water project occurs, you will not be required to connect to the new water main. A sewer project would require connection within one year. Common Council will consider payment options during the discussion and decision to perform a utility project now.

Although any project will greatly impact the neighborhood during construction, the City Engineering staff has laid out a design that minimizes costs by minimizing the amount of construction in the pavement. Unfortunately, this option greatly impacts trees and landscaping within the right-of-way. Part of the survey on the back of this letter asks if you would be willing to pay an estimated extra 50% to locate the utilities as much as possible under pavement and minimize impacts to trees and landscaping.

Final costs will be determined once design is completed and a contractor bids on the project. Unless the expensive project(s) to protect more trees and landscaping is chosen, at most your costs to the City will be limited to \$68.83 per assessable frontage for water and \$84.13 per assessable frontage for sanitary sewer. You will have other expenses to have your home connected to the City utilities. City Engineering staff can assist you if you would like to discuss further.

Please mark the appropriate box that most closely reflects your feelings and return by Wednesday, May 11, 2016. You may return to the engineering office at City Hall in person or via mail (9229 W. Loomis), via email (dengineering@franklinwi.gov), fax to 414-425-3106, attention Debbie, or telephone Debbie at (414) 425-7510 during normal business hours.

Survey (please check all that apply):

Water

- I am NOT interested in having water service from the City of Franklin
- I may be interested in having water service available, please provide more information
- I am definitely interested in having Franklin water Service

Sewer

- I am NOT interested in having sanitary sewer service from the City of Franklin
- I may be interested in having sanitary sewer service available, please provide more information
- I am definitely interested in having Franklin sanitary sewer service

Trees & Landscapping

- I am interested in paying for a more expensive project(s) to protect more trees and landscaping.
- I am NOT interested in paying for a more expensive project(s) to protect more trees and landscaping.

Comments:

Thank you for your input. We intend to share this information with Franklin Common Council at the May 17 meeting.

Sincerely,



Glen E. Morrow, PE
City Engineer / Director of Public Works

Copy: Mayor Steve Olson Alderman Dan Mayer

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| | | |
|--|---|-------------------------------------|
| APPROVAL | REQUEST FOR COUNCIL ACTION | MEETING DATE May 17, 2016 |
| REPORTS & RECOMMENDATIONS | Financial Report on Tax Incremental Financing District 3 & 4 for Calendar 2015 | ITEM NUMBER A.11. |

Background

The Director of Finance & Treasurer's report on TID # 3 & 4 for calendar 2015 are attached for your information. This report is directed to both the Common Council and the Community Development Authority. The Common Council has retained control of both of these TID's.

The Director of Finance & Treasurer will be available to answer any questions.

COUNCIL ACTION REQUESTED

Motion to place on file.

**City of Franklin
Common Council
Community Development Authority**

**Tax Increment District #3
Cash Flow Model
December 31, 2015**

Issued April 29, 2016

Presented by:

Paul Rotzenberg, CPA

City of Franklin Director of Finance & Treasurer

MEMORANDUM

DATE: April 29, 20156
TO: Common Council & Community Development Authority
FROM: Paul Rotzenberg, Director of Finance & Treasurer *PR*
RE: Report and Analysis of TID #3 Cash Flow Projection

Attached is a projection of tax increment revenue, expenditures, debt service payments and the net asset position for TID #3 based upon equalized values released by the Department of Revenue on July 29, 2015 and the taxes levied in December 2015. The District was formed in June, 2005. An amended project plan was adopted September 3, 2013 to include additional parcels and extending the District further North along S. 27th Street. The amended District is located along S 27th Street from W Sycamore St to just south of West Drexel Ave, and extending west to approximately S 35th Street. The final year of project expenditures is 2020 and the final year of increment would be 2026.

Summary Conclusions:

1. In September 2013, the District was amended to add 13 parcels with an equalized value of \$53,939,108. This amendment extended the boundary one half mile north along S 27th street, and will accommodate the City costs for the reconstruction project on S. 27th Street by the State Dept of Transportation. That project began in 2015 and is scheduled to complete in 2016. Incentive funds for major development opportunities that may come along were also included in the Amendment.
2. Actual new development of \$72,829,900 is 75% of the original development assumptions. The 2014 increment was only \$44,900. The growth, to date, in increment value has come mainly from Northwestern Mutual and Franklin Oaks (an ICON project).
3. The September 2013 amendment changed the project to include the updated S. 27th Street project costs
4. In 2014, as a result of Act 145, the State changed the funding for the Vocational Educational system in the state, which reduced the Tax levy for TID's. MATC reduced their levy by 36% in 2014 from 2013. That reduced the tax rate for this district 5.5% or \$1.35 per thousand of value in 2014.
5. The S. 27th Street project is the major remaining construction project to be completed. That project started in 2015. The cost of this project is currently estimated at \$4.2 million including the cost of the half mile of S. 27th Street north of the District boundary. \$650,000 of previously unidentified water main work was identified in 2015 which added to the project costs. All of these costs were included in the Amended 2013 Project plan. The amended project plan did provide for developer incentives for major development proposals that might materialize. All project expenditures must be completed by June 2020, with any debt service completed by 2025.
6. Total project costs are now estimated at \$28,915,608. This compares to the \$27,220,000 approved in the Amended Project plan. The approved project plan permits 15% overages on projected project costs. There remain \$2,641,733 of available project cost overages.
7. The slower rate of development and the impact of lower tax rates on the tax increment generated have resulted in the inadequate cash flow to meet the scheduled debt service. Additional financing was necessary. This was accomplished by a short term borrowing or an inter-fund advance from the City. The City advanced \$2,200,000 in early 2014 to help

fund the \$3.5 million loan payment due March 1, 2014. At December 2015 there are \$1,700,000 of inter-fund advances outstanding.

8. To fund the 27th Street project, the TID borrowed \$3,330,000 in December 2014. With repayment anticipated by 2018, an interest rate of 1.47% was achieved.
9. Assuming no additional project costs for development incentives included in the amended project plan would result in the TIF District being funded through 2023 depending upon the approved projects actual costs.
10. Without any need for the Development incentives included in the Amended project plans, the TIF District would be eligible to close in 2018 with the tax increment released the following year. By that year the tax increment generated will be about \$80 million and the tax revenue generated will be about \$1.86 million with a City share of approximately one quarter of that amount. The original project plan anticipated full funding of the TIF District in 2017.

The analysis is qualified to the following extent:

1. Realization that the stated assumptions will determine the results of the projection.
2. The tax rate assumption is based on the actual equalized tax rate in effect in December 2015 less an assumed decline in tax rate of 1.0%. If the tax rate varies from the assumption it will have either a positive or negative impact on these projections.

City of Franklin
TIF #3 Projection
Projected Cash Flow
December 11, 2015

| Year | Revenue | | | | | | | | | | Expenditures | | | | | TIF Status | | | | | | | | |
|------------------------------|-----------|-----------------------|--------------------------|-----------------------|---------------|-----------------|--------------|------------|---------------|----------------|--------------------|----------------------|------------------|--------------|------------------|--------------|------------|------------|---------|------------|---|---|---|---|
| | Tax Levy | Interest Income 1.50% | Developer Loan Repayment | Grant & Debt Proceeds | Total Revenue | Interest & Fees | Debt Service | | Project Costs | Admin Expenses | Total Expenditures | Yearly Cash Activity | Net Cash Balance | Note Balance | Net Debt Balance | Fund Balance | | | | | | | | |
| | | | | | | | Principal | Principal | | | | | | | | | | | | | | | | |
| 2005 | - | 60,525 | - | 3,905,571 | 3,966,096 | 66,036 | - | 906,440 | 61,554 | 1,034,030 | 2,932,066 | 2,932,066 | - | 3,905,571 | (973,505) | | | | | | | | | |
| 2006 | - | 114,349 | - | 94,429 | 208,778 | 179,643 | - | 2,021,091 | 70,527 | 2,271,281 | (2,062,483) | 869,583 | - | 4,000,000 | (3,130,417) | | | | | | | | | |
| 2007 | 251,402 | 102,647 | 139,950 | 16,700,000 | 17,502,481 | 693,528 | - | 17,280,607 | 75,136 | 18,049,271 | (546,790) | 322,793 | 10,000,000 | 9,700,000 | 622,793 | | | | | | | | | |
| 2008 | 504,283 | 14,311 | 789,625 | 11,137,628 | 12,750,490 | 762,386 | 10,100,000 | 2,087,552 | 46,955 | 12,996,893 | (246,403) | 76,390 | 9,400,000 | 11,300,000 | 8,176,390 | | | | | | | | | |
| 2009 | 1,535,719 | 6,159 | 792,679 | 800,000 | 3,488,550 | 804,998 | 2,115,000 | 615,003 | 29,202 | 3,564,203 | (75,653) | 737 | 8,785,000 | 10,600,000 | 7,985,737 | | | | | | | | | |
| 2010 | 2,295,166 | 7,725 | 790,589 | - | 3,420,245 | 736,093 | 2,225,000 | 105,028 | 11,564 | 3,077,685 | 342,560 | 343,297 | 8,160,000 | 9,000,000 | 8,503,297 | | | | | | | | | |
| 2011 | 1,407,207 | 10,971 | 793,255 | - | 2,545,219 | 675,943 | 1,640,000 | 9,683 | 9,986 | 2,335,612 | 209,607 | 552,904 | 7,520,000 | 8,000,000 | 8,072,904 | | | | | | | | | |
| 2012 | 1,650,483 | 5,128 | 795,629 | - | 2,733,325 | 596,392 | 2,655,000 | 25,360 | 12,116 | 3,288,868 | (555,543) | (2,639) | 6,865,000 | 6,000,000 | 6,862,361 | | | | | | | | | |
| 2013 | 1,547,835 | (1,979) | 797,711 | 1,150,000 | 3,855,308 | 522,341 | 3,170,000 | 3,196 | 28,634 | 3,724,171 | 131,137 | 128,498 | 6,195,000 | 4,650,000 | 5,173,498 | | | | | | | | | |
| 2014 | 1,572,197 | 47,156 | 6,255,776 | 5,530,000 | 13,812,638 | 205,411 | 9,695,000 | 330,265 | 12,482 | 10,243,158 | 3,569,480 | 3,697,978 | - | 6,680,000 | 347,978 | | | | | | | | | |
| 2015 | 1,681,578 | 146,311 | 421,710 | - | 2,249,599 | 129,705 | 1,670,000 | 1,429,255 | 22,156 | 3,251,116 | (1,001,517) | 2,696,461 | - | 5,010,000 | 996,461 | | | | | | | | | |
| 2016 | 1,730,942 | 40,447 | 400,600 | 4,500,000 | 6,671,689 | 131,468 | 1,800,000 | 7,315,104 | 29,000 | 9,275,572 | (2,603,883) | 92,578 | - | 7,710,000 | (4,957,422) | | | | | | | | | |
| 2017 | 1,758,174 | - | 380,600 | - | 2,138,774 | 102,911 | 2,175,000 | - | 29,000 | 2,306,911 | (168,137) | (75,558) | - | 5,535,000 | (4,625,558) | | | | | | | | | |
| 2018 | 1,785,427 | - | 361,600 | - | 2,147,027 | 55,423 | 1,935,000 | - | 29,000 | 2,019,423 | 127,604 | 52,046 | - | 3,600,000 | (3,547,954) | | | | | | | | | |
| 2019 | 1,812,402 | - | 343,500 | 5,000,000 | 7,155,902 | 113,500 | 2,000,000 | 5,000,000 | - | 7,113,500 | 42,402 | 94,448 | - | 6,600,000 | (6,505,552) | | | | | | | | | |
| 2020 | 1,839,103 | - | 326,300 | - | 2,165,403 | 187,250 | 2,000,000 | - | - | 2,167,250 | (1,847) | 92,601 | - | 4,600,000 | (4,507,399) | | | | | | | | | |
| 2021 | 1,865,533 | - | 310,000 | - | 2,175,533 | 116,375 | 2,050,000 | - | - | 2,166,375 | 9,158 | 101,759 | - | 2,550,000 | (2,498,241) | | | | | | | | | |
| 2022 | 1,891,693 | - | 294,500 | - | 2,186,193 | 51,625 | 2,150,000 | - | - | 2,201,625 | (15,432) | 86,327 | - | 400,000 | (463,673) | | | | | | | | | |
| 2023 | 40,873 | - | 279,800 | - | 320,673 | 7,000 | 400,000 | - | - | 407,000 | (86,327) | 0 | - | - | 1,800,000 | | | | | | | | | |
| 2024 | - | - | - | - | - | - | - | - | - | 0 | - | 0 | - | - | 2,000,000 | | | | | | | | | |
| 2025 | - | - | - | - | - | - | - | - | - | 0 | - | 0 | - | - | - | | | | | | | | | |
| 25,169,719 | | | | | | | | | | | 553,750 | 5,806,613 | 11,146,214 | 48,817,628 | 91,493,924 | 6,118,027 | 47,780,000 | 37,128,584 | 467,312 | 91,493,923 | 0 | - | - | - |
| Debt Refinanced | | | | | | | | | | | (10,000,000) | | | | | | | | | | | | | |
| TEA Grant | | | | | | | | | | | (1,000,000) | | | | | | | | | | | | | |
| Developer Loan payments | | | | | | | | | | | (11,146,213) | | | | | | | | | | | | | |
| Net Debt borrowed and repaid | | | | | | | | | | | 37,817,628 | | | | | | | | | | | | | |

Note: The taxable loan is considered revenue as repaid and the debt balance is net of the loan to developer. Project costs can not be initiated after June 21, 2020

Assumptions:

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

**City of Franklin
TIF #3 Projection
Projected Revenue
December 11, 2015**

| Const. Year | Incr. Year | Revenue Year | Full Value Beginning of Year | Total Increment | DOR Adjustment | Inflation & Additional Increment | Cumulative Equalized Increment Value | Tax Rate | Increment Revenue Collected |
|-------------|------------|--------------|------------------------------|-----------------|----------------|----------------------------------|--------------------------------------|----------|-----------------------------|
| 2005 | 2006 | 2007 | - | 11,743,000 | | 1,178,100 | 12,921,100 | 19.46 | 251,402 |
| 2006 | 2007 | 2008 | 12,921,100 | 8,668,000 | | 3,315,300 | 24,904,400 | 20.25 | 504,283 |
| 2007 | 2008 | 2009 | 24,904,400 | 44,487,000 | | 5,491,100 | 74,882,500 | 20.51 | 1,535,719 |
| 2008 | 2009 | 2010 | 74,882,500 | 15,432,000 | 10,000,000 | 5,587,800 | 105,902,300 | 21.67 | 2,295,166 |
| 2009 | 2010 | 2011 | 105,902,300 | - | (42,000,000) | (2,467,600) | 61,434,700 | 22.91 | 1,407,207 |
| 2010 | 2011 | 2012 | 61,434,700 | - | 12,000,000 | (782,100) | 72,652,600 | 22.72 | 1,650,483 |
| 2011 | 2012 | 2013 | 72,652,600 | - | | (8,734,800) | 63,917,800 | 24.22 | 1,547,835 |
| 2012 | 2013 | 2014 | 63,917,800 | - | | 387,900 | 64,305,700 | 24.45 | 1,572,197 |
| 2013 | 2014 | 2015 | 64,305,700 | - | | 8,479,300 | 72,785,000 | 23.10 | 1,681,578 |
| 2014 | 2015 | 2016 | 72,785,000 | - | | 44,900 | 72,829,900 | 23.76 | 1,730,642 |
| 2015 | 2016 | 2017 | 72,829,900 | - | | 1,905,981 | 74,735,881 | 23.53 | 1,758,174 |
| 2016 | 2017 | 2018 | 74,735,881 | - | | 1,925,041 | 76,660,922 | 23.29 | 1,785,427 |
| 2017 | 2018 | 2019 | 76,660,922 | - | | 1,944,291 | 78,605,213 | 23.06 | 1,812,402 |
| 2018 | 2019 | 2020 | 78,605,213 | - | | 1,963,734 | 80,568,947 | 22.83 | 1,839,103 |
| 2019 | 2020 | 2021 | 80,568,947 | - | | 1,983,371 | 82,552,319 | 22.60 | 1,865,533 |
| 2020 | 2021 | 2022 | 82,552,319 | - | | 2,003,205 | 84,555,524 | 22.37 | 1,891,693 |
| 2021 | 2022 | 2023 | 84,555,524 | - | | 2,023,237 | 86,578,761 | 22.15 | 1,917,588 |
| 2022 | 2023 | 2024 | 86,578,761 | - | | 2,043,470 | 88,622,231 | 21.93 | 1,943,219 |
| 2023 | 2024 | 2025 | 88,622,231 | - | | 2,063,904 | 90,686,135 | 21.71 | 1,968,590 |
| 2024 | 2025 | 2026 | 90,686,135 | - | | 2,084,543 | 92,770,678 | 21.49 | 1,993,702 |
| | | | | 80,330,000 | | | Reported | | 32,951,945 |

| | Amend # 1 |
|---------------------------|----------------|
| Base Value | \$ 117,768,200 |
| Increment Equalized Value | 63,317,000 |
| Assessed Value Ratio | \$ 181,085,200 |
| | \$ 53,939,000 |
| | \$ 53,939,000 |
| | 229,093,100 |
| | 97.48% |

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

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

City of Franklin
TIF #3 Projection
Development Assumptions
December 11, 2015

| Const Year | Project Plan (Memo) | Development | | | | | | | | Difference from Plan | |
|------------|---------------------|---------------|--------------|------------------|--------------|-------------|--------------|------------|---------------|----------------------|--------------|
| | | Franklin Oaks | Johnson Bank | 31st Office Bldg | Land N of NM | 27th Street | Amended Area | Add NM 2 | Rawson Avenue | | Total |
| | Project Plan | 44,750,000 | 1,000,000 | 1,000,000 | 9,180,000 | 2,500,000 | - | 37,500,000 | - | 95,930,000 | |
| 2005 | 17,850,000 | 10,543,000 | 1,200,000 | | | | | | | 11,743,000 | (6,107,000) |
| 2006 | 11,900,000 | 8,400,000 | | | 268,000 | | | | | 8,668,000 | (3,232,000) |
| 2007 | 12,500,000 | 2,825,000 | | | 510,000 | | | 39,400,000 | 1,752,000 | 44,487,000 | 31,987,000 |
| 2008 | 6,500,000 | 3,737,000 | | | | | | 11,695,000 | | 15,432,000 | 8,932,000 |
| 2009 | 13,000,000 | | | | | | | | | 0 | (13,000,000) |
| 2010 | 15,560,000 | | | | | | | | | 0 | (15,560,000) |
| 2011 | 15,560,000 | | | | | | | | | 0 | (15,560,000) |
| 2012 | 3,060,000 | | | | | | | | | 0 | (3,060,000) |
| 2013 | | | | | | | | | | 0 | |
| 2014 | | | | | | | | | | 0 | |
| 2015 | | | | | | | | | | 0 | |
| 2016 | | | | | | | | | | 0 | |
| 2017 | | | | | | | | | | 0 | |
| 2018 | | | | | | | | | | 0 | |
| 2019 | | | | | | | | | | 0 | |
| 2020 | | | | | | | | | | 0 | |
| 2021 | | | | | | | | | | 0 | |
| 2022 | | | | | | | | | | 0 | |
| | | 95,930,000 | 1,200,000 | - | - | 778,000 | - | 51,095,000 | 1,752,000 | 80,330,000 | (15,600,000) |

Assumptions:

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

City of Franklin
TIF #3 Projection
Projected Debt Service
December 31, 2015

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

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

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

| | |
|----------------------|---------------|
| Total | \$ 11,083,583 |
| Tax Exempt G.O. Debt | \$ 11,017,933 |
| Improvements Cost | \$ - |
| Capitalized Interest | \$ - |
| Est Issuance Cost | \$ 65,650 |
| Rounding | \$ - |

| Year | Debt Service 8/15/05 | | | Debt Service 8/26/08 | | | Debt Service (3/31, 6/30, 9/30 & 12/31) | | | Debt Issues | | |
|------|----------------------|---------------|----------------------------------|----------------------|---------------|----------------------------------|---|-----------|------------|-------------|-----------|------------|
| | Balance | Principal 3/1 | Interest (3/1 & 9/1) avg = 3.25% | Balance | Principal 3/1 | Interest (3/1 & 9/1) avg = 1.00% | Balance | Principal | Interest | Balance | Principal | Interest |
| 2005 | 4,000,000 | - | 66,036 | - | - | - | 4,000,000 | - | - | 4,000,000 | - | 66,036 |
| 2006 | 4,000,000 | - | 179,643 | - | - | - | 4,000,000 | - | - | 4,000,000 | - | 179,643 |
| 2007 | 7,000,000 | - | 295,928 | - | - | - | 2,700,000 | - | 70,021 | 9,700,000 | - | 365,947 |
| 2008 | 7,000,000 | 6,300,000 | 216,253 | 10,000,000 | 200,000 | 334,118 | 800,000 | 3,200,000 | 65,620 | 11,300,000 | 9,500,000 | 281,873 |
| 2009 | - | 700,000 | 5,311 | 9,800,000 | 800,000 | 314,500 | 800,000 | 600,000 | 15,127 | 10,600,000 | 1,500,000 | 354,556 |
| 2010 | - | - | - | 9,000,000 | 1,000,000 | 287,500 | - | 800,000 | 1,841 | 9,000,000 | 1,600,000 | 316,341 |
| 2011 | - | - | - | 8,000,000 | 1,000,000 | 240,000 | - | - | - | 8,000,000 | 1,000,000 | 287,500 |
| 2012 | - | - | - | 6,000,000 | 2,000,000 | 240,000 | - | - | - | 6,000,000 | 2,000,000 | 240,000 |
| 2013 | - | - | - | 3,500,000 | 2,500,000 | 165,000 | 1,150,000 | - | 33,743 | 4,650,000 | 2,500,000 | 198,743 |
| 2014 | 3,330,000 | - | (166,080) | - | 3,500,000 | 107,091 | 3,350,000 | - | 110,710 | 6,680,000 | 3,500,000 | 51,721 |
| 2015 | 3,310,000 | 20,000 | 65,299 | - | - | - | 1,700,000 | 1,650,000 | 64,406 | 5,010,000 | 1,670,000 | 129,705 |
| 2016 | 2,660,000 | 650,000 | 86,300 | 4,500,000 | - | 22,500 | 550,000 | 1,150,000 | 22,668 | 7,710,000 | 1,800,000 | 131,468 |
| 2017 | 985,000 | 1,675,000 | 54,675 | 4,500,000 | 45,000 | 45,000 | 50,000 | 500,000 | 3,236 | 5,535,000 | 2,175,000 | 102,911 |
| 2018 | - | 985,000 | 14,775 | 3,600,000 | 900,000 | 40,500 | - | 50,000 | 148 | 3,600,000 | 1,935,000 | 55,423 |
| 2019 | - | - | - | 1,600,000 | 2,000,000 | 26,000 | 5,000,000 | 87,500 | 87,500 | 6,600,000 | 2,000,000 | 113,500 |
| 2020 | - | - | - | 700,000 | 900,000 | 11,500 | 3,900,000 | 1,100,000 | 155,750 | 4,600,000 | 2,000,000 | 167,250 |
| 2021 | - | - | - | - | 700,000 | 3,500 | 2,550,000 | 1,350,000 | 112,875 | 2,550,000 | 2,050,000 | 116,375 |
| 2022 | - | - | - | - | - | - | 400,000 | 2,150,000 | 51,625 | 400,000 | 2,150,000 | 51,625 |
| 2023 | - | - | - | - | - | - | - | 400,000 | 7,000 | - | 400,000 | 7,000 |
| 2024 | - | - | - | - | - | - | - | - | - | - | - | - |
| 2025 | - | - | - | - | - | - | - | - | - | - | - | - |
| 2026 | - | - | - | - | - | - | - | - | - | - | - | - |
| 2027 | - | - | - | - | - | - | - | - | - | - | - | - |
| | 10,330,000 | 818,138 | 11,148,138 | 14,500,000 | 1,597,209 | 16,097,209 | 12,950,000 | 802,270 | 13,752,270 | 37,780,000 | 3,217,618 | 40,997,618 |

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

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

City of Franklin
Common Council
Community Development Authority

Tax Increment District #4
Cash Flow Model
December 31, 2015

Issued April 29, 2016

Presented by:

Paul Rotzenberg, CPA

City of Franklin Director of Finance & Treasurer

M E M O R A N D U M

DATE: April 29, 2016
TO: Common Council & Community Development Authority
FROM: Paul Rotzenberg, Director of Finance & Treasurer *Paul*
RE: Report and analysis of TID #4 Cash Flow Projections

Attached is a projection of tax increment revenue, expenditures, debt service payments and the net asset position for TID #4 based upon equalized values released by the Department of Revenue on July 29, 2015 and the taxes levied in December 2015. This District was formed in June, 2005 and is located in the far southeast corner of the City, from a point one half mile north of Oakwood Rd south to County Line Road, from 27th Street west to 42nd Street. The District has a maximum life of 20 years, with the latest project expenditures can be made is June, 2020. The last year of increment would be 2026, if needed.

Observations:

1. All Phase 1 projects have been completed. The completed costs were in line with the revised estimate for these projects and proceeds have been borrowed to fund the project costs.
2. The projection includes the potential costs of the Project Plan Phase 2 and Phase 3 projects. The estimated costs of the 27th Street reconstruction in this TIF District are not included as the current timing (approximately 2025) would occur after the limit for incurring project costs (2020).
3. The development assumptions (updated) are a major factor in the projected cash flow of the TIF District. The economic slowdown had resulted in delaying the projected years in which the various known projects were estimated to be constructed compared to earlier projections. Future economic activity will determine the actual years of development and any variance from the projections will impact the projection either positively or negatively.
4. The 2014 increment was \$9,963,462 or 22.8% of the prior year increment, bringing the total increment in this District to \$54,274,300. This represents 30% of the projected development when the District was formed. Most of the increment has come from the Wheaton Franciscan complex. The 2014 increment includes a correction for the prior year when some of the values were reported after the Dept of Revenue certified the District values. That correction will likely reduce the increment in 2016.

5. In 2014, Wisconsin Act 145 changed the funding for Technical Colleges. MATC reduced their levy by 36% as a result, and the tax rate for this District declined by \$1.35 or 5.5%.
6. The tax increment revenue realized in 2015 will retire all but \$238,000 of the District debt from the first phase. The remaining debt will be retired in 2016.
7. The tax increment can continue to be received after that time to support project phases 2 & 3. Those phases will begin when there is development to support those Project Plan expenditures. It is forecast that the tax increment will be needed through 2025, one year earlier than the statutory limit for this district.

The analysis is qualified to the following extent:

1. The stated assumptions determine the results of the projection.
2. The tax rate assumption is based on the actual equalized tax rate in effect in December 2015 less an assumed decline in tax rates of 1.0% per year. If the tax rate varies from the assumption it could have either a positive or negative impact on these projections.

City of Franklin
TIF #4 Phase I Projection
Projected Cash Flow
December 31, 2015

| Year | Revenue | | | | | | | | | | Expenditures | | | | TIF Status | | | |
|------|------------|--------------|--------------|--------------------------|-------------|------------|---------------|----------------|-----------|--------------|--------------|-------------|----------------------|-----------|------------------|-----------------------|----------------------|----------|
| | Tax Levy | Computer Aid | Misc Revenue | Interest Income 1.50% | Debt Issued | Total | Project Costs | Admin Expenses | Interest | Debt Service | Principal | Total | Yearly Cash Activity | Net Cash | Outstanding Debt | Year End Fund Balance | | |
| | | | | | | | | | | | | | | | | | Yearly Cash Activity | Net Cash |
| 2005 | - | - | - | 39,408 | 2,812,416 | 2,851,824 | 179,470 | 34,844 | 47,553 | - | 261,867 | 2,589,957 | 2,589,957 | 2,812,416 | (222,459) | | | |
| 2006 | - | - | - | 117,860 | 116,353 | 234,213 | 659,840 | 35,237 | 129,485 | - | 824,562 | (590,349) | 1,999,608 | 2,928,769 | (929,161) | | | |
| 2007 | 17,702 | 4,884 | 294,196 | 28,754 | 2,971,231 | 3,316,767 | 3,522,075 | 53,667 | 116,893 | 1,500,000 | 5,192,635 | (1,875,868) | 123,740 | 4,400,000 | (4,276,260) | | | |
| 2008 | 236,803 | 6,862 | 34,337 | 9,354 | 3,987,356 | 3,987,356 | 388,006 | 51,827 | 187,046 | 3,100,000 | 3,726,879 | 260,477 | 384,217 | 5,000,000 | (4,615,783) | | | |
| 2009 | 221,611 | 5,474 | 57,051 | 8,341 | 892,477 | 892,477 | 529,168 | 28,555 | 223,924 | 337,000 | 1,118,647 | (226,170) | 158,047 | 5,263,000 | (5,104,953) | | | |
| 2010 | 1,268,430 | 3,254 | 78,217 | 5,120 | 1,355,021 | 1,355,021 | 51,227 | 9,625 | 198,646 | 1,000,000 | 1,259,498 | 95,523 | 293,570 | 4,263,000 | (4,009,430) | | | |
| 2011 | 836,103 | 59,197 | - | 5,849 | 901,149 | 901,149 | 370,781 | 9,986 | 174,163 | 525,000 | 1,079,930 | (178,781) | 74,789 | 3,738,000 | (3,663,211) | | | |
| 2012 | 909,841 | 57,003 | - | 1,122 | 4,005,966 | 4,005,966 | - | 13,687 | 144,248 | 3,738,000 | 3,895,935 | 110,031 | 184,820 | 3,038,000 | (2,853,180) | | | |
| 2013 | 815,923 | 46,504 | 46,374 | (3,255) | 905,545 | 905,545 | - | 9,444 | 101,798 | 875,000 | 986,242 | (80,697) | 104,123 | 2,163,000 | (2,058,877) | | | |
| 2014 | 954,727 | 24,620 | 18,001 | 963 | 998,310 | 998,310 | 46,243 | 9,585 | 59,904 | 925,000 | 1,040,731 | (42,421) | 61,702 | 1,238,000 | (1,176,298) | | | |
| 2015 | 1,009,060 | 19,631 | 92,021 | 404 | 1,121,116 | 1,121,116 | 18,278 | 12,487 | 14,695 | 1,000,000 | 1,045,460 | 75,656 | 137,358 | 238,000 | (100,642) | | | |
| 2016 | 1,289,704 | 18,043 | 91,206 | 2,060 | 1,401,013 | 1,401,013 | - | 12,487 | 5,415 | 238,000 | 255,902 | 1,145,112 | 1,282,470 | - | 1,282,470 | | | |
| 2017 | 1,197,784 | 17,141 | 89,500 | 19,237 | 1,323,662 | 1,323,662 | - | 12,487 | - | - | 12,487 | 1,311,175 | 2,593,645 | - | 2,593,645 | | | |
| 2018 | 1,435,178 | 16,284 | - | 38,905 | 5,290,367 | 5,290,367 | 5,548,000 | 12,487 | 63,700 | 1,000,000 | 6,624,187 | (1,333,820) | 1,259,825 | 2,800,000 | (1,540,175) | | | |
| 2019 | 1,727,816 | 15,470 | - | 18,897 | 1,762,183 | 1,762,183 | - | 12,487 | 104,650 | 1,000,000 | 1,117,137 | 645,046 | 1,904,871 | 1,800,000 | 104,871 | | | |
| 2020 | 1,732,167 | 14,696 | - | 28,573 | 5,475,436 | 5,475,436 | 5,300,000 | 12,487 | 166,075 | - | 5,478,562 | (3,126) | 1,901,745 | 5,500,000 | (3,598,255) | | | |
| 2021 | 1,736,472 | 13,961 | - | 28,526 | 1,778,959 | 1,778,959 | - | 12,487 | 229,775 | 900,000 | 1,142,262 | 636,697 | 2,538,442 | 4,600,000 | (2,061,558) | | | |
| 2022 | 1,740,732 | 13,263 | - | 38,077 | 1,792,072 | 1,792,072 | - | 12,487 | 186,550 | 1,000,000 | 1,199,037 | 593,035 | 3,131,477 | 3,600,000 | (468,523) | | | |
| 2023 | 679,625 | 12,600 | - | 46,972 | 739,197 | 739,197 | - | 12,487 | 136,500 | 1,200,000 | 1,348,987 | (609,790) | 2,521,687 | 2,400,000 | 121,687 | | | |
| 2024 | - | - | - | - | - | - | - | 12,487 | 81,900 | 1,200,000 | 1,294,387 | (1,294,387) | 1,227,300 | 1,200,000 | 27,300 | | | |
| 2025 | - | - | - | - | - | - | - | - | 27,300 | 1,200,000 | 1,227,300 | (1,227,300) | 0 | - | 0 | | | |
| 2026 | - | - | - | - | - | - | - | - | - | - | - | - | 0 | - | 0 | | | |
| | 17,809,678 | 348,887 | 800,902 | 435,167 | 20,738,000 | 40,132,634 | 16,613,088 | 381,326 | 2,400,220 | 20,738,000 | 40,132,634 | - | - | - | - | | | |

Note: Phase 1 projected to be fully funded by 2016.

Project costs can not be initiated after June 21, 2020

TIF will continue until Phase 2 and Phase 3 projects are complete or fully funded. (Phase 2 - 5,548,000 & Phase 3 - 12,851,000). 27th St reconstruction may reduce the scope of later phases.
Per the Project Plan the TIF is anticipated to be completed during the year 2025.

**City of Franklin
TIF Projection
Projected Revenue
December 31, 2015**

| Const. Year | Incr. Year | Rev. Year | Full Value Beginning of Year | Total Increment | DOR Adjustment | Inflation & Additional Increment | Cumulative Equalized Increment Value | Tax Rate | Increment Revenue Collected |
|-------------|------------|-----------|------------------------------|-------------------|----------------|----------------------------------|--------------------------------------|----------|-----------------------------|
| 2005 | 2006 | 2007 | - | 712,021 | | 198,179 | 910,200 | 19.45 | 17,702 |
| 2006 | 2007 | 2008 | 910,200 | 9,725,000 | | 1,059,700 | 11,694,900 | 20.25 | 236,803 |
| 2007 | 2008 | 2009 | 11,694,900 | 19,758,000 | (21,300,000) | 553,000 | 10,805,900 | 20.51 | 221,611 |
| 2008 | 2009 | 2010 | 10,805,900 | 674,500 | 46,600,000 | 446,800 | 58,527,200 | 21.67 | 1,268,430 |
| 2009 | 2010 | 2011 | 58,527,200 | 4,500,000 | (23,300,000) | (3,225,300) | 36,501,900 | 22.91 | 836,103 |
| 2010 | 2011 | 2012 | 36,501,900 | 306,400 | 2,394,900 | 847,100 | 40,050,300 | 22.72 | 909,841 |
| 2011 | 2012 | 2013 | 40,050,300 | 710,500 | | (7,067,300) | 33,693,500 | 24.22 | 815,923 |
| 2012 | 2013 | 2014 | 33,693,500 | 4,821,486 | | 535,114 | 39,050,100 | 24.45 | 954,727 |
| 2013 | 2014 | 2015 | 39,050,100 | 4,625,800 | | | 43,675,900 | 22.99 | 1,009,060 |
| 2014 | 2015 | 2016 | 43,675,900 | 9,963,462 | | 634,938 | 54,274,300 | 23.76 | 1,289,704 |
| 2015 | 2016 | 2017 | 54,274,300 | (4,100,000) | | 740,922 | 50,915,222 | 23.53 | 1,197,784 |
| 2016 | 2017 | 2018 | 50,915,222 | 10,000,000 | | 707,331 | 61,622,553 | 23.29 | 1,435,178 |
| 2017 | 2018 | 2019 | 61,622,553 | 12,500,000 | | 814,405 | 74,936,958 | 23.06 | 1,727,816 |
| 2018 | 2019 | 2020 | 74,936,958 | - | | 947,549 | 75,884,506 | 22.83 | 1,732,167 |
| 2019 | 2020 | 2021 | 75,884,506 | - | | 957,024 | 76,841,530 | 22.60 | 1,736,472 |
| 2020 | 2021 | 2022 | 76,841,530 | - | | 966,594 | 77,808,125 | 22.37 | 1,740,732 |
| 2021 | 2022 | 2023 | 77,808,125 | - | | 976,260 | 78,784,385 | 22.15 | 1,744,947 |
| 2022 | 2023 | 2024 | 78,784,385 | - | | 986,023 | 79,770,408 | 21.93 | 1,749,118 |
| 2023 | 2024 | 2025 | 79,770,408 | - | | 995,883 | 80,766,291 | 21.71 | 1,753,245 |
| 2024 | 2025 | 2026 | 80,766,291 | - | | 1,005,842 | 81,772,133 | 21.49 | 1,757,329 |
| | | | | <u>74,197,169</u> | | | | | <u>24,134,692</u> |

| | |
|--------------------------------|----------------------|
| Base Equalized Value Increment | \$ 19,817,900 |
| Total Equalized Value | <u>\$ 43,675,900</u> |
| Assessed Value Ratio | \$ 63,493,800 |
| | \$ 63,328,800 |
| | 99.74% |

- Assumptions:**
- 1. Property value inflation 1.00%
 - 2. Property additions 0.00%
 - 3. Mill Rate Inflation -1.00%
 - 6. Estimated developed value per acre \$ 500,000
 - 7. Ave Assessed value vacant & improved land \$ -
- Wheaton \$4.5M down due to add'l exemption

City of Franklin
TIF #4 Projection
Development Assumptions
December 31, 2015

| Const. Year | Project Plan Estimate | Development | | | | | | | Total |
|-------------|-----------------------|-------------------|-------------------|--------------------|---------------|------------------|------------------|-------------------|-------|
| | | MLG Residential | MLG Commercial | Wheaton Franciscan | Oakwood South | Conway | Additional Lots | | |
| | | 19,967,049 | 12,579,974 | 18,000,000 | 30,000,000 | - | 100,000,000 | 180,547,023 | |
| 2005 | - | | 712,021 | | | | | 712,021 | |
| 2006 | 12,877,813 | 925,000 | | 8,800,000 | | | | 9,725,000 | |
| 2007 | 33,423,756 | 4,806,300 | | 13,924,000 | | 1,027,700 | | 19,758,000 | |
| 2008 | 4,245,454 | 534,500 | | 140,000 | | | | 674,500 | |
| 2009 | - | | | 4,500,000 | | | | 4,500,000 | |
| 2010 | - | | | | | | | 306,400 | |
| 2011 | - | | | | | | | 710,500 | |
| 2012 | 38,000,000 | | | | | | | 2,663,679 | |
| 2013 | 8,000,000 | | | 575,800 | | | | 4,625,800 | |
| 2014 | 8,000,000 | 1,354,000 | 492,900 | | | | 8,116,562 | 9,963,462 | |
| 2015 | 8,000,000 | | | | | | (4,100,000) | (4,100,000) | |
| 2016 | 8,000,000 | | | | | | | 10,000,000 | |
| 2017 | 7,500,000 | | 12,500,000 | 10,000,000 | | | | 12,500,000 | |
| 2018 | 7,500,000 | | | | | | | - | |
| 2019 | 7,500,000 | | | | | | | - | |
| 2020 | 7,500,000 | | | | | | | - | |
| 2021 | 7,500,000 | | | | | | | - | |
| 2022 | 7,500,000 | | | | | | | - | |
| 2023 | 7,500,000 | | | | | | | - | |
| 2024 | 7,500,000 | | | | | | | - | |
| | <u>180,547,023</u> | <u>15,350,379</u> | <u>13,704,921</u> | <u>37,939,800</u> | <u>-</u> | <u>1,027,700</u> | <u>4,016,562</u> | <u>72,039,362</u> | |

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

City of Franklin
TIF #4 Projection
Projected Cost Breakdown
December 31, 2015

| Year | Project Costs | | | | | | | | | | | Total |
|--------------------------|---|---|------------------------------------|--------------------------------------|---------------------------------|---|-------------------------------|----------------------|----------------------|--------------------------------------|-------------------------------------|-------|
| | Roundabout MLG/Cov Weaton Way 6917 | Traffic Signals Median Recon Intersection 6922 | OC Water & Intersection 6921 | Construction Oakwood Road 6912 | Right of way Oakwood 6911 | Fitzsimmons Weeds/ Dev Incentive Costs Net | Water & Sewer Costs Net | Issuance Cost | S 27th Street S&W | Contingency Marketing Expenses | 51st Street/ Oakwood Rd Water | |
| Project Plan Estimate | 282,400 | 200,000 | 6921 | 1,860,000 | 200,000 | 375,000 | 1,190,000 | | 177,000 | | 4,284,400 | |
| 2005 | | | | 152,995 | 12,600 | 13,875 | | | | | 179,470 | |
| 2006 | 32,947 | | | 242,356 | 384,537 | | | | | | 659,840 | |
| 2007 | 708,680 | 493,248 | 129,941 | 1,898,528 | 4,200 | | 287,478 | | | | 3,522,075 | |
| 2008 | 14,877 | 12,897 | 16,896 | 43,689 | | 13,130 | 124,974 | | 161,543 | | 388,006 | |
| 2009 | 4,955 | | (41,000) | 158,441 | | | | | 55,102 | 351,670 | 529,168 | |
| 2010 | 2,064 | | | 105 | | | | | 3,950 | 45,108 | 51,227 | |
| 2011 | | | | | | | | | 11,290 | 359,491 | 370,781 | |
| 2012 | | | | | | | | | | | - | |
| 2013 | | | | | | | | | | | - | |
| 2014 | | | | | | | | 46,243 | | | 46,243 | |
| 2015 | | | | | | | | 18,278 | | | 18,278 | |
| 2016 | | | | | | | | | | | - | |
| 2017 | | | | | | | | | | | - | |
| 2018 | | | | | | | | Phase 2 Project Plan | | 5,548,000 | 5,548,000 | |
| 2019 | | | | | | | | Phase 3 Project Plan | | | - | |
| 2020 | | | | | | | | Phase 3 Project Plan | | 5,300,000 | 5,300,000 | |
| 2021 | | | | | | | | Phase 3 Project Plan | | | - | |
| 2022 | | | | | | | | | | | - | |
| 2023 | | | | | | | | | | | - | |
| Revised Estimate | 763,523 | 506,145 | 105,837 | 2,496,114 | 401,337 | - | 412,452 | 27,005 | 231,885 | 11,604,269 | 16,613,088 | |
| | | 105,837 | | | | | | | | | | |
| | | (16,938) | | | | | | | | | (16,938) | |
| | | (297,522) | | | | | | | | | (297,522) | |
| | | <u>297,522</u> | | | | | | | | | <u>16,298,628</u> | |
| | 705,000 | 448,000 | 125,000 | 2,311,000 | 400,000 | 425,000 | 254,000 | 15,000 | 165,000 | - | 4,848,000 | |
| | | | | | | Phase 1 | Phase 2 | Phase 3 | | | Total | |
| | | | | | | 4,284,400 | 5548000 | 12851000 | | | 22,683,400 | |
| | | | | | | 115% | 115% | 115% | | | 115% | |
| | | | | | | <u>4,927,060</u> | <u>6,380,200</u> | <u>14,778,650</u> | | | <u>26,085,910</u> | |

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| <p style="text-align: center;">APPROVAL</p>  | <p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p> | <p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">5/17/2016</p> |
| <p style="text-align: center;">REPORTS & RECOMMENDATIONS</p> | <p style="text-align: center;">Report on Contract Awards for the Community Development Block Grant (CDBG) Projects Entitled City of Franklin City Hall ADA Signage and City of Franklin Senior Meal Program Site Kitchen Area Roof Venting</p> | <p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">2.12.</p> |

At its meeting on April 4, 2016 the Common Council approved the following motion.

“Alderman Schmidt moved to authorize the Mayor to execute the necessary purchase order(s) or contracts(s) for the Community Development Block Grant (CDBG) projects entitled City of Franklin City Hall ADA Signage and City of Franklin Senior Meal Program Site Kitchen Area Roof Venting for an amount up to but less than \$10,000 in each instance, and for the Mayor to report back on any such award at the following Common Council meeting, and to authorize use of the established Grants Fund appropriation for these CDBG projects. Seconded by Alderman Taylor. Upon voice vote, Alderman Dandrea, Alderwoman Wilhelm, Alderman Taylor and Alderman Schmidt voted Aye; Alderwoman S. Mayer voted No; Alderman D. Mayer Absent. Motion carried.”

Following provides a summary of recent activity on these projects:

City of Franklin Senior Meal Program Site Kitchen Area Roof Venting: Beginning Thursday, April 28th, price quotes were sought from four HVAC contractors recommended by the design engineer and two contractors from the State’s Minority Business Enterprise list. A detailed proposal form and draft contract were provided. In accordance with the notice, quotes were reviewed on Thursday, May 5th. Quotes were received from Conditioned Air Design, Inc. (\$5,364) and Arteaga Construction (\$8,700). After confirming the proposed equipment met specifications, the Mayor, Clerk, City Attorney, and Finance Director executed the contract with Conditioned Air Design, Inc. Work is scheduled to begin Friday, May 20th, and will be completed by Friday, May 27th. The project will require the closure of the senior meal program on that day. Following inspection, the check will be issued prior to the end of May as desired by CDBG staff.

City of Franklin City Hall ADA Signage: It is anticipated that the contract will be executed on Friday, May 13th, with Signarama Milwaukee. Detailing each sign has been a cumbersome process. Signarama has been diligently working with staff to ensure all the necessary signs for ADA compliance. The entire CDBG award of \$9,891 will be used up in the base contract award. A 50% payment is required with the order. Please note that the Facilities Manager is seeking a separate agreement for installation in the event he determines it advantageous to the City to have Signarama do the installation instead of himself. That installation is estimated not to exceed \$1,140. Note those costs are on a separate agreement and, if used, will be part of the annual facilities maintenance expenses and not part of the CDBG project. Additionally, a couple of additional non-ADA signs will be ordered simultaneously that will provide useful guidance to visitors in moving between Building Inspection and the other Administrative Offices. These similarly are being ordered separately from Signarama and are not part of the CDBG project. A second sign company visited City Hall and did a detailed walk through of the project scope, but determined that they could not get the signs completed in the time frames discussed. Please note that CDBG staff has approved that as long as the project is awarded and ordered in May, reimbursement can be completed in June.

COUNCIL ACTION REQUESTED

No action required.

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| APPROVAL | REQUEST FOR COUNCIL ACTION | MEETING DATE 5/17/16 |
| Reports and Recommendations | Designation of Official Newspaper | ITEM NUMBER 15.13. |

Each year the Council must designate the official newspaper for the City of Franklin in which the City publishes its official notices. Pursuant to Chapter 61, Franklin Municipal Code & Sec. 985.03, WI Stats., a request for bids was solicited and bids were opened May 3, 2016.

Attached for your review is the one bid received, which is from The Journal Sentinel, Inc. (NOW).

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. 2016-_____ resolution designating an official newspaper.

ADVERTISEMENT FOR BIDS
OFFICIAL CITY NEWSPAPER
CITY OF FRANKLIN, WISCONSIN

The City of Franklin hereby gives notice that sealed bids will be received to publish in English the proceedings of the City Council and the City's legal notices for the period May 1, 2016 through April 30, 2017 until 12:00 noon, May 3, 2016 at which time all bids received will be publicly opened and the bids read aloud in the Common Council Chambers.

The contract letting shall be subject to the provisions of Chapter 61, Franklin Municipal Code. All bidders must be eligible under Section 985.03, Qualification of newspapers, Wis. Stats.

Bids must be in letter form, signed by an authorized officer stating the bid in price per column inch and sealed in an envelope addressed to the City of Franklin and filed in the Office of the City Clerk of the City of Franklin, Wisconsin. There shall appear on the envelope of each bid the name and address of the bidder and the words "Bid for Official City Newspaper".

Dated: 4/14/2016

Sandra L. Wesolowski
City Clerk
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Publish: April 21, 2016

MILWAUKEE · WISCONSIN
JOURNAL SENTINEL

RECEIVED
CITY OF FRANKLIN
2016 APR 25 PM 12:30

April 25, 2016

Dear City of Franklin,

The following is The Milwaukee Journal Sentinel's bid for publishing Franklin's legal notices and council proceedings for the coming year in CNI Community Newspapers (Franklin NOW). * All legal notices may be posted online under Public Notices in the Classified Section. The bid is made in accordance with Section 985 of the Wisconsin State Statutes. The Community Newspapers have a loyal following and a broad reach in their individual communities. They are sought out as the trusted source of news and information every week.

| | 1 st insertion <u>per line</u> | 2 nd insertion <u>per line</u> |
|---|--|--|
| a) For council proceedings: | \$0.65 | \$0.53 |
| b) For the city's legal notices: | \$0.65 | \$0.53 |
| | 1 st insertion <u>per column inch</u> | 2 nd insertion <u>per column inch</u> |
| c) For display ads, sample ballots, and other matter set in a display format: | \$6.50 | \$5.30 |
| | <u>per affidavit</u> | |
| d) For affidavit: | \$1.00 | |

These rates are below the rates currently allowed by Wisconsin State Statutes.

* CN NOW Online. \$5.00 per insertion (Upsell)

Sincerely,

Kelly Wood
Vice President Circulation & Customer Care
Journal Community Publishing Group

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2016-_____

A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER

WHEREAS, The Wisconsin State Statutes, Chapter 985 provide that the City of Franklin name an official newspaper to publish their legal notices, and

WHEREAS, bids have been solicited pursuant to Section 61, Franklin Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that The Milwaukee Journal Sentinel (Franklin NOW) is hereby designated as the official newspaper of the City of Franklin for one (1) year commencing May 1, 2016 and ending April 30, 2017.

BE IT FURTHER RESOLVED that the price of publication shall not exceed the legal rate for like work.

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

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 ____

| | | |
|--|--|--|
| APPROVAL  | REQUEST FOR COUNCIL ACTION | MEETING DATE 05/17/2016 |
| REPORTS & RECOMMENDATIONS | Notice of Claim from Mary Neubauer for Injuries Allegedly Sustained While Participating in a Training at the City of West Allis Police Department | ITEM NUMBER <i>93.14.</i> |

Notice of claim received January 26, 2016 from Mary Neubauer for injuries allegedly sustained as a result of participating as a "trainer" for the National Alliance on Mental Illness (NAMI) Greater Milwaukee which was conducting a training for police officers regarding properly dealing with mentally ill people. The training took place at City of West Allis Police Department. The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a notice of claim from Mary Neubauer for injuries allegedly sustained as a result of participating as a "trainer" for the National Alliance on Mental Illness (NAMI) Greater Milwaukee which was conducting a training for police officers regarding properly dealing with mentally ill people, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Staff recommends denial of the claim pursuant to Wisconsin Statute 893.80(1g) for disallowance of the claim, based upon and in concurrence with Attorney William Ehrke, the outside counsel who this claim was turned over to for handling by Statewide Services. Attorney Ehrke has investigated the matter, and he recommends the City issue a formal Notice of Disallowance of Claim under 893.80(1g) and have it served on Ms. Neubauer by May 25, 2016, the end date of the statutory 120-day timeframe for a formal disallowance. Per discussions with City Police Chief and the Franklin officers who attended this training, Attorney Ehrke has confirmed that neither of the Franklin officers were involved in any way with her alleged injury.

COUNCIL ACTION REQUESTED

The Common Council may enter closed session pursuant to §19.85(1)(e) and (g), Stats., to consider a notice of claim from Mary Neubauer for injuries allegedly sustained as a result of participating as a "trainer" for the National Alliance on Mental Illness (NAMI) Greater Milwaukee which was conducting a training for police officers regarding properly dealing with mentally ill people, and may reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Motion to deny the claim of Mary Neubauer pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with counsel, Attorney William Ehrke, as the investigation revealed that the City of Franklin was not involved in any way with her alleged injury as discussed in the Council Action Sheet.

OR

Motion to layover and refer to staff for additional information.

RECEIVED
CITY OF FRANKLIN

2016 JAN 26 PM 4:07

slw

NOTICE OF CLAIM
AND CIRCUMSTANCES OF CLAIM

TO: City Clerk
City of Franklin
Franklin City Hall
9229 W. Loomis Road
Franklin, WI 53132

CLAIMANT: Mary Neubauer
4570 S. Nicholson Ave., #16
Cudahy, WI 53110
Telephone: (414) 807-6505
Email: maryneubauer@aol.com

PLEASE TAKE NOTICE that Mary Neubauer personally states the following circumstances giving rise to a claim:

1. On September 28, 2015, at approximately 1:00 p.m., I was participating as a "trainer" for NAMI Greater Milwaukee (National Alliance on Mental Illness) which was conducting training for police officers regarding properly dealing with mentally ill people. The training was taking place at the City of West Allis Police Department. Police officers from the City of West Allis Police Department, the City of Greenfield Police Department, the Village of Greendale Police Department and the City of Franklin Police Department participated in the training.
2. During the training session I was "play-acting" by pretending to be a mentally ill person who was being confronted by a police officer.
3. While "play-acting", an individual police officer from one of the four Police Departments (identity not known at this time) grabbed my left arm and twisted it even though all participants in the roll-playing had been instructed that there was to be no physical contact between the roll-playing participants.
4. I sustained a torn rotator cuff injury to my left arm/shoulder as a result of the police officer twisting my left arm.

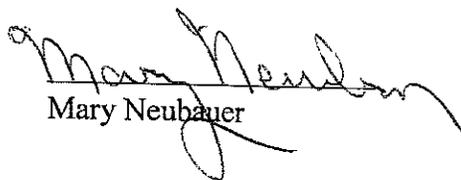
5. The injury to my rotator cuff was a direct result of the individual police officer's negligence or intentional act in twisting my left arm.

6. I have been receiving medical treatment for my torn left rotator cuff since the injury of September 28, 2015. As of this date, the medical bills from my treatment total approximately \$5,000.00 but the medical treatment is on-going and continuing. Therefore, the total amount of my claim cannot yet be determined.

7. In addition to my medical bills, my damages include pain and suffering since the date I was injured. This pain has not yet subsided.

8. This claim is for my monetary damages which cannot yet be determined. The damages consist of all bills for my past and future medical care as well as my past and future pain and suffering.

Dated this 26th day of January, 2016.


Mary Neubauer

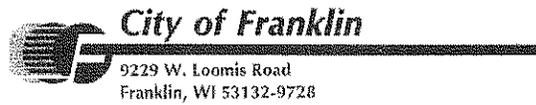
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CITY OF FRANKLIN
2016 JAN 26 PM 4:03


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| APPROVAL | REQUEST FOR COUNCIL ACTION | MEETING DATE 5/17/16 |
| LICENSES AND PERMITS | MISCELLANEOUS LICENSES | ITEM NUMBER H.1. |

See attached list from meeting of May 17, 2016.

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

**License Committee
Agenda
Aldermen's Room
May 17th, 2016 – 5:00 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 5:05 p.m. | Akia S Harmon 6826 W Lancaster Ave Milwaukee, WI 53218 Target Store T-2388 | | | |
| Operator – Renewal 2016-17 | Akia S Harmon 6826 W Lancaster Ave Milwaukee, WI 53218 Target Store T-2388 | | | |
| Operator – New 2015-16 5:10 p.m. | James A Steuck 3119 S 22 nd St., #19 West Allis, WI 53227 Rock Sports Complex | | | |
| Operator – New 2015-16 | Breanna L Bolskar 2108 S 61 st St West Allis, WI 53219 Rock Sports Complex | | | |
| Operator – New 2015-16 | Sarah L Heun 4905 W Hunting Park Dr Franklin, WI 53132 Bowery Bar & Grill | | | |
| Operator – Renewal 2016-17 | Sarah L Heun 4905 W Hunting Park Dr Franklin, WI 53132 Bowery Bar & Grill | | | |
| Operator – New 2015-16 | Samantha Jaskie 7515 S Mission Hills Ct Franklin, WI 53132 Discount Cigarettes & Liquor | | | |
| Operator – Renewal 2016-17 | Samantha Jaskie 7515 S Mission Hills Ct Franklin, WI 53132 Discount Cigarettes & Liquor | | | |
| Operator – New 2015-16 | Jessica A Kiley 4020 S 103 rd St Greenfield, WI 53228 Kwik Trip #857 | | | |
| Operator – New 2015-16 | Michael J Lloyd 10129 W Forest Home Ave., #1 Hales Corners, WI 53130 Rock Sports Complex | | | |

| | | | | |
|--|---|--|--|--|
| Class A Combination 2016-17 | Midwest Retail Group Franklin Inc DBA: 7-Eleven 7610 W Rawson Ave James F Fiene, Agent | | | |
| Class A Combination 2016-17 | 27 Street Mobile LLC DBA: Amstar 6611 S 27 St Karam Singh Toor, Agent | | | |
| Class A Combination 2016-17 | Ryan Fuel LLC DBA: Andy's (on Ryan) 5120 w Ryan Rd Kavita Khullar, Agent | | | |
| Class B Combination 2016-17 | Petates LLC DBA: Big Papi's 9405 S 27 th St Arturo Napoles, Agent | | | |
| Class B Combination 2016-17 | The Bowery LLC DBA: The Bowery 3023 W Ryan Rd Roger Hein, Owner | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Buckhorn Bar & Grill DBA: Buckhorn Bar & Grill 9461 S 27 St Christopher Matecki, Individual Owner | | | |
| Class B Combination 2016-17 | RLGIDI Inc DBA: Casa Di Giorgio 3137 W Rawson Ave Rex Idrizi, Owner | | | |
| Class B Combination 2016-17 | ERJ Dining III LLC DBA: Chili's Grill & Bar 6439 S 27 th St Paul Scott Thompson, Agent | | | |
| Class B Combination, Entertainment & Amusement, Bowling Alley 2016-17 | Country Lanes LLC DBA: Country Lanes 11231 W Forest Home Ave Robert Sczerzen, Owner | | | |
| Reserve Class B Combination, Entertainment & Amusement 2016-17 | Federation of Croatian Societies Inc DBA: Croatian Park 9100 S 76 th St Josip Veber, Agent | | | |
| Class B Beer 2016-17 | M-squared Inc DBA: Crossroads II Pizza & Subs 11357 W St Martins Rd Leonard Vandenboom, Agent | | | |
| Class A Combination 2016-17 | Wisconsin CVS Pharmacy LLC DBA: CVS 5220 W Rawson Ave Samantha Klaphake, Agent | | | |
| Class A Combination 2016-17 | Spirit Dreams LLC DBA: Discount Cigarettes & Liquor 6507 S 27 St Scott Haese, Agent | | | |
| Class B Combination 2016-17 | M & W Leung LLC DBA: Green Tea Garden 7236 S 76 St May Leung, Agent | | | |

| | | | | |
|---|---|--|--|--|
| Reserve Class B Combination, Entertainment & Amusement 2016-17 | Gus's Mexican Cantina LLC DBA: Gus's Mexican Cantina 6514 S Lovers Lane Rd Gus A Hosseini, Owner | | | |
| Reserve Class B Combination 2016-17 | F F & E LLC DBA: Hampton Inn & Suites Milwaukee/Franklin 6901 S 76 St Teresa D'Amato, Agent | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Seventy Six Street Pub & Grill LLC DBA: The Hideaway 9643 S 76 th St Debra Schaefer, Owner | | | |
| Class A Combination 2016-17 | Hodach Petroleum Inc DBA: Hodach's Citgo 9830 W St Martins Rd Stephen Hodach, Agent/Owner | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Irish Cottage of Franklin LLC DBA: Irish Cottage 11344 W Ryan Rd Roseann Losiniecki, Owner | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Iron Mike's LLC DBA: Iron Mike's 6357 S 27 th St Michael Pues, Agent/Owner | | | |
| Class A Combination 2016-17 | Kwik Trip #287 DBA: Kwik Trip 5040 W Rawson Ave Andrew P Wichmann, Agent | | | |
| Class A Combination 2016-17 | Kwik Trip #857 DBA: Kwik Trip 10750 W Speedway Dr Candida Christman, Agent | | | |
| Class B Combination 2016-17 | La Toscana Ristorante LLC DBA: La Toscana 8405 S 27 St Mirela Sopigoti, Agent | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | The Landmark of Franklin LLC DBA: The Landmark 11401 W Swiss St Lorie Beth Knaack-Helm, Owner/Agent | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Little Cancun LLC DBA: Little Cancun 7273A S 27 St Veronica Cervera, Agent/Owner | | | |
| Class B Combination 2016-17 | Robley Tech Inc DBA: MichaelAngelo's Pizza 8330 W Puetz Rd Dennis Rau, Agent/Owner | | | |
| Class A Combination 2016-17 | Jujhar LLC DBA: Midtown Gas & Liquor 11123 W Forest Home Ave Sukhminder Bhatti, Agent | | | |
| Reserve Class B Combination 2016-17 | Hudson Burger LLC DBA: Milwaukee Burger Company 6421 S 27 th St Kimberly Olsen, Agent | | | |

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|---|---|--|--|--|
| <p>Class B Combination, Entertainment & Amusement 2016-17</p> | <p>B.S.T. LLC DBA: Mulligan's Irish Pub & Grill 8933 S 27 St Brian Francis, Agent</p> | | | |
| <p>Class B Combination, Entertainment & Amusement 2016-17</p> | <p>H B & H LLC DBA: On The Border 10741 S 27th St Gerald C Hay, Agent</p> | | | |
| <p>Class B Beer 2016-17</p> | <p>Oyagi Asian Bistro LLC DBA: Oyagi Asian Bistro 6509 S 27 St #B Danny Lin, Agent</p> | | | |
| <p>Class B Combination, Amusement Device Operator 2016-17</p> | <p>Pantheon Inc. DBA: Pantheon Family Restaurant 7621 W Rawson Ave Debbie Koutromanos, Agent</p> | | | |
| <p>Class A Combination 2016-17</p> | <p>Ultra Mart Foods LLC DBA: Pick N Save – 76th 7201 S 76 St Gordon Graf, Agent</p> | | | |
| <p>Class A Combination 2016-17</p> | <p>Mega Marts LLC DBA: Pick N Save – Lovers Lane 7780 S Lovers Lane Rd Daniel Romero, Agent</p> | | | |
| <p>Class B Combination Entertainment & Amusement, Amusement Device Operator 2016-17</p> | <p>Point After, LLC 7101 S 76th St Franklin, WI 53132 Darrel Malek, Agent</p> | | | |
| <p>Class B Combination, Entertainment & Amusement 2016-17</p> | <p>Polish Heritage Alliance Inc DBA: Polish Center of Wisconsin 6941 S 68 St Jeffrey Kuderski, Agent</p> | | | |
| <p>Class B Combination, Entertainment & Amusement 2016-17</p> | <p>Polonia Sport Club Inc DBA: Polonia Sport Club 10200 W Loomis Rd Irene Hawkinson, Agent</p> | | | |
| <p>Class A Combination 2016-17</p> | <p>Franklin Quik Chek LLC DBA: Quik Chek 8305 S 27 St Virendra Singh Verma, Agent</p> | | | |
| <p>Class B Combination, Entertainment & Amusement 2016-17</p> | <p>Rawson Pub Inc DBA: Rawson Pub 5621 W Rawson Ave Steven Schweitzer, Agent</p> | | | |
| <p>Class B Combination, Entertainment & Amusement</p> | <p>The Rock Sports Complex LLC DBA: The Rock Sports Complex 7900 W Crystal Ridge Dr Thomas Johns, Agent</p> | | | |
| <p>Class B Combination, Amusement Device Operator 2016-17</p> | <p>Romey's Place LLC DBA: Romey's Place 7508 S North Cape Rd Nathan Fabry, Agent</p> | | | |
| <p>Class B Combination, Bowling Alley, Entertainment & Amusement 2016-17</p> | <p>Root Group LLC DBA: Root River Center 7220 W Rawson Ave David Church, Agent</p> | | | |

| | | | | |
|---|---|--|--|--|
| Class B Combination 2016-17 | QT Pizza LLC DBA: Rounding Third Pizzeria 7119 S 76 th St Susan Toetz, Agent | | | |
| Class A Combination 2016-17 | Sam's East Inc DBA: Sam's Club 6705 S 27 th St Henry Monti, Agent | | | |
| Class B Combination 2016-17 | Sendik's Franklin LLC DBA: Sendik's Food Market 5200 W Rawson Ave Theodore Balistreri, Agent | | | |
| Reserve Class B Combination, Entertainment & Amusement 2016-17 | Franklin Hotel Company LLC DBA: Staybridge Suites 9575 S 27 St Eric Bates, Agent | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Alley Katz Pub & Grill LLC DBA: Swiss Street Pub & Grill 11430 W Swiss St John Trudeau, Agent | | | |
| Class A Combination 2016-17 | Target Corporation DBA: Target Store #T2388 7800 S Lovers Lane Rd Christopher Gresky, Agent | | | |
| Class B Combination, Entertainment & Amusement 2016-17 | Three Cellars LLC DBA: Three Cellars 7133 S 76 th St Shawn Vollmer, Agent | | | |
| Class B Combination Entertainment & Amusement 2016-17 | Tuckaway Country Club DBA: Tuckaway County Club 6901 W Drexel Ave Jennifer Jacobi, Agent | | | |
| Class B Combination 2016-17 | Walgreen Co. DBA: Walgreens #05884 (27 th St) 9527 S 27 th St Robin Harmon, Agent | | | |
| Class B Combination 2016-17 | Walgreen Co. DBA: Walgreens #15020 (76 th) 7130 S 76 th St Sara Mason, Agent | | | |
| Class B Combination 2016-17 | Walgreen Co. DBA: Walgreens #05459 9909 W Loomis Rd Neil Morganthaler, Agent | | | |
| Class A Combination 2016-17 | Wal-Mart Stores East LP DBA: Walmart #1551 6701 S 27 St Jason Radue, Agent | | | |
| Class B Combination 2016-17 | Wegner's St Martins Inn DBA: St Martins Inn 11318 W St Martins Rd Dennis Wegner, Agent | | | |
| Daycare 2016-17 | Academy of Preschool Learning 9501 W Drexel Ave Nadeen Balsis, Manager | | | |
| Daycare 2016-17 | Jubilee Faith Center, Inc. 3639 W Ryan Rd Tanya Soich, Manager | | | |

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| Auto Salvage 2016-17 | Al's Auto Salvage, Inc. DBA: Al's Auto Salvage 10942 S 124 th St Albert Schill, Owner | | | |
| Auto Salvage 2016-17 | Durham Auto Salvage & Sales, Inc. 10568 S 124 th St Gil Couillard, Owner | | | |
| Entertainment & Amusement 2016-17 | Innovative Health & Fitness 8800 S 102 St Scott Cole, Agent | | | |
| Entertainment & Amusement 2016-17 | Showtime Cinema 8910 S 102 nd St Mark Gramz, Agent | | | |
| Amusement Device Operator 2016-17 | American Entertainment W337 S5059 Hwy GG Dousman, WI 53118 Kenneth Grothman, Agent | | | |
| Amusement Device Operator 2016-17 | Mitchell Novelty Co 3506 W National Ave Ralph Fleege, Agent | | | |
| Amusement Device Operator 2016-17 | National Amusements 2740 S 9 th Pl Milwaukee, WI 53215 Janis Thein, Agent | | | |
| Amusement Device Operator 2016-17 | Reggie's Amusements LLC 7918 S Packard Ave Cudahy, WI 53110 Reginald Zeniecki, Agent | | | |
| People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant (Amendment to original) | Franklin Health Department Movie Night Amendment to Current Public Grant Fee Waiver: Park fee, Barricades Date of Event: June 15 th , 2016 Location: Legend Park I Baseball Field Area/Street/Library | | | |
| Extraordinary Entertainment & Amusement | Ragnar Relay Chicago 2016 Person in Charge: Troy Wheeler Location: 8801 S 51 st St (Froemming Park Exchange Site) Dates of Event: 6/10/2016 to 6/11/2016 | | | |
| Extraordinary Entertainment & Special Event | Xaverian Missionaries Person in Charge: Fr. Mark Marangone, s.x. Location: 4500 Xavier Dr Event: Annual Mission Festival Dates of Event: 6/25/2016 to 6/26/2016 | | | |
| Temporary Class B Beer & Wine | Xaverian Missionaries Person in Charge: Fr. Mark Marangone, s.x. Location: 4500 Xavier Dr Event: Annual Mission Festival Dates of Event: 6/25/2016 to 6/26/2016 | | | |
| 3. | Set meeting dates for review and recommendation of 2016-17 licenses | | | |
| 4. | Adjournment | | | |
| | | Time | | |

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

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| APPROVAL <i>pd</i> | REQUEST FOR COUNCIL ACTION | MEETING DATE 5/17/16 |
| Bills | Vouchers and Payroll Approval | ITEM NUMBER I. 1 |

Attached are vouchers dated May 3, 2016 through May 12, 2016 Nos. 160656 through Nos. 160838 the amount of \$ 1,502,652.04. Included in this listing are EFT's Nos. 3153 through Nos. 3163 and Library vouchers totaling \$ 7,060.73.

Early release disbursements under Resolution 2013-6920 in the amount of \$ 516,270.19 are provided on a separate listing and are also included on the complete disbursement listing.

The net payroll dated May 13, 2016 is \$ 349,120.95 previously estimated at \$ 357,000.00. Payroll deductions for May 13, 2016 are \$ 195,507.39 previously estimated at \$ 212,000.00.

The estimated payroll for May 27, 2016 is \$ 345,000.00 with estimated deductions of \$ 437,000.00.

Attached is a list of property tax refunds Nos. 16387 dated May 3, 2016 through May 12, 2016 in the amount of \$ 722.59. These refunds have been released as authorized under Resolution 2013-6920.

Pursuant to the April 4, 2016 Council approval of two Community Development Block Grants, payments are needed to Signarama and Conditioned Air Design Inc. before the next Common Council meeting to comply with terms of the Grants.

COUNCIL ACTION REQUESTED

Motion approving net general checking account City vouchers in the range of Nos. 160656 through Nos. 160838 in the amount of \$ 1,502,652.04 dated May 3, 2016 through May 12, 2016.

Motion approving the net payroll dated May 13, 2016 in the amount of \$ 349,120.95 and payments of the various payroll deductions in the amount of \$ 195,507.39 plus any City matching payments, where required.

Motion approving the net payroll dated May 27, 2016 estimated at \$ 345,000.00 and payments of the various payroll deductions estimated at \$ 437,000.00, plus any City matching payments, where required.

Motion approving property tax refunds Nos. 16387 in amount of \$ 722.59 dated May 3, 2016 through May 12, 2016.

Motion to authorize release of payments to Signarama and Conditioned Air Design in an amount not to exceed \$20,000.