

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN WISCONSIN  
AGENDA\*\*  
TUESDAY, SEPTEMBER 9, 2014  
6:30 PM

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- A. Call to Order and Roll Call
- B.
  - 1. Citizen Comment Period
  - 2. Mayoral Announcement – Tobacco-Free billboard contest winners: Sierra Block, Ben Marz, Jordan Gawlitta, Katie Lehman and Karissa Demotto.
- C. Approval of minutes of regular meeting of August 19, 2014
- D. Hearings
- E. Organizational Business  
Boards and Commissions Appointments:
  - 1. Jill Erickson (Ald. Dist. 5), Quarry Monitoring Committee, 3 year term expiring 5/31/17, appointed by Ald. Wilhelm.
- F. Letters and Petitions  
Thank you letter from Village of Greendale Fire Department re: assistance with the August 25, 2014 incident.
- G. Reports and Recommendations
  - 1. Consent Agenda.
    - (a) Request to accept donations from Aurora Health Care in the amount of \$100.00 to the Police Department to be put toward the purchase of materials and supplies for the 2014 National Night out Event.
    - (b) July 2014 Monthly Financial Report.
    - (c) Authorization to Continue to Move Forward with the Bid Process for the DPW Salt Shed Roof Project and the First Station #1 Roof Repairs Project.
    - (d) Resolution Awarding Contract to the Lowest Bidder for the 2014 Pavement Marking Program in the City of Franklin.
  - 2. Resolution Authorizing the Installation of a Fence Within the 30 Foot Planting Strip Plat Restriction, Upon Lot 9 in Southwood East Addition No. 2 Subdivision (4219 West Barnwood Court) (Joshua B. Borreson and Michelle R. Borreson, Applicants).
  - 3. Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Display, Retail Sales, Lease and Rental of New and Pre-Owned Automobiles, Trucks and Recreational Vehicles Business Use Upon Property Located at 6321 South 108<sup>th</sup> Street (Ewald Chrysler Jeep Dodge, LLC, Applicant).
  - 4. Report and Recommendations from the Quarry Monitoring Committee Pertaining to Quarry Monitoring and the Terms and Provisions of Planned Development District No. 23 (Payne & Dolan Company).

5. Review of the Professional Services Agreement between the City of Franklin and Stantec Consulting Services, Inc. for Quarry Monitoring Services.
6. A Resolution Approving a Conveyance of Rights in Land, Conveying a Temporary Construction Easement and a Lump Sum Agreement for Payment for Lands or Interests in Lands from Public Utility, to and With the State of Wisconsin Department of Transportation, as they Pertain to City of Franklin Easements in the Area of the Reconstruction of South 27th Street (STH 241) Project from West College Avenue to West Drexel Avenue.
7. An Ordinance To Amend Ordinance 2013-2120, An Ordinance Adopting The 2014 Annual Budgets For The General Fund, The Development Fund, And The Capital Improvement Fund For The City Of Franklin For Fiscal Year 2014 To Approve Budget Amendments To The 2014 Budget For Snow Removal Costs, Impact Fee Transfers, and Capital Project Appropriations.

H. Licenses and Permits  
Miscellaneous Licenses

I. Bills  
Vouchers and Payroll approval

J. Adjournment

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

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

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

REMINDERS:

September 18	Plan Commission	7:00 p.m.
September 23	Common Council	6:30 p.m.

B.2.

**Sandi Wesolowski**

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**From:** Bill Wucherer  
**Sent:** Thursday, September 04, 2014 2:30 PM  
**To:** Sandi Wesolowski  
**Subject:** 2014 Billboard Contest Winner

The Franklin Health Department presents the tobacco-free billboard contest winners. The 2014 winning students at Forest Park Middle School are Sierra Block, Ben Marz, Jordan Gawlitta, Katie Lehman, and Karissa Demotto. This is the 19<sup>th</sup> annual contest with Franklin students.

William M. Wucherer RN/Health Officer  
Director of Health & Social Services  
[bwucherer@franklinwi.gov](mailto:bwucherer@franklinwi.gov)  
(414) 425-9101

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- ORD 2014-2144  
HOURS FOR PLAYING  
MUSIC AT ST. MARTINS  
FAIR
- G.1(c) Alderman D. Mayer moved to suspend the regular order of business to allow former Alderman Ken Skowronski to speak. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried. Alderman D. Mayer moved to return to the regular order of business. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.  
Alderman D. Mayer moved to adopt Ordinance No. 2014-2144, AN ORDINANCE TO UPDATE AND AMEND THE MUNICIPAL CODE AS IT PERTAINS TO HOURS OF OPERATION AND THE TIME FOR THE PLAYING OF MUSIC AT THE ST. MARTINS FAIR. Seconded by Alderman Schmidt. On roll call, Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, and Alderman Schmidt voted Aye; Alderwoman Evans voted No. Motion carried.
- AGREEMENT WITH  
MILW. CO.  
TRUNKED RADIO  
SYSTEM
- G.2. Alderman Schmidt moved to express Common Council consensus of approval of the general concept of the Intergovernmental Agreement Permitting Access to Milwaukee County's 800 MHz Project 25 Trunked Radio System for the purpose of furthering the agreement review and negotiation process with the Intergovernmental Cooperation Council and other participating municipalities. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- BID FOR  
WATER/WASTEWATER  
FACILITY
- G.3. Alderman D. Mayer moved to direct staff to advertise and receive bids for the construction of a new Water and Wastewater Operations and Maintenance Facility. Seconded by Alderwoman Evans. Alderwoman Wilhelm moved to call the question. Motion died due to the lack of a second.  
On the vote for the main motion all voted Aye; motion carried.
- RES, 2014-7008  
AMEND ENGINEERING  
SERVICES PROPOSAL  
FOR NEW WATER/  
WASTEWATER  
FACILITY
- G.4. Alderman Schmidt moved to adopt Resolution No. 2014-7008, A RESOLUTION AUTHORIZING OFFICIALS TO AMEND AN ENGINEERING SERVICES PROPOSAL FOR THE PROPOSED CONSTRUCTION OF A NEW WATER AND WASTEWATER FACILITY IN THE ADDED AMOUNT OF \$34,900. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- ORD 2014-2145  
AMEND UDO FOR  
CLARE MEADOWS AT  
7704 S. 51ST ST.  
FRANKLIN SENIOR  
HOUSING INC.
- G.5. Alderwoman Wilhelm moved to adopt Ordinance No. 2014-2145, AN ORDINANCE TO AMEND §15-3.0427 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 22 (CLARE MEADOWS) TO DESIGNATE AND PROVIDE FOR ONE LOT CERTIFIED SURVEY MAP LAND DIVISION TO CREATE SINGLE LOT OF RECORD STATUS FOR THE AREA OF THE PROPERTY SUPPORTING THE EXISTING THREE-STORY 30 UNIT

SENIOR INDEPENDENT LIVING APARTMENT BUILDING (FRANKLIN SENIOR HOUSING, INC., APPLICANT) (7704 SOUTH 51ST STREET), subject to technical changes by the City Attorney following Engineering Department review to provide specific recording information in the ordinance of the access to a public street easement(s) of record. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2014-7009  
CSM - FRANKLIN  
SENIOR HOUSING, INC.  
7704 S. 51ST ST.

G.6. Alderwoman Wilhelm moved to adopt Resolution No. 2014-7009, A RESOLUTION CONDITIONALLY APPROVING A 1 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 2855 LOCATED IN PART OF THE SOUTHWEST ¼ AND NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (FRANCIS WOODS, LLC, OWNER, FRANKLIN SENIOR HOUSING, INC., APPLICANT) (7704 SOUTH 51ST STREET). Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2014-7010  
CONSERVATION  
EASEMENT AT 9775 S.  
60TH ST.  
STRAUSS BRANDS INC.

G.7. Alderwoman Evans moved to adopt Resolution No. 2014-7010, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN AMENDMENT FOR THE PROPERTY LOCATED AT 9775 SOUTH 60TH STREET TO ALLOW FOR CONSTRUCTION OF A TWO-STORY BUILDING ADDITION (TAX KEY NO. 898-9997-004) (STRAUSS BRANDS INCORPORATED, APPLICANT), subject to technical corrections by the City Attorney. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2014-7011  
CONSERVATION  
EASEMENT AT 7711 S.  
76TH ST., 7901 W.  
IMPERIAL DR. AND 7915  
W. IMPERIAL DR.  
(CREATIVE HOMES,  
INC.)

G.8. Alderman D. Mayer moved to adopt Resolution No. 2014-7011, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR PROPERTY LOCATED AT 7711 SOUTH 76TH STREET, 7901 WEST IMPERIAL DRIVE AND 7915 WEST IMPERIAL DRIVE (CREATIVE HOMES, INC., OWNER). Seconded by Alderman Schmidt. All voted Aye; motion carried.

SPECIAL EXCEPTION  
STANDARDS, FINDING  
AND DECISION  
WE ENERGIES

G.9. Alderwoman Wilhelm moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Wisconsin Electric Power Company, d/b/a WE Energies, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance for the WE Energies Oakbrook Service Center storage

building construction project. Seconded by Alderman Schmidt. All voted Aye; motion carried.

CDBG AGREEMENT-- -- G.10.  
WITH MILW. CO.  
2015-2017

Alderman D. Mayer vacated his seat at 7:49 p.m. and returned to his seat at 7:52 p.m.

Alderman Schmidt moved to authorize the Mayor and City Clerk to execute the "Cooperation Agreement" and the "First Amendment to the Cooperation Agreement" for the continued participation between the City of Franklin and Milwaukee County in the cooperative administration of the Federal Community Development Block Grant Program (CDBG) and the Federal Home Investment Partnership Program, for the Federal Fiscal years of 2015, 2016, and 2017, within the general terms and requirements of the law regulating such Programs. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

CITY HALL ROOF AND SIDING REPLACEMENT G.11.

As part of the City Hall roof project, Alderwoman Wilhelm moved to direct staff to contract with an architect at a cost not to exceed \$15,000 to provide some concepts for alternative entryway designs to enhance the overall character of City Hall, and work with Alderman D. Mayer and Alderwoman Wilhelm and return to the Common Council with a limited selection. Seconded by Alderman D. Mayer. On roll call, Alderman Schmidt, Alderwoman Wilhelm, Alderman D. Mayer, Alderman Dandrea voted Aye; Alderwoman Evans voted No. Motion carried.

REVISIONS OF JOB DESCRIPTIONS G.12.

Alderwoman Wilhelm moved to approve the revised Job Descriptions for Building Maintenance Supervisor, Administrative/Project Assistant, Building Inspector, Deputy Treasurer, Lead Cashier, Cashier/Clerk, Accounting Supervisor, Clinic Staff Nurse, Chief of Police, Inspector of Police, Police Captain, Confidential Police Administrative Assistant, Emergency Services Communications/Clerical Supervisor, Police School Liaison Officer, Fire Chief, Assistant Fire Chief, Battalion Chief, Assistant City Engineer, Sewer and Water Superintendent, and Department of Public Works Superintendent, and incorporating any minor typographical and formatting issues that may be found within the descriptions. Seconded by Alderman Dandrea. All voted Aye; motion carried.

POPULATION ESTIMATE G.13.  
JANUARY 1, 2014

Alderman D. Mayer moved to place on file the Wisconsin Department of Administration January 1, 2014 population estimate of 35,702. Seconded by Alderman Schmidt. All voted Aye; motion carried.

MISCELLANEOUS H.1.  
LICENSES

Alderman Dandrea moved to grant the following licenses: Operators' licenses to Nicole Baraniak, 6412 W. Lincoln Ave.,

West Allis; Jennifer Eickhorst, 3823 W. Madison Blvd.; Nicole Ellis, 7331 W. Wind Lake Rd., Wind Lake; Mary Furey, 3333 5<sup>th</sup> Ave. #61, South Milwaukee; Gloria Grabarczyk, 7467 S. 69<sup>th</sup> St.; Shane Hosseini, 1158 N. 50<sup>th</sup> St., Milwaukee; Kathryn Hudson, 9030 S. Cordgrass Cir. E; Samantha Kiser, 2174 S. 61<sup>st</sup> St., West Allis; Tracy Kukla-Lewis, 7640 S. Mission Ct.; Gerald Lawetzki, 6216 W. College Ave., Greendale; Pamela LeHouillier, 6456 W. River Pointe Dr.; David Lindner, 4007 W. Acre Ave.; Kristin Witkowski, 7421 Morningside Ct; and

Moved to hold Operators' license applications for appearance by Tyronne Smoker, 8814 W. Rogers St., West Allis; Goran Vukovic, 4617 S. Woodland Dr., Greenfield; and Melissa Wolff, 5833 S. 110<sup>th</sup> St., Hales Corners; and

Moved to approve Extraordinary Entertainment & Amusement license to United Serbian Soccer Club, Goran Vukovic, 8/30/14-8/31/14, subject to submittal of site plan and verification of compliance with the noise level per Municipal Code; and

Moved to approve Temporary Class B Beer & Wine license to united Serbian Soccer Club, Goran Vukovic, 8/30/14-8/31/14; and Class B Beer license to St. Martin of Tours Church, Diane Winkowski, Octoberfest, 10/18/14; and

Moved to approve Extraordinary Entertainment & Amusement licenses to St. Martin of Tours Church, Diane Winkowski, Octoberfest, 10/18/14; Hiller Ford, Jim Patterson, MACC Fund Car Show, 9/07/14; and JJ Concession, Lisa Lippert-Dixon, St. Martins Fair ring toss and bean bag toss games, 8/31/14-9/01/14; and

Moved to approve change of agent for Samantha Jo Klaphake, Combination Class A license issued to CVS Pharmacy, 5228 W. Rawson Ave.

Seconded by Alderman Schmidt. All voted Aye; motion carried..

VOUCHERS AND  
PAYROLL

- I.1. Alderman D. Mayer moved to approve net general checking account City vouchers in the range Nos. 153226 through 153407 in the amount of \$834,876.71 dated August 8, 2014 through August 14, 2014. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve voucher to BCF Construction in the amount of \$206,107.25 dated August 13, 2014. Seconded by Alderwoman Evans.

Motion approving net payroll dated August 22, 2014 in the amount of \$356,032.88 and payments of the various payroll deductions in the amount of \$382,749.97, plus any City matching payments, where acquired. Alderman D. Mayer, Alderwoman Evans.



Alderman Schmidt moved to approve net payroll dated September 5, 2014 estimated at \$336,000.00 and payments of the various payroll deductions estimated at \$212,000.00 plus any City matching payments, where required. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.

Alderman D. Mayer moved to approve property tax settlements dated August 15, 2014 totaling \$7,026,926.02. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman D. Mayer moved to adjourn the meeting at 8:22 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.

<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COMMON COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>9/09/2014</b></p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p>Boards and Commissions Appointments</p>	<p><b>ITEM NUMBER</b></p> <p><b>E.1.</b></p>

The following appointment has been submitted for Council confirmation:

Quarry Monitoring Committee

Jill Erickson, 8016 South 60<sup>th</sup> Street, 3-year term expiring 5/30/2017  
(Appointment of Alderwoman Wilhelm)

**COUNCIL ACTION REQUESTED**

Motion to confirm Alderwoman Wilhelm's appointment of Jill Erickson for a 3-year term to the Quarry Monitoring Committee expiring 5/30/2017.

## Shirley Roberts

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**From:** volunteerfactsheet@franklinwi.gov  
**Sent:** Saturday, August 23, 2014 11:24 AM  
**To:** Lisa Huening; Shirley Roberts; Sandi Wesolowski  
**Subject:** Volunteer Fact Sheet

**Name:** Jill Erickson  
**PhoneNumber:** 414.421.0466 (home) 414.477.3706 (cell)  
**EmailAddress:** [jill@jlerickson.com](mailto:jill@jlerickson.com)  
**YearsasResident:** 12  
**Alderman:** 5  
**ArchitecturalBoard:** 0  
**CivicCelebrations:** 0  
**CommunityDevelopmentAuthority:** 0  
**FinanceCommittee:** 0  
**EnvironmentalCommission:** 0  
**ForwardFranklinEconomicDevelopComm:** 0  
**FairCommission:** 0  
**BoardofHealth:** 0  
**FirePoliceCommission:** 0  
**ParksCommission:** 0  
**LibraryBoard:** 0  
**PlanCommission:** 0  
**PersonnelCommittee:** 0  
**BoardofReview:** 0  
**BoardofPublicWorks:** 0  
**BoardofWaterCommissioners:** 0  
**TechnologyCommission:** 0  
**WasteFacilitySitingCommittee:** 0  
**BoardofZoning:** 0  
**WasteFacilitiesMonitoringCommittee:** 0  
**CompleteStreetsandConnectivityCommittee:** 0  
**CompanyNameJob1:** Self Employed  
**TelephoneJob1:**  
**StartDateandPositionJob1:**  
**EndDateandPositionJob1:**  
**CompanyNameJob2:** Kalmbach Publishing Company  
**TelephoneJob2:**  
**StartDateandPositionJob2:**  
**EndDateandPositionJob2:**  
**CompanyNameJob3:** Quarles & Brady

**TelephoneJob3:**  
**StartDateandPositionJob3:**  
**EndDateandPositionJob3:**  
**Signature:** Jill L. Erickson  
**Date:** 08/23/2014  
**Signature2:** Jill L. Erickson  
**Date2:** 08/23/2014  
**Address:** 8016 S. 60th Street  
**PriorityListing:**  
**WhyInterested:** Alderwoman Wilhelm's appointment to the Quarry Monitoring Committee.  
**CompanyAddressJob1:**  
**DescriptionofDutiesJob1:** Freelance instructor, editor, and writer. Studio jewelry artist.  
**AddressJob2:**  
**DescriptionofDutiesJob2:** Associate Editor, Art Jewelry magazine  
**AddressJob3:**  
**DescriptionofDutiesJob3:** Communications Specialist  
**AdditionalExperience:**  
**ClientIP:** 99.12.185.88  
**SessionID:** dytole45v5wbc555r3gprq30  
See Current Results

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Timothy Sakiler  
Fire Chief

# VILLAGE OF GREENDALE



600 W. LCOMB RD.  
GREENDALE, WI 53129  
414-423-2101  
FAX 414-423-2100  
www.greendale.org

August 26, 2014

On Monday August 25<sup>th</sup> @ 1442 hours, Greendale 911 Dispatch received a call for a rollover accident on Hwy 36 just south of Root River Pkwy. Greendale M44 & Ambulance 405 were on a call and the Shift Officer was the only staff member in quarters. Capt. Wojnowski responded @ 1445 hours in Utility 4 and requested a Franklin Engine and Med unit. Chief 4 also responded in his vehicle. Captain Wojnowski and Chief 4 arrived on scene to find a stake bed truck, that was pulling a tree chipper machine, that had gone airborne and was nose down in a culvert and sustained heavy front end damage. We discovered one conscious patient that was pinned in the cab of the truck. Flight for Life was requested due to the extended extrication that was needed. The following agencies were requested to assist with the extrication and traffic control;

- Greendale Police Department
- Franklin Fire Department
- Franklin Police Department
- Hales Corners Fire Department
- Greenfield Fire Department

All of the above agencies continue to prove the cooperative nature of our communities when there is a need for assistance. Everyone worked together in a tireless and professional manner in a difficult extrication. The occupant was successfully extricated and flown to Froedtert Medical Center.

Please thank all of your staff for their assistance yesterday,

Sincerely,

*Tim Saidler, Fire Chief*

*The mission of the Greendale Fire Department is to protect the lives and property of Greendale residents, visitors, and all who call upon us with professionalism, compassion, and integrity. Our mission shall be accomplished through proactive fire prevention, education, and inspection efforts. We shall focus on training and be prepared to provide emergency medical, fire suppression, and special services when called upon.*

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>09/09/14</b></p>
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<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>2014 NATIONAL NIGHT OUT DONATION (Aurora Health Care)</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.1(a)</i></p>
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The City of Franklin Police Department has received a \$100.00 donation from Aurora Health Care to be put toward the purchase of materials and supplies for the 2014 National Night Out Event.

**COUNCIL ACTION REQUESTED**

Motion to approve acceptance of these donations for deposit into the Crime Prevention Donation Account.

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<b>APPROVAL</b> <i>Steve Pa</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>Sept 9, 2014</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>July 2014 Monthly Financial Report</b>	<b>ITEM NUMBER</b> <i>G.1(b)</i>

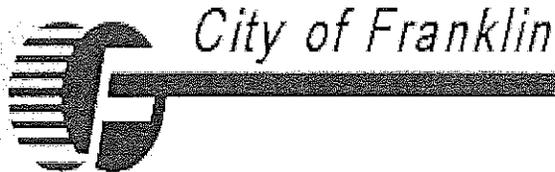
**Background**

The July, 2014 Monthly Financial Report is attached. Items of note are included in the cover memo from the Director of Finance & Treasurer.

The Finance Committee reviewed the July Financial report at its August 26, 2014 meeting and recommends their acceptance.

**COUNCIL ACTION REQUESTED**

Action: Motion to Receive and place on File



Date: August 18, 2014  
To: Mayor Olson, Common Council and Finance Committee Members  
From: Paul Rotzenberg, Director of Finance & Treasurer *Pal*  
Subject: July 2014 Financial Report

Enclosed are the following reports:

General Fund Summary	Debt Service Fund
TID Funds (3 & 4)	Solid Waste Collection Fund
Sanitary Sewer Fund	Capital Outlay Fund
Equipment Replacement Fund	Capital Improvement Fund
Street Improvement Fund	Development Fund
Self Insurance Fund	Post Employment Benefits Trust Fund

The new financial software is resulting in greater visibility to financial transactions and permitting the Finance Dept to record certain activity quicker. The software also captures encumbrances. That was not possible before. This capability will now provide earlier visibility to expenditures and how that might impact budget performance. That will be reflected in the statements as certain items appear earlier in 2014 than in 2013. As the year progresses, those differences will reverse. You will also note accounts payable balances in 2014, where none existed in 2013. This is a result of the quicker recording of activity.

The presentation in each fund is meant to provide a picture of progress in relation to the budget at this time. The budget is broken down by month. The normal criteria for year to date budgets are based upon the previous five year timing of expenditures. Caution is advised, when reviewing variances that are either favorable or unfavorable. As noted above, the timing of the budget may not follow current year experience or steps taken by department heads may mitigate early unfavorable experience.

**GENERAL FUND** - For YTD July, 2014, the General Fund had \$18,401,979 in revenue. Revenue is more than the \$17,609,744 budgeted by July, 2014. Property Tax revenue of \$13,870,513 is favorable to budget. While the tax levy in 2014 was the same as 2013, payments are now faster than the five year trend. When August ends, tax revenue will be unfavorable to budget by the amount of uncollected Personal Property taxes, generally less than \$30,000. Other Tax revenue of \$808,085 is \$123,725 unfavorable to the five year average – with cable franchise fees having the largest unfavorable performance. A receipt due in July did not arrive until early August. Intergovernmental revenue of \$1,792,245 represents Transportation Aids. Most of the other budgeted Intergovernmental revenue will arrive later in

the year. On the other hand, Licenses & Permits income of \$558,634 is \$23,320 favorable to budget. Plumbing permits are seeing the greatest improvement to budget. A receipt of EMT revenue from the County has arrived earlier than other years, which is a timing issue, not excess revenue. A correction to Health Clinic Services related to 2013 is reducing that revenue line in 2014. Other Revenues are comparable to budget, with the exception of Interest & Investment income. The \$147,663 of investment income is 378% of budget. Early 2014 had market interest rates decline and thus the City's US Treasury note investments increased in value. That increase in market value is driving investment income and will fluctuate as interest rates change during the year.

General Government expenditures now include encumbrances, the largest of which is Salt purchases of \$189,000 (charged partially to contingency and partially to Public Works). General Government is performing favorable to budget, with a few exceptions. Some professional service costs are expected to be delayed into the fourth quarter. Information Services has seen invoices processed faster this year compared to 2013.

Public Safety: costs of \$8,815,567 are favorable to budget by \$458,792. Reduced retiree health costs (as compared to budget and last year) are the result of an actuarial estimate change after the budget was adopted. This change has the greatest favorable impact in the Public Safety area as this group has the largest participation in that program. Non-personnel costs are greater than expected related to equipment maintenance contract invoices.

Public Works costs of \$1,973,370 are \$100,052 unfavorable to budget. Public Works costs include \$87,000 of the salt encumbrance. Public Works experienced an increase in costs for snow removal in January and February. Overtime costs of \$69,091 thru July are 245% of budget. Total personnel costs in DPW are \$1,010,075 compared to budget of \$1,007,237. However the first quarter snow removal effort will likely require an additional appropriation by the final quarter. The City Engineer's retirement will result in an unbudgeted benefits cost that will add to budget pressures in Public Works personnel costs. Should the position remain vacant for any length of time, that savings will mitigate some of the unbudgeted benefits costs.

The first quarter snow removal operations are also exceeding budget appropriations in non-personnel costs. Fuel costs and Salt supplies are the most significant issues. Common Council authorized \$102,000 of contingency funds to replenish salt supplies. \$23,000 of additional contingency funds was appropriated for a major repair of a snow plow in February. These two charges have exhausted the available contingency appropriation for 2014. The \$950,000 Restricted Contingency remains unused.

Overall, General Fund expenditures of \$13,144,491 (before encumbrances) are \$281,307 favorable to budget (prior to encumbrances), principally on the reduced personnel costs in Public Safety. The Retiree Health Costs will result in approximately \$220,000 in annual savings across all departments, however the first quarter snow removal costs will likely use up some of those savings.

**DEBT SERVICE and TID 3 & 4** – Tax receipts have occurred, and interfund loan payments made. Principal and interest payments were made timely. See following comments under Interfund loans.

**Interfund Loans** - TID 3 made a \$9.695 million loan payment March 1. \$6.195 million was funded when Northwestern Mutual Life repaid a loan in February. The TID did not have sufficient funds on hand to make the remaining payment. The Development and Self Insurance Funds each advanced \$1.1 million to fund the payment. These advances were reflected in the 2014 budget. It is anticipated that the advances will be repaid by 2018. TID 3 will pay a rate approximately equal to a new external borrowing, while the Development and Self Insurance funds will earn returns greater than would be possible in other investments.

Interfund loans to TID 3 are \$3,350,000. Total Interfund loans to TID 4 (no advances in 2014) are \$1,238,000. The Debt Service Fund (no advances in 2014) has Interfund loan balances of \$1,075,000. The Sewer Fund has a \$1,909,497 (\$1,404,457 in 2014) advance from the General Fund. Total interfund loans at July 31, 2014 are \$7,572,497.

**SOLID WASTE FUND** – Revenue is comparable to budget. Solid Waste costs are very close to budget as well.

**SANITARY SEWER FUND** – No new revenues were recorded in July. Revenues get recorded calendar quarterly when service billings go out. MMSD costs are recorded quarterly as well. Costs are favorable to expectations. Interest costs are recorded as paid, with the \$1.1 million Clean Water Fund loan payment sent April 30<sup>th</sup>. Thru July 31, operating results of \$55,812 are favorable to the expected deficit of \$36,902.

**CAPITAL OUTLAY FUND** – revenues are in line with budget and expenditures have occurred faster than the budget anticipated.

**EQUIPMENT REPLACEMENT FUND** – Revenues are in line with budget. Investment income has exceeded budget. Planned vehicle purchases have now occurred.

**CAPITAL IMPROVEMENT FUND** – The Police have begun the investment in the Video System carried forward from 2013. Some authorized engineering costs on the North Cape Road project have also occurred.

**STREET IMPROVEMENT FUND** – Revenues are in line with budget, and minimal expenditure activity has occurred.

**DEVELOPMENT FUND** – 2014 Impact fees totaled \$441,331 and are favorable to budget. Expenditures of \$84,489 are favorable to budget. Insufficient balances were on hand at February 28 to fund loan payments that are to be financed by Impact fees. As Impact fees are collected in the future, they will be used to reduce future Debt Service levy. None of the Park Impact Fees have been used as yet.

**SELF INSURANCE FUND** – Reduced city premiums for 2014 are the results of holding premiums constant for 2014 compared to a planned 3% increase. Claims costs thru July have

been favorable to budget. Thru July, the fund has a \$158,262 surplus, compared to a planned \$70,945 surplus. This compares favorably to 2013 at this time, when the fund had a \$64,267 deficit. Caution is advised as claims can come in sporadically.

**RETIREE HEALTH FUND** – The Actuarial Required Contribution (ARC) is composed of the ARC City Medical Charges, Implicit Rate Subsidy and the Net ARC. The 2014 expected ARC was reduced \$219,097 after the Council adopted the Dec 2013 resolution on the Cadillac Tax. That reduces revenue into this fund.

Claims costs thru July exceed insurance income by \$64,390 as compared to the \$188,125 last year at this time. These amounts reduce the ARC and get added to insurance revenue.

Market declines at the end of July resulted in an \$88,037 investment loss, the result of an over allocation to equities in this fund.

Current city costs result in an \$181,323 cash deficit, which is down from \$332,065 at January 1, 2014. This deficit will be eliminated before any further contributions are made to the Trust investments.

City of Franklin  
2014 Financial Report  
General Fund Summary  
For the Seven months ended July 31, 2014 and 2013

Revenue	2014		2014		2014		2013		2013		Variance Favorable (Unfavorable)
	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)			
Property Taxes	\$ 16,220,400	\$ 13,281,326	\$ 13,870,513	\$ 589,187	\$ 16,330,000	\$ 13,238,167	\$ 13,837,862	\$ 599,695			
Other Taxes	1,770,500	931,810	808,085	(123,725)	1,802,000	1,051,166	887,776	(163,390)			
Intergovernmental Revenue	2,549,550	1,655,752	1,792,245	136,493	2,542,600	1,483,183	1,533,284	50,101			
Licenses & Permits	864,300	535,314	588,634	23,320	753,000	439,250	516,593	77,343			
Law and Ordinance Violations	444,000	279,193	271,494	(7,699)	450,000	262,500	284,940	2,440			
Public Charges for Services	1,416,400	753,471	711,038	(42,433)	1,323,500	772,042	746,010	(26,032)			
Intergovernmental Charges	125,000	49,214	54,965	5,751	125,000	72,917	43,784	(29,133)			
Investment Income	138,500	39,083	147,663	108,580	142,000	37,917	(99,606)	(137,523)			
Miscellaneous Revenue	74,700	84,581	187,342	102,761	91,000	98,000	209,248	111,248			
Transfer from Other Funds	400,000	-	-	-	-	-	-	-			
<b>Total Revenue</b>	<b>\$ 24,003,350</b>	<b>\$ 17,609,744</b>	<b>\$ 18,401,979</b>	<b>\$ 792,235</b>	<b>\$ 23,559,100</b>	<b>\$ 17,455,142</b>	<b>\$ 17,939,891</b>	<b>\$ 484,749</b>			
			104.50%				102.78%				
Expenditures	2014		2014		2014		2013		2013		Variance Favorable (Unfavorable)
	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)			
General Government	\$ 2,934,266	\$ 1,714,805	\$ 1,579,212	\$ 135,593	\$ 2,928,263	\$ 1,965,317	\$ 1,593,919	\$ 371,398			
Public Safety	16,121,722	9,274,359	8,815,567	458,792	16,178,990	9,437,850	9,140,957	296,893			
Public Works	3,532,000	1,873,318	1,973,370	(100,052)	3,522,359	2,067,295	1,832,013	235,282			
Health and Human Services	657,804	361,456	345,375	16,081	659,002	384,418	338,416	46,002			
Other Culture and Recreation	173,682	86,272	100,608	(14,336)	171,901	100,275	93,314	6,961			
Conservation and Development	471,758	252,846	206,553	46,293	408,010	238,006	197,098	40,908			
Contingency and Unclassified	1,077,500	72,917	123,806	(50,889)	1,012,075	416,614	-	416,614			
Anticipated underexpenditures	(360,300)	(210,175)	-	(210,175)	(350,000)	(237,861)	-	(237,861)			
Transfers to Other Funds	400,000	-	-	-	85,982	-	-	-			
Encumbrances	-	-	(192,131)	192,131	-	-	-	-			
<b>Total Expenditures</b>	<b>\$ 25,008,432</b>	<b>\$ 13,425,798</b>	<b>\$ 12,952,360</b>	<b>\$ 473,438</b>	<b>\$ 24,616,582</b>	<b>\$ 14,371,914</b>	<b>\$ 13,195,717</b>	<b>\$ 1,176,197</b>			
			96.47%				91.62%				
Excess of revenue over (under) expenditures	(1,005,082)	\$ 4,183,946	5,449,619	\$ 1,265,673	(1,057,482)	\$ 3,083,228	4,744,174	\$ 1,660,946			
Fund balance, beginning of year	7,781,566		7,781,566		6,502,134		6,502,134				
Fund balance, end of period	\$ 6,776,484		\$ 13,231,185		\$ 5,444,652		\$ 11,246,308				

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

Cit ranklin  
Debt Service Funds  
Balance Sheet  
July 31, 2014 and 2013

	2014 Special Assessment	2014 Debt Service	2014 Total	2013 Special Assessment	2013 Debt Service	2013 Total
<b>Assets</b>						
Cash and investments	\$ 400,139	\$ 129,654	\$ 529,793	\$ 523,242	\$ 106,831	\$ 630,073
Taxes receivable	-	-	-	-	-	-
Special assessment receivable	199,699	-	199,699	270,575	-	270,575
Total Assets	\$ 599,838	\$ 129,654	\$ 729,492	\$ 793,817	\$ 106,831	\$ 900,648
<b>Liabilities and Fund Balance</b>						
Unearned & unavailable revenue	\$ 199,699	\$ -	\$ 199,699	\$ 270,575	\$ -	\$ 270,575
Due to other funds	-	1,075,000	1,075,000	-	2,137,000	2,137,000
Unassigned fund balance	400,139	(945,346)	(545,207)	523,242	(2,030,169)	(1,506,927)
Total Liabilities and Fund Balance	\$ 599,838	\$ 129,654	\$ 729,492	\$ 793,817	\$ 106,831	\$ 900,648

Statement of Revenue, Expenses and Fund Balance  
For the Six months ended June 30, 2014 and 2013

	2014 Special Assessment	2014 Debt Service	2014 Year-to-Date Actual	2014 Annual Budget	Variance Favorable (Unfavorable)	2013 Special Assessment	2013 Debt Service	2013 Year-to-Date Actual	2013 Annual Budget	Variance Favorable (Unfavorable)
<b>Revenue</b>										
Property Taxes	-	1,600,000	1,600,000	1,600,000	\$ -	-	1,650,000	1,650,000	1,650,000	\$ -
Special Assessments	4,976	-	4,976	-	4,976	-	-	-	-	-
Investment Income	7,862	56	7,918	-	7,918	(10,098)	-	-	-	(10,098)
Total Revenue	12,838	1,600,056	1,612,894	1,600,000	12,894	(10,098)	1,650,000	1,650,000	1,650,000	(10,098)
<b>Expenditures:</b>										
Debt Service:										
Principal	-	570,000	570,000	570,000	-	-	620,000	620,000	620,000	-
Interest	-	155,515	155,515	152,840	(2,675)	-	167,295	322,810	322,810	155,515
Interfund Interest Expense	-	24,308	24,308	22,076	(2,232)	-	44,558	86,570	86,570	42,012
Total expenditures	-	749,823	749,823	744,916	(4,907)	-	831,853	1,029,380	1,029,380	197,527
Transfers in	-	304,133	304,133	246,800	57,333	-	238,292	377,644	377,644	(139,352)
Transfers out	(219,644)	-	(219,644)	-	219,644	-	-	-	-	-
Net change in fund balances	(206,806)	1,154,366	947,560	1,101,884	284,964	(10,098)	1,056,439	1,046,341	998,264	48,077
Fund balance, beginning of year	606,945	(2,099,712)	(1,492,767)	(1,492,767)	-	533,340	(3,086,608)	(2,553,268)	(2,553,268)	-
Fund balance, end of period	\$ 400,139	\$ (945,346)	\$ (545,207)	\$ (390,883)		\$ 523,242	\$ (2,030,169)	\$ (1,506,927)	\$ (1,555,004)	

City of Franklin  
Tax Increment Financing District #3  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 476,734	\$ 321,188
Accounts & Interest receivable	14,039	-
Notes receivable	-	6,195,000
Taxes receivable	-	-
 Total Assets	 <u>\$ 490,773</u>	 <u>\$ 6,516,188</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned revenue	-	-
Line of Credit Advance from Development Fund	3,350,000	1,150,000
Total Liabilities	<u>3,350,000</u>	<u>1,150,000</u>
 Nonspendable fund balance - note receivable	 -	 7,345,000
Unassigned fund balance	(2,859,227)	(1,978,812)
Total Fund Balance	<u>(2,859,227)</u>	<u>5,366,188</u>
 Total Liabilities and Fund Balance	 <u>\$ 490,773</u>	 <u>\$ 6,516,188</u>

**Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013**

	<u>2014 Annual Forecast</u>	<u>2014 Year-to-Date Forecast</u>	<u>2014 Year-to-Date Actual</u>	<u>2013 Year-to-Date Actual</u>
<b>Revenue</b>				
General property tax levy	\$ 1,572,200	\$ 1,572,200	\$ 1,572,198	\$ 1,547,835
State exempt computer aid	407,500	407,500	407,508	361,741
Investment income	60,776	60,776	97,814	65,340
Total revenue	<u>2,040,476</u>	<u>2,040,476</u>	<u>2,077,520</u>	<u>1,974,916</u>
<b>Expenditures</b>				
Transfer to other funds	-	\$ -	-	-
Debt service principal	9,695,000	9,695,000	9,695,000	3,170,000
Debt service interest & fees	347,900	173,950	215,030	274,022
Administrative expenses	29,000	16,820	8,227	13,615
Interfund interest	-	-	51,604	13,453
Capital outlays	40,400	20,200	140,384	-
Total expenditures	<u>10,112,300</u>	<u>9,905,970</u>	<u>10,110,245</u>	<u>3,471,090</u>
	(8,071,824)	<u>\$ (7,865,494)</u>	(8,032,725)	(1,496,174)
Fund balance, beginning of year	<u>5,173,498</u>		<u>5,173,498</u>	<u>6,862,362</u>
Fund balance, end of period	<u>\$ (2,898,326)</u>		<u>\$ (2,859,227)</u>	<u>\$ 5,366,188</u>

\$ -

City of Franklin  
Tax Increment Financing District #4  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	2014	2013
Cash and investments	\$ 137,564	\$ 157,765
Developer receivable	1,199	-
Taxes receivable	-	-
<b>Total Assets</b>	<b>\$ 138,763</b>	<b>\$ 157,765</b>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned revenue	-	-
Interfund Advance from Development Fund	1,238,000	2,163,000
<b>Total Liabilities</b>	<b>1,238,000</b>	<b>2,163,000</b>
 Unassigned Fund Balance	 (1,099,237)	 (2,005,235)
<b>Total Liabilities and Fund Balance</b>	<b>\$ 138,763</b>	<b>\$ 157,765</b>

Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013

	2014 Annual Forecast	2014 Year-to-Date Forecast	2014 Year-to-Date Actual	2013 Year-to-Date Actual
<b>Revenue</b>				
General property tax levy	\$ 954,700	\$ 954,700	\$ 972,728	\$ 862,296
State exempt computer aid	24,600	24,600	24,620	46,504
Investment income	1,600	928	907	(4,567)
<b>Total revenue</b>	<b>980,900</b>	<b>980,228</b>	<b>998,255</b>	<b>904,233</b>
 <b>Expenditures</b>				
Debt service/interfund interest	77,400	\$ 38,700	31,508	52,185
Administrative expenses	11,400	6,612	7,107	6,781
Capital outlays	-	-	-	-
<b>Total expenditures</b>	<b>88,800</b>	<b>45,312</b>	<b>38,615</b>	<b>58,966</b>
Revenue over (under) expenditures	892,100	<b>\$ 934,916</b>	959,640	845,267
Fund balance, beginning of year	(2,058,877)		(2,058,877)	(2,850,502)
Fund balance, end of period	<b>\$ (1,166,777)</b>		<b>\$ (1,099,237)</b>	<b>\$ (2,005,235)</b>

City of Franklin  
Solid Waste Collection Fund  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 859,056	\$ 747,846
Total Assets	<u>\$ 859,056</u>	<u>\$ 747,846</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 123,080	\$ -
Accrued salaries & wages	315	317
Restricted fund balance	735,661	747,529
Total Liabilities and Fund Balance	<u>\$ 859,056</u>	<u>\$ 747,846</u>

**Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013**

<u>Revenue</u>	<u>2014 Adopted Budget</u>	<u>2014 Year-to-Date Budget</u>	<u>2014 Year-to-Date Actual</u>	<u>2013 Year-to-Date Actual</u>
Grants	\$ 69,000	69,000	\$ 69,214	\$ 69,267
User Fees	1,157,000	1,137,376	1,168,087	1,153,776
Landfill Operations-tippage	331,800	157,913	168,073	154,297
Investment Income	-	-	7,176	(8,296)
Sale of Recycling Bins	-	-	-	21
Sale of Recyclables	5,000	2,917	4,574	5,843
Total Revenue	<u>1,562,800</u>	<u>1,367,206</u>	<u>1,417,124</u>	<u>1,374,908</u>
<b>Expenditures:</b>				
Personal Services	22,194	12,804	10,767	17,871
Refuse Collection	654,200	381,617	378,770	317,202
Recycling Collection	361,800	211,050	208,988	175,221
Leaf & Brush Pickups	53,000	30,917	17,530	17,119
Tippage Fees	430,600	251,183	252,275	199,672
Miscellaneous	1,960	1,143	1,440	840
Total expenditures	<u>1,523,754</u>	<u>888,714</u>	<u>869,770</u>	<u>727,925</u>
Revenue over (under) expenditures	39,046	<u>478,492</u>	547,354	646,983
Fund balance, beginning of year	<u>188,307</u>		<u>188,307</u>	<u>100,546</u>
Fund balance, end of period	<u>\$ 227,353</u>		<u>\$ 735,661</u>	<u>\$ 747,529</u>

City of Franklin  
Sanitary Sewer Fund  
Comparative Balance Sheet  
July 31, 2014 and 2013

	2014	2013
<b><u>Assets</u></b>		
Current assets:		
Cash and investments	\$ 1,429,514	\$ 1,172,473
Accounts receivable	206,392	227,279
Accrued receivables	-	-
Due from Franklin Water Utility	811,371	709,258
Miscellaneous receivable	75,913	72,300
Total current assets	2,523,190	2,181,310
Non current assets:		
Due from MMSD	25,771,125	24,486,075
Sanitary Sewer plant in service:		
Land	358,340	358,340
Buildings and improvements	1,605,333	1,605,333
Improvements other than buildings	53,965,043	53,255,869
Machinery and equipment	790,591	689,530
Construction in progress	99,246	99,867
	56,818,553	56,008,939
Less accumulated depreciation	(13,303,652)	(12,682,051)
Net sanitary sewer plant in service	43,514,901	43,326,888
Total Assets	\$ 71,809,216	\$ 69,994,273
<b><u>Liabilities and Net Assets</u></b>		
Current liabilities:		
Accounts payable	\$ 2,870	\$ -
Accrued liabilities	26,441	295,205
Due to Franklin Water Utility	-	-
Due to General Fund - non-interest bearing	2,010,184	211,172
Total current liabilities	2,039,495	506,377
Non current liabilities:		
Accrued compensated absences	57,727	52,775
General Obligation Notes payable - CWF	23,486,522	23,694,294
Total liabilities	25,583,744	24,253,446
Net Assets:		
Invested in capital assets, net of related debt	43,514,901	43,326,888
Sewer equipment replacement	277,230	334,508
Retained earnings	2,433,341	2,079,431
Total net assets	46,225,472	45,740,827
Total Liabilities and Net Assets	\$ 71,809,216	\$ 69,994,273

City of Franklin  
Sanitary Sewer Fund  
Statement of Revenue, Expenditures,  
and Changes in Net Assets  
For the Seven months ended July 31, 2014 and 2013

	2014 Amended Budget	2014 Year-to-Date Budget	Current Year-to-Date Totals	Prior Year-to-Date Totals
<b>Operating Revenue</b>				
Residential	\$ 1,919,075	\$ 958,655	\$ 920,859	\$ 910,710
Commercial	869,938	413,904	212,378	396,347
Industrial	284,321	136,798	190,050	170,487
Public Authority	218,545	108,019	79,705	82,879
Penalties/Other	40,000	13,916	11,761	11,801
Multi Family	-	-	205,058	-
<b>Total Operating Revenue</b>	<u>3,331,879</u>	<u>1,631,292</u>	<u>1,619,811</u>	<u>1,572,224</u>
<b>Operating Expenditures</b>				
Salaries and benefits	\$ 462,678	\$ 266,930	\$ 254,876	\$ 297,245
Contractual services	100,365	72,795	77,934	67,790
Supplies	102,500	57,924	32,283	40,270
Facility charges	57,504	33,568	23,611	26,184
Shared meter costs	10,000	5,000	-	-
Sewer service - MMSD	2,048,209	1,024,105	984,308	946,226
Other operating costs	21,945	18,335	12,678	10,351
Allocated expenses	108,510	63,298	61,250	61,267
Sewer improvements	250,000	89,197	79,959	66,765
Depreciation	63,500	37,042	37,100	42,588
<b>Total operating expenditures</b>	<u>3,225,211</u>	<u>1,668,194</u>	<u>1,563,999</u>	<u>1,558,686</u>
<b>Operating Income (Loss)</b>	106,668	(36,902)	55,812	13,538
<b>Non-Operating Revenue (Expenditures)</b>				
Miscellaneous income	3,000	1,900	1,250	1,400
Investment income	518,860	302,668	340,330	177,469
Interest expense	(510,860)	(255,430)	(302,345)	(188,634)
RCI expenses	-	-	-	-
<b>Total non-operating revenue (expenditures)</b>	<u>11,000</u>	<u>49,138</u>	<u>39,235</u>	<u>(9,765)</u>
<b>Income (Loss) before Capital Contributions</b>	<u>117,668</u>	<u>12,236</u>	<u>95,047</u>	<u>3,773</u>
Retained Earnings- Beginning	2,660,847	2,660,847	2,660,847	2,422,962
Transfer (to) from Invested in Capital Assets	(1,430,450)	(2,503,288)	(45,323)	(12,796)
<b>Retained Earnings- Ending</b>	<u>1,348,065</u>	<u>169,796</u>	<u>2,710,571</u>	<u>2,413,939</u>
<b>Capital Contributions</b>	600,000	300,000	-	-
Depreciation - CIAC	(586,000)	(341,833)	(342,300)	(341,834)
Transfer (to) from Retained Earnings	1,430,450	834,429	45,323	12,796
<b>Change in Net Investment in Capital Assets</b>	<u>1,444,450</u>	<u>792,596</u>	<u>(296,977)</u>	<u>(329,038)</u>
<b>Net Investment in Capital Assets-Beginning</b>	<u>43,811,878</u>	<u>43,811,878</u>	<u>43,811,878</u>	<u>43,655,926</u>
<b>Net Investment in Capital Assets-Ending</b>	<u>45,256,328</u>	<u>44,604,474</u>	<u>43,514,901</u>	<u>43,326,888</u>
<b>Total net assets</b>	<u>\$ 46,604,393</u>	<u>\$ 44,774,270</u>	<u>\$ 46,225,472</u>	<u>\$ 45,740,827</u>

City of Franklin  
Capital Outlay Fund  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 532,820	\$ 571,792
Accrued Receivables	-	757
Total Assets	<u>\$ 532,820</u>	<u>\$ 572,549</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Miscellaneous claims payable	18,278	23,746
Encumbrance	29,072	-
Assigned fund balance	485,470	548,803
Total Liabilities and Fund Balance	<u>\$ 532,820</u>	<u>\$ 572,549</u>

**Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013**

<u>Revenue</u>	<u>2014 Amended Budget</u>	<u>2014 Year-to-Date Budget</u>	<u>2014 Year-to-Date Actual *</u>	<u>2013 Year-to-Date Actual</u>
Property Taxes	\$ 430,000	\$ 430,000	\$ 430,000	\$ 394,000
Grants	-	-	5,200	-
Landfill Siting	67,000	55,361	67,000	74,552
Investment Income	-	-	9,136	(5,175)
Miscellaneous Revenue	30,000	9,785	10,618	27,799
Transfers from Fund Balance	97,296	-	-	-
Total Revenue	<u>624,296</u>	<u>495,146</u>	<u>521,954</u>	<u>491,176</u>
<b>Expenditures:</b>				
General Government	130,250	43,039	26,835	46,381
Public Safety	448,562	219,139	279,160	177,058
Public Works	84,870	49,508	47,065	53,091
Health and Human Services	510	298	-	-
Culture and Recreation	18,000	10,500	15,999	296
Conservation and Development	1,750	1,021	-	680
Contingency	55,000	29,167	5,000	-
Total expenditures	<u>738,942</u>	<u>352,672</u>	<u>374,059</u>	<u>277,506</u>
Revenue over (under) expenditures	(114,646)	<u>142,474</u>	147,895	213,670
Fund balance, beginning of year	<u>337,575</u>		<u>337,575</u>	<u>335,133</u>
Fund balance, end of period	<u>\$ 222,929</u>		<u>\$ 485,470</u>	<u>\$ 548,803</u>

\* Amount shown is actual expenditures plus encumbrance

City of Franklin  
 Equipment Replacement Fund  
 Comparative Balance Sheet  
 July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 2,194,480	\$ 1,899,064
<b>Total Assets</b>	<b><u>\$ 2,194,480</u></b>	<b><u>\$ 1,899,064</u></b>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Encumbrance	39,138	-
Assigned fund balance	2,155,342	1,899,064
<b>Total Liabilities and Fund Balance</b>	<b><u>\$ 2,194,480</u></b>	<b><u>\$ 1,899,064</u></b>

**Comparative Statement of Revenue, Expenses and Fund Balance  
 For the Seven months ended July 31, 2014 and 2013**

	<u>2014</u> <u>Amended</u> <u>Budget</u>	<u>2014</u> <u>Year-to-Date</u> <u>Budget</u>	<u>2014</u> <u>Year-to-Date</u> <u>Actual *</u>	<u>2013</u> <u>Year-to-Date</u> <u>Actual</u>
<b>Revenue:</b>				
Property Taxes	\$ 337,000	\$337,000	\$ 337,000	\$ 285,000
Landfill	100,000	82,628	100,000	111,828
Investment Income	-	-	34,229	(17,620)
Property Sales	-	-	3,077	-
Transfers From Fund Balance	10,600	-	-	-
<b>Total revenue</b>	<b><u>447,600</u></b>	<b><u>419,628</u></b>	<b><u>474,306</u></b>	<b><u>379,208</u></b>
<b>Expenditures:</b>				
Public Safety	60,100	47,492	56,159	156,661
Public Works	182,000	91,246	178,850	90,178
<b>Total expenditures</b>	<b><u>242,100</u></b>	<b><u>138,738</u></b>	<b><u>235,009</u></b>	<b><u>246,839</u></b>
Revenue over (under) expenditures	205,500	<u>280,890</u>	239,297	132,369
Fund balance, beginning of year	<u>1,916,045</u>		<u>1,916,045</u>	<u>1,766,695</u>
Fund balance, end of period	<b><u>\$ 2,121,545</u></b>		<b><u>\$ 2,155,342</u></b>	<b><u>\$ 1,899,064</u></b>

\* Amount shown is actual expenditures plus emcumbrance

City of Franklin  
Capital Improvement Fund  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	2014	2013
Cash and investments	\$ 289,582	\$ 192,244
Due from State of Wisconsin	-	-
Accrued receivables	847	847
<b>Total Assets</b>	<u>\$ 290,429</u>	<u>\$ 193,091</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 116,662	\$ -
Contracts Payable	27,786	10,212
Accrued payables	-	-
Encumbrance	16,297	-
Assigned fund balance	129,684	182,879
<b>Total Liabilities and Fund Balance</b>	<u>\$ 290,429</u>	<u>\$ 193,091</u>

**Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013**

	2014 Amended Budget	2014 Year-to-Date Totals	2013 Year-to-Date Totals
<b>Revenue:</b>			
Block Grants	\$ 147,000	\$ -	\$ -
Landfill Siting	296,000	109,829	-
Transfers from Other Funds	2,700,000	-	-
Transfers from General Funds	200,000	-	-
Transfers from Impact Fees	1,410,140	-	-
Transfers from Connection Fees	1,000,000	-	-
Transfers from Fund Balance	137,519	-	-
Bond Proceeds	2,000,000	-	-
Investment Income	-	118	(2,556)
<b>Total revenue</b>	<u>7,890,659</u>	<u>109,947</u>	<u>(2,556)</u>
<b>Expenditures:</b>			
General Government	184,764	-	-
Public Safety	313,000	235,164	6,143
Public Works	820,212	55,237	33,905
Culture and Recreation	303,599	516	7,250
Sewer & Water	-	8,274	40,879
Contingency	6,040,977	-	-
<b>Total expenditures</b>	<u>7,662,552</u>	<u>299,191</u>	<u>88,177</u>
Revenue over (under) expenditures	228,107	(189,244)	(90,733)
Fund balance, beginning of year	318,928	318,928	273,612
<b>Fund balance, end of period</b>	<u>\$ 547,035</u>	<u>\$ 129,684</u>	<u>\$ 182,879</u>

City of Franklin  
Street Improvement Fund  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 1,033,389	\$ 1,084,866
Total Assets	<u>\$ 1,033,389</u>	<u>\$ 1,084,866</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Assigned fund balance	1,033,389	1,084,866
Total Liabilities and Fund Balance	<u>\$ 1,033,389</u>	<u>\$ 1,084,866</u>

Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013

	<u>2014</u>	<u>2014</u>	<u>2013</u>
	<u>Amended</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
	<u>Budget</u>	<u>Totals</u>	<u>Totals</u>
<b>Revenue:</b>			
Property Taxes	\$ 681,600	\$ 681,600	\$ 610,000
Landfill Siting	133,000	133,000	149,105
Investment Income	-	9,291	(7,836)
Local Road Improvement Aids	78,000	-	-
Transfer from General Fund	200,000	-	-
Transfer from Fund Balance	36,900	-	-
Total revenue	<u>1,129,500</u>	<u>823,891</u>	<u>751,269</u>
 <b>Expenditures:</b>			
Street Reconstruction Program - Current Year	960,000	9,065	15,727
Transfer to General Fund	200,000	-	-
Street Reconstruction Program - Prior Year	36,900	-	-
Total expenditures	<u>1,196,900</u>	<u>9,065</u>	<u>15,727</u>
Revenue over (under) expenditures	(67,400)	814,826	735,542
Fund balance, beginning of year	<u>218,563</u>	<u>218,563</u>	<u>349,324</u>
Fund balance, end of period	<u>\$ 151,163</u>	<u>\$ 1,033,389</u>	<u>\$ 1,084,866</u>

City of Franklin  
Development Fund  
Comparative Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 2,172,771	\$ 1,661,277
Due From Debt Service Fund	1,075,000	2,137,000
Due From TID 3	2,250,000	1,150,000
Total Assets	<u>\$ 5,497,771</u>	<u>\$ 4,948,277</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ 1,850
Non-Spendable - Advances	3,287,000	3,112,000
Assigned fund balance	2,210,771	1,834,427
Total Fund Balance	<u>5,497,771</u>	<u>4,946,427</u>
Total Liabilities and Fund Balance	<u>\$ 5,497,771</u>	<u>\$ 4,948,277</u>

Comparative Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013

	2014 Amended Budget	2014 Year-to-Date Budget	2014 Year-to-Date Actual	2013 Year-to-Date Actual
<b>Revenue:</b>				
Impact Fee: Parks	\$ 194,250	\$ 137,888	\$ 107,104	\$ 182,384
Impact Fee: Southwest Sewer Serv	-	-	6,456	2,928
Impact Fee: Administration	5,000	3,246	3,960	3,465
Impact Fee: Water	275,000	150,428	147,750	227,419
Impact Fee: Transportation	17,000	8,192	45,479	8,972
Impact Fee: Fire Protection	31,250	18,959	35,502	21,352
Impact Fee: Law Enforcement	60,000	36,365	65,049	38,331
Impact Fee: Library	62,500	44,054	30,031	37,475
Total Impact Fees	<u>645,000</u>	<u>399,132</u>	<u>441,331</u>	<u>522,326</u>
Investment Income	10,000	5,833	28,671	(10,350)
Interfund Interest Income	85,694	49,988	60,090	58,011
Total revenue	<u>740,694</u>	<u>454,953</u>	<u>530,092</u>	<u>569,987</u>
<b>Expenditures:</b>				
Other Professional Services	-	-	-	-
Transfer to Debt Service:				
Law Enforcement	204,978	63,609	-	96,000
Fire	43,013	18,096	36,622	36,191
Transportation	73,535	21,550	14,867	43,100
Library	133,650	44,292	33,000	63,000
Total Transfers to Debt Service	<u>455,176</u>	<u>147,547</u>	<u>84,489</u>	<u>238,291</u>
Transfer to Capital Improvement Fund:				
Water	-	-	-	-
Park	1,557,949	-	-	-
Total Transfers to Capital Improve	<u>1,557,949</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total expenditures	<u>2,013,125</u>	<u>147,547</u>	<u>84,489</u>	<u>238,291</u>
Revenue over (under) expenditures	(1,272,431)	<u>307,406</u>	445,603	331,696
Fund balance, beginning of year	<u>5,052,168</u>		<u>5,052,168</u>	<u>4,614,731</u>
Fund balance, end of period	<u>\$ 3,779,737</u>		<u>\$ 5,497,771</u>	<u>\$ 4,946,427</u>

City of Franklin  
Self Insurance Fund - Actives  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 1,247,783	\$ 1,153,169
Accounts receivable	480	465
Interfund advance receivable	2,338,000	2,163,000
Prepaid expenses	57,500	-
<b>Total Assets</b>	<b><u>\$ 3,643,763</u></b>	<b><u>\$ 3,316,634</u></b>
 <u>Liabilities and Net Assets</u>		
Accounts payable	\$ -	\$ -
Claims payable	379,100	352,000
Special deposits	-	-
Unrestricted net assets	3,264,663	2,964,634
<b>Total Liabilities and Fund Balance</b>	<b><u>\$ 3,643,763</u></b>	<b><u>\$ 3,316,634</u></b>

City of Franklin Self Insurance Fund - Actives  
Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013

<u>Revenue</u>	<u>2014</u>	<u>2014</u>	<u>2014</u>	<u>2013</u>
	<u>Forecast</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
		<u>Forecast</u>	<u>Actual</u>	
Medical Premiums-City	\$ 2,959,000	\$ 1,726,083	\$ 1,542,961	\$ 1,670,550
Medical Premiums-Employee	412,300	240,508	254,784	232,606
Other - Investment Income, etc.	92,190	53,778	62,763	47,282
Medical Revenue	<u>3,463,490</u>	<u>2,020,369</u>	<u>1,860,508</u>	<u>1,950,438</u>
Dental Premiums-City	105,630	61,618	61,008	56,230
Dental Premiums-Retirees	6,000	3,500	3,936	4,185
Dental Premiums-Employee	59,000	34,417	30,201	33,207
Dental Revenue	<u>170,630</u>	<u>99,534</u>	<u>95,145</u>	<u>93,622</u>
<b>Total Revenue</b>	<b><u>3,634,120</u></b>	<b><u>2,119,903</u></b>	<b><u>1,955,653</u></b>	<b><u>2,044,060</u></b>
 <b>Expenditures:</b>				
<b>Active Employees-Medical</b>				
Medical claims - Current Year	2,275,200	1,327,200	673,078	1,097,852
Medical claims - Prior Year	54,300	31,675	358,170	405,770
Prescription drug claims	341,100	198,975	151,464	197,596
Refunds-Stop Loss Coverage	-	-	(418)	(131,929)
Total Claims-Actives	<u>2,670,600</u>	<u>1,557,850</u>	<u>1,182,294</u>	<u>1,569,289</u>
Medical Claim Fees	167,600	97,767	123,175	98,679
Memberships	-	-	4,525	-
Miscellaneous Wellness	21,300	12,425	5,502	15,182
Section 125 administration Fee	5,500	3,208	2,867	(1,995)
Stop Loss Premiums	487,500	284,375	375,654	325,868
Total Medical Costs-Actives	<u>3,352,500</u>	<u>1,955,625</u>	<u>1,694,017</u>	<u>2,007,023</u>
<b>Active Employees-Dental</b>				
Dental claims - Current Year	147,000	85,750	76,074	78,379
Dental claims - Prior Year	-	-	16,966	15,866
Dental Claim Fees	5,600	3,267	7,547	3,454
Total Dental Costs-Actives	<u>152,600</u>	<u>89,017</u>	<u>100,587</u>	<u>97,699</u>
<b>Retirees-Dental</b>				
Dental claims - Current Year	7,400	4,317	2,544	2,710
Dental claims - Prior Year	-	-	-	808
Dental Claim Fees	-	-	243	87
Total Dental Costs-Retirees	<u>7,400</u>	<u>4,317</u>	<u>2,787</u>	<u>3,605</u>
Total Dental Costs	<u>160,000</u>	<u>93,333</u>	<u>103,374</u>	<u>101,304</u>
<b>Total Expenditures</b>	<b><u>3,512,500</u></b>	<b><u>2,048,958</u></b>	<b><u>1,797,391</u></b>	<b><u>2,108,327</u></b>
Revenue over (under) expenditures	121,620	<u>\$ 70,945</u>	158,262	(64,267)
Net assets, beginning of year	3,106,401		3,106,401	3,028,901
<b>Net assets, end of period</b>	<b><u>\$ 3,228,021</u></b>		<b><u>\$ 3,264,663</u></b>	<b><u>\$ 2,964,634</u></b>

City of Franklin  
City of Franklin Post Employment Benefits Trust  
Balance Sheet  
July 31, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ (181,323)	\$ 35,676
Investments held in trust - Fixed Inc	976,069	229,418
Investments held in trust - Equities	3,372,138	3,551,097
Accounts receivable	8,886	7,420
<b>Total Assets</b>	<b><u>\$ 4,175,770</u></b>	<b><u>\$ 3,823,611</u></b>
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ -	\$ -
Claims payable	77,182	24,500
Due from OPEB Trust	-	-
Net assets held in trust for post employment benefits	4,098,588	3,799,111
<b>Total Liabilities and Fund Balance</b>	<b><u>\$ 4,175,770</u></b>	<b><u>\$ 3,823,611</u></b>

City of Franklin Post Employment Benefits Trust  
Statement of Revenue, Expenses and Fund Balance  
For the Seven months ended July 31, 2014 and 2013

	<u>2014</u>	<u>2014</u>	<u>2014</u>	<u>2013</u>
<u>Revenue</u>	<u>Forecast</u>	<u>Year-to-Date Forecast</u>	<u>Year-to-Date Actual</u>	<u>Year-to-Date Actual</u>
ARC Medical Charges - City	\$ 209,300	\$ 122,092	\$ 102,154	\$ 95,042
Medical Charges - Retirees	125,000	72,917	63,729	71,207
Implicit Rate Subsidy	261,080	152,297	64,390	188,125
Interest Income	-	-	(1,114)	(3,876)
<b>Medical Revenue</b>	<b><u>595,380</u></b>	<b><u>347,305</u></b>	<b><u>229,159</u></b>	<b><u>350,498</u></b>
<b>Expenditures:</b>				
<b>Retirees-Medical</b>				
Medical claims - Current Year	342,400	199,733	113,557	150,725
Medical claims - Prior Year	39,080	22,797	85,832	65,427
Prescription drug claims	160,200	93,450	50,194	98,702
Refunds-Stop Loss Coverage	-	-	(69,880)	(1,519)
<b>Total Claims-Retirees</b>	<b><u>541,680</u></b>	<b><u>315,980</u></b>	<b><u>179,703</u></b>	<b><u>313,335</u></b>
Medical Claim Fees	7,500	4,375	10,494	6,599
Stop Loss Premiums	46,200	26,950	38,876	30,527
Miscellaneous Expense	-	-	86	37
<b>Total Medical Costs-Retirees</b>	<b><u>595,380</u></b>	<b><u>347,305</u></b>	<b><u>229,159</u></b>	<b><u>350,498</u></b>
 Revenue over (under) expenditures	 -	 -	 -	 -
 Annual Required Contribution-Net	 300,420	 175,245	 155,217	 230,263
Other - Investment Income, etc.	302,100	176,225	137,187	192,694
<b>Total Revenues</b>	<b><u>602,520</u></b>	<b><u>351,470</u></b>	<b><u>292,404</u></b>	<b><u>422,957</u></b>
 Net Revenues (Expenditures)	 602,520	 351,470	 292,404	 422,957
 Net assets, beginning of year	 <u>3,806,184</u>	 <u>3,806,184</u>	 <u>3,806,184</u>	 <u>3,376,154</u>
 Net assets, end of period	 <u>\$ 4,408,704</u>	 <u>\$ 4,098,588</u>	 <u>\$ 4,098,588</u>	 <u>\$ 3,799,111</u>

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<p>APPROVAL</p> 	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>09/09/2014</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>Authorization to Continue to Move Forward with the Bid Process for the DPW Salt Shed Roof Project and the Fire Station #1 Roof Repairs Project</p>	<p>ITEM NUMBER</p> <p>G.1(c)</p>

At the June 17, 2014 Common Council Meeting, the Council approved a motion to authorize the Director of Administration to prepare and execute an amendment to the professional services agreement with Industrial Roofing Services (IRS), Inc. to include the design and contracting services needed for the Department of Public Works salt shed roof project.

The amendment to the professional services agreement with IRS, Inc. incorporating the DPW salt shed roof project has been executed. As noted in the prior Council Action Sheet, due to the nature of the roofing system and the geographic separation, the DPW salt shed roof project is being bid separately from the other roof projects. As such, IRS has already provided the design specifications and bid documents to DPW/Engineering for this project. Due to the timeline in getting the salt shed roof bid out and completed before the winter season, and since it is an already approved 2014 budgeted item, staff has moved forward in the advertisement for bid process for this project.

The intent of this item is to inform the Common Council on the status of this project and that staff will continue to move forward with the bidding process of this project unless Council advises otherwise.

Similarly, staff is working to complete the approved roof project for areas A and B of Fire Station 1 as set forth in the 2014 Budget. As noted with the recent Council Action Sheet relative to the expanded City Hall Roof Project, the Fire Station project should also be bid separately due to the size and nature of the project.

**COUNCIL ACTION REQUESTED**

Motion to authorize staff to continue to move forward with the bidding process of the DPW Salt Shed roof project, in order to have it completed before the winter season, and with the bidding process of the approved Fire Station #1 Roof Repairs Project.

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<b>APPROVAL</b> <i>Slee</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>9-9-14</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Resolution Awarding Contract to The Lowest Bidder for the 2014 Pavement Marking Program in The City of Franklin</b>	<b>ITEM NUMBER</b> <i>G.1(d)</i>

**BACKGROUND**

Pavement marking is completed on city streets every two years. There is approximately 48 miles of the city's 166.5 miles of roadway that have pavement markings and 24 miles are striped each year.

**ANALYSIS**

Staff advertised for bids and two bids were received:

Crowley Construction Corporation	\$30,720.00 (.096 per ft)
Century Fence	\$49,920.00 (.156 per ft)

Both bids were found to be completed and Crowley Construction is the successful low bidder. Crowley Construction has completed our pavement marking program 11 of the past 12 years. Century Fence completed the work in 2010. Crowley Construction has always completed the work on time, worked well with the city staff and there quality of work is always satisfactory. Staff recommends awarding the contract to Crowley Construction.

**OPTIONS**

Award or reject bids.

**FISCAL NOTE**

Sufficient funds are available through the Public Works Department 2014 Operating Budget (pavement marking).

**COUNCIL ACTION REQUESTED**

Motion to adopt Resolution No. 2014-\_\_\_\_, awarding contract to the lowest bidder, Crowley Construction Corporation, in the amount of \$30,720.00, for the 2014 Pavement Marking Program in the City of Franklin.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2014-\_\_\_\_\_

A RESOLUTION AWARDED CONTRACT TO THE  
LOW BIDDER, FOR THE 2014  
PAVEMENT MARKING PROGRAM IN THE CITY OF FRANKLIN

-----  
WHEREAS, the City of Franklin advertised and solicited bids for the 2014 Pavement marking Program in the City of Franklin, and

WHEREAS, the low bidder was Crowley Construction Corporation, with a bid of \$30,720.00, and

WHEREAS, Crowley Construction Corporation is a pre-qualified public works contractor, and

WHEREAS, it is in the best interest of the City as recommended by the City's staff to award the contract at the total base bid of \$30,720.00 to Crowley Construction Corporation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Crowley Construction Corporation be awarded the contract for the 2014 Pavement Marking Program in the City of Franklin in the sum of \$30,720.00 in accordance with bid specifications.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this 9th day of September, 2014 by \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 9th day of September, 2014.

APPROVED:

\_\_\_\_\_  
Steve Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES            NOES            ABSENT

<p>APPROVAL</p> <p><i>Sw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>09/09/14</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 30 FOOT PLANTING STRIP PLAT RESTRICTION, UPON LOT 9 IN SOUTHWOOD EAST ADDITION NO. 2 SUBDIVISION (4219 WEST BARNWOOD COURT) (JOSHUA B. BORRESON AND MICHELLE R. BORRESON, APPLICANTS)</p>	<p>ITEM NUMBER</p> <p><i>G. 2.</i></p>

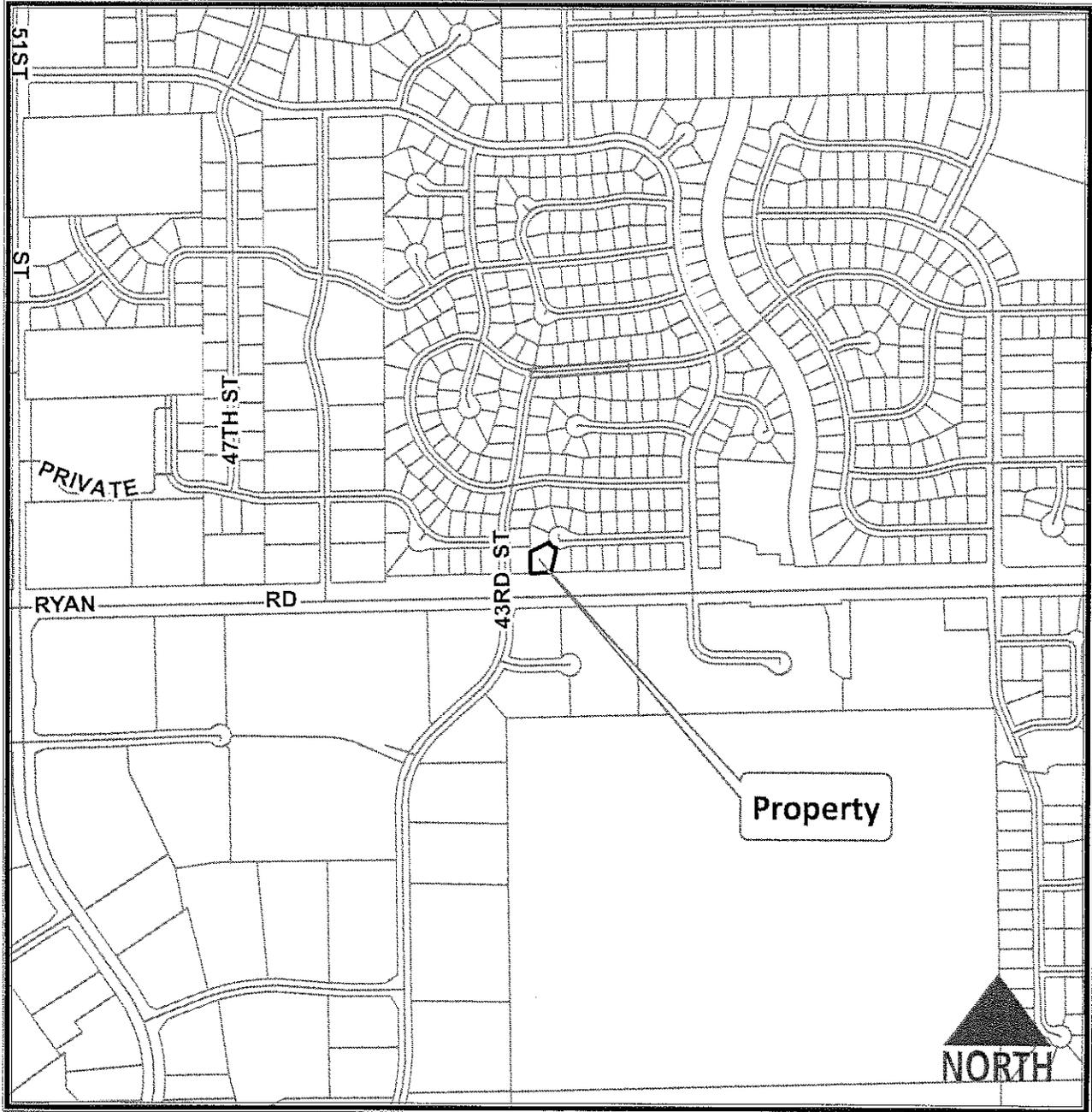
At its August 7, 2014 meeting the Plan Commission recommended denial of a resolution authorizing the installation of a fence within the 30 foot planting strip plat restriction, upon Lot 9 in Southwood East Addition No. 2 Subdivision (4219 West Barnwood Court) (Joshua B. Borreson and Michelle R. Borreson, Applicants).

**COUNCIL ACTION REQUESTED**

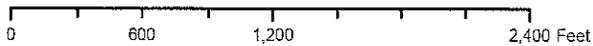
A motion to deny Resolution No. 2014-\_\_\_\_\_, a resolution authorizing the installation of a fence within the 30 foot planting strip plat restriction, upon Lot 9 in Southwood East Addition No. 2 Subdivision (4219 West Barnwood Court) (Joshua B. Borreson and Michelle R. Borreson, Applicants).



4219 W. Barnwood Court  
TKN 880-0028-000



Planning Department  
(414) 425-4024



2013 Aerial Photo

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

## RESOLUTION NO. 2014-\_\_\_\_\_

A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE  
WITHIN THE 30 FOOT PLANTING STRIP PLAT RESTRICTION, UPON  
LOT 9 IN SOUTHWOOD EAST ADDITION NO. 2 SUBDIVISION  
(4219 WEST BARNWOOD COURT)  
(JOSHUA B. BORRESON AND MICHELLE R. BORRESON, APPLICANTS)

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WHEREAS, the Southwood East Addition No. 2 Subdivision Plat prohibits the building of structures within the 30 foot "Planting Strip" described thereon; and

WHEREAS, Joshua B. Borreson and Michelle R. Borreson having applied for a release of the 30 foot "Planting Strip" easement restriction upon their property to the extent necessary to install a fence along the south line of the property which abuts West Ryan Road and within the restricted area upon the property located at 4219 West Barnwood Court, such property being zoned R-6 Suburban Single-Family Residence District, bearing Tax Key No. 880-0028-000, is more particularly described as follows:

Lot 9, in Block 22, in SOUTHWOOD EAST ADDITION NO. 2, being a subdivision of a part of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 24, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, the 30 foot "Planting Strip" easement restriction upon the Final Plat for Southwood East Addition No. 2 Subdivision and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

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

WHEREAS, the Common Council having considered the request for the release of the 30 foot "Planting Strip" easement restriction only so as to allow for the subject fence installation, and having considered the proposed location of and type of fence to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed fence will not be readily visible from the adjoining highway or create any adverse impact upon the aesthetic or buffering purposes of the landscape bufferyard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of proposed landscaping and a fence of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Joshua B. Borreson and Michelle R. Borreson filed on July 2, 2014, be and the same is hereby authorized and approved and that the "Planting Strip" easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_



# CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of August 7, 2014

### Fence Installation Within 30 Foot Planting Strip

**RECOMMENDATION:** City Development Staff recommends denial of the request to allow a fence to remain within the 30-foot Planting Strip upon Lot 9 of the Southwood East Addition No. 2 Subdivision.

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<b>Project Name:</b>	Fence Installation within 30 foot Plating Strip
<b>Project Address:</b>	4219 West Barnwood Court
<b>Applicant:</b>	Joshua B. and Michelle R. Borreson
<b>Owners (property):</b>	Joshua B. and Michelle R. Borreson
<b>Current Zoning:</b>	R-6 Suburban Single-Family Residence District
<b>Use of Surrounding Properties:</b>	Single-family residential to the north, east and west and Culver's restaurant to the south
<b>Applicant Action Requested:</b>	Recommendation of approval to allow a fence to remain within the 30-foot Planting Strip of the Southwood East Addition No. 2 Subdivision

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#### **Introduction/Project Description:**

On July 2, 2014, the applicant submitted a Miscellaneous Application requesting permission to allow a fence to remain within the 30-foot "Planting Strip" denoted on the Final Plat for Southwood East Addition No. 2 for Lot 9, located at 4219 West Barnwood Court.

The Southwood East Addition No. 2 Subdivision Final Plat was approved by the Common Council on March 3, 1987 by Resolution No. 87-2848 and contains a 30 foot "Planting Strip" for all lots abutting West Ryan Road. The Subdivision Development Agreement for Southwood East Addition No. 2 required that the City Engineer approve the design of the planting screen. A Landscape Plan is on file with the Engineering Department, which includes plantings within the Planting Strip. Fencing and other structures were not included or approved as part of that plan.

The applicant recently installed a fence, six feet in height, within this area and is requesting release of the plat restriction to allow the fence to remain in its current location. The fence is setback approximately 17 feet from the rear or south property line running parallel to West Ryan Road, and extends north adjacent to the east and west property lines. The contractor installed the fence prior to the issuance of the Building Permit.

The applicant has provided a narrative and photos of the area and has indicated that other homes along West Ryan Road have fences and accessory structures within the Planting Strip. Staff notes that the majority of the existing encroachments have not been permitted by the City. The applicant has also provided the attached letters of support.

The applicant is proposing landscaping within the planting strip south of the fence to compensate for landscaping that was removed around the same time the fence was installed. According to the applicant, two large diseased shrubs and two small arborvitaes were removed. The Landscape Plan includes two Autumn Blaze Maples along with 29 shrubs.

**Staff Recommendation:**

City Development Staff recommends denial of the request to allow a fence to remain within the 30-foot Planting Strip upon Lot 9 of the Southwood East Addition No. 2 Subdivision. It can be noted that Staff would not object to placement of the fence outside of the Planting Strip.

In regards to the Planning Staff Comments.

1. As previously discussed, please be aware that Planning Staff anticipates recommending that the fence be relocated outside of the Planting Strip.

*We understand that you recommend moving the fence outside of the Planting Strip. However, we would like to defend our position further.*

2. The application materials reference a "Landscape Buffer" designation. Please note that the Southwood East Addition No. 2 denotes a "Planting Strip," not a "Landscape Buffer."

*There is no planting strip (nor landscape buffer) mentioned anywhere on the survey for our property.*

3. In regard to the project narrative, please note that Planning Staff is not considering this area a Landscape Bufferyard Easement as outlined in the Unified Development Ordinance, but rather that the intent of the Planting Strip is to allow plant material only.

*The Unified Development Ordinance, Section 15-5.0102, only mentions a planting strip on page 5-4. Said reference to the planting strip refers to it as a landscape bufferyard easement. We would again set forth our argument from our original application that the UDO contemplates that fences (although technically defined as a "structure") would be placed within bufferyards, also referred to as planting strips.*

4. Is there an active Homeowner's Association for the Southwood Estate Addition No. 2 Subdivision? If so, has the Association been contacted regarding the fence location?

*There is no active Homeowner's Association for the Southwood Estate Addition No.2 Subdivision.*

5. What is the height of the fence?

*6 feet.*

6. How many trees and shrubs were removed from the Planting Strip? Also, what were the type and size of the plantings removed?

*There were two large, over grown and diseased low-lying shrubs and two small arborvitaes.*

7. Staff recommends that the proposed landscaping also include large evergreen trees to further screen the fence.

*We have consulted with a professional landscape company and they do not recommend that evergreens be planted in this area as it is hard for them to survive and thrive when being planted on such a large incline. Furthermore other neighbors on this block do not have evergreen trees planted in their planting strips / landscape buffers but instead have small trees.*

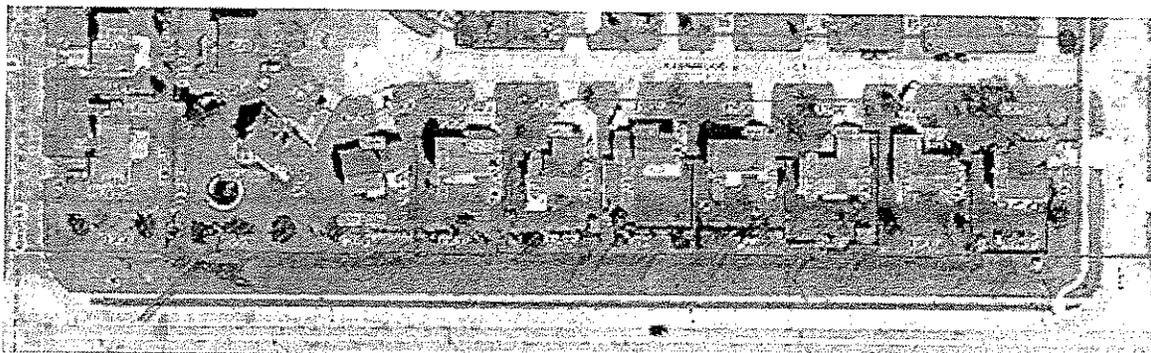
Franklin

JUL 25 2014

City Development

We, Josh and Michelle Borreson, 4219 Barnwood Court, respectfully request the right to keep our fence constructed within the 30' Landscape Buffer designation for the following reasons:

- The plat of survey did not show this landscape buffer, nor does it restrict the fencing within the buffer. As a matter of fact, all but two of the homeowners on the south side of Barnwood Court have something located in their landscape buffer. Several of those neighbors have confirmed that their fences have passed city inspection. (see photo below)
- The fence is located within all property boundaries and is 17 feet from the back of the lot line. We are also working with a landscaping company to plant new trees and bushes to replace the ones there were removed to construct the fence. It was explained to us that the City of Franklin is going for a green look, so along with replacing the removed landscaping with new landscaping that will be easily maintained, we also plan to plant new trees within the fence in the backyard area. This improvement would not have been made had we not installed the fence.
- Our home has a 27-foot above-ground swimming pool. Prior to this summer our yard did not have a fence. Now that the fence is constructed it provides an additional level of safety to our yard and prevents neighborhood children from entering our yard and being in danger of entering the pool. If the fence were moved so as to not remain in the 30' Landscape Buffer, it would be too close to the pool to provide proper aesthetics.



## Additional Arguments

### Landscape Bufferyard / Plats

Section 15-5.0102(A) of the Unified Development Ordinance ("UDO") appears to apply to Landscape Bufferyard requirements. The Borreson's Plat of Survey is missing key requirements to trigger Section 15-5.0102(A). In Particular, the section states:

Whenever the proposed Subdivision, Certified Survey Map, or Condominium contains or is adjacent to a limited access highway right-of-way, the design shall provide the following treatment:

A. **Landscape Bufferyard Easement Required.** When lots within the proposed Subdivision, Certified Survey Map, or Condominium back upon the right-of-way of an existing or proposed limited access arterial street or highway, a planting strip (landscape bufferyard easement) a minimum thirty (30) feet in depth (width), or as otherwise required by the City of Franklin Unified Development Ordinance (see Division 15-5.0300 of this Ordinance) or the Comprehensive Master Plan, shall be provided adjacent to the highway in addition to the normal lot depth. This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat:

*"Landscape Bufferyard Easement: This strip is reserved for the planting of trees and shrubs; the building of structures hereon is prohibited." (emphasis added)*

First, our survey has nothing labeled "Landscape Bufferyard Easement". Second, the survey does not list any restrictions on our property, especially a restriction that states "This strip is reserved for planting of trees and shrubs; the building of structures hereon is prohibited."

## The UDO Specifically Allows Fences Within Bufferyards

Despite the wording required in Section 15-5.0102(A) of the UDO "...building of structures hereon shall be prohibited," it is believed that constructing a fence within a bufferyard will not violate the general purpose of landscape buffers or bufferyards as contemplated by the UDO. In particular, Section 15-11.0103 of the UDO defines bufferyards as follows:

"An area of land within the boundaries of a lot...using trees, shrubs, fences, and/or berms, designated to limit continuously the view and/or sound from the lot or site to adjacent lots or sites." (emphasis added- full definition reproduced in foot note<sup>1</sup>).

As noted above, the definition of Bufferyard specifically mentions that a fence can be part of a bufferyard even though a fence technically is defined as a structure<sup>2</sup> under the UDO. As such, the UDO appears to be internally inconsistent.

This reference to fencing within a bufferyard is not a mistake since the definition of Opacity of a Bufferyard further references fencing within a bufferyard. Specifically, Section 15-11.0103 defines Opacity of a Bufferyard as follows:

"The degree of opaqueness of a bufferyard, or relative sight screening value, as measured by levels of intensity of bufferyard foliage or other characteristics of the bufferyard including fencing, earthen berms, or walls." (emphasis added)

Based upon the definition of Bufferyard and Opacity of a Bufferyard, it appears that the UDO specifically contemplated that fences (although technically defined as a "structure") would be placed within bufferyards. Thus, allowing us to construct a fence within the bufferyard would not appear to contravene the purpose of the bufferyard as contemplated by the UDO.

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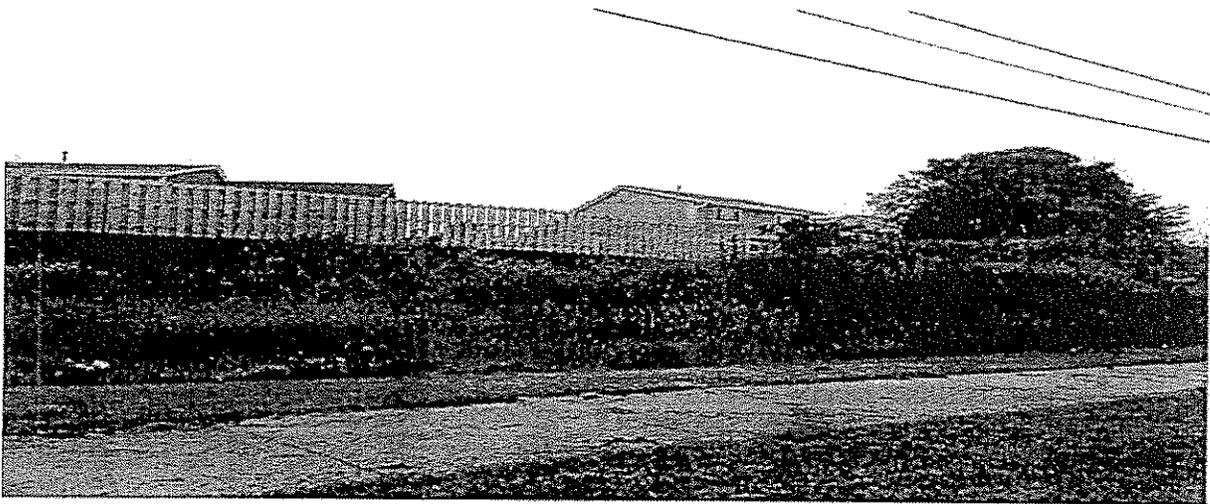
<sup>1</sup> Bufferyard: An area of land within the boundaries of a lot or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or using trees, shrubs, fences, and/or berms, designed to limit continuously the view and/or sound from the lot or site to adjacent lots or sites. Bufferyards are typically defined by a delineated easement graphically indicated on the face of the Site Plan, Landscape Plan, Certified Survey map, Subdivision Plat, or Condominium Plat. Bufferyards may be required between zoning districts and/or land uses to eliminate or minimize conflicts between them as set forth in Division 15-3.0300 of this Ordinance.

<sup>2</sup> Structure: Anything constructed or erected which requires location on the ground, including a fence or freestanding wall. A sign, billboard, or other advertising medium, detached or projecting, shall be construed to be a structure. Section 15-11.0103

**The Purpose of a Bufferyard Within Our Yard is Served by a Fence.**

Bufferyards are intended to ameliorate nuisances and provide visual buffer<sup>3</sup>. The UDO clearly contemplates the use of fencing within a landscape bufferyard to provide a visual buffer or barrier to ameliorate potential nuisances of adjoining roads, businesses, or other uses.

Furthermore, all of the other residents on the south side of Barnwood Court have a berm that is used as a visual buffer or barrier. Said berm stops at the our lot line. *See photo.*



Section 15-7.0102(E) Adverse effects of the proposed development and activities upon adjoining residents or owners are minimized by design and installation of landscape bufferyards to provide for appropriate screening, *fencing*, or landscaping as required in Division 15-5.0300 of this Ordinance.

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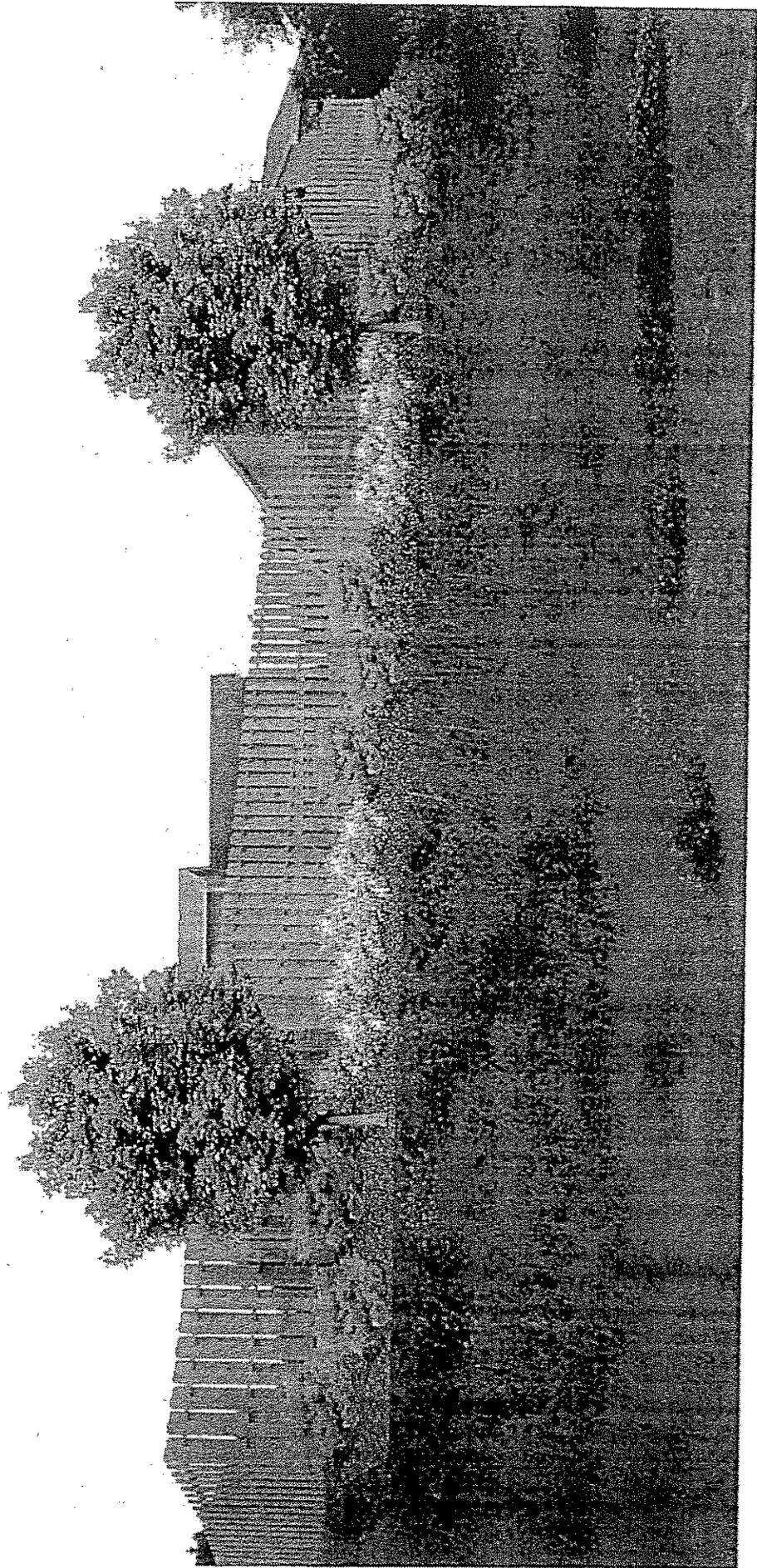
<sup>3</sup> Section 15-5.0301(B) (5)-Bufferyards to Ameliorate nuisances Between Certain Adjacent Zoning Districts. A bufferyard is a combination of a setback and a visual buffer or barrier, and is a yard or area together with the planting and/or landscape structure required thereon. The amount of land, the type of planting, and the amount of planting specified for each bufferyard requirement of this Ordinance are designed to ameliorate nuisances between certain adjacent zoning districts. Bufferyards are also designed to ensure a desired character along public streets and roads.

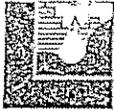
### Request for Release of 30' Landscape Buffer

With respect to the properties on Barnwood Court, it appears that the bufferyard is intended to provide a visual buffer or barrier with respect to Ryan Road for the benefit of the homeowners on Barnwood Court. Nothing can serve as a visual buffer or safety barrier better than a fence. Thus, the fence within the bufferyard of our property will not contravene the purpose of this particular bufferyard or of the general purpose of bufferyards as intended in the UDO.

Based upon the current plan of survey applicable to our property, it appears that Section 15-5.0102(A) of the UDO is not applicable. In particular, nothing on the survey specifically calls-out a "Bufferyard". Furthermore, to the extent restrictions are placed on the use of the property within the identified "Landscape Buffer," none are provided on the current plat of survey of the property. As such, it is requested that the City allow us to keep our fence within the area identified as the "Landscape Buffer". If necessary to do so, it is requested that the City release the 30' Landscape Buffer.

In the alternative, to the extent Section 15-5.0102 (A) of the UDO is deemed applicable, it is requested that the City grant any necessary variance to allow the fence as it does not contravene the purpose of Bufferyards as repeatedly defined in the UDO.





# LARSEN ENGINEERS, S.C.

725 W. WISCONSIN AVENUE • MILWAUKEE, WISCONSIN 53233  
(414) 271-0771 • FAX (414) 271-0312  
7970 N. 47th Street • Brown Deer, Wisconsin 53223  
(414) 354-9080 FAX (414) 354-0514

- CIVIL
- SANITARY
- MUNICIPAL
- TRANSPORTATION
- SURVEYING

## PLAT OF SURVEY

PROPERTY AT 4219 Barnwood Court

OWNER

LEGAL DESCRIPTION: Lot 9, in Block 22, in SOUTHWOOD EAST ADDITION NO. 2, being a sub-division of a part of the southwest 1/4 and the southeast 1/4 of the Southwest 1/4 of Section 24, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

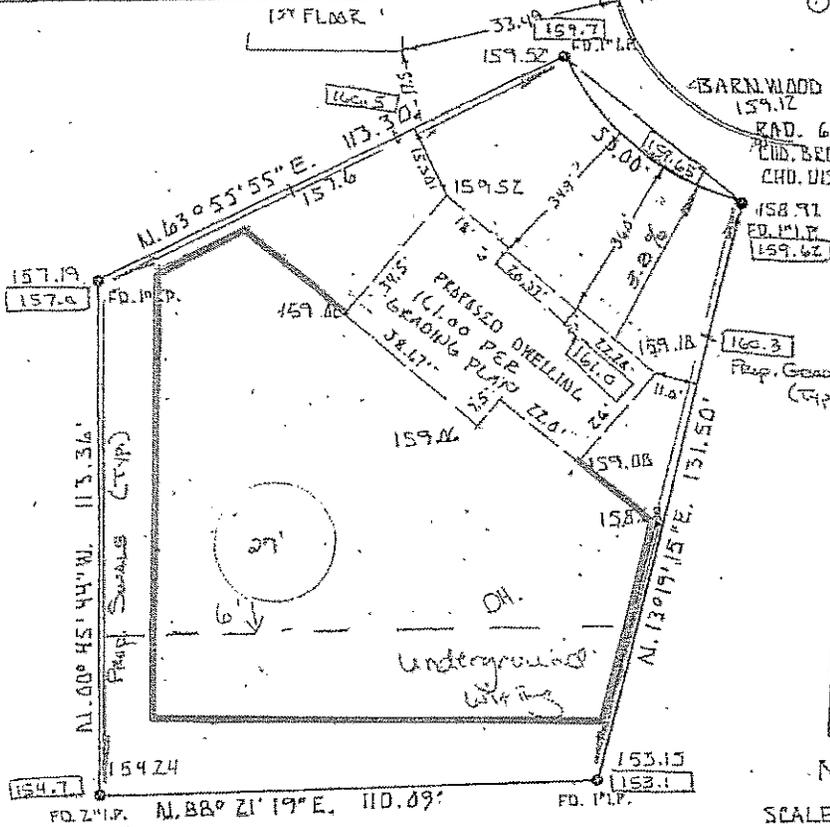
### APPROVED

FINISHED GRADE ELEVATION = 161.0

CITY OF FRANKLIN DATUM

CITY ENGINEER: *[Signature]* DATE: 6-8-90

PER CITY DATUM  
M.H. 159.10  
INV. 147.81

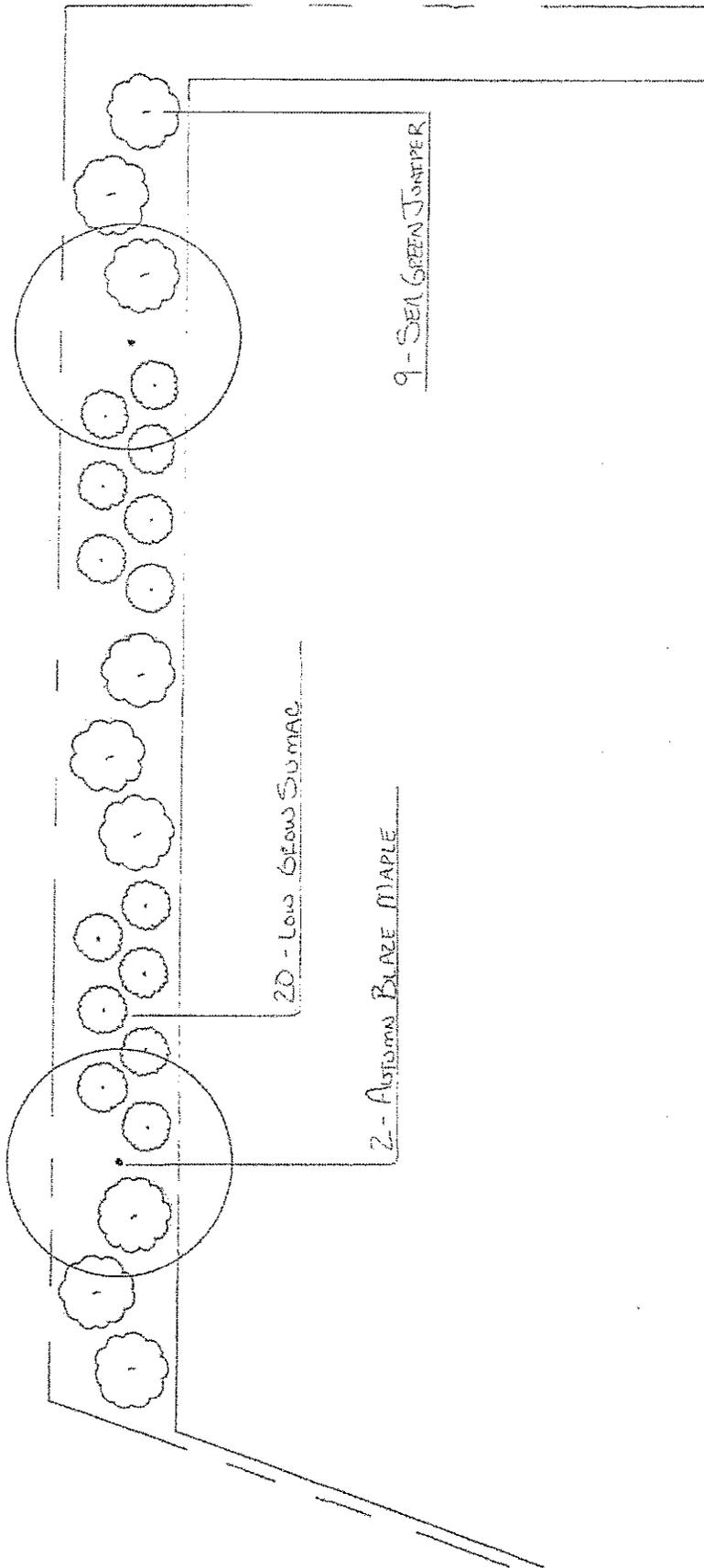


SCALE: 1" = 30'

"I have surveyed the above-described property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all structures thereon, fences, apparent easements, roadways and visible encroachments. This survey is made for the exclusive use of the present owners of the property; and those who purchase, mortgage, or guarantee the title thereto, within one year from date hereof.

Prepared For: BOB HOFFMANN COMPANY  
at Brown Deer, Wisconsin this 18th Day of May, 19 90  
Plat No. A 90-224 Signed Phillip P. Dhein  
REVISED 3-30-90 Registered Land Surveyor REVISED GRADES 6-7-90





20 - Low Grow Sumac

2 - Autumn Blaze Maple

9 - Sea Green Juniper



Scale: 1/8" = 1'  
 Date: 6-02-2014  
 Drawn by: Paul Villani

**Borreson  
 Residence**  
 4219 Barnwood Court  
 Franklin, WI

**From:** [Janef Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: Borreson Fence  
**Date:** Thursday, June 12, 2014 9:32:33 AM

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Letter of support

Begin forwarded message:

**From:** <[birk60@gmail.com](mailto:birk60@gmail.com)>  
**Date:** June 9, 2014 at 12:25:55 PM CDT  
**To:** "[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)" <[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)>  
**Subject:** **Borreson Fence**

To whom it may concern,

As a member of the 4th Aldermanic district, please consider this email as my show of support of the Borreson family to keep their fence built as is. The City of Franklin should focus its support for the people in the community rather than building codes and landscape restrictions.

Michael Birk  
P-414-975-8403  
F-414-423-7172  
Southwood Home Improvements & Remodeling,  
Southwood Custom Floors,  
Southwood Properties

**From:** [Janet Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: Borreson Family Fence  
**Date:** Thursday, June 12, 2014 9:36:36 AM

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Letter of support.

Begin forwarded message:

**From:** Angie Birk <[ambultman@yahoo.com](mailto:ambultman@yahoo.com)>  
**Date:** June 9, 2014 at 2:19:15 PM CDT  
**To:** "[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)" <[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)>  
**Subject:** **Borreson Family Fence**  
**Reply-To:** Angie Birk <[ambultman@yahoo.com](mailto:ambultman@yahoo.com)>

As a member of the 4th Aldermanic district, please consider this email as my show of support of the Borreson family to keep their fence built as is. The City of Franklin should focus its support for the people in the community rather than building codes and landscape restrictions.

Angela Birk  
4111 W Southwood Drive  
Franklin, WI 53132

**From:** [Janet Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: In support of 4219 W. Barnwood Ct fence  
**Date:** Thursday, June 12, 2014 9:34:34 AM

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Letter of support

Begin forwarded message:

**From:** "Buck, Kimberly A. (MKE x1283)" <[Kimberly.Buck@quarles.com](mailto:Kimberly.Buck@quarles.com)>  
**Date:** June 9, 2014 at 1:14:29 PM CDT  
**To:** "'[steve-olson@wi.rr.com](mailto:steve-olson@wi.rr.com)'" <[steve-olson@wi.rr.com](mailto:steve-olson@wi.rr.com)>  
**Cc:** "'[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)'" <[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)>  
**Subject:** In support of 4219 W. Barnwood Ct fence

As a member of the 4th Aldermanic district (9325 S. Cobblestone Way, F), please consider this email as my show of support of the Borreson family to keep their fence built as is. I believe the city of Franklin should focus on its support of the families in the community rather than unnecessary building codes and landscape restrictions.

With respect,  
Kimberly Buck  
Data Retrieval Assistant  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Suite 2350  
Milwaukee, Wisconsin 53202-4497  
[www.quarles.com](http://www.quarles.com)  
P: (414) 277-5283  
F: (414) 271-5792  
[Kimberly.Buck@quarles.com](mailto:Kimberly.Buck@quarles.com)

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**From:** [Janet Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: Fence  
**Date:** Thursday, June 12, 2014 9:37:43 AM

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Letter of support.

Begin forwarded message:

**From:** Dawn Dowske <[dawndowske@hotmail.com](mailto:dawndowske@hotmail.com)>  
**Date:** June 9, 2014 at 9:29:40 PM CDT  
**To:** "[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)" <[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)>  
**Subject:** Fence

06/09/2014

This is just a note to say that I don't see any problem with my neighbors fence at 4219 Barnwood CT (Michelle Borreson). I Dawn Dowske at 4113 Barnwood CT have a fence in my backyard too. At the time I went for the permit I was told that I could put the fence on my back property line, and this was in May of 2007. That would of put my fence in the middle of the ditch so I chose to move my fence in ten feet from the back lot line. This has all been approved by the city in 2007. Before this when the State widened Ryan road and after many meetings with the City of Franklin and the citizens the decision was made to put up a berm. The State cut down many trees and bushes for the widening of Ryan Road and for the building of the berm. After that was done my lot line ended up in the middle of a ditch because to the berm. Please help Michelle Borreson get approval for their fence.

I would like to ask you to please contact the State about all the weeds on that above mentioned berm. I pay for a lawn service and they are having trouble keeping the thistles out of my yard. If my yard was as ugly and weedy as the berm the State has and Milwaukee County maintains I would be fined.

Thank you for your time

Dawn Dowske  
414-235-8271

**From:** [Janet Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: 4219 Barnwood Ct. Fence  
**Date:** Thursday, June 12, 2014 9:38:57 AM

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Letter of support.

Begin forwarded message:

**From:** daniel moshinski <[dmoshinski@gmail.com](mailto:dmoshinski@gmail.com)>  
**Date:** June 10, 2014 at 7:45:43 AM CDT  
**To:** <[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)>  
**Subject:** **4219 Barnwood Ct. Fence**

I am the Borrenson's neighbor and just wanted to send a message to you to support our neighbor and there new fence. I understand that the city is upset with a few details of the fence, however if you view the fence from Ryan road nearly every lot has a fence facing Ryan Road. Infact the home on the corner of 42 and Ryan has the exact same fence facing both Ryan and 42nd street. Please grant a variance for this fence as the neighbors that are closest to the property feel it is just fine.

Respectfully,

Dan & Heidi Moshinski  
4224 W Barnwood Ct  
Franklin, WI 53132

**From:** [Janet Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: 4219 w. Barnwood ct. Fence  
**Date:** Thursday, June 12, 2014 9:40:24 AM

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Letter of support.

Begin forwarded message:

**From:** Jessica Kent <[jessicakent1977@gmail.com](mailto:jessicakent1977@gmail.com)>  
**Date:** June 10, 2014 at 8:13:56 PM CDT  
**To:** Janet Evans <[JEvans@franklinwi.gov](mailto:JEvans@franklinwi.gov)>  
**Subject:** Re: 4219 w. Barnwood ct. Fence

5495 west cobblestone way, unit c

Sent from my iPhone

On Jun 9, 2014, at 10:12 PM, Janet Evans  
<[JEvans@franklinwi.gov](mailto:JEvans@franklinwi.gov)> wrote:

Ms. Kent,

Thank you for your email on behalf of the Borreson's.

May I please have your address, as I will pass your letter on to all aldermen should this issue be brought before the Council.

Regards,

Janet

[image.png]

**From:** Janet Evans  
**To:** Nick Fuchs  
**Subject:** Fwd: Borreson's fence  
**Date:** Thursday, June 12, 2014 9:41:42 AM

---

Letter of support.

Begin forwarded message:

**From:** JFARRELL416 <JFARRELL416@YAHOO.COM>  
**Date:** June 11, 2014 at 10:03:30 AM CDT  
**To:** Janet Evans <JEvans@franklinwi.gov>  
**Subject:** Re: Borreson's fence

3778 w thorn crest dr

Sent from my T-Mobile #3 LTE Device

----- Original message -----

**From:** Janet Evans  
**Date:** 06/07/2014 4:46 PM (GMT-06:00)  
**To:** JFARRELL416  
**Subject:** Re: Borreson's fence

Good Afternoon,

Thank you for your email on behalf of the Borreson's.

May I please have your full name and address, as I will pass your letter on to all aldermen should this issue be brought before the Council.

Regards,

Janet

[image.png]

Janet M. Evans  
Alderman District 4  
City of Franklin  
9229 W. Loomis Rd.  
Franklin, WI 53132

Phone 414-427-7604  
Fax 414-425-6208  
[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov) <<mailto:jevans@franklinwi.gov>>  
[www.franklinwi.gov](http://www.franklinwi.gov) <<http://www.franklinwi.gov>>

**From:** [Janet Evans](#)  
**To:** [Nick Fuchs](#)  
**Subject:** Fwd: Barnwood Ct  
**Date:** Thursday, June 12, 2014 9:44:30 AM

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Letter of support.

Begin forwarded message:

**From:** Carrie Lohr <[clohr@wi.rr.com](mailto:clohr@wi.rr.com)>  
**Date:** June 12, 2014 at 9:35:27 AM CDT  
**To:** <[jevans@franklinwi.gov](mailto:jevans@franklinwi.gov)>  
**Subject:** Barnwood Ct

Ms. Evans,

I am writing in support of my neighbors, The Borresons. It is my understanding that they have run into some problems with the city in regards to the new fence they installed on their property. I would hope as our Alderperson that you would work and advocate for them. The fence is in line with the other fences on the block and as a property owner on a street that backs up to a very busy Ryan Rd. it can do nothing but good for property values on the block. I hope this situation can come to a quick and favorable resolution for the Borresons.

Thank you,  
Carrie Lohr  
4207 W Barnwood Ct

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>09/09/14</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A DISPLAY, RETAIL SALES, LEASE AND RENTAL OF NEW AND PRE-OWNED AUTOMOBILES, TRUCKS AND RECREATIONAL VEHICLES BUSINESS USE UPON PROPERTY LOCATED AT 6321 SOUTH 108<sup>TH</sup> STREET (EWALD CHRYSLER JEEP DODGE, LLC, APPLICANT)</p>	<p>ITEM NUMBER</p> <p><i>G.3.</i></p>

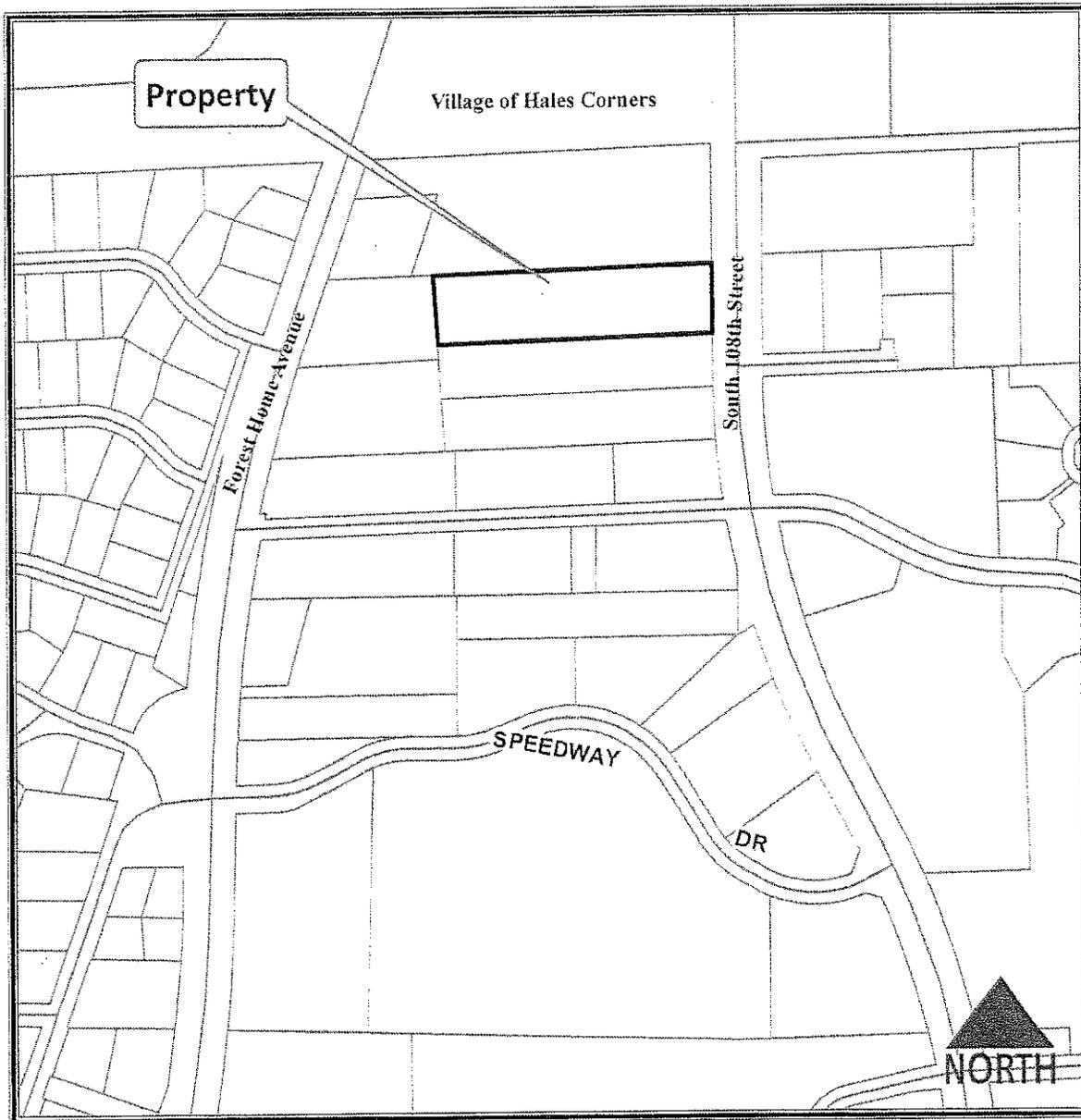
At its September 4, 2014, meeting, the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business use upon property located at 6321 South 108<sup>th</sup> Street (Ewald Chrysler Jeep Dodge, LLC, Applicant).

**COUNCIL ACTION REQUESTED**

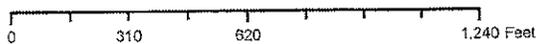
A motion to adopt Resolution No. 2014-\_\_\_\_\_, a resolution imposing conditions and restrictions for the approval of a display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business use upon property located at 6321 South 108<sup>th</sup> Street (Ewald Chrysler Jeep Dodge, LLC, Applicant).



6321 South 108th Street  
TKN 704-9973-000



Planning Department  
(414) 425-4024



2013 Aerial Photo

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

## RESOLUTION NO. 2014-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A SPECIAL USE FOR A DISPLAY, RETAIL SALES, LEASE  
AND RENTAL OF NEW AND PRE-OWNED AUTOMOBILES, TRUCKS AND  
RECREATIONAL VEHICLES BUSINESS USE UPON PROPERTY  
LOCATED AT 6321 SOUTH 108TH STREET  
(EWALD CHRYSLER JEEP DODGE, LLC, APPLICANT)

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WHEREAS, Ewald Chrysler Jeep Dodge, LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District and C-1 Conservancy District under Standard Industrial Classification Title Nos. 5511 "New and used car dealers", 5561 "Recreational vehicles dealers", 7514 "Passenger car rental" and 7538 "General automotive repair shops", to allow for a display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business use (Indoor showroom and administrative and sales offices will be located in the easternmost building on the existing property, and vehicles will also be displayed outdoors.), upon property located at 6321 South 108th Street, bearing Tax Key No. 704-9973-000, more particularly described as follows:

All that part of the Northeast 1/4 of Section 6, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows to wit:

Commencing at a point on the East Line of said Northeast 1/4 of Section 6 which is 330.25 feet South of the Northeast corner of said 1/4 Section; thence South on said line 196.59 feet to a point; thence S. 88 degrees 19' W., parallel to the North line of said 1/4 Section, 844.77 feet to a point; thence N. 3 degrees 16' 30" W., 196.57 feet to a point; thence N. 88 degrees 19' E., 855.99 feet to the place of commencement.

EXCEPTING THEREFROM that part conveyed for public highway purposes described on Reel 501 Image 1179 and 1180 Doc. No. 4491257; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 4th day of September, 2014, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive

EWALD CHRYSLER JEEP DODGE, LLC – SPECIAL USE  
RESOLUTION NO. 2014-\_\_\_\_\_

Page 2

Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Ewald Chrysler Jeep Dodge, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Ewald Chrysler Jeep Dodge, LLC, successors and assigns, as a display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business use, which shall be developed in substantial compliance with, and operated and maintained by Ewald Chrysler Jeep Dodge, LLC, pursuant to those plans City file-stamped August 27, 2014 and annexed hereto and incorporated herein as Exhibit A.
2. Ewald Chrysler Jeep Dodge, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Ewald Chrysler Jeep Dodge, LLC display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Ewald Chrysler Jeep Dodge, LLC and the display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business use for the property located at 6321 South 108th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

EWALD CHRYSLER JEEP DODGE, LLC – SPECIAL USE  
RESOLUTION NO. 2014-\_\_\_\_\_

Page 3

4. The Special Use resolution shall be amended by striking the word “repair” from the description of the proposed business use.
5. The applicant shall submit a revised Site Plan meeting the requirements of Section 15-7.0100 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to issuance of an Occupancy Permit.
6. All vehicle parking, display and storage shall be limited to the inside of a building or on a paved and striped surface.
7. The use of the portion of the property with a gravel surface shall be limited to vehicle loading and unloading and snow storage.
8. The applicant shall stripe all off-street parking spaces and vehicle display areas with painted lines in accordance with Section 15-5.0202 of the Unified Development Ordinance, prior to issuance of an Occupancy Permit.
9. The applicant shall repair holes and cracks and patch broken asphalt within the parking lot at the front of the property, prior to issuance of an Occupancy Permit.
10. All areas of the parking lot that are re-striped or otherwise repaired shall be brought into compliance with the required 10-foot parking setback, prior to issuance of an Occupancy Permit.
11. The applicant shall mark the minimum number of required off-street parking spaces with a sign reserving them for persons with disabilities in accordance with Section 15-5.0202(I)(3) of the Unified Development Ordinance and the Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities, prior to issuance of an Occupancy Permit.
12. The eastern most portion of the property (closest to STH 100) shall be reserved primarily for the display of new vehicles.
13. The applicant shall construct and provide a cross-access easement with the Ewald Chrysler Jeep Dodge property to the north, prior to issuance of an Occupancy Permit.

EWALD CHRYSLER JEEP DODGE, LLC – SPECIAL USE  
RESOLUTION NO. 2014-\_\_\_\_\_

Page 4

14. The applicant shall show a future cross-access connection to the property to the south on the revised Site Plan, to be installed at some point in the future when the property is redeveloped.
15. The applicant shall submit a Lighting Plan in accordance with Division 15-5.0400 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to issuance of an Occupancy Permit.
16. The applicant shall install a minimum of one planting of each planting type (shade tree, evergreen tree, decorative tree and shrub) for every five parking spaces to be provided, in accordance with Table 15-5.0302 of the Unified Development Ordinance.
17. The applicant shall submit a Landscape Plan in accordance with Sections 15-7.0103 and 15-7.0300 of the Unified Development Ordinance to the Department of City Development for review by Staff and approval by the Plan Commission.
18. The applicant shall replace the shingles on the roof and paint the main building prior to issuance of an Occupancy Permit.
19. The applicant shall clean, repair and paint the exterior of the 9,200 square foot storage building immediately west of the main building and the 4,300 square foot storage building along the south property line, prior to issuance of an Occupancy Permit.
20. The applicant shall comply with the recommendations of the Fire Department, as outlined in the Staff Comments dated August 22, 2014.

BE IT FURTHER RESOLVED, that in the event Ewald Chrysler Jeep Dodge, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a

EWALD CHRYSLER JEEP DODGE, LLC – SPECIAL USE  
RESOLUTION NO. 2014-\_\_\_\_\_

Page 5

separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_


**CITY OF FRANKLIN**

**REPORT TO THE PLAN COMMISSION**

Meeting of September 4, 2014

**Special Use**


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**RECOMMENDATION:** City Development Staff recommends approval of the proposed special use for a display, retail sales, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles business use upon property located at 6321 South 108<sup>th</sup> Street, subject to the conditions of approval in the attached draft resolution.

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<b>Project Name:</b>	CBDT Enterprises Special Use
<b>Project Address:</b>	6321 South 108 <sup>th</sup> Street
<b>Applicant:</b>	Ewald Chrysler Jeep Dodge, LLC
<b>Property Owner:</b>	Hale Park Lumber & Millwork, Inc.
<b>Current Zoning:</b>	M-1 Limited Industrial District and C-1 Conservancy District
<b>2025 Comprehensive Master Plan</b>	Industrial
<b>Use of Surrounding Properties:</b>	Ewald Chrysler Jeep Dodge (to the north) Hiller Ford (to the south) KinderCare Daycare (to the east) and a vacant industrial building (to the west)
<b>Applicant Action Requested:</b>	Recommendation of approval for the proposed Special Use for Ewald Chrysler Jeep Dodge, LLC to operate at 6321 South 27 <sup>th</sup> Street

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Please note:

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

**BACKGROUND & INTRODUCTION:**

Hale Park Lumber is a building center and lumberyard at 6321 South 108<sup>th</sup> Street, which is in the process of going out of business. Historic aerial photographs indicate that this area was developed and some of the existing buildings have been present since at least 1963.

Although copies of the original approvals could not be found, Staff did verify that on April 12, 1994, the Plan Commission approved a Zoning Permit for Hale Park Lumber for construction of two (2) 1,056 square foot additions onto the main building.

On August 6, 1996, the Common Council adopted Resolution No. 96-4430, imposing conditions and restrictions for approval of a Special Use for Sprint Spectrum for a personal communication service (PCS) system facility. This approval included a monopole with a maximum height of 70 feet and an approximately 1,225 square foot base facility.

On August 8, 2014, Craig Ewald submitted a Special Use application on behalf of Ewald Chrysler Jeep Dodge, LLC requesting approval to operate a display, retail sales, lease, repair and rental of new and pre-owned automobiles, trucks and recreational vehicles business use upon the former Hale Park Lumber property located at 6321 South 27<sup>th</sup> Street. The proposed uses correspond to Standard Industrial Classification (SIC) Title Nos. 5511 Motor Vehicle Dealers (New and Used), 5561 Recreational Vehicle Dealers, 7514 Passenger Car Rental and 7538 General Automotive Repair Shops, which are all allowable in the M-1 Limited Industrial District as Special Uses.

#### **PROJECT DESCRIPTION AND ANALYSIS:**

The property consists of the following improvements: an approximately 5,200 square foot main building on the east side of the property; an approximately 9,200 square foot lumber storage building immediately west of the main building; an approximately 4,300 square foot lumber storage building along the south side of the property; a 70 foot telecommunications monopole with an accompanying fenced-in equipment pad and two more lumber storage buildings on the far west side of the property, at approximately 3,900 square feet and 3,050 square feet respectively.

Ewald Real Estate Southwest, LLC is in negotiations to purchase the subject property from the current owner, Hale Park Lumber & Millwork, Inc. The property is approximately 3.56 acres. The buyer owns the two adjacent properties north of the subject parcel at 6319 and 6269 South 108<sup>th</sup> Street and operates Ewald Chrysler Jeep Dodge, LLC, Mayfair Rent A Car, LLC and Ewald's Airstream of Wisconsin, LLC.

According to the applicant, sales and administrative offices, and an indoor showroom will be located within in the approximately 5,200 square foot main building located near the front of the property. The applicant is also proposing to display vehicles on paved areas of the property. Proposed hours of operation for the proposed business are Monday through Friday from 8:00 a.m. to 9:00 p.m. and Saturday 8:00 a.m. to 5:00 p.m. The applicant anticipates an initial staff of approximately fifteen (15) employees.

In the Revised and Expanded Narrative, the applicant states the proposed Phase I operations at 6321 South 108<sup>th</sup> Street will include the display, sale, lease and rental of new and pre-owned vehicles, trucks and recreational vehicles. This list leaves out vehicle repair, which the applicant proposed as part of the initial Special Use Application and was subsequently included in the public hearing notice. The applicant informed Staff that vehicle repair will not be part of the Phase I operations at the site, but is a potential future use of the site. The applicant also did not provide any information about the size, location or nature of the vehicle repair. Therefore, Staff recommends amending the Special Use resolution by striking the word "repair" from the description of the proposed business use. This or any other use of the site other than the display, sale, lease and rental of new and pre-owned automobiles, trucks and recreational vehicles and/or any future redevelopment of the site; would require submittal of a Special Use Amendment Application to the City.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. The applicant has provided a written response to each of the seven standards within the project narrative, which is included in your packet.

Site Plan:

As part of the Special Use Application the applicant provided a survey of the property, which was prepared as part of the due diligence process for purchasing the land. However, the survey does not depict all of the information the UDO requires be shown on the face of a Site Plan pursuant to Section 15-7.0100. For example, the survey does not show any off-street parking spaces, landscaping and lot coverage/landscape surface ratio, lighting, development phasing, market analysis, snow storage, etc. Therefore, Staff recommends the applicant submit a revised Site Plan meeting the requirements of Section 15-7.0100 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to issuance of an Occupancy Permit.

Parking:

The applicant states in the Project Narrative that outdoor vehicle display and customer parking will be on existing paved areas of the property. Unfortunately, the applicant has not provided Staff with any details regarding the number of new and used vehicles, recreational vehicles and rental vehicles the company plans to display on the property or proposed locations for the vehicle display areas. The applicant also states, "Vehicle loading/unloading, storage and employee parking will be west of the paved areas in the gravel area". Staff recommends all vehicle parking, display and storage be limited to the inside of a building or on a paved and striped surface. Furthermore, Staff recommends the use of the portion of the property with a gravel surface be limited to vehicle loading and unloading and snow storage.

Table 15-5.0203 of the City of Franklin Unified Development Ordinance (UDO) defines requirements for off-street parking. According to this section, an auto sales use is required to provide 2.0 spaces per 1,000 square feet of gross floor area (GFA). If one applies this standard, the proposed 5,200 square feet of office and showroom would be required to provide a minimum of eleven (11) off-street parking spaces.

Hale Park Lumber had a parking lot consisting of approximately thirty (30) off-street parking spaces. The asphalt in the parking lot is in poor condition and the striping for these parking spaces has mostly faded. Therefore, Staff recommends the applicant stripe all off-street parking spaces and vehicle display areas with painted lines in accordance with Section 15-5.0202 of the Unified Development Ordinance, prior to issuance of an Occupancy Permit. In addition, Staff recommends the applicant repair holes and cracks and patch broken asphalt within the parking lot at the front of the property, prior to issuance of an Occupancy Permit. Furthermore, Staff recommends all areas of the parking lot that are re-striped or otherwise repaired, be brought into compliance with the required 10 foot parking setback, prior to issuance of an Occupancy Permit.

Furthermore, none of the off-street parking spaces on the property are clearly marked as reserved for persons with disabilities as required by Section 15-5.0202(D)(3) of the (UDO). Therefore,

Staff recommends the applicant mark the minimum number of required off-street parking spaces with a sign reserving them for persons with disabilities in accordance with Section 15-5.0202(I)(3) of the Unified Development Ordinance and the Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities, prior to issuance of an Occupancy Permit.

Lastly, Staff recommends the eastern most portion of the property (closest to STH 100) be reserved solely for the display of new vehicles and that display of pre-owned vehicles be provided on other paved portions of the subject property, west of the main building. It is important to note that display, lease, sale or rental of solely pre-owned vehicles is not allowed within the M-1 zoning district.

#### Cross Access:

The City has consistently required cross-access for all new developments that could utilize cross-access to an adjacent commercial property. As the proposed use for this property is comparable to the uses of the adjacent properties to the south and north, it is logical that customers may wish to cross-shop between companies, and it makes sense to connect all of these automobile dealerships via internal cross-access drives to allow consumers a more convenient and safer shopping experience. Therefore, Staff recommends the applicant construct and provide a cross-access easement with the Ewald Chrysler Jeep Dodge property to the north, prior to issuance of an Occupancy Permit. Furthermore, Staff recommends the applicant show a future cross-access connection to the property to the south on the revised Site Plan, to be installed at some point in the future when the property is redeveloped. Finally, Staff suggests the applicant construct a cross-access drive at the southern property line if an arrangement for a cross-access easement with Hiller Ford can be obtained.

#### Lighting Plan:

The applicant has not provided a Lighting Plan. Staff recommends the applicant submit a Lighting Plan in accordance with Division 15-5.0400 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to issuance of an Occupancy Permit.

#### Landscape Plan:

The applicant has not provided a Landscape Plan. The Hale Park Lumber property is generally devoid of landscaping, aside from several existing trees (primarily along the far west lot line) and some arborvitae planted around the telecommunications monopole which were required as part of the Special Use approval for that structure. Staff recommends the applicant install a minimum of one planting of each planting type (shade tree, evergreen tree, decorative tree and shrub) for every five parking spaces to be provided, in accordance with Table 15-5.0302 of the Unified Development Ordinance. In addition, Staff recommends the applicant submit a Landscape Plan in accordance with Sections 15-7.0103 and 15-7.0300 of the Unified Development Ordinance to the Department of City Development for review by Staff and approval by the Plan Commission.

Staff estimates the Landscape Surface Ratio of the site at approximately 5%, which does not comply with the M-1 Minimum Landscape Surface Ratio (LSR) of 40%. Staff believes the proposed new use of the property warrants the addition of green space, especially along the front

of the property. Adding green space would accomplish three things. First, it would bring the property closer to complying with the minimum LSR requirement of the M-1 District. Secondly, it would enhance the aesthetics of the property and bring it more in line with the character of the existing dealerships in the neighborhood. Finally, it would provide places for the applicant to install the minimum landscape plantings required, based on the number of parking spaces provided. There are currently very few places for planting landscaping onsite. Staff would note we envision recommending full compliance with the LSR of 40% when the applicant applies for Phase 2 of its development.

#### Natural Resource Protection Plan:

The only possibility of natural resources is at the far west end of the property. A review of best available data was conducted by Staff. This review did not indicate the presence of any protected natural resource features. Staff recommends a Natural Resource Protection Plan with detailed field delineations be submitted at such time, as development/redevelopment at the rear of the property occurs. At that time, Staff suggests this portion of the property be rezoned to remove the C-1 Conservancy District.

#### Architecture:

The applicant is proposing to keep all of the buildings on the property at this time. However, the buildings are poorly maintained and in need of improvements. In the project narrative, the applicant states that, weather permitting; their company will paint the main building and replace the shingles. Staff recommends the applicant replace the shingles on the roof and paint the main building prior to issuance of an Occupancy Permit. In addition, Staff suggests the applicant install a new front facade on the main building to enhance the aesthetics of the site and complement the character of the existing dealerships in the neighborhood, which generally have more modern building façades. Please note Staff envisions recommending a new building façade (at a minimum) when the applicant applies for Phase 2 of its development, or at such time as the applicant makes significant changes to the exterior of any building, such as the addition of overhead doors or large expanses of windows for indoor vehicle displays.

The applicant also states that his company will clean, repair and paint the exterior of the 9,200 square foot storage building immediately west of the main building and the 4,300 square foot storage building along the south property line. The storage building along the south property line is non-conforming to the minimum required 20-foot sideyard setback of the M-1 District. Staff suggests the non-conforming 4,300 square foot storage building along the south property line be razed. Staff recommends the applicant clean, repair and paint the exterior of the 9,200 square foot storage building immediately west of the main building and the 4,300 square foot storage building along the south property line, prior to issuance of an Occupancy Permit.

Please note Staff recommends the applicant comply with all recommendations from the Fire Department, as outlined in the Staff Comments dated August 22, 2014. These recommendations include the following:

- A functioning Knox Box with a minimum of 3 master keys is required. Location as determined by the Fire Department.

- The entire building must be fully sprinklered and have a full fire alarm system per the Franklin Fire Prevention Code Chapter 133.
- Fire hydrant must be not more than 50 feet from the FDC per Franklin Fire Prevention Code Chapter 133, unless approved by the Fire Department.
- Fire extinguishers must be installed as per NFPA 10.

Signage:

The applicant has not provided a Sign Plan with details regarding proposed signage for the proposed new business. Please note any proposed signage is subject to review and approval by the City of Franklin Architectural Review Board and a Sign Permit from the Building Inspection Department.

Dumpster Enclosure:

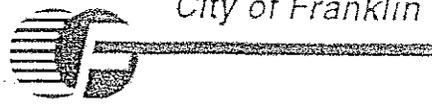
Dumpsters are currently being stored outside behind the former Hale Park Lumber office and showroom building and behind the three lumber storage buildings located immediately west of the main building. Staff recommends the applicant submit elevations and details that specify the location, dimension, colors, materials and finish for a new dumpster enclosure to the Department of City Development for review and approval by Staff, prior to issuance of an Occupancy Permit.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the proposed special use for a display, retail sales, lease and rental (but not repair as previously noted) of new and pre-owned automobiles, trucks and recreational vehicles business use upon property located at 6321 South 108<sup>th</sup> Street, subject to the conditions of approval in the attached draft resolution.

Staff would note that a substantial amount of information and details, which are required by the Unified Development Ordinance have not yet been provided by the applicant, but rather are recommended conditions of approval as set forth in this report. Should feedback received at the public hearing indicate Plan Commissioner or general public concerns with this, staff suggests this matter be tabled until more details are provided.

Planning Department  
 9229 West Loomis Road  
 Franklin, Wisconsin 53132  
 Email: generalplanning@franklinwi.gov



Phone: (414) 425-4024  
 Fax: (414) 427-7691  
 Web Site: www.franklinwi.gov

**SPECIAL USE APPLICATION**

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

Date: 8/5/2014

Property Owner(s)/Legal Entity: Ewald Real Estate Southwest, LLC. Applicant (Legal Business Owner Name): Ewald Chrysler Jeep Dodge, LLC.

Address: 6319 S. 108th Street Address: 6319 S. 108th Street

City: Franklin State: WI Zip: 53132 City: Franklin State: WI Zip: 53132

Phone: 414-427-2000 Fax: 414-427-4919 Phone: 414-427-2000 Fax: 414-427-4919

Email Address: cewald@ewaldauto.com Email Address: cewald@ewaldauto.com

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Project/Development Name: CBDT Enterprises

Project Description: Display, sell, lease, repair and rent new & preowned automobiles, trucks & RV's

Project Property Address: 6321 S. 108th Street Project Tax Key No(s): 704-9973-000

Existing Zoning: M-1, C- Existing Use: Building Center Proposed Use: see above 2025 CMP Land Use Identification: Industrial

\*The 2025 CMP Future Land Use Map is available at: http://www.franklinwi.gov/DefaultFile/Planning/2025CMP/2025\_CMP\_Ch5\_2025Future\_Land\_Use\_Map5.7.pdf

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All Special Use submittals must include and be accompanied by the following:

- This Application form accurately completed with original signatures (facsimiles and copies will not be accepted).
- Application Filing Fee, payable to the City of Franklin: New Special Use over 4,000 square feet: \$1,500; New Special Use under 4,000 square feet: \$750; Special Use Amendment: \$1,000; Special Use Renewal (Annual): \$300.00; Multi-year Renewal: \$1,000.
- An electronic copy of the Legal Description for the subject property.
- Ten copies of a Project Narrative (i.e., a detailed description of the project).
- One copy of a response to the General Standards, Special Standards (if applicable), and Considerations found in Section 15-3.0701(A), (B), and (C) of the UDO\*.
- Ten 24 x 36 inch copies of the Site Plan, Building Elevations, Landscape Plan, and Outdoor Lighting Plan, collated and folded into 9 x 12 inch sets. See Sections 15-7.0101, 15-7.0301, and 15-5.0402 of the UDO for information that must be denoted or included with each respective plan.
- One 11 x 17 inch colored copy of the building elevations.
- Ten 24 x 36 inch colored copies of the Natural Resource Protection Plan (NRPP), collated and folded into 9 x 12 inch sets, and three copies of the NRPP report, if applicable. See Sections 15-4.0102 and 15-7.0201 of the UDO for information that must be denoted on or included with the NRPP.

\* The City's Unified Development Ordinance (UDO) is available at [www.franklinwi.gov](http://www.franklinwi.gov).

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- A meeting must be scheduled with the Planning Department prior to Application submittal.
- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- All Special use and Special Use Amendment requests require Plan Commission review, a public hearing, and Common Council approval.

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

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

Signature of Property Owner: \_\_\_\_\_ Signature of Applicant: Craig A. Ewald

Name and Title: \_\_\_\_\_ Name and Title: Craig A. Ewald, Manager

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Franklin**

Project Contact Name: \_\_\_\_\_

Company: \_\_\_\_\_

Phone: AUG 27 2014

Email: \_\_\_\_\_

*Response:*

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

*Response:*

6321 S. 108<sup>th</sup> Street  
Legal Description

All that part of the North East  $\frac{1}{4}$  of Section 6, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows to wit:

Commencing at a point on the East Line of said North East  $\frac{1}{4}$  of Section 6 which is 330.25 feet South of the North East corner of said  $\frac{1}{4}$  Section; thence South on said line 196.59 feet to a point; thence S. 88 degrees 19' W., parallel to the North line of said  $\frac{1}{4}$  Section, 844.77 feet to a point; thence N. 3 degrees 16'30"W., 196.57 feet to a point; thence N. 88 degrees 19'E., 855.99 feet to the place of commencement.

EXCEPTING THEREFROM that part conveyed for public highway purposes described on Reel 501 Image 1179 and 1180 Doc. No. 4491257



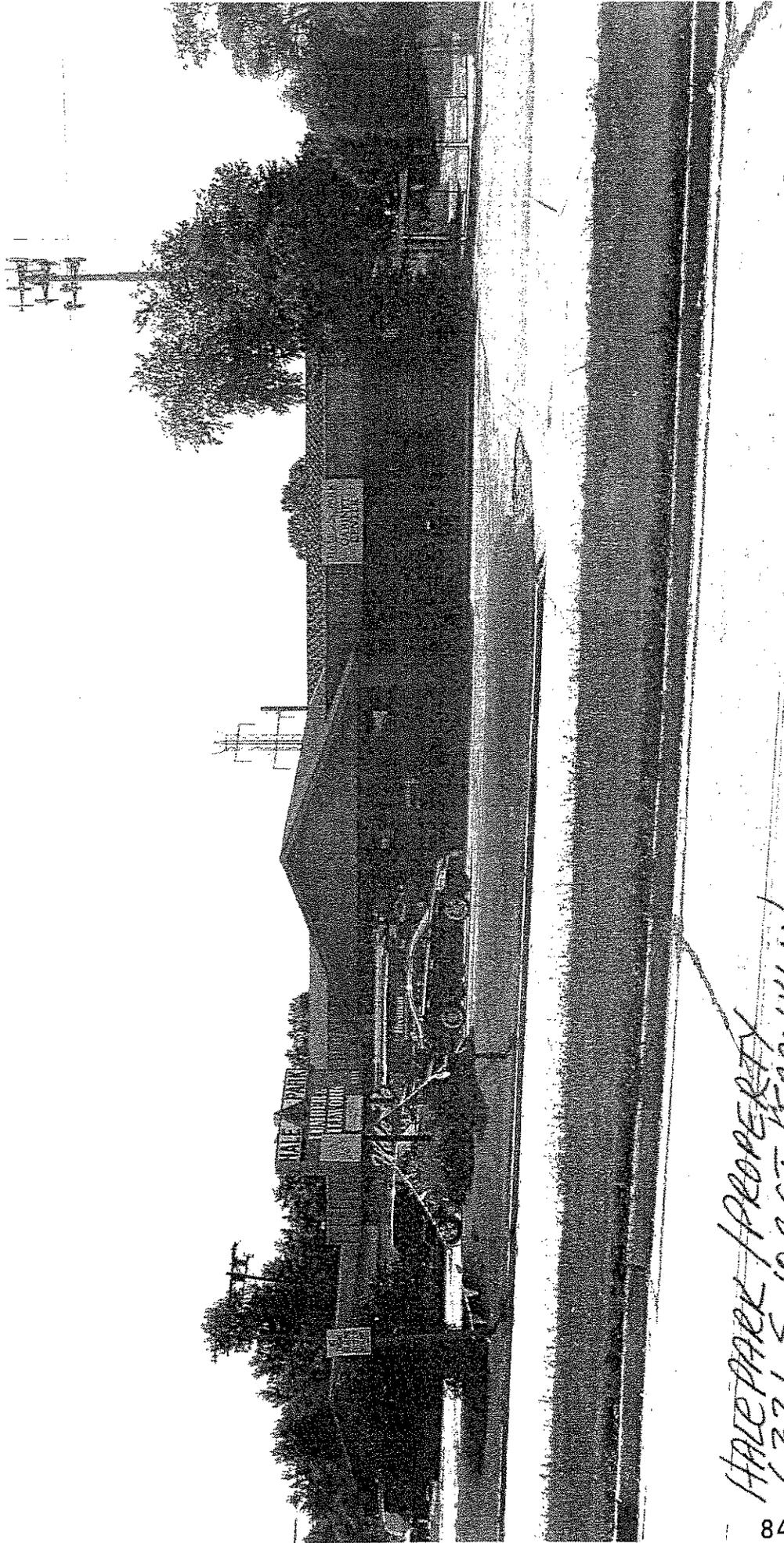
Comment:

We have been a property owner and a tax payer in the City of Franklin for over 20 years employing over 150 people in Franklin. Our company recently celebrated its 50<sup>th</sup> Anniversary, and are currently being recognized as one of the Top 75 Wisconsin Privately Owned Businesses.

We are proud to be a part of the City of Franklin and look forward to expanding our business here.



Craig Ewald



HAYE PARK / PROPERTY  
6321 S. 108 ST / FRANKLIN



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