

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*  
TUESDAY, OCTOBER 15, 2019 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
  - 1. Citizen Comment Period.
  - 2. Mayor Announcement – Certificate of Achievement for Serving as a Kayla’s Playground Ambassadors Presented to the Following: Joseph Zolecki, Samatha Lemke, Ashlyn Kucharski, Beverly Garves, Dan Crass, Ellen Crass, Jeffery Steier, Doug Milinovich, Christine Dunn, Kamryn Witkowiak, Luanne McGregor, Mark Laing, Jim Collins, Cindy Knueppel, Marta Cruciani, Fred Knueppel and Joe Collins.
- C. Approval of Minutes:
  - 1. Committee of the Whole Meeting of September 30, 2019.
  - 2. Regular Common Council Meeting of October 1, 2019.
  - 3. Special Common Council Meeting of October 9, 2019.
- D. Hearings:
  - 1. Public Hearing - A proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at 8429 and 8459 West Forest Hill Avenue, from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use (Franklin Public Schools, applicant, Ronald S. Pesche and Susan Pesche, property owners).
  - 2. Public Hearing - A proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use (William Bodner, Managing Member, Bodner Property Management, LLC, applicant). The property which is the subject of this application bears Tax Key No. 795-9999-008, consisting of approximately 5.723 acres of land.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
  - 1. Consent Agenda:
    - (a) Engage Ehlers for Dissemination Agent Agreement for Issuer Continuing Disclosure Required Under Securities and Exchange Commission Rule 15c2-12.
    - (b) List of Donations for August/September 2019 to Police, Fire, Health and Parks.
    - (c) The Franklin Police Department Received the Following Donations: \$100 from Robert Jester to be Deposited into the General Police Donation Account and \$5,000

- from Franklin Police Citizen Academy Association to be Deposited into the Police K9 Account.
2. An Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map for Properties Located at 8429 and 8459 West Forest Hill Avenue From Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use (Approximately 13.974 Acres) (Franklin Public Schools, Applicant, Ronald S. Pesche and Susan Pesche, Property Owners).
  3. An Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map for Property Generally Located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use (Approximately 5.723 Acres) (William Bodner, Managing Member, Bodner Property Management, LLC, Applicant).
  4. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a Certain Parcel of Land From R-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District (Generally Located at South Scepter Drive and West Church Street) (Approximately 5.723 Acres) (William Bodner, Managing Member, Bodner Property Management, LLC, Applicant).
  5. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Five 8-Unit Multi-Family Residential Apartment Buildings (40 Units) Use Upon Property Located at Approximately South Scepter Drive and West Church Street (William Bodner, Managing Member, Bodner Property Management, LLC, Applicant).
  6. An Ordinance to Amend Ordinance 2018-2345, an Ordinance Adopting the 2019 Annual Budgets for TID 4 to Appropriate \$10,000 of Appraiser Professional Services.
  7. A Resolution to Amend Task Order No. 5 and No. 6 of Ruckert & Mielke, Inc.’s Contract for Franklin Corporate Park, Phase 1 Dated November 4, 2014; and Authorize Staff to Obtain and Sign a Contract with Land Appraiser for Land Acquisition Services Related to this Project also a Request to Solicit Sanitary Sewer Equipment Suppliers for Franklin Corporate Park.
  8. An Ordinance to Amend Ordinance 2019-2381, an Ordinance Creating the 2019 Annual Budgets for TID 7 to Provide for Legal Costs in the TID.
  9. Request for Common Council to Repeal and Recreate Chapter 133 of the Municipal Code with the Ordinance Proposed by the Fire Chief, Incorporating Language and Requirements that are Consistent with State Administrative Rules and National Fire Protection Association (NFPA) Codes and Standards.
  10. Request Council Approval of an Agreement for Fire Protection Plan Review and Inspection Services.
  11. A Request for Common Council Action to Survey Property Owners to Extend Watermain Along S. 27th Street and W. Acre Avenue.
  12. A Resolution to Rename the Sewer and Water Operations Center to the “John M. Bennett, PE, Utilities Operation Center” (5550 W. Airways Avenue).
  13. Authorization for the Department of Public Works to Sell Surplus Equipment.
  14. City Hall and Library Fire Alarm and Fire Extinguisher Service and Maintenance Agreement with Starfire Systems Inc.

Common Council Meeting Agenda

October 15, 2019

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15. Report on the New State Requirement for each Municipality to Develop and Implement a Comprehensive Private Onsite Wastewater Treatment System (POWTS) Maintenance Program.
16. Update on the City Hall Roof, HVAC and Fascia and a Wood Replacement Project, Including Contingent Project Costs.
17. Authorization to Accept a Proposal from MUDTeCH, LLC for Sidewalk Repair (Mudjacking) at City Hall.
18. Authorization to Award an Asbestos Abatement Contract to Integrity Environmental Services, Inc. for an Amount not to Exceed \$8,400 for the Area Comprising of the City Clerk's Office.
19. Authorization to Award a Contract to Stu's Flooring LTD for Carpeting in the City Clerk's Offices for \$13,545 and to C. Coakley Relocation Services for Workstation and Furniture Handling for \$9,450.
20. August 2019 Monthly Financial Report.
21. Authorization for Purchase of BS&A's Water Utility Billing Software Including Executing of the Software Licenses and Services Agreement.

H. Bills.  
Request for Approval of Vouchers and Payroll.

I. Licenses and Permits.  
Miscellaneous Licenses from License Committee Meeting of October 15, 2019.

J. Adjournment.

\*Supporting documentation and details of these agenda items are available at City Hall during normal business hours  
[Note Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500 ]

REMINDERS:

October 27	Trick-or-Treat Observance	4:00 pm. to 7:00 pm.
November 4	Committee of the Whole-if needed	6:30 p.m.
November 5	Common Council Meeting	6:30 p.m.
November 7	Plan Commission Meeting	7:00 p.m.
November 19	Common Council Meeting	6:30 p.m.
November 21	Plan Commission Meeting	7:00 p.m.
November 28 & 29	City Hall Closed for Thanksgiving Holiday	



CITY OF FRANKLIN

Certificate of Achievement

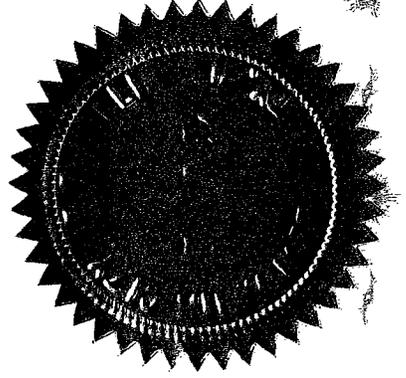
Mayor Stephen R. Olson presents this Certificate of Appreciation to

Jim Collins

Gratefully acknowledging his contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR and dedicating 10 hours to the community

And is tendered with the sincere appreciation of the Common Council and your fellow citizens.

Franklin



*Stephen R. Olson*  
STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN

10/15/2019



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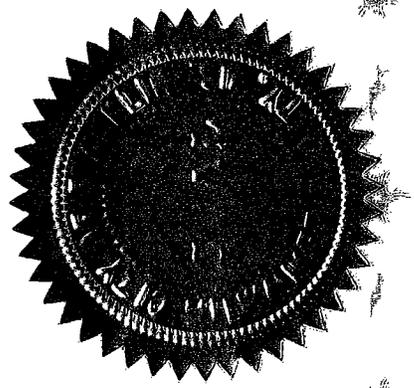
Mayor Stephen R. Olson presents this Certificate of Appreciation to

**Joe Collins**

Gratefully acknowledging his contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR and dedicating 22 hours to the community.

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 Franklin



10/15/2019

  
STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



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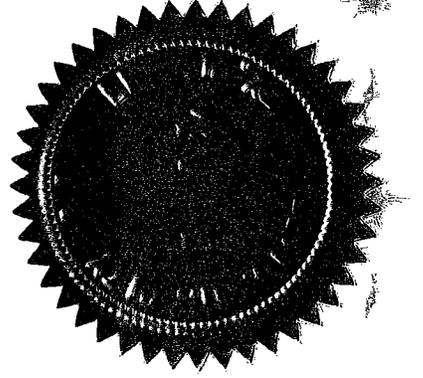
Dan Crass

Gratefully acknowledging his contribution to the quality of life in the City by serving as a KAYLA'S PLAYGROUND AMBASSADOR and dedicating 2 hours to the community.

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Signature of Stephen R. Olson, Mayor of Franklin, with text: STEPHEN R. OLSON, MAYOR, CITY OF FRANKLIN



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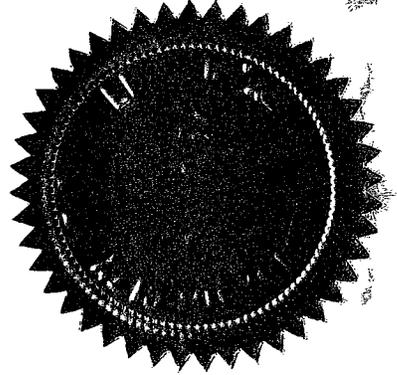
Ellen Crass

Gratefully acknowledging her contribution to the quality of life in the City by serving as a KAYLA'S PLAYGROUND AMBASSADOR and dedicating 2 hours to the community.

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Stephen R. Olson  
STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



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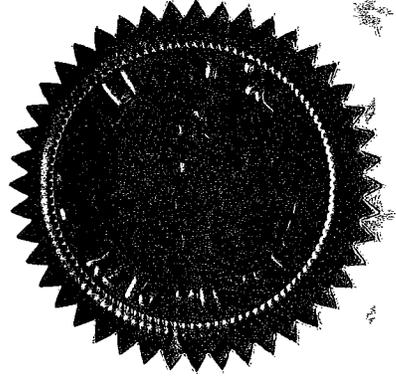


Mayor Stephen R. Olson presents this Certificate of Appreciation to

Marta Cruciani

Gratefully acknowledging her contribution to the quality of life in the City by serving as a KAYLA'S PLAYGROUND AMBASSADOR and dedicating 12 hours to the community.

And is tendered with the sincere appreciation of the Common Council and your fellow citizens.



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Signature of Stephen R. Olson, Mayor of Franklin.

STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



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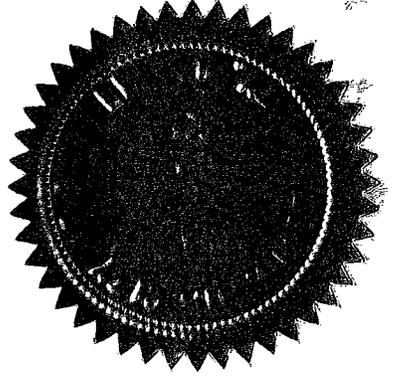
Christine Dunn

Gratefully acknowledging her contribution to the quality of life in the City by serving as a KAYLA'S PLAYGROUND AMBASSADOR and dedicating 8 hours to the community

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Signature of Stephen R. Olson  
STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



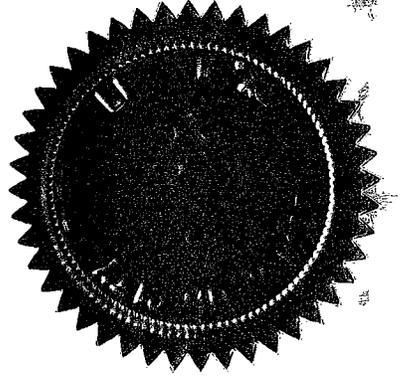
CITY OF FRANKLIN  
 Certificate of Achievement

Mayor Stephen R. Olson presents this Certificate of Appreciation to

**Beverly Garves**

Gratefully acknowledging her contribution to the quality of life in the City by serving as a  
 KAYLA'S PLAYGROUND AMBASSADOR and dedicating 2 hours to the community.

And is tendered with the sincere appreciation of the Common Council and your fellow citizens.



*Stephen R. Olson*  
 STEPHEN R. OLSON, MAYOR  
 CITY OF FRANKLIN

10/15/2019



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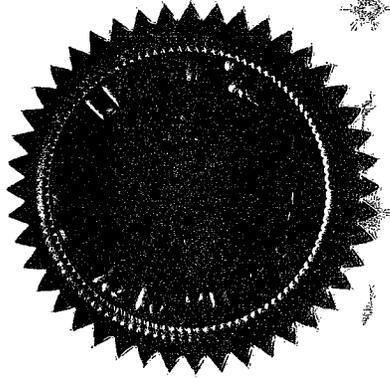
**Cindy Knueppel**

Gratefully acknowledging her contribution to the quality of life in the City by serving as a  
 KAYLA'S PLAYGROUND AMBASSADOR and dedicating 12 hours to the community.

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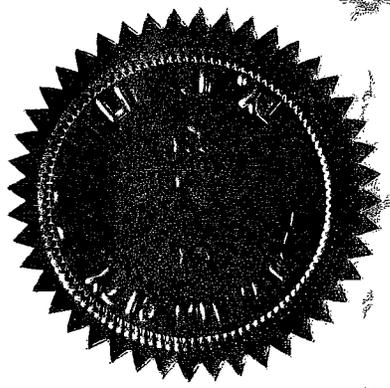
**Fred Knueppel**

Gratefully acknowledging his contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR and dedicating 14 hours to the community.

And is tendered with the sincere appreciation of the Common Council and your fellow citizens

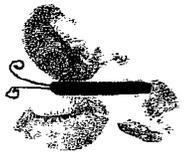
Franklin

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*Stephen R. Olson*  
STEPHEN R. OLSON MAYOR  
CITY OF FRANKLIN





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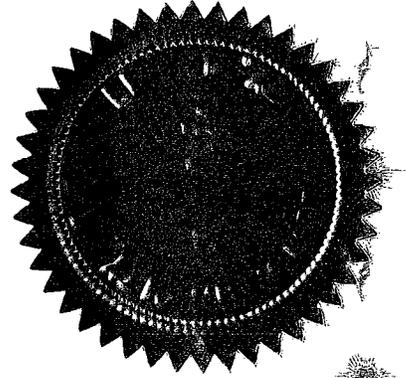


Mayor Stephen R. Olson presents this Certificate of Appreciation to

**Ashlyn Kucharski**

Gratefully acknowledging her contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR and dedicating 2 hours to the community.

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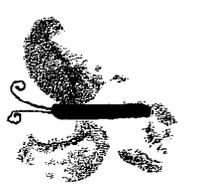
*Stephen R. Olson*  
STEPHEN R. OLSON MAYOR  
CITY OF FRANKLIN

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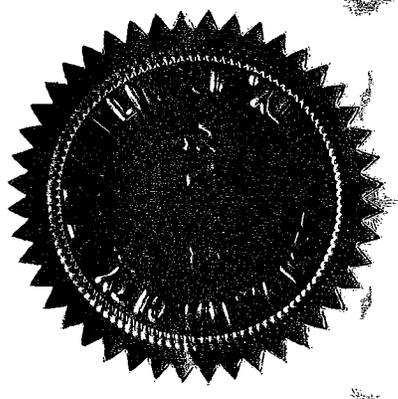
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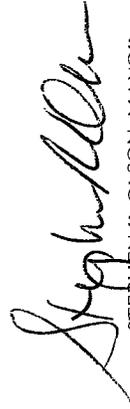
**Mark Laing**

Gratefully acknowledging his contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR and dedicating 8 hours to the community.

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STEPHEN R. OLSON, MAYOR  
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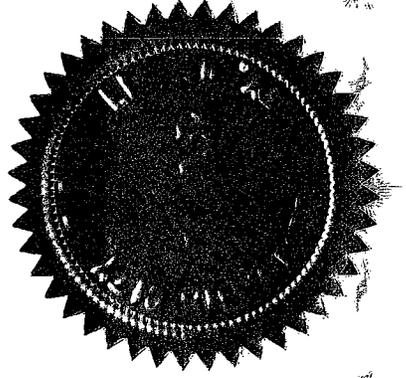


Mayor Stephen R. Olson presents this Certificate of Appreciation to

**Samantha Lemke**

Gratefully acknowledging her contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR.

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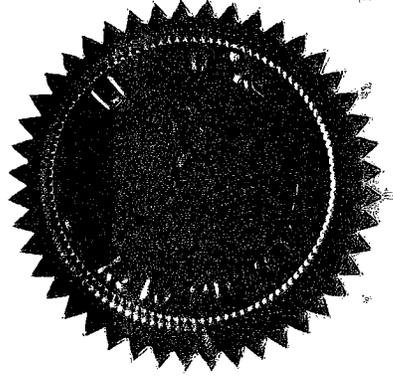
**Luanne McGregor**

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KAYLA'S PLAYGROUND AMBASSADOR and dedicating 8 hours to the community.

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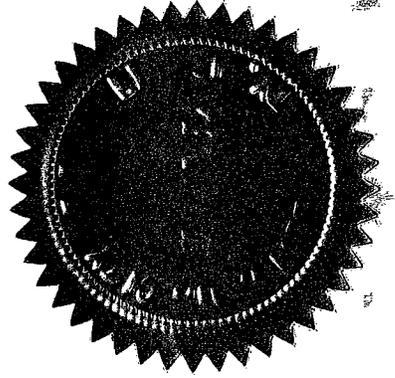
Doug Milinovich

Gratefully acknowledging his contribution to the quality of life in the City by serving as a KAYLA'S PLAYGROUND AMBASSADOR and dedicating 4 hours to the community.

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Stephen R. Olson  
STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



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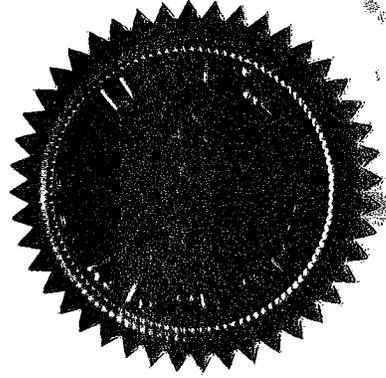
Jeffery Steier

Gratefully acknowledging his contribution to the quality of life in the City by serving as a KAYLA'S PLAYGROUND AMBASSADOR and dedicating 2 hours to the community.

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Franklin

10/15/2019



Signature of Stephen R. Olson, Mayor of Franklin.

STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



# CITY OF FRANKLIN

## Certificate of Achievement



Mayor Stephen R. Olson presents this Certificate of Appreciation to

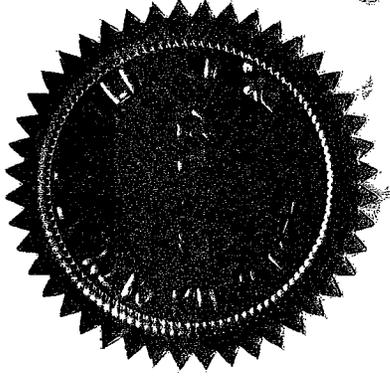
# Kamryn Witkowiak

Gratefully acknowledging his contribution to the quality of life in the City by serving as a  
KAYLA'S PLAYGROUND AMBASSADOR and dedicating 8 hours to the community.

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10/15/2019



*Stephen R. Olson*  
STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN



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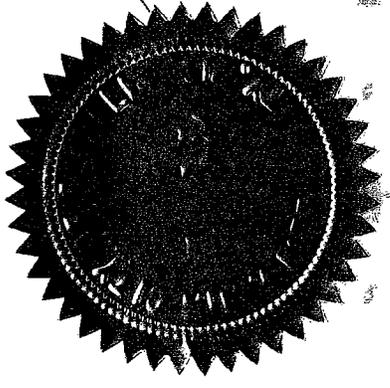
Mayor Stephen R. Olson presents this Certificate of Appreciation to

Joseph Zolecki

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Franklin



Signature of Stephen R. Olson, Mayor of Franklin

STEPHEN R. OLSON, MAYOR  
CITY OF FRANKLIN

10/15/2019



CITY OF FRANKLIN  
COMMITTEE OF THE WHOLE MEETING  
SEPTEMBER 30, 2019  
MINUTES

ROLL CALL

A. The regular meeting of the Committee of the Whole was held on September 30, 2019 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer (arrived at 6:32 p.m.), Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Finance & Treasurer Paul Rotzenberg, Dir. of Administration Mark Luberdia, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

REVIEW OF  
RECOMMENDED  
2020 BUDGET

B. Alderman Mayer moved to tentatively amend the Mayor’s recommended 2020 Budget by increasing the Municipal Buildings Department Personnel Services appropriations by \$13,000 in order to eliminate the separation vacancy in the event of a retirement. Seconded by Alderman Barber. All voted Aye; motion carried.

Alderman Barber moved to tentatively amend the Mayor’s recommended 2020 Budget by authorizing the Director of Finance and Treasurer to adjust the General Fund Restricted Contingency as necessary and appropriate to preserve these emergency appropriations without sacrificing the Expenditure Restraint funding. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Taylor moved to tentatively amend the Mayor’s recommended 2020 Budget by the following:

- 1) Eliminate the funding for three public safety officers from the new General Public Safety Department, listed as Personnel costs of \$344,860 and non-Personnel costs of \$15,000;
- 2) Adding one Police Officer for \$114,500, adding one Battalion Chief for \$143,500, and adding one support position to the Department of Administration for \$89,000; and
- 3) Adding \$29,000 to Police Department Personnel costs to address wage compression and a restructuring of the command staff pay plan by increasing General Fund revenues from property taxes by \$17,000 as per the net new construction allowance.

Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Taylor, Alderman Barber and Alderman Nelson voted Aye; Alderman Mayer Abstained. Motion carried.

Alderman Taylor moved to tentatively amend the Mayor’s recommended 2020 Sanitary Sewer Budget by the following:

- 1) Salaries and Benefits reduced by \$10,959 to conform to changes in 2020 Employee benefit program plans;

2) Sewer Improvements decreased by \$84,000 to reflect the capitalization of software; and

3) Increase miscellaneous expenses by \$3,500 for taxes.

Seconded by Alderman Barber. On Roll Call, all voted Aye. Motion carried.

Alderman Wilhelm moved to tentatively amend the Mayor's recommended 2020 Budget to carryover and add \$100,000 for completion of the S. 50th Street improvement project. Seconded by Alderman Taylor. On Roll Call, all voted Aye; motion carried.

ADJOURNMENT

C. Alderman Taylor moved to adjourn the meeting at 8:45 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
OCTOBER 1, 2019  
MINUTES

ROLL CALL

A. The regular meeting of the Common Council was held on October 1, 2019 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber, and Alderman John R. Nelson. Excused was Alderman Dan Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Lubberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 6:31 p.m. and closed at 6:35 p.m.

MINUTES  
SEPTEMBER 17, 2019

C. Alderman Dandrea moved to approve the minutes of the regular Common Council Meeting of September 17, 2019 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried.

2020-2024 LIBRARY  
STRATEGIC PLAN

G.1. No action was taken following a presentation of the 2020-2024 Franklin Public Library Strategic Plan presented by Jennifer Loeffel and the Franklin Public Library Board.

2019 CIVIC  
CELEBRATIONS  
COMMISSION REPORT

G.2. Alderman Taylor moved to accept and place on file the summary from the 2019 Civic Celebrations event, and allow John Bergner to execute contracts and agreements for the 2020 Franklin Civic Celebration event to be held on July 3, 4, 5. Seconded by Alderman Nelson. All voted Aye; motion carried.

ORD. 2019-2390  
AMEND PARKING  
RESTRICTIONS  
S. 51 ST. AND W.  
DREXEL AVE.

G.3. Alderman Barber moved to adopt Ordinance No. 2019-2390, AN ORDINANCE TO AMEND THE MUNICIPAL CODE SECTION 245-5 (D) EXTENDING PARKING RESTRICTIONS OF S. 51ST STREET AND W. DREXEL AVENUE. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

RES. 2019-7549  
REVIEW & APPROVAL  
OF CONSERVATION  
EASEMENT AT 8547 &  
8567 S. 76TH ST. (2  
MIKE'S LLC,  
APPLICANT)

G.4. Alderman Dandrea moved to adopt Resolution No. 2019-7549, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP UPON PROPERTY LOCATED AT 8547 AND 8567 SOUTH 76TH STREET (2 MIKE'S, LLC), subject to technical corrections by City staff. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2019-7550  
DECK AND ACCESSORY  
STRUCTURE  
6904 S. HARVARD DR.  
(CHAD & JENNIFER

G.5. Alderman Barber moved to adopt Resolution No. 2019-7550, A RESOLUTION AUTHORIZING THE INSTALLATION OF A DECK AND ACCESSORY STRUCTURE WITHIN THE "20 FOOT DRAINAGE EASEMENT" PLAT RESTRICTION, UPON LOT 5 IN SERENITY ESTATES SUBDIVISION (6904 SOUTH HARVARD

- LARSON, APPLICANTS) DRIVE) (CHAD E. LARSEN AND JENNIFER L. LARSEN, APPLICANTS). Seconded by Alderman Taylor. All voted Aye; motion carried.
- RES. 2019-7551  
APPROVAL OF LAND  
COMBINATION FOR  
8570 & 8628 S. 116TH ST.  
(ROBERT  
MONTGOMERY,  
APPLICANT)
- G.6. Alderman Nelson, seconded by Alderman Dandrea, moved to suspend the regular order of business to allow Ken Skowronski to speak. All voted Aye; motion carried. Alderman Nelson, seconded by Alderman Taylor, moved to suspend the regular order of business to allow Robert Montgomery to speak. All voted Aye; motion carried.
- Alderman Nelson moved to adopt Resolution No. 2019-7551, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS 842-995-004 AND 842-9995-002 (8570 SOUTH 116TH STREET AND ADJACENT VACANT PARCEL ABUTTING 8628 SOUTH 116TH STREET) (ROBERT G. MONTGOMERY, APPLICANT). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- Alderman Barber, seconded by Alderman Nelson, moved to return to the regular order of business. All voted Aye; motion carried.
- ORD. 2019-2391  
UDO, PPD NO. 13 TO  
ALLOW FOR PARKING  
LOT & SIGNAGE  
CHANGES (6701 S. 27TH  
ST., WAL-MART)
- G.7. Alderwoman Wilhelm moved to adopt Ordinance No. 2019-2391, AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB) TO ALLOW FOR PARKING LOT AND SIGNAGE MODIFICATIONS (6701 SOUTH 27TH STREET). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- RELEASE OF LETTER OF  
CREDIT, 9201 W.  
DREXEL AVE. (AUTUMN  
LEAVES CARE  
FACILITY)
- G.8. Alderman Barber moved to direct Staff to release Letter of Credit No. 16-002 from TCF Commercial Bank dated April 22, 2016, for the development of the Autumn Leaves of Franklin Memory Care Facility located at 9201 W. Drexel Avenue. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- AGREEMENT PROF.  
POLICE OFFICERS  
ASSOC. FOR 2019-2021
- G.9. Alderman Barber moved to approve the "Franklin Police Officers Association Tentative Agreements with the City of Franklin" (September 19, 2019) for a 2019-2021 successor labor agreement between the City of Franklin and the Franklin Professional Police Officer Association and to authorize the Mayor, Director of Clerk Services, and Director of Administration to execute a labor agreement incorporating the provisions of the attached Tentative Agreement and to authorize the Director of Administration to incorporate any such language into the Employee Handbook as he determines is necessary. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

COMMITTEE OF THE  
WHOLE  
RECOMMENDATIONS

- G.10. Alderman Barber moved to amend the Mayor's Recommended 2020 Budget in the Capital Improvement Fund as follows:
- 1) Adding appropriations of \$65,000 for "Cascade Trail," which includes anticipated use of \$46,150 of Impact Fees; and
  - 2) Reducing identical amounts from the "Trails, Bicycle Routes & Linkages" project.

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

Alderman Wilhelm moved to amend the Mayor's Recommended 2020 Capital Improvement Budget as follows:

- 1) Create a new approved project appropriation of \$700,000 for the construction of W. Marquette Avenue from S. 49th Street to S. 51st Street;
- 2) Create a transfer into the Capital Improvement Fund (46) for \$600,000 from the Debt Service Fund (51); and
- 3) Reduce the "Marquette Avenue Improvements, 49th Street to Pleasant View" project appropriation by \$100,000 to a new total of \$50,000;

and, further to direct the City Engineer to prepare a Special Assessment Resolution for benefiting properties (with no date included in the motion).

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

Alderman Taylor moved to accept all tentative amendments approved at the September 30, 2019 Committee of the Whole meeting as amendments to the Mayor's Recommended 2020 Budget for presentation at the public hearing on the 2020 budget. Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

- H.1. Alderman Barber moved to approve the following:  
City vouchers with an ending date of October 1, 2019 in the amount of \$1,795,267.32; and payroll dated September 27, 2019 in the amount of \$401,165.68 and payments of the various payroll deductions in the amount of \$500,619.67, plus City matching payments; and estimated payroll dated October 11, 2019 in the amount of \$390,000.00 and payments of the various payroll deductions in the amount of \$213,000.00; plus City matching payments; and Property Tax payments with an ending date of September 26, 2019 in the amount of \$1,128.33 and the release payments to Knight Barry in the amount of \$2,095,252.72 and \$493,200.00 to Selzer-Ornst Construction Company, LLC and the release of payment to Primadata in the amount of \$4,500.00. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

LICENSES AND  
PERMITS

- I.1. Alderman Taylor moved to approve the following license recommendations from the License Committee meeting of September 17, 2019:

Grant 2019-2020 Operator licenses to Angelica M Davis, 826 Blake Ave., South Milwaukee, with a warning letter from the City Clerk; Heather Promo, 256 N Moreland Blvd., Waukesha; Jayson L Doepke, 2126 W Forest Home Ave., Milwaukee; Kevin K Kais, 3201 Pleasant View Cir., Caledonia; Ivana Peric, 9257 S 57th St.; and  
Grant 2019-2020 Day Care License, subject to satisfactory inspections to Kinder Care Education, LLC, Manager Katelyn Rekowski, 7363 S 27th St.; and  
Grant Extraordinary Entertainment & Special Event license to the Arthritis Foundation for the Jingle Bell Run (Leah Delaney) on November 16, 2019 at the Franklin High School, Drexel/Puetz Rd & Oak Leaf Trail.  
Seconded by Alderman Nelson. All voted Aye; motion carried.

A recess was held from 7:38 p.m. to 7:43 p.m.

CLOSED SESSION TID 6  
DEV. AGREEMENT  
STRAUSS  
INVESTMENTS

G.11. Alderman Barber moved to enter closed session at 7:44 p.m. pursuant to Wis. Stat. §19.85(1)(e), to deliberate upon the Tax Incremental District No. 6 Mixed-Use Industrial, Commercial, Retail, Single-Family Residential and Open Space Uses Project Development, the Tax Incremental District No. 6 Development Agreement Between the City of Franklin and Loomis and Ryan, Inc., the Acknowledgement of Development Agreement by Strauss Investments, LLC, and the Tax Assessment Agreement (Tax Incremental District No. 6) between the City of Franklin and Straus Investments, LLC terms and status, the negotiation of provisions and terms and the investing of public funds in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place therefore to act on such matters therein as it deems appropriate. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 8:07 p.m.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:07 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

CITY OF FRANKLIN  
SPECIAL COMMON COUNCIL MEETING  
OCTOBER 9, 2019  
MINUTES

- ROLL CALL
- A. The special meeting of the Common Council was held on October 9, 2019 and called to order at 5:45 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor and Alderman John R. Nelson. Excused were Alderman Dan Mayer and Alderman Mike Barber. Also present were Planning Manager Joel Dietl, City Engineer Glen Morrow, Dir. of Economic Development Calli Berg, Dir. of Finance & Treasurer Paul Rotzenberg, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT
- B. Citizen comment period was opened at 5:47 p.m. and closed at 5:47 p.m.
- AFFIDAVIT OF CORRECTION OF CSM NOS. 9167 AND 9042 (BALLPARK COMMONS, LLC, APPLICANT)
- C. Alderwoman Wilhelm moved to authorize the execution and delivery of an Affidavit of Correction by the Mayor and the City Clerk for the removal of direct access to West Rawson Avenue restrictions set forth upon Certified Survey Map No. 9167 approved on May 7, 2019 by Resolution No. 2019-7489 (CSM for Ballpark Commons Apartments) and set forth upon Certified Survey Map No. 9042 approved on May 1, 2018 by Resolution No. 2018-7374 (CSM, Ballpark Commons, LLC, Applicant). Seconded by Alderman Dandrea. All voted Aye; motion carried.
- VELO TO UNDERTAKE PORTION OF PUBLIC IMPROVEMENTS WITHIN TIDS 5 AND 7
- D. Alderman Dandrea moved that the previously approved amendment to the Tax Increment Finance District 5 Development Agreement be modified so that, if necessary for the Velo Apartment project's timely completion, Velo Village Apartments, LLC be allowed to undertake identified public improvements and the City be allowed to make payments to Velo Village Apartments, LLC for such improvements and, in such event, all amounts paid to Velo Village Apartments, LLC will be credited against amounts due BPC Master Developer, LLC. Seconded by Alderman Taylor. All voted Aye; motion carried.
- SUBORDINATION OF CITY'S PAYMENT RIGHTS VELO VILLAGE APTS. LLC
- E. Alderman Dandrea moved that the City subordinate its payment rights under Article II, I of the previously approved Development Agreement, to Velo Village Apartments, LLC's lender such that, in the event of a default under the City's \$4,500,000 loan, increment will be used to pay the MRO prior to making payments on the City's \$4,500,000 loan. Seconded by Alderman Nelson. All voted Aye; motion carried.
- ADJOURNMENT
- F. Alderman Taylor moved to adjourn the special meeting at 5:57 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, October 15, 2019, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at 8429 and 8459 West Forest Hill Avenue, from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use (Franklin Public Schools, applicant, Ronald S. Pesche and Susan Pesche, property owners). The properties which are the subject of this application currently bear Tax Key Nos. 839-9990-000 and 839-9991-004, and are more particularly described as follows:

Being all of Parcel 1 of Certified Survey Map #5979 and part of the Northeast 1/4 of the Southwest 1/4, all located in the Northeast 1/4 of the Southwest 1/4 of Section 16, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the South 1/4 corner of Section 16, Township 5 North, Range 21 East; Thence N 00°31'53" W along the East line of the Southwest 1/4 of said Section 16, 1325.08 feet to the Northeast corner of Lake Pointe Estates of Franklin, the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 16 and the point of beginning (POB) of the parcel to be described; Thence S 88°28'56" W along the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 16 and along the North line of said Lake Pointe Estates of Franklin, 330.00 feet to the Southeast corner of Parcel 2 of Certified Survey Map #5979; Thence N 00°31'53" W along the East line of said Parcel 2, 688.96 feet to the Southeast corner of Parcel 1 of Certified Survey Map #5979; Thence S 88°28'56" W along the South line of said Parcel 1, 329.87 feet to the Southwest corner thereof; Thence N 00°32'02" W along the West line of Parcel 1 of said Certified Survey Map #5979, 465.95 feet to the Northwest corner thereof; Thence N 88°31'02" E along the North line of said Parcel 1, 225.02 feet; Thence N 00°32'30" W along the North line of said Parcel 1, 170.15 feet to the North line of the Southwest 1/4 of said Section 16; Thence N 88°27'46" E along the North line of the Southwest 1/4 of said Section 16, 434.90 feet to the Center 1/4 of said Section 16; Thence S 00°31'53" E along the East line of the Southwest 1/4 of said Section 16, 1325.07 feet to the point of beginning. Containing: 608,690 Square Feet, 13.974 Acres.

A map showing the property affected may be obtained from the City Council by way of request to the Department of City Development at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, telephone number (414) 425-4024, during normal business hours.

This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at

www.franklinwi.gov. Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 4th day of September, 2019.

Sandra L. Wesolowski  
City Clerk

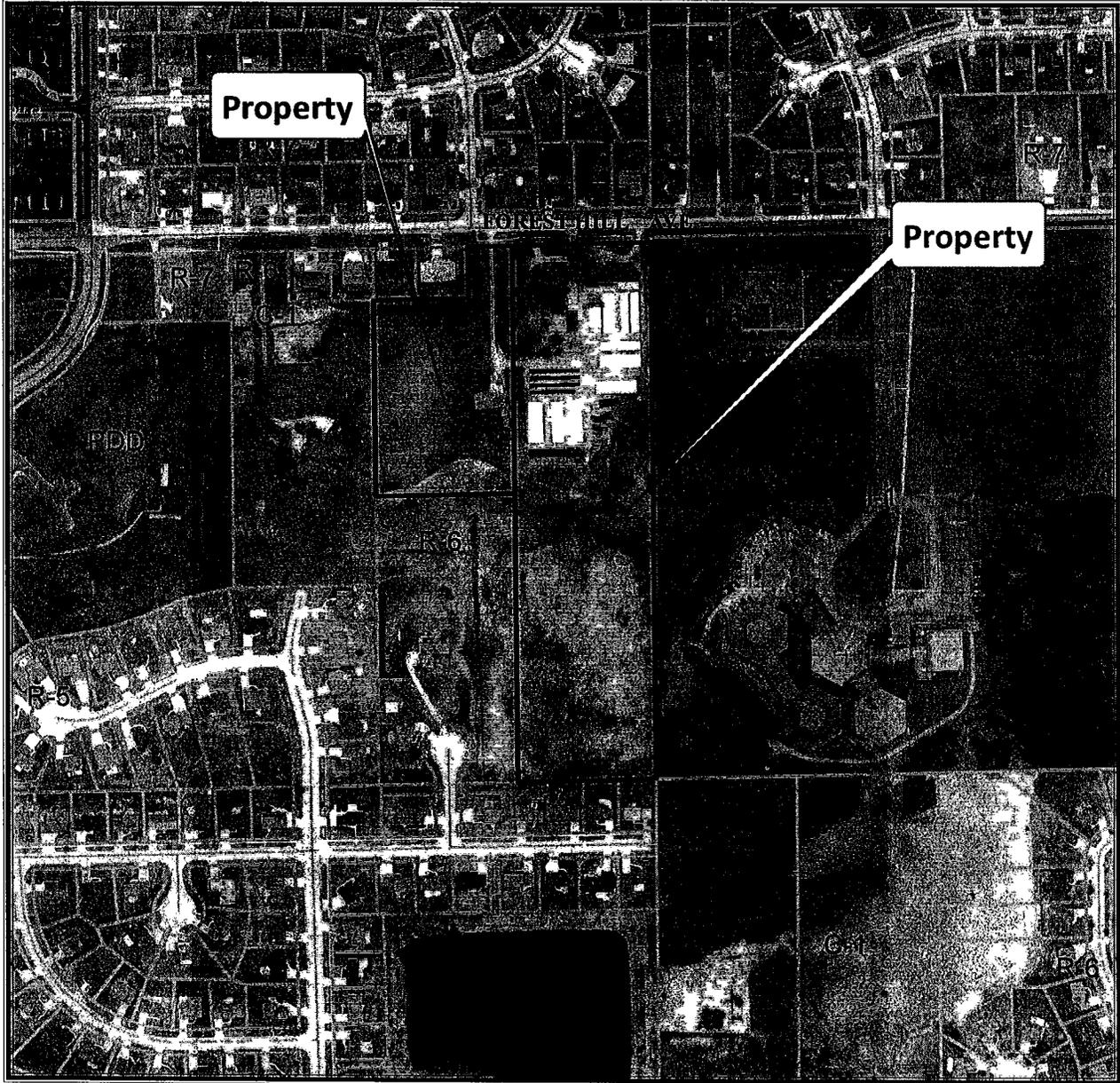
N.B. Class I

Please publish: 9-11-2019

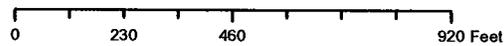


8429 & 8459 W. Forest Hill Ave.

TKNs: 839 9990 000 & 839 9991 004



Planning Department  
(414) 425-4024



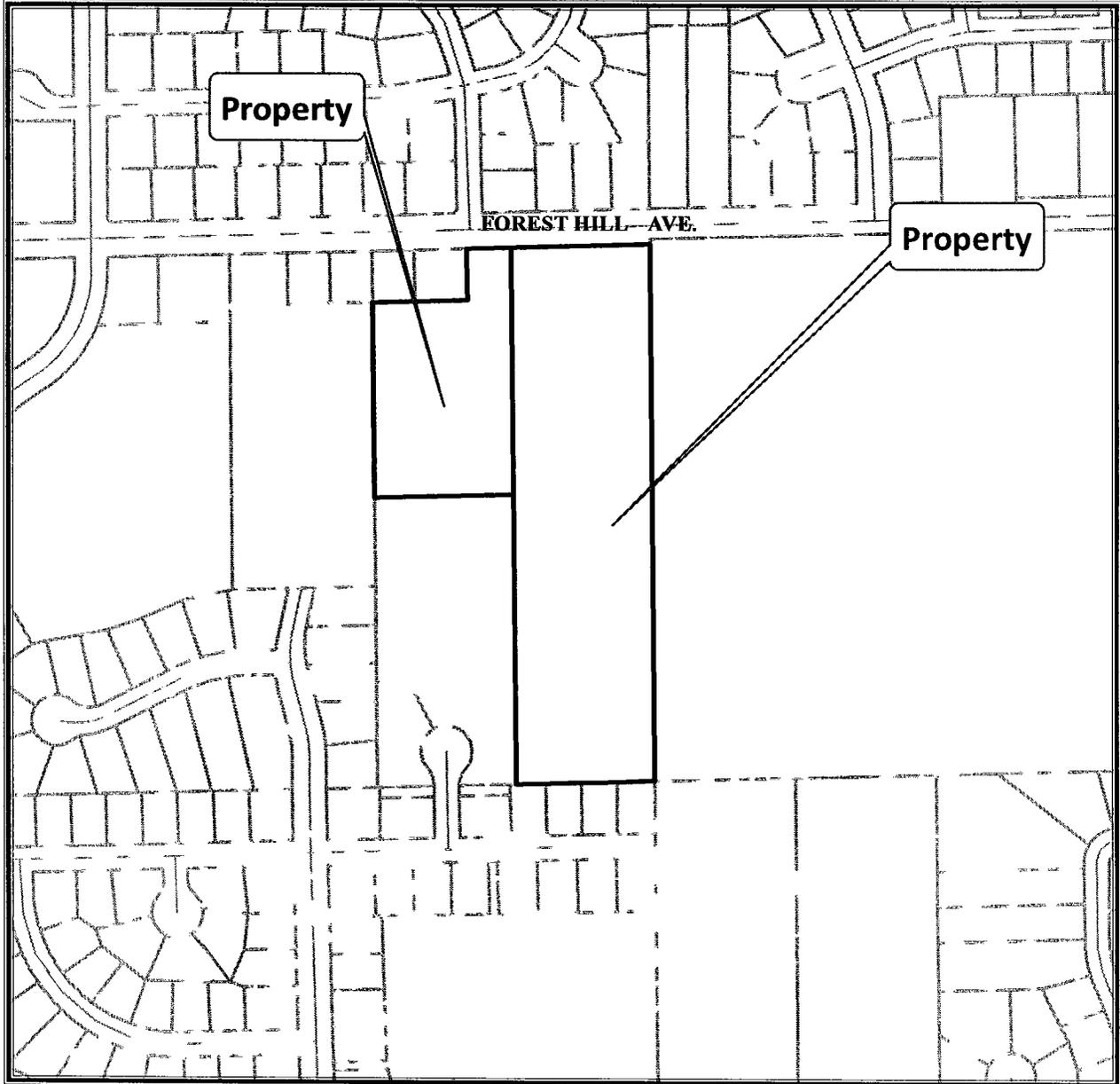
2017 Aerial Photo

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

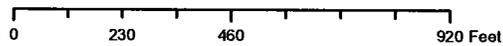


8429 & 8459 W. Forest Hill Ave.

TKNs: 839 9990 000 & 839 9991 004



**Planning Department**  
**(414) 425-4024**



2017 Aerial Photo

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A2.

CITY OF FRANKLIN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, October 15, 2019, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use (William Bodner, Managing Member, Bodner Property Management, LLC, applicant). The property which is the subject of this application bears Tax Key No. 795-9999-008, consisting of approximately 5.723 acres of land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at [www.franklinwi.gov](http://www.franklinwi.gov). Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 4th day of September, 2019.

Sandra L. Wesolowski  
City Clerk

N.B. Class I

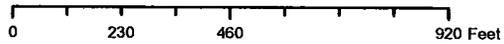
Please publish: 9-11-2019



TKN: 795 9999 008



Planning Department  
(414) 425-4024

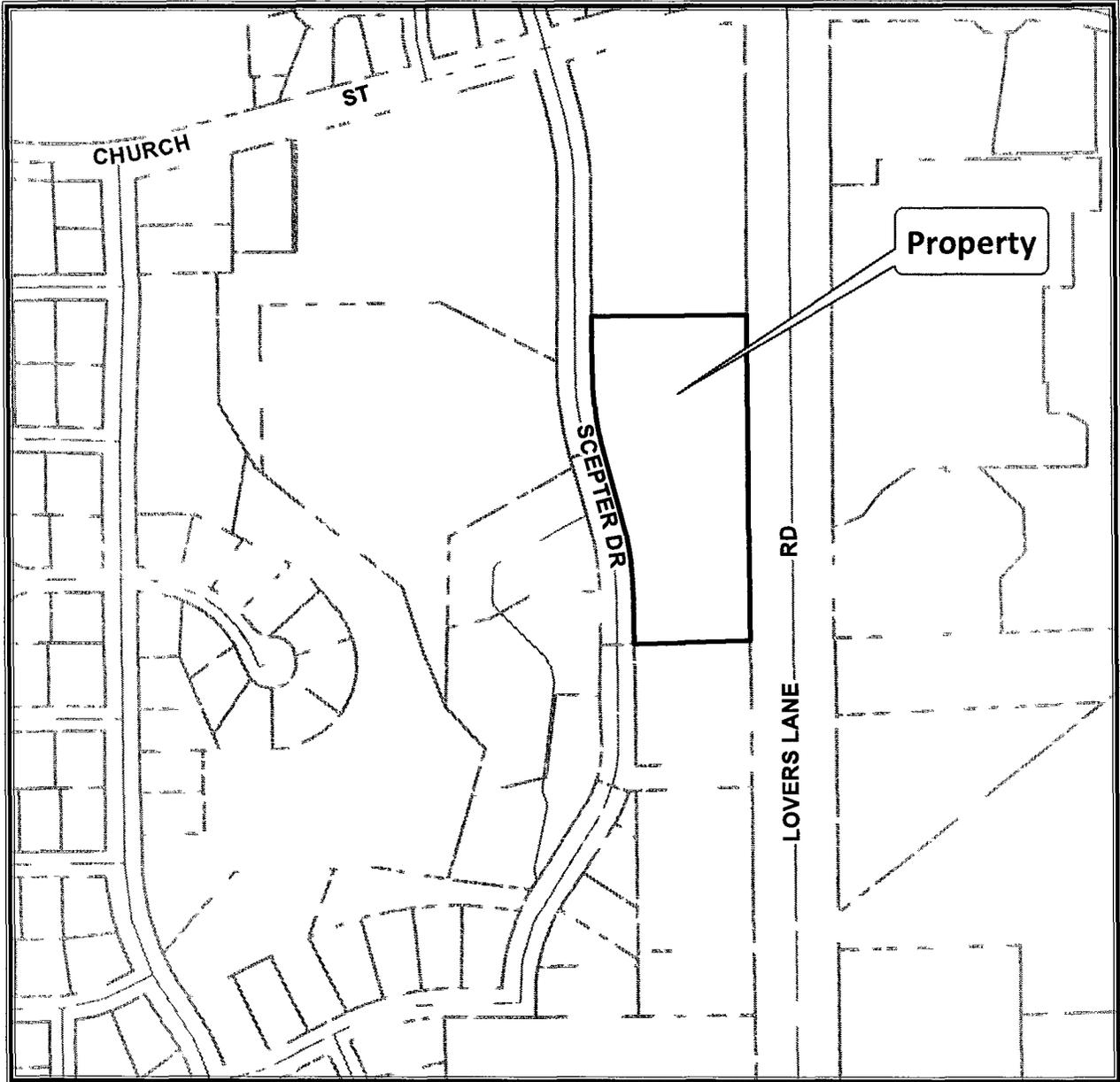


2017 Aerial Photo

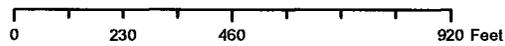
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TKN: 795 9999 008



Planning Department  
(414) 425-4024



2017 Aerial Photo

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<p>APPROVAL <i>Slw Pd</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE Oct 15, 2019</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>Engage Ehlers for Dissemination Agent Agreement for Issuer Continuing Disclosure Required Under Securities and Exchange Commission Rule 15c2-12</p>	<p>ITEM NUMBER <i>G.I.(a)</i></p>

**Background**

When the City issues debt that is sold in the market place, the debt sale includes a Continuing Disclosure Agreement. That Agreement obligates the City to make certain financial disclosures within certain time frames to the market place.

In January 2015, the Common Council authorized the engagement of Ehlers & Associates as Dissemination Agent for Issuer Continuing Disclosure Required under Securities and Exchange Commission rule 15c2-12. That engagement terminates on December 31, 2019.

The Ehler's agreement requires Ehlers to cause required financial information disclosures to be made timely and in compliance with the Continuing Disclosure Agreements included with Debt Sales.

**Analysis**

The Agreement has automatic annual renewal terms effective January 1 each year, unless 60 day notice is provided by either party.

**Options**

Engage Ehlers to provide the Continuing Disclosure services to the City for the several debt issues the City has outstanding.

OR

Take such other action as the Council deems appropriate.

**Recommendation**

Staff reviewed the Agreement renewal options with the Finance Committee at the Sept 24, 2019 meeting, and the Finance Committee recommends engaging Ehlers for 2020

**Fiscal Impact**

The \$3,800 cost of the Service Agreement is included in the 2020 budget request, and was guaranteed until Dec 31, 2019.

**COUNCIL ACTION REQUESTED**

Motion directing staff to engage Ehlers & Associates for Dissemination Agent for Issuer Continuing Disclosure services for 2020 Required under Securities and Exchange Commission Rule 15c2-12



September 19, 2019

Paul Rotzenberg  
Director of Finance & Treasurer  
City of Franklin  
9229 W Loomis Rd  
Franklin, WI 53132

Re. Letter of Engagement to Retain Ehlers as Dissemination Agent for Issuer Continuing Disclosure Required Under Securities and Exchange Commission (SEC) Rule 15c2-12 (the "Rule")

As an issuer of municipal securities, the City ("Issuer") is required to comply with all continuing disclosure obligations enumerated in the Continuing Disclosure Agreement/Certificate/Undertaking (CDU) associated with each issue of securities subject to the Rule. Many Issuers have CDUs that vary significantly from one CDU to another. Ehlers & Associates, Inc ("Ehlers") can help you comply with all CDU obligations as Dissemination Agent. Fulfilling this obligation requires research, preparation and filing of disclosure reports within specific time frames.

This Letter of Engagement ("Letter") is being presented to memorialize and clarify the terms of the Issuer's engagement of Ehlers as the Issuer's Dissemination Agent. In this regard, Ehlers agrees to provide Issuer with those services described in Appendix A ("Services"). Ehlers shall be entitled to compensation by the Issuer also as described in Appendix A.

This Letter shall be effective as of the date of its execution by the Issuer and shall remain in effect for a period of one (1) year (the "Initial Term"). This Letter shall renew automatically on each anniversary of the effective date of this Letter (each an "Additional Term"). Notwithstanding the foregoing, this Letter may be terminated by either party upon sixty (60) days prior written notice. The Initial Term and each Additional Term shall collectively be referred to herein as the "Term".

In order to perform the engagement, Issuer agrees to provide Ehlers all documents and information as are deemed necessary to fulfill the Issuer's reporting requirements under each respective CDU, and within the applicable timeframe(s) ("Disclosure Information"). With respect to Issuer's obligation to report the occurrence of any event for which a material event notice ("Event Notice") is to be filed, Issuer shall provide Disclosure Information related to the event to Ehlers within five (5) days of its occurrence. All other Disclosure Information must be provided to Ehlers within fourteen (14) days of Issuer's receipt of any such request from Ehlers. If Issuer fails to provide any Disclosure Information to Ehlers in accordance with the foregoing, Ehlers shall not be held liable for any reason in the event that any necessary disclosure filing is

not disseminated to the appropriate party within the applicable timeframe(s) Further, if for any reason Issuer fails to provide required Disclosure Information to Ehlers in accordance with the foregoing and Issuer's delay results in any disclosure filing being after a stated deadline, Ehlers shall, without further direction or instruction from Issuer, file a notice(s) with the applicable recipient submitting information provided by Issuer, if any, and/or describing the failure and providing any other information as Ehlers deems appropriate

Ehlers shall deem all Disclosure Information provided to it by the Issuer to be accurate and free of defect, as well as not containing any material misstatements, falsehoods, or omissions of fact. Issuer acknowledges that Ehlers shall be entitled to rely on all Disclosure Information provided by the Issuer without further investigation as to its completeness or accuracy

Issuer shall indemnify, hold harmless and defend Ehlers from and against any damages, costs or other liabilities (including reasonable attorneys' fees) arising from or relating to any breach of this Letter by Issuer, including, but not limited to, damages, costs and other liabilities arising out of any Disclosure Information received and disseminated by Ehlers Further, in no event shall Ehlers' total aggregate liability under this Letter be in excess of the amount of fees paid by Issuer to Ehlers during the Term then in effect notwithstanding anything contained herein In addition, Issuer acknowledges that Ehlers shall not be responsible and/or liable for any errors, misstatements or omissions associated with any continuing disclosure report or filing, or for the correction thereof, that was prepared or disseminated by any party other than Ehlers

This Letter constitutes the entire agreement between the parties and is intended to supersede any and all agreements, whether oral or written, between the parties that were entered into relative to the subject matter hereof prior to the effective date of this Letter No amendment or modification of this Letter shall be deemed valid unless made in writing and signed by both parties

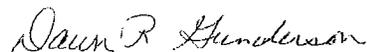
This Letter covers the Issuer's current outstanding securities The Issuer may request in writing that Ehlers act as the Dissemination Agent on any future securities subject to the Rule.

If our engagement under the terms of this Letter is acceptable, please sign this Letter in the appropriate signature block below and return a signed copy to us for our records If, however, you do not wish to engage our services, please note that election and return a copy of this Letter to us.

Please contact me if you have any questions or would like to discuss our engagement further

Sincerely,

Ehlers



Dawn Gunderson-Schiel  
Senior Municipal Advisor

**SO ACCEPTED BY ISSUER**

Issuer hereby accepts this Letter and engages Ehlers to provide the services noted herein and executes this Letter as of the date noted below

By \_\_\_\_\_ Title \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**SO DECLINED BY ISSUER**

Issuer hereby acknowledges that it will be responsible for updating and submitting all necessary continuing disclosure reports and filings as may be required of Issuer without the assistance of Ehlers. Issuer further acknowledges and agrees that Ehlers assumes no responsibility for the compilation and/or submission of any such continuing disclosure reports or filings.

By \_\_\_\_\_ Title \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

## **APPENDIX A**

### **EHLERS DISSEMINATION AGENT SERVICES AND FEES**

Ehlers' continuing disclosure services are designed to assist the Issuer in meeting its continuing disclosure obligations. Depending on the size of a transaction and the total amount of debt outstanding at the time of issuance, different debt issues may be subject to different reporting requirements. Ehlers will provide the services identified below, which are reflective of the Issuer's requirements under its respective Continuing Disclosure Undertaking (CDU). In no event will Ehlers assist Issuer with assessing whether information provided or omitted as part of an annual filing is "material" or whether an event is "material" under the federal securities laws requiring the filing of an event notice pursuant to a CDU. If the Issuer accepts this letter and engages Ehlers as the Dissemination Agent, Ehlers shall provide the following services and charge the following fees:

#### **Full Disclosure Services**

##### **Background**

Since 1995, Securities and Exchange Commission (SEC) rule 15c2-12 (the "Rule") has required underwriters of municipal securities to ensure that issuers are obligated to provide periodic reporting of specific information with respect to certain issues of municipal securities. An issuer is classified as a "full disclosure" reporting entity when it issues securities subject to the Rule in an amount of \$1 million or more, and further provided that total securities subject to the Rule and currently outstanding exceed \$10 million. Full disclosure reporting entities must:

- File reports consisting of specific information at least annually with the Municipal Securities Rulemaking Board's (MSRB) Electronic Municipal Market Access (EMMA) system (<http://emma.msrb.org>).
- File "Event Notices" regarding enumerated events specified in SEC rules and CDUs within 10 business days of occurrence. Event Notices are filed through the same EMMA system.

##### **Description of Services**

Issuer engages Ehlers to provide the following services in connection with the preparation and dissemination of Issuer's continuing disclosure reports and Event Notice filings in connection with all outstanding debt issues of Issuer subject to the Rule and for which continuing disclosure reports or filings are required. During the Term of the engagement, Ehlers shall provide the services hereinafter described with respect to all existing and future securities of the Issuer subject to the Rule and having continuing disclosure requirements. Ehlers shall provide these services for any other securities of the Issuer when requested in writing by the Issuer.

##### **Annual Filings, or More Frequently, if Required**

- a. Review and catalog of all Continuing Disclosure Agreement/Certificate/Undertaking (CDU)'s of Issuer relative to current and future issues of securities subject to the Rule.
- b. Creation of a timetable for the anticipated schedule of events relating to the preparation of Issuer's annual (or more frequently, if required) continuing disclosure report.
- c. Collection of information from third parties and Issuer, as applicable, to the extent necessary to prepare the annual (or more frequently, if required) continuing disclosure report.
- d. Preparing the annual (or more frequently, if required) continuing disclosure report in a standardized format acceptable for submission to the EMMA system, or any future industry standard.

- e Submission of the annual (or more frequently, if required) continuing disclosure report and any Event Notices to the designated recipient based on the applicable CDU's of Issuer and all laws, rules and regulations relative thereto
- f Delivering a copy of any report or notice submitted in accordance with (e above) to Issuer for its records, as well as confirmations of receipt of filing(s)
- g Respond to Underwriter/Investor inquiries and requests
- h Providing recommendations to Issuer relating to future continuing disclosure related matters

**Event Notices**

- a Informing Issuer of the types of events that may require the filing of an "Event Notice" and the required reporting period for such notices
- b Notifying Issuer of any information Ehlers discovers that may require the filing of an Event Notice, and preparation and filing of the required Event Notice
- c Upon notification by Issuer of any circumstances that may require the filing of an Event Notice, preparing, filing, and providing confirmation of filing the required Event Notice

**Description of Fees**

Full Disclosure Services fees shall be assessed as follows

<b>Number of Issuer Continuing Disclosure Undertakings</b>	<b>Annual Fee</b>
One (1) to three (3) CDU's	\$2,800
Four (4) to six (6) CDU's	\$3,300
Seven (7) or more CDU's	\$3,800

Plus any out of pocket expenses

Special Circumstances

If an Issuer's CDU requires periodic filings (quarterly or semiannually) in addition to the annual filings, a fee of \$500 per required CDU filing shall be assessed

Limited Disclosure Services.

**Background**

In 2009, the Securities and Exchange Commission put into place revised rules regarding a limited scope of continuing disclosure requirements for certain municipal securities issuers. These rules apply to any securities issued on or after July 1, 2009 in amounts of \$1 million or more and where the Issuer's total amount of principal outstanding and subject to the Rule is less than \$10 million upon issuance. Any issuer meeting the aforementioned parameters must comply with a limited disclosure undertaking and file annual reports. Issuers subject to limited disclosure requirements must file audited financial statements (or unaudited financial statements if allowed under a CDU) on an annual basis, rather than both financial statements and operating and statistical data.

**Description of Services**

Ehlers shall provide the following services in connection with the preparation and dissemination of Issuer's continuing disclosure reports and Event Notice filings for all current and future outstanding securities of Issuer subject to the Rule and for which continuing disclosure reports or filings are required. During the Term of the engagement, Ehlers shall provide the services hereinafter described with respect to all future issuances for which Ehlers provides municipal advisory services and that have continuing disclosure requirements. Ehlers will also provide these services for any other issues when requested in writing by the Issuer.

Services to be provided are as follows

**Annual Filings**

- a Review of all Continuing Disclosure Agreement/Certificate/Undertaking (CDU)'s of Issuer relative to currently outstanding issuances.
- b Creation of a timetable for the anticipated schedule of events relating to the dissemination of Issuer's annual updated financial information and operating data
- c Submitting the Issuer's annual financial statements to the designated recipient thereof based on the applicable CDU's of Issuer and all laws, rules and regulations relative thereto
- d Delivering a copy of any report or notice submitted in accordance with (c above) to Issuer for its records.
- e Respond to Underwriter/Investor inquires and requests
- f Providing recommendations to Issuer relating to future continuing disclosure related matters

**Event Notices**

- a Informing Issuer of the types of events that may require the filing of an "Event Notice"
- b Notifying Issuer of any information Ehlers discovers that may require the filing of an Event Notice, and preparation and filing of the required Event Notice.
- c Upon notification by Issuer of any circumstances that may require the filing of an Event Notice, prepare and file the required Event Notice

**Description of Fees**

Limited Disclosure Services shall be provided annually for a fee of \$750

**Future Fee Changes**

Ehlers reserves the right to adjust fees during the Term of the engagement without prior consent of the Issuer, but not more than annually. Prior to any fee adjustments, the Issuer will be notified in writing of the revised fees and their effective date

## **APPENDIX B**

### **EVENT NOTICES**

If any one of the listed events occurs in relation to the Issuer and/or any of the Issuer's securities subject to this agreement, you must notify Ehlers at the earliest possible time to discuss the applicability and the need for any filing of an Event Notice. The Issuer may also wish to discuss the matter with its legal counsel to gauge materiality of any occurrence.

#### **Mandatory Event Notices**

- Principal and interest payment delinquencies
- Non-payment related defaults, if material
- Unscheduled draws on debt service reserves reflecting financial difficulties
- Unscheduled draws on credit enhancements reflecting financial difficulties
- Substitution of credit or liquidity providers or their failure to perform
- Adverse tax opinions, IRS notices or material events affecting the tax status of the security
- Modifications to rights of security holders, if material
- Bond calls, if material
- Defeasances
- Release, substitution or sale of property securing repayment of the securities, if material
- Rating changes
- Tender offers
- Bankruptcy, insolvency, receivership or similar event of the obligated person
- Merger, consolidation, or acquisition of the obligated person, if material
- Appointment of a successor or additional trustee, or the change of name of a trustee, if material
- Incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material; and
- Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties

#### **Additional / Voluntary Event-Based Disclosures**

- Amendment to continuing disclosure undertaking
- Change in obligated person
- Notice to investors pursuant to bond documents
- Certain communications from the Internal Revenue Service
- Secondary market purchases
- Bid for auction rate or other securities
- Capital or other financing plan
- Litigation / enforcement action
- Change of tender agent, remarketing agent, or other on-going party
- Derivative or other similar transaction
- Other event-based disclosures

<b>APPROVAL</b> <i>Slw</i> <i>fdk</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> Oct 15, 2019
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>List of Donations for Aug/Sept 2019 to Police, Fire, Health, and Parks</b>	<b>ITEM NUMBER</b> <i>G.I.(b)</i>

**Background**

Various residents and business contribute to City activities to assist the Police, Fire, Health, and Parks. Attached is a list of donors who contributed during August & July, 2019.

**COUNCIL ACTION REQUESTED**

Motion to acknowledge and accept donations received during August & September, 2019 to the Police, Fire, Health, and Parks.

**City of Franklin, WI**  
**Donations**  
**Aug 1, 2019 to Sept 30, 2019**

Date	Description	Reference #	Credits
<b>Fund 28 - Donations Fund</b>			
<b>28-0000-4741 DONATIONS - OTHER POLICE-7040/1041</b>			
08/30/2019	TROMP, MELISSA	147845	10 00
09/30/2019	JESTER, ROBERT	148493	100 00
<b>28-0000-4744 DONATIONS-HEALTH DEPT-1049</b>			
08/08/2019	FRANKLIN LIONESSE CLUB	147218	150 00
<b>28-0000-4746 DONATN-FireSafetySchools-7087/1066</b>			
08/05/2019	FRANKLIN LIONESSE CLUB	147074	150 00
<b>28-0521-4730.9821 Kayla Playgd Ambassador-DONATION-Cash</b>			
08/16/2019	ENTHUSIAST APPROVED LLC	147452	123 22
<b>28-0551-4747.9820 DONATN-KAYLA PLAYGRD-1047-FrklinWoods</b>			
08/26/2019	SZYCHLINSKI, DAVID	147691	40 00
09/06/2019	JOHNSON, MEAGAN	147981	40 00
<b>TOTAL FOR FUND 28 DONATIONS FUND</b>			<b>\$ 613.22</b>

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;"><i>10/15/2019</i></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>FRANKLIN POLICE DEPARTMENT DONATIONS</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.I.(a)</i></p>

The Franklin Police Department received the following donations:

**POLICE DONATIONS - GENERAL**

09/30/19	Robert Jester	\$100 00
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**POLICE DONATIONS - K9**

10/02/19	Franklin Police Citizen Academy Association	\$5000.00
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**COUNCIL ACTION REQUESTED**

Respectfully request that these donations be approved for deposit into their respective Donation account.

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>10/15/19</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTIES LOCATED AT 8429 AND 8459 WEST FOREST HILL AVENUE FROM RESIDENTIAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO INSITUTIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE (APPROXIMATELY 13.974 ACRES) (FRANKLIN PUBLIC SCHOOLS, APPLICANT, RONALD S. PESCHE AND SUSAN D. PESCHE, PROPERTY OWNERS)</p>	<p>ITEM NUMBER</p> <p><i>G.2,</i></p>

At the October 3, 2019 meeting of the Plan Commission, the subject item was continued to the November 7, 2019 Plan Commission meeting, as requested by the applicant. No action taken.

**COUNCIL ACTION REQUESTED**

To continue this item to the November 7, 2019 Plan Commission meeting and November 19, 2019 Common Council meeting.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 9-10-19]*

ORDINANCE NO. 2019-\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025  
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN  
2025 FUTURE LAND USE MAP FOR PROPERTIES LOCATED AT 8429 AND 8459  
WEST FOREST HILL AVENUE FROM RESIDENTIAL USE AND AREAS OF  
NATURAL RESOURCE FEATURES USE TO INSTITUTIONAL USE AND  
AREAS OF NATURAL RESOURCE FEATURES USE  
(APPROXIMATELY 13.974 ACRES)  
(FRANKLIN PUBLIC SCHOOLS, APPLICANT, RONALD S. PESCHE  
AND SUSAN D. PESCHE, PROPERTY OWNERS)

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WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, Franklin Public Schools has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for properties located at 8429 and 8459 West Forest Hill Avenue from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on October 3, 2019, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for properties located at 8429 and 8459 West Forest Hill Avenue from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on October 15, 2019; and

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

SECTION 1:           The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation for properties located at 8429 and 8459 West Forest Hill Avenue from Residential Use and Areas of Natural Resource Features

Use to Institutional Use and Areas of Natural Resource Features Use. Such property is more particularly described within Resolution No. 2019 \_\_\_\_ of even-date herewith.

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

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

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

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

Passed and adopted by a majority vote of the members-elect of the Common Council 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 \_\_\_\_\_

RESOLUTION NO. 2019-\_\_\_\_\_

A RESOLUTION RECOMMENDING THE ADOPTION OF AN  
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025  
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF  
FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTIES  
LOCATED AT 8429 AND 8459 WEST FOREST HILL AVENUE FROM  
RESIDENTIAL USE AND AREAS OF NATURAL RESOURCE  
FEATURES USE TO INSTITUTIONAL USE AND AREAS OF NATURAL  
RESOURCE FEATURES USE, PURSUANT TO WIS. STAT. § 66.1001(4)(b)

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WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, Franklin Public Schools (Ronald S. Pesche and Susan D. Pesche, property owners) having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for properties located at 8429 and 8459 West Forest Hill Avenue from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use, such properties bearing Tax Key Nos. 839-9990-000 and 839-9991-004, more particularly described as follows:

Being all of Parcel 1 of Certified Survey Map #5979 and part of the Northeast 1/4 of the Southwest 1/4, all located in the Northeast 1/4 of the Southwest 1/4 of Section 16, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the South 1/4 corner of Section 16, Township 5 North, Range 21 East; Thence N 00°31'53" W along the East line of the Southwest 1/4 of said Section 16, 1325.08 feet to the Northeast corner of Lake Pointe Estates of Franklin, the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 16 and the point of beginning (POB) of the parcel to be described; Thence S 88°28'56" W along the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 16 and along the North line of said Lake Pointe Estates of Franklin, 330.00 feet to the Southeast corner of Parcel 2 of Certified Survey Map #5979; Thence N 00°31'53" W along the East line of said Parcel 2, 688.96 feet to the Southeast

corner of Parcel 1 of Certified Survey Map #5979; Thence S 88°28'56" W along the South line of said Parcel 1, 329.87 feet to the Southwest corner thereof; Thence N 00°32'02" W along the West line of Parcel 1 of said Certified Survey Map #5979, 465.95 feet to the Northwest corner thereof; Thence N 88°31'02" E along the North line of said Parcel 1, 225.02 feet; Thence N 00°32'30" W along the North line of said Parcel 1, 170.15 feet to the North line of the Southwest 1/4 of said Section 16; Thence N 88°27'46" E along the North line of the Southwest 1/4 of said Section 16, 434.90 feet to the Center 1/4 of said Section 16; Thence S 00°31'53" E along the East line of the Southwest 1/4 of said Section 16, 1325.07 feet to the point of beginning. Containing: 608,690 Square Feet, 13.974 Acres, and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on October 3, 2019, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for properties located at 8429 and 8459 West Forest Hill Avenue from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Chairman

RESOLUTION NO. 2019 - \_\_\_\_\_  
Page 3

ATTEST:

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

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

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">10/15/19</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY GENERALLY LOCATED AT SOUTH SCEPTER DRIVE AND WEST CHURCH STREET FROM MIXED USE TO RESIDENTIAL – MULTI-FAMILY USE (APPROXIMATELY 5.723 ACRES) (WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT, LLC, APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>6.3.</i></p>

At the October 3, 2019 meeting of the Plan Commission the following action was approved: a motion to approve a Resolution recommending the adoption of an Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 future land use map for property generally located at South Scepter Drive and West Church Street from mixed use to residential – multi-family use, pursuant to Wis. Stat. § 66.1001(4)(b).

**COUNCIL ACTION REQUESTED**

A motion to approve ordinance 2019-\_\_\_\_\_, to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 future land use map for property generally located at South Scepter Drive and West Church Street from mixed use to residential – multi-family use (approximately 5.723 acres) (William Bodner, managing member, Bodner Property Management, LLC, applicant)

ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025  
 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF  
 FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY GENERALLY  
 LOCATED AT SOUTH SCEPTER DRIVE AND WEST CHURCH STREET FROM  
 MIXED USE TO RESIDENTIAL – MULTI-FAMILY USE  
 (APPROXIMATELY 5.723 ACRES)  
 (WILLIAM BODNER, MANAGING MEMBER,  
 BODNER PROPERTY MANAGEMENT, LLC, APPLICANT)

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WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, William Bodner, Managing Member, Bodner Property Management, LLC has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on October 3, 2019, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on October 15, 2019; and

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

SECTION 1:           The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use. Such property is more particularly described within Resolution No. 2019 \_\_\_\_\_ of even-date herewith.

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

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

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

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

Passed and adopted by a majority vote of the members-elect of the Common Council 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 \_\_\_\_\_

RESOLUTION NO. 2019-019

A RESOLUTION RECOMMENDING THE ADOPTION OF AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY GENERALLY LOCATED AT SOUTH SCEPTER DRIVE AND WEST CHURCH STREET FROM MIXED USE TO RESIDENTIAL – MULTI-FAMILY USE, PURSUANT TO WIS. STAT. § 66.1001(4)(b)

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WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, William Bodner, Managing Member, Bodner Property Management, LLC having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use, such property bearing Tax Key No. 795-9999-008, more particularly described as follows:

All that part of the Southwest One-quarter (1/4) of Section Eight (8), in Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner of the Southwest 1/4 of said Section 8; Thence South 88°13'55" West along the South line of said 1/4 Section, 375.00 feet; Thence North 00°26'18" West 101.17 feet to a point of curve; Thence Northwesterly 224.40 feet along the arc of said curve, whose center lies to the West with a radius of 831.91 feet and a chord bearing North 08°09'56.5" West 223.72 feet; Thence North 15°53'35" West 152.00 feet to a point of a curve; Thence Northwesterly 196.72 feet along the arc of said curve, whose center lies to the East with a radius of 720.00 feet a chord bearing North 08°03'57" West 196.10 feet; Thence North 00°14'19" West 107.85 feet; Thence North 89°45'41" East 473.80 feet to the East line of said Southwest 1/4 Section. Thence South 00°14'19" East along the East line of said Southwest 1/4 section 761.22 feet to the point of beginning, except the East 100 feet thereof; and

WHEREAS, the Plan Commission having determined that the proposed amendment,

RESOLUTION NO. 2019 -019

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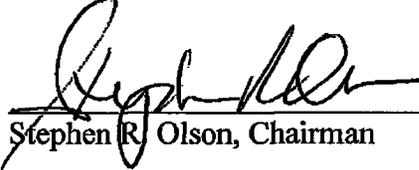
in form and content as presented to the Commission on October 3, 2019, in conjunction with an application to rezone the subject property as is more particularly described within the ordinance draft presented to the Commission for such purpose, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property generally located at South Scepter Drive and West Church Street, from Mixed Use to Residential – Multi-Family Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

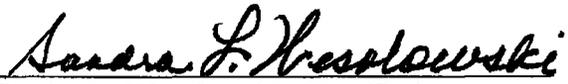
Introduced at a regular meeting of the Plan Commission of the City of Franklin this 3rd day of October, 2019.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 3rd day of October, 2019.

APPROVED:

  
\_\_\_\_\_  
Stephen R. Olson, Chairman

ATTEST:

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

AYES 4 NOES 0 ABSENT 2 (Fowler, Hogan)

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">10/15/19</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT (GENERALLY LOCATED AT SOUTH SCEPTER DRIVE AND WEST CHURCH STREET) (APPROXIMATELY 5.723 ACRES) (WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT, LLC, APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.4.</i></p>

At the October 3, 2019 meeting of the Plan Commission the following action was approved: a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from R-3 Suburban/Estate Single-family Residence District to R-8 Multiple-family Residence District (generally located at South Scepter Drive and West Church Street) (approximately 5.723 acres).

**COUNCIL ACTION REQUESTED**

A motion to approve ordinance 2019-\_\_\_\_\_, to amend the Unified Development Ordinance (zoning map) to rezone a certain parcel of land from R-3 Suburban/Estate Single-family Residence District to R-8 Multiple-family Residence District (generally located at South Scepter Drive and West Church Street) (approximately 5.723 acres). (William Bodner, managing member, Bodner Property Management, LLC, applicant)

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 9-16-19]*

ORDINANCE NO. 2019-\_\_\_\_\_

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF  
LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE  
DISTRICT TO R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT  
(GENERALLY LOCATED AT SOUTH SCEPTER DRIVE  
AND WEST CHURCH STREET)  
(APPROXIMATELY 5.723 ACRES)  
(WILLIAM BODNER, MANAGING MEMBER, BODNER  
PROPERTY MANAGEMENT, LLC, APPLICANT)**

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WHEREAS, William Bodner, Managing Member, Bodner Property Management, LLC having petitioned for the rezoning of a certain parcel of land from R-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District, such land being generally located at South Scepter Drive and West Church Street; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 3rd day of October, 2019, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

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

SECTION 1:           §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from R-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District:

All that part of the Southwest One-quarter (1/4) of Section Eight (8), in Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner

of the Southwest 1/4 of said Section 8; Thence South 88°13'55" West along the South line of said 1/4 Section, 375.00 feet; Thence North 00°26'18" West 101.17 feet to a point of curve; Thence Northwesterly 224.40 feet along the arc of said curve, whose center lies to the West with a radius of 831.91 feet and a chord bearing North 08°09'56.5" West 223.72 feet; Thence North 15°53'35" West 152.00 feet to a point of a curve; Thence Northwesterly 196.72 feet along the arc of said curve, whose center lies to the East with a radius of 720.00 feet a chord bearing North 08°03'57" West 196.10 feet; Thence North 00°14'19" West 107.85 feet; Thence North 89°45'41" East 473.80 feet to the East line of said Southwest 1/4 Section. Thence South 00°14'19" East along the East line of said Southwest 1/4 section 761.22 feet to the point of beginning, except the East 100 feet thereof. Tax Key No. 795-9999-008.

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

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

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

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

<b>APPROVAL</b>  <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  10/15/19
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A FIVE 8-UNIT MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS (40 UNITS) USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH SCEPTER DRIVE AND WEST CHURCH STREET (WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT, LLC, APPLICANT)</b>	<b>ITEM NUMBER</b>  <i>G. 5.</i>

At the October 3, 2019 meeting of the Plan Commission the following action was approved: a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a five 8-unit multi-family residential apartment buildings (40 units) use upon property located at approximately South Scepter Drive and West Church Street.

At the said meeting of the Plan Commission, three (3) of staff's suggestions and one landscape plan change were added as conditions of approval. These suggestions have been added to the draft special use resolution as conditions No. 11, 12, 13 and 14.

**COUNCIL ACTION REQUESTED**

A motion to approve Resolution 2019-\_\_\_\_\_, imposing conditions and restrictions for the approval of a Special Use for a five 8-unit multi-family residential apartment buildings (40 units) use upon property located at approximately South Scepter Drive and West Church Street. (William Bodner, managing member, Bodner Property Management, LLC, applicant)

## RESOLUTION NO. 2019-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS  
FOR THE APPROVAL OF A SPECIAL USE FOR A FIVE 8-UNIT  
MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS (40 UNITS)  
USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH  
SCEPTER DRIVE AND WEST CHURCH STREET  
(WILLIAM BODNER, MANAGING MEMBER, BODNER  
PROPERTY MANAGEMENT, LLC, APPLICANT)

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WHEREAS, William Bodner, Managing Member, Bodner Property Management, LLC having petitioned the City of Franklin for the approval of a Special Use in an R-8 Multiple-Family Residence District [concurrent application to rezone property from R-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District], to allow for the development of a five 8-unit multi-family residential apartment buildings (40 units) use, upon property located at approximately South Scepter Drive and West Church Street, bearing Tax Key No. 795-9999-008, more particularly described as follows:

All that part of the Southwest One-quarter (1/4) of Section Eight (8), in Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner of the Southwest 1/4 of said Section 8; Thence South 88°13'55" West along the South line of said 1/4 Section, 375.00 feet; Thence North 00°26'18" West 101.17 feet to a point of curve; Thence Northwesterly 224.40 feet along the arc of said curve, whose center lies to the West with a radius of 831.91 feet and a chord bearing North 08°09'56.5" West 223.72 feet; Thence North 15°53'35" West 152.00 feet to a point of a curve; Thence Northwesterly 196.72 feet along the arc of said curve, whose center lies to the East with a radius of 720.00 feet a chord bearing North 08°03'57" West 196.10 feet; Thence North 00°14'19" West 107.85 feet; Thence North 89°45'41" East 473.80 feet to the East line of said Southwest 1/4 Section. Thence South 00°14'19" East along the East line of said Southwest 1/4 section 761.22 feet to the point of beginning, except the East 100 feet thereof; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 3rd day of October, 2019, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in

WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT,  
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RESOLUTION NO. 2019-\_\_\_\_\_

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

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

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

1. That this Special Use is approved only for the use of the subject property by William Bodner, Managing Member, Bodner Property Management, LLC, successors and assigns, for the five 8-unit multi-family residential apartment buildings (40 units) use, under Option 2 in Table 15-3.0203 R-3 Suburban/Estate Single-Family Residence District Development Standards, Special Use “Open Space Subdivision”, requiring in part a minimum of 0.3 open space ratio, 1.736 gross density and 2.48 net density upon the property, which shall be developed in substantial compliance with, and operated and maintained by William Bodner, Managing Member, Bodner Property Management, LLC, pursuant to those plans dated September 5, 2019, and annexed hereto and incorporated herein as Exhibit A.
2. William Bodner, Managing Member, Bodner Property Management, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the William Bodner, Managing Member, Bodner Property Management, LLC five 8-unit multi-family residential apartment buildings (40 units) development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon William Bodner, Managing Member, Bodner Property Management, LLC, and the five 8-unit multi-family

residential apartment buildings (40 units) use under Option 2 in Table 15-3.0203 R-3 Suburban/Estate Single-Family Residence District Development Standards, Special Use “Open Space Subdivision”, requiring in part a minimum of 0.3 open space ratio, 1.736 gross density and 2.48 net density, for the property located at approximately South Scepter Drive and West Church Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

4. The applicant shall prepare a Conservation Easement for all protected natural resource features for staff review and Common Council approval, and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.
5. The applicant shall prepare a Landscape Bufferyard Easement for staff review, Common Council approval, and recording with the Milwaukee County Register of Deeds Office prior to issuance of a Building Permit. Alternatively, the Bufferyard Easement could be incorporated into the Conservation Easement, and the Conservation Easement revised accordingly.
6. The applicant shall submit a separate Sign Review application to the Department of City Development for review and approval, shall obtain a Sign Permit from the Inspection Department, and shall verify that the proposed entry sign is located outside any vision triangle and easements pursuant to Section 15-5.0201 of the Unified Development Ordinance, prior to installation.
7. The applicant shall submit a revised Landscape Plan for Department of City Development review and approval that meets all requirements of Sections 15-5.0302 and 15-5.0303 of the UDO, and provides a 2-year planting guaranty prior to issuance of a Building Permit.
8. The applicant shall submit easements for the depicted utilities and storm drainage ponds for review by the Engineering Department, approval by the Common Council, and recording with the Milwaukee County Register of Deeds Office prior to the issuance of building permits.
9. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.
10. The applicant shall install a pedestrian crosswalk from one of the development’s proposed driveways to the existing sidewalk on the west side of Scepter Drive.

11. The applicant shall add light poles within the off-street parking areas, subject to Department of City Development staff approval, prior to the issuance of building permits.
12. The applicant shall revise the site plan to add a sidewalk on the east side of Scepter Drive, said sidewalk should be connected to the proposed development. Subject to approval by the Departments of Engineering and City Development, prior to the issuance of building permits.
13. The applicant shall revise the architectural elevations to include: a third principal building color (either to the brick work or to the siding) for all buildings; and that two of the buildings not repeat the same façade treatments as the other three buildings (i.e. incorporate greater variation in the type, color, and distribution of the building materials and façade treatments). Subject to Department of City Development staff approval, prior to the issuance of building permits.
14. The applicant shall revise the landscape plan to remove and replace the barberry shrubs, subject to Department of City Development staff approval, prior to the issuance of building permits.

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

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

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

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

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

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

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 \_\_\_\_\_



## RESOLUTION NO. 2019-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS  
FOR THE APPROVAL OF A SPECIAL USE FOR A FIVE 8-UNIT  
MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS (40 UNITS)  
USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH  
SCEPTER DRIVE AND WEST CHURCH STREET  
(WILLIAM BODNER, MANAGING MEMBER, BODNER  
PROPERTY MANAGEMENT, LLC, APPLICANT)

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WHEREAS, William Bodner, Managing Member, Bodner Property Management, LLC having petitioned the City of Franklin for the approval of a Special Use in an R-8 Multiple-Family Residence District [concurrent application to rezone property from R-3 Suburban/Estate Single-Family Residence District to R-8 Multiple-Family Residence District], to allow for the development of a five 8-unit multi-family residential apartment buildings (40 units) use, upon property located at approximately South Scepter Drive and West Church Street, bearing Tax Key No. 795-9999-008, more particularly described as follows:

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WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 3rd day of October, 2019, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in

WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT,  
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harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

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

1. That this Special Use is approved only for the use of the subject property by William Bodner, Managing Member, Bodner Property Management, LLC, successors and assigns, for the five 8-unit multi-family residential apartment buildings (40 units) use, under Option 2 in Table 15-3.0203 R-3 Suburban/Estate Single-Family Residence District Development Standards, Special Use “Open Space Subdivision”, requiring in part a minimum of 0.3 open space ratio, 1.736 gross density and 2.48 net density upon the property, which shall be developed in substantial compliance with, and operated and maintained by William Bodner, Managing Member, Bodner Property Management, LLC, pursuant to those plans dated September 5, 2019, and annexed hereto and incorporated herein as Exhibit A.
2. William Bodner, Managing Member, Bodner Property Management, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the William Bodner, Managing Member, Bodner Property Management, LLC five 8-unit multi-family residential apartment buildings (40 units) development, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
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  8. The applicant shall submit easements for the depicted utilities and storm drainage ponds for review by the Engineering Department, approval by the Common Council, and recording with the Milwaukee County Register of Deeds Office prior to the issuance of building permits.
  9. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.
  10. The applicant shall install a pedestrian crosswalk from one of the development’s proposed driveways to the existing sidewalk on the west side of Scepter Drive.

WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT,  
LLC – SPECIAL USE  
RESOLUTION NO. 2019-\_\_\_\_\_

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

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

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

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

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

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

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

WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT,  
LLC – SPECIAL USE  
RESOLUTION NO. 2019-\_\_\_\_\_

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APPROVED:

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

ATTEST:

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

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

<p>APPROVAL <i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE Oct 15, 2019</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR TID4 TO APPROPRIATE \$10,000 OF APPRAISER PROFESSIONAL SERVICES</p>	<p>ITEM NUMBER <i>G.6.</i></p>

**Background**

The Common Council adopted a 2019 Budget for TID4 with Ordinance 2018-2345. That Budget did not include any provision for professional fees to appraise land for potential purchase.

The City Engineer and Economic Development Director are proposing to engage an appraiser to evaluate land in Area D to be acquired for right of way for infrastructure construction.

**Analysis**

There are un-used professional service fees in other activities which could be repurposed for the appraisal services.

**Recommendation**

There are \$25,000 of un-needed Professional Finance fees that staff recommends be re-purposed for appraising services.

**COUNCIL ACTION REQUESTED**

Motion adopting an Ordinance to amend Ordinance 2018-2345, an Ordinance adopting the 2019 annual budgets for TID4 to appropriate \$10,000 of appraiser professional services

Roll Call Vote Required

Finance Dept - Paul

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2019\_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR TID4 TO APPROPRIATE \$10,000 OF APPRAISOR PROFESSIONAL SERVICES

WHEREAS, the Common Council of the City of Franklin adopted the 2019 Annual Budgets for TID4 on November 13, 2018; and

WHEREAS, the TID4 appropriations do not include any appraisal services, and

WHEREAS, the City is considering the purchase of right of way for infrastructure; and

WHEREAS, there are un-used professional service appropriations in the Finance Department.

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

Section 1 That a 2019 Budget for TID 4 shall be modified as follows:

TID4

Finance Dept	Professional Services	Decrease	\$10,000
Econ Dev	Professional Services	Increase	\$10,000

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

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

APPROVED:

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

ATTEST:

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

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

<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MTG. DATE</b> October 15, 2019
Reports & Recommendations	<p style="text-align: center;"> <b>RESOLUTION TO: AMEND TASK ORDER NO. 5 AND NO. 6 OF RUEKERT &amp; MIELKE'S CONTRACT FOR FRANKLIN CORPORATE PARK, PHASE 1 DATED NOVEMBER 4, 2014; AND AUTHORIZE STAFF TO OBTAIN AND SIGN A CONTRACT WITH LAND APPRAISER FOR LAND ACQUISITION SERVICES RELATED TO THIS PROJECT</b> </p> <p style="text-align: center;"> <b>ALSO A REQUEST TO SOLICIT SANITARY SEWER EQUIPMENT SUPPLIERS FOR FRANKLIN CORPORATE PARK</b> </p>	<b>ITEM NO.</b> <i>G.7.</i>

**BACKGROUND**

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City. TID 4 is approaching the end of its life and efforts to bring all property owners within the Franklin Corporate Park- Phase 1 (area bounded by S. 27<sup>th</sup> Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus) has only been met with marginal success. One property owner JHB Properties, LLC has contracts to provide two spec buildings. Although supportive, the other property owners have not expressed a pressing need to advance the project.

It is believed that all expenditures in TID 4 must be made on or before June 21, 2020. During the budget efforts, Staff was instructed to accelerate the efforts to forward the development of Franklin Corporate Park as much as possible before the spending is restricted. This council action is to fully update all on the efforts to construct infrastructure in the next eight months and seek direction from Common Council on a few issues.

**ANALYSIS**

Ruekert & Mielke has an open contract for the design of the Franklin Corporate Park (dated November 4, 2014) but work had been stalled primarily because of the non-unified property owners. Upon the recent direction to proceed with the accelerated work, Staff met with Ruekert & Mielke and developed a concept that the City would install the minimum amount of infrastructure to accommodate the entire Corporate Park, yet leave flexibility for each owner to develop when and how they want. Granted, this new concept makes it more difficult for each owner to develop, but this is a result of all property owners not working together as encouraged earlier. Some examples of how it is now more difficult for each Owner to develop are not having regional detention basins and not relying on neighboring properties for earth balance efforts. Each of the four parcels in Phase 1 will need to be self-dependent unless special arrangement is made.

The road and utility layout are shown on the attached exhibit. The roads will need to be completed by each owner because of stormwater and other setback considerations.

It is envisioned that a watermain will extend from W. Oakwood Road (through the Wendt Trust property) to the south to serve the JHB Properties parcel. The watermain would then extend to the sanitary lift station located on the MLG Investments parcel.

The lift station will ultimately accept flows from most of Corporate Park (exception are properties on the northeast corner of phase 2) and initially be fed by a gravity sanitary sewer from the north and the return force main will extend north to Oakwood Road. Staff has met with MMSD and worked with Ruekert & Mielke to confirm the capacities of the existing sewers. Typically, a project of this magnitude cannot be designed, bid, and constructed in a timeline to meet June 2020. The specialized equipment for the sanitary lift station has long lead times once orders are placed.

Staff has instructed Ruckert & Mielke to pull the major equipment from the contractor's package and quoted to the City directly for installation by the contractor. Staff needs authorization to solicit bids/quotes for major lift station equipment. Any award to equipment suppliers would be brought to Common Council.

The utilities would be in a right of way donated and/or purchased from three parcels. Staff needs authorization to have the parcels appraised to continue those discussions.

As the design process proceeds and construction estimates are assembled, Staff will start the process for special assessments. Many properties will be assessed for being tributary to a lift station. It appears that the gravity sewer and watermain assessments need only affect properties that willingly want the assessments. This will be further established upon negotiations with respective property owners.

Enclosed are draft amendments to Ruckert & Mielke's existing task orders 5 and 6. These amendments essentially freeze the efforts that have already been performed and change direction to accommodate this new development concept. Note that the total cost for each task order remains the same as previously agreed (\$1,201,850 for Task No. 5 and \$73,000 for Task No. 6) so no additional funds are being requested beyond what was previously set. Staff needs these task order amendments to be finalized and signed to keep Ruckert & Mielke proceeding on the project.

Staff has started discussions with JHB Properties, LLC on a development agreement that will be brought to the Common Council as it is negotiated. JHB has also employed a consulting engineer that will coordinate with Staff and Ruckert & Mielke as their parcel is designed. The development of this parcel, along with site design for the sanitary sewer lift station are expected to soon be on the project tracker.

It is noted that the traffic impact analysis (TIA) for the Corporate Park stated that a second left-hand turn lane is needed for the new Elm Road connection to the new I-94 interchange. This extra lane is expected to be approximately \$800,000. Unfortunately, Staff's understanding of TID legislation does not allow a TID to pay for expenses outside of the City's corporate limits. The Elm Road interchange with new Elm Road is expected to be completed in July 2020 and WISDOT plans to keep this segment as a state route- ie not owned and maintained by the City of Oak Creek. Staff has discussed this with WISDOT staff and they are willing to support a cost share agreement that WISDOT will construct and fund the \$800,000 Elm Road turn lane in 2023 if Franklin were to fund \$800,000 of that project that will refurbish S. 27<sup>th</sup> Street from Elm Road south that includes refurbishing the bridge. Franklin could also apply for a TEA Grant that could pay up to 50% of the costs and the amount will be dependent on the number of jobs that are created. Therefore, this effort could cost Franklin anywhere between \$400k and \$800k, depending on jobs created in the Corporate Park, and would be eligible for TID funding- assuming a new TID is created after the closure of TID 4.

Property acquisition along W. Elm Road west of S. 27<sup>th</sup> Street is progressing. Staff needs direction on anticipated timing of project so that dates on temporary easements may be established.

## **OPTIONS**

- A. Finalize and authorize Ruckert & Mielke's amendment to Task Orders 5 and 6. And/or
- B. Authorize Staff to sign contract with land appraiser for needed services related to this project. And/or
- C. Authorize Staff to proceed on soliciting major equipment suppliers for needed equipment. And/or
- D. Provide further direction to staff.

## **FISCAL NOTE**

TID4 has an existing encumbrance for \$1,201,850.00 stemming from a June 5, 2018 Common Council authorization for engineering services with Ruckert & Mielke, Inc. The remaining unspent portion of that contract is \$673,523.79 for invoices rendered thru July 31, 2019, the last invoices processed. As noted above, the requested Council Action will not increase the value of services to be performed, but rather change the nature of the requested services. The requested services are included in the remaining contract.

Under separate cover a budget amendment to provide appropriations for appraisal services in TID4 is requested and recommended.

TID4 was created in June, 2005 and by state statute completes the expenditure period in June, 2020. The Director of Finance & Treasurer has been advised by Ehlers that all projects must be completed by that date. Project costs completed after June 2020 are not eligible TID project costs. Ehlers has further commented that the City Attorney should opine on the definition of project completion should construction extend beyond June, 2020. Further, the City's auditors are required to audit the expenditure period, submitting the audit to the Dept of Revenue on compliance with these requirements. Paul Frantz, Baker Tilly partner assigned to the Franklin engagement, recommended on Sept 11, 2019 "that any money that is allocated (committed) related to the open TID projects that will be in progress be placed in an escrow and then any money's that remain would be placed back into the TIF to cover debt service payments and/or be eventually disbursed at close out."

The 2020 Proposed budget for TID4 includes project costs totaling \$11 million to complete project costs recommended in by the engineering services.

## **RECOMMENDATION**

(Options A, B & C) Resolution 2019-\_\_\_\_\_ a resolution to amend Task Order No. 5 and No. 6 of Ruckert & Mielke's contract for Franklin Corporate Park, Phase 1 dated November 4, 2014. Also authorize staff to obtain and sign a contract with land appraiser for land acquisition services related to this project and solicit equipment suppliers for providing major sanitary sewer lift station equipment.

Engineering Department: GEM



Projection  
NAD\_1983\_2011\_StatePlane\_Wisconsin\_South\_FIPS\_48  
03\_Ft\_US



1:4,514

752 0 376 752 Feet

Notes

**DISCLAIMER:** This map is a user generated static output from the Milwaukee County Land Information Office Interactive Mapping Service website. The contents herein are for reference purposes only and may or may not be accurate, current or otherwise reliable. No liability is assumed for the data delineated herein either expressed or implied by Milwaukee County or its employees.

**Amendment 1 To Task Order No. 5 - consisting of 4 pages (including attachments), referred to in and part of the Agreement between Owner and Engineer for Professional Services – Task Order Edition dated November 4, 2014.**

---

**1. Background Data:**

- a Effective Date of Task Order 5: June 5, 2018
- b Owner: City of Franklin
- c Engineer: Ruekert & Mielke, Inc
- d Specific Project: Franklin Corporate Park - Phase I Improvements

**2. Description of Modifications**

- a Engineer shall perform the following Additional Services:

Revise Development Plan

- Update DRAFT Franklin Corporate Park Development Map
- Revise layout of City Development Plan to incorporate elements of plan submitted by Scott Biller on May 23, 2019 and desired by City of Franklin
- Complete specific tasks as directed by City Staff

Revise preliminary design

- Archive preliminary design completed on November 1, 2018
- Prepare Proposed Revised Conceptual Sanitary Sewer, Water Main and Street Layout (See attached Revised Exhibit A)
- Develop preliminary and final design of public underground utility and sewage pump station site improvements along the Street A corridor to serve future development (See attached Exhibit B)
- Complete specific tasks as directed by City Staff

Bidding

- Provide services during bidding through recommendation of award for public infrastructure improvements designed under Task Order 5
- b The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows
    - Eliminate design of grading, underground utility and transportation improvements to property located west of the Street A corridor
    - Eliminate design of grading and transportation improvements along Street A corridor
  - c. The responsibilities of Owner with respect to the Task Order are modified as follows:
    - Acquire real property necessary to construct public underground utility and sewage pump station site improvements along the Street A corridor

---

**Amendment to Task Order**

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and American Society of Civil Engineers. All rights reserved.

- Expedite City review and approval processes.
- d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:
- Ruckert & Mielke, Inc. will perform tasks as directed by City Staff on an hourly basis plus reimbursable expenses.
  - A detailed scope of remaining professional services cannot be defined at this time.
- e. The schedule for rendering services under this Task Order is modified as follows:
- Final design of public underground utility and sewage pump station site improvements along the Street A corridor is scheduled to be completed and ready for bidding in November 2019.
- f. Other portions of the Task Order (including previous amendments, if any) are modified as follows: None
- g. Attachments:
- Revised Exhibit A dated September 24, 2019.
  - Exhibit B dated September 25, 2019.

**3. Task Order 5 Summary (Reference only)**

a.	Original Task Order amount:	\$ 1,201,850.00
b.	Net change for prior amendments:	\$ 0.00
c.	This amendment amount:	\$ 0.00
d.	Adjusted Task Order amount:	\$ 1,201,850.00

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is October 1, 2019.

OWNER:

ENGINEER:

By: \_\_\_\_\_

By:

Name: \_\_\_\_\_

Name: Steven C. Wurster

Title: \_\_\_\_\_

Title: Vice President/COO

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

Date  
Signed: September 25, 2019

**Amendment to Task Order**

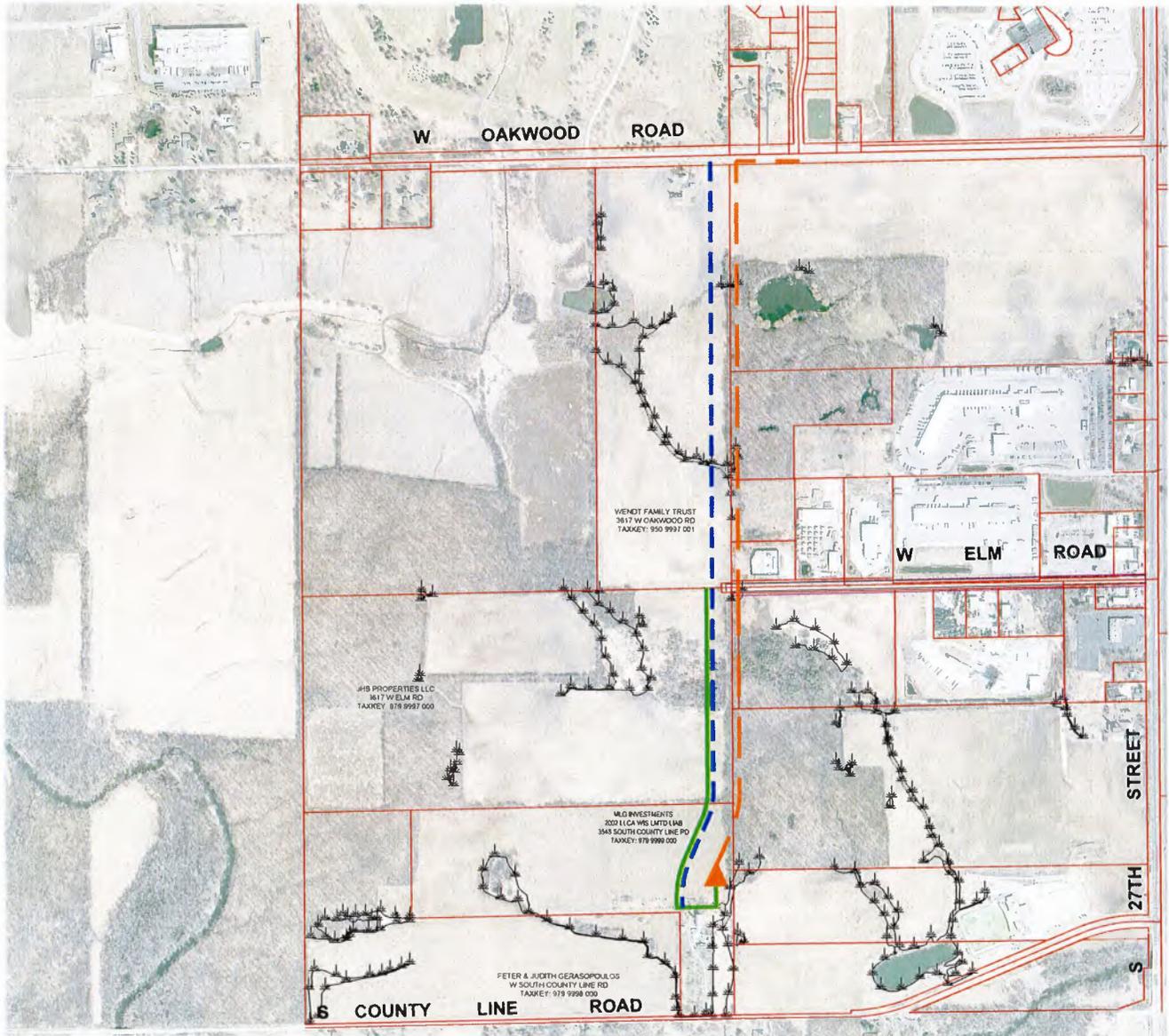
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# EXHIBIT B

## PUBLIC UNDERGROUND UTILITY AND SEWAGE PUMP STATION SITE IMPROVEMENTS ALONG STREET A CORRIDOR

CITY OF FRANKLIN  
MILWAUKEE COUNTY, WISCONSIN



### LEGEND

-  PROPOSED WATER MAIN
-  PROPOSED SANITARY SEWER
-  PROPOSED SANITARY FORCE MAIN
-  PROPOSED SEWAGE PUMPING STATION
-  DELINEATED WETLANDS (NOT COMPLETE)



0 500 1000 2000

SCALE IN FEET

0 1/8 1/4 1/2

SCALE IN MILES

DATE: SEPTEMBER 25, 2019

© 2019 Copyright Ruekert & Mielke, Inc.

SOURCE:  
BASEMAP SOURCE:

Sep 23, 2019 9:34am PLOTTED BY: AKRUEGER SAVILD BY: AKRUEGER Water Main, and Street Layout - 05 - 8.5x11.dwg Layout1  
 G:\C3D\_2018\58\_City of Franklin\1001.3\_Franklin Corporate Park\dwg\C300-Proposed Conceptual Sanitary Sewer, Water Main, and Street Layout - 05 - 8.5x11.dwg  
 IMAGS: G:\C3D\_2018\58\_City of Franklin\1001.3\_Franklin Corporate Park\dwg\C300-Proposed Conceptual Sanitary Sewer, Water Main, and Street Layout - 05 - 8.5x11.dwg  
 XREFS: \\0621156\_Cad\001\1001.3\_Franklin Corporate Park\dwg\C300-Proposed Conceptual Sanitary Sewer, Water Main, and Street Layout - 05 - 8.5x11.dwg

RMB1111B

**Amendment To Task Order No. 6 - consisting of 3 pages (including attachment), referred to in and part of the Agreement between Owner and Engineer for Professional Services – Task Order Edition dated November 4, 2014.**

---

**1. Background Data:**

- a Effective Date of Task Order 6. September 5, 2018
- b Owner City of Franklin
- c Engineer: Ruekert & Mielke, Inc
- d Specific Project: Franklin Corporate Park - Phase I Improvements

**2. Description of Modifications**

- a Engineer shall perform the following Additional Services:

Design Services

Task 1: Tree Identification, Measuring, and Tagging

- Revise limits of identifying, measuring and tagging trees to include additional area shown on the attached Revised Exhibit A dated August 29, 2019

Task 2. Natural Resource Special Exception Application

- Archive previous draft version of application
- Revise Natural Resource Protection Plan to only include those areas impacted by improvements constructed by contracts awarded by the City of Franklin
- Develop restoration plan for woodland impacts associated with public underground utility and sewage pump station site improvements along the Street A corridor

- b The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows:

- Eliminate Natural Resource Protection Plan for property located west of the Street A corridor because it will be prepared by others
- Eliminate preparation of Natural Resource Special Exception Application for improvements to property located west of the Street A corridor because it will be prepared by others
- Eliminate preparation of Natural Resource Special Exception Application for public underground utility and sewage pump station site improvements along the Street A corridor because it will not be necessary

- c The responsibilities of Owner with respect to the Task Order are modified as follows:

- Identify location of restoration of impacts to environmental resources due to public underground utility and sewage pump station site improvements along the Street A corridor
- Expedite City review and approval processes

---

**Amendment to Task Order**

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and American Society of Civil Engineers. All rights reserved.

- d. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional or modified compensation:
  - Ruckert & Mielke, Inc. will perform tasks as directed by City Staff on an hourly basis plus reimbursable expenses.
  - A detailed scope of remaining professional services cannot be defined at this time.
- e. The schedule for rendering services under this Task Order is modified as follows:
  - Design services for underground utility and sewage pump station site improvements along the Street A corridor is scheduled to be completed and ready for bidding in November 2019.
- f. Other portions of the Task Order (including previous amendments, if any) are modified as follows: None
- g. Attachments:
  - Revised Exhibit A dated August 29, 2019.

**3. Task Order 6 Summary (Reference only)**

a.	Original Task Order amount:	\$ 73,000.00
b.	Net change for prior amendments:	\$ 0.00
c.	This amendment amount:	\$ 0.00
d.	Adjusted Task Order amount:	\$ 73,000.00

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is October 1, 2019.

OWNER:  
  
By: \_\_\_\_\_  
  
Name: \_\_\_\_\_  
  
Title: \_\_\_\_\_  
  
Date Signed: \_\_\_\_\_

ENGINEER:  
  
By:   
\_\_\_\_\_  
  
Name: Steven C. Wurster  
  
Title: Vice President/COO  
  
Date Signed: September 25, 2019



<p>APPROVAL <i>Slw Pat</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE Oct 15, 2019</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>AN ORDINANCE TO AMEND ORDINANCE 2019-2381, AN ORDINANCE CREATING THE 2019 ANNUAL BUDGETS FOR TID7 TO PROVIDE FOR LEGAL COSTS IN THE TID</p>	<p>ITEM NUMBER <i>G, 8,</i></p>

**Background**

On June 18, 2019 the Common Council created a 2019 budget for TID7. That budget did not include any appropriations for legal fees to negotiate the Developer's Agreement or other related documents.

On Sept 17, 2019 the Common Council adopted Resolution 2019-7546 authorizing legal services for TID7 with Quarles & Brady LLP.

The TID7 Developers Agreement includes a provision for the City to provide a \$4.5 million second mortgage on the apartment development. The Developer has agreed to pay the City \$22,500 for legal costs associated with the mortgage.

Legal costs are expected at \$30,000 for all matters related to the Development.

**Recommendation**

The Finance Director recommends that a Budget Amendment be adopted to recognize the \$20,000 fee to be paid by the Developer and \$30,000 in legal costs associated with the project.

**COUNCIL ACTION REQUESTED**

Motion adopting an Ordinance to amend Ordinance 2019-2381, an Ordinance creating the 2019 annual budgets for TID7 to provide for legal costs in the TID.

**Roll Call Vote Required**

Finance Dept - Paul

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2019 \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2019-7546, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR TIF7 FOR FISCAL YEAR 2019 TO PROVIDE FOR LEGAL COSTS IN THE TID

WHEREAS, the Common Council of the City of Franklin adopted the 2019 Annual Budgets for Tax Increment District 7 on September 17, 2019; and

WHEREAS, the 2019 TID7 budget does not provide for legal costs to complete the Developer’s Agreement or Mortgage the City is granting the Developer; and

WHEREAS, the Developer has agreed to provide a \$22,500 payment to the City for legal costs associated with the Mortgage; and

WHEREAS, the Common Council authorized legal services with Quarles & Brady, LLP .

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

Section 1 That a 2019 Budget for TID7 is amended as follows:

Projects Fund

Miscellaneous Revenue	Increase	\$22,500
Legal Services Expense	Increase	\$30,000

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

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

APPROVED:

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

ATTEST:

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

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

## RESOLUTION NO. 2019-7546

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A  
LETTER OF ENGAGEMENT FOR LEGAL SERVICES IN CONNECTION WITH  
TAX INCREMENTAL DISTRICT MATTERS (TAX INCREMENTAL  
DISTRICT NOS. 5 AND 7) WITH QUARLES & BRADY LLP

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WHEREAS, the Common Council having previously authorized the provision of special counsel legal services with regard to the Tax Incremental District No. 5 Ballpark Commons development with Quarles & Brady LLP and the firm has been providing legal services with regard to Tax Incremental District No. 5, and Tax Incremental District No. 7, the Common Council having approved the Project Plan and Boundaries for the creation of Tax Incremental District No. 7 on May 23, 2019 for property previously with the Boundaries of and part of Tax Incremental District No. 5; and

WHEREAS, Quarles & Brady LLP is a law firm respected for its expert services with regard to tax incremental districts and public financing and has provided a Letter of Engagement for Legal Services in Connection with Tax Incremental District Matters; and

WHEREAS, the Common Council upon the recommendation of City staff having reviewed such proposed agreement for professional legal services and having found same to be reasonable.

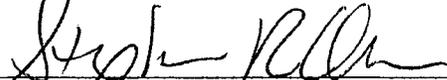
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Letter of Engagement for Legal Services in Connection with Tax Incremental District Matters with Quarles & Brady LLP, in the form and content as annexed hereto, be and the same is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor, City Clerk and Director of Finance and Treasurer be and the same are hereby authorized to execute and deliver such agreement.

Introduced at a regular meeting of the Common Council of the City of Franklin this 17th day of September, 2019.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 17th day of September, 2019.

APPROVED:

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

ATTEST:

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

AYES 5      NOES 0      ABSENT 1 (Ald. Wilhelm)

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2019-2381

AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2019 TO ESTABLISH A 2019 BUDGET FOR TID 7 VELO VILLAGE

---

WHEREAS, the Common Council of the City of Franklin adopted the 2019 Annual Budgets for the City of Franklin on November 13, 2018;

WHEREAS, the City established Tax Increment District Number 7 Velo Village on May 23, 2019;

WHEREAS, the 2019 Budget did not include appropriations for TID 7 Velo Village; and

WHEREAS, the Common Council desires to establish a 2019 Budget for TID 7.

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

Section 1 That a 2019 Budget for TID 7 shall be established for the Debt Service Fund as follows:

Debt Service Fund

Bond Proceeds	Increase	240,000
Interest Expense	Increase	3,208

Section 2 That a 2019 Capital Project Budget for TID 7 shall be established as follows:

Bond Issuance Costs	Increase	150,000
Clerk Payroll Allocation	Increase	200
Admin Payroll Allocation	Increase	200
Finance Payroll Allocation	Increase	1,400
Finance TID Fees	Increase	1,000
Engineering Payroll Allocation	Increase	2,400
Capital Street Construction	Increase	2,750,000

Section 3 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this Ordinance.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin  
this 18th day of June, 2019

APPROVED:

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

ATTEST:

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

AYES 5      NOES 1 (Ald. Mayer)      ABSENT 0