

\*REVISED 4/6/2020

\*The Facebook page for the Economic Development Commission (<https://www.facebook.com/forwardfranklin/>) will be live streaming the Common Council meeting so that the public will be able to watch and listen to the meeting.

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*  
MONDAY, APRIL 6, 2020 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
  - 1. Citizen Comment Period.
  - 2. Mayoral Announcements – Franklin Emergency Operation Command Staff.
- C. Approval of Minutes - Regular Common Council Meeting of March 17, 2020.
- D. Hearings - A public hearing regarding a proposed Ordinance to amend §92-9. of the Municipal Code of the City of Franklin, Wisconsin, pertaining to impact fees upon land development pursuant to § 66.0617 of the Wisconsin Statutes, pursuant to the Public Facilities Needs Assessment and Impact Fee Study, February 2020, a revised public facilities needs assessment prepared for the City, including but not limited to proposed amendments to the impact fees amounts providing reductions to single-family and two-family residential land developments fees approximating 40%, reductions to multifamily residential land development fees approximating 43%, reductions to commercial land development fees approximating 19%, and an increase to industrial land development fees approximating 53%; to exempt public schools from the application of and the requirement for the payment of each of the various impact fees; to provide for a Census Bureau Construction Price Index (CPI) annual adjustment to the amounts of impact fees in lieu of an annual 5% increase; and to provide for a fee reduction in support of low-cost housing affordable housing development.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
  - 1. An Ordinance to Amend § 92-9 of the Municipal Code In part and Primarily to Update Same Pursuant to the Public Facilities Needs Assessment and Impact Fee Study-February 2020.
  - 2. An Ordinance to Amend §15-3.0418 of the Unified Development Ordinance Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), Section 2., to add Drive-Through as an Allowed Special Use Within the Entire District [a Special Use being Subject to Submission of a Specific Special Use Application for a Specific Property and the Obtaining of Approval Thereof]" (University of Wisconsin Credit Union, D/B/A UW Credit Union, Applicant).

3. A Resolution Authorizing Certain Officials to Execute a Memorandum of Understanding Between the City of Franklin and the Franklin Historical Society, Inc. for the Maintenance, Operations and Ownership of the Historical Buildings in Lions Legend Park.
4. Tax Incremental District No. 6 Mixed-Use District Boundary Amendment Feasibility Analysis Report (Loomis Business Park and Ryan Meadows, Approximately Between South 112th Street and the City's Western Boundary and Between West Ryan Road and West Oakwood Road).
5. Tax Incremental District No. 8 Mixed-Use District Overlay of Tax Incremental District No. 4 Feasibility Analysis Report (Franklin Corporate Park, Approximately Between Fitzsimmons and County Line Roads and 27th and 42nd Streets, including Area D).
6. A Resolution Authorizing the Issuance of \$14,952,000 Taxable Tax Increment Project Municipal Special, Limited Revenue Obligation Bond to Velo Village Apartments, LLC Dated April 7, 2020.
7. Donations to the Fire Department by Family and Friends in Remembrance of Allison (Allie) Healy in the sum of \$995.00 to be Used for Community Outreach and Education.
8. Request Council Authorization to Fill an Approved and Budgeted Administrative Chief Position at the Rank of Assistant Chief.
9. A Resolution Conditionally Approving a 2 Lot Certified Survey Map, Being a Redivision of Parcel 1 of Certified Survey Map No. 4915, Part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Steven D. Wiedenfeld, Applicant) (at 4890 West Hunting Park Drive).
10. An Ordinance to Amend Ordinance 2019-2398, an Ordinance Adopting the 2020 Annual Budgets for the General Fund and Sanitary Sewer Fund to Provide \$670,000 of General Fund and \$175,000 of Sanitary Sewer Fund Additional Appropriations as Extraordinary Contributions to the Public Works Defined Benefit Retirement Income Plan.
11. Direct Staff to Apply for a Federal Emergency Management Administration Grant as a Result of the Public Health Emergency.
12. A Resolution Conditionally Approving a Final Plat for Oakes Estates Subdivision (at Approximately South 92nd Street and West Woelfel Road) (Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, Applicant).
13. A Resolution Conditionally Approving a 2 Lot Certified Survey Map, Being a Division of a Part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Anup K. Khullar, 5100 LLC, Applicant) (at 5112 West Ryan Road).
14. An Ordinance to Amend Ordinance 2019-2398, and Ordinance Adopting the 2020 Annual Budgets for the Grant Funds to Provide Additional \$55,000 of Appropriations to Address the Corvid-19 Public Health Emergency.
15. An Ordinance to Amend Ordinance 2019-2398, An Ordinance Adopting the 2020 Annual Budgets for the Capital Outlay Fund to Provide Additional Resource and Expenditures for Street Trees Totaling \$31,125.
16. Purchase a Hawk, High-Intensity Activated Crosswalk Beacon System from Traffic and Parking Control, Inc. for \$4,082.50 and Install at S. 51st Street and S. Preserve Way.
17. Sidewalk Considerations for W. Loomis Road from W. St. Martins Road to City Limits (S. 68th Street).

## Common Council Meeting Agenda

April 6, 2020

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18. A Resolution to Issue Change Order No. 1 for the Franklin Corporate Park Wastewater Pumping Station Project-Staab Construction Corporation and Change Order No. 1 for the South Hickory Street Corridor Utility Improvements Project-Super Excavators, Inc. for Time Extensions Only and also Discussion of Force Majeure Notices Related to Coronavirus Disease Pandemic.
19. February 2020 Monthly Financial Report.
20. December 2019 Monthly Financial Report-Unaudited.

H. Licenses and Permits.

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

J. Adjournment.

\*Supporting documentation and details of these agenda items are available in the Common Council Meeting Packet on the City of Franklin website [www.franklinwi.gov](http://www.franklinwi.gov).

[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:

April 7	Spring Election & Presidential Preference Primary	7:00 a.m.-8:00 p.m.
April 9	Plan Commission Meeting	7:00 p.m.
April 21	Common Council Meeting	6:30 p.m.
April 23	Plan Commission Meeting	7:00 p.m.
May 5	Common Council Meeting	6:30 p.m.
May 7	Plan Commission Meeting	7:00 p.m.

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April 3, 2020

To Mayor Steve Olson and Members of the Common Council

RE: Update on the Police Department's response to the COVID-19 crisis

Dear Mayor Olson and Aldermen:

- All police department personnel are A-symptomatic for the COVID-19 virus as of this date
- The department has taken aggressive measures to keep the Law Enforcement Center disinfected
- Social distancing practices are in place to minimize close physical contact between personnel
- For now, adequate Personal Protective Equipment (PPE) is available and assigned to patrol personnel
- PPE reserves are limited and we are continuously looking for sources to stock replacement supplies
- Operations have been adjusted to minimize officer exposure to COVID-19 positive people i.e.
  - Calls for service that can be handled by phone will be handled by an officer over the phone. Limited Duty officers, if available, are being used
  - Walk in complaints are being handled by an officer interviewing the complainant from behind the lobby window instead of face to face
  - At multiple officer calls, officers are instructed to only use the minimum number of officers needed to handle the call. Back up officers are to keep a distance as able.
  - Officers are instructed to stay out of locations where the Fire Department is performing EMS unless requested to enter
  - An On-Line call reporting system for low priority calls has been implemented to reduce the need for physically deploying officers
  - Officers are encouraged to issue municipal citations in lieu of a summary arrest to avoid bringing people into the Booking Room in order to reduce the risks of contamination
- Contingencies are in place in the event 50% of police department personnel are unable to report to work due to illness or quarantine. 12 hour shifts for available staff will be implemented to provide adequate coverage
- Contingencies are in place in the event personnel availability drops below 50%. An agreement between Franklin, Greenfield, Greendale and Hales Corners police departments are in place to share personnel (This agreement is based on the existing SMART MOU).
- The police department has responded to 13 calls of businesses violating the Governor's Safer at Home order. Of those businesses, 10 were already in compliance. Officers ordered the closure of 3 businesses that were open and were designated as "Non-Essential" by the Governor.
- Violations of the order, in general, have been a result of confusion about the order. Overall, the community has been very cooperative in honoring the order

Sincerely,



Rick Oliva  
Chief of Police



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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>
<b>REPORTS AND RECOMMENDATIONS</b>	<b>Franklin Fire Department COVID-19 Situation Report 02 April 2020</b>	<b>ITEM NUMBER</b>

**Background:**

The Franklin Fire Department continues to participate in a county-wide regional COVID-19 response plan. FFD is contributing personnel, vehicles, supplies and equipment to this operation. At this time, FFD has increased staffing by one Firefighter/Paramedic per day (at OT pay rate) in order to staff COVID response resources. The response plan is scalable and additional dedicated COVID response resources can be placed in service in very short order. As of the time of writing of this report, existing resources appear to be adequately managing EMS call volume both locally and system-wide and additional personnel and resource contributions are not indicated in the immediate future. Overall, 911-call volume is down within the county as a whole. Franklin is seeing an increase in call volume, as two of the COVID-dedicated response units are housed in our fire station and dispatched through our dispatch center.

**Future Considerations:**

FFD personnel that test positive for COVID-19, or that experience a high-risk exposure to a positive status patient in the field would need to be quarantined for a minimum of 14 days, not just the period of acute illness. Having multiple personnel on simultaneous quarantine would present operational challenges if vacant shifts cannot be filled. Shifts filled through mandating employees may lead to personnel working prolonged shifts of up to 72 hours on duty. Employee performance can be expected to decline over extended shifts, and errors, accidents, and injuries are more likely under these circumstances.

There are nationwide shortages of nearly all types of Personal Protective Equipment (PPE) for medical personnel. Most critically low ads N-95 masks, which are being conserved for only patients where more aggressive airway management is required (e.g., nebulized medication, intubation, etc.). Additional guidelines for re-using some PPE may be forthcoming. In the long-term FFD has ordered canister filter kits that would allow existing SCBA face-pieces to be used for PPE filtration indefinitely. However, these items have not yet been received.

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CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
MARCH 17, 2020  
MINUTES

- |  |      |  |
|--|------|--|
| ROLL CALL  | A.   | The regular meeting of the Common Council was held on March 17, 2020 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 (by telephone), Alderwoman Kristen Wilhelm (by telephone), Alderman Steve F. Taylor, Alderman Mike Barber (by telephone), and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski. |
| CITIZEN COMMENT  | B.1. | Citizen comment period was opened at 6:32 p.m. and closed at 6:35 p.m.   |
| PANDEMIC POLICY 1  | B.2. | Mayor Olson presented the Pandemic Policy No. 1.   |
| MINUTES<br>MARCH 3, 2020   | C.   | Alderman Mayer moved to approve the minutes of the regular Common Council meeting of March 3, 2020 as presented at this meeting. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.   |
| RES. 2020-7605<br>PUBLIC HEALTH<br>EMERGENCY<br>DECLARATION          | E.   | Alderman Mayer moved to adopt Resolution No. 2020-7605, A RESOLUTION DECLARING A PUBLIC HEALTH EMERGENCY IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19). Seconded by Alderman Taylor. On roll call, all voted Aye. Motion carried.   |
| DONATIONS TO<br>POLICE, FIRE AND<br>PARKS DEPTS.                     | G.1. | Alderman Taylor moved to acknowledge and accept donations received during January and February 2020 to the Police, Fire and Parks. Seconded by Alderman Nelson. All voted, Aye; motion carried.  |
| LIGHT AND UNITE<br>RED PROCLAMATION                                  | G.2. | Mayor Olson presented a Proclamation for Light and United RED (County-wide annual initiative to shine a spotlight on the dangers of substance misuse).   |
| RES. 2020-7606<br>CONSERVATION<br>EASEMENT AT<br>5207 W. OAKWOOD RD. | G.3. | Alderman Taylor moved to adopt Resolution No. 2020-7606, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE APPROVAL OF A 4 LOT CERTIFIED SURVEY MAP UPON PROPERTY LOCATED AT 5207 WEST OAKWOOD ROAD, BEARING TAX KEY NO. 948-9998-001, DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY, APPLICANT, JUDITH E. GYURO AND EVELYN A. FARCHIONE (DECEASED), PROPERTY OWNERS, subject technical corrections by the Department of City Development.   |

Seconded by Alderman Dandrea. All voted, Aye; motion carried.

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| RES. 2020-7607<br>LANDSCAPE<br>BUFFERYARD<br>EASEMENT<br>5207 W. OAKWOOD RD. | G.4. | Alderman Taylor moved to adopt Resolution No. 2020-7607, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LANDSCAPE BUFFERYARD EASEMENT FOR AND AS PART OF THE APPROVAL OF A 4 LOT CERTIFIED SURVEY MAP UPON PROPERTY LOCATED AT 56207 WEST OAKWOOD ROAD, BEARING TAX KEY NO. 948-9998-001, DANIEL S. DUCHNIAK, GENERAL MANAGER OF WAUKESHA WATER UTILITY, APPLICANT, JUDITH E. GYURO AND EVELYN A. FARCHIONE (DECEASED), PROPERTY OWNERS, subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Barber. All voted, Aye; motion carried. |
| RES. 2020-7608<br>SPECIAL USE FOR A<br>CREDIT UNION AT<br>6611 S. 27 ST.     | G.5. | Alderman Wilhelm moved to adopt Resolution No. 2020-7608, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR CREDIT UNION WITH DRIVE THROUGH USE UPON PROPERTY LOCATED AT 6611 SOUTH 27TH STREET (UNIVERSITY OF WISCONSIN CREDIT UNION, D/B/A UW CREDIT UNION), as amended. Seconded by Alderman Taylor. All voted, Aye; motion carried.  |
| ORD. 2020-2421<br>HISTORICAL SOCIETY<br>BARN PROJECT                         | G.6. | Alderman Taylor moved to adopt Ordinance No. 2020-2421, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT FUND TO CARRYOVER \$40,000 OF THE 2019 UNUSED HISTORICAL SOCIETY BARN PROJECT APPROPRIATIONS. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.   |
| HISTORICAL BARN<br>CONSTRUCTION WORK<br>CONTRACTS                            | G.7. | Alderman Mayer moved to authorize Staff to expend \$20,000 and enter contracts with JJ Electrical, LLC for \$4,865, G&L Contracting Services LLC for \$9,850, Southeast Construction LLC for \$2,395 and other expenditures as needed to complete the electrical, ADA concrete work, and painting of the Historical Barn-8038 South Legend Drive, pending the approval and signing of the Memorandum of Understanding. Seconded by Alderman Taylor. All voted Aye; motion carried.   |
| W MARQUETTE AVE.<br>ROAD EXTENSION   | G.8. | Alderman Taylor moved to commence the West Marquette Avenue public road extension as a City Public Works on improvement. Seconded by Alderman Dandrea. Alderman Dandrea withdrew his second and Alderman Taylor withdrew his motion.   |

Alderwoman Wilhelm then moved to authorize staff to prepare the necessary documents to receive developers' donations for the road right-of-way and engineering specifications for W. Marquette Avenue and to advertise for bids for a competitive public works project, along with an alternate bid for adding water and sewer. Seconded by Alderman Taylor. On roll call, all voted Aye; motion carried.

GATEWAY SIGNAGE &  
BANNERS

- G.9. Alderman Taylor moved to authorized the signage project to be let for bid, which following bid opening shall be returned to the Common Council for review and determination upon whether to authorize award of bid(s) Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2020-2422  
IT NON-PERSONNEL TO  
PERSONNEL COSTS

- G.10. Alderman Taylor moved to adopt Ordinance No. 2020-2422, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO TRANSFER \$105,000 OF INFORMATION SYSTEMS NON-PERSONNEL COSTS TO PERSONNEL COSTS. Seconded by Alderman Nelson. On roll call, all voted Aye; motion carried.

IT JOB DESCRIPTIONS

- G.11. Alderman Barber moved to approve the newly created job descriptions for "Desktop and User Support Administrator" and "Server and Infrastructure Engineer" and further authorize the filling of two full-time employees under the role of "Desktop and User Support Administrator" and one full-time employee as "Server and Infrastructure Engineer" to replace the existing Heartland Business Systems IT on-site contractors to an extend that does not exceed current budgeted appropriations, as recommended by the Personnel Committee. Seconded by Alderman Dandrea. All voted Aye; motion carried.

IT PARTICIPATING  
ADDENDUM  
AGREEMENT

- G.12. Alderman Dandrea moved to authorize the Director of IT to execute the attached Participating Addendum agreement through the National Association of State Procurement Officers' ValuePoint Cooperative Purchasing Organization for copiers, printers, and related devices, as approved by the Wisconsin Director of the State's Bureau of Procurement; and to authorize Department Heads to acquire budgeted, replacement copiers, printers, and related devices under the terms of the Participating Addendum agreement. Seconded by Alderman Nelson. All voted Aye; motion carried.

WENS SERVICE  
AGREEMENT

- G.13. Alderman Mayer moved to authorize the Mayor and City Clerk to execute the contract provided in the packet for this meeting to renew the WENS Service Agreement with Inspiron Logistics for the Emergency Notification System for the same annual rate of \$9,600

and to authorize release of payment for the first year period of 4/22/2020 through 4/21/2021. Seconded by Alderman Dandrea. All voted Aye; motion carried.

- |  |       |   |
|--|-------|---|
| ORD. 2020-2423<br>CORVID-19<br>CONTINGENCY<br>FUNDING  | G.14. | Alderman Taylor moved to adopt Ordinance No. 2020-2423, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO MOVE \$250,000 OF RESTRICTED CONTINGENCY TO UNRESTRICTED CONTINGENCY TO ADDRESS THE CORVID-19 HEALTH EMERGENCY. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.   |
| ORD. 2020-2424<br>ROAD SALT<br>APPROPRIATIONS  | G.15. | Alderman Barber moved to adopt Ordinance No. 2020-2424, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO PROVIDE ADDITIONAL \$77,630 OF ROAD SALT APPROPRIATIONS. Seconded by Alderman Mayer. On roll call, all voted Aye; motion carried.  |
| PURCHASE OF ROAD<br>SALT   | G.16. | Alderman Dandrea moved to direct Staff to participate in State contract for purchase of 2,750 tons of salt. Seconded by Alderman Barber. All voted Aye; motion carried.   |
| ORD. 2020-2425<br>QUARRY MONITORING<br>COMMITTEE<br>MEMBERSHIP   | G.17. | Alderman Barber moved to adopt Ordinance No. 2020-2425, AN ORDINANCE TO AMEND THE MUNICIPAL CODE, §10-19. QUARRY MONITORING COMMITTEE, AS IT PERTAINS TO COMMITTEE MEMBERSHIP and to approve the Administrative Rules and Procedures for the Quarry Monitoring Committee of the City of Franklin, Wisconsin, as amended to provide for the addition of a non-voting citizen member to the Committee Membership. Seconded by Alderman Mayer. |
| Alderman Dandrea moved to call the question. Seconded by Alderman Taylor. All voted Aye; motion carried.   |       |   |
| On the main motion, Alderman Mayer, Alderwoman Wilhelm, Alderman Barber, and Alderman Nelson voted Aye; Alderman Dandrea and Alderman Taylor voted No. Motion carried. |       |   |
| SEWER & WATER<br>CLOTHING<br>ALLOWANCE   | G.18. | Alderman Nelson moved to direct Staff to modify the Employee Handbook Section III Clothing Allowance from \$250 to \$350 for Department of Public Works, and Sewer and Water employees. Seconded by Alderman Taylor. All voted Aye; motion carried.   |
| LICENSES AND<br>PERMITS  | H.    | Alderman Taylor moved to approve the following license recommendations from the License Committee meeting of March 17,  |

2020:

Grant Class B Beer/Class C Wine license in compliance with all State and Municipal regulations to Asian Bistro LLC, Agent, Kenneth Sithy, 6509B S. 27<sup>th</sup> St., subject to payment, providing City water results and satisfactory City Inspections.

Hold for appearance the Operators' License application for Destanie M Evans, 726 Marquette Ave. #2, South Milwaukee;

Grant Operator Licenses to Robin A Hintz, 4334 W Howard Ave., Milwaukee; Frank J Janiszewski, 12301 W Ryan Rd.; and

Grant the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to Franklin Public Schools-4K, Park Permit, 05/11/2020 or 05/12/2020, Lions Legend Park

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

VOUCHERS AND  
PAYROLL

- I. Alderman Dandrea moved to approve the following:  
City vouchers with an ending date of March 12, 2020 in the amount of \$2,686,317.58; and Payroll dated March 13, 2020 in the amount of \$387,407.03 and payments of the various payroll deductions in the amount of \$209,468.32 plus City matching payments; and estimated payroll dated March 27, 2020 in the amount of \$384,000.00 and payments of the various payroll deductions in the amount of \$423,000.00, plus City matching payments; property tax refund reimbursements with an ending date of March 12, 2020 in the amount of \$5,566.64; and the release payment to Knight Barry in the amount of \$166,662.74; and the release of payment to Knight Berry in the amount of \$1,788,986.11; and approval to release payment to Selzer Ornst in the amount of \$168,965.40; and approval to release payment to Geographical Marketing in the amount of \$10,346.04; and approval to release payment to Chicago Title in the amount of \$248,243.89; and approval to release Library vouchers upon approval of the Library Board not to exceed \$15,000. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:13 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.



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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 Monday, April 6, 2020 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, to hear public comment regarding a proposed ordinance to amend §92-9. of the Municipal Code of the City of Franklin, Wisconsin, pertaining to impact fees upon land development pursuant to § 66.0617 of the Wisconsin Statutes, pursuant to the Public Facilities Needs Assessment and Impact Fee Study, February 2020, a revised public facilities needs assessment prepared for the City, including but not limited to proposed amendments to the impact fees amounts providing reductions to single-family and two-family residential land developments fees approximating 40%, reductions to multifamily residential land development fees approximating 43%, reductions to commercial land development fees approximating 19%, and an increase to industrial land development fees approximating 53%; to exempt public schools from the application of and the requirement for the payment of each of the various impact fees; to provide for a Census Bureau Construction Price Index (CPI) annual adjustment to the amounts of impact fees in lieu of an annual 5% increase; and to provide for a fee reduction in support of low-cost housing affordable housing development.

This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.0617(3). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend §92-9. Impact fees, of the Municipal Code, as aforesaid, together with a copy of the revised public facilities needs assessment pursuant to Wis. Stat. §§ 66.0617(3) and (4)(b), *i.e.*, the Public Facilities Needs Assessment and Impact Fee Study, February 2020, are 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 form ordinance is subject to revisions following public hearing and the further consideration by the City of Franklin Common Council.

Dated this 4th day of March, 2020.

Sandra L. Wesolowski  
City Clerk

N.B. Class I

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE Apr 6, 2020
REPORTS & RECOMMENDATIONS	A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO §92-9 OF THE MUNICIPAL CODE PERTAINING TO IMPACT FEES FOR THE PURPOSE OF RESETTING IMPACT FEES MAY 1, 2020; TO PROVIDE FOR THE USE OF THE CHANGE IN US CENSUS BUREAU'S CONSTRUCTION PRICE INDEX FOR SINGLE-FAMILY HOUSES UNDER CONSTRUCTION FROM THE PRIOR TWELVE MONTH PERIOD PRECEDING SEPTEMBER OF THE PRIOR YEAR; AND TO PROVIDE FOR A FEE REDUCTION IN SUPPORT OF LOW-COST HOUSING AFFORDABLE HOUSING DEVELOPMENT; AND TO EXEMPT PUBLIC SCHOOLS AND OTHER INSTITUTIONAL DEVELOPMENTS FROM THE APPLICATION OF AND THE REQUIREMENT FOR THE PAYMENT OF EACH OF THE VARIOUS IMPACT FEES	ITEM NUMBER

The attached Official Notice to hear public comment regarding proposed amendments to §92-9 of the Municipal Code pertaining to impact fees upon land development pursuant to §66.0617 of the Wisconsin Statutes, to reset impact fees effective May 1, 2020; to provide for the use of the change in US Census Bureau's Construction Price Index for single-family houses under construction for the prior twelve month period preceding September of the prior year; to address the application of Impact Fees upon new single family properties that are below \$120,000 construction cost; and to exempt public schools and other institutional developments from the application of and the requirement for the payment of each of the various Impact Fee was published March 11, 2020.

The purpose of these proposed amendments is to address the following:

- 1) Reset the Park, Library, Law Enforcement and Municipal Court facilities; Transportation Systems Facilities, Fire Protection and Emergency Medical Services Facilities Fees.
- 2) To provide for the use of the US Census Bureau's Construction Price Index for single-family houses under construction for the prior twelve month period preceding September of the prior year;
- 3) To address the application of Impact Fees for affordable housing by providing for a fee reduction; and
- 4) To exempt public schools and other institutional developments from the application of and the requirement for the payment of each of the various Impact Fees.

Please note that the current study does not address the Water Impact fee or the Southwest Sanitary Sewer District Sewer Impact fee.

Attached for explanation purposes on the proposed amendments is the "Public Facilities Needs Assessment and Impact Fee Study" dated March 2020 as prepared by Ruekert & Mielke Inc, the City's consultant for this project.

### **COUNCIL ACTION REQUESTED**

A separate item has been placed on the April 6, 2020 Common Council Meeting agenda for action pertaining to "An Ordinance to amend §92-9 Impact Fees, of the Municipal Code, in part and primarily to Update Same pursuant to the Public Facilities Needs Assessment and Impact Fee Study, February, 2020

**COUNCIL ACTION REQUESTED**

A separate item has been placed on the April 6, 2020 Common Council Meeting agenda for action pertaining to "An Ordinance to amend §92-9 Impact Fees, of the Municipal Code, in part and primarily to Update Same pursuant to the Public Facilities Needs Assessment and Impact Fee Study, February, 2020

# Public Facilities Needs Assessment and Impact Fee Study



## PREPARED FOR:

### City of Franklin

9229 W. Loomis Rd  
Franklin, WI 53132

## PREPARED BY:

### Ruekert & Mielke, Inc.

4001 Nakoosa Trail, Suite 200  
Madison, WI 53714

Public Facilities Needs Assessment and Impact Fee Study

March 2020



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## PUBLIC FACILITIES NEEDS ASSESSMENT AND IMPACT FEE STUDY

### PURPOSE AND BACKGROUND

This study is a public facility needs assessment under Wisconsin Statutes s. 66.0617(4). This study develops and recommends impact fees that comply with the impact fee standards in Wisconsin Statutes s. 66.0617(6).

Ruekert & Mielke, Inc. (R/M) and the City of Franklin (Franklin) have prepared several impact fee studies and updates:

- 2002 Public facilities needs assessment and impact fee study for law enforcement, municipal courts, fire protection, emergency medical services, library, park, transportation, and water facilities
- 2004 Amendment to impact fees for law enforcement, municipal court, fire protection, and emergency medical services facilities
- 2012 Public facilities needs assessment and impact fee study for southwest sanitary sewer service area
- 2013 Public facilities needs assessment and impact fee study update for parks
- 2015 Public facilities needs assessment and impact fee study update for parks.

Prior studies provided even more detailed breakdowns of projects than this study does. The level of detail was scaled back to account for the state statutes granting much latitude to municipalities in how they spend impact fee funds. As the footnotes to Wisconsin Statutes s. 66.0617 explain, the law “allows a municipality to impose impact fees for a general type of facility without committing itself to any particular proposal before charging the fees.” Therefore, the level of detail provided in prior studies is not needed and may even give the impression that Franklin does not have flexibility in its spending of impact fee funds. In fact, the footnotes to the statutes make explicit that a “municipality must be allowed flexibility to deal with the contingencies inherent in planning.” The project detail that follows in this study represents Franklin’s best planning at this time, but Franklin reserves its statutory right to alter its planning to best suit evolving needs after this study is finished.

The sections on law enforcement and library facilities refer to the prior study for detail such as standards since all the proposed projects have been completed and no new projects have been added for these departments. The prior study fulfilled the statutory requirements for these projects. Only debt needs to be paid on previously completed projects, so these sections will focus on the fees required to pay off the debt.

The parks department has completed some but not all the proposed projects, so the inventory, standards, and the previously planned projects that have not been completed are presented in the parks section. The parks section explains how this study could be amended to include future projects and provides an example. This amendment process would be the same for the other



sections that currently do not have new projects planned if one or more of these departments needs to add facilities to accommodate new growth.

As required by the Wisconsin statutes, the sections for transportation and the fire department and emergency medical services each contains an inventory of existing facilities, a list of planned projects, the service standards, existing deficiencies, and the calculation of the impact fee.

## GENERAL

The growth forecast and service area give a common framework for developing impact fees for specific facility types. The annual increase section explains a new approach for handling inflation.

### Growth Forecast

We forecast the following population growth through 2040 as shown in Table 1.

Table 1 - Population Forecast	
Year	Residential Population
2010	35,497
2015	36,270
2020	36,516
2025	37,886
2030	39,406
2035	41,746
2040	43,576

Our population forecast is based on the most recent Wisconsin Department of Administration Demographics Services Center forecast. R/M adjusted the Demographics Services Center forecast to match the most recent US Census City of Franklin population estimate.

This forecast assumes an annual growth rate of close to 1 percent. If Franklin grows at a significantly higher or lower rate, especially over the course of several years, Franklin should update its impact fees to reflect this change in growth. Franklin could adopt a policy to revise its fees if a three-year average growth rate rises above 2 percent, or double what is forecast. When conditions change significantly, Franklin should update its fees.

The population forecast is used to calculate fees that are charged only to residential development. Some departments directly benefit only residences and not businesses or industry, so the population forecast determines how many new residents will be charged impact fees. These departments include library and parks.

The other departments directly benefit residential, commercial, and industrial development, so impact fees for these departments need to be based on a forecast other than just population. The

fees for these departments are based on square feet of new building development. To determine new development for businesses and industry, we used the Southeastern Wisconsin Regional Planning Commission (SEWRPC) land use planning data and Franklin's final statement of assessment for 2019.

The statement of assessment provided the acres in the chart below for 2020 residential, commercial, industrial, and agricultural classes. R/M based the other classes' acreage on data provided by SEWRPC. To forecast through 2040, R/M calculated the annual growth rate that SEWRPC projected for each land use class and applied 20 years' worth of growth to the 2020 acreage in each class. The growth or reduction in each class is shown in the column on the far right of Table 2.

Table 2: Extrapolated Land Use in the City of Franklin: 2020 and 2040			
Land Use	2020 Development (Acres)	2040 Development (Acres)	Change (Acres)
Developed Land			
Residential	6,682	7,168	486
Commercial	557	645	88
Industrial *	545	644	99
Transportation, Communication, and Utilities	2,173	2,256	83
Governmental and Institutional	454	451	-2
Recreational	855	887	32
Developed Land Subtotal	11,266	12,051	785
Undeveloped Land			0
Agricultural	4,026	4,126	100
Natural Resource Areas			0
Wetlands	2,626	2,595	-32
Woodlands	1,539	1,446	-92
Surface Water	345	348	3
Natural Resource Areas Subtotal	4,510	4,389	-121
Unused and Other Open Lands	2,915	2,150	-765
Undeveloped Land Subtotal	11,451	10,665	-785
Total	22,717	22,717	0

\* 2040 development adds 71 acres of known industrial development onto SEWRPC's annual growth rate.

Although the 2002 impact fee study included fees for institutional land use, as Table 2 shows, no growth is forecast for this class, so R/M recommends that fees for this class be dropped.

Focusing on changes in land use for the classes responsible for development, Table 3 below was created to allocate impact fees among the classes based on their share of the growth. In other words, since residential land use is forecast to make up 72% of the growth, 72% of costs eligible for impact fees will be assigned to and paid for by residential development. The Development column numbers in Table 3 come from the far right column in Table 2.

Table 3: Development Land Use Change between 2020 and 2040		
Land Use	Development (Acres)	Percent of Category
Residential	486	72.3
Commercial	88	13.0
Industrial	99	14.7
Total	673	100.0

The residential fees are charged on a per-residence basis. The commercial and industrial fees are charged on a per-square-foot-of-building basis. To arrive at a forecast of square feet of building for commercial and industrial development in Table 4 below, R/M multiplied the anticipated acreage for each class by the ratio of building area to gross lot area. The result, the Forecast Incremental Building Floor Area, serves as the basis for dividing up costs for the two classes in the chapters that follow.

Table 4: Forecast Incremental Building Floor Area: 2020 to 2040			
Land Use	Extrapolated Development (Acres)	Average Gross Floor Area Ratio *	Forecast Incremental Building Floor Area (sq ft) **
Commercial	88	0.32	1,220,437
Industrial	99	0.65	2,793,540
Total	186		4,013,977

\* Source: City of Franklin Unified Development Ordinance.

\*\* 1 acre = 43,560 square feet.

### Service Area

Wisconsin Statutes s. 66.0617(4)(a)2 requires Franklin to base impact fees on an explicitly identified service area. The service area for this study is the entire City of Franklin.

### Annual Increases

Acting in line with many other communities throughout the state, Franklin has been increasing its impact fees annually to account for inflation. This practice helps Franklin's fees keep pace with rising costs for projects. Franklin should consider adjusting fees each year based on a reliable yet readily accessible measure of inflation for projects, such as the US Census Bureau's Construction Price Index for single-family houses under construction. Franklin could use the change from the twelve-month period preceding September of the prior year to implement its increases in January.

Other municipalities tie their increases to such measures. Doing so provides a cogent rationale for not only the increase but also the amount of the increase itself.



## PARKS FACILITIES

Franklin plans to continue to impose impact fees to fund parks facility improvements. Parks impact fees were last updated by R/M in 2015.

Table 5 inventories existing parks facilities.

Table 5 - Parks Inventory			
Regional and Multi-Community Parks	Area (Acres)	Mini Parks	Area (Acres)
Root River Parkway	2,166	Lions Baseball Field	9
Whitnall Park	388	Cascade Creek	9
Oakwood Park and Golf Course	278	Friendship	2
Milwaukee County Sports Complex	132	Glen Meadows	1
Crystal Ridge	92	Dr. Lynette Fox Memorial	0.4
Franklin Park	165	Ken Windl	7
Grobschmidt Park	143	Subtotal	28
Subtotal	3,364		
Community Parks	Area (Acres)	Special Parks	Area (Acres)
Lion's Legend Park	38	Franklin Woods Nature Center	40
Froemming Park	16	Franklin Little League Complex	26
Franklin High School	77	Meadowlands Park	15
Forest Park Middle School and District Office	40	Ernie Lake	14
Subtotal	171	Mission Hills Neighborhood Wetlands	14
		Market Square	1
		Victory Creek	85
		Subtotal	194
Neighborhood Parks	Area (Acres)	Grand Total (Acres)	3,881
St. Martins Robinwood	19		
Pleasant View	24		
Jack E. Workman	12		
Southwood Glen	9		
Christine Rathke Memorial	7		
Pleasant View Elementary School	14		
Ben Franklin Elementary School	12		
Country Dale Elementary School	10		
Southwood Glen Elementary School	9		
Robinwood Elementary School	8		
Subtotal	124		
		Site Name	Length (Linear Feet)
		Connecting Trail System (City Controlled)	50,504

Table 6 shows spending by year for parks projects through 2030. These cost estimates were provided by City staff for the last impact fee update and were adjusted by R/M to reflect annual inflation. The timing for several projects has been adjusted to reflect the 2020 budget and more recent planning.

## Public Facilities Needs Assessment and Impact Fee Study

Table 6 - Previously Planned Parks Projects Detail Parks and Recreation Facilities Needs Assessment Capital Improvement Plan													
Improvement / Land Acquisition	Park Type	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Total
Southwest Park-Development	Community		-	-	-	-	2,848,807	2,848,807	-	-	-	-	5,697,613
Planned Trails, Bicycle Routes & Linkages-Development	Connecting Trail Facilities	350,000	507,356	507,356	507,356	507,356	-	-	-	-	-	-	2,379,425
Pleasant View Neighborhood Park-Development	Neighborhood	150,000	-	-	-	-	-	-	-	-	-	-	150,000
Christine Rathke (Formerly Quarry View Park)-Development	Neighborhood	2,027	-	-	-	-	-	-	-	-	-	-	2,027
Forest Hill Neighborhood Park--Development	Neighborhood	-	-	-	1,757,770	-	-	-	-	-	-	-	1,757,770
Hillcrest Neighborhood Park-Development	Neighborhood	-	-	2,147,757	-	-	-	-	-	-	-	-	2,147,757
Mini-Park #1	Mini	-	-	-	-	-	-	347,603	-	-	-	-	347,603
Mini-Park #2	Mini	-	-	-	-	-	-	347,603	-	-	-	-	347,603
Mini-Park #3	Mini	-	-	-	-	-	-	-	347,603	-	-	-	347,603
Mini-Park #4	Mini	-	-	-	-	-	-	-	-	347,603	-	-	347,603
Mini-Park #5	Mini	-	-	-	-	-	-	-	-	-	347,603	-	347,603
Meadowlands Park-Development	Special	42,156	-	-	-	-	-	-	-	-	-	-	42,156
Franklin Woods Nature Center--Development	Special	-	-	-	-	756,282	-	-	-	-	-	-	756,282
Mission Hills Neighborhood Wetlands-Development	Special	47,299	-	-	-	-	-	-	-	-	-	-	47,299
Mahr Woods Special Park-Development	Special	-	-	-	-	-	-	-	-	-	-	207,931	207,931
Park Improvements - Development	Community	250,000	278,358	-	-	-	-	-	-	-	-	-	528,358
All-Inclusive Park - Development	All-Inclusive	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total		\$841,482	\$785,714	\$2,655,114	\$2,265,127	\$1,263,639	\$2,848,807	\$3,544,013	\$347,603	\$347,603	\$347,603	\$207,931	\$15,454,636

Notes:  
Projects and associated costs provided by City of Franklin Staff  
Costs adjusted for annual inflation from 2015 to 2020 using ENR's Construction Cost Index

The project Park Improvements refers to upgrades needed to existing facilities in any park to accommodate new growth. These improvements include such items as lighted or unlighted tennis courts, dog parks, splashpads, restrooms, and fitness stations. They expand park features and are not maintenance or replacement of existing park features.

Table 7 summarizes the total costs and shows acres for each project except for trails, which are measured in linear feet.

Table 7 - Previously Planned Parks Projects Summary		
Project	Cost	Acres
<b>Community Parks</b>		
Southwest Park-Development	\$ 5,697,613	200
Park Improvements - Development	528,358	-
Subtotal	6,225,971	200
<b>Neighborhood Parks</b>		
Forest Hill Neighborhood Park--Development	1,757,770	40
Pleasant View Neighborhood Park-Development	150,000	14
Christine Rathke (Formerly Quarry View Park)-Development	2,027	9
Hillcrest Neighborhood Park-Development	2,147,757	20
Subtotal	4,057,555	83
<b>Mini Parks</b>		
Mini-Park #1	347,603	3
Mini-Park #2	347,603	3
Mini-Park #3	347,603	3
Mini-Park #4	347,603	3
Mini-Park #5	347,603	3
Subtotal	1,738,016	15
<b>Special Parks</b>		
Meadowlands Park-Development	42,156	15
Mission Hills Neighborhood Wetlands-Development	47,299	15
Franklin Woods Nature Center--Development	756,282	40
Mahr Woods Special Park-Development	207,931	30
Subtotal	1,053,669	100
<b>Trails</b>		
	Cost	Linear Feet
Planned Trails, Bicycle Routes & Linkages-Development	2,379,425	43,547
Subtotal	2,379,425	43,547
Total \$ 15,454,636		

The total cost for planned projects in the update from 2015 exceeded \$29.3 million. Several of these projects have been completed since the update. The community center had to be removed from consideration for impact fees because of changes in state law.

Table 8 shows how much of Franklin's previously planned projects are eligible to be funded through impact fees. These cost percentages from the prior study apply only to the previously planned projects. (New projects would use the process described below for Tables 12 through 14 to determine the percentages that would be eligible for impact fees for these projects.)

Table 8 - Costs Eligible for Impact Fees from Previously Planned Projects	
Community Parks	36%
Neighborhood Parks	47%
Mini Parks	43%
Special Parks	36%
Trails	62%

Taking the costs from Tables 6 and 7 and applying the percentages from Table 8 produce the following costs in Table 9.

Table 9 - Costs Eligible for Impact Fees from Previously Planned Projects			
Category	Total Project Cost	% Eligible	\$ Eligible
Community Parks	\$ 6,225,971	36%	\$ 2,241,350
Neighborhood Parks	4,057,555	47%	1,907,051
Mini Parks	1,738,016	43%	747,347
Special Parks	1,053,669	36%	379,321
Trails	2,379,425	62%	1,475,244
Total			\$ 6,750,312

Impact fees are calculated in Table 10. The existing fund balance for parks impact fees is deducted from the eligible costs since those dollars were already collected to pay for these projects. The population forecast runs only through 2030 to match the planning period for the projects.



## Public Facilities Needs Assessment and Impact Fee Study

Forecast 2030 Population	39,406				
Estimated Current Population	36,516				
Population Growth	2,890				
Costs Eligible for Impact Fees	\$ 6,750,312				
Less Existing Park Fund Balance	4,982,477				
Costs to be Charged through Impact Fees	\$ 1,767,835				
Recommended Fee per Person	\$ 612				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Fee per Development Type	Total Forecast Fees
Single-family or Two-family Dwelling Unit *	3.08	723	2,225	\$ 1,883	\$ 1,361,233
Multi-family Dwelling Unit **	2.00	332	665	\$ 1,223	406,602
Total		1,055	2,890		\$ 1,767,835

\* Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.  
 \*\* Assumes 2 people per unit on average.

The recommended fees are less than the current fees because many of the projects proposed in the prior study have been completed, and no new ones have been added.

If any new projects are added, this study can be amended by completing the tables below. New projects would use the same standards, but the inventory would include all the planned projects, and the forecast would include growth through 2040. The new projects would be added in the column Additions, and the financial model would calculate what share of the projects would be eligible to be recovered through impact fees. The population forecast in Table 11 runs to 2040 for new projects since these projects may occur beyond 2030.

Category	Service Standard (per 1,000 Population)	Population Estimate	Current Goal	2040 Population Estimate	2040 Goal
Regional and Multi-Community Parks (Acres)	92	36,516	3,364	43,576	4,014
Community Parks (Acres)	10		371		443
Neighborhood Parks (Acres)	6		206		246
Mini Parks (Acres)	1		43		51
Special Parks (Acres)	10		378		452
Trails (Linear Feet)	2,576		94,051		112,235
Category	Inventory including Planned Projects	Current Deficiency	Additions	New Growth Additions	Portion Eligible for Impact Fees
Regional and Multi-Community Parks (Acres)	3,364	-	-	-	N/A
Community Parks (Acres)	371	-	-	-	N/A
Neighborhood Parks (Acres)	206	-	-	-	N/A
Mini Parks (Acres)	43	-	-	-	N/A
Special Parks (Acres)	378	-	-	-	N/A
Trails (Linear Feet)	94,051	-	-	-	N/A

\* Standards are based on recommendations in Franklin's Comprehensive Outdoor Recreation Plan



The Portion Eligible for Impact Fees, along with the estimated project costs, would then be used to calculate the dollar value of the what can be charged through impact fees. The new tables would be in the same format as Tables 9 and 10. The calculations to derive the fees would include only the portions of projects that address serve new growth; impact fees cannot recover costs designed to address existing deficiencies. The calculations would also exclude any portion of a project that would exceed 2040 goals.

All the standards are defined with respect to population. The standards are based on the recommendations in Franklin's latest Comprehensive Outdoor Recreation Plan.

The next 3 tables and explanations are an example of how the fees could be updated if new projects are added. The example projects are not recommendations, just examples to illustrate how the amendment process would work.

Suppose that in addition to the projects in Table 6, Franklin decides to build 50 acres of neighborhood parks, 2 mini parks for a total of 6 acres, and 30,000 linear feet of trails. The financial model would then apply the existing standards to these new projects to calculate the Portion Eligible for Impact Fees. Table 12 below shows the outcome.

Category	Service Standard (per 1,000 Population)	Population Estimate	Current Goal	Population Estimate	2040 Goal
Regional and Multi-Community Parks (Acres)	92	36,516	3,364	43,576	4,014
Community Parks (Acres)	10		371		443
Neighborhood Parks (Acres)	6		206		246
Mini Parks (Acres)	1		43		51
Special Parks (Acres)	10		378		452
Trails (Linear Feet)	2,576		94,051		112,235
					Portion Eligible
Category	Inventory with Planned Projects	Current Deficiency	Additions	New Growth Additions	for Impact Fees
Regional and Multi-Community Parks (Acres)	3,364	-	-	-	N/A
Community Parks (Acres)	371	-	-	-	N/A
Neighborhood Parks (Acres)	206	-	50	40	80%
Mini Parks (Acres)	43	-	6	6	100%
Special Parks (Acres)	378	-	-	-	N/A
Trails (Linear Feet)	94,051	-	30,000	18,184	61%

\* Standards are based on recommendations in Franklin's Comprehensive Outdoor Recreation Plan

Since a part of both the neighborhood parks projects and the trails projects would exceed the standards, only some of those costs would be eligible for impact fees.

Suppose that the neighborhood parks would cost \$2,500,000, the mini parks would cost \$800,000, and the 30,000 feet of trails would cost \$400,000. Inputting the costs into the financial model produces the results in Table 13 below. The Portion Eligible for Impact Fees from Table 12 above equals % Eligible in Table 13. Applying those percentages yields the total cost eligible for impact fees from the new projects.

## Public Facilities Needs Assessment and Impact Fee Study

Table 13 - Costs Eligible for Impact Fees from EXAMPLE New Projects			
Category	Total Project Cost	% Eligible	\$ Eligible
Regional and Multi-Community Parks	\$ -	N/A	TBD
Community Parks	-	N/A	TBD
Neighborhood Parks	2,500,000	80%	1,993,721
Mini Parks	800,000	100%	800,000
Special Parks	-	N/A	TBD
Trails	400,000	61%	242,451
<b>Total</b>			<b>\$ 3,036,172</b>

Adding new projects would cause the impact fees to go up. In this example, an incremental \$3,036,172 would be added to Table 10's existing Costs Eligible for Impact Fees. Table 14 below matches Table 10 except the Costs Eligible for Impact Fees would rise. This rise in turn would increase the recommended impact fees below. If we assume the projects would occur sometime in the next decade, we would extend the forecast period through 2040. The longer forecast period would partially offset the higher costs because the fees would be spread among more future residents. The end result would be park impact fees would rise by 10 percent.

Table 14 - EXAMPLE Parks Impact Fees					
Forecast 2040 Population	43,576				
Estimated Current Population	36,516				
Population Growth	7,060				
Costs Eligible for Impact Fees *	\$ 9,786,484				
Less Existing Park Fund Balance	4,982,477				
Costs to be Charged through Impact Fees	\$ 4,804,007				
Recommended Fee per Person	\$ 680				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Fee per Development Type	Total Forecast Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 2,094	\$ 3,699,085
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 1,361	1,104,922
<b>Total</b>		<b>2,578</b>	<b>7,060</b>		<b>\$ 4,804,007</b>

\* Includes the \$3,036,172 from the example projects.  
 \* Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.  
 \*\* Assumes 2 people per unit on average.

Tables 12 through 14 serve only to illustrate how the existing standards, along with the existing and planned inventory, would be used to calculate impact fees for new projects. Franklin would need to amend this study with specifics of any new project to revise the parks impact fees.

## LIBRARY FACILITIES

Franklin plans to continue to impose impact fees to fund the library facility expansion that was undertaken to provide for new growth. Since this expansion was incorporated in the prior study to service new growth, Franklin can impose impact fees to pay the debt on the expansion. The 2002 impact fee study established how much of the expansion's cost could be attributed to new growth. Franklin used the 2000 edition of the *Wisconsin Public Library Standards* to determine its current and future needs. For more detail on the background, standards, and determination of the division of costs between new growth and existing deficiencies, please see chapter 4 of the 2002 study.

As of January 1, 2020, Franklin has \$1,030,992 remaining in debt payments on the costs attributed to new growth, and a current fund balance of \$273,291. To pay off the difference, Franklin can collect impact fees according to Table 15.

Table 15 - Library Impact Fees						
Forecast 2040 Population	43,576					
Estimated Current Population	36,516					
Population Growth	7,060					
Costs Eligible for Impact Fees *	\$ 1,030,992					
Less Existing Library Fund Balance	273,291					
Costs to be Charged through Impact Fees	\$ 757,701					
Recommended Fee per Person	\$ 107					
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Fee per Development Type	Total Forecast Fees	
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 330	\$ 583,430	
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 215	\$ 174,271	
Total		2,578	7,060		\$ 757,701	
* This total is the remaining debt attributable to the new-growth portion of the library-expansion cost.						
** Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.						
*** Assumes 2 people per unit on average.						

Library fees have declined because no new projects have been added, and much of the debt has been paid.

If any projects are added, this study can be amended to include them by using the 2040 forecast, the estimated costs, and the standards recommendations from the latest edition of the *Wisconsin Public Library Standards*.

## LAW ENFORCEMENT AND MUNICIPAL COURT FACILITIES

Franklin plans to continue to impose impact fees to fund the law enforcement and municipal court facility that was completed in December 2001. Since this facility was incorporated in the prior

study to service new growth, Franklin can impose impact fees to pay the debt on this facility. The prior impact fee study established how much of the expansion's cost could be attributed to new growth. Franklin used the staffing level standards from the 1998 Facility Needs Assessment to determine future facility space needs. For more detail on the background, standards, and determination of the division of costs between new growth and existing deficiencies, please see chapter 6 of the original study.

Franklin has debt payments remaining on the costs attributed to new growth, so the impact fees below are designed to collect those from future residences, industries, and businesses. Applying the 2040 forecast to the remaining debt yields the following impact fees in Table 16 below. The Share of Costs for residential, commercial, and industrial classes comes from Table 3.

Table 16 - Police and Municipal Court Impact Fees				
Costs Eligible for Impact Fees *	\$	1,937,952		
Less Existing Police Fund Balance		<u>320,456</u>		
Costs to be Charged through Impact Fees	\$	1,617,497		
Share of Costs				
Residential		72.3%	\$	1,169,670
Commercial		13.0%		210,556
Industrial		<u>14.7%</u>		<u>237,271</u>
Total		100.0%	\$	1,617,497
Residential Forecast				
Forecast 2040 Population		43,576		
Estimated Current Population		<u>36,516</u>		
Population Growth		7,060		
Fee per Person	\$	166		
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Residential Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 510
Multi-family Dwelling Unit ***	2.00	<u>812</u>	<u>1,624</u>	<u>\$ 331</u>
Total		2,578	7,060	\$ 1,169,670
* This total is the remaining debt attributable to the new growth portion of the new facility's cost.				
** Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.				
*** Assumes 2 people per unit on average.				
Commercial and Industrial Forecast				
Land Use	Forecast Incremental Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft		Subtotal Forecast Fees
Commercial	1,220,437	\$ 173		210,556
Industrial	<u>2,793,540</u>	<u>\$ 85</u>		<u>237,271</u>
				\$ 447,827
Total Forecast Fees			\$	1,617,497

The recommended impact fees are lower than the current fees for most kinds of development because the amount eligible for impact fees has gone down as the debt for the new facility has been paid off, and no new projects have been added.

The police chief indicated that the police department may need to expand the parking lot at some point. If Franklin decides to plan for a parking lot, this study can be amended to include



the cost of that project. The previous standard was created on overall facility space in proportion to population served. A standard for the parking lot could be created on vehicle storage space in proportion to population served.

## TRANSPORTATION SYSTEM FACILITIES

Franklin plans to continue to impose impact fees to fund transportation system facilities described in the 2002 impact fee study. Since these facilities were incorporated in the prior study to service new growth, Franklin can impose impact fees to pay the debt on these facilities. The 2002 impact fee study established how much of the facilities' cost could be attributed to new growth. Franklin used the ratio of the volume of traffic to the capacity of each street to determine future facility needs. For more detail on the background, standards, and determination of the division of costs between new growth and existing deficiencies, please see chapter 11 of the 2002 study.

Table 17 below inventories the key City-owned arterial streets. Arterial streets are the major streets, often with wider cross sections, that serve to carry traffic through the community between major destination points or that carry inter-community traffic. The Average Daily Traffic is on days that the roads are not obstructed due to inclement weather, construction, or other significant events.

Table 17 - Transportation Inventory	
Road Segment	Average Daily Traffic
35th St from Drexel to Puetz	720
35th St from Puetz to Ryan	1,100
51st St from College to Rawson	7,800
51st St from Rawson to Puetz	6,150
60th St from Ryan to County Line	1,500
68th St from S.T.H. 36 to Rawson	2,300
68th St from Rawson to Puetz	2,650
92nd St from College to Rawson	1,800
92nd St from C.T.H. MM to County Line	NA
Woods Road from Cape to W. City Limits	4,100
Drexel Ave from 27th to 35th	6,500
Drexel Ave from 35th to 51st	7,500
Drexel Ave from 51st to 76th	7,300
Drexel Ave from 76th to S.T.H. 36th	6,900
Drexel Ave from S.T.H. 36 to S.T.H. 45	8,800
Drexel Ave from S.T.H. 45 to C.T.H. MM	5,900
Puetz Rd from 27th to 35th	3,700
Puetz Rd from 35th to 51st	2,500
Puetz Rd from 51st to 76th St	3,200
Oakwood Rd from 27th to 60th	1,300
Oakwood Rd from 60th to 76th	1,300
Oakwood Rd from 76th to 124th	NA
County Line Rd from 27th to 124th	390

Source: Department of Transportation Traffic Count Map

NA: not available

Franklin is adding one new project, the Oakwood Road improvement project. Flooding prevents traffic from using West Oakwood Road between 60<sup>th</sup> and 76<sup>th</sup> Streets during and after heavy rainfalls. Improvements include a bridge and three large aluminum box bypass culverts, along with a minimum top of roadway elevation that exceeds 680 feet. Table 18 shows the cost for this project.

Table 18 - Transportation Capital Projects	
Project	Cost
W Oakwood Road Improvements	\$ 7,433,048

2017 estimate from R.A. Smith updated for inflation

These improvements will allow traffic to use the road even with significant rainfall. Given that the southwest region of Franklin will likely see the greatest development of all the areas in the next 20 years, improving this section of the road will provide a significant benefit to development.

Table 19 quantifies the benefit of having the road available year-round for existing users and future users of the road. Most of the benefit will go to existing users, but a small portion, 16 percent, will go to future users.

The standard for this project is how much the public uses that section of West Oakwood Road as measured by the Department of Transportation (DOT) in proportion to the current population. The Current Goal column shown in Table 19 below is what the road should accommodate for daily trips year-round at present. In Table 19, the Inventory column shows the current average daily traffic that can pass through year-round, which is zero. With zero for Inventory, the Existing Deficiency column is the whole Current Goal shown on Table 19 of 1,300. The high existing deficiency means most of the cost should be borne by existing users.

The Additions column shown on Table 19 includes the daily trips now when the road is passable (1,300), as well as the incremental forecast daily traffic in the next 20 years (246). The incremental forecast traffic comes from analysis based on data from the DOT, SEWRPC, and GIS. The Additions to Meet 2040 column in Table 19 determines how many of the trips can be attributed to new growth between 2020 and 2040; it is the incremental forecast daily traffic for the next 20 years.

The New Growth Share is the portion of the project that can be attributed to new development and hence can be recovered through impact fees.

Table 19 - Transportation Facility Service Standards						
Category	Standard for per 1,000		Current Population Estimate	Current Goal		
	People					
Average Daily Traffic Year-round	36		36,516	1,300		
Facility	Inventory	Existing Deficiency	Additions *	Additions to Meet 2040 Needs	New Growth Share	
Average Daily Traffic Year-round	-	1,300	1,546	246	16%	

\* Estimate based on information provided from DOT, SEWRPC data, and GIS data

## Public Facilities Needs Assessment and Impact Fee Study

Table 20 below combines the new project with the existing debt from the projects included in the prior study. It subtracts the existing fund balance before arriving at the amount to be charged through impact fees.

Table 20 - Transportation Impact Fees					
	Estimated Cost	New Growth Share	New Growth Cost		
Cost for Oakwood Road Improvements	\$ 7,433,048	16%	\$ 1,182,897		
Debt for Previous Eligible Projects *			1,001,292		
Less Existing Transportation Fund Balance			119,824		
Costs to be Charged through Impact Fees			\$ 2,064,365		
Share of Costs					
Residential	72.3%	\$ 1,492,817			
Commercial	13.0%	268,727			
Industrial	14.7%	302,822			
Total	100.0%	\$ 2,064,365			
Residential Forecast					
Forecast 2040 Population	43,576				
Estimated Current Population	36,516				
Population Growth	7,060				
Recommended Fee per Person	\$ 211				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Fee per Development Type	Subtotal Forecast Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 651	\$ 1,149,469
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 423	343,348
Total		2,578	7,060		\$ 1,492,817
* This total is the remaining debt attributable to the new growth portion of the transportation projects from the prior study.					
** Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.					
*** Assumes 2 people per unit on average.					
Commercial and Industrial Forecast					
Land Use	Forecast Incremental Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft	Subtotal Forecast Fees		
Commercial	1,220,437	\$ 220	\$ 268,727		
Industrial	2,793,540	\$ 108	302,822		
			\$ 571,548		
Total Forecast Fees			\$ 2,064,365		

The proposed impact fees are higher than current impact fees because a new project was added and some debt remains from prior projects.

Franklin applied for a grant for this project but did not receive it. Should Franklin apply for another grant and receive it, the grant amount would be deducted from the total project cost, and this chapter of the study would be amended to lower the impact fees.

## FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FACILITIES

Franklin plans to continue to impose impact fees to fund facilities improvements for the department of fire protection and emergency medical services (EMS).

Table 21 inventories existing fire protection and EMS facilities.

Table 21 - Fire Facility Inventory	
Fire Station No. 1 Facility Space	Area (Square Feet)
Subtotal Station Space	8,029
Fire Station No. 2 Facility Space	
Subtotal Station Space	8,186
Fire Station No. 3 Facility Space	
Subtotal Station Space	7,230
Total Station Space	23,445

Source: 2002 Impact Fee Study

Table 22 shows the buildout of a fourth fire station, which would be located in the southwest quadrant of Franklin. Since much of the development is anticipated to take place here, locating a new fire station in this quadrant would provide the most benefit and keep response times within standards established by the National Fire Protection Association. The cost and size come from fire station 3, the most recently constructed fire station. The size is based on the fire protection staff's professional opinion that the new station would need to be the same as the existing satellite stations.

Table 22 - Fire Facility Capital Projects		
Project: Fire Station 4	Area (Square Feet)	Cost
Station Space	7,230	\$ 2,226,754

Cost based on fire station 3 grown by inflation from 2009 to 2020

Per the fire protection staff, this fire station should not be built if Franklin will not fully staff the facility with 4 employees per shift. Without having 2 employees to staff an ambulance and 2 to staff a fire truck, the facility would be underused.

The standard for fire protection and EMS facilities relates square feet of station space to population. Since the existing facility space measures up as adequate according to the fire chief, the standard is set based on the ratio of the current facility space to the current population. With this standard, Franklin does not have any existing deficiencies, nor does it have any excess capacity. Table 23 shows the standards of square feet to population. The Additions column shows the area from Table 22. The Additions to Meet 2040 Needs includes



only the square footage that the standards call for; anything exceeding the standards cannot be included.

The New Growth Share is the percentage of the overall project cost that can be recovered through impact fees.

Category	Standard per 1,000 Population	Current Population Estimate	Current Goal
Station Space (Square Feet)	642	36,516	23,445

Facility	Current Inventory	Existing Deficiency	Additions	Additions to Meet 2040 Needs	New Growth Share
Station Space (Square Feet)	23,445	-	7,230	4,533	63%

Table 24 shows the impact fee calculation. Since Franklin is still paying off the debt for fire station 3, which was included in the prior impact-fee study, this debt is included in what can be charged through impact fees. The existing fund balance is deducted from what can be charged.

	Estimated Cost	New Growth Share	New Growth Cost
Cost for New Station	\$ 2,226,754	62.70%	\$ 1,396,065
Debt for Fire Station #3 *			247,240
Less Existing Fire and Rescue Services Fund Balance			231,987
Total Eligible for Impact Fees			\$ 1,411,318

Share of Costs		
Residential	72.3%	\$ 1,020,575
Commercial	13.0%	183,717
Industrial	14.7%	207,026
Total	100.0%	\$ 1,411,318

Residential Forecast		
Forecast 2040 Population	43,576	
Estimated Current Population	36,516	
Population Growth	7,060	
Fee per Person	\$ 145	

Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Residential Fees	Subtotal Forecast Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 445	\$ 785,843
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 289	234,732
Total		2,578	7,060		\$ 1,020,575

\* This total is the remaining debt attributable to the new growth portion of the new facility's cost.  
 \*\* Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.  
 \*\*\* Assumes 2 people per unit on average.

Commercial and Industrial Forecast			
Land Use	Forecast Incremental Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft	Subtotal Forecast Fees
Commercial	1,220,437	\$ 151	\$ 183,717
Industrial	2,793,540	\$ 74	207,026
			\$ 390,743
Total Forecast Fees			\$ 1,411,318

The recommended fees are less than the current fees for most kinds of development because the prior study attributed \$1.6 million to new growth to pay for two new fire stations. The current study attributes new growth costs only to one new fire station and the remaining debt on another fire station.

### HOUSING AFFORDABILITY

Most households in Franklin find housing affordable. Franklin's median household income of \$75,000 exceeds Wisconsin's median household income of \$56,800. However, housing costs overburden many Franklin households. Data from the US Census Bureau shows that of the families that make less than \$50,000 per year, 65 percent, or nearly two-thirds, pay more than 30 percent of their income for housing. These families alone make up 20 percent of Franklin's total number of households.

The information above provides context for evaluating the effect of impact fees on housing affordability. Table 25 shows the annual cost of a \$400,000 home, the estimated average value of a new house in Franklin. The recommended impact fees do not significantly increase the annual income needed to support the mortgage and other costs for an average new house.

Table 25 - Availability of Affordable Housing		
	No Impact Fee	Impact Fee**
Home Price*	\$ 400,000	\$ 403,864
Principal and Interest	\$ 23,132	\$ 23,355
Taxes	\$ 8,880	\$ 8,966
Annual Housing Cost	\$ 32,012	\$ 32,321
Income Required	\$ 114,329	\$ 115,433
Additional Income Required		\$ 1,104
Required Percent Increase		1.0%

\* Typical new house price estimate provided by City staff

\*\* Includes only proposed fees, not existing water and sewer fees

For a house that costs 40 percent of the average home price, such fees may create a challenge for a potential new homeowner. Impact fees on this house would raise the income needed by well over double the increase needed for an average new house. See Table 26 below.

Table 26 - Availability of Affordable Housing

	No Impact Fee	Impact Fee**
Home Price*	\$ 160,000	\$ 163,864
Principal and Interest	\$ 9,253	\$ 9,476
Taxes	\$ 3,552	\$ 3,638
Annual Housing Cost	\$ 12,805	\$ 13,114
Income Required	\$ 45,731	\$ 46,836
Additional Income Required		\$ 1,104
Required Percent Increase		2.4%

\* Typical new house price estimate provided by City staff

\*\* Includes only proposed fees, not existing water and sewer fees

With at least 20 percent of Franklin's existing households overburdened by housing costs, impact fees could pose a significant hurdle to some other potential new home owners. The statutes allow municipalities to waive or reduce impact fees for low-income housing, provided others who are charged impact fees are not forced to make up the difference. As an example, if a new residential unit is 40 percent or less of the cost of new residential units in the prior year, Franklin could charge the owner 40 percent of the standard impact fees. This option can be included in the revised ordinances that Franklin adopts to implement the fees in this study.

## SUMMARY AND NEXT STEPS

To fund the facilities needed by growth in the near future, we recommend revising the City's impact fees. Table 27 summarizes the proposed fees.

Table 27 - Summary of Proposed Impact Fees

Type of Impact Fee	Single-family or Two-family Dwelling Unit	Multi-family Dwelling Unit	Commercial Unit (per 1,000 sq ft)	Industrial Unit (per 1,000 sq ft)
Parks	\$1,883	\$1,223	N/A	N/A
Library	\$330	\$215	N/A	N/A
Transportation	\$651	\$423	\$220	\$108
Law Enforcement	\$510	\$331	\$173	\$85
Fire Protection	\$445	\$289	\$151	\$74

For the types of impact fees in this study, this proposal would lower fees by 40 percent for a single-family or two-family dwelling unit.

Water and sewer fees will be updated as soon as new information needed to update them becomes available.

Administrative fees should remain at their current level to continue to support the administration of impact fees.

According to state statute, municipalities must now provide developers with detailed explanations of how the impact fees being collected will be spent. RM recommends that Franklin provides a written or electronic copy of this study to satisfy this statutory requirement.

To move forward with new impact fees, the following steps need to take place:

- 1) This study is presented to Franklin's Common Council.
- 2) The Common Council directs that a public hearing be held to hear public comment on this public facilities needs assessment and the proposed impact fees.
- 3) An ordinance is drafted to implement the recommended impact fees.
- 4) A Class 1 notice is published in the Village newspaper to provide the public 20 days' notice prior to the public hearing as required under Wisconsin Statutes 66.0617(4)(3)(b). The needs assessment must be available 20 days prior to the public hearing to allow the public sufficient time to review.
- 5) A public hearing is held to hear public comment on the needs assessment and the proposed ordinance to impose public facilities impact fees.
- 6) After the public hearing, the Common Council may adopt the proposed ordinance as recommended or adopt the ordinance with amendments.







# FRANKLIN IMPACT FEE STUDY UPDATE



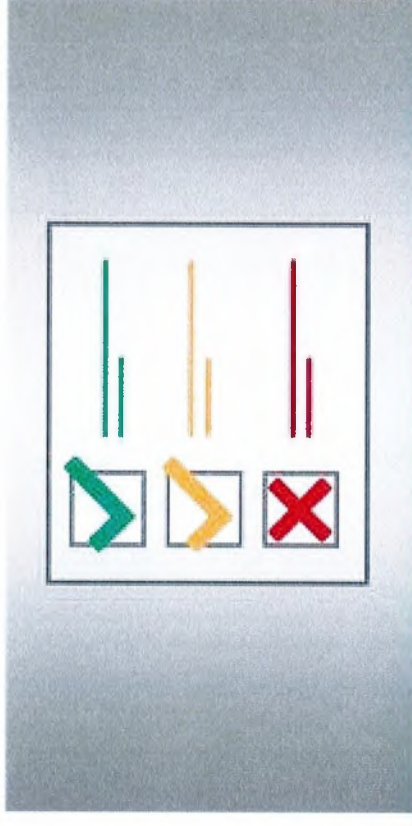
# Basics of Impact Fees

- Fee for infrastructure to serve new growth
- Public capital projects
- What they don't cover
  - ▣ Operating costs
  - ▣ Vehicles
  - ▣ Existing deficiencies
- Who you can charge



# Requirements for Charging Impact Fees

- ☐ Must include the following in a study:
  - ☐ Service area
  - ☐ Forecast
  - ☐ Existing facilities inventory
  - ☐ Service standards
  - ☐ Future projects
  - ☐ Housing affordability
- ☐ Developer explanation
- ☐ Study available, Class 1 notice
- ☐ Public hearing





# Requirements for Charging Impact Fees

□ IMPACT FEE = Portion of Project Costs

Growth

- Portion of project costs
  - ▣ How much needed for new growth
- Growth
  - ▣ Forecast

# Ongoing Requirements

- Annual reports of spending
- Separate accounting
- Refunds after certain time
- Update study as needed

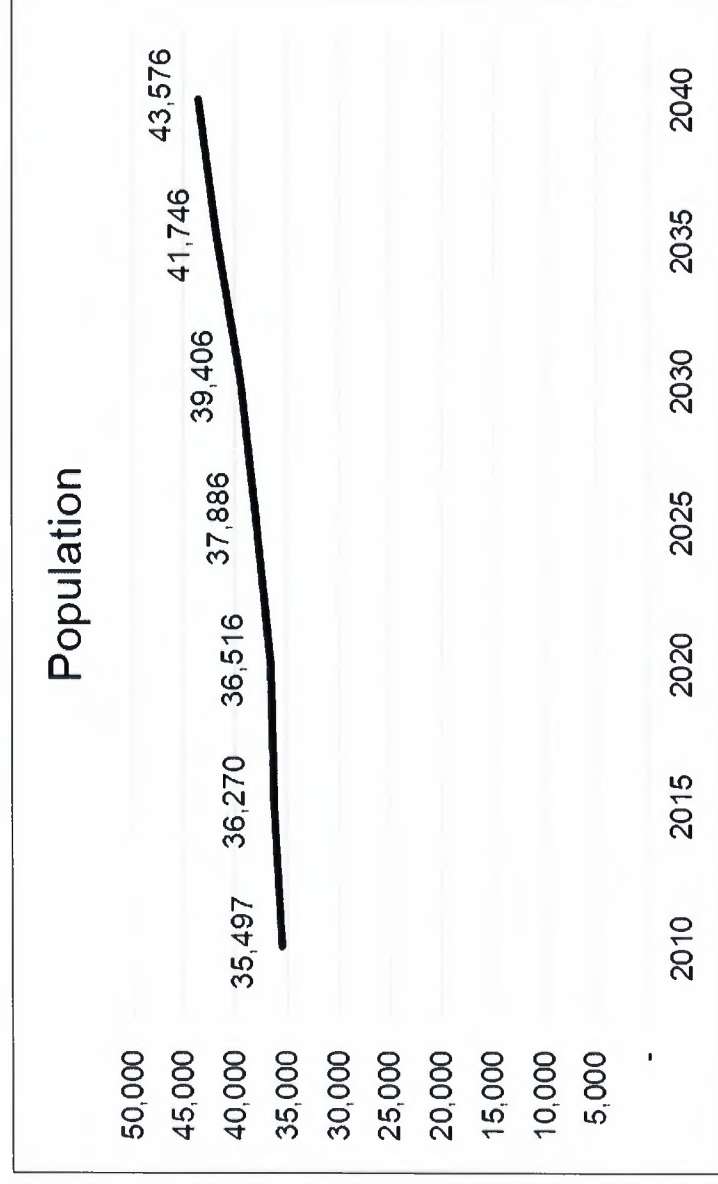


# Franklin's History of Impact Fees

- Fees since 2002 with updates
- Forecast did not match reality
  - ▣ Example: library – over \$750,000 left in debt
  - ▣ Lesson: adjust as needed



# Franklin's Update: Forecast





# Franklin's Update: Forecast

Table 3: Development Land Use Change between 2020 and 2040		
Land Use	Development (Acres)	Percent of Category
Residential	486	72.3
Commercial	88	13.0
Industrial	99	14.7
Total	673	100.0

# Franklin's Update: Fire Protection and EMS Inventory

Table 21 - Fire Facility Inventory	
Fire Station No. 1 Facility Space	Area (Square Feet)
Subtotal Station Space	8,029
Fire Station No. 2 Facility Space	
Subtotal Station Space	8,186
Fire Station No. 3 Facility Space	
Subtotal Station Space	7,230
Total Station Space	23,445

Source: 2002 Impact Fee Study

# Franklin's Update: Fire Protection Projects

Table 22 - Fire Facility Capital Projects

Project: Fire Station 4	Area (Square Feet)	Cost
Station Space	7,230	\$ 2,226,754

Cost based on fire station 3 grown by inflation from 2009 to 2020

# Franklin's Update: Fire Protection Standards

Table 23 - Fire Facility Service Standards

Category	Standard per		Current Population		Current Goal	
	1,000 Population		Estimate			
Station Space (Square Feet)	642		36,516		23,445	
Facility						
	Current Inventory	Existing Deficiency	Additions	2040 Needs	New Growth	Share
Station Space (Square Feet)	23,445	-	7,230	4,533		63%



# Franklin's Update: Fire Protection Fees

Table 24 - Fire and Rescue Services Impact Fee

	Estimated Cost	New Growth Share	New Growth Cost
Cost for New Station	\$ 2,226,754	63%	\$ 1,396,065
Debt for Fire Station #3 *			247,240
Less Existing Fire and Rescue Services Fund Balance			231,987
Total Eligible for Impact Fees			\$ 1,411,318
Share of Costs			
Residential	72.3% \$ 1,020,575		
Commercial	13.0% 183,717		
Industrial	14.7% 207,026		
Total	100.0% \$ 1,411,318		

# Franklin's Update: Fire Protection Fees

Residential Forecast						
Forecast 2040 Population	43,576					
Estimated Current Population	36,516					
Population Growth	7,060					
Fee per Person	\$	145				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Residential Fees	Subtotal Forecast Fees	
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 445	\$ 785,843	
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 289	\$ 234,732	
		2,578	7,060		\$ 1,020,575	
	Total					
<p>* This total is the remaining debt attributable to the new growth portion of the new facility's cost.            ** Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.            *** Assumes 2 people per unit on average.</p>						
Commercial and Industrial Forecast						
		Forecast Incremental		Recommended		Subtotal
		Building Floor Area (sq ft)		Fee per 1,000 Sq Ft		Forecast Fees
Land Use						
Commercial		1,220,437		\$ 151	\$	183,717
Industrial		2,793,540		\$ 74	\$	207,026
					\$	390,743
Total Forecast Fees					\$	1,411,318

# Franklin's Update: Neighbors' Fees

New Home Fees among Neighboring Communities			
City of Franklin -- Current		City of Franklin -- Proposed	
Park		Park	1,883
Fire	\$ 3,595	Fire	\$ 445
Law Enforcement	498	Law Enforcement	510
Library	926	Library	330
Transportation	1,018	Transportation	651
Water	97	Water	2,515
Total	2,515	Total	6,334
Total w/ Sewer *	\$ 8,649	Total w/ Sewer *	\$ 9,262
* Only applicable in SW Franklin	\$ 11,577	* Only applicable in SW Franklin	
City of Muskego		City of New Berlin	
Sewer Hook-up Fee	\$ 500	Library	154
Payment in Lieu of Park Dedication	1,881	Fire	174
Payment in Lieu of Conservation Trail Dedication	1,881	Parks	142
	\$ 4,262		\$ 470
City of Oak Creek		Village of Menomonee Falls	
Bikeways	\$ 50	Fire	\$ 1,793
Fire	338	Park	2,476
Library	705	Sewer	2,922
Parks	2,105	Water	3,137
Police	798	Total	10,328
	\$ 3,996		\$
City of Greenfield			
Payment in Lieu of Parkland Dedication	\$ 1,806		

# Franklin's Update: Neighbors' Fees

Municipality	Total Fees	% of Current Franklin Fees (\$11,577) *	% of Proposed Franklin Fees (\$9,262) *
Muskego	\$ 4,262	37%	46%
Greenfield	1,806	16%	19%
Oak Creek	3,996	35%	43%
New Berlin	470	4%	5%
Menomonee Falls	10,328	89%	112%
* Includes sewer impact fees			



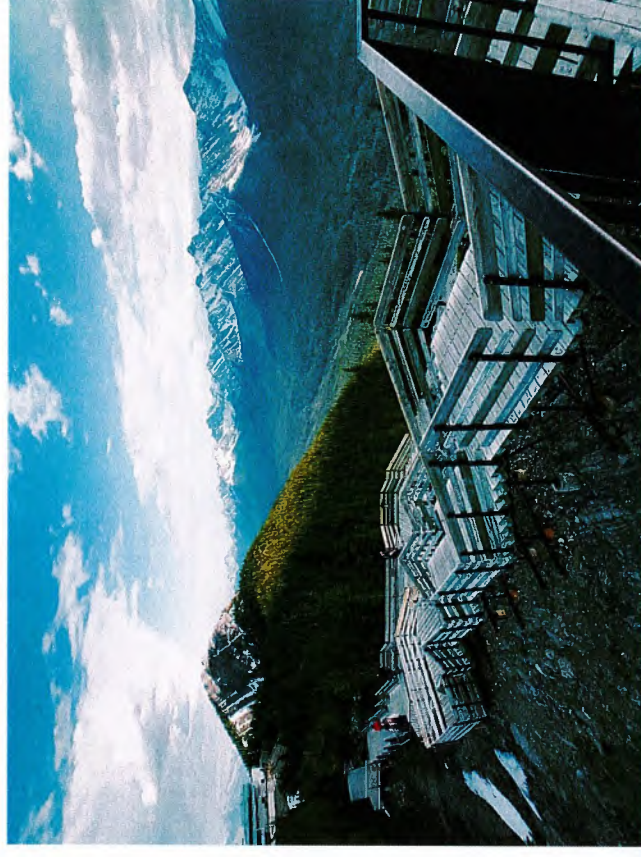
# Other Proposed Changes

- ❑ Exempt public schools
- ❑ Reduce fees for low-income housing
- ❑ Increase fees based on construction cost index

Low-income Households Overburdened with Housing Costs			
Houses	Income category	Households that pay > 30% of income for housing costs	% Overburdened
1,017	Less than \$20K	922	91%
1,398	\$20K - 35K	1,045	75%
1,489	\$35K - 50K	562	38%
3,904			
Franklin Total Houses			% of Total
13,649			19%

# Next Steps

- ❑ Pass ordinance as is or with changes
- ❑ Do same process for water and sewer fees





# Questions?

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**Edward Maxwell, M.B.A.**  
Economic Consultant  
Ruekert & Mielke, Inc.

[emaxwell@ruekert-mielke.com](mailto:emaxwell@ruekert-mielke.com)  
262-953-4162

## Sandi Wesolowski

---

**From:** Evans, Janet <janet.evans@franklin.k12.wi.us>  
**Sent:** Thursday, April 2, 2020 4:12 PM  
**To:** Sandi Wesolowski, Steve Olson  
**Cc:** Shirley Roberts  
**Subject:** Addition to Common Council Packet Request for 4/6/2020 Public Hearing/Meeting  
**Attachments:** Impact Fee Resolution Approved by Board 2020-03-11 Final-signed (2).pdf

Mr. Mayor and Madam Clerk,

Attached, please find a Franklin Public Schools Board of Education Resolution to the City of Franklin Common Council to Exempt School Districts from Impact Fees, Retroactive to January 1, 2017, dated March 11, 2020.

On behalf of the Board of Education, I respectfully request the attached resolution be added to the Common Council meeting packet for Monday, April 6, 2020, at 6:30 PM and make it part of the public record. It is my understanding the meeting will also include a public hearing on: **Proposed Ordinance to Amend 92-9 of Municipal Code Pertaining to Impact Fees - City of Franklin, Wisconsin - Common Council Meeting of 4/6/2020.**

As stated in the resolution, in the best interests of the entire community, the Franklin Public Schools Board of Education recommends that the City of Franklin Common Council follow the Impact Fee Study recommendation and exempt public school districts from impact fees, and do so by including school districts in the list of government entities that are not institutional in the Franklin municipal code 92-9 definition of Institutional Development, and make this retroactive to January 1, 2017, and do not charge the Franklin Public Schools \$90,063.42.

Regards,

Janet M. Evans  
Franklin Public Schools  
Board of Education, President  
414-421-9804

--

Janet M. Evans  
Franklin Board of Education, President  
414-421-6908 cell

Inline image



**Franklin Public Schools Board of Education Resolution to the City of Franklin Common Council to Exempt School Districts from Impact Fees, Retroactive to January 1, 2017**

WHEREAS, the City of Franklin Common Council on March 3, 2020, received the results of an Impact Fee Study recommending the elimination of impact fees for public schools including the \$90,063.42 in fees being charged to Franklin Public Schools by the City for the new Forest Park Middle School; and

WHEREAS, on November 5, 2013, the Common Council voted unanimously to prepare an ordinance revision to Section 92-9 "Impact Fees" to provide an exemption of public schools from the application of impact fees applicable to institutional or non-residential development; and

WHEREAS, the Franklin municipal code exempts from impact fees every other form of government including the City of Franklin, but not the School District which is also a government entity; and

WHEREAS, in 1992 the City of Franklin Impact Fee Task Force determined that the Franklin Public Schools should receive impact fee money based on the added costs of additional students from new subdivisions; and

WHEREAS, according to City of Franklin ordinance 92-1232 approved on September 15, 1992, impact fees were only intended to be charged to subdivision development and that the Franklin Public Schools was to receive the largest single impact fee amount; and

WHEREAS, the City of Franklin entered into an Intergovernmental Cooperative Agreement to Facilitate the Adequate Provision of School Facilities on December 1, 1992, to collect impact fees for School Sites and Facilities and to disburse the amounts collected to the Franklin Public Schools; and

WHEREAS, charging impact fees to public schools shifts the cost of growth to all property taxpayers of the school district instead of being paid by the developers that caused the growth; and

WHEREAS, Franklin Public Schools did not add another school to the existing schools in the community. Rather, the new school was constructed on the same property and replaced an existing school and did not increase the number of students requiring services from the City; and

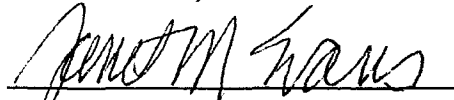
WHEREAS, regardless of any neighboring city that may charge impact fees to a school district, the intent of Wisconsin law is to allow a municipality to collect impact fees from entities that cause growth. Franklin Public Schools does not cause growth, rather Franklin Public Schools responds to the growth caused by the development which has been approved by the City of Franklin; and

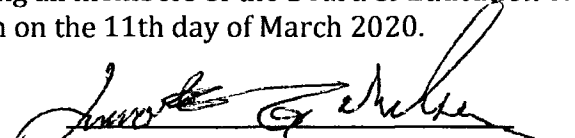
WHEREAS, the \$90,063.42 collected from taxpayers for the education of the students of the Franklin Public Schools, if paid to the City, will not be used to educate students.

THEREFORE, BE IT RESOLVED, that in the best interests of the entire community, the Franklin Public Schools Board of Education recommends that the City of Franklin Common Council follow the Impact Fee Study recommendation and exempt public school districts from impact fees, and do so by including school districts in the list of government entities that are not institutional in the Franklin municipal code 92-9 definition of Institutional Development, and make this retroactive to January 1, 2017, and do not charge the Franklin Public Schools \$90,063.42.

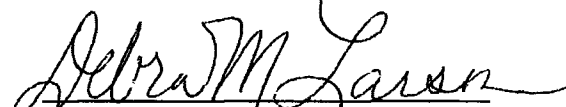


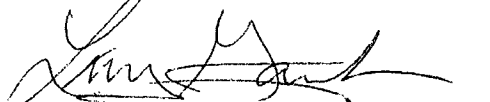
IN WITNESS THEREOF, the undersigned being all members of the Board of Education of the Franklin Public Schools, have executed this resolution on the 11th day of March 2020.


  
Ms. Janet Evans, President

  
Mr. Tim Nielson, Vice President

  
Ms. Linda Witkowski, Treasurer

  
Ms. Debbie Larson, Clerk

  
Mr. Larry Gamble, Board Member

  
Mr. Claude Lewis, Board Member

  
Mr. Mike Spragg, Board Member

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Apr 6, 2020
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND §92-9 OF THE MUNICIPAL CODE INPART AND PRIMARILY TO UPDATE SAME PURSUANT TO THE PUBLIC FACILITIES NEEDS ASSESSMENT AND IMPACT FEE STUDY, FEBRUARY, 2020	ITEM NUMBER <i>G.1.</i>

A Public Hearing was held at the April 6, 2020 Common Council Meeting to gain public input regarding proposed amendments to §92-9 of the Municipal Code pertaining to Impact Fees for the purposes of:

- 1) Resetting the Park, Library, Law Enforcement and Municipal Court facilities; Transportation Systems Facilities, Fire Protection and Emergency Medical Services Facilities Fees.
- 2) To provide for the use of the US Census Bureau's Construction Price Index for single-family houses under construction for the prior twelve-month period preceding September of the prior year;
- 3) To provide for a fee reduction in support of low-cost housing affordable housing development; and
- 4) To exempt public schools and other institutional developments from the application of and the requirement for the payment of each of the various Impact Fees.

Please note that the current study and proposed Ordinance does not address the Water Impact fee or the Southwest Sanitary Sewer District Sewer Impact Fee. The analysis for those fees is still in process.

The Ordinance is labeled 'draft' as this was the form and manner by which it was presented for public inspection. Staff would ask that the title be modified to reflect the date of the Study to be March, 2020.

Staff draws the Council's attention to items which the aldermen noted at the March 3, 2020 meeting were still being reviewed:

- 1) Section 10 of the Draft Ordinance would address affordable housing in the City, providing partial relief from impact fees for "new residential unit(s) the cost of which is 40 percent or less of a similar category"
- 2) Section 8 – which has two issues:
  - a) Whether or not to exempt public schools from all impact fees and
  - b) The date that this exemption would begin –
    - i) Jan 1, 2013 as directed by Common Council or
    - ii) January 1, 2017 or
    - iii) May 1, 2020.

#### COUNCIL ACTION REQUESTED

Motion adopting an ordinance to amend §92-9 of the Municipal Code in part and primarily to update same pursuant to the Public Facilities Needs Assessment and Impact Fee Study, March, 2020



STATE OF WISCONSIN    CITY OF FRANKLIN    MILWAUKEE COUNTY  
*draft 3/4/20*  
ORDINANCE NO. 2020-\_\_\_\_\_

AN ORDINANCE TO AMEND §92-9. IMPACT FEES, OF THE MUNICIPAL CODE, IN PART AND PRIMARILY TO UPDATE SAME PURSUANT TO THE PUBLIC FACILITIES NEEDS ASSESSMENT AND IMPACT FEE STUDY, FEBRUARY 2020

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WHEREAS, the Common Council having requested and received a Public Facilities Needs Assessment and Impact Fee Study, dated February 2020, prepared by Ruekert & Mielke, Inc.; and

WHEREAS, the Common Council having reviewed the Public Facilities Needs Assessment and Impact Fee Study and also a memo prepared by Ruekert & Mielke, Inc. with regard to the imposition of impact fees upon school districts, and at its meeting on March 3, 2020, at which the Common Council approved the Public Facilities Needs Assessment and Impact Fee Study, having directed staff to undertake the preparation of an ordinance to amend the Municipal Code with regard to impact fees consistent with the materials reviewed and as directed and to schedule a public hearing for the review and consideration thereof; and

WHEREAS, a public hearing was held before the Common Council on April 6, 2020, to receive public input upon the proposed changes to §92-9. Impact fees, of the Municipal Code; and

WHEREAS, notice of the aforesaid public hearing was published as a class 1 notice pursuant to Wis. Stat. §§ 66.0617(3) and 985.07(1), which notice specified that a copy of proposed ordinance amendment and a copy of the Public Facilities Needs Assessment and Impact Fee Study were available and open for public inspection in the Office of the City Clerk; said Public Facilities Needs Assessment and Impact Fee Study having been so available in such Office for at least 20 days prior to the public hearing; and

WHEREAS, pursuant to the Public Facilities Needs Assessment and Impact Fee Study, proposed amendments to the impact fees amounts included reductions to single-family and two-family residential land developments approximating 40%, reductions to multifamily residential land development approximating 43%, reductions to commercial land developments approximating 19%, and an increase to industrial land developments approximating 53%; and

WHEREAS, the Common Council having reviewed the proposed amendment to §92-9. Impact fees, of the Municipal Code, and having found same to be reasonable, appropriately based, prepared and processed pursuant to Wis. Stat. § 66.0617, and in furtherance of the public health, safety and welfare and the public interest.

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

SECTION 1:            §92-9.A. Purpose, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended as follows: delete “and other recreational facilities” and in place thereof insert “, and land for athletic fields”.

SECTION 2: §92-9.B. Definitions, of the Municipal Code of Franklin, Wisconsin, as it defines “Institutional Development”, be and the same is hereby amended as follows: immediately following “Milwaukee County”, insert: “, Franklin Public Schools District, Oak Creek-Franklin Joint School District, Whitnall School District”.

SECTION 3: §92-9.C. Parks, playgrounds, and land for athletic fields, (1) thereof, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended to read as follows *[note: deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]*:

The amount of the fee per residential dwelling unit to be constructed or created by the proposed development, subject to adjustment pursuant to Subsection K. below, shall be as follows:

- (a) For single-family or two-family residential development, the fee, effective May 1, 2020~~January 1, 2015~~, shall be ~~\$2,957~~*[\$3,774 current per subs. L.]*\$1,928 per dwelling unit.
- (b) For multifamily residential development, the fee, effective May 1, 2020~~January 1, 2015~~, shall be ~~\$2,040~~*[\$2,603 current per subs. L.]*\$1,253 per dwelling unit.

SECTION 4: §92-9.D. Fire protection and emergency medical facilities, (1) thereof, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended to read as follows *[note deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]*:

The amount of the fee, subject to adjustment pursuant to Subsection K. below, shall be as follows:

- (a) For single-family residential development, the fee, effective May 1, 2020, shall be ~~\$251~~*[\$523 current per subs. L.]*\$445 per dwelling unit.
- (b) For two-family residential development, the fee, effective May 1, 2020, shall be ~~\$251~~*[\$523 current per subs. L.]*\$445 per dwelling unit.
- (c) For multifamily residential development, the fee, effective May 1, 2020, shall be ~~\$174~~*[\$363 current per subs. L.]*\$289 per dwelling unit.
- (d) For commercial development, the fee, effective May 1, 2020, shall be ~~\$0.065~~*[\$0.137 current per subs. L.]*\$0.151 per square foot of building space.
- (e) For industrial development, the fee, effective May 1, 2020, shall be ~~\$0.017~~*[\$0.036 current per subs. L.]*\$0.074 per square foot of building space.
- (f) For institutional development the fee, effective May 1, 2020, shall be ~~\$0.092~~*[\$0.191 current per subs. L.]*\$0.00 per square foot of building space.

SECTION 5: §92-9.E. Law enforcement facilities, (1) thereof, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended to read as follows *[note deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]*:

The amount of the fee, subject to adjustment pursuant to Subsection K. below, shall be as follows:

- (a) For single-family residential development, the fee, effective May 1, 2020, shall be ~~\$467~~*[\$973 current per subs L.]*\$510 per dwelling unit.
- (b) For two-family residential development, the fee, effective May 1, 2020, shall be ~~\$467~~*[\$973 current per subs L.]*\$510 per dwelling unit.
- (c) For multifamily residential development, the fee, effective May 1, 2020, shall be ~~\$324~~*[\$676 current per subs L.]*\$331 per dwelling unit.
- (d) For commercial development, the fee, effective May 1, 2020, shall be ~~\$0.119~~*[\$0.248 current per subs L.]*\$0.173 per square foot of building space.
- (e) For industrial development, the fee, effective May 1, 2020, shall be ~~\$0.031~~*[\$0.065 current per subs L.]*\$0.085 per square foot of building space.
- (f) For institutional development the fee, effective May 1, 2020, shall be ~~\$0.169~~*[\$0.351 current per subs L.]*\$0.00 per square foot of building space.

SECTION 6:

§92-9.F. Library facilities, (1) thereof, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended to read as follows *[note deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]*:

The amount of the fee per residential dwelling unit to be constructed or created by the proposed development, subject to adjustment pursuant to Subsection K. below, shall be as follows:

- (a) For single-family or two-family residential development, the fee, effective May 1, 2020, shall be ~~\$465~~*[\$1,069 current per subs L.]*\$330 per dwelling unit.
- (b) For multifamily residential development, the fee, effective May 1, 2020, shall be ~~\$310~~*[\$713 current per subs. L.]*\$215 per dwelling unit.

SECTION 7:

§92-9.G. Transportation facilities, (1) thereof, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended to read as follows *[note deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]*:

The amount of the fee, subject to adjustment pursuant to Subsection K. below, shall be as follows:

- (a) For single-family or two-family residential development, the fee, effective May 1, 2020, shall be ~~\$43~~*[\$101 current per subs. L.]*\$651 per dwelling unit.
- (b) For multifamily residential development, the fee, effective May 1, 2020, shall be ~~\$30~~*[\$72 current per subs L.]*\$423 per dwelling unit.
- (c) For commercial development, the fee, effective May 1, 2020, shall be ~~\$0.123~~*[\$0.284 current per subs L.]*\$0.22 per square foot of building space.
- (d) For industrial development, the fee, effective May 1, 2020, shall be ~~\$0.031~~*[\$0.074 current per subs L.]*\$0.108 per square foot of building space.

ORDINANCE NO. 2020-\_\_\_\_\_

PAGE 4

- (e) For institutional development, the fee, effective May 1, 2020, shall be ~~\$0.175~~*[\$0.402 current per subs L.]*\$0.00 per square foot of building space.

- SECTION 8: §92-9.K. Exemption from fees, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended to add the following at the end of the existing text: "Effective [January 1, [2013][2017][May 1, 2020] , public school districts are exempt from application of each of the various impact fees set forth above."
- SECTION 9: §92-9.L. Administration and review, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended as follows: delete: "at the rate of 5%, with the adjustment effective January 1 of each year, except 2014", and in place thereof, insert: "at the percent change of the U.S. Census Bureau Construction Price Index (CPI) for single-family houses under construction, for the twelve-month period preceding October of the prior year, with the adjustment effective January 1 of each year."
- SECTION 10: §92-9.J. Fee reduction, of the Municipal Code of Franklin, Wisconsin, be and the same is hereby amended as follows: the existing provision shall be designated as Subsection (1) of Subsection J.; Subsection (2) of Subsection J. is hereby created to read as follows:  
(2) In support of low-cost housing affordable housing, if a residential land development which has received all required governmental approvals prior to the issuance of a building permit is a development which shall produce a new residential unit(s) the cost of which is 40 percent or less of the cost of a similar category (single-family, two-family, multifamily) new residential unit(s) in the City in the prior year, the amount of the impact fees due hereunder shall be reduced to 40 percent of the amount of the impact fees otherwise required. The aforesaid determination as to whether the development qualifies as low-cost housing affordable housing is subject to the provision by developer of all factual information reasonably necessary for review and to reach such a determination, and the determination by the Department of City Development prior to the land development approval, that the development is a reduced cost market rate housing development. This subsection (2) is in furtherance of the Housing Affordability report provision of the Public Facilities Needs Assessment and Impact Fee Study, February 2020, Ruekert & Mielke, Inc., and pursuant Wis. Stat. § 66.0617(7).
- SECTION 11: 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 12: This ordinance shall take effect and be in force from and after its passage and publication.

ORDINANCE NO. 2020-\_\_\_\_\_  
PAGE 5

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of \_\_\_\_\_, 2020, by Alderman\_\_\_\_\_.

PASSED AND ADOPTED at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

G.I

## Sandi Wesolowski

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**From:** Kristen Wilhelm  
**Sent:** Saturday, April 4, 2020 7:20 PM  
**To:** Sandi Wesolowski; Shirley Roberts  
**Cc:** Yank, Mary; Mike Barber  
**Subject:** Re: Impact Fees, comment into record

Dear Clerk Wesolowski,

Mary Yank sent a follow-up message to me requesting her below message be read into the record during Monday's Council meeting (for the Impact Fee item) and also to have it placed in the official on-line file.

I've copied Ald. Barber as her address is 5731 W. Cascade Dr.

Thank you.  
Aldw.Wilhelm

Kristen Wilhelm  
3rd District Alderwoman  
City of Franklin  
9229 West Loomis Road  
Franklin, WI 53132  
City Hall 414.427.7603  
[kwilhelm@franklinwi.gov](mailto:kwilhelm@franklinwi.gov)  
[www.franklinwi.gov](http://www.franklinwi.gov)

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**From:** Yank, Mary [mary.yank@aurora.org]  
**Sent:** Tuesday, March 31, 2020 9:18 AM  
**To:** Steve Olson; Mark Dandrea; Daniel Mayer; Mike Barber; Kristen Wilhelm; John Nelson; Paul Rotzenberg; Glen Morrow  
**Subject:** Impact fees

I am respectfully asking that you postpone further discussion of the proposed impact fees on the Franklin School District related to the construction of Forest Park Middle School until after April 6, when a public hearing could be held. I regularly attend school board meetings and from what I have learned this is a misguided and expensive proposition for the taxpayers of Franklin, and that the \$90,000 would be much better spent serving our students and teachers in the classroom. Thank you in advance for your thoughtful consideration of this matter. Mary Yank, resident of Franklin for 20 years and parent of 3 current students.

✓Adm.



<p><b>APPROVAL</b></p> <p><i>slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>03/17/2020</p>
<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB), SECTION 2., TO ADD DRIVE-THROUGH AS AN ALLOWED SPECIAL USE WITHIN THE ENTIRE DISTRICT [a Special Use being subject to submission of a specific Special Use application for a specific property and the obtaining of approval thereof]" (UNIVERSITY OF WISCONSIN CREDIT UNION, D/B/A UW CREDIT UNION, APPLICANT)</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>15.2.</i></p>
<p>At a special meeting of the Plan Commission on April 6, 2020, following a properly noticed public hearing, the following action will have been considered: a motion to recommend approval of an Ordinance to Amend §15-3.0418 of the UDO Planned Development District No. 13 (WAL-MART/SAM'S WHOLESALE CLUB), Section 2., to add drive-through as an allowed Special Use with the entire district [a Special Use being subject to submission of a specific Special Use application for a specific property and the obtaining of approval thereof]."</p> <p>The Applicant's Special Use was approved by Common Council on March 17, 2020, and is subject to the condition that the applicant obtain approval of this Major PDD Amendment. Special Uses in PDD 13 require a Major PDD Amendment Application, per the standards of ORD 1989-1071. PDD 13 has been amended to allow specific special uses in other cases, including restaurants with drive-through.</p> <p>At the March 5, 2020 meeting of the Plan Commission, a Site Plan for the subject property was also approved with conditions. Items relating to waivers for the 27<sup>th</sup> St. Design Overlay District will also have been heard by Plan Commission on April 6, 2020.</p> <p style="text-align: center;"><b>COUNCIL ACTION REQUESTED</b></p> <p>A motion to approve Ordinance 2020-_____, an Ordinance to Amend §15-3.0418 of the UDO Planned Development District No. 13 (WAL-MART/SAM'S WHOLESALE CLUB), Section 2., to add drive-through as an allowed Special Use with the entire district [a Special Use being subject to submission of a specific Special Use application for a specific property and the obtaining of approval thereof]" (UNIVERSITY OF WISCONSIN CREDIT UNION, D/B/A UW CREDIT UNION, APPLICANT)</p>		

## ORDINANCE NO. 2020-\_\_\_\_\_

AN ORDINANCE TO AMEND §15-3.0418 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 13 (WAL-MART/SAM'S WHOLESALE CLUB), SECTION 2., TO ADD DRIVE-THROUGH AS AN ALLOWED SPECIAL USE WITHIN THE ENTIRE DISTRICT [a Special Use being subject to submission of a specific Special Use application for a specific property and the obtaining of approval thereof]"  
(UNIVERSITY OF WISCONSIN CREDIT UNION,  
D/B/A UW CREDIT UNION, APPLICANT)

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WHEREAS, §15-3.0418 of the Unified Development Ordinance provides for and regulates Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), same having been created by Ordinance No. 1989-1071 and later amended by Ordinance Nos. 1994-1313, 1995-1342, 2001-1645, 2002-1705, 2004-1814, 2008-1940, 2010-1995, 2013-2123, 2016-2213, 2016-2223, 2018-2331 and 2019-2391, with such District primarily being located at the 6700 Block of South 27th Street; and

WHEREAS, Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) currently includes those lands legally described as follows:

All that part of Township 5 North, County, Wisconsin, the Northeast 1/4 and Southeast 1/4 of Section 1, Range 21 East, in the City of Franklin, Milwaukee bounded and described as follows: Commencing at the East 1/4 corner of said Section 1; thence South 0°06'34" West along the East line of said Southeast 1/4, 401.22 feet to a point, thence South 87°33'06" West 1340.00 feet to a point; thence South 87°33'06" West 263.35 feet to a point; thence North 0°06'34" East 401.94 feet to a point on the North line of said Southeast 1/4; thence North 0°06'34" East 492.42 feet to a point; thence North 87°34'39" East 1604.77 feet to a point on the East line of said NE 1/4; thence South 0°16'42" West along said East line 492.48 feet to the place of beginning, containing 1,432,320.89 square feet or 32.8816 acres more or less, excepting therefrom the East 80 feet dedicated for public street purposes (6705 South 27th Street: Tax Key No. 714-0004-001; 6701 South 27th Street: Tax Key No. 714-0003-002; 6611 South 27th Street: Tax Key No. 714-0001-001; 6715 South 27th Street: Tax Key No. 714-0002-001); and

PARCEL A: Lot 1 of Certified Survey Map No. 6543, recorded on August 7, 1998, Reel 4367, Images 1756 to 1758 inclusive, as Document No. 7578744, as corrected by Affidavit of Correction recorded as Document No. 7724864, being a part of Parcel 2 of Certified Survey Map No. 1316, part of the Northeast 1/4 of the Southeast 1/4 and part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 5 North, Range 21 East, in the City of

Franklin, County of Milwaukee, State of Wisconsin, 19.7 acres (6803 South 27th Street: Tax Key Nos. 738-0261-000 and 738-0262-000; 6807 South 27th Street: Tax Key No. 738-9974-008); and  
Property added to expand the District in November of 2013, Planned Development District No. 13 Amendment Ordinance No. 2013-2123, approved on November 19, 2013, more particularly described as follows: Outlot 1 in Wal-Mart Subdivision, recorded on September 10, 1990, Reel 2488, Image 570, as Document No. 6415241, being a part of the Southeast 1/4 and Southwest 1/4 of the Northeast 1/4 and a part of the Southeast 1/4 of Section 1, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. 2.92 acres (adjacent to 6803 South 27th Street (West Sycamore Street): Tax Key No. 714-0007-000); and

WHEREAS, University of Wisconsin Credit Union, d/b/a UW Credit Union, having petitioned for a further amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), to allow for the addition of drive-through as an allowed Special Use [a Special Use being subject to submission of a specific Special Use application for a specific property and the obtaining of approval thereof] within the entire District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), and having held a public hearing on the proposal on the 6th day of April, 2020, and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment to Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1:           §15-3.0418 Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club), Section 2., of the Unified Development Ordinance of the City of Franklin, Wisconsin, specifically, Ordinance No. 1989-1071, as previously amended, is hereby amended to allow for the addition of drive-through as an allowed Special Use [a Special Use being subject to submission of a specific Special Use application for a specific property and the obtaining of approval thereof] within the entire District.

SECTION 2: This ordinance recognizes the April 6, 2020 Plan Commission waiver approvals granted as authorized under §15-3.03051 from the requirements under 15-3.0352A. and 15-3.0355B.8.d. of the Unified Development Ordinance (only for the specific proposed UW Credit Union property at 6611 South 27th Street).

SECTION 3: 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 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: 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 \_\_\_\_\_, 2020, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Special Meeting of April 6, 2020****Major PDD Amendment and 27<sup>th</sup> St. Overlay Waivers**


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**RECOMMENDATION:** City Development staff recommends approval of the Major PDD Amendment. Staff further recommends approval of the requested waivers.

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<b>Project Name:</b>	UW Credit Union Major PDD Amendment and 27th St Overlay Waivers
<b>Project Address/Tax Key:</b>	6611 South 27 <sup>th</sup> Street/714 0001 001
<b>Property Owner:</b>	University of Wisconsin Credit Union d/b/a/ UW Credit Union
<b>Applicant:</b>	UW Credit Union
<b>Current Zoning:</b>	Planned Development District No. 13
<b>2025 Comprehensive Plan:</b>	Commercial
<b>Use of Surrounding Properties:</b>	PDD 13 (Walmart and Sam's Club) to the South and West; PDD 14 to the North, and business and residential uses in the City of Oak Creek to the East.
<b>Action Requested:</b>	Recommendation of approval of the Major PDD Amendment and waivers of the

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**Project Description and Analysis**

The applicant, University of Wisconsin Credit Union, filed an application for a Special Use and Site Plan Amendment to redevelop the property located at 6611 S. 27th Street. The property is zoned PDD No. 13, which allows B-3 Community Business District uses. Credit Unions are allowed in B-3 zoning in the B-3 District (as amended by Ordinance No. 2017-2303). However, a drive-through requires a Special Use approval. The property is within the 27<sup>th</sup> St. Overlay; the applicant has requested two waivers of overlay standards.

**Special Use and Major PDD Amendment**

The Applicant's Special Use was approved by Common Council on March 17, 2020, and is subject to the condition that the applicant obtain approval of a Major PDD Amendment allowing Drive Through as a Special Use in PDD 13, prior to the issuance of building permits.

Special Uses in PDD 13 require a Major PDD Amendment Application, per the standards of ORD 1989-1071 PDD 13 has been amended to allow specific special uses in other cases (see ORD 94-1313, ORD 2013-2123, and ORD 2016-2223), including restaurants with drive-through

Upon review, staff recommends that the Major PDD amendment to allow drive-throughs as a Special Use apply to the whole of PDD 13. This proposal is reflected in the draft Ordinance. The PDD is commercial in character, and there is precedent for allowing drive-throughs among prior special use approvals Any new drive-through special use would still require Plan Commission

review and Common Council approval. If this is deemed too broad an application, the scope of the amendment could be narrowed to just the parcel belonging to UW Credit Union.

### **Site Plan**

The applicant's site plan amendment application was approved by the Plan Commission on March 5, 2020. The site plan includes parking, landscaping, lighting, and storm water management facilities. The plan also proposes a sidewalk extension along Sycamore Street.

The approval is subject to a number of conditions specific to this site. They are:

- That the applicant obtain a Major PDD Amendment of PDD 13 to allow drive-throughs as a Special Use;
- That the applicant obtains waivers from Plan Commission of two of the 27<sup>th</sup> St. Overlay's standards, described in detail below;
- That the applicant's stormwater plans receive approval from the Engineering Department;
- And that signage shall comply with sign ordinances and receive appropriate permits.

### **South 27<sup>th</sup> Street Design Overlay District – Requested Waivers**

Per Section 15-3.0351A.5. of the Unified Development Ordinance (below), the Plan Commission may approve waivers to certain design standards.

Authorize the Plan Commission to waive any of the South 27th Street Design Overlay District Standards by 5 votes of all the members of the Plan Commission provided that supplemental design elements or improvements are incorporated into the project (over and above those which are otherwise required) which compensate for the waiver of the particular standard, or, in the case of parking provisions, where it can be demonstrated that the required parking is excessive or where specified areas are provided for the future provision of additional parking if necessary. In support of the waiver request, the applicant shall detail such supplemental design elements in written and graphical form, and provide an explanation as to the nature of the standards for which the waiver is requested.

**The applicant is requesting two waivers.**

#### **1. 15-3.0352A. Parking required and Location Regulated.**

The Site Plan contains more than 50% of off-street parking spaces between the building and S. 27<sup>th</sup> Street.

The applicant notes that: "Due to the site configuration, required cross access drives and curb cut locations, parking is provided both north and east of the proposed building. This is further warranted by the orientation of the drive-up lanes, which are located on the side of the building away from South 27th Street."



**2. 15-3.0355B.8. d. Pedestrian Accessibility.**

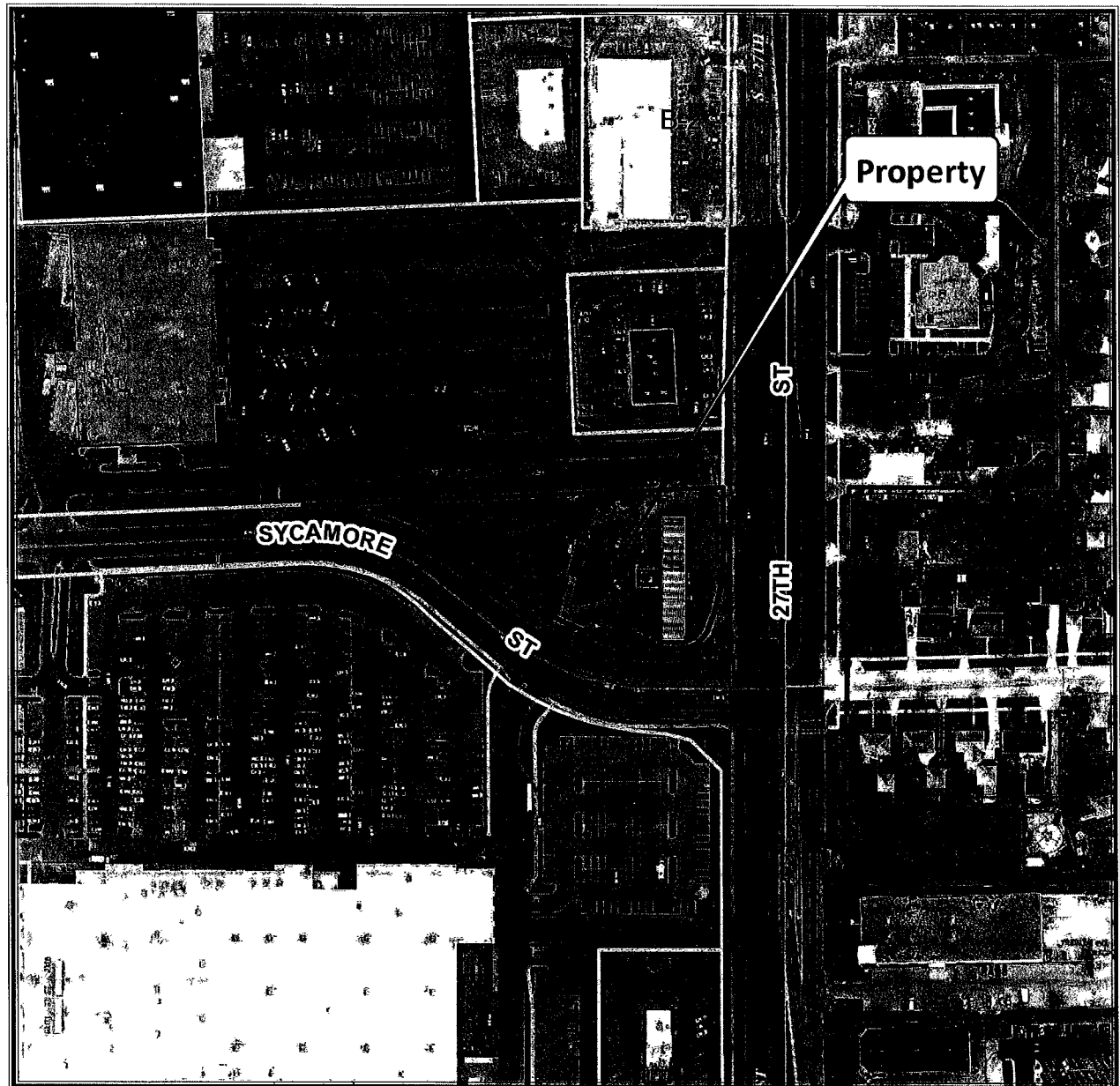
A corner entrance is required for corner properties, unless waived by Plan Commission.

The applicant notes that: “Due to the site & parking configuration as well internal building circulation, the building entrance is located on the primary façade facing South 27th Street ”

**Recommendation**

It is recommended that the Plan Commission recommend approval of the Major PDD Amendment of PDD 13 for UW Credit Union, subject to the conditions in the attached draft ordinance. Staff further recommends approval of the requested waivers.

6611 S. 27th Street  
TKN: 714 0001 001



Planning Department  
(414) 425-4024

0 130 260 520 Feet

*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.*



2017 Aerial Photo



**KEE Architecture, Inc.**  
621 Williamson Street  
Madison, Wisconsin 53703  
(608)255-9202

## **WRITTEN PROJECT SUMMARY**

March 24, 2020

To: City of Franklin  
Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132

RE: **Planned Development District (PDD) Application**  
**UW Credit Union – Franklin Branch**  
6611 South 27<sup>th</sup> Street  
Franklin, Wisconsin

Dear Planning Department:

On behalf of UW Credit Union, the owner of the property located at 6611 South 27th Street in the city of Franklin, we are submitting this summary and other documents (as requested by the city of Franklin) in support of the Planned Development District (PDD) Application requesting approval of a Major PDD Amendment to allow for construction of a new UW Credit Union branch facility.

We understand that this matter will be on the Plan Commission agenda on April 6, 2020 and will be considered by the Common Council later the same day. Based on Plan Commission approval (on March 5, 2020) of the special use and site plan applications, we understand that this is the last Plan Commission review required for this project. (Building plans are being reviewed concurrently, pending Plan Commission & Council action on the Amendment.)

### **PROPOSED USE:**

UW Credit Union proposes to redevelop the parcel for use as a full-service financial branch office facility. The development will feature a one-story building of approximately 5,000 gross square feet (plus exterior roofs and canopies). The branch will serve existing and new Credit Union members with consumer banking products including consumer loans, deposits and investment services. Drive-up service will also be provided.

Staffing for the branch will include 6-10 full-time employees

Typical operating hours will be as follows:

Branch Lobby: Monday through Friday – 9:00 AM – 5:30 PM  
Saturday – 9:00 AM – 1:00 PM

Drive-Up: Monday through Friday – 7:30 AM – 6:00 PM  
Saturday – 9:00 AM – 1:00 PM

City of Franklin Planning Department  
RE: Planned Development District (PDD) Application  
6611 South 27<sup>th</sup> Street  
Franklin, Wisconsin  
March 24, 2020

**ZONING:**

The property is currently zoned as a Planned Development District (PDD) No. 13, with B-3 Community Business District as the underlying zoning

Credit Union with drive through facilities are considered a Special Use in the B-3 District. As such it requires a Major Amendment to the PDD to allow for construction of the proposed project.

**27<sup>th</sup> STREET OVERLAY:**

The proposed project has requested two waivers from the 27<sup>th</sup> Street Overlay guidelines.

**1. 15-3.0352A. Parking required and Location Regulated.**

Due to the site configuration, required cross access drives and curb cut locations, parking is provided both north and east of the proposed building. This is further warranted by the orientation of the drive-up lanes, which are located on the side of the building away from South 27th Street.

**2. 15-3.0355B.8.d. Pedestrian Accessibility.**

Due to the site & parking configuration as well internal building circulation, the building entrance is located on the primary façade facing South 27th Street.

[Note that city of Franklin planning staff recommended Plan Commission approval of the above waivers as part of the Special Use and Site Plan Amendment approval process.]

**COMPREHENSIVE MASTER PLAN:**

The proposed UW Credit Union (commercial) development is consistent with the City of Franklin 2025 Comprehensive Master Plan - Future Land Use Map, which indicates Commercial as the future use of the parcel.

**ESTIMATE OF PROJECT VALUE:**

The proposed UW Credit Union facility will have a value of approximately \$6.5 million, including land, building construction, fixtures and furniture

Site improvement costs are estimated at ±\$ 900,000.

**PROJECT IMPACTS:**

The proposed UW Credit Union branch facility (with drive through) will have a positive impact on the area, and will increase the value of the property significantly vis-a-vis its current use (abandoned gas station). The branch will provide full-time employment as well as convenient services to UWCU members in the area.

The facility has been designed to be consistent with the immediate context – through building design, site design and landscaping (including screening). It will be a significant improvement to replace the existing abandoned gas station and will be an asset to the community.

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March 24, 2020

#### **SITE PLAN & UTILITIES:**

The proposed site plan (Drawing C101) has been developed to provide primary vehicular access to/from the site from West Sycamore Street, as well as shared access with the adjacent commercial properties to the north and 27<sup>th</sup> Street. Pedestrian access to the building entrance is provided from the parking areas as well as from the public sidewalk along West Sycamore and 27<sup>th</sup> Streets

Bicycle parking is located near the building entry

The proposed landscape plan and enlargement (Drawings L101 and L102) includes elements that have been provided in accordance with city of Franklin standards, including Division 15-5.0300 Required Landscaping and Division 15-3.0351 South 27th Street Design Overlay District. See *Landscape Worksheet* on Sheet L101, which proves compliance with Table 15-5.0302.

Site utilities - including water, sanitary sewer, power, natural gas - are located in West Sycamore and South 27<sup>th</sup> Streets as well along the north property line. All utilities (existing and proposed) are identified on the site survey and on the utility plan (Drawing C200)

#### **STORMWATER MANAGEMENT:**

A wet detention basin will be installed on the site to meet the applicable stormwater management requirements. The project site limits the increase in new impervious area added to the site by less than 5,000 square feet, exempting it from the MMSD stormwater rules for runoff rate control (MMSD Ordinance 13.301(2)(c)(1)). However, this does not exempt the site from the remaining applicable City of Franklin requirements. These include redevelopment performance standards for water quality; 40% TSS reduction (Franklin Ordinance 15-8.0607(3)(a)(2.)) and peak runoff; match the site runoff rate as it exists today for the 1-, 2-, 10- and 100-year 24-hour storm events (Franklin Ordinance 15-80607(3)(b)(1.)). As a redevelopment site, the site is exempt from infiltration requirements.

Specifically, the majority of the development site will be captured within a storm sewer system designed to convey the 100-year storm and discharged into a wet detention basin located on the west side of the site. A multi-stage outlet will be constructed to limit the runoff leaving the basin to provide the required runoff rate control and water quality needed to meet the ordinance. An overflow weir will be installed at the top of the basin to provide safe downstream conveyance as needed into the right-of-way of West Sycamore Street. The discharge for the basin will be a 12" pipe connecting into the existing public curb inlet within West Sycamore Street.

#### **PROJECT TEAM:**

The team for this project includes the following

##### **Applicant and Property Owner.**

**UW Credit Union**  
3500 University Avenue  
Madison, Wisconsin 53705  
Attn: Brad McClain, CFO  
(608)236-9000



City of Franklin Planning Department  
RE: Planned Development District (PDD) Application  
6611 South 27<sup>th</sup> Street  
Franklin, Wisconsin  
March 24, 2020

Architect:

**KEE Architecture, Inc.**  
621 Williamson Street  
Madison, Wisconsin 53703  
Attn: David Ewanowski AIA  
(608)255-9202

Landscape Architect:

**Saiki Design**  
1110 South Park Street  
Madison, Wisconsin 53715  
Attn: Ken Saiki  
(608)251-3600

Mechanical/Electrical Engineer:

**IMEG Corporation**  
1800 Deming Way, Suite 200  
Madison, Wisconsin 53562  
Attn: Kris Cotharn  
(608)221-6713

Site/Civil Engineer:

**Wyser Engineering**  
312 East Main Street  
Mount Horeb, WI 53572  
Attn: Wade P. Wyse, P.E.  
(608) 437-1980

Surveyor:

**raSmith**  
16745 W. Bluemound Road  
Brookfield, Wisconsin 53005-5938  
Attn: Michael Ratzburg, Professional Land Surveyor  
(262)781-1000

General Contractor:

**J.H Findorff & Son**  
300 South Bedford Street  
Madison, Wisconsin 53703  
Attn: Aaron Zutz, Project Manager  
(608)257-5321

City of Franklin Planning Department  
RE: Planned Development District (PDD) Application  
6611 South 27<sup>th</sup> Street  
Franklin, Wisconsin  
March 24, 2020

**PROJECT SCHEDULE:**

Construction of the UW Credit Union project will begin in Spring 2020, with occupancy in October 2020.

Please review the attached application and other supporting documents, and contact us if you have any questions.

Sincerely,  
KEE Architecture, Inc.



David J. Ewanowski AIA

**Enclosures:**

- Written Project Summary (5 pages) - *(twelve copies)*

**Enclosures:**

- Plans – *(twelve copies each @ 24" x 36")*
  - Title Sheet – (Drawing G001)
  - Site Plan – (Drawing C101)
  - Enlarged Drive-Up Plan and Details – (Drawing C202)
  - Building Elevations – (Drawing A301 & A302)

**Submitted Under Separate Cover:**

- PDF with all above documents - submitted to [generalplanning@franklinwi.gov](mailto:generalplanning@franklinwi.gov)

KEE Project ZD12E

CITY OF FRANKLIN  
REVIEW

02/11/2020

## Drawing Index

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GENERAL NOTE	THREE SHEET
C	THREE SHEET
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P 02	SEWER MAIN PLAN
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P 561	SEWER MAIN PLAN
P 562	SEWER MAIN PLAN
P 563	SEWER MAIN PLAN
P 564	SEWER MAIN PLAN

## Stamps

	STRUCTURAL	ARCHITECTURAL	MECHANICAL
1. <i>Structural</i>			
2. <i>Architectural</i>			
3. <i>Mechanical</i>			

## Location Map

6411 S 57TH ST  
CITY OF FRANKLIN, WI

### Contact Information

<b>ARCHITECT:</b>	<b>GENERAL CONTRACTOR:</b>	<b>CONSULTANTS:</b>	<b>LANDSCAPE ARCHITECTS:</b>
<b>KEE ARCHITECTURE, INC.</b> 521 WILLIAMSON STREET MADISON, WI 53703 (608) 255-2700	<b>J.H. FINDERF &amp; SON, INC.</b> 300 SOUTH BEDFORD STREET MADISON, WI 53703 (608) 282-5331	<b>HYPER ENGINEERING</b> (CIVIL ENGINEERING) 212 EAST MAIN STREET MADISON, WI 53702 (608) 437-8800	<b>INER CORP.</b> (STRUCTURAL, PLUMBING, HVAC, ELECTRICAL, AND TECHNOLOGY) 1800 DENNING WAY, SUITE 200 MADISON, WI 53704 (608) 223-9600
			<b>SANU DESIGN</b> (LANDSCAPE ARCHITECTS) 116 S. PINK STREET MADISON, WI 53715 (608)831-9600

## Materials Legend

PLAN SECTION CUT	
	Block
	Concrete
	Cast-in-place Massing Units (CIP)
	Earth-Compacted Fill
	Glass
	Optimum Wall Board (OWB)
	Insulator (Blank) Loose
	Insulator (Flat)
	Insulator (Spray Foam)
	Metal
	Plastic Laminates (PLAM)
	Pyrexoid

### Graphic Legend

The diagram shows the CERN logo, which consists of a stylized particle detector structure. The structure is composed of several interconnected components, including a central vertical column and several horizontal and diagonal elements. The components are labeled with text and symbols:

- Left Side Labels:**
  - Local Site: Diagram Element
  - Room Name & Number
  - Person Type Reference
  - Project Name
  - Door Tag
- Right Side Labels:**
  - Calculus Reference
  - Driving Number: 196
  - Street Name: 196
  - Building: 196
  - Distance: 196
  - Express: 196
  - Inner: 196
  - Distance: 196
  - First Symbol

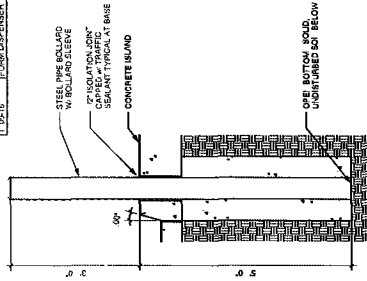
The diagram is a complex, multi-layered structure, likely representing a data flow or a system architecture. The labels are arranged in a grid-like fashion, with the left side labels positioned vertically and the right side labels positioned horizontally. The central part of the diagram features a large, stylized 'C' shape, which is the CERN logo. The 'C' is composed of several interconnected lines and curves, forming a continuous loop. The overall design is clean and modern, with a focus on geometric shapes and clear labeling.

G001

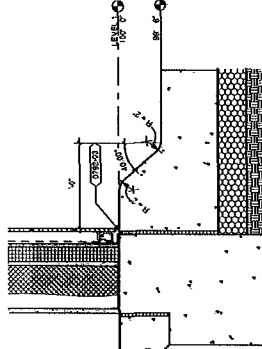
LEADS 3711



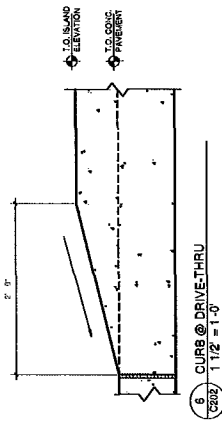
KEYNOTES	KEYNOTE TEXT
025001	STEEL PIPE BOLLARD WITH ROLL-ON SLEEVE
025002	TRAP/SEALANT
025003	OTHERS: DIMENSIONS SHOWN TO CENTERLINE UNLESS OTHERWISE NOTED. CONFIRM ALL PLACEMENTS AND COORDINATE FINAL PLACEMENT DETAILS WITH OWNER.
025004	CONCRETE



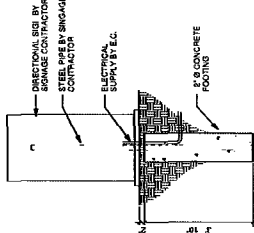
2 DRIVE-UP ISLAND DETAIL  
C202 3/4" = 1'-0"



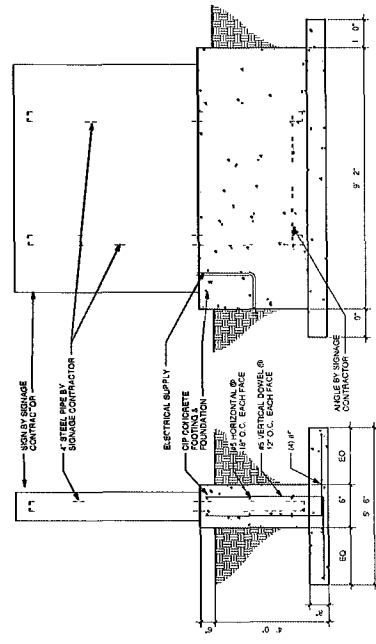
3 DRIVE-UP CURB DETAIL  
C202 1 1/2" = 1'-0"



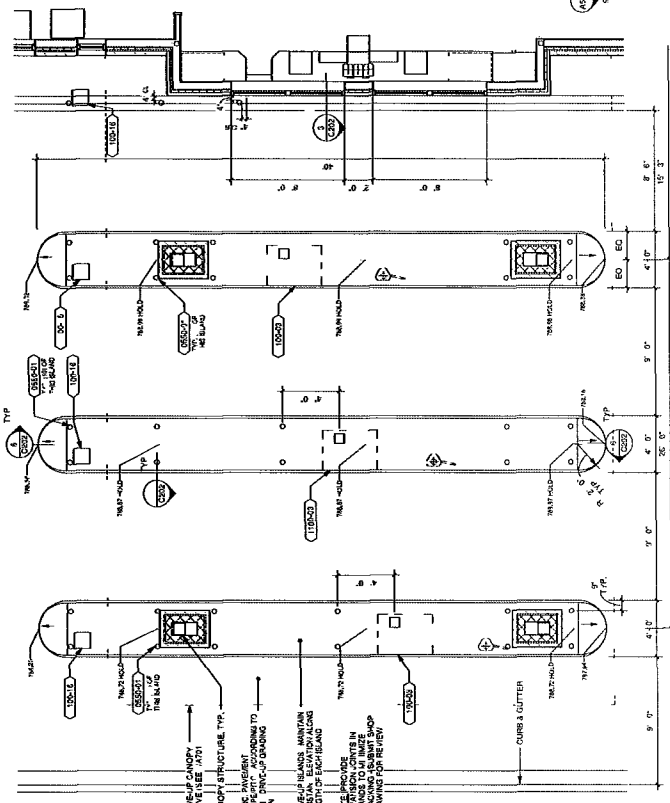
5 CURB @ DRIVE-THRU  
C202 1 1/2" = 1'-0"



5 SIGN BASE DIRECTIONAL SIGN  
C202 1 1/2" = 1'-0"



4 SIGN BASE MONUMENT SIGN  
C202 1 1/2" = 1'-0"



1 DRIVE-UP PLAN COORDINATION  
C202 1/4" = 1'-0"

CITY OF FRANKLIN REVIEW

02/11/2020

uw credit union

UW Credit Union

Franklin Branch

5601 S. 20th Street

PO BOX 110000

SPRING VALLEY, WI 53122

KEE architecture

851 WILLIAMSON ST

MADISON WI 53703

KEY

1

2

3

4

5

DATE

DESCRIPTION

C202

1/2" = 1'-0"

C202

3/4" = 1'-0"

C202

1 1/2" = 1'-0"

C202

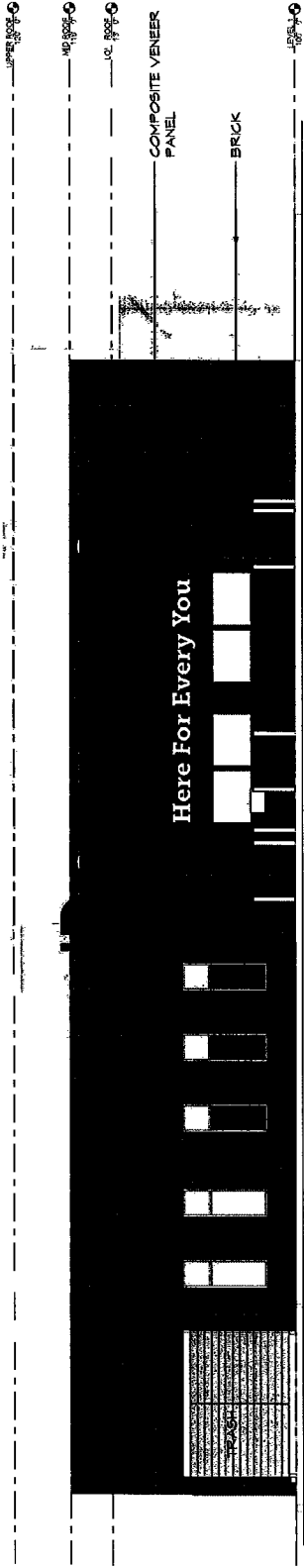
1 1/2" = 1'-0"



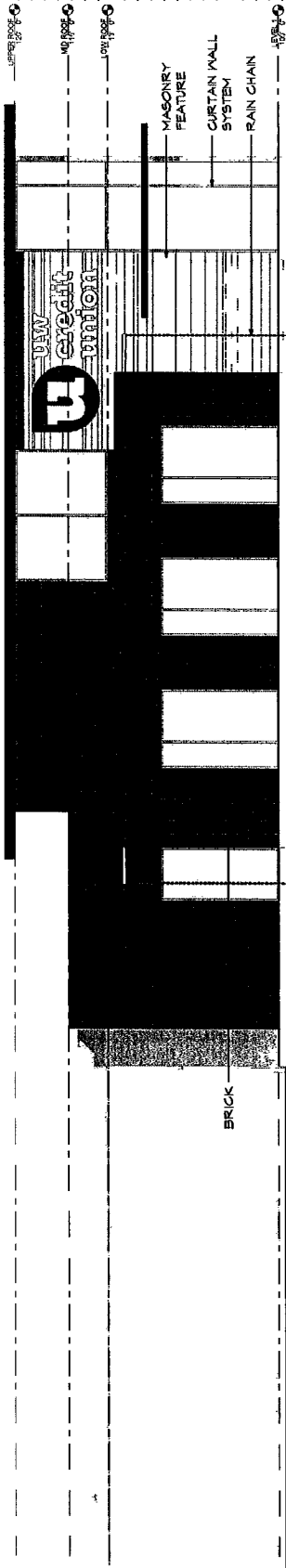


\*SIGNAGE IS CONCEPTUAL SUBJECT TO SEPARATE APPLICATION AND REVIEW\*

3 WEST  
A302 1/4" = 0'



1 SOUTH  
A303 1/4" = 0'



CITY OF FRANKLIN  
REVIEW

02/17/2020

REV DESCRIPTION DATE



UW Credit Union  
Franklin Branch

5611 S 22nd Street  
Franklin, Wisconsin 53132

2021E

KEE  
architecture

92 WILLAMSON ST | MADISON WI 53703

A302

BUILDING ELEVATIONS

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> April 6, 2020
<b>REPORTS AND RECOMMENDATIONS</b>	A Resolution Authorizing Certain Officials to Execute a Memorandum of Understanding between the City of Franklin and the Franklin Historical Society, Inc. for the Maintenance, Operations and Ownership of the Historical Buildings in Lions Legend Park	<b>ITEM NUMBER</b> M.3.

Attached is a draft of a Memorandum of Understanding between the City of Franklin and the Franklin Historical Society, Inc. for the Maintenance, Operations and Ownership of the Historical Buildings in Lions Legend Park, as previously directed by the Common Council at its meeting on February 17, 2020. The attached has been reviewed and approved by the Franklin Historical Society President, as authorized by its Board of Directors. Also attached is a copy of the 1993 Lease between the parties, which is referenced and amended in parts in the Memorandum.

### **COUNCIL ACTION REQUESTED**

A motion to adopt A Resolution Authorizing Certain Officials to Execute a Memorandum of Understanding between the City of Franklin and the Franklin Historical Society, Inc. for the Maintenance, Operations and Ownership of the Historical Buildings in Lions Legend Park.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A  
MEMORANDUM OF UNDERSTANDING BETWEEN THE  
CITY OF FRANKLIN AND THE FRANKLIN HISTORICAL SOCIETY, INC.  
FOR THE MAINTENANCE, OPERATIONS AND OWNERSHIP OF  
THE HISTORICAL BUILDINGS IN LIONS LEGEND PARK

---

WHEREAS, since its organization in 1969, one of the missions of the volunteer Franklin Historical Society has been and is “to remember the past, appreciate the present and look to the future”; and

WHEREAS, with the Franklin Historical Society and the City of Franklin working together through the years, there are now seven historical buildings upon the City of Franklin Lions Legend Park, to wit: the Franklin Town Hall, St. Peters Chapel, the Sheehan-Godsell cabin, the Whelan School, the Historic Barn Museum, Delikat Smokehouse, and the Ludwig Outhouse; such buildings being assets contributed by the Society to the City and its Citizens; and

WHEREAS, the City and the Society having decided to enter into a memorandum of understanding with regard to the maintenance, operations and ownership of the historical buildings, with and upon their joint look to the future to assist the continuation of the historical wonder experience of the Historic District in Lions Legend Park for the People.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Memorandum of Understanding between the City of Franklin and the Franklin Historical Society, Inc. for the Maintenance, Operations and Ownership of the Historical Buildings in Lions Legend Park, in such form and content as annexed hereto, be and the same is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor, Director of Finance and Treasurer and City Clerk 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 \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

RESOLUTION NO. 2020-\_\_\_\_  
Page 2

APPROVED:

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

ATTEST:

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

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

MEMORANDUM OF UNDERSTANDING BETWEEN THE  
CITY OF FRANKLIN AND THE FRANKLIN HISTORICAL SOCIETY, INC.  
FOR THE MAINTENANCE, OPERATIONS AND OWNERSHIP OF THE  
HISTORICAL BUILDINGS IN LIONS LEGEND PARK

*Draft 4/2/20*

WHEREAS, since its organization in 1969, one of the missions of the volunteer Franklin Historical Society has been and is “to remember the past, appreciate the present and look to the future”; and

WHEREAS, with the Franklin Historical Society and the City of Franklin working together through the years, there are now seven historical buildings upon the City of Franklin Lions Legend Park, to wit: the Franklin Town Hall, St. Peters Chapel, the Sheehan-Godsell cabin, the Whelan School, the Historic Barn Museum, Delikat Smokehouse, and the Ludwig Outhouse; such buildings being assets contributed by the Society to the City and its Citizens; and

WHEREAS, the Milwaukee County Historical Society has landmarked the historic village in Lions Legend Park as a “Historic District”; and

WHEREAS, the Society and its volunteers by way of its Board of Directors has provided leadership through the years to maintain the historical buildings and to provide programming of a historical nature; and

WHEREAS, Franklin families are deep-rooted in their community and are a generous lot and may continue to donate historical buildings and properties to and through the Franklin Historical Society; and

WHEREAS, the Franklin Historical Society holds significant goodwill within the Community and may periodically raise funds for projects related to the buildings and their maintenance and enhancement that would be gratefully accepted by the City; and

WHEREAS, the Franklin Historical Society and the City of Franklin recognize the significant monetary and societal value of managing and maintaining these assets beyond the capabilities of a volunteer organization for the future require that the assets continue to be preserved under the perpetual ownership and control of the City.

NOW, THEREFORE, it is hereby understood and agreed, by the undersigned, in consideration of all of the terms and conditions of this Memorandum and other good and valuable consideration, including and the facts set forth in the preamble above, which are incorporated herein by this reference hereto, accordingly, and additionally, as follows:

1. The historical buildings existing in the City of Franklin Lions Legend Park, to wit: the Franklin Town Hall, St. Peters Chapel, the Sheehan-Godsell cabin, the Whelan School, the Historic Barn Museum, Delikat Smokehouse, and the Ludwig Outhouse, together with all artifacts, computer, displays, supplies and other personal property within, upon and



related to such buildings, all together being all of the historical real and personal property existing in the City of Franklin Lions Legend Park, have been and again are hereby donated by the Franklin Historical Society, free and clear of any leans or encumbrances whatsoever, to and are the real and personal property of the City of Franklin.

2. Any new historical building, existing historical building addition, and any personal property in relation thereto donated by the Franklin Historical Society to the City of Franklin and placed upon the Lions Legend Park property is and shall be the property of the City of Franklin.
3. The Franklin Historical Society has and shall have no ownership of and no property interest in the historical real and personal property described in this Memorandum.
4. The City shall be responsible for and pay all the public utilities costs for the historical buildings. With regard to any maintenance or repair projects for the historical buildings, the Society agrees to be responsible for and shall pay for the cost of any individual maintenance or repair project up to the amount of \$2,000.00 and the City agrees to be responsible for and shall pay for the cost of any individual maintenance or repair project in excess of \$2,000.00; however, each such individual maintenance or repair project shall be subject to the approval of the Society and the City prior to proceeding. No maintenance or repair project may proceed without the prior approval of the City. Absent the approval by the Society with regard to any maintenance or repair project with regard to the expenditure by the Society of the monetary amount set forth above, the City may individually proceed with same, provided the City shall be responsible for the entire cost thereof. The Society shall provide a certificate of insurance evidencing it being insured by an authorized insurance carrier against all liability in any way arising from or pertaining to its use or activities with regard to Lions Legend Park historical buildings and Lions Legend Park, in the minimum limit amount of \$1,000,000, naming the City of Franklin as an additional insured, which certificate shall be filed with the office of the City Clerk. The Society agrees that its use and activities with regard to the historical buildings and Lions Legend Park and all matters in any way related thereto shall be in compliance with all applicable governmental laws, statutes, decisions, codes, rules, orders, and ordinances, be they Federal, State, County or Local. To the fullest extent permitted by law, the Society shall defend, indemnify and hold harmless the City, the City's officers, employees, agents, boards, commissions and agencies from and against all costs, losses, and damages caused by the negligent or intentional and wrongful acts of the Society, its officers, directors, employees, agents and consultants with respect to such use or activities. The Society is an independent contractor and all persons furnishing services to the Society are employees of, or independent

subcontractors of, and/or volunteers of the Society and not of the City of Franklin. All terms of the Lease Agreement between the City and the Society dated March 8, 1993, and the amendment(s) thereto not inconsistent with this Memorandum, shall remain in full force and effect.

Franklin Historical Society, Inc.

By: \_\_\_\_\_  
James J. Luckey, President

Dated: \_\_\_\_\_

City of Franklin

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

Dated: \_\_\_\_\_

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

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Paul Rotzenberg, Director of  
Finance and Treasurer

Dated: \_\_\_\_\_

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
MARCH 2, 1993

ROLL CALL	A.	Mayor Klimetz called the regular Common Council meeting to order at 7:15 p.m. on March 2, 1993 in the Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin.
	B.	Present were: Mayor Klimetz, Aldermen Mayer, Radloff, Sievert, Waltenberger, Roberts and Thomas. Also present were City Engineer Bennett, City Planning & Zoning Administrator Kaniewski, City Attorney Wesolowski, Business Administrator Payne and City Treasurer Crain.
BRIARWOOD AREA SANITARY SEWER	F-1.	Alderman Roberts moved to direct staff to send out a second survey to the Briarwood area, said survey to be accompanied by a cover letter that explains that this is a new survey of the area and that any survey results received after a specific cutoff date will not be considered a vote by the Council. Seconded by Alderman Sievert. Upon roll call the vote was: Aldermen Mayer, Radloff, Sievert, Roberts and Thomas voting "Aye" and Alderman Waltenberger voting "No", motion carried.
RES. 93-3935 SPECIAL USE- PAYNE & DOLAN	F-2.	Alderman Radloff moved to adopt Resolution No. 93-3935, RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR RENEWAL OF SPECIAL USE FOR PAYNE & DOLAN, INC. (ASPHALT PAVEMENT MIXING PLANT). Seconded by Alderman Waltenberger, motion carried. Alderman Sievert "abstained".
RES. 93-3936 PRELIMINARY PLAT-FRANKLIN PLAZA SUBD.	F-3.	Alderman Thomas moved to adopt Resolution No. 93-3936, RESOLUTION APPROVING A PRELIMINARY PLAT FOR FRANKLIN PLAZA SUBDIVISION. Seconded by Alderman Roberts, motion carried.
RES. 93-3937 FINAL PLAT - FRANKLIN PLAZA SUBD.		Alderman Thomas moved to adopt Resolution No. 93-3937, A RESOLUTION CONTINGENTLY APPROVING THE FINAL PLAT FOR FRANKLIN PLAZA SUBDIVISION. Seconded by Alderman Sievert, motion carried.
RES. 93-3938 FINAL PLAT - RIVER TERRACE NORTH	F-4.	Alderman Mayer moved to adopt Resolution No. 93-3938, A RESOLUTION CONTINGENTLY APPROVING THE RESUBMITTED FINAL PLAT FOR RIVER TERRACE NORTH. Seconded by Alderman Radloff, motion carried.
RES. 93-3939 CSM - LARSON	F-5.	Alderman Mayer moved to adopt Resolution No. 93-3939, A RESOLUTION APPROVING A CERTIFIED SURVEY MAP OF A PART OF THE SOUTHEAST 1/4 OF SECTION 6, TOWN 5 NORTH, RANGE 21 EAST IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, RICHARD & SUZETTE LARSON. Seconded by Alderman Sievert, motion carried.
LEASE AGREEMENT -	F-6.	Alderman Waltenberger moved to approve and authorize execution of the lease agreement for

HISTORICAL SOCIETY		lease of land to the Franklin Historical Society. Seconded by Alderman Mayer, motion carried.
RES. 93-3940 HOLDING TANK AGREEMENT- BERGSTROM	F-7.	Alderman Mayer moved to adopt Resolution No. 93-3940, RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT WITH KATE BERGSTROM REQUIRING A PERFORMANCE BOND FOR THE MAINTENANCE OF A HOLDING TANK AT 7242 S. 68TH STREET, TAX KEY NO. 757-9991 and direct the Plumbing Inspector to issue any & all permits required to carry out the intent of the agreement. Seconded by Alderman Sievert. Upon roll call the vote was: Aldermen Mayer, Sievert, Waltenberger and Thomas voting "Aye" and Aldermen Radloff and Roberts voting "No", motion carried.
MOBILE SALES OFFICE	F-8.	Alderman Radloff moved to deny the Wimmer Bros. request for a mobile sales office in the Southwood East Subdivision. Seconded by Alderman Roberts. Upon roll call the vote was: Aldermen Mayer, Radloff, Sievert, Waltenberger and Roberts voting "Aye" and Alderman Thomas voting "No", motion carried.
EXTENSION OF WATER - HALQUIST STONE & LANDSCAPING SUPPLY	F-9.	Alderman Sievert moved to authorize the Mayor and Business Administrator to sign Addendum Number 1. to the Oak Creek Water Service Agreement dated August 30, 1973, Halquist Stone and Landscaping Supply. Seconded by Alderman Waltenberger, motion carried.
TAX OVERPAYMENT	F-10.	Alderman Radloff moved to authorize and direct the refund of \$263.57 to Travel Arrangements, Inc. for overpayment of personal property tax in 1990 and 1991. Seconded by Alderman Roberts, motion carried.
SANITARY SEWER REQUEST- W. RAWSON AVE.	F-11.	Alderman Mayer moved to direct the City Engineer to survey the area property owners on the south side of W. Rawson Avenue to ascertain whether or not the majority of the area residents wish to have sanitary sewer installed. Seconded by Alderman Roberts, motion carried.
RES. 93-3941 MUTUAL AID FIRE SERVICE	F-12.	Alderman Mayer moved to adopt Resolution No. 93-3941, A RESOLUTION AUTHORIZING AND DIRECTING THE PROPER AUTHORITIES TO ENTER INTO A MUTUAL AID FIRE SERVICE AGREEMENT WITH CERTAIN OF THE MUNICIPALITIES OF THE COUNTY OF MILWAUKEE. Seconded by Alderman Radloff, motion carried.
RES. 93-3942 1993 TREE PLANTING BIDS	F-13.	Alderman Roberts moved to adopt Resolution No. 93-3942, RESOLUTION AWARDING CONTRACT TO LOW BIDDER FOR PLANTING OF STREET TREES AT VARIOUS LOCATIONS IN THE CITY FOR 1993 to Breezy Hill Nursery in

**LEASE AGREEMENT BETWEEN THE CITY OF FRANKLIN  
AND THE FRANKLIN HISTORICAL SOCIETY**

This indenture, made this 8<sup>th</sup> day of March, 1993, by and between the City of Franklin, a municipal corporation, 9229 W. Loomis Road, Franklin, Wisconsin 53132 (hereinafter "lessor"), and, the Franklin Historical Society, a Wisconsin non-profit corporation, 8050 Legend Park Drive, Franklin, Wisconsin 53132, C/O 7575 South 51st Street, Franklin, Wisconsin 53132, (hereinafter "lessee").

**W I T N E S S E T H :**

1. Description of Premises and Term. That the Lessor does hereby lease, demise and let unto the Lessee the following described premises situated in the City of Franklin, County of Milwaukee and State of Wisconsin, more particularly described as follows:

(See attached Exhibit A)

Said described premises being limited to lands described and not the improvements thereon, the specific historic buildings and structures currently located thereon, being the personal property of Lessee, to hold for the term of one year, beginning on the 1st day of April, 1993 and ending on the 31st day of March, 1994, provided that Lessor deliver to Lessee a written notice evidencing Lessor's intent to so terminate this lease at least thirty (30) days prior to the expiration of the one year term hereof. Should Lessor fail to timely deliver such notice, this lease shall be automatically renewed for a one year term and thereafter additional one year terms annually, unless Lessor delivers to Lessee written notice of its intention to terminate this lease upon the expiration of any such renewal term, at least thirty (30) days prior to the expiration thereof.

2. Rent. In consideration of the mutual covenants and promises set forth herein, Lessee shall pay rent to Lessor in the sum of \$1.00 per year, due and payable on the execution hereof and upon the first day of any renewal term thereafter.

3. Condition and Use of Premises. Lessee has examined and knows the condition of said premises and has received the same in good order and repair; that no other representations as to the condition or repair thereof have been made by Lessor or its agents prior to or at the execution of this Lease that are not herein expressed or endorsed hereon. Lessee shall keep the said premises in a clean and tenantable condition. Lessee shall obey all lawful orders, rules and regulations of the health officers of the City

of Franklin and all ordinances, statutes, rules, regulations and orders however applicable to the subject premises, as they may be amended or created from time to time. The lands herein leased and every part thereof shall, during said term, be used only for the purpose of supporting the historical structures located thereon; for the viewing of said historical structures and the contents thereof by the public and/or private groups and only under the supervision of Lessee at times when such persons may be allowed entry to the structures; and for such assemblies and purposes which are in conformity with the historic interest and preservation purposes for which Lessee was incorporated. Lessee will not permit said premises to be used for any immoral or unlawful purpose and Lessee shall make no alterations in or to said premises without the consent of Lessor first had and obtained in writing, under penalty of forfeiture under this lease and damages. Lessee shall keep the said premises in as good repair as same are in at the commencement of said term, reasonable use and wear thereof and damage by accidental fire or other accident, not happening through the neglect of Lessee, only excepted.

4. Utilities. Lessee shall pay all gas bills and Lessor shall pay all electric bills at the time such bills become due and payable during the term of this lease and any renewal thereof.

5. No Assignability. Lessee shall not assign this lease nor let or under-let said premises or any part thereof.

6. Maintenance Obligation of Lessor. Lessor's maintenance obligation to the demised premises shall be limited to grass mowing as may be seasonally required to maintain the premises to that extent in an aesthetically pleasing fashion.

7. Insurance. Lessor shall maintain property and liability insurance covering said premises and Lessee shall maintain liability insurance covering said premises as it currently has in effect.

8. Lessor Access. Lessor shall have access to the subject premises at all reasonable times for all reasonable needs of Lessor.

9. Conditions. Provided always, and these presents are upon the express condition that if the Lessee does or shall neglect to fail to perform and observe any or either of the covenants or conditions hereinbefore contained, which on his part are to be performed, the Lessor lawfully may, immediately, or at any time thereafter, and while such neglect or default continues, evict the said Lessee and those claiming under it and remove its effects, without prejudice to any remedies which might otherwise be used for arrears of rent or preceding breach of covenant; and such expulsion and removal, whether by the direct act of the Lessor or its assigns or through the medium of legal proceedings for that purpose instituted, shall not affect the liability of Lessee for the past rent due or future rent to accrue, under this lease, but the same



shall continue as if such removal or expulsion had not take place.

And the Lessee further covenants and agrees to pay and discharge all reasonable costs and attorney's fees and expenses that shall be made and incurred by the Lessor in enforcing the covenants and agreements of this lease, as provided for by Ch. 799 Stats.

And the Lessee expressly agrees to quit and deliver up said premises to the lessor peaceably and quietly at the end of said term.

In witness whereof the said parties have hereunto set their hands the date first above written.

City of Franklin

BY:

Frederick F. Klimetz  
Frederick F. Klimetz, Mayor

Countersigned:

BY:

James C. Payne  
James C. Payne, Business Administrator

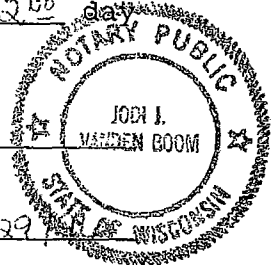
STATE OF WISCONSIN)

) SS

MILWAUKEE COUNTY )

Personally came before me this 8<sup>th</sup> day of March, 1993, Frederick F. Klimetz, Mayor, and James C. Payne, Business Administrator/Clerk of the above named municipal corporation, City of Franklin to me know to be the persons who executed the foregoing instrument and to me known to be such Mayor and Business Administrator/Clerk of said municipal corporation, and acknowledged that they executed the foregoing instruments as such officers as the deed of said municipal corporation by its authority and pursuant to approval granted by its Common Council on the 2<sup>nd</sup> day of March, 1993.

Joel A. Vanden Boom  
Notary Public  
Milwaukee County, Wisconsin  
My Commission expires: 9/29/94

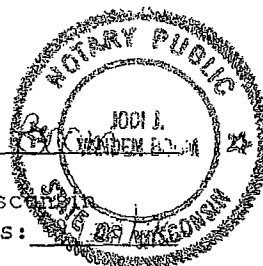


BY: Leron E. Barq

BY: Virginia B. Baro

Personally came before me this 8<sup>th</sup> day of March, 1993 the above named Vernon E. Bourg and Virginia B. Bourg, the President and Treasurer of the Franklin Historical Society, to me known to be the persons who executed the foregoing instrument and to me known to be such President and Treasurer of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Code J. Vandew...  
 Notary Public  
 Milwaukee County, Wisconsin  
 My Commission expires:



The purpose of this description is to delineate a part of lands owned by the City of Franklin known as "Legend Park" that contain the buildings owned and maintained by the Franklin Historical Society and is intended to be used in conjunction with a Lease Agreement and shall not be used for any title transactions.

DESCRIPTION OF LAND FOR LEASE AGREEMENT

That part of the NW 1/4 of the NW 1/4 of Section 16, Township 5 North, Range 21 East in the City of Franklin, County of Milwaukee, State of Wisconsin, bounded and described as follows:

Commencing at the NW Corner of the NW 1/4 of Section 16;

Thence, S. 00°27'23" W. along the West line of the NW 1/4 of Section 16, 1288.04 feet to the NW corner of Parcel 1 of C.S.M. NO. 4347;

Thence, N. 88°33'01" E. along the North line of said Parcel 1, 494.31 feet to a point on the East Right-of-Way line of Legend Drive; Said point also being the NW corner of Lot 31 of Forest Hill Village(a recorded Subdivision) and the Point of Beginning of lands to be described;

Thence, continuing N. 88°33'01" E. along the North line of said Lot 31, 180.00 feet;

Thence, N. 01°26'59" W., 240.00 feet;

Thence, S. 88°33'01" W., 200.12 feet to a point on the easterly curved Right-of-Way of Legend Drive, a public street;

Thence, southerly 223.50 feet along the arc of said curve, whose center lies to the Southeast, whose radius is 508.50 feet, whose chord bears S. 05°24'05" E., 221.71 feet to a point of reverse curve on the easterly Right-of-Way line of said Legend Drive;

Thence, southerly 19.44 feet along the arc of said reverse curve, whose center lies to the Southwest, whose radius is 263.00 feet, and whose chord bears S. 15°52'33" E., 19.43 feet to the Place of Beginning. Above description contains 1.098 acres more or less. Said Certified Survey Map No. 4347 being a map duly recorded July 1, 1983 at the Register's Office of Milwaukee County on Reel 1543, Images 608 through 610 inclusive and as Document No. 5630552. Aforementioned Forest Hill Village being a Subdivision duly recorded October 4, 1979 at the Register's Office of Milwaukee County on Reel 1248, Image 519 through 520 inclusive and as Document No. 5354093.

EXHIBIT A

*Franklin*  
*2013*

**- STATE OF WISCONSIN - LOCAL GOVERNMENT PROPERTY INSURANCE FUND**  
**POLICY:140808 - CITY OF FRANKLIN TERM:1/1/2013 - 1/1/2014 STATEMENT OF VALUES**

Site Bldg	Description	Year Owned Built	Floors	Square Footage	Building CRN	Content CRN	Property in the Open
001	<b>MUNICIPAL BUILDING</b>						
001 001	OLD TOWN HALL Wood or Steel Stud Framed 8040 LEGEND DRIVE FRANKLIN 53132	Owned 1884	1	1196	139,300	7,571	0
001 002	WHELAN SCHOOL MUSEUM Masonry Bearing Walls (Noncombustible) 8034 LEGEND DRIVE FRANKLIN 53132	Owned 1852	1	759	81,288	4,326	0
001 003	LOG CABIN Wood or Steel Stud Framed 8044 LEGEND DRIVE FRANKLIN 53132	Owned 1850	1	352	40,630	3,927	0
001 004	ST PETERS CHAPEL Wood or Steel Stud Framed 8050 LEGEND DRIVE FRANKLIN 53132	Owned 1857	1	760	70,812	17,853	0
001 005	STORAGE BUILDING Wood or Steel Stud Framed 9229 WEST LOOMIS ROAD FRANKLIN 53132	Owned 1977	1	248	6,522	2,715	0
001 006	CITY HALL Masonry Bearing Walls (Noncombustible) 9229 WEST LOOMIS ROAD FRANKLIN 53132	Owned 1970	1	34822	5,958,788	2,468,035	0
001 007	STORAGE GARAGE Wood or Steel Stud Framed 9229 WEST LOOMIS ROAD FRANKLIN 53132	Owned 1994	1	720	23,966	7,368	0
001 011	LAW ENFORCEMENT FACILITY Masonry Bearing Walls (Noncombustible) 9455 WEST LOOMIS ROAD FRANKLIN 53132	Owned 2001	1	32626	12,011,437	1,050,738	0
001 012	FRANKLIN PUBLIC LIBRARY Fireproof Structural Steel frame 9151 WEST LOOMIS ROAD FRANKLIN 53132	Owned 2002	1	38000	8,380,667	4,111,456	0
001 990	911 SYSTEMS 911 Equipment 9455 W LOOMIS RD FRANKLIN 53132	Owned NA	NA	NA	0	310,343	0
001 991	CCTV Miscellaneous Equipment NA NA NA	Owned NA	NA	NA	0	58,811	0
001 992	FIBER OPTICS Fiber Optics CITY HALL TO LIBRARY FRANKLIN 53132	Owned NA	NA	NA	0	41,513	0
001 992	FIBER OPTICS Fiber Optics CITY HALL TO FIRE STA 1 FRANKLIN 53132	Owned NA	NA	NA	0	41,527	0
001 992	FIBER OPTICS Fiber Optics CITY HALL TO POLICE DEPT FRANKLIN 53132	Owned NA	NA	NA	0	48,762	0
001 993	POLICE COMMUNICATIONS SYSTEMS Miscellaneous Equipment NA NA NA	Owned NA	NA	NA	0	689,518	0
001 996	MUNICIPAL BUILDING Other Communication Systems	Owned NA	NA	NA	0	32,757	0

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS AND RECOMMENDATIONS	Tax Incremental District No. 6 Mixed-Use District Boundary Amendment Feasibility Analysis Report (Loomis Business Park and Ryan Meadows, approximately between South 112th Street and the City's western boundary and between West Ryan Road and West Oakwood Road)	ITEM NUMBER  M. 4.

### Background

On October 18<sup>th</sup>, 2018, Common Council created 145-acre mixed-use Tax Incremental District No. 6 (TID 6). At that time Bear Development planned to buy or gain control of additional properties contiguous to the original boundary of TID 6 and requested that the City consider expanding the boundaries of TID 6 when they were ready to move forward with an expanded plan.

Since that time, Bear Development has created two areas within the district: the Loomis Business Park for industrial and commercial development, located on the west side of the district, and Ryan Meadows, a residential subdivision located on the east side of the district.

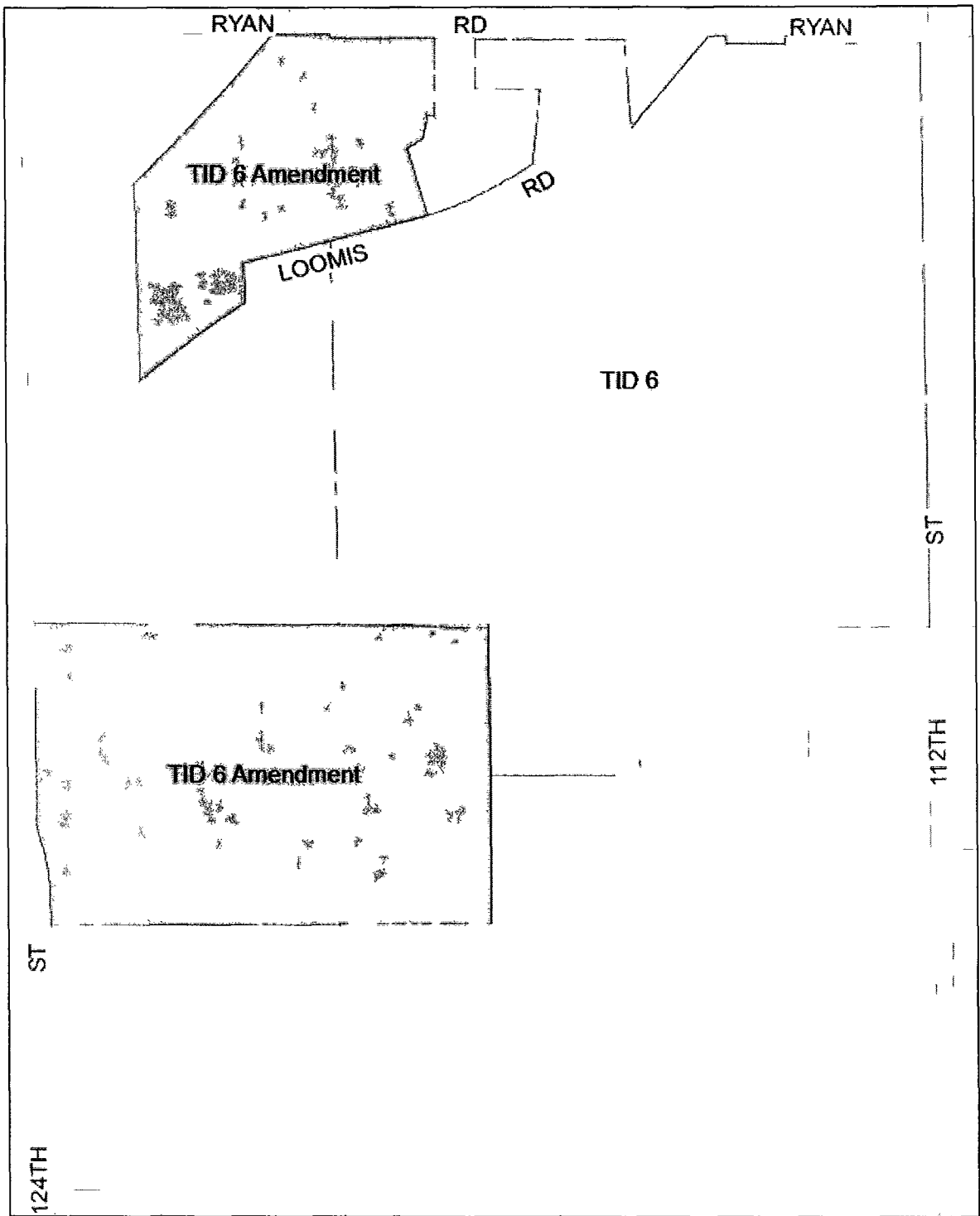
Currently there is one confirmed yet still confidential commercial business planning to locate on the south side of the district, outside the current existing boundaries. Bear Development is proposing adding 26.86 acres on the north side and 61.25 acres on the south side.

On February 17, 2020, the Common Council approved a contract with Ehlers, Inc. for financial services related to the potential amendment of TID 6, specifically approving the performance of the Phase 1 Feasibility Analysis services. This work has now been completed and a map with the amended boundary is attached along with the Estimated Project List, Development Assumptions, Tax Increment Projection Worksheet, Estimated Financing Plan, and a Cash Flow Projection, which remain under review by staff and the developer at the time of this writing. Dawn Gunderson of Ehlers will present these items with staff.

### COUNCIL ACTION REQUESTED

Approval to proceed with Phase II – Project Plan Development and Approval, and Phase III – State Submittal, for the boundary amendment for Tax Incremental District No. 6 Mixed-Use District Project Plan development.

# TID 6 Proposed Boundary Map





# City of Franklin, Wisconsin

## Tax Increment District # 6

### Base Property Information

Property Information				Assessment Information				Equalized Value				District Classification								
Map Ref #	Parcel Number	Street Address	Owner	Acreage	Post 1/1/04? Include	Part of Existing HD?	Land	Imp	PP	Total	Equalized Value Ratio	Land	Imp	PP	Total	Industrial (Zoned and Suitable)	Commercial/ Business	Existing Platted Residential	Newly Platted Residential	Suitable for Mixed Use
	891 9957 000	12304 W LOOMIS RD	Mills Hotel Wyoming, LLC	3.54			19,800			19,800	97.01%	20,410	0	0	20,410		3.54			3.54
	891 9956 000	0 W LOOMIS RD	Mills Hotel Wyoming, LLC	6.68			2,600			2,600	97.01%	2,600	0	0	2,600		6.68			6.68
	891 9953 000	12000 W LOOMIS RD	Mills Hotel Wyoming, LLC	8.58			11,800			11,800	97.01%	12,855	0	0	12,855		8.58			8.58
	891 9901 000	11908 W LOOMIS RD	Mills Hotel Wyoming, LLC	1.58			11,800	143,400		265,000	97.01%	113,040	147,830	0	262,869		1.58			1.58
	891 9902 000	11905 W LOOMIS RD	Mills Hotel Wyoming, LLC	1.54			108,100	132,000		240,100	97.01%	111,432	136,668	0	248,500		1.54			1.54
	891 9904 000	n/a	Mills Hotel Wyoming, LLC	2.17			17,400			17,400	97.01%	17,936	0	0	17,936		2.17			2.17
	891 9905 000	n/a	Mills Hotel Wyoming, LLC	1.43			11,400			11,400	97.01%	11,751	0	0	11,751		1.43			1.43
	891 9906 000	n/a	Mills Hotel Wyoming, LLC	0.94			7,500			7,500	97.01%	7,731	0	0	7,731		0.94			0.94
	919 9995 000	0.5 1241H SI	Franklin Mills, LLC	20.01			4,200			4,200	97.01%	4,329	0	0	4,329	20.01				20.01
	919 9994 000	10082 S 124TH SI	MATHESON, DANIEL L & VIRGINIA K (L/L)	41.24			71,800	160,500		238,300	97.01%	80,198	165,447	0	245,645					41.24
	919 9996 007	0 W OAKWOOD RD	MILLIN, DAVID J LT AL	24.76			5,000			5,000	97.01%	5,154	0	0	5,154	24.76				24.76
	919 9998 001	12026 W OAKWOOD RD	MILLIN, DAVID J LT AL	10.63			71,200	110,600		181,800	97.01%	73,394	114,009	0	187,403	10.63				10.63
Total Acreage				123.50			438,400	546,500	0	984,900		451,912	563,344	0		96.64 /8.25%	22.32 18.07%	4.54 3.68%	0 0.00%	123.5 100.00%
Estimated Base Value																1,015,256				

Map shows values as of January 1, 2015. Actual base value certification of the territory will be based on January 1, 2020 assessed values.

The above values are as of January 1, 2019. Actual base value certification of the territory will be based on January 1, 2020 assessed values.

# City of Franklin, Wisconsin

## Tax Increment District # 6

### Estimated Project List

Project ID	Project Name/Type	Original 2019	Amended 2021	Total (Note 1)
1	Infrastructure Costs in amended area		1,500,000	1,500,000
2	TID creation/amendment	30,000	30,000	60,000
3	Administration Expenses (original & amended)	550,000		550,000
4	Interest Expense on Debt Issuance (original Plan)	3,117,082		3,117,082
5	Interest on MRO (only if funds are available)	2,780,910		2,780,910
6	Interest Expense on Debt Issuance amended)		299,514	299,514
7	Developer Incentive Land Acquisition(original Plan)	3,710,000		3,710,000
8	Infrastructure Costs (original Plan)	8,360,000		8,360,000
Total Projects		18,547,992	1,829,514	20,377,506

Notes:

**Note 1** Project costs are estimates and are subject to modification

# City of Franklin, Wisconsin

## Tax Increment District # 6

### Development Assumptions

Construction Year	Actual	Original TID Area Residential	Original TID Area Large Industrial	Original TID Area Commercial	Original TID Area Other Light Industrial	North Amended Areas	South Amended Areas	Annual Total	Construction Year
1 2019								0	2019 1
2 2020		6,320,000	12,000,000				3,000,000	21,320,000	2020 2
3 2021		4,140,000	2,000,000			1,350,000	3,000,000	10,490,000	2021 3
4 2022		5,520,000				2,400,000		7,920,000	2022 4
5 2023		6,210,000				3,000,000		9,210,000	2023 5
6 2024		4,140,000						4,140,000	2024 6
7 2025		4,140,000						4,140,000	2025 7
8 2026		3,105,000						3,105,000	2026 8
9 2027		0						0	2027 9
10 2028			1,000,000					1,000,000	2028 10
11 2029								0	2029 11
12 2030								0	2030 12
13 2031								0	2031 13
14 2032								0	2032 14
15 2033								0	2033 15
16 2034								0	2034 16
17 2035								0	2035 17
18 2036								0	2036 18
19 2037								0	2037 19
20 2038								0	2038 20
Totals	0	33,575,000	15,000,000	0	0	6,750,000	6,000,000	61,325,000	

Notes: Development assumptions for original area based upon absorptions number provided to the City by the Developer on 9/26/19

# City of Franklin, Wisconsin

## Tax Increment District # 6

### Tax Increment Projection Worksheet

Type of District	Mixed Use
District Creation Date	October 16, 2018
Valuation Date	Jan 1, 2019
Max Life (Years)	20
Expenditure Period/Termination	15 10/16/2033
Revenue Periods/Final Year	20 2040
Extension Eligibility/Years	Yes 3
Eligible Recipient District	No
Base Value after Amendment	2,199,156
Appreciation Factor	1.00%
Base Tax Rate	\$73.38
Rate Adjustment Factor	-1.00%
Tax Exempt Discount Rate	
Taxable Discount Rate	1.50%

Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment
1 2019	0	2020	0	0	2021	\$23.14	0
2 2020	21,320,000	2021	0	21,320,000	2022	\$22.91	488,457
3 2021	10,490,000	2022	213,200	32,023,200	2023	\$22.68	726,338
4 2022	7,920,000	2023	320,232	40,263,432	2024	\$22.45	904,107
5 2023	9,210,000	2024	402,634	49,876,066	2025	\$22.23	1,108,757
6 2024	4,140,000	2025	498,761	54,514,827	2026	\$22.01	1,199,759
7 2025	4,140,000	2026	545,148	59,199,975	2027	\$21.79	1,289,841
8 2026	3,105,000	2027	592,000	62,896,975	2028	\$21.57	1,356,687
9 2027	0	2028	628,970	63,525,945	2029	\$21.35	1,356,551
10 2028	1,000,000	2029	635,259	65,161,204	2030	\$21.14	1,377,556
11 2029	0	2030	651,612	65,812,816	2031	\$20.93	1,377,419
12 2030	0	2031	658,128	66,470,944	2032	\$20.72	1,377,281
13 2031	0	2032	664,709	67,135,654	2033	\$20.51	1,377,143
14 2032	0	2033	671,357	67,807,010	2034	\$20.31	1,377,005
15 2033	0	2034	678,070	68,485,080	2035	\$20.10	1,376,868
16 2034	0	2035	684,851	69,169,931	2036	\$19.90	1,376,730
17 2035	0	2036	691,699	69,861,631	2037	\$19.70	1,376,592
18 2036	0	2037	698,616	70,560,247	2038	\$19.51	1,376,455
19 2037	0	2038	705,602	71,265,849	2039	\$19.31	1,376,317
20 2038	0	2039	712,658	71,978,508	2040	\$19.12	1,376,179
<b>Totals</b>	<b>61,325,000</b>		<b>10,653,508</b>		<b>Future Value of Increment</b>		<b>23,576,043</b>

Notes:

Actual results will vary depending on development, inflation of overall tax rates.

NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).



# City of Franklin, Wisconsin

## Tax Increment District # 6

### Estimated Financing Plan

	2019B G.O. Bond 2/20/2019	G.O. Bond 2020	Municipal Revenue Obligation (MRO) 4/1/2021	G.O. Promissory Note 2021	TID Cash Flow Ongoing	Totals
<b>Projects</b>						
Land Acquisition			3,100,000			3,100,000
Utility Extensions	3,850,000			1,500,000		5,350,000
Interior Infrastructure	1,510,000	3,000,000			1,000,000	4,510,000
Development Incentive	610,000				30,000	1,610,000
Creation Expenses	30,000				550,000	60,000
Administration Expenses					3,416,596	550,000
Interest Expenses City Debt					2,780,910	3,416,596
Interest on MRO (only if funds are available)						2,780,910
<b>Total Project Funds</b>	<b>6,000,000</b>	<b>3,000,000</b>	<b>3,100,000</b>	<b>1,500,000</b>	<b>7,777,506</b>	<b>21,377,506</b>
<b>Estimated Finance Related Expenses</b>						
Municipal Advisor	14,400	17,600				14,500
Bond Counsel	14,000	12,500				12,000
Disclosure Counsel	8,400	7,500				7,200
Rating Agency Fee	6,000	13,500				13,500
Paying Agent	662	850				850
Underwriter Discount	65,638	41,063	0	10.00		16,050
Reoffering Premium	(273,320)					
Capitalized Interest	555,963	204,559				47,606
<b>Total Financing Required</b>	<b>6,391,743</b>	<b>3,297,571</b>	<b>3,100,000</b>	<b>1,611,706</b>		
<b>Estimated Interest</b>	<b>(30,000)</b>	<b>(15,000)</b>	<b>0</b>	<b>0</b>		
Assumed spend down (months)	6	6	0	1.25%	6	(9,375)
<b>Rounding</b>	<b>3,257</b>	<b>2,429</b>	<b>0</b>	<b>2,669</b>		
<b>Net Issue Size</b>	<b>6,365,000</b>	<b>3,285,000</b>	<b>3,100,000</b>	<b>1,605,000</b>		<b>14,355,000</b>
Notes:						

**City of Franklin, Wisconsin**  
**Tax Increment District # 6**  
**Cash Flow Projection**

Year	Projected Revenues				Expenditures										Total	Principal Outstanding	Year
	Tax Increment	Interest Earnings/ (Cost)	Capitalized Interest	Total Revenues	G.O. Bond Dated Date: 02/20/19	G.O. Bond Dated Date: 06/01/20	Municipal Revenue Obligation (MRO) Dated Date: 04/01/21	G.O. Promissory Note Dated Date: 09/01/21	Admin	Expenditures	Annual	Cumulative					
2019	1%	0	\$55,963	\$55,963	3/1	116,563	3,285,000	3,100,000	1,605,000	25,000	141,563	414,400	6,465,000	2019			
2020	4.14	204,559	208,703	208,703	219,700	219,700	3,285,000	3,100,000	1,605,000	25,000	244,700	976,403	9,650,000	2020			
2021	3.78	0	51,990	47,806	219,700	113,644	3,285,000	3,100,000	1,605,000	25,000	358,344	71,449	11,255,000	2021			
2022	488,457	714	488,171	488,171	160,000	90,915	3,285,000	3,100,000	1,605,000	25,000	540,021	20,599	11,995,000	2022			
2023	726,338	206	726,544	726,544	219,700	90,165	3,285,000	3,100,000	1,605,000	25,000	652,280	94,891	12,805,000	2023			
2024	905,107	949	905,056	905,056	219,700	88,395	3,285,000	3,100,000	1,605,000	25,000	820,780	179,169	13,635,000	2024			
2025	1,108,757	1,792	1,110,549	1,110,549	370,000	85,808	3,285,000	3,100,000	1,605,000	25,000	978,493	311,425	14,610,000	2025			
2026	1,198,759	3,113	1,202,873	1,202,873	515,000	82,613	3,285,000	3,100,000	1,605,000	25,000	1,124,948	77,935	15,735,000	2026			
2027	1,289,841	3,893	1,293,734	1,293,734	647,800	78,755	3,285,000	3,100,000	1,605,000	25,000	1,319,955	101,779	16,856,000	2027			
2028	1,356,887	4,910	1,361,797	1,361,797	800,000	73,588	3,285,000	3,100,000	1,605,000	25,000	1,481,090	190,507	17,966,000	2028			
2029	1,356,551	5,915	1,362,467	1,362,467	1,080,000	66,975	3,285,000	3,100,000	1,605,000	25,000	1,607,043	313,418	19,073,000	2029			
2030	1,377,556	6,338	1,384,894	1,384,894	995,000	68,659	3,285,000	3,100,000	1,605,000	25,000	1,780,193	427,274	20,253,000	2030			
2031	1,377,419	6,337	1,384,755	1,384,755	70,375	46,875	3,285,000	3,100,000	1,605,000	25,000	1,974,368	(154)	21,228,000	2031			
2032	1,377,281	6,340	1,382,711	1,382,711	640,000	37,231	3,285,000	3,100,000	1,605,000	25,000	1,168,931	(90,612)	22,388,000	2032			
2033	1,377,143	7,568	1,384,711	1,384,711	650,000	23,661	3,285,000	3,100,000	1,605,000	25,000	1,180,756	203,955	23,579,000	2033			
2034	1,377,005	9,608	1,386,613	1,386,613	10,969	8,288	3,285,000	3,100,000	1,605,000	25,000	1,399,756	947,636	24,976,000	2034			
2035	1,376,868	9,476	1,386,344	1,386,344	0	0	3,285,000	3,100,000	1,605,000	25,000	2,334,500	633,656	26,310,000	2035			
2036	1,376,740	5	1,376,740	1,376,740	0	0	3,285,000	3,100,000	1,605,000	25,000	2,376,910	480	27,686,000	2036			
2037	1,376,592	3	1,376,595	1,376,595	0	0	3,285,000	3,100,000	1,605,000	25,000	2,376,910	405	29,062,000	2037			
2038	1,376,455	9	1,376,464	1,376,464	0	0	3,285,000	3,100,000	1,605,000	25,000	2,376,910	595	30,438,000	2038			
2039	1,376,317	6,534	1,382,851	1,382,851	0	0	3,285,000	3,100,000	1,605,000	25,000	2,376,910	652,464	31,814,000	2039			
2040	1,376,179	20,112	1,496,292	1,496,292	0	0	3,285,000	3,100,000	1,605,000	25,000	2,376,910	1,357,851	33,171,000	2040			
Total	23,576,043	100,841	608,128	24,484,011	6,365,000	2,169,501	3,285,000	3,100,000	1,605,000	550,000	21,102,506	1,371,292	33,542,506	Total			
Notes:															Projected TID Closure		
Short Interest															0		



APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS AND RECOMMENDATIONS	Tax Incremental District No. 8 Mixed-Use District Overlay of Tax Incremental District No. 4 Feasibility Analysis Report (Franklin Corporate Park, approximately between Fitzsimmons and County Line Roads and 27 <sup>th</sup> and 42 <sup>nd</sup> Streets, including Area D)	ITEM NUMBER  <i>M. 5.</i>

### Background

On February 5, 2019, the Common Council approved a contract with Ehlers, Inc. to conduct a financial analysis of a potential overlay district, Tax Incremental District No. 8 (TID8), of Tax Incremental District No. 4 (TID 4).

The TID 4 expenditure period ends June 20<sup>th</sup> of this year and the will close by June 20<sup>th</sup>, 2025 and the overlay is needed to continue public infrastructure work, including Elm Road construction and corresponding underground utilities (water, sewer) along with other potential costs to create development-ready parcels in Area D, also known as Franklin Park. TID 8 will also cover road, water, sewer, storm water management, and other related development work slated for an anticipated new 300,000+ sf industrial space to be constructed in 2020 in Area D.

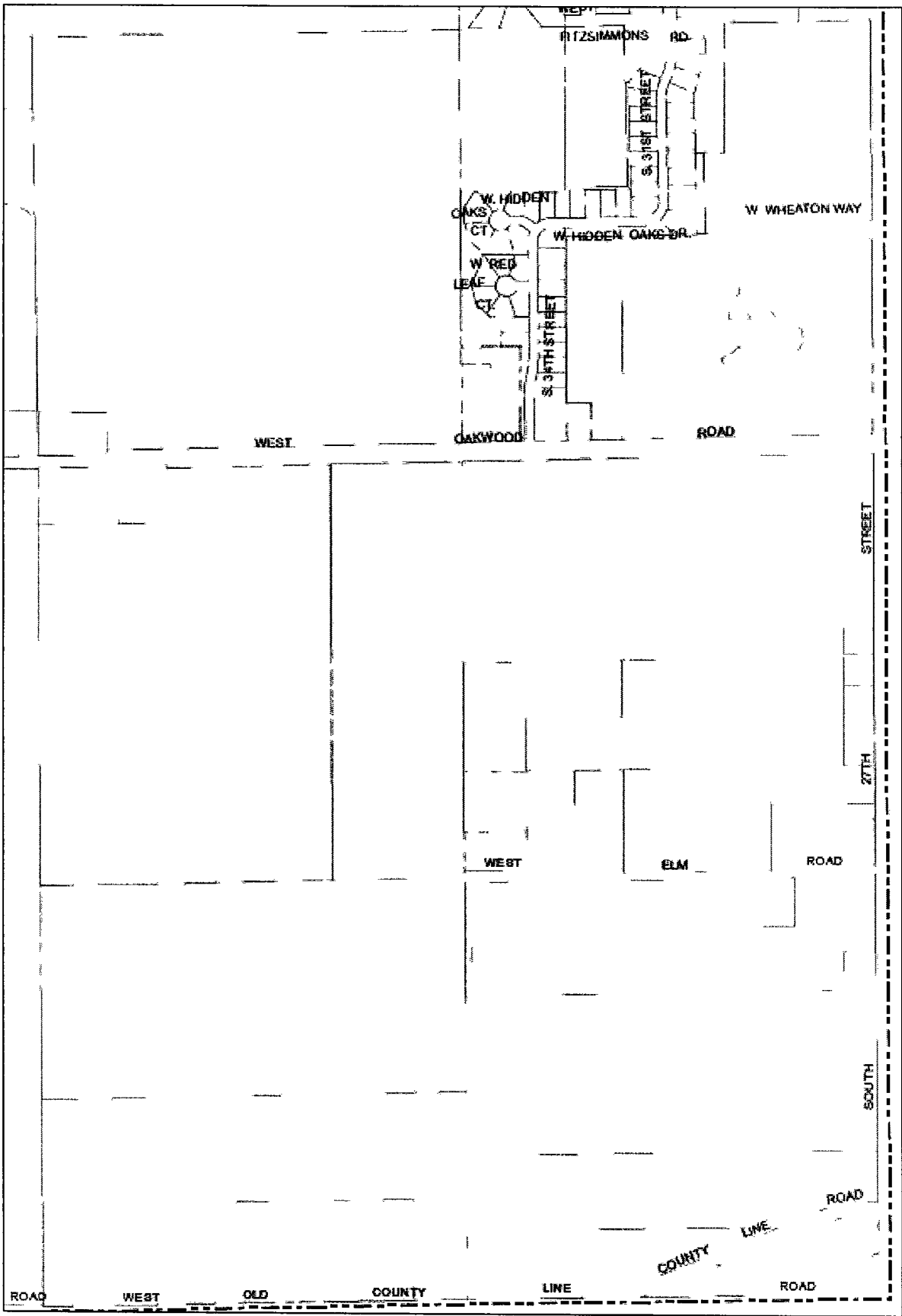
The financial analysis for TID 8 has been completed and a map with the proposed boundary is attached along with the Estimated Project List, Development Assumptions, Tax Increment Projection Worksheet, Estimated Financing Plan, and a Cash Flow Projection, which remain under review by staff and the developer at the time of this writing. Dawn Gunderson of Ehlers will present these items with staff.

### COUNCIL ACTION REQUESTED

Approval to proceed with Phase II – Project Plan Development and Approval, and Phase III – State Submittal, for the boundary amendment for Tax Incremental District No. 8 Mixed-Use District Project Plan development.

Economic Development: CB

TID 8 Proposed Boundary Map



# City of Franklin, Wisconsin

## Tax Increment District # 8

### Base Property Information

Property Information				Assessment Information				Equivalized Value				District Classification				Comments				
Map Ref #	Parcel Number	Street Address	Owner	Acreage	Part of Existing 1047	Land	Imp	PP	Total	Equivalized Value Ratio	Land	Imp	PP	Total	Industrial (Suitable)	Commercial/Business	Existing Residential	Neighborhood Residential	Suitable for Mixed Use	Current Class
951 9996 005	01001 27TH ST S	1001 27TH ST S	WMS 4 LLC	10.62	4.00	8,500	8,500	0	8,500	97.01%	8,500	0	0	8,500	0	0	0	0	0.00	G4 AGRICULTURE
978 9996 007	3151 ELM RD W	3151 ELM RD W	WMS 4 LLC	15.66	4.00	7,700	7,700	0	7,700	97.01%	7,700	0	0	7,700	0	0	0	0	0.00	G4 AGRICULTURE
979 9997 000	3548 SOUTH COUNTY LINE RD W	3548 SOUTH COUNTY LINE RD W	MLG INVESTMENTS 2002 LLC	34.86	4.00	89,700	89,700	0	89,700	97.01%	89,700	0	0	89,700	0	0	0	0	0.00	G4 AGRICULTURE
979 9999 000	0 640TH ST S	0 640TH ST S	GERASPOULOS, PETER & NUDTH	43.63	4.00	18,100	18,100	0	18,100	97.01%	18,100	0	0	18,100	0	0	0	0	0.00	G4 AGRICULTURE
951 9994 001	0 640TH ST S	0 640TH ST S	WMS 4 LLC	73.30	4.00	21,400	21,400	0	21,400	97.01%	21,400	0	0	21,400	0	0	0	0	0.00	G4 AGRICULTURE
950 9997 001	3617 OAKWOOD RD W	3617 OAKWOOD RD W	WENDT, LOURANE C SURVIVOR'S TRUST 10%	46.90	4.00	78,500	78,500	97,100	175,600	97.01%	78,500	97,100	0	175,600	0	0	0	0	0.00	G4 AGRICULTURE
978 9997 000	10085 27TH ST S	10085 27TH ST S	FOX GLEN CORPORATE CENTRE LLC	57.94	4.00	127,100	127,100	3,200	130,300	97.01%	127,100	3,200	0	134,316	0	0	19	19	0.00	G4 AGRICULTURE
978 9999 001	0 500TH COUNTY LINE	0 500TH COUNTY LINE	FOX GLEN CORPORATE CENTRE LLC	22.43	4.00	13,200	13,200	0	13,200	97.01%	13,200	0	0	13,607	0	7	6	6	0.00	G4 AGRICULTURE
951 9997 001	10511 27TH ST S	10511 27TH ST S	WMS 4 LLC	0.43	4.00	43,000	43,000	106,700	149,700	97.01%	43,000	106,700	0	154,314	0	0	1	1	0.00	G2 COMMERCIAL
951 9996 008	10601 27TH ST S	10601 27TH ST S	CON WAY CENTRAL EXPRESS	28.86	4.00	1,300,100	1,300,100	3,900,100	5,200,200	97.01%	1,300,100	3,900,100	0	5,453,232	0	29	0	0	29.00	G2 COMMERCIAL
951 9996 007	10063 27TH ST S	10063 27TH ST S	ACKER, DELORES	1.40	4.00	72,100	72,100	108,000	180,100	97.01%	72,100	108,000	0	185,651	0	0	0	0	0.00	G2 COMMERCIAL
951 9996 013	3240 ELM RD W	3240 ELM RD W	VEST PROPERTIES INC	4.26	4.00	246,100	246,100	869,000	1,095,100	97.01%	246,100	869,000	0	1,081,435	0	4	0	0	4.00	G2 COMMERCIAL
951 9996 017	0 100TH RD W	0 100TH RD W	WISCONSIN ELECTRIC POWER CO	3.41	4.00	108,900	108,900	204,400	293,300	97.01%	108,900	204,400	0	112,256	0	0	0	0	0.00	G2 COMMERCIAL
978 9996 006	3001 ELM RD W	3001 ELM RD W	WEST PROPERTIES INC	4.22	4.00	141,100	141,100	204,400	345,500	97.01%	141,100	204,400	0	356,149	0	3	0	0	3.00	G2 COMMERCIAL
951 9996 002	0 27TH ST S	0 27TH ST S	BEST DISPOSAL SYSTEMS	0.72	4.00	206,600	206,600	0	206,600	97.01%	206,600	0	0	212,968	0	0	5	0	5.00	G2 COMMERCIAL
951 9995 000	10067 27TH ST S	10067 27TH ST S	SPENCER, MARILYN REVOCABLE TRUST OF 200	0.71	4.00	46,200	46,200	117,900	154,100	97.01%	46,200	117,900	0	158,850	0	0	1	0	1.00	G2 COMMERCIAL
951 9998 000	10521 27TH ST S	10521 27TH ST S	WMS 4 LLC	0.71	4.00	36,200	36,200	99,400	135,600	97.01%	36,200	99,400	0	102,464	0	0	0	0	0.00	G2 COMMERCIAL
951 9996 009	10523 27TH ST S	10523 27TH ST S	AMERICAN FREIGHTWAYS CORP	13.48	4.00	786,700	786,700	2,154,200	2,940,900	97.01%	786,700	2,154,200	0	3,031,543	0	13	0	0	13.00	G2 COMMERCIAL
978 9996 000	11027 27TH ST S	11027 27TH ST S	FOX GLEN CORPORATE CENTRE LLC	25.64	4.00	306,000	306,000	549,500	855,500	97.01%	306,000	549,500	0	881,868	0	44	0	0	44.00	G2 COMMERCIAL
928 2006 000	10101 27TH ST S UNIT 400	10101 27TH ST S UNIT 400	WHEATON FRANCISCAN HEALTHCARE SE WI INC	44.08	4.00	2,400	2,400	23,500	25,900	97.01%	2,400	23,500	0	26,698	0	0	0	0	0.00	G2 COMMERCIAL
928 2007 000	10101 27TH ST S UNIT 500	10101 27TH ST S UNIT 500	WHEATON FRANCISCAN HEALTHCARE SE WI INC	28.00	4.00	2,400	2,400	26,500	28,900	97.01%	2,400	26,500	0	28,585	0	0	0	0	0.00	G2 COMMERCIAL
928 2008 000	10101 27TH ST S UNIT 201	10101 27TH ST S UNIT 201	MIDWEST ORTHOPEDIC SPECIALTY HOSPITAL LLC	0.69	4.00	581,400	581,400	8,415,500	8,996,900	97.01%	581,400	8,415,500	0	9,273,479	0	0	0	0	0.00	G2 COMMERCIAL
928 9999 005	0 27TH ST S	0 27TH ST S	WHEATON FRANCISCAN HEALTHCARE SE WI INC	9.19	4.00	1,010,900	1,010,900	0	1,010,900	97.01%	1,010,900	0	0	1,042,058	0	9	0	0	9.00	G2 COMMERCIAL
978 9993 001	10731 ELM RD W	10731 ELM RD W	WHEATON FRANCISCAN HEALTHCARE SE WI INC	1.05	4.00	54,000	54,000	251,700	305,700	97.01%	54,000	251,700	0	315,122	0	0	0	0	0.00	G2 COMMERCIAL
978 9993 001	10741 27TH ST S	10741 27TH ST S	WHEATON FRANCISCAN HEALTHCARE SE WI INC	5.92	4.00	379,200	379,200	644,100	1,023,300	97.01%	379,200	644,100	0	663,952	0	6	0	0	6.00	G2 COMMERCIAL
978 9995 000	10791 27TH ST S	10791 27TH ST S	WHEATON FRANCISCAN HEALTHCARE SE WI INC	0.69	4.00	44,100	44,100	46,800	90,900	97.01%	44,100	46,800	0	93,702	0	1	0	0	1.00	G2 COMMERCIAL
978 9995 000	10771 27TH ST S	10771 27TH ST S	WHEATON FRANCISCAN HEALTHCARE SE WI INC	0.55	4.00	28,200	28,200	107,700	135,900	97.01%	28,200	107,700	0	140,089	0	0	1	0	0.00	G2 COMMERCIAL
978 9995 001	2901 ELM RD W	2901 ELM RD W	KUHN, DONALD & GAIL	2.76	4.00	105,800	105,800	102,000	207,800	97.01%	105,800	102,000	0	105,144	0	3	0	0	3.00	G2 COMMERCIAL
951 9999 001	10627 27TH ST S	10627 27TH ST S	WASTE MANAGEMENT OF WI INC	1.29	4.00	57,900	57,900	1,252,300	1,310,200	97.01%	57,900	1,252,300	0	1,350,582	0	1	0	0	1.00	G2 COMMERCIAL
928 2005 000	10101 27TH ST S UNIT 300	10101 27TH ST S UNIT 300	WHEATON FRANCISCAN HEALTHCARE SE WI INC	38.18	4.00	2,400	2,400	22,100	24,500	97.01%	2,400	22,781	0	25,255	0	0	0	0	0.00	G2 COMMERCIAL
928 9996 007	9928 27TH ST S	9928 27TH ST S	WHEATON FRANCISCAN HEALTHCARE SE WI INC	28.18	4.00	1,320,700	1,320,700	11,017,500	12,338,200	97.01%	1,320,700	11,017,500	0	12,718,895	0	28	0	0	28.00	G2 COMMERCIAL
951 9996 016	0 ELM RD W	0 ELM RD W	WISCONSIN ELECTRIC POWER CO	2.15	4.00	0	0	0	0	97.01%	0	0	0	0	0	0	0	0	0.00	G4 EXEMPT
928 2001 001	10101 27TH ST S UNIT 10	10101 27TH ST S UNIT 10	WHEATON FRANCISCAN HEALTHCARE SE WI INC	44.08	4.00	0	0	0	0	97.01%	0	0	0	0	0	0	0	0	0.00	G4 EXEMPT
928 2002 000	10101 27TH ST S UNIT 101	10101 27TH ST S UNIT 101	WHEATON FRANCISCAN HEALTHCARE SE WI INC	41.76	4.00	0	0	0	0	97.01%	0	0	0	0	0	0	0	0	0.00	G4 EXEMPT
951 9996 015	3310 ELM RD W	3310 ELM RD W	BTI HOLDINGS, LLC	41.76	4.00	0	0	0	0	97.01%	0	0	0	0	0	0	0	0	0.00	G4 EXEMPT
978 9996 008	1131 ELM RD W	1131 ELM RD W	SMITH FRANKLIN, LLC	11.38	4.00	0	0	0	0	97.01%	0	0	0	0	0	0	0	0	0.00	G3 MANUFACTURING
928 9999 007	10101 27TH ST S	10101 27TH ST S	WHEATON FRANCISCAN HEALTHCARE SE WI INC	0.00	4.00	91,600	91,600	240,100	331,700	97.01%	91,600	240,100	0	341,931	0	0	0	0	0.00	G2 COMMERCIAL
Total Acreage																671.15	209	249	0	458
Actual base value certification of the territory will be based on January 1, 2020 assessed values.																31.14%	37.10%	0.00%	0.00%	68.24%
Estimated Base Value																41,329,657				

The above values are as of January 1, 2020. Actual base value certification of the territory will be based on January 1, 2020 assessed values.

# City of Franklin, Wisconsin

## Tax Increment District # 8

### Estimated Project List

Project ID	Project Name/Type	Phase I 2020	Phase II 2021	Phase III 2022	Phase IV 2023	Phase V 2024	Ongoing 2020-2040	Total (Note 1)
1	Elm Road Construction		1,000,000					1,000,000
2	Future public infrastructure - road, water, sewer, traffic control		2,400,000	3,300,000	3,300,000	3,000,000		12,000,000
3	Demolitions	0	600,000	600,000				1,200,000
4	Power Lines Relocation		1,200,000					1,200,000
5	Property Acquisitions		200,000	75,000	75,000	50,000		400,000
6	Environmental Mitigations		25,000	25,000	25,000			75,000
7	27th Street Improvements					800,000		800,000
8	Monument Signage					250,000		250,000
9	Design/Engineering		750,000	450,000	400,000	400,000		2,000,000
10	Contingency - 20%	0	1,085,000	800,000	680,000	820,000		3,385,000
11	Developer Incentives	4,000,000						4,000,000
12	TIF Creation & Administration	30,000						30,000
13	Interest expense and financing costs on Municipal Debt						12,086,126	12,086,126
14	Administration Expenses						607,434	607,434
15							0	0
Total Projects		4,030,000	7,260,000	5,250,000	4,480,000	5,320,000	12,693,560	39,033,560

Notes:

Note 1 Project costs are estimates and are subject to modification

Preliminary

# City of Franklin, Wisconsin

## Tax Increment District # 8

### Development Assumptions

Construction Year	Actual	Acres	Developable area	Biller Development	Annual Total	Construction Year
1 2020		35	13,650,000	25,000,000	25,000,000	2020 1
2 2021					13,650,035	2021 2
3 2022					13,650,035	2022 3
4 2023					13,650,035	2023 4
5 2024					12,870,033	2024 5
6 2025		30	11,700,000		11,700,030	2025 6
7 2026					11,700,030	2026 7
8 2027					11,700,030	2027 8
9 2028					11,700,030	2028 9
10 2029					0	2029 10
11 2030		0	0		0	2030 11
12 2031					0	2031 12
13 2032					0	2032 13
14 2033					0	2033 14
15 2034					0	2034 15
16 2035					0	2035 16
17 2036					0	2036 17
18 2037					0	2037 18
19 2038					0	2038 19
20 2039					0	2039 20
Totals	0	258	100,620,000	25,000,000	125,620,258	

Notes: Development values assumed at \$6,000 square feet per acre and \$65 per square foot.



# City of Franklin, Wisconsin

## Tax Increment District # 8

### Tax Increment Projection Worksheet

Type of District		Mixed Use		Base Value									
District Creation Date		May 5, 2020		Appreciation Factor									
Valuation Date		Jan 1, 2020		Base Tax Rate									
Max Life (Years)		20		Rate Adjustment Factor									
Expenditure Period/Termination		15		Tax Exempt Discount Rate									
Revenue Periods/Final Year		20		Taxable Discount Rate									
Extension Eligibility/Years		Yes		3.00%									
Eligible Recipient District		No		4.50%									
Construction		Valuation Year		Inflation Increment		Total Increment		Revenue Year		Tax Rate		Tax Increment	
1	2020	25,000,000	2021	0	25,000,000	2022	\$21.42	535,543					
2	2021	13,650,035	2022	250,000	38,900,035	2023	\$21.21	824,973					
3	2022	13,650,035	2023	389,000	52,939,070	2024	\$21.00	1,111,479					
4	2023	13,650,035	2024	529,391	67,118,496	2025	\$20.79	1,395,090					
5	2024	12,870,033	2025	671,185	80,659,714	2026	\$20.58	1,659,786					
6	2025	11,700,030	2026	806,597	93,166,341	2027	\$20.37	1,897,971					
7	2026	11,700,030	2027	931,663	105,798,035	2028	\$20.17	2,133,749					
8	2027	11,700,030	2028	1,057,980	118,556,045	2029	\$19.97	2,367,143					
9	2028	11,700,030	2029	1,185,560	131,441,635	2030	\$19.77	2,598,179					
10	2029	0	2030	1,314,416	132,756,052	2031	\$19.57	2,597,919					
11	2030	0	2031	1,327,561	134,083,612	2032	\$19.37	2,597,659					
12	2031	0	2032	1,340,836	135,424,448	2033	\$19.18	2,597,399					
13	2032	0	2033	1,354,244	136,778,693	2034	\$18.99	2,597,140					
14	2033	0	2034	1,367,787	138,146,480	2035	\$18.80	2,596,880					
15	2034	0	2035	1,381,465	139,527,945	2036	\$18.61	2,596,620					
16	2035	0	2036	1,395,279	140,923,224	2037	\$18.42	2,596,361					
17	2036	0	2037	1,409,232	142,332,456	2038	\$18.24	2,596,101					
18	2037	0	2038	1,423,325	143,755,781	2039	\$18.06	2,595,841					
19	2038	0	2039	1,437,558	145,193,339	2040	\$17.88	2,595,582					
20	2039	0	2040	1,451,933	146,645,272	2041	\$17.70	2,595,322					
Totals		125,620,258		21,025,014		Future Value of Increment		43,086,737					

Notes:

Actual results will vary depending on development, inflation of overall tax rates.

NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

# City of Franklin, Wisconsin

## Tax Increment District # 8

### Estimated Financing Plan

	Taxable G.O. Bond 2020	G.O. Bond 2021	G.O. Bond 2022	G.O. Bond 2023	G.O. Bond 2024	TID Cashflow 2020-2041	Totals
Projects							
Phase I	4,030,000						4,030,000
Phase II		7,260,000					7,260,000
Phase III			5,250,000				5,250,000
Phase IV				4,480,000			4,480,000
Phase V					5,320,000		5,320,000
Interest expense on City Debt						12,086,126	12,086,126
Administration Expenses						607,434	607,434
Total Project Funds	4,030,000	7,260,000	5,250,000	4,480,000	5,320,000	12,693,560	39,033,560
Estimated Finance Related Expenses							
Municipal Advisor	26,300	34,800	29,400	27,400	29,600		29,600
Bond Counsel	12,000	13,500	13,000	13,000	13,500		13,500
Disclosure Counsel	7,200	8,100	7,800	7,800	8,100		8,100
Rating Agency Fee	13,500	14,000	14,500	15,000	15,500		15,500
Paying Agent	850	850	850	850	850		850
Underwriter Discount	53,125	93,938	68,188	58,375	69,313		69,313
Debt Service Reserve			102,281	100,034	125,606		125,606
Capitalized Interest	122,930	122,119					
Total Financing Required	4,265,905	7,547,306	5,486,019	4,702,459	5,582,469		
Estimated Interest	1.00%	(20,150)	1.00%	(36,300)	1.25%	(32,813)	(39,900)
Assumed spend down (months)	6	6	6	6	6	6	6
Rounding	4,245	3,994	1,794	1,141	2,431		
Net Issue Size	4,250,000	7,515,000	5,455,000	4,670,000	5,545,000		27,435,000

Notes:



# City of Franklin, Wisconsin

## Tax Increment District # 8

### Cash Flow Projection

Year	Projected Revenues				Expenditures										Balances						
	Tax Increments	Interest Earnings/ (Cost)	Capitalized Interest	Total Revenues	Taxable G.O. Bond 4,250,000		G.O. Bond 7,515,000		G.O. Bond 5,455,000		G.O. Bond 4,670,000		G.O. Bond 5,545,000		Admin.	Total Expenditures	Annual	Cumulative	Principal Outstanding	Year	
					Dated Date:	Est. Rate	Interest	Dated Date:	Est. Rate	Interest	Dated Date:	Interest	Dated Date:	Interest							
2020		1.25%	122,930	122,930	08/01/20		122,930				03/01/21					0	122,930	122,930	27,435,000	2020	
2021		1.537	123,655	123,655	1.75%	100,000	122,930	1.75%	122,119	100,000	3.25%	122,119	102,281	102,281	245,049	0	(121,393)	1,537	27,435,000	2021	
2022	535,543	19	102,281	637,844	1.75%	125,000	122,930	1.75%	244,238	125,000	3.25%	244,238	204,563	204,563	594,449	25,000	43,395	44,932	27,335,000	2022	
2023	824,973	562	825,351	1,211,851	2.00%	150,000	122,930	2.00%	237,738	150,000	3.25%	237,738	204,563	204,563	843,449	25,500	843,449	177,017	27,085,000	2023	
2024	1,111,479	338	100,034	1,211,851	2.00%	188,993	122,930	2.00%	237,738	188,993	3.25%	237,738	204,563	204,563	1,060,931	26,010	(150,914)	177,938	26,710,000	2024	
2025	1,395,090	2,224	125,606	1,521,921	2.25%	200,000	122,930	2.25%	232,050	200,000	3.25%	232,050	199,875	199,875	1,446,935	26,530	75,986	253,923	26,160,000	2025	
2026	1,659,186	3,174	1,662,360	3,324,720	2.15%	175,000	122,930	2.15%	225,144	175,000	3.25%	225,144	195,188	195,188	27,061	75,000	(62,925)	190,998	25,435,000	2026	
2027	1,897,971	2,387	1,900,358	3,800,716	2.50%	200,000	122,930	2.50%	208,894	200,000	3.25%	208,894	188,625	188,625	27,602	100,000	1,933	192,931	24,510,000	2027	
2028	2,133,749	2,412	2,136,160	4,272,321	2.50%	225,000	122,930	2.50%	189,550	225,000	3.25%	189,550	180,656	180,656	28,154	225,000	48,464	241,395	23,360,000	2028	
2029	2,367,143	3,017	2,370,161	4,740,321	2.50%	235,000	122,930	2.50%	189,384	235,000	3.25%	189,384	171,750	171,750	28,717	250,000	239,964	481,359	22,125,000	2029	
2030	2,598,179	6,017	2,604,196	5,208,392	2.75%	240,000	122,930	2.75%	192,555	240,000	3.25%	192,555	161,906	161,906	29,291	275,000	215,008	686,302	20,785,000	2030	
2031	2,597,919	11,206	2,609,125	5,219,050	2.75%	245,000	122,930	2.75%	178,425	245,000	3.25%	178,425	151,125	151,125	29,877	300,000	201,150	1,286,538	19,365,000	2031	
2032	2,597,659	16,085	2,613,745	5,227,499	3.00%	250,000	122,930	3.00%	166,644	250,000	3.25%	166,644	139,875	139,875	30,475	325,000	171,008	1,630,653	17,840,000	2032	
2033	2,597,399	20,383	2,617,763	5,235,162	3.00%	275,000	122,930	3.00%	154,050	275,000	3.25%	154,050	129,413	129,413	31,084	350,000	171,900	1,937,115	16,215,000	2033	
2034	2,597,140	24,214	2,621,354	5,246,708	3.35%	255,000	122,930	3.35%	140,238	255,000	3.25%	140,238	115,500	115,500	31,006	375,000	204,557	2,204,557	14,485,000	2034	
2035	2,596,880	27,557	2,624,437	5,258,874	3.55%	260,000	122,930	3.55%	124,800	260,000	3.25%	124,800	101,906	101,906	32,340	400,000	138,150	2,417,742	12,635,000	2035	
2036	2,596,620	30,159	2,626,760	5,268,039	3.35%	265,000	122,930	3.35%	96,965	265,000	3.25%	96,965	89,569	89,569	32,987	425,000	151,588	2,614,694	10,685,000	2036	
2037	2,596,361	32,686	2,629,047	5,277,101	3.35%	275,000	122,930	3.35%	38,088	275,000	3.25%	38,088	72,188	72,188	33,647	450,000	99,900	2,799,219	8,650,000	2037	
2038	2,596,101	34,990	2,631,091	5,286,181	3.50%	275,000	122,930	3.50%	28,875	275,000	3.25%	28,875	73,394	73,394	34,320	495,000	160,422	2,959,641	6,510,000	2038	
2039	2,595,841	36,996	2,632,837	5,294,274	3.50%	275,000	122,930	3.50%	19,350	275,000	3.25%	19,350	40,688	40,688	35,006	500,000	2,452,844	3,139,634	4,305,000	2039	
2040	2,595,582	39,245	2,634,827	5,303,654	3.50%	275,000	122,930	3.50%	9,625	275,000	3.25%	9,625	32,988	32,988	35,706	500,000	202,152	3,341,786	2,035,000	2040	
2041	2,595,322	41,772	2,637,095	5,311,195									24,469	410,000	410,000	36,420	500,000	526,343	3,868,129	0	2041
Total	43,086,737	336,982	572,971	43,996,689	4,250,000		1,617,698	7,515,000	3,751,675	5,455,000		2,335,572	5,455,000	2,534,063	607,434	40,128,560				Total	

Notes:

Projected TID Closure

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Apr 6, 2020
REPORTS & RECOMMENDATIONS	Resolution Authorizing the Issuance of \$14,952,000 Taxable Tax increment Project Municipal Special, Limited Revenue Obligation Bond to Velo Village Apartments, LLC dated April 7, 2020	ITEM NUMBER <i>M.6.</i>

### Background

A Developer's Agreement signed October 17, 2019 requires the City of Franklin to issue a \$14,952,000 Municipal Revenue Obligation (MRO) to Velo Village Apartments, LLC a Wisconsin limited liability company promptly after commencement of the construction of the 265-unit five building apartment complex located at 7125, 7165, 7195, 7235 and 7250 Ballpark Dr.

Payments on the MRO to the Developer to come solely from Tax Increment in Tax Increment District No 7. Only if available increment is generated during the life of the District are payments required.

The MRO is non-interest bearing.

A building permit was issued on October 18, 2019, and construct began shortly thereafter

### **COUNCIL ACTION REQUESTED**

Motion approving Resolution 2020-xxxx, a Resolution authorizing the issuance of \$14,952,000 Taxable Tax Increment Project Municipal Special, Limited Revenue Obligation Bond to Velo Village Apartments, LLC dated April 7, 2020.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2018-\_\_\_\_\_

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$14,952,000  
TAXABLE TAX INCREMENT PROJECT MUNICIPAL SPECIAL,  
LIMITED REVENUE OBLIGATION BOND TO TO VELO VILLAGE APARTMENTS, LLC  
DATED APRIL 7, 2020

WHEREAS the City of Franklin, Wisconsin (the "City") has created its Tax Incremental District No. 7 (the "TID") for the purpose of promoting mixed-use development in the City; and

WHEREAS in order to further its mixed-use development efforts in the TID, the City has entered into a Development Agreement with Velo Village Apartments, LLC. (the "Developer") dated October 17, 2019 (the "Development Agreement"); and

WHEREAS pursuant to Section 66.0621 of the Wisconsin Statutes and the terms of the Development Agreement, the City is to issue to the Developer a taxable tax increment municipal special revenue obligation bond payable solely from certain tax increment revenues generated from the Developer's property identified in the Development Agreement within the TID which are appropriated by the Common Council;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Wisconsin, as follows:

Section 1. Authorization of Revenue Bond. For the purpose of financing mixed-use development projects in the TID by reimbursing the Developer for certain costs as provided in the Development Agreement, the City shall issue its "Taxable Tax Increment Project Municipal Special, Limited Revenue Obligation Bond" (the "Bond") to the Developer pursuant to Section 66.0621 of the Wisconsin Statutes in consideration for the obligations undertaken by the Developer under the Development Agreement.

The Bond shall be in the principal amount of \$14,952,000 as is provided in the Development Agreement, Article II L. The Bond shall be dated and bear no interest, being payable on the dates, set forth in the Development Agreement. The Bond shall mature in installments on the dates and in the amounts set forth in the Development Agreement and principal thereon shall be payable solely from the sources and only to the extent provided in the Development Agreement, all of the provisions of which are hereby incorporated by reference. The Bond shall be subject to prepayment as set forth in the Development Agreement.

The schedule of payments on the Bond is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent practices.

The Bond shall be signed by the manual or facsimile signatures of the Mayor and City Clerk of the City, and sealed with the corporate seal of the City, or a facsimile thereof.

The Bond shall be payable only out of the Special Redemption Fund hereinafter provided, and shall be a valid claim of the owner thereof only against the Special Redemption Fund and the revenues pledged to such Fund pursuant to this Resolution.

Section 2. Form of Bond. The Bond shall be in substantially the form set forth on Exhibit D to the Development Agreement.

Section 3. Payable Solely From Revenues. The Bond shall be payable only out of the Special Redemption Fund as hereinafter provided, and shall be a valid claim of the owner thereof only against the Special Redemption Fund and from the revenues pledged to such fund, and shall be payable solely from the Available Tax Increment (as defined in the Development Agreement) which has been received and retained by the City in accordance with the provisions of Section 66.1105 of the Wisconsin Statutes and appropriated by the Common Council to the payment of the Bond (hereinafter referred to as "Revenues").

As stated above, the application of the Available Tax Increment to payment of the Bond is subject to future annual appropriation by the Common Council, and is further subject to all the conditions set forth in the Development Agreement.

Section 4. Special Redemption Fund. For the purpose of the application and proper allocation of the Revenues, and to secure the payment of the principal of the Bond, the Special Redemption Fund is hereby created and shall be used solely for the purpose of paying principal on the Bond in accordance with the provisions of the Bond and this Resolution.

Uninvested money in the Special Redemption Fund shall be kept on demand deposit with such bank or banks as may be designated from time to time by the City as public depositories under the laws of Wisconsin. Such deposits of Special Redemption Fund money shall be secured to the fullest extent required by the laws of Wisconsin and the general investment policy of the City.

Money in the Special Redemption Fund, if invested, shall be invested in direct obligations of, or obligations guaranteed as to principal and interest by, the United States of America, or in certificates of deposit secured by such obligations and issued by a state or national bank which is a member of the Federal Deposit Insurance Corporation and is authorized to transact business in the State of Wisconsin, maturing not later than the date such money must be transferred to make payments on the Bond, or deposited in the local government pooled-investment fund. All income from such investments shall be deposited in the Special Redemption Fund. Such investments shall be liquidated at any time when it shall be necessary to do so to provide money for any of the purposes for the Special Redemption Fund.

All Revenues shall be deposited in the Special Redemption Fund, and no other fund is created by this Resolution.

Section 5. Application of Revenues to Payment of the Bond. Revenues shall be applied to payment of principal on the Bond in the order of priority and manner set forth in the Development Agreement, subject to the conditions set forth in the Development Agreement and only to the extent set forth in the Development Agreement, the provisions of which are hereby incorporated by reference.

Section 6. Persons Treated as Owners; Transfer of Bond. The City Treasurer shall keep books for the registration and for the transfer of the Bond. The person in whose name the Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of principal on the Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

To the extent permitted by the Development Agreement, the Bond may be transferred or assigned by the registered owner thereof, by surrender of the Bond at the office of the City Treasurer accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer or assignment, the City Treasurer shall record the name of the transferee or assignee in the registration book and note such transfer or assignment on the Bond and re-issue the Bond (or a new Bond or Bonds of like aggregate principal amount and maturity).

Section 7. General Authorizations. The Mayor and City Clerk and the appropriate deputies and officials of the City in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution and to comply with and perform the obligations of the City under the Development Agreement and the Bond.

In the event that said officers shall be unable by reason of death, disability, absence or vacancy of office to perform in timely fashion any of the duties specified herein (such as the execution of the Bond), such duties shall be performed by the officer or official succeeding to such duties in accordance with law and the rules of the City.

Section 8. Severability of Invalid Provisions. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining sections, paragraphs and provisions of this Resolution.

Section 9. Effective Date. This Resolution shall be effective immediately upon its passage and approval.

Adopted and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
COUNTY OF MILWAUKEE  
CITY OF FRANKLIN

TAXABLE TAX INCREMENT PROJECT MUNICIPAL SPECIAL, LIMITED REVENUE  
OBLIGATION BOND ("**Bond**")

Number	Date of Original Issuance	Amount
1	April 7, 2020	\$14,952,000

REGISTERED OWNER: Velo Village Apartments LLC

FOR VALUE RECEIVED, the City of Franklin, Milwaukee County, Wisconsin (the "**City**"), promises to pay to the Registered Owner, Velo Village Apartments LLC (the "**Developer**"), as herein provided, as owner of the Property legally described in the attached Exhibit A (the "**Property**"), but only in the manner, at the times, from the source of revenue and to the extent hereinafter provided, the principal amount of Fourteen Million Nine Hundred Fifty Two Dollars (\$14,952,000), to be paid in annual amounts set forth in the attached schedule, without interest, until 2040 (or such later date as may be provided for in the Development Agreement), said payment and this Bond subject to the terms and provisions of the Development Agreement (as hereinafter defined) between the City and Velo Village Apartments, LLC.

This Bond shall be payable in installments of principal only due on March 1 (the "**Payment Dates**") in each of the years and in the amounts set forth on the debt service schedule attached hereto as Schedule 1. In the event the Developer has not paid all the real property taxes on the Property by January of any year, then the principal payments due hereunder shall be delayed until October 1.

This Bond has been issued to finance a project within the City's Tax Incremental District No.7, pursuant to Article XI, Section 3 of the Wisconsin Constitution and Section 66.0621, as applicable, of the Wisconsin Statutes and acts supplementary thereto, and is payable only from the income and revenues herein described, which income and revenues have been set aside as a special fund for that purpose and identified as the "Special Redemption Fund" provided for under the Resolution adopted on April 6, 2020, by the Common Council of the City (the "**Resolution**"). This Bond is issued pursuant to the Resolution and pursuant to the terms and conditions of the Tax Incremental District No. 7 Development Agreement dated as of October 17, 2019 between the City and the Developer ("**Development Agreement**"). This Bond does not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation or provision. This Bond shall be payable solely from Available Tax Increment generated by the Increment Property and appropriated by the Common Council to the payment of this Bond (the "**Revenues**") and from Remaining City Loan Payments. Reference is hereby made to the Resolution and the Development Agreement for a more complete statement of the revenues from which and conditions and limitations under which this Bond is payable and the general covenants and provisions pursuant to which this Bond has been issued. The Resolution



and Development Agreement are incorporated herein by this reference. All capitalized terms that are not otherwise defined in this Bond shall take on the meaning given to such terms in the Development Agreement.

If on any Payment Date there shall be insufficient Revenues appropriated and/or from Remaining City Loan Payments to pay the amounts due under this Bond, the amount due but not paid shall be deferred without interest. The deferred principal shall be payable on the next Payment Date to the extent the City has Available Tax Increment until the Final Payment Date (as defined below). The City shall have no obligation to pay any amount of this Bond which remains unpaid after the Final Payment Date. If, in any calendar year, the Revenues exceed the amount payable in that year on the Bond (“**Surplus Increment**”), the City may, subject to appropriation of such payment by the Common Council, apply the Surplus Increment to prepayment of principal on the Bond. The “**Final Payment Date**” is October 1, 2040.

At the option of and in the sole discretion of the City, this Bond is subject to prepayment in whole or in part at any time.

The City makes no representation or covenant, express or implied, that the Available Tax Increment or other Revenues or Remaining City Loan Payments will be sufficient to pay, in whole or in part, the amounts which are or may become due and payable hereunder.

In addition, as provided in Article II of the Development Agreement, the total principal amount to be paid shall in no event exceed Fourteen Million Nine Hundred Fifty Two Thousand and NO/100 Dollars (\$14,952,000). When that amount of Revenues has been appropriated and irrevocably applied to payment of principal of this Bond, the Bond shall be deemed to be paid in full and discharged, and the City shall have no further obligation with respect hereto. Further, as provided in Article VII Section D. of the Development Agreement, the City shall have the right to suspend and, in certain circumstances, terminate payments on this Bond in the event the Developer is in MRO Default under any of the terms and conditions of the Development Agreement.

This Bond is a special, limited revenue obligation and not a general obligation of the City and is payable by the City only from the sources and subject to the qualifications stated or referenced herein. This Bond is not a general obligation of the City, and neither the full faith and credit nor the taxing powers of the City are pledged to the payment of the principal or interest of this Bond. Further, no property or other asset of the City, except the above-referenced Revenues and Remaining City Loan Payments, is, are or shall be a source of payment of the City’s obligations hereunder.

This Bond is issued by the City pursuant to, and in full conformity with, the Constitution and laws of the State of Wisconsin.

This Bond may not be transferred or assigned, in whole or in part, only with the consent of the City; provided however, that this Bond may be freely transferred in conjunction with title to the Property or as otherwise permitted under the Development Agreement, including the collateral assignment of this Bond to the Registered Owner’s construction lender. In order to transfer or assign the Bond, the transferee or assignee shall surrender the same to the City either



### **Schedule 1 of Bond Payment Schedule**

Subject to the City's actual receipt of Available Tax Increment and the terms and conditions of the Development Agreement, the City shall make the following payments on the Bond to the Developer:

<b>Payment Date</b>	<b>Bond Payment</b>
2021 <sup>1</sup>	459,000
2022	765,000
2023	816,000
2024	816,000
2025	816,000
2026	816,000
2027	816,000
2028	816,000
2029	816,000
2030	819,000
2031	720,000
2032	720,000
2033	720,000
2034	720,000
2035	720,000
2036	720,000
2037	720,000
2038	720,000
2039	720,000
2040	720,000
Total	\$14,952,000

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<sup>1</sup> The commencement of payments is subject to the Article II, L of the Developers Agreement

<sup>2</sup> The final payment date is subject to extension as provided for in Article II, L of the Development Agreement.

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <i>4-6-20</i>
<b>REPORTS AND RECOMMENDATIONS</b>	<b>Donations to the Fire Department by Family and Friends in Remembrance of Allison (Allie) Healy in the sum of \$995.00</b>	<b>ITEM NUMBER</b> <i>M.7.</i>
<p>The Franklin Fire Department has received donations from Robert and Mary Healy, and several friends and family members, in remembrance of their daughter Allison (Allie). Allison recently passed away at the age of 29 after a prolonged battle with a chronic medical condition. Her spirit and strength during this harrowing time remains a source of inspiration to the first responders who cared for her, and to all who knew her.</p> <p>The Department intends to use the funds toward community outreach and education.</p>		
<p align="center"><b>COUNCIL ACTION REQUESTED</b></p> <p align="center">Request approval to accept \$995.00 donation in remembrance of Allison Healy.</p>		

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<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> 4-6-20
<b>REPORTS AND RECOMMENDATIONS</b>	<b>Request Council Authorization to Fill an Approved and Budgeted Administrative Chief Position at the Rank of Assistant Chief,</b>	<b>ITEM NUMBER</b> 19.8.
<p>The City's 2020 budget restored an administrative (40 hr) chief position that was forfeited in 2007. This position is intended to strongly focus on Emergency Medical Services (EMS) and Information Technology (IT), and was tentatively approved at the rank of Battalion Chief. The fire chief is requesting Council approval to elevate this FTE to the position of Assistant Chief. There are several advantages to filling the position with a higher level of rank and authority, and this can be done at a lower overall cost due to the difference in the way the different ranks are treated with regard to the Fair Labor Standards Act (FSLA). Essentially, the higher rank would be ineligible for overtime pay, and yet could be used to significantly offset the amount of overtime liability that currently exists largely due to paid time-off benefits (personal holidays, vacation, sick leave, etc.) among both Bargaining Unit and Non-Represented membership. Other advantages include the ability to potentially recruit higher quality and more qualified candidates, and the potential for greater influence on behalf of the City in representing the department in the various councils, committees and operational workgroups which regulate EMS and Emergency Operations in general throughout the region.</p> <p>Please see the included analysis and documentation.</p>		
<p align="center"><b>COUNCIL ACTION REQUESTED</b></p> <p>Request Council Authorization to Fill An Approved and Budgeted Administrative Chief Position at the Rank of Assistant Chief, rather than the lower tentatively approved rank of Battalion Chief.</p>		

## **2020 EMS Administrative Chief Analysis**

### **Background:**

At its November 19<sup>th</sup>, 2019 meeting, the Franklin Common Council approved a 2020 budget proposal authorizing the Franklin Fire Department to restore an administrative chief position that was forfeited in 2007. The department intends to fill this position with a scope of authority strongly oriented towards Emergency Medical Services (EMS) operations and training, Information Technology, and public outreach as the department's designated public information officer (PIO). The position was tentatively approved at the battalion chief rank; however department administration believes that this position can more effectively serve the department and its stakeholders if the position was elevated to the level of assistant chief; and moreover, this can be accomplished at a lower overall cost than the lower ranked battalion chief position.

### **Fire Department Rank Structure:**

Note that FFD does not staff all ranks (those that FFD staffs are highlighted). In larger organizations, it is common to have multiple administrative and operations chiefs (assistant, deputy, and battalion) in charge of specific functions (Fire prevention, Haz-Mat, EMS, Firefighting Operations) or operational groups (shifts or battalions).

Fire Chief

Assistant Chief

Deputy Chief

Division Chief

Battalion Chief

Captain

Lieutenant

Sergeant (becoming less common)

Heavy Equipment Operator

Firefighter/EMT/Paramedic

### **Rank Needs Analysis (Administrative vs. Line):**

The argument will inevitably arise that the department should use the approval of an additional position to start to marginally improve daily staffing at Station #2 by hiring a single "line" firefighter. Department administration believes that with only a single FTE being funded, hiring or promoting an additional chief officer that is not held to the scheduling conditions and restrictions of the Collective Bargaining Agreement (CBA) is a more effective use of the position for a number of reasons. First, a single firefighter – even if one were added to each of the three shift schedules - would not put an additional response unit in service. It would constitute a third person at Station #2. This would marginally improve Station #2's response capability and on-scene effectiveness, and if the department administration had the opportunity to fill an additional position on all three of the shifts, this would likely be the strategy pursued. A single position on only one of the three duty shifts does not substantially impact department



operations or effectiveness, as (with contractual time off allowances guaranteed in the CBA) a third crewmember would be present at Station #2 only 20% to 25% of calendar days. Responses within Station #2's primary response area account for approximately 16% of total annual FD responses, and an additional firefighter assigned to only one of the three shifts would therefore have had the ability to positively impact only 129 of the 647 Station #2 responses in 2019.

By contrast, an administrative chief generally assigned to a regular Monday-through-Friday business hour work schedule would be available and expected to respond city-wide on fire calls and critical EMS incidents such as cardiac arrests and motor vehicle accidents. Historically, approximately 50% of all emergency responses occur between the hours of 6:00 AM and 6:00 PM Monday through Friday. A single administrative staff member not strictly bound by CBA constraints on schedule and hours of work could conceivably be available to respond and contribute toward a positive outcome on nearly half of the over 4,000 citywide emergency incidents annually, as opposed to the small percentage that a single shift line firefighter assigned to Station #2 would impact. Arguably, the administrative chief could potentially contribute at a higher level than the entry level firefighter, due to the nature of the planned position as a teacher, mentor, and supervisor. For fire incidents, the administrative chief would be immediately available to fill critical command structure functions such as operations officer (OPS) or Incident Safety Officer (ISO), that are now the County-wide incident management standard.

The additional administrative chief position, along with the existing assistant chief position would also be used to minimize overtime liability to a considerable extent. When the shift battalion chief is off for whatever reason (Vacation, Holiday, sick leave, injury, etc.) either daily, or on a long-term basis, one of the administrative chiefs would be assigned to cover the AM half of the shift on any weekday (at a minimum), and could potentially be assigned night and weekend hours if necessary, without having to pay an existing officer to fill the vacancy at overtime. The department estimates that this could potentially offset as much as \$30-40,000 in employee overtime costs annually.

#### **Cost Analysis: Assistant vs. Battalion Chief:**

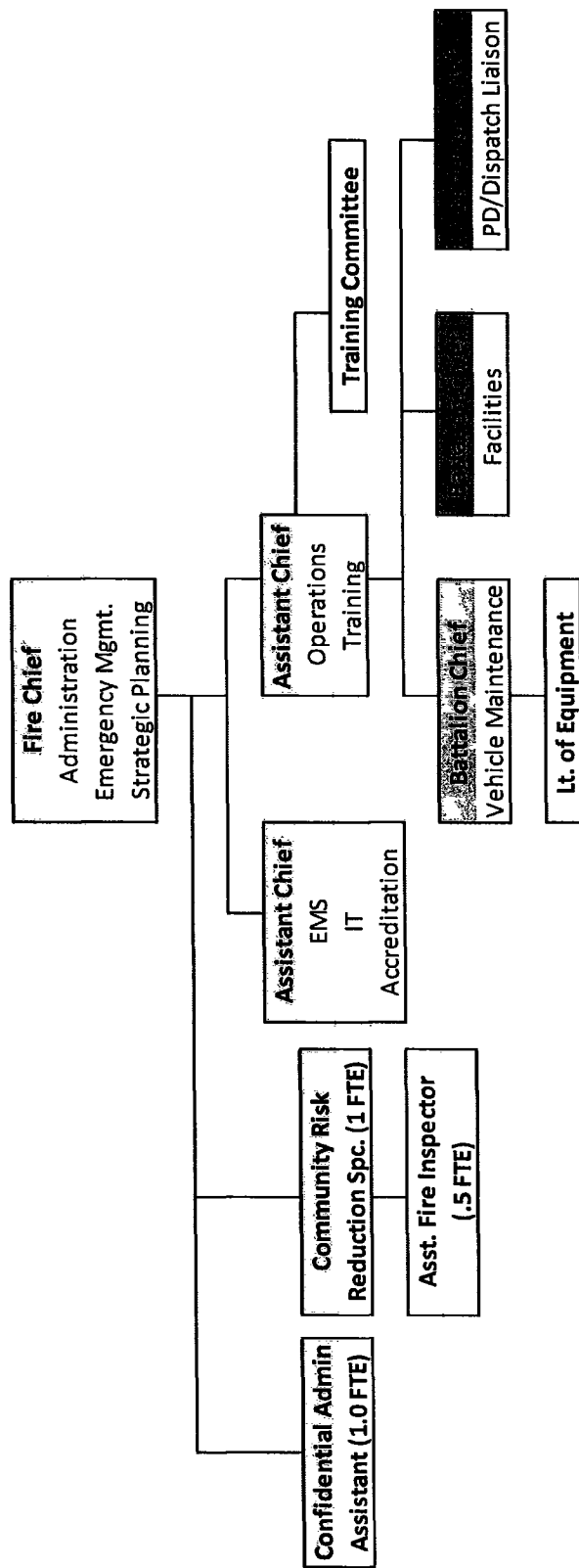
The shift battalion chiefs have historically been treated as non-exempt from the Fair Labor Standards Acts (FSLA), meaning they are paid at overtime (1.5 x hourly rate) when they fill vacancies shifts due to one of the other battalion chiefs being off. It could be argued that the administrative battalion chief could potentially be treated differently than the existing shift BCs and not be considered eligible for overtime pay when required to work additional hours. This argument presents challenges. First, it would be difficult to attract, recruit (whether through promotion or lateral transfer from another department) and retain an employee in a position where they are not eligible for overtime, when the existing candidates (likely current lieutenants) would maintain the capacity to significantly out-earn the administrative battalion chief. In FY 2019 six of the nine current lieutenants significantly out-earned the maximum of 65% of pay range for battalion chief identified in the 2015 classification and compensation study. For a lieutenant promoted into a FSLA exempt battalion chief position this would effectively constitute a significant pay cut, which would be a disincentive to any candidate considering the position. Second, if the administrative battalion chief were used to minimize overtime liability on vacant shift commander positions without being compensated monetarily for the additional work time, it stands to

reason that they would be allowed to take flexible time off. The ability to significantly impact overtime expenditure would therefore result in reduced productivity in his or her primary areas of responsibility. In summary, the battalion chief position – particularly without the overtime pay incentive- would not be attractive enough to lure top quality applicants – either internal or external; and would likely have little potential impact on overtime liability without significantly compromising productivity in primary assigned tasks.

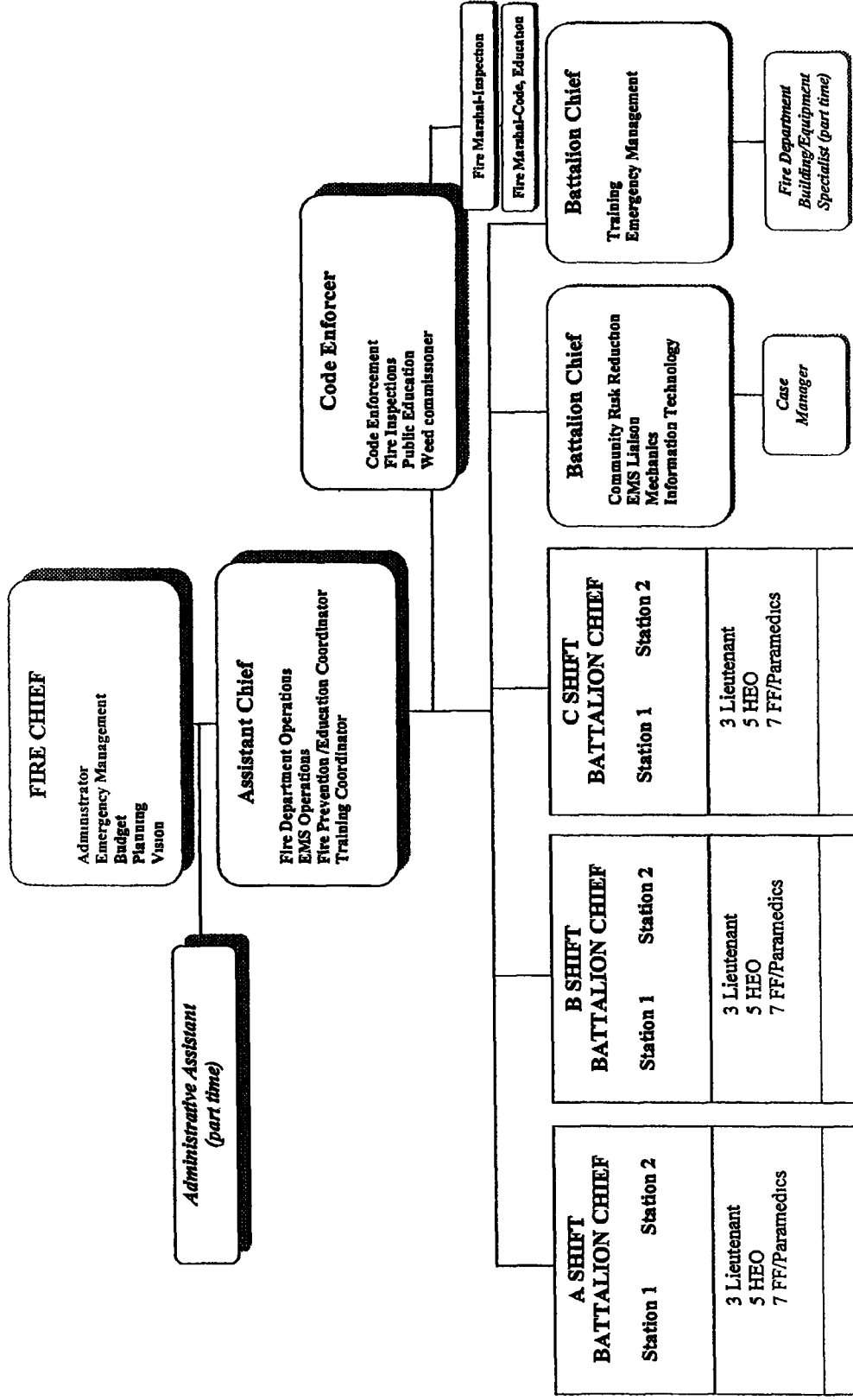
Filling the position at the level of assistant chief has significant advantages from both cost and performance perspectives. First, the position is truly FSLA exempt and if compensated at the maximum of 65<sup>th</sup> percentile of the comparative pay range (approximately \$109,000), this would be well below the average of what the three overtime-eligible Battalion Chiefs earned in FY 2019 (approximately \$131,000); and yet would have the ability to considerably lessen overtime expenditure liability as a whole. Secondly, an Assistant Chief level of rank would carry considerably greater influence in representing the interests of the Franklin Fire Department, the City of Franklin, and its stakeholders in the various committees, subcommittees, workgroups, and boards and councils that regulate EMS provision and operations at the State, County, and local level. An assistant chief could potentially serve as a greater advocate for high quality, “patient-based” healthcare within the system at a time when other agencies are soliciting to make changes to the system that could potentially affect the burden on care providers within the system, and therefore the service that they provide to the patient/customer. In short, the “louder voice” of an assistant chief, rather than a lower ranked position, would allow FFD to continue to positively influence the EMS system in a more effective and consistent manner. Furthermore, it would aid the Department and City in attracting and recruiting the “best and brightest” in their field, in order to maintain a positive, proactive course and secure future for the Department and City.



# **Franklin Fire Department Organizational Chart (Proposed) 04/2020**



# GREENFIELD FIRE DEPARTMENT 2020



## City of Oak Creek 2020 Annual Budget

### Budgeted Personnel Count by Classification

<b>Classification</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Dispatchers	13	13	13	16	16	16
Dispatch Supervisor	1	1	1	2	2	2
Admin Executive Assistant	1	1	1	1	1	1
Mechanic	0	0	0	0	0	1
Mechanic-Part-time	2	2	2	2	2	0
Part Time Community Resource	1	1	1	1	1	1
Part Time Police Aide	3	3	3	3	2	2
Part Time Custodian	4	4	4	4	0	0
Part Time Crime Analyst	0	0	0	0	0	0
Part Time Evidence Room Technician	1	1	1	1	1	1
Court Liason	0	0	0	0	1	1
Part Time Student	1	1	1	1	1	1
<b>TOTAL FULL TIME</b>	<b>76</b>	<b>76</b>	<b>76</b>	<b>84</b>	<b>86</b>	<b>87</b>
<b>MUNICIPAL COURT</b>						
Municipal Judge	1	1	1	1	1	1
Court Clerks	2	2	2	2	2	2
Part Time Clerical	1	1	1	1	1	1
<b>FIRE DEPARTMENT</b>						
Chief	1	1	1	1	1	1
Assistant Chief	1	1	1	2	2	2
Battalion Chiefs	4	4	4	3	3	3
Lieutenant	9	9	9	9	9	9
Firefighter	36	36	36	37	37	37
Fire Inspector	1	1	1	1	1	1
Admin Executive Assistant	1	1	1	1	1	1
Part Time Clerical	1	1	1	1	1	1
Part Time Mechanic	1	1	1	1	1	1
<b>TOTAL FULL TIME</b>	<b>53</b>	<b>53</b>	<b>53</b>	<b>54</b>	<b>54</b>	<b>54</b>
<b>LIBRARY</b>						
Library Director	1	1	1	1	1	1
Assistant Library Director	1	1	1	1	1	1
Children's Librarian	1	1	1	1	1	1
Young Adult Librarian	0	0	0	1	1	1
Reference Librarian	2	2	2	1	2	2
Circulation Supervisor	0	0	0	1	1	1
Part Time Library Associate	0	0	0	1	1	1
Part Time Administrative Support	1	1	1	1	1	1
Part Time Aides	7	7	7	7	7	7
Part Time Reference Librarian	6	6	6	5	4	4
Part Time Page	10	10	10	5	5	5
Part Time Intern	0	0	0	1	0	0
<b>TOTAL FULL TIME</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>7</b>	<b>7</b>

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<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>04/06/20</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p>A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 4915, PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN</p> <p>(STEVEN D. WIEDENFELD, APPLICANT) (AT 4890 WEST HUNTING PARK DRIVE)</p>	<p>ITEM NUMBER</p> <p><i>M.G.</i></p>
<p>On March 19, 2020, the Plan Commission carried the following motion:</p> <p><i>A motion to recommend denial of the Certified Survey Map application as the map provides for a lot of less than 40,000 square feet in area for which public water supply is required pursuant to the Unified Development Ordinance §15-2.0103B.3.b., and public water supply is not available to serve the property.</i></p> <p>Staff is recommending denial of this Certified Survey Map request for the reasons outlined in the report to the Plan Commission.</p> <p>However, if the Common Council wishes to approve the proposed CSM, staff recommends several conditions of approval contained in the attached draft resolution.</p> <p><b>COUNCIL ACTION REQUESTED</b></p> <p>A motion to reject the Certified Survey Map application as the map provides for a lot of less than 40,000 square feet in area for which public water supply is required pursuant to the Unified Development Ordinance §15-2.0103B.3.b., and public water supply is not available to serve the property.</p> <p>OR</p> <p>A motion to adopt Resolution No. 2020-_____, a Resolution conditionally approving a 2 lot Certified Survey Map, being a redivision of parcel 1 of Certified Survey Map no. 4915, part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Steven D. Wiedenfeld, applicant) (at 4890 West Hunting Park Drive).</p>		



STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 3-10-20]*

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 4915, PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN  
(STEVEN D. WIEDENFELD, APPLICANT)  
(AT 4890 WEST HUNTING PARK DRIVE)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a redivision of Parcel 1 of Certified Survey Map No. 4915, part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 4890 West Hunting Park Drive, bearing Tax Key No. 834-0018-001, Steven D. Wiedenfeld, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Steven D. Wiedenfeld, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the

STEVEN D. WIEDENFELD – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 2

*City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Steven D. Wiedenfeld, successors and assigns, and any developer of the Steven D. Wiedenfeld 2 lot certified survey map project, 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, 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.
5. The approval granted hereunder is conditional upon Steven D. Wiedenfeld and the 2 lot certified survey map project for the property located at 4890 West Hunting Park Drive: (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.
6. Prior to recording the Certified Survey Map, the applicant shall request that the City extend public water facilities to serve Lots 1 and 2. If rejected, Lot 2 may be developed with a private well-water system. A statement shall be added to Sheet 1 of the Certified Survey Map to indicate whether the land is being served by public sanitary sewer and water or public sanitary sewer only.
7. The applicant shall revise the Certified Survey Map to address the Milwaukee County Register of Deeds comments in letter dated February 11, 2020, for Department of City Development review and approval, prior to recording of the Certified Survey Map.
8. The applicant shall revise the Certified Survey Map to address the Engineering Department comments in staff memorandum dated February 24, 2020, for Engineering Department review and approval, prior to recording of the Certified Survey Map.
9. Pursuant to Unified Development Ordinance §15-9.0309D., the applicant shall submit a Natural Resource Protection Plan, or a letter from qualified professional stating that no natural resources require protection, for Department of City Development review and approval, prior to recording of the Certified Survey Map.

STEVEN D. WIEDENFELD – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 3

10. The applicant, owner(s) of the property, successors and assigns shall remove any accessory structure located on the proposed lot 2, prior to recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, Steven D. Wiedenfeld Individual Retirement Account No. 1638738, Midland Trust Company as Custodian, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, Steven D. Wiedenfeld Individual Retirement Account No. 1638738, Midland Trust Company as Custodian, with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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



# CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of March 19, 2020

### Certified Survey Map

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**RECOMMENDATION:** Department of City Development staff recommends denial of this Certified Survey Map (CSM) request.

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<b>Project Name:</b>	Steven Wiedenfeld Certified Survey Map
<b>General Project Location:</b>	4890 W. Hunting Park Drive
<b>Property Owner:</b>	Steven Wiedenfeld IRA #1638738 Midland Trust Co. as Custodian
<b>Applicant:</b>	Steven D. Wiedenfeld
<b>Current Zoning:</b>	R-3 Suburban/Estate Single-Family Residence District
<b>2025 Comprehensive Plan:</b>	Single-family residential
<b>Use of Surrounding Properties:</b>	Single-family residential properties zoned R-3.
<b>Applicant's Action Requested:</b>	Approval of Certified Survey Map (CSM).

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Please note:

- Staff recommendations are *underlined, in italics* and are included in the draft resolution
- Staff suggestions are only underlined and are not included in the draft resolution

### INTRODUCTION:

The applicant is requesting a Certified Survey Map (CSM) to subdivide the subject property into 2 residential lots. The area of the property is approximately 1.88 acres, the two resulting lots are 46,150 sf and 35,500 sf in area.

The applicant submitted this CSM application on January 23, 2020. Pursuant to Wisconsin Statutes §236.34(1m)(f), the approving authority (Common Council) shall take action within 90 days of application submittal unless a time extension is granted by the applicant. On February 24, 2020, City Development staff sent review comments to the applicant and scheduled this application to this March 19, 2020, Plan Commission meeting and April 6, Common Council. The 90-day review time frame will expire on April 22, 2020

The property is located in the Hunting Park subdivision, which was platted in 1957. The subject property is parcel 1 of Certified Survey Map No. 4915, recorded on March 3, 1987.

### PROJECT DESCRIPTION AND ANALYSIS:

The subject property is located in the R-3 Suburban/Estate Single-Family Residence District, and the 2 proposed lots meet the districts standards of the R-3 zoning district set forth in the Unified Development Ordinance (UDO) Table 15-3.0203.

On the other hand, per UDO §15-3.0203, the R-3 District is intended to be served by public water and sewer, except for lots served by public sanitary sewer and for which lot the Common Council has denied the extension of public water. This property is served by sewer but not by public water supply, therefore, this CSM is subject to UDO §15-2.0103.B.3b., which states as follows:

***Private Sewer and Water.** In any district where a public water service or public sewage service is not available, the lot width and area shall be determined in accordance with Chapter ILHR 83 of the Wisconsin Administrative Code as amended, but for one-family dwelling lots (1) except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lots of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water shall have a frontage of not less than 150 feet and an area of not less than 40,000 square feet, respectively. In any district where public sewerage service is not available, the width and area of all lots shall be sufficient to permit the use of an on- site sewage disposal system designed in accordance with the Wisconsin Administrative Code, as amended, but not less than the width and size as previously stated [emphasis added]*

The subject property is currently served by private well, the applicant is proposing to serve the newly created lot 2 with private well also.

Staff is recommending denial of this Certified Survey Map request for the following reasons:

1. **Lot width.** Lots 1 and 2 do not meet the minimum lot width of 150 feet, as required by the UDO section cited above. The proposed lot widths are 130 and 100 feet, for lot 1 and lot 2 respectively. Given the current lot width of the subject property (230 feet), it is not possible to further subdivide this property without public water supply.
2. **Lot area.** Lot 2 does not meet the minimum lot area of 40,000 square feet, as required by the UDO section cited above. The proposed lot area for Lot 2 is 35,500 square feet.

Staff acknowledges that some nearby lots which are not served by public water supply have a lot width of 100 feet. However, these land divisions predate the current UDO adopted in 1998, such as CSM No. 4915 recorded in 1987 or CSM No. 5767 recorded in 1992.

#### **STAFF RECOMMENDATION:**

City Development Staff recommends denial of this Certified Survey Map (CSM) for the reasons stated above. However, if the City wishes to approve the proposed CSM, staff recommends several conditions of approval contained in the attached draft resolution.

## MEMORANDUM

Date: February 24, 2020  
To: Steven Wiedenfeld  
From: Department of City Development  
RE: Application for Certified Survey Map (CSM) – 4890 W Hunting Park Dr

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Staff comments are as follows for a Certified Survey Map application submitted on January 23, 2020, to subdivide the subject property into 2 lots.

### **City Development Department comments**

1. Even though the 2 proposed lots meet the districts standards of the R-3 Suburban/estate Single-family Residence District set forth in the Unified Development Ordinance (UDO) Table 15-3.0203, this property is not served by public water supply. Therefore, this CSM is subject to UDO §15-2.0103.B.3b., which states as follows:

*Private Sewer and Water. In any district where a public water service or public sewage service is not available, the lot width and area shall be determined in accordance with Chapter ILHR 83 of the Wisconsin Administrative Code as amended, but for one-family dwelling lots (1) except those lots which were lot(s) of record existing prior to the effective date of the Unified Development Ordinance on August 1, 1998, and (2) those lots of record created by minor division, which lot(s) of record created by minor division are served by public sanitary sewer and for which lot(s) the Common Council on or after August 1, 1998, has denied the extension of public water shall have a frontage of not less than 150 feet and an area of not less than 40,000 square feet, respectively. In any district where public sewerage service is not available, the width and area of all lots shall be sufficient to permit the use of an on- site sewage disposal system designed in accordance with the Wisconsin Administrative Code, as amended, but not less than the width and size as previously stated. [emphasis added]*

Lot 2 does not meet the minimum lot area and width cited above, and lot 1 meets the minimum lot area but does not meet the minimum lot width. Given the current lot width of the subject property (230 feet), it is not possible to further subdivide this property without public water supply.

### **Inspection Services Department comments**

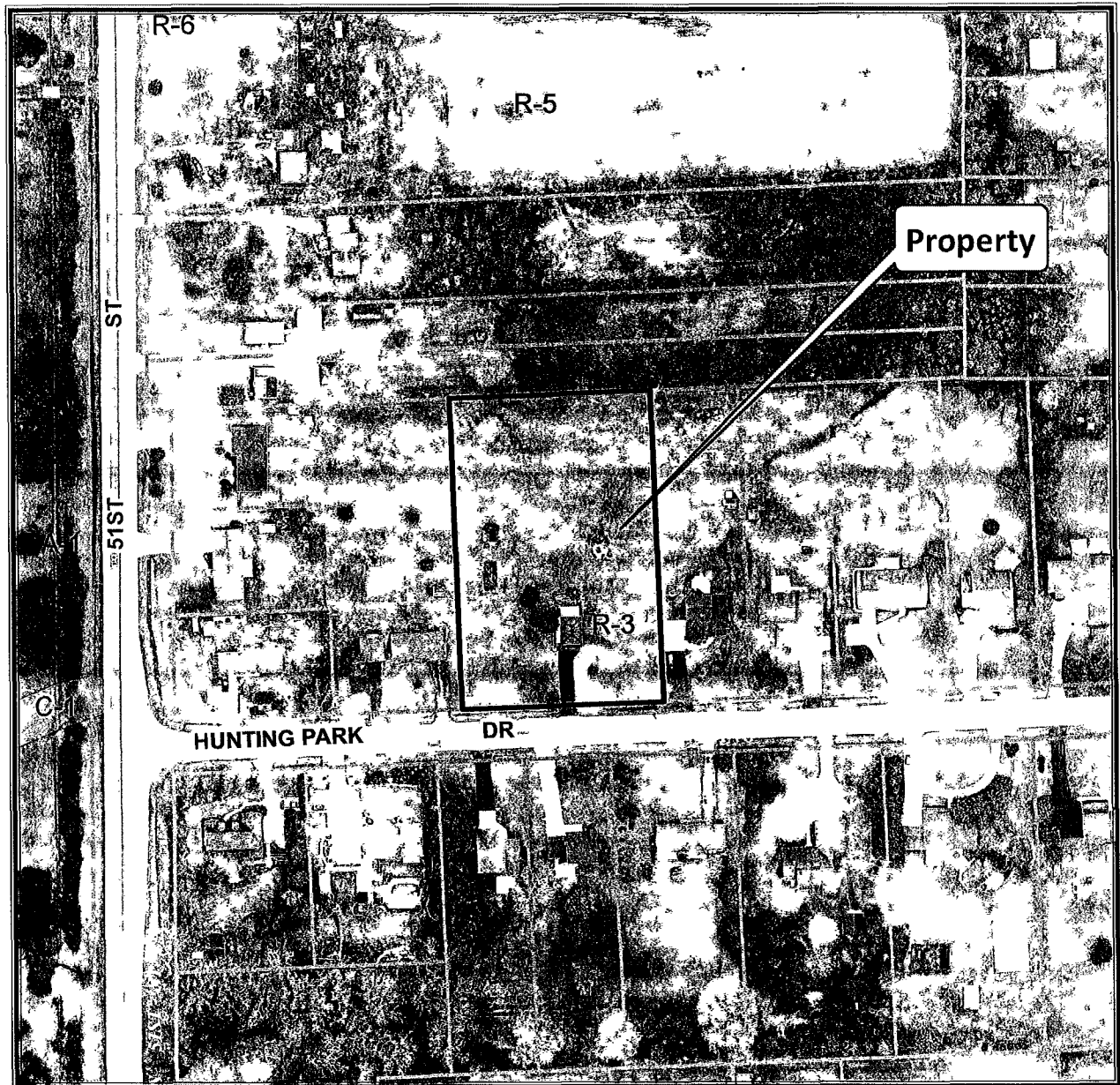
2. My only comment on this proposal would be that, if approved, they would have to remove the accessory structure on the vacant lot. The UDO does not permit an accessory structure to be placed on a property without the principal structure first being present.

### **Engineering Department comments**

3. *Must request the Common Council to extend the water main if denied, then the private well is permitted* (as long as the proposed lots comply with UDO §15-2.0103.B.3b).
4. Must show another side offset distance from the northwest corner house to the property line.



4890 W. Hunting Park Drive  
TKN: 834 0018 001



Planning Department  
(414) 425-4024

0 110 220 440 Feet



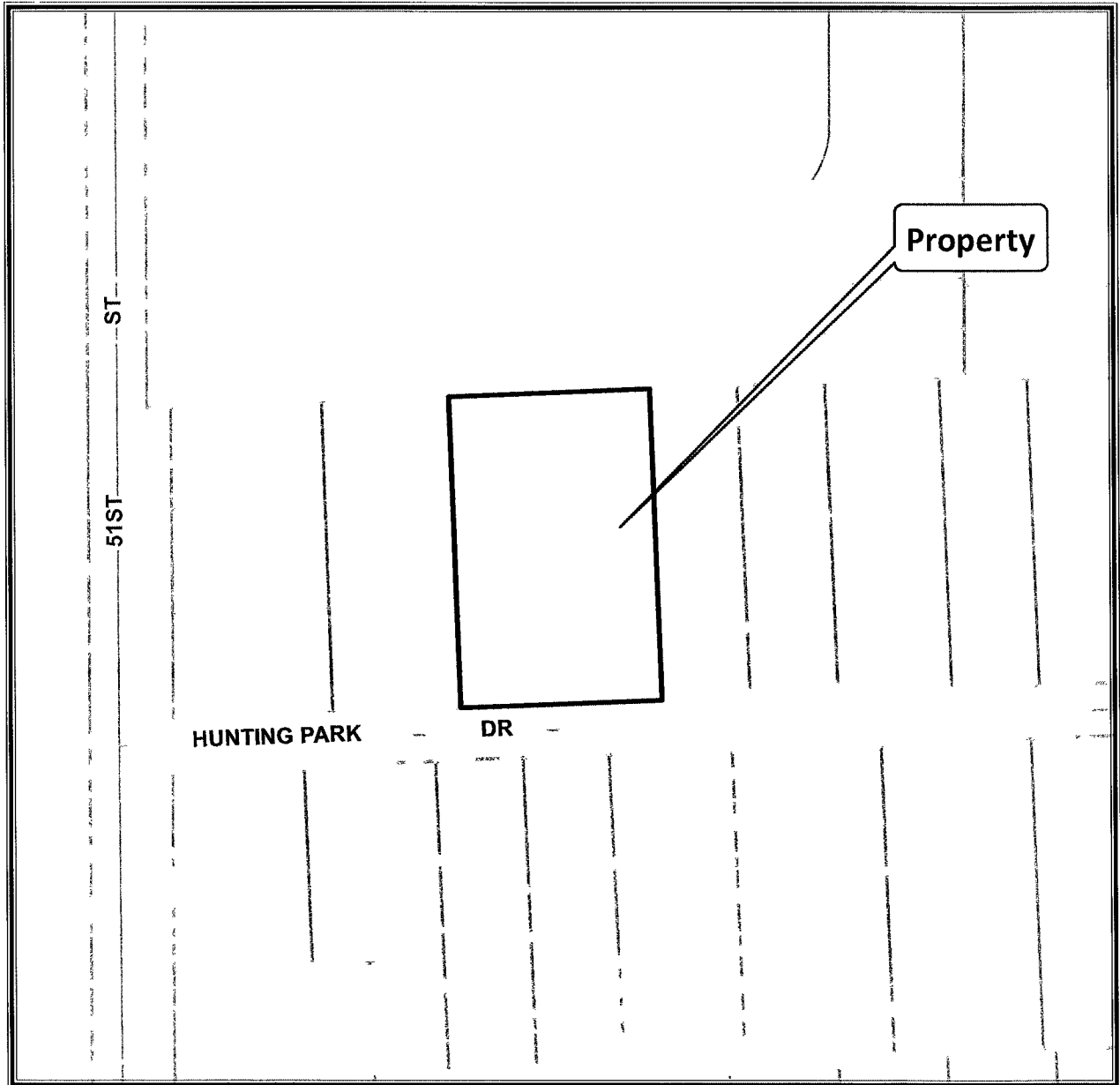
2017 Aerial Photo

*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.*





4890 W. Hunting Park Drive  
TKN: 834 0018 001



Planning Department  
(414) 425-4024

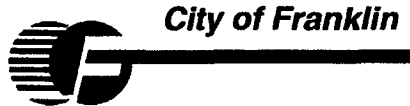
0 110 220 440 Feet



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.*

Planning Department  
9229 West Loomis Road  
Franklin, Wisconsin 53132  
Email [generalplanning@franklinwi.gov](mailto:generalplanning@franklinwi.gov)



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

Date of Application: \_\_\_\_\_

## CERTIFIED SURVEY MAP (CSM) APPLICATION

Complete, accurate and specific information must be entered. **Please Print.**

### Applicant (Full Legal Name(s))

Name Steven D Wiedenfeld  
Company \_\_\_\_\_  
Mailing Address N64W34895 Road J  
City / State Oconomowoc, WI Zip 53066  
Phone 414-617-7653  
Email Address swiedenfeld@shorewest.com

### Applicant is Represented by. (contact person)(Full Legal Name(s))

Name Steven D Wiedenfeld  
Company \_\_\_\_\_  
Mailing Address N64W34895 Road J  
City / State Oconomowoc, WI Zip 53066  
Phone 414-617-7653  
Email Address swiedenfeld@shorewest.com

### Project Property Information.

Property Address 4890 W Hunting Park Drive  
Property Owner(s) Steven Wiedenfeld IRA #1638738  
Midland Trust Company as Custodian  
Mailing Address N64W34895 Road J  
City / State Oconomowoc, WI Zip 53066  
Email Address swiedenfeld@shorewest.com

Tax Key Nos 8340018001  
Existing Zoning R3 Single-Family Residence District  
Existing Use Single-Family Residence  
Proposed Use Create a new lot by splitting property  
CMP Land Use Identification \_\_\_\_\_

\*The 2025 Comprehensive Master Plan Future Land Use Map is available at <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>

Certified Survey Maps shall be prepared as provided in § 236.34 (1m) (c) Wis. Stats. and Division 15-7.0700 of the Unified Development Ordinance.

### Certified Survey Map submittals for review must include and be accompanied by the following:

- ☒ Milwaukee County Review Fee, payable to Milwaukee County Register of Deeds \$75
  - ☒ Two (2) original map copies for Milwaukee County review, prepared at 8-1/2" wide by 14" long on durable white paper
- ☒ This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- ☒ Application Filing Fee, payable to City of Franklin \$1,500
- ☒ Seven (7) complete sets of Application materials, for City of Franklin review to include
  - ☒ Project Summary *a written detailed description of the project* One (1) original and six (6) copies
  - ☒ Map Copies One (1) original map copy and six (6) map copies prepared at 8-1/2" wide by 14" long and must be clearly legible
- ☐ As may be required, seven (7) copies of a "Natural Resource Protection Plan and "Landscape Plan" for any landscape bufferyard easement areas
- ☐ If applicable, three (3) copies of the Natural Resource Protection report (see Division 15-9 0309D of the UDO)
- ☐ If applicable, one copy of the Site Intensity and Capacity Calculations (see Division 15-3 0500 of the UDO)
- ☒ Email (or CD ROM) with all plans and submittal materials in Adobe PDF (May be waived by City Planner)

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- All Certified Survey Map requests require Plan Commission review and Common Council approval
- All Certified Survey Map requests shall comply with Chapter 236 of the Wisconsin State Statutes

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

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

Signature - Property Owner

Name & Title (PRINT)

Date 1-23-2020

Signature - Applicant

Name & Title (PRINT)

Date \_\_\_\_\_

Signature - Property Owner

Name & Title (PRINT)

Date \_\_\_\_\_

Signature - Applicant's Representative

Name & Title (PRINT)

Date \_\_\_\_\_

written detail description of the project

4890 W Hunting Park Drive Franklin WI 53132

We are looking to create a new lot by splitting the property located at 4890 W Hunting Park Drive.

The new lot would be served by sanitary sewer. We are asking if the new lot can be developed with a private well-water system.

Metropolitan Survey Service completed a proposed Certified Survey Map. According to the proposed Certified Survey Map the correct single-family residence district development standards are met.

Prior to submitting the proposed Certified Survey Map to the City of Franklin to start the review process we want to find out if the lot can be developed with a private well-water system.

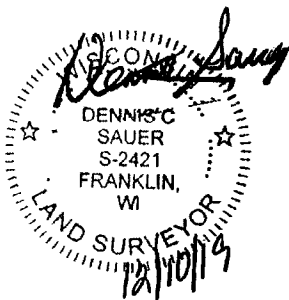
*Spilner* 1-23-2020  
STEVEN D. WIEDENFELD



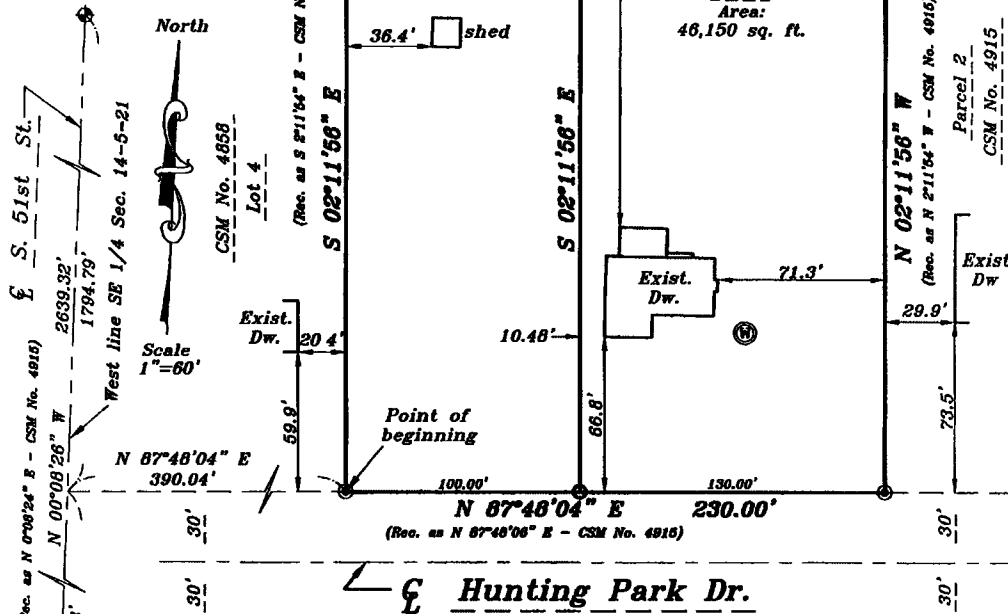
4890 W Hunting Park Drive Sewer

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a redivision of Parcel 1 of Certified Survey Map No. 4915, part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



NW Cor.  
SE 1/4  
Sec. 14-5-21  
(conc mon.  
w/brass cap)  
N= 332,482.04  
E=2,541,218.01



SW Cor  
SE 1/4  
Sec 14-5-21  
(conc. mon.  
w/brass cap)  
N= 329,842.90  
E=2,541,224.49

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a redivision of Parcel 1 of Certified Survey Map No. 4915, part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
MILWAUKEE COUNTY) SS


I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:  
That I have surveyed, divided and mapped, a redivision of Parcel 1 of Certified Survey Map No. 4915, part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; bounded and described as follows: Commencing at the Southwest corner of said Southeast 1/4; thence N 00°08'26" W, 844.53 feet; thence N 87°48'04" E, 390.04 feet to a point at the Southwest corner of said Certified Survey Map; said point being the point of beginning of the lands to be described; thence continuing N 87°48'04" E, 230.00 feet; thence N 02°11'56" W, 355.00 feet; thence S 87°48'04" W, 230.00 feet; thence S 02°11'56" E, 355.00 feet to the point of beginning. Said lands contain 81,650 square feet (1.87 acres).

That I have made such survey, land division and map by the direction of Midland IRA, Inc., owner of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code in surveying, dividing and mapping the same.

December 10, 2014  
Date

  
\_\_\_\_\_  
Dennis C. Sauer  
Professional Land Surveyor S-2421



PREPARED FOR:  
Steve Wiedenfeld  
9267 S 54<sup>th</sup> Street  
Franklin, WI 53132

PREPARED BY: Dennis C. Sauer  
Metropolitan Survey Service, Inc.  
9415 West Forest Home Avenue  
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a redivision of Parcel 1 of Certified Survey Map No. 4915, part of the Southwest 1/4 of the Southeast 1/4 of Section 14, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

Midland IRA, Inc, as owner, do hereby certify that we have caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 236.34 of the Wisconsin State Statutes and Unified Development Ordinance - Division 15, of the City of Franklin Municipal Code.

WITNESS the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Steven D. Wiedenfeld, FBO

STATE OF WISCONSIN)  
Milwaukee COUNTY) SS

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Steven D. Wiedenfeld, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

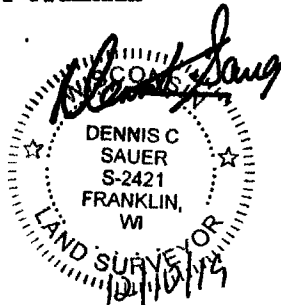
\_\_\_\_\_  
Notary Public  
State of Wisconsin  
My Commission Expires: \_\_\_\_\_

COMMON COUNCIL APPROVAL

APPROVED and accepted by the Common Council of the City of Franklin, Resolution No. \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Stephen R. Olson, Mayor  
City of Franklin

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





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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND AND SANITARY SEWER FUND TO PROVIDE \$670,000 OF GENERAL FUND AND \$175,000 OF SANITARY SEWER FUND ADDITIONAL APPROPRIATIONS AS EXTRAORDINARY CONTRIBUTIONS TO THE PUBLIC WORKS DEFINED BENEFIT RETIREMENT INCOME PLAN	ITEM NUMBER <i>10.</i>

### **Background**

The City sponsors a defined benefit retirement plan for the formerly represented Public Works employees. That plan was closed at December 31, 2018 to new participants, when the City joined the Wisconsin Retirement System for all employees. Public Works employees employed on December 31, 2018 had the option of remaining in the Public Works Defined Benefit Retirement Income Plan (PW-DB) or join WRS.

The PW-DB plan is administered by Principal Insurance Company, who also Advises the Plan with respect to Investing the assets and makes the Actuarial studies on plan benefits. The City requested Principal to guarantee retirees their lifetime benefit once a participant begins to draw benefits. In exchange for that guarantee, the City agreed to maintain plan assets at certain levels with respect to the guaranteed benefits. With the recent equity market declines, plan assets have fallen below those targeted levels, and Principal has requested additional assets be placed in the plan. Plan assets have grown over the years as follows:

Dec 2015	\$7.15 mil
Dec 2016	\$7.19 mil
Dec 2017	\$7.58 mil – a \$900,000 extraordinary contribution made in 2017
Dec 2018	\$9.69 mil
Dec 2019	\$10.59 mil
Mar 13, 2020	\$8.87 mil

Markets have been rather volatile during March 2020, such that asset values have fallen below the required levels and Principal is requesting an extraordinary contribution. The asset shortage reported by date was:

\$750,000 on March 13, 2020	when assets were \$8.8 million to
\$1,154,000 on March 24,	and back to
\$439,000 on March 27	as assets grew back to \$9.70 million
\$409,000 EXCESS assets	as of April 1

Staff has been in discussions with Principal since the March 13 request. The asset shortage has been as volatile as the market. As noted above the request has varied considerably during recent weeks.

When the required asset level is below that required by the guarantee agreement, Principal has the right to purchase annuities for benefiting employees, using assets from the plan. The cost of those annuities is greater than the current level of plan assets for those same participants. That would further deplete plan assets and increase future annual actuarially determined contributions (\$251,009 in 2019). It would not be in the City's best interest to have this happen.

### **Analysis**

Covered employees span the General Fund, the Sanitary Sewer Fund and the Water Fund, each of those funds would bear a portion of any contribution. (The General Fund - 67%, the Sewer Fund -17.5% and the Water Fund - 15.5%).

After the March 24<sup>th</sup> request came in, staff committed to requesting a \$1 million total contribution now, with an understanding that another look at the situation would be appropriate in 90 to 180 days, when, hopefully the markets stabilize.

The City generated a \$1.3 million General Fund surplus in 2019, when none was planned. That surplus pushed the General Fund balance to 33.6% of 2019 expenditures. The City's Fund Balance policy recommends this ratio to be between 15 & 30%. A value in excess of the upper range indicates that some action is recommended to reduce the fund balance. An extraordinary contribution to aid the PW-DB plan asset values would be an appropriate use of that excess.

The City created a \$1,335,000 Restricted Contingency for 2020, for two purposes – 1) to deal with any Emergency that may come along and 2) to preserve expenditure restraint amounts to continue qualification under a state shared revenue program. Any use of the Restricted Contingency would push the General Fund into a deficit for the year. Earlier this year, the Council moved \$250,000 of the Restricted Contingency into a Health Emergency contingency fund, using up that portion of the 2019 surplus.

A \$1 million extraordinary contribution to the PW-DB plan would entail a \$670,000 General Fund appropriation, a \$175,000 Sanitary Sewer appropriation and a \$155,000 contribution from the Water Utility (a policy decision by the Board of Water Commissioners). Should the proposed Budget amendment be adopted, the Restricted Contingency would be \$415,000 (\$1,335,000 less \$250,000 less \$670,000 = 415,000)

### **Recommendation**

Staff is recommending that a 2020 Budget amendment be adopted providing for a \$1 million extraordinary contribution to the PW-DB plan, but that the Council only authorize \$750,000 at this time. The situation could be re-examined at a later date to address any new asset value decline that might develop then.

### **COUNCIL ACTION REQUESTED**

Motion adopting an ordinance to amend Ordinance 2019-2398, an Ordinance adopting the 2020 annual budgets for the General Fund and Sanitary Sewer Fund to provide \$670,000 of General Fund and \$175,000 of Sanitary Sewer Fund additional appropriations as extraordinary contributions to the Public Works Defined Benefit Retirement Income Plan

### **And a**

Motion directing the Director of Finance & Treasurer to make a maximum \$750,000 extraordinary contribution to the Public Works Defined Benefit Retirement Income Plan as soon as practical in satisfaction of an asset call from the Plan custodian.

Roll Call Vote Required

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2020\_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING  
THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND AND SANITARY SEWER  
FUND TO PROVIDE \$670,000 OF GENERAL FUND AND \$175,000 OF SANITARY  
SEWER FUND ADDITIONAL APPROPRIATIONS AS AN EXTRAORDINARY  
CONTRIBUTION TO THE PUBLIC WORKS DEFINED BENEFIT RETIREMENT INCOME  
PLAN

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WHEREAS, the Common Council of the City of Franklin adopted the 2020 Annual Budgets for the City of Franklin on November 19, 2019; and

WHEREAS, the City of Franklin sponsors a Public Works Defined Benefit Retirement Income plan; and

WHEREAS, a Public Health Emergency has caused a United State Equity market precipitous decline adversely affecting the assets of the Plan; and

WHEREAS, The City has agreed with the Plan custodian to maintain certain asset levels to secure benefits of the Plan for retired Public Works employees; and

WHEREAS, the City generated an unexpected \$1.3 million General Fund surplus for fiscal 2019 that moved the General Fund balance above the upper recommended limit per the City's Fund Balance policy; and

WHEREAS, the General Fund has sufficient resources to make a \$670,000 extraordinary contribution to the Public Works Defined Benefit Retirement Income Plan; and

WHEREAS, the Sanitary Sewer Fund has sufficient resources to make a \$175,000 extraordinary contribution to the Public Works Defined Benefit Retirement Income plan; and

WHEREAS, the Common Council believes it in the best long-term interests of the covered Public Works employees and the taxpayers of the City of Franklin.

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

Section 1 That the 2020 Budget for the General Fund be amended as follows:

Muni Buildings	Personnel Expense	Increase	\$40,000
Highway	Personnel Expense	Increase	\$630,000

Section 2 That the 2020 Budget for the Sanitary Sewer Fund be amended as follows:

Personnel Expense	Increase	\$175,000
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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 \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

## Paul Rotzenberg

---

**From:** Eastvold, Tori <Eastvold.Tori.A@principal.com>  
**Sent:** Thursday, April 2, 2020 10:16 AM  
**To:** Paul Rotzenberg  
**Cc:** Miller, Benjamin; Rasey, Bryan  
**Subject:** RE: Benefit Index Call 455559 - Franklin

Good Morning Paul,

I hope you are well. Here are the updated benefit index numbers as of 04.01.2020. Currently assets are now exceeding the benefit index.

Total Assets: \$8,980,911.19  
Benefit Index: \$8,572,458.09

*409,000 Excess Assets*

Effective 03.28.2020 interest rates increased which resulted in benefit index liabilities decreasing. That is reflected in the numbers above. As you know this is ever changing and I will keep you informed. If you have additional questions for me, please let me know.

Thank you,

Tori Eastvold | Client Service Manager  
Retirement Client Services  
Principal | Des Moines, IA 50309  
Ph: 1.800.543.4015 ext. 24879  
Fax: 866.704.3481

Classification: Customer Confidential

**From:** Paul Rotzenberg <PRotzenberg@franklinwi.gov>  
**Sent:** Friday, March 27, 2020 9:43 AM  
**To:** Eastvold, Tori <Eastvold.Tori.A@principal.com>  
**Cc:** Miller, Benjamin <Miller.Benjamin@principal.com>; Rasey, Bryan <Rasey.Bryan@principal.com>  
**Subject:** [External] RE: Benefit Index Call 455559 - Franklin

This will be bouncing around for a while, which I believe we both understand.

Our Council agenda are need by 9 am Fri morning – would you please mark your calendar for an update on Thurs morning – April 2?

Thanks

**Paul Rotzenberg, CPA**  
Dir of Finance & Treasurer  
City of Franklin, WI  
414 427-7514

## Paul Rotzenberg

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**From:** Dana Zahn  
**Sent:** Tuesday, March 17, 2020 4:09 PM  
**To:** Paul Rotzenberg  
**Subject:** FW: Benefit Index exceeds assets - Contract 455559

Please see below. Not sure if we have a payment scheduled soon???

Dana Zahn  
Human Resources Coordinator  
City of Franklin  
414-427-7505

**From:** Tori Eastvold <eastvold.tori.a@principal.com>  
**Sent:** Tuesday, March 17, 2020 4:08 PM  
**To:** Dana Zahn <DZahn@franklinwi.gov>  
**Cc:** rasey.bryan@principal.com; crandall.mark@principal.com  
**Subject:** Benefit Index exceeds assets - Contract 455559

*\$ 750,503 SHORT*

Hi Dana,

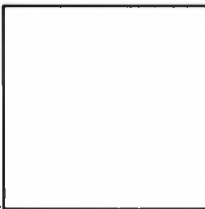
I wanted to reach out to you today regarding City of Franklin's Defined Benefit plan. As of 03.16.2020 the benefit index is \$9,621,852.30 and the total assets of the plan were \$8,871,349.78. With the benefit index exceeding the assets, a deposit will need to be made to the plan.

If you have any questions regarding this or would like to schedule a time to talk through this, please let me know.

Thank you,

Tori Eastvold | Client Service Manager  
Retirement Client Services  
Principal | Des Moines, IA 50309  
Ph: 1.800.543.4015 ext. 24879

Fax: 866.704.3481



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-----Message Disclaimer-----

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Nothing in this message is intended to constitute an Electronic signature for purposes of the Uniform Electronic



APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Apr 6, 2020
REPORTS & RECOMMENDATIONS	DIRECT STAFF TO APPLY FOR A FEMA GRANT AS A RESULT OF THE PUBLIC HEALTH EMERGENCY	ITEM NUMBER <i>M.11.</i>
<p><b><u>Background</u></b></p> <p>Both the Governor of Wisconsin and the President of the United States have declared a Public Health emergency. That declaration causes the City to be eligible to make claims upon Federal Emergency Management Administration (FEMA) thru the Wisconsin Department of Homeland Security for extra costs incurred as a result of the declaration. The application has a deadline of April 12, 2020.</p> <p><b><u>Analysis</u></b></p> <p>While the costs of the emergency as unknown as of this date, the City is dedicating resources (an ambulance unit serving all of Milwaukee County, jointly staffed by Franklin personnel and other Milwaukee County first responders, additional staff time, unusual supplies costs as well as incurring extraordinary employee sick benefits as a result of the emergency. Those costs are potentially recoverable from FEMA, but only if an application is timely filed by April 12, 2020.</p> <p style="text-align: center;"><b>COUNCIL ACTION REQUESTED</b></p> <p>Motion directing the Director of Finance &amp; Treasurer to file a timely application for Federal Emergency Management Administration disaster aid with the appropriate Wisconsin agency in relation to the Public Health Emergency declared earlier in March 2020.</p>		

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE  04/06/20
REPORTS & RECOMMENDATIONS	A RESOLUTION CONDITIONALLY APPROVING A FINAL PLAT FOR OAKES ESTATES SUBDIVISION (AT APPROXIMATELY SOUTH 92ND STREET AND WEST WOELFEL ROAD) (MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES ESTATES LLC, APPLICANT)	ITEM NUMBER  <i>4.12.</i>

On March 19, 2020, the Plan Commission carried the following motion:

*A motion to recommend approval of a Resolution conditionally approving a Final Plat for Oakes Estates subdivision (at approximately South 92nd Street and West Woelfel Road).*

#### **COUNCIL ACTION REQUESTED**

A motion to adopt Resolution No. 2020-\_\_\_\_\_, a Resolution conditionally approving a Final Plat for Oakes Estates subdivision (at approximately South 92nd Street and West Woelfel Road), (Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, applicant).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 3-10-20]*

RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A  
FINAL PLAT FOR OAKES ESTATES SUBDIVISION  
(AT APPROXIMATELY SOUTH 92ND STREET AND WEST WOELFEL ROAD)  
(MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES  
ESTATES LLC, APPLICANT)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a final plat for Oakes Estates Subdivision, such plat being part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, more specifically, of the property located at approximately South 92nd Street and West Woelfel Road [the Preliminary Plat includes a 20 lot subdivision with 16 single-family residence lots and 4 outlots proposed for stormwater management (Outlots No. 1 and No. 4) and to accommodate wetlands and wetland buffer areas (Outlots No. 2 and No. 3), average lot size 0.79 acres (34,412 square feet) (R-3E zoning district requires a minimum of 0.57 acres per lot size (25,000 square feet)) [the subdivision plat connects South Cambridge Drive, from north to south and the plat connects South 92nd Street with Warwick Way, from west to east]], bearing Tax Key No. 754-9998-000, Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, applicant; said Final Plat having been reviewed by the City Plan Commission following the reviews and recommendations or reports of the City Planning Department and the City Engineering Department, and the Plan Commission having recommended approval thereof at its meeting on March 19, 2020, pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed final plat is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Final Plat of Oakes Estates Subdivision, as submitted by Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, and that all minor technical deficiencies within the Final Plat be rectified, all prior to the recording of the Final Plat.
2. That all land development and building construction permitted or resulting under this

MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES ESTATES LLC - FINAL  
PLAT FOR OAKES ESTATES SUBDIVISION  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 2

Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Pursuant to §236.13(1) and (2), Stats., pertaining to conditions of plat approval and the provision of public improvements reasonably necessary, respectively, and §§15-8.0101 and 15-2.0303 of the Unified Development Ordinance, pertaining to required improvements and the financial security to be provided therefore as conditions of plat approval, the required improvements prescribed in the Unified Development Ordinance for land divisions are required as a condition of the approval of the Final Plat for Oakes Estates Subdivision; a Subdivision Development Agreement (“Subdivider’s Agreement”), as may be approved by the Common Council upon the recommendation of the City Engineer and as secured by a letter of credit in form as approved by the City Attorney, shall provide for the furnishing, construction and installation of the required improvements and such other matters as set forth therein, and shall be entered into and executed by Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC prior to the recording of the Final Plat.
4. Each and any easement shown on the Final Plat shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Final Plat.
5. That any and all submissions, reviews and approvals, for any and all matters required to be submitted, reviewed and/or approved within the final plat application process as specified within the Unified Development Ordinance, which may not have been submitted, reviewed and/or approved as of the date of adoption of this Resolution, if any, including for matters of utility easements, a declaration of deed restrictions and protective covenants, conservation easements, other public purpose easements, stormwater management agreements, and homeowners’ association legal instruments, shall be so submitted, reviewed and/or approved, prior to the recording of the Final Plat.
6. Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC, successors and assigns and any developer of the Oakes Estates 16 lot and 4 outlot single-family residential subdivision development shall pay to the City of Franklin the amount of all

MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES ESTATES LLC - FINAL  
PLAT FOR OAKES ESTATES SUBDIVISION  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 3

development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Oakes Estates 16 lot and 4 outlot single-family residential subdivision 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.

7. The approval granted hereunder is conditional upon Maxwell J. Oakes and Daniel D. Oakes-Oakes Estates LLC and the Oakes Estates 16 lot and 4 outlot single-family residential subdivision development project for the property located at approximately South 92nd Street and West Woelfel Road: (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.
8. The Oakes Estates 16 lot and 4 outlot single-family residential subdivision development project shall be developed in substantial compliance with the terms and provisions of this Resolution.
9. Any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.
10. The applicant shall submit a certification letter issued by the State of Wisconsin Department of Administration (DOA) to the Department of City Development prior to the recording of the Final Plat.
11. The applicant shall revise the Final Plat to address Milwaukee County Register of Deeds comments, prior to the recording of the Certified Survey Map.
12. The applicant shall address the Engineering Department comments in staff memorandum dated March 3, 2020, for Engineering Department review and approval, prior to the recording of the Final Plat.
13. Final Engineering Department approval of the grading, erosion control and storm water management plan is required prior to recording the Final Plat.
14. Final Engineering Department approval of sewer and water extensions is required prior to recording the Final Plat.
15. Pursuant to Sections 15-2.0303 and 15-8.0101 of the UDO, a Subdivision Development Agreement and associated letter of credit (to ensure the proper

MAXWELL J. OAKES AND DANIEL D. OAKES-OAKES ESTATES LLC - FINAL  
PLAT FOR OAKES ESTATES SUBDIVISION  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 4

furnishing, construction, and installation of required improvements), must be prepared by the applicant for review by the City Engineer and the City Attorney and approval by the Common Council, prior to recording of the Final Plat.

16. Prior to recording Final Plat, submit all documentation required per Section 15-7.0603 for City Attorney review.

17. The applicant shall submit a written conservation easement, for City staff review and Common Council approval. The conservation easement shall be recorded with the Milwaukee County Register of Deeds Office concurrently with recording of the Final Plat.

BE IT FURTHER RESOLVED, that the Final Plat of Oakes Estates Subdivision, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a final plat, the City Clerk is hereby directed to obtain the recording of the Final Plat of Oakes Estates Subdivision with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of March 19, 2020****Final Plat**


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**RECOMMENDATION:** Department of City Development staff recommends approval of this Final Plat request.

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<b>Project Name:</b>	<b>Oakes Estates Subdivision</b>
<b>General Project Location:</b>	Approx. S. 92nd Street and W. Woelfel Road
<b>Property Owner:</b>	Maxwell J Oakes & Daniel D. Oakes – Oakes Estates LLC
<b>Applicant:</b>	Maxwell J Oakes & Daniel D. Oakes – Oakes Estates LLC
<b>Current Zoning:</b>	R-3E Suburban/Estate Single-Family Residence District
<b>2025 Comprehensive Plan:</b>	Single-family residential
<b>Use of Surrounding Properties:</b>	Single-family residential properties zoned R-3E and areas of natural resources zoned C-1.
<b>Applicant's Action Requested:</b>	Approval of Final Plat.

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Please note:

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

**INTRODUCTION:**

The applicants, Maxwell Oakes and Daniel Oakes, filed an application for a Final Plat for the Oakes Estates single-family residential development. The Oakes Estates Subdivision is approximately 19.68 acres in area and consists of 16 lots and four outlots. The subdivision development includes connecting S. Cambridge Drive (north/south) as well as extending W. Warwick Drive west to connect to S. 92<sup>nd</sup> Street. The outlots primarily contain storm water management facilities and protected natural resource features. All lots are to be served by public sewer and water facilities.

The applicants submitted this Final Plat application on February 20, 2020. Pursuant to Wisconsin Statutes §236.11(2)(a), the approving authority (Common Council) shall take action within 60 days of application submittal unless a time extension is granted by the applicant. On March 3, 2020, City Development staff sent review comments to the applicant and scheduled this application to this March 19, 2020, Plan Commission meeting and April 6, Common Council. The 60-day review time frame will expire on April 20, 2020.

**PROJECT DESCRIPTION AND ANALYSIS:**

On March 3, 2020, City Development staff sent a memorandum to the applicant with 14 review comments, 13 of these items have been addressed. The applicant is requesting a deviation from condition No. 14 of Resolution 2019-7525, which states the following:



*The subdivision plat shall be revised to depict the 30-foot storm water drainage easement outside of the 12-foot utility easement as part of the Final Plat application.*

The applicant is proposing a 20-foot drainage easement on Lots 1 thru 4 instead of the 30-foot drainage easement as shown on the Preliminary Plat, as stated in letter by Mark Madsen dated March.

*City Development Staff recommends approval of the requested deviation from Condition No. 14 of Resolution 2019-7525, to allow for a 20-foot drainage easement on Lots 1 to 4 and outside the existing 12-foot utility easement.*

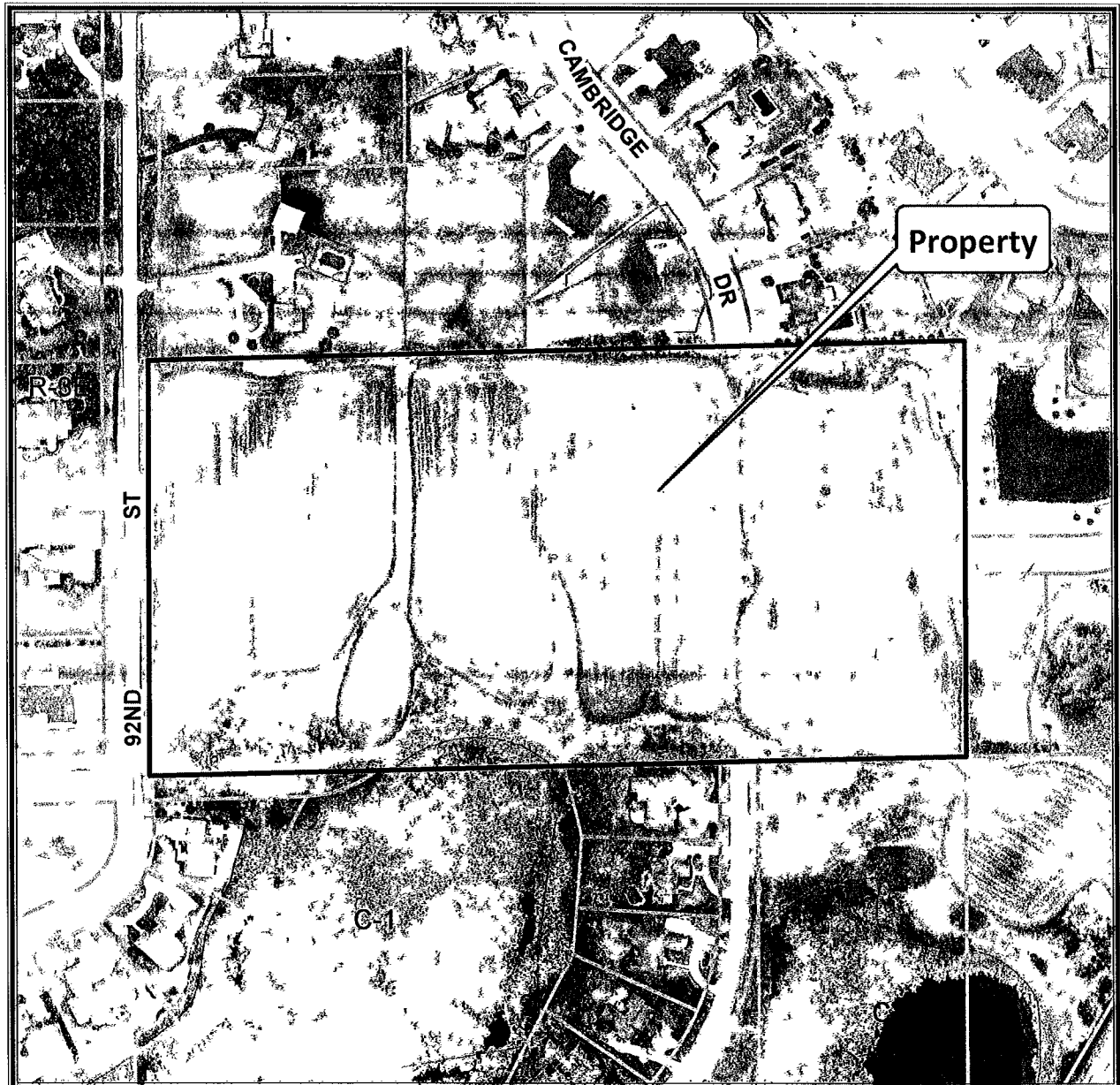
The Preliminary Plat was approved by the Common Council at their August 6, 2019 meeting via Resolution No. 2019-7525. This Resolution included 16 conditions of approval. In review of the Final Plat, Conservation Easement, and other documents provided, recommended conditions have been added to the Final Plat draft resolution. These conditions must be addressed prior to the recording of the Final Plat.

**STAFF RECOMMENDATION:**

*City Development Staff recommends approval of this Final Plat request, subject to conditions contained in the attached draft resolution.*



TKN: 754 9998 000



Planning Department  
(414) 425-4024

0 155 310 620 Feet

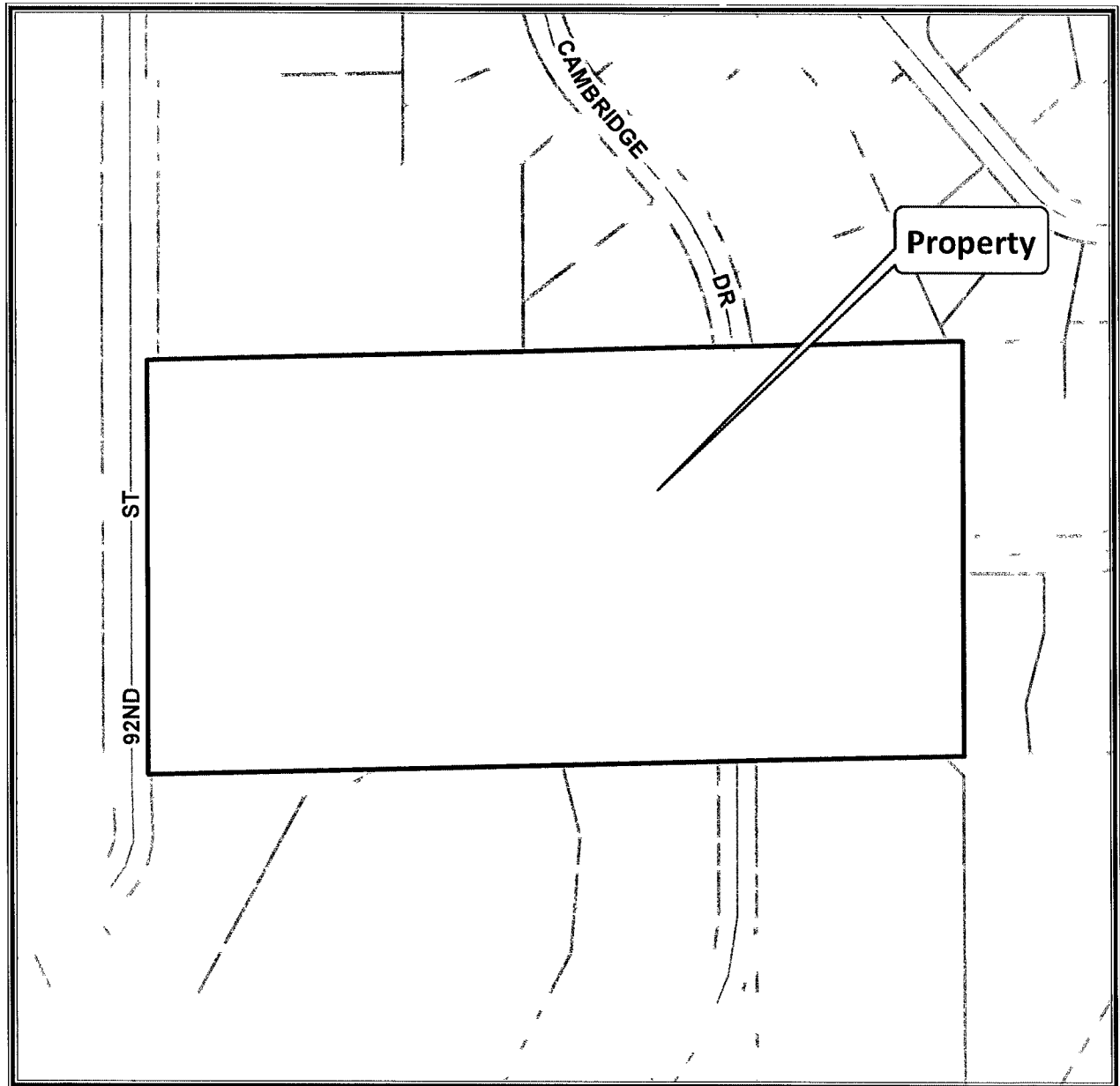


2019 Aerial Photo

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



TKN: 754 9998 000



Planning Department  
(414) 425-4024

0 155 310 620 Feet

*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.*



2019 Aerial Photo

## **Oakes Estates Subdivision – Project Narrative**

### **Oakes Estates LLC**

2000 Oakes Road

Racine, WI 53406

Maxwell Oakes Owner

Daniel Oakes Owner

This document contains

- 1) Project Summary
- 2) Financial Plan for Project Implementation
- 3) Market Analysis

- 1) Project Summary – Oakes Estates LLC was created with the intention to purchase tax parcel 7549998000 legally described as S 20 ACS OF HALF OF NW 9 5 21 CONT 20 ACS That land will be herein referred to as Oakes Estates Subdivision The surrounding communities are zoned R3-E full of estate-like residences Currently there is a 20-acre farm field in the middle of these beautiful communities, with roads dead ending, not allowing traffic to flow through This land is an eye sore and it is only right to build another high-quality development like the rest of the communities Our intention is to build a subdivision that fits the existing zoning regulations and the surrounding subdivisions Oakes Estates Subdivision is not meant to be a standout community but to be the last missing piece of the puzzle Building this development would connect roads to allow access to municipal agencies such as police, fire, garbage, snow removal, and others to efficiently do their job within this community The proposed development will be composed of 16 single-family dwellings, two outlots that contain retention basins, and two outlots that contain wetlands protected by the Wisconsin DNR We are proposing to connect from East to West on W Warwick Way to curve slightly and meet W Grandview Ct at a 4-way intersection on South 92<sup>nd</sup> St and extend S Cambridge Drive South to meet S Cambridge Drive as the master plan for Franklin would call for Five of the lots will have fully exposed basements facing South to Southwest with the conservatory wetland in their back yard view, two of the lots in the Southeast portion of the development will have partially exposed basements facing East with a retention basin in their back yard view, and three of the lots in the Northeast portion of the subdivision will have partially exposed basements facing North to Northeast with Stone Hedge Subdivision retention basin in their back yard view The remaining six lots will have non-exposed basements, unless graded otherwise by future property owner, with their backyards facing North All of the lots in this subdivision consist of highly sought-after characteristics The average size of the sixteen (16) lots is 75 acres with the minimum lot size being 59 acres, and all frontages of lots are greater than 135 feet with the majority being greater than 150 feet Minimum lot size for R3-E zoning is 57 acres with 125 feet of frontage The covenants and restrictions written for this development were pulled from Wyndham Hills and Wyndham Ridge, two surrounding communities, and Whispering Woods, a community in Franklin near Tuckaway Country Club The construction of Oakes Estates subdivision would take 90-120 days and to be completed all in one phase We designed the master grading plan to be balanced as much as possible, meaning during

construction we plan to utilize as much onsite materials as possible so there is to be minimal haul-off of dirt. There would be additional dirt needed onsite and Oakes Estates will import clean fill to ensure the integrity of the soil during construction. Underground storm water and wastewater exist in the property and Oakes Estates would be installing the remaining system, as well as asphalt roadways and concrete curb and gutter per City of Franklin's construction specifications. General landscaping for the proposed development will be performed on the two outlots containing the retention basins, and the landscape plan would be seeding for grass and installing trees along the perimeter. There would be one monument sign in the outlot on the West entrance of the subdivision facing S 92<sup>nd</sup> St. Overall, Oakes Estates Subdivision is intended to fit in with the surrounding communities and not to disturb the estate-like feel throughout. Oakes Estates does not intend for the construction process to be disturbing to any of the surrounding neighbors and will have an open communication ensuring all neighbors are aware of the project status. The result of the development will be another successful, high-value community in the beautiful City of Franklin.

- 2) **Financial Plan for Project Implementation** – Oakes Estates Subdivision is a 20-acre development that will have 16 single family homes. Construction timeline for the development to be able to start selling the lots is roughly 90-120 days. We believe that the City of Franklin is a very sought-after community to live in, therefore, we believe that we can have all lots sold within the first two years. We estimate that each home value will range from \$700,000 to \$1,000,000 making the total value of the homes in the subdivision over \$11,200,000. The City of Franklin's net assessment value is about .023 so that equvalates to roughly \$257,600 in property taxes per year from these residences. The Declaration of Covenants and Restrictions clearly states high quality building materials. All homes must past an architectural board approved by Oakes Estates to ensure that the quality of homes and values of home match or exceed the surrounding communities.

- 3) Market Analysis – The demand for estate lots in the City of Franklin is high, and the current inventory of these lots is very low. There is a strong market for these R3-E lots and we have a very high confidence that there will be few issues selling these lots, especially since the lots exceed the R3-E minimum lot size requirements. We believe there won't be vacant lots over long periods of time, fulfilling the look of a successful community. Southeast Wisconsin is becoming one of the best areas to call home in Wisconsin with the City of Milwaukee expanding its footprint into the Menomonee Valley, the ever growing Third Ward, and many companies including Foxconn, Amazon, Komatsu, Haribo, and ULINE moving in and expanding. The City of Franklin always has been an outstanding place to live with amenities nearby that include, but not limited to The Shoppes at Wyndham Village, Whitnall Park, Tuckaway Country Club, Muskego Lake, Innovative Health & Fitness, and many other local businesses that make up a very successful community. Also, with the highly anticipated Ballpark Commons entertainment district being built not too far away, that drives the value of all residences in this area up. We have already received multiple phone calls and emails from interested parties, and we have not advertised anything about the proposed development. Our Covenants and Restrictions we state that all construction for homes must be completed within 18 months. So, in all, we believe that initial construction will take 90-120 days, all 16 lots will be sold within two years after construction is completed, and 16 taxpaying residences will have completed homes 18 months after purchase. We believe in less than four years after Oakes Estates Subdivision is final approved all 16 lots will be 100% complete. In all, we believe that Oakes Estates Subdivision will have no issue selling out lots to residents that will contribute to the City of Franklin.



Nielsen Madsen Barber

March 6, 2020

Mr. Regulo Martinez-Montilva, ACIP  
Associate Planner  
Department of City Development  
City of Franklin  
9229 Loomis Road  
Franklin, WI 53132

RE: Oakes Estates Subdivision – Final Plat  
File No. 2018.0117.01

Dear Mr. Martinez-Montilva:

Regarding the final plat review comment No.5 of the attached City Development's Memorandum dated March 3, 2020, we have the follow explanation why we are proposing a 20 foot wide drainage easement on the Final Plat on Lots 1 thru 4 instead of the 30 foot drainage easement as shown on the Preliminary Plat.

The City of Franklin's Engineering Department required as part of their review comments for the development that the proposed drainage swale in the rear yards of Lots 1 thru 4 be relocated further South of the North line of the lots and out of the existing 12 foot wide Utility Easement.

NMB initially showed a 30 foot easement from the North Subdivision line to incorporate the proposed relocated drainage swale. This also overlapped with the existing 12 foot utility easement. We were then informed by the City's Engineering Department that the drainage easement could not overlap the existing utility easement. NMB then proposed a 20 foot wide easement to the south of the existing utility easement to incorporate the swale. The 20 foot easement matches the rest of the subdivisions drainage easement widths as required by the City.



Mr. Regulo Martinez-Montilva  
Oakes Estate Subdivision  
March 6, 2020

The proposed 20 foot drainage easement incorporates the proposed drainage swale as required by the City within the easement limits.

If you have any questions, please contact me.

Sincerely,



Mark R. Madsen, P.E., P.L.S.  
President

CC: Max Oakes, Oakes Estates, LLC

File: g:/2018 docs/2018.0117.01/correspondence/2018.0117.01 - Final Plat - Oakes Estates - Drainage Easement

## MEMORANDUM

Date: March 3, 2020  
To: Oakes Estates, LLC.  
From: Department of City Development  
RE: Application for Final Plat – Oakes Estates Subdivision

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Staff comments are as follows for Final Plat application submitted on February 20, 2020, Oakes Estates Subdivision development located on property bearing Tax Key No. 754-9998-000.

### **City Development Department comments**

1. As previously indicated, the installation of streets and utilities is required prior to approval of a Final Plat (see Section 15-2.0303A. of the UDO). Alternatively, an improvement guarantee may be provided per Section 15-2.0303B.

We have submitted all paperwork to engineering for approval.

2. Please add “West” to Warwick Way and Grandview Court on the Final Plat. Currently a street direction is not labeled.

Completed

3. The labels of the wetland buffer and wetland setback are incorrect. The label currently identifies the Wetland Setback as a “Buffer.” The City’s Unified Development Ordinance requires a 30-foot Wetland Buffer (i.e. No Touch) and a 50-foot Wetland Setback (i.e. No Build). Please label as such per Condition No. 9 of Resolution No. 2019-7525. Note that the condition indicates a 20-foot wetland setback; however, it is described as a 50-foot setback (from the wetland boundary) per the UDO, so it is recommended that the label match the UDO language.

Completed

4. Note that Condition No. 11 of Resolution No. 2019-7525 will remain as a condition of Final Plat approval. This condition states, “Any proposed subdivision monument sign(s) shall be subject to review and approval by the Plan Commission and issuance of a Sign Permit from the Inspection Department.”

Understood The monument sign will be designed and approved after final plat

5. Condition No. 14 of Resolution No. 2019-7525 requires that the plat depict the 30-foot drainage easement outside of the 12-foot utility easement. The drainage easement is now shown outside of the utility easement; however, the drainage easement was reduced to 20-feet. This easement must be both 30-feet and outside of the utility easement. Please revise accordingly.

This is a change from conditions Engineer supplied letter stating intention of the 20’ easement outside of the 12’ utility easement Please see letter for details

6. If it has not been done already, it is recommended that the U.S. Post Office be contacted regarding mailbox requirements. These requirements may not match language within the Protective Covenants and Restrictions document.

Contacted Waiting on details

7. Please make sure to update Exhibit A of the Covenants and Restrictions with the final, most up-to-date, Final Plat of the Oakes Estates Subdivision prior to recording.

Completed

8. Please add a “Conservation Easement Restrictions” note on the Final Plat per Condition No. 7 of Resolution No. 2019-7525. The note must state that the following is not allowed within the Conservation Easement area without written consent from the City of Franklin. Below is recommended language to summarize these restrictions.
- a. Construct or place buildings or any structures
  - b. Construct or make any improvements, unless specifically approved by the Common Council, including, but not limited to animal and bird feeding stations, park benches, removal of animal or other blockage of natural drainage, and the like.
  - c. Excavate, dredge, grade, mine, drill, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees.
  - d. Conduct any filling, dumping, or depositing of any material.
  - e. Plant any vegetation not native to the protected property or not typical wetland vegetation.
  - f. Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.

Completed.

9. Below are comments related to the Conservation Easement document.
- a. Note that according to Condition No. 6 of Resolution 2019-7525, the Conservation Easement must be recorded at the same time as the recording of the Final Plat, following approval of the easement by the Common Council.
  - b. Please review the tracked changes in the attached Conservation Easement document for recommended revisions. Note the following:
    - i. The document must be resubmitted with a map exhibit that illustrates the protected areas, similar to the easement area and line tables shown on the Final Plat. An Exhibit B was added as an example. The exhibit must be formatted to be completely legible and must show the West Shore Pipeline easement.
    - ii. In addition, the easement must include language incorporating the West Shore Pipeline Easement and all appropriate restrictions (see Condition Nos. 6 and 7 of Resolution No. 2019-7525). This has been added as a No. 4 to the Grantee’s rights.

Agreed and completed

#### **Engineering Department comments**

10. Must submit easement documents for review and approval.  
Submitted 3/6/20
11. Must show the location of "DENOTES NO VEHICULAR ACCESS" on the plat as shown on the legend.  
Updated plat as requested
12. On page 2 of 2, under the Surveyor's Certificate, remove the last phrase after Wisconsin Statutes to replace it with " and the Unified Development Ordinance - Division 15, of the City of Franklin in surveying, dividing and mapping the same."  
Updated plat as requested
13. Change the Mayor's name from Steven to Stephen.  
Updated plat as requested.
14. Engineering review has not yet been completed as Engineering is awaiting resubmittal from the developer. – Submitted 3/6/20

## EXHIBIT "A"

### Property Legal Description:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Beginning at the Southwest corner of the Northwest 1/4 of said Section 9; run thence N00°03'00"W, 659.57 feet along the West line of the Northwest 1/4 of said Section 9; thence N88°34'18"E, 1325.64 feet to the West line of Stone Hedge Subdivision Addition No. 1, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on June 14, 2005 as Document No. 09028234; thence S00°08'32"E, 659.95 feet along the West line of Stone Hedge Subdivision Addition No. 1 to the South line of the Northwest 1/4 of said Section 9; thence S88°35'21"W, 1326.69 feet along the South line of the Northwest 1/4 of said Section 9 to the point of beginning of this description. Containing 874,719 square feet or 20.081 acres.

## CONSERVATION EASEMENT

### OAKES ESTATES SUBDIVISION

This Conservation Easement is made by and between the City of Franklin, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Maxwell Oakes of Oakes Estates, LLC a Limited Liability Corporation, hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700 40(2)(b) of the Wisconsin Statutes

### WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, West ½ of the Northeast ¼ of Section 29, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property), and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, wetland buffers, wetland setbacks, and wetlands as depicted on Exhibit B, and referred to in the Natural Resource Investigation by TRC Environmental Corporation, dated March 29, 2019, with all applicable revision dates (dated June 2, 2019), which is located in the office of the Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems, and

WHEREAS, Grantee is a "holder", as contemplated by §700 40(1)(b)1 of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62 23 and §236 45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas, and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over, and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this conservation easement, and

WHEREAS, the Grantee is willing to accept this conservation easement subject to the reservations and to the covenants, terms, conditions and restrictions set out herein and imposed hereby,

WHEREAS, Citizen's Bank, mortgagee of the Protected Property ("Mortgagee"), consents to the grant of this conservation easement by Grantor to Grantee and Mortgagee's consent is attached hereto and identified as "Mortgage Holder Consent"

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over and across the protected property

Grantee's rights hereunder shall consist solely of the following

- 1 To view the protected property in its natural, scenic, and open condition,
- 2 To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9 0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act, and
- 3 To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant
- 4 The West Shore Pipeline Easement extending through the Conservation Easement area as depicted on Exhibit B shall remain in affect and allowed access and disturbances per the terms of that easement agreement is allowed without any further approvals by the City As an essential service, any permitted disturbance of the Conservation Easement area

resulting from the access, maintenance, or repair of the West Shore Pipeline shall be subject to restoration as required by Table 15-4 0100(a.) and 15-4 0102I of the Unified Development Ordinance

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over, or across the protected property, the Grantor, without the prior consent of the Grantee, shall not

- 1 Construct or place buildings or any structure,
- 2 Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect, such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like,
- 3 Excavate, dredge, grade, mine, drill or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees,
- 4 Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, or other landscape materials, ashes, garbage, or debris,
- 5 Plant any vegetation not native to the protected property or not typical wetland vegetation,
- 6 Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles

To have and to hold this conservation easement unto the Grantee forever Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant Grantor shall be responsible for the payment of all general property taxes levied, assessed or accruing against the protected property pursuant to law

The covenants, terms, conditions and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity This grant may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns Notices to the parties shall be personally delivered or mailed by U S Mail registered mail, return receipt requested, as follows

To Grantor  
Oakes Estates, LLC  
Maxwell Oakes  
2000 Oakes Road  
Racine, WI 53406

To Grantee  
City of Franklin  
Office of the City Clerk  
9229 West Loomis Road  
Franklin, Wisconsin 53132

In witness whereof, the grantor has set its hand and seals this on this date of \_\_\_\_\_, 20\_\_

Oakes Estates, LLC

By \_\_\_\_\_  
Maxwell Oakes, Owner

STATE OF WISCONSIN            )  
  ) ss  
COUNTY OF MILWAUKEE        )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Maxwell Oakes as Officer/Owner of Oakes Estates, LLC, to me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said limited liability company

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

**Acceptance**

The undersigned does hereby consent to and accepts the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement. In consideration of the making of such Grant Of Conservation Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by §236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the \_\_\_\_ day of \_\_\_\_\_, A D 20 \_\_\_\_

CITY OF FRANKLIN

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

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

STATE OF WISCONSIN        )  
  ) ss  
COUNTY OF MILWAUKEE    )

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

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

This instrument was drafted by the City of Franklin

Approved as to contents

\_\_\_\_\_  
Régulo Martinez-Montilva,  
Associate Planner  
Department of City Development

\_\_\_\_\_  
Date

Approved as to form only

\_\_\_\_\_  
Jesse A. Wesolowski  
City Attorney

\_\_\_\_\_  
Date

## MORTGAGE HOLDER CONSENT

The undersigned, Citizen's Bank, a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering the protected property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on \_\_\_\_\_, 20\_\_\_\_, as Document No \_\_\_\_\_, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property

IN WITNESS WHEREOF, Mortgagee has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed, as of the day and year first above written

Citizen's Bank  
a Wisconsin Banking Corporation

By \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

STATE OF WISCONSIN       )  
  )ss  
COUNTY OF MILWAUKEE    )

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_, before me, the undersigned, personally appeared name of officer of mortgagee, the (title of office, i.e. VP) of (name of mortgagee), a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained

Name \_\_\_\_\_

Notary Public, State of Wisconsin

My commission expires \_\_\_\_\_



## Exhibit A

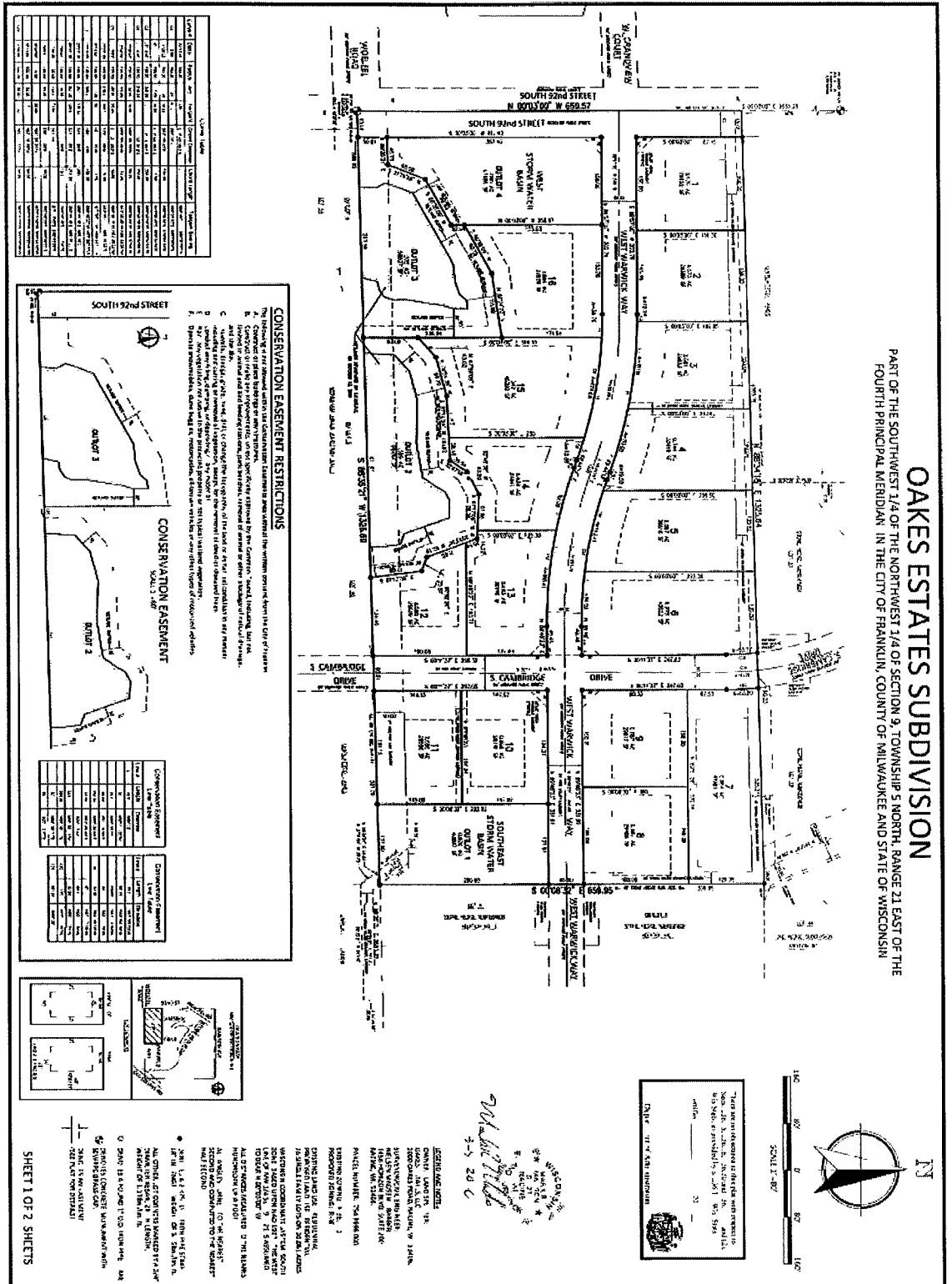
### Property Legal Description

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows

Beginning at the Southwest corner of the Northwest 1/4 of said Section 9, run thence N00°03'00"W, 659.57 feet along the West line of the Northwest 1/4 of said Section 9, thence N88°34'18"E, 1325.64 feet to the West line of Stone Hedge Subdivision Addition No. 1, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on June 14, 2005 as Document No. 09028234, thence S00°08'32"E, 659.95 feet along the West line of Stone Hedge Subdivision Addition No. 1 to the South line of the Northwest 1/4 of said Section 9, thence S88°35'21"W, 1326.69 feet along the South line of the Northwest 1/4 of said Section 9 to the point of beginning of this description. Containing 874,719 square feet or 20.081 acres.

PAKED LITABLES SUBDIVISION

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST OF THE FOURTH PRINCIPAL MERIDIAN IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE AND STATE OF WISCONSIN



## Declaration of Covenants and Restrictions for Oakes Estates Subdivision

This Declaration of Covenants and Restrictions is made this 21 day of February, 2020 by Oakes Estates LLC (the "Declarant").

### WITNESSETH:

WHEREAS, Declarant is the owner in fee simple of all the property described as follows:

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows: Beginning at the Southwest corner of the Northwest 1/4 of said Section 9, run thence N00°03'00"W, 659.57 feet along the West line of the Northwest 1/4 of said Section 9; thence N88°34'18"E, 1325.64 feet to the West line of Stone Hedge Subdivision Addition No. 1, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on June 14, 2005 as Document No. 09028234, thence S00°08'32"E, 659.95 feet along the West line of Stone Hedge Subdivision Addition No. 1 to the South line of the Northwest 1/4 of said Section 9; thence S88°35'21"W, 1326.69 feet along the South line of the Northwest 1/4 of said Section 9 to the point of beginning of this description. Containing 874,719 square feet or 20.081 acres.

WHEREAS, Declarant desires to subject the Property to the conditions, restrictions, covenants, reservations, and easements contained herein for the benefit of each owner of any part thereof and for the purpose to ensure the best use and most appropriate development and improvement of each lot within the Oakes Estates Subdivision; to protect the purchasers of lots against such use of surrounding lots as will detract from the residential value of their property; to guard against haphazard and inharmonious improvement of the lots and the erection thereon of unattractive or poorly designed or poorly proportioned structures; to obtain harmonious and attractive use of material and color schemes; to encourage and secure the construction within Oakes Estates Subdivision of attractive homes with appropriate locations thereof on the lots; to secure and maintain proper setbacks from streets and adequate open spaces between structures; and, in general to comprehensively provide for a high type and quality of development in Oakes Estates Subdivision of attractive homes with appropriate locations thereof on the lots; to secure and maintain proper setbacks from streets and adequate open spaces between structures; and, in general to comprehensively provide for a high type and quality of development in Oakes Estates Subdivision and thereby to preserve and enhance the values of investments made by purchasers of the lots therein.

NOW THEREFORE, Declarant hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following covenants, conditions and restrictions which shall run with the real property and be binding on all parties having any right, title, or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

### ARTICLE I INTERPRETATION AND DEFINITIONS

The following words and terms used in this Declaration are defined as follows:

1.01 Association: Oakes Estates Homeowners Association, a Wisconsin non-stock corporation, its successors and assigns, which consists solely of the owners of homes and/or lots, as applicable, in the Oakes Estates Subdivision, Franklin, Wisconsin.

1.02 Board: The board of directors of the Association as constituted at such times according to the provisions of Article 5 herein below.

1.03 By-Laws: The By-Laws of the Association are set forth in Article VI herein below and may be changed or modified according to Article VI Section 13 hereof.

1.04 Common Areas: Those areas which are designated as common areas as shown on EXHIBIT A attached hereto, which include, but are not limited to outlots, storm water detention ponds and facilities; environmental areas, wet lands, entrance ways, private roadways, landscape buffers and all other areas designated as owned by the Association

1.05 Community Assessment: The expenses to administer the operation and maintenance of the Association, which includes those expenses as shown in the annual budget adopted by the Board and approved by the Association. Such expenses include but are not limited to the expense for maintaining all Common Areas, including the entrance ways, landscape buffers, storm water management facilities and all other improvements involving the Common Areas, professional management expense and other professional fees incurred by the Board to operate the Association and such other expenses which are for the common benefit of all the Owners.

1.06 Declarant: The Declarant is Oakes Estates LLC, a Wisconsin LLC, its successors and assigns.

1.07 Declaration: shall mean and refer to the within instrument, together with those exhibits which are attached hereto and made a part hereof and shall include such amendments, if any, as may be adopted from time to time pursuant to the terms hereof. The within Declaration may be referred to in any other document as "Oakes Estates Subdivision Declaration of Covenants and Restrictions"

1.08 Dwelling Unit(s): A single family residence or home and all appurtenances thereto which is or will be situated on a subdivided lot in Oakes Estates Subdivision, Franklin, Wisconsin. A Dwelling Unit may sometimes be referred to as residence or premises which for purposes of this Declaration shall be included in the definition of Dwelling Unit.

1.09 Easements: All areas which are designated on the Final Plat or by separate easement documents filed and recorded with the Register of deeds Office of Milwaukee County.

1.10 Municipality: The City of Franklin, Wisconsin or its successors or any other political entity which may from time to time be empowered to perform the functions and duties vested in the City of Franklin as of the time of recording the Original Declaration and this Declaration.

1.11 Owner: A record owner, whether one or more persons, of fee simple title to a Dwelling Unit or Subdivided Lot, but excluding those who have merely a security interest in a Dwelling Unit or Subdivided Lot for the performance of an obligation.

1.12 Subdivided Lot: Those parcels of land as designated as single family lots in the Final Plat of Subdivision approved by the City of Franklin and recorded in the Register of Deeds Office of Milwaukee County, Wisconsin.

1.13 Voting Member: The Owner of a lot, whether one or more persons, shall be entitled to one vote per Subdivided Lot as more fully set forth in Article V below.

1.14 Oakes Estates Subdivision: For purposes of this Declaration, Oakes Estates Subdivision shall mean all of the subdivided lots and Common Areas, designated in the Final Plat of Subdivision for Oakes Estates Subdivision, situated in the City of Franklin, Milwaukee County, Wisconsin and recorded in the Register of Deeds Office of Milwaukee County, Wisconsin.

## ARTICLE II PROPERTY RIGHTS

Section 1 Members Easements of Enjoyment Every Member shall have a right and easement of enjoyment in and to the Common Area and such easement shall be appurtenant to and shall pass with the title to every lot, subject to the following provisions

- A. The right of the Declarant or the Association to establish, from time to time, certain easements over the Common Area for utilities and common services purposes.
- B. Existing easements and agreements of record.
- C. Easements referred to in this Declaration

Section 2. Title to the Common Area. The Declarant hereby covenants for itself, its successors and assigns, that it will convey fee simple title to the Common Area to the Association, free and clear of all encumbrances and liens.

Section 3. Declarant's Reserved Rights Notwithstanding any provision herein to the contrary the Property Rights under this Article shall be subject to

- A. The right of the Declarant to execute all documents and take such actions and do such acts affecting the Property which, in the Declarant's sole discretion, are desirable or necessary to facilitate the Declarant's actual construction or development of the Property. However, nothing contained herein shall authorize the Declarant to take any action that would diminish the rights of any lienholder or the holder of any mortgage on any Lot or on the Common Area, or take any action that will affect title to any of the Lots after conveyance to third parties;
- B. Easements of record on the date hereof and any easements which may hereafter be granted by Declarant to any public or private utilities or governmental bodies for the installation and maintenance of cable television, electrical and telephone conduit and lines, natural gas lines, sewer or water pipes, or any other utilities or services to any Lots within the Property or any portion of the Common Area;
- C. The Declarant shall have full rights of ingress and egress to and through, over and about the Common Area, during such periods of time as the Developer is engaged in any construction or improvement work on or within the Property, and shall further have an easement thereon for the purpose of the storage of materials, vehicles, tools, equipment, etc., which are being utilized in such development or construction; and
- D. The Declarant shall have full right to assign all of its right, title and interest in the Property both as Declarant and as a member of the Association to another party by the execution and recording of proper instruments.
- E. The Declarant shall have the right to add additional platted lots to the existing property and thereby make such additional platted lots be subject to all of the terms and conditions of this Declaration. The Declarant shall have the right to bring within this Declaration one or more additional subdivisions as future phases of the Development.

Section 4. No Dedication to Public Use Nothing contained within this Declaration shall be construed or be deemed to constitute a dedication, express or implied, of any part of the Common Area to or for any public use or purpose whatsoever

### **ARTICLE III ARCHITECTURAL CONTROL COMMITTEE**

An Architectural Control Committee ("Committee") for Oakes Estates Subdivision is hereby established. The Committee shall consist of no more than three members, as designated herein. The decision of the majority of the members of the Committee shall be final and binding upon all parties. The members of the Committee shall be not entitled to compensation for services performed pursuant to this Declaration. The initial members of the Committee shall be appointed by the Declarant. The Declarant shall have the right to remove and replace members of the Committee, at its sole discretion, as long as the Declarant owns any vacant lot in the subdivision. At such time that all lots are sold by the Declarant, the Committee shall thereafter consist of the Board of Directors of the Owners Association, established herein. Notwithstanding the above, members of the Declarant shall act as the Committee and shall make all decisions concerning the approval of house plans involving the construction of the Dwelling Units on the subdivided lots.

No building, outbuilding or other structure, swimming pool, fence, wall, driveway, or any other such structure or improvement shall be constructed, erected, placed or altered on any lot in Oakes Estates Subdivision without the approval of the Committee. For such undertaking requiring the approval of the Committee, three surveys, which are dated and signed by surveyor and owner, three sets of plans, which are dated and signed by owner and designer, and a color board consisting of exterior colors and shingles, signed by owner (collectively, the "Plans") shall be submitted to the Committee (Attention: General Manager) for their review. If and when such plans are approved two surveys and two sets of plans shall be signed, dated by a representative of the Committee and returned to the lot owner as evidence of such approval, one copy of which shall be transmitted by the owner to the local building inspector, prior to obtaining the necessary building permits. Any changes or revisions required by the Committee shall be first made to the surveys and plans before approval is given. All approved surveys and plans must be strictly adhered to.

The Committee shall not be liable for actions taken or decisions made in good faith. The Committee may take in consideration such matters as the suitability of the proposed building, structure or improvement, its design, elevation, color, construction materials, the harmony thereof with surrounding buildings, its proposed location, view from other properties in the subdivision, and such other related matters which may have an aesthetic or environmental impact on other lots in the subdivision. All action taken by the Committee shall be final and conclusive as to all persons then or thereafter owning lots in the subdivision.

In addition to these restrictions, all construction shall comply with applicable zoning and building codes.

It is not intended that the Committee have full knowledge of or expertise in matters of zoning, building codes proper drainage. The Committee shall have no liability or responsibility in the event it approves plans which fail to comply with applicable zoning or building codes and/or fail to properly handle drainage. In such event, it shall be the sole responsibility of the lot owner to have appropriate corrections made to the plans and submit the revised plans to the Committee for its approval prior to construction.

All Dwelling Units shall consist of natural materials such as wood, natural stone, brick, stucco, and/or cement fiber board or such similar materials. The soffits and fascia shall consist of wood and/or cement fiber board. Further, the Committee shall have the right to permit or prohibit the use of artificial stone, artificial brick, composite wood and/or other types of siding as either may deem appropriate to preserve the architectural integrity and quality appearance of the buildings in the subdivision. No exposed poured concrete or concrete block over eight inches shall be permitted on any house. Where block or concrete would otherwise be exposed, it must be covered by the house siding, or by brick or stone. The roofs of all Dwelling Units shall have a minimum pitch of 8/12 with a minimum pitch on the porch and shed roofs of 10/12. The roofing of all houses shall consist of wood, tile, or fully dimensional asphalt shingles. In no event shall conventional shingles be permitted.

All residences shall include an attached garage with enough square footage to reasonably accommodate two and one half (2 ½) cars. Notwithstanding the foregoing, a garage with a capacity larger than three (3) cars may be allowed at the discretion of the Committee and provided that the garage does not appear larger than a three (3) car garage and the architectural integrity of the home and garage is otherwise maintained. All garages shall be equipped with automatic garage door openers for all overhead doors

Adjacent homes shall not have similar front elevations. Windows and dormers shall be required on all elevations to create a variation and dimension of the type of homes allowed in Oakes Estates Subdivision. The intention of Declarant is to prevent the construction of boxes or barren elevations. Full masonry or masonry clad fireplaces shall be required to be installed inside Dwelling Units

#### **ARTICLE IV BUILDING, STRUCTURE AND CONSTRUCTION RESTRICTIONS**

Section 1. Minimum House Size. The following are minimum required square footage requirements of living space for single family residences constructed in the Oakes Estates Subdivision:

- A. One Story houses shall have a minimum square footage of living space of not less than 2,400 square feet.
- B. Two-story shall have a minimum square footage of living space of not less than 2,800 square feet with a minimum of not less than 1,800 square feet of living space on the first floor.
- C. No bi-level houses shall be allowed in the subdivision.
- D. Dwelling Units shall not exceed 2 5 stories or thirty (30) feet in height, per City of Franklin for R3-E District Zoning. Building height is measured as follows.
  - a. The vertical distance measured from the curb level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof in the case of a flat or slant roof, to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, or hip, or gambrel roof; provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade at the front of the building.

Living space is determined by outside dimensions (exclusive of garages, porches, patios, breezeways and similar additions) of the exterior walls. The minimum square footage shall be determined as of the time of initial construction and shall not include unfinished areas, future additions or finished basements

The Committee, in their sole discretion, may grant approval for any house on any lot with square footage of up to ten percent (10%) less than the minimum required above, provided, however, in no event shall any house be constructed on any lot with square footage below the minimum standards established for R3E zoning classification in the City Franklin, Wisconsin.

Section 2. Landscaping. Owner shall seed or sod the front, side and back yards within 1 year of completion of the Dwelling Unit, weather permitting. Seed or sod shall be planted and properly protected and watered to produce lawn. Owner shall install one tree in the front yard and as indicated on the survey with a diameter of two inches within one year from the date of completion of the Dwelling Unit. The owner shall be required to build concrete walks and driveways within one year of the completion of the Dwelling Unit.

Section 3. Construction of Residence. The residence shall be completed within eighteen (18) months of the date of commencement of construction. If an owner fails to complete the residence within eighteen (18) months of the date of commencement of construction, Declarant and the Association (jointly and severally) shall have the right to pursue all remedies available at law or in equity against the owner to enforce completion of the residence.

Section 4 Construction of Other Improvements. The construction of outbuildings and other ancillary improvements (including, without limitation, any type of fencing) will be permitted, provided the construction of such improvements are approved by the Committee and the City of Franklin prior to the commencement of work involving such improvements. Notwithstanding the above, no fencing greater than seventy-two (72) inches in height, shall be allowed to be built in the Oakes Estates Subdivision. There shall be no above-ground swimming pools permitted within the subdivision. All outbuildings and ancillary structures must be constructed of similar material and similar colors as the Dwelling Unit, or as otherwise approved in writing by the Committee.

Section 5. Nuisances and Waste. No noxious or offensive activities shall be carried on upon any lot or out lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. No Owner shall commit waste.

Section 6. Storage. No outside storage of boats, motorcycles, snowmobiles, all-terrain vehicles, trailers, tractors or other paraphernalia shall be permitted on any Subdivided Lot.

Section 7. Animals and Livestock. No animals may be raised, bred, or kept on any lot or outlot except that cats, dogs, or other household pets may be kept on a lot providing they are not kept, bred, or maintained for any commercial purposes.

Section 8. Lamp Posts and Mail Boxes. Each lot owner shall install a lamp post and mail box, which shall be installed at the lot owner's expense prior to the date of issuance of the occupancy permit. Said lamp post and mail box shall be located as determined by the Committee. Style of said lamp post and mail box is not standardized but will be reviewed by Committee. It is suggested that lamp post and mail box styles stay consistent with surrounding subdivisions.

Section 9. No sign of any kind shall be displayed to the public view on any Lot, except one sign advertising the Lot for sale, or signs used by a building contractor to advertise the property during the construction period or by the Developer to advertise the Property during the construction and sale of the homes, or as approved by Developer. Dish antennae of more than twenty-four (24) inches in diameter for the reception of satellite transmissions may not be erected within the subdivision, unless they are not visible from any roadways or streets within the subdivision.

Section 10. Storm Water Management. The City of Franklin and the Declarant have entered into a Storm Water Maintenance Agreement, which is recorded with Milwaukee County Register of Deeds Office and by this reference made a part hereof. It is understood that the Storm Water Maintenance Agreement requires the Association to maintain all storm water ponds and facilities according to best management practices and pursuant to applicable Ordinances of the City of Franklin. The best management practices include the maintenance of all storm water facilities, including sediment removal, if necessary, and all other improvements and vegetation provided to control the quantity and quality of storm water all according to Section 15-8.0600 of the City of Franklin Unified Development Ordinance.

Section 11. Lot Grading. To avoid a substantial increase in surface water drainage onto adjoining Lots, all landscaping shall provide for adequate drainage of storm and surface water toward adjoining streets or rear yard, in accordance with the Subdivision's Master Site Grading Plan, and away from adjoining Lots if natural drainage on the Lot is to be or has been altered by grading or landscaping by any Lot Owner.

Section 12. Each Lot Owner shall be responsible for compliance with the grading plans prepared by the Developer, which designate the manner in which each Lot shall drain in relation to all other Lots in the Subdivision and the grade elevation of the Home to be constructed thereon. At the time a building permit is requested, the grade elevation for each Home shall be obtained from the city building inspector, and the



Home shall be constructed accordingly, and from that time forward nothing shall be done that impedes or obstructs the drainage in accordance with such plan

Section 13. If fill is necessary on a Lot to obtain the proper topography and finished ground elevation, such fill shall be free of waste material and shall not contain noxious or hazardous materials. Any dumping of fill material shall be leveled immediately after completion of any Home or Improvement. If required by the City, a fill permit shall be obtained prior to dumping such fill.

Section 14. Developer hereby reserves easement rights over all Lots for a period of five (5) years from the date of execution of this Declaration of Restrictions for the purpose of correcting any drainage problems within or associated with the subdivision, including grading, removal of trees and shrubbery, and other similar actions. This reservation of easement creates a right for Developer to correct any drainage problems, but not an obligation to do so.

Section 15 Each Lot Owner shall be responsible for repairing any damage to and removing any debris from the roadways, ditches, and utilities within the Subdivision caused by such Lot Owner or such Lot Owner's contractors or subcontractors. Each Lot Owner shall use only such Lot Owner's own Lot for construction purposes. Any damage caused as herein described shall be charged to the Lot Owner causing such damage.

Section 16. Each Lot, including all front, side, and rear yards, and each Home and Improvement shall be maintained by the Lot Owner so as to be in good repair and neat in appearance when viewed from any street or other Lot. No brush piles, trash, or unnatural accumulations of debris shall be stored, accumulated, or located on any Lot. There shall be no burning or burial of any garbage, trash, or debris at any time, other than for burning of leaves and light brush to the extent permitted by the city and county. Developer may, but shall not be obligated to, improve any areas of the Subdivision with grass or plantings or to cut grass or foliage growing in a natural environment.

Section 17. Residential Use Each Dwelling Unit shall be used only as a residence, provided that no Owner shall be precluded from using the Dwelling Unit for purposes of conducting an in-home business, provided such activity does not create a nuisance to other Owners and such use is permitted by the ordinances of the City of Franklin.

Section 18 Rules and Regulations. The Board of Directors may adopt such rules and regulations which they deem necessary to promote the use, occupancy and enjoyment of the Common Areas for the welfare of all the Owners in the Oakes Estates Subdivision. Such rules and regulations shall only be effective and binding upon the Owners (i) after notice of such rules is received, and (ii) two third (2/3's) of the Owners vote to approve the adoption thereof.

## **ARTICLE V BUILDING SET BACKS**

Section 1. Building Set Backs It is one of the intentions of the covenants and restrictions to create a completed community whose site plan is varied and well integrated to the overall site surroundings as well as the specific lot.

Therefore, the minimum building offsets (unless otherwise noted on the plat) are:

50 feet from the street property lines; 15 feet from the side property lines,

30 feet from all rear property lines; and

40 feet from all corner side yard, setbacks.

In addition to the above, all Dwelling Units shall be built within the building pad designated for such lot as set forth on the subdivision plat. No existing trees with a diameter of four (4) inches or more and a height of four (4) feet or more shall be cut down, destroyed, mutilated, moved or disfigured, without the approval of the Committee.

## **ARTICLE VI OAKES ESTATES HOMEOWNERS ASSOCIATION**

Section 1 Creation and Purpose. An unincorporated association ("Association") made up of those persons who are Owners, whether one or more persons or entities, of the fee simple title to any lot situated in Oakes Estates Subdivision is hereby created for purposes of: (a) managing and controlling the common affairs of Oakes Estates Subdivision; (b) owning, managing, controlling, and maintaining any Common Areas in Oakes Estates Subdivision as set forth in the plat and including but not limited to maintaining the storm water detention basins and facilities and Common Area green space; and (c) performing other duties as set forth herein for the common benefit of the Owners. The Association shall be known as "Oakes Estates Homeowners Association."

Section 2. Initial Committee/Term. The Association shall be governed by a three-member committee, hereinafter referred to as the "Board" which shall be solely responsible for the activities of the Association. The initial members of the Board shall be appointed by the Declarant. To qualify as a member of the Board, a person must be either an Owner or a duly designated officer, agent or representative of an Owner. The term of the initial members of the Board shall commence at the date this Declaration is recorded and continue until the earlier of the commencement of construction of all of the lots in Oakes Estates Subdivision or until the Declarant determines to relinquish its membership or any part thereof of the Board. Declarant shall have at least one member on the Board as long as, Declarant is the owner of at least one lot in Oakes Estates Subdivision.

Section 3. Initial Funding. Declarant shall establish a working capital fund equal to two months of the Association Dues. Said amount shall be collected from a Buyer each time a lot and/or home in the Oakes Estates Subdivision is sold and paid to the Association for the specific purpose mentioned herein below. The working capital fund shall be used to meet unforeseen expenditures and any amount paid into the working capital fund shall not be considered as advance payments of regular assessments. While Declarant is in control of the Association, Declarant shall not use any part of the working capital fund to defray its expenses or construction costs or to make up any budget deficits. When control is transferred to the Association, the working capital fund shall be accounted for and transferred to the Association for deposit into the reserve fund. The Declarant shall have no authority to use the working capital fund for any expenditures related to Declarant's obligations to complete the subdivision, including any landscaping required to be installed by the City of Franklin

Section 4. Board Members Terms. After the initial members have been replaced as provided herein, the term of office of any Board member shall for a period of two (2) years from the date of such Board member holds office. If any Board member shall die, resign, be unable to act or cease to be qualified as a member, the unexpired term of such member shall be filled by special election of the Association.

Section 5. Voting. Declarant and every record owner of a lot in the Oakes Estates Subdivision shall be a member of the Association. Each Owner (whether the lot is owned singularly or collectively) shall be entitled to one ill vote in the affairs of the Association for each lot owned.

Section 6. Meetings. All meetings of the Board shall be open to all Owners and shall be held not less than three (3) days prior to written notice to all Owners. Two (2) members of the Board shall constitute a quorum. Actions of the Board shall be taken by majority vote of the members of the Board. The Board shall call a meeting of all Owners of the Association no less than one (1) time per calendar year.

Section 7. Board Duties. The Board shall have the following duties:

- A. To provide for the maintenance of improvements in the Common Areas and outlots; including the perpetual maintenance of all storm water drainage and detention and retention facilities located in the Common Areas which shall be maintained to the same standards to which they were constructed pursuant to the Ordinances of the City of Franklin and according to the terms and conditions of the Storm Water Maintenance Plan filed with the City of Franklin;
- B. To establish dates and procedures for the election of members to the Board,
- C. To promulgate operating procedures for the conduct of the Association's and Board's affairs;
- D. To enforce the terms, conditions and restrictions contained in the Declaration according to the terms thereof; and
- E. Establish and maintain an Architectural Control Committee subsequent to the initial Architectural Control Committee established and controlled by the Declarant as herein defined. Such Architectural Control Committee shall consist of three (3) persons appointed by the Board. No Owner of a vacant lot (except Declarant) shall have the right to serve on the Architectural Control Committee. Upon delegation by the Declarant's authority under this Declaration, the Architectural Control Committee shall have all of the rights and obligations of the Declarant.

Section 8. Board Powers. The Board shall have the following powers:

- A. Take such action as may be necessary to cause the Common Areas and outlots to be maintained, repaired, landscaped and kept in good, clean and attractive condition, including the perpetual maintenance of all storm water drainage and detention and retention facilities located in the Common Areas which shall be maintained to the same standards to which they were constructed pursuant to the Ordinances of the City of Franklin and the Storm Water Maintenance Plan filed herein;
- B. To enter into contracts and to employ agents, attorneys or others for purposes of discharging its duties and responsibilities hereunder;
- C. To levy and collect assessments in accordance with the provisions of Section 9 hereunder; and
- D. To do anything or take any action which is incidental to or necessary for the Board to perform its duties and discharge its obligations under this Declaration.

Section 9. Assessments. The Board shall levy and collect assessments in accordance with the following:

- A. The Owner of each lot shall be subject to a general annual charge or assessment ("General Assessment") equal to its pro rata share of the costs incurred or anticipated to be incurred by the Association in performing its duties and discharging its obligations hereunder. The pro-rata share of an Owner of a Subdivided Lot shall be a fraction, the numerator of which shall be one (1) and the denominator of which shall be sixteen (16). Said costs shall include, but not be limited to: repairs, plantings, replacements and additions to the improvement made to Common Areas and outlots, the perpetual maintenance of all storm water drainage facilities according to the terms mentioned above, equipment; materials, labor, management and supervision thereof, and all costs for the Association reasonably incurred in conducting its affairs and enforcing the terms, conditions and restrictions contained in this Declaration. The Board shall also have the power to levy an assessment against any individual Owner to: maintain said Owner's Subdivided Lot in accordance with the reasonable

standard of the subdivision and/or the failure of such Owner to comply with the terms, conditions, and restrictions contained in this Declaration

- B. The Board shall have the power to levy a Special Assessment as provided for below to pay expenses other than those expenses incurred for the operation of the community as provided for in the General Assessment or build up reserves. Any Special Assessment shall be levied against all Dwelling Units in equal shares. No Special Assessment shall be adopted without an affirmative vote of at least two thirds (2/3's) of the votes of the Owners upon whom the Special Assessment is levied against and only those Owners whom the Special Assessment is levied against are entitled to vote. The Board shall serve notice to all Owners of the Special Assessment by a statement in writing giving the specific purpose and reasons for the Special Assessment in sufficient detail required by a reasonable person to make a determination of whether the Special Assessment is needed, including the amount of the Special Assessment is sufficient detail required by a reasonable person to make a determination of whether the Special Assessment is needed, including the amount of the Special Assessment, terms of payment of the Special Assessment and all other such details. All Special Assessments collected herein shall be segregated in special account and used only for the specific purpose set forth in the notice and for no other purpose.
- C. The Board shall serve notice to all Owners of the General Assessments and Special Assessments by a statement in writing that shall be approved at a duly convened meeting of the Board.
- D. Written notice of an Assessment shall be personally delivered to each Owner or by delivery by regular mail addressed to the last known address of such Owner.
- E. Assessments shall be due and payable on or before thirty (30) days after mailing or personal delivery of the notice or at the time specified for payment of the assessment as set forth in the notice, which ever time is greater.
- F. Assessments not paid when due shall bear interest at the rate of twelve percent (12%) per annum from the date due until paid in full and such unpaid Assessments, and the interest thereon, shall constitute a continuing lien on the Subdivided Lot against which is assessed until paid in full. The Assessment and interest thereon shall also be a personal obligation of any current or subsequent Owner of the lot against which the Assessment was made
- G. The Board may record a document with the Register of Deeds in Milwaukee County, Wisconsin, giving notice of a lien for any such unpaid Assessment and upon payment or satisfaction of the amount due record a document canceling or releasing any such lien. The failure to file any such lien notice shall not impair the validity of the lien. All recording and attorney fees related to any such document for the collection of an Assessment shall be borne by the affected Owner.
- H. Any lien of the Association may be foreclosed by suit brought by the Committee, acting on behalf of the Association, in a like manner as the foreclosure of a mortgage on real property. The affected Owner shall be responsible for all the Association's costs in collecting the Assessment, including but not limited to attorney's fees.

Section 10. Limitations. During the initial term of the Board, the Board shall not have the power to make improvements to the Common Areas without the express written approval of the Declarant. After the initial term of the Board, the Board shall have no authority to make additional improvements costing in excess of Five Thousand Dollars (\$5,000.00) without the consent of seventy five percent (75%) of the Owners

Section 11. Board Liability. Members of the Board shall not be liable for any action taken by them in the good faith discharge of their duties, even if such action involves a mistaken judgment or negligence. The Association shall indemnify and hold the Board harmless from and against any and all costs or expenses, including reasonable attorney's fees incurred in connection with any suit or other action relating to the performance of their duties hereunder.

Section 12. No Waiver. Failure of the Association, Board, or or the Committee to enforce any of terms, covenants, conditions, or restrictions contained in this Declaration, shall not be deemed to be a waiver of the rights to do so or any acquiescence to that violation or any subsequent violation.

Section 13. Amendments. No amendment or modification, repeal or termination of this Declaration shall be valid unless in writing and signed by two thirds (2/3) of the Owners. Unless otherwise provided in such amendment or modification, this Declaration shall be considered to be amended only to the minimal extent necessary to give effect to this Declaration and the other terms and conditions of this Declaration shall continue with full force and effect.

Section 14 Initial Members of the Committee. The Declarant shall appoint or elect the initial members of the Board prior to the first sale of a Subdivided Lot to an Owner other than the Declarant or an affiliate of the Declarant. Until such time, the Declarant may act on behalf of the Association.

Section 15. Notwithstanding anything to the contrary set forth in the Declaration: (i) is not a member of the Association, nor shall be construed to be a member of Association; (ii) no fees, assessments, charges or liens shall be imposed on or levied against its assigns, successors in interest, or any successor owner of the Property, or the Property (as defined herein), nor shall its assigns, successors in interest, or any successor owner of the Property have any liability or obligation therefore as a result of this Declaration or otherwise; and (iii) the Declaration shall not burden or encumber, nor be construed to burden or encumber, all or any portion of the Property.

## **ARTICLE VII MAINTENANCE OF COMMON AREAS**

Section 1. Easements. The Association shall have the right and authority from time to time to grant easements, licenses, or concessions with regard to any portion of all of the Common Areas and Easements and for such uses and purposes as the Board deems to be in the best interests of the Owners and which are not prohibited hereunder including without limitation the right to grant easements for utilities, the right to grant public access to the Common Areas and Easements, or any other purpose which the Board deems to be in the best interests of the Owners Any proceeds from the easements, licenses, or concessions with respect to the Common Areas shall be used to offset the expenses of the Association.

Section 2. Maintenance. The following maintenance, repairs, and replacements shall be furnished by the Association as a Common Area Expense.

- A. Maintenance of trees, shrubs, flowers, grass, and other landscaping on the Common Areas and Easements,
- B. Maintenance, repair and replacement of all monument signs, entrance features and other improvements located in the Common Areas and Easements,
- C. Maintenance, repair and replacement of all storm water facilities and associated structures located in the designated Common Areas and Easements as required by the Storm Water Maintenance Plan filed with the City of Franklin.

Section 3. Professional Management. The Declarant has determined that it is in the best interests of the Owners to hire a professional management company to assist in the daily management of the affairs of the Association. In this regard the management company shall act on behalf of the Board of Directors to manage the maintenance of the Common Area and Easements; collect assessments; assist in the preparation of the budgets; send out notices and to conduct such other necessary business on behalf of the Association with the consent of the Board.

## ARTICLE VIII ENFORCEMENT

Section 1 Creation of Right. The Declarant hereby covenants and the Owners by acceptance of a deed of conveyance of a Subdivision Lot and/or Dwelling Unit, (whether or not such conditions are expressed in said deed or other conveyance) shall be bound by the terms and conditions of this Declaration, including the specific obligation to pay to the Association all charges made with respect to the operation of the Association, as a community assessment or such special assessments as may be from time to time be approved under the terms and conditions hereof. All such assessments, together with any interest thereon and reasonable costs of collection, including reasonable attorney's fees incurred in the collection of such assessments shall be a lien upon the Dwelling Unit and/or Subdivided Lot against which such assessment is made and shall be a personal obligation of the Owner of the Dwelling Unit and/or Subdivided Lot at the time the assessment becomes due.

The lien or personal obligation shall be in favor of and shall be enforced by the Association.

Section 2 Non-Payment of Assessments. All assessments which are not paid to the Association when due shall be deemed delinquent. All assessments which are delinquent for more than thirty (30) days from the due date shall carry interest at the rate of twelve percent (12%) per annum or the maximum rate permitted by law, whichever is less, from the date the assessment is due until said assessment is paid. The Association may bring an action against the Owner to collect the delinquency and/or enforce and foreclose any lien which it has or which may exist for its benefit. Each Owner shall be charged an assessment and is obligated to pay such assessment by reason of such Owners ownership in the Dwelling Unit or Subdivision Lot and no Owner may waive his or her obligation to such assessments for any reason, including the non-use of the Common Areas.

Section 3. Board Action. In the event of a violation or breach of this Declaration by an Owner or any rules or regulations adopted under the terms hereof, which such violation or breach may be cured or abated by affirmative action, then the Board, upon the expiration of 10 days from the date of receipt of written notice to the Owner shall have the right, but not the obligation to enter upon the Dwelling Unit where the violation or breach exists to remove or rectify the violation or breach, at such Owners expense. If the violation or breach occurs inside the Dwelling Unit, then the Board can only enter the Dwelling Unit upon Court Order.

Section 4. Remedies. The Board are entitled to bring any lawful action either or both deem necessary to enforce the provisions of this Declaration, including but not limited to injunctive relief, foreclosure or any other action in law or equity in the name of the Association and/or against any person or persons violation or attempting to violate any of the provisions of this Declaration, included in such action shall be the payment of reasonable attorney's fees and cost of enforcement incurred by the Association, , or both in connection with such enforcement action.

Section 5. Enforcement by Owners. The enforcement provisions of this Declaration and any rules and regulations adopted by the Association hereunder may be pursued by any aggrieved Owner against such person or persons violating or attempting to violate any provisions hereunder. In an award for any damages, including injunctive relief the aggrieved Owner shall be entitled to reasonable attorneys fees and costs of litigations incurred to enforce such provisions.

## ARTICLE IX GENERAL PROVISIONS

Section 1 Government Restrictions. The Declarant, its successors and assigns and all parties hereafter having an interest in the Property, are subject to all rules, codes, regulations and ordinances of the City of Franklin, Milwaukee County, State of Wisconsin and the Federal Government, and the same may be more restrictive than these restrictions. In the event of a conflict between the requirements of these restrictions and any provision of any Municipal, County, State or Federal Government, the more restrictive provisions shall apply.

Section 2 Severability. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

Section 3 Amendments. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years. From that date these covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then Owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

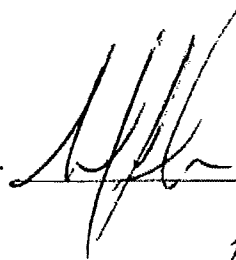
Section 4 Notices. Any notice sent to any Owner under the provisions of this Declaration shall be deemed to have been properly sent when (i) mailed, postage prepaid to such Owners last known address as it appears on the records of the Association at the time of such mailing, or (ii) when the notice is personally delivered to such Owner's Dwelling Unit.

Section 5 Declarant hereby declares that pursuant to Sections 706.09 and 893.33 of the Wisconsin Statutes: (i) the provisions of this Declaration are to be extended beyond the applicable time period set forth in the statute; and (ii) Declarant from time to time, file of record the proper instrument for the purpose of extending the terms stated herein beyond the statutory period so that such covenants, conditions, and restrictions are not terminated.

IN WITNESS WHEREOF, this Declaration of Restrictions is executed by Oakes Estates, LLC, as Developer and Declarant, as of the date first written above.

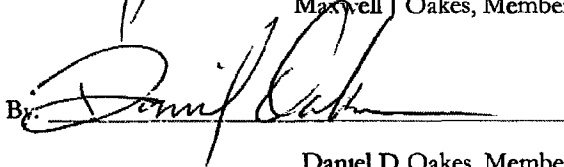
Oakes Estates, LLC.

By



Maxwell J Oakes, Member

By

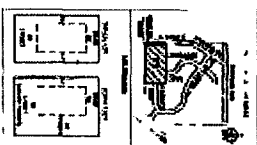
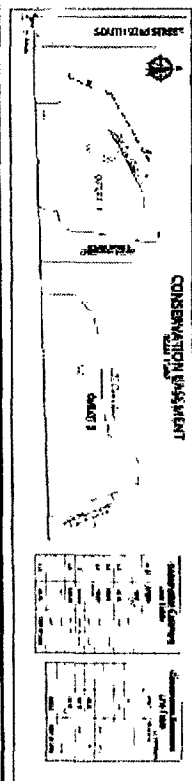
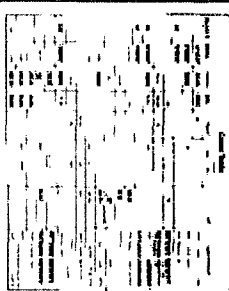
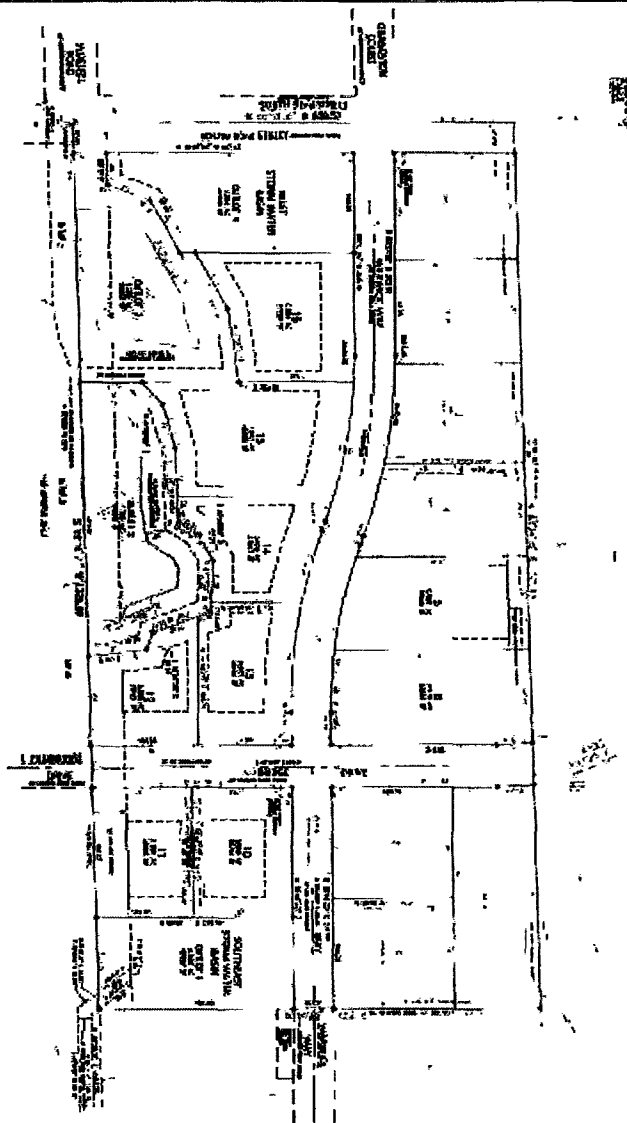


Daniel D Oakes, Member

**EXHIBIT A**

# OAKES ESTATES SUBDIVISION

PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF FRANKLIN, COUNTY OF MILWAUKEE AND STATE OF WISCONSIN.

[illegible]

**SHEET 1 OF 2 SHEETS**



[ April 2019 updated version]

**CITY OF FRANKLIN**

**WISCONSIN**

**SUBDIVISION DEVELOPMENT AGREEMENT**

**FOR**

**OAKES ESTATES SUBDIVISION**

**FEBRUARY 2020**

**SUBDIVISION DEVELOPMENT AGREEMENT  
FOR  
[OAKES ESTATES SUBDIVISION]**

ARTICLES OF AGREEMENT (THIS "Agreement") made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between Oakes Estates, LLC, a Limited Liability Corporation, hereinafter called the "Subdivider" as party of the first part, and the City of Franklin, a municipal corporation of Milwaukee County, Wisconsin, party of the second part, hereinafter called the "City"

**WITNESSETH**

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

WHEREAS, §§ 236.13(2)(am), 236.13(2)(b), 236.13(2)(c), 236.13(2)(d) and 236.13(2m) of the Wisconsin Statutes and Division 15-9 033 Land Division Procedures and Administration of the Unified Development Ordinance of the City of Franklin Municipal Code, provide that as a condition of approving the Subdivision, the governing body of a municipality may require that the Subdivider make and install, or have made and have installed, any public improvements reasonably necessary, that designated facilities be provided as a condition of approving the planned Subdivision development, that necessary alterations to existing public utilities be made, and that the Subdivider provide a Financial Guarantee approved by the City Attorney guaranteeing that the Subdivider will make and install, or have made and installed, those improvements within a reasonable time; and

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

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

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

- 1       The legal description of the Subdivision is set forth on attached Exhibit "A"
- 2       The improvements aforementioned shall be as described in Exhibit "B" except as noted in Exhibit "E"
3.      The Subdivider shall prepare plans and specifications for the aforesaid Improvements, under direction of the City Engineer, and to be approved by the City Engineer. After receiving the City's approval thereof, the Subdivider shall take bids, and award contracts (the "Improvements Contracts") for and install all of the improvements in accordance with standard engineering and public works practices, and the applicable statutes of the

State of Wisconsin The Improvements shall be based on the construction specifications stated in attached Exhibit "F".

- 4 The full cost of the Improvements will include all labor, equipment, material, engineering, surveying, inspection and overhead costs necessary or incidental to completing the Improvements (collectively the "Improvements Costs") Payment for the Improvements Costs will be made by the Subdivider periodically as the Improvements are completed as provided in the Improvements Contracts The total estimated cost of the Improvements is (IN WORDS) One Million Three Hundred Sixty Five Thousand Seven Hundred Eight and 00/100 Dollars as itemized in attached Exhibit "D".
- 5 To assure compliance with all of Subdivider's obligations under this Agreement, prior to the issuance of any building permits, the Subdivider shall file with the City a Financial Guarantee (the "Financial Guarantee", which may be either in the form of a Letter of Credit or a Performance Bond and such form shall be the choice of the Subdivider) in the initial amount of \$1,365,708.51, representing the estimated costs for the Improvements as shown in attached Exhibit "D". Upon the written approval of the City Engineer, the amount of the Financial Guarantee may be reduced periodically as the Improvements are paid for and approved by the City so that following each such reduction, the Financial Guarantee equals the total amount remaining for Improvements Costs pertaining to Improvements for which Subdivider has not paid as set forth in the Improvements Contracts for the Improvements or which remain unapproved by the City. The Financial Guarantee shall be issued by a bank or other financial institution (the "Surety Guarantee Issuer") reasonably satisfactory to the City, for the City as "Beneficiary", in a form satisfactory to the City Attorney. Failure to file the Financial Guarantee within ten (10) days after written demand by the City to the Subdivider shall make and render this Agreement null and void, at the election of the City. Upon acceptance by the City (as described below) of and payment by Subdivider for all the completed Improvements, the Financial Guarantee shall be released and surrendered by the City to the Subdivider, and thereafter the Subdivider shall have no further obligation to provide the Financial Guarantee to the City under this Paragraph 5 , except as set forth under Paragraph 13. below.
- 6 In the event the Subdivider fails to pay the required amount for the Improvements or services enumerated herein within thirty (30) days or per contract after being billed for each improvement of each stage for any Improvements Costs at the time and in the manner provided in this Agreement, and if amounts remain unpaid after an additional thirty (30) days written notice to Subdivider, the City may notify the Guarantee Issuer in writing to make the said payments under the terms of the Financial Guarantee to the Contractor, within the later of the time frame stipulated in the Financial Guarantee or five (5) days after receiving a written demand from the City to make such payment Demand shall be sent by registered letter with a return receipt requested, addressed to the Surety Guarantee Issuer at the address indicated on the Financial Guarantee, with a copy to the Subdivider, described in Paragraph five (5) above. It is understood between the parties to this Agreement, that billings for the Improvements Costs shall take place as the various segments and sections of the Improvements are completed and certified by the City Engineer as complying with the approved plans and applicable provisions of the Franklin Municipal Code and Unified Development Ordinance

In addition, the City Engineer may demand that the Financial Guarantee be extended from time to time to provide that the Financial Guarantee be in force until such time that

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

7 The following special provisions shall apply:

- (a) Those special provisions as itemized on attached Exhibit "C" and attached Exhibit "E" are hereby incorporated by reference in this Agreement and made a part hereof as if fully set forth herein.
- (b) The laterals mentioned in Exhibit "B" are to be installed before street surfacing mentioned in Exhibit "B" is commenced.
- (c) Electric and Gas Company is to install all necessary mains before the street surfacing mentioned in Exhibit "B" is commenced. Also, any other underground work by any other utilities is also to be completed before said street surfacing is commenced.
- (d) To the extent necessary to accommodate public utilities easements on the Subdivision development, easements will be dedicated for the use of the Electric Company, the Telephone Company and Cable Company to provide utility services to the Subdivision. All utilities shall be underground except for any existing utility poles/lines.
- (e) The curb face to curb face width of the roads in the Subdivision shall be as determined by the City Engineer.
- (f) Fee title to all of the Improvements and binding easements upon lands on which they are located, shall be dedicated and given by the Subdivider to the City, in form and content as required by the City, without recourse, and free and clear of all liens or encumbrances, with final inspection and approval of the Improvements and accompanying title and easement documents by the City constituting acceptance of such dedication. The Improvements shall thereafter be under the jurisdiction of, the City and the City shall maintain, at the City's expense, all of the Improvements after completion and acceptance thereof by the City. Necessary permits shall be obtained for all work described in this Agreement.

8 The Subdivider agrees that it shall be fully responsible for all the Improvements in the Subdivision and appurtenances thereto during the period the Improvements are being constructed and continuing until the Improvements are accepted by the City (the "Construction Period"). Damages that may occur to the Improvements during the Construction Period shall be replaced or repaired by the Subdivider. The Subdivider's

obligations under this Paragraph 8 , as to any improvement, terminates upon acceptance of that improvement by the City

- 9 The Subdivider shall take all reasonable precautions to protect persons and property of others on or adjacent to the Subdivision from injury or damage during the Construction Period. This duty to protect shall include the duty to provide, place and maintain at and about the Subdivision, lights and barricades during the Construction Period.
10. If the persons or property of others sustain loss, damage or injury resulting directly or indirectly from the work of the Subdivider or its subcontractors or materialmen in their performance of this Agreement or from its failure to comply with any of the provisions of this Agreement or of law, the Subdivider shall indemnify and hold the City harmless from any and all claims and judgments for damages, and from costs and expenses to which the City may be subjected or which it may suffer or incur by reason thereof, provided, however, that the City shall provide to the Subdivider promptly, in writing, notice of the alleged loss, damage or injury
11. Except as otherwise provided in Paragraph 12. below, the Subdivider shall indemnify and save harmless the City, its officers, agents and employees, and shall defend the same, from and against any and all liability, claims, loss, damages, interest, actions, suits, judgments, costs, expenses, and attorneys' fees, to whomsoever owed and by whomsoever and whenever brought or obtained, which in any manner results from or arises in connection with:
  - (a) the negligent or willfully wrongful performance of this Agreement by the Subdivider or any subcontractor retained by the Subdivider,
  - (b) the negligent or willfully wrongful construction of the Improvements by the Subdivider or by any of said subcontractors,
  - (c) the negligent or willfully wrongful operation of the Improvements by the Subdivider during the Construction Period;
  - (d) the violation by the Subdivider or by any of said subcontractors of any applicable law, rule, regulation, order or ordinance; or
  - (e) the infringement by the Subdivider or by any of said subcontractors of any patent, trademark, trade name or copyright.
- 12 Anything in this Agreement to the contrary notwithstanding, the Subdivider shall not be obligated to indemnify the City or the City's officers, agents or employees (collectively the "Indemnified Parties") from any liability, claim, loss, damage, interest, action, suit, judgment, cost, expenses or attorneys fees which arise from or as a result of the negligence or willful misconduct of any of the Indemnified Parties
- 13 The Subdivider hereby guarantees that the Improvements will be free of defects in material and/or workmanship for a period of one (1) year from the date of acceptance of the Improvements by the City. To secure the Subdivider's obligations under said guaranty upon acceptance of the Improvements by the City, the Subdivider will provide to the City a Financial Guarantee equal to 10% of the sub-total in Exhibit "D" of the total Improvements Costs, which Financial Guarantee shall expire one (1) year after the

Improvements have been accepted by the City or continue the existing base Financial Guarantee maintaining a minimum of 10% of the sub-total in Exhibit "D" of the total Improvements Costs for one (1) year after the improvements have been accepted by the City. This Financial Guarantee shall be a partial continuation of, and not in addition to, the Financial Guarantee described in Paragraph 5. above

- 14 (a) The Subdivider shall not commence work on the Improvements until it has obtained all insurance coverage required under this Paragraph 14. and has filed certificates thereof with the City.

- (1) **COMPREHENSIVE GENERAL LIABILITY AND PROPERTY DAMAGE INSURANCE** - Coverage shall protect the Subdivider and all subcontractors retained by the Subdivider during the Construction Period and all persons and property from claims for damages for personal injury, including accidental death as well as claims for property damages, which may arise from performing this Agreement, whether such performance be by the Subdivider or by any subcontractor retained by the Subdivider or by anyone directly or indirectly employed by either the Subdivider or any such subcontractor. The City shall be named as an additional insured on all such insurance coverage under this Paragraph 14.(a)(1) and Paragraph 14 (a)(2) The amounts of such insurance coverage shall be as follows

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

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

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

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

- 15 The Subdivider shall not be released or discharged of its obligations under this Agreement until the City has completed its final inspection of all the Improvements and the City has issued its written approval of all of the Improvements, which approval shall not be unreasonably withheld or delayed, and Subdivider has paid all of the Improvements Costs, at which time the Subdivider shall have no further obligations under this Agreement except for the one (1) year guaranty under Paragraph 13
- 16 The Subdivider and the City hereby agree that the cost and value of the Improvements will become an integral part of the value of the Subdivision and that no future lot

assessments or other types of special assessments of any kind will be made against the Subdivision by the Subdivider or by the City for the benefit of the Subdivider, to recoup or obtain the reimbursement of any Improvement Costs for the Subdivider

- 17 Execution and performance of this Agreement shall be accepted by the City as adequate provision for the Improvements required within the meaning of §§ 236.13(2)(a), 236.13(2)(b), 236.13(2)(c), 236.13(2)(d) and 236.13(2m) of the Wisconsin Statutes
- 18 Penalties for Subdivider's failure to perform any or all parts of this Agreement shall be in accordance with Division 15-9 0500, Violations, Penalties, and Remedies of the Unified Development Ordinance and §1-19. Penalty provisions of the City of Franklin Municipal Code, as amended from time to time, in addition to any other remedies provided by law or in equity so that the City may obtain Subdivider's compliance with the terms of this Agreement as necessary.

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

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

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

SEALED IN PRESENCE OF \_\_\_\_\_  
[Subdivider/Entity]

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title \_\_\_\_\_

Party of the First Part

STATE OF WISCONSIN )  
 )ss  
\_\_\_\_\_ COUNTY )

Personally came before me this \_\_\_\_ (day) of \_\_\_\_\_, 2020, the above named \_\_\_\_\_ of \_\_\_\_\_ and acknowledged that [she/he] executed the foregoing instrument as such officer as the deed of said \_\_\_\_\_ by its authority.

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

\_\_\_\_\_  
Name printed \_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, WI  
My commission expires \_\_\_\_\_

CITY OF FRANKLIN

By: \_\_\_\_\_  
Name Stephen R. Olson  
Title Mayor

COUNTERSIGNED

By: \_\_\_\_\_  
Name Sandra L. Wesolowski  
Title City Clerk

Party of the Second Part



STATE OF WISCONSIN )  
 )ss  
\_\_\_\_\_ COUNTY )

Personally came before me this \_ day of \_\_\_\_\_, 2020, the above named Stephen R Olson, Mayor, and Sandra L Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they had executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Notary Public, Milwaukee County, WI  
My commission expires \_\_\_\_\_

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

Form approved

\_\_\_\_\_  
Jesse A. Wesolowski, City Attorney

**INDEX OF EXHIBITS  
TO  
SUBDIVISION DEVELOPMENT AGREEMENT  
FOR  
[OAKES ESTATES SUBDIVISION]**

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

**EXHIBIT "A"**  
**TO**  
**SUBDIVISION DEVELOPMENT AGREEMENT**  
**FOR**  
**[OAKES ESTATES SUBDIVISION]**

<b>LEGAL DESCRIPTION OF SUBDIVISION</b>
---

**Property Legal Description:**

Part of the Southwest 1/4 of the Northwest 1/4 of Section 9, Town 5 North, Range 21 East of the Fourth Principal Meridian, in the City of Franklin, County of Milwaukee County and State of Wisconsin, bounded and described as follows:

Beginning at the Southwest corner of the Northwest 1/4 of said Section 9; run thence N00°03'00"W, 659.57 feet along the West line of the Northwest 1/4 of said Section 9; thence N88°34'18"E, 1325.64 feet to the West line of Stone Hedge Subdivision Addition No. 1, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on June 14, 2005 as Document No. 09028234; thence S00°08'32"E, 659.95 feet along the West line of Stone Hedge Subdivision Addition No. 1 to the South line of the Northwest 1/4 of said Section 9; thence S88°35'21"W, 1326.69 feet along the South line of the Northwest 1/4 of said Section 9 to the point of beginning of this description.

Containing 874,719 square feet or 20.081 acres.

**EXHIBIT "B"**  
**TO**  
**SUBDIVISION DEVELOPMENT AGREEMENT**  
**FOR**  
**[OAKES ESTATES SUBDIVISION]**

<p><b>GENERAL DESCRIPTION OF REQUIRED SUBDIVISION IMPROVEMENTS</b></p>
--

Description of improvements required to be installed to develop the Oakes Estates Subdivision.

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

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

- |    |   |    |
|----|---|----|
| 1  | Grading of all lots and blocks within the Subdivision in conformance with the approved grading plan   | *S |
| 2  | Grading of the streets within the Subdivision in accordance with the established street grades and the City approved street cross-section and specifications  | *S |
| 3  | Installation of concrete or asphalt permanent pavement with vertical face concrete curb and gutter in accordance with present City specifications   | *S |
| 4  | Sanitary sewer main and appurtenances in the streets and/or easement in the Subdivision, to such size and extent as determined by the master sewer plan and/or City Engineer, as necessary to provide adequate service for the final Subdivision and drainage area. | *S |
| 5. | Laterals and appurtenances from sanitary sewer main to each lot line; one for each lot as determined by the City  | *S |
| 6. | Water main and fittings in the streets and/or easement in the Subdivision, to such size and extent as determined by the master water plan and/or the City Engineer as necessary to provide adequate service for the final Subdivision and service area              | *S |

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

**EXHIBIT "C"**  
**TO**  
**SUBDIVISION DEVELOPMENT AGREEMENT**  
**FOR**  
**[OAKES ESTATES SUBDIVISION]**

<b>GENERAL SUBDIVISION REQUIREMENTS</b>
---

I     GENERAL

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

II    LOT SIZE AND UNIT SIZE

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

III   WATER SYSTEM

- A     Availability
  - 1     Each and every lot in the Subdivision shall be served by a water main
  - 2.    The Subdivider shall provide for the extension of the water system to abutting properties by laying water pipe in public right-of-way or in water easement to the exterior lot line of the Subdivision as directed by the City Engineer.
  - 3     Laterals shall be laid to each and every lot   Size shall be approved by the City Engineer.
  - 4     Fire hydrants shall be available to the City's Fire and Public Works Departments, and both City Departments shall have free and unlimited use of the water.
- B     Construction

1. All construction shall be in accordance with the specifications of the City.
2. Inspection of the work shall be at the Subdivider's expense.
3. Mains and appurtenances including all pipe, hydrants, gate valves, laterals and curb stop boxes shall be installed.

#### IV. SANITARY SEWER SYSTEM

##### A Components

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

##### B Availability

1. Each and every building in the Subdivision shall be served by a sanitary sewer.
2. Laterals shall be laid to the lot line of each and every lot.
3.
  - a) The Subdivider shall provide for the extension of the sanitary sewer system to abutting properties by laying sewer pipe to the exterior lot lines of the Subdivision as directed by the City Engineer, and in accordance with system plans as approved by Milwaukee Metropolitan Sewerage District.
  - b) In the event that adjacent property owners request sewer service prior to the time the sewer extensions are installed to the exterior boundaries of the Subdivision as described in Section IV. B. 3 (a) above, the City is hereby granted the right to install said extensions within the Subdivision at the expense of the Subdivider. All costs for installing sewer systems outside of the boundaries of the Subdivision shall be paid by the adjacent property owners upon any special assessment proceedings had by the City or waiver thereof by the adjacent property owners pursuant to Wis. Stat. § 66.0701 Special assessments by local ordinance, and §207.15 Special assessments, of the Municipal Code.

#### V. STORM DRAINAGE

##### A Components

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

B Endwalls

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

C Outfalls and Retaining Walls

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

D. Responsibility of Discharged Water

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

VI. STREETS

A Location

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

B. Names

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

C Construction

- 1 All streets shall be built in accordance with the specifications on file in the City Engineer's Office.



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

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

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

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

D. Snow Removal and Ice Control

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

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

VII. EASEMENTS

A. Drainage

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

## VIII PERMITS ISSUED

### A Building Permits

1. No building permits shall be issued until
  - a) The sanitary and storm sewer and water mains have been installed, tested and approved
  - b) Drainage has been rough graded and approved
  - c) Streets and lots have been rough graded and approved, and curb and gutter installed and the base course of asphalt pavement installed.
  - d) The plat has been recorded
  - e) All Subdivision monuments have been set
- 2 Building permits may be granted for model homes prior to satisfying the above conditions, provided an agreement relating thereto has been approved by the Common Council of the City of Franklin.

### B Occupancy Permits

1. No temporary occupancy permits shall be issued until.
  - a) Streets have been paved except for the final lift of asphalt
  - b) The gas, telephone and electrical services have been installed and are in operation
  - c) The water system is installed, tested and approved.
  - d) The site is stabilized and all drainage facilities have been re-certified

## IX. DEED RESTRICTIONS

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

X. CHARGES FOR SERVICES BY THE CITY OF FRANKLIN

A Fee for Checking and Review

At the time of submitting the plans and specifications for the construction of the Subdivision improvements, a fee equal to two-and-one-fourth percent ( $2\frac{1}{4}\%$ ) of the cost of the improvements as estimated by the City Engineer at the time of submission of improvement plans and specifications, to partially cover the cost to the City of checking and reviewing such plans and specifications provided that cost does not exceed \$250,000 00, a fee equal to one-and-three-fourth percent ( $1\frac{3}{4}\%$ ) of such cost, if the cost is in excess of \$250,000 00, but not in excess of \$500,000.00; and one-and-one-fourth percent ( $1\frac{1}{4}\%$ ) of said cost in excess of \$500,000 00. At the demand of the Subdivider or City Engineer, the fee may be recomputed after the work is done in accordance with the actual cost of such improvements and the difference, if any, shall be paid by or remitted to the Subdivider. Evidence of cost shall be in such detail and form as required by the City Engineer.

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

**EXHIBIT "D"**  
**TO**  
**SUBDIVISION DEVELOPMENT AGREEMENT**  
**FOR OAKES ESTATES SUBDIVISION**

<b>ESTIMATED IMPROVEMENT COSTS</b>
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All improvement costs, including but not limited to preparation of plans, installation of facilities and inspection shall be borne by the Subdivider in accordance with Paragraph (4) of this Agreement

Said costs for the project are estimated to be as follows

DESCRIPTION	COSTS
Grading (including Erosion Control)	288,800.00
Sanitary System	201,192 00
Water System	119,125.00
Storm Sewer System	134,250.00
Paving (including sidewalk)	190,290.00
Street Trees (59 x \$400/lot)	23,600.00
Street Lights (1 )@ approximately \$5,000/ea	5,000.00
Street Signs	1,733.95
Underground Electric, Gas and Telephone	60,000.00
Storm Water Management	2,000.00 / Month
SUBTOTAL	1,035,990.95
Engineering/Consulting Services	50,000.00
Municipal Services (7% of Subtotal)	72,519.37
Contingency Fund (20% of Subtotal)	207,198.19
TOTAL	1,365,708 51

Total: One Million Three Hundred Sixty Five Thousand Seven Hundred Eight and 51/100 Dollars

APPROVED BY. \_\_\_\_\_ Date: \_\_\_\_\_  
Glen E. Morrow, City Engineer

**EXHIBIT "E"**  
**TO**  
**SUBDIVISION DEVELOPMENT AGREEMENT**  
**FOR**  
**OAKES ESTATES SUBDIVISION**

<b>ADDITIONAL SUBDIVISION REQUIREMENTS</b>
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1. The Subdivider agrees that it shall pay to the City of Franklin for one (1) public street light fixtures and poles as provided by WE-Energies. The LED fixtures shall be oval- high lumen (143 watts) for major intersections and medium lumen (92 watts) for the interior of the subdivision. The poles shall be 35-foot fiberglass with 6-foot arm (position over the City street). Non-LED lights are not permitted.
2. The Subdivider shall make every effort to protect and retain all existing trees, shrubbery, vines and grasses pursuant to the approved Natural Resource Protection Plan (the "NRPP"). Trees shall be protected and preserved during construction in accordance with sound conservation practices as outlined in §§15-8 0204A. through F. of the Unified Development Ordinance.
3. The Subdivider shall cause all grading, excavations, open cuts, side slopes and other land surface disturbances to be so mulched, seeded, sodded or otherwise protected that erosion, siltation, sedimentation and washing are prevented in accordance with the plans and specifications approved by the City Engineer as outlined in §§15-8.0203H 1 through 5. of the Unified Development Ordinance.
4. The Subdivider agrees to pay the City for street trees planted by the City on W Warwick Way and S Cambridge Drive at the rate of \$400 per tree with a planting distance between trees of 85 feet on the average. The City shall determine the planting schedule and shall be responsible for tree maintenance and replacement except for damage caused by the Subdivider, the Subdivider's sub-contractors, or the lot owners.
5. The requirements for the installation of concrete driveway approaches shall be omitted from this Agreement because the Subdivider will require that the owners of said lots install concrete driveway approaches, as required by the Franklin Building Inspector.
6. The Subdivider shall be responsible for cleaning up the debris that has blown from buildings under construction within the Subdivision. The Subdivider shall clean up all debris within forty-eight (48) hours after receiving a notice from the City Engineer.
7. The Subdivider shall be responsible for cleaning up the mud and dirt on the roadways until such time as the final lift of asphalt has been installed. The Subdivider shall clean the roadways within forty-eight (48) hours after receiving a notice from the City Engineer.
8. Prior to commencing site grading, the Subdivider shall submit for approval by the City Engineer an erosion and silt control plan. Said plan shall provide sufficient control of the site to prevent siltation downstream from the site. The Subdivider shall maintain the erosion and siltation control until such time that vegetation sufficient to equal pre-existing conditions has been established.

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

16      Construction Requirements

- a) Prior to any construction activity on the site, Subdivider shall prepare a gravel surfaced parking area within the boundaries of the site
- b) During construction, all vehicles and equipment shall park on the site. Parking shall not be permitted on any external public right-of-way.
- c) Prior to issuance of any building permits other than in the case of the issuance of any model structure permits, all necessary grading and improvements shall be completed as directed by the City Engineer.
- d) All traffic shall enter the site from S 92<sup>nd</sup> St

17      The Subdivider shall provide for the connection to the existing water main, storm water, and sanitary utilities and install any necessary curb and gutter and pavement

**EXHIBIT "F"**  
**TO**  
**SUBDIVISION DEVELOPMENT AGREEMENT**  
**FOR**  
**[OAKES ESTATES SUBDIVISION]**

<b>CONSTRUCTION SPECIFICATIONS</b>
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The following specifications shall be used for the construction of the various improvements

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







<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> 04/06/20
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (ANUP K. KHULLAR, 5100 LLC, APPLICANT) (AT 5112 WEST RYAN ROAD)</b>	<b>ITEM NUMBER</b> M.13.

At the March 19, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of this Resolution conditionally approving a 2 lot Certified Survey Map with the following additional conditions:

- The applicant shall submit a site plan or revised Certified Survey Map depicting the previously approved telecommunication tower and setbacks from the lot line between lots 1 and 2, for Department of City Development review and approval, prior to the recording of the Certified Survey Map.
- The applicant shall provide information from the Wisconsin Department of Transportation (WisDOT) regarding setbacks and access management standards along Ryan Road and revise the Certified Survey Map as necessary, for Department of City Development review, prior to the recording of the Certified Survey Map.

#### **COUNCIL ACTION REQUESTED**

A motion to adopt Resolution 2020-\_\_\_\_\_, conditionally approving a 2 lot Certified Survey Map, being a division of a part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Anup K. Khullar, 5100 LLC, applicant) (at 5112 West Ryan Road)

## RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED  
SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF  
THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN  
(ANUP K. KHULLAR, 5100 LLC, APPLICANT)  
(AT 5112 WEST RYAN ROAD)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a division of a part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 5112 West Ryan Road, bearing Tax Key No. 882-9999-002, Anup K. Khullar, 5100 LLC, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Anup K. Khullar, 5100 LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form

ANUP K. KHULLAR, 5100 LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 2

and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Anup K. Khullar, 5100 LLC, successors and assigns, and any developer of the Anup K. Khullar, 5100 LLC 2 lot certified survey map project, 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, 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.
5. The approval granted hereunder is conditional upon Anup K. Khullar, 5100 LLC and the 2 lot certified survey map project for the property located at 5112 West Ryan Road: (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.
6. Pursuant to Unified Development Ordinance §15-9.0309.D, the applicant shall submit a Natural Resource Protection Plan, or a letter from a qualified professional stating that no natural resources require protection, for Department of City Development review and approval, prior to the recording of the Certified Survey Map.
7. Upon preparation of the Natural Resource Protection Plan, the applicant shall submit a conservation easement for all protected natural resources that may be present in the subject property, for Common Council review and approval, prior to the recording of the Certified Survey Map.
8. The Landscape Plan for the bufferyard easement areas shall be subject to review and approval by the Department of City Development, prior to the recording of the Certified Survey Map.
9. The applicant shall submit a landscape bufferyard easement, for Common Council review and approval, prior to the recording of the Certified Survey Map.
10. The applicant shall revise the Certified Survey Map to address the Engineering Department comments in the Staff Memorandum dated January 3, 2020, for Engineering Department review and approval, prior to the recording of the Certified Survey Map.

ANUP K. KHULLAR, 5100 LLC – CERTIFIED SURVEY MAP

RESOLUTION NO. 2020-\_\_\_\_\_

Page 3

11. The applicant shall submit a site plan or revised Certified Survey Map depicting the previously approved telecommunication tower and setbacks from the lot line between lots 1 and 2, for Department of City Development review and approval, prior to the recording of the Certified Survey Map.
12. The applicant shall provide information from the Wisconsin Department of Transportation (WisDOT) regarding setbacks and access management standards along Ryan Road and revise the Certified Survey Map as necessary, for Department of City Development review, prior to the recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, 5100 LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, 5100 LLC, with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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







**Worksheet for the Calculation of Base Site Area for Both Residential and Nonresidential Development**

<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property	2.220	acres
<b>STEP 2:</b>	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area	- .124	acres
<b>STEP 3:</b>	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space	- 0	acres
<b>STEP 4:</b>	In the case of "Site Intensity and Capacity Calculations" for a proposed residential use, subtract (-) the land proposed for nonresidential uses, or In the case of "Site Intensity and Capacity Calculations" for a proposed nonresidential use, subtract (-) the land proposed for residential uses	- 0	acres
<b>STEP 5:</b>	Equals "Base Site Area"	= 2.096	acres

**§ 15-3.0503 Calculation of the Area of Natural Resources to Be Protected.**

Land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the base site area (as defined in § 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective natural resource protection standard (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the total resource protection land. The total resource protection land shall be calculated as indicated in Table 15-3.0503

**Table 15-3.0503**

**Worksheet for the Calculation of Resource Protection Land**

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			<div align="center"> <b>Franklin</b>  <b>MAY 17 2020</b>  City Development  Acres of Land in Resource Feature </div>	
	Agricultural District	Residential District	Non-Residential District		
Steep Slopes					
10-19%	0.00	0.60	0.40	X _____	_____
				=	
20-30%	0.65	0.75	0.70	X _____	_____
				=	
+ 30%	0.90	0.85	0.80	X _____	_____
				=	
Woodlands & Forests.					
Mature	0.70	0.70	0.70	X _____	_____
				=	
Young	0.50	0.50	0.50	X _____	_____
				=	
Lakes & Ponds	1	1	1	X _____	_____
				=	

# Worksheet for the Calculation of Base Site Area for Both Residential and Nonresidential Development

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property	1.291	acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area	.233	acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space	0	acres
STEP 4:	In the case of "Site Intensity and Capacity Calculations" for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of "Site Intensity and Capacity Calculations" for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	0	acres
STEP 5:	Equals "Base Site Area"	1.058	acres

46,086 SF

## § 15-3.0503 Calculation of the Area of Natural Resources to Be Protected.

Land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the base site area (as defined in § 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature". The acreage of each natural resource feature shall be multiplied by its respective natural resource protection standard (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the total resource protection land. The total resource protection land shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503

### Worksheet for the Calculation of Resource Protection Land

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
steep Slopes					
10-19%	0.00	0.60	0.40	X	
				=	
20-30%	0.65	0.75	0.70	X	
				=	
+ 30%	0.90	0.85	0.80	X	
				=	
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X	
				=	
Young	0.50	0.50	0.50	X	
				=	
Lakes & Ponds	1	1	1	X	
				=	

ANUP KHULLAR  
CERTIFIED SURVEY MAP

5112 W. Ryan Road

LOT 1

$$\begin{array}{l} \text{GROSS FLOOR AREA} \\ \text{RATIO (GFAR)} \end{array} = \frac{\text{BLDG. GROSS FLOOR AREA}}{\text{BASE SITE AREA}} = \frac{15,639 \text{ SF}}{91,297} = .171$$

$$\begin{array}{l} \text{NET FLOOR AREA} \\ \text{RATIO (NFAR)} \end{array} = \frac{\text{BLDG. GROSS FLOOR AREA}}{\text{BUILDABLE SITE AREA}} = \frac{15,639 \text{ SF}}{64,318} = .243$$

$$\begin{array}{l} \text{LANDSCAPE SURFACE} \\ \text{RATIO (LSR)} \end{array} = \frac{\text{LANDSCAPED SURFACE}}{\text{BASE SITE AREA}} = \frac{38,050 \text{ SF}}{91,297} = .4167$$

LOT 2

$$\begin{array}{l} \text{GROSS FLOOR AREA} \\ \text{RATIO (GFAR)} \end{array} = \frac{\text{BLDG. GROSS FLOOR AREA}}{\text{BASE SITE AREA}} = \frac{0 \text{ SF}}{46,086} = 0$$

$$\begin{array}{l} \text{NET FLOOR AREA} \\ \text{RATIO (NFAR)} \end{array} = \frac{\text{BLDG. GROSS FLOOR AREA}}{\text{BUILDABLE SITE AREA}} = \frac{0 \text{ SF}}{40,933} = 0$$

$$\begin{array}{l} \text{LANDSCAPE SURFACE} \\ \text{RATIO (LSR)} \end{array} = \frac{\text{LANDSCAPED SURFACE}}{\text{BASE SITE AREA}} = \frac{49,444 \text{ SF}}{46,086} = 1.07$$



Architects  
Engineers

5565 S. 25th Street  
Milwaukee, WI 53221  
Cell: (414) 897-4723  
tycj9900@gmail.com

## § 15-5.0301 Applicability.

- Landscaping Required Landscaping is required for on-lot landscaping, street bufferyards, peripheral bufferyards, and in off-street parking areas and in areas where vegetative mitigation (see § 15-4.0103 of this Ordinance) is required. The area and/or length of each, as required herein must be measured in order to determine the amount of landscaping required
- Exemptions and Modifications. All developments shall meet the provisions of this Division except as specifically exempted below
  1. Residential Development on Existing Lots of Record in the A-1, R-1, R-1E, R-2, R-3, R-3E, R-4, R-5, R-6, R-7, and VR Districts Residential development on existing lots of record in the A-1, R-1, R-1E, R-2, R-3, R-3E, R-4, R-5, R-6, R-7, and VR Districts as of the date of the adoption of this Ordinance.
  2. Additions to Existing Buildings Where the Total Floor Area is not Increased More than 10%. Additions to existing buildings where the total floor area is not increased more than 10% of the existing total floor area.
  3. Additions to Buildings Which Increase Overall Building Area From 10 to 50%. Additions to buildings which increase their overall building area from 10 to 50% shall conform to the landscaping standards set forth in this Division reduced by up to 30%.
  4. Floodplain and Wetland Areas. Areas located within the FW, FC, FFO, and SW Districts are exempt from the landscaping requirements set forth in this Division
- Bufferyards to Ameliorate Nuisances Between Certain Adjacent Zoning Districts. A bufferyard is a combination of a setback and a visual buffer or barrier, and is a yard or area together with the planting and/or landscape structure required thereon. The amount of land, the type of planting, and the amount of planting specified for each bufferyard requirement of this Ordinance are designed to ameliorate nuisances between certain adjacent zoning districts. Bufferyards are also designed to ensure a desired character along public streets and roads.
- Bufferyards Required to Separate Different Zoning Districts. Bufferyards shall be required to separate different zoning districts from each other. Bufferyards function to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions.

## § 15-5.0302 Minimum Landscape Standards.

- Standard Plant Units. All landscaping requirements are stated in terms of the number of standard plant units required This Section defines the standard plant unit and its definitions of this Section The following Table 15-5.0302 specifies the plant unit requirements.

Table 15-5.0302		
Minimum Number of Standard Plant Units		
<b>Multi-Family</b>		
Type	Planting Size	Minimum Quantity
Canopy/Shade Tree	2.5 inch caliper	1.5 per dwelling unit
Evergreens	4 feet tall	1 per dwelling unit
Decorative Trees	1.5 inch caliper	1 per dwelling unit
Shrubs	3 feet tall	3 per dwelling unit

43 PARKING SPACES

<b>Commercial, Office, Institutional and Similar Uses</b>		
Type	Planting Size	Minimum Quantity
Canopy/Shade Tree	2.5 inch caliper	9 REQ. 1 per 5 provided parking spaces
Evergreens	4 feet tall	9 REQ. 1 per 5 provided parking spaces
Decorative Trees	1.5 inch caliper	9 REQ. 1 per 5 provided parking spaces
Shrubs	3 feet tall	9 REQ. 1 per 5 provided parking spaces

<b>Manufacturing (Industrial)</b>		
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## MEMORANDUM

Date: March 17, 2020

To: Plan Commission

From: Department of City Development

RE: Recommendation to reject the Certified Survey Map (CSM) request submitted by Anup Khullar.

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On March 17, 2020, the applicant submitted additional information, including: Site intensity and capacity calculations, Landscape Surface Ratio (LSR) and Floor Area Ratio (FAR) calculations, and Landscape Plan. It is noted that the submittal deadline for these materials was March 9, 2020.

This recent submittal addresses two of the five reasons for denial: Landscape Surface Ratio (LSR) and Floor Area Ratio (FAR) calculations, as noted in the report presented to the Plan Commission at its February 20, 2020, meeting.

Staff is recommending to reject the CSM request for the reasons outlined in the February 20, 2020, Plan Commission report, specifically # 3, 4 and 5.

However, if the City wishes to approve the proposed CSM, staff recommends several conditions of approval contained in the attached draft resolution dated March 17, 2020:

- Condition No. 6 has been removed, because the applicant submitted the LSR and FAR calculations.
- Condition No. 9 has been amended. Due to late submittal of the Landscape Plan, said plan is subject to review and approval by the Department of City Development.

Régulo Martínez-Montilva, AICP  
Associate Planner - Department of City Development

## RESOLUTION NO. 2020-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED  
SURVEY MAP, BEING A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF  
THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST,  
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN  
(ANUP K. KHULLAR, 5100 LLC, APPLICANT)  
(AT 5112 WEST RYAN ROAD)

---

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a division of a part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 5112 West Ryan Road, bearing Tax Key No. 882-9999-002, Anup K. Khullar, 5100 LLC, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Anup K. Khullar, 5100 LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form

ANUP K. KHULLAR, 5100 LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 2

and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Anup K. Khullar, 5100 LLC, successors and assigns, and any developer of the Anup K. Khullar, 5100 LLC 2 lot certified survey map project, 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, 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.
5. The approval granted hereunder is conditional upon Anup K. Khullar, 5100 LLC and the 2 lot certified survey map project for the property located at 5112 West Ryan Road: (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.
6. ~~Pursuant to Unified Development Ordinance Table 15-3.0303, the applicant shall submit Landscape Surface Ratio (LSR), Gross Floor Area Ratio (GFAR) and Net Floor Area Ratio (NFAR) calculations, for Department of City Development review and approval, prior to the recording of the Certified Survey Map.~~
7. Pursuant to Unified Development Ordinance §15-9.0309.D, the applicant shall submit a Natural Resource Protection Plan, or a letter from a qualified professional stating that no natural resources require protection, for Department of City Development review and approval, prior to the recording of the Certified Survey Map.
8. Upon preparation of the Natural Resource Protection Plan, the applicant shall submit a conservation easement for all protected natural resources that may be present in the subject property, for Common Council review and approval, prior to the recording of the Certified Survey Map.
9. The Landscape Plan for the bufferyard easement areas shall be subject to review and approval by the Department of City Development, prior to the recording of the Certified Survey Map. [amended]
10. The applicant shall submit a landscape bufferyard easement, for Common Council review and approval, prior to the recording of the Certified Survey Map.

ANUP K. KHULLAR, 5100 LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 3

11. The applicant shall revise the Certified Survey Map to address the Engineering Department comments in the Staff Memorandum dated January 3, 2020, for Engineering Department review and approval, prior to the recording of the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, 5100 LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, 5100 LLC, with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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



## MEMORANDUM

Date: March 13, 2020

To: Plan Commission

From: Department of City Development

RE: Recommendation to reject the CSM request OR to table subject to written time extension to be provided by the applicant.

---

At its February 20, 2020, the Plan Commission carried *a motion to table this land division request, subject to signature by the applicant of a time extension for additional 30 days*. The applicant, Anup Khullar, granted such time extension which expires on March 21. City Development staff has not received revised application materials nor a written time extension as of writing of this Memorandum.

On March 10, 2020, staff sent e-mail communication to the applicant informing that the applications materials have not been received by the submittal deadline and offering available Plan Commission meetings subject to a time extension.

Staff is recommending to reject the CSM request for the reasons outlined in the February 20, 2020, Plan Commission report.

OR

Staff would recommend to table this item as long as the applicant provides a written time extension prior or during the Plan Commission meeting.

Régulo Martínez-Montilva, AICP  
Associate Planner - Department of City Development

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of February 20, 2020****Certified Survey Map**


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**RECOMMENDATION:** Department of City Development staff recommends denial of this Certified Survey Map (CSM) request.

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<b>Project Name:</b>	Anup Khullar Certified Survey Map
<b>General Project Location:</b>	5112 W Ryan Road
<b>Property Owner:</b>	5100, LLC
<b>Applicant:</b>	Anup Khullar. 5100, LLC
<b>Agent:</b>	<b>James Schneider</b>
<b>Current Zoning:</b>	<b>B-3 Community Business District</b>
<b>2025 Comprehensive Plan:</b>	Commercial
<b>Use of Surrounding Properties:</b>	Single-family residential properties zoned as B-2 General Business district to the north and west. A vacant lot zoned B-1 Neighborhood Business District is located to the east. To the south, the Franklin Business Park is across Ryan Rd.
<b>Applicant's Action Requested:</b>	Approval of Certified Survey Map (CSM).

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Please note.

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

**INTRODUCTION:**

This Certified Survey Map (CSM) would divide one (1) existing lot into two (2) proposed lots. The subject property is approximately 3.78 acres and is located in the intersection of two arterial roads, 51st Street and Ryan Road. The proposed Lot 1 would be 2.49 acres in size and is currently used as "Andy's" gas station, Lot 2 would be 1.29 acres and is currently vacant but a Special Use for a telecommunication tower has been previously approved.

The applicant submitted a Certified Survey Map (CSM) application on November 7, 2019. Pursuant to Wisconsin Statutes §236.34(1m)(f), the approving authority shall take action within 90 days of application submittal unless a time extension is granted by the applicant. On January 3, 2019, City Development staff sent review comments to the applicant and tentatively scheduled this application to the January 23, 2020, Plan Commission meeting. The applicant granted two time extensions to schedule this application for this February 20, 2020, Plan Commission meeting, and the March 3, Common Council meeting.

**PROJECT DESCRIPTION AND ANALYSIS:**

The applicant stated that the proposed Lot 1 is for the existing gas station and Lot 2 is intended for future development, the applicant did not provide information about the proposed land use

for Lot 2. On June 18, 2019, the Common Council adopted Resolution 2019-7512 imposing conditions for the approval of a 125-foot telecommunication monopole tower in the northwest corner of proposed Lot 2, this project is currently as the building permit stage.

Staff is recommending denial of this Certified Survey Map request for the following reasons:

1. **Landscape Surface Ratio (LSR).** The Unified Development Ordinance (UDO) table 15-3.0303 requires a minimum 0.4 LSR for properties located in the B-3 zoning district. The applicant did not provide these calculations requested in staff memorandum dated January 3, 2020. Without these calculations, it is not possible to determine compliance.
2. **Floor Area Ratio (FAR).** The applicant did not provide Gross Floor Area Ratio (GFAR) and Net Floor Area Ratio (NFAR) calculations. As stated above, these calculations are required to determine compliance with UDO table 15-3.0303.
3. **Natural Resource Protection Plan (NRPP).** The applicant did not provide a NRPP or a letter from qualified personnel stating no natural resources. The applicant stated that a NRPP would be provided at the time of future of development. Pursuant to UDO §15-9.0309.D, the NRPP is a requirement for Certified Survey Maps.

Other reasons for denial, which are not specific requirements of the UDO include:

4. The applicant did not provide information on how the previously approved telecommunication tower would fit within this proposed Certified Survey Map. Setbacks and easements may be required between the telecommunication tower and any future development in Lot 2
5. The applicant did not provide information from the Wisconsin Department of Transportation (WisDOT) regarding setbacks and access management standards along Ryan Road.

#### **STAFF RECOMMENDATION:**

City Development Staff recommends denial of this Certified Survey Map (CSM) for the reasons stated above. However, if the City wishes to approve the proposed CSM, staff recommends several conditions of approval contained in the attached draft resolution.

With regards to staff review comments sent on January 3, 2020, some of the items have been addressed while others have not been addressed and are outlined in the attached resolution for consideration of the Plan Commission.

#### **STAFF SUGGESTION:**

The following condition is not included in the attached resolution:

- The applicant shall submit a cross-access easement between lot 1 and lot 2, for Department of City Development and Engineering Department review and approval. Upon approval, the easement shall be recorded with the Milwaukee County Register of Deeds Office.

## MEMORANDUM

Date: January 3, 2020  
To: Anup Khullar  
From: City of Franklin, Department of City Development  
RE: Application for Certified Survey Map (CSM) – 5112 W Ryan Road

---

Please be advised that the Department of City Development has reviewed the Certified Survey Map (CSM) application submitted by Anup Khullar on November 7, 2019.

### **Certified Survey Map (CSM), as required by the UDO.**

1. Pursuant to the Unified Development Ordinance (UDO) Section 15-0702, please provide the following:
  - A. **Existing features.** Outer boundaries of parking areas and drives.
  - B. **Setbacks, shore buffers, wetland buffers, wetland setbacks, and building lines.** All required setbacks shall be graphically indicated in the CSM. Please add parking and driveway setbacks and wetland buffers and setbacks (if wetlands are present).
  - C. **Easements.** Delineation of easements in the subject property.
  - F. **Existing and Proposed Contours.** Existing and proposed contours at vertical intervals of not more than two feet.
  - P. **Location of Proposed Deed Restrictions, Landscape Easements, and/or Conservation Easements.** If natural resources are present, as described in Division 15-4.0100 of the UDO. It is recommended that said natural resources be located within conservation easements and outlots. Conservation easement template is attached.
  - Q. "Natural Resource Protection Plan", and "Landscape Plan" for any landscape bufferyard easement areas.
2. It is noted that 51<sup>st</sup> Street and Ryan Road are considered arterial roads. Per UDO Section 15-5.0102, a Landscape Bufferyard Easement is required along property lines abutting an arterial road. The minimum landscape buffer width is 30 feet. Please provide a landscape plan and a landscape bufferyard easement (template attached). Additionally, the following note should be added to face of the CSM:

*"Landscape Bufferyard Easement: This strip is reserved for the planting of trees and shrubs; the building of structures hereon is prohibited."*
3. The landscape plan should comply with the requirements set forth in UDO Division 15-7.0301.
4. Per UDO Section 15-5.0201, please add required 30-foot vision triangles along both driveways. As previously noted, 51<sup>st</sup> Street and Ryan Road are considered arterial roads, so the required vision triangle at this intersection shall be 60 feet.

**B-3 Community Business District standards, as required by the UDO.**

5. The subject property is located in the B-3 Community Business District, in order to determine compliance with the district standards set forth in the Unified Development Ordinance (UDO) table 15-3.0303, please add the following information:
  - A. Landscape Surface Ratio (LSR), Gross and Net Floor Area Ratio calculations (GFAR and NFAR) for proposed lots.
  - B. Parking and driveway setbacks.
  - C. If wetlands are present, wetland buffer and wetland setback.

**Common Council Resolution No. 2019-7512.**

6. On June 18, 2019, the Common Council adopted Resolution 2019-7512 imposing conditions for the approval of a 125-foot telecommunication monopole tower in the northwest corner of proposed Lot 2. The resolution describes a 30 foot wide ingress/egress and utility easement and a 10 foot wide utility easement, these easements are not depicted in the CSM, please clarify.
7. Must revise the project narrative to explain how the previously approved cell tower fits with this CSM, i.e. will the tower still be built? If so, there will likely be additional setbacks, additional easements, additional access easements, etc. between the tower and any new development.
8. Staff recommends a site plan be prepared so at a minimum all required setbacks between the previously approved cell tower and the proposed new lot line can be verified.

**Additional City Development Department Comments**

9. Should revise the project narrative to explain what type of future development is proposed or anticipated.
10. Staff recommends that all required plans be provided at this time (prior to Plan Commission submittal) including Natural Resource Protection Plan and Landscape Plan. Staff further recommends that these plans be detailed plans appropriate for detailed review and comments. Failure to provide all such plans will likely lead to significant delays in final reviews and approvals, and may sometimes result in further revisions of plans such that additional Plan Commission and/or Common Council approvals will be required.
11. Does the applicant want shared parking to be allowed between the two lots? If so, staff recommends a shared parking easement between lot 1 and lot 2.
12. Staff recommends a cross access easement between lot 1 and lot 2.
13. Please contact the Wisconsin Department of Transportation for the minimum required setbacks and access management standards along Ryan Road.

**Engineering Department Comments**

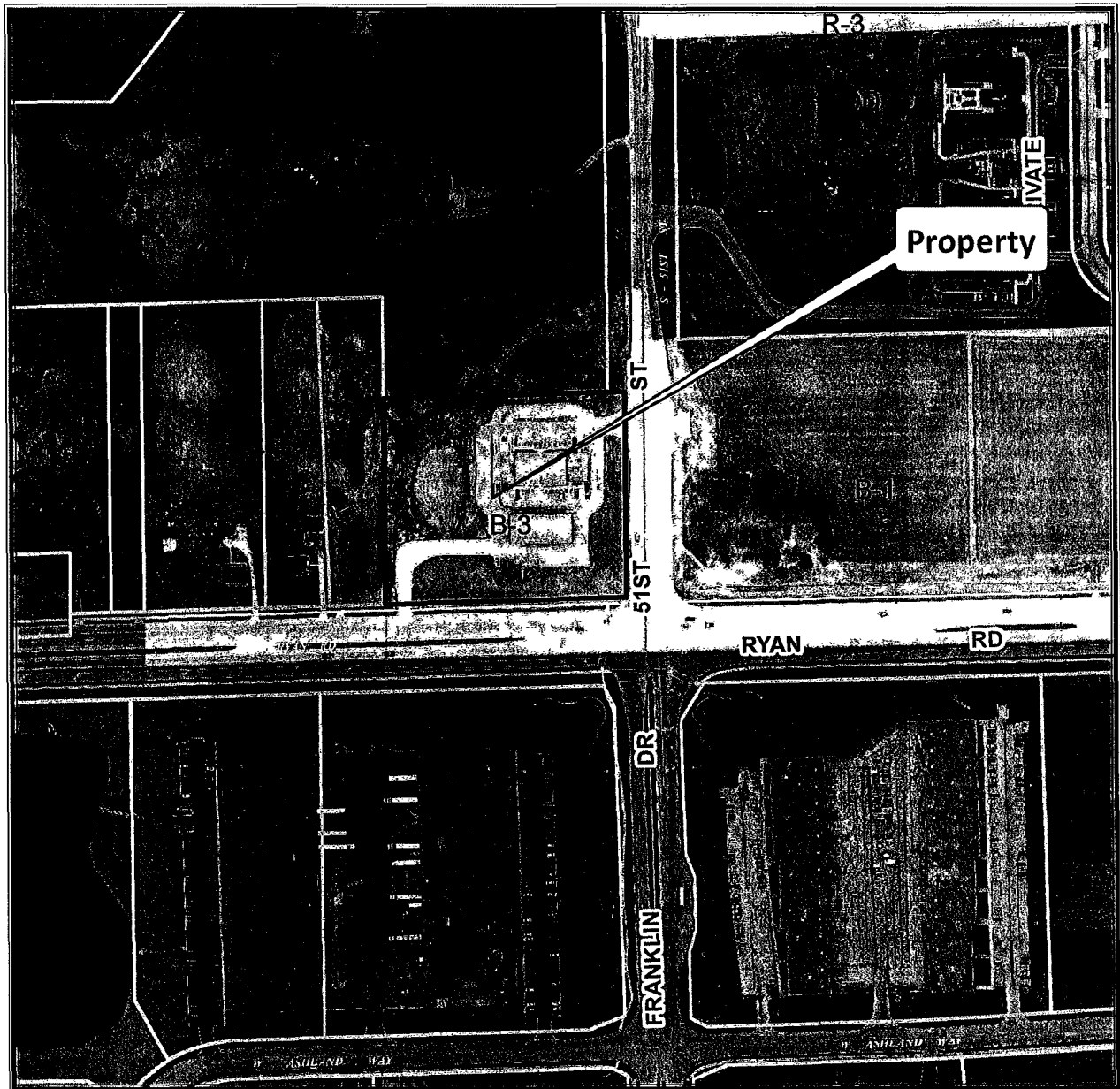
14. Must resolve the technical omissions and deficiencies identified by the Milwaukee County.
15. Must show all the recorded easements on this proposal.
16. Must show under the notes the sentence " Lot 1 & 2 is served by Public Sanitary Sewer and Water".
17. Must show the coordinates of the monuments.
18. Must show that 51st Street meets the required width of the 130-ft right of way as an arterial road.

19. On page 4 of 4, replace "Plan Commission" to "Common Council" and the paragraph below to change it to

- " This Certified Survey Map is hereby approved by the Common Council of the City of Franklin by Resolution No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_."



5112 W. Ryan Road  
TKN: 882 9999 002



Planning Department  
(414) 425-4024

0 175 350 700 Feet

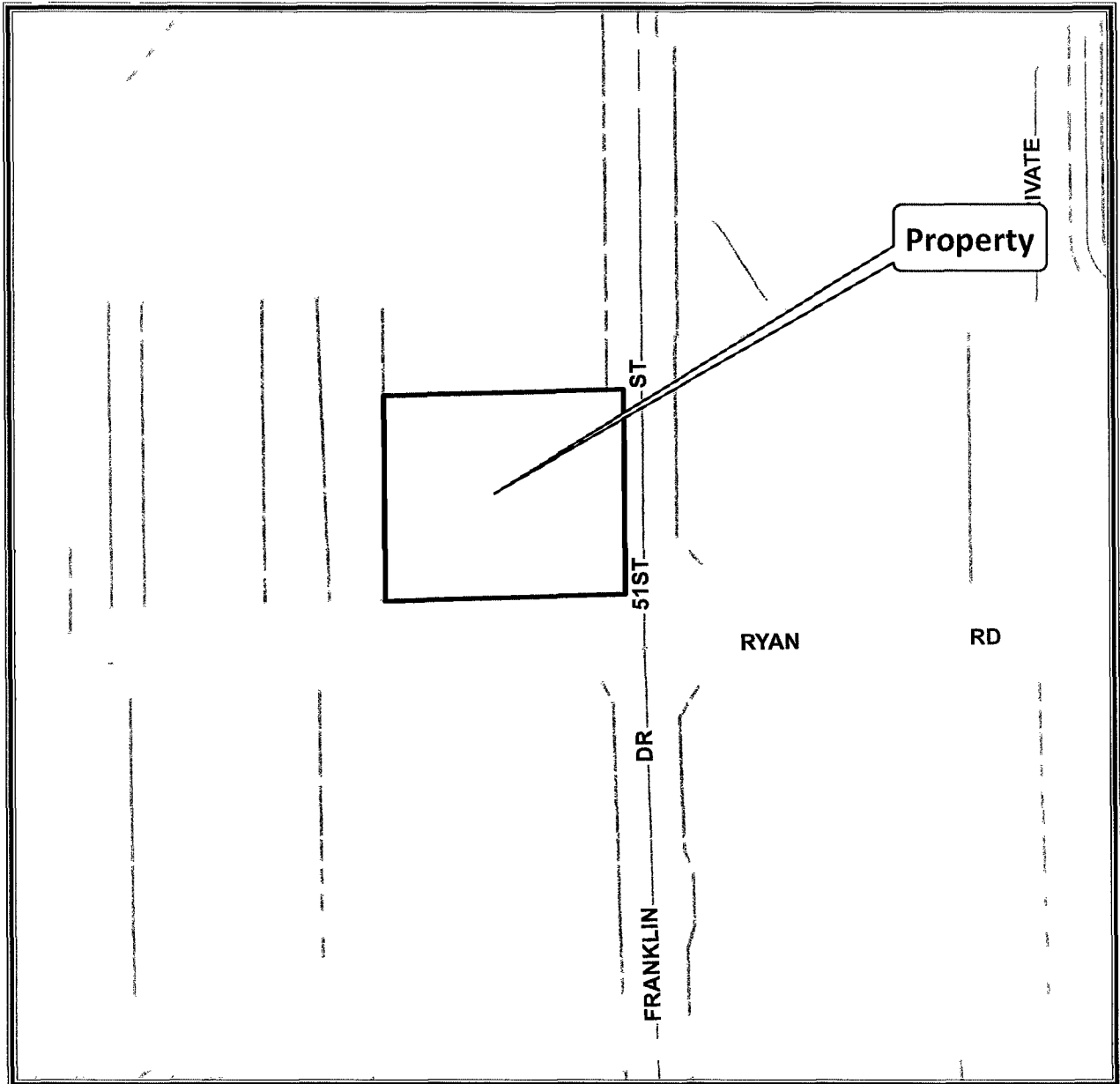


2017 Aerial Photo

*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.*



5112 W. Ryan Road  
TKN: 882 9999 002



Planning Department  
(414) 425-4024

0 175 350 700 Feet

*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.*



2017 Aerial Photo



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

A DIVISION OF PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 23, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



SCALE 1" = 100'

## LEGEND

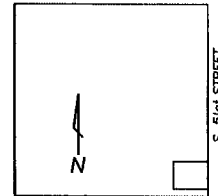
- - DENOTES 1/315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)  
● - DENOTES STEEL PIPE (FOUND)  
□ - DENOTES 1/2" REBAR (FOUND)  
( ) - DENOTES RECORDED AS BEARINGS

ALL BEARINGS REFERENCED TO GRID  
NORTH OF THE WISCONSIN STATE  
PLANE COORDINATE SYSTEM, SOUTH ZONE  
(SOUTH LINE OF THE SW 1/4 OF SECTION  
23-5-21 WHICH BEARS S88°22'14" W)

NOTES :

1. CURRENT ZONING:  
B-3 (COMMUNITY BUSINESS DISTRICT)
2. THIS PROPERTY IS ALSO SUBJECT  
TO EASEMENTS OF RECORD.
3. LOT 1 & 2 IS SERVED BY PUBLIC  
SANITARY SEWER AND WATER

**NORTH SHORE ENGINEERING, INC.**  
Consulting Engineers & Land Surveyors  
11433 N. Port Washington Rd. Mequon, Wisconsin, 53092  
(262) 241-9400 • FAX: (262) 241-5337  
[www.northshoreengineering.net](http://www.northshoreengineering.net)



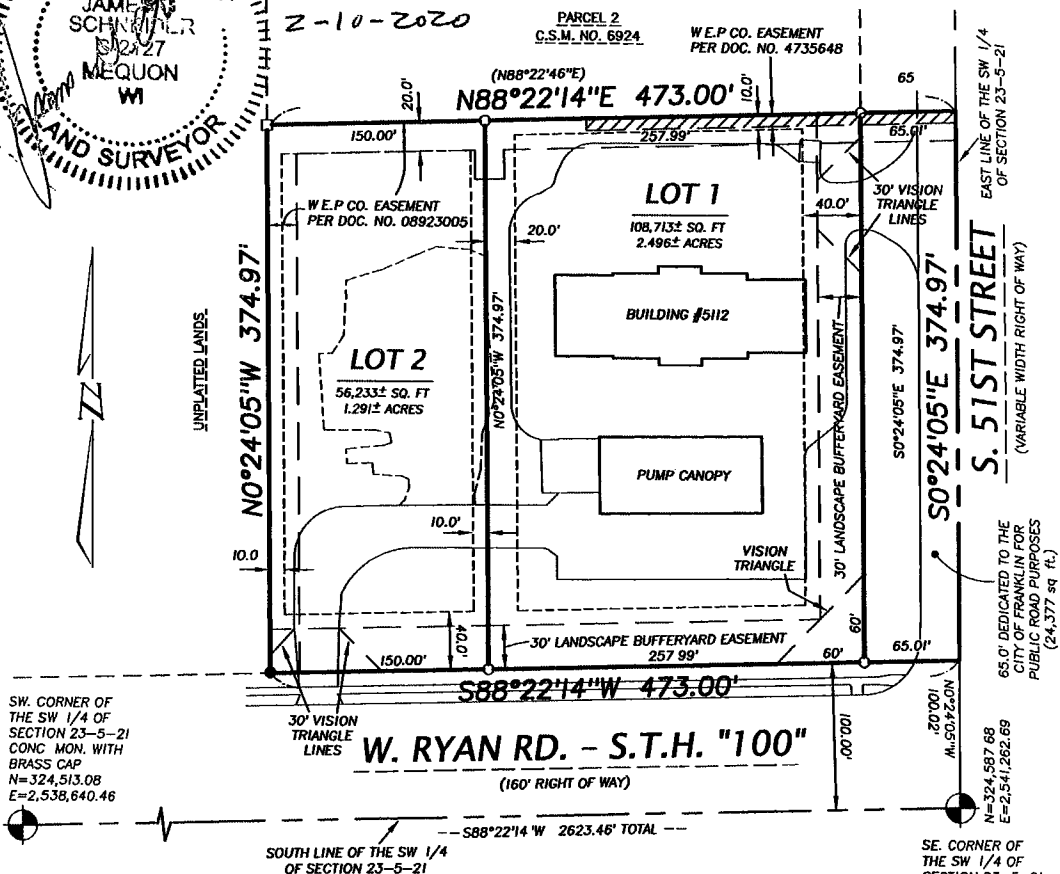
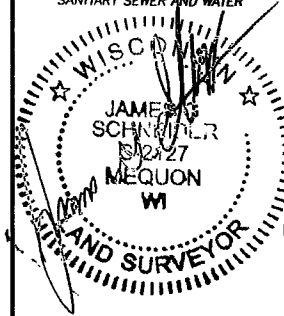
## LOCATION MAP

SOUTHWEST 1/4 SEC. 23-5-21  
(SCALE 1"=2000')

OWNERS

5100, LLC  
8200 W BROWN DEER RD.  
MILWAUKEE, WI 53223

**LANDSCAPE BUFFERYARD EASEMENT:**  
THIS STRIP IS RESERVED FOR THE  
PLANTING OF TREES AND SHRUBS;  
BUILDING OF STRUCTURES HEREON  
IS PROHIBITED.



THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 1 OF 4 SHEETS

CERTIFIED SURVEY MAP NO \_\_\_\_\_

A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF  
SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN,  
MILWAUKEE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, James G Schneider, Professional Land Surveyor, do hereby certify

THAT I have surveyed, divided and mapped the following parcel of land

A division of a part of the Southeast 1/4 of the Southwest 1/4 of Section 23, Township 5  
North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded  
and described as follows

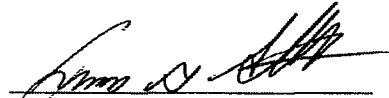
Commencing at the Southeast corner of said Southwest 1/4, thence N0°24'05"W along  
the East line of said Southwest 1/4, 100 02 feet to a point in the North right of way line of  
W Ryan Rd - S T H "100" and the point of beginning of lands to be described, thence  
S88°22'14"W along said right of way line, 473 00 feet, thence N0°24'05"W and parallel  
with the East line of said Southwest 1/4 Section, 374 97 feet to a point in the Southerly  
line of Parcel 2 of Certified Survey Map No 6924, thence N88°22'14"E along the  
Southerly line of said Parcel 2, 473 00 feet to a point in the East line of the Southwest  
1/4 of said Section 23, thence S0°24'05"E along said East line, 374 97 feet the point of  
beginning

Said lands containing 4 071 acres of land, more or less

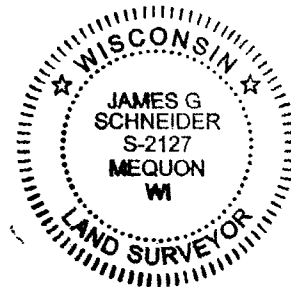
That I have made such survey, land division, and plat at the direction of 5100, LLC,  
OWNER of said lands

That such map is a correct representation of all the exterior boundaries of the land  
surveyed and the land division thereof made

That I have complied with, Chapter 236 34 of the Wisconsin Statutes and Division 15-  
7 0700 of the requirements of the City of Franklin

  
James G Schneider S-2127

2-10-2020



This instrument was drafted by James G Schneider

CERTIFIED SURVEY MAP NO \_\_\_\_\_

A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF  
SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN,  
MILWAUKEE COUNTY, WISCONSIN

CORPORATE OWNER'S CERTIFICATE

I, Anup Khullar (Member) of 5100, LLC, OWNER, do hereby certify THAT, I have  
caused the lands described in the foregoing certificate of James G. Schneider, Surveyor,  
to be surveyed, divided, mapped and dedicated

WITNESS the hand and seal of said OWNERS on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Anup Khullar (Member)

STATE OF WISCONSIN)  
OZAUKEE COUNTY )<sup>ss</sup>

PERSONALLY came before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_  
the above named Anup Khullar (Member) to me known to be the person who executed  
the foregoing certificate and acknowledged the same

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

CONSENT OF MORTGAGEE

WISCONSIN BANK & TRUST, existing under and by virtue of the laws of the State of  
Wisconsin, mortgagee of the above described land does hereby consent to the  
surveying, dividing and mapping of the land described on this Certified Survey Map and  
does hereby consent to the above certificate of Anup Khullar, OWNER

In witness whereof, the said Wisconsin Bank & Trust has caused these presents to be  
signed by \_\_\_\_\_, it's \_\_\_\_\_  
at \_\_\_\_\_, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

IN THE PRESENCE OF

Wisconsin Bank & Trust

\_\_\_\_\_  
By \_\_\_\_\_

STATE OF WISCONSIN)  
OZAUKEE COUNTY )<sup>ss</sup>

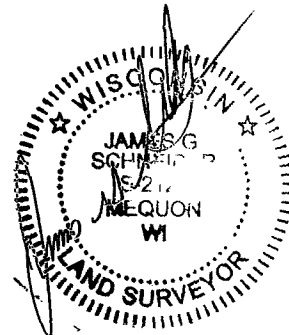
PERSONALLY came before me on this \_\_\_\_\_ day of \_\_\_\_\_  
, 20\_\_, \_\_\_\_\_, to me known to be the person who executed the  
foregoing certificate and acknowledged the same

\_\_\_\_\_  
Notary Public

My Commission expires \_\_\_\_\_

This instrument was drafted by James G. Schneider

Sheet 3 of 4 Sheets



CERTIFIED SURVEY MAP NO \_\_\_\_\_

*A DIVISION OF A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF  
SECTION 23, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN,  
MILWAUKEE COUNTY, WISCONSIN*

CITY OF FRANKLIN COMMON COUNCIL APPROVAL

This Certified Survey Map is hereby approved by the Common Council of the City of  
Franklin by resolution No \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2020

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

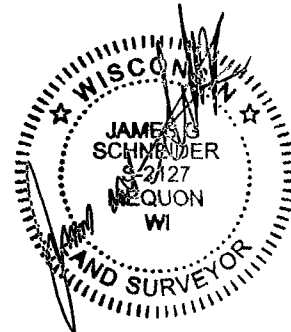
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

This instrument was drafted by James G. Schneider

Sheet 4 of 4 Sheets



2-10-2020

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GRANT FUNDS TO PROVIDE ADDITIONAL \$55,000 OF APPROPRIATIONS TO ADDRESS THE CORVID-19 PUBLIC HEALTH EMERGENCY	ITEM NUMBER <i>15.14.</i>
<p><b><u>Background</u></b></p> <p>The City has \$120,447 in Health Grant Fund balance related to Bioterrorism as of December 31, 2019. That Grant would permit the City to use those funds to address the current COVID-19 Public Health Emergency</p> <p>The 2020 Grant Budget includes \$65,000 of appropriations from those fund balances as authorized expenditures.</p> <p><b><u>Analysis</u></b></p> <p>Given the nature of the Public Health Crisis facing the City, the Director of Health &amp; Human Services has indicated that the funds are available to support the City's response to the Public Health Emergency</p> <p><b><u>Recommendation</u></b></p> <p>The Director of Finance &amp; Treasurer recommends the adoption the proposed 2020 Budget Amendment to appropriate \$55,000 of the remaining Bioterrorism Grant opening Fund Balance to permit their use in addressing the COVID-19 Public Health Emergency.</p> <p style="text-align: center;"><b>COUNCIL ACTION REQUESTED</b></p> <p>Motion adopting an ordinance to amend Ordinance 2019-2398, an Ordinance adopting the 2020 annual budgets for the Grant Funds to provide additional \$55,000 of appropriations to address the corvid-19 Public Health Emergency</p> <p>Roll Call Vote Required</p>		

Finance Dept - Paul

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2020 \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING  
THE 2020 ANNUAL BUDGETS FOR THE GRANT FUNDS TO PROVIDE ADDITIONAL  
\$55,000 OF APPROPRIATIONS TO ADDRESS THE CORVID-19 PUBLIC HEALTH  
EMERGENCY

-----

WHEREAS, the Common Council of the City of Franklin adopted the 2020 Annual Budgets for the City of Franklin on November 19, 2019; and

WHEREAS, a Bioterrorism Grant was received several years ago to aid the City in addressing health emergencies; and

WHEREAS, The Governor of Wisconsin declared a statewide COVID-19 Public Health Emergency on March 12, 2020; and

WHEREAS, the Mayor of Franklin declared a Public Health Emergency in the City of Franklin on March 16, 2020; and

WHEREAS, the grant has \$120,455 of fund balance as of December 31, 2019; and

WHEREAS, the 2020 Budget includes \$65,000 of Bioterrorism appropriations to address such an emergency leaving \$55,445 of fund balance un-appropriated.

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

Section 1 That a 2020 Budget for the Grant Fund be amended as follows:  
Bioterrorism Grant

Non-Personnel Costs	Increase	\$55,000
---------------------	----------	----------

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 \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY FUND TO PROVIDE ADDITIONAL RESOURCE AND EXPENDITURES FOR STREET TREES TOTALING \$31,125	ITEM NUMBER <i>B.15.</i>

### **Background**

The 2020 Capital Outlay Budget provides for the purchase of \$10,000 for street trees

The City has received a \$13,000 grant from the WI Department of Natural Resources (requiring matching city funds). The grant permits the use of the 2019 Capital Outlay street expenditures as part of the 2020 required city match, resulting in the full \$13,000 grant being available.

In addition, Developer agreements provide funds for the purchase of trees required to be placed by the developers in their projects. There are \$40,500 of developer funds available in either escrow deposits with the City or Letters of Credit in favor of the City. The Developers place the funds with the City as tree planting takes after the final punch list items have been completed. By placing the funds with the City, the developer responsibility for tree planting is satisfied. The Highway Dept includes a fee for planting services of the trees purchased with the funds.

### **Analysis**

A budget amendment is required to provide for the purchase of trees utilizing the Grant and Developer funds.

### **Recommendation**

The Director of Finance & Treasurer recommends the adoption of the proposed amendment, which provides for grant and developer resources for the additional street tree appropriations in the amount of \$31,125.

### **COUNCIL ACTION REQUESTED**

Motion adopting an ordinance to amend Ordinance 2019-2398, an Ordinance adopting the 2020 annual budgets for the Capital Outlay Fund to provide additional resources and expenditures for street trees totaling \$31,125

Roll Call Vote Required

Finance Dept - Paul



STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2020 \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING  
THE 2020 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY FUND TO PROVIDE  
ADDITIONAL RESOURCE AND EXPENDITURES FOR STREET TREES TOTALING  
\$31,125

-----

WHEREAS, the Common Council of the City of Franklin adopted the 2020 Annual Budgets for the City of Franklin on November 19, 2019; and

WHEREAS, the Capital Outlay Fund includes \$10,000 of appropriations for street trees; and

WHEREAS, the City has received a Wisconsin Department of Natural Resources grant for \$13,000 which requires a matching expenditure by the City; and

WHEREAS, various Developers have placed funds in escrow with the City or provided letters of credit for the purchase of street trees upon the completion of projects the subject of which were developers agreements with the City which funds can be used by the City to purchase and plant street trees fulfilling their commitments in the developer's agreement; and

WHEREAS, the City arborist desires to place orders early enough to capture the 2020 growing season for street trees utilizing these grant, escrow and letter of credit funds.

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

Section 1 That the 2020 Budget for the General Fund be amended as follows:

General Fund

Highway Charges for Services	Increase	12,600
------------------------------	----------	--------

Section 2 That the 2020 Budget for the Capital Outlay Fund be amended as follows:

Grant Revenues	Increase	13,000
Developer Grants	Increase	18,125
Highway Street Trees	Increase	31,125

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 \_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

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

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS & RECOMMENDATIONS	PURCHASE A HAWK SYSTEM FROM TRAFFIC AND PARKING CONTROL, INC. FOR \$4,082.50 AND INSTALL AT S. 51 <sup>ST</sup> STREET AND S. PRESERVE WAY	ITEM NUMBER <i>Ms. 16.</i>

### **BACKGROUND**

In early 2019, there were resident requests to add a High-intensity Activated crossWalk beacon (HAWK) to stop traffic for pedestrians on S. 51<sup>st</sup> Street at S. Preserve Way in front of the Franklin High School. There is currently a HAWK system on S. 51<sup>st</sup> Street south of the W. Highland Drive intersection. The full discussion at the Board of Public Works (BPW) was tabled until the W. Drexel Avenue / S. 51<sup>st</sup> Street roundabout was completed.

### **ANALYSIS**

On March 10, 2020, the BPW discussed relocating the existing HAWK system verses adding a new HAWK system. The Franklin Police Chief provided input that a second system is desirable. The Franklin School District and Alderman Barber attended the BPW meeting and voiced support for a second HAWK system. After much discussion, the BPW is recommending to Common Council to install second HAWK system at S. Preserve Way.

The HAWK unit is solar powered and would not need electric service. DPW can install the units without assistance from Pro Electric.

The quote for a HAWK system was provided by Traffic and Parking Control, Inc. (TAPCO) for \$4,082.50. Franklin School District has offered to pay for half of the system so the net cost to the City would be \$2,041.25.

### **OPTIONS**

- A. Direct Staff to purchase and install a HAWK system at S. 51<sup>st</sup> Street and S. Preserve Way: or
- B. Give further direction to Staff.

### **FISCAL NOTE**

The District Administrator for the Franklin Public Schools has confirmed that they will pay half (\$2,041.25) and there is available contingency in the Capital Improvement Fund for this project. Common Council could approve and appropriate from Capital Improvement Fund contingency.

### **COUNCIL ACTION REQUESTED**

(Option A) Direct Staff to purchase a HAWK system from Traffic and Parking Control, Inc. for \$4,082.50 and install at S. 51<sup>st</sup> Street and S. Preserve Way.

Engineering: GEM



5100 West Brown Deer Road • Brown Deer, WI 53223  
Phone (800) 236-0112 • tapconet.com • Fax (800) 444-0331

# SALES QUOTE

## Customer Copy

Number	Q20001029
Date	1/17/2020
Page	1

Sell To Cust. C131	City Of Franklin Andrea Stormoen 7979 W. Ryan Rd Franklin, WI 53132 USA			Ship To Cust.	City Of Franklin 7979 W Ryan Rd Franklin, WI 53132 USA	
Customer PO #		Expires	Slsp	Terms	Freight	Ship Via
BLINKERSIGN W11-2		2/16/2020	Laurel Stringfellow	Net 30 DAYS	PREPAY/ADD	BEST RATE

Item	Description	Quantity	UM	Price	Extension
3-00232B	36" FYG Solar W11-2, Crosswalk with Bulldogs w/NOLED	2	EA	1,360 00	\$2,720 00
2180-10400	Blinkersign, W11-2, 36", Ped Xing, DG3, FYG, Solar, 8 Amb LEDs, Beam Config	2	EA	505 75	\$1,011 50
101620-NOLED	BlinkerSign Upgrade Legacy Control Cabinet for activated signs and multiple LED outputs	2	EA	170 00	\$340 00
	Pushbutton Activation				
	Push Button Bulldog Add-On Option Kit Yellow, No LED	2	EA	170 00	\$340 00

2150 3-2	24/7 W11-2 BlinkerSign	2	EA	1,360.00	\$2,720 00
	Blinkersign, W11-2, 36", Ped Xing, DG3, FYG, Solar, 8 Amber LEDs, Single Post-Mount				
	Furnish only quote Installation is not included				
	Solar powered equipment requires no shading or obstructions				
	Lead Time 3-5 Weeks				

ANOTHER OPTION

\$ 4,082.50

Shipment within \_\_\_\_\_  
Acceptance By \_\_\_\_\_  
Date \_\_\_\_\_  
By \_\_\_\_\_

Merchandise	Freight	Tax	Total
\$6,791 50	\$0 00	\$0 00	\$6,791 50

For terms and conditions please visit <http://www.tapconet.com/terms-and-conditions>

## POPULAR OPTIONS

Other options available upon request



**13W SOLAR PANEL**  
**14Ah BATTERY CAPACITY**



**13W SELF-CONTAINED**  
**TOP-OF-POLE SOLAR CABINET**  
**28Ah BATTERY CAPACITY**



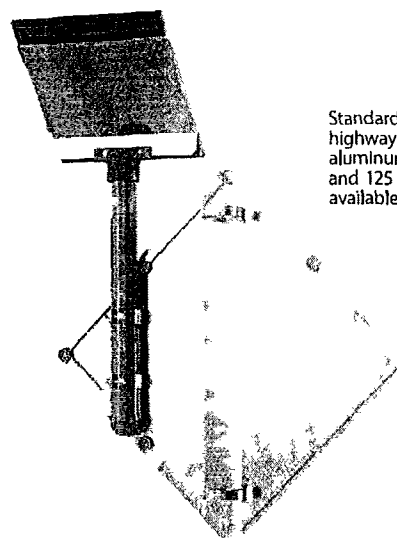
**120VAC**



Premium 3M  
Diamond Grade  
Cubed (DG<sup>®</sup>)  
reflective sheeting  
protected with 3M  
anti-graffiti and  
overlay film for easy  
graffiti removal

**FRONT**

Anti-vandal  
hardware



Standard .080"  
highway grade  
aluminum (.100  
and .125  
available)

Parallel wiring  
ensures  
continuous  
flashing  
functionality

**BACK**

## SYSTEM SPECIFICATIONS

<b>SIGN LEGEND</b>	W11-2
<b>DIMMING</b>	Variable based on photocell sensor input or 6V solar panel
<b>LED TYPE</b>	Amber environmentally-sealed, high-power LED
<b>LED LIFE EXPECTANCY</b>	100,000 hours
<b>VISIBILITY</b>	Daytime: more than 1,000 feet Nighttime: more than 1 mile
<b>ENCLOSED ALUMINUM CHANNELS</b>	Protect wiring against inclement weather, tampering and vandalism
<b>AUTONOMY</b>	30+ days (when applicable)
<b>OPERATING TEMPERATURE RANGE</b>	-40°F to 122°F (-40°C to 50°C)
<b>DIMENSIONS</b>	24"W x 24"H x 1"D 30"W x 30"H x 1 D 36"W x 36"H x 1"D 48"W x 48"H x 1"D
<b>WARRANTY</b>	3-year limited battery warranty 5-year limited system warranty 10-year limited solar panel warranty

(800) 236-0112

TAPConet.com

© 2019 Traffic and Parking Control Co., Inc. 5100 West Brown Deer Rd., Brown Deer WI 53223  
Phone (800) 236-0112 FAX 800-444-0331 www.TAPConet.com

1037-00006 10/03/19

# WIRELESS COMMUNICATION

## BLINKERBEAM™

BlinkerBeam® wireless radios communicate system activation to all TAPCO warning alerts.

Placed at the detection or activation location, a transmitter radio sends wireless signals upon system activation to receiver radios located inside the control cabinet of each warning alert, triggering the alert to flash.



Easy-to-read, backlit LCD display

Intuitive joystick for in-field control

Menu-driven diagnostics for quick set-up and configuration

Three selectable power levels, up to one-watt, to increase signal distance

Range of up to 900 feet; works with multiple antenna options to extend distance

Utilizes 900 MHz frequency-hopping spread spectrum



2 Activated  
BLINKERBEAM  
TRANSMITTER RADIO  
sends wireless  
signal to receiver(s)



3 BLINKERBEAM®  
RECEIVER RADIO(S)  
activate LED-enhanced  
warning alerts



APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS & RECOMMENDATIONS	SIDEWALK CONSIDERATIONS FOR W. LOOMIS ROAD FROM W. ST MARTINS ROAD TO CITY LIMITS (S. 68 <sup>TH</sup> STREET)	ITEM NUMBER J.17.

#### **BACKGROUND**

Wisconsin Department of Transportation (WisDOT) is scoping a project for W. Loomis Road (STH 36) from W. St. Martins Road (STH 100) to S. 51<sup>st</sup> Street for the years 2024-2025. The project will involve: mill and overlay (three to four inches of new pavement); potential for new signals; new signing and pavement marking; and repairs to culverts. This is considered the highest resurfacing type project just short of pavement replacement and expansion considerations.

WisDOT has asked if Franklin wishes for the project to include sidewalks or other features. Such inclusion would require a State/Municipal Agreement (SMA) for a cost share of the construction of the sidewalk and a Memorandum of Understanding (MOU) for maintenance of the sidewalk that needs to be considered as soon as possible for inclusion in the design.

#### **ANALYSIS**

One will observe that the cross street of W. Drexel Avenue has a significant number of pedestrians using the sidewalk system and opportunities to continue the pedestrian access to W. Loomis locations would undoubtedly be well used. Pedestrian destinations along W. Loomis Road would include, but not be limited to, the US Post Office, Police/Courtroom, City Hall, Library, Ballpark Commons, Milwaukee County trail system, and the numerous commercial businesses. Staff recommends that sidewalks be considered.

Given the vehicular traffic counts and the width of the road, Staff would suggest that sidewalks should be considered for both sides of W. Loomis Road. However, there are significant wetlands and other environmental obstacles on the west side that would make the project unnecessarily expensive at this time so Staff is recommending that sidewalks only on the east side be proposed. Extending the sidewalks to the Milwaukee County trail system at S. 68<sup>th</sup> Street is desirable, however termination at W. Rawson Avenue would provide connection to the trail system within Ballpark Commons.

Staff has requested WisDOT provide budget estimates for sidewalks for one and both sides. This estimate is anticipated to be received in the near future and two versions of a SMA and an MOU can be provided for consideration. Having WisDOT construct sidewalks as part of their project is significantly easier than internally creating bid documents, obtaining permits, supervising the construction, etc.

WisDOT is starting the design of the project and sidewalks will have a significant impact on their design. Therefore, they need an answer soon.

#### **OPTIONS**

- A. Have Staff direct WisDOT to prepare a SMA and MOU for sidewalk considerations: or
- B. Have Staff direct WisDOT that the City does not wish to have sidewalks incorporated in the project; or
- C. Give further direction to Staff.

#### **FISCAL NOTE**

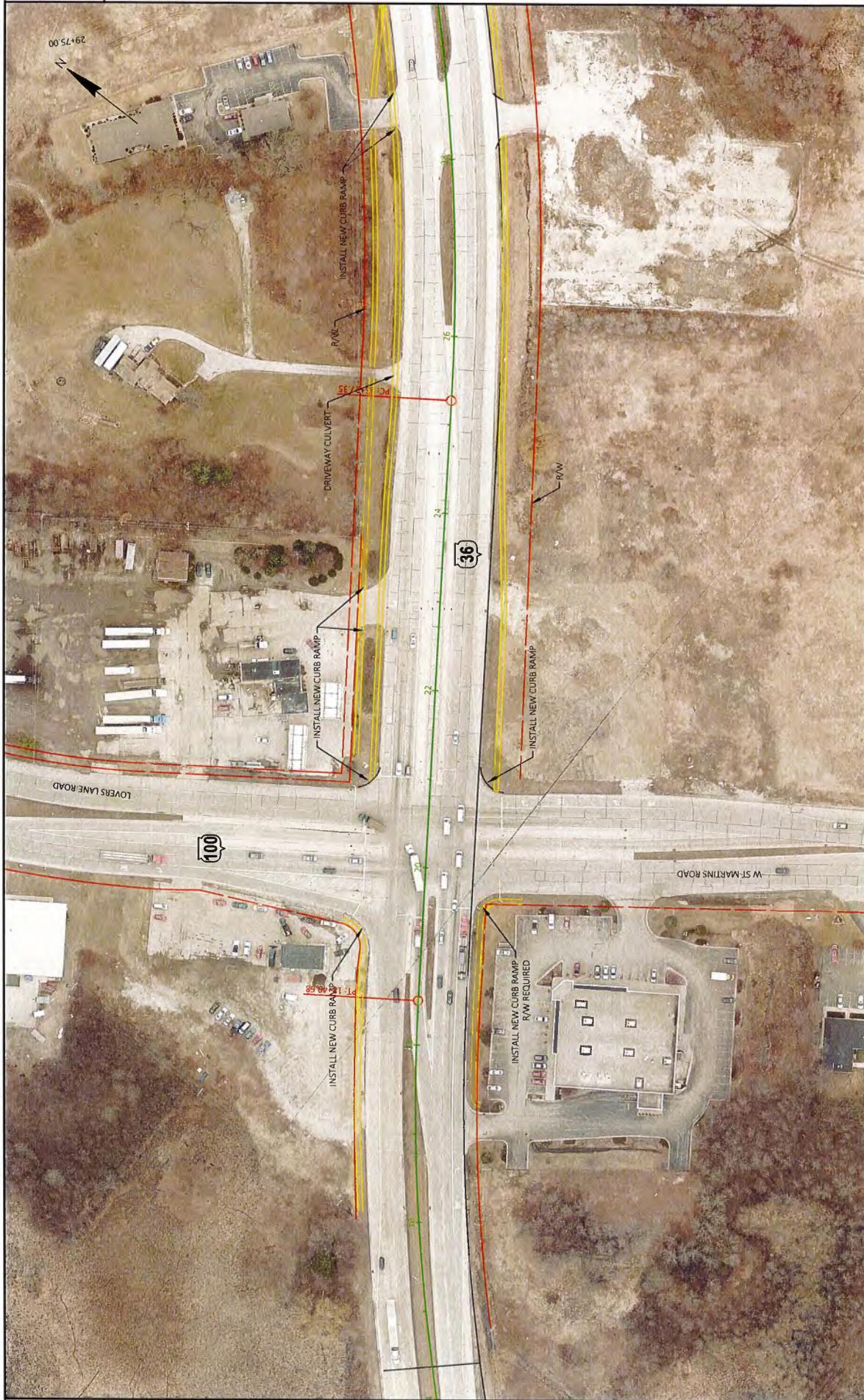
Any decision to have WisDOT incorporate sidewalks in their project would add to a 2024 or 2025 capital project list.

#### **COUNCIL ACTION REQUESTED**

(Option A) Have staff direct WisDOT to prepare a State/Municipal Agreement and a Memorandum of Understanding for sidewalk considerations on the [east / both] sides of W. Loomis Road from W. St. Martins Road to [W Rawson Avenue / City limits (S. 68<sup>th</sup> Street)].

Engineering: GEM





















COUNTY: MILWAUKEE

HWY: STH 36

PROJECT NO: 2240-00-78

PLAN DETAILS

SHEET

E

FILE NAME: C:\ASR\2021\2240-00-78\2240-00-78.dwg  
JAYCUT NAME: SHEET 15  
PLOT NAME: WISEN, JOSHUA  
PLOT DATE: 4/17/2024 4:36 PM  
PLOT BY: WISEN, JOSHUA  
PLOT SCALE: 1"=100' FT  
WOODY/CADDS SHEET 42





PROJECT NO: 2240-00-78		HWY: STH 36	COUNTY: MILWAUKEE		PLAN DETAILS		SHEET		E
FILE NAME: C:\USERS\JOSUAW\WORK\PROJECTS\2240-00-78\2240-00-78.DWG	LAYOUT NAME: Sheet 16	DATE: 4/17/2024 4:56 PM	PLOT DATE:	PLOT BY: WIEBEN, JOSHUA J.	PLOT NAME:	PLOT SCALE: 1 IN 100 FT	WSDOT/CDD/SHEET 12		



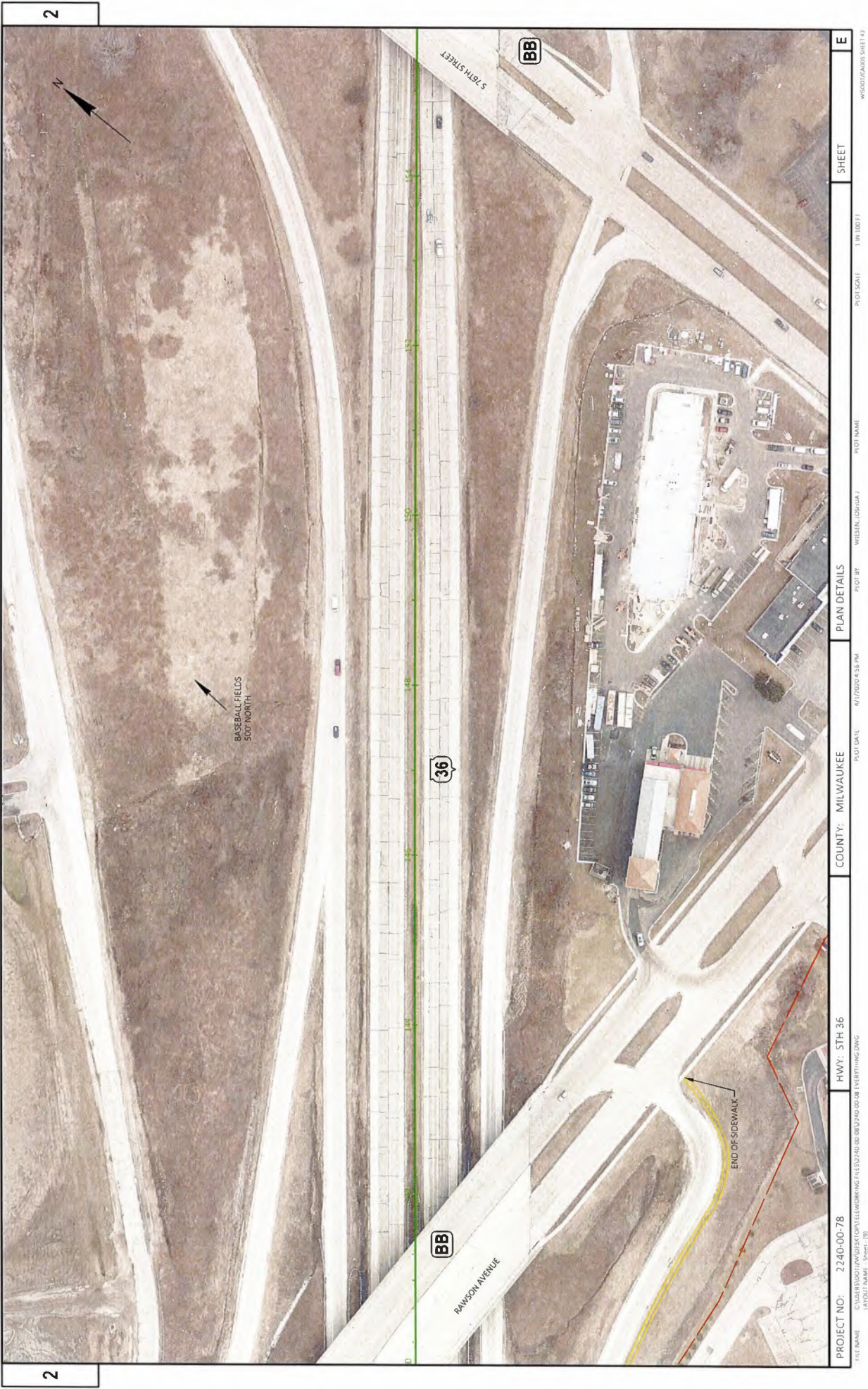


PROJECT NO: 2240-00-78	COUNTY: MILWAUKEE	PLAN DETAILS	SHEET	E
FILE NAME: C:\USER\DOUGLAS\WORKING FILES\2240-00-78\2240-00-78.DWG	PLOT DATE: 4/1/2020 4:58 PM	PLOT BY: WISEN, JOSHUA J	PLOT NAME: 1 IN 100 FT	WISCONSIN STATE









PROJECT NO: 2240-00-78		HWY: STH 36		COUNTY: MILWAUKEE		PLAN DETAILS		SHEET		E	
FILE NAME		C:\USER\B\J\PROJECTS\TELEWORKING FILES\2240-00-78\2240-00-08 [EVERYTHING] DWG		PLOT DATE		4/17/2024 4:56 PM		PLOT BY		WESLEY, JOSHUA J	
LAYOUT NAME		Sheet 151		PLOT SCALE		1 IN 100 FT		PLOT NAME		W55001CA003 SHEET 12	

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 6, 2020
REPORTS & RECOMMENDATIONS	<p><b>RESOLUTION TO ISSUE CHANGE ORDER NO. 1 FOR THE FRANKLIN CORPORATE PARK WASTEWATER PUMPING STATION PROJECT- STAAB CONSTRUCTION CORPORATION AND CHANGE ORDER NO. 1 FOR THE SOUTH HICKORY STREET CORRIDOR UTILITY IMPROVEMENTS PROJECT- SUPER EXCAVATORS, INC. FOR TIME EXTENSIONS ONLY</b></p> <p><b>AND ALSO DISCUSSION OF FORCE MAJEURE NOTICES RELATED TO CORONAVIRUS DISEASE PANDEMIC</b></p>	ITEM NUMBER  5,18,

### **BACKGROUND**

The Coronavirus disease (COVID-19) Pandemic has caused disruption and altered a multitude of normal operations this year. The construction industry is also affected and the impacts are little known at this time.

For the recently approved construction projects in tax increment district number 4 (TID 4), the projects were already on-hold awaiting the finalization of the land acquisition. Specifically, these projects are the Franklin Corporate Park Wastewater Pumping Station- Staab Construction Corporation and the South Hickory Street Corridor Utility Improvements- Super Excavators, Inc. The land acquisitions were finalized as the COVID-19 issues were seriously impacting all segments of Wisconsin life.

Staff has received Force Majeure notices from some contractors and consultants. Notices from Staab and Ruekert & Mielke are enclosed and Staff is anticipating more notices. As good news, both contractors currently intend to complete the projects without additional compensation requests related to COVID-19.

### **ANALYSIS**

Enclosed is Change Order No. 1 for both projects. Neither contractor is requesting additional funds or increased working days, only that the contractual deadlines be extended to compensate for the delay in land acquisitions.

### **OPTIONS**

- A. Resolution to authorize change order 1 for each project; or
- B. Refer back to Staff with additional direction.

### **FISCAL NOTE**

To consider the potential increase in costs for the projects, Staff is postponing the Elm Road utility relocation project (budget \$2.4 million) to a future Tax Increment District.

### **COUNCIL ACTION REQUESTED**

(OPTION A) Resolution 2020-\_\_\_\_\_ a resolution to issue Change Order No. 1 for the Franklin Corporate Park Wastewater Pumping Station Project- Staab Construction Corporation and Change Order No. 1 for the South Hickory Street Corridor Utility Improvements Project- Super Excavators, Inc. for time extensions only.

Engineering: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020 - \_\_\_\_\_

RESOLUTION TO ISSUE CHANGE ORDER NO. 1 FOR THE FRANKLIN CORPORATE  
PARK WASTEWATER PUMPING STATION PROJECT- STAAB CONSTRUCTION  
CORPORATION

AND CHANGE ORDER NO. 1 FOR THE SOUTH HICKORY STREET CORRIDOR  
UTILITY IMPROVEMENTS PROJECT- SUPER EXCAVATORS, INC.

FOR TIME EXTENSIONS ONLY

-----

WHEREAS, Staab Construction Corporation and Super Excavators, Inc. were awarded construction contracts for the Franklin Corporate Park Wastewater Pumping Station Project and the South Hickory Street Corridor Utility Improvements Project, respectively on January 21, 2020; and

WHEREAS, the City of Franklin was not able to finalize land acquisition needed for the projects until March 2020.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Staab Construction Corp. and Super Excavators, Inc. each be issued a Change Order No. 1 modifying the contractual dates for substantial and final completion only.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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



Change Order No. One (1)

Date of Issuance	April 1, 2020	Effective Date	Upon Owner Approval
Contract	Franklin Corporate Park Wastewater Pumping Station	Owner	City of Franklin
Contractor	Staab Construction Corp	Engineer	Ruekert & Mielke, Inc.
Address	1800 Laemle Ave Marshfield, WI 54449	Engineer's Project No	58-10013 305
		Effective Date of Contract	February 21, 2020

The Contract is modified as follows upon execution of this Change Order

Description

Revise deadline for Substantial Completion and Ready for Final Payment

Reason for Change Order

Notice to Proceed delayed until after acquisition of project site was finalized

Attachments

Time extension request and revised Schedule Submitted by Staab Construction Corp. on March 31, 2020

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ _____	Original Contract Times Substantial Completion <u>June 1, 2020</u> Ready for Final Payment <u>June 21, 2020</u> days or dates
● Increase ● ● Decrease ● from previously approved Change Orders No ____ to No ____ \$ _____	Change from previously approved Change Order Substantial Completion <u>0</u> Ready for Final Payment <u>0</u> days
Contract Price prior to this Change Order \$ _____	Contract Times prior to this Change Order Substantial Completion <u>June 1, 2020</u> Ready for Final Payment <u>June 21, 2020</u> days or dates
● Increase ● ● Decrease ● of this Change Order \$ _____	Increase of this Change Order Substantial Completion <u>74</u> Ready for Final Payment <u>89</u> days or dates
Contract Price incorporating this Change Order \$ _____	Contract Times with all approved Change Orders Substantial Completion <u>August 14, 2020</u> Ready for Final Payment <u>September 18, 2020</u> days or dates

RECOMMENDED

ACCEPTED

ACCEPTED

By [Signature]  
Engineer (Authorized Signature)Mark B. Van Weelden, P.E.  
Ruekert & Mielke, Inc.By \_\_\_\_\_  
Owner (Authorized Signature)

City of Franklin

By [Signature]  
Contractor (Authorized Signature)Staab Construction Corporation  
Kevin J. Leick,  
Sr. Vice PresidentDate April 1, 2020

Date \_\_\_\_\_

Date 4-1-20

00 63 63-1

04/01/20

Ruekert & Mielke, Inc.  
~58-10013 Franklin Corporate Park > 305 Construction Pumping Station > Changes > 00 63 63 Change Order 1 doc~

**From:** [Lisowe, Jordan](#)  
**To:** [Van Weelden, Mark](#)  
**Cc:** [Petersen, Anthony](#)  
**Subject:** RE. [EXTERNAL]RE: [EXTERNAL]RE: Revised Proposed Erosion Control Changes Impacting Both Construction Sites  
**Date:** Tuesday, March 31, 2020 3 17:54 PM  
**Attachments:** [image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)  
[image020.png](#)  
[image021.png](#)  
[image022.png](#)  
[SCH 4581 Franklin 2020.03.31.pdf](#)

Mark,

Please see the attached revised schedule

On another note we are monitoring the coronavirus situation closely . Currently we proceeding ahead with caution at the franklin lift station project However, the project is located in the hot bed of the virus pandemic in Wisconsin and ensuring the safety of our employees is a major concern. We will keep you posted on any changes to our work plan If you hear any news of local governments in the Franklin area establishing additional rules or regulations in regards to the virus situation please let us know

Thanks,

**Jordan Lisowe**

Project Manager

Staab Construction Co

1800 Laemle Ave Marshfield, WI 54449

Phone 715-387-8429 (ext 306) Cell 920-698-6508 Fax 715-384-4846

[Jordan.Lisowe@staabco.com](mailto:Jordan.Lisowe@staabco.com)

Please visit our website: [www.staabco.com](http://www.staabco.com)

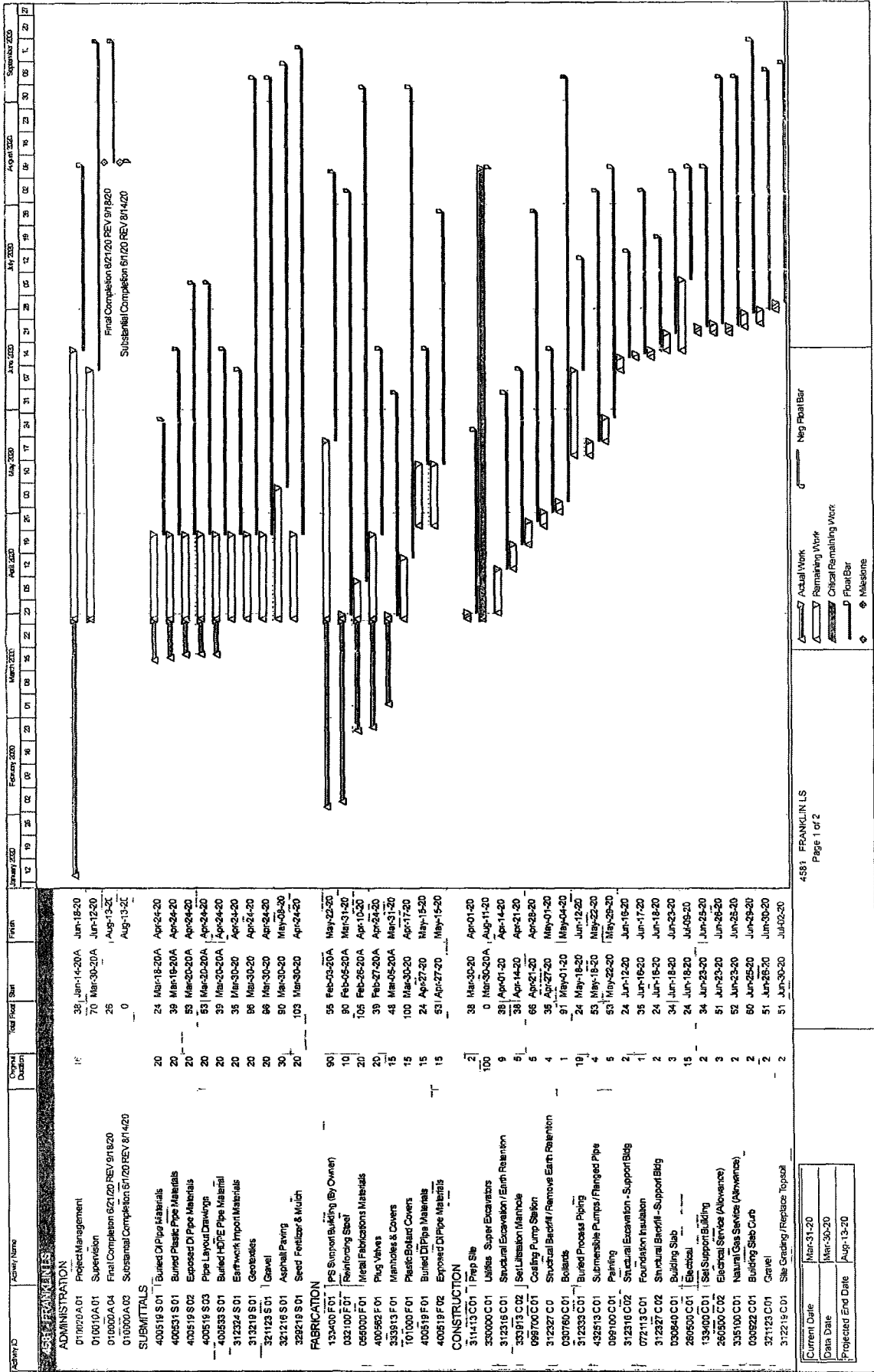
**From:** Van Weelden, Mark <[mvanweelden@ruekert-mielke.com](mailto:mvanweelden@ruekert-mielke.com)>

**Sent:** Tuesday, March 31, 2020 1:45 PM

**To:** Lisowe, Jordan <[jordan.lisowe@staabco.com](mailto:jordan.lisowe@staabco.com)>

**Cc:** Petersen, Anthony <[apetersen@ruekert-mielke.com](mailto:apetersen@ruekert-mielke.com)>

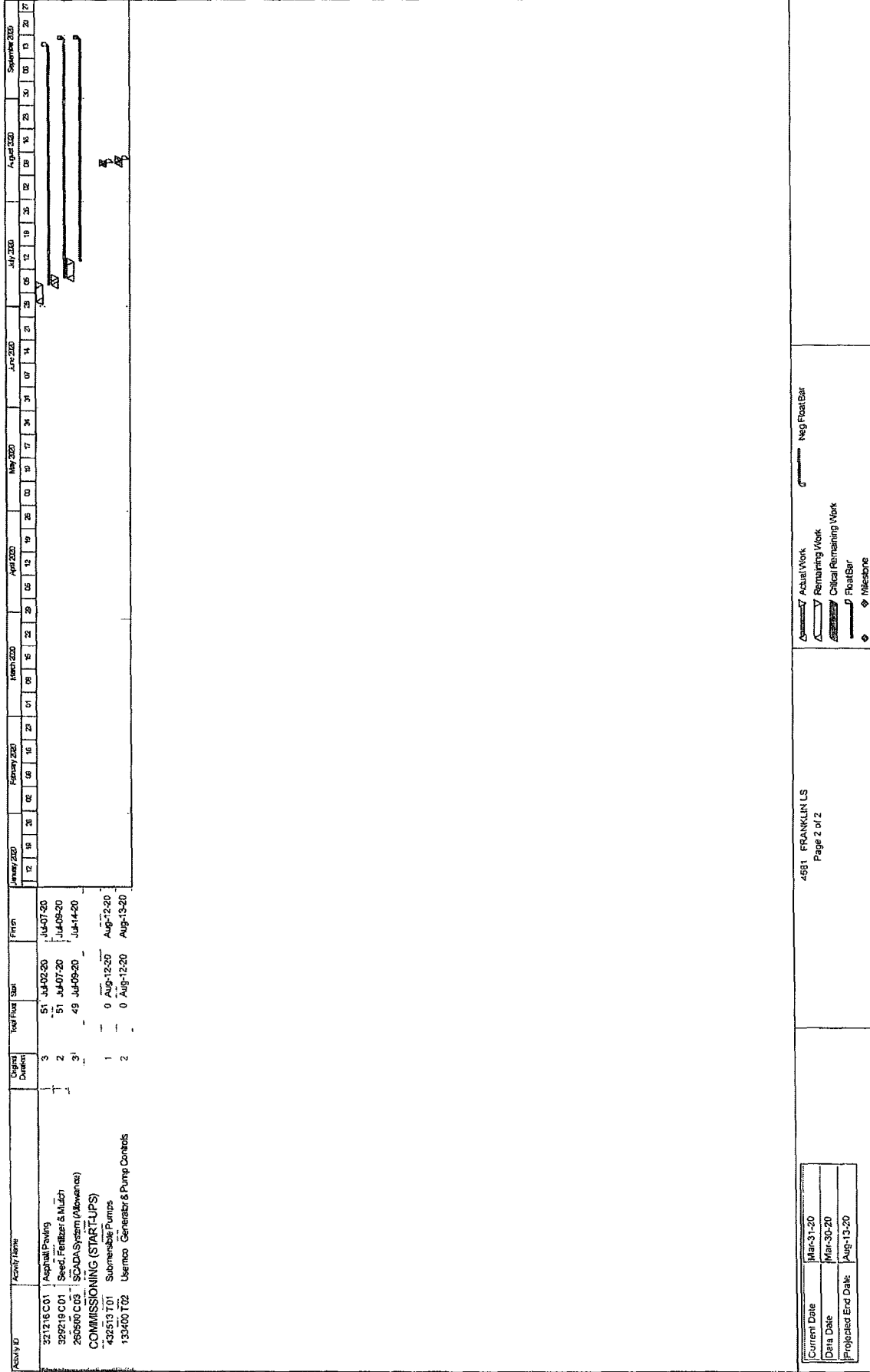
**Subject:** [EXTERNAL]RE: [EXTERNAL]RE. Revised Proposed Erosion Control Changes Impacting Both Construction Sites



4583 FRANKLIN LS  
Page 1 of 2

Actual Work  
 Remaining Work  
 Critical Remaining Work  
 Float Bar  
 Milestones

Neg Float Bar



Change Order No. One (1)

Date of Issuance March 30, 2020

Effective Date

Upon Owner Approval

Owner:

City of Franklin

Contract: South Hickory Street Corridor Utility Improvements

Contractor: Super Excavators, Inc.

Engineer

Ruekert & Mielke, Inc

Address: N59 W14601 Bobolink Avenue

Engineer's Project No.

58-10013.300

Menomonee Falls, WI 53051

Effective Date of Contract. February 21, 2020

The Contract is modified as follows upon execution of this Change Order

Description. Revise deadline for Substantial Completion and Ready for Final Payment

Reason for Change Order. Notice to Proceed delayed until after acquisitions of S. Hickory Street corridor were finalized

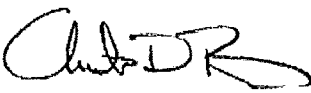
Attachments: Time extension request and revised Schedule Submitted by Super Excavators, Inc on March 27, 2020.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price \$ _____	Original Contract Times Substantial Completion. <u>June 1, 2020</u> Ready for Final Payment. <u>June 21, 2020</u> Dates
● Increase ● ● Decrease ● from previously approved Change Orders No. ____ to No. ____: \$ _____	Change from previously approved Change Orders Substantial Completion: <u>0</u> Ready for Final Payment <u>0</u> Days
Contract Price prior to this Change Order \$ _____	Contract Times prior to this Change Order Substantial Completion <u>June 1, 2020</u> Ready for Final Payment <u>June 21, 2020</u> Dates
● Increase ● ● Decrease ● of this Change Order \$ _____	Increase of this Change Order. Substantial Completion <u>88</u> Ready for Final Payment. <u>88</u> Days
Contract Price incorporating this Change Order \$ _____	Contract Times with all approved Change Orders Substantial Completion <u>August 28, 2020</u> Ready for Final Payment. <u>September 17, 2020</u> Dates

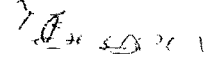
RECOMMENDED

ACCEPTED.

ACCEPTED

By   
Engineer (Authorized Signature)

By. \_\_\_\_\_  
Owner (Authorized Signature)

By.   
Contractor (Authorized Signature)

Date March 30, 2020

Date \_\_\_\_\_

Date March 31, 2020

00 63 63-1

03/30/20

Ruekert & Mielke, Inc

~ Franklin City 58-10013 Franklin Corporate Park > 300 Construction S Hickory St Utility > Changes > 00 63 63 Change Order No 1 doc~



## Petersen, Anthony

---

**From:** Tim Benson <timb@superexcavators.com>  
**Sent:** Friday, March 27, 2020 8:51 AM  
**To:** Petersen, Anthony  
**Cc:** Glen E. Morrow P.E. (gmorrow@franklinwi.gov), Mike Roberts, Pete Schraufnagel  
**Subject:** RE: S Hickory Street Corridor Utility Improvements - Revised Schedule and Time Extension Request  
**Attachments:** Franklin Corp Park S Hickory - Schedule Update 3-27-20.pdf

Andy,

Attached is the schedule we distributed at the precon, updated for the actual start date. We formally request a time extension, with a substantial completion (utilities complete) of August 28<sup>th</sup> 2020, and work ready for final payment on September 17<sup>th</sup> 2020 (restoration and punchlist complete).

Tim Benson  
Project Manager  
Super Excavators Inc  
N59 W14601 Bobolink Ave  
Menomonee Falls WI 53051  
262 252 3200 ph  
262 252 8079 fx  
414 403 3839 cell  
[www.superexcavators.com](http://www.superexcavators.com)  
An Equal Opportunity Employer

**From:** Petersen, Anthony [mailto:apetersen@ruekert-mielke.com]  
**Sent:** Wednesday, March 25, 2020 3:50 PM  
**To:** Tim Benson <timb@superexcavators.com>  
**Cc:** Glen E. Morrow P.E. (gmorrow@franklinwi.gov) <gmorrow@franklinwi.gov>; Mike Roberts <MRoberts@franklinwi.gov>  
**Subject:** RE: S. Hickory Street Corridor Utility Improvements - Link to Copy of Executed Contract

I had to issue the NTP showing the original contract deadline dates even though it is being issued later than originally discussed in the preconstruction conference. I recommend putting together a revised schedule and submit a revised schedule along with a request for a time extension for review and approval.

Thank You

Anthony D. Petersen, P.E. (WI, IA)  
*Senior Project Manager*



☎ 262-953-3028  
☎ 262-951-8890  
🌐 [ruekertmielke.com](http://ruekertmielke.com)



**From:** Tim Benson <[timb@superexcavators.com](mailto:timb@superexcavators.com)>

**Sent:** Wednesday, March 25, 2020 3:40 PM

**To:** Petersen, Anthony <[apetersen@ruekert-mielke.com](mailto:apetersen@ruekert-mielke.com)>

**Cc:** Pete Schraufnagel <[pete@superexcavators.com](mailto:pete@superexcavators.com)>; Glen E. Morrow P.E. ([gmorrow@franklinwi.gov](mailto:gmorrow@franklinwi.gov)) <[gmorrow@franklinwi.gov](mailto:gmorrow@franklinwi.gov)>; Mike Roberts <[MRoberts@franklinwi.gov](mailto:MRoberts@franklinwi.gov)>; Van Weelden, Mark <[mvanweelden@ruekert-mielke.com](mailto:mvanweelden@ruekert-mielke.com)>

**Subject:** RE: S. Hickory Street Corridor Utility Improvements - Link to Copy of Executed Contract

Andy, glad to see documents coming through. We hope to get going early next week if weather complies and we can get subs lined up, manholes being built, etc.

NTP still states June 1, 2020 for contract completion. We've already discussed this is unrealistic. Would you like Super Ex to provide an anticipated completion date to be incorporated into a change order?

Tim Benson  
Project Manager  
Super Excavators Inc  
N59 W14601 Bobolink Ave  
Menomonee Falls WI 53051  
262 252 3200 ph  
262 252 8079 fx  
414 403 3839 cell  
[www.superexcavators.com](http://www.superexcavators.com)  
An Equal Opportunity Employer

**From:** Petersen, Anthony [<mailto:apetersen@ruekert-mielke.com>]

**Sent:** Wednesday, March 25, 2020 3:30 PM

**To:** Tim Benson <[timb@superexcavators.com](mailto:timb@superexcavators.com)>

**Cc:** Pete Schraufnagel <[pete@superexcavators.com](mailto:pete@superexcavators.com)>; Glen E. Morrow P.E. ([gmorrow@franklinwi.gov](mailto:gmorrow@franklinwi.gov)) <[gmorrow@franklinwi.gov](mailto:gmorrow@franklinwi.gov)>; Mike Roberts <[MRoberts@franklinwi.gov](mailto:MRoberts@franklinwi.gov)>; Van Weelden, Mark <[mvanweelden@ruekert-mielke.com](mailto:mvanweelden@ruekert-mielke.com)>

**Subject:** S. Hickory Street Corridor Utility Improvements - Link to Copy of Executed Contract

Hello Tim-

Below is a link to an electronic copy of the executed Contract. I have the hard copy in my office. We can deliver the hard copy to Super Excavators at a later date such as the first progress meeting whenever that gets scheduled. Please download a copy of the document to your computer systems because the link is temporary.

[https://ruekertmielke2016-my.sharepoint.com/:f/g/personal/apetersen\\_ruekert\\_mielke\\_com/Ep4HV8XEg3NEIJmvmYP9HfcBQfoWy4TC3JQ--16c8Qi4Ug?e=yhD0al](https://ruekertmielke2016-my.sharepoint.com/:f/g/personal/apetersen_ruekert_mielke_com/Ep4HV8XEg3NEIJmvmYP9HfcBQfoWy4TC3JQ--16c8Qi4Ug?e=yhD0al)

Let me know if you have any questions.

Thank You

Anthony D. Petersen, P.E. (WI PA)  
Senior Project Manager

Franklin Corporate Park - South Hickory Street Corridor Utility										Classic WBS Layout											
Activity ID	Activity Name	Original Start	Duration	End	2020	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	2020					
Franklin Corporate Park - South Hickory Street Cor					121	30-Mar-20	17-Sep-20	17-Sep-20, Franklin Cor													
A1000	Traffic Control	1	30-Mar-20	30-Mar-20																	
A1010	Clear and Grub	4	31-Mar-20	03-Apr-20																	
A1020	Erosion Control	3	06-Apr-20	08-Apr-20																	
A1030	Gravity Sanitary Sewer	45	09-Apr-20	11-Jun-20																	
A1040	Forcemain	33	12-Jun-20	29-Jul-20																	
A1050	Street Restoration	5	30-Jul-20	05-Aug-20																	
A1060	Watermain	20	30-Jul-20	26-Aug-20																	
A1070	Surface Restoration (Topsoil/Seed/Mu	15	27-Aug-20	17-Sep-20																	

Traffic Control

Clear and Grub

Erosion Control

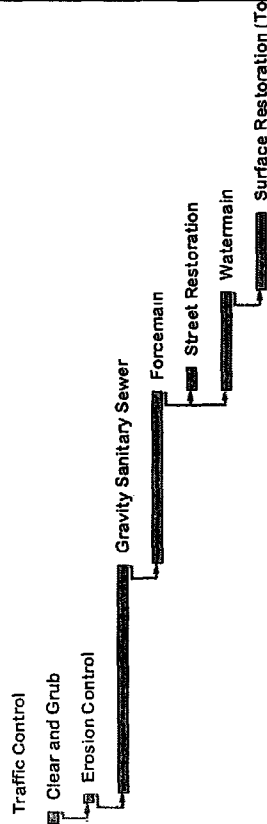
Gravity Sanitary Sewer

Forcemain

Street Restoration

Watermain

Surface Restoration (Topsoil/Seed/Mulch)





3/25/2020

Mr. Glen E. Morrow, P.E.  
9229 West Loomis Road  
Franklin, WI 53132  
[gmorrow@franklinwi.gov](mailto:gmorrow@franklinwi.gov)

RE: Force Majeure Notice – COVID-19 Coronavirus  
Franklin Corporate Park Pump Station  
Project No. 58-10013.200

Dear Mr. Morrow:

This is to provide notice pursuant to our Contract that Staab Construction Corporation ("Staab") and the Project could experience impacts due to the COVID-19 Coronavirus that are out of our control. Staab is not currently aware of any specific or likely impacts to the Project, but we thought it prudent to provide notice so that the parties can continue to monitor the COVID-19 situation which has become very serious globally. The virus may affect both the supply chain and available labor. Of course, if it does appear that there will be impacts to the Project due to COVID-19, Staab will seek to mitigate its effects in accordance with the Contract.


As you know, COVID-19 has already caused severe impacts to the population and economy of China, Europe, and now the United States, with tens of thousands of citizens infected, sectors of the economy shut down or severely curtailed, and severe restrictions on travel. The United States has banned China and European inter-continental travel.

The State of Wisconsin has recently initiated various measures restricting business and our daily activities that have the potential to disrupt our operations.

As stated above, Staab is not currently aware of any impacts or likely impacts to the Project due to the COVID-19 Coronavirus. Staab will continue to monitor the situation and will provide prompt notice if any impacts occur or become likely.

Thank you for your attention. Feel free to contact me if you have any questions or comments.

Sincerely,

  
Benjamin Lee, President  
Staab Construction Corp  
1800 Laemle Ave  
Marshfield, WI 54449  
715-387-8429 ext. 211  
[Ben.lee@staabco.com](mailto:Ben.lee@staabco.com)

Cc: Jordan Lisowe  
Mark Van Weelden, Ruekert and Meilke

April 1, 2020

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

Re: Franklin Corporate Park – South Hickory Street Corridor Utility Improvements and Wastewater Pumping Station  
Construction Services Update

Dear Mr. Morrow:

The City of Franklin approved Task Order No. 7 to the Agreement Between the City of Franklin and Ruekert & Mielke, Inc. for Professional Services – Task Order Edition, dated November 4, 2014. The scope of Task Order No. 7 covers services provided during the construction of the South Hickory Street Corridor Utility Improvements and Pump Station projects.

This letter is to provide notice that due to circumstances that are beyond our control, the cost of the services will likely be higher than originally anticipated. Currently, those circumstances include construction start-up delays for both projects due to prolonged property acquisition, longer construction window due to updated construction schedules from the contractors and the impacts that may be related to the COVID-19 Coronavirus.

Task Order No. 7 assumed the following construction schedule outlined in the construction documents:

1. Property acquisitions completed by January 15, 2020.
2. Begin construction and begin providing construction services on January 15, 2020.
3. Contractors would achieve substantial completion by June 1, 2020.
4. Contractors would be ready for final payment by June 21, 2020.

The construction services window is currently estimated to be approximately 89 days longer than anticipated with the following revised schedule:

1. Begin providing construction phase services on January 15, 2020.
2. Property acquisitions completed on March 20, 2020.
3. Notice to Proceed issued to both contractors on March 25, 2020.
4. Substantial completion of the S. Hickory Street Corridor Utility Improvements on August 28, 2020.
5. Substantial completion of the Wastewater Pumping Station on August 14, 2020.
6. Final payment for the S. Hickory Street Corridor Utility Improvements on September 17, 2020.
7. Final payment for the Wastewater Pumping Station on September 18, 2020.

The COVID-19 Coronavirus may also have unknown impacts on construction services. Examples of possible impacts include additional services needed to address design changes due to material supply issues and construction delays due to quarantine or illness of key personnel.

We are not yet able to quantify the impacts these issues have on the services we will need to provide for these projects. Ruekert & Mielke, Inc. will work with the City to minimize these impacts as much as possible. We understand the City of Franklin would like to have as many impacts quantified and submitted for approval before the existing TID funding commitment deadline of June 21, 2020. We will work with City Staff to bring forward any construction change orders and construction services amendments that are known before this deadline.



Mr Glen E Morrow, P E  
Re Franklin Corporate Park – Construction Services Update  
April 1, 2020  
Page 2

Please contact our office with any questions regarding this matter

Respectfully,

RUEKERT & MIELKE, INC

A handwritten signature in black ink, appearing to read 'Anthony D Petersen'.

Anthony D Petersen, P E (WI, IA)  
Senior Project Manager  
[apetersen@ruekert-mielke.com](mailto:apetersen@ruekert-mielke.com)

ADP adp

cc Calli Berg, CECD, EDFP, City of Franklin  
Mark Van Weelden, P E , Ruekert & Mielke, Inc  
File

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**City of Franklin**  
**Cash & Investments Summary**  
**February 29, 2020**

	Cash	American Deposit Management	Institutional Capital Management	Local Government Invest Pool	Fidelity Investments	Total	Prior Month Total
General Fund	\$ (753,171)	\$ 9,109,925	\$ 7,059,058	\$ 3,170,845	\$ -	\$ 18,586,657	\$ 15,091,130
Debt Service Funds	332,041	443,033	545,436	-	-	1,320,510	2,222,251
TIF Districts	189,153	14,343,605	2,740,577	100,128	-	17,373,463	24,367,102
Nonmajor Governmental Funds	253,051	11,982,197	7,712,111	-	-	19,947,359	20,456,612
<b>Total Governmental Funds</b>	<b>21,075</b>	<b>35,878,760</b>	<b>18,057,182</b>	<b>3,270,973</b>	<b>-</b>	<b>57,227,990</b>	<b>62,137,095</b>
Sewer Fund	504,105	1,193,692	-	-	-	1,697,797	2,233,084
Water Utility	24,375	2,115,753	424,720	-	-	2,564,849	3,333,086
Self Insurance Fund	12,116	882,000	1,854,842	-	-	2,748,958	2,601,762
Other Designated Funds	18,187	-	-	-	-	18,187	18,637
<b>Total Other Funds</b>	<b>558,783</b>	<b>4,191,445</b>	<b>2,279,562</b>	<b>-</b>	<b>-</b>	<b>7,029,791</b>	<b>8,186,570</b>
<b>Total Pooled Cash &amp; Investments</b>	<b>579,859</b>	<b>40,070,205</b>	<b>20,336,744</b>	<b>3,270,973</b>	<b>-</b>	<b>64,257,780</b>	<b>70,323,665</b>
Retiree Health Fund	54,450	-	-	-	6,152,328	6,206,779	6,539,158
Property Tax Fund	(5,585,038)	8,054,170	-	-	-	2,469,132	19,122,070
<b>Total Trust Funds</b>	<b>(5,530,588)</b>	<b>8,054,170</b>	<b>-</b>	<b>-</b>	<b>6,152,328</b>	<b>8,675,910</b>	<b>25,661,228</b>
<b>Grand Total Cash &amp; Investments</b>	<b>(4,950,729)</b>	<b>48,124,374</b>	<b>20,336,744</b>	<b>3,270,973</b>	<b>6,152,328</b>	<b>72,933,691</b>	<b>95,984,893</b>
<b>Average Rate of Return</b>		1.44%	1.89%	1.62%			
<b>Maturities:</b>							
Demand	(4,950,729)	48,124,374	17,422	3,270,973	11,258	46,473,299	69,267,545
Fixed Income & Equities	-	-	-	-	3,974,295	3,974,295	4,342,923
2020 - Q1	-	-	-	-	-	-	-
2020 - Q2	-	-	999,854	-	-	999,854	999,158
2020 - Q3	-	-	-	-	-	-	-
2020 - Q4	-	-	4,530,740	-	-	4,530,740	4,521,303
2021 - Q1	-	-	2,020,469	-	-	2,020,469	2,013,594
2021	-	-	7,612,092	-	574,445	8,186,537	8,144,089
2022	-	-	4,645,676	-	372,225	5,017,901	4,977,725
2023	-	-	510,491	-	380,248	890,739	883,413
2024	-	-	-	-	209,220	209,220	207,932
2025	-	-	-	-	212,518	212,518	211,705
2026	-	-	-	-	212,450	212,450	211,327
2027	-	-	-	-	205,670	205,670	204,179
	<b>(4,950,729)</b>	<b>48,124,374</b>	<b>20,336,744</b>	<b>3,270,973</b>	<b>6,152,328</b>	<b>72,933,691</b>	<b>95,984,893</b>

**City of Franklin**  
**2020 Financial Report**  
**General Fund Summary**  
**For the Two months ended February 28, 2020**

<b>Revenue</b>	<b>2020 Annual Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>
Property Taxes	\$ 19,005,700	\$ 19,005,700	\$ 13,050,200
Other Taxes	685,900	685,900	17,349
Intergovernmental Revenue	1,746,400	1,746,400	352,260
Licenses & Permits	903,200	903,200	150,774
Law and Ordinance Violations	546,000	546,000	82,100
Public Charges for Services	2,527,300	2,527,300	274,545
Intergovernmental Charges	182,000	182,000	-
Investment Income	343,580	343,580	137,333
Miscellaneous Revenue	139,250	139,250	24,726
Transfer from Other Funds	1,050,000	1,050,000	179,200
<b>Total Revenue</b>	<b>\$ 27,129,330</b>	<b>\$ 27,129,330</b>	<b>\$ 14,268,487</b>
<b>Expenditures</b>	<b>2020 Annual Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>
General Government	\$ 3,341,482	\$ 3,367,643	\$ 776,692 E
Public Safety	18,446,978	18,589,138	3,443,719 E
Public Works	4,151,677	4,199,104	707,062 E
Health and Human Services	737,635	737,635	111,656
Other Culture and Recreation	234,448	234,448	25,043
Conservation and Development	619,400	693,294	196,605 E
Contingency and Unclassified	1,487,500	1,393,500	- E
Anticipated underexpenditures	(315,000)	(315,000)	-
Transfers to Other Funds	524,000	524,000	-
Encumbrances	-	-	(207,298)
<b>Total Expenditures</b>	<b>\$ 29,228,120</b>	<b>\$ 29,423,762</b>	<b>\$ 5,053,479</b>
Excess of revenue over (under) expenditures	(2,098,790)	(2,294,432)	9,215,008
Fund balance, beginning of year	8,633,754	8,633,754	8,633,754
Fund balance, end of period	<u>\$ 6,534,964</u>	<u>\$ 6,339,322</u>	<u>\$ 17,848,762</u>

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin  
Debt Service Funds  
Balance Sheet  
February 29, 2020 and February 28, 2019**

	2020 Special Assessment	2020 Debt Service	2020 Total	2019 Special Assessment	2019 Debt Service	2019 Total
<b>Assets</b>						
Cash and investments	\$ 774,508	\$ 546,002	\$ 1,320,510	\$ 723,132	\$ 1,300,870	\$ 2,024,002
Taxes receivable	-	-	-	-	-	-
Special assessment receivable	36,476	-	36,476	58,474	-	58,474
Total Assets	<u>\$ 810,984</u>	<u>\$ 546,002</u>	<u>\$ 1,356,986</u>	<u>\$ 781,606</u>	<u>\$ 1,300,870</u>	<u>\$ 2,082,476</u>
<b>Liabilities and Fund Balance</b>						
Unearned & unavailable revenue	\$ 36,476	\$ -	\$ 36,476	\$ 58,474	\$ -	\$ 58,474
Unassigned fund balance	774,508	546,002	1,320,510	723,132	1,300,870	2,024,002
Total Liabilities and Fund Balance	<u>\$ 810,984</u>	<u>\$ 546,002</u>	<u>\$ 1,356,986</u>	<u>\$ 781,606</u>	<u>\$ 1,300,870</u>	<u>\$ 2,082,476</u>

**Statement of Revenue, Expenses and Fund Balance  
For the Two months ended February 29, 2020 and February 28, 2019**

	2020 Special Assessment	2020 Debt Service	2020 Year-to-Date Actual	2020 Original Budget	2019 Special Assessment	2019 Debt Service	2019 Year-to-Date Actual
<b>Revenue</b>							
Property Taxes	\$ -	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ -	\$ 1,300,000	\$ 1,300,000
Special Assessments	-	-	-	-	5,868	-	5,868
Investment Income	6,878	2,689	9,567	-	2,930	3,692	6,622
GO Debt Issuance	-	-	-	-	-	-	-
Total Revenue	<u>6,878</u>	<u>1,102,689</u>	<u>1,109,567</u>	<u>1,100,000</u>	<u>8,798</u>	<u>1,303,692</u>	<u>1,312,490</u>
<b>Expenditures:</b>							
Debt Service							
Principal	-	1,245,000	1,245,000	1,387,500	-	230,000	230,000
Interest	-	59,368	59,368	199,132	-	40,407	40,407
Bank Fees	-	1,200	1,200	1,140	-	800	800
Total expenditures	<u>-</u>	<u>1,305,568</u>	<u>1,305,568</u>	<u>1,587,772</u>	<u>-</u>	<u>271,207</u>	<u>271,207</u>
Transfers in	-	397,950	397,950	487,772	-	-	-
Transfers out	-	-	-	-	-	-	-
Net change in fund balances	<u>6,878</u>	<u>195,071</u>	<u>201,949</u>	<u>-</u>	<u>8,798</u>	<u>1,032,485</u>	<u>1,041,283</u>
Fund balance, beginning of year	<u>767,630</u>	<u>350,931</u>	<u>1,118,561</u>	<u>1,118,561</u>	<u>714,334</u>	<u>268,385</u>	<u>982,719</u>
Fund balance, end of period	<u>\$ 774,508</u>	<u>\$ 546,002</u>	<u>\$ 1,320,510</u>	<u>\$ 1,118,561</u>	<u>\$ 723,132</u>	<u>\$ 1,300,870</u>	<u>\$ 2,024,002</u>

City of Franklin  
Consolidating TID Funds  
Balance Sheet  
February 28, 2020

	<u>TID 3</u>	<u>TID 4</u>	<u>TID 5</u>	<u>TID 6</u>	<u>TID 7</u>	<u>Total</u>
<b><u>Assets</u></b>						
Cash & investments	\$ 692,744	\$ 5,294,090	\$ 811,824	\$ 5,353,856	\$ 5,230,790	\$ 17,383,304
Accounts receivable	-	-	45,780	-	674,250	720,030
Total Assets	<u>\$ 692,744</u>	<u>\$ 5,294,090</u>	<u>\$ 857,604</u>	<u>\$ 5,353,856</u>	<u>\$ 5,905,040</u>	<u>\$ 18,103,334</u>
<b><u>Liabilities and Fund Balance</u></b>						
Accounts payable	\$ -	\$ 362,916	\$ 553	\$ 1,859	\$ 677,079	\$ 1,042,407
Accrued liabilities	865,136	-	-	-	-	865,136
Advances from other funds	-	-	-	13,000	1,910,000	1,923,000
Unearned revenue	-	-	-	-	-	-
Total Liabilities	<u>865,136</u>	<u>362,916</u>	<u>553</u>	<u>14,859</u>	<u>2,587,079</u>	<u>3,830,543</u>
Assigned fund balance	(172,392)	4,931,174	857,051	5,338,997	3,317,961	14,272,791
Total Liabilities and Fund Balance	<u>\$ 692,744</u>	<u>\$ 5,294,090</u>	<u>\$ 857,604</u>	<u>\$ 5,353,856</u>	<u>\$ 5,905,040</u>	<u>\$ 18,103,334</u>

Statement of Revenue, Expenses and Fund Balance  
For the Two months ended February 28, 2020

	<u>TID 3</u>	<u>TID 4</u>	<u>TID 5</u>	<u>TID 6</u>	<u>TID 7</u>	<u>Total</u>
<b><u>Revenue</u></b>						
General property tax levy	\$ 1,401,748	\$ 1,138,802	\$ 721,361	\$ -	\$ -	\$ 3,261,911
Payment in lieu of taxes	-	73,889	91,560	-	-	165,449
State exempt aid	-	-	-	-	-	-
Investment & misc income	5,209	36,406	21,466	15,621	9,783	88,485
Bond proceeds	-	-	-	-	-	-
Total revenue	<u>1,406,957</u>	<u>1,249,097</u>	<u>834,387</u>	<u>15,621</u>	<u>9,783</u>	<u>3,515,845</u>
<b><u>Expenditures</u></b>						
Debt service interest & fees	\$ 710,075	\$ -	\$ 4,427,844	\$ 109,850	\$ 30,821	\$ 5,278,590
Administrative expenses	1,180	6,222	1,180	5,020	1,180	14,782
Professional services	-	546,250	33,317	19,761	11,929	611,257
Capital outlays	-	2,399,398	-	-	-	2,399,398
Development incentive & obligation payments	760,005	-	-	-	-	760,005
Encumbrances	-	(2,566,007)	(30,293)	(16,156)	(9,100)	(2,621,556)
Total expenditures	<u>1,471,260</u>	<u>385,863</u>	<u>4,432,048</u>	<u>118,475</u>	<u>34,830</u>	<u>6,442,476</u>
Revenue over (under) expenditures	(64,303)	863,234	(3,597,661)	(102,854)	(25,047)	(2,926,631)
Fund balance, beginning of year	(108,089)	4,067,940	4,454,712	5,441,851	3,343,008	17,199,422
Fund balance, end of period	<u>\$ (172,392)</u>	<u>\$ 4,931,174</u>	<u>\$ 857,051</u>	<u>\$ 5,338,997</u>	<u>\$ 3,317,961</u>	<u>\$ 14,272,791</u>

**City of Franklin**  
**Tax Increment Financing District #3**  
**Balance Sheet**  
**February 28, 2020 and 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash & investments	\$ 692,744	\$ 5,443,829
Taxes receivable	-	-
<b>Total Assets</b>	<b>\$ 692,744</b>	<b>\$ 5,443,829</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ -	\$ 104,296
Accrued liabilities	865,136	969,377
Unearned revenue	-	-
<b>Total Liabilities</b>	<b>865,136</b>	<b>1,073,673</b>
Assigned fund balance	(172,392)	4,370,156
<b>Total Liabilities and Fund Balance</b>	<b>\$ 692,744</b>	<b>\$ 5,443,829</b>

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

	<b>2020 Annual Budget</b>	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
<b>Revenue</b>			
General property tax levy	\$ 1,409,000	\$ 1,401,748	\$ 1,114,683
State exempt aid	507,500	-	-
Investment income	25,000	5,209	9,934
Bond proceeds	-	-	3,001,886
<b>Total revenue</b>	<b>1,941,500</b>	<b>1,406,957</b>	<b>4,126,503</b>
<b>Expenditures</b>			
Debt service principal	-	-	-
Debt service interest & fees	745,265	710,075	16,201
Administrative expenses	7,250	1,180	2,332
Professional services	6,000	-	-
Capital outlays	-	-	984,324
Development incentive & obligation payments	711,005	760,005	287,095
<b>Total expenditures</b>	<b>1,469,520</b>	<b>1,471,260</b>	<b>409,870</b>
Revenue over (under) expenditures	471,980	(64,303)	3,716,633
Fund balance, beginning of year	(108,089)	(108,089)	653,523
Fund balance, end of period	<b>\$ 363,891</b>	<b>\$ (172,392)</b>	<b>\$ 4,370,156</b>

**City of Franklin**  
**Tax Increment Financing District #4**  
**Balance Sheet**  
**February 28, 2020 and 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash & investments	\$ 5,294,090	\$ 4,233,530
Total Assets	<u>\$ 5,294,090</u>	<u>\$ 4,233,530</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 362,916	\$ 6,849
Total Liabilities	<u>362,916</u>	<u>6,849</u>
Assigned fund balance	<u>4,931,174</u>	<u>4,226,681</u>
Total Liabilities and Fund Balance	<u>\$ 5,294,090</u>	<u>\$ 4,233,530</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 28, 2020 and 2019**

	<b>2020 Annual Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
<b>Revenue</b>				
General property tax levy	\$ 1,144,700	\$ 1,144,700	\$ 1,138,802	\$ 1,011,224
Payment in Lieu of Taxes	120,000	120,000	73,889	121,759
State exempt aid	48,900	48,900	-	-
Investment income	74,000	74,000	36,406	16,147
Bond proceeds	6,200,000	6,200,000	-	-
Total revenue	<u>7,587,600</u>	<u>7,587,600</u>	<u>1,249,097</u>	<u>1,149,130</u>
<b>Expenditures</b>				
Debt service interest & fees	75,000	75,000	-	-
Administrative expenses	30,290	30,290	6,222	7,059
Professional services	1,000	127,675	546,250	132,224
Capital outlay	11,000,000	11,656,606	2,399,398	714,802
Encumbrances	-	-	(2,566,007)	(840,177)
Total expenditures	<u>11,106,290</u>	<u>11,889,571</u>	<u>385,863</u>	<u>13,908</u>
Revenue over (under) expenditures	(3,518,690)	(4,301,971)	863,234	1,135,222
Fund balance, beginning of year	<u>4,067,940</u>	<u>4,067,940</u>	<u>4,067,940</u>	<u>3,091,459</u>
Fund balance, end of period	<u>\$ 549,250</u>	<u>\$ (234,031)</u>	<u>\$ 4,931,174</u>	<u>\$ 4,226,681</u>

**City of Franklin**  
**Tax Increment Financing District #5**  
**Balance Sheet**  
**February 28, 2020 and 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash & investments	\$ 811,824	\$ 6,771,983
Accounts receivable	45,780	-
Total Assets	<u>\$ 857,604</u>	<u>\$ 6,771,983</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 553	\$ 24
Due to other funds	-	29,695
Interfund advance from Development Fund	-	75,000
Total Liabilities	<u>553</u>	<u>104,719</u>
Assigned fund balance	<u>857,051</u>	<u>6,667,264</u>
Total Liabilities and Fund Balance	<u>\$ 857,604</u>	<u>\$ 6,771,983</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 28, 2020 and 2019**

	<b>2020 Annual Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
<b>Revenue</b>				
General property tax levy	\$ 756,000	\$ 756,000	\$ 721,361	\$ 30,951
Payment in lieu of taxes	-	-	91,560	-
State exempt aid	12,900	12,900	-	-
Investment income	-	-	21,466	37,228
Bond proceeds	-	-	-	10,600,102
Total revenue	<u>768,900</u>	<u>768,900</u>	<u>834,387</u>	<u>10,668,281</u>
<b>Expenditures</b>				
Debt service interest & fees	890,763	890,763	4,427,844	10,427,243
Administrative expenses	12,250	12,250	1,180	8,091
Professional services	16,050	48,188	33,317	44,279
Capital outlay	-	-	-	2,251,198
Development incentive & obligation payments	-	-	-	-
Encumbrances	-	-	(30,293)	(44,279)
Total expenditures	<u>919,063</u>	<u>951,201</u>	<u>4,432,048</u>	<u>12,686,532</u>
Revenue over (under) expenditures	(150,163)	(182,301)	(3,597,661)	(2,018,251)
Fund balance, beginning of year	<u>4,454,712</u>	<u>4,454,712</u>	<u>4,454,712</u>	<u>8,685,515</u>
Fund balance, end of period	<u>\$ 4,304,549</u>	<u>\$ 4,272,411</u>	<u>\$ 857,051</u>	<u>\$ 6,667,264</u>

**City of Franklin**  
**Tax Increment Financing District #6**  
**Balance Sheet**  
**February 28, 2020 and 2019**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash & investments	\$ 5,353,856	\$ 6,526,724
Total Assets	<u>\$ 5,353,856</u>	<u>\$ 6,526,724</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 1,859	\$ 24
Advances from other funds	13,000	13,000
Total Liabilities	<u>14,859</u>	<u>13,024</u>
Assigned fund balance	5,338,997	6,513,700
Total Liabilities and Fund Balance	<u>\$ 5,353,856</u>	<u>\$ 6,526,724</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 28, 2020 and 2019**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
Investment income	\$ 32,500	\$ 32,500	\$ 15,621	\$ 807
Bond proceeds	3,250,000	3,250,000	-	6,638,320
Total revenue	<u>3,282,500</u>	<u>3,282,500</u>	<u>15,621</u>	<u>6,639,127</u>
<b>Expenditures</b>				
Debt service interest & fees	\$ 326,940	\$ 326,940	\$ 109,850	\$ 109,100
Administrative expenses	30,290	30,290	5,020	2,983
Professional services	8,750	9,906	19,761	1,156
Capital outlay	3,000,000	3,000,000	-	-
Encumbrances	-	-	(16,156)	(1,156)
Total expenditures	<u>3,365,980</u>	<u>3,367,136</u>	<u>118,475</u>	<u>112,083</u>
Revenue over (under) expenditures	(83,480)	(84,636)	(102,854)	6,527,044
Fund balance, beginning of year	<u>5,441,851</u>	<u>5,441,851</u>	<u>5,441,851</u>	<u>(13,344)</u>
Fund balance, end of period	<u>\$ 5,358,371</u>	<u>\$ 5,357,215</u>	<u>\$ 5,338,997</u>	<u>\$ 6,513,700</u>



**City of Franklin**  
**Tax Increment Financing District #7**  
**Balance Sheet**  
**February 28, 2020 and 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash & investments	\$ 5,230,790	\$ -
Accounts receivable	674,250	-
Total Assets	<u>\$ 5,905,040</u>	<u>\$ -</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 677,079	\$ -
Advances from other funds	1,910,000	-
Total Liabilities	<u>2,587,079</u>	<u>-</u>
Assigned fund balance	3,317,961	-
Total Liabilities and Fund Balance	<u>\$ 5,905,040</u>	<u>\$ -</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 28, 2020 and 2019**

	<b>2020 Annual Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
<b>Revenue</b>				
Investment & misc income	\$ 270,000	\$ 270,000	\$ 9,783	\$ -
Bond proceeds	-	-	-	-
Total revenue	<u>270,000</u>	<u>270,000</u>	<u>9,783</u>	<u>-</u>
<b>Expenditures</b>				
Debt service interest, fees, bond issuance	\$ 268,549	\$ 268,549	\$ 30,821	\$ -
Administrative expenses	7,250	7,250	1,180	-
Professional services	6,750	30,850	11,929	-
Capital outlay	-	-	-	-
Encumbrances	-	-	(9,100)	-
Total expenditures	<u>282,549</u>	<u>306,649</u>	<u>34,830</u>	<u>-</u>
Revenue over (under) expenditures	(12,549)	(36,649)	(25,047)	-
Fund balance, beginning of year	<u>3,343,008</u>	<u>3,343,008</u>	<u>3,343,008</u>	<u>-</u>
Fund balance, end of period	<u>\$ 3,330,459</u>	<u>\$ 3,306,359</u>	<u>\$ 3,317,961</u>	<u>\$ -</u>

**City of Franklin**  
**Solid Waste Collection Fund**  
**Balance Sheet**  
**February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b><u>2020</u></b>	<b><u>2019</u></b>
Cash and investments	\$ 1,904,816	\$ 1,557,289
Accrued Receivables	1,289	509
Total Assets	<u>\$ 1,906,105</u>	<u>\$ 1,557,798</u>
 <b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 158,220	\$ 129,901
Accrued salaries & wages	460	458
Restricted fund balance	1,747,425	1,427,439
Total Liabilities and Fund Balance	<u>\$ 1,906,105</u>	<u>\$ 1,557,798</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 29, 2020 and February 28, 2019**

<b><u>Revenue</u></b>	<b><u>2020 Original Budget</u></b>	<b><u>2020 Year-to-Date Actual</u></b>	<b><u>2019 Year-to-Date Actual</u></b>
Grants	\$ 69,000	\$ -	\$ -
User Fees	1,534,349	1,533,228	1,213,856
Landfill Operations-tippage	365,000	30,446	-
Investment Income	20,000	7,505	4,575
Sale of Recyclables	1,500	-	-
Total Revenue	<u>1,989,849</u>	<u>1,571,179</u>	<u>1,218,431</u>
 <b>Expenditures:</b>			
Personal Services	17,638	1,960	1,927
Refuse Collection	722,300	118,979	118,498
Recycling Collection	697,149	118,586	65,690
Leaf & Brush Pickups	60,000	-	-
Tippage Fees	469,200	39,044	35,624
Miscellaneous	5,000	310	-
Total expenditures	<u>1,971,287</u>	<u>278,879</u>	<u>221,739</u>
Revenue over (under) expenditures	18,562	1,292,300	996,692
Fund balance, beginning of year	<u>455,125</u>	<u>455,125</u>	<u>430,747</u>
Fund balance, end of period	<u>\$ 473,687</u>	<u>\$ 1,747,425</u>	<u>\$ 1,427,439</u>

**City of Franklin  
Capital Outlay Fund  
Balance Sheet  
February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash and investments	\$ 787,950	\$ 676,480
<b>Total Assets</b>	<b>\$ 787,950</b>	<b>\$ 676,480</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 58,620	\$ 54,533
Assigned fund balance	729,330	621,947
<b>Total Liabilities and Fund Balance</b>	<b>\$ 787,950</b>	<b>\$ 676,480</b>

**Statement of Revenue, Expenses and Fund Balance  
For the Two months ended February 29, 2020 and February 28, 2019**

<b>Revenue</b>	<b>2020 Original Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
Property Taxes	\$ 295,700	\$ 295,700	\$ 295,700	\$ 452,800
Grants	6,000	6,000	-	-
Landfill Siting	483,900	483,900	30,483	-
Investment Income	7,800	7,800	4,995	2,799
Miscellaneous Revenue	25,000	25,000	6,002	2,715
<b>Total Revenue</b>	<b>818,400</b>	<b>818,400</b>	<b>337,180</b>	<b>458,314</b>
<b>Expenditures:</b>				
General Government	232,050	232,050	30,300	-
Public Safety	447,600	530,766	308,394	277,050
Public Works	162,800	163,257	7,009	25,027
Health and Human Services	900	900	900	-
Culture and Recreation	76,000	76,000		2,866
Conservation and Development	10,000	10,000		-
Contingency	60,000	60,000		-
Encumbrances	-	-	(247,042)	(43,533)
<b>Total expenditures</b>	<b>989,350</b>	<b>1,072,973</b>	<b>99,561</b>	<b>261,410</b>
Revenue over (under) expenditures	(170,950)	(254,573)	237,619	196,904
 Fund balance, beginning of year	 491,711	 491,711	 491,711	 425,043
 Fund balance, end of period	 <b>\$ 320,761</b>	 <b>\$ 237,138</b>	 <b>\$ 729,330</b>	 <b>\$ 621,947</b>

A Portion of Municipal Building, Police, Highway & Parks appropriations are contingent upon Landfill Siting revenue growth

**City of Franklin**  
**Equipment Replacement Fund**  
**Balance Sheet**  
**February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash and investments	\$ 2,598,707	\$ 2,833,100
<b>Total Assets</b>	<b>\$ 2,598,707</b>	<b>\$ 2,833,100</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 4,925	\$ -
Assigned fund balance	2,593,782	2,833,100
<b>Total Liabilities and Fund Balance</b>	<b>\$ 2,598,707</b>	<b>\$ 2,833,100</b>

**Comparative Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 29, 2020 and February 28, 2019**

	<b>2020 Original Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
<b>Revenue:</b>				
Property Taxes	\$ -	\$ -	\$ -	\$ 175,000
Landfill	677,600	677,600	42,685	-
Investment Income	37,400	37,400	28,810	11,678
Transfers from Other Funds	-	-	-	-
Property Sales	56,500	56,500	-	727
<b>Total revenue</b>	<b>771,500</b>	<b>771,500</b>	<b>71,495</b>	<b>187,405</b>
<b>Expenditures:</b>				
Public Safety	241,000	257,974	237,783	-
Public Works	609,000	799,000	189,374	20,431
Encumbrances	-	-	(421,382)	(20,431)
<b>Total expenditures</b>	<b>850,000</b>	<b>1,056,974</b>	<b>5,775</b>	<b>-</b>
Revenue over (under) expenditures	(78,500)	(285,474)	65,720	187,405
Fund balance, beginning of year	2,528,062	2,528,062	2,528,062	2,645,695
Fund balance, end of period	<b>\$ 2,449,562</b>	<b>\$ 2,242,588</b>	<b>\$ 2,593,782</b>	<b>\$ 2,833,100</b>

**City of Franklin**  
**Capital Improvement Fund**  
**Balance Sheet**  
**February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash and investments	\$ 2,448,528	\$ 3,402,582
Accrued receivables	951,949	8,950
<b>Total Assets</b>	<b>\$ 3,400,477</b>	<b>\$ 3,411,532</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 725,811	\$ -
Contracts Payable	329,435	-
Escrow Balances Due	-	78,915
Fund Balance - Encumbrance	172,000	-
Deferred Inflow	943,000	-
Assigned fund balance	1,230,231	3,332,617
<b>Total Liabilities and Fund Balance</b>	<b>\$ 3,400,477</b>	<b>\$ 3,411,532</b>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 29, 2020 and February 28, 2019**

	<b>2020 Original Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Totals</b>	<b>2019 Year-to-Date Totals</b>
<b>Revenue:</b>				
Other Grants	\$ 500,000	\$ 500,000	\$ -	\$ -
Landfill Siting	722,000	722,000	45,482	8,102
Transfers from Other Funds	600,000	600,000	-	-
Transfers from General Funds	500,000	500,000	-	-
Transfers from Impact Fees	621,500	621,500	-	-
Transfers from Connection Fees	1,120,000	1,120,000	-	-
Investment Income	25,000	25,000	9,466	13,614
<b>Total revenue</b>	<b>4,088,500</b>	<b>4,088,500</b>	<b>54,948</b>	<b>21,716</b>
<b>Expenditures:</b>				
General Government	500,000	511,505	89,008	46,460
Public Safety	225,000	1,506,601	1,020,483	45,937
Public Works	1,150,000	1,137,910	589,039	1,007,609
Culture and Recreation	1,300,000	1,467,704	167,934	3,325
Sewer & Water	1,570,000	1,570,000	199,000	-
Contingency	175,000	175,170	20,170	48,084
Encumbrances	-	-	(1,248,441)	(1,138,944)
<b>Total expenditures</b>	<b>4,920,000</b>	<b>6,368,890</b>	<b>837,193</b>	<b>12,471</b>
Revenue over (under) expenditures	(831,500)	(2,280,390)	(782,245)	9,245
Fund balance, beginning of year	2,012,476	2,012,476	2,012,476	3,323,372
<b>Fund balance, end of period</b>	<b>\$ 1,180,976</b>	<b>\$ (267,914)</b>	<b>\$ 1,230,231</b>	<b>\$ 3,332,617</b>

**City of Franklin  
Street Improvement Fund  
Balance Sheet  
February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash and investments	\$ 532,889	\$ 419,317
<b>Total Assets</b>	<b>\$ 532,889</b>	<b>\$ 419,317</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 1,051	\$ -
Assigned fund balance	531,838	419,317
<b>Total Liabilities and Fund Balance</b>	<b>\$ 532,889</b>	<b>\$ 419,317</b>

**Statement of Revenue, Expenses and Fund Balance  
For the Two months ended February 29, 2020 and February 28, 2019**

	<b>2020 Original Budget</b>	<b>2020 Amended Budget</b>	<b>2020 Year-to-Date Totals</b>	<b>2019 Year-to-Date Totals</b>
<b>Revenue:</b>				
Property Taxes	\$ -	\$ -	\$ -	\$ 18,200
Landfill Siting	368,500	368,500	23,213	-
Investment Income	4,800	4,800	3,469	1,729
Local Road Improvement Aids	845,000	845,000	-	-
<b>Total revenue</b>	<b>1,218,300</b>	<b>1,218,300</b>	<b>26,682</b>	<b>19,929</b>
<b>Expenditures:</b>				
Street Reconstruction Program - Current Year	1,300,000	1,487,936	975,940	-
Encumbrances	-	-	(974,889)	-
<b>Total expenditures</b>	<b>1,300,000</b>	<b>1,487,936</b>	<b>1,051</b>	<b>-</b>
Revenue over (under) expenditures	(81,700)	(269,636)	25,631	19,929
Fund balance, beginning of year	506,207	506,207	506,207	399,388
<b>Fund balance, end of period</b>	<b>\$ 424,507</b>	<b>\$ 236,571</b>	<b>\$ 531,838</b>	<b>\$ 419,317</b>

**City of Franklin  
Development Fund  
Balance Sheet  
February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b><u>2020</u></b>	<b><u>2019</u></b>
Cash and investments	\$ 6,771,188	\$ 6,410,779
Impact fees receivable	232,640	-
Other accounts receivable	486	-
Due From TID 7	1,910,000	-
<b>Total Assets</b>	<b>\$ 8,914,314</b>	<b>\$ 6,410,779</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 224	\$ 140
Payable to Developers- Oversizing	221,759	119,951
Unearned Revenue - Other	232,640	-
Non-Spendable Fund Balance - Advances	-	25,000
Assigned fund balance	8,459,691	6,265,688
<b>Total Fund Balance</b>	<b>8,914,314</b>	<b>6,410,779</b>
<b>Total Liabilities and Fund Balance</b>	<b>\$ 9,136,297</b>	<b>\$ 6,530,870</b>

**Comparative Statement of Revenue, Expenses and Fund Balance  
For the Two months ended February 29, 2020 and February 28, 2019**

	<b><u>2020 Original Budget</u></b>	<b><u>2020 Amended Budget</u></b>	<b><u>2020 Year-to-Date Actual</u></b>	<b><u>2019 Year-to-Date Actual</u></b>
<b>Revenue:</b>				
Impact Fee: Parks	\$ 804,000	\$ 804,000	\$ 62,147	\$ 45,531
Southwest Sewer Service Area	48,000	48,000	29,304	8,415
Administration	15,000	15,000	990	715
Water	679,000	679,000	46,770	35,718
Transportation	22,000	22,000	2,527	1,226
Fire Protection	133,500	133,500	9,028	6,313
Law Enforcement	207,700	207,700	16,772	11,730
Library	224,000	224,000	17,579	12,891
<b>Total Impact Fees</b>	<b>2,133,200</b>	<b>2,133,200</b>	<b>185,117</b>	<b>122,539</b>
Investment Income	120,000	120,000	56,531	28,093
Interfund Interest Income	-	-	-	-
<b>Total revenue</b>	<b>2,253,200</b>	<b>2,253,200</b>	<b>241,648</b>	<b>150,632</b>
<b>Expenditures:</b>				
Other Professional Services	25,000	33,552	8,603	15,253
Transfer to Debt Service:				
Law Enforcement	205,082	205,082	199,856	-
Fire	42,937	42,937	39,863	-
Transportation	71,923	71,923	64,249	-
Library	134,000	134,000	93,982	-
<b>Total Transfers to Debt Service</b>	<b>453,942</b>	<b>453,942</b>	<b>397,950</b>	<b>-</b>
Transfer to Capital Improvement Fund Park	621,500	646,785	25,285	-
<b>Total Transfers to Capital Improvement</b>	<b>621,500</b>	<b>646,785</b>	<b>25,285</b>	<b>-</b>
Sewer Fees	250,000	250,000	-	-
Water Fees	1,025,000	1,368,130	554,759	-
Encumbrances	-	-	(371,181)	(15,113)
<b>Total expenditures</b>	<b>2,375,442</b>	<b>2,752,409</b>	<b>615,416</b>	<b>140</b>
<b>Revenue over (under) expenditures</b>	<b>(122,242)</b>	<b>(499,209)</b>	<b>(373,768)</b>	<b>150,492</b>
<b>Fund balance, beginning of year</b>	<b>8,833,459</b>	<b>8,833,459</b>	<b>8,833,459</b>	<b>6,140,196</b>
<b>Fund balance, end of period</b>	<b>\$ 8,711,217</b>	<b>\$ 8,334,250</b>	<b>\$ 8,459,691</b>	<b>\$ 6,290,688</b>

**City of Franklin**  
**Utility Development Fund**  
**Balance Sheet**  
**February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b><u>2020</u></b>	<b><u>2019</u></b>
Cash and investments - Water	\$ 959,511	\$ 824,017
Cash and investments - Sewer	1,251,647	1,026,997
Special Assessment - Water Current	74,826	156,455
Special Assessment - Water Deferred	170,661	259,425
Special Assessment - Sewer Current	162,914	262,485
Reserve for Uncollectible	(16,776)	(16,776)
<b>Total Assets</b>	<b><u>\$ 2,602,783</u></b>	<b><u>\$ 2,512,603</u></b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ -	\$ -
Unearned Revenue	391,625	661,589
<b>Total Fund Balance</b>	<b><u>2,211,158</u></b>	<b><u>1,851,014</u></b>
<b>Total Liabilities and Fund Balance</b>	<b><u>\$ 2,602,783</u></b>	<b><u>\$ 2,512,603</u></b>

**Comparative Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 29, 2020 and February 28, 2019**

	<b><u>2020 Original Budget</u></b>	<b><u>2020 Year-to-Date Actual</u></b>	<b><u>2019 Year-to-Date Actual</u></b>
<b>Revenue:</b>			
Special Assessments			
Water	\$ 50,000	\$ -	\$ 126,061
Sewer	25,000	-	-
Connection Fees			
Water	-	-	-
Sewer	-	9,802	4,500
<b>Total Assessments &amp; Connection Fees</b>	<b><u>75,000</u></b>	<b><u>9,802</u></b>	<b><u>130,561</u></b>
Special Assessment Interest	-	-	-
Investment Income	18,000	6,559	7,915
<b>Total revenue</b>	<b><u>93,000</u></b>	<b><u>16,361</u></b>	<b><u>138,476</u></b>
<b>Transfer to Capital Improvement Fund</b>			
Water	620,000	-	-
Sewer	500,000	-	-
<b>Total Transfers to Capital Improven</b>	<b><u>1,120,000</u></b>	<b><u>-</u></b>	<b><u>-</u></b>
<b>Revenue over (under) expenditures</b>	<b>(1,027,000)</b>	<b>16,361</b>	<b>138,476</b>
<b>Fund balance, beginning of year</b>		<b><u>2,194,797</u></b>	<b><u>1,712,538</u></b>
<b>Fund balance, end of period</b>		<b><u>\$ 2,211,158</u></b>	<b><u>\$ 1,851,014</u></b>



**City of Franklin**  
**Self Insurance Fund - Actives**  
**Balance Sheet**  
**February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b><u>2020</u></b>	<b><u>2019</u></b>
Cash and investments	\$ 2,729,581	\$ 2,013,412
Accounts receivable	324	309
<b>Total Assets</b>	<b>\$ 2,729,905</b>	<b>\$ 2,013,721</b>
<b><u>Liabilities and Net Assets</u></b>		
Accounts payable	\$ 35,755	\$ 32,088
Claims payable	175,000	290,700
Unrestricted net assets	2,519,150	1,690,933
<b>Total Liabilities and Fund Balance</b>	<b>\$ 2,729,905</b>	<b>\$ 2,013,721</b>

**City of Franklin Self Insurance Fund - Actives**  
**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 29, 2020 and February 28, 2019**

	<b><u>2020</u></b>	<b><u>2020</u></b>	<b><u>2019</u></b>
<b><u>Revenue</u></b>	<b><u>Original</u></b>	<b><u>Year-to-Date</u></b>	<b><u>Year-to-Date</u></b>
	<b><u>Budget</u></b>	<b><u>Actual</u></b>	<b><u>Actual</u></b>
Medical Premiums-City	\$ 2,648,046	\$ 412,939	\$ 408,192
Medical Premiums-Employee	538,440	84,938	88,584
Other - Invest Income, Rebates	165,000	38,934	19,924
Medical Revenue	3,351,486	536,811	516,700
Dental Premiums-City	112,000	20,034	18,880
Dental Premiums-Retirees	-	648	618
Dental Premiums-Employee	60,000	9,762	9,683
Dental Revenue	172,000	30,444	29,181
<b>Total Revenue</b>	<b>3,523,486</b>	<b>567,255</b>	<b>545,881</b>
<b>Expenditures:</b>			
<b>Medical</b>			
Medical claims	2,414,478	237,825	328,045
Prescription drug claims	-	32,578	41,778
Refunds-Stop Loss Coverage	-	-	1,016
Total Claims	2,414,478	270,403	370,839
Medical Claim Fees	105,677	17,103	29,409
Stop Loss Premiums	666,331	88,413	92,686
Other - Miscellaneous	112,477	4,629	7,276
HSA Contributions	237,000	119,250	-
Vitality Rewards	500,000	-	-
Transfer to Other Funds	-	-	88,500
Total Medical Costs	4,035,963	499,798	588,710
<b>Dental</b>			
Active Employees & COBRA	193,000	34,910	25,600
Retiree	4,900	1,918	806
Total Dental Costs	197,900	36,828	26,406
Claims contingency		-	-
<b>Total Expenditures</b>	<b>4,233,863</b>	<b>536,626</b>	<b>615,116</b>
Revenue over (under) expenditures	(710,377)	30,629	(69,235)
Net assets, beginning of year	2,488,521	2,488,521	1,760,168
<b>Net assets, end of period</b>	<b>\$ 1,778,144</b>	<b>\$ 2,519,150</b>	<b>\$ 1,690,933</b>

**City of Franklin**  
**City of Franklin Post Employment Benefits Trust**  
**Balance Sheet**  
**February 29, 2020 and February 28, 2019**

<b><u>Assets</u></b>	<b>2020</b>	<b>2019</b>
Cash and investments	\$ 54,450	\$ 37,145
Investments held in trust - Fixed Inc	2,178,034	1,926,710
Investments held in trust - Equities	3,974,294	3,872,032
Accounts receivable	7,214	5,719
<b>Total Assets</b>	<b>\$ 6,213,992</b>	<b>\$ 5,841,606</b>
<b><u>Liabilities and Net Assets</u></b>		
Accounts payable	\$ 2,299	\$ 1,193
Claims payable	10,000	131,100
Net assets held in trust for post emp	6,201,693	5,709,313
<b>Total Liabilities and Fund Balance</b>	<b>\$ 6,213,992</b>	<b>\$ 5,841,606</b>

**City of Franklin Post Employment Benefits Trust**  
**Statement of Revenue, Expenses and Fund Balance**  
**For the Two months ended February 29, 2020 and February 28, 2019**

	<b>2020 Year-to-Date Actual</b>	<b>2019 Year-to-Date Actual</b>
<b><u>Revenue</u></b>		
ARC Medical Charges - City	\$ -	\$ -
Medical Charges - Retirees	34,311	37,178
Implicit Rate Subsidy	65,796	42,846
<b>Medical Revenue</b>	<b>100,107</b>	<b>80,024</b>
<b><u>Expenditures:</u></b>		
<b>Retirees-Medical</b>		
Medical claims	20,910	39,703
Prescription drug claims	19,754	21,712
Refunds-Stop Loss Coverage	-	-
<b>Total Claims-Retirees</b>	<b>40,664</b>	<b>61,415</b>
Medical Claim Fees	2,720	5,117
Stop Loss Premiums	11,265	13,147
Miscellaneous Expense	-	345
ACA Fees	-	-
<b>Total Medical Costs-Retirees</b>	<b>54,649</b>	<b>80,024</b>
<b>Revenue over (under) expenditures</b>	<b>45,458</b>	<b>-</b>
 Annual Required Contribution-Net	 -	 30,524
Other - Investment Income, etc.	(382,525)	449,385
<b>Total Revenues</b>	<b>(382,525)</b>	<b>479,909</b>
 <b>Net Revenues (Expenditures)</b>	 <b>(337,067)</b>	 <b>479,909</b>
 <b>Net assets, beginning of year</b>	 <b>6,538,760</b>	 <b>5,229,404</b>
 <b>Net assets, end of period</b>	 <b>\$ 6,201,693</b>	 <b>\$ 5,709,313</b>

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APPROVAL <i>slw</i> <i>AL</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Apr 6, 2020
REPORTS & RECOMMENDATIONS	December, 2019 Monthly Financial Report - unaudited	ITEM NUMBER <i>15.20.</i>

**Background**

The December, 2019 Financial Report is attached, and is un-audited. A Comprehensive Annual Financial Report is scheduled for review at the April 28, 2020 Finance Committee meeting and then forwarded to the Common Council at the May 5, 2020 meeting.

The Finance Committee has not reviewed this report.

The Director of Finance & Treasurer will be available to answer any questions. The report maybe helpful in understanding or as additional financial resource materiel for other agenda items under consideration at this or future Common Council meetings.

**COUNCIL ACTION REQUESTED**

No action needed – the CAFR is scheduled for presentation on May 5, 2020.

**City of Franklin**  
**Cash & Investments Summary**  
**December 31, 2019**

	<b>Cash</b>	<b>American Deposit Management</b>	<b>Institutional Capital Management</b>	<b>Local Government Invest Pool</b>	<b>Fidelity Investments</b>	<b>Total</b>	<b>Prior Month Total</b>
General Fund	\$ (213,479)	\$ 2,284,491	\$ 3,709,812	\$ 3,178,642	\$ -	\$ 8,959,466	\$ 10,495,419
Debt Service Funds	30,171	523,897	539,146	-	-	1,093,214	1,011,006
TIF Districts	916,011	18,683,368	2,708,976	-	-	22,308,355	12,516,513
Nonmajor Governmental Funds	689,300	9,748,977	8,045,064	-	-	18,483,341	17,476,442
<b>Total Governmental Funds</b>	<b>1,422,003</b>	<b>31,240,732</b>	<b>15,002,998</b>	<b>3,178,642</b>	<b>-</b>	<b>50,844,375</b>	<b>41,499,380</b>
Sewer Fund	(22,990)	1,768,977	-	(216,106)	-	1,529,881	1,609,541
Water Utility	14,624	1,991,437	419,822	-	-	2,425,883	2,521,270
Self Insurance Fund	33,185	729,861	1,833,454	-	-	2,596,500	2,496,858
Other Designated Funds	18,689	-	-	-	-	18,689	13,605
<b>Total Other Funds</b>	<b>43,508</b>	<b>4,490,275</b>	<b>2,253,276</b>	<b>(216,106)</b>	<b>-</b>	<b>6,570,953</b>	<b>6,641,274</b>
<b>Total Pooled Cash &amp; Investments</b>	<b>1,465,510</b>	<b>35,731,007</b>	<b>17,256,274</b>	<b>2,962,536</b>	<b>-</b>	<b>57,415,328</b>	<b>48,140,654</b>
Retiree Health Fund	17,566	-	-	-	6,540,441	6,558,008	6,458,166
Property Tax Fund	14,869,053	44,713,946	-	-	-	59,582,999	63,077
<b>Total Trust Funds</b>	<b>14,886,619</b>	<b>44,713,946</b>	<b>-</b>	<b>-</b>	<b>6,540,441</b>	<b>66,141,006</b>	<b>6,521,243</b>
<b>Grand Total Cash &amp; Investments</b>	<b>16,352,129</b>	<b>80,444,953</b>	<b>17,256,274</b>	<b>2,962,536</b>	<b>6,540,441</b>	<b>123,556,334</b>	<b>54,661,896</b>
<b>Average Rate of Return</b>		1.58%	1.86%	1.63%			
<b>Maturities:</b>							
Demand	16,352,129	80,444,953	76,037	2,962,536	204,671	100,040,327	31,219,006
Fixed Income & Equities	-	-	-	-	4,389,337	4,389,337	4,149,839
2020 - Q1	-	-	1,040,003	-	-	1,040,003	1,039,943
2020 - Q2	-	-	998,693	-	-	998,693	998,329
2020 - Q3	-	-	-	-	-	-	-
2020 - Q4	-	-	4,518,776	-	-	4,518,776	4,690,638
2021 - Q1	-	-	2,011,563	-	-	2,011,563	-
2021	-	-	6,040,446	-	575,256	6,615,701	8,622,942
2022	-	-	2,570,757	-	371,700	2,942,457	2,941,677
2023	-	-	-	-	376,821	376,821	377,268
2024	-	-	-	-	205,758	205,758	205,839
2025	-	-	-	-	208,860	208,860	208,778
2026	-	-	-	-	208,039	208,039	207,638
	<b>16,352,129</b>	<b>80,444,953</b>	<b>17,256,274</b>	<b>2,962,536</b>	<b>6,540,441</b>	<b>123,556,334</b>	<b>54,661,896</b>

**City of Franklin  
General Fund  
Comparative Statement of Revenue, Expenses and Fund Balance  
For the 12 months ended December 31, 2019**

<b>Revenue</b>	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>Var to Budget Surplus (Deficiency)</b>
Property Taxes	\$ 18,139,675	\$ 18,139,675	\$ 18,136,986	\$ (2,689)
Other Taxes	686,800	686,800	692,943	6,143
Intergovernmental Revenue	1,736,127	1,736,127	1,757,347	21,220
Licenses & Permits	1,041,490	1,041,490	1,314,918	273,428
Law and Ordinance Violations	546,000	546,000	451,062	(94,938)
Public Charges for Services	2,056,950	2,706,950	2,829,033	122,083
Intergovernmental Charges	207,500	207,500	226,178	18,678
Investment Income	265,000	265,000	510,943	245,943
Miscellaneous Revenue	159,650	159,650	189,607	29,957
Transfers from Other Funds	1,109,250	1,139,875 A	968,448	(171,427)
<b>Total Revenue</b>	<b>\$ 25,948,442</b>	<b>\$ 26,629,067</b>	<b>\$ 27,077,465</b> 101.68%	<b>\$ 448,398</b>
<b>Expenditures</b>	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>Var to Budget Surplus (Deficiency)</b>
General Government	\$ 3,200,440	\$ 3,244,416 A	\$ 2,964,104 E	\$ (280,312)
Public Safety	17,784,187	17,771,999 A	17,171,264 E	(600,735)
Public Works	3,571,132	4,309,736 A	4,187,500 E	(122,236)
Health & Human Services	750,797	740,862	646,760	(94,102)
Culture & Recreation	182,702	226,243 A	223,360 E	(2,883)
Conservation and Development	640,776	744,914 A	651,313 E	(93,601)
Contingency & Unclassified	2,069,728	1,814,904	15,979 E	(1,798,925)
Anticipated Underexpenditures	(375,320)	(317,444)	-	317,444
Transfers to Other Funds	274,000	282,100	52,100	(230,000)
Encumbrances	-	-	(132,392)	(132,392)
<b>Total Expenditures</b>	<b>\$ 28,098,442</b>	<b>\$ 28,817,730</b>	<b>\$ 25,779,988</b> 89.46%	<b>\$ (3,037,742)</b>
Excess of revenue over (under) expenditures	(2,150,000)	(2,188,663)	1,297,477	<u>\$ (2,589,344)</u>
Fund Balance, beginning of year	<u>7,336,277</u>	<u>7,336,277</u>	<u>7,336,277</u>	
Fund Balance, end of period	<u>\$ 5,186,277</u>	<u>\$ 5,147,614</u>	<u>\$ 8,633,754</u>	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin**  
**General Fund**  
**Comparative Statement of Revenue**  
**For the 12 months ended December 31, 2019**

<b>Revenue</b>	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>Var to Budget Surplus (Deficiency)</b>
<b>Property Taxes</b>	<b>\$ 18,139,675</b>	<b>\$ 18,139,675</b>	<b>\$ 18,136,986</b>	<b>\$ (2,689)</b>
<b>Other Taxes:</b>				
Cable television franchise fees	480,000	480,000	489,933	9,933
Mobile Home	23,500	23,500	19,689	(3,811)
Room tax	183,300	183,300	183,321	21
<b>Total Other taxes</b>	<b>686,800</b>	<b>686,800</b>	<b>692,943</b>	<b>6,143</b>
<b>Intergovernmental Revenue:</b>				
State shared revenue-per capita	418,900	418,900	404,536	(14,364)
Expenditure restraint revenue	160,200	160,200	142,891	(17,309)
State computer aid	228,350	228,350	228,051	(299)
State transportation aids	520,000	520,000	520,847	847
Fire insurance dues	155,000	155,000	164,859	9,859
Other grants & aid	253,677	253,677	296,163	42,486
<b>Total Intergovernmental Revenue</b>	<b>1,736,127</b>	<b>1,736,127</b>	<b>1,757,347</b>	<b>21,220</b>
<b>Licenses &amp; Permits:</b>				
Licenses	162,190	162,190	180,530	18,340
Permits	879,300	879,300	1,134,388	255,088
	<b>1,041,490</b>	<b>1,041,490</b>	<b>1,314,918</b>	<b>273,428</b>
<b>Law &amp; Ordinance Violations:</b>				
Fines, Forfeitures & Penalties	546,000	546,000	451,062	(94,938)
<b>Public Charges for Services:</b>				
Planning Related Fees	86,300	86,300	97,095	10,795
General Government	8,450	8,450	8,304	(146)
Architectural Board Review	5,200	5,200	5,250	50
Police & Related	8,000	8,000	13,140	5,140
Ambulance Services - ALS	1,090,000	1,090,000	900,782	(189,218)
Ambulance Services - BLS	250,000	250,000	437,605	187,605
Fire Safety Training	1,000	1,000	3,943	2,943
Fire Sprinkler Plan Review	50,000	50,000	77,910	27,910
Fire Inspections	23,000	23,000	18,059	(4,941)
Quarry Reimbursement	44,000	44,000	37,410	(6,590)
Weed Cutting	9,000	9,000	7,125	(1,875)
Engineering Fees	33,750	683,750	794,363	110,613
Public Works Fees	15,000	15,000	24,708	9,708
Weights & Measures	7,600	7,600	8,643	1,043
Landfill Operations - Siting	240,000	240,000	203,912	(36,088)
Landfill Operations - Emerald Park	67,500	67,500	75,877	8,377
Health Department	118,150	118,150	114,907	(3,243)
<b>Total Public Charges for Services</b>	<b>\$ 2,056,950</b>	<b>\$ 2,706,950</b>	<b>\$ 2,829,033</b>	<b>\$ 122,083</b>

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin  
General Fund  
Comparative Statement of Revenue  
For the 12 months ended December 31, 2019**

<b>Revenue</b>	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>Var to Budget Surplus (Deficiency)</b>
<b>Intergovernmental Charges:</b>				
Milwaukee County - Paramedics	\$ 126,700	\$ 126,700	\$ 136,470	\$ 9,770
School Liaison Officer	80,800	80,800	89,708	8,908
<b>Total Intergovernmental Charges</b>	<b>207,500</b>	<b>207,500</b>	<b>226,178</b>	<b>18,678</b>
<b>Investment Income:</b>				
Interest on Investments	240,000	240,000	259,855	19,855
Market Value Change on Investments	(60,000)	(60,000)	76,834	136,834
Interest - Tax Roll	85,000	85,000	169,567	84,567
Other Interest	-	-	4,687	4,687
<b>Total Investment Income</b>	<b>265,000</b>	<b>265,000</b>	<b>510,943</b>	<b>245,943</b>
<b>Sale of Capital Assets</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Miscellaneous Revenue:</b>				
Rental of Property	50,000	50,000	78,833	28,833
Refunds/Reimbursements	37,000	37,000	16,461	(20,539)
Insurance Dividend	40,000	40,000	82,047	42,047
Other Revenue	32,650	32,650	12,266	(20,384)
<b>Total Miscellaneous Revenue</b>	<b>159,650</b>	<b>159,650</b>	<b>189,607</b>	<b>29,957</b>
<b>Transfer from Other Funds:</b>				
Self-Insurance Fund (75)	59,250	89,875	-	(89,875)
Water Utility-Tax Equivalent	1,050,000	1,050,000	968,448	(81,552)
<b>Total Transfers from Other Funds</b>	<b>1,109,250</b>	<b>1,139,875</b>	<b>968,448</b>	<b>(171,427)</b>
<b>Total Revenue</b>	<b>\$ 25,948,442</b>	<b>\$ 26,629,067</b>	<b>\$ 27,077,465</b>	<b>\$ 448,398</b>
			<b>101.68%</b>	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year



**City of Franklin**  
**General Fund**  
**Comparative Statement of Expenditures**  
**For the 12 months ended December 31, 2019**

<b>Expenditures</b>	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>Var to Budget Surplus (Deficiency)</b>
<b>General Government:</b>				
Mayor & Aldermen - Labor	\$ 65,891	\$ 65,891	\$ 65,891	\$ -
Mayor & Aldermen - Non-Personnel	31,541	31,541	28,922	2,619
Municipal Court - Labor	186,933	189,878 A	187,333	2,545
Municipal Court - Non-Personnel	58,450	58,450	15,942	42,508
City Clerk Labor	319,569	313,868 A	305,789	8,079
City Clerk - Non-Personnel	27,200	27,200	21,835	5,365
Elections - Labor	32,525	32,358 A	14,025	18,333
Elections - Non-Personnel	10,100	10,100	8,704	1,396
Information Services - Labor	127,381	129,467 A	129,249	218
Information Services - Non-Personnel	392,468	441,213 A	432,837 E	8,376
Administration - Labor	311,278	317,208 A	317,732	(524)
Administration - Non-Personnel	133,475	138,475 A	75,989	62,486
Finance - Labor	464,090	437,740 A	409,026	28,714
Finance - Non-Personnel	122,870	122,992 A	104,742	18,250
Independent Audit	37,025	37,025	31,455 E	5,570
Assessor - Non-Personnel	229,550	229,550	226,888	2,662
Legal Services	348,650	348,650	299,700	48,950
Municipal Buildings - Labor	97,479	108,080 A	107,963	117
Municipal Buildings - Non-Personnel	117,015	117,780 A	114,645 E	3,135
Property/Liability Insurance	86,950	86,950	65,437	21,513
<b>Total General Government</b>	<b>3,200,440</b>	<b>3,244,416</b>	<b>2,964,104</b>	<b>280,312</b>
<b>Public Safety:</b>				
Police Department - Labor	8,887,426	8,742,288 A	8,587,499	154,789
Police Department - Non-Personnel	1,197,800	1,217,273 A	1,057,507 E	159,766
Fire Department - Labor	6,009,935	6,023,305 A	5,884,640	138,665
Fire Department - Non-Personnel	505,860	515,860	513,914 E	1,946
Public Fire Protection	283,300	283,300	279,819	3,481
Building Inspection - Labor	860,216	844,837 A	707,549	137,288
Building Inspection - Non-Personnel	32,050	137,536 A	132,736	4,800
Weights and Measures	7,600	7,600	7,600	-
<b>Total Public Safety</b>	<b>17,784,187</b>	<b>17,771,999</b>	<b>17,171,264</b>	<b>600,735</b>
<b>Public Works:</b>				
Engineering - Labor	612,306	611,697 A	540,914	70,783
Engineering - Non-Personnel	30,860	680,860	675,297	5,563
Highway - Labor	1,736,098	1,658,490	1,648,581	9,909
Highway - Non-Personnel	833,318	1,000,139 A	972,718 E	27,421
Street Lighting	349,500	349,500	344,092	5,408
Weed Control	9,050	9,050	5,898	3,152
<b>Total Public Works</b>	<b>\$ 3,571,132</b>	<b>\$ 4,309,736</b>	<b>\$ 4,187,500</b>	<b>\$ 122,236</b>

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin**  
**General Fund**  
**Comparative Statement of Revenue, Expenses and Fund Balance**  
**For the 12 months ended December 31, 2019**

<b>Expenditures</b>	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>Var to Budget Surplus (Deficiency)</b>
<b>Health &amp; Human Services:</b>				
Public Health - Labor	\$ 634,447	\$ 624,512 A	\$ 528,981	\$ 95,531
Public Health - Non-Personnel	73,250	73,250	75,056	(1,806)
Animal Control	43,100	43,100	42,723	377
<b>Total Health &amp; Human Services</b>	<b>750,797</b>	<b>740,862</b>	<b>646,760</b>	<b>94,102</b>
<b>Culture &amp; Recreation:</b>				
Senior Travel & Activities	22,000	23,450 A	23,411	39
Parks - Labor	112,477	154,568 A	153,110	1,458
Parks - Non-Personnel	48,225	48,225	46,839	1,386
<b>Total Culture &amp; Recreation</b>	<b>182,702</b>	<b>226,243</b>	<b>223,360</b>	<b>2,883</b>
<b>Conservation &amp; Development:</b>				
Planning - Labor	375,395	353,196 A	332,122	21,074
Planning - Non-Personnel	74,450	162,300 A	113,964 E	48,336
Economic Dev - Labor	103,431	106,043	123,622	(17,579)
Economic Dev - Non-Personnel	87,500	123,375 A	81,605 E	41,770
<b>Total Conservation &amp; Development</b>	<b>640,776</b>	<b>744,914</b>	<b>651,313</b>	<b>93,601</b>
<b>Contingency &amp; Unclassified:</b>				
Restricted - other	1,861,000	1,714,174	-	1,714,174
Unrestricted	206,228	78,230 A	-	78,230
Unclassified	2,500	22,500 A	15,979	6,521
<b>Total Contingency &amp; Unclassified</b>	<b>2,069,728</b>	<b>1,814,904</b>	<b>15,979</b>	<b>1,798,925</b>
<b>Anticipated Underexpenditures</b>	<b>(375,320)</b>	<b>(317,444) A</b>	<b>-</b>	<b>(317,444)</b>
<b>Transfers to Other Funds:</b>				
Capital Outlay Fund	250,000	258,100 A	8,100	250,000
Other Funds	24,000	24,000	44,000	(20,000)
<b>Total Transfers to Other Funds</b>	<b>274,000</b>	<b>282,100</b>	<b>52,100</b>	<b>230,000</b>
<b>Total Expenditures</b>	<b>\$ 28,098,442</b>	<b>\$ 28,817,730</b>	<b>\$ 25,912,380</b>	<b>\$ 2,905,350</b>
<b>Less Encumbrances</b>			<b>(132,392)</b>	
<b>Net Expenditures</b>			<b>\$ 25,779,988</b>	
% of YTD Budget			<b>89.46%</b>	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin  
Debt Service Funds  
Balance Sheet  
December 31, 2019 (Unaudited) and 2018**

	<b>2019 Special Assessment</b>	<b>2019 Debt Service</b>	<b>2019 Total</b>	<b>2018 Special Assessment</b>	<b>2018 Debt Service</b>	<b>2018 Total</b>
<b>Assets</b>						
Cash and investments	\$ 742,283	\$ 350,931	\$ 1,093,214	\$ 684,807	\$ 268,385	\$ 953,192
Taxes receivable	25,347	1,100,000	1,125,347	29,527	1,300,000	1,329,527
Special assessment receivable	36,476	-	36,476	58,474	-	58,474
Total Assets	<u>\$ 804,106</u>	<u>\$ 1,450,931</u>	<u>\$ 2,255,037</u>	<u>\$ 772,808</u>	<u>\$ 1,568,385</u>	<u>\$ 2,341,193</u>
<b>Liabilities and Fund Balance</b>						
Unearned & unavailable revenue	\$ 36,476	\$ 1,100,000	\$ 1,136,476	\$ 58,474	\$ 1,300,000	\$ 1,358,474
Unassigned fund balance	767,630	350,931	1,118,561	714,334	268,385	982,719
Total Liabilities and Fund Balance	<u>\$ 804,106</u>	<u>\$ 1,450,931</u>	<u>\$ 2,255,037</u>	<u>\$ 772,808</u>	<u>\$ 1,568,385</u>	<u>\$ 2,341,193</u>

**Statement of Revenue, Expenses and Fund Balance  
For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Special Assessment</b>	<b>2019 Debt Service</b>	<b>2019 Year-to-Date Actual</b>	<b>2019 Amended Budget</b>	<b>2018 Special Assessment</b>	<b>2018 Debt Service</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>							
Property Taxes	\$ -	\$ 1,300,000	\$ 1,300,000	\$ 1,300,000	\$ -	\$ 1,300,000	\$ 1,300,000
Special Assessments	28,524	-	28,524	-	75,993	-	75,993
Investment Income	24,772	10,816	35,588	-	14,390	3,958	18,348
GO Debt Issuance	-	80,648	80,648	-	-	-	-
Total Revenue	<u>53,296</u>	<u>1,391,464</u>	<u>1,444,760</u>	<u>1,300,000</u>	<u>90,383</u>	<u>1,303,958</u>	<u>1,394,341</u>
<b>Expenditures.</b>							
Debt Service							
Principal	-	1,405,000	1,405,000	1,405,000	-	1,330,000	1,330,000
Interest	-	134,137	134,137	134,138	-	148,898	148,898
Bank Fees	-	1,200	1,200	1,050	-	-	-
Total expenditures	<u>-</u>	<u>1,540,337</u>	<u>1,540,337</u>	<u>1,540,188</u>	<u>-</u>	<u>1,478,898</u>	<u>1,478,898</u>
Transfers in	-	323,419	323,419	240,188	(60,000)	392,254	332,254
Transfers out	-	(92,000)	(92,000)	-	-	-	-
Net change in fund balances	<u>53,296</u>	<u>82,546</u>	<u>135,842</u>	<u>-</u>	<u>30,383</u>	<u>217,314</u>	<u>247,697</u>
Fund balance, beginning of year	<u>714,334</u>	<u>268,385</u>	<u>982,719</u>	<u>982,719</u>	<u>683,951</u>	<u>51,071</u>	<u>735,022</u>
Fund balance, end of period	<u>\$ 767,630</u>	<u>\$ 350,931</u>	<u>\$ 1,118,561</u>	<u>\$ 982,719</u>	<u>\$ 714,334</u>	<u>\$ 268,385</u>	<u>\$ 982,719</u>

City of Franklin  
Consolidating TID Funds  
Balance Sheet  
December 31, 2019

<u>Assets</u>	<u>TID 3</u>	<u>TID 4</u>	<u>TID 5</u>	<u>TID 6</u>	<u>TID 7</u>	<u>Total</u>
Cash & investments	\$ 757,095	\$ 4,187,883	\$ 5,192,726	\$ 6,521,700	\$ 5,648,952	\$ 22,308,356
Taxes receivable	1,401,748	1,138,802	721,361	-	-	3,261,911
<u>Total Assets</u>	<u>\$ 2,158,843</u>	<u>\$ 5,326,685</u>	<u>\$ 5,914,087</u>	<u>\$ 6,521,700</u>	<u>\$ 5,648,952</u>	<u>\$ 25,570,267</u>
<u>Liabilities and Fund Balance</u>						
Accounts payable	\$ 48	\$ 119,943	\$ 738,014	\$ 1,066,849	\$ 805,944	\$ 2,730,798
Accrued liabilities	865,136	-	-	-	-	865,136
Advances from other funds	-	-	-	13,000	1,500,000	1,513,000
Unearned revenue	1,401,748	1,138,802	721,361	-	-	3,261,911
<u>Total Liabilities</u>	<u>2,266,932</u>	<u>1,258,745</u>	<u>1,459,375</u>	<u>1,079,849</u>	<u>2,305,944</u>	<u>8,370,845</u>
Assigned fund balance	(108,089)	4,067,940	4,454,712	5,441,851	3,343,008	17,199,422
<u>Total Liabilities and Fund Balance</u>	<u>\$ 2,158,843</u>	<u>\$ 5,326,685</u>	<u>\$ 5,914,087</u>	<u>\$ 6,521,700</u>	<u>\$ 5,648,952</u>	<u>\$ 25,570,267</u>

Statement of Revenue, Expenses and Fund Balance  
For the Twelve months ended December 31, 2019

<u>Revenue</u>	<u>TID 3</u>	<u>TID 4</u>	<u>TID 5</u>	<u>TID 6</u>	<u>TID 7</u>	<u>Total</u>
General property tax levy	\$ 1,114,683	\$ 1,011,224	\$ 30,951	\$ -	\$ -	\$ 2,156,858
Payment in lieu of taxes	-	121,759	-	-	-	121,759
State exempt aid	482,476	21,414	123	-	-	504,013
Investment & misc income	95,601	118,138	104,509	120,883	47,890	487,021
Bond proceeds	3,024,367	-	17,927,999	6,638,320	5,090,048	32,680,734
<u>Total revenue</u>	<u>4,717,127</u>	<u>1,272,535</u>	<u>18,063,582</u>	<u>6,759,203</u>	<u>5,137,938</u>	<u>35,950,385</u>
<u>Expenditures</u>						
Debt service interest & fees	\$ 86,602	\$ -	\$ 10,957,322	\$ 226,063	\$ 53,920	\$ 11,323,907
Administrative expenses	100,146	34,829	34,519	4,130	1,652	175,276
Professional services	-	146,150	145,554	9,796	70,204	371,704
Capital outlays	-	898,356	11,189,128	1,065,175	1,678,254	14,830,913
Development incentive & obligation payment	5,291,991	-	-	-	-	5,291,991
Encumbrances	-	(783,281)	(32,138)	(1,156)	(9,100)	(825,675)
<u>Total expenditures</u>	<u>5,478,739</u>	<u>296,054</u>	<u>22,294,385</u>	<u>1,304,008</u>	<u>1,794,930</u>	<u>31,168,116</u>
Revenue over (under) expenditures	(761,612)	976,481	(4,230,803)	5,455,195	3,343,008	4,782,269
Fund balance, beginning of year	653,523	3,091,459	8,685,515	(13,344)	-	12,417,153
<u>Fund balance, end of period</u>	<u>\$ (108,089)</u>	<u>\$ 4,067,940</u>	<u>\$ 4,454,712</u>	<u>\$ 5,441,851</u>	<u>\$ 3,343,008</u>	<u>\$ 17,199,422</u>

**City of Franklin**  
**Tax Increment Financing District #3**  
**Balance Sheet**  
**December 31, 2019 and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash & investments	\$ 757,095	\$ 1,977,128
Taxes receivable	1,401,748	1,114,683
Total Assets	<u>\$ 2,158,843</u>	<u>\$ 3,091,811</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 48	\$ 354,228
Accrued liabilities	865,136	969,377
Unearned revenue	1,401,748	1,114,683
Total Liabilities	<u>2,266,932</u>	<u>2,438,288</u>
Assigned fund balance	(108,089)	653,523
Total Liabilities and Fund Balance	<u>\$ 2,158,843</u>	<u>\$ 3,091,811</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 and 2018**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
General property tax levy	\$ 1,180,900	\$ 1,180,900	\$ 1,114,683	\$ 1,381,191
State exempt aid	479,831	479,831	482,476	464,931
Investment income	25,000	25,000	95,601	35,035
Bond proceeds	3,500,000	3,500,000	3,024,367	-
Total revenue	<u>5,185,731</u>	<u>5,185,731</u>	<u>4,717,127</u>	<u>1,881,157</u>
<b>Expenditures</b>				
Debt service principal	-	-	-	985,000
Debt service interest & fees	111,500	111,500	86,602	15,084
Administrative expenses	113,350	213,350	100,146	32,351
Interfund interest	-	-	-	74
Capital outlays	-	984,323	-	985,325
Development incentive & obligation payments	4,589,265	5,422,600	5,291,991	109,000
Total expenditures	<u>4,814,115</u>	<u>6,731,773</u>	<u>5,478,739</u>	<u>1,142,511</u>
Revenue over (under) expenditures	371,616	(1,546,042)	(761,612)	738,646
Fund balance, beginning of year	653,523	653,523	653,523	(85,123)
Fund balance, end of period	<u>\$ 1,025,139</u>	<u>\$ (892,519)</u>	<u>\$ (108,089)</u>	<u>\$ 653,523</u>

**City of Franklin**  
**Tax Increment Financing District #4**  
**Balance Sheet**  
**December 31, 2019 and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash & investments	\$ 4,187,883	\$ 3,258,641
Taxes receivable	1,138,802	1,011,224
Total Assets	<u>\$ 5,326,685</u>	<u>\$ 4,269,865</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 119,943	\$ 167,182
Unearned revenue	1,138,802	1,011,224
Total Liabilities	<u>1,258,745</u>	<u>1,178,406</u>
Assigned fund balance	<u>4,067,940</u>	<u>3,091,459</u>
Total Liabilities and Fund Balance	<u>\$ 5,326,685</u>	<u>\$ 4,269,865</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 and 2018**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
General property tax levy	\$ 1,023,600	\$ 1,023,600	\$ 1,011,224	\$ 1,059,413
Payment in Lieu of Taxes	132,800	132,800	121,759	132,871
State exempt aid	19,700	19,700	21,414	16,195
Investment income	20,000	20,000	118,138	56,083
Bond proceeds	5,000,000	5,000,000	-	-
Total revenue	<u>6,196,100</u>	<u>6,196,100</u>	<u>1,272,535</u>	<u>1,264,562</u>
<b>Expenditures</b>				
Debt service interest & fees	188,750	188,750	-	-
Administrative expenses	10,350	10,350	34,829	8,393
Professional services	29,500	161,724	146,150	215,885
Capital outlay	8,000,000	8,714,802	898,356	1,201,850
Encumbrances	-	-	(783,281)	(847,026)
Total expenditures	<u>8,228,600</u>	<u>9,075,626</u>	<u>296,054</u>	<u>579,102</u>
Revenue over (under) expenditures	(2,032,500)	(2,879,526)	976,481	685,460
Fund balance, beginning of year	<u>3,091,459</u>	<u>3,091,459</u>	<u>3,091,459</u>	<u>2,405,999</u>
Fund balance, end of period	<u>\$ 1,058,959</u>	<u>\$ 211,933</u>	<u>\$ 4,067,940</u>	<u>\$ 3,091,459</u>

**City of Franklin**  
**Tax Increment Financing District #5**  
**Balance Sheet**  
**December 31, 2019 and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash & investments	\$ 5,192,726	\$ 8,790,209
Taxes receivable	721,361	30,951
Total Assets	<u>\$ 5,914,087</u>	<u>\$ 8,821,160</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 738,014	\$ -
Due to other funds	-	29,694
Advances from other funds	-	75,000
Unearned revenue	721,361	30,951
Total Liabilities	<u>1,459,375</u>	<u>135,645</u>
Assigned fund balance	4,454,712	8,685,515
Total Liabilities and Fund Balance	<u>\$ 5,914,087</u>	<u>\$ 8,821,160</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 and 2018**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
General property tax levy	\$ 31,500	\$ 31,500	\$ 30,951	\$ 30,500
State exempt aid	400	400	123	-
Investment income	25,000	25,000	104,509	198,075
Bond proceeds	10,000,000	17,350,000	17,927,999	23,480,000
Total revenue	<u>10,056,900</u>	<u>17,406,900</u>	<u>18,063,582</u>	<u>23,708,575</u>
<b>Expenditures</b>				
Debt service interest & fees	10,875,810	15,025,810	10,957,322	430,705
Administrative expenses	20,700	20,700	34,519	51,941
Professional services	10,000	124,279	145,554	82,009
Capital outlay	-	7,200,000	11,189,128	14,399,213
Development incentive & obligation payments	4,000,000	4,000,000	-	4,597
Encumbrances	-	-	(32,138)	(44,280)
Total expenditures	<u>14,906,510</u>	<u>26,370,789</u>	<u>22,294,385</u>	<u>14,924,185</u>
Revenue over (under) expenditures	(4,849,610)	(8,963,889)	(4,230,803)	8,784,390
Fund balance, beginning of year	<u>8,685,515</u>	<u>8,685,515</u>	<u>8,685,515</u>	<u>(98,875)</u>
Fund balance, end of period	<u>\$ 3,835,905</u>	<u>\$ (278,374)</u>	<u>\$ 4,454,712</u>	<u>\$ 8,685,515</u>

City of Franklin  
Ballpark Commons  
Thru Dec 31, 2019

	Date Paid	Streets	Storm Sewer	Parking Lot	County Methane	MMSD Main Movement	Topsoil Replacement	Berms	Water	Sanitary Sewer	Trail	Sound & Light	Contingency	Total
Dev Agreement Budget		5,157,399	2,564,027	1,930,196	3,887,300	458,000	2,602,500	920,000	1,011,124	782,266	145,000	100,000	2,933,672	22,491,484
Revised Budget		3,634,962	5,480,870	1,393,587	3,887,300	458,000	2,989,828	920,000	2,075,473	1,373,100	145,000	100,000	33,363	22,491,484
Dev Agree Amend														
Total		3,634,962	5,480,870	1,393,587	3,887,300	458,000	2,989,828	920,000	2,075,473	1,373,100	145,000	100,000	3,200,000	3,200,000
													3,233,363	25,691,484
Draw's														
Draw 1		398,407	99,753	123,528	314,334	48,090	501,881	36,865	79,928	79,928	19,518	45,565		1,747,597
Draw 2		64,474	22,941	64,474	310,577	4,566	13,856		15,098	15,098				511,082
Draw 3		39,611	2,524	1,311	369,089	2,967	5,197		1,311	1,311			750	424,072
Draw 4		266,915	131,445	17,455	124,910	41,411	124,306		15,224	118,532	8,801	3,673		848,997
Jr # 4 - Qualite Ret														
Draw 5		99,896	947,338	10,830	183,741	2,326	161,860	84,935	1,840	16,532	1,105			1,510,403
Draw 6		195,997	1,327,576	46,840	212,579	-	222,094	59,218	10,564	136,835	2,185		750	2,214,639
Draw 7		161,449	133,499	45,791	301,564	3,030	477,714		61,736	185,602				1,370,385
Draw 8		19,968	486,541	196,505	113,302	9,855	198,197	59,931	264,294	93,528			1,075	1,443,197
Draw 9		128,648	413,641	72,698	508,079	3,398	663,555	6,492	864,146	100,156			460	2,761,273
Draw 10		242,241	556,536	29,135	207,355	49,224	197,741		83,579	129,391			250	1,495,452
Draw 10 A			80,000											80,000
2018 Total	12/28/2018	1,617,607	4,201,794	608,567	2,645,528	164,865	2,566,201	247,441	1,397,720	876,912	31,610	49,238	3,285	14,410,769
Draw 11		67,942	147,607	129,144	115,553	3,554	26,480	35,055	294,394	384,347				1,204,055
Draw 12		60,185	428,176	55,904	12,215		191,508	26,465	161,125	111,320				1,046,899
Draw 13		118,699	356,931	15,990	31,758	10,831	44,435		(85,877)	236,790				729,556
Draw 14	4/19/2019	115,240	16,263	2,765	42,544	6,325	8,481		38,226	128,712				358,556
Draw 15	5/14/2019	53,198	148,929	4,729	39,535	5,581	187,633	-	100,991	24,886				565,482
Draw 16	6/6/2019	32,471	244,266	85,996	22,246	920	5,709		230,742	1,027		38,375		660,725
Draw #17	7/12/2019	307,184	4,892	202,419	20,326	4,371	16,121		170,568					726,909
Draw #18	10/2/2019	771,117	30,459	1,036,027	4,221	2,435	124,575		22,026	24,389	45,224	34,780		2,095,253
Draw 19	10/18/2019	24,905												24,905
Draw #20	12/30/2019	(73,079)	10,117	61,283	53,392	11,842	95,117		164,495	22,182		2,289		347,639
Draw #21	12/30/2019	210,236	49,538	21,186	47,107	356	49,372	264,598	1,595	45,314		36		689,340
Draw #21A	12/30/2019							(245,960)						(245,960)
Draw #21B	12/30/2019	(108,000)												(108,000)
Draw #22A	12/30/2019	851,690	242,892	213,799	706		433,150	17,735	5,638	204,969		34,702		2,005,281
Draw #22B	12/30/2019	73,202					253,800		18,537	6,600				352,139
Draw #23	1/17/2020		55,536	39,422	54,193	4,020	55,827	(245,147)	32,289	56,656				50,823
*21 adj recorded by BPC		108,000						245,960						353,960
Draw #24	1/17/2020	157,595	1,315	(68,574)	47,190		112,764		1,315	51,821	27,895			331,323
Total 2019		2,768,611	1,736,923	1,800,092	490,986	50,234	1,604,952	98,706	1,156,065	1,299,014	73,119	110,181	-	11,188,883
Total		4,386,218	5,938,717	2,408,659	3,136,515	215,099	4,171,152	346,147	2,553,784	2,175,926	104,729	159,419	3,285	25,599,653
Remaining Budget		(751,256)	(457,847)	(1,015,072)	750,785	242,901	(1,181,324)	573,853	(478,311)	(802,825)	40,271	(59,419)	3,230,078	91,832



**City of Franklin**  
**Tax Increment Financing District #6**  
**Balance Sheet**  
**December 31, 2019 and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash & investments	\$ 6,521,700	\$ -
Total Assets	<u>\$ 6,521,700</u>	<u>\$ -</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 1,066,849	\$ 344
Advances from other funds	13,000	13,000
Total Liabilities	<u>1,079,849</u>	<u>13,344</u>
Assigned fund balance	5,441,851	(13,344)
Total Liabilities and Fund Balance	<u>\$ 6,521,700</u>	<u>\$ -</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 and 2018**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
Investment income	\$ -	\$ 132,300	\$ 120,883	\$ -
Bond proceeds	-	9,837,382	6,638,320	-
Total revenue	<u>-</u>	<u>9,969,682</u>	<u>6,759,203</u>	<u>-</u>
<b>Expenditures</b>				
Debt service interest & fees	\$ -	\$ 195,375	\$ 226,063	\$ -
Administrative expenses	-	8,550	4,130	-
Professional services	-	26,156	9,796	14,500
Capital outlay	-	9,000,000	1,065,175	-
Encumbrances	-	-	(1,156)	(1,156)
Total expenditures	<u>-</u>	<u>9,230,081</u>	<u>1,304,008</u>	<u>13,344</u>
Revenue over (under) expenditures	-	739,601	5,455,195	(13,344)
Fund balance, beginning of year	<u>(13,344)</u>	<u>(13,344)</u>	<u>(13,344)</u>	<u>-</u>
Fund balance, end of period	<u>\$ (13,344)</u>	<u>\$ 726,257</u>	<u>\$ 5,441,851</u>	<u>\$ (13,344)</u>

**City of Franklin**  
**Tax Increment Financing District #7**  
**Balance Sheet**  
**December 31, 2019 and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash & investments	\$ 5,648,952	\$ -
Total Assets	<u>\$ 5,648,952</u>	<u>\$ -</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 805,944	\$ -
Advances from other funds	1,500,000	-
Total Liabilities	<u>2,305,944</u>	<u>-</u>
Assigned fund balance	3,343,008	-
Total Liabilities and Fund Balance	<u>\$ 5,648,952</u>	<u>\$ -</u>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 and 2018**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
Investment & misc income	\$ -	\$ 22,500	\$ 47,890	\$ -
Bond proceeds	-	240,000	5,090,048	-
Total revenue	<u>-</u>	<u>262,500</u>	<u>5,137,938</u>	<u>-</u>
<b>Expenditures</b>				
Debt service interest, fees, bond issuance	\$ -	\$ 153,208	\$ 53,920	\$ -
Administrative expenses	-	5,200	1,652	-
Professional services	-	30,000	70,204	-
Capital outlay	-	2,750,000	1,678,254	-
Encumbrances	-	-	(9,100)	-
Total expenditures	<u>-</u>	<u>2,938,408</u>	<u>1,794,930</u>	<u>-</u>
Revenue over (under) expenditures	-	(2,675,908)	3,343,008	-
Fund balance, beginning of year	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balance, end of period	<u>\$ -</u>	<u>\$ (2,675,908)</u>	<u>\$ 3,343,008</u>	<u>\$ -</u>

City of Franklin, WI  
TID 7 Draw Summary  
Thru Dec 31, 2019

BUIDGET>>> Date	Draw #	Date Funded	Sanitary Sewer	Storm Sewer	Water	Streets	Excavate				Total
							Unsuitable Soils	Oak Leaf Trail	Privacy Berms	Other	
9/23/2019	1	12/30/2019	20,000	37,685	134,066	1,352,579	26,044	59,626	273,288	96,712	2,000,000
9/23/2019	2	12/30/2019		12,685 00	57,142 71	255,962 99		29,626 00			355,416 70
11/18/2019	3	12/30/2019	20,000 00	25,000 00	26,842 06	98,802 42	12,709 80			49,754 58	125,644 48
11/18/2019	4	12/30/2019			37,304 17	81,656 10					226,424 65
Total 2019			20,000.00	37,685.00	121,288 94	601,290 80	12,709 80	29,626 00	-	49,754 58	872,355 12
1/17/2020	5										-
1/24/2020	6					248,476 00			245,959.57		494,435 57
1/24/2020	7					290,759.97		20,703 96			311,463 93
											-
											-
Total			20,000 00	37,685 00	121,288 94	1,140,526.77	12,709 80	50,329 96	245,959 57	49,754.58	1,678,254 62

Remaining - - 12,777.06 212,052 23 13,334 20 9,296 04 27,328 43 46,957 42 321,745 38

**City of Franklin  
Library Fund  
Balance Sheet  
December 31, 2019 (Unaudited) and 2018**

<b>Assets</b>	<b>Operating</b>		<b>Restricted</b>	
	<b>2019</b>	<b>2018</b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 556,449	\$ 465,137	\$ 152,539	\$ 149,639
Accrued receivables	48,510	68,068	-	-
Taxes receivable	1,340,500	1,312,700	-	-
<b>Total Assets</b>	<b>\$ 1,945,459</b>	<b>\$ 1,845,905</b>	<b>\$ 152,539</b>	<b>\$ 149,639</b>
<b>Liabilities and Fund Balance</b>				
Accounts payable	\$ 12,202	\$ 17,469	\$ 5,094	\$ 9,018
Accrued salaries & wages	29,330	26,067	-	-
Unearned revenue	1,340,500	1,312,700	-	-
Assigned fund balance	563,427	489,669	147,445	140,621
<b>Total Liabilities and Fund Balance</b>	<b>\$ 1,945,459</b>	<b>\$ 1,845,905</b>	<b>\$ 152,539</b>	<b>\$ 149,639</b>

**Statement of Revenue, Expenses and Fund Balance - Operating Fund  
For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Annual Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>					
Property taxes	\$ 1,312,700	\$ 1,312,700	\$ 1,312,700	\$ 1,312,700	\$ 1,303,200
Reciprocal borrowing (restricted)	68,000	68,000	68,000	49,181	68,526
Investment income	8,500	8,500	8,500	27,174	16,325
Transfers in	-	8,100	8,100	8,100	-
<b>Total Revenue</b>	<b>1,389,200</b>	<b>1,397,300</b>	<b>1,397,300</b>	<b>1,397,155</b>	<b>1,388,051</b>
<b>Expenditures:</b>					
Salaries and benefits	955,268	963,368	963,368	898,852	898,385
Contractual services	12,750	12,750	12,750	12,593	14,483
Supplies	28,900	28,900	28,900	29,348	27,817
Services and charges	63,328	63,328	63,328	93,881	65,247
Contingency	-	6,240	6,240	6,240	8,425
Facility charges	230,850	230,850	230,850	191,463	243,790
Capital outlay	91,020	91,020	91,020	91,020	96,775
Encumbrances	-	-	-	-	(6,240)
<b>Total Library Costs</b>	<b>1,382,116</b>	<b>1,396,456</b>	<b>1,396,456</b>	<b>1,323,397</b>	<b>1,348,682</b>
<b>Total expenditures</b>	<b>1,382,116</b>	<b>1,396,456</b>	<b>1,396,456</b>	<b>1,323,397</b>	<b>1,348,682</b>
<b>Revenue over (under) expenditures</b>	<b>7,084</b>	<b>844</b>	<b>844</b>	<b>73,758</b>	<b>39,369</b>
<b>Fund balance, beginning of year</b>	<b>489,669</b>	<b>489,669</b>		<b>489,669</b>	<b>450,300</b>
<b>Fund balance, end of period</b>	<b>\$ 496,753</b>	<b>\$ 490,513</b>		<b>\$ 563,427</b>	<b>\$ 489,669</b>

**City of Franklin  
Tourism Commission  
Balance Sheet  
December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 393,282	\$ 298,996
Accounts receivable	77,000	77,073
<b>Total Assets</b>	<b>\$ 470,282</b>	<b>\$ 376,069</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 331	\$ -
Assigned fund balance	469,951	376,069
<b>Total Liabilities and Fund Balance</b>	<b>\$ 470,282</b>	<b>\$ 376,069</b>

**Comparative Statement of Revenue, Expenses and Fund Balance  
For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue:</b>				
Room Taxes	\$ 226,000	\$ 226,000	\$ 175,721	\$ 172,725
Investment Income	-	-	6,755	3,591
<b>Total revenue</b>	<b>226,000</b>	<b>226,000</b>	<b>182,476</b>	<b>176,316</b>
<b>Expenditures:</b>				
Sundry Contractors	10,000	10,000	14,080	-
Supplies	50,000	50,000	-	77
Training & Memberships	7,500	7,500	520	-
Tourism Events	50,000	50,000	3,734	-
Marketing	50,000	86,937	71,631	48,900
Encumbrances	-	-	(1,371)	(36,938)
<b>Total expenditures</b>	<b>167,500</b>	<b>204,437</b>	<b>88,594</b>	<b>12,039</b>
<b>Revenue over (under) expenditures</b>	<b>58,500</b>	<b>21,563</b>	<b>93,882</b>	<b>164,277</b>
<b>Fund balance, beginning of year</b>	<b>376,069</b>	<b>376,069</b>	<b>376,069</b>	<b>211,792</b>
<b>Fund balance, end of period</b>	<b>\$ 434,569</b>	<b>\$ 397,632</b>	<b>\$ 469,951</b>	<b>\$ 376,069</b>

**City of Franklin**  
**Solid Waste Collection Fund**  
**Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 618,291	\$ 575,058
User fees receivable	1,528,160	1,212,707
Accrued Receivables	31,226	29,786
<b>Total Assets</b>	<b>\$ 2,177,677</b>	<b>\$ 1,817,551</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 193,978	\$ 173,747
Accrued salaries & wages	460	458
Unearned Revenue	1,528,114	1,212,599
Restricted fund balance	455,125	430,747
<b>Total Liabilities and Fund Balance</b>	<b>\$ 2,177,677</b>	<b>\$ 1,817,551</b>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>			
Grants	\$ 69,000	\$ 68,858	\$ 68,984
User Fees	1,220,400	1,215,655	1,211,539
Landfill Operations-tippage	361,800	368,379	367,174
Investment Income	19,500	29,383	17,639
Sale of Recyclables	-	2,301	1,820
<b>Total Revenue</b>	<b>1,670,700</b>	<b>1,684,576</b>	<b>1,667,156</b>
<b>Expenditures:</b>			
Personal Services	16,931	15,248	14,690
Refuse Collection	713,750	711,991	693,390
Recycling Collection	390,720	394,898	385,149
Leaf & Brush Pickups	63,800	60,000	60,000
Tippage Fees	469,000	475,306	473,312
Miscellaneous	3,500	1,905	1,845
Printing	1,800	850	1,700
<b>Total expenditures</b>	<b>1,659,501</b>	<b>1,660,198</b>	<b>1,630,086</b>
 Revenue over (under) expenditures	 11,199	 24,378	 37,070
 Fund balance, beginning of year	 430,747	 430,747	 393,677
 Fund balance, end of period	 <b>\$ 441,946</b>	 <b>\$ 455,125</b>	 <b>\$ 430,747</b>

**City of Franklin**  
**Sanitary Sewer Fund**  
**Comparative Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

	<u>2019</u>	<u>2018</u>
<b><u>Assets</u></b>		
Current assets		
Cash and investments	\$ 1,529,881	\$ 1,383,225
Accounts receivable	979,380	949,779
Taxes receivable	118,953	108,886
Miscellaneous receivable	12,139	6,980
Prepaid expenses	-	2,291
Total current assets	<u>2,640,353</u>	<u>2,451,161</u>
Non current assets		
Due from MMSD	17,555,340	18,799,969
Sanitary Sewer plant in service		
Land	725,594	725,594
Buildings and improvements	3,308,050	3,308,050
Improvements other than buildings	81,653,509	78,754,451
Machinery and equipment	1,209,165	1,182,171
Construction in progress	<u>95,510</u>	<u>2,753</u>
	86,991,828	83,973,019
Less accumulated depreciation	<u>(24,528,482)</u>	<u>(22,382,129)</u>
Net sanitary sewer plant in service	<u>62,463,346</u>	<u>61,590,890</u>
Deferred assets		
Pension assets	<u>373,360</u>	<u>89,558</u>
Total Assets	<u><u>\$ 83,032,399</u></u>	<u><u>\$ 82,931,578</u></u>
<b><u>Liabilities and Net Assets</u></b>		
Current liabilities		
Accounts payable	\$ 662,065	\$ 620,576
Accrued liabilities	37,255	29,109
Due to General Fund - non-interest bearing	<u>72,035</u>	<u>77,143</u>
Total current liabilities	771,355	726,828
Non current liabilities		
Accrued compensated absences	75,900	75,360
Pension liability (GASB 68)	328,016	57,415
General Obligation Notes payable - CWF	<u>17,555,341</u>	<u>18,799,970</u>
Total liabilities	<u>18,730,612</u>	<u>19,659,573</u>
Deferred inflows		
Pension liabilities	112,670	102,770
Net Assets		
Invested in capital assets, net of related debt	44,908,006	42,790,921
Restricted balances - LT receivable	17,555,340	18,799,969
Retained earnings	<u>1,725,771</u>	<u>1,578,345</u>
Total net assets	<u>64,189,117</u>	<u>63,169,235</u>
Total Liabilities and Net Assets	<u><u>\$ 83,032,399</u></u>	<u><u>\$ 82,931,578</u></u>

**City of Franklin**  
**Sanitary Sewer Fund**  
**Statement of Revenue, Expenditures,**  
**and Changes in Net Assets**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	2019 Amended Budget	Current Year-to-Date Totals	Prior Year-to-Date Totals
<b>Operating Revenue</b>			
Residential	\$ 2,044,600	\$ 2,066,966	\$ 2,017,367
Commercial	557,100	591,845	584,945
Industrial	460,700	430,270	415,365
Public Authority	172,000	171,112	152,553
Penalties/Other	37,000	36,241	33,707
Multi Family	505,000	503,338	498,486
Miscellaneous Revenue	6,750	-	-
<b>Total Operating Revenue</b>	<u>3,783,150</u>	<u>3,799,772</u>	<u>3,702,423</u>
<b>Operating Expenditures</b>			
Salaries and benefits	\$ 519,746	\$ 510,719	\$ 484,099
Contractual services	146,965	146,698	132,828
Supplies	73,750	63,347	59,704
Facility charges	70,450	54,569	55,513
Shared meter costs	7,000	7,627	6,645
Sewer service - MMSD	2,448,000	2,441,667	2,407,226
Other operating costs	23,800	21,599	18,538
Allocated expenses	116,500	128,878	120,428
Sewer improvements	701,049	209,384	81,685
Depreciation	179,900	157,171	123,096
Encumbrances	-	(15,367)	(21,664)
<b>Total operating expenditures</b>	<u>4,287,160</u>	<u>3,726,292</u>	<u>3,468,098</u>
<b>Operating Income (Loss)</b>	(504,010)	73,480	234,325
<b>Non-Operating Revenue (Expenditures)</b>			
Intergovernmental	500,000	-	-
Miscellaneous income	-	2,355	25,251
Property sale	-	2,218	-
Investment income	461,500	487,546	504,635
Interest expense	(447,500)	(442,426)	(472,825)
Retirement - GASB 68	(10,000)	12,859	-
Capital expenditures	(137,119)	(63,875)	-
Encumbrances	-	63,875	-
<b>Total non-operating revenue (expenditures)</b>	<u>366,881</u>	<u>62,552</u>	<u>57,061</u>
<b>Income (Loss) before Capital Contributions</b>	<u>(137,129)</u>	<u>136,032</u>	<u>291,386</u>
Retained Earnings- Beginning	1,578,345	1,578,345	1,647,847
Transfer (to) from Invested in Capital Assets	116,900	11,394	(360,888)
<b>Retained Earnings- Ending</b>	<u>1,558,116</u>	<u>1,725,771</u>	<u>1,578,345</u>
<b>Capital Contributions</b>	5,025,000	2,899,058	-
Depreciation - CIAC	(2,018,100)	(2,015,208)	(2,011,980)
Transfer (to) from Retained Earnings	(116,900)	(11,394)	360,888
Change in Net Investment in Capital Assets	2,890,000	872,456	(1,651,092)
Net Investment in Capital Assets-Beginning	61,590,890	61,590,890	63,241,982
<b>Net Investment in Capital Assets-Ending</b>	<u>64,480,890</u>	<u>62,463,346</u>	<u>61,590,890</u>
<b>Total net assets</b>	<u>\$ 66,039,006</u>	<u>\$ 64,189,117</u>	<u>\$ 63,169,235</u>



**City of Franklin**  
**Sanitary Sewer Fund**  
**Statement of Cash Flows**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<u>2019</u>	<u>2018</u>
<b>Cash Flows from Operating Activities</b>		
Operating income (loss)	\$ 73,480	\$ 234,325
Adjustments to reconcile operating income to net cash provided by operating activities		
Depreciation	157,171	123,096
allocated from water utility	(12,809)	(12,928)
(Increase) decrease in assets		
Accounts receivable	(29,601)	(103,373)
Taxes receivable	(10,067)	(11,871)
Due from other funds	-	44,579
Due from MMSD & Other Governments		
Miscellaneous receivable	(5,159)	51
Prepaid expenses	2,291	(2,291)
Increase (decrease) in liabilities		
Accounts payable	41,489	(179,912)
Accrued expenses	8,146	1,025
Due to other funds	-	(20,908)
GASB 68 pension	283,460	(303,916)
Compensated absences reserve	540	339
Total Adjustments	<u>435,461</u>	<u>(466,109)</u>
<b>Net Cash Provided by Operating Activities</b>	<u>\$ 508,941</u>	<u>\$ (231,784)</u>
 <b>Cash Flows From Capital &amp; Related Financing Activities</b>		
Due from MMSD & Other Governments	1,244,629	1,214,723
Due to general fund	(5,108)	(4,984)
Notes payable	(1,244,629)	(1,214,722)
Acquisition of capital assets	(132,968)	(471,056)
Investment in deferred assets/liabilities	(273,902)	347,206
<b>Net Cash Provided (Used) in Capital and Financing Activities</b>	<u>(411,978)</u>	<u>(128,833)</u>
 <b>Cash Flows from Investing Activities</b>		
Interest and other income	492,119	529,886
Interest expense	<u>(442,426)</u>	<u>(472,825)</u>
 <b>Net Change in Cash and Cash Equivalents</b>	146,656	(303,556)
 <b>Cash and Cash Equivalents, beginning of period</b>	1,383,225	1,686,781
 <b>Cash and Cash Equivalents, end of period</b>	<u><u>\$ 1,529,881</u></u>	<u><u>\$ 1,383,225</u></u>

**Franklin Municipal Water Utility**  
**Notes to the Financial Statements**  
**For the period ended December 31, 2019 and 2018 - UNAUDITED**

<sup>1</sup> Operating revenues are less than budget by \$301,841 for the year.

<sup>2</sup> Operating expenditures are less than budget by \$550,747 for the year.

**Water Connection Fee**

Prior to May 31, 2002, the City collected a water connection fee on new construction and connections to existing properties, to be used to fund water main construction projects. The water connection fees on hand on December 31, 2019 total \$885,546.

**Water Impact Fee**

Since May 31, 2002 a water impact fee on residential and commercial construction replaced the water connection fee. Water Impact Fees collected in 2019 total \$1,158,186. Water Impact fees on hand at December 31, 2019 are \$2,733,341.

**Franklin Municipal Water Utility**  
**Statement of Revenue, Expenditures**  
**and Changes in Net Assets**  
**For the period ended December 31, 2019 and 2018 - UNAUDITED**

<u>Account Description</u>	<u>Annual Budget</u>	<u>Current Year to Date</u>	<u>Prior Year to Date</u>
<b>Operating Revenue</b>			
Metered Sales-Residential	\$ 3,067,900	\$ 2,874,381	\$ 2,918,671
Metered Sales-Commercial	686,200	648,437	689,709
Metered Sales-Industrial	494,700	438,327	475,734
Other Sales to Public Authority	259,000	268,223	248,797
Metered Sales-Multifamily	765,200	741,263	751,798
Metered Sales-Irrigation	123,000	108,212	139,507
<b>Total Metered Sales</b>	<b>5,396,000</b>	<b>5,078,843</b>	<b>5,224,216</b>
Unmetered Sales	7,500	20,928	17,155
Private Fire Protection	124,100	125,087	123,381
Public Fire Protection	543,000	544,847	542,668
Forfeited Discount	53,500	52,554	53,929
<b>Total Operating Revenue</b> <sup>1</sup>	<b>\$ 6,124,100</b>	<b>\$ 5,822,259</b>	<b>\$ 5,961,349</b>
<b>Operating Expenditures</b>			
<b>Operation and maintenance expense</b>			
<b>Source of Supply</b>	<b>3,042,800</b>	<b>3,018,770</b>	<b>2,979,903</b>
<b>Pumping</b>	<b>135,850</b>	<b>160,397</b>	<b>157,952</b>
<b>Water Treatment</b>	<b>18,500</b>	<b>11,882</b>	<b>4,831</b>
<b>Transmission &amp; Distribution</b>	<b>479,435</b>	<b>348,615</b>	<b>399,143</b>
<b>Customer Accounts</b>	<b>52,750</b>	<b>69,083</b>	<b>46,732</b>
<b>Administrative and general</b>	<b>511,877</b>	<b>436,245</b>	<b>475,917</b>
<b>Total Operation and Maintenance Expenditures</b>	<b>4,241,212</b>	<b>4,044,992</b>	<b>4,064,478</b>
<b>Depreciation</b>	<b>528,715</b>	<b>448,634</b>	<b>417,902</b>
<b>Taxes-Property Tax Equivalent</b>	<b>1,050,000</b>	<b>965,368</b>	<b>1,008,038</b>
<b>Amortization</b>	<b>130,666</b>	<b>42,059</b>	<b>130,666</b>
<b>GASB Employee Benefit Costs</b>	<b>15,000</b>	<b>(1,792)</b>	<b>50,188</b>
<b>Loss on Abandoned Property</b>	<b>82,000</b>	<b>-</b>	<b>5,900</b>
<b>Taxes-FICA</b>	<b>28,477</b>	<b>26,062</b>	<b>26,622</b>
<b>Total Operating Expenditures</b> <sup>2</sup>	<b>6,076,070</b>	<b>5,525,323</b>	<b>5,703,794</b>
<b>Operating Income</b>	<b>\$ 48,030</b>	<b>\$ 296,936</b>	<b>\$ 257,555</b>
<b>Non-Operating Revenue (Expenditures)</b>			
<b>Total non-operating revenue</b>	<b>41,619</b>	<b>123,864</b>	<b>123,799</b>
<b>Income before capital contributions</b>	<b>\$ 89,649</b>	<b>\$ 420,800</b>	<b>\$ 381,354</b>
Retained earnings - beginning	3,294,662	3,294,662	2,538,239
Transfer (to) from invested in capital assets	979,285	(909,832)	375,069
<b>Retained earnings - ending</b>	<b>\$ 4,363,596</b>	<b>\$ 2,805,630</b>	<b>\$ 3,294,662</b>
Capital contributions	2,940,000	4,929,075	-
Depreciation - CIAC	(841,475)	(797,105)	(786,583)
Transfer (to) from retained earnings	(979,285)	909,832	(375,069)
Change in net investment	9,846,432	5,041,802	(1,161,652)
Net investment in capital assets - beginning	42,367,393	42,367,393	43,529,045
<b>Net investment in capital assets - ending</b>	<b>\$ 52,213,825</b>	<b>\$ 47,409,195</b>	<b>\$ 42,367,393</b>
<b>Total net assets</b>	<b>\$ 56,577,421</b>	<b>\$ 50,214,825</b>	<b>\$ 45,662,055</b>

**Franklin Municipal Water Utility**  
**Comparative Balance Sheet**  
**December 31, 2019 & 2018 - UNAUDITED**

<b>Assets</b>	<b>2019</b>	<b>2018</b>
Current Assets:		
Cash and investments	\$ 2,425,883	\$ 2,731,422
Accounts receivable	1,395,461	1,399,852
Due from City of Franklin	-	-
Total current assets	<u>3,983,329</u>	<u>4,307,064</u>
Utility plant in service.		
Land	162,885	162,885
Buildings and improvements	3,394,166	3,394,166
Construction in Progress	1,065,176	60,301
Improvements other than buildings	60,725,142	55,613,608
Machinery and equipment	<u>4,546,099</u>	<u>4,447,921</u>
	69,893,468	63,678,881
Less accumulated depreciation	<u>21,423,626</u>	<u>20,238,972</u>
Net utility plant in service	<u>48,469,842</u>	<u>43,439,909</u>
Deferred Assets:		
Pension Assets	430,264	102,915
Deferred Costs	-	42,059
Total deferred assets	<u>430,264</u>	<u>144,974</u>
<b>Total Assets</b>	<u><u>\$ 52,883,435</u></u>	<u><u>\$ 47,891,947</u></u>
<b>Liabilities and Net Assets</b>		
Liabilities		
Accounts payable	\$ 943,378	\$ 760,659
Accrued liabilities	12,252	11,885
Advance from municipality	123,200	139,700
Pension liability	385,222	66,480
Compensated absences reserve	75,900	75,360
Bond Payable	<u>1,006,682</u>	<u>1,060,647</u>
	2,546,634	2,114,731
Deferred Liabilities:		
Pension & OPEB Liabilities	<u>121,976</u>	<u>115,161</u>
<b>Total liabilities</b>	<u>2,668,610</u>	<u>2,229,892</u>
<b>Net Assets</b>		
Invested in capital assets, net of related debt	47,409,195	42,367,393
Retained earnings	<u>2,805,630</u>	<u>3,294,662</u>
<b>Total net assets</b>	<u>50,214,825</u>	<u>45,662,055</u>
<b>Total Liabilities and Net Assets</b>	<u><u>\$ 52,883,435</u></u>	<u><u>\$ 47,891,947</u></u>

**Franklin Municipal Water Utility**  
**Comparative Statement of Revenue, Expenditures,**  
**and Changes in Net Assets**  
**For the period ended December 31, 2019 and 2018 - UNAUDITED**

	<b>2019</b>	<b>2018</b>
<b>Operating Revenue</b>		
Total metered sales	5,078,843	5,224,216
Fire protection	669,934	666,049
Forfeited discounts, penalties and other	73,482	71,084
<b>Total Operating Revenue</b>	<b>5,822,259</b>	<b>5,961,349</b>
<b>Operating Expenditures</b>		
Operation and maintenance expenses:		
Source of supply	3,018,770	2,979,903
Pumping	160,397	157,952
Water treatment	11,882	4,831
Transmission and distribution	348,615	399,143
Customers' accounts	69,083	46,732
Administrative and general	436,245	475,917
Total operation and maintenance expenses	4,044,992	4,064,478
Depreciation	448,634	417,902
Amortization and Pension Expenses	40,267	180,854
Taxes	991,430	1,034,660
<b>Total Operating Expenditures</b>	<b>5,525,323</b>	<b>5,697,894</b>
<b>Operating Income (Loss)</b>	<b>296,936</b>	<b>263,455</b>
<b>Non-Operating Revenue (Expenses)</b>		
Sundry	92,997	118,006
Interest on investments	66,999	43,412
Interest on long term debt	(32,640)	(33,726)
<b>Total Non-Operating Revenue (Expenses)</b>	<b>123,864</b>	<b>117,899</b>
<b>Income before Capital Contributions</b>	<b>420,800</b>	<b>381,354</b>
Capital Contributions-Developer & Municipality	4,929,075	-
Depreciation - CIAC	(797,105)	(786,583)
<b>Net change in net assets</b>	<b>4,552,770</b>	<b>(405,229)</b>
<b>Net Assets, beginning of period</b>	<b>45,662,055</b>	<b>46,067,284</b>
<b>Net Assets, end of period</b>	<b>\$ 50,214,825</b>	<b>\$ 45,662,055</b>

**Franklin Municipal Water Utility**  
**Comparative Statement of Cash Flows**  
**For the period ended December 31, 2019 and 2018 - UNAUDITED**

	<u>2019</u>	<u>2018</u>
<b>Cash Flows from Operating Activities</b>		
Operating income (loss)	\$ 296,936	\$ 263,455
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation & Amortization	490,693	548,568
Depreciation-shared meters	12,809	12,928
(Increase) decrease in assets:		
Accounts receivable	4,391	74,232
Due from other funds	-	39,260
Taxes receivable	11,514	(11,643)
Prepaid expenses	2,291	(2,291)
Increase (decrease) in liabilities:		
Accounts payable	182,719	49,363
Due to other funds	-	(55,014)
Advance from municipality	(16,500)	(16,000)
GASB 68 pension	318,742	(351,903)
Compensated absences reserve	540	339
Total Adjustments	<u>1,007,199</u>	<u>287,839</u>
<b>Net Cash Provided (Used) by Operating Activities</b>	<u>1,304,135</u>	<u>551,294</u>
 <b>Cash Flows From Capital &amp; Related Financing Activities</b>		
Acquisition of capital assets	(6,291,973)	(196,220)
Investment in Deferred Assets	(320,534)	402,091
Capital Contribution - Impact Fees	4,929,075	-
Interest paid on long term debt	(32,273)	(33,359)
Principal on long term debt	<u>(53,965)</u>	<u>(53,928)</u>
<b>Net Cash Provided (Used) in Capital and Financing Activities</b>	<u>(1,769,670)</u>	<u>118,584</u>
 <b>Cash Flows from Investing Activities</b>		
Interest, property rental & other income	<u>159,996</u>	<u>161,418</u>
 <b>Net Change in Cash and Cash Equivalents</b>	<u>(305,539)</u>	<u>831,296</u>
<b>Cash and Cash Equivalents, beginning of period</b>	<u>2,731,422</u>	<u>1,900,126</u>
<b>Cash and Cash Equivalents, end of period</b>	<u><u>\$ 2,425,883</u></u>	<u><u>\$ 2,731,422</u></u>

**City of Franklin  
Capital Outlay Fund  
Balance Sheet  
December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 603,939	\$ 477,524
Taxes receivable	295,700	452,800
Accrued Receivables	253	400
<b>Total Assets</b>	<b>\$ 899,892</b>	<b>\$ 930,724</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 112,481	\$ 52,881
Unearned Revenue	295,700	452,800
Assigned fund balance	491,711	425,043
<b>Total Liabilities and Fund Balance</b>	<b>\$ 899,892</b>	<b>\$ 930,724</b>

**Statement of Revenue, Expenses and Fund Balance  
For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
Property Taxes	\$ 452,800	\$ 452,800	\$ 452,800	\$ 450,500
Grants	5,000	5,000	3,998	5,120
Landfill Siting	317,000	317,000	317,000	147,000
Investment Income	6,000	6,000	17,956	9,088
Miscellaneous Revenue	25,000	25,000	32,057	22,870
Transfers from Other Funds	250,000	250,000	-	101,000
<b>Total Revenue</b>	<b>1,055,800</b>	<b>1,055,800</b>	<b>823,811</b>	<b>735,578</b>
<b>Expenditures:</b>				
General Government	158,610	247,203	165,626	132,808
Public Safety	473,795	602,585	577,694	525,112
Public Works	34,020	66,520	66,473	75,837
Health and Human Services	1,020	1,020	1,006	5,250
Culture and Recreation	9,000	29,766	27,161	13,074
Conservation and Development	1,500	3,510	503	1,500
Contingency	50,000	51,385	2,303	-
Contingency - Pending Additional Consideration	100,000	-	-	-
Contingency - Restricted	250,000	250,000	-	-
Encumbrances	-	-	(83,623)	(98,006)
Transfers to Other Funds	-	-	-	8,000
<b>Total expenditures</b>	<b>1,077,945</b>	<b>1,251,989</b>	<b>757,143</b>	<b>663,575</b>
<b>Revenue over (under) expenditures</b>	<b>(22,145)</b>	<b>(196,189)</b>	<b>66,668</b>	<b>72,003</b>
<b>Fund balance, beginning of year</b>	<b>425,043</b>	<b>425,043</b>	<b>425,043</b>	<b>353,040</b>
<b>Fund balance, end of period</b>	<b>\$ 402,898</b>	<b>\$ 228,854</b>	<b>\$ 491,711</b>	<b>\$ 425,043</b>

A Portion of Municipal Building, Police, Highway & Parks appropriations are contingent upon Landfill Siting revenue growth

**City of Franklin  
Equipment Replacement Fund  
Balance Sheet  
December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 2,762,604	\$ 2,721,048
Taxes receivable	-	175,000
<b>Total Assets</b>	<b>\$ 2,762,604</b>	<b>\$ 2,896,048</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 234,542	\$ 75,353
Unearned revenue	-	175,000
Assigned fund balance	2,528,062	2,645,695
<b>Total Liabilities and Fund Balance</b>	<b>\$ 2,762,604</b>	<b>\$ 2,896,048</b>

**Comparative Statement of Revenue, Expenses and Fund Balance  
For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue:</b>				
Property Taxes	\$ 175,000	\$ 175,000	\$ 175,000	\$ 350,000
Landfill	376,700	376,700	500,000	200,000
Investment Income	29,000	29,000	91,827	38,372
Transfers from Other Funds	-	-	-	8,000
Property Sales	30,000	30,000	3,879	59,104
<b>Total revenue</b>	<b>610,700</b>	<b>610,700</b>	<b>770,706</b>	<b>655,476</b>
<b>Expenditures:</b>				
Public Safety	1,006,670	1,006,670	884,882	91,029
Public Works	190,000	210,431	210,431	250,998
Encumbrances	-	-	(206,974)	(20,431)
<b>Total expenditures</b>	<b>1,196,670</b>	<b>1,217,101</b>	<b>888,339</b>	<b>321,596</b>
Revenue over (under) expenditures	(585,970)	(606,401)	(117,633)	333,880
Fund balance, beginning of year	2,645,695	2,645,695	2,645,695	2,311,815
<b>Fund balance, end of period</b>	<b>\$ 2,059,725</b>	<b>\$ 2,039,294</b>	<b>\$ 2,528,062</b>	<b>\$ 2,645,695</b>



**City of Franklin**  
**Street Improvement Fund**  
**Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 478,059	\$ 399,388
Taxes receivable	-	18,200
Accrued receivables	42,110	-
<b>Total Assets</b>	<b>\$ 520,169</b>	<b>\$ 417,588</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 13,962	\$ -
Unearned revenue	-	18,200
Assigned fund balance	506,207	399,388
<b>Total Liabilities and Fund Balance</b>	<b>\$ 520,169</b>	<b>\$ 417,588</b>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Totals</b>	<b>2018 Year-to-Date Totals</b>
<b>Revenue:</b>				
Property Taxes	\$ 18,200	\$ 18,200	\$ 18,200	\$ 714,700
Landfill Siting	133,000	133,000	343,270	133,000
Investment Income	4,000	4,000	14,136	11,508
Local Road Improvement Aids	700,000	700,000	700,000	86,748
Refunds and Reimbursements	-	-	-	-
<b>Total revenue</b>	<b>855,200</b>	<b>855,200</b>	<b>1,075,606</b>	<b>945,956</b>
<b>Expenditures:</b>				
Street Reconstruction Program - Current Year	975,000	1,105,000	1,156,723	832,834
Encumbrances	-	-	(187,936)	-
<b>Total expenditures</b>	<b>975,000</b>	<b>1,105,000</b>	<b>968,787</b>	<b>832,834</b>
Revenue over (under) expenditures	(119,800)	(249,800)	106,819	113,122
Fund balance, beginning of year	399,388	399,388	399,388	286,266
<b>Fund balance, end of period</b>	<b>\$ 279,588</b>	<b>\$ 149,588</b>	<b>\$ 506,207</b>	<b>\$ 399,388</b>

**City of Franklin**  
**Capital Improvement Fund**  
**Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 2,930,261	\$ 3,435,380
Accrued receivables	1,092,639	847
<b>Total Assets</b>	<b>\$ 4,022,900</b>	<b>\$ 3,436,227</b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 645,985	\$ 33,940
Contracts Payable	249,439	-
Escrow Balances Due	-	78,915
Fund Balance - Encumbrance	172,000	-
Deferred Inflow	943,000	-
Assigned fund balance	2,012,476	3,323,372
<b>Total Liabilities and Fund Balance</b>	<b>\$ 4,022,900</b>	<b>\$ 3,436,227</b>

**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Totals</b>	<b>2018 Year-to-Date Totals</b>
<b>Revenue:</b>				
Other Grants	\$ 1,150,000	\$ 1,150,000	\$ -	\$ -
Landfill Siting	560,000	560,000	1,229,622	284,102
Transfers from Other Funds	-	-	92,000	-
Transfers from Impact Fees	384,511	384,511	212,631	202,039
Transfers from Connection Fees	1,000,000	1,000,000	-	-
Bond Proceeds	2,100,000	2,750,000	2,285,000	-
Bond Premium	-	-	12,598	-
Donations	-	-	-	11,085
Refunds & Reimbursements	-	-	65	-
Investment Income	20,000	20,000	87,052	53,564
<b>Total revenue</b>	<b>5,214,511</b>	<b>5,864,511</b>	<b>3,918,968</b>	<b>550,790</b>
<b>Expenditures:</b>				
General Government	1,815,000	1,822,940	1,995,983	56,875
Public Safety	1,665,000	1,707,696	1,481,036	112,069
Public Works	2,550,000	3,340,565	2,380,676	527,172
Culture and Recreation	843,109	846,434	620,110	354,432
Sewer & Water	1,000,000	1,000,000	-	17,788
Contingency	100,000	99,984	19,880	3,084
Bond/Note Issuance Cost	75,000	75,000	49,924	-
Transfers to Other Funds	-	-	-	101,000
Encumbrances	-	-	(1,317,745)	(149,509)
<b>Total expenditures</b>	<b>8,048,109</b>	<b>8,892,619</b>	<b>5,229,864</b>	<b>1,022,911</b>
Revenue over (under) expenditures	(2,833,598)	(3,028,108)	(1,310,896)	(472,121)
Fund balance, beginning of year	3,323,372	3,323,372	3,323,372	3,795,493
<b>Fund balance, end of period</b>	<b>\$ 489,774</b>	<b>\$ 295,264</b>	<b>\$ 2,012,476</b>	<b>\$ 3,323,372</b>

**City of Franklin**  
**Utility Development Fund**  
**Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b><u>2019</u></b>	<b><u>2018</u></b>
Cash and investments - Water	\$ 885,546	\$ 646,464
Cash and investments - Sewer	1,238,086	954,032
Taxes receivable	71,165	112,042
Special Assessment - Water Current	74,826	156,455
Special Assessment - Water Deferred	170,661	259,425
Special Assessment - Sewer Current	162,914	262,485
Reserve for Uncollectible	(16,776)	(16,776)
<b>Total Assets</b>	<b><u>\$ 2,586,422</u></b>	<b><u>\$ 2,374,127</u></b>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ -	\$ -
Unearned Revenue	391,625	661,589
<b>Total Fund Balance</b>	<b><u>2,194,797</u></b>	<b><u>1,712,538</u></b>
<b>Total Liabilities and Fund Balance</b>	<b><u>\$ 2,586,422</u></b>	<b><u>\$ 2,374,127</u></b>

**Comparative Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b><u>2019 Original Budget</u></b>	<b><u>2019 Year-to-Date Actual</u></b>	<b><u>2018 Year-to-Date Actual</u></b>
<b>Revenue:</b>			
Special Assessments			
Water	\$ 28,400	\$ 199,564	\$ 65,828
Sewer	29,200	99,571	55,269
Connection Fees			
Water	2,000	-	-
Sewer	35,000	126,622	129,120
<b>Total Assessments &amp; Connection Fees</b>	<b><u>94,600</u></b>	<b><u>425,757</u></b>	<b><u>250,217</u></b>
Special Assessment Interest	17,900	17,801	23,241
Investment Income	10,000	38,701	25,702
<b>Total revenue</b>	<b><u>122,500</u></b>	<b><u>482,259</u></b>	<b><u>299,160</u></b>
<b>Transfer to Capital Improvement Fund</b>			
Water	500,000	-	-
Sewer	500,000	-	-
<b>Total Transfers to Capital Improven</b>	<b><u>1,000,000</u></b>	<b><u>-</u></b>	<b><u>-</u></b>
<b>Revenue over (under) expenditures</b>	<b>(877,500)</b>	<b>482,259</b>	<b>299,160</b>
<b>Fund balance, beginning of year</b>		<b><u>1,712,538</u></b>	<b><u>1,413,378</u></b>
<b>Fund balance, end of period</b>		<b><u>\$ 2,194,797</u></b>	<b><u>\$ 1,712,538</u></b>

**City of Franklin  
Development Fund  
Balance Sheet  
December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b><u>2019</u></b>	<b><u>2018</u></b>
Cash and investments	\$ 7,438,661	\$ 6,281,468
Impact fees receivable	232,640	-
Due From TID 7	1,500,000	-
Total Assets	<u>\$ 9,171,301</u>	<u>\$ 6,281,468</u>
<b><u>Liabilities and Fund Balance</u></b>		
Accounts payable	\$ 1,268	\$ 1,388
Payable to Developers- Oversizing	103,934	139,884
Unearned Revenue - Other	232,640	-
Assigned fund balance	8,833,459	6,140,196
Total Fund Balance	<u>9,171,301</u>	<u>6,281,468</u>
Total Liabilities and Fund Balance	<u>\$ 9,276,503</u>	<u>\$ 6,422,740</u>

**Comparative Statement of Revenue, Expenses and Fund Balance  
For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b><u>2019 Amended Budget</u></b>	<b><u>2019 Year-to-Date Actual</u></b>	<b><u>2018 Year-to-Date Actual</u></b>
<b>Revenue:</b>			
Impact Fee Parks	\$ 400,000	\$ 948,902	\$ 869,037
Southwest Sewer Service Area	35,000	48,440	4,689
Administration	7,500	21,684	20,625
Water	425,000	1,158,186	938,441
Transportation	25,000	113,102	55,533
Fire Protection	50,000	174,135	136,410
Law Enforcement	75,000	322,218	250,076
Library	75,000	262,058	243,988
Total Impact Fees	<u>1,092,500</u>	<u>3,048,725</u>	<u>2,518,799</u>
Investment Income	60,000	187,289	70,589
Interfund Interest Income	-	-	74
Total revenue	<u>1,152,500</u>	<u>3,236,014</u>	<u>2,589,462</u>
<b>Expenditures:</b>			
Other Professional Services	35,253	15,253	16,641
Transfer to Debt Service			
Law Enforcement	205,000	133,800	130,220
Fire	43,100	39,333	45,226
Transportation	73,250	18,000	43,541
Library	133,100	132,286	113,267
Total Transfers to Debt Service	<u>454,450</u>	<u>323,419</u>	<u>332,254</u>
Transfer to Capital Improvement Fund			
Park	384,511	237,916	202,038
Total Transfers to Capital Improve	<u>384,511</u>	<u>237,916</u>	<u>202,038</u>
Sewer Fees	500,000	-	-
Water Fees	<u>500,000</u>	<u>343,130</u>	<u>80,085</u>
Encumbrances		(376,967)	(15,253)
Total expenditures	<u>1,874,214</u>	<u>542,751</u>	<u>615,765</u>
Revenue over (under) expenditures	(721,714)	2,693,263	1,973,697
Fund balance, beginning of year	<u>4,058,562</u>	<u>6,140,196</u>	<u>4,166,499</u>
Fund balance, end of period	<u>\$ 3,336,848</u>	<u>\$ 8,833,459</u>	<u>\$ 6,140,196</u>

# City of Franklin

## Development Fund

### Summary of Impact Fee Activity

For the twelve months ended December 31, 2019

Cash Acct	4292	4293	4294	4295	4296	4297	4299	27 1100 1111
Revenue Acct								-27,2000 2117
Expenditure Acct								

	Parks Recreation	SW Sewer	Admin Fee	Water	Transportation	Fire Protection	Law Enforcement	Library	Net Cash Balance
<b>Beginning Bal, 01/01/19</b>	4,098,570.98	39,277.12	90,530.02	1,522,882.55	23,732.20	94,469.10	129,589.07	141,145.03	6,140,196.07
<b>1st Quarter</b>									
Impact Fees	56,316.00	8,415.00	990.00	155,958.00	5,721.00	9,831.00	18,182.00	15,945.00	271,358.00
Expenditures			(2,745.50)		(18,000.00)	(39,333.13)	(133,800.00)	(132,286.26)	(326,164.89)
subtotal	4,154,886.98	47,692.12	88,774.52	1,678,840.55	11,453.20	64,966.97	13,971.07	24,803.77	6,085,389.18
Transfers									0.00
Investment Income	35,883.44	378.11	779.56	13,920.09	152.98	693.18	624.15	721.49	53,153.00
<b>Ending balance 3/31/2019</b>	<b>4,190,770.42</b>	<b>48,070.23</b>	<b>89,554.08</b>	<b>1,692,760.64</b>	<b>11,606.18</b>	<b>65,660.15</b>	<b>14,595.22</b>	<b>25,525.26</b>	<b>6,138,542.18</b>
<b>2nd Quarter</b>									
Impact Fees	113,421.00	7,815.00	2,750.00	93,055.00	12,935.00	20,529.00	37,985.00	31,566.00	320,056.00
Expenditures			(2,102.50)						(2,102.50)
subtotal	4,304,191.42	55,885.23	90,201.58	1,785,815.64	24,541.18	86,189.15	52,580.22	57,091.26	6,456,495.68
Transfers									0.00
Investment Income	39,030.07	506.76	817.94	16,193.64	222.54	781.56	476.79	517.70	58,547.00
<b>Ending balance 6/30/2019</b>	<b>4,343,221.49</b>	<b>56,391.99</b>	<b>91,019.52</b>	<b>1,802,009.28</b>	<b>24,763.72</b>	<b>86,970.71</b>	<b>53,057.01</b>	<b>57,608.96</b>	<b>6,515,042.68</b>
<b>3rd Quarter</b>									
Impact Fees	57,520.00	9,378.00	1,421.00	55,330.00	26,058.00	19,771.00	36,243.00	16,288.00	222,009.00
Expenditures	(102,932.46)	0.00	(585.00)	0.00	0.00	0.00	0.00	0.00	(103,517.46)
subtotal	4,297,809.03	65,769.99	91,855.52	1,857,339.28	50,821.72	106,741.71	89,300.01	73,896.96	6,633,534.22
Transfers	0.00								0.00
Investment Income	27,086.40	414.51	578.89	11,705.64	320.30	672.73	562.80	465.73	41,807.00
<b>Ending balance 9/30/2019</b>	<b>4,324,895.43</b>	<b>66,184.50</b>	<b>92,434.41</b>	<b>1,869,044.92</b>	<b>51,142.02</b>	<b>107,414.44</b>	<b>89,862.81</b>	<b>74,362.69</b>	<b>6,675,341.22</b>
<b>4th Quarter</b>									
Impact Fees	721,645.00	22,832.00	16,523.00	853,843.00	68,388.00	124,004.00	229,808.00	198,259.00	2,235,302.00
Expenditures	(109,698.32)		(1,267.50)						(110,965.82)
subtotal	4,936,842.11	89,016.50	107,689.91	2,722,887.92	119,530.02	231,418.44	319,670.81	272,621.69	8,799,677.40
Transfer	0.00								0.00
Investment Income	18,952.56	341.73	413.41	10,453.18	458.88	888.42	1,227.22	1,046.60	33,782.00
<b>Ending balance 12/31/2019</b>	<b>4,955,794.67</b>	<b>89,358.23</b>	<b>108,103.32</b>	<b>2,733,341.10</b>	<b>119,988.90</b>	<b>232,306.86</b>	<b>320,898.03</b>	<b>273,668.29</b>	<b>8,833,459.40</b>
Number of Months	322.17	61.04	222.51	139.33	27.99	57.92	43.55	63.37	
2019 Impact Fees	948,902.00	48,440.00	21,684.00	1,158,186.00	113,102.00	174,135.00	322,218.00	262,058.00	3,048,725.00
2018 Impact Fees	869,037.00	4,689.00	20,625.00	938,441.00	55,533.10	136,409.82	250,076.12	243,988.00	2,518,799.04
2017 Impact Fees	66,591.00	0.00	2,695.00	122,539.00	19,218.00	17,970.00	33,017.00	19,383.00	281,413.00
2016 Impact Fees	209,983.00	0.00	4,950.00	210,581.00	8,570.00	30,198.00	56,096.00	57,725.00	578,103.00
2015 Impact Fees	137,670.00	2,928.00	3,630.00	133,352.00	20,533.00	27,116.00	50,222.00	38,526.00	413,977.00
2014 Impact Fees	184,592.00	17,568.00	5,830.00	235,415.00	51,436.00	48,134.00	88,431.00	51,821.00	683,227.00
2013 Impact Fees	317,206.00	11,712.00	6,160.00	427,429.00	31,829.00	45,110.00	82,280.00	66,179.00	987,905.00

\* Funded by an Administrative Fee not an impact fee

<sup>1</sup> Debt service payments

<sup>2</sup> Oversizing payments made

<b>Scheduled</b>	73,499	42,996	205,004	134,039	455,538
Unpaid Balance @ 12/31/2019	624,550	225,400	486,100	92,230	1,408,280
Deferred principal & interest	270,444	0	1,449,632	896,953	2,617,029
	103,934.00	Oversizing payments due in future periods			

**City of Franklin**  
**Self Insurance Fund - Actives**  
**Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 2,691,800	\$ 1,986,494
Accounts receivable	-	61,662
Prepaid expenses	-	3,045
<b>Total Assets</b>	<b>\$ 2,691,800</b>	<b>\$ 2,051,201</b>
<b><u>Liabilities and Net Assets</u></b>		
Accounts payable	\$ 28,279	\$ 333
Claims payable	175,000	290,700
Unrestricted net assets	2,488,521	1,760,168
<b>Total Liabilities and Fund Balance</b>	<b>\$ 2,691,800</b>	<b>\$ 2,051,201</b>

**City of Franklin Self Insurance Fund - Actives**  
**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Original Budget</b>	<b>2019 Amended Budget</b>	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b>Revenue</b>				
Medical Premiums-City	\$ 2,837,218	\$ 2,837,218	\$ 2,437,680	\$ 2,460,171
Medical Premiums-Employee	642,507	642,507	528,386	456,216
Other - Invest Income, Rebates	30,000	30,000	243,802	203,052
Medical Revenue	3,509,725	3,509,725	3,209,868	3,119,439
Dental Premiums-City	112,550	112,550	111,844	108,368
Dental Premiums-Retirees	3,675	3,675	2,472	3,600
Dental Premiums-Employee	56,450	56,450	57,150	55,564
Dental Revenue	172,675	172,675	171,466	167,532
<b>Total Revenue</b>	<b>3,682,400</b>	<b>3,682,400</b>	<b>3,381,334</b>	<b>3,286,971</b>
<b>Expenditures:</b>				
<b>Medical</b>				
Medical claims	2,833,650	2,833,650	1,388,432	2,198,294
Prescription drug claims	-	-	214,786	338,212
Refunds-Stop Loss Coverage	-	-	22	(128,388)
Total Claims	2,833,650	2,833,650	1,603,240	2,408,118
Medical Claim Fees	145,850	145,850	159,837	142,938
Stop Loss Premiums	667,300	667,300	553,893	573,463
Other - Miscellaneous	118,250	118,250	69,731	84,128
HSA Contributions	-	-	94,375	-
Transfer to Other Funds	59,250	98,125	-	-
Total Medical Costs	3,824,300	3,863,175	2,481,076	3,208,647
<b>Dental</b>				
Active Employees & COBRA	189,000	189,000	168,439	198,413
Retiree	3,675	3,675	3,466	5,939
Total Dental Costs	192,675	192,675	171,905	204,352
Claims contingency			-	-
<b>Total Expenditures</b>	<b>4,016,975</b>	<b>4,055,850</b>	<b>2,652,981</b>	<b>3,412,999</b>
Revenue over (under) expenditures	(334,575)	(373,450)	728,353	(126,028)
Net assets, beginning of year	1,760,168	1,760,168	1,760,168	1,886,196
<b>Net assets, end of period</b>	<b>\$ 1,425,593</b>	<b>\$ 1,386,718</b>	<b>\$ 2,488,521</b>	<b>\$ 1,760,168</b>

**City of Franklin**  
**City of Franklin Post Employment Benefits Trust**  
**Balance Sheet**  
**December 31, 2019 (Unaudited) and 2018**

<b><u>Assets</u></b>	<b>2019</b>	<b>2018</b>
Cash and investments	\$ 17,566	\$ -
Investments held in trust - Fixed Inc	2,151,105	2,046,937
Investments held in trust - Equities	4,389,337	3,302,420
Accounts receivable	-	40,582
Prepaid expenses	-	345
<b>Total Assets</b>	<b>\$ 6,558,008</b>	<b>\$ 5,390,284</b>
<b><u>Liabilities and Net Assets</u></b>		
Accounts payable	\$ 9,248	\$ -
Claims payable	10,000	131,100
Due to City	-	29,780
Net assets held in trust for post emp	6,538,760	5,229,404
<b>Total Liabilities and Fund Balance</b>	<b>\$ 6,558,008</b>	<b>\$ 5,390,284</b>

**City of Franklin Post Employment Benefits Trust**  
**Statement of Revenue, Expenses and Fund Balance**  
**For the Twelve months ended December 31, 2019 (Unaudited) and 2018**

	<b>2019 Year-to-Date Actual</b>	<b>2018 Year-to-Date Actual</b>
<b><u>Revenue</u></b>		
ARC Medical Charges - City	\$ 283,196	\$ 319,867
Medical Charges - Retirees	153,829	128,294
Implicit Rate Subsidy	93,976	147,201
<b>Medical Revenue</b>	<b>531,001</b>	<b>595,362</b>
<b><u>Expenditures:</u></b>		
<b>Retirees-Medical</b>		
Medical claims	120,202	455,807
Prescription drug claims	119,408	127,696
Refunds-Stop Loss Coverage	(1,393)	(41,556)
<b>Total Claims-Retirees</b>	<b>238,217</b>	<b>541,947</b>
Medical Claim Fees	43,059	19,323
Stop Loss Premiums	80,589	89,191
Miscellaneous Expense	345	330
ACA Fees	172	160
<b>Total Medical Costs-Retirees</b>	<b>362,382</b>	<b>650,951</b>
<b>Revenue over (under) expenditures</b>	<b>168,619</b>	<b>(55,589)</b>
<b>Annual Required Contribution-Net</b>	<b>-</b>	<b>(22,704)</b>
<b>Other - Investment Income, etc</b>	<b>1,140,737</b>	<b>(266,066)</b>
<b>Total Revenues</b>	<b>1,140,737</b>	<b>(288,770)</b>
<b>Net Revenues (Expenditures)</b>	<b>1,309,356</b>	<b>(344,359)</b>
<b>Net assets, beginning of year</b>	<b>5,229,404</b>	<b>5,573,763</b>
<b>Net assets, end of period</b>	<b>\$ 6,538,760</b>	<b>\$ 5,229,404</b>

**COMBINING STATEMENT OF REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE  
NONMAJOR GOVERNMENTAL FUNDS FOR CITY OF FRANKLIN  
Period Ending 12/31/2019**

GL Number	LIBRARY RESTRICTED FUND	TOURISM COMMISSION FUND	FIRE DEPT GRANT FUND	ST MARTINS FAIR FUND	HEALTH DEPT GRANT FUND	OTHER GRANTS	DONATIONS FUND	CIVIC CELEBRATIONS FUND	TOTAL
<b>REVENUES</b>									
REAL ESTATE TAXES	-	-	-	-	-	-	-	-	-
TAXES	-	175,721	-	-	-	-	-	-	175,721
INTERGOVERNMENTAL	-	-	7,895	-	204,497	10,000	-	-	222,392
LICENSES & PERMITS	-	-	-	20,372	-	-	-	300	20,672
CHARGES FOR SERVICES	11,909	-	-	-	-	-	-	93,598	105,508
MISCELLANEOUS REVENUE	58,349	-	-	-	18,156	-	42,368	38,997	157,871
INVESTMENT EARNINGS	777	6,755	-	-	-	-	-	-	7,532
Total Revenues	71,036	182,476	7,895	20,372	222,653	10,000	42,368	132,895	689,695
<b>EXPENDITURES</b>									
PERSONAL SERVICES	-	-	-	27,125	41,367	-	-	19,496	87,988
EMPLOYEE BENEFITS	-	-	-	10,671	57,612	-	-	7,472	75,755
CONTRACTUAL SERVICES	11,377	14,080	-	-	26,856	-	-	64,919	117,232
SUPPLIES	26,734	-	6,299	675	54,371	-	18,133	25,854	132,066
SERVICES & CHARGES	9,257	74,513	-	14,868	30,389	-	-	20,977	150,005
FACILITY CHARGES	1,735	-	-	-	-	-	-	-	1,735
CLAIMS, CONTRIB AND AWARDS	1,683	-	-	-	-	-	-	-	1,683
Total Expenditures	50,785	88,593	6,299	53,340	210,594	-	18,133	138,718	566,463
Excess (deficiency) of Revenues vs Expenditures	20,251	93,882	1,596	(32,969)	12,058	10,000	24,236	(5,822)	123,232
<b>OTHER FINANCING SOURCES</b>									
FUND TRANSFERS	-	-	-	31,000	-	-	-	13,000	44,000
<b>OTHER FINANCING USES</b>									
CAPITAL OUTLAY	13,427	-	2,547	-	10,056	5,000	13,500	-	44,530
Net Change in Fund Balance	6,824	93,882	(951)	(1,969)	2,002	5,000	10,736	7,178	122,702
Fund Balance - Beginning	140,621	376,069	22,572	5,604	169,623	315	150,606	70,139	935,549
Fund Balance - Ending	147,445	469,951	21,621	3,636	171,625	5,315	161,342	77,316	1,058,251



**City of Franklin  
Park Commission  
Statement of Revenue and Expenses  
For the Twelve months ended December 31, 2019 - Unaudited**

	<b>2019 Amended Budget</b>	<b>Current Year-to-Date Totals</b>	<b>2018 Year-to-Date Totals</b>
<b>General Fund Operating Revenue:</b>			
Park & Field Reservation	\$ 16,500	\$ 19,838	\$ 19,800
<b>General Fund Operating Expenses:</b>			
Personal Services	\$ 154,568	\$ 153,109	\$ 174,300
Park Maintenance	32,500	31,339	32,104
Uniforms	300	250	250
Allocated insurance	4,900	4,900	4,900
Mileage	1,100	1,565	1,398
Utilities	9,425	8,785	8,682
Building maintenance	-	-	-
Total Operating Fund Expenses	\$ 202,793	\$ 199,948	\$ 221,634
<b>Capital Outlay Fund Expenses:</b>			
Landscaping-Park/Tree Maint	\$ 9,866	\$ 9,404	\$ 3,846
Park Equipment & Supplies	17,900	17,757	9,228
Contingency	2,000	-	-
Total Capital Outlay Expenditures	\$ 29,766	\$ 27,161	\$ 13,074
<b>Development Fund Revenue:</b>			
Impact Fee-Parks & Recreation	\$ 400,000	\$ 948,902	\$ 869,037
<b>Development Fund Expenses:</b>			
Reimb to Developers & Others	\$ -	\$ 25,285	\$ -
Transfer to Capital Improvement Fund	384,511	212,631	202,039
Encumbrances	-	(25,285)	-
Total Capital Improvement Expenditures	384,511	212,631	202,039
<b>Capital Improvement Fund Expenses:</b>			
General Park Development	\$ 323,109	\$ -	\$ -
Improvements - Ken Windl Park	-	22,618	-
River Park Trail Bridge	-	-	300,038
Pleasant View Park - Pavilion	503,325	577,503	28,464
Ernie Lake Special Park Boardwalk	-	-	25,930
Pleasant View Park - Park Equipment	20,000	19,989	-
Total Capital Improvement Expenditures	846,434	620,110	354,432
Less Impact Fees Transfer	384,511	212,631	202,039
Net Expenditures (after Impact Fee contribution)	\$ 461,923	\$ 407,479	\$ 152,393
<b>Tax Incremental Districts (TID):</b>			
TID 5 - Ballpark Commons			
Recreation/Bike Trail	-	73,119	31,610
Sound & Lights	-	110,181	45,565
TID 7 - Velo Village			
Recreation/Bike Trail	-	50,330	-
Total TID Expenditures	\$ -	\$ 233,630	\$ 77,175

<b>APPROVAL</b> <i>slw</i> <i>AK</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>4/6/2020</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER</b> <i>I.</i>

Attached are vouchers dated March 13, 2020 through April 2, 2020 Nos. 177779 through Nos. 178010 in the amount of \$ 6,336,589.51. This total includes \$2,300,000 in investments and \$2,383,204 in previously approved vouchers. Also included in this listing are EFT's Nos. 4252 through Nos. 4275, Library vouchers totaling \$ 14,555.24, Water Utility vouchers totaling \$ 79,328.35 and Property Tax refunds totaling \$ 10,207.74. Voided checks in the amount of \$ (11,471.39) are separately listed.

Early release disbursements dated March 13, 2020 through April 1, 2020 in the amount of \$ 5,560,006.51 are provided on a separate listing and are also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

Vouchers approved at prior Council meetings that are included in this distribution.

Chicago Title Co	Purchase Corp Park Land	\$ 248,243.89
Geographical Mkt	GIS Services	\$ 10,346.04
Knight Barry	TID 7 Infrastructure	\$ 166,662.74
Knight Barry	TID 7 Mortgage	\$ 1,788,986.11
Selzer Ornst	City Hall Roof/HVAC	\$168,965.40
<b>TOTAL</b>		<b>\$2,383,204.18</b>

The net payroll dated March 27, 2020 is \$ 387,670.98 previously estimated at \$ 384,000.00. Payroll deductions dated March 27, 2020 are \$ 420,357.77 previously estimated at \$ 423,000.00.

The estimated payroll for April 10, 2020 is \$ 417,000.00 with estimated deductions and matching payments of \$ 230,000.00.

There was no Property Tax activity.

**COUNCIL ACTION REQUESTED**

Motion approving the following:

- City vouchers with an ending date of April 2, 2020 in the amount of \$ 6,336,589.51 and
- Payroll dated March 27, 2020 in the amount of \$ 387,670.98 and payments of the various payroll deductions in the amount of \$ 420,357.77 plus City matching payments and
- Estimated payroll dated April 10, 2020 in the amount of \$ 417,000.00 and payments of the various payroll deductions in the amount of \$ 230,000.00, plus City matching payments.

**ROLL CALL VOTE NEEDED**