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| APPROVAL <i>Slw</i> | REQUEST FOR COUNCIL ACTION | MTG. DATE April 1, 2019 |
| Reports & Recommendations | A RESOLUTION AUTHORIZING APPROVAL OF THE REVISIONS TO APPENDIX F SAMPLE SUBDIVISION AGREEMENT OF THE CITY OF FRANKLIN DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS, JULY 2017 | ITEM NO. <i>G. 8.</i> |

BACKGROUND

The City of Franklin Design Standards and Construction Specifications outline requirements for development in the City of Franklin. The document covers the process from design to construction and as-built documentation. The document was last updated in 2018 but did not address the Sample Subdivision Development Agreement- Appendix F.

Given recent changes to state statutes, the City Attorney has had a chance to review the template/boilerplate and supplied recommended changes.

ANALYSIS

Staff desires to make the following changes to the Design Standards and Construction Specifications:

Appendix F- Sample Subdivision Development Agreement:

Generally, there are several small word-smithing changes and changes related to applicable references to the Wisconsin state statutes, Franklin Municipal Code, and the Franklin Unified Development Ordinance.

Specifically, the significant changes are as follows:

- Section 6. Change to time limitations and other details of the financial guarantee.
- Exhibit "B" Street Trees are designated *C since the developer pays the City to install.
- Exhibit B-18 changed from street "signs identifying the subdivision" to "street signage".
- Exhibit "C" changes the pedestrian walks to ten feet wide.
- Exhibit "D" table changed Contingency Fund from 10% to 20%.
- Exhibit E, item 1. Change sodium vapor lights to light-emitting diode (LED) lights.
- Throughout change storm water terms such as specific or outdated terms such as "detention basin" to more encompassing terms such as "storm water management systems."

FISCAL NOTE

No fiscal impact.

RECOMMENDATION

Adopt resolution 2019-_____, A resolution authorizing approval of the revision to Appendix F- Sample Subdivision Development Agreement to the City of Franklin Design Standards and Construction Specifications 2017.

Department of Engineering GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2019 - _____

A RESOLUTION AUTHORIZING APPROVAL OF THE REVISIONS TO APPENDIX F
SAMPLE SUBDIVISION AGREEMENT OF THE CITY OF FRANKLIN DESIGN
STANDARDS AND CONSTRUCTION SPECIFICATIONS, JULY 2017

WHEREAS, the City of Franklin provides requirements for development within the City in the City of Franklin Design Standards and Construction Specifications; and

WHEREAS, some updates to Appendix F- Sample Subdivision Agreement of the 2017 standards are warranted for various reasons; and

WHEREAS, Staff will update the Design Standards and Construction Specifications as approved by Common Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that revisions as presented by Staff to City of Franklin Design Standards and Construction Specifications be approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to authorize approval of the document on behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

[April 2019 updated version]

CITY OF FRANKLIN

WISCONSIN

SUBDIVISION DEVELOPMENT AGREEMENT

FOR

[NAME OF SUBDIVISION]

[(Month) (Year)]

**SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF SUBDIVISION]**

ARTICLES OF AGREEMENT (THIS "Agreement") made and entered into this _____ day of _____ 20____, by and between _____, a [entity type], hereinafter called the "Subdivider" as party of the first part, and the City of Franklin, a municipal corporation of Milwaukee County, Wisconsin, party of the second part, hereinafter called the "City".

WITNESSETH:

WHEREAS, the Subdivider desires to improve and develop certain lands located in the City as described on attached Exhibit "A" (the "Subdivision"), and for that purpose cause the installation of certain public improvements, hereinafter described in this Agreement and the exhibits hereto (the "Improvements"); and

WHEREAS, §§ 236.13(2)(am), 236.13(2)(b), 236.13(2)(c), 236.13(2)(d) and 236.13(2m) of the Wisconsin Statutes and Division 15-9.033 Land Division Procedures and Administration of the Unified Development Ordinance of the City of Franklin Municipal Code, provide that as a condition of approving the Subdivision, the governing body of a municipality may require that the Subdivider make and install, or have made and have installed, any public improvements reasonably necessary, that designated facilities be provided as a condition of approving the planned Subdivision development, that necessary alterations to existing public utilities be made, and that the Subdivider provide a Financial Guarantee approved by the City Attorney guaranteeing that the Subdivider will make and install, or have made and installed, those improvements within a reasonable time; and

WHEREAS, the public works schedule and budget of the City does not now include the Improvements for the Subdivision and normally there would be a considerable delay in the installation of the Improvements unless this Agreement is entered into by the parties; and

WHEREAS, the City believes that the orderly planned development of the Subdivision will best promote the health, safety and general welfare of the community, and hence is willing to approve the Subdivision provided the Subdivider proceed with the installation of the Improvements in and as may be required for the Subdivision, on the terms and conditions set forth in this Agreement and the exhibits attached hereto.

NOW, THEREFORE, in consideration of the payment of One Dollar (\$1.00) and other good and valuable consideration to each in hand paid by the other, receipt of which is hereby acknowledged and in consideration of the mutual covenants herein contained, the parties agree:

1. The legal description of the Subdivision is set forth on attached Exhibit "A".
2. The improvements aforementioned shall be as described in Exhibit "B" except as noted in Exhibit "E".

3. The Subdivider shall prepare plans and specifications for the aforesaid Improvements, under direction of the City Engineer, and to be approved by the City Engineer. After receiving the City's approval thereof, the Subdivider shall take bids, and award contracts (the "Improvements Contracts") for and install all of the improvements in accordance with standard engineering and public works practices, and the applicable statutes of the State of Wisconsin. The Improvements shall be based on the construction specifications stated in attached Exhibit "F".
4. The full cost of the Improvements will include all labor, equipment, material, engineering, surveying, inspection and overhead costs necessary or incidental to completing the Improvements (collectively the "Improvements Costs"). Payment for the Improvements Costs will be made by the Subdivider periodically as the Improvements are completed as provided in the Improvements Contracts. The total estimated cost of the Improvements is (IN WORDS) _____ and 00/100 Dollars as itemized in attached Exhibit "D".
5. To assure compliance with all of Subdivider's obligations under this Agreement, prior to the issuance of any building permits, the Subdivider shall file with the City a Financial Guarantee (the "Financial Guarantee", which may be either in the form of a Letter of Credit or a Performance Bond and such form shall be the choice of the Subdivider) in the initial amount of \$ _____, representing the estimated costs for the Improvements as shown in attached Exhibit "D". Upon the written approval of the City Engineer, the amount of the Financial Guarantee shall be reduced periodically as the Improvements are paid for and approved by the City so that following each such reduction, the Financial Guarantee equals the total amount remaining for Improvements Costs pertaining to Improvements for which Subdivider has not paid as set forth in the Improvements Contracts for the Improvements or which remain unapproved by the City. The Financial Guarantee shall be issued by a bank or other financial institution (the "Surety Guarantee Issuer") reasonably satisfactory to the City, for the City as "Beneficiary", in a form satisfactory to the City Attorney. Failure to file the Financial Guarantee within ten (10) days after written demand by the City to the Subdivider shall make and render this Agreement null and void, at the election of the City. Upon acceptance by the City (as described below) of and payment by Subdivider for all the completed Improvements, the Financial Guarantee shall be released and surrendered by the City to the Subdivider, and thereafter the Subdivider shall have no further obligation to provide the Financial Guarantee to the City under this Paragraph 5., except as set forth under Paragraph 13. below.
6. In the event the Subdivider fails to pay the required amount for the Improvements or services enumerated herein within thirty (30) days or per contract after being billed for each improvement of each stage for any Improvements Costs at the time and in the manner provided in this Agreement, and if amounts remain unpaid after

an additional thirty (30) days written notice to Subdivider, the City may notify the Guarantee Issuer in writing to make the said payments under the terms of the Financial Guarantee to the Contractor, within the later of the time frame stipulated in the Financial Guarantee or five (5) days after receiving a written demand from the City to make such payment. Demand shall be sent by registered letter with a return receipt requested, addressed to the Surety Guarantee Issuer at the address indicated on the Financial Guarantee, with a copy to the Subdivider, described in Paragraph five (5) above. It is understood between the parties to this Agreement, that billings for the Improvements Costs shall take place as the various segments and sections of the Improvements are completed and certified by the City Engineer as complying with the approved plans and applicable provisions of the Franklin Municipal Code and Unified Development Ordinance.

In addition, the City Engineer may demand that the Financial Guarantee be extended from time to time to provide that the Financial Guarantee be in force until such time that all improvements have been installed and accepted through the one (1) year guarantee period as set forth under Paragraph 13. below, including the fourteen (14) months following substantial completion of the Improvements and 10% limitations also set forth thereunder. For the purposes of this Agreement, "Substantial Completion" is defined as being the date that the binder course of asphalt is placed on the public roadway of the Subdivision. Demand for said extension shall be sent by registered letter with a return receipt, with a copy to the Subdivider. If said Financial Guarantee is not extended for a minimum of a one (1) year period prior to expiration date of the Financial Guarantee (subject to any then applicable of the aforementioned limitations), the City may send written notice to the Surety Guarantee Issuer to make payment of the remaining balance of the Financial Guarantee to the City to be placed as an escrow deposit.

7. The following special provisions shall apply:

- (a) Those special provisions as itemized on attached Exhibit "C" and attached Exhibit "E" are hereby incorporated by reference in this Agreement and made a part hereof as if fully set forth herein.
- (b) The laterals mentioned in Exhibit "B" are to be installed before street surfacing mentioned in Exhibit "B" is commenced.
- (c) Electric and Gas Company is to install all necessary mains before the street surfacing mentioned in Exhibit "B" is commenced. Also, any other underground work by any other utilities is also to be completed before said street surfacing is commenced.
- (d) To the extent necessary to accommodate public utilities easements on the Subdivision development, easements will be dedicated for the use of the Electric Company, the Telephone Company and Cable Company to

provide utility services to the Subdivision. All utilities shall be underground except for any existing utility poles/lines.

- (e) The curb face to curb face width of the roads in the Subdivision shall be as determined by the City Engineer.
 - (f) Fee title to all of the Improvements and binding easements upon lands on which they are located, shall be dedicated and given by the Subdivider to the City, in form and content as required by the City, without recourse, and free and clear of all liens or encumbrances, with final inspection and approval of the Improvements and accompanying title and easement documents by the City constituting acceptance of such dedication. The Improvements shall thereafter be under the jurisdiction of, the City and the City shall maintain, at the City's expense, all of the Improvements after completion and acceptance thereof by the City. Necessary permits shall be obtained for all work described in this Agreement.
8. The Subdivider agrees that it shall be fully responsible for all the Improvements in the Subdivision and appurtenances thereto during the period the Improvements are being constructed and continuing until the Improvements are accepted by the City (the "Construction Period"). Damages that may occur to the Improvements during the Construction Period shall be replaced or repaired by the Subdivider. The Subdivider's obligations under this Paragraph 8., as to any improvement, terminates upon acceptance of that improvement by the City.
9. The Subdivider shall take all reasonable precautions to protect persons and property of others on or adjacent to the Subdivision from injury or damage during the Construction Period. This duty to protect shall include the duty to provide, place and maintain at and about the Subdivision, lights and barricades during the Construction Period.
10. If the persons or property of others sustain loss, damage or injury resulting directly or indirectly from the work of the Subdivider or its subcontractors or materialmen in their performance of this Agreement or from its failure to comply with any of the provisions of this Agreement or of law, the Subdivider shall indemnify and hold the City harmless from any and all claims and judgments for damages, and from costs and expenses to which the City may be subjected or which it may suffer or incur by reason thereof, provided; however, that the City shall provide to the Subdivider promptly, in writing, notice of the alleged loss, damage or injury.
11. Except as otherwise provided in Paragraph 12. below, the Subdivider shall indemnify and save harmless the City, its officers, agents and employees, and shall defend the same, from and against any and all liability, claims, loss, damages, interest, actions, suits, judgments, costs, expenses, and attorneys' fees,

to whomsoever owed and by whomsoever and whenever brought or obtained, which in any manner results from or arises in connection with:

- (a) the negligent or willfully wrongful performance of this Agreement by the Subdivider or any subcontractor retained by the Subdivider;
 - (b) the negligent or willfully wrongful construction of the Improvements by the Subdivider or by any of said subcontractors;
 - (c) the negligent or willfully wrongful operation of the Improvements by the Subdivider during the Construction Period;
 - (d) the violation by the Subdivider or by any of said subcontractors of any applicable law, rule, regulation, order or ordinance; or
 - (e) the infringement by the Subdivider or by any of said subcontractors of any patent, trademark, trade name or copyright.
12. Anything in this Agreement to the contrary notwithstanding, the Subdivider shall not be obligated to indemnify the City or the City's officers, agents or employees (collectively the "Indemnified Parties") from any liability, claim, loss, damage, interest, action, suit, judgment, cost, expenses or attorneys fees which arise from or as a result of the negligence or willful misconduct of any of the Indemnified Parties.
13. The Subdivider hereby guarantees that the Improvements will be free of defects in material and/or workmanship for a period of one (1) year from the date of acceptance of the Improvements by the City. To secure the Subdivider's obligations under said guaranty upon acceptance of the Improvements by the City, the Subdivider will provide to the City a Financial Guarantee equal to 10% of the sub-total in Exhibit "D" of the total Improvements Costs, which Financial Guarantee shall expire one (1) year after the Improvements have been accepted by the City or continue the existing base Financial Guarantee maintaining a minimum of 10% of the sub-total in Exhibit "D" of the total Improvements Costs for one (1) year after the improvements have been accepted by the City. This Financial Guarantee shall be a partial continuation of, and not in addition to, the Financial Guarantee described in Paragraph 5. above.
14. (a) The Subdivider shall not commence work on the Improvements until it has obtained all insurance coverage required under this Paragraph 14. and has filed certificates thereof with the City:
- (1) COMPREHENSIVE GENERAL LIABILITY AND PROPERTY DAMAGE INSURANCE - Coverage shall protect the Subdivider and all subcontractors retained by the Subdivider during the Construction Period and all persons and property from claims for damages for

personal injury, including accidental death as well as claims for property damages, which may arise from performing this Agreement, whether such performance be by the Subdivider or by any subcontractor retained by the Subdivider or by anyone directly or indirectly employed by either the Subdivider or any such subcontractor. The City shall be named as an additional insured on all such insurance coverage under this Paragraph 14.(a)(1) and Paragraph 14.(a)(2). The amounts of such insurance coverage shall be as follows:

| | |
|-----------------|---|
| Bodily Injury | \$1,000,000 Per Person \$1,000,000 Per Occurrence \$1,000,000 Aggregate |
| Property Damage | \$500,000 Per Occurrence \$500,000 Aggregate |

(2) COMPREHENSIVE AUTOMOBILE LIABILITY AND PROPERTY DAMAGE - Insurance coverage for the operation of owned, hired and non-owned motor vehicles shall be in the following amounts:

| | |
|-----------------|--|
| Bodily Injury | \$1,000,000 Per Person \$1,000,000 Per Occurrence |
| Property Damage | \$500,000 Per Occurrence |

(b) The Subdivider shall file a certificate of insurance containing a thirty (30) day notice of cancellation to the City prior to any cancellation or change of said insurance coverage which coverage amounts shall not be reduced by claims not arising from this Agreement.

15. The Subdivider shall not be released or discharged of its obligations under this Agreement until the City has completed its final inspection of all the Improvements and the City has issued its written approval of all of the Improvements, which approval shall not be unreasonably withheld or delayed, and Subdivider has paid all of the Improvements Costs, at which time the Subdivider shall have no further obligations under this Agreement except for the one (1) year guaranty under Paragraph 13.
16. The Subdivider and the City hereby agree that the cost and value of the Improvements will become an integral part of the value of the Subdivision and that no future lot assessments or other types of special assessments of any kind will be made against the Subdivision by the Subdivider or by the City for the benefit of the Subdivider, to recoup or obtain the reimbursement of any Improvement Costs for the Subdivider.

17. Execution and performance of this Agreement shall be accepted by the City as adequate provision for the Improvements required within the meaning of §§ 236.13(2)(am), 236.13(2)(b), 236.13(2)(c), 236.13(2)(d) and 236.13(2m) of the Wisconsin Statutes.
18. Penalties for Subdivider's failure to perform any or all parts of this Agreement shall be in accordance with Division 15-9.055, Violations, Penalties, and Remedies of the Unified Development Ordinance and §1-19. Penalty provisions of the City of Franklin Municipal Code, as amended from time to time, in addition to any other remedies provided by law or in equity so that the City may obtain Subdivider's compliance with the terms of this Agreement as necessary.

This Agreement shall be binding upon the parties hereto and their respective successors and assigns, excepting that the parties hereto do not otherwise intend the terms or provisions of this Agreement to be enforceable by or provide any benefit to any person or entity other than the party of the first part and the party of the second part. Subdivider shall not convey or assign any of its rights or obligations under this contract whatsoever without the written consent of the City, which shall not be unreasonably withheld upon a showing that any successor or assignee is ready, willing and able to fully perform the terms hereof and the Subdivider remains liable hereunder. This Agreement shall run with the land.

[The remainder of this page is intentionally left blank. Signatures are on the following pages.]

IN WITNESS WHEREOF, the said party of the first part has set its hand and seal and the said party of the second part has caused these presents to be duly executed by Stephen R. Olson, Mayor, and Sandra L. Wesolowski, City Clerk, and its corporate seal to be hereunto affixed as of the day and year first above written.

SEALED IN PRESENCE OF: _____
[Subdivider/Entity]

By: _____
Name: _____
Title: _____

Party of the First Part

STATE OF WISCONSIN)
)ss.
_____ COUNTY)

Personally came before me this _____ (day) of _____, 20_____, the above named _____ of _____ and acknowledged that [she/he] executed the foregoing instrument as such officer as the deed of said _____ by its authority.

or

This instrument was acknowledged before me on _____ (date) by _____ (name(s) of person(s)) as _____ (type of authority, e.g., officer, trustee, etc.) of _____ (name of party on behalf of whom instrument was executed).

Notary Public, _____ County, WI
My commission expires: _____

CITY OF FRANKLIN

By: _____
Name: Stephen R. Olson
Title: Mayor

COUNTERSIGNED:

By: _____
Name: Sandra L. Wesolowski
Title: City Clerk

Party of the Second Part

STATE OF WISCONSIN)
)ss.
 _____ COUNTY)

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

Notary Public, Milwaukee County, WI
My commission expires: _____

This instrument was drafted by the City Engineer for the City of Franklin.

Form approved:

Jesse A. Wesolowski, City Attorney

**INDEX OF EXHIBITS
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF SUBDIVISION]**

| | |
|-----------|--|
| Exhibit A | Legal Description of Subdivision |
| Exhibit B | General Description of Required Subdivision Improvements |
| Exhibit C | General Subdivision Requirements |
| Exhibit D | Estimated Improvement Costs |
| Exhibit E | Additional Subdivision Requirements |
| Exhibit F | Construction Specifications |

EXHIBIT "A"
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF SUBDIVISION]

| |
|--|
| <p>LEGAL DESCRIPTION OF SUBDIVISION</p> |
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EXHIBIT "B"
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF SUBDIVISION]

| |
|---|
| <p>GENERAL DESCRIPTION OF REQUIRED SUBDIVISION IMPROVEMENTS</p> |
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Description of improvements required to be installed to develop the [Name of] Subdivision.

- *S Denotes contract for improvements to be awarded, financed and paid for by the Subdivider in lieu of special assessments.
- *C Denotes contract for improvements to be awarded by the City, but financed and paid for by the Subdivider in accordance with this agreement.
- (N.A.) Denotes improvement is not required to be installed in the Subdivision.
- (1) Denotes that the City is to pay for a portion of the improvement, in accordance with this agreement, as computed by the City Engineer.

General Description of Improvements
(refer to additional sheets for concise breakdown)

- 1. Grading of all lots and blocks within the Subdivision in conformance with the approved grading plan. *S
- 2. Grading of the streets within the Subdivision in accordance with the established street grades and the City approved street cross-section and specifications. *S
- 3. Installation of concrete or asphalt permanent pavement with vertical face concrete curb and gutter in accordance with present City specifications. *S
- 4. Sanitary sewer main and appurtenances in the streets and/or easement in the Subdivision, to such size and extent as determined by the master sewer plan and/or City Engineer, as necessary to provide adequate service for the final Subdivision and drainage area. *S

5. Laterals and appurtenances from sanitary sewer main to each lot line; one for each lot as determined by the City. *S
6. Water main and fittings in the streets and/or easement in the Subdivision, to such size and extent as determined by the master water plan and/or the City Engineer as necessary to provide adequate service for the final Subdivision and service area. *S
7. Laterals and appurtenances from water main to the street line; one for each lot, as determined by the City Engineer together with curb stop as specified by the City. *S
8. Hydrants and appurtenances provided and spaced to adequately service the area and as the City shall require. *S
9. Paved streets with curb and gutter in the Subdivision to the approved grade and in accordance with the City specifications. *S
10. Concrete sidewalks in the Subdivision to the approved grade and in accordance with the City specifications. *S
11. Concrete, asphalt or chipped pedestrian walks in dedicated pedestrian ways and easements in the Subdivision as approved by the City. *S
12. Concrete driveways between the street line and curb and gutter for each lot as specified and approved by the City. (N.A.)
13. Street trees. *C
14. Protective fencing adjacent to pedestrian ways, etc. (N.A.)
15. Engineering, planning and administration services as approved. *S
16. Drainage system as determined and/or approved by the City to adequately drain the surface water from the Subdivision and management areas in accordance with the master drainage plan and/or approved system plan. *S
17. Street lighting and appurtenances along the street right-of-way as determined by the City. *C
18. Street signage in such locations and such size and design as determined by the City. *C
19. Title evidence on all conveyances. *S

EXHIBIT "C"
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF SUBDIVISION]

| |
|---|
| GENERAL SUBDIVISION REQUIREMENTS |
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I. GENERAL

- A. The Subdivider shall prepare a plat of the land, plans for improvements, as-built drawings of the improvements and all other items in accordance with all applicable state laws and City ordinances and regulations.
- B. All improvements shall be installed in accordance with all City specifications and ordinances.
- C. The entire Subdivision as proposed shall be recorded.

II. LOT SIZE AND UNIT SIZE

- A. Lots
 - 1. All lots shall be as shown on the final approved plat.
- B. Units
 - 1. The minimum area of any living unit built in the project shall be as specified in the Franklin Municipal Code and Unified Development Ordinance in effect at the time the permit is issued unless otherwise specified in the agreement.

III. WATER SYSTEM

- A. Availability
 - 1. Each and every lot in the Subdivision shall be served by a water main.
 - 2. The Subdivider shall provide for the extension of the water system to abutting properties by laying water pipe in public right-of-way or in water easement to the exterior lot line of the Subdivision as directed by the City Engineer.

3. Laterals shall be laid to each and every lot. Size shall be approved by the City Engineer.

4. Fire hydrants shall be available to the City's Fire and Public Works Departments, and both City Departments shall have free and unlimited use of the water.

B. Construction

1. All construction shall be in accordance with the specifications of the City.

2. Inspection of the work shall be at the Subdivider's expense.

3. Mains and appurtenances including all pipe, hydrants, gate valves, laterals and curb stop boxes shall be installed.

IV. SANITARY SEWER SYSTEM

A. Components

Sanitary sewerage service through and within the Subdivision shall be provided. It shall consist of without limitation because of enumeration, sanitary sewer, manholes, appurtenances, laterals, and other appurtenances.

B. Availability

1. Each and every building in the Subdivision shall be served by a sanitary sewer.

2. Laterals shall be laid to the lot line of each and every lot.

3. a) The Subdivider shall provide for the extension of the sanitary sewer system to abutting properties by laying sewer pipe to the exterior lot lines of the Subdivision as directed by the City Engineer, and in accordance with system plans as approved by Milwaukee Metropolitan Sewerage District.

b) In the event that adjacent property owners request sewer service prior to the time the sewer extensions are installed to the exterior boundaries of the Subdivision as described in Section IV. B. 3.(a) above, the City is hereby granted the right to install said extensions within the Subdivision at the expense of the Subdivider. All costs for installing sewer systems outside of the boundaries of the Subdivision shall be paid by the adjacent property owners upon any special assessment proceedings had by the City or waiver thereof by the adjacent property owners pursuant to Wis. Stat. §

66.0701 Special assessments by local ordinance, and §207.15.
Special assessments, of the Municipal Code.

V. STORM DRAINAGE

A. Components

Storm drainage through and within the Subdivision shall be provided by means of storm sewer, culverts and ditches installed within the road required as per approved system plan. It shall consist of, without limitation because of enumeration, sewers, culverts, pipes, manholes, inlets, leads, open swales, retention basins and other management facilities as determined by the City Engineer. The City, at the determination of the City Engineer, may have the storm drainage system reviewed by a consultant engineer at the Subdivider's cost.

B. Endwalls

1. Endwalls shall be approved by the City Engineer.
2. Endwalls shall be installed on each and every culvert and at all open ends of storm sewers.

C. Outfalls and Retaining Walls

1. Outfalls and retaining walls shall be built where required by the City Engineer.
2. The aesthetic design of said structures shall be approved by the Architectural Board.
3. The structural design of said structures shall be done by a licensed Engineer or Architect registered in the State of Wisconsin.

D. Responsibility of Discharged Water

1. The Subdivider shall be responsible for the storm drainage until it crosses the exterior property line of the Subdivision or until it reaches a point designated by the City outside of and adjacent to the property from which the water crosses over, under or through artificial or natural barriers. The water shall be brought to said point by an open ditch or other means as directed by the City Engineer.
2. However, if the Subdivider of the Subdivision will, in the opinion of the City Engineer, cause water problems downstream from the Subdivision which will reasonably require special consideration, the Subdivider shall comply with such terms as the City Engineer may require to prevent these problems. Said terms

shall be made part of those documents under the section titled "Special Provisions".

VI. STREETS

A. Location

1. Streets shall be constructed in such a manner that the centerline of roadway shall be centerline of right-of-way.
2. Streets shall be constructed in each and every road right-of-way platted and shall be built to the exterior lot line of the Subdivision whenever possible except as noted in Exhibit "E".

B. Names

The names of all streets shall be approved by the City Engineer.

C. Construction

1. All streets shall be built in accordance with the specifications on file in the City Engineer's Office.
2. All streets shall be constructed with 8" of stonebase and 4" of A/C binder course prior to Subdivision certification. The 2" A/C surface course shall be installed when 90% of the lots within the Subdivision have been built upon or at the discretion of the City Engineer.

Before the final lift of asphalt can be installed within a Subdivision the Subdivider must make arrangements to repair damaged or failed concrete curb and gutter, concrete walk, asphalt base course or sub-grade. Also, damaged or failed utility appurtenances must be repaired, rebuilt or replaced by the Subdivider's contractor prior to the installation of the final lift of asphalt pavement.

All associated costs with this work will be the responsibility of the Subdivider.

3. The construction shall be inspected by the City or its agent and all fees due to such inspection shall be paid by Subdivider.

D. Snow Removal and Ice Control

The responsibility for snow removal and ice control on all streets within the Subdivision shall lie with the Subdivider until:

- a) The plat is recorded; and
- b) The streets have been provisionally approved by the City.

VII. EASEMENTS

A. Drainage

- 1. All drainage easements dedicated to the public shall be improved as follows:
 - a) Storm sewer or open channel, unless otherwise agreed upon by the Subdivider and the City.
 - b) Side slopes no steeper than 4:1.
 - c) Landscaped in accordance with the applicable City regulations and/or approvals condition for the Subdivision for landscaping requirements or, in the case of storm sewer, as directed by the City Engineer.
- 2. Pedestrian
 - a) The pedestrian walks shall be concrete or asphalt as required by city Engineer and shall be ten (10) feet wide.
 - b) The edge of the walk shall be at least one (1) foot from either side of the easement.

VIII. PERMITS ISSUED

A. Building Permits

- 1. No building permits shall be issued until:
 - a) The sanitary and storm sewer and water mains have been installed, tested and approved.
 - b) Drainage has been rough graded and approved.
 - c) Streets and lots have been rough graded and approved, and curb and gutter installed and the base course of asphalt pavement installed.
 - d) The plat has been recorded.

- e) All Subdivision monuments have been set.
 - 2. Building permits may be granted for model homes prior to satisfying the above conditions, provided an agreement relating thereto has been approved by the Common Council of the City of Franklin.
- B. Occupancy Permits
- 1. No temporary occupancy permits shall be issued until:
 - a) Streets have been paved except for the final lift of asphalt.
 - b) The gas, telephone and electrical services have been installed and are in operation.
 - c) The water system is installed, tested and approved.
 - d) The site is stabilized and all drainage facilities have been re-certified.

IX. DEED RESTRICTIONS

- A. A Financial Guarantee approved by the City Attorney in the full amount of all non-assessable improvements not yet installed and approved as of the date of this Agreement shall be submitted to the City before any permits are issued.
- B. The time of completion of improvements.
 - 1. The Subdivider shall take all action necessary so as to have all the improvements specified in this Agreement installed and approved by the City before two years from the date of this agreement.
 - 2. Should the Subdivider fail to take said action by said date, it is agreed that the City, at its option and at the expense of the Subdivider, may cause the installation of or the correction of any deficiencies in said improvements.

X. CHARGES FOR SERVICES BY THE CITY OF FRANKLIN

- A. Fee for Checking and Review

At the time of submitting the plans and specifications for the construction of the Subdivision improvements, a fee equal to two-and-one-fourth percent (2¼ %) of the cost of the improvements as estimated by the City Engineer at the time of submission of improvement plans and specifications, to partially cover the cost to the City of checking and reviewing such plans and specifications provided that cost does not exceed \$250,000.00; a fee equal to one-and-three-fourth percent (1¾

%) of such cost, if the cost is in excess of \$250,000.00, but not in excess of \$500,000.00; and one-and-one-fourth percent (1¼ %) of said cost in excess of \$500,000.00. At the demand of the Subdivider or City Engineer, the fee may be recomputed after the work is done in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the Subdivider. Evidence of cost shall be in such detail and form as required by the City Engineer.

- B. For the services of testing labs, consulting engineers and other personnel, the Subdivider agrees to pay the City the actual charge plus five (5%) percent for administration and overhead.

EXHIBIT "D"
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR [NAME OF DEVELOPMENT]

| |
|------------------------------------|
| ESTIMATED IMPROVEMENT COSTS |
|------------------------------------|

All improvement costs, including but not limited to preparation of plans, installation of facilities and inspection shall be borne by the Subdivider in accordance with Paragraph (4) of this Agreement.

Said costs for the project are estimated to be as follows:

| DESCRIPTION | COSTS |
|--|-------|
| Grading (including Erosion Control) | |
| Sanitary System | |
| Water System | |
| Storm Sewer System | |
| Paving (including sidewalk) | |
| Street Trees (x \$400/lot) | |
| Street Lights () @ approximately \$5,000/ea. | |
| Street Signs | |
| Underground Electric, Gas and Telephone | |
| Storm Water Management | |
| SUBTOTAL | |
| Engineering/Consulting Services | |
| Municipal Services (7% of Subtotal) | |
| Contingency Fund (20% of Subtotal) | |
| TOTAL: | |

Total: _____/100 Dollars.

APPROVED BY: _____ Date: _____
Glen E. Morrow, City Engineer

EXHIBIT "E"
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF DEVELOPMENT]

| |
|---|
| <p>ADDITIONAL SUBDIVISION REQUIREMENTS</p> |
|---|

1. The Subdivider agrees that it shall pay to the City of Franklin for ____ () public street light fixtures and poles as provided by WE-Energies. The LED fixtures shall be oval-high lumen (143 watts) for major intersections and medium lumen (92 watts) for the interior of the subdivision. The poles shall be 35-foot fiberglass with 6-foot arm (position over the City street). Non-LED lights are not permitted.
2. The Subdivider shall make every effort to protect and retain all existing trees, shrubbery, vines and grasses pursuant to the approved Natural Resource Protection Plan (the "NRPP"). Trees shall be protected and preserved during construction in accordance with sound conservation practices as outlined in §§15-8.0204A. through F. of the Unified Development Ordinance.
3. The Subdivider shall cause all grading, excavations, open cuts, side slopes and other land surface disturbances to be so mulched, seeded, sodded or otherwise protected that erosion, siltation, sedimentation and washing are prevented in accordance with the plans and specifications approved by the City Engineer as outlined in §§15-8.0203H.1. through 5. of the Unified Development Ordinance.
4. The Subdivider agrees to pay the City for street trees planted by the City on _____ at the rate of \$400 per tree with a planting distance between trees of 85 feet on the average. The City shall determine the planting schedule and shall be responsible for tree maintenance and replacement except for damage caused by the Subdivider, the Subdivider's sub-contractors, or the lot owners.
5. The requirements for the installation of concrete driveway approaches shall be omitted from this Agreement because the Subdivider will require that the owners of said lots install concrete driveway approaches, as required by the Franklin Building Inspector.
6. The Subdivider shall be responsible for cleaning up the debris that has blown from buildings under construction within the Subdivision. The Subdivider shall clean up all debris within forty-eight (48) hours after receiving a notice from the City Engineer.
7. The Subdivider shall be responsible for cleaning up the mud and dirt on the roadways until such time as the final lift of asphalt has been installed. The Subdivider shall clean the roadways within forty-eight (48) hours after receiving a notice from the City Engineer.

8. Prior to commencing site grading, the Subdivider shall submit for approval by the City Engineer an erosion and silt control plan. Said plan shall provide sufficient control of the site to prevent siltation downstream from the site. The Subdivider shall maintain the erosion and siltation control until such time that vegetation sufficient to equal pre-existing conditions has been established.
9. The Subdivider shall preserve the environmental natural resource features as shown on the Natural Resource Protection Plan and shall install an orange snow fence and silt fence around the environmental natural resource features prior to land disturbing.
10. The Subdivider shall install a _____-inch diameter water main on _____ from the existing water main located at _____ of the Subdivision. The City shall reimburse to the Subdivider the cost of the oversize portion of the installation (over an 8" diameter as calculated by the City Engineer) in five equal annual installments, without interest, beginning the February 15th following the completion of the installation, its placement into operation and the final acceptance of same by the City Engineer. The City also agrees to enter into an agreement with the Subdivider which may reimburse to the Subdivider the cost of the non-oversize portion of the installation based upon the collection of the pro-rated cost for such abutting property owners that connect to the water main on _____ installed by the Subdivider. The pro-ration shall be upon a front foot basis. Such non-oversize cost reimbursement shall only be made by the City to the Subdivider upon the City's receipt of such pro-rated costs from an abutting property owner within ten years from the final acceptance of the installation by the City Engineer. Such non-oversize cost reimbursement shall not include interest, shall not be made after the expiration of the aforesaid ten years and shall in no way be guaranteed by or be an obligation of the City other than to pay to the Subdivider such pro-rated costs if received as aforesaid.
11. Prior to commencing any land disturbance, the Subdivider shall employ a forestry expert approved by the Environmental Commission to review the development and during the development process make periodic inspections to monitor the activity relative to the protection of the woodlands. Periodic reports shall be furnished to the Environmental Commission, Planning Manager and City Engineer, the purpose of these requirements being to ensure compliance with the Unified Development Ordinance.
12. The Subdivider shall inform the persons purchasing lots of their obligation to cut weeds to conform to the City's noxious weed ordinance.
13. The Subdivider shall construct storm water management facilities as required in the Storm Water Management Plan in accordance with the plans and specifications approved by the City Engineer. Maintenance of said storm water management facilities shall be the responsibility of the Subdivider and/or owners association.
14. The Subdivider shall create a Homeowners Association for the care and maintenance of all common lands, including all storm water management facilities, and other green areas.

Said Homeowners Association documents shall be reviewed and approved by the Franklin Plan Commission or as may otherwise be provided by the Unified Development Ordinance, prior to recording of the Final Plat. The Subdivider is responsible to recertify the storm water management facilities after the site is stabilized and prior to the conveyance to the Homeowners Association.

15. Homeowners Association documents shall include a Declaration of Restrictions and Covenants specifying the preservation of the existing storm water management facilities and landscaping and entryways. Said document shall be recorded after review and approval by the City Attorney.
16. Construction Requirements:
 - a) Prior to any construction activity on the site, Subdivider shall prepare a gravel surfaced parking area within the boundaries of the site.
 - b) During construction, all vehicles and equipment shall park on the site. Parking shall not be permitted on any external public right-of-way.
 - c) Prior to issuance of any building permits other than in the case of the issuance of any model structure permits, all necessary grading and improvements shall be completed as directed by the City Engineer.
 - d) All traffic shall enter the site from _____.
17. The Subdivider shall provide for the connection to the existing _____ and install any necessary curb and gutter and pavement.

EXHIBIT "F"
TO
SUBDIVISION DEVELOPMENT AGREEMENT
FOR
[NAME OF SUBDIVISION]

| |
|------------------------------------|
| CONSTRUCTION SPECIFICATIONS |
|------------------------------------|

The following specifications shall be used for the construction of the various improvements.

| ITEM | SPECIFICATION |
|------------------------|---|
| Storm & Sanitary Sewer | STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN, most current edition CITY OF FRANKLIN |
| Water Mains | STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN, most current edition CITY OF FRANKLIN |
| Concrete Curb & Gutter | CITY OF FRANKLIN |
| Streets: | |
| Construction | CITY OF FRANKLIN |
| Materials | |
| Asphalt | CITY OF FRANKLIN |
| Aggregate | CITY OF FRANKLIN |
| Concrete | CITY OF FRANKLIN |
| Cross Section | CITY OF FRANKLIN |

| | | |
|------------------------------|---|----------------------------|
| APPROVAL <i>Slw</i> | REQUEST FOR COUNCIL ACTION | MTG. DATE April 1, 2019 |
| Reports & Recommendations | REQUEST TO PLACE STOP SIGNS ON S. AVIAN WAY AT THE INTERSECTION WITH W. GREY HAWK COURT AND W. GREY HAWK LANE | ITEM NO. <i>G.9.</i> |

BACKGROUND

On December 4, 2018, Common Council tabled the subject of uncontrolled intersection liability on private roads. This issue was related to an issue at Avian at Tuckaway Condominiums- see previous council action G.11.

In January 2019 Alderman Dandrea held a neighborhood meeting with representatives from the Avian at Tuckaway Condominium Association to discuss the need for stop signs on W. Grey Hawk Lane (west leg) and W. Grey Hawk Court (east leg). Because of that meeting, the association sent a letter requesting that the City also consider placing stop signs on W. Avian Way (north and south legs).

ANALYSIS

The Board of Public Works considered this new request on March 12, 2019. They carefully considered the attached guidelines for stop sign placement and based on those criteria, the Board is recommending that Common Council deny the request for additional stop signs on the north and south legs of this intersection.

In addition, the Board is recommending that a letter be sent to the Condominium Association recommending the installation of stop signs on the private roads, Grey Hawk Court and Grey Hawk Lane at Avian Way. The letter should also note that based on the city ordinance, traffic traveling from private to public roads must stop.

Staff has drafted the enclosed letter for Common Council's consideration. If the recommended action is approved as requested, the City Engineer would anticipate sending a similar notification to developers with similar circumstances as those circumstances come to the attention of the City Engineer, unless otherwise directed by the Common Council.

OPTIONS

- A. Instruct Staff to prepare an ordinance to place stop sign(s) on S. Avian Way at W. Grey Hawk Court and W. Grey Hawk Lane.
- B. Deny request to place stop sign(s) on S. Avian Way at W. Grey Hawk Court and W. Grey Hawk Lane.
- C. Instruct Staff to send a letter to Avian at Tuckaway Condominiums stating that they may/may not be liable for the uncontrolled intersections.
- D. Refer back to Staff with further direction.

FISCAL NOTE

This issue does not impact City operating budgets.

RECOMMENDATION

(Options B and C) Deny request to install stop sign(s) on S. Avian Way at W. Grey Hawk Court and W. Grey Hawk Lane and instruct Staff to send a letter to Avian at Tuckaway Condominiums stating that they may/may not be liable for the uncontrolled intersections on private roads.

Engineering: GEM



414-529-1193 cell 414-218-4670
wisid55@yahoo.com

Sid Hatch
6826 W. Greyhawk Ct
Franklin, WI 53132

January 28, 2019

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

I was in attendance at the special meeting that was held on January 24th in which you presented the need for stop signs to control the intersection of Avian Way, Greyhawk Court and Greyhawk Lane. During your presentation you provided the attendees with documents which laid out the proposed location of the signs and the number of residences located on the streets feeding into this intersection. After receiving your presentation I found your expressed need for the stop signs controlling Greyhawk Court and Greyhawk Lane to be compelling and I now agree with the placement of these stop signs, however; I and the other condo owners in attendance also believe that additional signs controlling the north/south traffic are also needed at this intersection..

As you may recall at the conclusion of your presentation the residents of Avian at Tuckaway Condominium Association in attendance discussed their observations of the traffic patterns of that intersection and the adjacent area. Several points were made which supported our rationale for making this intersection a four way stop. The first observation made was that there are a greater number of residencies that feed into the intersection from the east and west (29) than from the north and south (20), The second observation that was made was that there are driveways that enter into Avian Way just to the north and south of the intersection and that a four way stop would increase the safe use of these driveways. It was also observed that there is a bus stop for the elementary students just south of this intersection on Puetz Road. By stopping at this intersection, drivers would have more time to become aware of the students and their actions at the Puetz bus stop. Another safety concern that a four way stop would address is the danger involved in being unable to adequately see around the snow piles on the corners of this intersection. In addition, it was also noted that it is necessary for service providers to park along Avian Way just south of this intersection in order to gain access to their service points.

In summation, after attending your presentation, we found your rationale for the need for stop signs to control the east/west traffic to be compelling but we also are formally requesting that there also be stop signs controlling the north/south traffic, a four way stop.

Thank you for your attention to this request.

Sid Hatch

President, Avian at Tuckaway Condominium Association

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Legend:

Public Road ■■■■■■■■■■

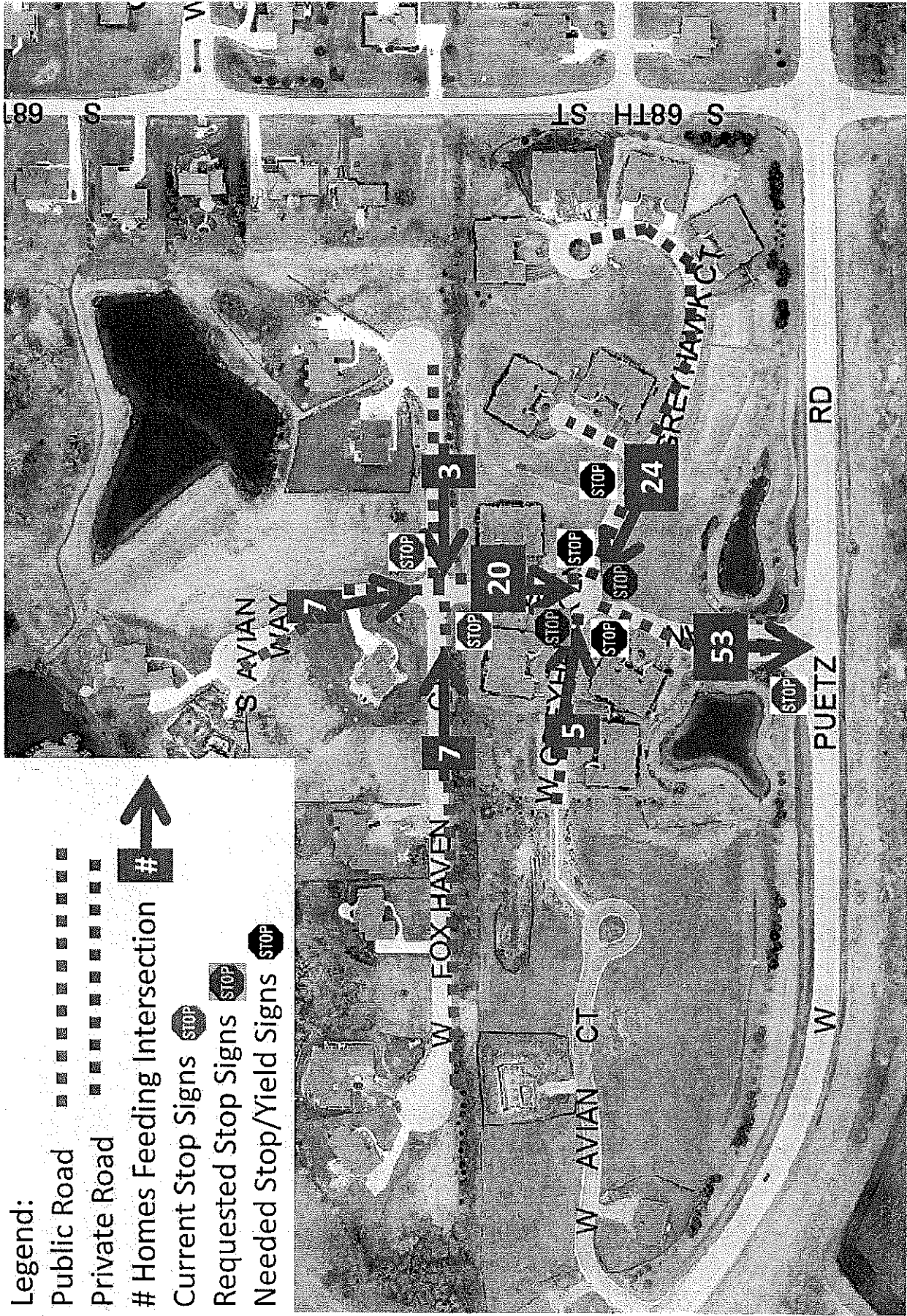
Private Road ■■■■■■■■■■

Homes Feeding Intersection # →

Current Stop Signs STOP

Requested Stop Signs STOP

Needed Stop/Yield Signs STOP



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CITY OF FRANKLIN

GUIDELINES FOR STOP SIGN PLACEMENT

November 1999

A stop sign is a most valuable and effective control device. It must however, be used at the right locations and under the right conditions. Its placement should be carefully considered as permanent, not just to satisfy short-term conditions.

Stopping frequently at intersections can create problems for traffic flow, is irritating to motorists, causes air pollution, and in this age of energy problems, causes vehicles to use more fuel.

A stop sign may be warranted at an intersection where one or more of the following conditions exists:

1. An intersection where near equal volumes exist. At this location motorists are competing for crossing right of way. (Intersection of collector streets)
2. An intersection where a combination of vehicular volumes, restricted view and record of serious accidents indicates a need for control by the stop sign.
3. A stop sign is appropriate when a less frequently traveled road intersects with a highly traveled road, and traffic crossing this road creates a hazard. In addition, the sign allows for a safer protected through ride on the more major streets.
4. At times of high peak volume (dismissal at schools or industrial zones) a stop may be required. A police posted temporary is for these emergency purposes only.

Stop signs can be misused if they arbitrarily interrupt through traffic as a means to reduce speed or cause the inconvenienced motorist to use another route. Where stop signs are used as nuisances or speed breakers the following can be expected to occur:

1. High incidence of intentional violation. A motorist may look through the sign, seeing no reason to stop; a motorist may drive through or touch stop or coast through.
2. Stop signs proved a potential false sense of security. Motorists or pedestrian become overly reliant on them. Given the previous point a severe accident can occur.
3. Stop signs can result in previously non-existent minor accidents. Start/stop indecision and poor decisions, in particular during slippery conditions, can result in accidents such as rear end types.
4. If normal reasonable gapping between vehicles exists on a through road there is no need for a stop. A stop sign can at times create a localized busy condition.
5. Speed reduction is effective only in the immediate vicinity of the stop sign. The motorist sensing the arbitrary stop may speed up to make up for perceived lost time.
6. Stop signs may result in the rerouting of traffic, due to motorist delay to another street which may not be designed to handle added traffic.

Recommendation by the Engineering and Police Department shall be considered in deciding upon placement of this sign.

References: Manual on Uniform Traffic Control Devices
Traffic Information Program Series - ITE.
DOT Standard Practices Manual

RJR/ab

DRAFT March 25, 2019

Mr. Sid Hatch, President
Avian at Tuckaway Condominium Association
6826 W. Grey Hawk Court
Franklin, WI 53132

RE: Uncontrolled intersections on W. Grey Hawk Lane and W. Grey Hawk Court

Mr. Hatch,

Please be advised that the private roads of W. Grey Hawk Lane and W. Grey Hawk Court do not appear to be in compliance with the Manual of Uniform Traffic Control Devices – 2009 (MUTCD). MUTCD 2B.04 guidance for intersection control states that *"yield or stop signs should be used at an intersection if ... an intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law."*

Note that the MUTCD is applicable for both public and private roads open to public travel. As such, the Common Council and the Board of Public Works wishes to advise you that you may/may not be liable for any non-compliant MUTCD guidelines.

In addition, please note that per Municipal Code 245-3(C) *Private Drives, etc. all vehicular traffic exiting from a private drive, alley, or parking lot shall stop before entering or crossing any local street or highway in the City.*

As previously discussed, the City has placed temporary stop signs for your roads. We will remove our public signs when you have sufficient time to purchase your private signs.

You are free to contact me at (424) 425-7510 should you have any questions.

Sincerely,

Glen E. Morrow, PE (WI, IL, IN & MO)
City Engineer / Director of Public Works / Utility Manager

| | | |
|------------------------------|---|-------------------------------|
| APPROVAL <i>slw</i> | REQUEST FOR COUNCIL ACTION | MTG. DATE December 4, 2018 |
| Reports & Recommendations | REQUEST TO SEND LETTER TO AVIAN AT TUCKAWAY CONDOMINIUMS REGARDING UNCONTROLLED INTERSECTIONS ON PRIVATE ROADS | ITEM NO. <i>G. 11.</i> |

BACKGROUND

Avian at Tuckaway Condominiums is a development located north of W. Puetz Road, east and west of S. Avian Way, and south of W. Foxhaven Court. The development includes the private roads of W. Greyhawk Lane and W. Greyhawk Court. During an investigation for a stop sign request at the intersection of S. Avian Way and W. Foxhaven Court, Staff observed the uncontrolled intersection (no stop or yield signs) for the intersection of S. Avian Way (public road) and W. Greyhawk Lane / W. Greyhawk Court (private roads). In Staff's opinion, this public/private road intersection would have intersection control if all connecting roads were public. A review of other private roads indicate that almost all have intersection control when they connect to a public road.

The Board of Public Works (BOPW) considered and denied the request for a new stop sign at S. Avian Way and W. Foxhaven Court. However, they continued the discussion regarding the intersection of S. Avian Way and W. Greyhawk Lane / W. Greyhawk Court.

Staff contacted the president of Avian at Tuckaway Condominiums requesting that the association install stop signs. The president noted that the requirement was not included in the 2004 developers agreement and stated that they would install signs only if the City supplied and maintained them. Staff then installed temporary stop signs until the matter could be resolved.

ANALYSIS

The State of Wisconsin does allow uncontrolled intersections and likewise the City of Milwaukee does have some. Staff contacted Milwaukee regarding their uncontrolled intersections and learned that their uncontrolled intersections are gradually being eliminated. Generally, the uncontrolled intersections remain if they are 3-way intersections and one leg is a short stub that is primarily used for parking. When the Avian at Tuckaway Condominiums situation was discussed, Milwaukee staff said that when similar situations are found, they typically just call the private owner to tell them that an intersection doesn't comply with the MUTCD and the private entity has always put up a sign, but they would write a letter if needed.

The Manual on Uniform Traffic Control Devices (MUTCD) starting with the 2009 edition made an emphasis to include "private roads open to public travel" subject to the same standards as public roads. It should be noted that the MUTCD is a comprehensive guidance document for the design of traffic and transportation facilities and technically not a regulatory statute or ordinance. So in this instance, the MUTCD should be referenced on where to locate stop signs, and the state statutes and municipal codes are in place to regulate the observance of stop signs. The Police Department does not enforce the observance of private stop signs interior to a development. As such, private stop signs or yield signs are not included in the Municipal Code 245-3 (B) Stops Required.

Per Franklin Municipal Code 245-3(C) "*Private Drives, etc. all vehicular traffic exiting from a private drive, alley, or parking lot shall stop before entering or crossing any local street or highway in the City.*" Note that outside of the word "*etc.*," the Code does not specifically address a private road or street. Staff seeks guidance from Common Council if a change to the Municipal Code is desired.

DRAFT December 5, 2018

Mr. Sid Hatch, President
Avian at Tuckaway Condominium Association
6826 W. Greyhawk Court
Franklin, WI 53132

RE: Uncontrolled intersections on W. Greyhawk Lane and W. Greyhawk Court

Mr. Hatch,

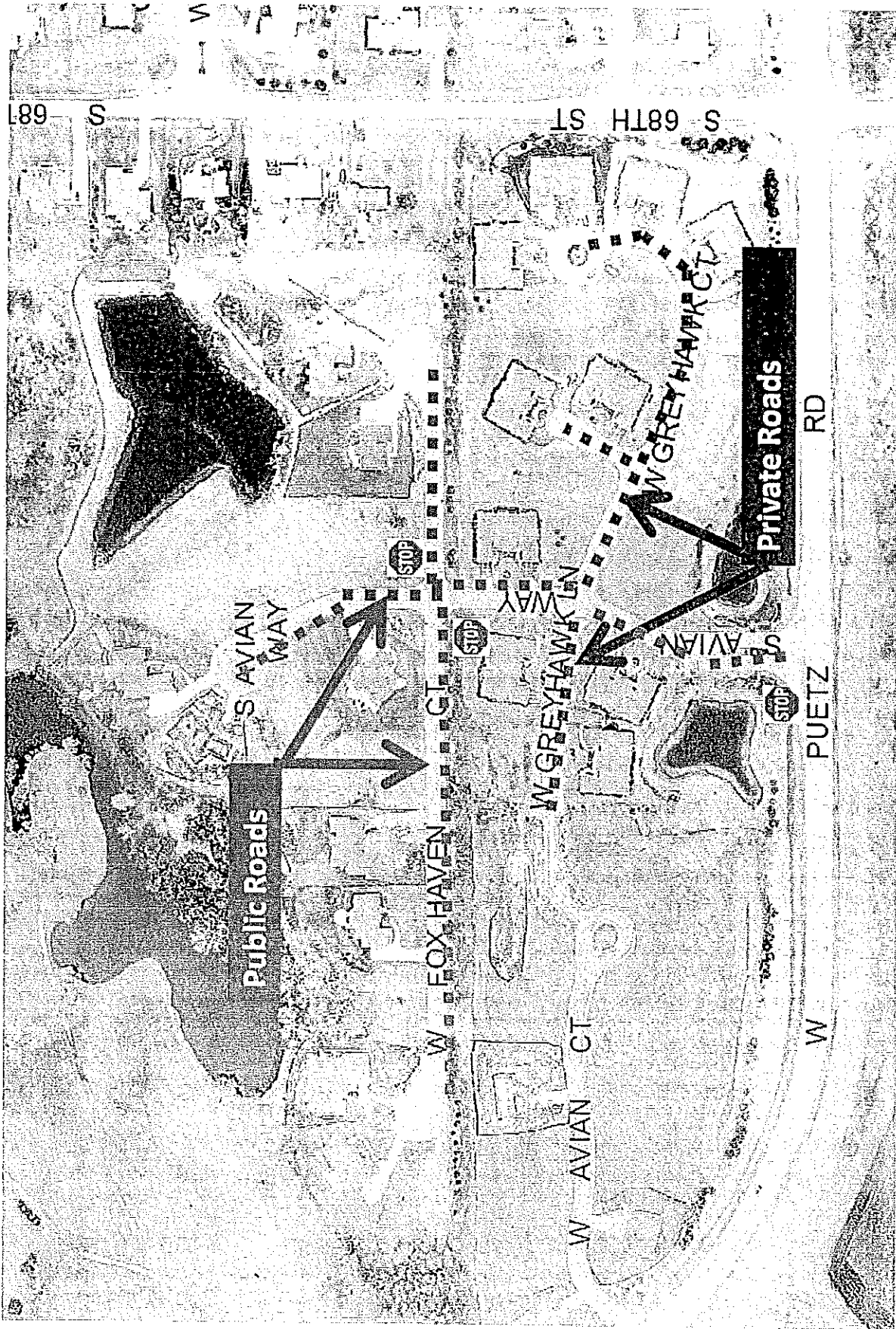
Please be advised that the private roads of W. Greyhawk Lane and W. Greyhawk Court do not appear to be in compliance with the Manual of Uniform Traffic Control Devices – 2009 (MUTCD). MUTCD 2B.04 guidance for intersection control states that *"yield or stop signs should be used at an intersection if ... an intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law."*

Note that the MUTCD is applicable for both public and private roads open to public travel. As such, the Board of Public Works wishes to advise you that you may/may not be liable for any non-compliant MUTCD guidelines. As previously discussed, the City has placed temporary stop signs for your roads. Please be advised that these signs will be removed on or after January 1, 2019.

You are free to contact me at (424) 425-7510 should you have any questions.

Sincerely,

Glen E. Morrow, PE (WI, IL, IN & MO)
City Engineer / Director of Public Works / Utility Manager



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| APPROVAL <i>slw</i> | REQUEST FOR COUNCIL ACTION | MTG. DATE 4/01/19 |
| Reports & Recommendations | A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER, STARK PAVEMENT CORPORATION, IN THE AMOUNT OF \$975,000.00, FOR THE 2019 LOCAL STREET IMPROVEMENT PROGRAM | ITEM NO. <i>G.10.</i> |

BACKGROUND

Pursuant to the Common Council direction on February 19, 2019, and subsequent advertising on March 6 and March 13, 2019, two (2) bids were received on March 21, 2019, for the 2019 Local Street Improvement Program. The program is anticipated to begin in May with completion scheduled no later than the end of August.

Portions of the following roads are included this year: W. Minnesota Avenue; S. 68th Street, W. Imperial Drive; W. Pebble Beach Court; W. Southwood Drive; W. Thorncrest Drive; S. Scepter Lane; W. Cascade Drive; W. Tumblecreek Drive; and S. 50th Street. Portions of three roads, S. Chapel Hill Drive, W. Hilltop Drive, and W. Tumblecreek Drive, were removed due to the available budget.

ANALYSIS

The bids received were as follows:

| | Total Base Bid |
|----------------------------|-------------------|
| Payne & Dolan, Inc. | \$ 1,237,595.31 |
| Stark Pavement Corporation | \$ 1,110,859.59 |

The engineer's estimate was \$1,123,149.00. Staff requested \$1,203,623 and \$975,000.00 was in the adopted 2019 budget. The City tries to keep the bid estimate about 10% under the budgeted amount to account for overruns and other expenses.

Condition 41 in the General Conditions to the Contract portion of the Bid Documents states that "The Owner, upon proper action by its governing body, may authorize changes in the work to be performed or the materials to be furnished pursuant to the provisions of this contract. Adjustments, if any, in the amounts to be paid to the contractor by reason of any such changes shall be determined by one or more of the following methods: (a) By unit prices contained in the contractor's original bid and incorporated in his construction contract." Since this is a unit price contract, City staff re-calculated the estimate based on the removal of S. Chapel Hill Drive, W. Hilltop Drive, and approximately half of the portion of W. Tumblecreek Drive originally proposed using Stark's bid unit prices. The revised estimate is \$904,130.05. At this price there is room for overruns or the possibility to add segments that were removed if costs wind up as estimated.

Staff recommends the award to Stark Pavement Corporation in the amount of \$975,000.00.

OPTIONS

Approve or deny the award.

FISCAL NOTE

The Road Program fund for 2019 was adopted at \$975,000.00.

RECOMMENDATION

Motion to adopt Resolution No. 2019 - _____, a resolution awarding contract to the low bidder, Stark Pavement Corporation, in the amount of \$975,000.00, for the 2019 Local Street Improvement Program.

SAA

ca\CA 2019 Local Road Improvement Program Award

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2019 - _____

A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER,
STARK PAVEMENT CORPORATION \$975,000.00, FOR THE
2019 LOCAL STREET IMPROVEMENT PROGRAM.

WHEREAS, the City of Franklin advertised and solicited bids for the 2019 Local Street Improvement Program; and

WHEREAS, the low bidder was Stark Pavement Corporation, with a bid of \$1,110,859.59; and

WHEREAS, Stark Pavement Corporation is a qualified public works contractor; and

WHEREAS, the Road Program fund for 2019 was adopted at \$975,000.00; and

WHEREAS, based on Stark Pavement Corporation's bid unit prices, the City has removed some road segments and the revised estimate is \$904,130.05; and

WHEREAS, it is in the best interest of the City as recommended by the City's staff to award the contract at the budgeted amount of \$975,000.00 to Stark Pavement Corporation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Stark Pavement Corporation be awarded the contract for the 2019 Local Street Improvement Program.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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| APPROVAL <i>Slw</i> | REQUEST FOR COUNCIL ACTION | MEETING DATE <i>4/01/2019</i> |
| Reports and Recommendations | Temporary Street Closure Request in conjunction with the June 14, 2019 Outdoor Movie | ITEM NUMBER <i>G.11.</i> |

The City of Franklin Health Department with community partners is hosting the 4th annual Franklin Family Fun Flick outdoor movie at city hall on Friday, June 14, 2019. Up to 200 families will attend. The event will be staged from the lower level of City Hall. For safety purposes the police department and department of public works have recommended street closures on S Legend Dr between Schlueter Pkwy and the lower level city parking lot. The fire department concurs with this recommendation. The health department recommends street closures from 6 PM until 11 PM on Friday, June 14th. The condominium complex behind city hall will be alerted about the street closure. The street closure application has been submitted to the city clerk. Thank you for your consideration.



COUNCIL ACTION REQUESTED

Motion to approve street closures on S Legend Dr between Schlueter Pkwy and the back city parking lot on Friday, June 14th in conjunction with the City of Franklin sponsored Franklin Family Fun Flick Outdoor Movie.

CITY OF FRANKLIN
APPLICATION FOR TEMPORARY CLOSING OF STREET
OFFICE OF THE CITY CLERK
clerksdept@franklinwi.gov
9229 W. LOOMIS RD.
FRANKLIN WI 53132
414-425-7500

Name: Julianna Manske RN, MSN
Address: 9229 W. Loomis Road
Franklin, WI 53132
Phone: 414-427-7531 (Direct)

Name of person or association applicant represents:

City of Franklin Health Department
Address: 9229 W. Loomis Road
Franklin, WI 53132
Phone: 414-425-9101

Nature and purpose of the obstruction or street closing: On Friday, June 14, 2018 the Franklin Health Department will host the 4th Annual "Franklin Family Fun Flick" in the lower level of City Hall featuring Mary Poppins Returns. Street closures will be essential to protect participants.

Description of all parts of the road, street or highway is proposed to be obstructed or closed: It is requested that S Legend Dr between Schlueter Pkwy and the lower level city parking lot be closed for the event. Access to the public library will not be altered. Access to city hall from Legend Drive and Loomis Road will not be impeded.

Date and time of obstruction or closing: Road closure is recommended from 7:00 PM—11:00 PM on Friday, June 14, 2018.

Estimated number of people proposed to attend: 200 people are estimated to attend the outdoor movie. Each child must be accompanied by an adult.

Cleanup plan: Clean-up will be done immediately after the event is concluded. Little waste or refuse will likely occur.

Provisions to allow ingress and egress of people or businesses denied access during the event:

Residents and participants will have full access to city hall and the public library parking lots. The fire department is aware of this event and can accommodate requests for service.

Permission received from additional jurisdiction: Mayor Olson and Alderman Dan Mayer were consulted and are support this community event. The Park Commission reviewed and approved the park permit. The Police, Fire, Engineer, Planning, Department of Public Works, and Library managers were consulted. The City Clerk provided helpful direction.

Date: March 20, 2019

Subscribed and sworn to before me
this _____ day of _____, _____

Julianna Manske RN, MSN
Applicant

Notary public, _____ Co., Wisconsin
My Commission _____

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| APPROVAL <i>Slw PR</i> | REQUEST FOR COUNCIL ACTION | MEETING DATE April 1, 2019 |
| REPORTS & RECOMMENDATIONS | Resolution to Amend the Investment Policy Statement for the City of Franklin Post Employment Benefits Trust | ITEM NUMBER <i>G.12.</i> |

Background

The City of Franklin Post Employment Benefit (OPEB) Trust Investment Policy was last reviewed in April, 2016. No changes were made to the policy at that time.

The policy sets allocation limits on equity & fixed income securities. The policy also sets maximum allocations for positions in international and small cap equities. No limits are placed upon the S&P500 or mid cap portfolios.

No changes are recommended to those investment guidelines.

Analysis

The Finance Committee reviewed the OPEB Trust Investment Policy at its March 26, 2019 meeting and recommends changes.

The following changes are recommended to the existing policy:

1. Section iii – the section that reduced set minimum fixed income limits during 2009-2015 should be removed as no longer applicable.
2. Section vi. – the provision that requires annual policy reviews should be modified to 'periodically, but not less than every three years'.

The updated policy affects only those funds in the OPEB Trust.

The Finance Committee is recommending approval of the attached revised investment policy statement.

Changes from the prior policy are noted on the attached copy.

COUNCIL ACTION REQUESTED

Motion to approve Resolution 2019 _____ amending the Investment Policy Statement for the City of Franklin Post Employment Benefits Trust.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2019-_____

A RESOLUTION TO AMEND THE INVESTMENT POLICY STATEMENT FOR THE CITY
OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST

WHEREAS, the City of Franklin issued an investment policy statement for OPEB trust investments last modified on May 6th, 2014; and

WHEREAS, it is desirable to further modify parts of that investment policy; and

WHEREAS, the Common Council has reviewed the Investment Policy Statement dated April 1, 2019 presented by the Director of Finance & Treasurer and reviewed by the Finance Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin that the Post Employment Benefits Trust Investment Policy Statement dated April 1, 2014 is approved.

Introduced at a regular meeting of the Common Council of the City of Franklin this ___th day of April, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ___th day of April, 2019.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

INVESTMENT POLICY FOR THE CITY OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST

(hereinafter referred to as "the Trust")

I. PURPOSE OF THIS POLICY

The City of Franklin, hereby establishes this investment Policy (hereafter referred to as the "Policy") for administering the Trust's investment program. The Policy sets forth the investment objectives and other policies that will be applied within the investment program to insure that the Trust is managed in a manner consistent with the Trust document, prudent-person rules and applicable law. By establishing and communicating clear investment objectives and policies, the City of Franklin can enhance the effectiveness of the Trust's investment program.

The City of Franklin reserves the right to amend this Policy at any time as deemed prudent or necessary at its sole discretion. Should any amendment to this Policy be required due to changes in the Trust document or a change in applicable law, the City of Franklin shall have due time to review such changes and prepare and implement an appropriate amendment. Because of the dynamic nature of the economic environment, developments in financial theories, and advances in technology, this Policy will be examined by the City of Franklin from time to time on a formal or informal basis and may, as a result of such examination, be revised by the City of Franklin.

II. INVESTMENT OBJECTIVES

The overall objective of this Policy is to provide guidance for the investment of contributions and other Trust assets, to help maintain adequate funding for Trust liabilities. The primary investment objectives of the Trust are as follows:

- **Return** – Obtain a reasonable long-term return consistent with the level of risk assumed. Specific return objectives may include fund performance that exceeds the rate of inflation, the assumed actuarial discount rate, and/or the total fund policy return which is typically defined as the return of a passively managed benchmark comprised of the annual portfolio weights for each asset class.
- **Cost** – Seek to control the cost of funding the Trust within prudent levels of risk through the investment of Trust assets.
- **Diversification** – Provide diversification of assets in an effort to avoid the risk of large losses and maximize the investment return to the Trust consistent with market and economic risk.
- **Safety** – Preservation of principal by avoiding overly risky alternatives that may provide additional investment return but subject the portfolio to above market risk of large losses.

III. Asset Allocation Policy

The City of Franklin shall adopt and maintain an asset allocation policy that is based on several factors including:

- The projected liability stream of benefits and the costs of funding that liability stream;
- The relationship between the current and projected assets of the Trust and the projected actuarial liability stream;
- The historical performance of capital markets adjusted for the perception of future short and long-term capital market performance;
- The perception of future economic conditions, including inflation and interest rate assumptions.

The asset allocation policy identifies equity and fixed income target allocations to eligible asset classes. The Employer's representative using recommendations of the investment manager will set the target allocations as to size, style, concentration, how managed and, where appropriate, suitable ranges within which each asset class can fluctuate as a percent of the total fund. Each asset class is to remain suitably invested in permitted securities or cash equivalents as the market and the asset allocation dictates. The asset classes may be rebalanced from time to time to take advantage of tactical market conditions across major asset classes or investment styles, or to align the current asset mix with strategic targets.

~~During the 2009 to 2015 years for purposes of asset allocation, the expected following years contribution from the City of Franklin to the trust may be included as a fixed income asset for determining asset allocation purposes, due to the low expected initial payout from this trust. The asset allocation will be 50% to 75% of total assets to be invested in domestic and international equity funds and 50% to 25% of total assets invested in fixed income securities. The practical result will be in the first few years that the entire investment could be in equity investments either actively or passively managed.~~

IV. Investment Classes

While the Trust is not governed by the Employee Retirement Income Security Act of 1974 (ERISA), the City of Franklin may consider all asset classes that would be permitted under ERISA's "prudent person" standard (as interpreted by the various courts) as acceptable investment options, provided such investments are permitted by the Trust document and other applicable laws including but not limited to Section 881.01 of the Wisconsin Statutes. To the extent that the City of Franklin deems it appropriate and consistent with the Trust document and this Policy, the City of Franklin may select one or more customized investment portfolios and retain an investment manager to manage the assets of each such portfolio.

The following asset classes are permitted for Trust investment options:

Investment Portfolio #4

Equities – investments through Domestic stocks, International Stocks, Real Estate or Commodities as described below. The preferred ownership would be through mutual funds or ETF's though investments in individual equities would be considered based upon the strategy of the investment manager and the benefit to the trust.

1. **Domestic Stocks** - portfolios composed primarily of the common stocks of U.S. domiciled corporations. Investment options may include different sizes (large-cap, mid-cap and small-cap) and styles (value, growth and blend). Such options may be broadly diversified or concentrated (sector funds), and may be either actively or passively managed (indexed).
Strategic Purpose: Long-term growth
The portion of the equity portfolio not allocated to other categories
2. **Small Cap Stocks** - portfolios composed primarily of the common stocks of U.S. domiciled corporations. Investment options may include different sizes (large-cap, mid-cap and small-cap) and styles (value, growth and blend). Such options may be broadly diversified or concentrated (sector funds), and may be either actively or passively managed (indexed).
Strategic Purpose: Long-term growth
100% of this equity portfolio to be invested in domestic stocks
Limit – Not to exceed 33% of the equity component of the portfolio.
3. **International Stocks** – portfolios composed primarily of the common stocks of corporations domiciled outside of the U.S. Investment options may include different regional and emerging markets funds, a variety of sizes (large-cap, mid-cap and small-cap) and styles (value, growth and blend), be broadly diversified or concentrated (sector funds), and be either actively or passively managed (indexed).
Strategic Purpose: Long-term growth, diversification
Limit 30% of equity portfolio
4. **Real Estate** – portfolio consists primarily of owned real estate investment options including real estate investment trusts of all types and other commingled real estate equity investment options.
Strategic Purpose: Income, diversification, inflation hedge
Limit 5% of equity portfolio
5. **Commodities** – portfolio consists primarily of owned commodity investment options through commodity funds and other commingled commodity equity investment options.
Strategic Purpose: Income, diversification, inflation hedge
Limit 5% of equity portfolio

6. **High Yield Fixed Income Securities** – portfolio consists primarily of non investment grade debt securities issued by the U.S. government, U.S. government sponsored/related agencies, and U.S. domiciled corporations or if international bonds, debt securities issued by foreign governments, foreign government sponsored/related agencies, and foreign corporations.

Strategic Purpose: Income, diversification, inflation hedge

Limit 5% of equity portfolio

Fixed Income – portfolios primarily composed of investment grade debt securities issued by the U.S. government, U.S. government sponsored/related agencies, and U.S. domiciled corporations or if international bonds, debt securities issued by foreign governments, foreign government sponsored/related agencies, and foreign corporations. Investment options may include quality ranges (high or medium), durations (short or intermediate), be broadly diversified or concentrated (sector funds), and be either actively or passively managed (indexed). Cash Equivalents will be considered as part of the fixed income investments.

Strategic Purpose: Income, diversification, deflation hedge (international only), hedge for current liabilities.

V. Investment performance goals

It shall be the goal of the trust to earn an investment return equal to the long term investment returns of the market as defined in Section II

Over numerous long term periods the equity markets have experienced ten percent investment returns and the fixed income markets have experienced five percent investment returns. Under the above investment returns it is reasonable to project an eight percent investment return on the trust portfolio under 65% equity allocation and 35% fixed income allocation over a long period of time.

VI. Investment measurement criteria

When no investment manager is employed by the Employer representative, then passive index investments will be used. The securities chosen shall have investment expenses in the bottom quartile of the investment style and produce returns not less than 90% of the securities' benchmark in the last three year period as stated in its prospectus.

The investment manager shall be measured on equity investments against 50% of the investment return of the US equity market as measured by the S&P 500 index and 50% of the investment return of the world equity market as measured by the MSCI EAFE Index. The investment manager may also benchmark against other investment return indexes for specific portions of the equity portfolio as appropriate and agreed to by the Employer representative.

The investment manager shall be measured on fixed income investments against the investment return of the Merrill Lynch 1 to 5 year government index.

The Employer representative of the City of Franklin shall be its Director of Finance & Treasurer.

This investment policy shall be reviewed each year during the first quarter, periodically, but not less than every three years.

VII. Investment restrictions

The trust and therefore the investment manager is subject to the restrictions of Wisconsin Statutes section 881.01. In addition the Fund should be structured to minimize risk levels within the approved asset allocation to minimize the likelihood of sharp declines in principal values. The possibility of moderate declines in total value is a risk the Trust accepts as necessary to achieve the desired long-term results.

The Trust is not to invest directly in private placements, letter stock, any investment without an ascertainable market value, venture capital, futures, and uncovered options. It may not directly engage in short sales, margin transactions or other specialized investment activities. However, to the extent that mutual funds or separate account managers utilize such investments and strategies, then such activity will be acceptable within the general confines of this policy provided that they are not a core attribute of such fund or manager.

VIII. Monitoring of Investment Managers and Investment Options

The objective of the investment manager monitoring process is to identify on a timely basis any adverse changes to the investment manager's organization or investment process by periodically evaluating a number of qualitative and quantitative factors. In addition, once adverse changes are identified, the monitoring process shall also dictate the timing and manner of response.

Using information provided by the investment manager the City of Franklin through its Employer representative shall evaluate the investment managers/options at least annually, in addition to using any other factors the City of Franklin believes are appropriate to the inquiry. These factors are intended to insure that decisions to retain investment managers/options are made with a prudent degree of care and that excessive risk is avoided.

If results from the monitoring process indicate substandard investment performance or a potentially adverse change in the investment manager's organization or investment process, the City of Franklin may choose one of several courses of action including but not limited to assigning the investment manager/option a temporary probationary status, undertaking an in-depth review, reducing the size of the investment manager's portfolio by assigning a portion to a new investment manager, or terminating the investment manager/option.

Being placed on a probationary status is meant to convey the City of Franklin's increased level of concern about a particular issue or event, which if left unresolved, could endanger the future relationship with the investment managers/options. An in-depth review may be undertaken as a result of the investment manager/option failing to rectify the issues that led to their placement on a probationary status, or in response to a major adverse change in the investment manager's organization or investment process to the extent that the City of Franklin seriously questions the firm's ability to manage the portfolio going forward. The purpose of the in-depth review is to determine whether terminating the manager/option is an appropriate course of action.

IX. Elimination of Investment Managers and Investment Options

The City of Franklin may eliminate a Trust investment manager/option any time the City of Franklin deems it in the best interests of the Trust. The City of Franklin may also eliminate any existing investment manager/option for the following reasons:

- Changing investment manager or investment option practices such that they are no longer materially consistent with this Policy, or this Policy changes so that it is no longer materially consistent with the practices of an investment manager or investment option; and,
- Final recommendation of an in-depth review.

The City of Franklin may also add, eliminate, or replace any Trust investment option as the needs of the Trust change, or for any other prudent reason.

The City of Franklin may chose to use passive index funds in place of an Investment Manager.

X. Selection of Investment Managers and Investment Options

The City of Franklin shall select investment managers and, where appropriate, investment options based on the evaluation of qualitative and quantitative factors. The manager selection process will focus on the following five key aspects of an investment management firm and investment option:

1. **Organization** – evaluate the key elements of an efficient and successful investment management organization such as stable firm ownership, clear business objectives, industry reputation, and experienced and talented investment staff.
2. **Investment Philosophy and Process** – evaluate the key elements of a valid and well-defined investment approach such as unique sources of information, disciplined buy/sell decisions, systematic portfolio construction, and adequate risk controls.
3. **Resources** – evaluate the state of current and proposed resources supporting the investment process including the quality and depth of research and the adequacy of information management, compliance and trading systems.

4. **Performance** – evaluate investment managers’ historical returns and risks relative to passive indexes, and peer groups over longer time periods, like three and five years.
5. **Management Fees** – evaluate the proposed fee structure relative to the industry and other competing candidates to ensure fees are appropriate

These factors are chosen to insure that investment manager/option selections are made with a prudent degree of care, and that excessive risk is avoided. Notwithstanding the above, the City of Franklin may also include other factors that they believe are appropriate to a specific manager/option selection exercise.

| | | |
|--------------------|-------------------|----------------------|
| Policy Revised | April , 2019 | Resolution 2019- |
| Policy Reviewed | April 21, 2016 | No changes made |
| Policy Revised | May 6, 2014 | Resolution 2014 - |
| Policy Revised | June 18, _2013 | Resolution 2013-6891 |
| Policy Revised | March 6, _2012 | Resolution 2012-6790 |
| Policy Revised | March 1, _2011 | Resolution 2012-6698 |
| Policy Revised | February 2, _2010 | Resolution 2010-6624 |
| Policy Established | November 18, 2008 | Council Motion |

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| APPROVAL <i>Slw</i> <i>AK</i> | REQUEST FOR COUNCIL ACTION | MEETING DATE April 1, 2019 |
| REPORTS & RECOMMENDATIONS | February, 2019 Monthly Financial Report | ITEM NUMBER <i>G.13.</i> |

Background

The February, 2019 Financial Report is attached.

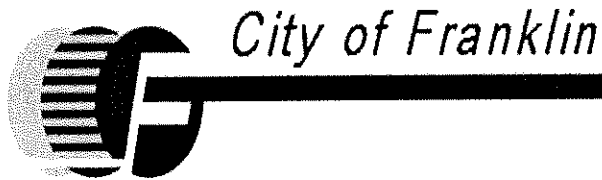
The Finance Committee reviewed this report and recommends acceptance of the attached statements.

Highlights of the report are contained in the transmittal memo.

The Finance Director will be on hand to answer any questions.

COUNCIL ACTION REQUESTED

Motion to Receive and place on file



Date: March 21, 2019
To: Mayor Olson, Common Council and Finance Committee Members
From: Paul Rotzenberg, Director of Finance & Treasurer
Subject: February 2019 Financial Report

The February, 2019 financial reports for the General Fund, Debt Service Fund, TID Funds, Solid Waste Fund, Capital Outlay Fund, Equipment Replacement Fund, Street Improvement Fund, Capital Improvement Fund, Development Fund, Utility Development, Self Insurance Fund, and Employee Retirement Insurance Fund are attached.

The budget allocation is completed using an average of the last five years actual spending against the Original Budget, amendments to the 2019 budget are excluded from the Year To Date budget allocation. Caution is advised in that spending patterns may have changed. Comments on specific and trending results are provided below to aid the reader in understanding or explaining current year financial results.

Cash & Investments Summary – is provided to aid in understanding the resources available to meet current activities. Cash & investments are positions with safety and liquidity as primary objectives as stated in the City's Investment policy. Investment returns are secondary in the investment decisions, while return potential is not ignored.

The City borrowed \$20.1 million dollars in February, then refunded \$10 million, accounting for the increase in TID cash balances.

Cash & Investments in the General Governmental Funds totaling \$62.1 million increased \$10.7 million since January, 2019. Tax settlements in January and February provided most of the increases.

GENERAL FUND revenues of \$13.8 million are \$1.2 million greater than budget. Tax collections are slightly faster and higher than prior years.

February's expenditures of \$4.1 million are \$368,000 less than budget. Expenditure items of note are:

- The allocation of contingency will be corrected in future months. The savings reflected exceed the amount that should be reported.

February, 2019
Financial report

A \$9.7 million surplus is \$1.6 greater than budget. The faster collection of taxes and slow early in the year spending generated the improved performance to budget.

DEBT SERVICE – Debt payments were made March 1 as required.

TIF Districts –

TID 3 – The 2019 increment was collected and the TID borrowed \$3 million in February to finance a Developer Grant.

TID4 – The 2019 increment was collected and payments made on the Engineering contract.

TID5 – The 2019 Increment was collected. The TID borrowed \$10.6 million to make a \$10 million note payment. Developer draws were paid out.

TID6 – The TID borrowed \$6 million to finance developer project costs this summer.

SOLID WASTE FUND – Activity is occurring as budgeted.

CAPITAL OUTLAY FUND – revenues are in line with budget. The Police have ordered several of the planned vehicle purchases.

EQUIPMENT REPLACEMENT FUND – Revenues are in line with budget. The last of the 2018 projects were completed.

STREET IMPROVEMENT FUND – Revenues are in line with budget. No contract has been placed for the 2019 program as yet.

CAPITAL IMPROVEMENT FUND – The \$869,000 of Public Works expenditures represent the commitments made on the Rawson Homes storm sewer project.

DEVELOPMENT FUND – Impact fee collections are starting very strong with several home building permits getting pulled. .

No transfers out have been made as yet. .

UTILITY DEVELOPMENT FUND – A large deferred assessment was paid in January. .

SELF INSURANCE FUND – Revenues are slightly below budget, as participation in the plan changed from budget as a result of the revised health insurance program.

Employer contributions to the Health Savings Accounts are pushing costs greater than expected. Benefit payments are lower than prior year.

A\$69,200 deficit is worse than 2018 resulting from the HSA contributions.

RETIREE HEALTH FUND – Insurance results are much better than 2018. The additional participant contributions are a function of higher participant premiums and greater participation. The year is off to a slower claims start than 2018.

February, 2019
Financial report

Investment results thru February nearly erased the sharp down turn in the fourth quarter of 2018. Net investment gains of \$449,385 combined with the City contributions generate the \$479,900 surplus.

Caution is advised, as equity market returns can be volatile, evidenced by the sharp fourth quarter downturn in 2018.

City of Franklin
Cash & Investments Summary
February 28, 2019

| | Cash | American Deposit Management | Institutional Capital Management | Local Government Invest Pool | Fidelity Investments | Total | Prior Month Total |
|--|------------------|-----------------------------------|--|------------------------------------|-------------------------|-------------------|-------------------------|
| General Fund | \$ 2,656,969 | \$ 8,344,164 | \$ 4,400,827 | \$ 2,199,478 | \$ - | \$ 17,601,438 | \$ 13,473,499 |
| Debt Service Funds | 42,225 | 1,458,215 | 523,562 | - | - | 2,024,002 | 2,288,550 |
| TIF Districts | (2,198,781) | 21,294,686 | 3,867,161 | - | - | 22,963,066 | 15,765,370 |
| Nonmajor Governmental Funds | 700,075 | 9,939,996 | 8,904,357 | - | - | 19,544,428 | 19,919,160 |
| Total Governmental Funds | 1,200,488 | 41,037,062 | 17,695,907 | 2,199,478 | - | 62,132,935 | 51,446,580 |
| Sewer Fund | 181,983 | 385,658 | 994,075 | - | - | 1,561,716 | 2,121,478 |
| Water Utility | 5,192 | 2,676,429 | 407,687 | - | - | 3,089,308 | 3,776,555 |
| Self Insurance Fund | 12,653 | 125,000 | 1,780,459 | - | - | 1,918,112 | 1,786,170 |
| Other Designated Funds | 14,483 | - | - | - | - | 14,483 | 16,348 |
| Total Other Funds | 214,311 | 3,187,087 | 3,182,221 | - | - | 6,583,619 | 7,700,551 |
| Total Pooled Cash & Investments | 1,414,799 | 44,224,148 | 20,878,128 | 2,199,478 | - | 68,716,554 | 59,147,131 |
| Retiree Health Fund | 37,145 | - | - | - | 5,798,742 | 5,835,887 | 5,646,788 |
| Property Tax Fund | 1,059,589 | 1,264,826 | - | - | - | 2,324,415 | 20,156,070 |
| Total Trust Funds | 1,096,734 | 1,264,826 | - | - | 5,798,742 | 8,160,302 | 25,802,858 |
| Grand Total Cash & Investments | 2,511,533 | 45,488,975 | 20,878,128 | 2,199,478 | 5,798,742 | 76,876,856 | 84,949,988 |
| Average Rate of Return | | 2.19% | 1.60% | 2.46% | | | |
| Maturities: | | | | | | | |
| Demand | 2,511,533 | 32,646,090 | 15,196 | 2,199,478 | 102,792 | 37,475,089 | 58,513,430 |
| Fixed Income & Equities | - | - | - | - | 4,362,157 | 4,362,157 | 4,237,454 |
| 2019 - Q1 | - | - | 999,717 | - | - | 999,717 | 1,990,671 |
| 2019 - Q2 | - | 2,984,485 | - | - | - | 2,984,485 | - |
| 2019 - Q3 | - | 9,178,000 | 992,631 | - | - | 10,170,631 | - |
| 2019 - Q4 | - | - | 1,980,404 | - | - | 1,980,404 | 1,976,924 |
| 2020 - Q1 | - | 167,700 | 1,031,635 | - | - | 1,199,335 | 1,030,093 |
| 2020 | - | 512,700 | 5,439,946 | - | 172,715 | 6,125,361 | 5,612,633 |
| 2021 | - | - | 7,910,978 | - | 225,461 | 8,136,439 | 8,144,308 |
| 2022 | - | - | 2,507,621 | - | 169,533 | 2,677,154 | 2,678,652 |
| 2023 | - | - | - | - | 172,620 | 172,620 | 172,480 |
| 2024 | - | - | - | - | 198,594 | 198,594 | 198,473 |
| 2025 | - | - | - | - | 199,022 | 199,022 | 199,022 |
| 2026 | - | - | - | - | 195,848 | 195,848 | 195,848 |
| | 2,511,533 | 45,488,975 | 20,878,128 | 2,199,478 | 5,798,742 | 76,876,856 | 84,949,988 |

City of Franklin
2018 Financial Report
General Fund Summary
For the Two months ended February 28, 2019

| Revenue | 2019 Original Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | Var to Budget Surplus (Deficiency) |
|--|-------------------------------------|------------------------------------|---|---|---|
| Property Taxes | \$ 18,139,675 | \$ 18,139,675 | \$ 11,657,933 | \$ 12,682,961 | \$ 1,025,028 |
| Other Taxes | 686,800 | 686,800 | 4,754 | 969 | (3,785) |
| Intergovernmental Revenue | 1,736,127 | 1,736,127 | 149,357 | 308,583 | 159,226 |
| Licenses & Permits | 1,038,990 | 1,038,990 | 139,808 | 116,798 | (23,010) |
| Law and Ordinance Violations | 546,000 | 546,000 | 107,695 | 66,651 | (41,044) |
| Public Charges for Services | 2,056,950 | 2,056,950 | 299,940 | 268,401 | (31,539) |
| Intergovernmental Charges | 207,500 | 207,500 | - | 30,891 | 30,891 |
| Investment Income | 265,000 | 265,000 | 44,167 | 121,916 | 77,749 |
| Miscellaneous Revenue | 162,150 | 162,150 | 15,453 | 3,812 | (11,641) |
| Transfer from Other Funds | 1,109,250 | 1,109,250 | 210,870 | 254,500 | 43,630 |
| Total Revenue | \$ 25,948,442 | \$ 25,948,442 | \$ 12,629,977 | \$ 13,855,482 109.70% | \$ 1,225,505 |
| Expenditures | 2019 Original Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | Var to Budget Surplus (Deficiency) |
| General Government | \$ 3,200,440 | \$ 3,211,496 A | \$ 696,835 | \$ 629,239 E | \$ 67,596 |
| Public Safety | 17,784,187 | 17,700,512 A | 2,918,196 | 2,886,296 E | 31,900 |
| Public Works | 3,571,132 | 3,703,236 A | 571,776 | 644,278 E | (72,502) |
| Health and Human Services | 750,797 | 742,362 A | 114,353 | 89,111 | 25,242 |
| Other Culture and Recreation | 182,702 | 185,793 A | 15,828 | 16,609 | (781) |
| Conservation and Development | 640,776 | 684,050 A | 88,965 | 138,263 E | (49,298) |
| Contingency and Unclassified | 2,069,728 | 2,150,956 A | 333,054 | 8,920 E | 324,134 |
| Anticipated underexpenditures | (375,320) | (317,444) | - | - | - |
| Transfers to Other Funds | 274,000 | 282,100 | 41,667 | - | 41,667 |
| Encumbrances | - | - | - | (258,039) | - |
| Total Expenditures | \$ 28,098,442 | \$ 28,343,061 | \$ 4,780,674 | \$ 4,154,677 86.91% | \$ 367,958 |
| Excess of revenue over (under) expenditures | (2,150,000) | (2,394,619) | <u>\$ 7,849,303</u> | 9,700,805 | <u>\$ 1,593,463</u> |
| Fund balance, beginning of year | <u>7,336,277</u> | <u>7,336,277</u> | | <u>7,336,277</u> | |
| Fund balance, end of period | <u>\$ 5,186,277</u> | <u>\$ 4,941,658</u> | | <u>\$ 17,037,082</u> | |

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin
Debt Service Funds
Balance Sheet
February 28, 2019 and 2018**

| | 2019 Special Assessment | 2019 Debt Service | 2019 Total | 2018 Special Assessment | 2018 Debt Service | 2018 Total |
|-------------------------------------|-------------------------------|-------------------------|---------------------|-------------------------------|-------------------------|---------------------|
| Assets | | | | | | |
| Cash and investments | \$ 723,132 | \$ 1,300,870 | \$ 2,024,002 | \$ 681,802 | \$ 1,168,286 | \$ 1,850,088 |
| Special assessment receivable | 58,474 | - | 58,474 | 89,463 | - | 89,463 |
| Total Assets | <u>\$ 781,606</u> | <u>\$ 1,300,870</u> | <u>\$ 2,082,476</u> | <u>\$ 771,265</u> | <u>\$ 1,168,286</u> | <u>\$ 1,939,551</u> |
| Liabilities and Fund Balance | | | | | | |
| Unearned & unavailable revenue | \$ 58,474 | \$ - | \$ 58,474 | \$ 89,463 | \$ - | \$ 89,463 |
| Unassigned fund balance | 723,132 | 1,300,870 | 2,024,002 | 681,802 | 1,168,286 | 1,850,088 |
| Total Liabilities and Fund Balance | <u>\$ 781,606</u> | <u>\$ 1,300,870</u> | <u>\$ 2,082,476</u> | <u>\$ 771,265</u> | <u>\$ 1,168,286</u> | <u>\$ 1,939,551</u> |

**Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018**

| | 2019 Special Assessment | 2019 Debt Service | 2019 Year-to-Date Actual | 2019 Amended Budget | 2018 Special Assessment | 2018 Debt Service | 2018 Year-to-Date Actual |
|---------------------------------|-------------------------------|-------------------------|--------------------------------|---------------------------|-------------------------------|-------------------------|--------------------------------|
| Revenue | | | | | | | |
| Property Taxes | \$ - | \$ 1,300,000 | \$ 1,300,000 | \$ 1,300,000 | \$ - | \$ 1,300,000 | \$ 1,300,000 |
| Special Assessments | 5,868 | - | 5,868 | - | 241 | - | 241 |
| Investment Income | 2,930 | 3,692 | 6,622 | - | (2,390) | 1,257 | (1,133) |
| GO Debt Issuance | - | - | - | - | - | - | - |
| Total Revenue | <u>8,798</u> | <u>1,303,692</u> | <u>1,312,490</u> | <u>1,300,000</u> | <u>(2,149)</u> | <u>1,301,257</u> | <u>1,299,108</u> |
| Expenditures: | | | | | | | |
| Debt Service: | | | | | | | |
| Principal | - | 230,000 | 230,000 | 1,405,000 | - | 164,008 | 164,008 |
| Interest | - | 40,407 | 40,407 | 134,138 | - | 19,919 | 19,919 |
| Bank Fees | - | 800 | 800 | 1,050 | - | 115 | 115 |
| Total expenditures | <u>-</u> | <u>271,207</u> | <u>271,207</u> | <u>1,540,188</u> | <u>-</u> | <u>184,042</u> | <u>184,042</u> |
| Transfers in | - | - | - | 240,188 | - | - | - |
| Transfers out | - | - | - | - | - | - | - |
| Net change in fund balances | <u>8,798</u> | <u>1,032,485</u> | <u>1,041,283</u> | <u>-</u> | <u>(2,149)</u> | <u>1,117,215</u> | <u>1,115,066</u> |
| Fund balance, beginning of year | <u>714,334</u> | <u>268,385</u> | <u>982,719</u> | <u>982,719</u> | <u>683,951</u> | <u>51,071</u> | <u>735,022</u> |
| Fund balance, end of period | <u>\$ 723,132</u> | <u>\$ 1,300,870</u> | <u>\$ 2,024,002</u> | <u>\$ 982,719</u> | <u>\$ 681,802</u> | <u>\$ 1,168,286</u> | <u>\$ 1,850,088</u> |

City of Franklin
Consolidating TID Funds
Balance Sheet
February 28, 2019

| | <u>TID 3</u> | <u>TID 4</u> | <u>TID 5</u> | <u>TID 6</u> | <u>Total</u> |
|--------------------|--------------|--------------|--------------|--------------|---------------|
| Assets | | | | | |
| Cash & investments | \$ 5,443,829 | \$ 4,233,530 | \$ 6,771,983 | \$ 6,513,724 | \$ 22,963,066 |
| Total Assets | \$ 5,443,829 | \$ 4,233,530 | \$ 6,771,983 | \$ 6,513,724 | \$ 22,963,066 |

Liabilities and Fund Balance

| | | | | | |
|---|--------------|--------------|--------------|--------------|---------------|
| Accounts payable | \$ 104,296 | \$ 6,849 | \$ 24 | \$ 25 | \$ 111,194 |
| Accrued liabilities | 969,377 | - | - | - | 969,377 |
| Due to Other Funds | - | - | 29,695 | - | 29,695 |
| Interfund advance from Development Fund | - | - | 75,000 | - | 75,000 |
| Total Liabilities | 1,073,673 | 6,849 | 104,719 | 25 | 1,185,266 |
| Assigned fund balance | 4,370,156 | 4,226,681 | 6,667,264 | 6,513,699 | 21,777,800 |
| Total Liabilities and Fund Balance | \$ 5,443,829 | \$ 4,233,530 | \$ 6,771,983 | \$ 6,513,724 | \$ 22,963,066 |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019

| | <u>TID 3</u> | <u>TID 4</u> | <u>TID 5</u> | <u>TID 6</u> | <u>Total</u> |
|---|--------------|--------------|--------------|--------------|---------------|
| Revenue | | | | | |
| General property tax levy | \$ 1,114,683 | \$ 1,011,224 | \$ 30,951 | \$ - | \$ 2,156,858 |
| Payment in Lieu of Taxes | - | 121,759 | - | - | 121,759 |
| State exempt aid | - | - | - | - | - |
| Investment income | 9,934 | 16,147 | 37,228 | 807 | 64,116 |
| Bond proceeds | 3,001,886 | - | 10,600,102 | 6,638,320 | 20,240,308 |
| Total revenue | 4,126,503 | 1,149,130 | 10,668,281 | 6,639,127 | 22,583,041 |
| Expenditures | | | | | |
| Debt service interest & fees | 16,201 | - | 10,427,243 | 109,101 | 10,552,545 |
| Administrative expenses | 2,332 | 7,059 | 8,091 | 2,983 | 20,465 |
| Professional Services | - | 132,224 | 44,279 | 1,156 | 177,659 |
| Capital outlays | 984,324 | 714,802 | 2,251,198 | - | 3,950,324 |
| Development incentive & obligation payments | 287,095 | - | - | - | 287,095 |
| Encumbrances | (880,082) | (840,177) | (44,279) | (1,156) | (1,765,694) |
| Total expenditures | 409,870 | 13,908 | 12,686,532 | 112,084 | 13,222,394 |
| Revenue over (under) expenditures | 3,716,633 | 1,135,222 | (2,018,251) | 6,527,043 | 9,360,647 |
| Fund balance, beginning of year | 653,523 | 3,091,459 | 8,685,515 | (13,344) | 12,417,153 |
| Fund balance, end of period | \$ 4,370,156 | \$ 4,226,681 | \$ 6,667,264 | \$ 6,513,699 | \$ 21,777,800 |

City of Franklin
Tax Increment Financing District #3
Balance Sheet
February 28, 2019 and 2018

| | 2019 | 2018 |
|--|---------------------|---------------------|
| <u>Assets</u> | | |
| Cash & investments | \$ 5,443,829 | \$ 1,648,355 |
| Total Assets | <u>\$ 5,443,829</u> | <u>\$ 1,648,355</u> |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ 104,296 | \$ - |
| Accrued liabilities | 969,377 | 1,323,600 |
| Interfund advance from Development Fund | - | 50,000 |
| Total Liabilities | <u>1,073,673</u> | <u>1,373,600</u> |
| Assigned fund balance | 4,370,156 | 274,755 |
| Total Liabilities and Fund Balance | <u>\$ 5,443,829</u> | <u>\$ 1,648,355</u> |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Annual Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|---|-----------------------------------|------------------------------------|---|---|---|
| Revenue | | | | | |
| General property tax levy | \$ 1,180,900 | \$ 1,180,900 | \$ 1,180,900 | \$ 1,114,683 | \$ 1,381,191 |
| State exempt aid | 479,831 | 479,831 | 1,050 | - | - |
| Investment income | 25,000 | 25,000 | 9,009 | 9,934 | 5,046 |
| Bond proceeds | 3,500,000 | 3,500,000 | 583,333 | 3,001,886 | - |
| Total revenue | <u>5,185,731</u> | <u>5,185,731</u> | <u>1,774,292</u> | <u>4,126,503</u> | <u>1,386,237</u> |
| Expenditures | | | | | |
| Debt service principal | - | - | - | - | 985,000 |
| Debt service interest & fees | 111,500 | 111,500 | 18,583 | 16,201 | 15,010 |
| Administrative expenses | 113,350 | 113,350 | 18,198 | 2,332 | 26,349 |
| Capital outlays | - | 984,323 | - | 984,324 | 1,353,313 |
| Development incentive & obligation payments | 4,589,265 | 4,589,265 | 764,878 | 287,095 | - |
| Encumbrances | - | - | - | (880,082) | (1,353,313) |
| Total expenditures | <u>4,814,115</u> | <u>5,798,438</u> | <u>801,659</u> | <u>409,870</u> | <u>1,026,359</u> |
| Revenue over (under) expenditures | 371,616 | (612,707) | <u>\$ 972,633</u> | 3,716,633 | 359,878 |
| Fund balance, beginning of year | <u>653,523</u> | <u>653,523</u> | | <u>653,523</u> | <u>(85,123)</u> |
| Fund balance, end of period | <u>\$ 1,025,139</u> | <u>\$ 40,816</u> | | <u>\$ 4,370,156</u> | <u>\$ 274,755</u> |

City of Franklin
Tax Increment Financing District #4
Balance Sheet
February 28, 2019 and 2018

| | 2019 | 2018 |
|--|---------------------|---------------------|
| <u>Assets</u> | | |
| Cash & investments | \$ 4,233,530 | \$ 3,461,701 |
| Total Assets | <u>\$ 4,233,530</u> | <u>\$ 3,461,701</u> |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ 6,849 | \$ - |
| Total Liabilities | 6,849 | - |
| Assigned fund balance | 4,226,681 | 3,461,701 |
| Total Liabilities and Fund Balance | <u>\$ 4,233,530</u> | <u>\$ 3,461,701</u> |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Annual Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|-----------------------------------|--------------------------|---------------------------|--------------------------------|--------------------------------|--------------------------------|
| Revenue | | | | | |
| General property tax levy | \$ 1,023,600 | \$ 1,023,600 | \$ 1,023,600 | \$ 1,011,224 | \$ 1,059,413 |
| Payment in Lieu of Taxes | 132,800 | 132,800 | 66,400 | 121,759 | - |
| State exempt aid | 19,700 | 19,700 | 800 | - | - |
| Investment income | 20,000 | 20,000 | 3,333 | 16,147 | (2,710) |
| Bond proceeds | 5,000,000 | 5,000,000 | 833,334 | - | - |
| Total revenue | <u>6,196,100</u> | <u>6,196,100</u> | <u>1,927,467</u> | <u>1,149,130</u> | <u>1,056,703</u> |
| Expenditures | | | | | |
| Debt service interest & fees | 188,750 | 188,750 | 31,459 | - | - |
| Administrative expenses | 10,350 | 10,350 | 1,725 | 7,059 | 1,001 |
| Professional services | 29,500 | 161,724 | 4,917 | 132,224 | 51,193 |
| Capital outlay | 8,000,000 | 8,714,802 | 1,333,333 | 714,802 | - |
| Encumbrances | - | - | - | (840,177) | (51,193) |
| Total expenditures | <u>8,228,600</u> | <u>9,075,626</u> | <u>1,371,434</u> | <u>13,908</u> | <u>1,001</u> |
| Revenue over (under) expenditures | (2,032,500) | (2,879,526) | <u>\$ 556,033</u> | 1,135,222 | 1,055,702 |
| Fund balance, beginning of year | 3,091,459 | 3,091,459 | | 3,091,459 | 2,405,999 |
| Fund balance, end of period | <u>\$ 1,058,959</u> | <u>\$ 211,933</u> | | <u>\$ 4,226,681</u> | <u>\$ 3,461,701</u> |

City of Franklin
Tax Increment Financing District #5
Balance Sheet
February 28, 2019 and 2018

| | 2019 | 2018 |
|--|---------------------|------------------|
| <u>Assets</u> | | |
| Cash & investments | \$ 6,771,983 | \$ 23,154 |
| Total Assets | <u>\$ 6,771,983</u> | <u>\$ 23,154</u> |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ 24 | \$ 3,084,500 |
| Due to other funds | 29,695 | 24,695 |
| Interfund advance from Development Fund | 75,000 | 75,000 |
| Total Liabilities | <u>104,719</u> | <u>3,184,195</u> |
| Assigned fund balance | 6,667,264 | (3,161,041) |
| Total Liabilities and Fund Balance | <u>\$ 6,771,983</u> | <u>\$ 23,154</u> |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Annual Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|---|-----------------------------------|------------------------------------|---|---|---|
| Revenue | | | | | |
| General property tax levy | \$ 31,500 | \$ 31,500 | \$ 5,250 | \$ 30,951 | \$ 30,500 |
| State exempt aid | 400 | 400 | 67 | - | - |
| Investment income | 25,000 | 25,000 | 4,166 | 37,228 | 24 |
| Bond proceeds | 10,000,000 | 10,000,000 | 1,666,667 | 10,600,102 | - |
| Total revenue | <u>10,056,900</u> | <u>10,056,900</u> | <u>1,676,150</u> | <u>10,668,281</u> | <u>30,524</u> |
| Expenditures | | | | | |
| Debt service interest & fees | 10,875,810 | 10,875,810 | 1,812,635 | 10,427,243 | - |
| Administrative expenses | 20,700 | 20,700 | 3,450 | 8,091 | 8,190 |
| Professional services | 10,000 | 54,279 | 1,666 | 44,279 | 33,691 |
| Capital outlay | - | - | - | 2,251,198 | 3,080,000 |
| Development incentive & obligation payments | 4,000,000 | 4,000,000 | 666,667 | - | - |
| Encumbrances | - | - | - | (44,279) | (29,191) |
| Total expenditures | <u>14,906,510</u> | <u>14,950,789</u> | <u>2,484,418</u> | <u>12,686,532</u> | <u>3,092,690</u> |
| Revenue over (under) expenditures | (4,849,610) | (4,893,889) | <u>\$ (808,268)</u> | (2,018,251) | (3,062,166) |
| Fund balance, beginning of year | <u>8,685,515</u> | <u>8,685,515</u> | | <u>8,685,515</u> | <u>(98,875)</u> |
| Fund balance, end of period | <u>\$ 3,835,905</u> | <u>\$ 3,791,626</u> | | <u>\$ 6,667,264</u> | <u>\$ (3,161,041)</u> |

City of Franklin
Tax Increment Financing District #6
Balance Sheet
February 28, 2019 and 2018

| Assets | 2019 | 2018 |
|---|---------------------|-------------|
| Cash & investments | \$ 6,513,724 | \$ - |
| Total Assets | <u>\$ 6,513,724</u> | <u>\$ -</u> |
| Liabilities and Fund Balance | | |
| Accounts payable | \$ 25 | \$ - |
| Due to other funds | - | - |
| Interfund advance from Development Fund | - | - |
| Total Liabilities | <u>25</u> | <u>-</u> |
| Assigned fund balance | 6,513,699 | - |
| Total Liabilities and Fund Balance | <u>\$ 6,513,724</u> | <u>\$ -</u> |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Annual Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|---|-----------------------------------|------------------------------------|---|---|---|
| Revenue | | | | | |
| General property tax levy | \$ - | \$ - | \$ - | \$ - | \$ - |
| State exempt computer aid | - | - | - | - | - |
| Investment income | - | 132,300 | - | 807 | - |
| Bond proceeds | - | 9,837,382 | - | 6,638,320 | - |
| Total revenue | <u>-</u> | <u>9,969,682</u> | <u>-</u> | <u>6,639,127</u> | <u>-</u> |
| Expenditures | | | | | |
| Debt service interest & fees | - | 195,375 | - | 109,101 | - |
| Administrative expenses | - | 8,550 | - | 2,983 | - |
| Professional services | - | 26,156 | - | 1,156 | - |
| Capital outlay | - | 9,000,000 | - | - | - |
| Development incentive & obligation payments | - | - | - | - | - |
| Encumbrances | - | - | - | (1,156) | - |
| Total expenditures | <u>-</u> | <u>9,230,081</u> | <u>-</u> | <u>112,084</u> | <u>-</u> |
| Revenue over (under) expenditures | - | 739,601 | <u>\$ -</u> | 6,527,043 | - |
| Fund balance, beginning of year | <u>(13,344)</u> | <u>(13,344)</u> | | <u>(13,344)</u> | <u>-</u> |
| Fund balance, end of period | <u>\$ (13,344)</u> | <u>\$ 726,257</u> | | <u>\$ 6,513,699</u> | <u>\$ -</u> |

City of Franklin
Solid Waste Collection Fund
Balance Sheet
February 28, 2019 and 2018

| <u>Assets</u> | 2019 | 2018 |
|--|---------------------|---------------------|
| Cash and investments | \$ 1,557,289 | \$ 1,541,610 |
| Accrued Receivables | 509 | 118 |
| Total Assets | \$ 1,557,798 | \$ 1,541,728 |
| | | |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ 129,901 | \$ 130,502 |
| Accrued salaries & wages | 458 | 430 |
| Restricted fund balance | 1,427,439 | 1,410,796 |
| Total Liabilities and Fund Balance | \$ 1,557,798 | \$ 1,541,728 |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Adopted Budget | 2019 YTD Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|---------------------------------------|------------------------------------|--------------------------------|---|---|
| Revenue | | | | |
| Grants | \$ 69,000 | - | \$ - | \$ - |
| User Fees | 1,220,400 | 1,218,768 | 1,213,856 | 1,208,214 |
| Landfill Operations-tippage | 361,800 | 27,344 | - | 30,123 |
| Investment Income | 9,500 | 1,821 | 4,575 | (472) |
| Sale of Recyclables | - | - | - | 7 |
| Total Revenue | 1,660,700 | 1,247,933 | 1,218,431 | 1,237,872 |
| | | | | |
| Expenditures: | | | | |
| Personal Services | 16,931 | 2,633 | 1,927 | 2,160 |
| Refuse Collection | 713,750 | 118,286 | 118,498 | 115,565 |
| Recycling Collection | 380,720 | 63,193 | 65,690 | 63,904 |
| Leaf & Brush Pickups | 63,800 | 10,633 | - | - |
| Tippage Fees | 469,000 | 78,167 | 35,624 | 38,834 |
| Miscellaneous | 3,500 | 583 | - | 290 |
| Printing | 1,800 | 300 | - | - |
| Total expenditures | 1,649,501 | 273,795 | 221,739 | 220,753 |
| Revenue over (under) expenditures | 11,199 | <u>974,138</u> | 996,692 | 1,017,119 |
| Fund balance, beginning of year | <u>430,747</u> | | <u>430,747</u> | <u>393,677</u> |
| Fund balance, end of period | <u>\$ 441,946</u> | | <u>\$ 1,427,439</u> | <u>\$ 1,410,796</u> |

**City of Franklin
Capital Outlay Fund
Balance Sheet
February 28, 2019 and 2018**

| <u>Assets</u> | 2019 | 2018 |
|--|-------------------|-------------------|
| Cash and investments | \$ 676,480 | \$ 725,407 |
| Total Assets | \$ 676,480 | \$ 725,407 |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ 54,533 | \$ 16,991 |
| Encumbrance | 43,533 | 295,950 |
| Assigned fund balance | 578,414 | 412,466 |
| Total Liabilities and Fund Balance | \$ 676,480 | \$ 725,407 |

**Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018**

| Revenue | 2019 Original Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual * | 2018 Year-to-Date Actual |
|--|-------------------------------------|------------------------------------|---|---|---|
| Property Taxes | \$ 452,800 | \$ 452,800 | \$ 452,800 | \$ 452,800 | \$ 450,500 |
| Grants | 5,000 | 5,000 | 833 | - | - |
| Landfill Siting | 317,000 | 317,000 | 37,342 | - | 13,100 |
| Investment Income | 6,000 | 6,000 | 1,000 | 2,799 | (276) |
| Miscellaneous Revenue | 25,000 | 25,000 | 236 | 2,715 | 167 |
| Transfers from Other Funds | 250,000 | 250,000 | 62,500 | - | - |
| Total Revenue | 1,055,800 | 1,055,800 | 554,711 | 458,314 | 463,491 |
| Expenditures: | | | | | |
| General Government | 158,610 | 234,648 | 24,239 | - | 13,531 |
| Public Safety | 473,795 | 576,235 | 81,145 | 277,050 | 366,926 |
| Public Works | 34,020 | 42,020 | 4,836 | 25,027 | 3,118 |
| Health and Human Services | 1,020 | 1,020 | 170 | - | - |
| Culture and Recreation | 9,000 | 11,866 | 1,500 | 2,866 | - |
| Conservation and Development | 1,500 | 2,010 | 250 | - | - |
| Contingency | 400,000 | 384,190 | 66,667 | - | 20,490 |
| Transfers to Other Funds | - | - | - | - | - |
| Total expenditures | 1,077,945 | 1,251,989 | 178,807 | 304,943 | 404,065 |
| Revenue over (under) expenditures | (22,145) | (196,189) | 375,904 | 153,371 | 59,426 |
| Fund balance, beginning of year | 425,043 | 425,043 | | 425,043 | 353,040 |
| Fund balance, end of period | \$ 402,898 | \$ 228,854 | | \$ 578,414 | \$ 412,466 |

* Amount shown is actual expenditures plus encumbrance

**City of Franklin
Equipment Replacement Fund
Balance Sheet
February 28, 2019 and 2018**

| | 2019 | 2018 |
|--|---------------------|---------------------|
| <u>Assets</u> | | |
| Cash and investments | \$ 2,833,100 | \$ 2,667,895 |
| Total Assets | <u>\$ 2,833,100</u> | <u>\$ 2,667,895</u> |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ - | \$ - |
| Encumbrance | 20,431 | 56,610 |
| Assigned fund balance | 2,812,669 | 2,611,285 |
| Total Liabilities and Fund Balance | <u>\$ 2,833,100</u> | <u>\$ 2,667,895</u> |

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018**

| | 2019 Original Budget | 2019 Amended Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual * | 2018 Year-to-Date Actual |
|--|-------------------------------------|------------------------------------|---|---|---|
| Revenue: | | | | | |
| Property Taxes | \$ 175,000 | \$ 175,000 | \$ 175,000 | \$ 175,000 | \$ 350,000 |
| Landfill | 376,700 | 376,700 | 42,699 | - | 17,800 |
| Investment Income | 29,000 | 29,000 | 4,833 | 11,678 | (11,720) |
| Transfers from Other Funds | - | - | - | - | - |
| Property Sales | 30,000 | 30,000 | 938 | 727 | - |
| Total revenue | <u>610,700</u> | <u>610,700</u> | <u>223,470</u> | <u>187,405</u> | <u>356,080</u> |
| Expenditures: | | | | | |
| Public Safety | 1,006,670 | 1,006,670 | 410,301 | - | 4,000 |
| Public Works | 190,000 | 210,431 | - | 20,431 | 52,610 |
| Total expenditures | <u>1,196,670</u> | <u>1,217,101</u> | <u>410,301</u> | <u>20,431</u> | <u>56,610</u> |
| Revenue over (under) expenditures | <u>(585,970)</u> | <u>(606,401)</u> | <u>(186,831)</u> | 166,974 | 299,470 |
| Fund balance, beginning of year | <u>2,645,695</u> | <u>2,645,695</u> | | <u>2,645,695</u> | <u>2,311,815</u> |
| Fund balance, end of period | <u>\$ 2,059,725</u> | <u>\$ 2,039,294</u> | | <u>\$ 2,812,669</u> | <u>\$ 2,611,285</u> |

* Amount shown is actual expenditures plus emcumbrance

**City of Franklin
Street Improvement Fund
Balance Sheet
February 28, 2019 and 2018**

| <u>Assets</u> | 2019 | 2018 |
|--|-------------------|---------------------|
| Cash and investments | \$ 419,317 | \$ 1,012,321 |
| Total Assets | \$ 419,317 | \$ 1,012,321 |
| | | |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ - | \$ - |
| Assigned fund balance | 419,317 | 1,012,321 |
| Total Liabilities and Fund Balance | \$ 419,317 | \$ 1,012,321 |

**Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018**

| | 2019 Original Budget | 2019 Year-to-Date Totals | 2018 Year-to-Date Totals |
|--|-------------------------------------|---|---|
| Revenue: | | | |
| Property Taxes | \$ 18,200 | \$ 18,200 | \$ 714,700 |
| Landfill Siting | 133,000 | - | 11,800 |
| Investment Income | 4,000 | 1,729 | (445) |
| Local Road Improvement Aids | 700,000 | - | - |
| Refunds and Reimbursements | - | - | - |
| Total revenue | 855,200 | 19,929 | 726,055 |
| | | | |
| Expenditures: | | | |
| Street Reconstruction Program - Current Year | 975,000 | - | - |
| Revenue over (under) expenditures | (119,800) | 19,929 | 726,055 |
| Fund balance, beginning of year | 399,388 | 399,388 | 286,266 |
| Fund balance, end of period | \$ 279,588 | \$ 419,317 | \$ 1,012,321 |

City of Franklin
Capital Improvement Fund
Balance Sheet
February 28, 2019 and 2018

| Assets | 2019 | 2018 |
|---|---------------------|---------------------|
| Cash and investments | \$ 3,402,582 | \$ 3,706,758 |
| Accrued receivables | 8,950 | 847 |
| Total Assets | \$ 3,411,532 | \$ 3,707,605 |
| Liabilities and Fund Balance | | |
| Accounts payable | \$ - | \$ 30,652 |
| Escrow Balances Due | 78,915 | 78,915 |
| Fund Balance - Encumbrance | 1,138,944 | 690,704 |
| Assigned fund balance | 2,193,673 | 2,907,334 |
| Total Liabilities and Fund Balance | \$ 3,411,532 | \$ 3,707,605 |

Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Original Budget | 2019 Amended Budget | 2019 Year-to-Date Totals | 2018 Year-to-Date Totals |
|--|-------------------------------------|------------------------------------|---|---|
| Revenue: | | | | |
| Block Grants | \$ - | \$ - | \$ - | \$ - |
| Other Grants | 1,150,000 | 1,150,000 | - | - |
| Landfill Siting | 560,000 | 560,000 | 8,102 | 8,638 |
| Transfers from Other Funds | - | - | - | - |
| Transfers from Impact Fees | 384,511 | 384,511 | - | - |
| Transfers from Connection Fees | 1,000,000 | 1,000,000 | - | - |
| Bond Proceeds | 2,100,000 | 2,100,000 | - | - |
| Donations | - | - | - | 11,085 |
| Refunds & Reimbursements | - | - | - | - |
| Investment Income | 20,000 | 20,000 | 13,614 | (6,436) |
| Total revenue | 5,214,511 | 5,214,511 | 21,716 | 13,287 |
| Expenditures: | | | | |
| General Government | 1,815,000 | 1,822,940 | 46,460 | - |
| Public Safety | 1,665,000 | 1,707,696 | 45,937 | 113,696 |
| Public Works | 2,550,000 | 2,642,465 | 1,007,609 | 480,064 |
| Culture and Recreation | 843,109 | 846,434 | 3,325 | 290,437 |
| Sewer & Water | 1,000,000 | 1,000,000 | - | - |
| Contingency | 100,000 | 148,084 | 48,084 | 17,249 |
| Bond/Note Issuance Cost | 75,000 | 75,000 | - | - |
| Transfers to Other Funds | - | - | - | - |
| Total expenditures | 8,048,109 | 8,242,619 | 1,151,415 | 901,446 |
| Revenue over (under) expenditures | (2,833,598) | (3,028,108) | (1,129,699) | (888,159) |
| Fund balance, beginning of year | 3,323,372 | 3,323,372 | 3,323,372 | 3,795,493 |
| Fund balance, end of period | \$ 489,774 | \$ 295,264 | \$ 2,193,673 | \$ 2,907,334 |

City of Franklin
Capital Improvement Fund
Budget 2019

| Capital Improvement Fund Budget 2019 | | Adopted | | | | |
|--|-------------|-----------|-----------------------|-----------|----------------|---------|
| Project/Name | Activity | Total | Funding Source | Amount | Net City Funds | |
| Landfill Siting Revenue | | 560,000 | | | \$ | 560,000 |
| Investment Income | | 20,000 | | | | 20,000 |
| Total Revenue | | 580,000 | | | | 580,000 |
| Expenditures | | | | | | |
| Approved Projects | | | | | | Bonding |
| Highway | | | | | | |
| Drexel & S 51st St roundabout | DPW | 1,000,000 | | | 1,000,000 | 2017 |
| Rawson Homes - Water Main Relay & Storm Sewer | DPW | 1,150,000 | Grant | 1,150,000 | - | |
| S 68th St - vertical sight curve | DPW | 300,000 | | | 300,000 | |
| S 50th St - Marquette to Minnesota | DPW | 100,000 | | | 100,000 | 2019 |
| | | | | | - | |
| PARK DEVELOPMENT | | | | | | |
| Pleasant View Neighborhood Park - equipment provisions | Park | 20,000 | Park Impact Fees | 9,400 | 10,600 | 2019 |
| Pleasant View Park Pavillion | Park | 500,000 | Park Impact Fees | 235,000 | 265,000 | 2017 |
| 'Neighborhood Park' land acquisition | Park | 298,109 | Park Impact Fees | 140,111 | 157,998 | 2017 |
| | | | | | | |
| City Hall Roof, HVAC, and Fascia Wood Replacement | Muni Bldg | 1,775,000 | n/a | | 1,775,000 | |
| Historic Site closeout and Restoration | Muni Bldg | 40,000 | donation | - | 40,000 | |
| Total Approved Projects | | 5,183,109 | | 1,534,511 | 3,648,598 | |
| Projects Pending Approval | | | | | | |
| Water Projects | Utility | 500,000 | Water Connection Fees | 500,000 | - | |
| Water Tower Design costs | Utility | | | | - | |
| Design costs for change in municipal water | Utility | | | | - | |
| Sewer Projects | Utility | 500,000 | Sewer Connection Fees | 500,000 | - | |
| | | | | | - | |
| PARK DEVELOPMENT | | | | | | |
| Hillcrest Park land acquisition | Park | | Park Impact Fees | | - | |
| 'Neighborhood Park' land acquisition | Park | | | | - | |
| Ken Windl Pavillion repairs | Park | 25,000 | Park Impact Fees | | 25,000 | 2019 |
| Recreational Trail - 76th & Oakwood | Park | | | | - | |
| Public Safety | | | | | | |
| Repave Police Station parking lot | Police | | | | - | |
| Indoor Shooting range at Police Dept | Police | 1,400,000 | | | 1,400,000 | split |
| Station specific alerting system | Fire | 265,000 | | | 265,000 | |
| Contingency | | 100,000 | | | 100,000 | |
| Total Projects Pending Approval | | 2,790,000 | | 1,000,000 | 1,790,000 | |
| Total Projects | | 7,973,109 | | 2,534,511 | 5,438,598 | |
| Net Revenue (Expenditures) | | | | | (4,858,598) | |
| Loan Proceeds | | | | | 2,100,000 | |
| Transaction fees | | | | | (75,000) | |
| Net Rev (Expenditures) | | | | | (2,833,598) | |
| Projected Beginning Fund balance | | | | | 2,851,218 | |
| Projected Ending Fund Balance | | | | | 17,620 | |
| Bonding Source | | | Park Impact | 384,511 | | |
| 2017 | \$1,612,000 | | Grants | 1,150,000 | | |
| 2019 | \$1,346,000 | | Sewer & Water Conne | 1,000,000 | | |
| | | | total | 2,534,511 | | |

Note: The full Contingency appropriation will not be available unless additional revenue is received for unless other documented project underspending occurs.

**City of Franklin
Development Fund
Balance Sheet
February 28, 2019 and 2018**

| <u>Assets</u> | 2019 | 2018 |
|--|---------------------|---------------------|
| Cash and investments | \$ 6,410,779 | \$ 4,217,112 |
| Due From TID 3 | - | 25,000 |
| Total Assets | \$ 6,410,779 | \$ 4,242,112 |
| <u>Liabilities and Fund Balance</u> | | |
| Accounts payable | \$ 140 | \$ - |
| Payable to Developers- Oversizing | 119,951 | 59,799 |
| Non-Spendable Fund Balance - Advances | 25,000 | 25,000 |
| Encumbrance | 15,113 | 3,321 |
| Assigned fund balance | 6,250,575 | 4,153,992 |
| Total Fund Balance | 6,275,575 | 4,178,992 |
| Total Liabilities and Fund Balance | \$ 6,410,779 | \$ 4,242,112 |

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018**

| | 2019 Original Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|---|-------------------------------------|---|---|---|
| Revenue: | | | | |
| Impact Fee: Parks | \$ 400,000 | \$ 23,360 | \$ 45,531 | \$ 13,188 |
| Southwest Sewer Service Area | 35,000 | - | 8,415 | - |
| Administration | 7,500 | 382 | 715 | 220 |
| Water | 425,000 | 28,291 | 35,718 | 9,352 |
| Transportation | 25,000 | 892 | 1,226 | 360 |
| Fire Protection | 50,000 | 2,481 | 6,313 | 1,854 |
| Law Enforcement | 75,000 | 3,749 | 11,730 | 3,444 |
| Library | 75,000 | 4,422 | 12,891 | 3,784 |
| Total Impact Fees | 1,092,500 | 63,577 | 122,539 | 32,202 |
| Investment Income | 60,000 | 10,000 | 28,093 | (16,388) |
| Interfund Interest Income | - | - | - | - |
| Total revenue | 1,152,500 | 73,577 | 150,632 | 15,814 |
| Expenditures: | | | | |
| Other Professional Services | 20,000 | 3,333 | 15,253 | 3,321 |
| Transfer to Debt Service: | | | | |
| Law Enforcement | 205,000 | 14,197 | - | - |
| Fire | 43,100 | 5,656 | - | - |
| Transportation | 73,250 | - | - | - |
| Library | 133,100 | 9,238 | - | - |
| Total Transfers to Debt Service | 454,450 | 29,091 | - | - |
| Transfer to Capital Improvement Fund: | | | | |
| Park | 384,511 | 22,599 | - | - |
| Total Transfers to Capital Improve | 384,511 | 22,599 | - | - |
| Sewer Fees | 500,000 | - | - | - |
| Water Fees | 500,000 | - | - | - |
| Total expenditures | 1,858,961 | 55,023 | 15,253 | 3,321 |
| Revenue over (under) expenditures | (706,461) | 18,554 | 135,379 | 12,493 |
| Fund balance, beginning of year | 6,140,196 | | 6,140,196 | 4,166,499 |
| Fund balance, end of period | \$ 5,433,735 | | \$ 6,275,575 | \$ 4,178,992 |

City of Franklin
Utility Development Fund
Balance Sheet
February 28, 2019 and 2018

| Assets | 2019 | 2018 |
|---|---------------------|---------------------|
| Cash and investments - Water | \$ 824,017 | \$ 626,753 |
| Cash and investments - Sewer | 1,026,997 | 792,613 |
| Special Assessment - Water Current | 156,455 | 146,187 |
| Special Assessment - Water Deferred | 259,425 | 332,962 |
| Special Assessment - Sewer Current | 262,485 | 244,026 |
| Special Assessment - Sewer Deferred | - | 76,728 |
| Reserve for Uncollectible | (16,776) | (40,982) |
| Total Assets | \$ 2,512,603 | \$ 2,178,287 |
| Liabilities and Fund Balance | | |
| Accounts payable | \$ - | \$ - |
| Unearned Revenue | 661,589 | 755,921 |
| Total Fund Balance | 1,851,014 | 1,419,366 |
| Total Liabilities and Fund Balance | \$ 2,512,603 | \$ 2,175,287 |

Comparative Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | 2019 Original Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|--|-------------------------------------|---|---|---|
| Revenue: | | | | |
| Special Assessments | | | | |
| Water | \$ 28,400 | \$ 2,655 | \$ 126,061 | \$ - |
| Sewer | 29,200 | 1,106 | - | - |
| Connection Fees | | | | |
| Water | 2,000 | - | - | - |
| Sewer | 35,000 | 1,983 | 4,500 | 3,000 |
| Total Assessments & Connection Fees | 94,600 | 5,744 | 130,561 | 3,000 |
| Special Assessment Interest | 17,900 | 9 | - | - |
| Investment Income | 10,000 | 1,667 | 7,915 | 2,988 |
| Total revenue | 122,500 | 7,420 | 138,476 | 5,988 |
| Transfer to Capital Improvement Fund: | | | | |
| Water | 500,000 | - | - | - |
| Sewer | 500,000 | - | - | - |
| Total Transfers to Capital Improven | 1,000,000 | - | - | - |
| Revenue over (under) expenditures | (877,500) | 7,420 | 138,476 | 5,988 |
| Fund balance, beginning of year | | | 1,712,538 | 1,413,378 |
| Fund balance, end of period | | | \$ 1,851,014 | \$ 1,419,366 |

City of Franklin
Self Insurance Fund - Actives
Balance Sheet
February 28, 2019 and 2018

| <u>Assets</u> | 2019 | 2018 |
|---|---------------------|---------------------|
| Cash and investments | \$ 2,013,412 | \$ 2,115,192 |
| Accounts receivable | 309 | 51,546 |
| Interfund advance receivable | - | 25,000 |
| Prepaid expenses | - | 1,500 |
| Total Assets | \$ 2,013,721 | \$ 2,193,238 |
| <u>Liabilities and Net Assets</u> | | |
| Accounts payable | \$ 32,088 | \$ 4,296 |
| Claims payable | 290,700 | 290,700 |
| Unrestricted net assets | 1,690,933 | 1,898,242 |
| Total Liabilities and Fund Balance | \$ 2,013,721 | \$ 2,193,238 |

City of Franklin Self Insurance Fund - Actives
Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018


| | 2019 Budget | 2019 Year-to-Date Budget | 2019 Year-to-Date Actual | 2018 Year-to-Date Actual |
|-----------------------------------|------------------------|---|---|---|
| Revenue | | | | |
| Medical Premiums-City | \$ 2,837,218 | 476,992 | \$ 408,192 | \$ 419,792 |
| Medical Premiums-Employee | 642,507 | 107,413 | 88,584 | 77,588 |
| Other - Invest Income, Rebates | 30,000 | 5,000 | 19,924 | 4,700 |
| Medical Revenue | 3,509,725 | 589,405 | 516,700 | 502,080 |
| Dental Premiums-City | 112,550 | 15,915 | 18,880 | 18,196 |
| Dental Premiums-Retirees | 3,675 | 954 | 618 | 900 |
| Dental Premiums-Employee | 56,450 | 9,393 | 9,683 | 9,219 |
| Dental Revenue | 172,675 | 26,262 | 29,181 | 28,315 |
| Total Revenue | 3,682,400 | 615,667 | 545,881 | 530,395 |
| Expenditures: | | | | |
| Medical | | | | |
| Medical claims | 2,833,650 | 257,492 | 328,045 | 347,519 |
| Prescription drug claims | - | - | 41,778 | 54,435 |
| Refunds-Stop Loss Coverage | - | - | 1,016 | - |
| Total Claims | 2,833,650 | 257,492 | 370,839 | 401,954 |
| Medical Claim Fees | 145,850 | 33,021 | 29,409 | 27,338 |
| Stop Loss Premiums | 667,300 | 96,824 | 92,686 | 52,456 |
| Other - Miscellaneous | 118,250 | 5,830 | 7,276 | 3,736 |
| Transfer to Other Funds | 59,250 | 9,875 | 88,500 | - |
| Total Medical Costs | 3,824,300 | 403,042 | 588,710 | 485,484 |
| Dental | | | | |
| Active Employees & COBRA | 189,000 | 23,762 | 25,600 | 32,344 |
| Retiree | 3,675 | 382 | 806 | 521 |
| Total Dental Costs | 192,675 | 24,144 | 26,406 | 32,865 |
| Claims contingency | - | - | - | - |
| Total Expenditures | 4,016,975 | 427,186 | 615,116 | 518,349 |
| Revenue over (under) expenditures | (334,575) | \$ 188,481 | (69,235) | 12,046 |
| Net assets, beginning of year | 1,760,168 | | 1,760,168 | 1,886,196 |
| Net assets, end of period | \$ 1,425,593 | | \$ 1,690,933 | \$ 1,898,242 |

City of Franklin
City of Franklin Post Employment Benefits Trust
Balance Sheet
February 28, 2019 and 2018

| <u>Assets</u> | <u>2019</u> | <u>2018</u> |
|---|----------------------------|----------------------------|
| Cash and investments | \$ 37,145 | \$ - |
| Investments held in trust - Fixed Inc | 1,926,710 | 1,934,703 |
| Investments held in trust - Equities | 3,872,032 | 3,703,800 |
| Accounts receivable | 5,719 | 106,283 |
| Due from Water Utility | - | - |
| Total Assets | <u>\$ 5,841,606</u> | <u>\$ 5,744,786</u> |
| <u>Liabilities and Net Assets</u> | | |
| Accounts payable | \$ 1,193 | \$ 441 |
| Claims payable | 131,100 | 131,100 |
| Due to City | - | 155,354 |
| Net assets held in trust for post emp | 5,709,313 | 5,457,891 |
| Total Liabilities and Fund Balance | <u>\$ 5,841,606</u> | <u>\$ 5,744,786</u> |

City of Franklin Post Employment Benefits Trust
Statement of Revenue, Expenses and Fund Balance
For the Two months ended February 28, 2019 and 2018

| | <u>2019</u> | <u>2018</u> |
|--|----------------------------|----------------------------|
| | <u>Year-to-Date</u> | <u>Year-to-Date</u> |
| <u>Revenue</u> | <u>Actual</u> | <u>Actual</u> |
| ARC Medical Charges - City | \$ - | \$ - |
| Medical Charges - Retirees | 37,178 | 29,892 |
| Implicit Rate Subsidy | 42,846 | 74,062 |
| Medical Revenue | <u>80,024</u> | <u>103,954</u> |
| Expenditures: | | |
| Retirees-Medical | | |
| Medical claims | 39,703 | 175,051 |
| Prescription drug claims | 21,712 | 26,760 |
| Refunds-Stop Loss Coverage | - | - |
| Total Claims-Retirees | <u>61,415</u> | <u>201,811</u> |
| Medical Claim Fees | 5,117 | 3,420 |
| Stop Loss Premiums | 13,147 | 8,588 |
| Miscellaneous Expense | 345 | 330 |
| ACA Fees | - | - |
| Total Medical Costs-Retirees | <u>80,024</u> | <u>214,149</u> |
| Revenue over (under) expenditures | - | (110,195) |
| Annual Required Contribution-Net | 30,524 | - |
| Other - Investment Income, etc. | 449,385 | (5,677) |
| Total Revenues | <u>479,909</u> | <u>(5,677)</u> |
| Net Revenues (Expenditures) | <u>479,909</u> | <u>(115,872)</u> |
| Net assets, beginning of year | <u>5,229,404</u> | <u>5,573,763</u> |
| Net assets, end of period | <u>\$ 5,709,313</u> | <u>\$ 5,457,891</u> |

| | | |
|--|---|--|
| APPROVAL  | REQUEST FOR COUNCIL ACTION | MEETING DATE 4/1/2019 |
| REPORTS & RECOMMENDATIONS | Authorize the Director of Administration to proceed with obtaining pricing for a wireless microphone strategy for the replacement of the Common Council Chamber sound system | ITEM NUMBER <i>G. 14.</i> |

Purpose: The purpose of the Council Action Sheet is to request Common Council approval to resolve the Common Council Chamber sound system project with a newer, more-modern, technology-based solution.

Executive Summary: In order to avoid physical limitations of the Common Council Chambers, moving the sound system replacement project to a wireless microphone strategy creates greater flexibility and would change the nature of the project from a public construction project to more of an IT technology installation project. As such, it would not require detailed plans or public bidding, and the project could be accomplished much more quickly. Cost increases would be constrained by retaining certain components of the current system, such as the current speakers and digital recorder.

Background: On December 4, 2018, the Common Council directed a budget amendment be brought forward that would carry forward the remaining 2018 appropriations for the Common Council chambers sound system. The budget modification was approved March 5, 2019, and brought forward appropriations totaling \$32,165, which is the remaining portion of the original \$35,000 encumbrance. That small difference is the amount the Common Council previously authorized to be used to contract with Heartland Business Systems for development of specifications and design for a new sound system.

Preparing clear and detailed specifications and a design were necessary because it was previously determined that a sufficient portion of the sound system amounted to fixtures and, therefore, required the public bidding process be used. Under that parameter, it was necessary to have a clear and specific design to avoid being forced to accept a low bid with inferior equipment.

That design process has been underway; however, a significant issue has been identified. In short, the pipe that goes from underneath the dais to the corner where the equipment is desired to be installed is too small. That means portions of the equipment would still need to be installed at the knees of the Director of Clerk Services and that some of those pieces might need to be linked together. The linking of our two older mixers now is, in the opinion of the Director of Administration, what has been driving the current buzzing, which was solved when the daisy chaining of the mixers was recently stopped. This limits us today to only 8 microphones through that source. The alternative is to tear up a portion of the dais and install a new larger pipe in the concrete floor, which would be a messy and costly effort. In short, one alternative forces an undesirable design; the other forces an extra, expensive construction effort.

Proposal: The Director of Administration recommends that the City consider a primarily wireless solution to replacement of the sound system. Using wireless microphones, the limitations of the current facility can be avoided. The base equipment (mixers, amps, etc.) can be placed in the corner of the room (where the rack is now); but all of the wireless microphones can be placed anywhere, which has the added benefit of multiple configurations for special events. At least one wireless microphone would also be able to be used in the Hearing Room to ensure its continued use as an overflow room.

A pros-and-cons discussion on wireless microphones would likely include the following points:

- a) The historic perspective that wireless microphone systems do not provide the same quality sound appears to no longer be considered a valid concern by the audio/visual industry, although there is some greater chance for signal interference.
- b) Wireless microphones are individually more expensive than wired microphones, as much as 2 to 4 times more. In our instance, however, labor costs from rewiring, speaker installation, and possibly installing a new floor pipe will be reduced and that labor savings can be used for the technology upgrade.
- c) One of the factors increasing the cost would be choosing a wireless microphone with a built-in rechargeable lithium ion battery. This avoids buying cases of 9-volt batteries and having batteries die during a meeting. On the other hand, it will require each Alderman to "grab a mic from the corner" as they enter for each meeting. At the end of the meeting staff can return them to the charging stations. There would be a long-term, limited maintenance cost of periodically replacing any lithium ion batteries that were no longer holding a charge.
- d) Wireless microphones because of their mobility are, arguably, more easily stolen and are potentially subject to more abuse or damage due to the added movement.
- e) Wireless systems do theoretically increase the very long-term potential that the FCC could ban certain wavelengths from future use, but that is not anticipated to be a significant concern with the realignment that was done earlier in the decade. The entire industry would be frozen if this were a driving concern.

Moving forward with the project in this manner, it is proposed that the speaker system in the Council Chambers will remain as is. Although replacing the speakers was anticipated for peak sound balancing, the newer, improved base equipment will presumably be able to be better adjusted to get the most out of the current speakers. Since the speakers haven't been our most significant problem, taking them out of the initial scope also frees up resources to help fund the wireless microphones and the other wireless components that would be needed for the network connections, such as a switch or router. If new speakers are determined to be a preference in the future, it can be completed as a separate project at that time.

The current digital recorder would be maintained. Speakers in the Hearing Room and the existing ceiling microphones, which have consistently shown strong reception, would also be retained pending a final determination that they incorporated well into the new, core system and retained good functionality.

The control panel would also be a digital solution, not a bunch of knobs on the devices. The controller solution proposed will be evaluated within the process before the final proposal is approved by the Common Council. The controller touch panel itself would be in the corner with the other equipment, but it would also be controllable through a software application from anywhere in the room provided the City also supplies a separate tablet. This more digital strategy would also make it easier to connect the computer to the sound system so that sound accompanying a video or PowerPoint being run through the computer would also be projected over the speakers.

A significant benefit of this approach is that the resulting project is more of an IT technology installation than replacement of the speakers and sound system as fixtures. Instead of lots of wires being pulled and new, fixed ceiling speakers installed, only a couple of new long wire runs will likely be needed, which will be easy to do with existing wiring removed. As an IT project of this nature, it will no longer be subject to the requirements of a public bidding process. We will still get competitive pricing on the pieces of equipment, but the City will be simply buying equipment and hooking it up, much as we do a desk top or a server. The steps to hook it up are more complex, requiring network interfacing and sound system engineering, but the work is still not of a construction nature. As with most IT projects, there would be

some contract costs for technical support at installation, but that labor will be much less than what was contemplated in the full public construction project.

It is worth noting that if the following recommendation is approved, the design contract previously executed will be considered completed and fulfilled. HBS, the designer, has taken extensive steps and provided multiple drafts of design options. It was their work that ultimately led to the potential for a wireless strategy to overcome certain physical constraints of the room and to accelerate the project. Additionally, if approved, a few additional hours of technical support for finalizing specification recommendations under the new wireless approach may be needed. If this becomes necessary, these limited costs will be charged to the IT operating budget, and they can be considered for moving to a project cost after final pricing is obtained.

It is also worth restating the following from the December 4, 2018, Council Action Sheet:

“it has recently become apparent that the projector in the Council Chambers no longer serves the needs of the City. The projector is simply too old and uses lower specifications that makes it difficult for it to consistently present quality images at modern resolution levels. The City would be well served to incorporate replacement of the projector into the scope of services for the audio system and treat it like an overall audio visual system. Replacing the video system will very likely push the project outside the \$35,000 sound system budget...”

FISCAL IMPACT: It was known from the beginning that the original \$35,000 budget (of which just over \$32,000 remains) was a rough estimate and likely tight for the project as originally contemplated. That appears to be the case for the wireless system as well. I have reached out to multiple vendors for some rough budget estimates and have a range of about \$35,000 to \$43,000 depending upon everything the City finally chooses and the sound system engineering details that would be investigated and resolved prior to award of the contract. That price range would provide for 2 staff microphones, and would likely allow for adding a third and a lavalier for presentations (4th microphone). This estimate does not include the cost of a tablet for more flexibility in accessing the controls. It also does not include the cost of the new projector discussed above. Additionally, if the City wishes to resolve all of its sound system needs, the City might want to consider the cost of a capable, portable sound system that can be used at ground breakings or other events or other locations. The Director of Administration expects to provide estimates for such costs when the final proposals for the Common Council sound system is considered. The source of funding for any expense over the current available budget will be identified and recommended when the final price quote and vendor is brought back for approval. Existing Capital Outlay fund appropriations or excess fund balance generated in 2018 will likely be proposed. The prospective vendors are being told that the City wants “quality” but not “Cadillac.” As such, if the Common Council is not prepared to eventually approve additional funding and if the current budget is to be the driving factor in the project, the Director of Administration should be immediately instructed as such.

If the following motion is approved, the new pricing and implementation costs will be brought back to the Common Council for its future consideration and approval. The recommended action simply refocuses the project on a wireless microphone solution and, based on this write-up, acknowledges the expectation that additional resources will likely be needed.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to proceed with obtaining pricing for a wireless microphone strategy for the replacement of the Common Council Chamber sound system.

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|--|---------------------------------------|--|
| APPROVAL <i>Slw</i> | REQUEST FOR COUNCIL ACTION | MEETING DATE 04/01/19 |
| LICENSES AND PERMITS | MISCELLANEOUS LICENSES | ITEM NUMBER H.1. |
| <p>See attached listing from meeting of April 01, 2019.</p> <p>COUNCIL ACTION REQUESTED</p> | | |



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

**License Committee
Agenda*
Aldermen's Room
April 1, 2019 – 6:00 pm**

| | | | | |
|--------------------------------------|---|------------------------|-------------|-------------|
| 1. | Call to Order & Roll Call | Time: | | |
| 2. | Applicant Interviews & Decisions | | | |
| License Applications Reviewed | | Recommendations | | |
| Type/ Time | Applicant Information | Approve | Hold | Deny |
| Operator | Pamela Brys 1720 W Meyer Lane #6104 Oak Creek, WI 53154 Buckhorn Bar & Grill | | | |
| Operator | Grace Ann Lucille Cole 10863 S 60 th St Franklin, WI 53132 Hideaway Pub & Eatery | | | |
| Operator | Angelica M Davis 826 Blake Ave South Milwaukee, WI 53172 Bowery Bar & Grill | | | |
| Operator | Shane R Jaskie 7811 W Winston Way Franklin, WI 53132 Irish Cottage | | | |
| Operator | Danielle E Zielinski 9880 S Glenmoor Ct Oak Creek, WI 53154 Sendik's Food Market | | | |
| Day Care 2019-2020 | Academy of Preschool Learning, Inc Dba Academy of Preschool Learning 9501 W Drexel Ave Nadeen Balsis, Manager | | | |
| Day Care 2019-2020 | Mrs. Rikki's Structured Daycare N9027 E Miramar Dr East Troy, WI 53120 Rochelle S Boyce, Manager | | | |
| Mobile Home 2019-2020 | Badger MHP, LLC Dba Badger Mobile Home Park 6405 S 27 th St Jason P Janda, Manager | | | |
| Mobile Home 2019-2020 | Franklin Mobile ,LLC DBA Franklin Mobile Estates 6361 S 27 th St David Steinberger, Manager | | | |
| 3. | Adjournment | | | |
| | | Time | | |

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

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|----------------------------------|---------------------------------------|---------------------------------------|
| APPROVAL <i>Slw RL</i> | REQUEST FOR COUNCIL ACTION | MEETING DATE 4/01/19 |
| Bills | Vouchers and Payroll Approval | ITEM NUMBER I. 1 |

Attached are vouchers dated March 15, 2019 through April 1, 2019 Nos. 173025 through Nos. 173187 in the amount of \$ 2,411,725.15. Included in this listing are EFT's Nos. 3981 through Nos. 3993 Library vouchers totaling \$ 15,351.91, Tourism vouchers totaling \$50.00, Property Tax Refunds totaling \$ 1,035.87 and Water Utility vouchers totaling \$ 17,435.67. Voided checks in the amount of \$ (1,072.06) are separately listed.

Early release disbursements dated March 15, 2019 through March 28, 2019 in the amount of \$ 1,814,221.91 is provided on a separate listing and is also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

The net payroll dated March 29, 2019 is \$ 403,214.66 previously estimated at \$ 400,000.00. Payroll deductions dated March 29, 2019 are \$ 396,726.22 previously estimated at \$ 397,000.00.

The estimated payroll for April 12, 2019 is \$ 393,000.00 with estimated deductions and matching payments of \$ 222,000.00.

***Property Tax refunds are being issued from the City bank account with Property Tax funding City periodically.*

Attached is a list of property tax payments Nos. 17898 and EFT Nos. 258 through Nos. 259 dated March 15, 2019 through March 28, 2019 in the amount of \$ 5,000,210.88. \$ 210.88 of this represents tax refunds and \$ 5,000,000 of this represents the transfer of collections to investment accounts. These payments have been released as authorized under Resolution 2013-6920.

COUNCIL ACTION REQUESTED

Motion approving the following:

- City vouchers with an ending date of April 1, 2019 in the amount of \$ 2,411,725.15 and
- Payroll dated March 29, 2019 in the amount of \$ 403,214.66 and payments of the various payroll deductions in the amount of \$ 396,726.22 plus City matching payments and
- Estimated payroll dated April 12, 2019 in the amount of \$ 393,000.00 and payments of the various payroll deductions in the amount of \$ 222,000.00, plus City matching payments and
- Property Tax refunds and investments with an ending date of March 28, 2019 in the amount of \$ 5,000,210.88.

ROLL CALL VOTE NEEDED